

City of Clearwater

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



Meeting Minutes

Thursday, June 3, 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: 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 – Pastor Bob Brubaker from Christ Community Presbyterian 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** Garden Week Proclamation, June 6-12, 2021 - Howard Warshauer and Anne Fogarty-France, Clearwater Garden Club
- 4.2** LGBT Pride Month Proclamation, June 2021 - Jennifer Poirrier, Director of Human Resources

5. Approval of Minutes

- 5.1** Approve the minutes of the May 20, 2021 City Council Meeting as submitted in written summation by the City Clerk.

Vice Mayor Hamilton moved to approve the minutes of the May 20, 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

Beth Davis expressed concerns with the speed of vehicular traffic on Drew Street and requested Council support the Florida Department of Transportation's Carter study to execute the 2018 complete streets concept plan. She said Drew Street is unsafe and residents are unable to safely turn into their driveway. She also requested Council support reducing the speed limit on Drew Street, from Keene Avenue to Myrtle Avenue, from 40 mph to the standard recognized nationwide residential speed limit of 30 mph.

Muhammad Abdur-Rahim requested consideration to add a dog park in the North Greenwood community. He suggested the old tennis courts by the Martin Luther King Center as a potential location.

Stuart Berger supported Clearwater Greenprint 2.0 and questioned how the City did in meeting its original goals.

Dr. Pierre Desgardins, Richard Toohey, and John Wiggins expressed concerns with the closure of the Downtown Marina parking. They said the City did not provide enough notice that parking would not be available and that the proposed parking area is too far away. The individuals also commented that tenants are not provided regular communication regarding the Imagine Clearwater construction and that the pier is an eye sore.

It was stated that the Downtown Marina parking was opened for the Memorial Day weekend but once construction starts for Imagine Clearwater, the contractor requires the entire park be sealed off for liability issues. The project will take 26 months to be completed. A drop-off area for the marina patrons has been identified.

Wessley Smith expressed concerns about the vehicular traffic and vehicular speed on Drew Street.

Danielle Ferreira submitted an email regarding the vehicular traffic on Drew Street that was read into the record by the City Clerk (see page 14).

Andre Johnson submitted an email regarding officer body cam footage that was read into the record by the City Clerk (see page 15).

Police Chief Daniel Slaughter said the Department has reinstituted proactive traffic enforcement efforts. The aggressive speeding

behavior is not unique to Clearwater; many municipalities in the region are experiencing the problem. He said there are significant crashes on Drew Street; approximately 112 for the current calendar year. Drew Street is a unique 4-lane road in that it has residential driveway access, which creates different challenges for the drivers and residents. Any reductions to the posted speed limit will impact the traffic grid. He said staff will continue traffic enforcement efforts and discuss review of the speed limit.

7. Consent Agenda – Approved as submitted.

- 7.1** Approve purchase orders to Rock Solid of Florida, LLC of St. Petersburg, FL, NOVA Engineering & Environmental, LLC of Tampa, FL, and New Dimension Builders, LLC of St. Petersburg, FL for building inspections, reporting, and construction management services, in the total annual cumulative, not-to-exceed amount of \$150,000.00 for a one-year term, with the option for three one-year renewal options at the City's discretion, pursuant to Request for Proposals (RFP) 27-21 Building Inspections, Reporting, and Construction Management Services, and authorize the appropriate officials to execute same. (consent)
- 7.2** Approve a professional service agreement with Hazen and Sawyer of Tampa, FL as the Wastewater Collection System Program Consultant (19-0011-UT) in the not-to-exceed amount of \$18,647,400.00 for a six-year term pursuant to Request for Qualification (RFQ) 11-20 and authorize the appropriate officials to execute same. (consent)
- 7.3** Approve a purchase order to Keystone Excavators, Inc., of Oldsmar, FL for site improvements at the Long Center, located at 1501 North Belcher Road, for a guaranteed maximum price of \$491,519.16 pursuant to Request for Qualifications (RFQ) 40-20, Construction Manager at Risk (CMAR) Services Continuing Contracts, and authorize the appropriate officials to execute same. (consent)
- 7.4** Approve a Construction Manager at Risk (CMAR) agreement and proposal from Biltmore Construction Co., Inc. (Biltmore), of Belleair, FL, for the construction of temporary Fire Station 46, (18-0028-FD) for the Guaranteed Maximum Price (GMP) of \$338,914.00 pursuant to Request for Qualifications (RFQ) No. 18-20 and authorize the appropriate officials to execute same. (consent)
- 7.5** Approve a purchase order to Crown Castle, Inc., of Clearwater, FL, for internet service provision for the City's wide-area network in a not-to-exceed amount of \$174,240.00 for a 36-month term ending June 30, 2024 and authorize the appropriate officials to execute same. (consent)
- 7.6** Authorize an agreement with Granicus, LLC of Washington, DC for software subscription maintenance and professional services in an amount not-to-exceed \$419,369.54 for a three-year term effective June 1, 2021 through May 31, 2024, pursuant to Code of

