

City Commission Meeting
May 13, 2025
6:00 p.m.

ELECTED OFFICIALS PRESENT:

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

STAFF PRESENT:

Frances Robustelli, City Manager	Camden Mills, Public Services Director
Renee Rose, City Clerk	Brandon Berry, Senior Planner
Ralf Brookes, Interim City Attorney	Kristin Coman, Senior Planner
Jill Sassone, Human Resources Director	Devon Schmidt, Finance Director
Laura Canary, Community Development Director	Peyt Dewar, Code Enforcement Manager
Mandy Edmunds, Interim Recreation Director	Cathleen Bowley, Library Director

Mayor Pettila called the meeting to order at 6:00 p.m., followed by the Pledge of Allegiance. He introduced Renee Rose as the new city clerk.

1. PRESENTATIONS

a. Recognition of Employee of the 2nd Quarter

City Manager Frances Robustelli introduced Devita Thomas, HR Specialist, as the Employee of the 2nd Quarter. She was recognized for her professionalism, empathy, and exceptional service. Known for her warm smile and approachable nature, Devita connects easily with staff at all levels, earning trust and admiration across departments. She plays a key role in HR, recently leading multiple recruitments while implementing a new system, in addition to her regular duties. Team members describe her as helpful, dependable, and embodying the best of the organization. Devita also volunteers at city events, showing commitment to team unity and community. Congratulations to Devita on this well-deserved recognition.

b. Comprehensive Plan Amendments – Height/Density in Large Resort Land Use Category

Jim Hickey, Director of Planning, Calvin, Giordano & Associates, Inc., provided an updated presentation, included as part of the meeting record, on the Comprehensive Plan Amendments focused on the large resort area and town center zoning districts. Although previous development restrictions have been lifted, new legal uncertainties, particularly Senate Bill 180, would restrict what communities can do with LDC and comprehensive plans. This bill, if signed into law, would retroactively restrict more burdensome development regulations statewide. Given these challenges, the town center districts are seen as the focus for now. Next steps may include pausing the entire project or just the large resort portion, exploring a Community Redevelopment Area (CRA), and resuming public engagement, starting with business owners. CGA may also hold one-on-one meetings with officials to understand the city's direction.

The discussion included the impact of recently proposed state legislation—Senate Bill 80 and House Bill 943—which restrict the ability to regulate development after hurricanes. The bills appear to favor developers over local control, undermining home rule and resident interests. Florida League of Cities are advocating against the bills, but they are ineffective. Concerns were raised about the steady erosion of municipal authority. Commission consensus was to pause this project until July.

2. APPROVAL OF THE AGENDA

Commissioner Rzewnicki requested to add two discussion items – Charter review and Conditional Use Permit

process.

Motion: Commissioner Moholland moved, Vice Mayor Marriott seconded, and the motion carried 5-0 to approve the May 13, 2025 City Commission Agenda, as amended.

3. HELENE AND MILTON RECOVERY EFFORTS: STANDING MONTHLY AGENDA ITEM

Laura Canary, Community Development Director, provided an update on Hurricane Helene and Milton Recovery Efforts; her presentation is part of the meeting record. Ms. Canary thanked community volunteers who are continuing to provide assistance to the Community Development department. She said the volunteers have expressed interest in staying involved in other areas after they finish in Community Development.

Commissioner Robinson asked if the appeals process goes to the Board of Adjustment, which permits can be staged, and if the city buildings are subject to the same 50% regulations. Ms. Canary will follow up regarding the appeals process. She said the trades (mechanical, electrical, plumbing) can be staged. She confirmed that city buildings are subject to the 50% rule. Vice Mayor Marriott asked about delays in closing permits after final inspections. Ms. Canary advised if it's been more than 10 days, residents should email the permitting department. Commissioner Rzewnicki asked about properties with successful substantial damage appeals still showing as having open permits in the system. City Attorney Brookes said they use the permitting system to assign a number, but it's not really a permit. Commissioner Moholland noted none of the 721 substantial damage appeals have been denied, which could be concerning on a potential audit. Mayor Petrila asked if the appeals were supported by appraisals or photos, noting many homes were homesteaded decades ago. He also asked about the feedback from FEMA. Ms. Canary said many appeals were approved not due to new appraisals, but because the original damage data was inaccurate. FEMA provided written approval of the city's progress.

