Vice Mayor John Doran called the meeting to order at 9:06 a.m. at City Hall.

1. **Fire Department**

1.1 **Re-appoint Robert Going to a two-year term ending December 31, 2012 as a Trustee of the Clearwater Firefighters Supplemental Trust Fund in accordance with Sec. 175.061 of the Florida State Statutes. (consent)**

The Clearwater Firefighters’ Supplemental Trust Fund is the recipient of monies obtained by the State of Florida from insurance companies doing business within the community. These monies are required to be administered by a Board of Trustees whose composition must consist of two legal residents of the City appointed by the City Council; two City firefighters elected by the firefighters; and a fifth member chosen by a majority of the other four members and submitted to the City Council for appointment. The Board of Trustees is solely responsible for administration of the trust fund.

Mr. Going has indicated his willingness to serve a two-year term. The firefighters elected Robert Going to be appointed as one of the two firefighter elected member seats in accordance with Sec. 175.061 of the Florida State Statutes.

It is recommended that the City Council affirm Robert Going as a trustee to the seat for the period of January 1, 2011 through December 31, 2012.

1.2 **Re-appoint David Hogan as the fifth Trustee to a two-year term ending December**
31, 2012 on the Clearwater Firefighters Supplemental Trust Fund in accordance with Sec. 175.061 of the Florida State Statutes. (consent)

The Clearwater Firefighters' Supplemental Trust Fund is the recipient of monies obtained by the State of Florida from insurance companies doing business within the community. These monies are required to be administered by a Board of Trustees whose composition must consist of two legal residents of the City appointed by the City Council; two City firefighters elected by the firefighters; and a fifth member chosen by a majority of the other four members and submitted to the City Council for appointment. The Board of Trustees is solely responsible for administration of the trust fund. Mr. Hogan has indicated his willingness to serve another two-year term. The other four members of the Board of Trustees selected David Hogan to be appointed as the fifth member in accordance with Sec. 175.061 of the Florida State Statutes. It is recommended that the City Council, as a ministerial duty, affirm David Hogan as a trustee to the seat for the period of January 1, 2011 through December 31, 2012.

2. Parks and Recreation

2.1 Approve the extension of a Partnership and Operational Support Agreement between the City of Clearwater and City Players, Inc., to provide for an annual summer musical production at Ruth Eckerd Hall from May 4, 2011 to May 3, 2014 and authorize the appropriate officials to execute same. (consent)

On April 1, 2006, the City Council approved a five-year agreement with City Players to provide musicals at Ruth Eckerd Hall. The extension of this agreement will allow for a continued partnership between the City of Clearwater and City Players, Inc. in which City Players will produce an annual family-oriented summer community theatre musical production at Ruth Eckerd Hall. This agreement provides for a three-year extension of the current contractual terms and does not require any financial commitment on the part of the City. It also provides for three additional three-year extensions if mutually agreed to between the parties. The Cultural Affairs Division will be responsible for administering this agreement and will be the point of contact between the City Players and Ruth Eckerd Hall.

Staff was directed to confirm with City Players, Inc. and Ruth Eckerd Hall if the agreement may be amended to include the Capitol Theater.

3. Solid Waste/General Support Services

3.1 Award a contract (Purchase Order) for $202,469.00 to Southern Sewer Equipment Sales of Ft. Pierce, FL for one International 4300 M7 Chassis with Tymco Model 500X Street Sweeper, in accordance with Sec. 2.564(1)(d), Code of Ordinances - Other governmental bid; authorize lease purchase under the City's
Master Lease Purchase Agreement and authorize the appropriate officials to execute same. (consent)

The Street Sweeper will be purchased through the Florida Sheriff’s Association and Florida Association of Counties Contract 10-18-0907, Specification 81 for Regenerative Air Street Sweepers and the quote dated January 14, 2011.

This truck will replace the G2714, 2003 International with Tymco 600 Sweeper, in the Public Services fleet and was included in the Garage CIP 10/11 Replacement Fund. Current Mileage is 61,372. This truck operates at very low speed each day and has a second engine for the sweeper unit that runs at high RPMs all day. The auxiliary engine hours are 4,842.

