

City of Clearwater

*City Hall
112 S. Osceola Avenue
Clearwater, FL 33756*



Meeting Minutes

Thursday, May 17, 2018

6:00 PM

Council Chambers

City Council

Roll Call

Present: 4 - Mayor George N. Cretekos, Councilmember Hoyt Hamilton, Councilmember Bob Cundiff and Councilmember David Allbritton

Absent: 1 - Vice Mayor Doreen Caudell

Also Present: Jill Silverboard – Deputy City Manager, Micah Maxwell – Assistant City Manager, Pamela K. Akin - City Attorney, Rosemarie Call - City Clerk and Nicole Sprague – Official Records and Legislative Services Coordinator

Unapproved

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

1. Call to Order – Mayor Cretekos

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

2. Invocation – Pastor Bob Brubaker from Christ Community Presbyterian Church**3. Pledge of Allegiance – Councilmember Hamilton****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 May Service Awards**

The May 2018 Employee of the Month Award was presented to Officer Albert Granville.

4.2 Poppy Days Proclamation, May 25-26, 2018 - Gigi Jansek, American Legion Auxiliary**4.3 Older Americans Month Proclamation, May 2018 - Ann Marie Winter, Executive Director Area Agency on Aging of Pasco-Pinellas, Inc.****4.4 Safe Boating Week Proclamation, May 19-26, 2018 – Dale Veverka. US Coast Guard Sand Key****4.5 United Way Award Certificate - Chuck Lane, Economic Development**

Mr. Lane presented the Council with a Certificate of Appreciation for Top 100

Most Generous Workplaces.

- 4.6 Emergency Medical Services Week, May 20-26, 2018 - Assistant Chief of EMS, Anthony Tedesco

5. Approval of Minutes

- 5.1 Approve the minutes of the May 3, 2018 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Cundiff moved to approve the minutes of the May 3, 2018 City Council Meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

6. Citizens to be heard re items not on the agenda

Daniel Haluba expressed his disappointment with the lack of direction provided to the City Manager and the Assistant City Manager.

Leonard Disney said millions of tourist visit Clearwater each year and urged all to protect the ocean life and to stop littering the beach and ocean. He suggested placing trash cans near the water and cigarette receptacles on the beach.

Anthony Burnet and Lilly Henrick invited all to the Father Daughter Dance next month at the Clearwater Martin Luther King Neighborhood Center.

Rebecca Kaye expressed a concern that many residents are not aware of the Drew Street Complete Street meetings and suggested having a temporary sign to notify residents in the Glenwood Estates neighborhood of the May 22 meeting.

7. Consent Agenda – Approved as submitted.

- 7.1 Approve the City's portion of a performance guarantee of \$100,000 for ZZ Top and John Fogerty concert to be held at Coachman Park on June 2, 2018. (consent)
- 7.2 Approve the purchase of fitness equipment for the Morningside Recreation Center located at 2400 Harn Blvd. to Gym Source of Tampa for \$84,211.50 and FitRev of Tampa for \$54,517.00 for a total cost of \$138,728.50. (consent)

- 7.3** Approve a Sublease Agreement between the City of Clearwater, the U.S. National Senior Sports Organization Inc. and the State of Florida, Bureau of Public Land Administration, Division of State Lands for use of the Florida Department of Transportation building and property located at 3204 Gulf to Bay Blvd.; approve an amendment to the existing lease with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and City of Clearwater to allow for the U.S. National Senior Sports Organization, Inc. to utilize said property as their corporate headquarters, and authorize the appropriate officials to execute same. (consent)
- 7.4** Approve the First Amendment to the Joint Project Agreement (JPA) between Pinellas County and the City of Clearwater for Utility Relocations as part of the Pinellas County Lake Avenue Culvert Project (17-0005-UT) to extend the agreement duration, and authorize the appropriate officials to execute same. (consent)
- 7.5** Amend City Council Policies 2-16, 2-21 and 5-6.

Councilmember Hamilton moved to approve the Consent Agenda as submitted and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

Public Hearings - Not before 6:00 PM

8. Administrative Public Hearings

- 8.1** Declare three parcels of certain real property in Section 16, Township 29 South, Range 15 East, formerly used respectively as right-of-way, a meeting facility that supported old Fire Station 45, and a parking lot consisting of 9 parking spaces adjacent to the North Garden Avenue Parking Garage as surplus for the purpose of exchanging the three parcels for a strategic parcel in the downtown core, which is of greater value, currently owned by the Church of Scientology Flag Service Organization, Inc. (COS) and authorize the appropriate officials to execute same. (APH)

The City is the owner of three parcels of land more particularly described as:

1. 600 Franklin Street - The South 60' of Lot 1, Block 7, Gould & Ewing's 1st and 2nd Addition to Clearwater-Harbor Fla, Plat Book 1, Page 52, Public Records of Hillsborough County, of which Pinellas County was formerly a part.
2. Dedicated Right-of-Way - a portion of Lot 34 and a portion of the vacated Haven Street, Court Square Subdivision, Plat Book 5, Page 53, Public Records of Pinellas County, Florida.