4. PUBLIC COMMENT

No members of the public came forward.

5. CONSENT

- a. Community Meeting and City Commission Meeting Minutes April 22, 2025
- b. Approval of Fireworks contract agreement with Alpha Fireworks in the amount of \$35,000.00
- c. Approval of Beefree, LLC contract amendment for \$3.00 fare implementation to non-registered, non-residents of St Pete Beach and advertising revenue program to offset Freebee micro-transit service operating costs
- d. Amend Financial Services Agreement with Public Trust CPAs, LLC, to increase the not-to-exceed contract value to \$75,000.00
- e. Approval of Design agreement with Sweet Sparkman for Station 22 Phase 3 in the amount of \$865,451.00
- f. Task order with Stantec Consulting Services, Inc., for on-call transportation planning services in the amount of \$25,000.00
- g. Amend Services agreement with Cotton Global Disaster Solutions, in the amount of \$2,034,044.63 for various City building repairs damaged by Hurricanes Helene and Milton
- h. Approval of Services agreement with Raftelis Financial Consultants, Inc. for Operating and Enterprise Fee Studies in the amount of \$144,395.00

Commissioner Rzewnicki noted the fireworks contract states it would be brought forward in March, but it's currently May and asked if the contract should be changed. Interim Recreation Director Mandy Edmunds confirmed that the contract should be amended.

Commissioner Robinson commented on the Beefree contract from 2019, which was for 3 years with two one-year renewal options, but when it was renewed in 2022, it extended for 2 years instead of one. There was an amendment to add four vehicles, but the amendment didn't include an extension of the contract terms. City Attorney Brookes said the most recent agreement was signed in December 2023 and extends the term two additional years. City Manager Robustelli said the contract was likely extended by a year due to an initial plan to purchase four additional vehicles, which was later canceled because of hurricanes. The contract now expires in September 2026, and she plans to bid for micro transit services without an automatic renewal, allowing time to evaluate all bidders and make a decision before the contract ends. Attorney Brookes said the city will save \$166,708 for the four vehicles. Additional savings will come from a 50% share of advertising and a \$3 non-resident fare per trip applied toward the amount owed to the contractor. Commissioner Rzewnicki asked how the \$3 non-resident fare is charged and how credit card fees will be assessed. Attorney Brookes said it's net of any credit card fees. Vice Mayor Marriott said the credit card fee comes off of the balance that's applied to the city.

Commissioner Robinson asked if the financial services contract will increase again, noting that it's gone from \$25,000 to \$75,000. City Manager Robustelli said this is the end of the contract and the amount is the final payment. During the emergency, she authorized it under her ability. When costs were going to exceed she brought it forward to extend to \$50,000, but it ended up costing \$75,000 to cover the final reporting to FEMA. Commissioner Rzewnicki said the original agreement was set to end December 2024, now it's amended to September 2025. Manager Robustelli stated the work is done; the last date of service was March 14.

Commissioner Robinson asked if the \$865,451 for Fire Station 22 is part of the overall \$12 million. City Manager Robustelli confirmed.

Commissioner Rzewnicki asked how much the city spent with Stantec to date and if they are a traffic expert. City Manager Robustelli didn't have that number, but said she is bringing every Stantec contract to the commission regardless of the amount. Public Services Director Camden Mills stated they provide various civil engineering services, like seawall and structural, as well as transportation.

Commissioner Rzewnicki noted the amount for Cotton Global has doubled from the original and asked how the city is paying it without the reimbursement in hand. City Manager Robustelli said this is an administrative step to keep the city in a position for FEMA reimbursement. The current authorization is to enter into a contract, with spending to occur only as funding becomes available. This step was necessary to secure the contractor in compliance with FEMA purchasing guidelines, and this week was the last possible date to do so for Milton.

