



**BEACH STEWARDSHIP COMMITTEE MEETING
CITY OF ST. PETE BEACH**

155 Corey Avenue
St. Pete Beach, FL 33706

Wednesday, May 17, 2023
9:00 AM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Presentations -

a. Jim Kilpatrick, Fire Chief - Moment of Silence for drowning at Pass-a-Grille; Rip Tide Safety; Actions to Prevent Reoccurrence

b. Holly Short, Audubon Society - Black Skimmer Report

c. Theresa Aronholz, Sea Turtle Trackers Report

2. Approval of the Agenda -

Action Request: Motion to approve (or with changes) the May 17, 2023 agenda.

3. Audience Comments -

Comments shall be limited to 3 minutes, general comments shall be limited to non- public hearing items on the agenda. Public comment on agenda items will be allowed when that item is called. Please submit a comment card to the Clerk and state your name and address at the podium.

4. Action Items -

a. Approval of Minutes - February 15, 2023

b. Election of Committee Officers 2023-24

Sec. 22-306. - Election of officers; conduct of meetings.

(a) The beach stewardship committee shall annually, at the first meeting held following the appointment of members, organize by electing a chairman and vice-chairman and such other officers as may be necessary from among its members.

Current Chair Dan Rothenberger; Current Vice Chair Lenny Stamos

Requested Action:

Motion to APPOINT _____ as the Committee Chair for 2023-2024 Fiscal Year.

Motion to APPOINT _____ as the Committee Vice Chair for 2023-2024 Fiscal Year.

5. Items for Discussion -

a. Update on Beach Ordinance

City staff had a reading with the commission on February 28, 2023. The commission had some suggestions/changes to what was presented. Those updates are outlined in the attached document for discussion with the committee.

6. Adjournment -

APPEAL: In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT (ADA): In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

The public is cordially invited to attend this meeting.

All agenda material is available for review at City Hall or www.stpetebeach.org.

DRAFT BEACH STEWARDSHIP COMMITTEE MINUTES

February 15, 2023 - 9:00 A.M.

PRESENT: Dan Rothenberger, Chair
Linda Borgia, Member
John Kurzman, Member

EXCUSED: Michael Welch, Member
Lenny Stamos, Vice Chair

STAFF PRESENT: Ayako Ruckdeschel, Beach Manager
Matthew McConnell, Assistant City Attorney (telephonic)
Jennifer McMahon, Chief Operating Officer
Ginny Bodkin, Deputy City Clerk

Chair Rothenberger called the meeting to order at 9:02 AM.

1. Presentations

- a. Capt. Neill Holland, Ocean Aid 360 - environmental issues (Red tide) and how his team is working to resolve them. Sea Turtle Trackers End of Season Report

Captain Holland introduced his Ocean Aid 360 colleagues. He explained some of their work and mission and their community-based events to collect ocean debris. He spoke about 2021 having a huge impact with Red Tide adding to the concern for healthy marine-life habitat. He explained that the dip nets that were being used for cleanup were inefficient. In conjunction with the Coastal Conservation Association of Florida and a grant from Duke Energy, prototypes for more efficient nets were created. Ocean Aid 360 was contracted for two days in late December of 2022 to assist St. Pete Beach with the massive fish kill pick up. The results were extremely positive.

A video presentation illustrating traditional fish kill cleanup vs. the newly developed 'Seascaper' collection nets was shown. The nets have unique elements in terms of larger capacity and the ability to access residential canals and areas inaccessible to larger boats, reducing cost and time. Captain Holland explained that the organization is developing the best model for municipal use that could either be purchased or contracted for use during times of need; the nets and services could be used by locals as well. He mentioned that emergency service contractors often come from out of state and lack local knowledge.

A question-and-answer period followed the presentation. Captain Holland expressed gratitude to the City for their support. The Chair encouraged the public to look at Ocean Aid 360's website.

2. Approval of the Agenda

Member Borgia moved, and Member Kurzman seconded the approval of the agenda as presented; the motion passed unanimously.

3. Audience Comments – None

4. Action Items

a. Approval of Minutes 11/16/2022

Member Borgia suggested the addition of the words ‘the ban on smoking’ after ‘Member Welch inquired about’ for clarity.

Member Borgia moved, and Member Kurzman seconded the approval of the November 16, 2022 minutes with the addition; the motion passed unanimously.