3. The North 37' of the West 121' of the South half of Lot 1, Block 5, of Gould & Ewing's 1st and 2nd Addition to Clearwater-Harbor Fla., Plat Book 1, Page 52, of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part.

The first parcel, 600 Franklin Street, supported the old Fire Station 45. The property is approximately 3,660 square feet and the appraised value of the parcel has been determined by James Millspaugh & Associates, Inc., to be One Hundred Sixty-Five Thousand dollars (\$165,000.00).

The second parcel, the right-of-way parcel, is located North of Court Street, between S. Garden Avenue and S. Fort Harrison Avenue, and contains right-of-way both dedicated as Haven Street by plat and right-of-way dedicated by a Resolution of the Clearwater City Council.

The Haven Street portion of the right-of-way parcel was dedicated in Plat Book 5, Page 53, Official Records of Pinellas County, Florida in 1922, and will join the adjacent fee-owned lots by operation of law upon vacation. The right-of-way over City-owned lots 34 and 45 of Court Square Subdivision was dedicated by Resolution No. 79-50 in Official Records Book 4867, Page 1478, Official Records of Pinellas County. Following the vacation of the right-of-way parcel in accordance with Vacation Ordinance 9129-18, being presented for Council approval simultaneously herewith, the remaining City-owned property will be approximately 4,750 square feet. The appraised value of right-of-way/city owned parcel has been determined by Jim Millspaugh & Associates, Inc., to be Two Hundred Thousand dollars (\$200,000.00).

The third parcel, located at 28 North Garden Avenue (commonly known as the City of Clearwater's North Garden Avenue Parking Lot) lying east of Watterson Avenue, north of Cleveland Street, south of Hendricks Street, and west of N Garden Avenue. This lot is approximately 4,500 square feet and includes 9 parking spaces, open to the public. The parking rate at this lot is \$0.50 an hour with a maximum time limit of 2 hours. The appraised value of this property, as determined by James Millspaugh & Associates, Inc, is Ninety Thousand dollars (\$90,000.00).

The property owned by COS, to be granted to the city is a paved parking lot in disrepair at the southwest corner of Martin Luther King Jr Avenue and Cleveland Street, Parcel ID# 15-29-15-53928-0005-0011. The appraised value of this property, as determined by James Millspaugh & Associates, Inc, is \$640,000.00.

The Nolen Project in the downtown core creates a need for public parking. It is contemplated that the property to be conveyed to the city will provide some needed parking.

Per City Charter Section 2.01(d)(5)(iv), real property declared surplus may be exchanged for other real property having a comparable appraised value.

In response to questions, Real Estate Services Coordinator James Benwell said staff has been working on the item for over a year. Two of the properties are city parking lots, for a total of 16 parking spaces. The two properties are being swapped for a larger site with greater value that is needed for economic development on east Cleveland Street. He said the property to be acquired by the City is \$185,000 more valuable and almost three times larger. Assistant City Attorney Laura Mahony said the contract does not include language that the City requested the COS to purchase the property to be acquired by the City; the City Attorney confirmed it is was factually correct.

A concern was expressed regarding conducting business with individuals who do not communicate with the City. Comments were made that the City requested the COS to purchase the property for a swap that would benefit public interest.

Councilmember Allbritton moved to declare three parcels of certain real property in Section 16, Township 29 South, Range 15 East, formerly used respectively as right-of-way, a meeting facility that supported old Fire Station 45, and a parking lot consisting of 9 parking spaces adjacent to the North Garden Avenue Parking Garage as surplus for the purpose of exchanging the three parcels for a strategic parcel in the downtown core, which is of greater value, currently owned by the Church of Scientology Flag Service Organization, Inc. (COS) and authorize the appropriate officials to execute same. The motion was duly seconded and carried with the following vote:

Ayes: 3 - Mayor Cretkos, Councilmember Cundiff and Councilmember Allbritton

Nays: 1 - Councilmember Hamilton

- 8.2** Approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 3072 Glen Oak Avenue, 3024 Lake Vista Drive, 3047 and 3052 Merrill Avenue and 511 Moss Avenue and the annexation, initial Future Land Use Map designation of

Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 3132 San Jose Street, and pass Ordinances 9152-18, 9153-18, and 9154-18 on first reading. (ANX2018-04005)

These voluntary annexation petitions involve 1.37 acres consisting of six parcels of land occupied by single-family dwellings. The properties are located generally north of Drew Street, south of SR 590 and within ¼ mile west or east of North McMullen Booth Road. The applicants are requesting annexation in order to be connected to the City sanitary sewer as part of the Kapok Terrace Sanitary Sewer System Extension Project. The properties are located within an enclave and are contiguous to existing city boundaries on at least one side. It is proposed that the property at 3132 San Jose Street be assigned a Future Land Use Map designation of Residential Urban (RU) and the remaining properties be assigned Residential Low (RL). All properties are proposed to be assigned a Zoning Atlas designation of Low Medium Density Residential (LMDR).