Motion: Vice Mayor Marriott moved, Commissioner Robinson seconded, and the motion carried 5-0 to approve the May 13, 2025, City Commission Consent Agenda.

6. ACTION ITEMS

- a. Unnecessary and Undue Hardship Variance No. 24058: Allowing for the encroachment of feature and quiet pools into the required side setback in the development of Winward Pass Resort [Parcel #s 07-32-16-07398-001-0170, 07-32-16-07398-001-0230, 07-32-16-18143-001-0010, 07-32-16-18143-001-0020]**

John Bodziak, applicant, addressed the city to express concern over the denial of a Planning Board application. His intent was not to be argumentative, but to highlight the significant hardship created by the unusual shape of his property. The parcel, which spans over 116,000 square feet, is so irregularly shaped that, once the city's standard setbacks are applied, less than 50%, possibly as little as 40%, of the land is buildable. A 25-foot drainage

easement further restricts usable space. Zoning regulations are typically designed for more regular, rectangular lots and this parcel's unique configuration warranted special consideration. The Planning Board did not take this into account when making their decision. The application was denied for reasons including traffic concerns, density, increased use of local services, shallow waterways, and noise. These are irrelevant or not applicable to the project as proposed. The decision to propose a five-story building was driven solely by the constraints of the site, not an attempt to exploit the space. He asked the commission to consider the site's extreme limitations and argued that no other property in the city is as restricted. He believes that if the Planning Board had considered the site's hardship, the outcome might have been different.

Discussion revealed the property was purchased 20 years ago and was comprised of four or five lots. The existing buildings on the site when it was purchased were not impacted by the current setbacks. Bodziak noted that the property is now severely underutilized and that combining the lots into a single property was always part of the plan. The drainage easement would have existed when the property was purchased. Bodziak criticized the Planning Board's reasons for denial, including traffic concerns, freebee use, docks, jaywalking, and noise, arguing that these factors were irrelevant or addressed in the proposal. Concerns regarding the proposed two bars, and the potential for amplified music, were raised, given nearby residential areas. There were questions about whether the proposed condo/hotel is appropriate for the residential bayou district.

Brandon Berry, Senior Planner, clarified that the requested variance applies only to the pool setbacks, not the primary development, which meets setback requirements. Denying the variance would not stop the overall project from moving forward. Property consolidation is consistent with the city's comprehensive plan. Any outdoor music would be a separate consideration for a conditional use permit. Staff had concerns about the feature pool, especially night use and potential to cause nuisance, and recommend specific conditions to address these concerns. The applicant provided reasonable support for the quiet pool. If the commission finds the proposed conditions inadequate, staff suggests considering the quiet pool separately.

Discussion followed regarding how this variance request could proceed in a Bayou Residential District, where primary use is residential and only limited commercial use is allowed. The site consists of four separate lots, each with its own tax ID, and the commission inquired when or how they were unified without commission approval. Staff clarified that lot consolidation is allowed under the comprehensive plan and does not require commission approval unless it's done through subdivision. Because this project involves a conditional use permit, a variance, and density allocation, it is subject to commission review. The variance in question, a 51.5% reduction in pool setbacks, is highly unusual and not often granted. Staff noted that while the setback rules (10% of lot width) are consistent across the district, consolidation has led to a larger required setback for this site. Commissioners questioned the legitimacy of the hardship claim, pointing out that the applicant is subject to the same zoning and setback rules as everyone else in the district. They also noted that the proposed project is effectively a hotel operating under condo ownership, which requires conditional use approval and is not a permitted use by right. Maximizing property value or doing something beyond what's allowed by right does not constitute a true hardship. Granting the variance would result in preferential treatment, not equitable application of zoning rules. Staff stated that the only changes made after the Planning Board decision were a minor building height reduction and a small setback adjustment for the feature pool. The applicant chose to bring the same project to the City Commission rather than return to the Planning Board.

The City Attorney explained that the variance request is for pool setbacks only, not the main building, and reviewed the legal criteria required to justify a hardship variance. Key points included: a hardship cannot be self-created, it must stem from unique conditions of the land, not from the owner's actions, a desire for greater financial return does not qualify as a hardship, the variance must treat the applicant the same as other property owners in

the zoning district, and the variance must be the minimum necessary to allow reasonable use of the property.

