

City of Clearwater

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



Meeting Minutes

Thursday, July 16, 2020

6:00 PM

Main Library - Council Chambers

City Council

Roll Call

Present: 5 - Mayor Frank Hibbard, Councilmember Hoyt Hamilton, Vice Mayor David Allbritton, Councilmember Mark Bunker and Councilmember Kathleen Beckman

Also Present: William B. Horne II – City Manager, Micah Maxwell – Assistant City Manager, Michael Delk – Assistant City Manager, Pamela K. Akin 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 Hibbard

The meeting was called to order at 6:00 p.m. using communications media technology.

2. Invocation – Rev. Norma Fontaine-Philbert from Garden of Grace Ministries

3. Pledge of Allegiance – Mayor Hibbard

4. Approval of Minutes

- 4.1** Approve the minutes of the March 18, 2020 Emergency City Council Meeting and the June 18, 2020 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Hamilton moved to approve the minutes of the March 18, 2020 Emergency City Council Meeting and the June 18, 2020 City Council Meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

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

Kayte Bush expressed concerns with the monthly federal assistance scheduled to end soon. She said she is a dental hygienist impacted by the COVID-19 pandemic and depends on the assistance.

It was stated the Salvation Army has scheduled a food giveaway tomorrow at 9:00 a.m. for those in need.

Bill Jonson said he spoke at the June 11 meeting regarding trip hazards; the one at 3563 N. Ridge Drive still needs to be addressed. He expressed concerns that any area of Clearwater would be treated differently than others and urged Council to fund items in the budget that provide safe and beautiful infrastructure for all residents. He reminded all that the last day to register to vote for the August primary is Monday, July 20.

Taylor Precort expressed concerns with the proposed roadway improvement on Drew Street that would limit vehicular traffic into downtown.

Marti Marshall read a portion of Article 1 of the Florida Constitution.

Terry Jones played a video for the upcoming Rising Above Youth Experience event and invited all to participate.

Kara Lyn Bradham expressed concerns with the proposed Drew Street improvements. She said the roadway improvements will negatively impact the revitalization efforts planned for downtown.

Robin Reinberger said she is proud of Clearwater because there is no violence and it is an integrated community. She opposed the proposed roadway improvement for Drew Street.

It was stated that the Florida Department of Transportation (FDOT) is studying arterial roads that run east-west if the Drew Street segments are changed; the proposal will come back to council if FDOT makes any changes. The municipalities involved felt FDOT would be best to conduct the study.

Daniel Holuba expressed concerns with the Mayor ending the work session because he had an appointment and believed it was a conflict of interest. He opposed the proposed entertainment venue; the City has no business being in the entertainment business.

6. Consent Agenda – Approved as submitted, less Item 6.5.

- 6.1** Approve changes to grant disbursement criteria for Clearwater's Back to Business Grant and Professional Services Program. (consent)
- 6.2** Award a contract for utility rate study and other professional services for the five-year period ending August 30, 2025 to Stantec Consulting Services, Inc. (Stantec), for the Water and Sewer, Stormwater, and Solid Waste and Recycling utilities, for a not-to-exceed amount of \$370,000, and authorize the appropriate officials to execute same. (consent)
- 6.3** Approve a two-year Legal Services Agreement, in an amount not to exceed \$30,000, with Deborah C. Brown of Brown Law and Consulting, PLLC to review and revise several employment related documents and related Clearwater Code of Ordinance sections and authorize the appropriate officials to execute same. (consent)
- 6.4** Approve agreement between the City of Clearwater and Tindale-Oliver and Associates, Inc. for ADA consulting services to complete a citywide self-evaluation and transition plan at a cost of \$383,657 and authorize the appropriate officials to execute same. (consent)
- 6.5** Approve co-sponsorship and waiver of requested city fees and service charges for special events including two annual city events produced by the Parks and Recreation Department, twenty-seven city co-sponsored events produced by others, and ten downtown events produced by Amplify, at an estimated General Fund cost of \$624,710 (\$104,750 cash contributions and \$519,960 in-kind contributions) and Enterprise Fund

cost of \$64,970, for the purposes of Fiscal Year 2020/21 departmental budget submittals. (consent)

See below.

- 6.6** Approve acceptance of United States Department of Justice, Office of Justice Programs, Coronavirus Emergency Supplemental Funding Program 2020 Grant award in the amount of \$146,631 for police personal protective equipment (PPE), sanitizing supplies, officer overtime, and authorize the appropriate officials to execute same. (consent)
- 6.7** Approve Construction Manager at Risk (CMAR) agreement with Ajax Building Company, LLC of Oldsmar, FL for the proposed Clearwater Police Department District 3 Substation (18-0004-PD.) (consent)
- 6.8** Authorize a five-month extension to Central Florida Contractors, Inc. of Seminole, Florida, for the 2017 Sidewalk Construction (16-0016-EN) through November 30, 2020 and authorize the appropriate officials to execute same. (consent)
- 6.9** Approve a purchase order to Duke Energy in the amount of \$167,912.96 for Imagine Clearwater underground utility relocation pursuant to Clearwater Code of Ordinances Section 2.564 (1)(b), Sole Source and authorize the appropriate officials to execute same. (consent)
- 6.10** Declare 2006 Pierce Dash Aerial (G3404) surplus in accordance with Clearwater Code of Ordinances Section 2.622 and authorize trade-in to Ten-8 Equipment, Inc. of, Bradenton, FL for the offered amount of \$35,000.00, in accordance with Section 2.624, Code of Ordinances - Exceptions to auction sale bidding procedures, and authorize the appropriate officials to execute same. (consent)
- 6.11** Approve the Second Amendment to the Emergency Medical Services ALS First Responder Growth Management Agreement (extension) between Pinellas County Fire Protection Authority and City of Clearwater for one additional one-year term extending through September 30, 2021 and authorize the appropriate officials to execute same. (consent)
- 6.12** Approve an amendment to the Interlocal Agreement between the City of Clearwater and Pinellas County pertaining to the Clearwater Planning Area, extending the term of said

agreement from September 30, 2020 to September 30, 2030 and authorize the appropriate officials to execute same. (consent)

6.13Accept CARES Act Grant Offer No. 3-12-0011-001-2020 for the Clearwater Airpark, between the U.S. Department of Transportation Federal Aviation Administration and the City of Clearwater in the amount of \$30,000.00 and authorize the appropriate officials to execute same. (consent)

6.14Declare surplus and authorize disposition of G4985 via auction to the highest bidder, pursuant to City Code Section 2.622, Surplus Personal Property, and authorize the appropriate officials to execute same. (consent)

6.15Approve an increase to an existing purchase order with WM Recycle America, LLC (WM/RA) in the amount of \$150,000 for the processing of the City's single stream recycling commodity at the contractor's facility in Tampa, FL from July 2020 through December 2020 bringing the total amount to \$200,000 and authorize the appropriate officials to execute same. (consent)

6.16Reappoint Maria (Gaby) Camacho to the Neighborhood and Affordable Housing Advisory Board with term to expire June 30, 2024. (consent)

6.17Reappoint Joseph DeCicco to the Brownfields Advisory Board with term to expire June 30, 2024. (consent)

6.18Request for authority to settle a civil action styled Brandes Design-Build, Inc. v. City of Clearwater, Case No. 15-003724-CI, Pinellas County Circuit Court, for the amount of \$350,000.00, in exchange for a full release and dismissal of the case with prejudice. (consent)

Councilmember Hamilton moved to approve the Consent Agenda as submitted, less Item 6.5, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

6.5Approve co-sponsorship and waiver of requested city fees and service charges for

special events including two annual city events produced by the Parks and Recreation Department, twenty-seven city co-sponsored events produced by others, and ten downtown events produced by Amplify, at an estimated General Fund cost of \$624,710 (\$104,750 cash contributions and \$519,960 in-kind contributions) and Enterprise Fund cost of \$64,970, for the purposes of Fiscal Year 2020/21 departmental budget submittals.

