

**City Commission Meeting**  
**January 27, 2026**  
**6:00 p.m.**

**ELECTED OFFICIALS PRESENT:**

Adrian Petrila, Mayor  
Karen Marriott, Vice Mayor, Commissioner, District 1  
Lisa Robinson, Commissioner, District 2  
Betty Rzewnicki, Commissioner, District 3 (via Zoom)  
Jon Maldonado, Commissioner, District 4

**STAFF PRESENT:**

Frances Robustelli, City Manager	Adam Poirrier, Assistant City Manager
Ralf Brookes, City Attorney	Brandon Berry, Senior Planner
Ginny Bodkin, Deputy City Clerk	Kristin Coman, Planning Manager

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

**1. APPROVAL OF THE AGENDA**

Commissioner Maldonado added a discussion item on dogs off leash, Commissioner Robinson added discussion items on Upham Beach employee parking and email distribution, and Commissioner Rzewnicki a legislative lobbying update as items 7a., b., c. and d.

**Motion:** Commissioner Robinson moved, Vice Mayor Marriott seconded, and the motion carried to approve the January 27, 2026 City Commission Agenda, as amended.

**Motion:** Commissioner Robinson moved and Commissioner Maldonado seconded the approval of Commissioner Rzewnicki attending the meeting via Zoom from Tallahassee due to her attendance at the Legislative Session; the motion carried 5-0.

**2. PRESENTATIONS**

**a. Recognition of the Employees of the 1st Quarter**

Frances Robustelli, City Manager, summarized recent changes to the employee recognition program. Instead of one employee receiving a \$500 award, 5 employees are recognized and receive \$100 each. Recognition groups are separated by departments. Ms. Robustelli introduced the five employees of the quarter, chosen by their peers: Leanna Grimes, Residential Services; Chris Tarkenton, Internal Services; Captain Lance Volpe, Fire Department; Joanne Boland, Community Development; Luke Jacobsen, Public Services. She thanked these employees for their professionalism, positive attitudes, hard work, and dedication that they bring to the city every day.

**b. Legislative Update - Becker**

Adam Poirrier, Assistant City Manager introduced Sadie Haire and Shannon Duncanson, lobbyists from Becker & Poliakoff. They provided an overview of key federal priorities and funding issues for 2026; their presentation is part of the meeting record. They reported that Congress is operating under a short-term continuing resolution through January 30, 2026, with partial progress on appropriations bills and ongoing uncertainty around major departments, including DHS and FEMA, which could impact disaster funding and grant timelines. They also discussed efforts to restore enhanced Affordable Care Act subsidies, noting that several bipartisan proposals are under consideration but delayed due to appropriations negotiations. An update was provided on the FEMA Review Council, which is expected to recommend changes to disaster cost-share models, possible restructuring of FEMA as a standalone agency, and increased use of block grants and mitigation funding, though formal recommendations are still pending. They highlighted opportunities for Congressionally Directed Spending (earmarks), explaining that the City could pursue federal funding for priority infrastructure and community projects, with the next application cycle expected to open in February 2026.

Discussion included an inquiry on why the City missed the prior opportunity to submit a project for federal

earmark funding. The lobbyists explained that the City's contract with Becker was finalized one week after the Congresswoman's submission deadline, which prevented timely filing. Although the project was shared with the Congresswoman and she is aware of it, the deadline could not be extended due to committee requirements.

**c. Capital Improvement Plan Fiscal Year 2026 Quarter 1 Update**

Camden Mills, Public Services Director, provided an update for Q1, covering the period from October through December 2025. His presentation is part of the meeting record. The City's five-year CIP totals approximately \$213 million, with \$56.6 million budgeted for major construction projects in FY 2026. As of the first quarter, approximately 24% of planned FY 2026 spending has been encumbered, meaning funds have been committed through issued purchase orders. He noted this is generally consistent with progress one quarter into the fiscal year, and additional encumbrances continue to be made. The Public Services Department manages the majority of the CIP, including approximately 53 active projects. Most projects fall under the City's strategic initiatives of Recovery, Resiliency & Sustainability and Reliable Infrastructure, which together represent the bulk of total capital spending. Many projects are currently in the design or procurement phase, with staff working to move them into construction as the fiscal year progresses. He explained the City's project delivery model, which includes a project manager overseeing the CIP, supported by subject matter experts and outsourced professional consultants providing engineering, architectural, and construction management services. This structure allows the City to manage a large volume of projects despite limited in-house staffing. A new public-facing Projects Tracker Dashboard is being developed in coordination with IT and GIS analysts. The dashboard will provide an interactive map and real-time status updates for capital projects, including project descriptions, budgets, timelines, locations, and strategic initiative alignment. The goal is to improve transparency, accountability, and public access to CIP information. He anticipates launching the dashboard before the next quarterly update.

