



**CITY COMMISSION MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, March 9, 2026
6:00 PM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Approval of the Agenda -

Action Request: Motion to approve the March 9, 2026 agenda.

2. Presentations -

a. Ordinance 2026-03: Communication and Small Wireless Facilities Design Standards

b. Seawalls - Potential Code Updates

c. Parking Rate Study

3. Audience Comments -

If you wish to speak, please complete and submit a speaker's card to the City Clerk. When called, approach the podium and state your name and address for the record. Comments are limited to 3 minutes for both general and agenda items. Public comment on agenda items will be taken when that item is called. Any presentation intended as part of public comment must be provided to the City Clerk at least 24 hours before the meeting.

4. Consent -

a. Approval of the February 24, 2026 City Commission Meeting Minutes

b. Approval of an amended Fiscal Year 2026 Compensation Pay Plan

c. Authorize the City Manager to execute the fourth services agreement amendment with Cotton Global Disaster Solutions, in the amount of \$36,777.99 for the Don Vista Art Center second level flooring repairs damaged by Hurricanes Helene and Milton.

5. Ordinances -

a. Final Reading Ordinance 2026-02: Parking Fees Established by Resolution
AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA, AMENDING APPENDIX A OF THE CITY'S CODE OF ORDINANCES RELATING TO PARKING FEES; REMOVING PARKING FEES FROM APPENDIX A; PROVIDING THAT PARKING FEES SHALL BE ESTABLISHED AND AMENDED BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; SCRIVENER'S ERRORS; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Action Request: Motion to [adopt/adopt with modification/deny/continue to [specify date certain]] the final reading of Ordinance 2026-02.

b. Final Reading Ordinance 2026-03: Amending Code of Ordinances Chapter 132 Pertaining to Communication and Small Wireless Facilities Design Standards

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES CHAPTER 132 COMMUNICATION FACILITIES IN THE CITY RIGHTS-OF-WAY, SEC. 132-16 DESIGN STANDARDS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

Action Request: Motion to [adopt/adopt with modification/deny/continue to [specify date certain]] the final reading of Ordinance 2026-03.

6. Action Items -

a. Resolution 2026-06: Grant an Easement to Duke Energy Florida for City property at 8665 Boca Ciega Dr. (Pump Station 1).

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH GRANTING A TEN FOOT BY TEN FOOT LIMITED PURPOSE UTILITY EASEMENT TO DUKE ENERGY FLORIDA, LLC; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to [adopt/adopt with modification/deny/continue to [specify date certain]] Resolution 2026-06.

b. Resolution 2026-05: Waive permit fees for seawall repairs in rights-of-way

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH TO TEMPORARILY WAIVE BUILDING PERMIT AND PLANS EXAMINATION FEES FOR PRIVATE SEAWALL PERMITS ADJOINING CITY RIGHTS OF WAY BEGINNING MARCH 10, 2026, THROUGH AND INCLUDING MARCH 10, 2028; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to [adopt/adopt with modification/deny/continue to [specify date certain]] Resolution 2026-05.

7. Items for Discussion -

8. City Clerk, City Manager, City Attorney and City Commission Reports -

9. Adjournment -

APPEAL: In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT (ADA): In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation to

participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

PUBLIC COMMENT INSTRUCTIONS FOR THOSE NOT PHYSICALLY PRESENT:

The City has made accommodations for those who cannot be physically present or do not feel comfortable appearing in person. If a member of the public would like to provide comments for the meetings, they may do so in the following ways:

- Email the City Clerk by 12:00 p.m. on the day of the meeting at cityclerk@stpetebeach.org
- Leave a voicemail message by calling **727.363.9225** by 12:00 p.m. the day of the meeting

In your three (3) minute or less comment, please be sure to include your name and address for the record.

The public is cordially invited to attend this meeting.

All agenda material is available for review at City Hall or www.stpetebeach.org.

SEAWALLS

March 9, 2026



Seawalls

Regulated by the Land Development Code
Seawalls, Bulkheads and Retaining Walls
Section 98-101

- Updated in 2021 - to 5 feet NAVD (North American Vertical Datum).
- Updated September 9, 2024 to include the current variance process.
- In the year post storm, seawall permits doubled from the previous year.



Seawalls

Hardships – what we've seen since the storms

- Non-conforming structures.
- Conforming, post FIRM(Flood Insurance Rate Map) structures.



Seawalls

Considerations

- **Administrative variance criteria**

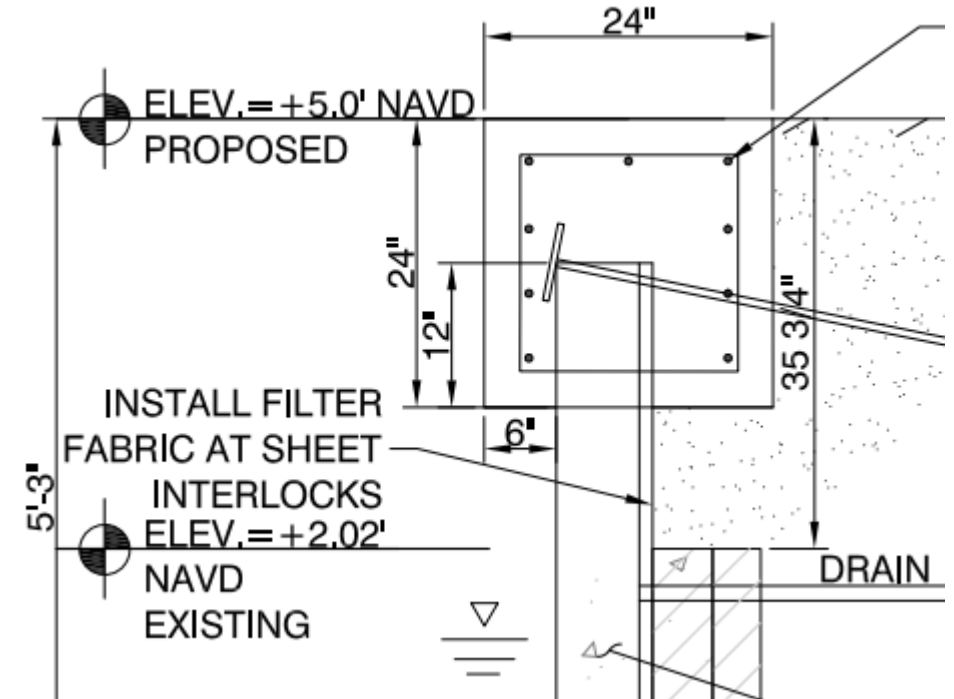
(1) There are special conditions of the upland subject property, existing upland structures or buildings, or vested and permittable upland structures or buildings which the applicant has taken reasonable, investment-backed steps to construct, for which the application of the subject standard will present a hardship;

(2) The hardship is not predominantly financial in nature;

(3) Application of the subject standard will imperil the subject or a neighboring property;

(4) The hardship does not result from the upland property owner's unwillingness to modify the site to accommodate retention or detention of a 25 year, 24 hour storm, or such modification would itself rise to the level of a hardship that deprives the applicant reasonable use of the land, structure, or building;

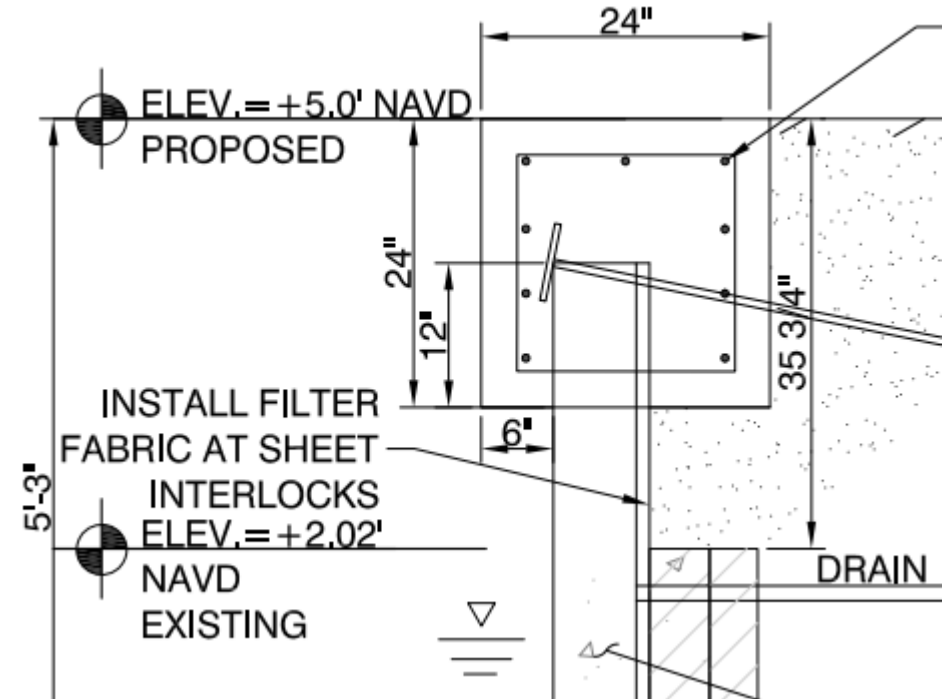
(5) The variance requested is the minimum necessary to reasonably mitigate the peril that application of the subject standard would otherwise cause.



Seawalls

Considerations

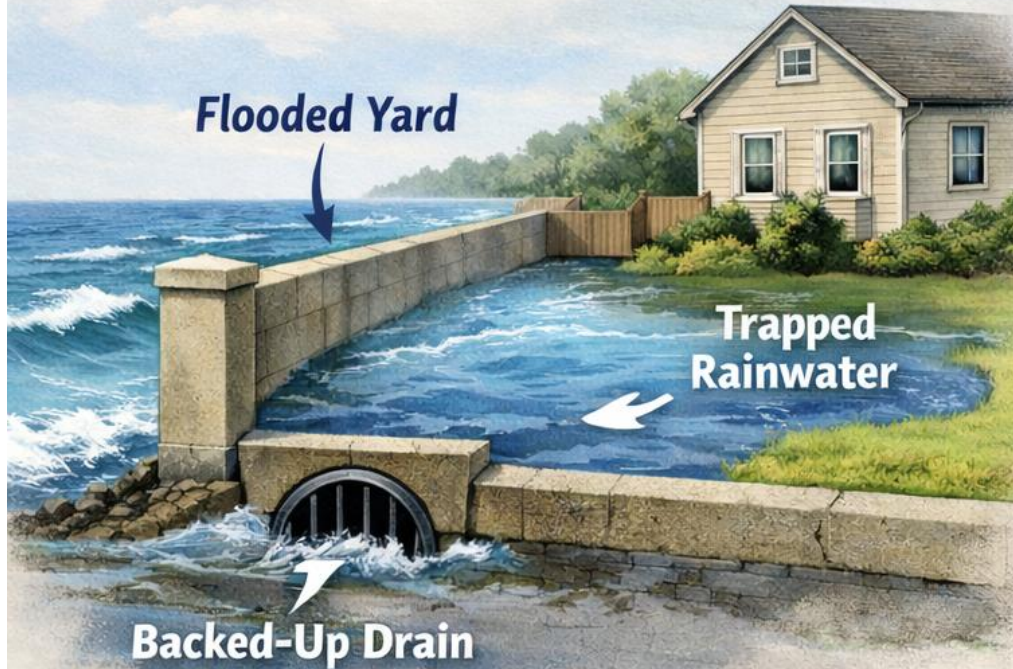
- Add language to the code to require caps on seawalls to be designed for future upgrades to the required height.
- Hardship variance would be granted if the cost to accommodate storm water exceeds 20% of the value of the primary structure.
- Revise criteria for administrative relief
- New construction



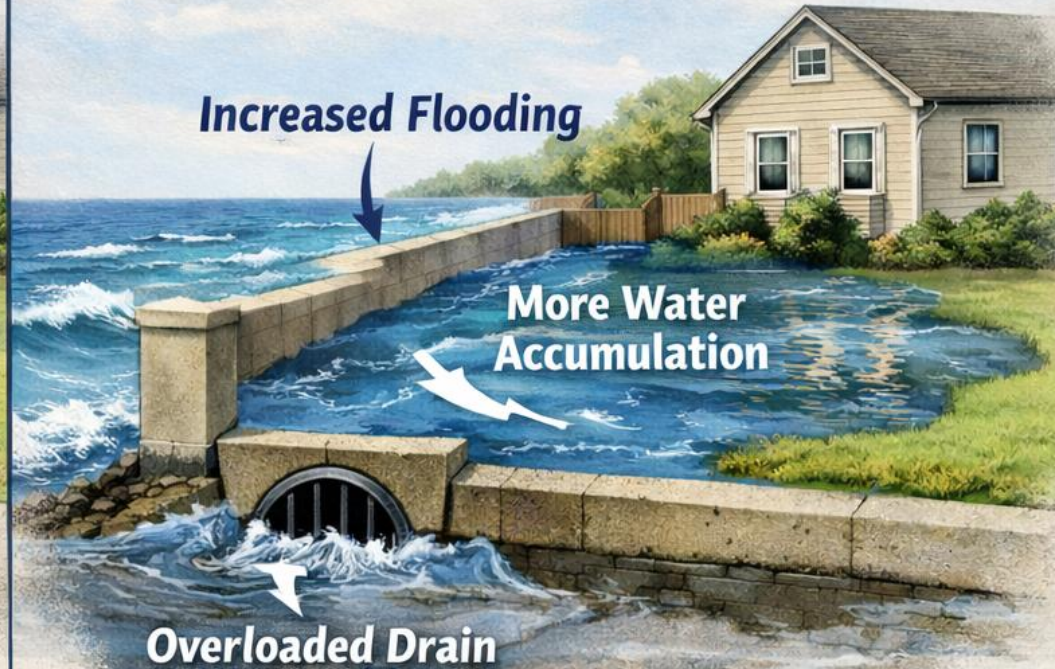
SEAWALL COMPARISON

Dealing with Rainwater Complications

5 FT NAVD



3 FT NAVD



Rainwater Drainage Issues:

Elevated seawalls can trap rainwater runoff, causing flooding in low-lying areas.

Seawalls adjacent to ROW(Right of Ways)

- Estimated 4,575 lineal feet of seawalls
- Average cost \$1,108/LF
- Estimated permit valuations - \$5,069,100
- Estimated permitting fees - \$83,199



Questions?



Opportunities to Increase Parking Revenues

March 9, 2026



Parking Study of 2025

- Following the Parking Study performed by Dixon Resources in 2025, the City is performing a thorough audit of its parking system.
- There are technology, signage, enforcement, ordinance and revenue improvements to be made
- An enterprise fund was established in the current fiscal year to capture the true value in the parking system and to fund future improvements

Tonight we will discuss the opportunity to enhance our revenue stream from metered sales

Update the City-wide Hourly Rate

- Increase the City-wide parking rates by \$.50 per hour.
- This strategy would increase the City's parking revenue by **\$600,000** per year.
- The new rates would be \$5.00 per hour on weekdays and \$6.00 per hour on weekends.

Pass through Credit Card Fees to Users

- The City pays approximately \$170,000 in credit card processing fees per year for parking meter sales.
- This is a common practice in the marketplace
- On an average transaction (\$8.67), passing along this fee would cost the customer an additional \$.26 approximately.

Pass through of these fees would increase revenue by **\$170,000** annually

Sunset Pricing

- Add \$1.00 per hour to all metered transactions between 4 and 8pm.
- The weekday price after 4pm would be \$5.50 per hour (exclusive of other potential rate increases). The weekend price would be \$6.50 per hour after 4pm.
- If we increased both the City-wide hourly rate, the price to park in the evenings would be \$6.00 on weekdays and \$7.00 on weekends
- Approximately 20% of metered sales

Sunset pricing would yield
approximately **\$257,000** per year

Seasonal Pricing Model

- 34% of our parking revenue comes in February through April, "In Season"
- Increase parking fees by \$1.00/hour In Season at all City and County Park meters

Seasonal Pricing would yield approximately
\$425,000 in additional revenue

Make County Park Rate Consistent with the City Rate

- Parkers at the County Park pay LESS than visitors to Upham and Pass-A-Grill beaches and other locations throughout the City. We propose making parking at the County Park cost the same as parking throughout the City.

Having a consistent parking rate would increase revenue by approximately **\$90,000** per year.

Reduce parking rates in the morning

- Give visitors an opportunity to run errands or walk the beach in the morning with a lower investment in parking.
- Lower the parking fee by \$1.00/hour in the morning, until noon at all City and County Park locations.

