

City of Clearwater

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



Meeting Minutes

Thursday, April 15, 2021

6:00 PM

Main Library - Council Chambers

City Council

Roll Call

Present: 5 - Mayor Frank Hibbard, Vice Mayor Hoyt Hamilton, Councilmember 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.

2. Invocation - Rev. Jamie Samilio from Good Samaritan Episcopal Church

3. Pledge of Allegiance

4. Special recognitions and Presentations (Proclamations, service awards, or other special recognitions. Presentations by governmental agencies or groups providing formal updates to Council will be limited to ten minutes.) – Given.

4.1 April Service Awards

One service award was presented to a city employee. The March 2021 Employee of the Month Awards was presented to David Scrivener from Parks and Recreation. The March/April 2021 Bimonthly Team Award was presented to PD Lifesaving Team: Matthew Parker and Sgt. Sean Allaster.

4.2 Clearwater Fire and Rescue Public Protection Classification Rating from ISO - Fire Chief Scott Ehlers

Fire Chief Ehlers provided a PowerPoint presentation.

4.3 Clearwater Housing Authority Annual Presentation - Jacqueline Rivera, CEO CHA

CHA Vice Chair Caitlein Jammo provided a PowerPoint presentation.

5. Approval of Minutes

- 5.1** Approve the minutes of the March 18, 2021 City Council Meeting as submitted in written summation by the City Clerk.

Councilmember Hamilton moved to approve the minutes of the March 18, 2021 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

John Doran reminded all that the roundabout is still working.

Glenna Wentworth said April 22nd is Earth Day 2021 and the District's Sip and Stroll next week will benefit the Suncoast Chapter of the Sierra Club. She said The Ring Workspaces will match up to \$1,500 raised during the Sip and Stroll. She invited all to participate in the Sip and Stroll and challenged the City to participate in 100% Pinellas, a 100% clean energy campaign.

Matthew Crawford said he is a resident of the Tropic Hills Subdivision and expressed concerns regarding the lighting at Morningside Tennis Courts. He presented photographs depicting the light pollution and height of the light poles.

7. Consent Agenda – Approved as submitted, less Items 7.4 and 7.8.

- 7.1** Authorize issuance of an RFP (Request for Proposal) to seek consultant services for naming rights and sponsorships for Imagine Clearwater. (consent)
- 7.2** Approve a purchase order to WM Recycle America, LLC (WM/RA) in the not to exceed amount of \$200,000.00 for the processing of the City's single stream recycling commodity at the contractor's facility in Tampa, FL beginning December 16, 2020 through December 15, 2021, as provided in the city's Code of Ordinances, Section 2.564(1)(e) Exceptions to Bid (impractical to bid), and authorize the appropriate officials to execute same. (consent)
- 7.3** Authorize the award of Invitation to Bid No. 03-21, Vehicle / Equipment Repair and Maintenance Services, to Dynamic Diesel Works of Clearwater, FL and Tampa Springs

Company of Tampa, FL, in the cumulative annual not-to-exceed amount of \$250,000 for the initial term of April 15, 2021 through April 14, 2022, with two one-year renewal options, and authorize the appropriate officials to execute same. (consent)

- 7.4** Approve Construction Manager at Risk (CMAR) proposal from Ajax Building Company, LLC., of Oldsmar, FL, per RFQ 32-20, at the Guaranteed Maximum Price (GMP) of \$11,245,816 for the construction of the Clearwater Police Department District Three Operations and Training Center (18-0004-PD) and authorize the appropriate officials to execute same. (consent)

