

**City Commission Meeting
February 13, 2024 - 6:00 p.m.
City Hall Commission Chambers**

ELECTED OFFICIALS PRESENT:

Adrian Petrilă, Mayor
Karen Marriott, Commissioner, District 1
Nick Filtz, Commissioner, District 2
Rich Lorenzen, Vice Mayor, Commissioner, District 4

ELECTED OFFICIALS ABSENT:

Betty Rzewnicki, Commissioner, District 3

STAFF PRESENT:

Andrew Dickman, City Attorney
Wayne Saunders, City Manager
Ginny Bodkin, Deputy City Clerk
Matthew McConnell, Assistant City Attorney
Mike Clarke, Public Works Director

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

1. APPROVAL OF THE AGENDA

Commissioner Marriott suggested adding a discussion item on parameters for the 2/21/24 Special Commission meeting. City Attorney Dickman cautioned that as it will be a quasi-judicial hearing, it may be best to raise that at the beginning of that meeting with all parties present, but a general discussion item was added.

Motion: Commissioner Filtz moved, Vice Mayor Lorenzen seconded, and the motion carried 4-0 to approve the February 13, 2024 City Commission Agenda as amended.

3. AUDIENCE COMMENTS

Resident Richard Kane of 749 59th Ave. spoke about a seawall/culvert/pipe issue on his property abutting his neighbor. He provided a timeline, photos, and a copy of an engineering report that had been completed, which are part of the meeting record. He asked, based upon that evidence, that the City share some responsibility in the repairs. The Mayor asked that Mr. Kane send him an email, copying the City Manager, and the City Manager will look into it further.

4. CONSENT

- a. City Commission Meeting Minutes: January 9, 2024, January 10, 2024, and January 23, 2024, Executive Session and 6:00 p.m. Meeting
- b. Pond Maintenance Piggyback Agreement
- c. Ratification of Appointment of the Fifth Trustee to the Fire Pension Board
- d. Purchase of a F350 Pickup truck for the Facilities Department
- e. FDEM HMGP Grant - Community Center Seawall Design
- f. Resilient Florida Grant Award - Community Center Seawall Construction

Motion: Commissioner Marriott moved, Commissioner Filtz seconded, and the motion carried 4-0 to approve the February 13, 2024 City Commission Consent Agenda as presented.

5. ACTION ITEMS

a. 7th and 8th Avenue Alleyway Redesign

Public Works Director Mike Clarke explained that this alleyway has been in disrepair for several reasons including that it is shell and heavily travelled with delivery and garbage trucks and personal vehicles. The desired outcome is for a better, safer, wider alleyway that can withstand the usage and manage storm runoff adequately. If approved, the plan is to secure a design to make this alleyway functional for all uses.

Motion: Vice Mayor Lorenzen moved, Commissioner Marriott seconded, and the motion carried 4-0 to approve the task order under the continuing engineering services contract with Halff Associates, Inc. for 7th & 8th Avenue Alleyway Redesign in the amount of \$42,990.00.

b. Florida Department of Emergency Management Hazard Mitigation Grant Program: Approval of Grant for the Community Center and Horan Park Seawall Design

City Manager Wayne Saunders indicated that agenda items 5 b. and c. go hand in hand.

Mr. Clarke explained summarized that the Hazard Mitigation Grant is for both the design of the seawall replacement along the Recreation Center and Horan Park. The grant program for construction happened to run directly after, so staff immediately applied for that portion of the project, and both were awarded.

The Construction grant is a 50/50 match and the City's 50% has been identified. The project will have living shoreline aspects to it and will bring the cap elevation up to five feet in accordance with City Code. Protecting this location is an important step for the resiliency program to continue operations during hazardous flooding events; the area is a water gateway to the municipal governance, downtown, adjacent neighborhoods, and significant infrastructure run by Duke Energy. He mentioned that there are different varieties of coral along the seawall and therefore will be a coral management aspect to the project.