The Planning and Development Department determined that the proposed annexation is consistent with the provisions of Community Development Code Section 4-604.E as follows:

- The properties currently receive water service from the City of Clearwater. The applicants will connect to the City's sanitary sewer service when it is available and are aware of the fee that must be paid in order to connect and the financial incentives available. Collection of solid waste will be provided by the City of Clearwater. The properties are located within Police District III and service will be administered through the district headquarters located at 2851 McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station 49 located at 565 Sky Harbor Drive. The City has adequate capacity to serve the properties with sanitary sewer, solid waste, police, fire and EMS service. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:
 - Objective A.6.4 Due to the built-out character of the City of Clearwater, compact urban development within the urban service area shall be promoted through application of the Clearwater Community Development Code.
 - Objective A.7.2 Diversify and expand the City's tax base through the annexation of a variety of land uses located within the Clearwater Planning Area.
 - Policy A.7.2.3 Continue to process voluntary annexations for single-family residential properties upon request.
- The proposed Residential Low (RL) Future Land Use Map category is consistent with the current Countywide Plan designation for 3072 Glen

Oak Avenue, 3024 Lake Vista Avenue, 3047 and 3052 Merrill Avenue and 511 Moss Avenue. This designation primarily permits residential uses at a density of 5 units per acre. The proposed Residential Urban (RU) Future Land Use Map category is consistent with the current

Countywide Plan designation for 3132 San Jose Street. This designation primarily permits residential uses at a density of 7.5 units per acre. The proposed zoning district to be assigned to all properties is the Low Medium Density Residential (LMDR) District. The use of the subject properties is consistent with the uses allowed in the District and the properties exceed the District's minimum dimensional requirements. The proposed annexation is therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and

- The properties proposed for annexation are contiguous to existing city boundaries on at least one boundary; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Cundiff moved to approve the annexation, initial Future Land Use Map designation of Residential Low (RL) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 3072 Glen Oak Avenue, 3024 Lake Vista Drive, 3047 and 3052 Merrill Avenue and 511 Moss Avenue and the annexation, initial Future Land Use Map designation of Residential Urban (RU) and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 3132 San Jose Street. The motion was duly seconded and carried unanimously.

Ordinance 9152-18 was presented and read by title only.

Councilmember Hamilton moved to pass Ordinance 9152-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

Ordinance 9153-18 was presented and read by title only.

Councilmember Allbritton moved to pass Ordinance 9153-18. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

Ordinance 9154-18 was presented and read by title only. Councilmember Cundiff moved to pass Ordinance 9154-18 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

9. Second Readings - Public Hearing

- 9.1** Adopt Ordinance 9129-18 on second reading, vacating public right-of-way described as that certain portion of Haven Street right-of-way of Court Square, being bound by Franklin Street to the North, South Garden Avenue to the East, Court Street to the South, and South Fort Harrison Avenue to the West; subject to, among other things, a blanket general utility, drainage and gas easement to be reserved over the entire right-of-way to be vacated herein, subject to the granting of certain private utility easements.

Ordinance 9129-18 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 9129-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.2** Adopt Ordinance 9130-18 on second reading, vacating public right-of-way of Damascus Road as recorded in OR Book 1936, Page 522 of the Public Records of Pinellas County, Florida and vacating an ingress and egress easement as recorded in OR Book 9551, Page 1433 of the Public Records of Pinellas County, Florida.

Ordinance 9130-18 was presented and read by title only. Councilmember Cundiff moved to adopt Ordinance 9130-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.3** Adopt Ordinance 9133-18 on second reading, changing the composition of the Sister Cities Advisory Board to add an at-large member.

Ordinance 9133-18 was presented and read by title only.

Councilmember Allbritton moved to adopt Ordinance 9133-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

10. City Manager Reports

10.1 Increase the Police Department Full Time Equivalents (FTEs) by 11.4; authorize purchase of additional Police Ford Explorer vehicles in the current fiscal year, with an amount not to exceed \$131,420; authorize the retention of six police vehicles from the current fiscal year vehicle replacement list; authorize purchase of law enforcement related equipment associated with the additional FTEs, with an amount not to exceed \$114,690; authorize an increase in the Police Department's operating budget, for the current year's increase of salary, benefit and training costs related to the increased personnel, with an amount not to exceed \$239,820.

In the wake of the shooting incident, which occurred at Marjory Stoneman Douglas High School on February 14, 2018, the Florida Legislature passed Senate Bill 7026 (the Marjory Stoneman Douglas HS Public Safety Act). The bill was signed by Governor Scott on March 9, 2018.

The bill contains several pertinent requirements for law enforcement, which will impact the City of Clearwater and the Clearwater Police Department.