Ordinances 2.564(1)(b) Sole Source, and authorize the appropriate officials to execute same. (consent)

- 7.7** Authorize purchase order(s) with Selectron Technologies, Inc. (Selectron) of Portland, OR for software subscription maintenance and professional services for a five-year term and for Atlas Insight for a three-year term effective June 1, 2021 in an amount not-to-exceed \$313,542.50 pursuant to Code of Ordinances 2.564 (1)(b) Sole Source and authorize the appropriate officials to execute same. (consent)
- 7.8** Reappoint Thomas Hinson, Jr. and Julie Phillips to the Brownfields Advisory Board with terms to expire June 30, 2025. (consent)
- 7.9** Reappoint Rosemarie Kibitlewski to the Library Board with a term to expire June 30, 2025. (consent)
- 7.10** Reappoint Mark Antonio Rodriguez to the Parks and Recreation Board with a term to expire May 31, 2025. (consent)
- 7.11** Appoint Muhammad Abdur-Rahim to the Community Development Board as the alternate member to fill the remainder of an unexpired term until April 30, 2022. (consent)

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

Public Hearings - Not before 6:00 PM

8. Second Readings - Public Hearing

- 8.1** Adopt Ordinance 9448-21 on second reading, annexing certain real property whose post office address is 1770 St. Croix Drive, Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 9448-21 was presented and read by title only.
Councilmember Beckman moved to adopt Ordinance 9448-21 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

- 8.2** Adopt Ordinance 9449-21 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real property

whose post office address is 1770 St. Croix Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL).

Ordinance 9449-21 was presented and read by title only. Councilmember Bunker moved to adopt Ordinance 9449-21 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

- 8.3** Adopt Ordinance 9450-21 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 1770 St. Croix Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 9450-21 was presented and read by title only. Vice Mayor Hamilton moved to adopt Ordinance 9450-21 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

- 8.4** Adopt Ordinance 9451-21 on second reading, annexing certain real property whose post office address is 1881 Montclair Road, Clearwater, Florida 33763, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

Ordinance 9451-21 was presented and read by title only. Councilmember Allbritton moved to adopt Ordinance 9451-21 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

- 8.5** Adopt Ordinance 9452-21 on second reading, amending the future land use element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 1881 Montclair Road, Clearwater, Florida 33763, upon annexation into the City of Clearwater, as Residential Urban (RU).

Ordinance 9452-21 was presented and read by title only. Councilmember Beckman moved to adopt Ordinance 9452-21 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

- 8.6** Adopt Ordinance 9453-21 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 1881 Montclair Road, Clearwater, Florida 33763, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

Ordinance 9453-21 was presented and read by title only. Councilmember Bunker moved to adopt Ordinance 9453-21 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. City Manager Reports

- 9.1** Approve the recommendation of the Bluff RFP selection committee and authorize city staff to engage in negotiation with City Center Development Group LLC, for the purpose of establishing a development agreement for the development of the Harborview, City Hall, and Pierce Street sites and provide an update on the Imagine Clearwater project.

On May 24, the Bluff RFP Selection Committee met and rank scored SROA Capital and City Center Development Group LLC proposals for development of the bluff properties. Based on the outcome of that ranking, the committee selected City Center Development Group LLC to recommend to City Council for the purpose of entering into negotiation of a development agreement for the redevelopment of the bluff properties adjacent the Coachman Park. While not unanimous, the selection committee shared a number of consistent observations about the advantages and disadvantages of each proposal.

