

City Commission Meeting
November 19, 2024
6:00 p.m.

ELECTED OFFICIALS PRESENT:

Adrian Petrila, Mayor – via Zoom
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
Camden Mills, City Engineer/Assistant Public Works Director
Denise Sanderson, Interim Community Development Director

Vice Mayor Moholland addressed the public at 6:00 p.m. to let them know that the meeting would begin once the City Attorney arrived. He then recessed the meeting pending Attorney Brookes' arrival.

Vice Mayor Moholland called the meeting to order at 6:07 p.m., followed by the Pledge of Allegiance.

1. APPROVAL OF THE AGENDA

Motion: **Commissioner Marriott moved, Commissioner Rzewnicki seconded, and the motion carried 5-0 to approve the November 19, 2024, City Commission Agenda.**

2. HELENE AND MILTON RECOVERY EFFORTS – STANDING AGENDA ITEM

a. Permit Staffing Update

Denise Sanderson, Interim Community Development Director, gave a presentation to the City Commission on the Community Development Department operations and staffing. A copy of this presentation is made a part of the record. Topics included:

- Staffing
- Permit Tracking
 - Available on the City's website, updated every Monday
- Substantial Damage Determinations
 - County-managed vs. City-managed
 - FEMA packet changes (available 11/21)
 - Removed contingency
 - Amended profit and overhead
 - Amended owner/builder affidavit
 - Revised lookback disclosure (pending tonight's adoption)
 - Now fillable form
- Minimal Repair Permits for Temporary Occupancy
 - FEMA Facts

- Local Historic Designations
- Other Notables:
 - Hurricane related webpages
 - Long-term housing
 - Small business recovery

Ms. Sanderson confirmed that minimal repair permits are approved on the same day. She stated that she would be speaking with the Building Official about after-the-fact permits without penalties; the City does issue stop-work orders without penalty to homeowners with a \$100 fine to contractors.

Ms. Sanderson was asked to review sod bonds.

Vincent Tormenia, a resident, questioned the businesses and individuals coming around the City and trying to purchase homes.

b. Debris Update

Camden Mills, Interim Public Works Director, gave a presentation to the Commission on debris management/removal. A copy of this presentation is made a part of the record. Topics presented included:

- Progress to Date
- Storm Sewer System
 - Clean baffle box debris in 36 locations
- Accepted vs. Non-Accepted Storm Debris
- FEMA's Debris Removal Guidelines
- Dates to Remember:
 - Residents to place storm debris curbside by December 4th
 - Last day for private residential pickup is December 23rd
 - Commercial properties to remove debris by December 23rd
- Important Resources

Mayor Petrila expressed his happiness to receive this report and the progress that the City has made. He informed staff that there have been some issues with other properties illegally dumping at the commercial property sites. Mr. Mills stated that this is also being worked on with Code Enforcement.

Vice Mayor Moholland was pleased with Aftermath's service in the City with debris removal.

Cindy B., Pinellas County resident, spoke regarding business debris removal and opined that the City is not doing enough to help these businesses.

3. PUBLIC COMMENT

Resident Deborah Schechner thanked the Commissioners and employees. She mentioned other various topics about FEMA, sewer capacity with the City of St. Petersburg, and other communities along Gulf Boulevard and their progress with debris removal. Ms. Schechner also mentioned a mattress with a sign, a copy of her email about this is part of the record.

Resident Jill Mederos spoke about the permitting process, the rules for rebuilding, and the hardships she is facing.

She opined that residents should be allowed to do the work and then receive permits after the fact.

Mayor Petrila asked that after the end of the public comment, Ms. Sanderson come to address the public on the steps to get into their homes immediately.

Resident Cameron M. addressed permitting issues and substantial damage reports. He opined that the City is not fighting for the residents and is, instead, afraid of FEMA. He would like to see the City work harder to express to FEMA and the County what this City's residents need.

Cindy B., Pinellas County resident, commented on permit submittals and stop work orders.

Resident Sigue Webb thanked Commissioner Robinson for a recent communication and thorough response. She spoke about residents' hardships returning home and the City's permitting process. Ms. Webb questioned the substantial damage letters and the timeline that keeps extended. She encouraged better communication with consistency and transparency.