See Below

- 7.5** Award a construction contract to Poole and Kent Company of Florida, of Tampa, FL, in the amount of \$18,437,514.70 for the Northeast WRF Improvements per Invitation to Bid (ITB) 19-0029-UT and authorize the appropriate officials to execute same. (consent)
- 7.6** Approve Construction Manager at Risk (CMAR) proposal from Skanska, Inc., of Tampa, FL, for sitework for Imagine Clearwater (17-0031-EN) at the Guaranteed Maximum Price (GMP) of \$12,943,812 and authorize the appropriate officials to execute same. (consent)
- 7.7** Authorize an annual increase to contract no. 900902 to Hach Company of Chicago, IL, for the purchase of laboratory equipment, supplies, and materials in the amount of \$150,000.00 for a new annual not to exceed total of \$300,000 for the remainder of this contract and approve an extension to this contract for an additional one-year term per Clearwater Code of Ordinances 2.564 (1)(d) - Other Government Entities Bids and authorize the appropriate officials to execute same. (consent)
- 7.8** Authorize the award of Invitation to Bid 18-21, Membrane Cleaning Chemicals and Related Services, to Amaya Solutions, Inc. dba: American Water Chemicals of Plant City, Florida for an annual not-to-exceed amount of \$80,000.00 with the option for two, one-year extensions at the City's discretion, and authorize the appropriate officials to execute same. (consent)
- See Below**
- 7.9** Authorize a purchase order with Fisher Scientific Company LLC of Pittsburgh, PA, for the purchase of Laboratory Equipment and Supplies, in the amount not to exceed \$150,000.00 through March 31, 2022, in accordance with City Code of Ordinances Section 2.564(1)(d) Other Government Entities Bids and authorize the appropriate officials to execute same. (consent)
- 7.10** Appoint Martin Armstrong to the Parks and Recreation Board with a term to expire January 31, 2025. (consent)
- 7.11** Appoint George D. Davis to the Airpark Advisory Board with a term to expire April 30, 2025. (consent)

- 7.12** Reappoint T. Wade Carlisle, Maranda Douglas, Michael Grohman, and Kevin R. Laughlin to the Marine Advisory Board with terms to expire March 31, 2025. (consent)
- 7.13** Appoint Brianne Roberts to the Public Art and Design Board as the Clearwater Arts Alliance, Inc. designee to fill the remainder of an unexpired term through March 31, 2022. (consent)
- 7.14** Elect Councilmember Hamilton as Vice Mayor. (consent)
- 7.15** Request for authority to settle the case of Denetra Maxwell v. City of Clearwater, Case No. 19-005622-CI for \$103,116.71. (consent)

Vice Mayor Allbritton moved to approve the Consent Agenda as submitted, less Items 7.4 and 7.8, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 7.4** Approve Construction Manager at Risk (CMAR) proposal from Ajax Building Company, LLC., of Oldsmar, FL, per RFQ 32-20, at the Guaranteed Maximum Price (GMP) of \$11,245,816 for the construction of the Clearwater Police Department District Three Operations and Training Center (18-0004-PD) and authorize the appropriate officials to execute same. (consent)

See Below

The Police Department's current District Three Sub-Station, located at 2851 McMullen-Booth Road, Clearwater, was built in 1983. The operational features and functional systems are obsolete by current police standards. The main building was designed prior to the implementation of the Accessibility Code and access to amenities is not in compliance with current requirements. Due to the structure's age and obsolete functional systems, the station merits replacement.

One of the main goals of replacing this facility was to provide the Police Department with a hurricane rated facility to allow for sheltering of employees during a significant storm event, as well as to allow for the continuity of operations in the immediate aftermath of a significant storm event. The proposed building was designed for resiliency and the sustainable design guidelines of a Leadership in Energy and Environmental Design (LEED) Silver building but will not be certified.

On July 16, 2020, City Council approved RFQ 32-20 selecting Ajax Building Company as CMAR to provide preconstruction services for the Clearwater Police Department District Three Operations and Training Center (18-0004-PD). A purchase order was approved by the City Manager in the amount of \$69,900.00 for the pre-construction phase including design review and construction cost estimating.

Construction documents are now complete and Ajax Building Company has provided a Guaranteed Maximum Price (GMP) Proposal to construct the new facility, located on the current District Three Sub-station site. The proposal includes demolition of the existing Substation, construction of the new Substation, as well as all associated sitework and utilities.

Construction for this work is scheduled to begin in May 2021 and is scheduled to be completed in August 2022. Currently, Police Department District Three Patrol Operations have been relocated to the vacant Countryside Branch Library.

APPROPRIATION CODE AND AMOUNT:

PD00180001-CONS-CNSTRC \$11,245,816

A mid-year amendment will transfer \$550,000 of General Fund revenue from capital project C2004, Lift Stations - General Government, to project PD00180001, Police District 3 Station, to provide additional project funding needed.

One individual spoke in opposition and suggested using a ballast mounted solar panel or solar shingles on the facility's roof in an effort to reach carbon neutrality.