Fundamentally, this legislation requires each district school board to partner with law enforcement agencies to "establish or assign one or more safe school officers at each school facility within the district" by implementing a combination of options which best meet the needs of the school district; the definition of school facility includes Charter schools. Those options include mutual aid agreements, implementing a School Marshall Program, or assigning a School Resource Officer (SRO). The Pinellas School District has already determined that the School Marshall Program will not be implemented in Pinellas County and has chosen to expand the use of School Resource Officers throughout Pinellas County.

Additional duties impacting law enforcement which are outlined within the legislation include providing general security, site risk assessments, monthly emergency preparedness drills, and threat assessments relating to the campus.

This legislation also requires that School Resource Officer(s) are present whenever students are present for school. This will require the assignment of relief personnel, or personnel overtime, to provide a law enforcement presence whenever the School Resource Officer is not on campus for either work-related or personal reasons (i.e., required court appearances, making arrests, training, sick leave, etc.).

The Clearwater Police Department currently has 3 permanently assigned School Resource Officers. They are assigned to the following schools:

- Oak Grove Middle School
- Countryside High School
- Clearwater High School.

Supervision of these officers is currently accomplished through 1 sergeant, who is also assigned other duties unrelated to the School Resource Officer Program.

Based upon this legislation and related mandates, the Clearwater Police Department plans to implement the below deployment strategy to comply with the statutory requirements:

- 1.Belleair Elementary (Part-Time Officer)
- 2.Eisenhower Elementary (Part-Time Officer)
- 3.Leila Davis Elementary (Part-Time Officer)
- 4.Sandy Lane Elementary (Part-Time Officer)
- 5.Skycrest Elementary (Part-Time Officer)
- 6.Plumb Elementary (Part-Time Officer)
- 7.Kings Highway Magnet (Part-Time Officer)
- 8.Plato Clearwater (Part-Time Officer)
- 9.Clearwater Fundamental (Full-Time Officer)
- 10.Countryside High School (additional SRO, based upon student population – Full-Time Officer)
- 11.Clearwater High School (additional SRO, based upon student population – Full-Time Officer)

A supervisor will also be necessary to manage these additional positions and responsibilities. This brings the total additional needed personnel to comply with the legislation to 11.4 FTEs.

There are two additional schools (Calvin Hunsinger and Clearwater Intermediate) which are within city boundaries. However, the Pinellas County School Board Police Department has agreed to maintain officer(s) at these facilities at the required ratios.

Cost and Budgetary Implications:

The legislation creates requirements of law enforcement state-wide which are largely unfunded. Currently, the Pinellas County School Board provides a portion of funding of the Police Department's current School Resource Officers, at a rate of \$57,944.64 per officer, for a total of \$173,833.92 during the existing school year. The Police Department provides funding for the remainder of the employee salary and benefits through Florida Contraband Forfeiture Funds in the amount of \$124,939.00.

On April 30, 2018, the Council directed the Police Department to implement a strategy which incorporated a combination of both Full-Time and Part-Time FTEs in response to the Marjory Stoneman Douglas HS Public Safety Act. Subsequent to negotiations, the Pinellas County School Board proposes providing funding for ten additional School Resource Officer positions created as a result of this legislation, at a rate of \$58,000 per officer. Funding for one additional school (Plato Academy)

may be available through a separate contractual agreement. However, supervisory positions are exempt from reimbursement. There is insufficient funding within the Florida Contraband Forfeiture Fund to provide funding for, or maintain funding for, these additional positions. However, the Police Department plans to continue supplemental funding for the three existing School Resource Officers utilizing Florida Contraband Forfeiture Funds.

The cost implications of these additional personnel are outlined below:

#	Position	Salary	Benefits	Reimbursement (PCSB)
1	Officer Step Three (FT)	\$58,712.00	\$20,880.35	(\$58,000.00)
2	Officer Step Three (FT)	\$58,712.00	\$20,880.35	(\$58,000.00)
3	Officer Step Three (FT)	\$58,712.00	\$20,880.35	(\$58,000.00)
4	Officer Step Three (PT)	\$51,184.82	\$13,217.27	(\$58,000.00)
5	Officer Step Three (PT)	\$51,184.82	\$13,217.27	(\$58,000.00)
6	Officer Step Three (PT)	\$51,184.82	\$13,217.27	(\$58,000.00)
7	Officer Step Three (PT)	\$51,184.82	\$13,217.27	(\$58,000.00)
8	Officer Step Three (PT)	\$51,184.82	\$13,217.27	(\$58,000.00)
9	Officer Step Three (PT)	\$51,184.82	\$13,217.27	(\$58,000.00)
10	Officer Step Three (PT)	\$51,184.82	\$13,217.27	(\$58,000.00)
11	Officer Step Three (PT)	\$51,184.82	\$13,217.27	(\$58,000.00)
12	Sergeant Step Five	\$85,057.40	\$25,311.80	\$0.00
	Overtime Relief	\$120,000.00	\$0.00	\$0.00
	Sub-Total	\$790,671.96	\$193,691.01	(\$638,000.00)

The unfunded direct personnel costs associated with this deployment allocation is approximately \$226,363. Overtime funding is provided to ensure compliance with the requirement of providing a law enforcement presence whenever the School Resource Officer is not on campus for either work-related or personal reasons.

