

City of Clearwater

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



Meeting Minutes

Thursday, September 16, 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: Micah Maxwell – Interim 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 – Mr. Duncan Kovar from Suncoast Humanists.

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 September Service Awards

The August 2021 Employee of the month award was presented to Freda Dixon, Parks & Recreation.

4.2 Parks & Recreation Volunteer of the Year Award - Samantha (Sam) Moullet, Recreation Specialist

Volunteers were recognized for their efforts in cleaning up neighborhoods and the Courtney Campbell Causeway:

Volunteer Leader of the Year – Betsy Marvin, Courtney Campbell Causeway Clean Up Crew

Adopt-a-Street Group of the Year – Phillip Currey Family

Adopt Group of the Year – Spring Branch Neighborhood Association/State Street Park

Public Spaces Steward of the Year – Jane Grossman

Corporate Volunteer Partner of the Year – Sandy Feet Kayak Tours and Rentals

Moccasin Lake Nature Park Volunteer of the Year – Chris Hitchingham

Police Volunteer of the Year – Father Ted Costello

Police Lifetime Achievement Award – John Pergantis and Yvette Sussman

4.3 Public Natural Gas Week Proclamation, October 3-9, 2021 - Chuck Warrington, Clearwater Gas System

4.4 Library Board Annual Report - Donna Dennis, Library Board Chair

5. Approval of Minutes

5.1 Approve the minutes of the September 2, 2021 City Council Meeting as submitted in written summation by the City Clerk.

Vice Mayor Hamilton moved to approve the minutes of the September 2, 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

Rob Daley expressed concerns with the lack of trash collection at his property.

Jaclyn Boland invited all to attend the Hispanic Outreach Center's event next week at Station Square Park in honor of Hispanic Heritage Month and encouraged all to participate in Dine Out for a Difference afterwards, which will donate proceeds to the Gabe Cazares Memorial Scholarship.

Lina Teixeira said an art component was added to the Clean Up Clearwater initiative, engaging and promoting the local art community. Ten to twelve artists will be given bags of trash on October 16. The trash will be used to create art pieces that will be exhibited throughout the city.

Patrick Raftery encouraged the City to utilize Novak Consulting to implement action items outlined in Greenprint 2.0, such as the conversion of light vehicles to electric vehicles. He said Novak Consulting recently presented a report to the Pinellas County Commission on electric vehicles and ev charging stations.

7. Consent Agenda – Approved as submitted.

- 7.1** Approve a local government contribution of \$75,000 in General Fund Reserves to be set aside as a commitment for the Minimum Local Government Contribution that is required for Archway Partners, LLC (Archway) to receive a basis boost in the State of Florida's Low Income Housing Tax Credit Program (LIHTC) for an 80-unit affordable housing development project at 1250 Cleveland Street; approve Section 15.18 and 15.21 of the Development Agreement between the Community Redevelopment Agency of the City of Clearwater and Archway and authorize the appropriate officials to execute same. (consent)
- 7.2** Approve the purchase of excess liability, excess workers compensation, and numerous specialty insurance policies from October 1, 2021 through September 30, 2022 at an amount not to exceed \$1,300,000 pursuant to City Code of Ordinances Section 2.563(1)(i), Insurance, and authorize the appropriate officials to execute same. (consent)
- 7.3** Approve an extension of the Claims Service Contract with Sedgwick Claims Management Services, Inc. of Nashville, TN, in the not-to-exceed amount of \$300,000 for a three-year term, pursuant to City Code of Ordinances Section 2.563, (1)(i), Insurance, and authorize the appropriate officials to execute same.
- 7.4** Approve a two-year extension of Master Banking Services Agreement with Wells Fargo Bank, N.A. for the period October 1, 2021 through September 30, 2023, for a not-to-exceed total of \$240,000, for banking and custodial safekeeping services, and authorize the appropriate officials to execute same. (consent)
- 7.5** Approve a one-year renewal term for the professional services agreement between the City of Clearwater and Evernorth Direct Health, LLC (formerly Cigna Onsite Health, LLC) to provide onsite health clinic services to employees, family members, and retirees who are covered by the City of Clearwater health insurance for a not to exceed amount of \$1,721,400 and authorize the appropriate officials to execute same. (consent)
- 7.6** Authorize the funding of city medical insurance for the Administrative Services Agreement between the City and Cigna Healthcare under a self-insured funding arrangement for the period January 1, 2022 through December 31, 2022, at a total not-to-exceed \$22.5 million, to be funded by city budgeted funds, payroll deductions of employees, retiree premiums, and an estimated \$1.7 million of Central Insurance Fund reserves. (consent)
- 7.7** Approve the amendment to the collective bargaining agreement as negotiated between the City of Clearwater and Communications Workers of America, Local 3179 (CWA) for Fiscal year 2021/2022 and authorize the appropriate officials to execute same. (consent)
- 7.8** Approve a one-year Agreement with Juvenile Welfare Board (JWB) and the City of

Clearwater for funding youth programs and approve a first quarter budget amendment of \$394,095 in special program G2107, JWB Youth Programming and authorize the appropriate officials to execute same. (consent)

7.9 Approve the Agreement between the Martin Luther King Jr. Neighborhood Family Center, Inc. (MLKNFC) and the City of Clearwater for the recreational, educational, and social programming at the North Greenwood Recreation and Aquatics Complex and North Greenwood Library from October 1, 2021 through September 30, 2026 with one five-year extension and authorize the appropriate officials to execute same. (consent)