The committee shared positives of the SROA project with regard to density and intensity, mix of uses, creative design and space utilization, and park connectivity. Concerns included the same density and intensity in terms of whether or not the market could absorb the extensive number of units and floor area proposed. Scale and density at the Harborview site were of concern along with proximity of residential relative to the proposed amphitheater. However, the committee expressed concerns with the financial feasibility and level of public

investment that would be needed from the City to achieve market viability. The proposed rent structure and needed returns are approximately 400% of current market rent levels. In addition, insufficient financial information was available to determine full extent of what financial return would be to the city with regard to real estate value as well as the subsidy needed to make the project work. While the overall value of the project would be substantial, the financial ask and impact to the City was not determinable.

The City Center Development Group LLC proposal on the other hand was thought by the committee to materially underutilize the bluff property development potential. While the committee liked the urban market proposal, some concerns were expressed about the larger size of the market proposed. In addition, with 600 parking spaces, the committee expressed reservation about the extent of parking on Osceola immediately adjacent to the park. Parking as a land use adjacent to the park on the bluff is viewed as an undesirable use in such a signature location. Sufficient parking to accommodate residential use, the library, and a limited number of extra spaces incorporated into the development would not be considered in and of itself as a land use and could be successfully incorporated. A 400-space parking garage is not conducive the active edge development for the park. However, overall, the City Center Development Group LLC provided the requested financial information for review and analysis. Rent structures presented were higher than current market rates in downtown Clearwater but were generally considered viable numbers given the opportunity for new space in an activated location along the bluff. Overall, City Center Development Group LLC proposal was considered economically viable, appropriate to market if not somewhat less density and intensity than ideal and would seem to suggest a level of public participation that could be successfully negotiated. The committee also believes that in some instances, some enhancement to the City Center Development Group LLC proposal could be negotiated and still retain viability. In addition, the committee members believe the development could generate with the food hall and market components, a potentially supportable public referendum.

Therefore, it is the committee's recommendation to be allowed to enter negotiations with City Center Development Group LLC. For that purpose, the committee recommends that in addition to all finance incentives, financial return to the City, and final development scenario proposals, the committee be allowed to negotiate further on the following points:

1. Tenant mix and space allocation
2. Location and number of parking spaces and structures
3. Whether or not viable option exists to incorporate residential or overnight use in the Harborview area (City Center Development Group LLC)

proposed an alternative plan with a residential use in this area).

4. Cultural/Civic space use

One individual said they were happy to see the details for the amenities but that the amenities added to the plan are underwhelming compared to what the citizens envisioned.

One individual spoke in support and suggested that staff hold a road show to educate the public and that Council consider hiring the city manager, when retired, as a project liaison.

One individual questioned if project details would be available to the public.

It was stated that the project details are available on the City's website as part of the agenda and that the City's YouTube channel includes the fly-over video presentation.

Assistant City Manager Michael Delk said staff has planned conversations with Skanska to discuss the marina parking during the construction period. One construction phase was chosen due to the overall construction cost; the one phase also allows construction to be completed sooner. He said phasing the construction would draw-out the construction period. Staff recommends continuing with a one phase approach. Mr. Delk said the project will be disruptive no matter what direction was taken. Staff is preparing to provide limited space for the marina tenants/patrons with documented accessibility issues. Staff will look into the suggestion of providing a shuttle service from the marina to the designated parking area.

The City Attorney said the items related to Coachman Park and Park Amenities are not part of the motion; the supporting documents were not removed from the work session discussion.

Vice Mayor Hamilton moved to approve the recommendation of the Bluff RFP selection committee and authorize city staff to engage in negotiation with City Center Development Group LLC, for the purpose of establishing a development agreement for the development of the Harborview, City Hall, and Pierce Street sites and provide an update on the Imagine Clearwater project. The motion was duly seconded and carried unanimously.