Furthermore, the Marjory Stoneman Douglas HS Public Safety Act does not provide funding for the costs associated with providing essential law enforcement equipment for these required positions. The Police Department has identified that police related equipment costs, excluding vehicle purchase costs, total approximately \$114,690. Combined vehicle and equipment costs are approximately \$246,110.

Because of these mandates, the Police Department seeks approval for the following:

- Increase the allotted FTEs assigned to the Police Department by 12 positions (8 Part-Time Police Officers / 3 Full-Time Police Officers / 1 Full-Time Police Sergeant), allowing the Police Department to begin hiring and training these personnel immediately.
- Authorize the purchase four additional Police Ford Explorer vehicles in the current fiscal year. (Allen Jay Fleet Sales, Inc., not to exceed \$131,420)
- Approve the retention of six police vehicles from the current fiscal year vehicle replacement list and provide funding for vehicle refurbishment. (An additional five

police vehicles planned for replacement in fiscal year 2018/19 will also be retained for use in the SRO program).

- Based upon the anticipated need for law enforcement equipment and vehicles throughout the State of Florida (as all law enforcement agencies endeavor to comply with this statute), authorize the immediate purchase of law enforcement equipment directly related to the hiring of the above personnel, with vendors to include, but not limited to, the following at an amount not to exceed \$114,690:

- Enforcement One, Inc.;

- Axon, Inc.;

- Florida Bullet, Inc.;

- Galls, Inc.;

- Signal 15, Inc.

- Authorize an increase in the Police Department's operating budget, to incorporate the personnel costs associated with program implementation and transition, not to exceed \$239,820:

- Overtime costs for the remainder of the current fiscal year, utilized to ensure adequate staffing during program implementation, are anticipated at: \$130,000.

- Pro-rated salaries, for the four additional (full-time) positions, are estimated at: \$104,660.

- It is anticipated the Police Department will be required to increase the number of Field Training Personnel by 5 additional full-time training officers. Based upon existing contracts, these personnel received 5 percent additional pay of their base salary when training. This amount is approximated at: \$5,160.

APPROPRIATION CODE AND AMOUNT:

A third quarter budget will amend Police Department cost center 0101138, School Resource Officers, by expenditures to date, not to exceed \$486,000 offset with revenues from General Fund Reserves.

USE OF RESERVE FUNDS:

Funding for this contract will be provided by a third quarter budget amendment allocating General Fund reserves in an amount not to exceed \$486,000 for expenditures to date for staffing and costs associated with the increase of SRO's as required by mandates resulting from the Marjory Stoneman Douglas HS Public Safety Act. Inclusive of this item if approved, a net total of \$7,977,630 of General Fund reserves has been appropriated by Council to fund expenditures in the 2017/18 operating budget. The remaining balance in General Fund reserves after the 8.5% reserve requirement is approximately \$8.8 million, including the BP settlement funds. Exclusive of the BP funds, the remaining balance is \$2.3 million, or 1.7% of the current General Fund operating budget.

In response to questions, the City Clerk said staff has provided a revised motion, which will be explained by Police Chief Daniel Slaughter. Police Chief Slaughter said the Pinellas County School Board will provide \$58,000 to fund the extra SRO at Clearwater Fundamental. He said Pinellas County School Board Superintendent Dr. Michael Grego was committed to providing the City a \$58,000-reimbursement for all the

SROs the City would cover.

There was council consensus to substitute Item 10.1 with the revised title.

One individual spoke in opposition.

It was stated that the City has been providing the SROs at the high schools and Oak Grove Middle for years, it made sense to continue the service as required by the new law and that Council directed staff to work with the Sheriff on a plan.

Councilmember Hamilton moved to increase the Police Department Full Time Equivalents (FTEs) by 2.8; authorize the retention of six police vehicles from the current fiscal year vehicle replacement list; authorize purchase of law enforcement related equipment associated with the additional FTEs, with an amount not to exceed \$30,923, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 10.2** Approve an agreement between the City of Clearwater and the School Board of Pinellas County, Florida, providing for the continuation and expansion of the School Resource Officer Program, for a multi-year period commencing July 1, 2018 through June 30, 2021, and authorize the appropriate officials to execute same.

No Action. Item withdrawn.

- 10.3** Ratify and confirm Change Order 1 to David Nelson Construction Co., of Palm Harbor, Florida, for East Gateway Stormwater and Sanitary Sewer Improvements (13-0043-UT) in the amount of \$421,554.60, a time extension of 279 calendar days and authorize the appropriate officials to execute same.