Further discussion suggested the applicant is creating the hardship by combining four separate lots and proposing uses, pools and short-term lodging, beyond what's allowed by right. The applicant could still develop the site within existing zoning rules without needing a variance. Commission members determined that no true hardship exists under the legal criteria.

PUBLIC COMMENT

John Kurzman, 5810 Bahia Honda Way S, inquired what a quiet pool is, and how the noise ordinance would be enforced.

Motion: Commissioner Rzewnicki moved, seconded by Commissioner Robinson, and the motion carried 5-0 to deny Variance No. 24058.

Action was first taken on Item 7a, Ordinance 2024-08 following a staff presentation and discussion. Following denial of Ordinance 2024-08, the Commission returned to take action on Resolution 2024-12.

b. Consideration of Resolution 2024-12 (Conditional Use Permit #23085) to allow for the development of Winward Pass Resort [Parcel #s 07-32-16-18143-001-0010, 07-32-16-18143-001-0020, 07-32-16-07398-001-0170, 07-32-16-07398-001-0230]

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, APPROVING A CONDITIONAL USE PERMIT, PURSUANT TO SECTIONS 39.6(p), AND 42.4(b), (d), (g), & (h) OF THE LAND DEVELOPMENT CODE, TO ALLOW FOR THE DEVELOPMENT OF A 104 UNIT CONDO HOTEL, (38.8 UNITS PER ACRE), WITHIN A NEW SIX-STORY LODGING STRUCTURE THAT WILL EXTEND TO 50 FEET ABOVE BASE FLOOD ELEVATION WITH NON-HABITABLE OVERRUN NOT TO EXCEED 60 FEET ABOVE BASE FLOOD ELEVATION, AND INCLUDE AS SITE AMENITIES OUTDOOR MINI-GOLF, QUIET AND FEATURE POOLS, AND 12-SLIP CLASS A LODGING DOCK, INCLUDE AS HOTEL BUILDING AMENITIES GROUND-FLOOR AND OUTDOOR SIXTH-FLOOR BARS AND SEATING AREAS, INDOOR BALLROOM AND RESTAURANT, AND INCLUDE IN A SEPARATE BUILDING AN ARCADE AND THREE-LEVEL GARAGE WITH SECOND AND THIRD-FLOOR OUTDOOR SEATING AREAS, TO PROPERTY WITH PARCEL NUMBERS OF 07-32-16-18143-001-0010, 07-32-16-18143-001-0020, 07-32-16-07398-001-0170, & 07-32-16-07398-001-0230; INCORPORATING THE CONDITIONS OUTLINED HEREIN; AND PROVIDING FOR CORRECTION OF SCRIVENER'S ERROR AND AN EFFECTIVE DATE.

Motion: Vice Mayor Marriott moved, and Commissioner Robinson seconded, and the motion carried 5-0 to deny Resolution No 2024-12.

7. ORDINANCES

a. First Reading of Ordinance 2024-08 to allocate 104 units of temporary lodging density from the Town Center Corey Circle and Coquina West, Activity Center, and Bayou Residential Districts Temporary Lodging Unit Density Pool to property with parcel numbers of 07-32-16-18143-001-0010, 07-32-16-18143-001-0020, 07-32-16-07398-001-0170, & 07-32-16-07398-001- 0230 (Windward Pass Resort)

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR THE ALLOCATION OF 104 UNITS OF TEMPORARY LODGING DENSITY UNDER THE PROVISIONS OF THE TOWN CENTER COREY CIRCLE, COQUINA WEST, ACTIVITY CENTER, AND BAYOU RESIDENTIAL