Mr. Mills provided detailed updates on projects currently in active construction, including:

- **36th Avenue Seawall Replacement**, with construction pending utility relocations and completion targeted for May 2026.
- **Dune Walkover Replacements** at seven locations, with FEMA funding obligated and construction expected to begin shortly.
- **Facility Building Repairs and Elevator Rehabilitations** related to storm damage, with multiple City facilities scheduled for completion between March and summer 2026.
- **Gulf Boulevard Utility Undergrounding**, Phase 1 nearing completion, with Phase 2 under design and pending FDOT permitting.
- **Pump Station #1 Rehabilitation**, currently in Phase 2 construction, with major components underway and full completion anticipated later in 2026.
- **Shuffleboard Building Demolition**, expected in February 2026, followed by design for a replacement facility.
- **Wastewater Collection System Improvements**, including manhole replacements, pipe repairs, system cleaning, and inspection using sewer AI technology.

Mr. Mills reviewed the City's grant activity. Approximately \$5.2 million is currently being managed through active discretionary grants, with an additional \$13.8 million in pending grant applications primarily related to hazard mitigation and storm recovery. The City was recently awarded \$335,000 through the Resilient Florida Program for a shoreline master plan and vulnerability assessment update. An overview of FEMA Public Assistance projects for Hurricanes Helene and Milton was provided, with more than 80 total projects currently under review or approved, representing over \$10 million in estimated project costs. He concluded with a summary of the City's FY 2026 state appropriation requests, which include Fire Station #22, Pass-a-Grille wastewater and inflow/infiltration improvements, and Boca Ciega Drive reconstruction. He noted that future federal earmark opportunities will be pursued in coordination with the City's federal lobbyists.

Discussion included asking whether the Gulf Boulevard undergrounding budget, approximately \$1.4 million, was grant-funded or General Fund. Staff advised it is believed to be General Fund and that, if so, the Commission

could reallocate funding through a budget amendment if priorities shift. Staff also confirmed the project tracker dashboard is expected to go live around the next quarterly update, and commissioners praised the dashboard for improving transparency, real-time project tracking, and public understanding of project status, costs, and delays. It was requested that staff include a simple GANTT chart in the dashboard, which staff confirmed will be integrated. Several commissioners emphasized the dashboard's role in increasing accountability and preventing projects from falling through the cracks, citing examples in areas such as Vina Del Mar/Isle Drive. Staff clarified that FEMA reimbursements are not included in current CIP totals; projects are funded up front, and reimbursements will replenish balances or reduce future budget needs. Regarding FDOT highway landscaping, staff explained the City will manage the project and likely hire a contractor for installation, with FDOT reimbursing costs up to the grant amount. Additional discussion included wastewater point-repair locations, confirmation that current I&I issues are mainly in mainline gravity pipes, and that City ordinances do not require new builds to replace laterals, which was suggested as a potential future policy consideration. Commissioners commended the level of detail and the department's progress toward more transparent and accessible CIP reporting.

**d. Town Center: Coquina West (TC-2) Amendment Proposal**

Brandon Berry, Senior Planner, reviewed the presentation from the meeting packet. His presentation was made a part of the meeting record. He provided a timeline of past, current, and future actions. The goals are to narrow focus to allow limited development and redevelopment of multifamily and lodging uses, preserve density, intensity, scale and mass of the area, and to implement efficiently. He reviewed the use amendments for Standalone residential use, what is included in living square footage, average existing living area (sq. ft.) per unit, the use amendments for standalone lodging, and the reduced threshold for mixed-use development. Mr. Berry explained the expected challenge regarding density, the density pool availability, existing density units per acre. He explained the expected challenge of noise. He provided three examples of single-lot development options.

Mr. Berry reviewed General staff comments –

- Staff has attempted only to generate modest and viable “make whole” options for residential and lodging property owners.
  - Florida Law (Bert J Harris Act) makes it hard to take back development rights once given.
  - It is typically better to start strict and logically relax regulations as development takes shape when potential end results are nebulous.
- These modifications are intended only as first steps in what may be a future Community Redevelopment District proposal or larger, more visionary land use reconsiderations that will require substantial, months-long, community engagement and analysis.
- This concept has not been rigorously tested for economic parity considerations and may have unintended consequences (e.g. incentivizing significant new residential redevelopment in TC-2 Coquina West).
- It is important that St. Pete Beach protects its commercial areas from incompatible residential encroachment, as it must protect its residential areas from incompatible commercial encroachment.

He reviewed next steps. If directed to proceed, staff will continue community engagement, work with the Planning Board to refine the concepts, and return with draft amendments for Commission consideration. The anticipated timeline targets mid-2026 for potential adoption following expedited county and state review.