7.10 Approve a purchase order to TriTech Software Systems of San Diego, CA for the renewal of TriTech Software Support in the amount of \$198,451.06 from October 1, 2021 through September 30, 2022, pursuant to City Code of Ordinances Section 2.563(1)(a), Single Source, and authorize the appropriate officials to execute same. (consent)

7.11 Approve the final plat for Angelfish, whose physical address is 25400 US Highway 19 North, located on the west side of US Highway 19 North, approximately one-half mile south of Enterprise Road. (consent)

7.12 Authorize an increase to Contract 900566 and approve the service agreement addendum to Convergent Technologies, LTD of Schaumburg, IL in an amount of \$375,000.00 for a new not to exceed amount of \$881,392.22 for the period January 5, 2019 through January 3, 2024, pursuant to Request for Proposal (RFP) 32-18, Building Security Hardware and Software and authorize the appropriate officials to execute same. (consent)

7.13 Approve a contract with GeoNexus Technologies, LLC (GeoNexus) of Ann Arbor, MI for software licensing and maintenance of field mobility software and integration services in the amount of \$286,831.20 for the period October 1, 2021 through September 30, 2024 pursuant to City Code of Ordinances Section 2.563(1)(a) Single Source and authorize the appropriate officials to execute same. (consent)

7.14 Authorize a purchase order with Verizon Wireless for basic cellular/smart phones and mobile data services in an amount of \$225,000.00 for the period of October 1, 2021 through January 19, 2022, pursuant to Clearwater Code of Ordinances Section 2.563 (1) (c), Piggyback, and authorize the appropriate officials to execute same. (consent)

7.15 Approve a purchase order (contract) to Oracle America, Inc. of Redwood Shores, CA for software maintenance in a not-to-exceed amount of \$303,229.47 for term October 1, 2021 through September 30, 2022 pursuant to City Code of Ordinances 2.563 (1)(a) single source and authorize the appropriate officials to execute same. (consent)

7.16 Authorize a purchase order to Tencarva Machinery CO LLC, dba Hudson Pump and

Equipment Associates, Inc. Of Greensboro NC for additional SmartCover Systems associated with wastewater system manhole sewage level monitoring equipment in a not-to-exceed amount of \$49,912.00, pursuant to Clearwater Code of Ordinances 2.563(1)(a) single source and authorize the appropriate officials to execute same. (consent)

- 7.17** Authorize a purchase order to Rexel USA, Inc of Dallas, TX for Allen-Bradley equipment, parts, and maintenance in an annual not-to-exceed amount of \$150,000.00 for the term of October 17, 2021 through October 16, 2022 with the option for two, one-year renewals at the City's discretion pursuant to Clearwater Code of Ordinances 2.563(1)(a) single source and authorize the appropriate officials to execute same. (consent)
- 7.18** Approve an Interlocal Agreement between the City of Clearwater and the Community Redevelopment Agency (CRA) to provide staffing and administrative services for the CRA, provided for the reimbursement of certain expense by the CRA to the City, and authorize the appropriate officials to execute same. (consent)
- 7.19** Request for authority to initiate a quiet title action against the real property located at 407 Vine Avenue, Clearwater, FL. (consent)
- 7.20** Request for authority to initiate foreclosure actions on behalf of the City to recover of amounts owed on municipal liens imposed against certain real property. (consent)
- 7.21** Appoint Jon Jennings as City Manager effective November 8, 2021 and approve the Employment Agreement. (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. Administrative Public Hearings

- 8.1** Set final millage rate of 5.9550 mills for fiscal year 2021/2022 against non-exempt real and personal property within the City of Clearwater and pass Ordinance 9497-21 on first reading.

In accordance with Chapter 200 of the Florida Statutes, which defines requirements for the Determination of Millage and the rules governing Truth in Millage (TRIM) compliance, the City Council must hold two public hearings to adopt a final millage rate for the new fiscal year. The adoption of this ordinance

to establish the millage rate and the two related budget ordinances are an integral part of fulfilling these requirements.

The City Council set a tentative millage rate of 5.9550 mills on July 15, 2021, which is the rate that appeared on the TRIM notices mailed to taxpayers in August. The millage rate of 5.9550 mills represents a 4.60% increase from the rolled back rate of 5.6932 mills.

Ordinance 9497-21 is presented in order to adopt the millage rate of 5.9550 mills to support the operating and capital improvement budgets for the 2021/2022 fiscal year.

Budget Manager Kayleen Kastel provided a PowerPoint presentation.

In response to a question, Ms. Kastel said the total number of FTE positions highlighted in the presentation includes current vacant positions.

Councilmember Beckman moved to set final millage rate of 5.9550 mills for fiscal year 2021/2022 against non-exempt real and personal property within the City of Clearwater. The motion was duly seconded and carried unanimously.

Ordinance 9497-21 was presented and read in full. Councilmember Bunker moved to pass Ordinance 9497-21 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

8.2 Approve the City of Clearwater Annual Operating Budget for the 2021/2022 fiscal year and pass Ordinance 9498-21 on first reading.

In accordance with Chapter 200 of the Florida Statutes and the rules governing Truth in Millage (TRIM) compliance, the City Council must hold two public hearings to adopt the budget. The adoption of this ordinance and the related ordinances adopting the 2021/22 millage rate and the Capital Improvement Budget are an integral part of fulfilling these requirements.

On June 30, 2021, the City Manager provided the City Council with a Preliminary Annual Operating and Capital Improvement Budget that outlined estimates of revenues and expenditures for the 2021/2022 fiscal year. The City Manager presented the preliminary budget at the City Council meeting on July 15, 2021, for Council discussion and citizen input. In addition, a Special Budget Work Session was held on August 3, 2021, for Council discussion of the proposed

budget.