3.2 Award Bid 01-11 (Clearwater City Hall Elevator Modernization) to Delaware Elevator of Florida, Inc. of Orlando, FL in the amount of $148,678.00 for the modernization of both traction passenger elevators located at City Hall and authorize the appropriate officials to execute same. (consent)

The two elevators located at City Hall are original. Numerous repairs have been made and some updates were completed on the elevators. In order to extend the life of these elevators, some major changes as well as upgrades are necessary. The bid outlined the equipment that needs replacement. The city received nine bids for this project. The lowest bidder ($119,000.00) did not meet the specifications pertaining to years in business and no similar equipment replacements. The next lowest bidder ($119,500.00) included several options in order to meet the specifications, which caused their total amount to rise to $174,500.00. The third lowest bidder is the selected contractor.

The Contractor will work on one elevator until complete and will make sure that one elevator is operational at all times during the modernization. The contractor will keep the noise to a minimum to prevent any disruptions to the normal activities conducted at City Hall. Upon completion of this project, both elevators will meet all current governing rules, codes and requirements.

In response to a question, Solid Waste/General Services Assistant Director Rick Carnley said the Honeywell performance contract did not include the elevators at City Hall. Life span for the new elevators is approximately thirty years.

4. Public Utilities

4.1 Approve a contract with HDR Engineering, Inc, an Engineer of Record, in the amount of $202,842 to perform an efficiency review of the Public Utilities Department, funding to be provided out of Water and Sewer Fund unappropriated retained earnings, and authorize the appropriate officials to execute the same.
Fiscal conditions have led the City of Clearwater to consider efficiency reviews to re-examine spending and operations. The reviews are intended to help the City of Clearwater determine priority customer service areas and ways to improve efficiency and reduce costs.

Purpose and Scope of Public Utilities Efficiency Review Challenges facing public utilities are many, including more stringent regulatory and operating environments, the need for new water supplies, higher costs, increased responsibility for the environment, aging infrastructure, and a changing workforce. These challenges have led the City of Clearwater to undertake a management and efficiency review of the Public Utilities (PU) Department to reexamine spending, operations, and organizational structure. In completing a management and efficiency review, the City of Clearwater has two primary goals: (1) lowering spending and saving money in the short term, and (2) improving performance and yielding additional savings in the long term.

Managing a public utility organization is complex. How the organization is designed and its approach to providing services can be significantly impacted by how it is structured and how it addresses the challenges before it. The delivery of public utility services is impacted by many factors including management structure and responsibilities, employee skills, community and agency culture, politics, economics, social needs, climate, natural resources, demographics, and technology. When reviewing the Clearwater PU Department, the key focus shall be to determine and review core services, what functions need to be performed, are they being performed department-wide as efficiently as possible, and then identify budget limits and performance targets for each core service. This short-term review can clarify greater changes that can be made within the department or one of its processes to improve efficiency in the long-term. Options include maintaining a program, restructuring or cutting back a program, outsourcing a program, or eliminating the program altogether. When focusing on ways to improve departmental efficiency, the key focus should first be to determine the most effective organizational structure to deliver core services and then secondly, to develop effective performance measures. The City believes it is necessary to conduct a comprehensive examination of Public Utilities, from a governance, management, and operational perspective in order to chart a course for its future.

Scope of Work:
A. Evaluate Existing Conditions 1 - Identify and evaluate existing operations across the 4 (four) main programs: water (production and distribution), wastewater collections, reclaimed water, and water pollution control. 2- Conduct pertinent interviews/surveys, i.e., City Council, City Manager, Public Utilities Department Management, applicable PU employee representatives. 3 - Evaluate existing regulatory (Federal, State, County, Special District, City) requirements and compliance levels.
B. Evaluate/Review Management/Administration Staffing Levels  1 - Review organizational chart and appraise responsibilities assigned within each division.  2 - Assess management’s problem identification, long-term planning, and organizational development strategies.  3 - Provide observations and recommendations regarding organizational structure.  4 - Review of succession planning to senior management positions and over-all staffing levels.  5 - Evaluate communication and interaction with employees and management staff within and across divisions.

C. Division Level (water, wastewater collections, reclaimed, water pollution control) Review  1 - Appraise adequacy of staffing and workload of each function/unit.  2 - Assess technology systems, equipment, and staff use/capability.  3 - Evaluate current workload and asset management system including records creation, retention, and storage.  4 - Identify opportunities and recommendations for any internal consolidation of functions and services that can result in efficiencies.  5 - Identify opportunities and recommendations for outsourcing functions and services.