DISTRICTS TEMPRARY LODGING UNIT DENSITY POOL, AS ESTALBISHED IN THE CITY OF ST. PETE BEACH COMPREHENSIVE PLAN, TO PROPERTY WITH PARCEL NUMBERS OF 07-32-16-07398-001-0170, 07-32-16-07398-001-0230, 07-32-16-18143-001-0010, 07-32-16-18143-001-0020; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Brandon Berry, Senior Planner, summarized that Ordinance 2024-08 is the density pool allocation that is requested for the 104 temporary lodging units, allocated from the Town Center Corey Circle and Coquina West Activity Center and Resolution 2024-12 is the conditional use permit allowing the construction of a 104 unit, 50 ft tall condo hotel with indoor and outdoor amenities that include two outdoor bars with outdoor music, dock slips, and other accessory commercial amenities. The variance was not necessary for these items to move forward. The project, submitted in September 2023, proposes a 104-unit, 50-foot-tall condo hotel on Bayou Residential-zoned land. It was unanimously recommended for denial by the Planning Board in December due to concerns about traffic, density, building scale, public safety, noise, and compatibility with the area. The applicant seeks two approvals: one for density allocation, Ordinance 2024-08, and another for conditional use permits, Resolution 2024-12, including the hotel, bars, dock slips for non-motorized water sports, pools, a mini golf course, and arcade. Staff acknowledged issues but noted some benefits, such as a public promenade, curb cut reduction, and quality architecture. Concerns remain about building mass, internal traffic flow, lack of a traffic study, and long-term maintenance of public features. Staff proposed conditions related to safety, noise limits, green infrastructure, and timing of accessory uses.

Discussion followed, starting with the proposed 12-slip Class A lodging dock as part of a larger hotel development in the Bayou Residential zoning district. The question was raised whether the applicant has the authority for the dock, referencing a state sovereign submerged land lease from 2026 that currently permits only 8 slips for recreational use on a vacant lot without fueling. Staff clarified that the state lease must be amended separately from the city's approval process. By law, the city cannot require state or federal permits as a condition for zoning approval, but the applicant would still need to obtain them before operating the dock. Concerns were raised about the environmental impacts of increased commercial activity, especially since the area is a manatee breeding ground and very shallow. The discussion also revisited the density pool request: the applicant seeks 104 units, which would use about one-third of the remaining 261 units in the pool, leaving 157. This raised concern about limiting future projects, particularly in the Town Center 2 district. There was also discussion about the purpose of the Bayou Residential zoning district, which is intended as a transition zone between higher-intensity commercial uses to the west and lower-density residential areas to the east. Commissioners pointed out that existing nearby properties are relatively low intensity: condos, small motels, a few bars, and that the proposed hotel with rooftop bars, music, water slides, and docks exceeds what would be expected in a transitional zone. The project appears incompatible with the intent of the district as outlined in the city's land development code and comprehensive plan.

Jack Bodziak, applicant, defended the hotel proposal, stating it fully complies with the city's zoning code. The building is shorter than nearby high-rises, making it suitable for a transitional zone. The project was always meant to be a hotel, and initial interest from Marriott supports its intended use. He expressed frustration that the application, including lot combinations under single ownership, was accepted by the city without issue during the review process, but is now being questioned. He said the Planning Board's denial was based on weak reasoning, not on actual violations of code, and that staff's review supported the proposal. The request was reasonable and made in good faith, and any offense taken was misplaced. He asked the commission to focus on the legitimacy of the application rather than emotional responses or unrelated concerns.