In response to questions, Harvard Jolley consultant Ward Friszolowski said solar shingles were not proposed for the facility since it does not have a high slope roof. The consulting team is still looking at potential alternatives for solar panel applications. He said the biggest challenge with this facility is that it is rated for 200 mph wind speeds; the consulting team must obtain information from the manufacturer documenting that their product can withstand those wind speeds. He said architects do not make the decisions on projects but offer their clients all of the possibilities; EV charging stations are more applicable in some locations than others. EV charging stations were discussed but due to funding pressures, it was decided those funds be directed for items PD needed for their operations. He said EV charging stations are typically included in public facilities where citizens are expected to enter. Police Chief Daniel Slaughter said the facility's original estimated cost during the master plan design process was \$16 million; the project cost was reduced by \$4 million. The initial design envisioned a 2-story facility that would meet the agency's needs moving forward. He said, due to budget constraints, the design was amended to a 1-story facility and eliminated the proposed carport and holding cells. The solar panel estimates provided to staff had an estimated cost of \$1.3 million with an approximate 25-year return on investment. Chief Slaughter said there is a time constraint associated with the agenda item as the itemized pricing included in the GMP is

contingent on time.

Councilmember Beckman moved to approve Construction Manager at Risk (CMAR) proposal from Ajax Building Company, LLC., of Oldsmar, FL, per RFQ 32-20, at the Guaranteed Maximum Price (GMP) of \$11,245,816 for the construction of the Clearwater Police Department District Three Operations and Training Center (18-0004-PD) and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

7.8 Authorize the award of Invitation to Bid 18-21, Membrane Cleaning Chemicals and Related Services, to Amaya Solutions, Inc. dba: American Water Chemicals of Plant City, Florida for an annual not-to-exceed amount of \$80,000.00 with the option for two, one-year extensions at the City's discretion, and authorize the appropriate officials to execute same. (consent)

See Below

Invitation to Bid (ITB) #18-21 Membrane Cleaning Chemicals and Related Services was issued on February 9, 2021. Amaya Solutions, Inc. dba American Water Chemicals represents the lowest responsive, responsible bidder in accordance with the bid specifications for Membrane Cleaning Chemicals and Related Services.

Public Utilities Department operates two reverse osmosis (RO) water treatment plants. RO membranes must be cleaned periodically to maintain performance. The cleaning frequency is determined by the quality of the water source and pre-treatment system efficiency. Historical cleaning frequency ranges between 2 - 20 cleanings per year depending on these factors.

The initial contract period will be April 16, 2021 through April 15, 2022, with the option for two, one-year renewal terms.

APPROPRIATION CODE AND AMOUNT:

Budgeted funds for FY21 are available in Public Utilities' cost centers, cost code 551700 Bulk Chemicals.

Funding for future fiscal years (FY22 through FY24) will be requested within contract calendar and spending limits.

One individual spoke in opposition, expressing concerns with the biocides used in treating the water.

In response to a question, Public Utilities Director David Porter said the item before council is to purchase chemicals used to clean the membranes. The cleaning compounds will not be placed in the drinking water stream. He said the water used to clean the membranes is collected and directed to the sewer system.

Councilmember Bunker moved to authorize the award of Invitation to Bid 18-21, Membrane Cleaning Chemicals and Related Services, to Amaya Solutions, Inc. dba: American Water Chemicals of Plant City, Florida for an annual not-to-exceed amount of \$80,000.00 with the option for two, one-year extensions at the City's discretion, 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** Approve the Local Housing Assistance Plan (LHAP) for FY2021-2022 through 2023-2024 and adopt Resolution 21-04.

Florida Statute 420.9079 requires counties and cities receiving State Housing Initiatives Partnership (SHIP) Program funds to develop a 3-year Local Housing Assistance Plan (LHAP) outlining strategies for how the funds will be utilized. The City receives its allocation from the State of Florida through Florida Housing Finance Corporation (FHFC). For fiscal year 2020-2021, the City received \$0 in SHIP funds; however, the City expects to receive \$363,803 in program income. The City expends SHIP funds per the strategies outlined in the LHAP. The City's current LHAP covers state fiscal years 2018-2019 through 2020-2021. The state fiscal year begins on July 1 and ends on June 30 annually.

