

**City Commission Meeting**  
**October 22, 2024**  
**6:00 p.m.**

**ELECTED OFFICIALS PRESENT:**

Adrian Petrila, Mayor  
Joe Moholland, Vice Mayor, Commissioner, District 4  
Karen Marriott, Commissioner, District 1  
Lisa Robinson, Commissioner, District 2  
Betty Rzewnicki, Commissioner, District 3

**STAFF PRESENT:**

Ralf Brookes, Interim City Attorney  
Frances Robustelli, City Manager  
Amber LaRowe, City Clerk  
Brandon Berry, Senior Planner  
Luke Curtis, Building Official  
Andrew Laflin, Interim Finance Director  
Camden Mills, City Engineer/Assistant Public Works Director  
Denise Sanderson, Community Development Director

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

**1. PRESENTATIONS**

**a. Debris Management Procedures**

Camden Mills, City Engineer/Assistant Public Works Director, gave a presentation to the City Commission on debris management. This presentation is made a part of the record. Information shared included:

- Examples of various equipment utilized for debris removal/management
- The process
- Debris that is accepted vs. not accepted
- Resident guidance
- Progress to date
  - 1,198 loads (73,622 cubic yards) staged at Egan Park
  - 136 loads (11,014 tons) hauled from Egan Park to disposal sites
- Timeline for completion by 90 days
- Roadblocks encountered
- Florida Division of Emergency Management (FDEM) guidelines and compliance
- FEMA guidelines and compliance
- Evaluating private property debris removal
- Estimated costs if the City removes debris from private property
- Frequently Asked Questions
- Resources/Contacts

Mayor Petrila received information that FEMA does not reimburse the City's removal of debris on private property.

If a private property owner ends up with debris on their property that is not theirs, that business/property owner can contact FEMA so that they can send an inspector to the property to review that debris. City Manager Robustelli stated that if the Commission knows of any hardships to have them contact her office.

Mr. Mills has requested that the debris hauler (Aftermath) provide a schedule or queue for the City on where and

when for residential pickup; when received, Mr. Mills will be updating the City's website.

**b. Substantial Improvement/Substantial Damage (FEMA 50% Rule) Discussion**

Denise Sanderson, Interim Community Development Director, gave a presentation to the City Commission; a copy of the presentation is made a part of the record. Information shared included:

- National Flood Insurance Program (NFIP)
- Community Rating System (CRS)
- CRS Savings
- Current lookback standard – Section 98-35 of the Code of Ordinances
- Substantial Damage as defined by FEMA P-758
- Potential options
  - No enforcement of the substantial improvement/substantial damage (SI/SD) rule
  - SI/SD compliance with no lookback period
  - SI/SD compliance with 1-year lookback period, no hardening exclusions
  - SI/SD compliance with 5-year lookback period and current hardening exclusions
- Review of each of the above 4 options and pros/cons
- Mitigating the CRS point loss and the tactics involved
  - Pros/cons of the tactics

More information will be obtained from FEMA regarding how they review the 50% and “lookback”.

Discussion of appraisals, market value, and the Property Appraiser's website where the “FEMA Letter” can be found per property.

Senior Planner Brandon Berry touched on historically designated structures and the timeframe for those not designated but were applying.

Staff were asked to count all the submitted FEMA packets from the last 3 years to get an estimate of who would be impacted by the lookback and 50% rule.

**2. APPROVAL OF THE AGENDA**

The Substantial Improvement/Substantial Damage presentation was continued to discussion item 7.b.

Vice Mayor Moholland requested a discussion item on Ordinance 2024-09 (7.c.).

Commissioner Rzewnicki requested a discussion on resources to the community (7.d.) and possible zoning changes that can be made to help with mitigation (7.e.).

Commissioner Robinson requested a discussion item on extending the pricing of Aftermath to private property owners (7.f.).

Commissioner Marriott requested a discussion item on reduction of permit fees (7.g.).

Mayor Petrila requested a discussion item on holiday events (7.h.) and workshop/town hall to help navigate the FEMA applications (7.i.).

City Manager Robustelli requested that item 4.d. of the Consent Agenda to Action Item 5.c.

