

# City of Clearwater

*Main Library - Council Chambers  
100 N. Osceola Avenue  
Clearwater, FL 33755*



## Meeting Minutes

Thursday, March 7, 2024

6:00 PM

Main Library - Council Chambers

**City Council**

**Roll Call**

**Present:** 5 - Mayor Brian Aungst Sr., Vice Mayor Mark Bunker, Councilmember David Allbritton, Councilmember Kathleen Beckman and Councilmember Lina Teixeira

**Also Present:** Jennifer Poirrier – City Manager, Michael Delk – Assistant City Manager, Daniel Slaughter – Assistant City Manager, David Margolis – City Attorney, Rosemarie Call – City Clerk and Nicole Sprague – Deputy City Clerk.

***To provide continuity for research, items are listed in agenda order although not necessarily discussed in that order.***

**Unapproved****1. Call to Order – Mayor Aungst**

*The meeting was called to order at 6:00 p.m.*

**2. Invocation – major Ted Morris from The Salvation Army****3. Pledge of Allegiance****4. Special recognitions and Presentations (Proclamations, service awards, or other special recognitions. Presentations by governmental agencies or groups providing formal updates to Council will be limited to ten minutes.) – Given.****4.1 Fire Oaths**

*The City Clerk administered the Oath of Office to Firefighter/EMTs Zachary Adkisson, Justin Blocker, Jacob Chellew, Camilo Espinal, Michael Girton, Jalen Jamison, Jason Jones, Cody Kerr, Cameron Mills, Alex Sexton, Cameron Snyder, Stephen Sudu, Nicole Warder, and Adrian Zeqiri.*

**4.2 Newspapers in Education Week Proclamation: March 4-8, 2024 - Sue Bedry, NIE Development Officer and/or Jodi Pushkin NIE Manager Tampa Bay Times****4.3 Clearwater for Youth 2024 Scholarship Winners from Clearwater High Schools - Eric Harris, Program Manager****4.4 Clearwater Trailblazing Women History Month Proclamation, March 2024 - Allison Dolan of Clearwater Historical Society****5. Approval of Minutes**

- 5.1** Approve the minutes of the February 15, 2024 City Council Meeting as submitted in written summation by the City Clerk.

**Councilmember Beckman moved to approve the minutes of the February 15, 2024 City Council Meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.**

*The Mayor requested a motion to take Item 6.20 (Airpark Lease) off the Consent Agenda and hear it after Item 7.1 (Airpark Surplus), as requests to provide public comment have been received.*

**Vice Mayor Bunker moved to take Item 6.20 off the Consent Agenda and hear it after Item 7.1. The motion was duly seconded and carried unanimously.**

## **6. Consent Agenda – Approved as amended, less Item 6.11.**

- 6.1** Award an agreement to Public Resources Advisory Group, Inc, for Financial Advisory services through September 30, 2027, in accordance with Clearwater Code of Ordinances Section 2.563(1)(c), Piggyback, and authorize the appropriate officials to execute same. (consent)
- 6.2** Authorize the continuing use of citywide staffing services contracts to 22nd Century Technologies, Inc. (TSCTI) of McLean, VA and Cogent Infotech Corporation of Pittsburgh, PA, for citywide staffing services in the cumulative amount of \$500,000.00 for an additional one-year term through February 15, 2025. (consent)
- 6.3** Approve a purchase order to Bliss Products, of Lithia Springs, Georgia for the purchase of various amenities for multiple park locations in the total amount of \$249,427.55, pursuant to Clearwater Code of Ordinances Sections 2.563(1)(c), piggyback, and 2.563(1)(d), Impractical, and authorize the appropriate officials to execute same. (consent)
- 6.4** Authorize proposal to Khors Construction, Inc. for the repair and mitigation of dock ramp, docks and pilings damaged by Hurricane Idalia at Clearwater Community Sailing Center located at 1001 Gulf Boulevard in the amount of \$138,326.38 and authorize the appropriate officials to execute same. (consent)
- 6.5** Approve a purchase order to Rep Services, Inc., of Longwood, Florida for the purchase and installation of playground equipment at McKay Park located at 605 Mandalay Avenue in the total amount of \$301,015.02, pursuant to Clearwater Code of Ordinances Sections 2.563(1)(c), piggyback, and 2.563(1)(d), Impractical, and authorize the appropriate officials to execute same. (consent)