The following changes have been made to the preliminary operating budget and are included in the ordinances for adoption of the fiscal year 2021/2022 operating budget:

- Updates made in Miscellaneous and Transfer In revenues (net zero) to account for revenues in the correct categories.
- The Non-Departmental budget is being reduced by \$1,300,835, transferring this amount to the Police Department to account for the FOP and FOP Supervisors contracts which were approved on September 2, 2021.
- In the Parking Fund, a correction is made to account for vehicle purchases originally budgeted in the wrong cost center.

Vice Mayor Hamilton moved to approve the City of Clearwater Annual Operating Budget for the 2021/2022 fiscal year. The motion was duly seconded and carried unanimously.

Ordinance 9498-21 was presented and read by title only. Councilmember Allbritton moved to pass Ordinance 9498-21 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 fiscal year 2021/2022 Annual Capital Improvement Budget, establish a six-year plan for the Capital Improvement Program (CIP), and pass Ordinance 9499-21 on first reading.

In accordance with Chapter 200 of the Florida Statutes and the rules governing Truth in Millage (TRIM) compliance, the City Council must hold two public hearing to adopt the final budget. The adoption of this ordinance and the related ordinances adopting the 2021/22 millage rate and operating budget are an integral part of fulfilling these requirements.

On June 30, 2021, the City Manager provided the City Council with a Preliminary Annual Operating and Capital Improvement Budget that outlined estimates of revenues and expenditures for the 2021/22 fiscal year. The City Manager presented the preliminary budget at the City Council meeting on July 15, 2021, for Council discussion and citizen input. In addition, a Special Budget Work

Session was held on August 3, 2021 for Council discussion of the proposed budget.

No changes have been made to the Preliminary Capital Improvement Budget.

Councilmember Beckman moved to approve the fiscal year 2021/2022 Annual Capital Improvement Budget, establish a six-year plan for the Capital Improvement Program (CIP). The motion was duly seconded and carried unanimously.

Ordinance 9499-21 was presented and read by title only. Councilmember Bunker moved to pass Ordinance 9499-21 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

8.4 Approve the recommended Penny for Pinellas project list, as revised for fiscal years 2021/2022 through 2029/2030.

On March 6, 1997, the City Council adopted Ordinance 6137-97. The ordinance established the requirement for a special hearing prior to adoption of the capital improvement budget to discuss the use of Penny for Pinellas tax, and at any time in which there is any proposed change to the Penny for Pinellas project funding of \$500,000 or more.

Changes to Penny for Pinellas projects that meet this criterion in the proposed 2021/22 capital improvement budget and six-year plan include the following:

- **Fire Engines/Ladder Truck Replacement** - The funding for this project is being reduced by a total of \$350,300 due to recognizing the allocation of Fire Tax revenues from the county for fire services provided in unincorporated areas of the Clearwater Fire District. This funding is being reallocated to the **City Hall** project in fiscal year 2021/2022 to provide funding to respond to location studies, site surveys and/or property valuations if opportunities are presented in advance of construction funding which is available in fiscal year 2024/25.
- **Public Safety Vehicle/Equipment Facility** - This project with total funding of \$1,500,000 is being separated into two separate projects, **Fire Vehicle/Equipment Facility** and **Police Vehicle/Equipment Facility**, budgeted at \$750,000 each. These new projects, funded in fiscal year 2021/2022, are created to provide for location specific storage of the Fire and Police department's oversized vehicles.

- **Aviation Operations Center** - The funding for this project, which provides for construction of a new operation center at the Clearwater Airpark facility, is being postponed to fiscal year 2026/2027.
- **Sand Key Bridge Replacement Fund** - This project, with total funding of \$22,000,000 planned for fiscal years 2026/2027 through 2029/2030, is being eliminated from the project list due to an updated replacement timeline now estimated for 2070.
- **Waterfront/Bluff Masterplan (Imagine Clearwater)** - This project is being increased by \$22,000,000 to provide additional funding needed for construction of the Imagine Clearwater waterfront/bluff redevelopment plan. This funding will be available in fiscal years 2026/2027 through 2029/2030.

In response to a question, Budget Manager Kayleen Kastel said staff plans to advance fund the Imagine Clearwater expenditures now with other revenue on hand and payback as the Penny revenues are received.

Vice Mayor Hamilton moved to approve the recommended Penny for Pinellas project list, as revised for fiscal years 2021/2022 through 2029/2030. The motion was duly seconded and carried unanimously.

- 8.5** 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 certain residential real property with the legal description attached hereto as Exhibit A and pass Ordinances 9481-21, 9482-21, and 9483-21 on first reading. (ANX2021-06010)

This voluntary annexation petition involves a property with a protected address consisting of one parcel of land occupied by a single-family dwelling. 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 0.94-acres of certain road right-of-way depicted in Exhibit "B" not currently within the city limits also be annexed. 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 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 closest sanitary sewer line is located within the abutting road right-of-way. The applicant has paid the required 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 III and service will be administered through the district headquarters located at 2851 N 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 sanitary sewer, 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; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Allbritton 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 certain residential real property with the legal description attached hereto as Exhibit A. The motion was duly seconded and carried unanimously.

