

**City Commission Meeting
November 14, 2023
6:00 p.m.**

ELECTED OFFICIALS PRESENT:

Adrian Petrila, Mayor
Mark Grill, Vice Mayor, Commissioner, District 2
Chris Graus, Commissioner, District 1
Ward Friszolowski, Commissioner, District 3
Chris Marone, Commissioner, District 4

STAFF PRESENT:

Andrew Dickman, City Attorney
Wayne Saunders, City Manager
Amber LaRowe, City Clerk
Matthew McConnell, Assistant City Attorney
Jennifer McMahon, Chief Operating Officer
Julie Anderson, Building Division Manager
Alaina Grundy, Transportation Planner

Mayor Petrila called the meeting to order at 6:00 p.m., followed by the Pledge of Allegiance.

1. APPROVAL OF THE AGENDA

Vice Mayor Grill requested the addition of a discussion item on board members as public officials (item 7.b.).

Commissioner Marone requested the addition of a discussion item on an update from Legal on the U.S. Army Corp of Engineers and beach renourishment (item 7.c.).

Motion: Commissioner Graus moved, Vice Mayor Grill seconded, and the motion carried 5-0 to approve the November 14, 2023 City Commission Agenda as amended.

2. AUDIENCE COMMENTS

Jolynn Lawson, resident, gave comments to the Commission via a handout (made a part of the record) on the Protect St. Pete Beach views of development, the Sirata, and the Planning Board meeting yesterday.

Neal Blackburn, resident, commented on Pass-A-Grille alleyway trash pickup.

Claudine Reece, resident, gave comments on the Sirata Planning Board meeting yesterday.

Edna Hicks, resident, shared her comments on the Planning Board meeting yesterday, the Sirata, and developments.

Dana Richardson, resident, echoed similar comments to those made by Ms. Reece and Ms. Hicks.

John Kurzman, resident, shared his opinions on the Comprehensive Plan. His slides as displayed during the meeting are made a part of the record.

Attorney Dickman commented on quasi-judicial proceedings, the Planning Board meeting, and offered his time to any resident, or group of residents, that would like to hear more information on how quasi-judicial meetings

must be handled as required by Florida Statute.

3. CONSENT

- a. November 6, 2023 City Commission Meeting Minutes

Motion: Commissioner Friszolowski moved, Commissioner Marone seconded, and the motion carried 5-0 to approve the November 14, 2023, City Commission Consent Agenda.

4. ACTION ITEMS

- a. **Pinellas County Multi-Jurisdictional Community Rating System Annual Report for Program for Public Information, Flood Insurance Improvement Plan, and Flood Response Plan dated January 2023**

Julie Anderson, Building Services Manager, explained that this Report is prepared by Pinellas County in conjunction with input from City staff and resident stakeholders. She discussed the timeline and the Community Rating System (CRS) points for participation and adoption of this annually. It was noted that Bill Palmer's name was still outlined throughout the report even though he no longer works here. Ms. Anderson stated that is because this Report takes approximately a year to complete, and the County must have continued to use the incorrect information prior to publishing; it will be corrected in the Report that they are working on for January 2024.

Motion: Vice Mayor Grill moved, Commissioner Marone seconded, and the motion carried 5-0 to approve the Pinellas County Multi-Jurisdictional Community Rating System Annual Report for Program for Public Information, Flood Insurance Improvement Plan, and Flood Response Plan dated January 2023.

5. ORDINANCES

- a. **Public Hearing Ordinance 2023-15: Fire Pension Membership to Florida Retirement System**

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA RELATED TO MEMBERSHIP INTO THE FLORIDA RETIREMENT SYSTEM PROVIDING FOR CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

This Ordinance is required as part of the transfer of the Fire Pension Plan into the Florida Retirement System.

Attorney McConnell noted the Business Impact Statement attached (no impact) and that no changes have been made since last week's first reading.

Motion: Commissioner Graus moved, Commissioner Friszolowski seconded, and the motion carried 5-0 to adopt Ordinance 2023-15.

6. RESOLUTIONS

- a. **Resolution 2023-22: Records Management Policy**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, ADOPTING A RECORDS MANAGEMENT POLICY ADDRESSING RECORDS RETENTION AND DISPOSITION; PROVIDING FOR SEVERABILITY, CONFLICT, CORRECTION OF SCRIVENER'S ERROR; AND AN EFFECTIVE DATE.

Amber LaRowe, City Clerk, stated that this was developed by her office to further facilitate appropriate records management in compliance with Florida Law. The City must have an effective records management plan in place so that staff can have a reference point to ensure compliance; the Clerk's Office will be preparing training to go together with this Policy if adopted.

Mrs. LaRowe outlined two changes to the Policy:

- In the section about text messages, she will add language that states employees will be responsible for maintaining business-related text messages in accordance with the appropriate records management schedule and/or forward that text message to the Clerk's Office for compliance.
- Regarding auditing, Mrs. LaRowe will add language in the Policy that indicates audited information will be shared with the City Commission and City Manager's Office.

Motion: Commissioner Friszolowski moved, Commissioner Marone seconded, and the motion carried 5-0 to adopt Resolution 2023-22 with the above changes as mentioned.