- 6.6** Approve a purchase order increase to the Superlative Group Inc. for sales services for the Imagine Clearwater project in the amount of \$45,000.00, bringing the total to \$204,000.00, and authorize the appropriate officials to execute same. (consent)
- 6.7** Approve a Naming Rights Agreement between the City of Clearwater and BayCare Health System, Inc., a Florida not-for-profit corporation located at 2985 Drew Street, Clearwater for naming rights of the amphitheater at Coachman Park to be called The BayCare Sound and that the appropriate officials be authorized to execute same. (consent)
- 6.8** Approve construction contracts to Inliner Solutions, LLC, of Sanford, FL, for Stormwater Pipe Cleaning (Section B), Stormwater Pipe Lining (Section C) and Barnacle Removal (Section D), in the annual amount not-to-exceed \$1,050,000.00 for an initial one-year term with an option for three additional one-year renewal terms on a unit price basis pursuant to Invitation to Bid (ITB) 23-0036-EN and authorize the appropriate officials to execute same. (consent)
- 6.9** Approve an increase to purchase orders with Tip Top Tree Experts LLC, of Weirsdale, FL, and TreesForYou.com, Inc. of Belleair Beach, FL, for palm tree pruning in the cumulative amount of \$42,000.00, increasing the annual not to exceed amount from \$216,000.00 to \$258,000.00 with two, one-year renewal options, pursuant to Invitation to Bid (ITB) 42-23 and authorize the appropriate officials to execute same. (consent)
- 6.10** Approve an increase to Wannemacher Jensen Architects (WJA) Inc., of St. Petersburg, FL for supplemental work order 1 in the amount of \$614,965.00 for a new total of \$818,916.00 pursuant to Request for Qualifications (RFQ) 08-23; Approve a Construction Manager at Risk (CMAR) agreement and preconstruction proposal from Creative Contractors of Clearwater, FL for Long Center Renovations in the amount of \$86,375.00 pursuant to RFQ 07-24 and authorize the appropriate officials to execute same. (consent)
- 6.11** Approve a purchase order (PO) to USA Shade and Fabric Structures of Airport, TX, to fabricate and install a shade structure as part of the Mercado project (19-0026-EN) in the amount of \$223,833.61 per Clearwater Code of Ordinance Section 2.563(1)(d), Impractical to bid, and authorize the appropriate officials to execute same. (consent)  
**See below.**
- 6.12** Approve Supplemental 1 work order to Wannemacher Jensen Architects (WJA) Inc., of St. Petersburg, FL in the amount of \$47,415.00 increasing from \$445,869.00 to \$493,284.00 pursuant to Request for Qualifications (RFQ) 31-20; approve a Construction Manager at Risk (CMAR) proposal from Biltmore Construction Company, Inc., of Belleair, FL, for Fire Station 47 (18-0011-FD) at the Guaranteed Maximum Price (GMP) of \$8,500,702.00 pursuant to RFQ 38-23 and authorize the appropriate

officials to execute same. (consent)

- 6.13** Authorize an increase to purchase order with St. Petersburg College for paramedic classes and as needed citywide training in the amount of \$90,493.31, bringing the total amount of the purchase order to \$184,504.05, pursuant to Clearwater Code of Ordinances Section 2.563(1)(f) Professional Services not subject to CCNA (Academics) and authorize the appropriate officials to execute same. (consent)
- 6.14** Approve a Purchase Order and Services Agreement to Convergent Technologies, LLC. of Schaumburg, IL, for software and existing hardware maintenance for security systems at city facilities in a not-to-exceed amount of \$490,352.52 pursuant to Clearwater Code of Ordinances Section 2.563(1)(c), Piggyback and 2.563(1)(d) Non-competitive purchases (Impractical) and authorize the appropriate officials to execute same. (consent)
- 6.15** Approve a proposal and Purchase order to American Infrastructure Development, Inc., of Tampa, Florida for the design and permitting of Clearwater Airport Re-mill and Overlay (23-0014-AP) in the amount of \$316,154.00 pursuant to RFQ 34-23 and authorize the appropriate officials to execute same. (consent).
- 6.16** Approve a Work Order under the City's continuing contract with V and A Consulting Engineers, Inc., dba Metzger and Willard, Inc. (V and A), for Utilities Project Management Services (23-0057-UT) in the amount of \$495,000.00 pursuant to RFQ 34-23, EOR Consulting Services and authorize the appropriate officials to execute same. (consent)
- 6.17** Approve a Contract with WestRock CP, LLC d/b/a WestRock Tampa Recycle (WestRock) of Atlanta, GA for the sale of old, corrugated cardboard recycling for initial term March 7, 2024, through March 6, 2026, with one, two-year renewal option pursuant to ITB 05-24 and authorize the appropriate officials to execute same. (consent)
- 6.18** Approve a work order to Ardurra of Tampa, FL, for Solid Waste Truck Wash Replacement Design, Permitting and Construction Services, Project No. 23-0021-SW, in the amount of \$247,547.00 pursuant to Request for Qualifications (RFQ) 34-23, Engineer of Record Consulting Services (EOR), and authorize the appropriate officials to execute same. (consent)
- 6.19** Approve a purchase order to Safety-Kleen Systems, Inc., of Norwell, MA, to pump, transfer and dispose leachate from the Solid Waste Transfer Station in the annual not-to-exceed amount of \$169,000.00 with two, one-year renewal options at City's discretion pursuant to Invitation to Bid (ITB) No. 10-24, Pump, Transport and Dispose of Leachate and authorize the appropriate officials to execute same. (consent)

- 6.21** Approve an amendment to the legal services agreement with Manson Bolves Donaldson Varn for representation in litigation regarding ownership issues of the Seminole Boat Ramps to increase the not to exceed amount from \$100,000 to \$118,500, and authorize the appropriate officials to execute same. (consent)
- 6.22** Appoint Jennifer Frazier and Mikhail Khodortsov to serve on the revised Downtown Development Board. (consent)

**Councilmember Teixeira moved to approve the Consent Agenda as amended, less Item 6.11, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

- 6.11** Approve a purchase order (PO) to USA Shade and Fabric Structures of Airport, TX, to fabricate and install a shade structure as part of the Mercado project (19-0026-EN) in the amount of \$223,833.61 per Clearwater Code of Ordinance Section 2.563(1)(d), Impractical to bid, and authorize the appropriate officials to execute same. (consent)

On February 15, 2024, Council approved a transfer of CRA funds and a \$930,929 GMP to Biltmore Construction to construct the Mercado. Biltmore will construct the shade structure footings and hardscape and install landscape and lighting for the Mercado. USA Shade will fabricate and install the shade structure.