Ordinance 9481-21 was presented and read by title only. Councilmember Beckman moved to pass Ordinance 9481-21 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 9482-21 was presented and read by title only. Councilmember Bunker moved to pass Ordinance 9482-21 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 9483-21 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9483-21 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

- 8.6** Approve the annexation, initial Future Land Use Map designations of US 19-Regional Center (US 19-RC) and Water, and initial Zoning Atlas designations of US 19 and Preservation (P) Districts for two unaddressed parcels located between 2975 Gulf to Bay Boulevard and Old Tampa Bay; and pass ordinances 9490-21, 9491-21, and 9492-21 on first reading. (ANX2021-07012)

This voluntary annexation petition involves a 2.49-acre property including 0.616 acres of uplands and 2.114 acres of submerged lands, more or less. The property is comprised of two parcels, and records show that a portion of the western parcel was previously annexed into the city of Clearwater. Both parcels are located approximately 835 feet south of Gulf to Bay Boulevard between 2975 Gulf to Bay Boulevard and Old Tampa Bay. The applicant owns 2975 Gulf to Bay Boulevard, abutting to the north, and is requesting this annexation so that these additional parcels are also fully in the City's jurisdiction for future redevelopment of the entire site. The site is vacant and being used as a construction staging area for the property to the east that is currently under construction. The property is located within an enclave and is contiguous to existing city limits to the north, west and east. It is proposed that the property be

assigned the Future Land Use Map designations of US 19-Regional Center (US 19-RC) and Water and Zoning Atlas designations of US 19 and Preservation (P).

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

- The property currently does not have water or sewer service as the majority of the parcels are submerged land. The applicant is requesting annexation in order to develop attached dwellings primarily on the abutting parcel to the north and would include this parcel within any development application. Therefore, connection to urban infrastructure (i.e., city sewer and water) is not being requested at this time, but is anticipated in the future. The applicant is aware that the required sanitary sewer and water impact and assessment fees must be paid in full prior to connection and of any additional costs to extend to the City's sanitary sewer and water lines. The property is located within Police District III and service will be administered through the district headquarters located at 2851 N. McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station #49 located at 565 Sky Harbor Drive. The City has adequate capacity to serve this property with solid waste, police, fire and EMS service, as well as water and sanitary sewer when requested in the future. 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 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.7.2.5 Unincorporated property within the Clearwater Planning Area located within the US 19 Corridor redevelopment area shall be designated through an amendment to the Future Land Use Map with the appropriate future land use category upon annexation, consistent with the US 19 Regional Center, US 19 Neighborhood Center and US 19 Corridor future boundaries depicted on Map A-17.

- The proposed US 19-Regional Center (US 19-RC) and Water Future Land Use Map categories to be assigned to the property are consistent with the Countywide Plan designations. The US 19-Regional Center (US 19-RC) category primarily permits a mix of uses at a floor area ratio

(FAR) of 2.5. The Water category is proposed to be applied to the submerged lands, utilizing the mean high water line to delineate the two categories. The proposed zoning districts to be assigned to the property are US 19 and Preservation (P). The proposed use of the subject property as part of a larger multi-family residential development is consistent with the uses allowed in the US 19 District. The proposed annexation is therefore consistent with the City's Comprehensive Plan, the Countywide Plan Map and Community Development Code; and

- The property proposed for annexation is contiguous to existing city limits to the north, west and east; therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

Councilmember Allbritton moved to approve the annexation, initial Future Land Use Map designations of US 19-Regional Center (US 19-RC) and Water, and initial Zoning Atlas designations of US 19 and Preservation (P) Districts for two unaddressed parcels located between 2975 Gulf to Bay Boulevard and Old Tampa Bay. The motion was duly seconded and carried unanimously.

Ordinance 9490-21 was presented and read by title only.

Councilmember Beckman moved to pass Ordinance 9490-21 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 9491-21 was presented and read by title only.

Councilmember Bunker moved to pass Ordinance 9491-21 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 9492-21 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9492-21 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

8.7 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 1729 Brentwood Drive, and pass Ordinances 9493-21, 9494-21, and 9495-21 on first reading. (ANX2021-07013)

This voluntary annexation petition involves a 0.288-acre property consisting of one parcel of land occupied by a single-family dwelling. The property is located on the south side of Brentwood Drive approximately 340 feet west of Woodcrest Avenue. 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 north and west. 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 an easement to the southwest of the subject property, at the northwest corner of 1726 Lakeview Road. The applicant has paid the City's sewer impact and assessment fees 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 #47 located at 1460 Lakeview Road. 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 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 and west; therefore, the annexation is consistent with Florida Statutes Chapter 171.044

Councilmember Allbritton 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 1729 Brentwood Drive. The motion was duly seconded and carried unanimously.

Ordinance 9493-21 was presented and read by title only. Councilmember Beckman moved to pass Ordinance 9493-21 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 9494-21 was presented and read by title only. Councilmember Bunker moved to pass Ordinance 9494-21 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 9495-21 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9495-21 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

8.8 Approve amendments to the Community Development Code revising Section 3-909, Outdoor cafés located within public right(s)-of-way and Appendix A Schedule of Fees, Rate and Charges and pass Ordinance 9487-21 on first reading. (TA2021-07002)

The Community Development Code currently allows outdoor cafés located within public right(s)-of-way in the Downtown and Clearwater Beach. The closure of Cleveland Street to support outdoor cafes beyond the timeframe of the COVID emergency has generated the need for some minor amendments to the outdoor café provisions. Upon review of the existing code, it was determined some additional clarity was needed in the permit process, location, design, and operational requirements, as well as the fee schedule.

Proposed Ordinance No. 9487-21 includes the following amendments:

- Specifies outdoor café permits shall be issued to a person who has a business tax permit and who wishes to place tables and chairs in the right-of-way.
- Allows outdoor cafes to extend beyond the sidewalk into the Cleveland Street right-of-way if closed to traffic, authorized by the city and in compliance with ADA requirements.
- Requires the outdoor café operator to be responsible for keeping the café area clean, orderly, and free of debris.
- Prohibits the use of city owned waste receptacles for café food and waste disposal.
- Provides that outdoor café permits expire on September 30th of each year.
- Provides for a reduced outdoor café permit renewal fee of \$25.