Discussion included appreciation for the thoroughness of the planning staff's work and supported the overall direction of the proposed TC-2 Coquina West modifications, noting that the existing zoning had not produced the desired redevelopment and that the proposal offers more realistic options for investment in the area. Clarification was requested regarding existing land uses in the district, including the number of single-family properties and vacant lots. Staff explained that there are three single-family homes in the area, with most other residential properties being duplex or multifamily, and that several vacant parcels were previously multifamily or commercial. Additional explanation of the residential and lodging density pools was requested and how many

units would be required to “make whole” existing properties if they redevelop. Staff clarified that approximately 37 units would be needed from the residential pool and 16 units from the lodging pool to maintain current unit counts. Questions were raised about parking design and turning radii on small lots, and staff confirmed that the diagrams shown were true to scale and intended as conceptual examples, with more technical analysis to occur during Planning Board review. There were concerns about the proposed 800 sq. ft. maximum living area for townhouse-style multifamily units, suggesting that the size may not be commercially viable and could limit redevelopment interest. Staff were encouraged to evaluate unit size standards and consider whether larger units could be allowed while still preserving overall density and neighborhood scale. Discussion also touched on the balance between residential and commercial uses, noting that smaller unit sizes could help maintain rental housing and serve as a buffer between commercial activity and nearby residential neighborhoods. There were questions on the prohibition of duplexes, suggesting that this could be reconsidered as part of further refinement. Commission expressed general support for moving forward with the concept, encouraged continued public engagement and Planning Board review, and requested that staff further analyze unit size, duplex allowances, and parking feasibility to ensure the proposal is both practical and economically viable.

### 3. PUBLIC COMMENT

Kathy Garchow, 3607 Casablanca Avenue, commented on street and sidewalk damage caused by post-storm demolitions (she provided a photo) and noted the City has no code requiring property owners to repair such damage. She suggested a code update to allow the City to recover repair costs and also recommended requiring seawall repairs when properties undergo substantial improvement to help protect shorelines.

Josh Wilhelm, 8051 Coquina Way, commented the cul-de-sac with a central island is too narrow, causing vehicles and garbage trucks to damage landscaping and trees and requiring trucks to back down the street. He noted that upcoming demolitions will worsen the issue and requested removal of the cul-de-sac or street widening, as well as removal of illegally dumped concrete furniture. He said neighbors agree and asked the City to address the problem.

Steve Sewell, 8050 Coquina Way, agreed with Mr. Wilhelm’s comments and that the issues need to be addressed.

### 4. CONSENT

- a. Approval of the January 13, 2026 City Commission Work Session and Regular Meeting Minutes

**Motion: Vice Mayor Marriott moved, Commissioner Robinson seconded, and the motion carried 5-0 to approve the January 27, 2026 City Commission Consent Agenda, as presented.**

### 5. ORDINANCES

**a. Final Reading of Ordinance 2026-01: Amending Land Development Code standards pertaining to accessory structures, ancillary equipment, nonconforming uses and structures, stair and balcony encroachments, and providing for consistency in floodplain management regulations and definitions.**

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, AMENDING THE ST. PETE BEACH LAND DEVELOPMENT CODE SECTIONS 2.1., 3.10., 6.13., 6.14., 6.22., 7.4., 28.1., AND 28.5., TO INCREASE FRONT YARD STAIR ENCROACHMENTS FOR SPECIFIED RESIDENCES, ALLOW RETENTION OF NONCONFORMING BALCONY FOOTPRINTS AND SPECIFIED NONCONFORMING RESIDENTIAL ACCESSORY STRUCTURES FOLLOWING SUBSTANTIAL IMPROVEMENT TO THE PRIMARY RESIDENCE, CLARIFY RESTRICTIONS ON NONCONFORMING USES AND AMEND RESTRICTIONS ON ELEVATED AND SUBSTANTIALLY-IMPROVED NONCONFORMING STRUCTURES, MODIFY RESIDENTIAL STORAGE BUILDING STANDARDS, MODIFY RESIDENTIAL EQUIPMENT SETBACK STANDARDS, PROVIDE A FRONT YARD SETBACK LINE ALTERNATIVE FOR RESIDENTIAL CUL-DE-SAC AND CURVED STREET LOTS, AND AMEND DEFINITIONS AND CONTENT OF THE LAND DEVELOPMENT CODE TO PROVIDE CLARITY AND CONSISTENCY WITH CHAPTER 98 OF THE

CODE OF ORDINANCES AND THE FLORIDA BUILDING CODE; PROVIDING FOR SEVERABILITY, CODIFICATION AND CORRECTION OF SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Brookes read Ordinance 2026-01 in title only.

Brandon Berry, Senior Planner, presented an ordinance consolidating and updating prior Land Development Code amendments, carried forward from late 2025, and aligning the Code with Chapter 98 of the City Code and the Florida Building Code. This represents the first comprehensive pass through the Land Development Code in over 20 years to update outdated terms and standards, particularly in response to post-hurricane redevelopment and elevation activity. The Planning Board reviewed the ordinance and unanimously recommended approval, with two technical revisions and one condition.

- Revise the transparency requirement for the base of open stairs to be consistent throughout the document at 70% (was 80%)[LDC Sec. 3.10.(b)(3)c. & 6.22.(c)(2)];
- Revise the one-year redevelopment requirement for nonconforming density residences and nonconforming accessory structures that are not substantially-damaged to be based upon date of permit application rather than permit issuance [LDC Sec. 3.10.(d)(6) & (e)(3)].