Commissioner Marriott inquired about the seawall under the Causeway. Mr. Clarke explained that that is not part of the project as we have an adjoining property line with FDOT. FDOT will be working with the City as the design moves forward. Mr. Clarke also explained that the living seawall may move the seawall seaward or landward slightly. This project is an opportunity for St. Pete Beach to lead the region in utilizing all of the latest technology and invisible defense.

Motion: Vice Mayor Lorenzen moved, Commissioner Marriott seconded, and the motion carried 4-0 to enter into an agreement with the Florida Division of Emergency Management for a Hazard Mitigation Grant for the Community Center and Horan Park Seawall design in the amount of \$ 113,070.90.

c. Resilient Florida Grant: Approval of Grant for the Community Center and Horan Park Seawall Construction

Assistant City Attorney Matthew McConnell directed the Commissioners to an Exhibit J (Common/Contracted

Carrier Attestation Form) that they received a copy of this evening. This piece of the contract was provided by the County 2 days ago, and is part of the meeting record. This attestation is a standard part of a grant and evidently did not make into the packet on time.

Motion: Commissioner Marriott moved, Vice Mayor Lorenzen seconded, and the motion carried 4-0 to enter into an agreement with the State of Florida Department of Environmental Protection for a Resilient Florida Program Grant in the amount of \$750,000.00 for the Construction of the Community Center and Horan Park Seawall with a City match in the amount of \$750,000.00 for a total construction project amount of \$1,500,000.00.

8. ITEMS FOR DISCUSSION

a. Update on the Pass-A-Grille Alleyway Garbage Pickup

Public Works Director Mike Clarke informed the Commissioners that he, along with Vice Mayor Lorenzen, drove through the alleyway system with Waste Connections representatives to assess the alleys that are believed to be the most likely to have ready for a return to service first. The subject alleys were from 22nd Avenue on the west side south the 16th Avenue at the park. Mr. Clarke stated he would be returning to the alleyways tomorrow with Waste Connections in an actual garbage truck to ensure that the operators will be able to do their job in a safe, efficient manner for themselves and their equipment and not place others or their possessions at risk. He added that one commercial business is ready to have service restored. Staff will work with property owners or utility providers to resolve any issues they find. He can bring the findings and a plan as to what needs to be done and when it can be done to the next meeting. If that is successful, a notification will be sent to each affected property owner that will be restored to normal service, when that would begin.

The next proposed phase has tight spaces for trucks to turn and some parking spaces may be lost. If there are unforeseen issues on a given day that block the alley in some way, there will be a non-service for that portion of the route. It is not expected to happen often but should be known.

Mr. Clarke indicated that there are some significant challenges in the remaining areas. He sees about 3 phases and hopes to look at the next third and tackle in a similar process to phase one, and then the remainder that we may never be able to get back into without significant movement. A difficult but doable phase will require resident and utility assistance. The most difficult phase may be a long-term proposal and a handful of properties may never be doable. Those obstacles would be presented along with that reasoning.

Mr. Clarke added that some 8th Avenue businesses will be restored soon and hopefully the 7th and 8th Avenue alley project will alleviate a lot more of that through the design process.

Vice Mayor Lorenzen reported that the drive through was an eye opener and a three phase approach makes sense.

Bill Loughery of 2405 Pass-A-Grille Way commented that next week is 6 months since the service disruption began. 6 blocks out of 44 blocks were addressed tonight. He was pleased with Mr. Clarke's report and hopes for a schedule for the next phases.

Resident Amy Loughery thanked staff for the work they have done on this project for commercial businesses.

Pat and Carlos Lopez of 1005 Gulf Way commented on tree trimming being necessary and cars parked where they should not be. If everyone conformed, there would be no problems. A letter should be sent to residents advising what they need to do.

b. Review of 2023 Lobbyist Contact Logs

Mayor Petrila stated that he brought this up for a discussion item at the last meeting. It is a City Ordinance that certain staff, Commissioners, and certain Board members should fill out contact logs each quarter to disclose contact with lobbyists. Several board members have not been keeping up to date. The reporting lists for the last year were part of the meeting packet. The Mayor gave examples of individuals who had not reported contact, so it is unknown who they may have met with. Not filing a report is a violation of a City Ordinance; perhaps the ordinance does not have enough teeth.