This would reduce the City's revenue by approximately **\$405,000**, thus compensating for some of the other increases

Other Possibilities

- Consider Friday part of the weekend. Adds \$120,000 per year
- Increase the Holiday rate from \$25 to \$40. Enhances revenue by \$480,000 per year

Implementing All Possibilities

<u>Fee Change</u>	<u>Type of Change</u>	<u>Impact on Revenue</u>
Pass through Credit Card Fees	User pays 3.00% more per transaction	\$170,000
Sunset Pricing	After 4:00 pm the price increases by \$1.00/hour	\$257,000
Seasonal Pricing	In season the price increases by \$1.00/hour	\$425,000
Eliminate County Park Special Rate	Prices will increase to meet the City Rate	\$90,000
Reduce morning rates	Lower the parking fee by \$1.00/hour before noon	-\$405,000
Increase hourly rate	Increase the basic parking rates by \$.50 per hour	\$600,000
Start the weekend early	Weekend rates being on Friday	\$120,000
Increase the Holiday Rate	Rates increase from \$25 - \$40 per day	\$480,000
Total Increase in Revenue		\$1,737,000

Recommendations by the FBRC

<u>Fee Change</u>	<u>Type of Change</u>	<u>Impact on Revenue</u>
Sunset Pricing	After 4:00 pm the price increases by \$1.00/hour	\$257,000
Seasonal Pricing	In season the price increases by \$1.00/hour	\$425,000
Eliminate County Park Special Rate	Prices will increase to meet the City Rate	\$90,000
Increase hourly rate	Increase the basic parking rates by \$.50 per hour	\$600,000
Start the weekend early	Weekend rates being on Friday	\$120,000
Increase the Holiday Rate	Rates increase from \$25 - \$40 per day	\$480,000
Total		\$1,972,000

* The FBRC did not support passing through fees or reducing morning rates

Summary of New Rates

- The City-wide basic rates will be \$5.00/hour weekdays and \$6.00/hour weekends.
- Add \$1.00/hour at Sunset and “In Season”
 - From February 1 – April 30 the basic prices would be \$6.00/hr on weekdays and \$7.00/hr on weekends (Seasonal rate)
 - From February 1 – April 30 from 4pm – 8pm the process would be \$7.00 weekdays and \$8.00 on weekends (Seasonal and Sunset rates)
 - From May 1 – January 31 we will charge the “basic rate” for the better part of the day, but from 4 – 8 pm the fee will be \$6.00/hr on weekdays and \$7.00/hr on weekends.
- Friday will be considered the weekend (Basic City-wide weekend rate \$6.00/hour)
- Holidays will be \$40/day.

What do neighboring beach communities charge for parking?

- Madeira Beach: \$4.00 per hour.
- Treasure Island: Weekday \$4.95/hour; Weekend \$5.95/hour; add \$1.00 for sunset parking

What's Next?

Fee Related

- Ordinance change to make fee and fine changes by resolution
- Resolution to increase fees based on Commission Feedback
- Analysis of fines for Non-Compliance. Increases are anticipated.

Other Projects

- Scope and bid new technology to facilitate enforcement
- Improve financial reporting
- Evaluate signage at pay stations and across the City for effectiveness
- Finalize recommendations for resident parking

City Commission Meeting
February 24, 2026
6:00 p.m.

ELECTED OFFICIALS PRESENT:

Adrian Petrilu, Mayor
Karen Marriott, Vice Mayor, Commissioner, District 1
Lisa Robinson, Commissioner, District 2
Betty Rzewnicki, Commissioner, District 3
Jon Maldonado, Commissioner, District 4

STAFF PRESENT:

Frances Robustelli, City Manager	Adam Poirrier, Assistant City Manager
Ralf Brookes, City Attorney	Laura Canary, Community Development Director
Renee Rose, City Clerk	Candyce Galloway, Innovation and Technology Director
Mandy Edmunds, Resident Services Director	Kristin Coman, Planning Manager
Devon Schmidt, Finance Director (via Zoom)	

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

1. APPROVAL OF THE AGENDA

Commissioner Rzewnicki added a discussion item about public/private seawall partnership. Commissioner Robinson added a discussion item about an SOP for permitting. These items were added as 7a and 7b.

Motion: Commissioner Robinson moved, Commissioner Maldonado seconded, and the motion carried 5-0 to approve the February 24, 2026 City Commission Agenda, as amended.

2. PRESENTATIONS

a. Mike Twitty, Pinellas County Property Appraiser

Mike Twitty shared a presentation on Post-Storm Valuation Resources. His presentation was made a part of the meeting record. He explained that January 1 serves as the statutory assessment date each year and represents a snapshot of a property's condition as of that date. Properties are valued based on whether they remain damaged, have been repaired, or have demolition permits in place. Mr. Twitty highlighted several storm-related resources available on the Property Appraiser's website, including storm FAQs, FEMA/WLM letters (with access to both 2024 pre-storm and 2025 letters), the Building Value Reconsideration (BVR) process, and guidance on the calamity provision and homestead portability. He reviewed the storm damage survey mailed to affected property owners to help ensure accurate 2026 assessments and determine whether owners intend to use the calamity provision. He explained that many properties were temporarily depreciated due to storm damage and that the BVR process allows owners to submit pre-storm documentation, including photographs and invoices, to restore building value where appropriate. He also discussed trust ownership verification letters to assist property owners seeking owner-builder permits when properties are held in trust. He provided an overview of recent legislative changes to the calamity provision. Homesteaded properties may now rebuild up to 130 percent of the original square footage, or up to 2,000 square feet, whichever is greater, without losing the Save Our Homes cap, provided a permit is pulled within five years of January 1 following the storm and the homestead exemption is maintained. Non-homestead properties may rebuild up to 110 percent, or 1,500 square feet, whichever is greater, within a three-year window. He highlighted the importance of not removing homestead status during the rebuilding process. He introduced a new online calamity calculator to help single-family homeowners estimate potential tax impacts of repairs or rebuilding based on square footage and current legislative limits. He also reviewed portability provisions for homesteaded properties significantly damaged by a named storm, noting that affected owners may elect special treatment and retain a three-year window to port their Save Our Homes benefit. He referenced the Pinellas County "People First" Hurricane Recovery Programs, funded through HUD grants, which provide financial assistance to eligible homeowners, renters, landlords, and small businesses. He closed by promoting the Property Appraiser's public education programs, newsletters, and the Clerk of Court's free Property Fraud Alert service, which notifies subscribers of documents recorded in their name.

Discussion included asking about acceptable documentation for the Building Value Reconsideration (BVR) process, particularly for residents who lost records or photographs in the storms. Mr. Twitty advised that any available pre-storm documentation, including family pictures or MLS listing photos, may be used, and highlighted the importance of providing some form of visual evidence. Clarification was requested on the calamity provision as it applies to commercial and multi-unit properties. Mr. Twitty confirmed that homesteaded portions of duplexes may qualify for the 130% cap, while non-homestead and commercial properties fall under the 110% limitation. Commissioners also sought clarification on which FEMA letter year should be used if additional storm damage occurs before repairs are completed. Mr. Twitty advised that the pre-storm 2024 letter would generally be appropriate in that scenario. Additional discussion addressed prior storm events, including Idalia, and Mr. Twitty confirmed that earlier storm damage had been considered in valuation adjustments and the development of the BVR process. Questions were raised about the storm damage property condition status letters sent by the Property Appraiser's Office and why some residents received them while others did not. Mr. Twitty explained that letters were sent to properties identified as having potential storm damage based on available data and that properties with permits already pulled or prior communication with the office were removed from the mailing list. He noted the purpose of the letter was to confirm property condition as of January 1 and ensure accurate valuation and FEMA letter information.

PUBLIC COMMENT

John Kurzman, Bahia Honda Way, thanked the Property Appraiser and questioned how beachfront properties and sandy beach areas are classified and taxed. He raised concerns about hotels marking off beach areas for rentals and limiting public access, while paying relatively low business tax receipts. He asked how the City can ensure fair taxation, protect public access, and provide equitable representation for residents.

Mr. Twitty said that beachfront taxation and ownership issues are complex and often addressed case by case due to varying legal descriptions, erosion control lines, and beach nourishment status. He noted that much of the property value is driven by building density rather than ancillary beach amenities, and that those revenues are considered in income-based appraisals for hotels. He acknowledged concerns about public use and customary use but stated that these issues are outside his authority.

b. Dune Savers 2025 Recap

Mandy Edmunds introduced Nancy Stevens with Dune Savers. Dune Savers is volunteer group that has dedicated time and effort to restoring and maintaining the City's dunes and vegetation. Ms. Stevens shared a presentation on the Dune Savers 2025 Review and 2026 Vision. Her presentation was made a part of the meeting record. She explained that dunes serve as natural infrastructure, stabilizing sand, supporting wildlife, and strengthening storm resiliency. Established in 2024, Dune Savers meets twice weekly and conducts all work by hand, led by trained volunteers including Master Gardeners and advanced plant identification leaders. In 2025, 55 volunteers contributed 835 hours working directly in the dunes and an additional 155 hours behind the scenes. The group removed 546 large containers of invasive plants and debris, approximately 7,000 cubic feet, including Brazilian pepper trees, carrotwood, lead trees, and other invasive species. Work occurred across Pass-a-Grille Beach, County Beach, Upham Beach, and the Don CeSar property beaches, with approximately 14 acres cleared. More than 500 native plants were installed, including sea oats, dune sunflower, sea grape, railroad vine, and other native species. She highlighted positive ecological indicators following the 2024 storms, including the return of native vegetation, natural dune reformation, removal of vehicle traffic impacts, and 28 recorded sea turtle nests (unofficial count). She emphasized strong partnerships with the City of St. Pete Beach, beachfront neighbors, and the Don CeSar Hotel, which donated removal of more than 50 Brazilian pepper trees. Looking ahead to 2026, the organization plans to continue large-scale invasive removal, complete a full pass of accessible dune areas island-wide, expand native plantings as donations allow, maintain access paths, and begin a citywide invasive removal initiative. She encouraged residents to stay on designated paths, report invasive species, avoid disposing of yard waste in dune areas, and support ongoing restoration efforts. Dune Savers meets every Monday and Friday from

7:30-8:30am.

c. Permit Process Brief Update

Laura Canary, Community Development Director, shared an update on the permit process. Her presentation was made a part of the meeting record. Ms. Canary outlined completed actions since the January update, including conducting volunteer exit interviews to identify trends and inform process improvements, implementing Community Development customer service standards, and assigning a dedicated permit technician to each application as a single point of contact. Same-day or express permits are currently available for select permit types (such as water heaters, panel upgrades, electric meters, and certain mechanical change-outs), with improved website communication coming soon. Appointments with the Building Official and Deputy Building Official are now available, and extended Wednesday hours have been implemented and are being monitored for effectiveness. Staff has refined review status terminology to improve clarity for applicants and are evaluating consolidated review processes to balance efficiency with timely comment delivery. To provide clearer timelines, staff will publish statutory review requirements, expand project checklists, and begin reporting actual average review times by permit type rather than estimated timelines.

Candyce Galloway, Innovation and Technology Director, provided an update on the 91 Days to June 1 roadmap, focusing on development of an operational blueprint that includes a permit service map, a pain point register identifying recurring operational challenges including manual processes, intake bottlenecks, fragmented communication, and limited automation, and a permit matrix defining permit types, review disciplines, documentation requirements, sequencing dependencies, and compliance triggers. A future-state service map is being developed to incorporate automation, defined workflow triggers, improved notifications, and performance standards. Staff are also evaluating emerging AI tools to assist with intake, notifications, and plan review functions, with targeted vendor demonstrations coming soon and potential recommendations or an RFP by June.

Next steps include continued cross-disciplinary coordination, additional Commission updates in March and June, and a Building and Permitting Open House on March 26 from 8 a.m. to 6 p.m. The overall goal is to implement strategic operational enhancements that improve efficiency, enhance customer experience, and strengthen regulatory compliance.

Discussion included an acknowledgment of the significant work being done to improve the permitting process. It was asked when it is most beneficial for applicants to schedule appointments with the Building Official or Deputy Building Official. Ms. Canary explained that meetings are especially helpful for complex projects, such as new construction, or when applicants are in early planning stages and want guidance before submitting plans. Appointments are also encouraged when applicants have received unclear or conflicting information and would benefit from direct discussion. A need was expressed for clearer status visibility within the permit portal. The current “in review” label can be frustrating and does not provide enough detail for homeowners or contractors. Suggestions included adding a checklist, progress bar, status indicators, or clearer descriptions, such as identifying which review stage is pending or whether additional information is needed from the contractor. Improved transparency could reduce confusion, limit unnecessary calls to staff, and help applicants better understand their role in the process. There was also discussion about maintaining a human touch, including phone calls before issuing denials where appropriate. Ms. Canary provided an update on mobile permitting and post-storm response. Technology infrastructure is in place to support field-based permitting, including mobile devices and printing capabilities. As part of the substantial damage administrative procedures plan, staff have developed a placard system that could be deployed immediately after a storm. Damage assessment teams would place permit placards on properties in the field, allowing tracking within the system and helping property owners begin recovery steps more quickly. This approach is intended to reduce the need for after-the-fact permits. It was suggested that allowing applicants to submit photos with permit applications may help clarify scope and reduce misunderstandings. Storm preparedness was discussed, highlighting the need for clear, easily accessible recovery guidance on the City’s website in the event of another storm. Ms. Canary confirmed that website updates are

being structured so recovery-related information can be quickly reactivated and displayed as needed.

3. PUBLIC COMMENT

No members of the public came forward.

4. CONSENT

- a. Approval of the February 10, 2026 City Commission Meeting Minutes.
- b. Authorize the City Manager to execute the Continuing Contract for Professional Design Services with George F Young of Florida, Inc. for three years.
- c. Ratification of Reappointment of the Fifth Trustee to the Firefighter's Pension Board.

Motion: Vice Mayor Marriot moved, Commissioner Robinson seconded, and the motion carried 5-0 to approve the February 24, 2026 City Commission Consent Agenda, as presented.

5. ORDINANCES

a. Final Reading of Ordinance 2025-24: Revising Code of Ordinances Chapters 131 & 132 Pertaining to Communication and Small Wireless Facilities

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES CHAPTER 131 WIRELESS COMMUNICATION TOWERS AND ANTENNAS AND CHAPTER 132 COMMUNICATION FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; RENAMING CHAPTER 132 TO COMMUNICATION FACILITIES IN THE CITY RIGHTS-OF-WAY; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

Attorney Brookes read Ordinance 2025-24 in title only.

PUBLIC COMMENT

The following spoke in support of Ordinance 2025-24, and support for Ordinance 2026-03 only if it includes a 30 ft setback and 500 ft separation:

Lauren Mones, Pass-a-Grille

Ronald Vigneault, Pass-a-Gille

Jim DiMartino, Pass-a-Grille, read letter on behalf of Scott McCollough, McCollough Law Firm. The letter was made a part of the meeting record.

KellyLee McFrederick, Maritana Dr.

Jack Rice, Maritana Dr.

Vincent Tormenia, Casablanca Ave.

Matt Mucci, AT&T representative, stated support for the ordinance on second reading. He clarified that AT&T has installed no more than 10 small cell facilities in the City to date, noting these are antennas on existing utility poles, not traditional towers.

Discussion focused on liability and insurance protections included in the ordinance. Attorney Brookes confirmed that hold harmless, defense, and insurance provisions are incorporated, requiring providers to defend and indemnify the City, and to provide certificates of insurance, construction bonds, removal bonds, and removal plans. There was a question regarding the list of specifically named landmarks and locations in the purpose section of the ordinance. Concern was expressed that identifying certain properties could unintentionally exclude other historic or significant community resources now or in the future. It was suggested that the language be revised to include "including but not limited to" to allow flexibility as additional sites may be designated. There was consensus to incorporate this as a recommended change.

Motion: Vice Mayor Marriott moved, Commissioner Rzewnicki seconded, and the motion carried 5-0 to approve the final reading of Ordinance 2025-24, as amended.

b. First Reading Ordinance 2026-03: Amending Code of Ordinances Chapter 132 Pertaining to Communication and Small Wireless Facilities Design Standards

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES CHAPTER 132 COMMUNICATION FACILITIES IN THE CITY RIGHTS-OF-WAY, SEC. 132-16 DESIGN STANDARDS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, CORRECTION OF SCRIVENER’S ERRORS, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

Attorney Brookes read Ordinance 2026-03 in title only. He presented a citizen proposal to amend Chapters 131 and 132 to add numerical distance requirements for small wireless facilities in the public right of way. The proposal included a minimum 30-foot setback from private property lines and a 500-foot minimum separation between new ground-mounted small wireless facilities. He explained that a 30-foot setback from the property line would likely make placement within the City’s rights of way impossible and could be considered a de facto prohibition under state law. The proposal had previously shifted between measuring from property lines and structures, but the latest version returned to measurement from the property line. Regarding the proposed 500-foot separation requirement, he noted that most facilities in the City are not ground-mounted and that state statute limits the City’s ability to impose minimum separation distances. He highlighted concern that adopting fixed numerical spacing requirements could conflict with state preemption under Section 337.401, Florida Statutes. As an alternative, he prepared revised language retaining the 30-foot and 500-foot distances but qualifying them with “whenever possible and technically feasible,” and incorporating the statutory negotiation process rather than a variance requirement, since state law prohibits requiring public meetings for such applications. He advised that if a setback were adopted, measuring from structures rather than property lines could provide a stronger public safety justification. The Commission was advised of potential litigation risks and attorney’s fee exposure if the ordinance were challenged and found inconsistent with state law.