The Board also conditioned its recommendation on removing the provision allowing new residential construction to encroach up to seven feet into the front yard with open stairs, while retaining that allowance for stairs associated with home elevation or vertical additions for flood compliance. Mr. Berry incorporated the technical revisions into the ordinance but did not remove the seven-foot stair encroachment for new residential construction, instead presenting the Planning Board's condition to the City Commission for direction. He noted the Commission could direct that change prior to adoption by striking the relevant provision from Section 6.22 of the Land Development Code.

The Commission discussed the Planning Board's recommended revisions to the ordinance and noted a typo for correction. Discussion also included revising the one-year redevelopment timeframe so the clock stops upon submission of a complete permit application rather than permit issuance, making the process more flexible for property owners following catastrophic damage. Discussion then focused on the Planning Board's condition to remove the seven-foot front yard stair encroachment for new residential construction while retaining it for home elevations and vertical additions. There was opposition to striking this provision, noting that it would unfairly disadvantage property owners who choose to fully redevelop their homes after disaster events. Discussion emphasized the importance of incentivizing reinvestment and resilience and supported keeping the stair encroachment allowance for both new construction and elevated or rebuilt homes.

PUBLIC COMMENT

Walter Sowa, 108 20<sup>th</sup> Ave., addressed Section 6.14(D) regarding encroachment of ancillary residential equipment, specifically air conditioning condensers, into required yard setbacks. He explained that his home was declared a total loss following flooding after Helene and is being demolished and rebuilt to comply with current floodplain regulations. His permit application was denied because the code allows equipment encroachments only for elevated or vertically expanded homes, not for full replacement construction. He requested clarification or amendment to allow replacement homes to locate AC condensers within the same setback areas as previously permitted, arguing this placement supports greater resilience to future extreme weather. City Manager Robustelli will reach out to Mr. Sowa directly.

**Motion:** Vice Mayor Marriott moved, Commissioner Robinson seconded, and the motion carried 5-0 to adopt Ordinance 2026-01 as amended with the two bulleted changes.

6. ACTION ITEMS

**a. Resolution 2026-02: Retirement Healthcare Funding Plan**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA,

ADOPTING THE RETIREMENT HEALTHCARE FUNDING PLAN THROUGH THE NATIONAL PUBLIC PENSION FUND ASSOCIATION (NPPFA); AUTHORIZING EXECUTION OF RELATED DOCUMENTS AND AGREEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Brookes read Resolution 2026-02 in title only.

Adam Poirrier, Assistant City Manager, presented a resolution adopting a Retirement Healthcare Funding Plan through the National Public Pension Fund Association (NPPFA). The plan was required under the recently ratified collective bargaining agreement with the International Association of Firefighters and is intended to provide eligible employees with retirement healthcare benefits, support long-term retirement security, and aid in employee recruitment and retention. Funding will primarily be provided through employee payroll deductions, with a limited PTO buyback option available if certain criteria are met.

PUBLIC COMMENT

No members of the public came forward.

**Motion: Commissioner Robinson moved, Commissioner Maldonado seconded, and the motion carried 5-0 to adopt Resolution 2026-02.**

**b. Resolution 2026-01: Vacating a three-foot easement located at the rear of Lots 5 and 6 of Block C of Sunset Park Replat as recorded in Plat Book 18, Page 6, of the Public Records of Pinellas County, Florida (103 24th Avenue).**

A RESOLUTION OF THE CITY OF ST. PETE BEACH VACATING A THREE-FOOT PLATTED EASEMENT AT THE REAR OF LOTS 5 AND 6 OF BLOCK C OF SUNSET PARK REPLAT, RECORDED IN PLAT BOOK 18, PAGE 6, OF PINELLAS COUNTY PUBLIC RECORDS, LOCATED WITHIN THE PROPERTY BOUNDARIES OF 103 24<sup>TH</sup> AVENUE; AND PROVIDING FOR CONSTRUCTION, CORRECTION OF SCRIVENER'S ERROR, AND AN EFFECTIVE DATE.

Attorney Brookes read Resolution 2026-01 in title only.

Mr. Berry presented an easement vacation request for the property at 103 24th Avenue (owners: Mike and Gina Pezza), seeking to vacate a three-foot platted easement located at the rear of Lots 5 and 6 to allow construction of a new single-family residence and pool. This resolution requires 4 out of 5 votes. All active utilities (Duke Energy, Pinellas County Utilities, Charter/Spectrum, Frontier Communications, and TECO Peoples Gas) issued letters of no conflict, and staff found no basis to retain the easement. A known issue exists where a neighboring sewer line connects through the subject property; therefore, the revised resolution includes a delayed effective date, requiring execution and recording of an agreement to relocate or maintain sewer service for 101 24th Avenue prior to the easement vacation becoming effective. The Planning Board recommended approval, contingent upon resolution of the sewer issue.

For the record, Commissioner Maldonado met with the property owner, visited the site, and previously discussed the sewer line issue with city staff. Based on this review and the Planning Board's recommendation, he expressed support for approving the easement vacation subject to the conditions proposed by staff.