According to City Council Policy, Item M - Special Event Fees, there shall be an annual review of City sponsored/co-sponsored events during the budget process. An agenda item approving co-sponsorship and level of support for these events will be brought before the City Council at the beginning of the budget process each fiscal year. In the event additional money is required beyond what is approved in the Fiscal Year (FY) 2020/21 budget, City Council approval will be required.

Staff recommends that cash and in-kind contributions be included in the various departmental budgets for FY 2020/21 for co-sponsored special events as detailed in Special Events Budget Estimates Chart for FY 2020/21.

Cash contributions of \$104,750 are for Jazz Holiday (\$75,000), Tampa Bay Veterans Association, Memorial and Veterans Celebrations (\$5,000), MLK Jr. Celebration (\$4,750), and the Florida Orchestra (\$20,000). This is a reduction of \$3,000 in cash contributions from 2019/20.

Overall, General Fund requests decreased by \$4,430 and Enterprise Fund costs increased by \$20,040 for a grand total increase for FY 2020/21 of \$15,610.

This increase is primarily due to the addition of two new events, Rock N Roll Marathon (approved by Council on February 6, 2020), and 10 new downtown events produced by Amplify (approved contract with Amplify on March 16, 2020).

A new co-sponsorship selection process was developed this year to evaluate all applications for sponsorship. The committee received 38 applications for city co-sponsorship of which 30 are being recommended to Council for approval.

Of the 30 applications, 20 are renewals and 10 events are new. Of the new events, staff is recommending that only two receive first year funding, Rock N Roll Half Marathon and downtown events produced by Amplify. The application fee of \$200 for the remaining eight first time events will be waived.

Five of the new events on this list are for various runs that impact the Memorial Causeway, resulting in partial closings. With the exception of Rock N Roll

Marathon, the other runs have previously been approved and held in Clearwater as private events. Staff is recommending all runs and events that impact the Memorial Causeway be included as a co-sponsored event in order for Council to review and approve rather than the Special Events Committee.

Ten previous events were removed from the list, most notably the Hispanic Heritage Festival was canceled by the radio station.

Also, included on the Special Events Budget Estimates Chart for FY 2020/21 is a list of additional events requiring limited support from the Parks and Recreation Special Events Division.

Special Events Division processed 635 special events applications during 2019, including 161 general permits, 360 wedding permits, 30 co-sponsored event permits, 39 department supported event permits, and 45 park usage permits.

One individual spoke in opposition.

One individual said the Mayor received \$500 from ClearPac.

In response to a comment, the City Attorney said city funds provided to the Amplify Clearwater are not provided to their political action committee.

Councilmember Hamilton moved to approve co-sponsorship and waiver of requested city fees and service charges for special events including two annual city events produced by the Parks and Recreation Department, twenty-seven city co-sponsored events produced by others, and ten downtown events produced by Amplify, at an estimated General Fund cost of \$624,710 (\$104,750 cash contributions and \$519,960 in-kind contributions) and Enterprise Fund cost of \$64,970, for the purposes of Fiscal Year 2020/21 departmental budget submittals. The motion was duly seconded and carried unanimously.

Public Hearings - Not before 6:00 PM

7. Administrative Public Hearings

- 7.1** Adopt a tentative millage rate of 5.9550 mills for fiscal year 2020/21; set public hearing dates on the budget for September 3, 2020 and September 17, 2020, to be held no earlier than 6:00 p.m., and schedule a special council meeting on July 28, 2020 at 9:00 a.m. to fully discuss the proposed budget.

In accordance with the Truth in Millage (TRIM) process, the City Council must adopt a tentative millage rate and set public hearing dates prior to finalizing and adopting a budget. This information must be provided to the Pinellas County Property Appraiser and Tax Collector by August 4, 2020. The City's proposed millage rate and public hearing dates will be included on the TRIM notices mailed to taxpayers in August. This tentative rate cannot be increased without first-class mailing notification to each taxpayer at the expense of the City of Clearwater, not less than 10 days and not more than 15 days before the public hearing.

The City Manager's recommended millage rate is 5.9550 mills, the same as the current year. This rate is 5.12% more than the rolled back rate of 5.6649 mills. The rolled-back rate is the millage rate that will provide the City with the same property tax revenue as was levied in the prior year. If the proposed millage rate of 5.9550 mills is adopted, the City's ordinance adopting the millage rate will reflect a 5.12% increase from the rolled-back rate of 5.6649 mills.

The proposed millage rate as well as other TRIM millage rates will be noted on the 2020 compliance forms as follows:

5.9550 mills - Tentative millage rate

5.6649 mills - Rolled-back millage rate

6.4651 mills - Maximum majority vote rate

7.1116 mills - Maximum two-thirds vote rate

Staff would also like to schedule a special council meeting to fully discuss the proposed budget. The following dates are dates available: Tuesday, July 28 at 9 a.m., and Tuesday, August 4 at 9 a.m.

Budget Manager Kayleen Kastel provided a PowerPoint presentation.

One individual said the Clearwater Beach Chamber of Commerce and the Regional Clearwater Chamber of Commerce merged to form Amplify Clearwater; their political action committee is called ClearPac. She said

ClearPac donated \$500 to the Mayor's campaign. She suggested the City release a request for proposals regarding special event programming for non-profit or for-profit organization, in addition to Amplify Clearwater. She said it is a conflict of interest for the City Manager to sit on the Clearwater Jazz foundation. She opposed the City's utility fees.

The City Attorney said she would confirm if there is a conflict for the city manager to sit on the foundation.

Councilmember Hamilton moved to adopt a tentative millage rate of 5.9550 mills for fiscal year 2020/21; set public hearing dates on the budget for September 3, 2020 and September 17, 2020, to be held no earlier than 6:00 p.m., and schedule a special council meeting on July 28, 2020 at 9:00 a.m. to fully discuss the proposed budget. The motion was duly seconded and carried unanimously.

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

Mayor Hibbard recused himself from voting; his wife is the Chief Development Officer for the Salvation Army. He said the Vice Mayor would handle Item 7.2.

The Council recessed from 8:09 p.m. to 8:20 p.m.

- 7.2** Approve the City of Clearwater's FY2020/21 through 2024/25 Five-Year Consolidated Plan (Con Plan) and the 2020-2021 Annual Action Plan to implement the goals and objectives set forth in the Con Plan, as required by HUD, and authorize the City to enter into agreements with organizations approved for funding.

The U.S. Department of Housing and Urban Development (HUD) requires communities that receive entitlement Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME) funds to prepare a comprehensive planning document that evaluates the needs of the

community and sets forth strategies to address those needs.

The FY 2020/21-2024/25 Con Plan consists of the following:

- Executive Summary
- Process Overview
- Needs Assessment
- Housing Market Analysis
- Strategic Plan
- Annual Action Plan
- Citizen Participation Plan
- Appendix

The Needs Assessment section of the Con Plan identifies Clearwater's communitywide housing and community development needs. Data from the Comprehensive Housing Affordability Strategy (CHAS) database and the U.S. Census Bureau's American Community Survey (ACS) database are referenced in this section. Additionally, this section is supported with feedback from several community meetings, data from the local Public Housing Authority and other documentation from Clearwater and its partners.

The purpose of the Market Analysis is to provide a clear picture of the environment in which Clearwater must administer its programs over the course of the Con Plan. In conjunction with the Needs Assessment, the Market Analysis will provide the basis for the Strategic Plan and the programs and projects to be administered. Most of the data tables in this section are populated with a default data set based on the most recent data available. Additional data has been obtained from various sources, including more current ACS estimates and local data from Clearwater and Pinellas County.