Resident John Kurzman displayed an article about funding available for community reconstruction in New York. A grant program called "New York Rising" was discussed. A copy of this information is made as part of the record.

Vice Mayor Moholland mentioned discussing grant opportunities with the City Manager.

Resident Angela Murray mentioned her hardships and said she could not get into her home.

Resident Debbie Lewis commented on the certified hardship letters being mailed to vacant homes and suggested ways to do this more effectively so that property owners can receive their information.

Denise Sanderson will work with staff to post letters/information by address on the City's website. She will still mail letters via certified mail and anticipates reimbursement from FEMA for this expense. The letter is also made available via any permits that are accessible electronically.

Ms. Sanderson addressed accessing the website's minimal repair permit for temporary occupancy.

Ms. Sanderson discussed substantial damage and improvements and the FEMA packet process.

Resident John B. commented on appraisals, as he is certified and educated in appraisals and the appraisal process. He questioned the revised FEMA packet and for those who had already filled it out, how did that work? Attorney Brookes commented that a revised packet can be submitted.

Cindy B., Pinellas County resident, commented on businesses and permits.

4. CONSENT

- a. November 4, 2024, City Commission Meeting Minutes
- b. Proclamations - Renewal State of Local Emergency – Hurricane Helene Ratify Extension 7 and Approval of Extension 8
- c. Proclamations - Ratification of Renewal State of Local Emergency - Hurricane Milton Extensions 5 and

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- d. Adopt Resolution 2024-28 authorizing the Mayor to execute The Corey Avenue Neighborhood Historic Survey Grant Agreement
- e. Adopt Resolution 2024-29 waiving Permit and Plans Examination Fees associated with Hurricane-damaged properties for the period October 1, 2024, through January 14, 2025, and establishing a minimum Building Fund Reserve

Motion: Commissioner Marriott moved, Commissioner Rzewnicki seconded, and the motion carried 5-0 to approve the November 19, 2024, City Commission Consent Agenda.

5. ACTION ITEMS – None.

6. ORDINANCES

- a. Public Hearing to Adopt Emergency Ordinance 2024-15: Allowing substantial improvement exemptions for locally-designated historic resources

AN EMERGENCY ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING FOR SIXTY DAYS THE CITY'S LAND DEVELOPMENT CODE DIVISION 28 – HISTORIC PRESERVATION, SECTION 28.5 – ORDINARY MAINTENANCE AND REPAIR; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Brandon Berry, Senior Planner, stated that staff is proposing this ordinance so that locally designated historic structures that have undergone substantial damage but are simply seeking to be restored to their pre-damage conditions, with no additions, major alterations, or repairs that change material, design, or outward appearance of the structure, to be eligible for administrative repair and maintenance approval through the permitting process.

He stated that the Florida Department of Emergency Management (FDEM) has reviewed and agreed with the language in this Ordinance, and the Historic Preservation Board unanimously approved it for adoption by the City Commission.

Motion: Commissioner Rzewnicki moved, Commissioner Marriott seconded, and the motion carried 5-0 to adopt Ordinance 2024-15.

- b. First Reading of Ordinance 2024-13: Permanently adopting provisions for the elevation of flood-damaged equipment in required side and rear yards, and elevation or reconstruction of nonconforming residential structures in required yards

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING LAND DEVELOPMENT CODE DIVISION 3 – ADMINISTRATION OF THE LAND DEVELOPMENT CODE, SECTION 3.10 – VESTED RIGHTS AND NONCONFORMITIES; AND DIVISION 6 – SUPPLEMENTAL REGULATIONS, SECTION 6.14. - ENCROACHMENT OF CERTAIN SPECIFIED ANCILLARY RESIDENTIAL EQUIPMENT INTO REQUIRED YARDS; REPEALING EMERGENCY ORDINANCES 2024-11 AND 2024-14 CONTAINING SIMILAR PROVISIONS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Mr. Berry touched on the reason for this Ordinance. This Ordinance makes permanent emergency ordinances 2024-11 and 2024-14. This will allow for residences nonconforming solely by the setback to be elevated or have the living level reconstructed above the required flood elevation and construct a staircase within a front setback is required to access the elevated living level. This Ordinance also allows for in-place elevation of equipment required to be elevated by the Florida Building Code if located in the required side or rear yard. One change was made to clarify that the elevation or reconstruction permission pertains to structures that are nonconforming solely through setback, not by other means such as use.