The Planning and Development Department has determined that the proposed text amendments 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 August 17, 2021, and unanimously recommended approval of the amendment.

One individual spoke in support.

Councilmember Allbritton moved to approve amendments to the Community Development Code revising Section 3-909, Outdoor cafés located within public right(s)-of-way and Appendix A Schedule of Fees, Rate and Charges. The motion was duly seconded and carried unanimously.

Ordinance 9487-21 was presented and read by title only.

Councilmember Beckman moved to pass Ordinance 9487-21 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

- 8.9** Amend Clearwater Community Development Code Article 3, Development Standards, Section 3-204., which relates to accessory uses and structures standards, to add subsection I, which will allow for the keeping of chickens as an accessory use in certain residential zoning districts and provide standards for associated accessory structures, and pass Ordinance 9488-21 on first reading.

At the City Council meeting on May 6, 2021, the Council engaged in a discussion with city staff, residents, and chicken advocates regarding the possibility of allowing chickens in certain residential zoning districts within the City. At that meeting, the Council directed staff to prepare an ordinance that would allow such chickens.

The proposed amendments to the Community Development Code would allow for the keeping of up to four backyard chickens as an accessory use to detached dwellings located in the LDR, LMDR, MDR, MHDR, and HDR zoning districts. The keeping of other fowl or roosters is prohibited, as is the sale of eggs and manure in addition to the breeding of chickens for commercial purposes. However, the sale of eggs that are a part of a lawful home-based business that has obtained the necessary permits and approvals is allowed. The ordinance establishes location, size and other standards for chicken coops and associated chicken runs, obligates owners to maintain coops and runs in clean and sanitary manner to ensure proper health and sanitation, and establishes situations that would be constitute nuisance conditions. The ordinance also defines chicken, chicken coop and chicken run.

Assistant City Attorney Matthew Mytych said since the work session, staff reached out to local municipalities regarding permit requirements and learned that the cities of Gulfport, Largo, Dunedin, and St. Petersburg do not require permits but Tarpon Springs requires a permit for the chicken coops. He said Gulfport and St. Petersburg allow 10 chickens; Largo allows 12; and Pinellas County, Pinellas Park and Tarpon Springs allow 4. Mr. Mytych said that the main concerns raised in Gulfport were the presence of roosters and chickens not kept in their cages. The Gulfport Code Compliance Director did not recommend Clearwater adopt an ordinance to allow backyard chickens. He said sometimes it is hard to determine the sex of the chick; Shell's Feed & Garden Supply in Tampa and Buckingham Farm in Plant City accept roosters since the proposed ordinance does not allow roosters. The main concern raised in

St. Petersburg was noise, receiving approximately two calls weekly. He said Largo's main issues were the presence of roosters and loose chickens. Mr. Mytych said Dunedin stated that smell and noise were their main issues but only five chicken related complaints in the last five years. He said in Largo and Gulfport, owners are required to catch their loose chickens, while Pinellas Park uses a trapper.

Three individuals spoke in support.

One individual spoke in opposition.

Discussion ensued with a concern raised with enforcing coop setback requirements without a permitting process.

In response to a question, Mr. Mytych said an individual would be considered a repeat violator if found guilty by the Municipal Code Enforcement Board or via the civil citation process of creating a nuisance on the second violation.

Councilmember Bunker moved to amend Clearwater Community Development Code Article 3, Development Standards, Section 3-204., which relates to accessory uses and structures standards, to add subsection I, which will allow for the keeping of chickens as an accessory use in certain residential zoning districts and provide standards for associated accessory structures. The motion was duly seconded and carried with the following vote:

Ayes: 4 - Mayor Hibbard, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

Nays: 1 - Vice Mayor Hamilton

Ordinance 9488-21 was presented and read by title only.

Councilmember Allbritton moved to pass Ordinance 9488-21 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Hibbard, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

Nays: 1 - Vice Mayor Hamilton

8.10 Approve the request from city staff to vacate two Drainage and Utility Easements that

were retained as a part of Ordinance 6879-01 of the City of Clearwater, Florida as recorded in Official Records Book 11701, Page 1155, of the Public Records of Pinellas County, Florida, and pass Ordinance 9496-21 on first reading.

In 2001, the City of Clearwater passed Ordinance No. 6879-01, vacating portions of Park Street, Ewing Avenue, and Pierce Street Rights-of-Way in support of development that would later become the Nolen Apartments. A Drainage and Utility Easement was retained over the entire extent of the vacated Rights-of-Way (ROW). Portions of this vacated ROW and accompanying easements are on City-owned property and portions on The Nolan parcel.

No utilities are present in these easements. City staff has reviewed and determined the easements are no longer needed and in the best interest of the City to be vacated.

Councilmember Beckman moved to approve the request from city staff to vacate two Drainage and Utility Easements that were retained as a part of Ordinance 6879-01 of the City of Clearwater, Florida as recorded in Official Records Book 11701, Page 1155, of the Public Records of Pinellas County, Florida. The motion was duly seconded and carried unanimously.

Ordinance 9496-21 was presented and read by title only.

Councilmember Bunker moved to pass Ordinance 9496-21 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

8.11 Approve the request from the owner of property addressed 1496 Rosetree Court, Clearwater to vacate the east 6 feet of a platted 10-foot Drainage and Utility Easement, located along the west 10 feet of lot 1, of Rosetree Court, according to the plat thereof as recorded in Plat Book 79, Page 20, of the Public Records of Pinellas County, Florida, and pass Ordinance 9506-21 on first reading.