To reduce overall cost to the City, a PO will be issued directly to USA Shade who was a subcontractor under the initial Gibbs & Register contract (approved by Council on May 20, 2021). Under the initial contract with Gibbs & Register, USA Shade was paid a deposit and designed and provided structure hardware. The use of a vendor other than USA Shade would result in higher costs due to the materials provided and work already performed by USA Shade could not be reused by another vendor. Hence, this portion of the project is impractical to bid.

As shared earlier, the project will be complete by September 2024.

**APPROPRIATION CODE AND AMOUNT:**

3157559-563800-C2105 \$223,833.61

Funding is available in capital improvement project C2105, Mercado Downtown Gateway, to fund the purchase order.

**STRATEGIC PRIORITY:**

Construction of the Mercado portion of the Cleveland Streetscape project supports objectives 3.1 and 3.4 by offering a new community/public space for events, markets, gatherings supporting neighborhood identity and inspiring civic engagement.

*One individual spoke in opposition.*

**Councilmember Allbritton moved to approve a purchase order (PO) to USA Shade and Fabric Structures of Airport, TX, to fabricate and install a shade structure as part of the Mercado project (19-0026-EN) in the amount of \$223,833.61 per Clearwater Code of Ordinance Section 2.563(1)(d), Impractical to bid, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

### **Public Hearings - Not before 6:00 PM**

## **7. Administrative Public Hearings**

- 7.1** Declare as surplus, a certain portion of real property located at 1000 N. Hercules Avenue (a.k.a the Clearwater Airpark), for the purpose of the City of Clearwater entering into a certain First Amendment to Lease and Property Operation Agreement with FlyUSA PV, LLC. (APH)

The leased premises is described as that certain portion of the property located at 1000 N. Hercules Avenue, being more particularly described as follows:

Commence at the center of Section 12, Township 29 South, Range 15 East: thence run N 89° 19' 10" W, along the East-West centerline of said Section 12, a distance of 50.00', to a point on the West right-of-way line of Hercules Avenue and the Point of Beginning; thence N 00° 16' 59" E, along said West right-of-way line of Hercules Avenue, a distance of 34.91'; thence N 89° 29' 00" W, a distance of 252.19'; thence N 00° 40' 34" E, a distance of 173.37'; thence N 89° 19' 26" W, a distance of 328.99'; thence N 00° 16' 55" E, a distance of 300.00' to a point on the South right-of-way of Grand Avenue; thence N 89° 19' 26" W, along said South right-of-way of Grand Avenue, a distance of 475.00'; thence N 00° 16' 59" E, a distance of 756.48'; thence N 89° 19' 26" W, a distance of 401.74'; thence N 25° 13' 17" W, a distance of 1610.02'; thence S 65° 50' 39" W, a distance of 294.56'; thence S 24° 09' 21" E, a distance of 633.55'; thence N 89° 01' 19" W, a distance of 8.74'; thence S 25° 13' 17" E, a distance of 3715.92'; thence S 00° 16' 59" W, a distance of 160.49'; thence S 89° 20' 18" E, a distance of 564.75' to a point on said West right-of-way line of Hercules Avenue; thence N 00° 16' 59" E, along said West right-of-way line of Hercules Avenue, a distance of 1489.39' to the Point of Beginning.

Containing 60.21 Acres, more or less.

a.k.a the City of Clearwater Airpark

The Property includes portions of the following tax folio numbers:

12-29-15-55836-001-0012, 12-29-15-55836-001-0001,  
12-29-15-70182-200-1200, 12-29-15-70182-200-0701,  
12-29-15-70182-200-0702, 12-29-15-55836-001-0013,  
12-29-15-55836-001-0006, 12-29-15-55836-001-0011,  
12-29-15-55836-001-0007, and 01-29-15-70164-300-2501.

The Property is currently being leased to FlyUSA PV, LLC through February 29, 2028, with FlyUSA, PV, LLC having a unilateral option to renew the agreement for one five-year renewal period (First Renewal Period). Subsequent to the First Renewal Period, the Parties currently have the option to mutually agree extend the Agreement for four additional five-year renewal periods.

The City and FlyUSA PV, LLC intend to amend the Lease and Property Operations Agreement to provide for an initial term to begin on March 1, 2023 and continue until February 28, 2053. Upon the expiration of the initial term, the Parties will have the option to mutually agree to renew the Agreement for up to five five-year renewal periods.

The First Amendment to the Lease and Property Operations Agreement between the City and FlyUSA PV, LLC is contingent upon the declaration of the property as surplus.

**STRATEGIC PRIORITY:**

High Performing Government: 1.2 Maintain public infrastructure, mobility systems, natural lands, environmental resources, and historic features through systematic management efforts.