**Motion: Vice Mayor Moholland moved, Commissioner Marriott seconded, and the motion carried 5-0 to approve the October 22, 2024, City Commission Agenda with the modifications made.**

### 3. AUDIENCE COMMENTS

Resident John Kurzman presented some information to the Commission regarding FEMA 50%, base flood elevation and permitting. A copy of the information he shared is made a part of the record.

Resident Deborah Schechner thanked the City staff for their hard work. She mentioned some various funding sources and programs that may be available to assist with disaster recovery.

Robin Miller, President and CEO for the Tampa Bay Beaches, spoke about the progress in the City with recovery, both businesses and residents.

Resident Vince Tormenia asked various questions regarding 50% rule, timelines, calculations, permits being waived, administratively approved permits, and procedural inspections. A copy of his questions is made as part of the record.

Resident Paul Looney thanked everyone for their hard work. He commented on flooding and resiliency as well as rebuilding.

Resident Grant Izzi stated that the FEMA rules are not something that the City can change; instead, the focus should be on educating staff to be well versed in FEMA and their guidance. He opined a zero-year lookback (as presented during presentation item b) to be the best for the residents.

Resident Ed Schwind expressed concern about who is evaluating the substantial damage criteria. He also requested the estimated cost calculator for construction and labor that will be used by the City for evaluating the 50%.

Resident Sam Angelides thanked the City staff for their hard work. He expressed his opinions about the rollback date and how that will affect the FEMA 50%. He shared some opinions on changing zoning in the City.

Resident Katie Brill thanked the first responders for their service during and after the storm. She opined that the one-year option for the lookback rule as presented by Ms. Sanderson tonight is best.

### 4. CONSENT

- a. Approval of September 24, 2024, City Commission Budget Meeting Minutes, October 7, 2024, Special City Commission Meeting Minutes, and the October 14, 2024, City Commission Meeting Minutes
- b. Ratify Resolution 2024-20: Extension of State of Local Emergency – Hurricane Milton
- c. Adopt Resolution 2024-19: Renewal of State of Local Emergency – Hurricane Helene
- d. ~~Authorize the City Manager to execute an agreement with Aclarian LLC in the amount of \$117,600.00 for consulting services to fulfill the role of the Finance Director for the City (moved to Action Items)~~

**Motion: Vice Mayor Moholland moved, Commissioner Rzewnicki seconded, and the motion carried 5-0 to approve the October 22, 2024, City Commission Consent Agenda.**

5. ACTION ITEMS

**a. Review and Approval of the 2025 City Commission Meeting Schedule**

City Clerk LaRowe addressed the modifications to the typical second and fourth Tuesday as outlined in the Agenda. She requested direction from the Commission as to the first meeting in November as it falls on Election Day.

Mayor Petrila would like to move the first meeting in November to Monday, November 3<sup>rd</sup>, the first meeting in December to December 2<sup>nd</sup> and the second meeting in December to December 9<sup>th</sup>.

**Motion:** Mayor Petrila moved, Commissioner Marriott seconded, and the motion carried 5-0 to approve the 2025 City Commission Meeting schedule with the requested changes.

**b. Move to approve an additional \$600,000 to Joe Payne, Inc. for Building Department Services**

Ms. Sanderson stated that this is a request to authorize additional funds (already budgeted) for Building Department Services. These funds come from the Building Department fund and not the General Fund. She stated that the funds are used as services are rendered and that the City is seeking to hire staff Building Official and inspectors.

**Motion:** Commissioner Marriott moved, Commissioner Rzewnicki seconded, and the motion carried 5-0 to approve an additional \$600,000 to Joe Payne, Inc. for Building Department Services and include the standard statutory addendum for 2025.

**c. Authorize the City Manager to execute an agreement with Aclarian LLC in the amount of \$117,600.00 for consulting services to fulfill the role of the Finance Director for the City (moved from Consent Agenda)**

Andrew Laflin, Interim Finance Director with Aclarian, LLC, mentioned the modification made to Exhibit B to include the FEMA Disaster Management description; a copy of the revised Exhibit is part of the record.

**Motion:** Commissioner Marriott moved, Commissioner Rzewnicki seconded, and the motion carried 5-0 to authorize the City Manager to execute an agreement with Aclarian, LLC, in the amount of \$117,600.00 for consulting services to fulfill the role of the Finance Director for the City and include the standard Statutory addendum effective 2025.