9.2 Amend the City's fiscal year 2019/20 operating and capital improvement budgets at mid-year and pass Ordinances 9475-21 and 9476-21 on first reading.

The fiscal year 2020/21 operating and capital improvement budgets were adopted in September 2020 by ordinances 9408-20 and 9409-20. Section 2.521 of the City's Code of Ordinances requires the City Manager to prepare a quarterly report detailing income, expenditure estimates, collections, the explanation of significant variances, as well as the financial status of all capital improvement projects.

Councilmember Allbritton moved to amend the City's fiscal year 2019/20 operating and capital improvement budgets at mid-year. The motion was duly seconded and carried unanimously.

Ordinance 9475-21 was presented and read by title only. Councilmember Beckman moved to pass Ordinance 9475-21 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 9476-21 was presented and read by title only. Councilmember Bunker moved to pass Ordinance 9476-21 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

9.3 Discuss residency requirement for the city attorney - Mayor Hibbard

Mayor Hibbard requested consideration to require the new city attorney live within city limits. The city charter requires the city manager to live within the city. He said the residency requirement for City Attorney Pam Akin is included in her contract.

Discussion ensued with consensus to require city residency for the new city attorney. It was stated that the city manager is provided a 12-month grace period to find residency.

One individual spoke in support and suggested that department directors also be required to live within city limits.

Vice Mayor Hamilton moved to include in the negotiated contract that one of the requirements for the new city attorney will be to reside within city limits and provide a 12-month grace period to find housing. The motion was duly seconded and carried unanimously.

10. City Attorney Reports – None.

11. Other Council Action

11.1 PSTA/Forward Pinellas Update - Councilmember Allbritton

Councilmember Allbritton said PSTA recently discussed their RAISE grant application for the intermodal center. The federal lobbyists believe there will be \$1 billion available in the grant program. The application is due July 16. He said Congressman Crist is sponsoring the request. PSTA is launching tomorrow the Bus on the Shoulder Program; the pilot program will help move bus riders on the I-275 shoulder when traffic is busy in the St. Petersburg area. Councilmember Allbritton said Forward Pinellas will meet on June 9, 2021.

Assistant City Manager Michael Delk said staff will be presenting a draft letter supporting PSTA's grant application at the next council meeting.

11.2 Election Voting Methods (seek public input)

One individual submitted an eComment that opposed changing the City's current election system (see page 18).

Eight individuals spoke in support of ranked choice voting.

One individual suggested holding city elections to coincide with state and federal elections.

One individual opposed ranked choice voting but support districts.

Four individuals opposed ranked choice voting.

One individual supported increasing the city council membership to seven, with the mayor at-large, 4 single-member districts and 2 at-large seats.

One individual supported moving the City's general election to November.

One individual supported requiring a majority vote.

One individual said, in 2005, the League of Women Voters recommended instant runoff voting as an alternative to plurality voting.

The Council recessed from 8:08 p.m. to 8:14 p.m.

Discussion ensued with support expressed for ranked choice voting. Concerns were expressed with the timing of the request to change the current election method, that ranked choice voting method may be complicated for some to understand, and that charter review should review changing the election method and consider districting. It was stated that Council has the authority to place a referendum question on the ballot.

Councilmember Allbritton moved to place a referendum question on ranked choice voting on the March 2022 ballot. The motion was duly seconded and carried with the following vote:

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

Ayes: 1 - Councilmember Bunker

In response to a question, the City Attorney said if the referendum does not pass, there will be no change to the City's current election method.

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

Councilmember Beckman thanked the audience for being there, that this is what democracy looks like. She said she is thrilled and proud the gay pride flag is flying in the City.

Councilmember Allbritton thanked all for coming tonight and that is always great for us to hear everyone giving their priorities. Council does listen and thinks about the comments.

Vice Mayor Hamilton thanked everyone for being there.

13. Closing Comments by Mayor

Mayor Hibbard reviewed recent and upcoming events and congratulated the 2021 graduates of Countryside High School.

14. Adjourn

The meeting adjourned at 9:02 p.m.