Discussion included a question about the original intent and continuity of easements shown on the original plat for Sunset Park and whether similar easements on other lots were still in use. Mr. Berry said the specific easement proposed for vacation did not currently contain an active utility line, although a sewer lateral runs near the rear of the property. Duke Energy may have previously used the easement but no longer does.

PUBLIC COMMENT

Attorney Lettelleir, 12055 Gandy Blvd., spoke on behalf of the Gallaghers who own the adjacent lot at 101 24th Avenue in opposition of the easement vacation, citing an ongoing sewer dispute. The neighboring property's sewer line has connected through the Pezza property for over 60 years, creating a prescriptive easement. She said the Pezzas recently cut the sewer line without proper approval. She referenced a legal opinion from City Attorney

Vose advising that the City should defer action on the vacation until sewer issues are resolved and ensure no interference with existing sewer connections. The City directed the Pezzas to reconnect the line and that no permits would be issued until the matter is resolved and asserted that any sewer modifications should be at the Pezzas' expense and subject to City review and approval.

Owner Gina Pezza responded that she and her husband purchased the property at 103 24th Avenue specifically to allow for installation of a pool, after selling a prior property that could not accommodate one. She explained that they have invested significant time and money into the property and questioned the legality of a neighboring property's sewer line being connected through their lot. City Attorney Brookes stated that the sewer line issue involves private property rights and easement questions that would need to be resolved by a court if the parties cannot reach an agreement. He noted that the property was purchased with the sewer connection already in place, whether known or unknown to the current owners. He explained that while the title search was clear, any related rights or exclusions would be a matter for title insurance and private legal resolution, not a determination by the City. She indicated that they have been attempting in good faith since March 2024 to resolve the sewer issue and were advised by City staff that the neighbor could access sewer service from Pass-a-Grille Way without crossing their property. She asserted that allowing the sewer line to remain or be reinstalled on their lot would create future liability and restrict their planned pool, causing undue hardship. Ms. Pezza also stated that the neighbor's sewer line was cut by a demolition contractor without their authorization and that they paid to have it reconnected. She requested that the easement vacation proceed with the condition that the neighboring property connect directly to Pass-a-Grille Way at the neighbor's expense,

City Attorney Brookes explained that the sewer line issue is a civil dispute between private property owners that must be resolved in circuit court, as it involves questions of ownership and rights related to the sewer line and would require a declaratory judgment or injunctive relief. The City has conditioned the easement vacation on the parties either reaching an agreement or obtaining a court resolution before it becomes effective. He noted that the City should not intervene in the dispute and noted that the parties may also pursue mediation or other alternative dispute resolution methods.

Discussion included the potential risks of approving the easement vacation while a private sewer dispute remains unresolved, noting concerns about possible City liability if sewer service were disrupted or a spill occurred. The City Attorney advised that approving the resolution with the added conditions would not authorize any action until the private parties resolve the issue, and once resolved, the approval would become effective without returning to the Commission. There was concern about moving forward while the dispute is ongoing with support to delay action to avoid risk to the City and allow additional time for the parties to negotiate.

Michael Pezza, owner at 103 24th Ave, stated that the item had already been delayed and highlighted the urgency due to ongoing relocation and permitting efforts for their home. He explained that his family acted quickly to repair the sewer line after it was cut, at their own expense, and denied any intent to harm neighboring properties. He expressed frustration that the neighboring owners are unwilling to share financial responsibility for relocating the sewer line and asserted that the connection was originally made on his property without authorization. He requested that the Commission proceed with the easement vacation, noting the financial burden of continued delays and his desire to resolve the matter cooperatively without court involvement.

There was discussion that the City had previously proposed alternative solutions to the sewer issue, including relocating the line to Pass-a-Grille Way and temporary measures, and noted that septic options were not feasible. He expressed that further continuation of the item would not likely help resolve the dispute between the parties. The Commissioners indicated support for proceeding with the item as recommended by the City Attorney and with the conditions added by the Planning Board.

**Motion:** Commissioner Maldonado moved, Vice Mayor Marriott seconded, and the motion failed 3-2 to adopt Resolution 2026-01 with Commissioners Robinson and Rzewnicki voting no.

Following the call of the vote, the Deputy Clerk informed the Mayor that Mr. Berry pointed out that this item required four affirmative votes to pass, therefore the motion had failed. Staff will contact the homeowner.

After Item 6.d., Commissioner Maldonado asked to return to this item for Attorney Brookes' opinion. Attorney Brookes cited Section 1.03 of the City Charter, that "easements shall be vacated by a vote of four members of the Commission". A continuance would not require four affirmative votes, possibly giving the parties time to come to an agreement between now and a date certain, otherwise the resolution had failed. There was a consensus to continue the matter. Staff will inform the homeowner.

**Motion:** Commissioner Robinson moved and Vice Mayor Marriott seconded to reconsider Resolution 2026-01 and the motion carried 5-0.