The Strategic Plan is structured around six goals in administering the City's housing and community development programs. Each goal is accompanied by corresponding objectives toward meeting that goal. These goals and objectives are as follows:

- Housing Goal: Provide availability and accessibility to decent housing to the low to moderate-income families within the city limits.
- Homeless Goal: Help to prevent and reduce homelessness within the city limits.
- Non-Homeless and Special Needs Goal: Expand the accessibility and

- coordination of social services to the city's special needs population.
- Community Development and Public Services/Facilities Goal: Enhance the living environment for persons in low to moderate-income areas through public improvements activities, public service programs and elimination of blight.
 - Economic Development Goal: Support programs that create economic opportunities throughout the city with special emphasis given to areas and persons of low to moderate-income.
 - Disaster Response Goal: Provide assistance prior to, during and after a community emergency and/or disaster event to prepare for and/or mitigate loss, protect during an event, and aid with recovery.

The Strategic Plan also identifies four geographic priorities: 1) City-wide, Low- and Moderate-Income Local Target Area; 2) Lake Bellevue Neighborhood Revitalization Strategy Area (NRSA); 3) Downtown Gateway District NRSA; and 4) North Greenwood NRSA. The designation of a Local Target Area and NRSAs increases the potential for coordinated planning and investment.

In addition, the City is required to create and implement a plan for each year of the Con Plan to identify the sources and uses of federal money for housing, community programs, and economic development. This plan, referred to as an Annual Action Plan, provides HUD with the City's housing and community development budget and proposed expenditures based on the entitlement funds and estimated program income that the City will receive in the upcoming fiscal year to meet the goals established in the Con Plan.

Funds are used to develop viable communities and sustain existing ones. In addition, the funds will be used to provide safe, decent and affordable housing to assist extremely low- to moderate-income households. This years' Annual Action Plan allocates federal funds to provide housing opportunities to extremely low- to moderate-income households for new and existing homes, construction and/or renovation of public facilities, and to fund public services and economic development programs.

Clearwater anticipates a total allocation of \$837,360 in CDBG funding and \$431,436 in HOME funding for FY 2020-2021. CDBG program income is expected in the amount of \$665,000 and CDBG carryover funds from its Revolving Loan Program is expected in the amount of \$1,145,000. In addition, the City anticipates

\$2,292,492 of carryover funds and approximately \$96,000 in program income from the HOME program. Funds provided through the CDBG Program may be used for housing, community and economic development, public services and facilities, acquisition, relocation, demolition, and administration. Funds provided through the HOME Program are limited to housing-related activities and administration.

The City partners with several non-profit agencies to implement the goals and objectives the City has established in the Consolidated Plan. To obtain these partners, the City annually publishes a Notice of Funding Availability in the local newspaper and on its website in February. This notice informs the public of the resources the City will make available and the eligible uses of these resources. It also informs them of the application period for requesting funds. The applications were due on April 10 and the City received a total of 28 applications for funding.

A Technical Review Committee (TRC), comprised of professionals in the social service and grants community and a member of the City's Neighborhood and Affordable Housing Advisory Board (NAHAB), reviewed and ranked the applications. Applicants are typically given an opportunity to present their proposed projects at a meeting of the Neighborhood and Affordable Housing Advisory Board; however, this meeting was cancelled due to COVID 19 restrictions. City staff also reviewed each application to ensure it met HUD's baseline requirements. One application was rejected due to an ineligible proposal and another was rejected due to lack of organizational and financial capacity. The NAHAB met on June 9, 2020 to approve the recommended allocations contained in the FY 2020-2021 Annual Action Plan.

Each year the City may allocate up to 15% of its CDBG funds for Public Services activities. This year the City received requests for funding for public services in the amount of \$293,000, however based on HUD's formula, \$125,604 was available to fund twelve organizations. The NAHAB has endorsed a sliding scale funding system for Public Services applicants that dictates the funding ratios based the ranking. Utilizing a sliding scale ensures all approved and eligible applicants are funded. The Annual Action Plan also budgets \$496,291 in Public Facility improvements. Public Service and Public Facility projects support a wide range of community focused non-profit organizations, each having a mission inline with goals identified in the Con Plan.

The Consolidated Plan and Annual Action Plan are due to HUD on August 15, 2020. All organizations that will be receiving an allocation will have agreements prepared and executed by October 1, 2020. Staff will perform compliance monitoring with funded organizations on an annual basis.

Economic Development and Housing Assistant Director Chuck Lane provided a PowerPoint presentation.

One individual suggested using the former North Ward school site for affordable housing.

Councilmember Hamilton moved to approve the City of Clearwater's FY2020/21 through 2024/25 Five-Year Consolidated Plan (Con Plan) and the 2020-2021 Annual Action Plan to implement the goals and objectives set forth in the Con Plan, as required by HUD, and authorize the City to enter into agreements with organizations approved for funding. The motion was duly seconded and carried unanimously.

- 7.3** 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 1704 Lucas Drive, and pass Ordinances 9391-20, 9392-20, and 9393-20 on first reading. (ANX2020-04004)

This voluntary annexation petition involves a 0.191-acre property consisting of one parcel of land occupied by a single-family dwelling. The property is located on the west side of Lucas Drive, approximately 130 feet north of SR590. The applicants are requesting annexation in order to receive sanitary sewer and solid waste service from the City. The property is located within an enclave and is contiguous to existing city boundaries to the east, west and south. It is proposed that the property be assigned a Future Land Use Map designation of Residential Low (RL) and 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 property currently receives water service from Pinellas County. The applicants have paid the City's sewer impact and assessment fees and have already connected to the sewer system. Collection of solid waste will be provided by the City of Clearwater. The property is 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 #48 located at 1700 N. Belcher Road. The City has adequate capacity to serve this property with solid waste, police, fire and EMS service. The property will continue to receive water service from Pinellas County. 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 of the property. This designation primarily permits residential uses at a density of 5 units per acre. The proposed zoning district to be assigned to the property is the Low Medium Density Residential (LMDR) District. The use of the subject property is consistent with the uses allowed in the District and the property exceeds 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 property proposed for annexation is contiguous to existing city boundaries to the east, west and south; therefore, the annexation is consistent with Florida Statutes Section 171.044.

Mayor Hibbard returned to the meeting at 8:35 p.m.

Councilmember Hamilton 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 1704 Lucas Drive. The motion was duly seconded and carried unanimously.

Ordinance 9391-20 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 9391-20 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

Ordinance 9392-20 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 9392-20 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

Ordinance 9393-20 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 9393-20 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

7.4 Approve amendments to the Clearwater Community Development Code revising

Appendix B US 19 Zoning District and Development Standards general provisions, regulating plan, and flexibility divisions, and modifying the comprehensive landscaping program, parking demand study, and temporary uses sections, and pass Ordinance No. 9387-20 on first reading. (TA2020-03003)

The proposed text amendment is the first substantive city-initiated update to the US 19 Zoning District and Development Standards (Appendix B of the Community Development Code) since it was adopted in February 2017. The City has processed permits for renovations of existing buildings, changes of use, and redevelopment projects of various scales under the new US 19 District requirements, which has allowed staff to assess the standards. Proposed Ordinance 9387-20 is primarily focused on sections of the US 19 District and Development Standards addressing development exemptions and flexibility, but also includes other limited amendments which are summarized below.

- Updated terminology within and the organization of Section B-103, Organization of Standards, to make consistent with the Downtown (D) District which was adopted after the US 19 District
- Clarified certain exemptions by modifying provisions for improvement, remodel or reconstruction projects and developments setback more than 200 feet to state that new floor area must meet the US 19 District setbacks “to the maximum extent practicable,” and by incorporating additional descriptions (Section B-104)
- Amended the US 19 District Regulating Plan by changing the designated Street Frontage Type from B to D for the eastern side of the Campus Walk retail plaza located at 2551 and 2571 Drew Street and the western side of the FDOT stormwater pond on US 19, and by depicting “key corners” on the maps (Division 2, Figure 1. Regulating Plan)
- Expanded options for flexibility in Appendix B, Division 7 under certain circumstances by:
 - allowing additional reductions to required parking beyond those possible through the parking reduction factors outlined in Table 3 based on the provision of a parking demand study (new flexibility provision)
 - allowing front setbacks less than the minimum required for lots that have various constraints such as irregular shapes or natural

- features which make it difficult to meet the required setbacks (modified existing flexibility provision)
- reducing the acreage threshold from 10 acres to 5 acres for Special Project Types with “employment intensive land uses” (modified existing flexibility provision)
- Established a criterion for the use of the comprehensive landscape program in the US 19 District, where currently it is not permitted (Section 3-1202.G)
- Added the City Engineer as an approver for parking demand study methodology (Section 3-1401.C)
- Added the US 19 District to the list of Districts in which certain temporary uses can occur (Section 3-2103)

The Planning and Development Department has determined that the proposed text amendment to the Community Development Code is consistent with and furthers the goals, objectives and policies of the Comprehensive Plan and the Community Development Code as outlined in the staff report. The CDB reviewed the proposed text amendment at its meeting of June 16, 2020, and unanimously recommended approval of the amendment.