Discussion included the proposed 500-foot separation requirement and alternative solutions. It was asked whether, instead of imposing a minimum separation distance of 500 feet between facilities, the City could consider limiting the total number of small wireless facilities within a defined area, such as a maximum number per square mile. The intent would be to address concerns about overconcentration or density of facilities within neighborhoods, while potentially avoiding conflict with state preemption language that prohibits minimum separation distances. Attorney Brookes explained that this idea would require additional legal analysis. He explained that wireless facility placement depends on technical factors such as signal radius, spectrum band, and line-of-sight conditions, and that coverage needs vary based on surrounding development and physical obstructions, applying traditional land-use density standards to wireless infrastructure presents challenges. He also noted that Section 337.401, Florida Statutes, contains significant limitations on a municipality’s ability to restrict placement, including restrictions related to separation distances, and potentially limits on numerical caps. He will evaluate the issue prior to second reading. Commissioners also discussed whether any numerical limitation would apply per carrier or in total across all providers. Concerns were raised about ensuring the Commission had input from multiple carriers. Attorney Brookes confirmed receipt of correspondence from Verizon, which objected to vagueness in portions of the ordinance language but did not assert that the ordinance adopted earlier that evening was preempted by state law. He explained that some of the broader language was drafted in response to state preemption constraints that limit the City’s ability to impose specific numerical standards. Additional review and discussion can occur prior to second reading.

PUBLIC COMMENT

The following spoke in opposition of the staff proposed draft:

Lauren Mones, Pass-a-Grille, adding that the proposed language has consistently been a 30-foot setback from residential property lines and stated that the use of the term “structures” was described as a legal term of art, not a substantive change to the setback distance.

Ronald Vigneault, Pass-a-Gille

KellyLee McFrederick, Maritana Dr., clarified that the intent of the proposed setback has always been 30 feet from the residential property line within the right-of-way, not 30 feet from a structure.

Jack Rice, Maritana Dr.

Discussion focused on the difficulty of “threading the needle” between resident concerns and state and federal preemption. It was noted that a 30-foot setback is not feasible in some areas, particularly Pass-a-Grille, and discussed the need for enforceable standards that would not be easily challenged. Ordinance language reinforcing ties to public safety, especially sight lines, pedestrian safety, and ADA access, while also considering whether density concepts could be explored as an alternative to prohibited minimum separation distances. Transparency and process limitations under the Sunshine Law were discussed, noting that commissioners cannot speak to one another outside the dais, and that this meeting is the primary forum for collective discussion. It was discussed if the ordinance, as drafted, has sufficient “teeth,” and acknowledged the need to avoid adopting provisions that would likely trigger costly litigation. There was concern about committing taxpayer funds to defend an ordinance that would likely be preempted, and concerns about the continued use of staff time on the issue. The Commission has a responsibility to pursue reasonable safeguards for health, safety, aesthetics, and property impacts, even within constraints. Attorney Brookes clarified the evolving citizen proposals, including differences between setbacks measured from property lines versus structures, and explained why a variance process is problematic under the statute. He summarized the staff-recommended approach using “whenever possible and technically feasible” language and negotiation of alternative locations and noted that the proposed 500-foot spacing relates to ground-mounted equipment (not poles), which is not common in St. Pete Beach installations. He explained that, if adopted on first reading, the ordinance would be transmitted to the Florida Department of Legal Affairs, which delays the effective date for 30 days after receipt, and that staff is reviewing whether state law allows any limits based on overall counts or density. There was support for pursuing legislative advocacy at the state and federal levels, including engaging the City’s lobbyists and coordinating with the Florida League of Cities. Discussion concluded with the direction to consider moving forward with staff’s recommended language on first reading while continuing research before second reading.

Motion: Vice Mayor Marriott moved, Commissioner Maldonado seconded, and the motion carried 5-0 to approve the first reading of Ordinance 2026-03, with the staff language version.

c. First Reading Ordinance 2026-02: Parking Fees Established by Resolution

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA, AMENDING APPENDIX A OF THE CITY’S CODE OF ORDINANCES RELATING TO PARKING FEES; REMOVING PARKING FEES FROM APPENDIX A; PROVIDING THAT PARKING FEES SHALL BE ESTABLISHED AND AMENDED BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND EFFECTIVE DATE.

Attorney Brookes read Ordinance 2026-02 in title only.

Adam Poirrier, Assistant City Manager, said staff has been working on a parking action plan for the last several months based on consultant recommendations. It is a multi-tier and a long-term process to get all the recommendations in line and to get the parking program to where it where it should be. Currently, parking fees are established by ordinance within the City’s adopted fee schedule appendix, which requires two readings and a public hearing for any adjustment. The proposed ordinance would remove parking fees from the ordinance appendix and allow future updates to be adopted by resolution. This change would maintain legal compliance while providing greater administrative flexibility, allowing the City to adjust fees more efficiently, both upward or downward, as needed. Any future fee changes would still require Commission approval and public input. Staff has presented preliminary fee options to the Finance and Budget Review Committee and incorporated their feedback. A similar presentation will be brought to the Commission for policy direction.

PUBLIC COMMENT

No members of the public came forward.

Motion: Mayor Petrila moved, Vice Mayor Marriot seconded, and the motion carried 5-0 to approve the first reading of Ordinance 2026-02.

6. ACTION ITEMS

a. Acceptance of the Capital Projects Prioritization Tool for Fiscal year 2027 Budget

Devon Schmidt, Finance Director, presented a proposed Capital Improvement Projects (CIP) Prioritization tool. Her presentation was made a part of the public record. The tool provides a transparent and repeatable framework to ensure capital investments align with the City's strategic roadmap, community priorities, resiliency goals, regulatory obligations, and responsible financial stewardship. It allows departments, management, and the Commission to consistently evaluate which projects should be advanced, deferred, or funded through specific revenue sources. The matrix operates by assigning weights, totaling 100, to defined evaluation criteria, reflecting the City's relative priorities. Projects are scored on a standardized scale across categories such as health and safety, regulatory mandates, asset condition and risk, recovery and resiliency, community prosperity, economic and smart growth, lifecycle and operations impacts, funding leverage, project readiness, and bundling/coordination opportunities. Weighted scores are calculated to generate overall rankings, and the tool allows scenario analysis by department, funding source, or project type. The proposed framework places the greatest emphasis on life safety, legal compliance, asset protection, and resiliency, with growth and prosperity as secondary considerations and operational factors serving as refinements rather than primary decision drivers. The Finance & Budget Review Committee recommended adjustments to increase the weighting of health and safety, regulatory mandates, and bundling/coordination. The Commission was asked to accept the use of the CIP Prioritization Tool beginning with development of the Fiscal Year 2027 budget.

Discussion focused on clarifying how the funding component of the matrix operates and addressing public misconceptions regarding capital funding. It was asked whether the tool distinguishes between funded and unfunded projects, specifically referencing the funding criterion in the matrix. Ms. Schmidt explained that the funding category evaluates whether external funding has been secured. Projects with more than 50% secured external funding would receive the highest score in that category, while projects funded primarily through City funds or with unknown funding would score lower. Further clarification was provided that the prioritization tool ranks projects based on policy criteria but does not establish funding. The CIP identifies projects and currently allocated funding for the present fiscal year. Out-year funding is largely unfunded except for recurring or projected revenue sources, such as Penny for Pinellas. Deficits in future years reflect funding that has not yet been allocated. The matrix will assist in allocating available resources during the annual budget process once operational needs are addressed.

PUBLIC COMMENT

No members of the public came forward.

Motion: Commissioner Rzewnicki moved, Commissioner Maldonado seconded, and the motion carried 5-0 to accept the proposed Capital Projects Prioritization Tool for FY2027 Budget.

7. ITEMS FOR DISCUSSION

a. Discussion on Public/Private Seawall Partnership (Added)

Commissioner Rzewnicki added a discussion about public/private seawall partnership in the Don Cesar neighborhood, citing several years of work and the unique conditions of that area. It was noted that the Don Cesar subdivision is the only neighborhood in the City where privately owned seawalls directly adjoin a City right-of-way. Because the right-of-way is heavily used by City services, including waste collection vehicles and post-storm operations, the associated wear and deterioration of the seawalls are impacted by public use. A recent neighborhood meeting with seawall owners explored funding options for repairs. The request is for Commission

support to bring back an action item evaluating the feasibility of temporarily waiving or reducing permit fees for qualifying seawall owners as a resiliency incentive. Attorney Brookes indicated that, if properly framed in relation to the public right-of-way and public benefit, fee waivers could be considered. Discussion included potential cost savings through bundling private projects for competitive pricing. City Manager Robustelli will return with additional information. There was consensus to bring an action item for consideration.

b. Discussion on an SOP for Permitting (Added)

Commissioner Robinson added a discussion about an SOP for permitting that a phone call is required prior to issuing a permit denial. This would allow the applicant an opportunity to understand the issues and potentially make corrections before a formal denial is issued. City Manager Robustelli indicated the request could be reviewed in coordination with the ongoing permit process mapping efforts. There was general agreement among the Commission to have staff evaluate incorporating this practice into the permit process.

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

Renee Rose, City Clerk – As a reminder, the next Commission meeting will be on Monday, March 9 due to the municipal election being held on Tuesday, March 10. The polling location for Districts 1 & 2 is City Hall, and the polling location for Districts 3 & 4 is the Warren Webster. Polls will be open from 7am-7pm.

Frances Robustelli, City Manager – no report

City Attorney Brookes – no report

Commissioner Maldonado – He reported his next community meeting will be March 16.

Commissioner Rzewnicki – no report

Commissioner Robinson – no report

Vice Mayor Marriott – no report

Mayor Petrila – no report

Mayor Petrila adjourned the meeting at 9:26pm.

MINUTES APPROVED: MARCH 9, 2026

RENEE ROSE
CITY CLERK

ADRIAN PETRILA
MAYOR

**CITY COMMISSION MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Approval of an amended Fiscal Year 2026 Compensation Pay Plan

Action Request: Motion to approve the amended Fiscal Year 2026 Compensation Pay Plan

Strategic Objective: Operational Excellence

Date: March 9, 2026

Prepared By: Devita Thomas

Through: Frances Robustelli, City Manager

Summary of Issue:

In October, the City Commission approved the Fiscal Year 2026 Compensation Pay Plan as part of the adopted budget process. The Pay Plan serves as the City's framework for employee classifications and pay ranges and is reviewed annually to reflect organizational changes adopted through the budget.

Following adoption, staff identified an administrative error within the approved Pay Plan. Specifically, the Childcare Coordinator position was approved to be moved to Pay Grade 7, but this adjustment was not properly reflected in the final published Pay Plan document.

This correction does not represent a new policy change, compensation initiative, or additional budgetary impact, but rather ensures the Pay Plan accurately reflects the organizational structure and compensation adjustments previously approved by the City Commission.

No changes are proposed to the overall compensation philosophy, pay grade structure, or cost-of-living adjustments previously approved by the Commission. The amended Pay Plan continues to reflect the 2.6 percent adjustment to pay grade minimums and maximums approved as part of the FY 2026 budget.

Funding: N/A

Attachments: 1. FY26 Pay Plan-03-03-26

FY26 NEW POSITIONS			FY 2025 Pay Plan						FY 2026 Pay Plan					
Grade	Job Title	Dept.	Hrly Min	Hrly Mid	Hrly Max	Annual Min	Annual Mid	Annual Max	Hrly Min	Hrly Mid	Hrly Max	Annual Min	Annual Mid	Annual Max
18	IT, Innovation & Strategy Director	IT	\$51.29	\$66.68	\$82.06	\$106,684	\$138,689	\$170,694	\$52.62	\$68.41	\$84.20	\$109,458	\$142,295	\$175,132
17	Resident Services Director	RE	\$47.71	\$62.03	\$76.34	\$99,241	\$129,013	\$158,785	\$48.95	\$63.64	\$78.32	\$101,821	\$132,367	\$162,913
15	City Librarian	LI	\$41.29	\$53.67	\$66.06	\$85,877	\$111,639	\$137,402	\$42.36	\$55.07	\$67.78	\$88,110	\$114,542	\$140,974
11	IT Systems Administrator	IT	\$30.92	\$40.19	\$49.46	\$64,304	\$83,595	\$102,887	\$31.72	\$41.23	\$50.75	\$65,976	\$85,768	\$105,562
9	Accountant	FI	\$26.75	\$34.78	\$42.80	\$55,645	\$72,338	\$89,031	\$27.45	\$35.68	\$43.92	\$57,092	\$74,219	\$91,346
9	Childcare Coordinator	RE	\$26.75	\$34.78	\$42.80	\$55,645	\$72,338	\$89,031	\$27.45	\$35.68	\$43.92	\$57,092	\$74,219	\$91,346
9	Engineering Technician	PS	\$26.75	\$34.78	\$42.80	\$55,645	\$72,338	\$89,031	\$27.45	\$35.68	\$43.92	\$57,092	\$74,219	\$91,346
8	Emergency Preparedness Specialist	PS	\$24.89	\$32.35	\$39.82	\$51,762	\$67,291	\$82,820	\$25.53	\$33.19	\$40.85	\$53,108	\$69,041	\$84,973
8	Executive Assistant to the City Cl	CO	\$24.89	\$32.35	\$39.82	\$51,762	\$67,291	\$82,820	\$25.53	\$33.19	\$40.85	\$53,108	\$69,041	\$84,973
7	Childcare Coordinator	RE	\$23.15	\$30.09	\$37.04	\$48,151	\$62,596	\$77,042	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Permitting Coordinator	CD	\$23.15	\$30.09	\$37.04	\$48,151	\$62,596	\$77,042	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Program and Events Coordinator	RE	\$23.15	\$30.09	\$37.04	\$48,151	\$62,596	\$77,042	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
5	Intern - Building Inspector	CD	\$20.03	\$26.04	\$32.05	\$41,667	\$54,167	\$66,667	\$20.55	\$26.72	\$32.88	\$42,750	\$55,575	\$68,400
3	Rental & Events Maintenance Worker	RE	\$17.33	\$22.53	\$27.74	\$36,056	\$46,872	\$57,689	\$17.79	\$23.12	\$28.46	\$36,993	\$48,091	\$59,189
1	Building & Permitting Clerk	CD	\$15.00	\$19.50	\$24.00	\$31,200	\$40,560	\$49,920	\$15.39	\$20.01	\$24.62	\$32,011	\$41,615	\$51,218

			FY 2025 Pay Plan						FY 2026 Pay Plan					
Grade	Job Title	Dept.	Hrly Min	Hrly Mid	Hrly Max	Annual Min	Annual Mid	Annual Max	Hrly Min	Hrly Mid	Hrly Max	Annual Min	Annual Mid	Annual Max
9	Accountant	FI	\$26.75	\$34.78	\$42.80	\$55,645	\$72,338	\$89,031	\$27.45	\$35.68	\$43.92	\$57,092	\$74,219	\$91,346
9	Engineering Technician	PS	\$26.75	\$34.78	\$42.80	\$55,645	\$72,338	\$89,031	\$27.45	\$35.68	\$43.92	\$57,092	\$74,219	\$91,346
9	HR Generalist	HR	\$26.75	\$34.78	\$42.80	\$55,645	\$72,338	\$89,031	\$27.45	\$35.68	\$43.92	\$57,092	\$74,219	\$91,346
9	Librarian	LI	\$26.75	\$34.78	\$42.80	\$55,645	\$72,338	\$89,031	\$27.45	\$35.68	\$43.92	\$57,092	\$74,219	\$91,346
7	Administrative Assistant	CD	\$23.15	\$30.09	\$37.04	\$48,151	\$62,596	\$77,042	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Aquatics Coordinator	RE	\$23.15	\$30.09	\$37.04	\$48,151	\$62,596	\$77,042	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Childcare Coordinator	RE	\$23.15	\$30.09	\$37.04	\$48,151	\$62,596	\$77,042	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Code Enforcement Officer	CD	\$23.15	\$30.09	\$37.04	\$48,151	\$62,596	\$77,042	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Permitting Coordinator	CD	\$23.15	\$30.09	\$37.04	\$48,151	\$62,596	\$77,042	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Program and Events Coordinator	RE	\$23.15	\$30.09	\$37.04	\$48,151	\$62,596	\$77,042	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Utilities Technician I	PS	\$23.15	\$30.09	\$37.04	\$48,151	\$62,596	\$77,042	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045