Economic & Housing Opportunity: 2.2 Cultivate a business climate that welcomes entrepreneurship, inspires local investments, supports Eco-friendly enterprises, and encourages high-quality job growth.

*Two individuals spoke in opposition.*

*One individual submitted an email opposing Item 7.1 (see page 16).*

**Vice Mayor Bunker moved to declare as surplus, a certain portion of real property located at 1000 N. Hercules Avenue (a.k.a the Clearwater Airpark), for the purpose of the City of Clearwater entering into a certain First Amendment to Lease and Property Operation Agreement with FlyUSA PV, LLC. The motion was duly seconded and carried unanimously.**

- 6.20** Approve a First Amendment to Lease and Property Operation Agreement for the Clearwater Airpark between the City of Clearwater (Lessor) and FlyUSA PV, LLC



(Lessee) to provide for a 30-year initial term ending on February 29, 2053, with five five-year renewal options subject to mutual agreement of both parties among other minor revisions; and authorize the appropriate officials to execute same. (consent)

On January 17, 2023, City Council approved a Lease and Property Operation Agreement (Agreement) between the City of Clearwater (the City or Lessor) and FlyUSA PV, LLC (Lessee) for an initial five-year term through February 29, 2028, with one five-year unilateral renewal option, at the discretion of Lessee, and four subsequent five-year renewal options subject to mutual agreement of both parties.

As part of the partnership between FlyUSA and the City of Clearwater, FlyUSA is encouraged to make capital investments into the Airpark. FlyUSA will be making investments on multiple capital projects, including new corporate hangars, terminal, and parking lot.

Therefore, the Lessee requests, and staff supports, amending the Agreement to provide for a 30-year initial term with five five-year renewal options subject to mutual agreement of both parties. The Amendment also updates the language associated with monthly rent to ensure the rent payments agreed to in the initial agreement remain the same.

**STRATEGIC PRIORITY:**

High Performing Government: 1.2 Maintain public infrastructure, mobility systems, natural lands, environmental resources, and historic features through systematic management efforts.

Economic & Housing Opportunity: 2.2 Cultivate a business climate that welcomes entrepreneurship, inspires local investment, supports Eco-friendly enterprises, and encourages high-quality job growth.

*In response to questions, FlyUSA CEO Barry Shevlin said when the lease was being negotiated, many assumptions were made and over the past year staff has identified which assumptions were accurate and which were not. He said FDOT is no longer funding 80% of the improvement projects as assumed in the original agreement. FDOT is providing a 50% match for all of the vertical construction (revenue generating properties). He said FlyUSA will now have to invest significantly more capital and that is why the request to extend the lease period is before Council. The City is not being asked for additional funding. Mr. Shevlin said FlyUSA agreed to reduce the intensity of the operations at the Airpark by instituting additional restrictions on the hours on the helicopter flight training, which was the neighborhood's biggest complaint, reduced the number of helicopters providing flight*

*training (six helicopters to one), and increased the frequency of the Young Eagles events to every other month. He said all uninsured planes have been removed from the Airpark and employees are undergoing standardized training. A rotating beacon and an instrument approach are in the plan, with the instrument approach being the biggest safety improvement available. The instrument approach allows a pilot to program their avionics to fly the plane to the airport, even if they could not see the airpark.*

*Four individuals spoke in opposition.*

*One individual said FlyUSA did everything they could to get the beacon but the neighborhood did not want the beacon. The neighborhood expressed concerns with the light shining into their homes 24 hours a day. She opposed extending the hours of operation to 11:00 p.m.*

*In response to questions, Assistant City Manager Dan Slaughter said Council will have the ability to approve, or not, a grant funding agreement with FDOT for the beacon. Mr. Shevlin said modern beacons are designed to be seen from the air and not by the neighborhood. Marine and Aviation Director Michael MacDonald said the design phase will identify the type of beacon recommended for the Airpark and its location on the airfield. A consultant must be hired to design and construct the beacon. Mr. Slaughter said there never was a beacon at the Airpark. The City Attorney said the physical footprint of the Airpark is not changing; it is not expanding and the lease property is not changing. It is impossible for the City to expand into the golf course because the golf course is zoned Open Space Recreation (OSR). Under the city charter, land that is zoned OSR cannot be developed or maintained as anything other than OSR, unless voters approve that at referendum. He said the parcel ID associated with the Airpark includes a wide swath of territory, which goes beyond the footprint of the Airpark and the footprint FlyUSA is entitled to occupy under the lease. FlyUSA has stated on many occasions that they have no intention of expanding into the park. Mr. Margolis said there is nothing in the lease that would authorize FlyUSA to expand their operations into the park. In order to lease any portion of The Landings for a new use, such as an expanded airpark, would require a rezoning and voter approval at referendum.*

**Councilmember Teixeira moved to approve a First Amendment to Lease and Property Operation Agreement for the Clearwater Airpark between the City of Clearwater (Lessor) and FlyUSA PV, LLC (Lessee) to provide for a 30-year initial term ending on February 29, 2053, with five five-year renewal options subject to mutual agreement of both parties among other minor revisions; and authorize the appropriate officials to execute same. The motion**

**was duly seconded and carried unanimously.**

- 7.2** Approve the Joint Participation Agreement (JPA) G2S84 between the City of Clearwater and the State of Florida Department of Transportation (FDOT), for a grant to purchase vessels, refurbishment/construction of docks, and water transportation service, authorize the appropriate officials to execute same, and adopt Resolution 24-07.