One individual questioned why the Environmental Advisory Board is not reviewing text amendments and has not met in months.

Councilmember Hamilton moved to approve amendments to the Clearwater Community Development Code revising Appendix B US 19 Zoning District and Development Standards general provisions, regulating plan, and flexibility divisions, and modifying the comprehensive landscaping program, parking demand study, and temporary uses sections. The motion was duly seconded and carried unanimously.

Councilmember Hamilton moved to amend Ordinance 9387-20 as follows:

On page 3 of the ordinance, Section 3-1401.C is amended to read as follows:

C.P Parking demand study.

1.If flexibility of the parking standards is requested that is greater than 50 percent of the top end of the range (excluding those standards where the difference between the top and bottom of the range is one parking space), then a parking demand study will need to be provided. Prior to the preparation of such study, the methodology shall be approved by the Ceommunity Ddevelopment Ceoordinator and City Engineer, and in accordance with accepted traffic engineering ~~principles~~principals. The findings of the study will be used in determining whether or not flexibility~~deviations~~ to the parking standards are approved.

On page 14 and 15 of the ordinance, Section B-703 is amended to read as follows:
SECTION B-703. FLEXIBILITY PROVISIONS

Flexibility may be approved subject to the standards

below. A) Subdistrict Standards – Parking

Flexibility to further reduce the minimum number of parking spaces to less than what may be approved through Table 3. Parking Reduction Factors in Section B-303.C may be requested with the provision of a parking demand study. Prior to the preparation of such study, the methodology shall be approved by the Community Development Coordinator and City Engineer, and in accordance with accepted traffic engineering ~~principles~~principals. The findings of the study will be used in determining whether or not additional flexibility to the required parking may be approved.

~~C~~B) Street Frontage Standards - Building Spacing

4. The maximum spacing between individual buildings along Street Frontage Types A, B, and C may be increased or waived for projects with that meet the requirements of B- 703.C.1, B-703.C.2, and ~~B-703.C.3.~~

~~E~~D) Street Frontage Standards - Front Building Facades & Entries

1.For buildings along Street Frontage Types A, B, and C, the extent of transparent glazing along a building's ground floor front facade may be reduced to 25 percent if the building's ground floor side facade is designed to meet standards applicable to the front facade, including requirements for pedestrian and landscape improvements.

2. For buildings at corner locations, the extent of transparent glazing along the front facade with the lowest level of existing or planned pedestrian activity may be reduced to 25 percent. These flexibility provisions are illustrated in Figure 16. Frontage Design Flexibility.

~~2. As illustrated in Figure 16. Frontage Design Flexibility,~~ flexibility in the application of entry location standards in Appendix ~~BC~~, Division 4 and in Section B-604.A may be approved consistent with one ~~all~~ of the following.

The motion was duly seconded and carried unanimously.

Ordinance 9387-20 was presented and read by title only.

Councilmember Hamilton moved to pass Ordinance 9387-20 on first reading, as amended. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

- 7.5** Approve the annexation of 300 feet of Elizabeth Avenue right-of-way located approximately 970 feet north of Gulf to Bay Boulevard, abutting a parcel with the post office address of 327 David Avenue, and pass Ordinance 9405-20 on first reading. (ANX2020-05005)

This voluntary annexation petition involves 0.08 acres of the Elizabeth Avenue right-of-way located north of Gulf to Bay Boulevard. The City of Clearwater is requesting this annexation to ensure that the entire Elizabeth Avenue right-of-way is within the city's jurisdiction. The property is contiguous to existing city boundaries to the west and south.

This segment is located adjacent to a city-owned parcel 327 David Avenue, which is located between and connected to both David Avenue to the west and Elizabeth Avenue to the east (PIN 17-29-16-00000-130-0900). That property is subject to a contract for exchange of real property between the City of Clearwater and Creative Contractors, Inc., pending approval of a development

application for a new office building (FLD2020-04010). The proposed development application includes the improvement of the abutting Elizabeth Avenue right-of-way located in a 12.5-foot city easement that will provide solid waste and emergency services access to the site.

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 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 objective 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.

- The proposed annexation is consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The property proposed for annexation is contiguous to existing city boundaries to the west and south; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Hamilton moved to approve the annexation of 300 feet of Elizabeth Avenue right-of-way located approximately 970 feet north of Gulf to Bay Boulevard, abutting a parcel with the post office address of 327 David Avenue. The motion was duly seconded and carried unanimously.

Ordinance 9405-20 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 9405-20 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

8. Second Readings - Public Hearing

- 8.1** Adopt Ordinance 9394-20 on second reading, amending the Operating Budget for the Fiscal Year ending September 30, 2020 to reflect increases and decreases in revenues and expenditures for the General Fund, Special Program Fund, Water and Sewer Fund, Stormwater Fund, Gas Fund, Airpark Fund and Parking Fund.

**Ordinance 9394-20 was presented and read by title only.
Councilmember Hamilton moved to pass Ordinance 9394-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.2** Adopt Ordinance 9395-20 on second reading, amending the Capital Improvement Budget for the Fiscal Year ending September 30, 2020, to reflect a net increase of \$226,683.

**Ordinance 9395-20 was presented and read by title only.
Councilmember Hamilton moved to adopt Ordinance 9395-20 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

9. City Manager Reports

9.1 City Hall Site Selection Update

In January 2019, the City of Clearwater vacated its City Hall building and temporarily relocated its administrative offices to One Clearwater Tower (600 Cleveland Street) under a five-year lease. During that five years the intent was to complete an already ongoing joint use facility discussion with Pinellas County, and based on that study determine the best path forward for future construction of a new City Hall. The joint use study was completed in August 2019, and while its results showed potential capital and operational savings for the City, it did not provide those same efficiencies for Pinellas County. As a result, the City focused its efforts on a building that would operate solely as a City Hall for the City of Clearwater.

In October 2019, the directors of the CRA, Engineering, and Planning and Development Services departments were tasked with conducting a site selection study for the new building. The study commenced with the development of review criteria deemed pertinent so that staff had the clarity it needed to ensure an objective, well thought out result that was focused on those areas deemed most important. Staff approached the generation of those criteria with the understanding that it had to be guided by Objective 1B of the Clearwater Downtown Redevelopment Plan, which states that “the location, placement and design of a new City Hall needs to reflect the building’s civic importance as a community-gathering space,” while balancing cost factors (real estate, construction and operation), and the building’s ability to act as an economic development catalyst for Downtown. To that end, the following four criteria were developed to recognize the above considerations and points were assigned to each based on their relative importance in the decision-making process.