D. Benchmarking Data Analysis Obtain and analyze comparable benchmarking data for like-sized public utilities systems and best management practices (can be individual for each of the 4 divisions).

E. Review of other areas/issues deemed necessary by the consultant to meet the goals of this study.

In response to questions, City Auditor Robin Gomez estimated over 1200 hours was needed to perform the review. Benchmarking data will also include best operational practices.

5. **Engineering**

5.1 Award a contract to TLC Diversified of Palmetto, FL, for the East Plant Anoxic Tank Rehabilitation Project (09-0007-UT) in the amount of $1,210,727.10 for the base bid and bid alternate of $50,820.00 for a total contract value in the amount of $1,261,547.10, which is the lowest responsive bid received in accordance with plans and specifications; approve an Owner Direct Purchase (ODP) from Philadelphia Mixing Solutions, Ltd. in the amount of $331,000.00; approve Engineer of Record (EOR) work order to Jones Edmunds and Associates, Inc. in the amount of $154,300.00 for CEI, and authorize the appropriate officials to execute same. (consent)

The City of Clearwater has identified rehabilitation requirements and the design of structural and mechanical improvements have been designed by Jones Edmunds
for fermentation, first anoxic and second anoxic tanks at the East Advanced Pollution Control Facility.

The work consists of restoring the structural integrity of the tanks (including walkways, stairs, channels and walls) providing temporary flow diversion, providing temporary chemical feed system, removing the vortex baffle structures within each tank, coating the tank walls for corrosion protection, removing the deteriorated mixers in each tank, installing new mixers, removing the settled grit and rags in each tank, removing submersible aerators from the reaeration tank, installing new reaeration positive displacement blowers and removable medium bubble diffusers and all related works.

This work is necessary to maintain the structural and mechanical integrity of the East Advanced Pollution Control Facility per permit requirements.

Philadelphia Mixing Solutions, Ltd. is the manufacturer and sole source provider of non-ragging mixer which has successfully been pilot tested at the East APCF. In addition, the City of Clearwater will experience sales tax savings in the amount of $19,910 purchasing the equipment directly.

Jones Edmunds and Associates, Inc. is a City of Clearwater EOR (engineer of record) and will provide CEI (construction engineering inspection) services to include conducting a pre-construction meeting with the contractor, conduct a site visit with the contractor prior to mobilization, review and approve shop drawings and submittals, respond to RFI’s, provide personal to observe construction activities during construction, conduct monthly progress meetings and prepare final Record Drawings.

Work will commence upon award and execution of the contract and will be completed within 270 days. Construction is expected to have a start date in February 2011 and be complete by November 2011.

The Public Utilities Department is the owner and operator of the East Water Reclamation Facility and will be responsible for current and future maintenance of all improvements associated with this project.

First quarter amendments will transfer 2009 Water and Sewer Bond Proceeds in the amounts of $154,300.00 from 0376-96622, WWTP Aeration Improvements to 0376-96666, WWTP East Bypass and NE Pump to fund the CEI services and $1,261,547.10 from 0376-96619, WWTP Generator Replacements to 0376-96666, WWTP East Bypass and NE Pump and $1,261,547.10 from 0315-96666, WWTP East Bypass and NE Pump to 0315-96619, WWTP Generator Replacements to fund the construction contract.

Sufficient 2009 Water and Sewer Bond Proceeds are available in 0376-96666, WWTP East to fund the ODP.
5.2 Ratify and confirm Change Order 4 to APAC, Southeast, Inc. of Lutz, Florida for the East Avenue Trail Connector Turner Street to Drew Street Project (09-0023-EN) in the amount of $361,672.77 to restore the East Avenue corridor due to CSX rail and tie replacement work; replace handicap curb ramps on East Avenue to meet current ADA standards; remove the southbound turn on Cleveland Street/East Avenue, due to converting southbound East Avenue to a bicycle trail; modify signage and add 342 calendar days to contract due to delays caused by the CSX Rail and Tie Replacement project. (consent)

Council awarded a construction contract on September 3, 2009 in the amount of $289,029.25 to APAC, Southeast, Inc. for the East Avenue Trail Connector - Turner Street to Drew Street (09-0023-EN).

Through the course of this project, three previous change orders added $124,364.74 to the contract for additional curbing, debris removal and street restoration resulting from CSX Railroad rail and tie replacement. Change Order 4, in the amount of $361,672.77, is for the final restoration of the East Avenue corridor. The revised contract amount is $775,066.76.