CITY OF ST. PETE BEACH – FY26 PAY PLAN

Grade	Job Title	Dept.	Hrly Min	Hrly Mid	Hrly Max	Annual Min	Annual Mid	Annual Max
Charter	City Mayor	CO	\$675/monthly					
Charter	City Commissioner	CO	\$450/monthly					
Contract	City Manager	CM	\$240,000/ annually			\$246,240 / annually		
Contract	City Clerk	CO	\$95,000 / annually			\$97,470 / annually		
20	Assistant City Manager	CM	\$60.81	\$79.06	\$97.30	\$126,491	\$164,439	\$202,387
19			\$56.57	\$73.54	\$90.51	\$117,667	\$152,967	\$188,267
18	Community Development Director	CD	\$52.62	\$68.41	\$84.20	\$109,458	\$142,295	\$175,132
18	Finance Director	FI	\$52.62	\$68.41	\$84.20	\$109,458	\$142,295	\$175,132
18	Fire Chief	FD	\$52.62	\$68.41	\$84.20	\$109,458	\$142,295	\$175,132
18	IT, Innovation & Strategy Director	IT	\$52.62	\$68.41	\$84.20	\$109,458	\$142,295	\$175,132
18	Public Services Director	PS	\$52.62	\$68.41	\$84.20	\$109,458	\$142,295	\$175,132
17	Building Official	CD	\$48.95	\$63.64	\$78.32	\$101,821	\$132,367	\$162,913
17	HR Director	HR	\$48.95	\$63.64	\$78.32	\$101,821	\$132,367	\$162,913
17	Resident Services Director	RE	\$48.95	\$63.64	\$78.32	\$101,821	\$132,367	\$162,913
16	Assistance Finance Director	FI	\$45.54	\$59.20	\$72.86	\$94,717	\$123,132	\$151,547
16	Assistant Public Services Director	PS	\$45.54	\$59.20	\$72.86	\$94,717	\$123,132	\$151,547
16	Deputy Fire Chief	FD	\$45.54	\$59.20	\$72.86	\$94,717	\$123,132	\$151,547
15	City Librarian/Library Administrator	LI	\$42.36	\$55.07	\$67.78	\$88,110	\$114,542	\$140,974
14	District Fire Chief	FD	\$39.41	\$51.23	\$63.05	\$81,962	\$106,550	\$131,139
13	Code Enforcement Manager	CD	\$36.66	\$47.65	\$58.65	\$76,244	\$99,117	\$121,989
13	Deputy Building Official	CD	\$36.66	\$47.65	\$58.65	\$76,244	\$99,117	\$121,989
13	Fire Marshal	FD	\$36.66	\$47.65	\$58.65	\$76,244	\$99,117	\$121,989
13	Operations Manager	PS	\$36.66	\$47.65	\$58.65	\$76,244	\$99,117	\$121,989
13	Planning Manager	CD	\$36.66	\$47.65	\$58.65	\$76,244	\$99,117	\$121,989
13	Procurement Manager	FI	\$36.66	\$47.65	\$58.65	\$76,244	\$99,117	\$121,989
13	Senior Financial Analyst	FI	\$36.66	\$47.65	\$58.65	\$76,244	\$99,117	\$121,989
12	Fire Captain/Paramedic	FD	\$34.10	\$44.33	\$54.56	\$70,924	\$92,201	\$113,479
12	Project Manager	PS	\$34.10	\$44.33	\$54.56	\$70,924	\$92,201	\$113,479
12	Senior Planner	CD	\$34.10	\$44.33	\$54.56	\$70,924	\$92,201	\$113,479
11	Building Inspector	CD	\$31.72	\$41.23	\$50.75	\$65,976	\$85,768	\$105,562
11	Communications Manager	CM	\$31.72	\$41.23	\$50.75	\$65,976	\$85,768	\$105,562
11	FOG and Construction Inspector	PS	\$31.72	\$41.23	\$50.75	\$65,976	\$85,768	\$105,562
11	IT Systems Administrator	IT	\$31.72	\$41.23	\$50.75	\$65,976	\$85,768	\$105,562
11	Senior Engineer Technician	PS	\$31.72	\$41.23	\$50.75	\$65,976	\$85,768	\$105,562
10	Deputy City Clerk	CO	\$29.51	\$38.36	\$47.21	\$61,373	\$79,785	\$98,197
10	Executive Assistant to City Manager	CM	\$29.51	\$38.36	\$47.21	\$61,373	\$79,785	\$98,197
10	IT Business Systems Analyst	IT	\$29.51	\$38.36	\$47.21	\$61,373	\$79,785	\$98,197
10	Information Technology Specialist	IT	\$29.51	\$38.36	\$47.21	\$61,373	\$79,785	\$98,197
10	Management Analyst	CM, PS, FI	\$29.51	\$38.36	\$47.21	\$61,373	\$79,785	\$98,197
10	Permitting Administrator	CD	\$29.51	\$38.36	\$47.21	\$61,373	\$79,785	\$98,197
9	Accountant	FI	\$27.45	\$35.68	\$43.92	\$57,092	\$74,219	\$91,346
9	Engineering Technician	PS	\$27.45	\$35.68	\$43.92	\$57,092	\$74,219	\$91,346
9	Human Resources Generalist	HR	\$27.45	\$35.68	\$43.92	\$57,092	\$74,219	\$91,346
9	Librarian	LI	\$27.45	\$35.68	\$43.92	\$57,092	\$74,219	\$91,346
8	Crew Chief	PS	\$25.53	\$33.19	\$40.85	\$53,108	\$69,041	\$84,973
8	Emergency Preparedness Specialist	PS	\$25.53	\$33.19	\$40.85	\$53,108	\$69,041	\$84,973
8	Executive Assistant to the City Clerk	CO	\$25.53	\$33.19	\$40.85	\$53,108	\$69,041	\$84,973
8	Fire Inspector	FD	\$25.53	\$33.19	\$40.85	\$53,108	\$69,041	\$84,973
8	Senior Mechanic	PS	\$25.53	\$33.19	\$40.85	\$53,108	\$69,041	\$84,973
8	Utilities Technician II	PS	\$25.53	\$33.19	\$40.85	\$53,108	\$69,041	\$84,973
7	Administrative Assistant	CD	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Aquatics Coordinator	RE	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Childcare Coordinator	RE	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045

CITY OF ST. PETE BEACH – FY26 PAY PLAN

Grade	Job Title	Dept.	Hrly Min	Hrly Mid	Hrly Max	Annual Min	Annual Mid	Annual Max
7	Code Enforcement Officer	CD	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Permitting Coordinator	CD	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Program and Events Coordinator	RE	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
7	Utilities Technician I	PS	\$23.75	\$30.88	\$38.00	\$49,403	\$64,223	\$79,045
6	Finance Technician II	FI	\$22.09	\$28.72	\$35.35	\$45,957	\$59,743	\$73,530
6	Mechanic	PS	\$22.09	\$28.72	\$35.35	\$45,957	\$59,743	\$73,530
6	Utilities Maintenance Worker III	PS	\$22.09	\$28.72	\$35.35	\$45,957	\$59,743	\$73,530
5	Beach Maintenance Worker III	PS	\$20.55	\$26.72	\$32.88	\$42,750	\$55,575	\$68,400
5	Intern - Building Inspector	CD	\$20.55	\$26.72	\$32.88	\$42,750	\$55,575	\$68,400
5	Parking Enforcement Officer	CD	\$20.55	\$26.72	\$32.88	\$42,750	\$55,575	\$68,400
5	Parks Maintenance Worker III	PS	\$20.55	\$26.72	\$32.88	\$42,750	\$55,575	\$68,400
5	Recreation Leader II	RE	\$20.55	\$26.72	\$32.88	\$42,750	\$55,575	\$68,400
5	Streets Maintenance Worker III	PS	\$20.55	\$26.72	\$32.88	\$42,750	\$55,575	\$68,400
4	Building Maintenance Worker III	PS	\$19.12	\$24.85	\$30.59	\$39,768	\$51,698	\$63,627
4	Library Assistant II	LI	\$19.12	\$24.85	\$30.59	\$39,768	\$51,698	\$63,627
4	Lifeguard III	RE	\$19.12	\$24.85	\$30.59	\$39,768	\$51,698	\$63,627
4	Permit Technician II	CD	\$19.12	\$24.85	\$30.59	\$39,768	\$51,698	\$63,627
4	Recreation Leader I	RE	\$19.12	\$24.85	\$30.59	\$39,768	\$51,698	\$63,627
4	Utilities Maintenance Worker II	PS	\$19.12	\$24.85	\$30.59	\$39,768	\$51,698	\$63,627
4	Planning & Zoning Technician II	CD	\$19.12	\$24.85	\$30.59	\$39,768	\$51,698	\$63,627
4	Streets Maintenance Worker II	PS	\$19.12	\$24.85	\$30.59	\$39,768	\$51,698	\$63,627
3	Beach Maintenance Worker II	PS	\$17.79	\$23.12	\$28.46	\$36,993	\$48,091	\$59,189
3	Building Maintenance Worker II	PS	\$17.79	\$23.12	\$28.46	\$36,993	\$48,091	\$59,189
3	Library Assistant I	LI	\$17.79	\$23.12	\$28.46	\$36,993	\$48,091	\$59,189
3	Lifeguard II	RE	\$17.79	\$23.12	\$28.46	\$36,993	\$48,091	\$59,189
3	Parks Maintenance Worker II	PS	\$17.79	\$23.12	\$28.46	\$36,993	\$48,091	\$59,189
3	Permit Technician I	CD	\$17.79	\$23.12	\$28.46	\$36,993	\$48,091	\$59,189
3	Rental & Events Maintenance Worker	RE	\$17.79	\$23.12	\$28.46	\$36,993	\$48,091	\$59,189
3	Streets Maintenance Worker I	PS	\$17.79	\$23.12	\$28.46	\$36,993	\$48,091	\$59,189
3	Utilities Maintenance Worker I	PS	\$17.79	\$23.12	\$28.46	\$36,993	\$48,091	\$59,189
3	Planning & Zoning Technician I	CD	\$17.79	\$23.12	\$28.46	\$36,993	\$48,091	\$59,189
2	Parks Maintenance Worker I	PS	\$16.54	\$21.51	\$26.47	\$34,412	\$44,736	\$55,059
1	Beach Maintenance Worker I	PS	\$15.39	\$20.01	\$24.62	\$32,011	\$41,615	\$51,218
1	Building Maintenance Worker I	PS	\$15.39	\$20.01	\$24.62	\$32,011	\$41,615	\$51,218
1	Building & Permitting Clerk	CD	\$15.39	\$20.01	\$24.62	\$32,011	\$41,615	\$51,218
1	Library Clerk	LI	\$15.39	\$20.01	\$24.62	\$32,011	\$41,615	\$51,218
1	Lifeguard I	RE	\$15.39	\$20.01	\$24.62	\$32,011	\$41,615	\$51,218

**CITY COMMISSION MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Authorize the City Manager to execute the fourth services agreement amendment with Cotton Global Disaster Solutions, in the amount of \$36,777.99 for the Don Vista Art Center second level flooring repairs damaged by Hurricanes Helene and Milton.

Action Request: Motion to authorize the City Manager to execute the fourth services agreement amendment with Cotton Global Disaster Solutions, in the amount of \$36,777.99 99 for the Don Vista Art Center second level flooring repairs damaged by Hurricanes Helene and Milton.

Strategic Objective: Recovery, Resiliency & Sustainability

Date: March 9, 2026

Prepared By: Camden Mills, Public Services Director

Through: Frances Robustelli, City Manager

Summary of Issue: On September 26, 2024, Hurricane Helene made landfall in the state of Florida, causing catastrophic flood damage. On October 9, 2024, Hurricane Milton made landfall in the state of Florida causing catastrophic wind damage. The following facilities were impacted:

- City Hall
- Don Vista Art Center & Gallery
- Public Services Building
- Recreation & Aquatics Center
- Warren Webster

Following Hurricanes Helene and Milton, City staff worked with Cotton Global Disaster Solutions to perform emergency mitigation, remediation, damage assessment, FEMA site inspections, insurance coordination, and development of construction repair scopes for all impacted facilities.

On March 25, 2025, the services agreement with Cotton Global Disaster Solutions was approved for various City buildings roof repairs in the amount of \$2,163,045.01.

On May 13, 2025, the first services agreement amendment with Cotton Global Disaster Solutions was approved to add buildings interior and exterior repairs in the amount of \$2,034,044.63 for a total contract amount of \$4,197,089.64.

On January 13, 2026 the second services agreement amendment with Cotton Global Disaster Solutions was approved to add additional interior and exterior repairs in the amount of \$211,861.83 for the total contract amount of \$4,408,951.47.

On January 20, 2026 the third services agreement amendment with Cotton Global Disaster Solutions was approved to extend the term of the agreement through December 31, 2026.

The proposed fourth services agreement amendment includes the following additions to the approved contract amount for the Don Vista Art Center:

- \$30,777.99 to remove and replace damaged second level flooring, sub flooring and shoe moulding with like kind and quality flooring.
- \$6,000.00 contingency to repair structural joists underneath the flooring, if needed.

The proposed amendment amounts are supported by a detailed, line-item construction estimate prepared by Cotton Global Disaster Solutions. The proposed amendment adds \$36,777.99 to the total contract amount, which falls within the project's budgeted contingency. The amended contract amount will be \$4,445,729.46 (6% cumulative increase from amendment one). The total repair costs to date for the Don Vista Art Center, including amendment four, are \$690,125.73

Funding:

Funding is available within CIP Project 4004 Facility Building Repairs (\$582,219.17 remaining balance). Following approval of this amendment, sufficient funds will remain to cover the revised contract amount.

Eligible repair costs associated with this amendment are anticipated to be included in the City's FEMA Public Assistance and insurance recovery process, subject to eligibility determination.

Attachments:

1. Cotton Roof Repairs Amendment 4
2. V2-STPETE-ART-CEN-FLO-
1_FINAL_DRAFT_CON

AMENDMENT No. 4 TO CITY OF ST. PETE BEACH, FLORIDA
SERVICES AGREEMENT

THIS AMENDMENT ("Amendment") is made to the certain Agreement for the City Roof Replacement and Repair ("Agreement") executed as of the 28th March 2025 by and between CITY OF ST. PETE BEACH ("City") and COTTON COMMERCIAL USA, INC. ("Consultant/Contractor"), for the purposes set forth herein. The City and Consultant together, shall be referred to as the "Parties."

The purpose of this Amendment is to:

1. **Amend a section related to:**

1. Section 4, "Scope of Services" of the Agreement which shall read: Increase of \$36,777.99 for Don Vista Art Center second floor repairs to the subfloor and replacing with new similar flooring, mutually agreed upon by the parties. The amended contract amount will be \$4,445,729.46.
2. Insert the attached proposal at the end of Exhibit B.

2. **Modifications.** Except as otherwise modified by this Amendment, all provisions, conditions, duties and obligations set forth in the Agreement shall remain in full force and effect and unaffected by this Amendment.

3. **Entire Agreement.** This Amendment, Agreement, and previous amendments. 1 embodies the entire agreement between the Parties hereto and supersedes any prior understandings or written or oral agreements between the Parties. This Amendment cannot be varied, modified, amended or altered except by written agreement of the Parties.

4. **Execution.** This Amendment may be executed by the Parties in counterpart originals with the same force and effect as if fully and simultaneously executed as a single original document. The "Effective Date" of this Amendment shall be the date this Amendment has been executed by all Parties.

5. **Conflicts.** To the extent that any terms in the Amendment conflict with the terms of the Agreement, the terms of this Amendment shall control and supersede such conflicting terms to the extent of such conflict.

IN WITNESS WHEREOF, the Parties have executed this Amendment on the day and year set forth below.

COTTON COMMERCIAL USA, INC.:

CITY OF ST. PETE BEACH:

Signature: _____

Signature: _____

By:

By: Frances Robustelli

Its:

Its: City Manager

Date: _____

Date: _____

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ATTEST:

Ralf Brookes
City Attorney

Renee Rose
City Clerk



Cotton Commercial

Cotton Commercial USA, Inc
Florida GC License CGC1534674

Client: "Art Center" Don Vista Cultural Art Center
Property: 3300 Gulf Blvd
St. Pete Beach, FL 33706

Operator: DAN.B2

Estimator: Dan Bickford

Type of Estimate: Hurricane

Date Entered: 12/11/2024

Date Assigned:

Price List: FLSP8X_DEC24

Labor Efficiency: Restoration/Service/Remodel

Estimate: STPETE-ART-CEN-FLO-1

Thank you for allowing Cotton Global Disaster Solutions the opportunity to provide the following detailed line item estimate for the loss to the property located at the address above.

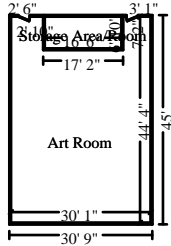
Please note that assessment of damages are based on initial inspection and this estimate may change if additional damages are discovered while performing the listed scope items. If any additional repairs are required, a written supplemental change order will be provided, for approval, prior to any additional repairs being made. It is assumed that reasonable measures will be made to accommodate our staff to complete repairs in an efficient manner. Upon approval, Cotton is prepared to mobilize and begin the rebuild process. Please review this estimate at your convenience and do not hesitate to contact the Cotton Team with any questions.