January 17, 2017, City Council awarded a construction contract to David Nelson Construction Co. in the amount of \$11,409,143.90 for East Gateway Stormwater and Sanitary Sewer Improvements.

The initial contract included milling and resurfacing roads within the perimeter of the project. During milling, it was discovered that a portion of streets in the project area require complete replacement. Also, the scope of roadway work is being expanded to include milling and resurfacing San Juan and Franklin Streets from Hillcrest Avenue to Gulf to Bay Boulevard.

With the roadway scope expansion and previous utility delays and conflicts the project schedule requires a 279-day time extension, from 334 days to 613 days, for a new completion date of November 30, 2018.

APPROPRIATION CODE AND AMOUNT:

Funds are available in capital improvement project 315-92277, Streets and Sidewalks to fund this change order.

Changes to the following projects codes will provide funding for the ratify and confirm change order:

ENRD180004-CONS-CNSTRC \$998,366.60

ENST180009-CONS-CNSTRC (231,633.74)

3217321-563800-96634 (218,424.77)

3217321-563800-96739 (20,345.21)

3827382-563800-96742 (106,408.28)

Councilmember Hamilton moved to ratify and confirm Change Order 1 to David Nelson Construction Co., of Palm Harbor, Florida, for East Gateway Stormwater and Sanitary Sewer Improvements (13-0043-UT) in the amount of \$421,554.60, a time extension of 279 calendar days and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 10.4** Support initiatives to lessen the negative impact of single-use plastic and styrofoam products by encouraging Clearwater businesses to participate voluntarily in an ocean friendly business program and adopt Resolution 18-08.

The Environmental Advisory Board developed the Ocean Friendly Business Program outlined in Resolution 18-08 to address pollution caused by single-use plastics and styrofoam, and is requesting that the City Council adopt the Resolution thereby demonstrating its support for the Program.

Seventeen individuals spoke in support.

The City Attorney said that a revised resolution was provided to Council in the agenda packs. There was council consensus to substitute with the revised resolution.

Councilmember Cundiff moved to support initiatives to lessen the negative impact of single-use plastic and styrofoam products by encouraging Clearwater businesses to participate voluntarily in an ocean friendly business program. The motion was duly seconded

and carried unanimously.

Resolution 18-08 was presented and read by title only.

Councilmember Hamilton moved to adopt Resolution 18-08. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretekos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

10.5 Approve the Contract for Exchange of Real Property providing for the exchange of certain city-owned real property for a strategic parcel in the downtown core which is of greater value and is owned by the Church of Scientology Flag Service Organization, Inc. (COS), authorize the appropriate officials to execute same, together with all other instruments necessary to affect closing.

The Nolen Project in the downtown core creates a need for public parking. The property at the Southwest corner of Cleveland Street and S. Martin Luther King Jr. Avenue at 1133 Cleveland Street abuts the Nolen Project and will provide needed parking. This property will be conveyed to the City by COS in exchange for three city-owned properties as more particularly described below. The COS property appraised at \$640,000.00 by James Millspaugh & Associates, Inc. In exchange for this COS property, the City of Clearwater will convey three parcels of land more particularly described as:

1. 600 Franklin Street - The South 60' of Lot 1, Block 7, Gould & Ewing's 1st and 2nd Addition to Clearwater-Harbor Fla, Plat Book 1, Page 52, Public Records of Hillsborough County, of which Pinellas County was formerly a part.
2. Dedicated Right-of-way - a portion of Lot 34 and a portion of the vacated Haven Street, Court Square Subdivision, Plat Book 5, Page 53, Public Records of Pinellas County, Florida.
3. The North 37' of the West 121' of the South half of Lot 1, Block 5, of Gould & Ewing's 1st and 2nd Addition to Clearwater-Harbor Fla., Plat Book 1, Page 52, of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part.

The first parcel, 600 Franklin Street, supported the old Fire Station 45. The property is approximately 3,660 square feet and the appraised value of the parcel has been determined by James Millspaugh & Associates, Inc., to be \$165,000.00.

The second parcel, the right-of-way parcel, is located North of Court Street, between S. Garden Avenue and S. Fort Harrison Avenue, and contains right-of-way both dedicated as Haven Street by plat and right-of-way dedicated by a Resolution of the Clearwater City Council.

The Haven Street portion of the right-of-way parcel was dedicated in Plat Book 5, Page 53, Official Records of Pinellas County, Florida in 1922, and will join the adjacent fee-owned lots by operation of law upon vacation. The right-of-way over city-owned lots 34 and 45 of Court Square Subdivision was dedicated by Resolution 79-50 in Official Records Book 4867, Page 1478, Official Records of Pinellas County. Following the vacation of the right-of-way parcel in accordance with Vacation Ordinance 9129-18, being presented for Council approval simultaneously herewith, the remaining City-owned property will be approximately 4,750 square feet. The appraised value of right-of-way/city-owned parcel has been determined by Jim Millspaugh & Associates, Inc., to be \$200,000.00.