This new LHAP will cover state fiscal years 2021-2022 through 2023-2024 (FY2021-2023). The strategies outlined in the new LHAP are a continuation of the City's current LHAP with some notable changes. All changes made within the FY2021-2023 LHAP will be retroactive to the current LHAP to enable the use of prior year funds, if available.

The LHAP is comprised of Housing Strategies and Incentive Strategies. The Housing Strategies include the following:

- **Acquisition of Existing Homes with Rehabilitation:** This program provides funds to developers and community-based non-profit organizations to acquire, rehabilitate and resell single-family housing units. The community land trust principles may be utilized. This strategy also includes down payment assistance (DPA) for eligible homebuyers and is continued from the current LHAP with the following change: The current LHAP limits the maximum DPA assistance to \$20,000. A recent surge in home prices has resulted in a need to increase this subsidy.

Currently, the \$20,000 subsidy is oftentimes unable to fund the gap between a first mortgage and the price of a decent home for a low to moderate-income household. The proposed LHAP increases the maximum subsidy to \$45,000. The DPA Loan will be deferred for five years and the borrower will be required to pay back 50% of the loan over the following 20 years at zero percent interest.

- **Down Payment & Closing Costs Assistance with or without Rehabilitation:** The City will use SHIP funds to provide down payment and closing costs assistance to eligible homebuyers purchasing existing homes. DPA loan terms described above apply to this strategy.
- **Owner-Occupied Rehabilitation:** The City will provide funds for the rehabilitation of owner-occupied single-family residences. The maximum loan will increase from \$40,000 in the current LHAP to \$45,000 in the proposed LHAP.
- **Multi-Family Housing:** The City will provide SHIP funds to developers and community based non-profit organizations to support the acquisition, rehabilitation, and new construction of rental housing. The maximum subsidy under this strategy is \$150,000 per unit for new construction and \$45,000 per unit for rehabilitation.
- **New Construction Program:** This program provides funds to eligible developers and community-based non-profit organizations for the development of new single-family housing units. The maximum construction loan to a developer under this program is \$200,000 and for the homebuyer, DPA loan terms described above apply.
- **Disaster Mitigation:** In the case of natural or man-made disasters, this strategy will utilize SHIP funding for emergency or interim repairs.

The Affordable Housing Advisory Committee (AHAC) convened in the fall of 2020 to review policies and procedures, ordinances, land development regulations and the City's adopted comprehensive plan. The AHAC's objective was to recommend specific actions or initiatives to encourage or facilitate affordable housing. The current LHAP identifies seven Incentive Strategies per the recommendation of the 2017 AHAC. The 2020 AHAC recommended that those seven incentives remain in place with minor changes and clarifications to some. The AHAC is now required to meet every year.

Information regarding other Incentive Strategies may be found in the Incentive Strategies section of the LHAP.

On March 9, the City's Neighborhood and Affordable Housing Advisory Board unanimously passed a motion recommending City Council approval of this item. Per Florida Statute, the City Council adoption of Resolution No. 21-04 will constitute approval of the LHAP for state fiscal years 2019-2021. The LHAP is due to the State by May 2, 2021.

Vice Mayor Hamilton moved to approve the Local Housing

Assistance Plan (LHAP) for FY2021-2022 through 2023-2024. The motion was duly seconded and carried unanimously. The motion was duly seconded and carried unanimously.

Resolution 21-04 was presented and read by title only.

Councilmember Allbritton moved to adopt Resolution 21-04. The motion was duly seconded and upon roll call, the vote was:

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

- 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 1313 Parkwood Street, together with certain Parkwood Street right-of-way, and pass Ordinances 9440-21, 9441-21 and 9442-21 on first reading. (ANX2021-01001)

This voluntary annexation petition involves a 0.178-acre property consisting of one parcel of land occupied by a single-family dwelling. The property is located on the south side of Parkwood Street, approximately 340 feet east of North Betty Lane. The applicant is requesting annexation in order to receive sanitary sewer and solid waste service from the City. The Development Review Committee is proposing that the remaining 0.184-acres of Parkwood Street right-of-way between Rollen Road and North Betty Lane not currently within the city limits also be annexed. The property is located within an enclave and is contiguous to existing city boundaries to the north, 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 the City of Clearwater. The closest sanitary sewer line is located in the adjacent Parkwood Street right-of-way. The applicant has paid the City's sewer impact and assessment fees in full and is aware of the additional costs to extend city sewer service to this property. Collection of solid waste will be provided by the City of Clearwater. The property is located within Police District II and service will be administered through the district headquarters located at 645 Pierce Street. Fire and emergency medical services will be provided to this property by Station #51 located at 1720 Overbrook Avenue. The City has adequate capacity to serve this property 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 of the property. This designation primarily permits residential uses at a density of 5.0 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 north, west and south; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Beckman 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 1313 Parkwood Street, together with certain Parkwood Street right-of-way. The motion was duly seconded and carried unanimously.