Sincerely,

Dan Bickford
National Project Coordinator
Cotton Global Disaster Solutions
Cell: 281-505-8925
Email: dan.bickford@cottonteam.com

STPETE-ART-CEN-FLO-1

Craft center upstairs



Art Room

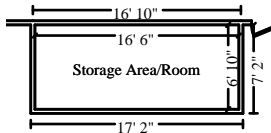
Height: 8'

1,305.33 SF Walls	1,210.53 SF Ceiling
2,515.86 SF Walls & Ceiling	1,210.53 SF Floor
134.50 SY Flooring	163.17 LF Floor Perimeter
163.17 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
1. R&R Vinyl plank flooring	1,210.53 SF	3.69	6.90	288.11	2,621.54	15,729.17
<p>This is being done to remove the currently damaged flooring and also evaluate the conditions of the joist underneath this flooring, that is showing damage in multiple areas. Joists being a structural member would most likely require a stamped detail from an engineer. Neither any joist repair or engineering fees are included as we are not sure if they are needed. This estimate is remove and replace only of the flooring, sub flooring and shoe moulding only, with a like kind and quality flooring.</p>						
2. R&R Underlayment - 3/4" CDX plywood - tongue and groove	1,210.53 SF	2.04	3.12	139.82	1,277.24	7,663.39
3. R&R Base shoe	163.17 LF	0.24	1.88	8.79	70.96	425.67
Totals: Art Room				436.72	3,969.74	23,818.23

Storage Area/Room

Height: 8'



373.64 SF Walls	112.88 SF Ceiling
486.53 SF Walls & Ceiling	112.88 SF Floor
12.54 SY Flooring	46.71 LF Floor Perimeter
46.71 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
4. R&R Vinyl plank flooring	112.88 SF	1.69	6.90	26.87	199.32	1,195.83
<p>This is being done to remove the currently damaged flooring and also evaluate the conditions of the joist underneath this flooring, that is showing damage in multiple areas. Joists being a structural member would most likely require a stamped detail from an engineer. Neither any joist repair or engineering fees are included as we are not sure if they are needed. This estimate is remove and replace only of the flooring, sub flooring and shoe moulding only, with a like kind and quality flooring.</p>						
5. R&R Underlayment - 3/4" CDX plywood - tongue and groove	112.88 SF	2.04	3.12	13.04	119.10	714.61
6. R&R Base shoe	46.71 LF	0.24	1.88	2.52	20.30	121.84
Totals: Storage Area/Room				42.43	338.72	2,032.28



Cotton Commercial

Cotton Commercial USA, Inc
 Florida GC License CGC1534674

Equipment

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
7. Dumpster load - Approx. 30 yards, 5-7 tons of debris	1.00 EA	934.00	0.00	0.00	186.80	1,120.80
8. Temporary toilet (per month)	1.00 MO	0.00	132.24	0.00	26.44	158.68
9. Temporary hand washing station (per month)	1.00 MO	0.00	190.00	0.00	38.00	228.00
Totals: Equipment				0.00	251.24	1,507.48

General Conditions

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
10. Commercial Supervision / Project Management - per week	1.00 WK	0.00	2,250.00	0.00	450.00	2,700.00
11. General Laborer - per hour	10.00 HR	0.00	60.00	0.00	120.00	720.00
1 worker 2 Hours a day for 5 days = 10 hours, for continuous daily site maintenance and clean up, and material handling.						
Totals: General Conditions				0.00	570.00	3,420.00
Total: Craft center upstairs				479.15	5,129.70	30,777.99
Line Item Totals: STPETE-ART-CEN-FLO-1				479.15	5,129.70	30,777.99

Grand Total Areas:

1,678.98 SF Walls	1,323.41 SF Ceiling	3,002.39 SF Walls and Ceiling
1,323.41 SF Floor	147.05 SY Flooring	209.87 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	209.87 LF Ceil. Perimeter
1,323.41 Floor Area	1,383.75 Total Area	1,678.98 Interior Wall Area
1,363.50 Exterior Wall Area	151.50 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



Cotton Commercial

Cotton Commercial USA, Inc
Florida GC License CGC1534674

Summary

Line Item Total	25,169.14
Material Sales Tax	479.15
Subtotal	25,648.29
Overhead	2,564.85
Profit	2,564.85
Replacement Cost Value	\$30,777.99
Net Claim	\$30,777.99

Dan Bickford



Cotton Commercial

Cotton Commercial USA, Inc
Florida GC License CGC1534674

Recap by Category

O&P Items	Total	%
GENERAL DEMOLITION	8,341.76	27.10%
FLOOR COVERING - VINYL	13,260.57	43.08%
FINISH CARPENTRY / TRIMWORK	394.57	1.28%
LABOR ONLY	2,850.00	9.26%
TEMPORARY REPAIRS	322.24	1.05%
O&P Items Subtotal	25,169.14	81.78%
Material Sales Tax	479.15	1.56%
Overhead	2,564.85	8.33%
Profit	2,564.85	8.33%
Total	30,777.99	100.00%

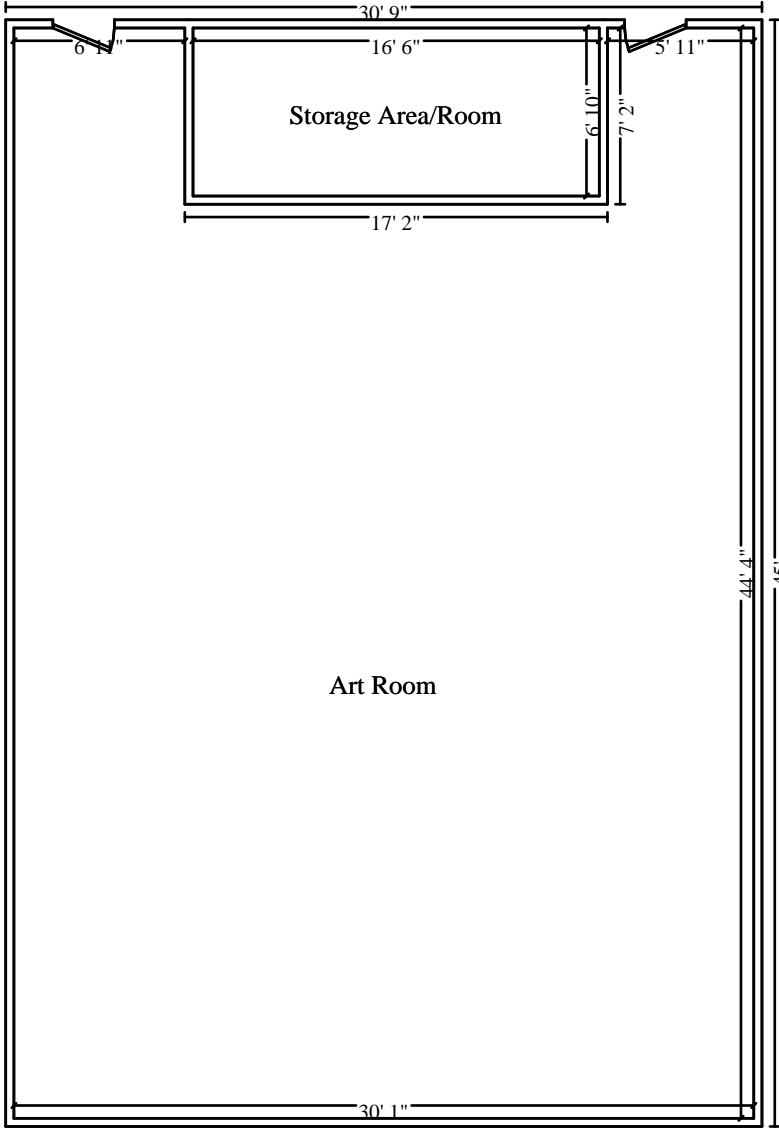
This is being done to remove the currently damaged flooring and also evaluate the conditions of the joist underneath this flooring, that is showing damage in multiple areas.

Joists being a structural member would most likely require a stamped detail from an engineer.

Neither any joist repair or engineering fees are included as we are not sure if they are needed.

This estimate is remove and replace only of the flooring, sub flooring and shoe moulding only, with a like kind and quality flooring.

This estimate is the property of Cotton Global Disaster Solutions and may not be copied or reproduced without written consent from same.



**CITY COMMISSION MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Final Reading Ordinance 2026-02: Parking Fees Established by Resolution

Action Request: Motion to approve the final reading of Ordinance 2026-02.

Strategic Objective: Operational Excellence

Date: March 9, 2026

Prepared By: Kathleen Murray

Through: Frances Robustelli, City Manager

Summary of Issue:

Public parking fees were previously adopted by ordinance and codified in Appendix A of the City's Code of Ordinances. Because the fees are codified by ordinance, any modification to parking rates currently requires adoption of a new ordinance, including two readings and a public hearing.

Staff has identified the need for a more flexible mechanism to allow the City Commission to adjust parking fees in response to operational needs, seasonal demand, and policy direction, while maintaining full Commission oversight.

Ordinance 2026-02 removes parking fees from Appendix A and establishes that parking fees will be set by resolution going forward.

Adoption of Ordinance 2026-02 accomplishes the following:

Maintains legal compliance, as an ordinance is required to amend fees currently adopted by ordinance;

Improves administrative flexibility by allowing future parking fee adjustments to be made by resolution rather than ordinance;

Preserves Commission authority, as all parking

fees will continue to require City Commission approval;
and

Aligns with best practices used for other rate-setting actions that may require periodic or timely adjustments.

At the second reading of the ordinance, the City Commission may adopt a companion resolution establishing the updated parking fees. Thereafter, future modifications may be accomplished by resolution alone.

Funding:

There is no direct fiscal impact associated with adoption of this ordinance. Any future revenue impact would be tied to parking fee changes adopted separately by resolution.

Attachments:

1. Ordinance 2026-02, Parking Fees Established by Resolution

ORDINANCE 2026-02

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA, AMENDING APPENDIX A OF THE CITY’S CODE OF ORDINANCES RELATING TO PARKING FEES; REMOVING PARKING FEES FROM APPENDIX A; PROVIDING THAT PARKING FEES SHALL BE ESTABLISHED AND AMENDED BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Pete Beach previously adopted Ordinance No. 2024-06 amending Appendix A of the City’s Code of Ordinances to address, among other things, public parking fees; and

WHEREAS, the City Commission desires to streamline the process for establishing and amending parking fees to allow greater administrative flexibility and responsiveness to changing conditions; and

WHEREAS, the City Commission finds it appropriate and in the best interest of the City to establish and amend parking fees by Resolution rather than by Ordinance; and

WHEREAS, the City Commission desires to remove parking fees from Appendix A of the Code of Ordinances while retaining wastewater user fees and all other non-parking fees therein.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The foregoing recitals are hereby adopted as legislative findings, purpose, and intent of the City Commission.

SECTION 2. Amendment to Appendix A – Removal of Parking Fees. Appendix A of the Code of Ordinances of the City of St. Pete Beach is hereby amended to remove all fees, rates, charges, and references relating to public parking, parking permits, parking meters, parking decals, parking hangtags, parking leases, and any other parking-related fees currently listed under Chapter 82 or elsewhere in Appendix A. All remaining provisions of Appendix A, including but not limited to wastewater user fees, shall remain in full force and effect.

SECTION 3. Establishment of Parking Fees by Resolution. All public parking fees, rates, charges, and related regulations within the City of St. Pete Beach shall be established, amended, and repealed by Resolution adopted by the City Commission. Any parking fees previously adopted by ordinance shall remain in effect unless and until amended or repealed by Resolution.

SECTION 4. Codification. This Ordinance shall be codified in the Code of Ordinances of the City of St. Pete Beach.

SECTION 5. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. Severability. If any section, sentence, clause, or phrase of this Ordinance is for any reason held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. Scrivener's Error. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 8. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

FIRST READING: _____
PUBLISHED: _____
SECOND READING: _____
PUBLIC HEARING: _____

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Adrian Petril, Mayor

I, Renee Rose, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2026.

Renee Rose, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Ralf Brookes, City Attorney

**CITY COMMISSION MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Final Reading Ordinance 2026-03: Amending Code of Ordinances Chapter 132 Pertaining to Communication and Small Wireless Facilities Design Standards

Action Request: Motion to [adopt/adopt with modification/deny/continue to [specify date certain]] the final reading of Ordinance 2026-03.

Strategic Objective: Reliable Infrastructure

Date: March 9, 2026

Prepared By: Ralf Brookes, City Attorney

Through: Frances Robustelli, City Manager

Summary of Issue: The subject ordinance includes amendments to Wireless Facilities in Chapter 132 of the City Code of Ordinances, which regulate small wireless facilities in the City-owned rights-of-way

This ordinance would amend the prior wireless Ordinance to add two additional provisions:

Sec. 132 -16 Design standards. (b) *General placement requirements within public rights-of-way.*

"Setbacks from property lines shall be based on site-specific aesthetic and concerns but for the purposes of structural safety there shall be a minimum setback of at least 30 feet from any existing developed structure or structure for which a site plan or permit has been submitted and deemed complete, as measured from the closest point of the structure which is the minimum distance necessary, as determined by the city, to satisfy the structural safety or aesthetic concerns that are to be protected by the setback. Applicants may request a variance per the requirements of Sec. 98-126. et. seq."

With respect to location, ground-mounted small

wireless facilities up to 28 cu. ft. in dimension shall be located within a ten (10) foot radius of the existing structure or utility pole for the collocated small wireless facility. Registrants are encouraged to locate new ground-mounted small wireless facilities with spacings of at least 500 feet at ~~technically feasible, alternative locations~~ from other ground-mounted small wireless facilities in the public rights-of-way.

These provisions are in addition to the provisions of the prior ordinance and would amend the prior ordinance to include the setback and separation distance for ground mounted equipment.

Relevant provisions of state preemption law applicable to the City rights of way is reproduced below and contained as a separate attachment in the agenda packet:

Florida Statutes Section 337.401:

“4. Subject to paragraph (r), an authority [*i.e., City or County*] may not limit the placement, by minimum separation distances, of small wireless facilities, utility poles on which small wireless facilities are or will be collocated, or other at-grade communications facilities.

....

[paragraph (r), shown below]:

(r) An authority may require wireless providers to comply with objective design standards adopted by ordinance.

The ordinance may only require:

1. A new utility pole that replaces an existing utility pole to be of substantially similar design, material, and color;
2. Reasonable spacing requirements concerning the location of a ground-mounted component of a small wireless facility which does not exceed 15 feet from the associated support structure; or
3. A small wireless facility to meet reasonable location context, color, camouflage, and concealment requirements, subject to the limitations in this subsection; and
4. A new utility pole used to support a small wireless facility to meet reasonable location context, color, and material of the predominant utility pole type at the proposed location of the new utility pole.

Such design standards under this paragraph may be waived by the authority upon a showing that the design standards are not reasonably compatible for the

particular location of a small wireless facility or utility pole or are technically infeasible or that the design standards impose an excessive expense. The waiver must be granted or denied within 45 days after the date of the request.”

However, within 14 days after the date of filing the application, an authority may request that the proposed location of a small wireless facility be moved to another location in the right-of-way and placed on an alternative authority utility pole or support structure or placed on a new utility pole. The authority and the applicant may negotiate the alternative location, including any objective design standards and reasonable spacing requirements for ground-based equipment, for 30 days after the date of the request. At the conclusion of the negotiation period, if the alternative location is accepted by the applicant, the applicant must notify the authority of such acceptance and the application shall be deemed granted for any new location for which there is agreement and all other locations in the application. If an agreement is not reached, the applicant must notify the authority of such nonagreement and the authority must grant or deny the original application within 90 days after the date the application was filed. A request for an alternative location, an acceptance of an alternative location, or a rejection of an alternative location must be in writing and provided by electronic mail.

Funding: N/A

Attachments:

1. Ordinance 2026-03 Amending Wireless Ch 132 design standards section 132-16 v 2 12 2026
2. staff alternative EXHIBIT A Track Changes to second ordinance v 2 27 2026
3. Residents proffered alternative to Staff 2-25 recommendation
4. comparison table
5. Ord 2026-03 & 2025-24 Summaries
6. St. Pete Beach, FL - KC Expert Report 2_6_26
7. FS 337 401 excerpts in boldface

Ordinance 2026-03

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES CHAPTER 132 COMMUNICATION FACILITIES IN THE CITY RIGHTS-OF-WAY, SEC. 132-16 DESIGN STANDARDS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, CORRECTION OF SCRIVENER’S ERRORS, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of St Pete Beach desires to update its wireless communications code to clarify guidelines, standards, and timeframes for the exercise of authority within statutory limitations to regulate wireless facilities that comply with FCC rules and Florida State laws for administrative review and approval of wireless facility permits.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The City of St Pete Beach Code CHAPTER 132 COMMUNICATION FACILITIES IN THE CITY RIGHTS-OF-WAY, SEC. 132-16 DESIGN STANDARDS is amended as shown in EXHIBIT A to this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Land Development Code of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener’s Error. The City Attorney may correct scrivener’s errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect as provided by law.

FIRST READING: _____
PUBLISHED: _____
SECOND READING: _____
PUBLIC HEARING: _____

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Adrian Petrila, Mayor

I, Renee Rose, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2026.

Renee Rose, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Ralf Brookes, City Attorney

EXHIBIT A – TRACK CHANGES

NOTE: For ease of reference major staff changes from first reading for discussion are highlighted and set forth in **boldface**

Sec. 132 -16 Design standards.