The City will receive reimbursement from ARRA funds through the Florida Department of Transportation for $289,029.25, the original East Avenue Trail construction contract.

The Public Services Department will continue to maintain the roadway improvements.

A first quarter amendment will transfer $361,672.77 Road Millage from Capital Improvement Program (CIP) project 0315-92273, Streets and Sidewalks to CIP 0315-92343, East Ave Trail to fund the Change Order.

5.3 Ratify and confirm Change Order 5 and Final to Misener Marine Construction, Inc. of Tampa, Florida for the Downtown Boatslips Project (06-0033-MA) decreasing the contract amount by $18,681.40 for a new contract total of $11,130,330.76 and approve a time extension of 113 days for a new contract completion date of August 18, 2010.

April 17, 2008 City Council approved a contract to Misener Marine to build the Downtown Boatslips in the amount of $10,522,765.05.

Subsequent, change orders have been approved with total increases to the contract amount by $626,247.11 for a new contract value of $11,149,012.16 for the addition of seawall repairs, a new seawall cap along the entire downtown waterfront, along with repairs to the reclaimed water line damaged during pile driving and added 39 days to the contract.
Final Change Order 5 requires Council approval due to a time extension (113 days) exceeding 60 days and includes an $18,681.40 credit provided to the City by Misener Marine Construction for the Brighthouse cable installation, which was ultimately performed by Brighthouse, for a new contract value of $11,130,330.76. The 113 calendar days to be added to the contract are for inclement weather, utility locates, survey work, and time for city reviews and approvals.

Staff was directed to amend the agenda title to include the Clearwater Harbor Marina.

6. Planning

6.1 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 1809 and 1836 Diane Drive; 2762, 2763, 2766, 2767, 2770, 2771, 2774, 2775, 2778, 2779, 2782, 2783, 2786, 2787, 2790, and 2791 Diane Terrace; 1724, 1765 and 1772 El Trinidad Drive East; 1704, 1721, 1724, 1725, 1728, 1733 and 1737 Evans Drive; 1721, 1724, 1747 and 1750 Grove Drive; 1717, 1740 and 1747 Lucas Drive; 1817 and 1831 Marilyn Drive; 1813, 1819, 1824, and 1831 Skyland Drive; 2740, 2751, 2759 and 2770 Terrace Drive; and 1704, 1721, 1729, 1737 and 1755 Thomas Drive (all parcels are located in Section 05, Township 29 South, Range 16 East) and pass Ordinances 8234-11, 8235-11 and 8236-11 on first reading. (ATA2010-09003)

The City of Clearwater Planning and Development Department has identified an area within the Clearwater Planning Area with a large concentration of properties with Agreements to Annex (ATAs) that are eligible for annexation. These properties are located east of U.S. Highway 19, north of S.R. 590 and south of South Drive. Subdivisions in this area include Virginia Grove Terrace, Diane Heights and Carlton Terrace. The Department has identified 189 properties in this area that could be annexed through a phased approach over the next several years. This application, which has been identified as Phase B of the overall annexation project, includes 50 of the 189 properties. Current or previous owners of these properties entered into ATAs between 1983 and 2005 to obtain sanitary sewer service. The Planning and Development Department is initiating this project to bring the properties into the City’s jurisdiction in compliance with the terms and conditions set forth in the agreements.

The Phase B properties are occupied by 49 detached dwellings on 10.37 acres of land. It is proposed that the abutting Diane Terrace right-of-way not currently within the city limits also be annexed. It is proposed that the 50 properties be assigned a future land use map designation of Residential Low (RL). A major drainage ditch traverses five of these properties (2740 and 2770 Terrace Drive...
and 1704, 1724 and 1728 Evans Drive) for which the Drainage Feature Overlay designation is proposed consistent with the ditch boundaries. It is proposed that all parcels be assigned the zoning designation of Low Medium Density Residential (LMDR) District.

The Planning and Development Department has determined that the proposed annexation is consistent with the provisions of Community Development Code Section 4-604.E as follows: The properties currently receive sanitary sewer service from the City and water service from Pinellas County. Collection of solid waste will be provided by the City. The properties are 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 these properties by Station 48 located at 1700 Belcher Road. The City has adequate capacity to serve the properties with solid waste, police, fire and EMS service. Water service will continue to be provided by Pinellas County.