5. Items for Discussion

a. Usual and customary policies regarding ownership and public beach access –

Member Kurzman had asked that this item be on the agenda; he shared slides that he had prepared regarding public access to the beach. His slides are part of the meeting record. Mr. Kurzman spoke about definitions of mean high water and erosion control lines and those locations within St. Pete Beach, Florida Statute 161 and 163 excerpts, customary use, the St. Pete Beach Comprehensive Plan, HB 163, Walton County Panhandle and Redington Beach public access legal review excerpts, St. Pete Beach access points, Silver Sands Executive Session transcript excerpts from September of 2019, and Ordinance 2019-16 which rescinds parts of Ordinance 2018-17 regarding customary use of beach rights. He spoke about research he conducted on the Property Appraiser’s website regarding various hotel’s tax data, and maps of Coastal Construction Lines and Cadastral 2016 Property Appraiser Parcels Public View. He concluded with asking how the City should move forward with beach rights for residents and Sheriff enforcement, and the sensitivity of making any changes to usual and customary beach use.

Assistant City Attorney Matthew McConnell appeared telephonically; he first made clear that the City Attorney’s Office was not involved in any way with Mr. Kurzman’s presentation and that they take direction solely from the City Commission. He went on to comment that under prior administration, the 2018 Ordinance was adopted prior to the deadline specifically for the purpose of use as an affirmative defense in any proceeding. Mr. McConnell addressed the other matters that were raised including the City Commission’s decision to rescind that ordinance, the upcoming beach ordinance informing the Sheriff’s Office of places where they cannot evict anyone and having a clear depiction of property lines. He provided some updates to the Redington Beach and Walton County cases that are still ongoing.

Mr. McConnell explained that based on their last meeting, it appears that the City Commission is interested in embarking on a customary use process; it is a lengthy, involved process with statutory regulations that include notice of intent, collection of evidence, affidavits, hearings, etc. Mr. McConnell answered other questions concerning high water and erosion control lines, the dune system, cabanas and the public’s rights on dry land. The beach ordinance will provide more regulation.

5. Adjournment – Next meeting will be May 17, 2023 and will include the election of officers.

There being no further business, the meeting was adjourned at 10:07 AM.

These minutes will be considered for approval at the May 17, 2023, Beach Stewardship Committee meeting.

**BEACH STEWARDSHIP COMMITTEE MEETING
CITY OF ST. PETE BEACH**

Agenda Report

Action Request: Discussion

Strategic Objective:

Date: May 17, 2023

Prepared By: Ayako Ruckdeschel, Beaches Manager

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: This committee has reviewed the changes and suggestions to the code that pertains to the beaches (beach ordinance). Those went to the commission on February 28, 2023 and they suggested a few more updates. Before the ordinance changes goes back to the commission, a final review of the updates that were added after the February 28, 2023 meeting will be discussed by the beach stewardship committee.

Funding: N/A

Attachments:

Beach Ordinance

Page 15 / Sec. 95-1

Change “*Beautify the City’s beaches*” to “*Beaches in the City*” to cover all beaches.

Page 16 / Sec. 95-2

Definition of *Public Beach* changed to *Beach*. Add in “Pursuant to F.S.S. 161.141 as amended”.

Page 18 / Sec. 95-4(b)

Take out publicly and privately owned.

Page 18 / Sec. 95-4(e)

Remove entire section, very similar to (b)

Page 19 / Sec. 95-6(2)

Add that tiki huts may not be used for the sale of alcohol.

Page 19 / Sec. 95-6(3)

Remove completely.

Page 19 /Sec. 95-7(a)

Take out “to sell or rent...”

Page 19 / Sec. 95-8(a)

Add bicycle permits are only for residents of St. Pete Beach.

Page 19 / Sec. 95-8(d)

Add MUST require liability insurance.

Reword to exempt City vehicles, PCSO, EMS

Page 19 / Sec. 95-8(e)

Remove completely.

Page 19 / Sec. 95-8(g)

Remove wording exempted by City Manager.

Page 20 / Sec. 95-10(a)

Reword to “All beaches without first obtaining a permit from the city.”

Page 22 / Sec. 95-17

Remove wording “Public beach.”

Page 24 / Sec. 95-20(d)

Reword beach weddings language.

Page 25 / Sec. 95-21

Review wording on Public and Private lands for special events.

Page 26 / Sec. 95-22(i)

Too include residents into this section, take out “That have current room rental as well as a cabana rental in the cabana service area.”

Discussion on this section:

Can you make 10% of cabana service area designated for “general public?”

If hotels are designating off their property lines – that will be a Code Enforcement Case and barriers will be removed.

Consistent cabana service area barriers will be placed into the sand.

Do we want to take away wristbands and use marked hotel/resort alcohol cups instead?