The property owner at 1496 Rosetree Court, Clearwater, has requested that the City vacate the east 6 feet of the 10-foot platted Drainage and Utility Easement along the rear of their property.

The purpose of this vacation will be to eliminate an encroachment of the existing pool and pool deck.

There are no utilities present within this easement. The remaining 4 feet of this easement will be sufficient for drainage purposes and future city needs. City staff have reviewed this vacation and have no objection.

The Council recessed from 7:38 p.m. to 7:46 p.m.

Vice Mayor Hamilton moved to approve the request from the owner of property addressed 1496 Rosetree Court, Clearwater to vacate the east 6 feet of a platted 10-foot Drainage and Utility Easement, located along the west 10 feet of lot 1, of Rosetree Court, according to the plat thereof as recorded in Plat Book 79, Page 20, of the Public Records of Pinellas County, Florida. The motion was duly seconded and carried unanimously.

Ordinance 9506-21 was presented and read by title only. Councilmember Allbritton moved to pass Ordinance 9506-21 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. City Manager Reports

- 9.1 Amend the City's fiscal year 2020/2021 operating and capital improvement budgets at third quarter and pass Ordinances 9500-21 and 9501-21 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 Beckman moved to amend the City's fiscal year 2020/2021 operating and capital improvement budgets at third quarter. The motion was duly seconded and carried unanimously.

Ordinance 9500-21 was presented and read by title only. Councilmember Bunker moved to pass Ordinance 9500-21 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 9501-21 was presented and read by title only. Vice Mayor Hamilton moved to pass Ordinance 9501-21 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

9.2 Accept Ordinance 536, an Interlocal Agreement/Franchise with the Town of Belleair, in order for Clearwater Gas System to continue to provide natural gas service to the citizens of Belleair and adopt Resolution 21-33.

On August 17, 2021, the Town of Belleair Commission approved an Interlocal Agreement, on second reading, with the City of Clearwater, which provides a franchise for Clearwater Gas System to provide natural gas service in Belleair.

The previous franchise with Town of Belleair was approved on June 14, 1990. The thirty-year term ended on June 13, 2020, and the Franchise is currently in effect on a month-to-month basis under the provisions of the franchise agreement (as the renewal was delayed due to the COVID-19 pandemic).

The effective date of the new franchise shall be the 1st day of the following month after the Interlocal Agreement is approved by the City of Clearwater. The Agreement provides the City of Clearwater a 15-year non-exclusive right to continue to construct, operate and maintain all facilities necessary to supply natural gas to the Town of Belleair. The agreement also provides for renewal options, which may be extended for an additional 15 years.

The Interlocal Agreement provides for a 5.5% franchise fee to be paid by the consumers of natural gas within the Town of Belleair and continues to exempt industrial customer revenues. The prior franchise fee was 5.5%.

Councilmember Allbritton moved to accept Ordinance 536, an Interlocal Agreement/Franchise with the Town of Belleair, in order for Clearwater Gas System to continue to provide natural gas service to the citizens of Belleair. The motion was duly seconded and carried unanimously.

Resolution 21-33 was presented and read by title only. Councilmember Beckman moved to adopt Resolution 21-33. 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** Approve Third Amendment to Lease Agreement between Clearwater Golf Associates, Inc. and City of Clearwater to provide assistance of \$58,100.00 to partially offset the cost of installing reclaimed water at the Landings Golf Course and authorize the appropriate officials to execute same.

On December 19, 2001, the Council approved a 20-year Agreement between Clearwater Golf Associates, Inc. (Club) and the City for the operation of the property known as Clearwater Executive Golf Course, including an annual lease payment and improvements to the course.

On February 4, 2010, the Council approved a First Amendment to the Lease Agreement to increase the length of the Agreement by seven years from 20 years to 27 years; and extend rent relief for seven years to complete a number of additional improvements needed at the Club.

On July 20, 2017, the Council approved a Second Amendment to the lease to extend rent relief for the remaining 12 years of the lease and set a schedule to complete \$400,000.00 of additional improvements to the course by the Club.

Over the past twenty years, the Club has invested over one million dollars in upgrades and improvements to the golf course including renovations to the club house/pro shop, driving range, storage and cart facilities, parking lot, irrigation system, greens, and tee boxes.

Included in the Second Amendment was a requirement that the Club connect to reclaimed water when available. Reclaimed water is now available, and the Club is currently in the process of connecting from well water to reclaimed water. The cost of this project is \$116,200.00. The Club is requesting partial relief from these obligations by requesting that the City pay for 50% of the cost to convert to reclaimed water. Staff is recommending that the City participate in the cost of this project by contributing 50% or \$58,100.00.

In the future, the City may be required to dispose of all reclaimed water on upland properties rather than disposing excess water into Tampa Bay. This improvement will help in meeting this requirement regardless of how the property is used.

APPROPRIATION CODE AND AMOUNT:

Funding is available in the Parks and Recreation operating code

0101867-530300 Contract Team.

In response to questions, Parks and Recreation Director Jim Halios said the rationale for the expenditure is due to 1) the Landings is required by the Southwest Florida Water Management District to connect to reclaimed water when available and 2) allows the City to alleviate the excess of reclaimed water in the community since Senate Bill 64 prohibits the discharge of reclaimed water into the bay. Interim City Manager Micah Maxwell said there are some ponds on the golf course that will store reclaimed water. Mr. Halios said if the City took over the site, it would cost approximately \$53,000 annually to be maintained to meet city code and \$1 million annually to be maintained as a golf course.