Motion: Commissioner Marriott moved, Commissioner Robinson seconded, and the motion carried 5-0 to approve the first reading of Ordinance 2024-13.

- c. First reading of Ordinance 2024-16 [Alternatives A & B]: [Alternative A] Amending the Code of Ordinances Chapter 98 - BUILDINGS AND BUILDING REGULATIONS to reduce the cumulative substantial improvement cost calculation to one year, exempt repairs for non-substantial damage from substantial improvement calculations, and make the amendment effective one day prior to Hurricane Helene impacts; or, [Alternative B] Repeal the cumulative substantial improvement cost calculation and make the repeal effective one day prior to Hurricane Helene impacts.

[Alternative A]

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, AMENDING THE ST. PETE BEACH CODE OF ORDINANCES SECTIONS 98-35., 98-36., 98-122.4., 98-128.4., AND 98-131.6., TO ADOPT AMENDMENTS TO THE CITY CODE REGARDING SUBSTANTIAL DAMAGE, SUBSTANTIAL IMPROVEMENTS, LOOK-BACK PERIOD, AND EXEMPTIONS TO IMPROVEMENT AND REPAIR OF BUILDINGS IN FLOOD HAZARD AREAS; PROVIDING FOR SEVERABILITY, CODIFICATION AND SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

[Alternative B]

AN ORDINANCE OF THE CITY OF ST. PETE BEACH AMENDING THE ST. PETE BEACH CODE OF ORDINANCES 98-35., 98-36., 98-122.4., 98-128.4., AND 98-131.6., TO REPEAL A PROVISION RELATED TO SUBSTANTIAL DAMAGE, SUBSTANTIAL IMPROVEMENTS, LOOK-BACK PERIOD, AND IMPROVEMENT AND REPAIR OF BUILDINGS IN FLOOD HAZARD AREAS; PROVIDING FOR SEVERABILITY, CODIFICATION AND SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

- d. Public Hearing to Adopt Emergency Ordinance 2024-17 [Alternatives A & B]: [Alternative A] Amending the Code of Ordinances Chapter 98 - BUILDINGS AND BUILDING REGULATIONS to reduce the cumulative substantial improvement cost calculation to one year, exempt repairs for nonsubstantial damage from substantial improvement calculations, and make the amendment effective one day prior to Hurricane Helene impacts; or, [Alternative B] Repeal the cumulative substantial improvement cost calculation and make the repeal effective one day prior to Hurricane Helene impacts.

[Alternative A]

AN EMERGENCY ORDINANCE OF THE CITY OF ST. PETE BEACH, AMENDING THE ST. PETE BEACH CODE OF ORDINANCES SECTIONS 98-35., 98-36., 98-122.4., 98-128.4., AND 98-131.6., TO

ADOPT AMENDMENTS TO THE CITY CODE REGARDING SUBSTANTIAL DAMAGE, SUBSTANTIAL IMPROVEMENTS, LOOK-BACK PERIOD, AND EXEMPTIONS TO IMPROVEMENT AND REPAIR OF BUILDINGS IN FLOOD HAZARD AREAS; PROVIDING FOR SEVERABILITY, CODIFICATION AND SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

[Alternative B]

AN EMERGENCY ORDINANCE OF THE CITY OF ST. PETE BEACH AMENDING THE ST. PETE BEACH CODE OF ORDINANCES SECTIONS 98-35., 98-36., 98-122.4., 98-128.4., AND 98-131.6., TO REPEAL A PROVISION RELATED TO SUBSTANTIAL DAMAGE, SUBSTANTIAL IMPROVEMENTS, LOOK-BACK PERIOD, AND IMPROVEMENT AND REPAIR OF BUILDINGS IN FLOOD HAZARD AREAS; PROVIDING FOR SEVERABILITY, CODIFICATION AND SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

All ordinances were read by title by the City Clerk.