(b) *General placement requirements within public rights-of-way.*

(2) *Communications facilities placement within public rights-of-way.* Communications facilities must be placed between the property line and the curb line of all streets and must not be within the roadway recovery or road shoulder area. **Setbacks for wireless support structures that are not utility poles shall be based on case by case site-specific aesthetic and locational concerns and registrants are encouraged to meet a setback of at least 30 feet from any existing residential dwelling unit (or residential dwelling unit for which a site plan or permit has been submitted and deemed complete), as measured from the closest point of the residential dwelling unit inclusive of eaves to satisfy the structural public safety concerns wherever possible and technically feasible without limiting communications service. Additionally, all new wireless support structures and utility poles placed to support small wireless facilities shall comply with Land Development Code Section 6.21 as it relates to visibility for traffic safety purposes and be placed the minimum distance required by NFPA or local code amendment from a fire hydrant for public safety purposes, as measured to the intersection or hydrant from the wireless support structure or utility pole and any applicable projecting appurtenance thereon. During the 30-day alternative placement negotiation period, the city shall encourage registrants for aesthetic and location context purposes, to place wireless facilities, new utility poles with new wireless support structures near common, interior side lot lines (subject to driveway apron and fire hydrant limitations) rather than directly in the front of the principal facade of a residence.** The city may request and the wireless provider applicant may negotiate an alternative location, including any objective design standards and reasonable spacing requirements, for 30 days after the date of the request. At the conclusion of the negotiation period, if alternative location is accepted by the wireless provider applicant, said applicant must notify the city of such acceptance and the application will be deemed granted for any new location(s) for which there is agreement. If an agreement is not reached, the wireless provider applicant must notify the city of such non-agreement and the city must grant or deny the original application within 90 days after the date the application was filed. A request for an alternative location, an acceptance of an alternative location, or a rejection of an alternative location must be in writing and provided by electronic mail.

(8) New and replacement utility poles; general, city-wide placement and maintenance standards.

(i) Guidance for location. The city strongly encourages:

1. Utility poles should be placed equal distance between existing utility poles, if any, within the right-of-way;

2. With respect to location, ground-mounted small wireless equipment up to 28 cu. ft. in dimension shall be located within a ten (10) foot radius of the existing structure or utility pole for the collocated small wireless facility. During the 30-day alternative placement negotiation period, the city shall encourage registrants to locate new ground-mounted small wireless equipment to the greatest distance and extent possible and technically feasible from other small wireless facilities in the public rights-of-way without limiting communications service. Such ground-mounted small wireless facilities shall be installed in a location that meets the locational requirements to ensure pursuant to Florida Statutes sections 337.401(7)(g) and (h) the placement of proposed ground equipment and communications facilities does not:

- a. Materially interfere with the safe operation of traffic control equipment.
- b. Materially interfere with sight lines or clear zones for transportation, pedestrians, or public safety purposes.
- c. Materially interfere with compliance with the Americans with Disabilities Act or similar federal or state standards regarding pedestrian access or movement.
- d. Materially fail to comply with the 2017 edition of the Florida Department of Transportation Utility Accommodation Manual.
- e. Fail to comply with applicable codes, including specific rules or restrictions applicable to any historic district applicable to the site's location.
- f. Fail to comply with objective design standards authorized under 337.401(7)(r).

The city may request and the wireless provider applicant may negotiate an alternative location, including any objective design standards and reasonable spacing requirements for ground-based equipment, for 30 days after the date of the request. At the conclusion of the negotiation period, if alternative location is accepted by the wireless provider applicant, said applicant must notify the city of such acceptance and the application will be deemed granted for any new location(s) for which there is agreement. If an agreement is not reached, the wireless provider applicant must notify the city of such non-agreement and the city must grant or deny the original application within 90 days after the date the application was filed. A request for an alternative location, an acceptance of an alternative location, or a rejection of an alternative location must be in writing and provided by electronic mail.

RESIDENT CITIZENS' ALTERNATIVE EXHIBIT A – REPLACEMENT LANGUAGE

NOTE: For ease of reference major staff changes from first reading for discussion are highlighted and set forth in boldface

Code Section 132.16 repeal and replace the following subsections with the following replacement language:

(b) General placement requirements within public rights-of-way.

(2) Communications facilities placement within public rights-of-way. No wireless support structure or new utility pole may be located within the roadway recovery or road shoulder area. Wireless facilities must be placed on a wireless support structure or utility pole that is between the property or lot line and the curb line of all streets. For structural safety and location context purposes, setbacks shall be based on site-specific requirements, but no wireless facility may be located on a utility pole or wireless support structure that is less than forty (40) feet, as measured from the closest point of the pole or structure, from any nearby existing residential dwelling unit or structure for which a site plan or permit has been submitted and deemed complete. Wireless facilities, new utility poles and new wireless support structures shall be located at least ten (10) feet from a driveway apron and at least thirty (30) feet from a fire hydrant. For aesthetic and location context purposes, wireless facilities, new utility poles and new wireless support structures shall be placed in-line with the common, interior side lot lines (subject to driveway apron and fire hydrant limitations) and shall not be placed in-line with the front/principal facade of a residence.

The city may request and the wireless provider applicant may negotiate an alternative location, including any objective design standards and reasonable spacing requirements, for 30 days after the date of the request. At the conclusion of the negotiation period, if alternative location is accepted by the wireless provider applicant, said applicant must notify the city of such acceptance and the application will be deemed granted for any new location(s) for which there is agreement. If an agreement is not reached, the wireless provider applicant must notify the city of such non-agreement and the city must grant or deny the original application within 90 days after the date the application was filed. A request for an alternative location, an acceptance of an alternative location, or a rejection of an alternative location must be in writing and provided by electronic mail.

(8) New and replacement utility poles; general, city-wide placement and maintenance standards.

(i) Guidance for location. The city strongly encourages:

1. New utility poles should be placed an equal distance between existing utility poles, if any, within the right-of-way;

2. Ground-mounted small wireless equipment shall be located within a ten (10) foot radius of the wireless support structure or utility pole for the collocated small wireless facility.

3. Proposed wireless facilities on existing, replacement or new utility poles or wireless support structures shall be spaced at least 500 feet from other small wireless facilities in the public rights-of-way unless such spacing is not technically feasible. Wireless facilities, utility poles, wireless support structures and ground mounted equipment may not:

a. Materially interfere with the safe operation of traffic control equipment.

b. Materially interfere with sight lines or clear zones for transportation, pedestrians, or public safety purposes.

c. Materially interfere with compliance with the Americans with Disabilities Act or similar federal or state standards regarding pedestrian access or movement.

d. Materially fail to comply with the 2017 edition of the Florida Department of Transportation Utility Accommodation Manual.

e. Fail to comply with applicable codes, including specific rules or restrictions applicable to any historic district applicable to the site's location.

f. Fail to comply with objective design standards authorized under 337.401(7)(r).

The city may request and the wireless provider applicant may negotiate an alternative location, including any objective design standards and reasonable spacing requirements for ground-based equipment, for 30 days after the date of the request. At the conclusion of the negotiation period, if alternative location is accepted by the wireless provider applicant, said applicant must notify the city of such acceptance and the application will be deemed granted for any new location(s) for which there is agreement. If an agreement is not reached, the wireless provider applicant must notify the city of such non-agreement and the city must grant or deny the original application within 90 days after the date the application was filed. A request for an alternative location, an acceptance of an alternative location, or a rejection of an alternative location must be in writing and provided by electronic mail.

<p>Variance (public hearing) v. Negotiations (statutory process)</p>	<p>Applicants may request a variance pursuant to the requirements of Sec. 98-126 et. seq.</p>	<p>The city may request and the wireless provider applicant may negotiate an alternative location, including any objective design standards and reasonable spacing requirements for ground-based equipment, for 30 days after the date of the request. At the conclusion of the negotiation period, if alternative location is accepted by the wireless provider applicant, said applicant must notify the city of such acceptance and the application will be deemed granted for any new location(s) for which there is agreement. If an agreement is not reached, the wireless provider applicant must notify the city of such non-agreement and the city must grant or deny the original application within 90 days after the date the application was filed. A request for an alternative location, an acceptance of an alternative location, or a rejection of an alternative location must be in writing and provided by electronic mail.</p>
<p>Impact</p>	<p>* May violate state preemption:</p> <p>An authority may not limit the placement, by minimum separation distances, of small wireless facilities, utility poles on which small wireless facilities are or will be collocated, or other at-grade communications facilities.</p>	<p>* May violate state preemption:</p> <p>An authority may not limit the placement, by minimum separation distances, of small wireless facilities, utility poles on which small wireless facilities are or will be collocated, or other at-grade communications facilities.</p>

Ordinance 2026-03: Summary and Analysis

Questions	Second Reading - Citizens	Second Reading – Staff	Staff Analysis - Differences
Setbacks	<p>No wireless support structure or new utility pole may be located within the roadway recovery or road shoulder area. Wireless facilities must be placed on a wireless support structure or utility pole that is between the property or lot line and the curb line of all streets. For structural safety and location context purposes, setbacks shall be based on site-specific requirements, but no wireless facility may be located on a utility pole or wireless support structure that is less than forty (40) feet, as measured from the closest point of the pole or structure, from any nearby existing residential dwelling unit or structure for which a site plan or permit has been submitted and deemed complete. Wireless facilities, new utility poles and new wireless support structures shall be located at least ten (10) feet from a driveway apron and at least thirty (30) feet from a fire hydrant. For aesthetic and location context purposes, wireless facilities, new utility poles and new wireless support structures shall be placed in-line with the common, interior side lot lines (subject to driveway apron and fire hydrant limitations) and shall not be placed in-line with the front/principal facade of a residence.</p>	<p>Communications facilities must be placed between the property line and the curb line of all streets and must not be within the roadway recovery or road shoulder area. Setbacks for wireless support structures that are not utility poles shall be based on case by case site-specific aesthetic and locational concerns and registrants are encouraged to meet a setback of at least 30 feet from any existing residential dwelling unit (or residential dwelling unit for which a site plan or permit has been submitted and deemed complete), as measured from the closest point of the residential dwelling unit inclusive of eaves to satisfy the structural public safety concerns wherever possible and technically feasible without limiting communications service. Additionally, all new wireless support structures and utility poles placed to support small wireless facilities shall comply with Land Development Code Section 6.21 as it relates to visibility for traffic safety purposes and be placed the minimum distance required by NFPA or local code amendment from a fire hydrant for public safety purposes, as measured to the intersection or hydrant from the wireless support structure or utility pole and any applicable projecting appurtenance thereon. During the 30-day alternative placement negotiation period, the city shall encourage registrants for aesthetic and location context purposes, to place wireless facilities, new utility poles with new wireless support structures near common, interior side lot lines (subject to driveway apron and fire hydrant limitations) rather than directly in the front of the principal facade of a residence.</p>	<p>The recently-amended citizen proposal requires a 40-foot setback, rather than 30-foot setback as proposed by staff, for any wireless support structure or newly-placed utility pole from any existing residential dwelling or dwelling that has been submitted for permitting and deemed complete. The citizen proposal also requires that wireless facilities and their supporting structures be placed 10 feet from a driveway apron and 30 feet from a fire hydrant, as well as along the interior (side) lot line of properties when doing so would not conflict with required driveway or fire hydrant spacing. This is a significant change from the prior proposal, which would have required all wireless support structures and utility poles to meet a 30-foot property line setback, which is not viable along most local roadways in the City. Fire hydrant spacing varies across the City, but in general, the maximum distance between hydrants is 800 feet in residential areas and 500 feet in non-residential areas. A ten-foot separation from driveways to structures is a visibility requirement of the Land Development Code and is already enforced by staff, as conflicts are interpreted to be based upon "material [interference] with site lines or clear zones for transportation" which is permitted as a denial reason per F.S. 337.401. Other requirements, for hydrant and side lot line spacing, are new proposals. As the typical right-of-way depth from curb to property line generally varies between 15-20 feet on local roadways in St. Pete Beach outside of Pass A Grille, and most homes have a 6-7 foot required side setback, centering facilities along common lot lines may be an automatic means of compliance with residence setback requirements. The staff proposal references the City's visibility requirements, and adds minimum fire code separation for new wireless support structures and utility poles, only, from fire hydrants. It also encourages but does not require common lot line placement for new wireless support structures and utility poles.</p>
Separation	<p>The City strongly encourages: 1. New utility poles should be placed an equal distance between existing utility poles, if any, within the right-of-way; 2. Ground-mounted small wireless equipment shall be located within a ten (10) foot radius of the wireless support structure or utility pole for the collocated small wireless facility. 3. Proposed wireless facilities on existing, replacement or new utility poles or wireless support structures shall be spaced at least 500 feet from other small wireless facilities in the public rights-of-way unless such spacing is not technically feasible. Wireless facilities, utility poles, wireless support structures and ground mounted equipment may not: a. Materially interfere with the safe operation of traffic control equipment. b. Materially interfere with sight lines or clear zones for transportation, pedestrians, or public safety purposes. c. Materially interfere with compliance with the Americans with Disabilities Act or similar federal or state standards regarding pedestrian access or movement. d. Materially fail to comply with the 2017 edition of the Florida Department of Transportation Utility Accommodation Manual. e. Fail to comply with applicable codes, including specific rules or restrictions applicable to any historic district applicable to the site's location. f. Fail to comply with objective design standards authorized under 337.401(7)(r).</p>	<p>The city strongly encourages: 1. Utility poles should be placed equal distance between existing utility poles, if any, within the right-of-way; 2. With respect to location, ground-mounted small wireless equipment up to 28 cu. ft. in dimension shall be located within a ten (10) foot radius of the existing structure or utility pole for the collocated small wireless facility. During the 30-day alternative placement negotiation period, the city shall encourage registrants to locate new ground-mounted small wireless equipment to the greatest distance and extent possible and technically feasible from other small wireless facilities in the public rights-of-way without limiting communications service. Such ground-mounted small wireless facilities shall be installed in a location that meets the locational requirements to ensure pursuant to Florida Statutes sections 337.401(7)(g) and (h) the placement of proposed ground equipment and communications facilities does not: a. Materially interfere with the safe operation of traffic control equipment. b. Materially interfere with sight lines or clear zones for transportation, pedestrians, or public safety purposes. c. Materially interfere with compliance with the Americans with Disabilities Act or similar federal or state standards regarding pedestrian access or movement. d. Materially fail to comply with the 2017 edition of the Florida Department of Transportation Utility Accommodation Manual. e. Fail to comply with applicable codes, including specific rules or restrictions applicable to any historic district applicable to the site's location. f. Fail to comply with objective design standards authorized under 337.401(7)(r).</p>	<p>The staff proposal encourages a 500-foot separation distance for new or replacement poles containing small wireless facilities, while the citizen proposal requires 500-foot separation between small wireless facilities unless a demonstration of technical infeasibility is provided. The staff proposal restates the statutory basis for denial of a permit, while the citizen proposal adds conflict with applicable historic district locations as a basis for denial. While staff's proposal has no similar language, adopted Ordinance 2025-24 permits the City to request a Section 106 review for facilities installed adjacent its National Register of Historic Places-eligible or accepted district and properties, to ensure the facility does not have an adverse impact on the resource's continued historic status.</p>
Variance / Negotiations	<p>The city may request and the wireless provider applicant may negotiate an alternative location, including any objective design standards and reasonable spacing requirements for ground-based equipment, for 30 days after the date of the request. At the conclusion of the negotiation period, if alternative location is accepted by the wireless provider applicant, said applicant must notify the city of such acceptance and the application will be deemed granted for any new location(s) for which there is agreement. If an agreement is not reached, the wireless provider applicant must notify the city of such non-agreement and the city must grant or deny the original application within 90 days after the date the application was filed. A request for an alternative location, an acceptance of an alternative location, or a rejection of an alternative location must be in writing and provided by electronic mail.</p>	<p>The city may request and the wireless provider applicant may negotiate an alternative location, including any objective design standards and reasonable spacing requirements, for 30 days after the date of the request. At the conclusion of the negotiation period, if alternative location is accepted by the wireless provider applicant, said applicant must notify the city of such acceptance and the application will be deemed granted for any new location(s) for which there is agreement. If an agreement is not reached, the wireless provider applicant must notify the city of such non-agreement and the city must grant or deny the original application within 90 days after the date the application was filed. A request for an alternative location, an acceptance of an alternative location, or a rejection of an alternative location must be in writing and provided by electronic mail.</p>	<p>The prior citizen request required a variance for waiver to the small wireless facility separation and setback requirements. The language has since been amended to be identical.</p>
Impact	<p>* May violate state preemption: an authority may <u>not</u> limit the placement, by <u>minimum separation distances</u>, of small wireless facilities, utility poles on which small wireless facilities are or will be collocated, or other at-grade communications facilities.</p>	<p>* May violate state preemption: an authority may <u>not</u> limit the placement, by <u>minimum separation distances</u>, of small wireless facilities, utility poles on which small wireless facilities are or will be collocated, or other at-grade communications facilities.</p>	

February 6, 2026

Expert Report of Kent Chamberlin, PhD

BY EMAIL (citycommission@stpetebeach.org)

St. Pete Beach, FL City Commission
155 Corey Avenue
St. Pete Beach, FL 33706

Mayor Adrian Petrilla
Commissioner Karen Marriott
Commissioner Lisa Robinson
Commissioner Betty Rzewnicki
Commissioner Jon Maldonado

RE: St. Pete Beach, FL Small Cell Antenna and Distributed Antenna System Siting.

Dear Mayor Petrilla and Honorable Members of the St. Pete Beach City Commission,

This expert report is being submitted to the City of St. Pete Beach, FL for assistance in its consideration of amendments to Chapter 132 of its Municipal Code.

The purpose of this report is to provide City Attorney Brooks, Mayor Petrilla, and the City Commissioners with a general understanding of how “small cell” antennas and distributed antenna system (“DAS”) nodes can nearly always provide a wireless carrier with its desired small cell antenna and DAS node coverage and capacity from multiple locations within a given target service area to meet the carrier’s identified service needs. As I will explain in greater detail below, the wireless industry’s common claim that ensuring adequate wireless network coverage requires placements at a specific rigidly defined sites is largely inaccurate. In reality, there is far greater siting flexibility than carriers generally acknowledge.