- **Implementation of Downtown Plan - 4 points**
 - Visibility and civic prominence
 - Location
 - Compatibility with surrounding uses/scale and fit with Character District Vision
 - Economic development catalyst potential (anchor to attract future development)
 - Transportation access (vehicular, pedestrian, transit, trail connection)
 - Proximity to other City services/facilities

(Considerations such high/low visibility, compatible/not compatible with surrounding uses, likely to/ not likely to spur redevelopment of surrounding sites; frees up other institutional land for redevelopment; good transportation access for pedestrian, bikes, transit and vehicles/limited access; close to other city facilities)

- **Real Estate - 3 points**

- Ownership
- Available for acquisition if not city owned
- Potential for partnership/joint tenancy and/or public/private

partnership

- Eligible for CRA incentives/opportunity zone
- Construction ready/requires demolition

(Considerations - City/CRA owned; willing/unwilling sellers; high potential/low potential for public/private partnership; in/out of Opportunity Zone; construction ready/requires demolition)

- **Site Characteristics - 2 points**

- Parcel size and configuration
- Parking for facility (on-site or off-site or combination)
- Site conditions - topography, views, environmental contamination, existing trees, etc.
- Infrastructure -adequate utilities availability, stormwater, traffic impacts on surrounding roadways
- Sustainability (opportunities for sustainable infrastructure, etc.)

(Considerations - large/small site; good/awkward parcel configuration; good/poor site conditions; adequate infrastructure; negative impact on surrounding roadways; opportunity for sustainable infrastructure)

- **Cost - 1 point**

- Land acquisition
- Construction costs (renovation/new construction)
- Site preparation

- Operational Efficiency
- Operating costs/ongoing costs

(Considerations - City/CRA owned/not owned - low costs vs. high costs for acquisition; can/cannot accommodate City Hall and MSB operations; requires renovation/new construction;

In an effort to narrow down the properties that would be reviewed in downtown, staff also used data generated by the now completed joint use facility review to determine a minimum lot size necessary to house a facility. The result was focus on sites approximately two acres in area.

At the November 18, 2019 city council meeting, staff then presented the evaluation criteria and nine potential sites for discussion. Council agreed with the criteria and expressed support for staff to consider the possibility of a Government Center option in addition to a City Hall only option. Additionally, Council asked the team to include the Main Library site in the site selection process bringing the total to ten properties to be evaluated. Below are the results of the evaluation and subsequent ranking of the sites in order based on the total assigned points. The location of each site is highlighted in the Potential

City Hall Sites Aerial Photograph document and the points assigned for each site and criteria are captured in the City Hall Site Selection Rankings Table document.

1. 9.25 points - Myrtle Avenue West - Court & Pierce Streets, south of MSB
2. 7.25 points - Myrtle Avenue East - Park and Pierce Streets, east of MSB
3. 5.25 points - Walgreens - NE corner Myrtle Ave. & Cleveland St.
4. 5.0 points - PSTA/County Lot - Ft. Harrison, B/W Park and Pierce Streets
5. 4.75 points - CRA Owned - Cleveland Street, B/W Betty Ln. & Lincoln Ave.
6. 4.25 points - Frank Crum Property - Missouri Ave. b/w Pierce Ave. & Gould St.
7. 3.00 points - Main Library - Osceola Ave. and Drew St.
8. 3.00 points - iDatix - Court St. & Gulf to Bay Ave.

- 9. 2.50 points - Court/Chestnut Triangle - Apex of Court & Chestnut Streets
- 10.2.00 points - Drew and Laura St. - South side of Drew St. (Nall Lumber)

The selection team issued RFQ 10-20 for a new City Hall feasibility study that would include a series of concept studies and sketches for a new City Hall building. Additionally, the consultant was asked to evaluate the practicality of combining the functions of MSB with the proposed new City Hall and evaluating the sites for a new Clearwater Government Center. Five firms submitted qualifications and Harvard Jolly, Inc. was selected. Colliers International was also part of the team and was tasked with evaluating the feasibility of potential redevelopment options as part of the exercise.

Because there was a significant point spread between the top two sites and the other sites, staff engaged Harvard Jolly to provide concept studies only for the top two sites - Myrtle Avenue West - between Court and Pierce and south of MSB and Myrtle Avenue East (Sites B and A respectively on the Potential City Hall Sites aerial photograph). Harvard Jolly developed three main options for each site. Option 1 focuses on the construction of a new City Hall and associated parking. Option 2 includes the construction of a new Government Center with surface parking and use of the MSB garage and Option 3 includes a new Government Center and parking garage for the Center. Because the top ranked site is large and includes two properties, two additional concepts were studied that illustrated partnership opportunities with either PSTA or a private developer.

As part of the feasibility analysis for the City Hall/Government Center, Colliers International also provided an overview of the Clearwater real estate market to provide an opinion on what types of developments would be likely to be constructed if the City sold certain properties. Depending on the final location for a new City Hall/ Government Center, the City could potentially have up to three parcels available to sell/lease for private redevelopment. The type of use (multi-family, retail, office etc.) will drive the sales price for the property which in turn could offset the construction costs for the new facility. City redevelopment projects also offer the opportunity to attract projects that meet land use goals identified in the Downtown Redevelopment Plan. Collier's market research indicated that the most likely types of commercial development in downtown Clearwater were retail uses that front Myrtle Avenue, mid-rise apartment development or a limited service hotel.

Based on the findings of the feasibility study, staff is recommending the City/CRA owned property located on the northwest of Court Street and Myrtle Avenue (Site B) be selected as the site for the new City Hall or Government Center. The site provides excellent visibility at the intersection of two state roadways and provides a site of civic prominence. The site has good transportation access, is located along the Pinellas Trail and is in close proximity to other city facilities and is large enough to support a stand-alone City Hall or a larger Government Center with on-site. Because either option can be built on the corner parcel, it offers the most options for public-private partnerships and redevelopment opportunities for other city-owned property.

Staff also did a cursory review of potential cost savings and operational efficiencies to determine if a more detailed study into the Government Center concept was warranted. That review determined that there is a high potential for both long-term capital savings and operational savings by merging departments into a single building.

At the March 2, 2020 Council meeting, direction was provided that consistent with the below recommendation, with staff working towards the generation of an RFP for design services within 60 days. That time period was intended to allow time for the previous council to consider what location they wish to have the new building designed for and to allow time for the council to be sworn in and receive the same information provided to the previous council. COVID-19 shifted priorities of staff, which has caused staff to delay the follow up presentation to the new Council and with that, the decision timeline for the building location. If the council agrees, staff would anticipate that the RFP would be ready for advertising by July 16th council meeting, and staff would ask Council to provide direction on the site for the new building at that meeting.

Recommendation

Based on the feasibility study and the cost savings and operational efficiency review, staff is recommending that an RFP be issued for design services using a two phased approach. Phase one would include a work order that would provide design services to the 15% level, provide a more in-depth review of space needs both City Hall and MSB, and complete a more robust review of cost savings, operational efficiencies, and the environmental impacts of both the City Hall and Government Center concepts. Staff anticipates that such analysis would include a review of enhanced customer service opportunities such as the creation of development service center, opportunities for energy

savings, the future capital impact of replacing the MSB separate from City Hall,

the effect of maintaining the buildings separately rather than together, and the impact to the net present value of funds already allocated to various repair and replacement projects associated with MSB as it relates to their planned timeframe for expenditure.

Following phase one, the City Council would be provided the data needed to make a decision to construct a City Hall or a Government Center. Phase two of the design would include a second work order which would be focused on bringing the design to 100%.

An RFP for design services has been generated, however, staff will need formal direction on a site prior to advertising it.

Planning and Development Director Gina Clayton, CRA Executive Director Amanda Thompson, Harvard Jolley Representatives Ward Friszolowski and Tim Feaster, and Assistant City Manager Micah Maxwell provided a PowerPoint presentation. The presentation provided an overview of the site selection criteria, real estate analysis, site options, and next steps.

In response to questions, Mr. Feaster said the proposed site options are not ranked; the team was directed to provide options just for city hall and options for a combined city hall/municipal services building. Site configurations would be determined after a programming study to ensure the occupancy of the facility would be covered. The former city hall site had 96 parking spaces; the 2-story city hall (Option A) provides 145 parking spaces for city hall use. The Municipal Services Building (MSB) would utilize the existing parking garage. Mr. Friszolowski said currently there are times when the surface parking for the existing MSB is full; this option would provide MSB visitors additional parking behind city hall.