**Motion:** Commissioner Robinson moved and Vice Mayor Marriott seconded to continue the hearing of Resolution 2026-01, vacating a three-foot easement located at the rear of Lots 5 and 6 of Block C of Sunset Park Replat as recorded in Plat Book 18, Page 6, of the Public Records of Pinellas County, Florida (103 24th Avenue), to a date certain of February 10, 2026 and the motion carried 5-0.

**c. Resolution 2026-03: Vacating two five-foot drainage and utility easements along the common side lot lines of Lots 1 and 2 of Block 79 of the plat of North Unit No. 1., as recorded in Book 21, Page 27, of the Public Records of Pinellas County, Florida (645 78th Avenue).**

A RESOLUTION OF THE CITY OF ST. PETE BEACH VACATING TWO FIVE-FOOT PLATTED DRAINAGE AND UTILITY EASEMENTS AT THE COMMON SIDE PROPERTY LINES OF LOTS 1 AND 2 OF BLOCK 79 OF THE PLAT OF NORTH UNIT NO. 1, RECORDED IN PLAT BOOK 21, PAGE 27, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LOCATED WITHIN THE PROPERTY BOUNDARIES OF 645 78TH AVENUE; AND PROVIDING FOR CONSTRUCTION, CORRECTION OF SCRIVENER'S ERROR, AND AN EFFECTIVE DATE.

Attorney Brookes read Resolution 2026-03 in title only.

Mr. Berry presented a request by the property owner at 645 78th Avenue to vacate two adjacent 5-foot utility and drainage easements located between two platted lots under common ownership. The easements are blanket easements dedicated on the original plat and are only being vacated where they intersect between the two lots; easements along the rear and east side of the property will remain. Letters of no conflict have been received from Duke Energy, Pinellas County Utilities, Frontier, and Charter, with TECO People's Gas pending but expected. The City has no basis to retain the easements, drainage will be accommodated through required swales and open space, and the vacation is necessary to proceed with a pending single-family development permit.

**PUBLIC COMMENT**

No members of the public came forward.

**Motion:** Commissioner Robinson moved, Vice Mayor Marriott seconded, and the motion carried 5-0 to adopt Resolution 2026-03.

**d. Consider Special Magistrate Recommendation relating to mediation held under the Florida Land Use and Environmental Disputes Resolution Act, Sec. 70.51, Florida Statutes ("FLUEDRA") mediation (Sungold vs. City of St. Pete Beach).**

Attorney Brookes explained that the item involved a Florida Land Use and Environmental Dispute Resolution Act (FLUEDRA) proceeding related to a development application that had been denied by the City Commission in May 2025. Instead of seeking judicial review, the applicant filed a FLUEDRA request in June 2025, which tolled the appeal deadline while alternative resolutions were explored. A special magistrate mediation occurred

in October 2025, and the special magistrate issued a written recommendation on December 22, 2025. The Commission was advised that, under state law, the City must consider the recommendation within 45 days and may accept, modify, or reject it. This is legislative in nature, as it involves consideration of a proposed settlement rather than a quasi-judicial hearing.

Mayor Petrila called for a recess at 8:28 PM. The meeting reconvened at 8:36 PM.

Jeff Wright of Henderson Franklin Law Firm, on behalf of the City, presented an overview of the FLUEDRA process related to the Windward Pass project. He noted that in May 2025, the City Commission denied three companion applications for the project. Following the denial, the applicant initiated statutory dispute resolution under FLUEDRA, and a mediation was held on October 1, 2025, before Special Magistrate Mark Bentley. Mr. Wright summarized the key elements of the Special Magistrate's recommendation, which included: eliminating requests for water sport rentals and third-party service providers; removing the proposed parking garage in favor of ground or street parking only; reducing the number of units from 104 to 100; relocating the swimming pool, thereby eliminating the need for a variance; installing sound governors on the first floor and roof to address noise concerns; and adding decorative pavers around the project. No additional public benefits were included in the recommendation. He advised that, under state law, the Commission may approve, reject, or modify the recommendation, and that it is advisory in nature with no obligation for adoption.

Discussion included whether the Special Magistrate's recommended settlement included any additional community benefits. Mr. Wright confirmed that the recommendation did not include any additional public or community benefits. Following mediation, the City raised concerns and requested additional time to address outstanding issues, including potential community benefits; however, the applicant declined to continue negotiations and requested that the Special Magistrate issue a recommendation, which he was obligated to do under the statute. It was clarified that the Commission retains three options under FLUEDRA: approve, modify, or reject the recommendation. Attorney Brookes said although more than six months had passed since the original denial, allowing a new application to be submitted, the matter before the Commission was not a new application but a FLUEDRA-related revision of the original. If the Commission approves the recommendation, further discussion would be required to determine the appropriate public hearing process once a complete revised application, drawings, and site plans are submitted.