The third parcel, located at 28 North Garden Avenue (commonly known as the City of Clearwater's North Garden Avenue Parking Lot) lying east of Watterson Avenue, north of Cleveland Street, south of Hendricks Street, and west of N Garden Avenue. This lot is approximately 4,500 square feet and includes 9 parking spaces, open to the public. The parking rate at this lot is \$0.50 an hour with a maximum time limit of 2 hours. The appraised value of this property, as determined by James Millspaugh & Associates, Inc, is \$90,000.00.

This contract is contingent upon three pre-requisites. The first being the declaration of surplus of these three City owned parcels. The second pre-requisite is the vacation of Haven Street, along with real property dedicated as right-of-way in Official Records Book 4867, Page 1478, of the Public Records of Pinellas County, Florida. The third is the City being granted adequate access to the COS Property in accordance with the timeframes contemplated in the contract for purposes of conducting inspections and investigations, including environmental investigations. If any of these pre-requisite items fail to come to fruition, this contract will be null and void.

Councilmember Allbritton moved to approve the Contract for Exchange of Real Property providing for the exchange of certain city-owned real property for a strategic parcel in the downtown core which is of greater value and is owned by the Church of Scientology Flag Service Organization, Inc. (COS), authorize the appropriate officials to execute same, together with all other instruments necessary to affect closing. The motion was duly seconded and carried with the following vote:

Ayes: 3 - Mayor Cretokos, Councilmember Cundiff and Councilmember Allbritton

Nays: 1 - Councilmember Hamilton

10.6 Approve the revised Statewide Mutual Aid Agreement and adopt Resolution 18-09.

Section 252.40, Florida Statutes, authorizes the governing body of each political subdivision to enter into mutual aid agreements within the State for reciprocal emergency aid and assistance in case of emergencies too extensive to deal with unassisted.

The need for a statewide mutual aid agreement is based on the following conditions: 1) Florida is vulnerable to a range of disasters likely to disrupt essential services and destroy infrastructure needed to deliver those services; 2) disasters are likely to exceed the capability of any one local government to cope with existing resources; 3) disasters also may give rise to unusual technical needs that local governments may not be able to meet with existing resources, but that other local governments may be able to offer; 4) the Emergency Management Act provides local governments the authority to make agreements for mutual assistance in emergencies, and through such agreements to ensure the timely reimbursement of costs incurred by local governments which render such assistance; and 5) under the Act, Florida Department of Community Affairs, through its Division of Emergency Management, has authority to coordinate assistance between local governments during emergencies and to concentrate available resources where needed.

The current Statewide Mutual Aid Agreement is a 2018 revision, and now includes small events. The original was adopted in 1998 and a comprehensive update was completed in 2002.

Councilmember Cundiff moved to approve the revised Statewide Mutual Aid Agreement. The motion was duly seconded and carried unanimously.

Resolution 18-09 was presented and read by title only.

Councilmember Hamilton moved to adopt Resolution 18-09. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretokos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

10.7 Ratify and Confirm a Blanket Purchase Order increase to USA Bluebook in the amount of \$39,500 to process invoices totaling \$35,265.54 for operating materials and chemicals purchased for Wastewater Reclamation Facilities Marshall Street, Northeast, East and the Water Treatment Plants RO1, RO2, WTP 3, Water Distribution and Wastewater

Collections and authorize the appropriate officials to execute same.

USA Bluebook Blanket Purchase Order (BPO) BR512287 original amount of \$99,000.00 with the increase of \$39,500 the BPO is over \$100,000.00 and requires council authorization. BPO BR512287 is used for various operating supplies for Public Utilities and purchases are under \$2,500.00.

The Department purchased operations and maintenance related chemicals, equipment and other products from USA Bluebook to support the operations and maintenance divisions. The purchasing needs were greater than estimated when the last BPO was issued.

APPROPRIATION CODE AND AMOUNT:

4211353-550400	\$190.00
4211354-550400	\$4,000.00
4211355-550400	\$10,000.00
4211356-550400	\$10,000.00
4212051-550400	\$2,000.00
4212056-550400	\$8,500.00
4212057-550400	\$4,810.00

In response to a question, Public Utilities Director David Porter said the Department has undertaken more preventative maintenance work than in previous years. The amount of maintenance work will be adjusted next year.

Councilmember Allbritton moved to ratify and Confirm a Blanket Purchase Order increase to USA Bluebook in the amount of \$39,500 to process invoices totaling \$35,265.54 for operating materials and chemicals purchased for Wastewater Reclamation Facilities Marshall Street, Northeast, East and the Water Treatment Plants RO1, RO2, WTP 3, Water Distribution and Wastewater Collections and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

10.8 Ratify and confirm a Blanket Purchase Order increase to Xylem Water Solutions in the amount of \$90,000.00 to process invoices totaling \$85,574.80 for various pumps and repairs.