As Professor and Chair Emeritus of the Department of Electrical and Computer Engineering at the University of New Hampshire, I am well-qualified to present my expert opinion on this matter. My research focus has been in the fields of computational electromagnetics, radiofrequency (“RF”) engineering, and biomedical engineering. I draw on my nearly 40 years of research and academic expertise in reaching the expert conclusions discussed herein.

Synopsis of My Expert Qualifications.

I have appended my complete curriculum vitae to this report. But here, I highlight some of my past experiences that qualify me as an expert in this case. As previously stated, I am Professor and Chair Emeritus of the Department of Electrical and Computer Engineering at the University of New Hampshire. My primary area of research and teaching has been electromagnetics. I have performed funded research for more than 25 sponsors on efforts that have involved the modeling and measurement of electromagnetic fields. These sponsors include, but are not limited to, the Federal Aviation Administration (“FAA”), the U.S. Department of Justice (“DOJ”), the U.S. Navy, the U.S. Army, the U.S. Air Force, and the National Science Foundation.

The aspects of my experience that are most relevant to wireless network design are propagation modeling and interference modeling of wireless telecommunications systems. I have taught RF concepts at the undergraduate and graduate levels throughout my career. In fact, one of my most popular courses has been Computational Electromagnetics where I teach graduate engineering students the theory behind computer models and how to build and evaluate them, with a focus on RF propagation modeling. The models I have worked with are based upon theories including Geometrical Optics, Physical Optics, the Geometrical Theory of Diffraction, Finite-Difference, Time-Domain (“FDTD”), and Moving-Window FDTD. These theories are incorporated into standard industry RF propagation map-modeling software that wireless carriers frequently use to prepare their RF propagation maps.

Besides my research and teaching duties, I have served as Associate Editor for *IEEE Transactions on Antennas and Propagation*. This is the preeminent peer-reviewed, scientific publication in my field. Finally, I served on a formal New Hampshire State Commission tasked by the legislature with exploring issues relating to 5G and wireless radiation. My primary role was to provide guidance on RF engineering issues. I continue to perform reviews for the Institute of Electrical and Electronics Engineers and for other publications in related disciplines. Below is greater detail regarding my relevant experience:

Computer modeling of radio wave propagation: My early career work in RF propagation modeling began with modeling the Instrument Landing System (both the Localizer and Glide Slope) in the presence of irregular terrain, vegetation, and other scattering/absorbing objects. I incorporated this work into my doctoral dissertation, which earned the International Radio Technical Commission for Aeronautics William E. Jackson Award. Around this time, I wrote a seminal paper about the Longley-Rice model. This work is significant because contemporary propagation models, including the Forsk-Atoll propagation model often used by the wireless industry to generate its RF propagation maps, utilizes many of the features of the Longley-Rice model.

Interference Modeling: The modeling and analysis of RF interference is related to propagation modeling, as it requires a knowledge of signal levels of the equipment being protected from interference. I have performed work for the FAA exploring co- and adjacent channel interference at communication sites, with projects entitled “Capability Enhancement of the COSITE Computer Model for Use in Air-Ground Communications Facility Design and Telecommunications Analysis” and “Electromagnetic Interference Measurements on Emission

from Industrial, Scientific, and Medical (ISM) Equipment and Their Effects on ILS Localizer Receiver Performance.” I have also worked to resolve interference issues for the DOJ and the wireless telecommunications industry.

Public Safety and Security Issues: In a project funded by the DOJ, I was asked to investigate the vulnerability of cellphone communications in the event of an emergency. At the time, I was involved in studying cellphone communications during emergencies; they were known to saturate and fail, as there would be a surge of people using their cellphones to contact family and friends. While the problem of using cellular communications for emergency calls and first responders has largely been resolved, the vulnerability of cellphone communications to jamming remains. One of my roles in the DOJ effort was to look at other forms of communication that would not be as susceptible to these vulnerabilities, such as VHF/UHF police and fire radios and technologies such as Datacasting.

General Considerations for Small Cell Antenna and DAS Node Siting.

As a starting point, the design criteria are for small cell infrastructure siting and DAS nodes must be established. For the purposes of this discussion, the objective for small cell antenna and DAS node placement is to provide “reliable” coverage in a region, where reliable is defined as service that extends beyond just voice communication; access to the data network with a high probability of success and adequate throughput is now a pre-requisite for reliable service. In assessing if additional infrastructure is needed, there are two primary considerations that must be evaluated: coverage and capacity.

Capacity example: Consider having a wireless router in a room with only a few people accessing the router. Being in the same room as the router, those few people will receive a strong RF signal, and should have no problem accessing the internet. If more people enter the room with connected devices, there will be a point at which the router will no longer be able to accommodate them, even though they will all receive a strong RF signal from the router. This is an example of exceeding capacity while having adequate coverage (a typical home router will support roughly 10-20 devices before capacity is exhausted). The capacity issue in this case could be addressed by installing a higher capacity router. The relevance of this example to a proposed cell tower is that a new tower may not be necessary if capacity is the issue. Instead of building a new cell tower, upgrades to the existing equipment can usually be made.

Coverage example: Now, consider the case where someone connects to the internet via his wireless router and then steps outside of his house. Assuming that his only connection to the internet is through his in-home router, there will be a point at which the user loses the signal from his router and will no longer be able to communicate using his device. At that point, the user will have gone beyond the coverage area of his wireless router.

Although there is a relationship between capacity and coverage, they are not the same thing, and different approaches are often needed to resolve capacity constraints versus coverage limitations.

Alternative, Less Intrusive, and Technically Feasible Small Cell Antenna and DAS Node Siting Options Are Generally Available Today to Alleviate Coverage Gaps and to Increase Capacity.

How Do Small Cell Antennas Work?

Small cell wireless communications antennas are wireless transmission facilities used by mobile carriers to bolster wireless network coverage and capacity in localized areas. Small cell antennas are typically mounted on existing structures such as utility poles, streetlights, or buildings. Small cell wireless communications antennas work by connecting to the carrier's core network -- usually through fiber or cable backhaul -- and they transmit radiofrequency signals to nearby devices such as cellphones or laptop computers.

Small Cell Antennas are Particularly Appropriate for Use in St. Pete Beach.

St. Pete Beach, FL's topography is extremely flat and low-lying, with average elevations only about one to three feet above sea level. There are modest local variations in elevation (generally only a few feet higher or lower around the island). Flat terrain creates more favorable propagation conditions for small cell antennas because RF signals are less likely to be blocked, diffracted, or shadowed by topographic features frequently associated with abrupt and significant elevation changes. RF signals are transmitted via line-of-sight. Hills, ridges, and steep grade variations obstruct line-of-sight paths, create dead zones, and increase signal attenuation, which reduces the effective coverage radius and can result in increased demand for more precise siting.

Conversely, in relatively flat areas (such as exists in St. Pete Beach), RF signals propagate more uniformly outwardly from the source antenna, often allowing the same facility to serve a wider geographic area. This flat topography further allows for greater flexibility in antenna placement while still meeting coverage or capacity objectives. Variation in radius covered by a small cell antenna is dependent upon factors including, but not limited to, antenna height (utility-pole vs. rooftop), transmit power settings, local noise and interference levels, building density, and foliage.

A small cell antenna operating on a low-band spectrum (generally between 600-900 MHz) can cover a radius of roughly 2,600-8,200 feet. Small cell antennas operating on mid-band spectrum (1-6 GHz) will generally have a signal radius of about 800-2,000 feet. Small cell antennas operating on high-band spectrum, frequently referred to as mmWave technology, generally have a signal radius of approximately 200-600 feet, and up to about 800-1,000 feet under near-ideal, mostly line-of-sight conditions.

How Do DAS Nodes Work?

DAS nodes are spatially separated antenna nodes connected to a common signal source. DAS nodes work together to provide additional wireless coverage and/or capacity in a given area. Instead of relying on a single transmitter, a DAS node distributes the signal through multiple low-power antennas which are linked by fiber or coaxial cable to centralized radio equipment which feeds and coordinates the signal. By spreading transmission points across many locations, a DAS can improve signal uniformity and capacity in topographically challenging

areas or where service demand is concentrated. While small cells can also improve coverage and capacity in a given area, DAS nodes provide finer-grained placement flexibility and greater control over capacity distribution, making it a superior choice where localized high demand or multi-carrier service is required. DAS nodes typically operate on low- or mid-band frequencies (roughly 600 MHz-6 GHz). DAS nodes often only operate on mmWave frequencies in particularly dense or high-demand areas. If a DAS node and a small cell antenna are operating on the same frequency, at similar power, and under the same environmental conditions, their coverage radius will also be approximately the same.

Accordingly, the technical characteristics of small cell networks and DAS nodes, particularly in flat areas such as St. Pete Beach, mean that wireless carriers can, in many circumstances, select alternative, less intrusive, and technically feasible wireless infrastructure than a tall industrial multi-carrier macro cell tower, soaring close to 200 feet into the sky. In today's world, thirty years after the federal Telecommunications Act of 1996 unleashed a torrent of cell tower building across the nation, virtually all developed areas of the United States have been saturated with a primary layer of macro cell towers, except for wilderness areas and extreme rural regions. This is particularly the case in densely populated and developed regions of the country like the Tampa/St. Pete metro area.

That's not to say that capacity constraints may develop, requiring capacity upgrades. And isolated gaps in coverage may be present due to topographical particularities, dense foliage, or distance from the transmitting wireless facility. But the tremendous technological advances over the past thirty years have led to the development of effective flexible infrastructure solutions that are far less intrusive and unsightly than simply building another macro cell tower. Moreover, these technological developments mean that improving wireless coverage or capacity in a given area rarely depends on placement at a single, uniquely required location. There will almost always be many existing poles that can meet a provider's needs, or new poles can be installed. This offers a range of choices that can be ranked based on relative intrusiveness, safety facts such as structure failure risk to adjoining properties, pedestrian access to sidewalks, vehicular safety considerations, or visual impacts. Preferences for using structures at business or commercial locations rather than near residences or somewhere that would mar a treasured beach view can be applied to each candidate site.

[The FCC National Broadband Map Demonstrates That St. Pete Beach Already Has 100% Wireless Coverage. Why Are Wireless Companies Seeking Additional Wireless Telecommunications Infrastructure Where Good Wireless Coverage Already Exists?](#)

The Broadband DATA Act, 47 U.S.C. §643, mandates that all Internet Service Providers (“ISPs”), including wireless carriers, produce data twice each year to the FCC demonstrating their respective broadband coverage throughout the entire United States. The FCC takes this data and generates its National Broadband Map, which is kept up to date. According to the Act, it is “unlawful for any entity or individual to willfully and knowingly, or recklessly, submit information or data under this subchapter that is materially inaccurate with respect to the availability of broadband internet access service or the quality of service with respect to

broadband internet access service.” Per 47 C.F.R. §1.7004(d), each data filing provided by ISPs must include:

[A] certification signed by a corporate officer of the provider that the officer has examined the information contained in the submission and that, to the best of the officer’s actual knowledge, information, and belief, all statements of fact contained in the submission are true and correct. All providers also shall submit a certification of the accuracy of its submissions by a qualified engineer. The engineering certification shall state that the qualified engineer has direct knowledge of, or responsibility for, the generation of the provider's Broadband Data Collection filing. The qualified engineer shall also certify that he or she has examined the information contained in the submission and that, to the best of the engineer's actual knowledge, information, and belief, all statements of fact contained in the submission are true and correct, and in accordance with the service provider's ordinary course of network design and engineering.

The FCC's National Broadband Map provides detailed data about wireless coverage availability throughout the United States down to the local street address level. The FCC National Broadband Map is found at <https://broadbandmap.fcc.gov/home>. On the home page, a "Search by address" box allows a user to enter a desired street address. Once entered, a map showing whatever broadband and mobile coverage is available at that street address will be displayed, listing each wireless carrier providing service and specifying what type of service is available (e.g., 3G, 4G, 5G). Greater detail can be obtained by zooming in on the map, and broader coverage is shown if the user zooms out. Given the harsh penalties prescribed for providing inaccurate information to the FCC about a wireless carrier's coverage, the likelihood is very high that the wireless coverage information that the three major national wireless carriers, AT&T, T-Mobile, and Verizon self-report to the FCC in the FCC National Broadband map is highly accurate.

Relevant screenshots of the FCC National Broadband Map are presented below where you will plainly see that St. Pete Beach already has 100% wireless coverage from AT&T, T-Mobile, and Verizon.

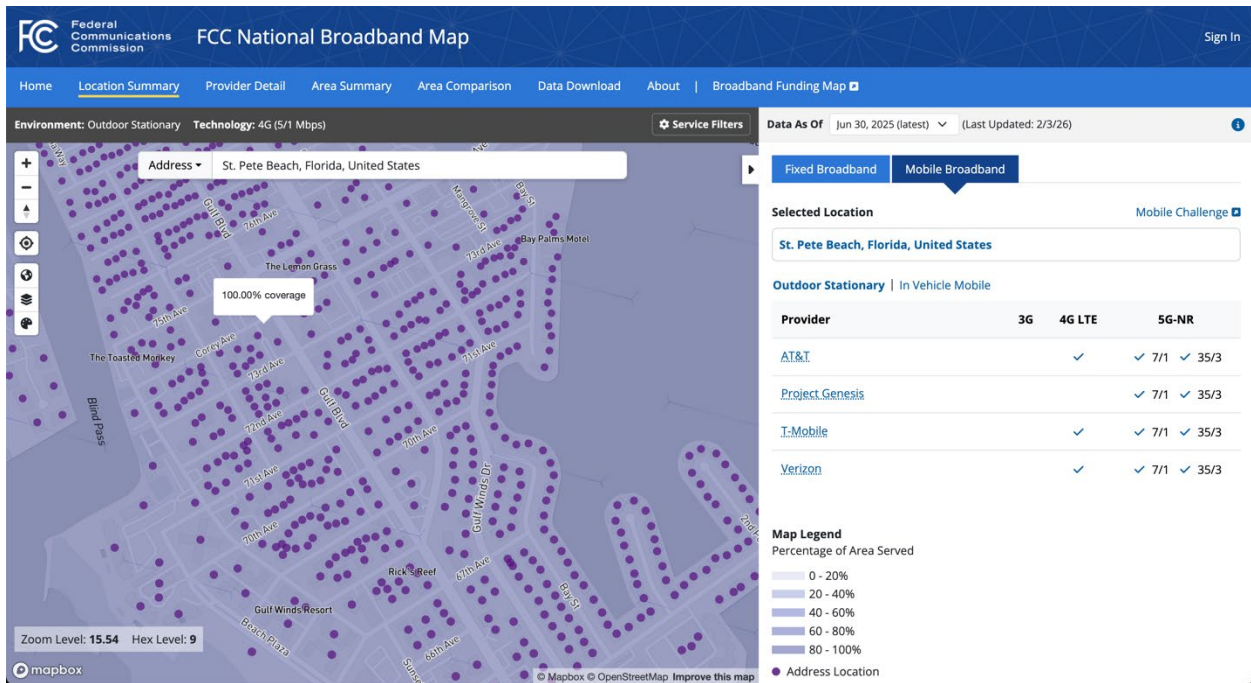


Figure: FCC National Broadband Map demonstrating 100% outdoor coverage for AT&T, Verizon, and T-Mobile at Corey Avenue and Gulf Boulevard in St. Pete Beach, Florida. Data last updated on February 3, 2026.

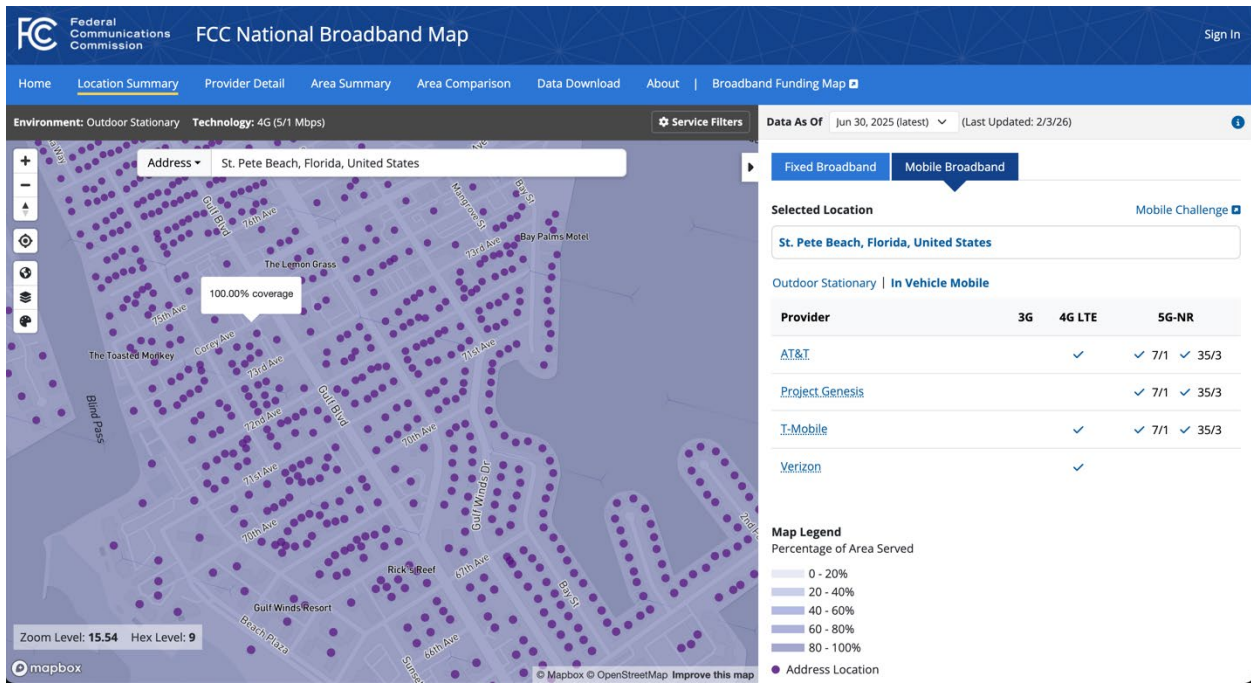


Figure: FCC National Broadband Map demonstrating 100% in-vehicle coverage for AT&T, Verizon, and T-Mobile at Corey Avenue and Gulf Boulevard in St. Pete Beach, Florida. Data last updated on February 3, 2026.