6. ORDINANCES

**a. First Reading Ordinance 2024-10: Change to Chapter 34 Emergency Management**

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 34 – CIVIL EMERGENCIES, ARTICLE II – EMERGENCY MANAGEMENT, SECTION 34-31 – DEFINITIONS; SECTION 34-33 – LEGISLATIVE AUTHORITY; SECTION 34-37 – EMERGENCY MANAGEMENT COORDINATING COMMITTEE; SECTION 34-38 – DECLARATION OF STATE OF EMERGENCY; SECTION 34-40 – SUSPENSION OF LOCAL BUILDING REGULATIONS; SECTION 34-41 – TERMINATION OF STATE OF EMERGENCY; SECTION 34-42 – COMMISSION AUTHORITY LIMITATIONS; SECTION 34-44 – CONFLICTS; SECTION 34-45 – AUTHORITY IN EVACUATION ZONES; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; PUBLICATION; AND AN EFFECTIVE DATE.

City Clerk LaRowe expressed some further clarification that she wanted addressed in this Ordinance.

Attorney Brookes suggested modifying Section 34-38 of the attached Ordinance to remove declaring a State of Local Emergency by resolution, instead it will be declared by proclamation. Attorney Brookes will further modify this section to allow these declarations to be approved by the Mayor or Vice Mayor or City Commission, as well as termination of the State of Local Emergency. These declarations, extensions, and terminations will be placed on the next practical Commission meeting to ratify, much like the most recent resolutions have been for Helene and Milton.

**Motion:** Commissioner Rzewnicki moved, Vice Mayor Moholland seconded, and the motion carried 5-0 to approve the first reading of Ordinance 2024-10 with the changes as mentioned by the City Attorney and City Clerk.

**b. Public Hearing to Adopt Emergency Ordinance 2024-11: Permitting Elevation of Nonconforming Residential Structures**

AN EMERGENCY ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING FOR SIXTY DAYS THE CITY'S LAND DEVELOPMENT CODE DIVISION 3 – ADMINISTRATION OF THE LAND DEVELOPMENT CODE, SECTION 3.10 – VESTED RIGHTS AND NONCONFORMITIES; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Ms. Sanderson recapped the presentation that was given last week on this item. A copy of the presentation is made a part of the record.

Commissioner Rzewnicki discussed possible conflicts that some properties may face when trying to raise a non-conforming structure.

Resident Dana Richardson thanked staff and the Commission for their hard work throughout these storms. She expressed concern with the height restriction of 30 feet that is in the Ordinance and questioned if there will be grandfathering of structures.

Discussion ensued on the height limitations and the elevation of homes by raising the home vs. raising the roof. The Commission questioned the maximum height of the new construction for the garage shall not exceed nine feet from the existing grade of the lot to the bottom of the existing horizontal structural member of the lowest floor as outlined in Chapter 98 of the Code of Ordinances. Attorney Brookes stated that it is possible to remove that from this proposed Ordinance.

Resident Vincent Tormenia questioned raising a home 15 feet above the flood level and discussed the cost of pilings that may be structurally necessary.

Fort Meyers Resident Alonso Milan, who works for an elevation company and has customers in the City, discussed the process to raise homes, the requirements, and possible costs.

Encroachments and variances were mentioned. The Commission requested more information prior to approving this Ordinance.

**Motion:** Commissioner Rzewnicki moved, Commissioner Robinson seconded, and the motion carried 5-0 to extend the Commission Meeting to 10:30 p.m.

7. ITEMS FOR DISCUSSION

**a. Recovery Task Force**

Ms. Sanderson stated that the City's Comprehensive Plan Coastal Element states that the City Commission shall appoint a task force to provide preliminary damage assessments and direct post-disaster recovery and redevelopment activities. Staff have largely completed damage assessments and anticipate the focus of the Task Force to be on preparation of hazard mitigation policies and report preparation.

Required Task Force Members: City Emergency Management Coordinator (City Manager Robustelli or designee) and one member of the Building Department (recommended Building Official or designee).

Recommended Task Force Members: Planning Board Member, Beach Stewardship Committee Member, Historic Preservation Board Member, a representative from a wildlife and/or environmental advocacy group, and one team member of the Tampa Bay Beaches Chamber of Commerce.

Vice Mayor Moholland stated that he spoke with the chairs of each of the advisory boards mentioned and they are willing to serve on this Task Force.