Mayor Petrila clarified that this meeting is not an appeals process for the Planning Board's recommendation, as the board only makes non-binding recommendations, not final decisions. The purpose tonight is for the City Commission to evaluate the project based on how well it aligns with the land development code, comprehensive plan, and zoning regulations. They are not offended by the applicant's request, acknowledging the right to propose any project. However, the applicant is seeking conditional uses, which are not guaranteed and require justification because they exceed what's allowed by right. He noted that the project proposes higher intensity uses than what's currently across the street, such as multiple pools, bars, boat slips, and commercial amenities, which do not align with the intent of the Bayou Residential District as a transitional, lower-intensity zone. He asked the applicant to clearly explain how the project meets the criteria laid out in the city's codes and plans, instead of disputing the Planning Board's recommendation. Mr. Bodziak said the proposed project meets all applicable criteria in both the zoning code and the conditional use. Nothing in the application is outside what the code permits. The Planning Board's reasons for denial were not strong. His proposal complies with all code requirements, including land use, density, and conditional use standards. The requested features, such as multiple pools, boat slips, and hotel use, are either allowed or justifiable due to the site's size and location. Discussion raised concerns about the legitimacy of the public benefit claims, unresolved site maintenance issues on the currently permitted parking lot, traffic circulation, environmental protection measures, including stormwater and seawall standards, and the clarity of ownership and development responsibility. Throughout the discussion, commissioners sought clarification on inconsistencies in the application, particularly regarding the developer's identity, environmental measures, site access, noise control, and comparisons to other districts. Mr. Bodziak maintained that all objections were addressed in previous submissions, the commission emphasized the need for clear, substantiated responses specific to this hearing, rather than referencing past Planning Board proceedings.

PUBLIC COMMENT

John Kurzman, 5810 Bahia Honda Way S, expressed concerns about beach access for the project and noted that previous attempts to allow paddleboarding in the area were denied. He said the residential project planned for Corey Landing would be better suited for the Bayou area, and the Windward project would be better suited for the Corey Landing area.

Frank Quillin, 4160 Belle Vista Dr, described Little McPherson Bay as being narrow, with the narrowest part being about 50 yards wide. It's a habitat for manatees and their babies. It's a residential area that should be protected. A paddleboard company previously wanted to operate in the bay, but residents stopped it because of privacy concerns. There is no need for boating activities from this project.

There was further discussion that the applicant has right to ask for a conditional use permit (CUP), but there are concerns about the proposed project relating to intensity and density, 104 condo hotel units with amenities like pools, a rooftop bar, and watercraft rentals, within a residentially zoned area. This would worsen existing noise, traffic, and safety problems, especially for pedestrians crossing Gulf Boulevard. There are environmental issues regarding harm to the manatee population and shallow waterways in the area. The city's comprehensive plan and land development code protect residential neighborhoods and minimize adverse impacts. The application has not demonstrated how the proposed negative impacts would be mitigated. The CUP request goes beyond what has been approved on the island, and the applicant did not present solutions for minimizing disturbances to the neighborhood and environment. The project does not meet the standards of the land development code or comprehensive plan. Vice Mayor Marriott added a personal comment, she was previously denied a conditional use permit for paddleboard rentals on McPherson Bay. She disputed claims that paddleboarding would damage the environment or neighborhood peace, calling those objections exaggerated and false.

Motion: **Commissioner Rzewnicki moved, Commissioner Moholland seconded, and the motion**

carried 5-0 to deny the first reading of Ordinance 2024-08.

b. First Reading of Ordinance 2025-12: Amendment to Land Development Code Divisions 16 – CG-2 COMMERCIAL DISTRICT and 33-CC2 COMMERCIAL CORRIDOR GULF BLVD DISTRICT

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA CORRECTING ERRORS IN PRIOR ORDINANCES BY AMENDING THE CITY’S LAND DEVELOPMENT CODE DIVISION 16 CG-2 COMMERCIAL DISTRICT, SECTION 16.2 PERMITTED PRINCIPAL USES AND STRUCTURES TO RECOGNIZE AND ALLOW FULL-SERVICE RESTAURANTS, AND DIVISION 33 CC2 COMMERCIAL CORRIDOR GULF BLVD DISTRICT, SECTION 33.7 DENSITY AND INTENSITY TO CLARIFY THAT SINGLE-FAMILY RESIDENCES ARE PROHIBITED; AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, CORRECTION OF SCRIVENER’S ERRORS, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

Brandon Berry, Senior Planner, identified two errors in its zoning code. The first involves the CG-2 commercial zoning district, which applies to only a few properties. In 2015, the city intended to allow full-service restaurants in this district. It was stated in the ordinance title but was left out of the body of the code. Currently, the code permits limited-service restaurants, takeout, bars, and clubs. The proposed fix is to include full-service restaurants in the code, aligning it with the original intent. The second correction concerns the CC-2 zoning district, located roughly between 63rd and 70th along Gulf Boulevard. In 2017, the code was correctly changed to prohibit standalone single-family homes in this area, in line with the comprehensive plan. Some existing language in section 33.7 has caused confusion, as it may be interpreted to allow single-family homes. It’s not allowed based on the use code, so this ordinance cleans up the language and makes it consistent with the land development code uses and the comprehensive plan.