Commissioner Lorenzen reported that two of his appointees have sent forms following an email request. He suggested the idea of amending the reporting policy/ordinance to remove board members if they miss three reports.

City Attorney Dickman provided the background of when the lobbying policy was created, enacted, and implemented. As the City never had such a policy, this was the 1.0 version, and it can be refined. Board and Committee members work under and are appointed by and report to a specific Commissioner. He referred the Commissioners to read the ordinances for each board, which say that if a member misses three meeting, there is grounds for removal.

Following discussion, the Mayor proposed that if a board member does not file a lobbyist contact report by the 10th of the month following the end of the quarter, they cannot participate in meetings until they do; if they miss three meetings, they are removed. Commissioner Marriot voiced agreement. The City Clerk would track missing reports and report that to the associated Commissioner/s.

Attorney Dickman agreed that he could draft language on proposed amendments to the policy/ordinance.

Deborah Schechner of Boca Ciega Isle Drive commented that even prior board members should be required to fill out forms retroactively if they voted on development cases before the Planning Board. The Planning Board is the future of our City.

c. Added Item – Next Commission Meeting

Mayor Petrila asked the City Attorney to give more detailed instructions to the Boards and the Commission as to what ex-parte communication should be and what they should be exposing; at the last Conditional Use hearing he provided three paragraphs.

d. Added Item – 2/21 Special Meeting

City Manager Saunders gave a summary of seating and logistics; it will be similar to the December 5th meeting.

Commissioner Marriott asked what options they may have regarding time frames, and what is customary, to ensure we get through the whole process. It isn't fair to the community or residents to go on for more than eight hours, when people are no longer thinking clearly. Attorney Dickman explained the quasi-judicial process including staff recommendations, applicant time, expert testimony, rebuttal, etc. Examining witnesses may take additional time. Public comment is three minutes each; affected parties may ask for additional time; those are judgment calls and part of due process. Focus should be on expert testimony that is used to make decisions.

Vice Mayor Lorenzen inquired about ways to shorten public comment; Attorney Dickman said Commissioners may ask commenters to be succinct and not repetitive; that is more impactful.

e. Added item – Past Public Comment

Mayor Petrila asked the City Clerk to try to get all of the public comment from the 12/5 meeting into one continuous document instead of having to click each entry to distribute to the Commissioners.

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

Commissioner Marriott – reported that the undergrounding of utilities on the beach is almost wrapping up and there are fewer trucks and equipment out; no power was lost in the last big storm. She attended the Tampa Bay Beaches Chamber of Commerce dinner last week. The Tradewinds Resort won an environmentally friendly award - particularly the employees and she gave ‘props’ to them for that.

Commissioner Filtz – reported there is a Three Palms Point Block Party on April 6th. He is looking to fill a Parks and Recreation Advisory Committee seat – please contact him if interested.

Vice Mayor Lorenzen – indicated he may have a Planning Board appointee and should know in the next few days, but he is still taking suggestions. His first Hurley Park Meet and Greet was successful. He also reported that the Hurley Park dog park opened this morning. New lighting in Pass-A-Grille is installed and working between 1st and 7th Avenues on the east side. He asked residents between 9th and 22nd Ave. in PAG to be looking for a notice from Pinellas County for a Temporary Right-of-Way for lateral water lines; if you don’t respond, they may put them where they see fit.

City Manager – announced a Special Commission Meeting set for April 15th at 4:00 PM for the Tradewinds Conditional Use.

Mayor Petrila – requested receiving the Conditional Use agendas and meeting packets 10 days in advance for more time to review prior to the meetings; City Manager Saunders will be checking with staff.

Mayor Petrila adjourned the meeting at 7:24 p.m.

MINUTES APPROVED: 2/27/2024



GINNY KEETER-BODKIN
DEPUTY CITY CLERK



ADRIAN PETRILA
MAYOR