Vice Mayor Hamilton moved to approve Third Amendment to Lease Agreement between Clearwater Golf Associates, Inc. and City of Clearwater to provide assistance of \$58,100.00 to partially offset the cost of installing reclaimed water at the Landings Golf Course and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

- 9.4** Award Invitation to Bid 46-21 to Covenant Property Investors, LLC, approve the Contract for Purchase of Real Property by the City of Clearwater, Florida (City) by and between the City and Covenant Property Investors, LLC (Covenant) for the City to sell to Covenant a Parking Condominium containing 450 public parking spaces, more particularly described as Condominium Unit Pub Of North Beach Plaza Condominium, a Condominium, according to the Declaration of Condominium thereof, recorded in Official Records Book 19444, Page 145, and any amendments thereto, and the plat thereof recorded in Condominium Plat Book 159, Page 91, of the Public Records of Pinellas County, Florida, together with its undivided share in the common elements appurtenant thereto (Parking Unit), located at 490 Poinsettia Street, Clearwater, and authorize the appropriate officials to execute same, together with all other instruments required to affect closing.

On June 17, 2021, the City Council declared the Parking Unit surplus for the purpose of sale, through Invitation to Bid # 46-21, whereby the successful bid was required to meet the terms set by Council. Per City Charter 2.01 (d)(5)(ii), real property declared surplus shall be sold to the party submitting the highest competitive bid above the appraised value whose bid meets the terms set by the Council and whose proposed use of the property is in accordance with the Council's stated purpose for declaring the property surplus. Accordingly, all qualifying bids were required to meet the following terms:

- Bid price shall exceed \$12,000,000.00

The appraised value of the Parking Unit/450 parking spaces was determined by James Millspaugh & Associates, Inc., to be \$11,160,000.00 and Tobias Realty Advisors to be \$13,245,000.00.

The city received two bids; both meet the required term listed above. Covenant submitted the successful qualifying bid with a proposed purchase price of \$12,500,000.00.

Consistent with City Charter 2.01 (d)(5)(ii) referenced above, staff recommends approval of the Contract.

Proceeds from the sale will be credited to the Parking Fund, revenue code 435-364220, Surplus Land Sales.

One individual spoke in opposition and raised concerns that Park Simple was not qualified to conduct business in Florida, that Covenant Property LLC is an affiliate of Park Simple and had access to financial information before it was available to the City, and that Covenant had insider information not available to any other bidder.

One individual spoke in support.

One individual spoke in opposition.

In response to a question, the City Attorney said she does not know if Park Simple is not qualified to work in Florida. She said the predecessor in interest to SCL chose Park Simple, before the City owned the condominium. Staff will look into the matter. Lead Assistant City Attorney Owen Kohler said the bid was opened on June 28, 2021. At the beginning of July prospective bidders raised some questions regarding financial information. The City's procurement department made two different addendums, providing 41 months of data (January 2018 to May 2020) and 29 months of data (January 2019 to May 2021). The City issued the second addendum on July 19, 2021 and the bid closed on July 28, 2021. He said the procurement department closed off all questions when the bid was closed. The City did not have any information pertaining to June 2021. Mr. Kohler said the City received two bids and the highest bid should be awarded the contract. The focus of a bid protest is whether the proposed action by the City is arbitrary, capricious, or illegal. Mr. Kohler said, in this instance, it is not; the City gave the same information and instruction to all bidders and did not favor one bidder over the other. The City complied with the charter in that it is recommended the sale goes to the party that submitted the highest bid, as well as the Code of Ordinances, the

purchasing manual, and bidding instruction, and the term set by Council was a bid exceeding \$12 million. He said the bid submitted by Covenant was \$12.5 million. The bid protest referenced that the financial information for June 2020 and July 2021 were missing; the City did not have the information and would have posted the information if it was in the City's possession. The data from June 2021 shows the net income was actually lower than March and April in 2021. He said the City received the final report for July 2021 yesterday and the net income was lower than March and April 2021. The data does not support the arguments raised by SCl. Park Simple and Covenant are not the same company; they are two separate companies. Assistant City Attorney Matthew Mytych said the condominium documents can be amended if the other owners agree to change the documents. The City Attorney said there is the ability to amend the documents by vote of the parking condominium association. Now is not the time to amend the documents since the City is selling its portion of ownership. She said the appraisals for the property were not income based. The appeal process was exhausted. She said the City followed its charter and procedures.

Vice Mayor Hamilton moved to award Invitation to Bid 46-21 to Covenant Property Investors, LLC, approve the Contract for Purchase of Real Property by the City of Clearwater, Florida (City) by and between the City and Covenant Property Investors, LLC (Covenant) for the City to sell to Covenant a Parking Condominium containing 450 public parking spaces, more particularly described as Condominium Unit Pub of North Beach Plaza Condominium, a Condominium, according to the Declaration of Condominium thereof, recorded in Official Records Book 19444, Page 145, and any amendments thereto, and the plat thereof recorded in Condominium Plat Book 159, Page 91, of the Public Records of Pinellas County, Florida, together with its undivided share in the common elements appurtenant thereto (Parking Unit), located at 490 Poinsettia Street, Clearwater, and authorize the appropriate officials to execute same, together with all other instruments required to affect closing. The motion was duly seconded and carried unanimously.

- 9.5** Amend Clearwater Code of Ordinances Chapter 8, Animals, Section 8.04, Exceptions to Section 8.03, to add subsection 11 allowing for the keeping of chickens pursuant to Section 3-204.I of the Clearwater Community Development Code; amend Section 8.33 to include chickens in the list of animals owners are prohibited from allowing to roam at large; and pass Ordinance 9489-21 on first reading.