Discussion included the location of CG-2 zoning district, specifically the area on the west side of Corey Ave between 73rd and 75th Streets, which includes Woody’s, a full-service restaurant. It also includes the parking lot to the north, currently used by Toasted Monkey and Buoy’s. If the proposed code cleanup is not made, these properties could be redeveloped, but would be restricted to limited service, like a delicatessen with limited seating, bakeries, coffee shops or standalone bars, but they would not be permitted to operate a table service, sit down restaurant.

PUBLIC COMMENT

No members of the public came forward.

Motion: Vice Mayor Marriott moved, Commissioner Robinson seconded, and the motion carried 5-0 to approve the first reading of Ordinance 2025-12.

c. First Reading of Ordinance 2025-13: FY2025 Budget Amendment

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2025 BY INCREASING APPROPRIATIONS FOR EXPENDITURE IN THE GENERAL FUND, WASTEWATER, RECLAIMED WATER FUND, STORMWATER FUND AND CONSTRUCTION PROJECT FUND; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Devon Schmidt, Finance Director, provided a brief presentation, which is part of the meeting record. The FY2025 budget amendment overview outlines short- and long-term financial considerations and adjustments across

various city departments and funds. In the short term, the city is managing uncertainties like FEMA reimbursements, emergency bridge loans, parking revenue stabilization, unknown tariff impacts, and property tax changes for uninhabitable properties. The amendment includes general fund changes, such as funding for a new planning manager, IT support, EMS staffing (reimbursed by Pinellas County), and hurricane recovery contracts. In parks and facilities, funds are allocated for essential services and equipment, ensuring operational efficiency. In utilities, there are requests for transfers to support SCADA monitoring systems, FOG software, stormwater drainage design work, and permit consulting. The building fund is being increased to meet rising workloads, including staffing and contractual needs. Capital improvements include HVAC design for City Hall, seawall repairs, and pool resurfacing projects. The budget amendment aligns with the city's strategic plan and incorporates best practices in budgeting, financial forecasting, reserve policy development, and revenue diversification. A summary of budget-to-actual comparisons was presented, and future budget workshops are scheduled to continue refining these strategies.

Motion: Vice Mayor Marriott moved, Commissioner Robinson seconded, and the motion carried 5-0 to approve the first reading of Ordinance 2025-13.

d. Final Reading of Ordinance 2025-11: Nuisance Abatement Ordinance

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING CITY CODE CHAPTER 46 ENVIRONMENT ARTICLE II. NUISANCES DIVISION 2. ABATEMENT PROCEDURE SECTIONS 46-61 THROUGH 46-66; AND CHAPTER 46 ENVIRONMENT ARTICLE V CHRONIC NUISANCE PROPERTY CODE, DIVISION 1 CHRONIC NUISANCE SERVICES SECTIONS 46-141 THROUGH 46-152 TO PROVIDE FOR DUE PROCESS SPECIAL MAGISTRATE HEARINGS AND PROCEDURES FOR THE ABATEMENT OF NUISANCES; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Commissioner Robinson opened the discussion proposing two amendments: extending the response time from 7 days to 14 days after notification and removing the administration fees if the resident wins the case at the special magistrate hearing. The discussion continued, raising concerns about fairness, due process, and the discretion granted to code enforcement officers, particularly in cases involving tree trimming and lot mowing. The current process allows the city to proceed with mowing or trimming without a special magistrate hearing unless the property owner actively requests one, putting too much authority in the hands of code enforcement and lacking the objectivity provided by a magistrate. There was consensus to amend the ordinance to treat tree and grass violations the same as other nuisances, so that any city action would require a hearing before a magistrate, instead of the city manager, as a magistrate is legally trained and impartial. Discussion highlighted the real-world challenges property owners face, especially in the aftermath of the hurricanes. The time it takes to secure permits or arrange for contractors can be significant, and some residents may be uncertain whether they will rebuild or demolish damaged structures. The commission emphasized that code enforcement should continue to use discretion when granting time extensions, especially for complex cases.