Ordinance 9440-21 was presented and read by title only.

Councilmember Bunker moved to pass Ordinance 9440-21 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9441-21 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9441-21 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9442-21 was presented and read by title only. Councilmember Allbritton moved to pass Ordinance 9442-21 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

- 8.3** Approve 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 2077 Poinsetta Avenue, and pass Ordinances 9443-21, 9444-21 and 9445-21 on first reading. (ANX2021-02002)

This voluntary annexation petition involves a 0.128-acre property consisting of one parcel of land occupied by a single-family dwelling. The property is located on the east side of Poinsetta Avenue approximately 150 feet south of Union Street. The applicant is requesting annexation in order to receive sanitary sewer and solid waste service from the City. The property is contiguous to existing city boundaries to the east. It is proposed that the property be assigned a Future Land Use Map designation of Residential Urban (RU) 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 the City of Clearwater. The closest sanitary sewer line is located in the adjacent Poinsetta Avenue right-of-way. The applicant has paid the City's sewer impact and assessment fees in full and has been connected to the City's sewer system. Collection of solid waste will be provided to the property by the City. The property is located within Police District II and service will be administered through the district headquarters located at 645 Pierce Street. Fire and emergency medical services will be provided to this property by Station #51 located at 1712 Overbrook Avenue. The City has adequate capacity to serve this property 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 Urban (RU) 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 7.5 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; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Beckman moved to approve 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 2077 Poinsetta Avenue. The motion was duly seconded and carried unanimously.

Ordinance 9443-21 was presented and read by title only. Councilmember Bunker moved to pass Ordinance 9443-21 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9444-21 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9444-21 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

Ordinance 9445-21 was presented and read by title only. Councilmember Allbritton moved to pass Ordinance 9445-21 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

9. Second Readings - Public Hearing

- 9.1** Adopt Ordinance 9439-21 on second reading, vacating a platted 5-foot Utility Easement, described as the West 5 feet of Lot 5, Block 70, Mandalay, recorded in Plat Book 14, Pages 32 to 35 of the Public Records of Pinellas County, Florida.

Ordinance 9439-21 was presented and read by title only. Councilmember Beckman moved to adopt Ordinance 9439-21 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 9.2** Adopt Ordinance 9446-21 on second reading, amending the Operating Budget for the Fiscal Year ending September 30, 2021 to reflect increases in revenues and expenditures for the General Fund, Special Development Fund, Special Program Fund, Gas Fund, Parking Fund, and Administrative Services Fund.

Ordinance 9446-21 was presented and read by title only. Councilmember Bunker moved to adopt Ordinance 9446-21 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

- 9.3** Adopt Ordinance 9447-21 on second reading, amending the Capital Improvement Budget for the Fiscal Year ending September 30, 2021, to reflect a net increase of \$30,820,452.

Ordinance 9447-21 was presented and read by title only. Vice Mayor Hamilton moved to adopt Ordinance 9447-21 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

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

10. City Manager Reports

- 10.1** Confirm COVID-19 Emergency Proclamation and adopt Resolution 21-14.

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

Resolution 21-14 was presented and read by title only. Councilmember Beckman moved to adopt Resolution 21-14. The motion was duly seconded and upon roll call, the vote was:

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

- 10.2** Accept three 10-foot utility easements from WSSA Palm Harbor VA, LLC for the construction, installation and maintenance of city utility facilities on real property located at 26286 US-Highway 19 North and adopt Resolution 21-15.

The Utility Easements will allow the city rights for construction, installation and maintenance of utility facilities on the commercial site.

The City Engineering Department recommends acceptance of the easements.

Councilmember Bunker moved to accept three 10-foot utility easements from WSSA Palm Harbor VA, LLC for the construction, installation and maintenance of city utility facilities on real property located at 26286 US-Highway 19 North. The motion was duly seconded and carried unanimously.