Comments were made that Council should review the proposed site locations and identify those that are not viable, that a special work session should be scheduled in order to have a deeper discussion, and that environmental and solar efficiencies should be incorporated into the project. It was suggested that consideration be given to incorporate city hall in the Main Library for potential cost savings.

In response to a comment, Mr. Maxwell said staff identified some functional issues with the MSB, but staff's review of the building also focused on potential financial savings. He said he would provide Council with that information.

A concern was expressed with building a bus station across from city hall. In response to a suggestion to build a combined city hall/MSB on the bottom floor with residential/commercial above, Ms. Clayton said there is no height limitation in the downtown core with that proposed site (Mertley Avenue West). The site across from the MSB (Mrytle Avenue East) has a height limitation of 75 feet. She said both sites are located in an Opportunity Zone, which has a time constraint, December 21, 2021, to attract investors.

The City Manager said tonight's conversation is the first step; it is obvious this council needs more discussion on the matter to determine the next steps. A new city hall has been on the Penny for Pinellas project list during Penny 2 and then removed from the list; recently it was put back on the list because staff believed Council wanted to do something.

There was council consensus to schedule a special work session to discuss the topic in detail.

One individual suggested renovating the existing city hall building.

9.2 Police Body Cameras

At the June 4, 2020 council meeting, Council directed the Police Department to facilitate a discussion on the feasibility of a police body worn camera program.

In 2015, the Clearwater Police Department conducted a feasibility study on a police body worn camera program. At that time, the study identified some obstacles, barriers and concerns with implementing a police body worn camera. In the past five years, many of the obstacles and barriers have been addressed and no longer are an issue. At the request of Council, the police department will provide an update on the feasibility of a police body worn

camera program for discussion.

APPROPRIATION CODE AND AMOUNT:

Total Year One (estimated) Costs: \$747,031

Recurring Annual (estimated) Cost: \$569,855

Cost Center TBD

Police Chief Daniel Slaughter provided a PowerPoint presentation.

In response to questions, Chief Slaughter said the law does not require officers to say an individual is being recorded. The camera has a pre-event buffer, approximately 2 minutes prior to the camera being activated. The technology and auto-activation is important when high stress situations occur. He said this does not mean the camera will not get activated manually under other circumstances; the circumstances would be driven by policy. The technology could also be integrated into the Department's CAD system, which would allow for the identification of patterns if an officer reported to a location but did not turn on the camera.

One individual spoke in support and suggested the matter be placed on a referendum.

Four individuals spoke in support.

Discussion ensued with support expressed to implement the use of body cameras given today's social climate. A concern was expressed with the cost associated to purchase and maintain the cameras, given there is no need for them as the Department has a good relationship with the community and there have not been many use of force complaints.

In response to questions, the Chief said the Department has monitoring the products since 2015 and staff believes the Axon product is the best option for the Department. CPD has a digital evidence management system, which is provided by Axon and integrates seamlessly with the taser and camera devices. The Axon device is available for purchase. The prices presented tonight expires the second or third week of August and staff

is ready to present an agenda item for the first meeting in August. He said implementing a policy will not be as time consuming as it will be to outfit/up-fit and train staff. Staff is concerned with prices increases given the current demand for the devices.

The City Manager said if Council believes it is in the community's best interest to have the cameras, that is what matters most to staff.

There was council consensus for staff to present information on how the budget can be adjusted to purchase the devices. Action deferred to August 6, 2020.

9.3 Police Civilian Oversight

At the council meeting held June 4, 2020, Council directed the Police Department to facilitate a discussion on police civilian oversight. The Police Department will present an overview of the department's current complaint process, an overview on use of force data, and various forms of civilian oversight.

The Council recessed from 9:58 p.m. to 10:04 p.m.

Clearwater Police Chief Daniel Slaughter provided a PowerPoint presentation. He said the Department has a culture of trust with the community that can always be improved. If a Civilian Oversight Committee is not pursued, the Department will continue to the engage the community.

In response to questions, Chief Slaughter said there is no time limit when a person can register a complaint; once the Police Chief is made aware of the complaint, the matter must be resolved within six months. The complaint data is used to feed the employee intervention program, identifying employees with patterns of training deficiencies. Complaints

are private while Internal Affairs investigates the matter; these cases are public record after the investigation has been completed. Internal Affairs investigate 10 to 15 cases annually and handle cases where suspension, demotion or termination are a possibility. The City Manager said he keeps the Council informed of discipline matters involving city officers and employees. Chief Slaughter said the Department's website posts information regarding use of force cases and sustained discipline cases. He said would prefer a less formal process that would allow him to engage members of the community who want to be involved and be free to go where the community wants to go.

One individual spoke in support.

One individual submitted an eComment in support that was read into the record by the City Clerk (see page 44).

Discussion ensued with comments made that the Chief is able to meet with community leaders, that not many complaints have been expressed by the community, and the Department has had few use of force cases. Support was expressed for the Chief to pursue a task force as an alternative to a civilian oversight board.

Councilmember Hamilton moved not move forward with a Police Civilian Oversight Board at this time. The motion was duly seconded and that this Action Item be declined. The motion was duly seconded and carried unanimously.

- 9.4** Appoint two members to the Parks and Recreation Board, one member with term to expire July 31, 2024 and another member to fill the remainder of an unexpired term until May 31, 2022.

APPOINTMENT WORKSHEET

BOARD: Parks and Recreation Board

TERM: 4 years

APPOINTED BY: City Council

FINANCIAL DISCLOSURE: Not Required

RESIDENCY REQUIREMENT: City of Clearwater

SPECIAL QUALIFICATIONS: None

MEMBERS: 7

Chairperson: Mark Rodriguez

MEETING DATES: Quarterly (4th Tues.) - Jan., April, July, Oct.

PLACE: Main Library - 6:30 p.m.

APPTS. NEEDED: 2

THE FOLLOWING ADVISORY BOARD MEMBER(S) TERM
EXPIRED/RESIGNED AND NOW REQUIRE REPLACEMENT BY NEW
APPOINTEES:

1. Norene M. Marlow - 1315 Ranchwood Dr., 33764 - **B.S. Finance**
Original Appointment: 02/02/12
(2nd term expired 01/31/20)

2. Michelle Thomann-Ramirez - 10 S. Keystone Dr., 33755 - **Art Educator/Artist**
Original Appointment: 04/06/17
Resigned 10/07/19 - (was serving 1st term to expire 05/31/22)

THE NAMES BELOW ARE BEING SUBMITTED FOR CONSIDERATION TO
FILL THE ABOVE VACANCIES:

1. Bryan Beckman - 127 Marina Del Rey Ct., 33767 - **Global Info. Systems**
2. John Devoti - 151 Marina Del Rey Ct., 33767 - **Retired**
3. David Farrar - 224 Skiff Pt., 33767 - **Real Estate Investor**
4. Bruce Rector - 800 S. Gulfview Blvd., Apt. 901, 33767 - **Attorney**

5. Scott Thomas - 1102 South Missouri Ave., Apt. 203, 33756 - Sr. H.R. Director

Zip codes of current members on board:

1 at 33755

1 at 33761

2 at 33765

1 at 33767

The City Attorney said Mr. Beckman is not eligible to be appointed because he is a relative of Councilmember Beckman. It would be an ethical conflict for Councilmember Beckman. She said information regarding the conflict was emailed earlier.

It was stated that more diversity and representation of residents living in a variety of neighborhoods is needed. It was suggested that the application period be extended to the next meeting.