FDOT JPA Agreement G2S84 provides for an 83% grant from FDOT for the purchase of vessels, refurbishment/construction of docks, and water transportation service, with a 17% cash match from the City. The project cost is estimated at \$1,200,000 with FDOT contributing up to \$1,000,000 in grant funding and the City of Clearwater contributing up to \$200,000 in matching funds. The grant allows for up to \$800,000 of grant funds to be used for the purchase of vessels and the refurbishment and construction of docks and up to \$200,000 of grant funds to be used for water transportation service operations including maintenance and supplies.

**APPROPRIATION CODE AND AMOUNT:**

A first quarter budget amendment will establish capital improvement project G2410, Water Transportation Ferry Grant, recognizing a budget increase of \$1,000,000 in grant revenue.

The required cash match will be provided by a transfer of General Fund revenues included in the budget request over the next three budget years (FY25-FY27) moving planned funding for the Clearwater Ferry agreement to the capital project.

**STRATEGIC PRIORITY:**

High Performing Government: 1.2 Maintain public infrastructure, mobility systems, natural lands, environmental resources, and historic features through systematic management efforts.

Economic & Housing Opportunity: 2.2 Cultivate a business climate that welcomes entrepreneurship, inspires local investment, supports Eco-friendly enterprises, and encourages high-quality job growth.

Community Well-Being: 3.2 Preserve community livability through responsible development standards, proactive code compliance, and targeted revitalization.

Environmental Stewardship: 4.4 Develop accessible and active transportation networks that enhance pedestrian safety and reduce citywide greenhouse gas emissions.

Resolution 24-07 was presented and read by title only.

Councilmember Allbritton moved to approve the Joint Participation Agreement (JPA) G2S84 between the City of Clearwater and the State of Florida Department of Transportation (FDOT), for a grant to purchase vessels, refurbishment/construction of docks, and water transportation service, authorize the appropriate officials to execute same, and adopt Resolution 24-07. The motion was duly seconded and upon roll call, the vote was:

**Ayes:** 5 - Mayor Aungst Sr., Vice Mayor Bunker, Councilmember Allbritton, Councilmember Beckman and Councilmember Teixeira

## **8. Second Readings - Public Hearing**

- 8.1 Adopt Ordinance 9743-24 on second reading, vacating a drainage easement at 309 Coronado Drive, Clearwater, from the property owners DC Clearwater Beach 1 Property, LLC as recorded in O.R. Book 15904, Page 863-868, and in the Public Records of Pinellas County, Florida.

Ordinance 9743-24 was presented and read by title only. Councilmember Beckman moved to adopt Ordinance 9743-24 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

**Ayes:** 5 - Mayor Aungst Sr., Vice Mayor Bunker, Councilmember Allbritton, Councilmember Beckman and Councilmember Teixeira

**9. Citizens to be heard re items not on the agenda - For purposes of this role, "items pertaining to city business" includes any matter within the Council's or the City Manager's power to act, any matter that the Council previously voted on or discussed at the dais, or any matter discussed by or scheduled to be considered by another governmental entity that affects the operation of the City. Each person who wishes to address the Council shall complete a comment card and submit the card to the City Clerk (right-hand side of dais) before the speaker will be permitted to speak. However, if the speaker has just arrived or decided to speak, the Chair may allow the card to be filled out after speaking. Individuals will limit their comments to a maximum of three minutes. The Mayor shall advise the speaker that their time has expired. If the person remains at the podium, thereby interfering with other persons who may wish to be heard, the speaker's microphone may be turned off, or the Mayor may rule the person out of order in accordance with Rule 15.**

*Tony Teller reviewed his CRA Vacancy Reduction Grant Application and*

*efforts he is pursuing to improve the corner of the 500-block on Cleveland Street, as a tenant and not a property owner.*

*Jennifer Harding, Lucas Altic, and Patricia Kirby expressed concerns with Duke Energy removing neighborhood trees as part of their routine vegetation work and requested city assistance to ensure trees are not removed completely.*

*Assistant City Manager Dan Slaughter said the City is sympathetic to the concerns raised but the City does not have authority over Duke Energy. Staff has shared the concerns with Duke Energy, who has temporarily paused work on 2165 Briarway Drive. He said staff will continue to advocate for the residents.*

*Alexandra Nixon opposed the proposed dock that was recently approved by the Community Development Board. She said the proposed dock is for a multi-family property that is not located in the immediate area of the proposed dock.*

*Hoyt Hamilton quoted a comment made by former City Commissioner Bob Clark regarding the election and the “good ole boys.” He said all who sat at the dais understood the importance of neighborhoods and that Bob Clark said the good ole boys did a heck of a job developing this city, making it a destination for tourists and future residents.*

*Mr. Holuba expressed concerns regarding the Clearwater Police Department.*

*The Council recessed from 7:43 p.m. to 7:45 p.m.*

*James Hart opposed the Drew Street concept plan and questioned how many accidents were caused by design, running stops, impaired drivers, and obstructed views.*