City Council on May 5, 2016 approved Blanket Purchase Order BR511653-2 for an annual amount of \$200,000 with the option for two, one-year term extensions for the purchase of Flygt Pumps, replacement parts, and factory authorized

service effective June 2, 2016. In accordance with City Code Section 2.564 (1) (b), Exceptions to Bidding, Xylem has been determined a sole source vendor for Flygt Pumps, replacement parts and factory authorized service.

The Department experienced more pump related costs (repairs and replacement pumps) than originally projected for the second year.

APPROPRIATION CODE AND AMOUNT:

4211347-550400 \$90,000.00

Councilmember Cundiff moved to ratify and confirm a Blanket Purchase Order increase to Xylem Water Solutions in the amount of \$90,000.00 to process invoices totaling \$85,574.80 for various pumps and repairs. The motion was duly seconded and carried unanimously.

The Council recessed from 7:59 p.m. to 8:06 p.m.

10.9 Appoint individuals to the Strong Mayor Task Force.

At the May 3rd council meeting, staff was directed to contact members of the 2015 and 2011 Charter Review Committees regarding changing the form of government. The following individuals have expressed an interest in serving on the Task Force:

2015 Charter Review Committee

- Bud Elias
- Nino Accetta
- Karen Graham Cunningham
- Rosemarie Kibitlewski (out of town: 5/25-6/9)
- David Loyd
- George Mantzaris
- Konrad McCree, Jr.
- William Sturtevant

2011 Charter Review Committee

- Norma Carlough
- Jack Geller (out of town: 6/2-6/17)
- Cyndie Goudeau (out of town: 5/28-6/8)
- Keith Protonentis (out of town: 5/28-6/8)
- Stan Vittetoe
- Howard Warshauer
- Olin Wright

In response to questions, the City Clerk said an organizational meeting will be scheduled next week. It is anticipated the group will meet weekly through the beginning of July. If the item is approved by Council, staff will begin reaching out to the members tomorrow. There is only one African American proposed for the Task Force; there are no Hispanics. The City Attorney said Council will have to adopt the ordinance amending the charter and place it on the ballot. If the charter amendment was done by a petition initiative, the changes would be owned by the citizen group requesting the changes; in this case the changes would be owned by Council. The City Clerk said the proposed members of the Task Force were members of the 2015 or 2011 Charter Review Committees; all individuals reside within city limits.

A comment was made that Council will ultimately approve what the committee presents.

The City Attorney said Council will have a short time frame to make any changes to the proposed amendments; the amendments will be presented at the July 19 meeting, with first reading on August 2 and second reading on August 16. A lot of revisions will be made but it is not a whole new charter. She believes the focus should be on the changes necessary for a strong mayor government, how it affects Council, balance of power and any other changes that are triggered by the changes. It would be a time saver if Council was involved in the process. She said Council would benefit from hearing the discussions and viewpoints. She said holding a joint meeting with Council is a new concept; she reached out to Lynn Tipton of the Florida League of Cities regarding facilitating the meetings or presenting at the first meeting. The City Attorney said the meetings will be noticed as a council worksession and joint meeting with the Task Force.

In response to a concern, the City Attorney said the objective is to have weekly meetings; if quorum is not possible, then it would have to be pushed out. If there is no quorum, there is no meeting.

Two individuals spoke in support.

Two individuals spoke in opposition.

In response to questions, the City Attorney said if the initiative petition process was pursued, Council would not control the language.

A concern was expressed with the rushed process in order to place on the November ballot, which is expected to be 2 to 3 pages long. It was stated that if Council approves the agenda item, Council cannot go through the proposed process and not approve the proposed changes.

Councilmember Cundiff moved to approve selection of the 15 individuals listed to the Executive Strong Mayor Task Force, which will meet weekly in joint worksessions with City Council, City Attorney, City Clerk and appropriate staff for the purpose of creating proposed charter language for the executive strong mayor system in Clearwater, this charter language shall be brought back to the Council by the first meeting in July for council approval to be placed on the ballot in November. The motion was duly seconded and carried with the following vote:

Ayes:3 - Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

Nays:1 - Mayor Cretekos

11. City Attorney Reports – None.

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

Councilmember Allbritton thanked the Police Chief for all his work on the SRO plans. He said there is a Craft Beer and Music Festival this weekend on Cleveland Street.

Councilmember Cundiff read a letter that was sent to the City Manager from St. Vincent de Paul thanking staff for working with them. He said in addition to the soup kitchen, the organization has a job training program and provides help with resume writing.

13. Closing Comments by Mayor

Mayor Cretekos reviewed recent and upcoming events and congratulated the City Attorney for being named in the Legal Elite Hall of Fame by Florida Trend and Kristi Cheatham Petit for being named the AchieveHERS Woman of the Year.

14. Adjourn

The meeting adjourned at 8:49 p.m.

Attest

Mayor
City of Clearwater

City Clerk