Attest

Mayor
City of Clearwater

City Clerk

Call, Rosemarie

From: Dani Ferreira <pavenseal@gmail.com>
Sent: Wednesday, June 2, 2021 4:12 PM
To: ClearwaterCouncil
Subject: Drew Street

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 Clearwater City Council

I live by Drew Street. It's daily sirens send chills to my body. I have witnessed multiple accidents, it is such a dangerous road, thousands of crashes and many unfortunate lives lost on this unsafe road. I fear for the many families nearby and the many tourists that have no idea they are risking their families and their own lives trying to get to the beach. The roads are pretty tight, the vehicles are speeding by so close together, it's a disaster. It is so disappointing that the city is more than aware of these deaths and injuries and yet their delayed response and continued stalling only shows that these lives we continue to lose are not important enough to get acting on fixing these issues a.s.a.p. Each day that goes by more accidents and more people are dying. There are options, there are studies, we need action now!!

City council, you guys need to ask Police and Sheriff to do better patrolling of Drew Street and give you updated monthly reports of these accidents, help control our safety.... We are your residents, your neighbors, your friends, your family, your visitors and guests, please help all us BE safe NOW. Stop wasting time! Our lives are at stake.

Danielle Ferreira
Precinct 519 District 67
Clearwater Florida

Call, Rosemarie

From: Urban Angels Transport LLC <urbanangelstransport@hotmail.com>
Sent: Sunday, May 30, 2021 12:59 PM
To: ClearwaterCouncil
Subject: Muting & Turning Off BodyCams

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.

My request was received in the office on 5/21/2021 and given the reference number W077763-052121 for tracking purposes.

Records Requested: Body Cam Footage of officer Kevin Vign, Officer Rodriguez, and third responding officer Michael K.

27 seconds into the bodycam footage you will notice officer Kevin Vign tap the bodycam twice to unmute the sound. You will also notice officer Kevin Vign trying to make the woman he is addressing feel wrong for being truthful and fear that the officer would personally address his personal issues to the property owner creating a fear of eviction for not supporting his malice intention. To do as he said to the woman "Send him in". The officers have too much control /access to mute and turn off body cams to hide statements and footage. There need to be penalties in place for muting and turning off the bodycam device. Body cams should run the entire shift without interruption. Thank you.

Respectfully Submitted,
Andre T. Johnson
Belleair/ Bellvue Community Member

Sent from Urban Angels Transport Service LLC



City Council on 2021-06-03 6:00 PM

Meeting Time: 06-03-21 18:00

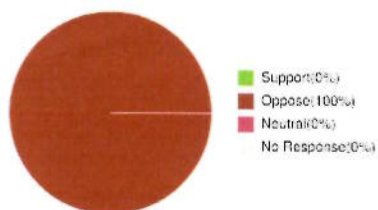
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
City Council on 2021-06-03 6:00 PM	06-03-21 18:00	41	1	0	1	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



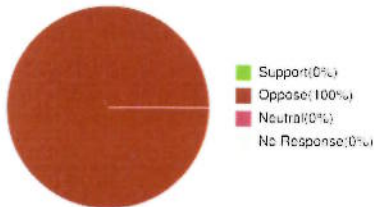
City Council on 2021-06-03 6:00 PM
06-03-21 18:00

Agenda Name	Comments	Support	Oppose	Neutral
11.2 ID#21-9227 Election Voting Methods (seek public input)	1	0	1	0

Sentiments for All Agenda Items

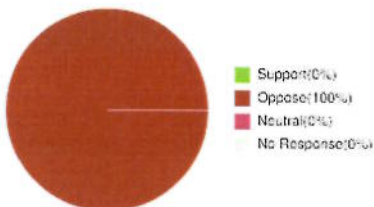
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for 11.2 ID#21-9227 Election Voting Methods (seek public input)

Overall Sentiment



Elizabeth Davis

Location:

Submitted At: 9:27am 06-02-21

Your discussion about a majority vote for city council seems to eliminate candidates who would not have the money or time for a runoff. This is not a step for equality and fairness for all people to run for office on principles, strategy, and values, not just money. With our city wide elections and 85,000 plus voters, we should keep our election system as is, open to as many candidates as possible and the winner with the most votes, wins. Please settle this now and let's move on to bigger issues for the city.