Resolution 21-15 was presented and read by title only. Vice Mayor Hamilton moved to adopt Resolution 21-15. The motion was duly seconded and upon roll call, the vote was:

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

- 10.3** Accept a utility easement from Ft. Harrison Prop Co LLC for the construction, installation, and maintenance of city utility facilities on real property located at 500 McLennan Street and adopt Resolution 21-03.

The Utility Easement will allow the city rights for construction, installation, and maintenance of utility facilities as the commercial site is developed for a new office building.

The City Engineering Department recommends acceptance of the easement.

Councilmember Allbritton moved to accept a utility easement from Ft. Harrison Prop Co LLC for the construction, installation, and maintenance of city utility facilities on real property located at 500 McLennan Street. The motion was duly seconded and carried unanimously.

Resolution 21-03 was presented and read by title only. Councilmember Beckman moved to adopt Resolution 21-03. The motion was duly seconded and upon roll call, the vote was:

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

- 10.4** Amend the Clearwater Code of Ordinances by replacing Division 3 of Article VI, Chapter 2, in its entirety with a revised Division 3 of Article VI, Chapter 2; and by replacing Division 4 of Article VI, Chapter 2, in its entirety with a revised Division 4 of Article VI, Chapter 2, and pass Ordinance 9460-21 on first reading.

Division 3 of Article VI, Chapter 2 governs the purchasing procedures for the acquisition of commodities, services, and construction, and the expenditure of those funds. Division 4 of Article VI, Chapter 2 governs the disposal and disposition of surplus personal property. These Divisions have not been updated, revised, or amended since 2006. This amendment replaces and revises both Divisions, and is needed to simply, clarify, modernize, and better organize the City's procurement and surplus code. These changes are as follows:

Sec. 2.541 - Revise purpose and application of Division 3.

Sec. 2.542 - Updates to definitions.

Sec. 2.543 - Adds public access to procurement information.

Sec. 2.544-2.547 - Reserved.

Sec. 2.551 - Clarifies purchasing agent authority.

Sec. 2.552 - Revise centralization of procurement authority.

Sec. 2.553 - Update submittal of requests.

Sec. 2.554 - Clarifies authority for purchases of commodities, services, and construction. Adds signature authority and clarifies approval authority. Requires appropriations clause for multiyear contracts. Adds procurement manager authority. Limits department director approval authority to \$2,500 per purchase. Updates change orders.

Sec. 2.561 - New section includes methods of source selection. Updates competitive sealed bids. Adds competitive sealed proposals and request for qualifications. Establishes thresholds for small purchases and micro purchases. Adds CCNA for professional services, including roster of firms. Revise construction management at risk and design build. Adds invitation to negotiate, job order contracting, and reverse auctions.

Sec. 2.562 - Revise disqualification, rejection, and bid protest. Changes bid protest fee from 5% / \$2500 to 1% / \$5000.

Sec. 2.563 - Clarifies exceptions, including single source and emergency. Adds regulated utilities, copyrighted materials, and services purchased for resale.

Sec. 2.564 - Adds specifications preparations.

Sec. 2.565 - Adds authority to debar or suspend.

Sec. 2.566 - Adds no contact period.

Sec. 2.571 - Adds standard of conduct in procurement.

Sec. 2.601-2.608 - Reserved.

Sec. 2.621 - Adds definition of tangible personal property.

Sec. 2.622 - Revises surplus sales officer.

Sec. 2.623 - Adds procedures to disposal of surplus tangible personal property. Combines methods and exceptions of disposal into one section.

Sec. 2.624 - Reserved.

In response to questions, Lead Assistant City Attorney Owen Kohler said a consultant would look at the geographic market. The City of St. Petersburg's agreement for a disparity study was approved in 2018; the study has not been completed yet. The City Attorney said staff will not know how much it will cost to have a consultant until an RFP response is received.

Councilmember Bunker moved to amend the Clearwater Code of Ordinances by replacing Division 3 of Article VI, Chapter 2, in its entirety with a revised Division 3 of Article VI, Chapter 2; and by replacing Division 4 of Article VI, Chapter 2, in its entirety with a revised Division 4 of Article VI, Chapter 2. The motion was duly seconded and carried unanimously.