*Rudy Michalek thanked Council and staff for the work they do for the city and said people need to be more civil.*

## **10. City Manager Reports**

### **10.1 North Beach Update**

*Public Works Director Marcus Williamson provided a PowerPoint presentation and reviewed the inspections and cleanings conducted to date. He said when contractors and landscapers dump debris into the sewer, it costs the City money. The cost associated for the Vector truck is \$750,000 and \$500,000 for the camera truck. He urged residents to*

*remind their contractors and landscapers not to dump in the sewer.*

### **11. City Attorney Reports**

*The City Attorney said he will share some ideas on how the City may approach Duke Energy's vegetation maintenance efforts with the City Manager.*

### **12. Closing comments by Councilmembers (limited to 3 minutes)**

*Councilmember Beckman thanked the community leaders who spoke tonight and advocated for what is best in their community. She reviewed recent and upcoming events. Wished students and parents a safe and wonderful Spring Break.*

*Vice Mayor Bunker reported that a recent article mentioned him as a victim of a mini crime wave that hit various locations around the city. He was able to turnover video from a Ring camera, that the Clearwater Police Department used to apprehend the two individuals involved. He said he did not press charges but found out that he was targeted by the individuals because of his comments regarding Scientology. He said when he talks about Scientology it is not about the Scientologists but the organization, how it is run by David Miscavige, and the abuses targeting Scientologists.*

*Councilmember Teixeira reviewed recent and upcoming events.*

*Councilmember Allbritton reviewed upcoming events, encouraged all to use the free Park and Ride during Spring Break, and reminded residents that there are 12 more days to the election.*

### **13. Closing Comments by Mayor**

*The Mayor reviewed recent and upcoming events and encouraged all to go vote in the upcoming March 19 election.*

### **14. Adjourn**

*The meeting adjourned at 8:08 p.m.*

Attest

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Mayor  
City of Clearwater

City Clerk

Draft

## Call, Rosemarie

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**From:** Brooke Beloso <bmbeloso@gmail.com>  
**Sent:** Saturday, February 24, 2024 10:04 PM  
**To:** Call, Rosemarie  
**Subject:** citizen input regarding the March 7 hearing

**CAUTION:** This email originated from outside of the City of Clearwater. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Dear Clearwater City Councilmembers,

I am a mother of three children. We moved to Clearwater in spring of 2021, to the neighborhood named Montclair Lake Estates. We were SO excited to move to Clearwater because it offered so much we wanted and value as a family: clean, green public recreational spaces, small town feel with large town amenities, a big homeschooling population, racial, economic, and cultural diversity, and so much more. We purposely chose NOT to live in cities like Tampa with major airports because we did not want the noise pollution or the air pollution.

The weekend we moved in, we were dismayed to hear plane after plane, hour after hour, from dawn to almost midnight, zooming over our heads. We did not notice this as were buying the home, and sellers are not required to disclose noise pollution. On inquiring with our neighbors, they said that this level of airplane activity in our neighborhood was unusually high and likely due to some sort of instructional training. My family was relieved when the activity died down a bit after that weekend. I was still shocked because while I understood that there was a small "airpark" two miles away, I would never have expected so much noise and so many planes so frequently as we experienced. And I never would have thought these planes would start zooming loudly over my home at 7 a.m. and continue all day until nearly midnight, every single day.

And while the high level of activity of that first weekend has been intermittent, there has remained a level of noise pollution that disrupts our waking hours and our sleeping hours. Children need to be able to go to sleep and remain asleep before 11 p.m.

Because I and my children spend so much time outside in our yard gardening, playing, and homeschooling, I grew curious about the air pollution effects of this plane activity.

I was beyond dismayed to discover that leaded aviation gasoline accounts for about 70% of lead released into the air. Avgas-fueled aircraft (general aviation aircraft with piston engines) are the largest source of lead emissions in the US. As most of us know, lead was banned from most motor vehicles 25 years ago. But despite the fact that FAA-approved unleaded aviation gas is widely available, and despite my previous written requests to the mayor and to Councilmember Beckman and to the staff at the Airpark in 2021 that the Clearwater



Airpark transition to unleaded aviation gas, the Airpark continues to sell only leaded aviation gas, (In June of last year, Naples Airport became the third airport in Florida and the 35th airport in the U.S. to offer unleaded fuel for aircraft)

Lead causes adult mortality and irreversible damage to children. Lead is widely known to be toxic, particularly to children. Lead exposure is responsible for nearly half a million adults dying annually from cardiovascular disease, and causes irreversible damage to children's development. Health effects include: death, brain damage, learning disabilities, lower IQ levels, increased blood pressure, and nerve damage. Multiple studies have shown that children who live near airports have higher levels of lead in their blood.

In August of 2021, a peer-reviewed study showed that leaded aviation gasoline increased blood lead levels among thousands of children living nearby a Santa Clara County, California general aviation airport. Children living downwind of the airport had blood lead level increases on par with those detected during the peak of the Flint Water Crisis.

Clearwater Airpark has not thus far acted in good faith to be a good neighbor to all of us living in this densely populated surrounding area. Instead, Clearwater Airpark has acted as if it is situated in a remote rural region, subjecting us all to noise at all hours of the day and most hours of the night, and showering us all with potent neurotoxins causing irreparable harm to us all, and most especially our children.