The proposed annexations will not have an adverse effect on public facility levels of service; and

The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:
Policy A.7.1.3: Invoke agreements to annex where properties located within enclaves meet the contiguity requirements of Florida Statutes Chapter 171.

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. The proposed Residential Low (RL) and Drainage Feature Overlay Future Land Use Map categories are consistent with the current Countywide Plan designation of the properties. The Residential Low (RL) designation primarily permits residential uses at a density of 5.0 units per acre. The Drainage Feature Overlay category proposed to be applied to five properties (2740 and 2770 Terrace Drive and 1704, 1724 and 1728 Evans Drive) recognizes the drainage feature on the property but does not impact development potential.

The proposed zoning district to be assigned to the properties is the Low Medium Density Residential (LMDR) District. The uses of the subject properties are consistent with the uses allowed in the Low Medium Density Residential (LMDR) District. All of the properties meet the minimum dimensional requirements of the Low Medium Density Residential (LMDR) District; therefore, the proposed annexation is consistent with the Countywide Plan, Clearwater Comprehensive Plan, and Clearwater Community Development Code; and
The properties proposed for annexation are contiguous to existing City boundaries along at least one property boundary; therefore, the annexations are consistent with Florida Statutes Chapter 171.044.

7. **Official Records and Legislative Services**

7.1 *Appoint two members to the Community Development Board with the term to expire February 28, 2015.*

Consensus was to reappoint Frank Dame and Doreen DiPolito.

8. **Legal**

8.1 *Adopt Ordinance 8225-10 on second reading, vacating the entire alley lying within Block 1 of E.P. Merit’s Addition.*

In response to questions, the City Attorney said the alleyway does not go anywhere and does not serve a public purpose. Police, Fire or Solid Waste cannot use the alleyway. The alleyway is 10 feet wide and unpaved. Engineering Assistant Director Scott Rice said the property owner opposing the vacation wishes to build a carport and have access via the right-of-way but the applicants are not willing to provide the easement. Planning and Development Director Michael Delk said that no additional units are permitted on the property and the city does not allow new construction on a roadway less than 12 feet.

9. **City Manager Verbal Reports**

9.1 *Clearwater Country Club Memberships / RFP*

Parks and Recreation Director Kevin Dunbar reviewed performance of the current operator, efforts made to stabilize the operation of the golf course and interest from various golf course management companies to run the facilities. Under the current agreement, Greg McClimans is not allowed to extend memberships beyond the end of April. In order for the facility to be sustainable, club membership must increase to 300 members. There are currently 150 members. Staff is requesting that Council allow Mr. McClimans to sell memberships on a monthly basis and allow staff to negotiate a contract with Mr. McClimans.

10. **Council Discussion Items**

10.1 *One Bay Resolution*

The Tampa Bay Regional Planning Council is requesting support for the One Bay Regional Vision, a shared regional vision for Tampa Bay. The One Bay Vision
recommendations include supporting environmentally sustainable growth, protection of water resources, and energy conservation; creating jobs through sustainable economic development practices and fostering quality communities; supporting increased diversity in housing options for families and individuals; encouraging compact and mixed-use development; promoting transit and transit-oriented development; and encouraging preservation of open space and agricultural land.

Concerns were expressed regarding the costs associated with integrating concepts of the One Bay Vision in the local comprehensive plan.

Staff was directed to invite a representative of the Tampa Bay Regional Planning Council to the council meeting on Thursday and confirm if the City may amend the resolution.

10.2 Environmental Advisory Board Recommendation Concerning Dune Protection and Enforcement on Clearwater Beach.

Environmental Manager Ed Chesney said the Environmental Advisory Board has expressed concerns regarding the State’s lack of dune protection enforcement and suggested the city adopt a citywide ordinance to protect dunes. Mr. Chesney said Sarasota County is the only government body in Florida that has enacted a similar ordinance. Currently, the State has only one code enforcement officer for the entire state.

In response to questions, Mr. Chesney said the dunes located on private property are the ones being disturbed. The City provides the State with information documenting dune destruction. The City receives a copy of any State correspondence regarding the dune destruction issued to the property owner. The City Manager said any enforcement by city staff would be on a complaint basis.

Staff was directed to contact the Florida Department of Environmental Protection regarding the lack of enforcement and provide information on the number of properties impacted by dunes.

11. Closing Comments by Mayor - None.

12. Adjourn
The meeting was adjourned at 10:49 a.m.