PUBLIC COMMENT

John Kurzman, Bahia Honda Way S, provided a presentation that was made part of the meeting record. He raised concerns about the ordinance, suggesting it could lead to legal issues and unfair penalties. Lawn conditions vary, and factors like reclaimed water issues or being out of town could cause unintentional violations. He criticized the reliance on slow certified mail for notices and offered alternative communication methods, such as email or phone. Using a recent enforcement case as an example, he noted the risk of fines and liens against unaware homeowners. He suggested clearer standards, longer notice periods, and fairer enforcement to avoid unnecessary

hardship.

There was discussion that the ordinance is intended for extreme cases, such as severe trash accumulation or repeat grass violations, not for everyday code enforcement. It allows the city, with approval from a special magistrate, to clean properties in egregious condition. Discussion highlighted the importance of due process, better communication, and transparency. The city manager would bring serious cases to the commission for review before any action is taken.

Motion: Mayor Petrila moved, Commissioner Moholland seconded, and the motion carried 3-2 to approve the final reading of Ordinance 2025-11, as amended. Vice Mayor Marriott and Commissioner Robinson voted no.

e. First Reading of Ordinance 2025-14: Sunset Library Advisory Committee

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING THE CODE TO SUNSET AND END ALL DUTIES OF THE LIBRARY ADVISORY BOARD BY DELETING CHAPTER 22 BOARDS, COMMITTEES, COMMISSIONS ARTICLE V. LIBRARY ADVISORY COMMITTEE CODE SECTIONS 22-136 THROUGH 22-144; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

City Attorney Brookes stated this was discussed at a prior meeting. The commission determined that the tasks of the Library Advisory Committee are being efficiently handed by staff and the Friends of the Library organization. Discussion included the Friends of the Library organization taking on the members of the library advisory board to reduce redundancy. Commissioner Rzewnicki stated she brought up a charter review a year ago because of the library board, but there are other changes they may want to consider. Commissioner Moholland asked if this had been communicated to the board members because he hasn't spoken to his appointee. City Manager Robustelli said that the outgoing library director spoke to the board.

Motion: Vice Mayor Marriott moved, Commissioner Robinson seconded, and the motion carried 5-0 to approve the first reading of Ordinance 2025-14.

8. ITEMS FOR DISCUSSION

a. CUP Process *(added)*

Commissioner Rzewnicki expressed ongoing concerns about the lack of transparency and oversight regarding Conditional Use Permits (CUPs). She learns about CUPs after residents or businesses report problems. She asked for a list of active CUPs, what conditions were approved, and when they expire. Discussion highlighted a disconnect between code enforcement complaints and CUP tracking, with a suggestion for a tracking system and the possibility of CUP holders to fund additional code enforcement support for after-hours documentation.

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

City Clerk – Financial disclosure reports are due in July; Florida Commission on Ethics will be sending reminder emails this month.

Frances Robustelli, City Manager – had no report

Interim Attorney Brookes – had no report

Commissioner Moholland – had no report

Commissioner Rzewnicki – Don Cesar property owners meeting at 6pm at the Warren Webster on Thursday, May 15. Belle Vista Civic Association is hosting a family event Saturday, May 17.

Commissioner Robinson – Bill Loughery, with the Historic Preservation Board, will be at the library event on Tuesday, May 20 from 5:00-5:45pm to talk to residents about historic designation.

Vice Mayor Marriott – Tuesday May 20th, at 6:00pm, Mastry's Brewing, residents can talk with her about any concerns.

Mayor Petrila – had no report

Mayor Petrila adjourned the meeting at 9:58 PM.

MINUTES APPROVED: 5/27/2025



RENEE ROSE
CITY CLERK



ADRIAN PETRILA
MAYOR