Attorney Luke Lirot, on behalf of SunGold LLC, stated that the applicant chose to pursue dispute resolution under Florida law rather than litigation and participated in the FLUEDRA mediation process in good faith. He noted that the mediation was facilitated by Special Magistrate Mark Bentley and highlighted the applicant's cooperation and professionalism throughout the process. Mr. Lirot stated that the applicant relied on the mediation outcome and prepared revised plans consistent with the Special Magistrate's recommendations. He noted that the project was substantially modified, including eliminating the need for a variance, reducing the overall scale, and opening up a significant portion of the site, which he characterized as providing public benefit. He further stated that the applicant was open to community participation during mediation, that no objections were raised at that time, and that no additional unresolved concerns were communicated. He requested that the Commission accept and adopt the Special Magistrate's recommendation, saying that the revised proposal is in the best interest of the City.

Jack Bodziack, project architect, stated that he attempted to meet with the City Manager to discuss the settlement agreement, but was advised that the project would not be approved. He noted that the design team made significant efforts to revise the project in line with what they understood to be the City's concerns and the Special Magistrate's recommendations. He described substantial changes to the site plan, including removal of the parking garage, relocation of buildings, and creation of large open areas, resulting in nearly 50% of the site being maintained as open space with views to the water. He stated that both pools were relocated to an interior courtyard to reduce noise impacts to nearby residential properties, and that the southern portion of the building was reduced in height. He also noted that the unit count was reduced from 104 to 100 units and that the project now includes a public waterfront walkway and significant open-view corridors. These changes were intended to address

community concerns, improve public access, and make the project more compatible with surrounding uses. Discussion focused on the scale and intensity of the proposed project, noting it is a large and ambitious commercial development on a significant waterfront site. Mr. Bodziak said that a purely residential alternative had been considered but was not economically feasible given land values and development constraints. It was acknowledged that there were improvements made to the design, including increased open space, view corridors, and a public waterfront walkway. However, there were concerns that the project still represents a substantial request for density from the City's density pool and lacks sufficient demonstrated community benefits. Allocating a large number of density units to a single project could limit future development opportunities elsewhere in the City. Discussion highlighted the importance of community input, noting that many residents had expressed opposition and that the revised project had not been presented through a new public review process. It was recommended that the applicant reapply and restart the development review process to allow for community meetings and evaluation. Mr. Bodziak responded that the property is one of the last large undeveloped waterfront parcels in the City and argued that the requested density is reasonable given the site's size and the significant amount of open space preserved. He also raised concerns about property rights and noted that leaving the site undeveloped is not economically viable.

Attorney Lirot requested that the Special Magistrate's recommendation be formally received and filed into the record, along with the revised plans prepared by their architect, to be left with the City Clerk.

#### PUBLIC COMMENT

Deborah Schechner, Boca Ciega Isle Dr., raised concerns about environmental impacts to the bayou, including wildlife, noise, lighting, and parking. She questioned the use of density pool units for one project, noted the bayou is narrower than depicted, and suggested the site would be better suited as a public park. She highlighted the need for community input and environmental protection.

Further discussion noted that the project is not fully developed and requires further review with community input. While acknowledging improvements made by the applicant, the conditional use approvals are not by right and that requests for significant bonus density should include substantial, tangible community benefits. Corey Landings was cited as a recent comparable project that received public support by requesting minimal bonus density and providing community benefit. The applicant was encouraged to reapply, engage the community, and align the project with resident priorities, noting that successful projects are those that offer genuine public benefits. Mr. Bodziak clarified that transient lodging density differs from residential density, and that the request should not be viewed as double the residential entitlement. It was noted the applicant is entitled to zero transient units by right and must justify the full request through the conditional use process. Based on constituent feedback, there is significant opposition to the project and strong interest in further community engagement before any approval.

**Motion:** Commissioner Maldonado moved, Commissioner Robinson seconded, and the motion carried 4-0 to deny the Special Magistrate's recommendation to conclude a mediation between the City of St. Pete Beach and SunGold, LLC for a modified proposal of the Windward Pass project under CUP 23085.

Commissioner Rzewnicki was not on the call at the time of this vote but returned prior to discussion items.

#### 7. ITEMS FOR DISCUSSION

##### **a. Dogs Off Leash (Added)**

Commissioner Maldonado raised ongoing concerns about dogs being off leash, particularly at Vina Del Mar Park, noting multiple reports from residents who felt threatened by uncontrolled dogs. He noted that current ordinances require dogs, including service animals, to be leashed under Florida law and expressed concern that lack of enforcement could lead to injury to people or pets. He requested that the City and Sheriff's Office take a more proactive and consistent approach to enforcing existing leash laws, as current efforts are informal and not

documented. Commissioner Rzewnicki noted that off-leash dogs are a widespread issue across multiple parks in District 3, including Belle Vista, Don Cesar, and Lazarillo parks, and not limited to Vina Del Mar Park. She reported observing dogs off leash in sidewalks, tennis courts, playgrounds, and along major corridors such as Pass-a-Grille Way and Gulf Boulevard. The problem is prevalent citywide, and she is unclear about enforcement solutions with limited enforcement resources. City Manager Robustelli stated that the City has previously worked with the Sheriff's Office to address off-leash dogs, particularly on beaches, and that increased enforcement has already shown some improvement. She noted that while enforcement on beaches can be challenging, dogs off leash is a violation of Florida law. The City will continue working with the Sheriff's Office to further ramp up enforcement in neighborhoods to address this issue.