Councilmember Hamilton moved to appoint Bruce Rector, with a term to expire July 31, 2024, and Scott Thomas, to the remainder of an unexpired term through May 31, 2022, to the Parks and Recreation Board. The motion was duly seconded and carried with the following vote:

Ayes: 4 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton and Councilmember Bunker

Nays: 1 - Councilmember Beckman

9.5 Rosemere and Maple Drainage Project

Engineering Director Tara Kivett said the unimproved lawn of 1530 Maple, the resident that Ms. Rebecca Kaye mentioned, has a low point in the backyard that is holding water. In the past, the drainage was being collected by 1537 Rosemere, which received a cleaning and grading permit in Spring 2019 from the City that filled in the low spot. She said the resident at 1530 Maple started complaining about drainage issues last Fall. Engineering investigated the issue and developed a plan to extend the City's drainage system on Rosemere that would give the two property

owners at 1540 and 1530 Maple minor site grading that would send their drainage to the street into the city system.

She said the resident at 1530 Maple was uncomfortable at the time and was hoping staff would determine that the house on 1537 Rosemere could not be built. Ms. Kivett said she told the property owner that was not within the city's authority; the property owner is now open to the City's proposed drainage system.

In response to questions, Ms. Kivett said the City will pay for the drainage out in the right-of-way; the proposed drainage will cost approximately \$39,000. The property owners will be responsible to properly grade the site to send the drainage, via swale or yard drain, to the city stormwater. In 2008, the City had a huge project that improved the storm and gravity sewer system.

10. City Attorney Reports

10.1 Confirm COVID-19 Emergency Proclamation and adopt Resolution 20-32.

Councilmember Hamilton moved to confirm COVID-19 Emergency Proclamation. The motion was duly seconded and carried unanimously.

Resolution 20-32 was presented and read by title only.

Councilmember Hamilton moved to adopt Resolution 20-32. The motion was duly seconded and upon roll call, the vote was:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

10.2 Call for a special election to be held in conjunction with the presidential election on November 3, 2020, submitting to the electors a referendum question authorizing the lease of real property currently identified as recreation/open space on the Comprehensive Land Use map for the purpose of developing it for light industrial, research, technology and

office use, authorize the appropriate officials to execute same and adopt Resolution 20-31.

Clearwater Code of Ordinances Section 2.01(d)5(v) states in relevant part, "No municipally owned real property identified as recreation/open space on the city's comprehensive land use plan map on November 16, 1989 (or as may be amended thereafter), may be sold, donated, leased for a new use, or otherwise transferred without prior approval at referendum,..."

The City is the owner of a 78.52 acre (MOL) real property identified as recreation/open space on the City's comprehensive land use plan, known as The Landings Golf Course and located on the east side of Keene Road, north of Airport Drive (City Property), whose property address is 1875 Airport Drive, Clearwater, Florida 33765.

The City Council has determined that it is in the best interest of the citizens of Clearwater to lease a 57.92-acre portion of said City Property (Lease Property) for the purpose of development as a 710,000sq. ft. light industrial, research, technology, office and accessory park.

On June 18, 2020, at its regularly scheduled City Council meeting, Council held a noticed public hearing for the purpose of declaring a 66-acre portion of the 78.5-acre Landings Golf Course surplus for the purpose of development of the site as light industrial. At that hearing, Council determined that an additional 8.31 acres would be retained as a parkland buffer area by the city and reduced the property to be declared surplus to 57.92 acres MOL.

At the City Council meeting of June 18, 2020, the City Council approved a Lease Proposal for the Lease Property, submitted by Harrod Properties, Inc., conditioned on voter approval of the proposed use, subsequent Land Use Plan amendment, and rezoning of the Lease Property.

Councilmember Beckman moved to amend the referendum question as follows: "Shall the City Council be authorized to lease approximately 58 acres of municipal real property that is recreation/open space on the land use plan map and is a (part) majority of The Landings Golf Course, located on the east side of Keene Road, on the north side of Airport Drive, whose post office address is 1875 Airport Drive, Clearwater, Florida, for the purpose of development as a light industrial, research,

technology and office park?" The motion was duly seconded.

In response to questions, the City Attorney said the total acreage is 78.52; the area to be leased is over 50%.

Upon the vote being, the motion carried with the following vote:

Ayes: 4 - Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

Nays:1 - Mayor Hibbard

Developer representative Ed Armstrong said they appreciate the Council's support to allow the referendum question to move forward.

In response to questions, the City Manager said the City typically sends out a mailer stating what a yes/no vote mean. The City Clerk said the City cannot take a position on the matter; mailer described by the City Manager will also be available on the city's website. The City Attorney said the information provided tends to simple (what it means when you vote yes and what it means when you vote no). She said the information presented to Council is factual and objective information; staff can provide a fact sheet that outlines the information. The fact sheet would include information that the developer has agreed to in the term sheet.

One comment supporting Item 10.2 was received electronically and read into the record by the City Clerk (see page45).

Two eComments opposing Item 10.2 were received and read into the record by the City Clerk (see page 42).

Two individuals spoke in opposition.

In response to a comment, Marine and Aviation Director Ed Chesney said the site is not considered a protected recharge source. The Landings site is an old dump area.

Resolution 20-31 was presented and read by title only. Councilmember Hamilton moved to adopt Resolution 20-31, as amended. The motion was duly seconded and upon roll call, carried with the following vote:

Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

11. Other Council Action

11.1 Call-ins for Public Comment - Councilmember Beckman

At the June 1, 2020 work session, staff was directed to research what other municipalities did prior to COVID-19 and infrastructure needed to allow citizens to call-in during council meetings post COVID-19. Staff will provide an update on their findings.

Councilmember Beckman said a goal of hers is to engage residents more in the public meeting process and suggested allowing citizen call-ins for all meetings. The City Clerk said she posed the question to city clerks around the state asking how they handle public input for meetings prior to COVID, of the 20 responding municipalities, only 1 allowed public call-ins prior to the start of a meeting. She said Clearwater has a dedicated email address for individuals to utilize as well as Granicus, the City's agenda management software, which allows for comment to be posted on each agenda item. The public is being engaged in a manner they typically have not previously experienced. Information Technology Manager Sabrina Chute said each seat at the dais would need to be outfitted with web cams and ear buds; the equipment cost for the upgrades is between \$3,000 and \$8,000. She said there are sound and broadcast quality issues as well as increased staffing that would be needed to handle the additional service. The City Clerk said if citizens called in and left voice messages prior to the start of the meeting on an agenda item, it would be a staff intensive process to cue each message to the agenda item.

One individual spoke in support.

Discussion ensued with comment made that these types of public input options have never been available prior to COVID and citizens have plenty of opportunity to express their opinions. It was said that some individuals do not have the opportunity or time to come to a council meeting but still want to engage in the process.

11.2 PSTA Update - Vice Mayor Allbritton

Discussion deferred to August 3, 2020.

11.3 Mooring mishaps in Mandalay Channel, Clearwater - Vice Mayor Allbritton

Vice Mayor Allbritton said due to the late hour, he will provide an update on August 3, 2020.

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

Councilmember Beckman acknowledged the emails she received regarding making mask wearing optional. She said she has been and will continue to be fully supportive of CDC guidelines to keep safe. She reminded all to register to vote and to take the Census. She encouraged residents to educate themselves on the upcoming referendum regarding The Landings. She said the Clearwater Neighborhoods Coalition will hold a public forum on the referendum on August 3, 2020. She hoped everyone would find the time to learn about green print, the environment, affordable housing needs and economy in Clearwater, and the quality of life in Clearwater neighborhoods.

Councilmember Bunker said he took a trip to the Pinellas County Humane Society and brought home 2 kittens. He thanked the staff and volunteers that work there.

13. Closing Comments by Mayor

Mayor Hibbard reviewed recent and upcoming events.

14. Adjourn

The meeting adjourned at 12:08 a.m.