7. ITEMS FOR DISCUSSION

a. Freebee FY24 Service Expansion Discussion

Jennifer McMahon, Chief Operating Officer, explained that the Looper option as discussed during the budget meetings would not be infeasible, per Freebee. Instead, Freebee is suggesting that the City implement four additional vehicles during the high season of February through July or increase two vehicles for the entire year. Freebee recommends adding vehicles during the following peak schedule for all 7-days:

- 4-9 PM Monday - Thursday
- 3-10 PM Friday and Saturday
- 10-8 PM Sunday

Mrs. McMahon stated that either of the above options would give the City a total of either 6 or 8 vehicles during the highest demand periods of each day. Freebee is asking that the City commit to extending the contract for an additional two years to ensure that Freebee will recoup the investment that they will make to accomplish either of the two options; the hourly rate of \$30.60/hour would remain.

Vice Mayor Grill commented on the lack of data that he had been requesting since earlier this year. Mayor Petrila echoed the same and discussed the resident versus visitor information that he would like the City to have.

Discussion continued on the service Freebee provides, peak times, and wait times. Mrs. McMahon stated that she understood the goal to be a level of service for a wait time not to exceed 15 minutes.

Mayor Petrila continued to discuss the need for Freebee to prioritize the residents who book the service. Alaina Grundy, Transportation Planner, stated that she has discussed this with Freebee, and they have informed the City that they do not have the system in place to collect the data where the information would effectively identify residents versus visitors. Freebee stated that the City can create the code/application and they will utilize that as part of their service to the City. The Mayor was displeased with this and would like to have a representative from Freebee to attend a Commission meeting to further educate them on why their software program cannot accomplish this and why the City must take the burden of creating something for them to utilize.

At this time, Mrs. McMahon encouraged the Commission to decide which option they would like staff to move forward with on Freebee services, and then staff can bring this back to the Commission soon with a Freebee representative and more data.

The consensus of the Commission was to move forward with Freebee adding four additional vehicles during peak season (February through July) and for staff to bring the contract back to a City Commission meeting for approval. Staff will schedule a meeting for Freebee to come and speak to the Commission and bring more data.

John Kurzman, resident, provided comments to the Commission on the need for more data especially as it relates to how long the cars are on the road versus charging.

Dana Richardson, resident, mentioned the need for commercial establishments to provide funds to assist with the increase in Freebee to accommodate their patrons and to ensure that the residents are still able to utilize Freebee at an appropriate time.

b. Board Members as Public Officials

Vice Mayor Grill mentioned some recent social media posts made by board members that perpetuate misinformation.

Attorney Dickman discussed the Ethics Statute and the City's Code that outline the expected requirements for elected officials and board members. This Code was discussed, in detail, during the June Sunshine/Ethics training held in Chambers.

Discussion continued. It was decided that each elected official would remind their appointees of the expectations of social media and that they should do their best to post fact-based information.

c. Legal Update on the U.S. Army Corp of Engineers (USACE) and Beach Renourishment

Attorney Dickman discussed the changes to USACE and their ability to fund renourishment if perpetual easements are provided. This is an evolving issue with discussion being had with the City and USACE. Silver Sands is a property in the City that needs to provide the USACE with perpetual easements for the work to be done across the entire City beaches that need renourishment. Legal, the County, USACE, and Silver Sands met recently to discuss their concerns and the easements. Attorney Dickman stated this is an evolving issue with discussions continuing.

Commissioner Marone would like the City to pursue a strategy with the help of the City Attorney on obtaining these easements. Attorney Dickman will request a meeting with Silver Sands and the City Manager and provide information to the Commission as soon as possible.

8. CITY CLERK, CITY MANAGER, CITY ATTORNEY, AND CITY COMMISSION REPORTS

Amber LaRowe, City Clerk – mentioned the close of qualifications for the District 1 and District 3 Commissioner seats concludes at noon on Friday, November 17th.

City Clerk LaRowe reminded the Commission that the Sirata Conditional Use Permit will be the only item on the December 5th Agenda. The meeting starts at 6:00 p.m. and will be located at City Hall; yesterday's Planning Board meeting took approximately 6 hours, so that may be an indication of the City Commission meeting.

The Commission questioned the location of the meeting being held in the Commission Chambers versus the Boca Ciega Ballroom at the Community Center. Mrs. LaRowe gave the pros and cons of having at the Community Center, most noticeable is the difference in the video recording and the capability of streaming it live for the public at home. Discussion continued with Commissioner Marone and Commissioner Friszolowski expressing concerns about the ability to view the presentation, to hear, the acoustics, etc.

IT confirmed that having a public meeting at the Community Center would look nothing like it does today especially due to lack of amplified sound and audio/video. Mrs. LaRowe confirmed with IT that having the meeting viewable outside in the City Hall parking lot would be a viable option. Mayor Petrila expressed his concerns about seating and the public being able to hear their name being called for public comment.

The Commission discussed the time of the meeting with a decision being made to move the meeting to 5:00 p.m. Attorney Dickman reminded the Commission that they have the authority to require the applicant to keep their presentation to a certain length of time and can also reduce public comment from 3 minutes, if necessary. The Commission did not want to limit any time for the public or applicants at this time.

It was decided that staff would work on a plan for the seating, viewing, and public comment and prepare a tentative plan for the Commission by the end of the day Friday.

Commissioner Marone – discussed the garbage pickup update for the Pass-A-Grille alleyways that will be summarized and presented to the Commission in December.

Discussed pet issues on the beach and reminded everyone that the City is dog friendly, but that the City is not a dog beach City.

Vice Mayor Grill -- mentioned the watering restrictions in place as established by the Southwest Florida Water Management District.

Mayor Petrila adjourned the meeting at 9:14 p.m.

MINUTES APPROVED:



AMBER LAROWE
CITY CLERK



ADRIAN PETRILA
MAYOR