Brandon Berry gave a presentation regarding Ordinance 2024-16 alternatives A and B; Ordinance 2024-17 alternatives A and B are the emergency ordinance options to Ordinance 2024-16. A copy of the presentation is made a part of the record. Information shared in the presentation included:

- Alternative A:
 - Reduces lookback period to one year starting 9/23/2024
 - Allows wind and flood repairs to be decoupled from other improvements if made at different times.
 - Any homeowner/business owner who closed out permits before Hurricane Helene will start with a \$0 substantial improvement cost accumulation
 - Retains all exceptions currently in the code
 - Examples / Scenarios
- Alternative B:
 - No lookback starting 9/23/2024
 - Minimum NFIP standard
 - Removes all exclusions
 - No decoupling
 - Will affect more homeowners due to the inclusion of window, door, mechanical, etc. permits
 - 108 residences with open now-included permits from before the storm
 - 33 permits for storm-related window, door, mechanical, etc. permits
 - Examples / Scenarios
- Expected Impacts:
 - Alternative A no additional impact on homeowners and is less impactful in this particular event
 - Alternative B may be less impactful over time due to the lack of cumulative calculations for repairs and improvements
 - Alternative B will require currently excepted permits to be counted against the substantial improvement/substantial damage – affects over 100 homeowners

Mr. Berry will review the 9/23/2024 date; this is the date that FDEM was okay with. Attorney Brookes stated that the State of Florida Executive Order was signed on 9/23/2024, which is more than likely why this date is selected. He stated that Hurricane Helene landed on 9/26/2024 and that the City could change that date. Mr. Berry will take a look at permits and see if there were any that were closed on 9/24-9/26.

Mr. Berry stated that a FEMA packet is not required if a resident only repairs the exceptions (as noted above). Still, it is only for improvement on those exceptions and nothing else.

Resident John Kurzman displayed some information to the City Commission regarding the per-permit process and post-firm and pre-firm.

Resident Deborah Schechner commented on the lookback period and how it was changed under the prior administration to the five-year lookback and opined that a no-lookback period is better.

Motion: Vice Mayor Moholland moved, Commissioner Marriott seconded, and the motion carried 3-2 to approve the first reading of Ordinance 2024-16 Alternative A and transmit the amendments to the Florida Division of Emergency Management. Commissioners Robinson and Rzewnicki voted no.

Motion: Commissioner Marriott moved, Vice Mayor Moholland seconded, and the motion carried 3-2 to adopt Ordinance 2024-17 Alternative A. Commissioners Robinson and Rzewnicki voted no.

Resident Vincent Tormenia spoke regarding FEMA being under investigation by Congress.

7. ITEMS FOR DISCUSSION

None.

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

Amber LaRowe, City Clerk – the qualification period for the March 11, 2025, election closed at noon on Friday. District 2 had two candidates certified by the Supervisor of Elections – Lisa Robinson and Grant Izzi. District 4 had one unopposed candidate certified – Joe Moholland. Therefore, the City will hold an election on March 11, 2025, for District 2 only.

Commissioner Marriott – met at Mastry's Brewing last week with residents to discuss concerns and share opinions. She will post on NextDoor the next time this happens in December.

Commissioner Robinson -- announced that she would be at the library on 12/16 from 5 PM to 6 PM.

Commissioner Rzewnicki – mentioned two recent neighborhood association meetings she attended. She mentioned the historic survey that was completed for the Don CeSar Neighborhood.

Vice Mayor Moholland-- stated that Pinellas County announced the nourishment to Pass-A-Grille Beach is complete. He will work with the City Manager to enforce the Dunes more strictly.

He mentioned the rodent problem and acknowledged that the contractor was working to mitigate this issue. The City will follow Aftermath's debris removal to clean up the various rights-of-way and easements, and he encouraged residents to help the City by cleaning up their areas as they can.

Mayor Petrila -- mentioned the business meeting he attended last week. He would like to see the City communicate more about what is being done for businesses and residents.

He discussed the efforts made by the City for the business community, including working with Corey Avenue

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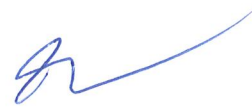
Business Association to restore the Sunday Market along Corey Avenue, more frequent street sweeping along Corey Avenue and Gulf Boulevard, helping the businesses with the resources and contacts that the City uses, and quickly cleaning the beaches to allow visitors to return.

Vice Mayor Moholland adjourned the meeting at 9:01 p.m.

MINUTES APPROVED: DECEMBER 3, 2024



AMBER LAROWE
CITY CLERK



ADRIAN PETRILA
MAYOR