Attest

Mayor
City of Clearwater

City Clerk

City Council on 2020-07-16 6:00 PM

Meeting Time: 07-16-20 18:00

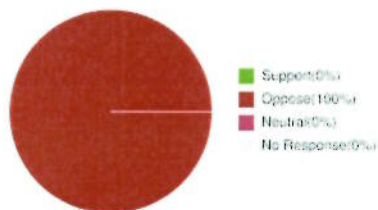
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
City Council on 2020-07-16 6:00 PM	07-16-20 18:00	52	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



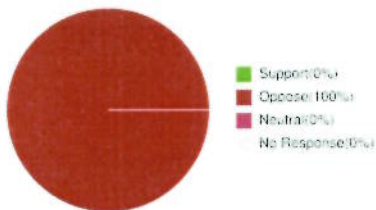
City Council on 2020-07-16 6:00 PM
07-16-20 18:00

Agenda Name	Comments	Support	Oppose	Neutral
10.2 20-31 Call for a special election to be held in conjunction with the presidential election on November 3, 2020, submitting to the electors a referendum question authorizing the lease of real property currently identified as recreation/open space on the Comprehensive Land Use map for the purpose of developing it for light industrial, research, technology and office use, authorize the appropriate officials to execute same and adopt Resolution 20-31.	2	0	2	0

Sentiments for All Agenda Items

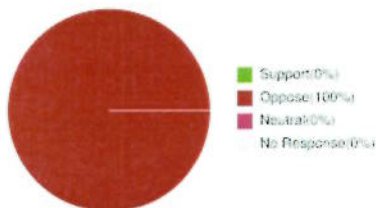
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for 10.2 20-31 Call for a special election to be held in conjunction with the presidential election on November 3, 2020, submitting to the electors a referendum question authorizing the lease of real property currently identified as recreation/open space on the Comprehensive Land Use map for the purpose of developing it for light industrial, research, technology and office use, authorize the appropriate officials to execute same and adopt Resolution 20-31.

Overall Sentiment



Lauren Hallahan

Location:

Submitted At: 2:06pm 07-16-20

From Lauren Hallahan

1537 Picardy Circle

Clearwater, FL 33755

I have been a tax paying resident in Clearwater for 30 years. I live nearby the Landings Golf Course and have always enjoyed it as a buffer for the Clearwater Airpark. There is a lot of pollution in the area, Hercules industrial

area and the Airpark.

The Airpark is already such a nuisance with the expanding hours late at night, along with CHOPPERS...CHOP CHOP CHOP all Saturday, and less and less the pilots follow the 'noise abatement flight path', while Barbara is more lax each year, as I've been involved for over 17 years with neighborhood woes, due to the Airpark. How will this industrial park be an asset next door, with three exits onto Keene Road?

Further I have looked up all of the available light industrial property now vacant in our county. Plenty next door in Largo. Why is this not being utilized? Council needs to stop this as the mayor has already been so disappointing as he states:

"Yes it's green space, but there is plenty and we can just relocate green space elsewhere". Where may I ask? Perhaps over to your neighborhood? The Landings is a very fitting green spot for an area that is full of neighborhoods, not much else. Just the annoying Airpark the F.B.I. had to go in and raid. Do you believe this is the only shenanigans going on there all of these years?

Could you please make this Landings project for developers the first time that you say no? WE THE PEOPLE DO NOT WANT THIS. Now, Imagine that.

Lauren Hailahan

Karl Schraegle

Location:

Submitted At: 12:52pm 07-16-20

Regarding the proposed leasing of the Landings property. At a recent city council work session, it was mentioned that the golf course is not being used. My family was visiting recently and my 10 year old grandson is a golfer. I felt the landings was the perfect place, because it is a short course, middle of the summer, no snowbirds, and the middle of the week. We could not get a morning or late in the day tee time. The best available was 2:30 PM. I beg to differ that this golf course is not being used. Thank you.

Call, Rosemarie

From: Elizabeth Drayer <edrayer@tampabay.rr.com>
Sent: Wednesday, July 15, 2020 4:34 PM
To: Call, Rosemarie
Subject: Comment for city council meeting tomorrow 7/16

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:

At tomorrow's meeting, please read my comments below re **Item 9.3 Police Civilian Oversight**

Dear Mayor and Council:

Congratulations to the Clearwater police for avoiding the problems plaguing other departments that have resulted in nationwide calls for changes to the justice system, including establishment of a civilian review board here. As the city suggests in its presentation, such boards have not always been successful in curbing police abuses elsewhere. Therefore if we do create one, we should give it the teeth it needs to be effective. Please consider a review board with the following characteristics:

- a majority of members appointed by community organizations, rather than by city officials
- power to choose the complaints it investigates, not just those investigated by police
- power to discipline officers (rather than leave that choice up to the chief)
- power to review police policies as well as individual complaints
- a funding source not controlled by elected officials

Thank you for considering my input, based on my background in the law and lifelong study of criminal justice issues.

Sincerely,
Liz Drayer, Esq.
3175 Hyde Park Drive
Clearwater, FL 33761



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Call, Rosemarie

From: Doug Kelly <dougkelly777@gmail.com>
Sent: Wednesday, July 15, 2020 2:06 PM
To: ClearwaterCouncil
Cc: Call, Rosemarie
Subject: Public comment statement for the July 16, 2020 City Council Meeting

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July 15, 2020 / ClearwaterCouncil@MyClearwater.com

Dear Councilmembers:

As one who's played The Landings par 63 golf course as well as other courses in our region, I concur that that property is better served in another capacity.

Trying to make the Landings Area into a nature preserve or green space as some have proposed doesn't fit well next to a busy airfield producing constant noises and poor air quality due to fuel emissions. In addition, the golf course contains large lakes and ponds and is not a flood attenuation area as some portray. In fact, the large presence of water increases – not decreases – the chances of local flooding in the event of a hurricane.

According to Art Kader, the Deputy Director of Clearwater's Parks and Recreation Department, our city currently offers to the public seven community parks, 24 neighborhood parks, 29 environmental parks and 23 open space park areas. That doesn't count 27 special facilities such as the McMullen Tennis Complex, Jack Russell Stadium and EC Moore Complex. We also have the Sand Key county park. Over the years the City has continually added to the number of park sites even though reportedly only a small percentage of residents visit them.

Furthermore, while an apples-to-apples comparison isn't available, of the 10 cities (list below) in Florida other than Clearwater with a population between 100K and 120K, none appears to have more park facilities than Clearwater.

The proposed aqua range would provide a unique attraction in Tampa Bay, especially if it's lit at night as with aqua ranges with which I'm familiar.

Another city park occupying The Landings property isn't the right fit. Instead, a light industrial park better suits that location and would result in good-paying jobs, increased city revenue and an added magnet to the area. I hope the wording of the

referendum reflects these advantages and that voters in Clearwater approve it on November 3rd.

Respectfully,

Doug Kelly
1451 Sandy Lane, Clearwater, FL 33755
727-724-4949

* Cities in Florida besides Clearwater with 100-120K residents:

Lehigh Acres
Palm Bay
West Palm Beach
Lakeland
Pompano Beach
Miami Gardens
Brandon
Davie
Spring Hill
Boca Raton

Call, Rosemarie

From: noreply@granicusideas.com
Sent: Thursday, July 16, 2020 9:13 PM
To: Call, Rosemarie
Subject: New eComment for City Council on 2020-07-16 6:00 PM

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New eComment for City Council on 2020-07-16 6:00 PM

sandra webber submitted a new eComment.

Meeting: City Council on 2020-07-16 6:00 PM

Item: 10.2 20-31 Call for a special election to be held in conjunction with the presidential election on November 3, 2020, submitting to the electors a referendum question authorizing the lease of real property currently identified as recreation/open space on the Comprehensive Land Use map for the purpose of developing it for light industrial, research, technology and office use, authorize the appropriate officials to execute same and adopt Resolution 20-31.

eComment: Not once, not twice, but THREE times as I have finally worked my way through the incredible amount of steps to get here, A POWER SURGE SHUT OFF MY COMPUTER AND MY AIR CONDITIONER!! WHAT THE LIVING...YOU KNOW WHAT! Okay, I was wanting to comment to the Chief about body cams, but I guess I'm too late....somehow I clicked on this...and well...seems like an incredibly sneaky way to make a land grab....by the scientologists with the city's support. Okay, your turn.

[View and Analyze eComments](#)

Posted 9:13 pm, 7/16/2020

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