For this reason, we should not be donating (or "surplusing") 60 acres of green, public recreational land to the Airpark's expansion. This expansion will not only increase small plane traffic, but FlyUsa plans to expand to jet traffic as well-- another decision completely against the best interests of those of us living in this area.

Hobby airplane ownership is a luxury affordable only to the wealthy. The median household income of a general aviation aircraft owner's household in the United States is \$200,000. The median net worth of a jet owner is \$190 million, The median household income in Clearwater is \$59,358.

If acting against noise pollution, air pollution, and lead poisoning children does not convince you to oppose the expansion of Clearwater Airpark, then I ask that you consider that action in favor of the expansion of Clearwater Airpark is action against the majority of your constituency, who cannot afford hobby airplanes or jets-- much less afford to be able to move away from the Airpark in these tough economic times.

Please have mercy on us.

Your Clearwater Airpark neighbor,  
Brooke Beloso  
1845 Monica Drive  
Clearwater, FL 33763

## Call, Rosemarie

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**From:** Brooke Beloso <bmbeloso@gmail.com>  
**Sent:** Thursday, February 22, 2024 9:45 PM  
**To:** Call, Rosemarie  
**Subject:** request to register my objection

**CAUTION:** This email originated from outside of the City of Clearwater. Do not click links or open attachments unless you recognize the sender and know the content is safe.

---

Dear Ms. Call,

May I object via email to the motion to declare the land at 1000 N. Hercule surplus?

Please advise.

Many thanks,  
Brooke Beloso



March 1, 2024

Daniel Slaughter, Assistant City Manager  
City of Clearwater  
600 Cleveland Street, Suite 600  
Clearwater, FL 33755

Dear Mr. Slaughter:

The Clearwater City Council has scheduled a work session on Monday, March 4, 2024, to prepare for the regular public meeting of the City Council on Thursday, March 7.

Among other items listed on the agenda for this work session, 2 items are of great concern to me:

1. Under Marine and Aviation Item 9.3: File # 24-0218 "Declare as surplus a certain portion of real property located at 1000 N. Hercules Ave (a.k.a. the Clearwater Airpark)..." And
2. Under City Manager Item 12.1: File # 24-0051 "Approve a First Amendment to Lease and Property Operation Agreement for the Clearwater Airpark between the City of Clearwater (Lessor) and FlyUSA PV, LLC (Lessee) to provide for a 30-year initial term ending on February 29, 2053, with five five-year renewal options...."

Exclusive of the fact that February 29 is not yet scheduled to occur in year 2053, these 2 actions, individually or combined, represent horrible public policy decisions for a number of reasons, including:

- Clearwater Airpark is a fully operating general aviation public airport. If for some unknown reason this airport is 'surplus' to the City of Clearwater, shouldn't it first be offered to Pinellas County (the owner-operator of nearby PIE); to a publicly owned and operated Airport Authority; or to some other public entity?
- A recently negotiated sale of 31 acres of unimproved airport property between Sarasota-Manatee Airport Authority and New College at a price of \$11.5 Million translates to \$371K/ acre, pointing to a possible land value of the 60 acres at Clearwater Airpark (KCLW) of \$22.3 Million. Add to that the existing improvements at KCLW (runway, fuel farm, hangars and other buildings, lighting, equipment, fencing, etc.) which likely exceed \$8 Million in value, and it seems clear the above actions contemplated by the City of Clearwater would cede a \$30+ Million operating public asset to a private company for a period of up to 55 years.

Are these contemplated actions in the best long-term interests of current and future Clearwater residents and stakeholders?

A current lawsuit (23-943-CO) against the City of Clearwater alleging improprieties relating to the original RFP seeking respondents to provide Fixed Base Operator (FBO) Services at the Clearwater Airpark (RFP # 38-22 issued in June 2022) is slowly winding through the courts.

Should the Plaintiff prevail in this lawsuit, what recourse might the proposed Lessee pursue against the City of Clearwater for damages?

For more than 70 years, Clearwater Airpark has served as an important component of a regional network of publicly owned and operated commercial and general aviation public-use airports which help meet the aviation needs within FDOT District 7, a 5-county region along the Gulf Coast and Central Florida.

In addition to a reasonably affordable and safe place to store, repair and fly their aircraft, regional aviators have relied on KCLW to support a myriad of important but often behind the scenes activities such as EAA; Young Eagles; Angel Flights; Student Pilot training; Civil Air Patrol; Pet Rescue; the list goes on and on.

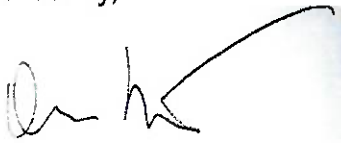


By definition, the focus and priorities of a private, for-profit operator lean toward generating profits and return on investment vs. a public sector entity which operates to serve the needs of the general public. A danger of ceding this valuable regional public asset to a private company for a period of up to 55 years is a shift away from openly welcoming and accommodating zero- and low-revenue aviation related activities which have critical long-term positive benefits to the region, but which make no contribution to the profit-seeking private company. Over the past 12 months, we've already seen some informal evidence of this at KCLW relating to EAA, CAP, hangar rentals, and eviction of long-term tenants for unusual reasons.