At the City Council meeting on May 6, 2021, the Council engaged in a discussion with city staff, residents, and chicken advocates regarding the possibility of allowing chickens in certain residential zoning districts within the City. At that meeting, the Council directed staff to prepare an ordinance that would allow such chickens.

In order to implement the necessary revisions to the Community Development Code as proposed in Ordinance 8488-21, certain revisions to the Clearwater Code of Ordinances are required. Currently, Section 8.03 does not allow for the keeping of backyard chickens. This ordinance creates an exception to that prohibition. In addition, it amends Chapter 8.33 to add chickens to the animals that owners are prohibited from allowing to roam at large.

One eComment was received supporting Item 9.5 that was read into the record by the City Clerk (see page 30).

Councilmember Allbritton moved to amend Clearwater Code of Ordinances Chapter 8, Animals, Section 8.04, Exceptions to Section 8.03, to add subsection 11 allowing for the keeping of chickens pursuant to Section 3-204.I of the Clearwater Community Development Code; amend Section 8.33 to include chickens in the list of animals owners are prohibited from allowing to roam at large. The motion was duly seconded and carried with the following vote:

Ayes: 4 - Mayor Hibbard, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

Nays: 1 - Vice Mayor Hamilton

Ordinance 9489-21 was presented and read by title only.

Councilmember Beckman moved to pass Ordinance 9489-21 on first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Hibbard, Councilmember Allbritton, Councilmember Bunker and Councilmember Beckman

Nays: 1 - Vice Mayor Hamilton

10. City Attorney Reports – None.

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

Councilmember Allbritton said there was a press conference held for the PSTA intermodal center today and he said he wanted to thank Council and the Mayor; the Mayor actually got the whole thing started about a decade ago and he thanked Council for setting the goal of having the intermodal center in Clearwater and setting the groundwork for that to possibly come to fruition. He said he hoped to hear that the RAISE grant gets awarded to PSTA.

Councilmember Beckman invited all to learn about what is going on in Clearwater and to get involved; she listed several opportunities available where anyone can find opportunities to get involved.

Councilmember Bunker said he applauded Councilmember Allbritton for all the work he has done championing the intermodal center and said it was inspirational to him to see how active Allbritton is. He expressed condolences on the loss of comedian Norm Macdonald. He thanked Summer and Tyler for coming to the meeting and speaking about chickens.

12. Closing Comments by Mayor

The Mayor thanked all who came out to the Imagine Clearwater groundbreaking ceremony. He thanked Clearwater Marine Aquarium for their manatee awareness program; it has been a historically bad year for manatees and asking all to be cognizant and careful. He thanked Police Chief Slaughter and staff for hosting the International Association of Human Trafficking Investigators; Human Trafficking is a terrible crime that goes unreported and takes advantage of the most vulnerable. He thanked the Philadelphia Phillies organization for a great and productive meeting in Philadelphia over the weekend. He expressed his condolences to the family of James Rembert, who celebrated his 100th birthday a couple months ago, who passed away.

13. Adjourn

The meeting adjourned at 8:35 p.m.

Attest

Mayor
City of Clearwater

City Clerk

City Council on 2021-09-16 6:00 PM

Meeting Time: 09-16-21 18:00

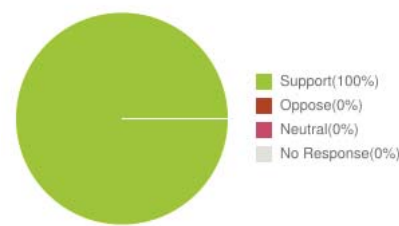
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
City Council on 2021-09-16 6:00 PM	09-16-21 18:00	57	1	1	0	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 2021-09-16 6:00 PM

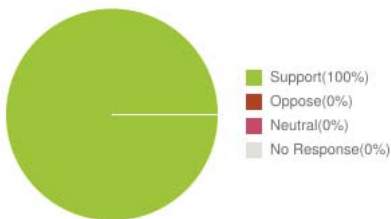
09-16-21 18:00

Agenda Name	Comments	Support	Oppose	Neutral
9.5 9489-21 Amend Clearwater Code of Ordinances Chapter 8, Animals, Section 8.04, Exceptions to Section 8.03, to add subsection 11 allowing for the keeping of chickens pursuant to Section 3-204.I of the Clearwater Community Development Code; amend Section 8.33 to include chickens in the list of animals owners are prohibited from allowing to roam at large; and pass Ordinance 9489-21 on first reading.	1	1	0	0

Sentiments for All Agenda Items

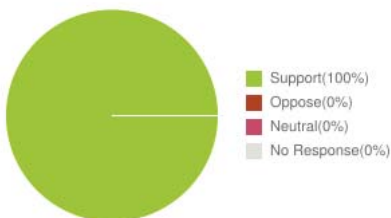
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for 9.5 9489-21 Amend Clearwater Code of Ordinances Chapter 8, Animals, Section 8.04, Exceptions to Section 8.03, to add subsection 11 allowing for the keeping of chickens pursuant to Section 3-204.I of the Clearwater Community Development Code; amend Section 8.33 to include chickens in the list of animals owners are prohibited from allowing to roam at large; and pass Ordinance 9489-21 on first reading.

Overall Sentiment



Samantha Levy

Location:

Submitted At: 1:36pm 09-16-21

I have lived here for 20 years and have always wanted chickens. I own my home and have enough land that can provide a good life for chickens. I pay my taxes and don't upset my neighbors. I believe that chickens improve livelihood. They provide work, care and give back to their owners in the form of love and eggs. Please, unless one is harming others or themselves they should be allowed to do what they want on their own land. All of this is provided one also has the adequate means and space I to do so for the benefit of all. Please pass this code :)