Commissioner Maldonado reported that at the January 26 Parks and Recreation meeting it was stated that the area formerly known as the "dog beach" is not legally a beach but a sandbar and not City property and therefore could potentially allow off-leash dogs with removal of City signage. The City Manager clarified that a final determination is still pending review by the Sheriff's Office due to applicable County ordinances, and no formal changes will occur until that guidance is received. Commissioner Maldonado suggested that, if confirmed, the area could be rebranded and promoted as a community amenity and visitor attraction.

**b. Employee Parking Upham Beach (Added)**

Commissioner Robinson raised concerns regarding employee parking at Upham Beach, noting that while Pass-a-Grille businesses have access to employee parking passes for a nominal annual fee, similar options are not available for the few businesses at Upham, particularly Cool Vibes on Sunset Way. The Grille at Upham currently has two designated employee parking spaces as part of its lease, but other nearby businesses lack sufficient employee parking. The City Manager indicated the issue will be addressed as part of the upcoming parking study, to be reviewed by the Finance Committee on February 4, with staff directed to clarify existing permit rules, fees, and ensure consistent application across areas.

**c. City Commission Emails (Added)**

Commissioner Robinson noted that residents may not be aware of the shared email address (citycommission@stpetebeach.org) that reaches the full Commission. It was agreed, as a good-faith practice, that if a commissioner receives a constituent email related to a voting issue that is not copied to the full Commission, the commissioner will forward it to the City Clerk for redistribution to ensure transparency, compliance with Sunshine Law, and equal access to information among all commissioners.

**d. Legislative Update (Added)**

Commissioner Rzewnicki provided an update from Tallahassee, where she is advocating on behalf of the City of St. Pete Beach and its residents. She reported meeting with legislators to oppose several bills that could negatively impact the City's financial stability and municipal home rule, including proposals to reduce or eliminate property taxes without replacement revenue, changes to sovereign immunity (HB 145), and efforts to restrict or eliminate local business taxes (SB 122 and HB 103). She also discussed opposition to Senate Bill 180 and support for Senator DiCeglie's Senate Bill 840, which strengthens local authority. Additionally, she expressed support for Senate Bill 332 and House Bill 655, which improve public meeting requirements and allow limited private meetings in pre-suit Bert Harris Act cases to reduce legal costs. She participated with the Suncoast League of Cities and the Florida League of Cities in coordinated advocacy efforts and attendance at several committee meetings addressing issues affecting municipalities, including permitting authority, tourist development taxes, CRA policies, and the Florida Starter Homes Act, which could significantly limit local zoning control. She highlighted the importance of continued state-level advocacy to protect the City's financial well-being and asked fellow commissioners to share any additional issues they would like her to raise tomorrow.

Mayor Petrila thanked Commissioner Rzewnicki for the legislative update and for representing the City in Tallahassee, as well as the City's state lobbyist, Jim Taylor, for coordinating meetings with legislators. The Mayor

noted he did not attend this week to maintain a quorum but plans to travel to Tallahassee the following week. He emphasized the City's ongoing need for state funding, particularly for resiliency and emergency services, and expressed concern about the continued erosion of municipal home rule through state legislation. He highlighted the importance of local control given Florida's diverse communities and reiterated appreciation for the advocacy efforts of the Florida League of Cities in protecting home rule.

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

**Ginny Bodkin, Deputy City Clerk** – no report

**Frances Robustelli, City Manager** – no report.

**City Attorney Brookes** – no report.

**Commissioner Maldonado** – He thanked City staff for recent maintenance improvements at Vina Del Mar Park, noting enhancements including sidewalk repaving, tree pruning, and overall upkeep, which have improved safety and park conditions. He announced his next district meeting will be held on February 2 at 6:00 p.m. at the Warren Webster location, noting the date change from February 9 to avoid a scheduling conflict.

**Commissioner Rzewnicki** – She announced upcoming neighborhood and association meetings, noting that the Lido Park Association meeting has been rescheduled to February 5 at 6:00 p.m. The Don CeSar annual meeting remains scheduled for February 19 at 6:00 p.m. The Belle Vista neighborhood meeting will be held on February 12 at 6:30 p.m.

**Commissioner Robinson** – no report.

**Vice Mayor Marriott** – She thanked the Public Services Department for their responsiveness in addressing resident concerns related to construction at Pump Station No. 1, noting positive feedback about Public Services Director Camden Mills and his team. She announced her commissioner event on February 17 at 6:00 p.m. at Mastry's Brewing.

**Mayor Petrila** – He announced candidate forum will be held in Commission Chambers on February 9, with the District 3 Commissioner forum at 6:00 p.m., followed by the Mayoral forum at 7:00 p.m.

Mayor Petrila adjourned the meeting at 9:55pm.

MINUTES APPROVED: FEBRUARY 10, 2026



RENEE ROSE  
CITY CLERK



ADRIAN PETRILA  
MAYOR