In the spirit of Transparency, High Performing Government, Community Well-Being and Superior Public Service, please allow this letter to serve as a formal request that the above actions (24-0218 and 24-0051) be tabled and made subject to a comprehensive public information campaign followed by a referendum to be ratified by a majority of the qualified electors of the City of Clearwater, voting in the next available public election in the City of Clearwater.

Thank you in advance for your time and attention, and please feel welcome to contact me for more information as may be necessary or helpful.

Sincerely,

A handwritten signature in black ink, appearing to be 'Dennis McDermott', with a long, sweeping horizontal line extending to the right.

Dennis McDermott

Phone: (727) 542-6302 ♦ email: [walrus751@gmail.com](mailto:walrus751@gmail.com)



# City Council on 2024-03-07 6:00 PM

Meeting Time: 03-07-24 18:00

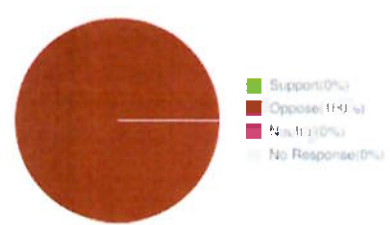
## eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
City Council on 2024-03-07 6:00 PM	03-07-24 18:00	47	2	0	2	0

### Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

#### Overall Sentiment





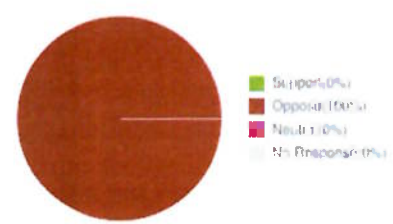


Agenda Name	Comments	Support	Oppose	Neutral
6.20 ID#24-0051 Approve a First Amendment to Lease and Property Operation Agreement for the Clearwater Airpark between the City of Clearwater (Lessor) and FlyUSA PV, LLC (Lessee) to provide for a 30-year initial term ending on February 29, 2053, with five five-year renewal options subject to mutual agreement of both parties among other minor revisions; and authorize the appropriate officials to execute same. (consent)	1	0	1	0
7.1 ID#24-0218 Declare as surplus, a certain portion of real property located at 1000 N. Hercules Avenue (a.k.a the Clearwater Airpark), for the purpose of the City of Clearwater entering into a certain First Amendment to Lease and Property Operation Agreement with FlyUSA PV, LLC. (APH)	1	0	1	0

Sentiments for All Agenda Items

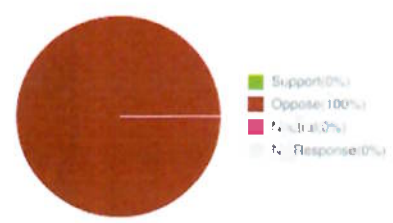
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for 6.20 ID#24-0051 Approve a First Amendment to Lease and Property Operation Agreement for the Clearwater Airpark between the City of Clearwater (Lessor) and FlyUSA PV, LLC (Lessee) to provide for a 30-year initial term ending on February 29, 2053, with five five-year renewal options subject to mutual agreement of both parties among other minor revisions; and authorize the appropriate officials to execute same. (consent)

Overall Sentiment



Dennis McDermott

Location:  
Submitted At: 2:22pm 03-06-24

I believe this action is NOT in the best long-term interests of current and future Clearwater residents and stakeholders.

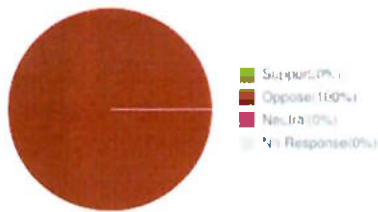


A current lawsuit (23-943-CO) against the City of Clearwater alleging improprieties relating to the original RFP seeking respondents to provide Fixed Base Operator (FBO) Services at the Clearwater Airpark (RFP # 38-22 issued in June 2022) is winding through the courts.

I request that this Item be tabled and made subject to a comprehensive public information campaign followed by a referendum to be ratified by a majority of the qualified electors of the City of Clearwater, voting in the next available public election in the City of Clearwater.

Agenda Item: eComments for 7.1 ID#24-0218 Declare as surplus, a certain portion of real property located at 1000 N. Hercules Avenue (a.k.a the Clearwater Airpark), for the purpose of the City of Clearwater entering into a certain First Amendment to Lease and Property Operation Agreement with FlyUSA PV, LLC. (APH)

#### Overall Sentiment



#### Dennis McDermott

Location:

Submitted At: 2:30pm 03-06-24

This action is NOT in the best interests of current and future City of Clearwater residents and stakeholders. Clearwater Airpark is a fully operating general aviation public airport. If for some unknown reason this airport is 'surplus' to the City of Clearwater, I believe it should first be offered to Pinellas County (the owner-operator of nearby PIE); to a publicly owned and operated Airport Authority; or to some other public entity capable of managing this valuable public asset. I request that this item be tabled until such time (1) a comprehensive public information campaign (public meetings; notifications on City website, Facebook page, etc) be accomplished; and (2) followed by a referendum to be ratified by a majority of the qualified electors of the City of Clearwater, voting in the next available public election in the City of Clearwater.