The Mayor recommended that the City issue a call for applications from a resident or business owner who is also part of an advocacy group and a member of the business community. He agreed that the chair of each of those advisory boards was appropriate. The Commission agreed with the Mayor's recommendation.

**b. Substantial Improvement/Substantial Damage (FEMA 50% Rule) Discussion *continued from earlier***

The presentation tonight included four options that shall be considered by the Commission.

Each Commissioner commented on their preference; the City Manager will reach out to FDEM regarding permit-by-permit lookback period with hardening exemptions and a one-year look back period with hardening exemptions.

The Commission agreed that more data is necessary to make a decision; any questions that the Commissioners have will be emailed to the City Clerk to forward to appropriate staff.

**c. Ordinance 2024-09 (added)**

Mr. Berry responded to Vice Mayor Moholland's concerns on this Ordinance [adopted on October 14<sup>th</sup>] stating that the change made is not going to cause any issued with FEMA.

**f. Extending the Aftermath Debris Hauler Pricing to Private Property Owners (added and heard before items d and e)**

City Manager Robustelli will investigate this with Aftermath. The County has several contracts that can be extended to private property owners; she will gather that information and have it shared with the public as soon as possible.

**d. Disaster Resources for the Community (added)**

Commissioner Rzewnicki would like to see a centralized physical location where information and resources for residents can be obtained; some residents do not have power and/or internet access at home to view stuff online. She opined information in other languages may also be of benefit.

**e. Zoning Change Options (added)**

Commissioner Rzewnicki requested information on options that can be made to the City's Zoning Code to allow

for Accessory Dwelling Units (ADU) as it may be an option for residents to create income to offset the costs with rebuilding.

**Motion:** Commissioner Rzewnicki moved, Vice Mayor Moholland seconded, and the motion carried 5-0 to extend the Commission Meeting to 10:45 p.m.

**g. Permit Fee Discussion (added)**

Commissioner Marriott mentioned that there are other municipalities that have waived or reduced their permit fees as it relates to storm recovery.

Ms. Sanderson was asked to provide information on the average permit fee and bring that information to the Commission when available. She mentioned that permit fees do count towards the FEMA 50%. If the City waives those fees, the cost is still factored into 50% for FEMA.

**Motion:** Commissioner Rzewnicki moved, Commissioner Marriott seconded, and the motion carried 5-0 to extend the Commission Meeting to 11:00 p.m.

**h. Holiday Events (added)**

Mayor Petrila mentioned the events that occur throughout the City in December and wanted to know how the Commission felt about continuing some or all of these. It was decided that the participants in the boat parade could be the organizer for the event, that the City will continue with holiday lighting/decorations, and will proceed with the concert in the park/tree lighting.

**i. Workshop/Town Hall to Navigate FEMA (added)**

The Mayor would like to invite an appraiser or panel of appraisers to the next Community Meeting; they would be volunteering their attendance.

Dates were discussed and it was decided that the next Town Hall Community Meeting would be on November 6, 2024, at 5:30 p.m. in the Commission Chambers.

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

**Amber LaRowe, City Clerk** – reminded the Commission and public that City Hall Commission Chambers is a voting location for November 5<sup>th</sup> election, 7:00 a.m. to 7:00 p.m.

**Motion:** Commissioner Rzewnicki moved, Commissioner Marriott seconded, and the motion carried 5-0 to extend the Commission Meeting to 11:05 p.m.

City Clerk LaRowe stated that the Library is a ballot drop off location and that those voters who normally vote at Warren Webster will continue do so on November 5<sup>th</sup>.

**Vice Mayor Moholland** – will have a community meeting on October 30<sup>th</sup> at 5:30 p.m. at Hurley Park.

**Commissioner Rzewnicki** – announced that that Pet Parade at Lazarillo Park is cancelled and will be rescheduled.

**Mayor Petrila** – thanked City staff for working with the Corey Avenue Business Association to bring the Sunday Market back this coming weekend.

He announced the Concert in the Park this Friday at Horan Park.

Mayor Petrila adjourned the meeting at 11:03 p.m.

MINUTES APPROVED: NOVEMBER 4, 2024



AMBER LAROWE  
CITY CLERK



ADRIAN PETRILA  
MAYOR