Ordinance 9460-21 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9460-21 on first reading. The motion was duly seconded and upon roll call, the vote was:

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

10.5 Appoint Councilmembers as representatives to serve on regional and miscellaneous boards.

Vice Mayor Hamilton said he serves on the Tampa Bay Regional Planning Council and enjoys serving on the board. The TBRPC meets on the second Monday of the month at 10:00 a.m., creating a meeting conflict when work sessions are held on the same day and time. He said he will not be able to attend next month's meeting because he will be on vacation and requested consideration for a councilmember to serve as an alternate member.

There was council consensus to appoint Councilmember Bunker as the Alternate Member and to move the Council Work Session to 1:00 p.m. when there is a conflict.

The City Clerk said the Clearwater Arts Alliance has requested that a councilmember serve on their board as an ex-officio member. The

Clearwater Arts Alliance meets on the last Tuesday of each month at 4:00 p.m. She said they have been meeting virtually due to COVID. Former Councilmember Bob Cundiff served as the ex-officio member.

Discussion ensued with consensus to appoint Councilmember Beckman to the Clearwater Arts Alliance.

**Vice Mayor Hamilton moved to approve Item 10.5 as amended.
The motion was duly seconded and carried unanimously.**

11. City Attorney Reports – None.

12. Other Council Action

12.1 DDB Resolution

CRA Executive Director Amanda Thompson said the CRA has an interlocal agreement with the Downtown Development Board to provide staff and return the CRA's TIF portion to the DDB for marketing, small business grants, and special events. She said two CRA Trustees serve as ex-officio members on the DDB. The DDB recently adopted a resolution requesting the Clearwater City Council to reduce the ex-officio members to one.

Discussion ensued with comments made that ex-officio members are not board members but representatives of the City who respond to questions. There was council consensus to not accept the resolution and take no action.

12.2 PSTA/Forward Pinellas Update - Vice Mayor Allbritton

Councilmember Allbritton said the US Department of Transportation published a notice of funding availability for the Build Raise Grant; PSTA has received over 600 letters of support for their grant application. PSTA should know by late Summer if the grant is awarded. PSTA approved a work order to further define the integrated ferry system phase 1 concept design. He said he has requested PSTA Chief Development Officer Cassandra Borchers to provide a presentation of the ferry system at a future council meeting. He provided copies of the 2021 Pinellas Multimodal Transportation Project Priorities List. Councilmember Allbritton said Forward Pinellas was named the 2020 Planning Organization of the Year by the

Florida Department of Transportation.

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

Vice Mayor Hamilton said there has been a reduction in traffic since Easter, however, speeding remains an issue with too many pedestrian and other accidents. He said to take your time and enjoy your drive.

Councilmember Allbritton gave a shout-out to the Cleveland Street District, he said it is fantastic and there is always something going on and there are great restaurants downtown. He encouraged all to come downtown; everyone he talks to that has never been here says they didn't know about it and the area is a lot of fun with great food.

Councilmember Beckman said she is hosting a meet and greet on Saturday at Crest Lake Park from 10:00-11:00 a.m. She said she will be with the Sierra Club on Saturday evening for the sip and stroll. She said it is always a good time to come downtown and check out the restaurants and atmosphere.

Councilmember Bunker said he was in The District last Wednesday night after the Downtown Development Board meeting and was stunned by how many people were there. He said it looked like a weekend and was fun to see all the people. He said he was thrilled to have received his first shot and was amazed at how efficient it was and how quickly the people moved. He said the news headlines made him reach out to Police Chief Slaughter and let him know how lucky we are to have him and the men and women of the Clearwater Police Department. They are doing a great job.

14. Closing Comments by Mayor

The Mayor congratulated Eisenhower Elementary on their 50th anniversary. He said he and Councilmember Beckman attended a ceremony yesterday and said teachers and principals who have been gone for over 30 years came and participated in the celebration. He said there are events and activities scheduled each day next week at Moccasin Lake Nature Park and other City parks in recognition of Earth Day. He said he appreciates all the people who volunteer for clean-ups around the City but he would appreciate it even more if the clean-ups weren't needed; if you see trash, pick it up.

15. Adjourn

The meeting adjourned at 8:12 p.m.

Attest

Mayor
City of Clearwater

City Clerk