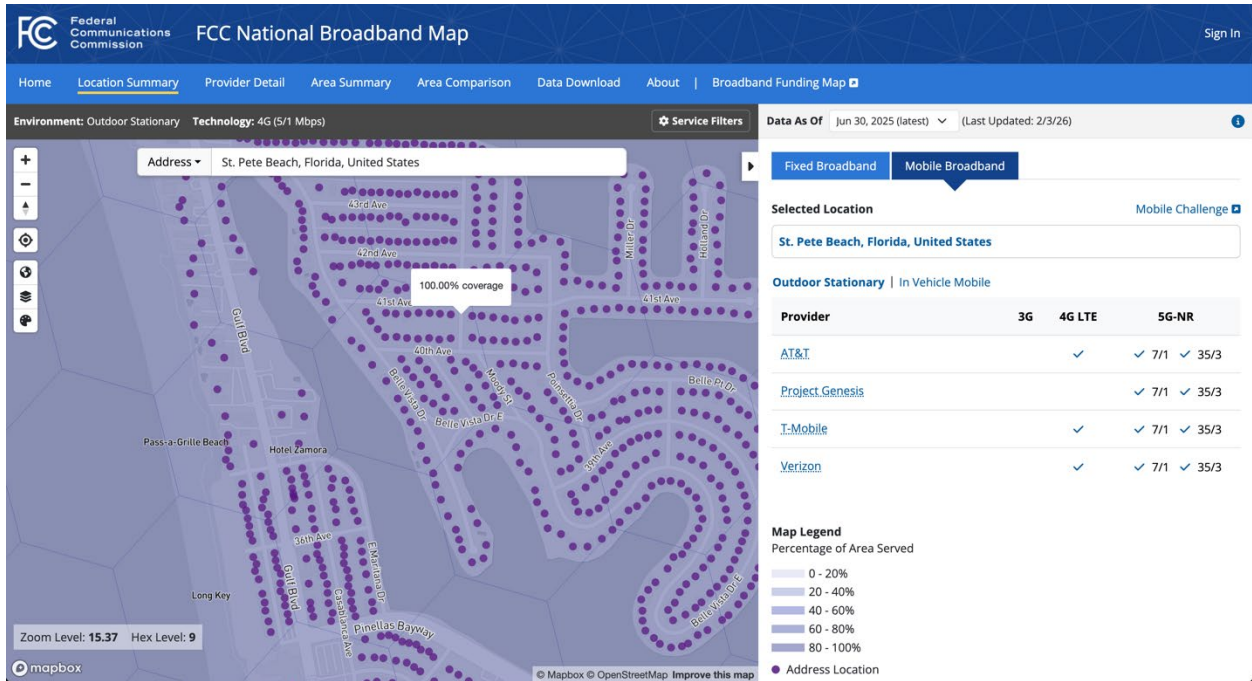


Figure: FCC National Broadband Map demonstrating 100% outdoor coverage for AT&T, Verizon, and T-Mobile at 41st Avenue in St. Pete Beach, Florida. Data last updated on February 3, 2026.

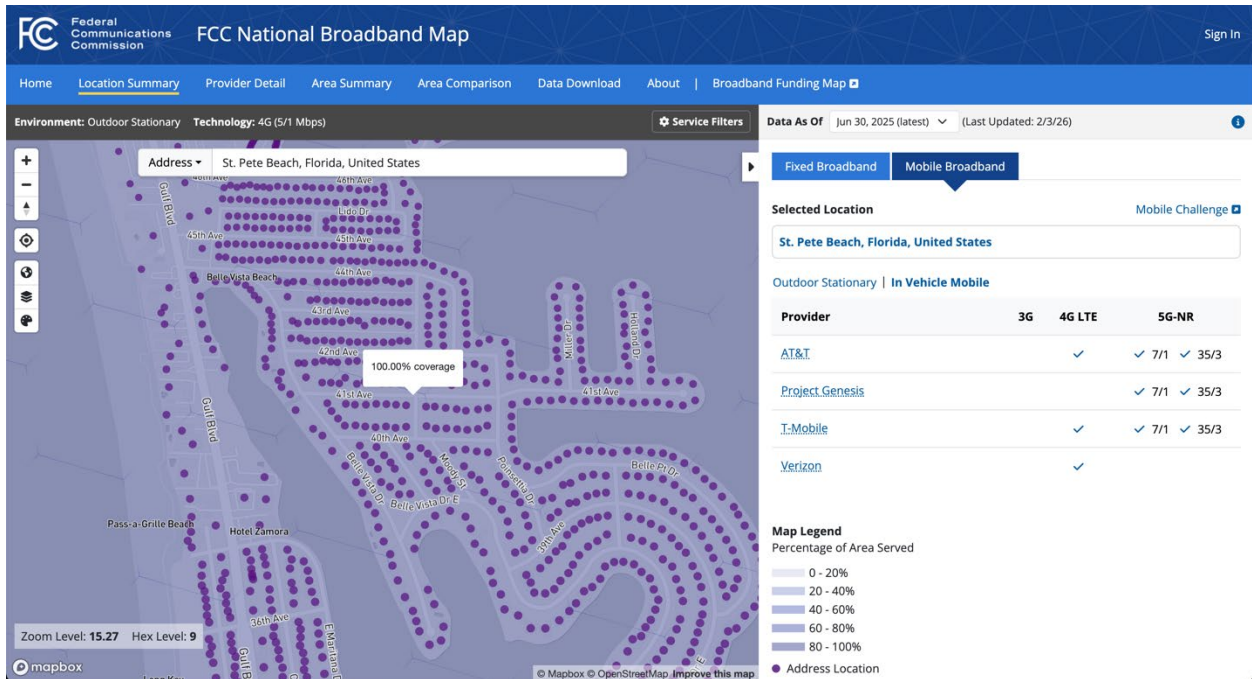


Figure: FCC National Broadband Map demonstrating 100% in-vehicle coverage for AT&T, Verizon, and T-Mobile at 41st Avenue in St. Pete Beach, Florida. Data last updated on February 3, 2026.

When I served on the New Hampshire Commission, we tried to understand why industry was so aggressive in deploying new cell towers and other forms of wireless telecommunications equipment in areas with good existing wireless coverage. The answer is increasingly clear that

they are doing so to garner a market share in the home internet market by offering a wireless option rather than the wired option that most of us currently use.

For customers enrolled in the wireless home internet option, they receive a small device that plugs into a standard electrical outlet. This small device provides internet access within the home via Wi-Fi. Unlike conventional routers that connect via fiber optics or cable, the devices connect to the internet through a wireless connection provided by nearby cell towers. The home internet market is huge, currently exceeding \$550 billion per year and expected to increase to over \$850 billion per year in the next few years. The only way that the wireless industry can overtake wired service providers (cable companies) is to build out wireless infrastructure beyond what is needed for cellphone use. According to an October 23, 2024 news article published in *Fierce Wireless*, Verizon plans to build out its 5G fixed wireless access network to 90 million homes by 2028. During Verizon's 2024 third quarter earnings call, former Verizon CEO, Hans Vestberg, stated: "...fixed wireless access is generating more than \$550 million in revenue." Principal analyst, Roy Chua, of AvidThink noted: "They're obviously bullish on fixed wireless." (See <https://www.fierce-network.com/wireless/verizon-doubles-down-fwa-q3-call>). As reported by *Broadband Breakfast* on October 22, 2025, "...fixed wireless has become a part of AT&T's plan to push bundled home and mobile broadband." The company boasts the addition of 260,000 fixed wireless subscribers in the third quarter of 2025. (See <https://broadbandbreakfast.com/at-t-adds-270-000-fixed-wireless-288-000-fiber-subs/>). These trends make clear that major national carriers are rapidly expanding and heavily investing in fixed wireless as a central component of their broadband business strategies.

There are myriad reasons why wireless home internet is not a good idea (e.g., security concerns, network jamming concerns, limited communications options, etc.) and using it as a reason to build unnecessary infrastructure is one of them.

Conclusion.

Given their relatively sizable service footprints, there is almost never only one location where a small cell antenna or DAS node *must* be installed at a specific location to serve a particular area. Many times, a neighborhood resident will wake up one morning and see a small cell antenna has been attached to a utility pole perhaps 15 feet away from his or her home, right outside a young child's second story bedroom window. Under many municipalities' codes, the resident will have received no notice beforehand that such a wireless facility has been proposed. And under many codes, the permitting for such a wireless facility is handled administratively, and the public has no opportunity or right to object to the location. Yet less intrusive and technically feasible alternative siting options almost always exist, allowing cities like St. Pete Beach to balance wireless service needs with legitimate and reasonable concerns including neighborhood aesthetics, protection of property values, historic preservation, and public safety (e.g. fire hazards and structural integrity). And even if no suitable pole is available to support a small cell antenna or DAS node at a less intrusive, technologically feasible alternative location than the location proposed by the site developer or wireless carrier, a new pole could be installed to house the facility at an appropriate site in the public right-of-way.

Please do not hesitate to contact me with any questions or concerns regarding the contents of this report, or more generally, about small cell antennas and DAS node siting. Thank you.

Respectfully submitted,

Kent Chamberlin, PhD

Excerpt language from Florida Statutes Section 337.401

(emphasis added in **boldface underline**)

“4. **Subject to paragraph (r)**, an authority [*i.e., City or County*] **may not limit the placement, by minimum separation distances**, of small wireless facilities, utility poles on which small wireless facilities are or will be collocated, or other at-grade communications facilities.

...

[paragraph (r), shown below]:

(r) An authority may require wireless providers to comply with **objective design standards** adopted by ordinance.

The ordinance may only require:

1. A new utility pole that replaces an existing utility pole to be of substantially similar design, material, and color;
2. **Reasonable spacing requirements concerning the location of a ground-mounted component of a small wireless facility which does not exceed 15 feet from the associated support structure; or**
3. A small wireless facility to meet reasonable location context, color, camouflage, and concealment requirements, subject to the limitations in this subsection; and
4. A **new utility pole** used to support a small wireless facility to meet **reasonable location context**, color, and material **of the predominant utility pole type at the proposed location** of the new utility pole.

Such design standards under this paragraph may be waived by the authority upon a showing that the design standards are not reasonably compatible for the particular location of a small wireless facility or utility pole or are technically infeasible or that the design standards impose an excessive expense. The waiver must be granted or denied within 45 days after the date of the request.”

4. However, within 14 days after the date of filing the application, an authority may request that the proposed location of a small wireless facility **be moved to another location in the right-of-way and placed on an alternative authority utility pole or support structure or placed on a new utility pole**. The authority and the applicant **may negotiate the alternative location, including any objective design standards and reasonable spacing requirements** for

ground-based equipment, for 30 days after the date of the request. At the conclusion of the negotiation period, if the alternative location is accepted by the applicant, the applicant must notify the authority of such acceptance and the application shall be deemed granted for any new location for which there is agreement and all other locations in the application. **If an agreement is not reached, the applicant must notify the authority of such nonagreement and the authority must grant or deny the original application within 90 days after the date the application was filed.** A request for an alternative location, an acceptance of an alternative location, or a rejection of an alternative location must be in writing and provided by electronic mail.

11. An authority may deny an application to collocate a small wireless facility or place a utility pole used to support a small wireless facility in the public rights-of-way if the proposed small wireless facility or utility pole used to support a small wireless facility:

- a. **Materially interferes with the safe operation of traffic control equipment.**
- b. **Materially interferes with sight lines or clear zones for transportation, pedestrians, or public safety purposes.**
- c. Materially interferes with compliance with the **Americans with Disabilities Act** or similar federal or state standards regarding pedestrian access or movement.
- d. Materially fails to comply with the 2017 edition of the **Florida Department of Transportation Utility Accommodation** Manual.
- e. Fails to comply with **applicable codes.**
- f. Fails to comply with objective design standards authorized under **paragraph (r).**

(6) (k) **This subsection does not limit a local government's authority to enforce historic preservation zoning regulations** consistent with the preservation of local zoning authority under 47 U.S.C. s. 332(c)(7), the requirements for facility modifications under 47 U.S.C. s. 1455(a), or the National Historic Preservation Act of 1966, as amended, and the regulations adopted to implement such laws. **An authority may enforce local codes, administrative rules, or regulations adopted by ordinance in effect on April 1, 2017, which are applicable to a historic area designated by the state or authority.** An authority may enforce pending local ordinances, administrative rules, or regulations applicable to a historic area **designated by the state** if the intent to adopt such changes has been publicly declared on or before April 1, 2017. An authority may waive any ordinances or other requirements that are subject to this paragraph.

**CITY COMMISSION MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Resolution 2026-06: Grant an Easement to Duke Energy Florida for City property at 8665 Boca Ciega Dr. (Pump Station 1).

Action Request: Motion to [adopt/adopt with modification/deny/continue to [specify date certain]] Resolution 2026-06.

Strategic Objective: Reliable Infrastructure

Date: March 9, 2026

Prepared By: Camden Mills, Public Services Director

Through: Frances Robustelli, City Manager

Summary of Issue: Duke crews recently installed electrical infrastructure associated with a Pump Station 1 at 8665 Boca Ciega Drive. As part of this work, a 10-foot by 10-foot underground electrical pull box was constructed in the southwest corner of the property. The pull box contains electrical cable, conduit, and splicing components necessary to support operations of Pump Station 1.

This installation occurred outside of the public right-of-way (ROW) on City property. In order to allow the infrastructure to remain in place and to support ongoing operation and maintenance, Duke Energy Florida has requested that the City grant a perpetual easement over the area where the pull box is located.

The proposed easement:

- Covers a 10' x 10' area encompassing the pull box and associated underground facilities
- Grants Duke Energy the right to access, operate, maintain, repair, and replace the electrical infrastructure
- Includes ingress and egress rights across the property for maintenance purposes

- Restricts placement of structures or obstructions within or near the easement area
- Allows vegetation management as necessary to protect the electrical facilities

The easement is being granted for nominal consideration (\$1.00) and is intended to formalize access and maintenance rights for infrastructure that is already installed and critical to the operation of a City utility system.

Approval ensures continued reliable electrical service to Pump Station 1 while minimizing future access or operational conflicts.

Funding: N/A

Attachments:

1. Res 2026-06 Duke Easement
2. Duke Energy Easement- 8665 BOCA CIEGA DR
3. Easement Agreement Photos

RESOLUTION NO. 2026-06

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH GRANTING A TEN FOOT BY TEN FOOT LIMITED PURPOSE UTILITY EASEMENT TO DUKE ENERGY FLORIDA, LLC; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, DUKE ENERGY has requested a utility Easement Area being ten feet by ten feet (10'x10') lying along the Southwesterly corner of real property described as Lot 5, WATSON'S REPLAT, as recorded in Plat Book 26, Page 74, of the Public Records of Pinellas County, Florida; and

WHEREAS, the proposed easement is limited in size to that necessary to provide essential utility services to the area;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, THAT:

Section 1. Each of the above recitals is incorporated herein as the findings of the City Commission.

Section 2. The attached EASEMENT ("Easement") from CITY OF ST. PETE BEACH ("Grantor", whether one or more), to DUKE ENERGY FLORIDA, LLC, a Florida limited liability company, Post Office Box 14042, St. Petersburg, FL 33733 ("Grantee") is hereby APPROVED and the mayor is authorized to sign the easement on behalf of the City of St Pete Beach, Florida.

Section 3. This Resolution is effective immediately upon adoption.

PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, THIS _____ DAY OF _____, 2026.

CITY COMMISSION, CITY OF ST. PETE BEACH, FLORIDA.

Adrian Petrila, Mayor

ATTEST:

Renee Rose, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Ralf Brookes, City Attorney

Prepared by: Duke Energy Florida, LLC
Return To: Duke Energy Florida, LLC
Attn: Real Estate Dept.
2166 Palmetto St.
Mail Code: CLBAYG
Clearwater, Florida 33765

Parcel # 25-31-15-95202-000-0050

8665 Boca Ciega Drive
St. Pete Beach, FL

EASEMENT

State of Florida
County of Pinellas

THIS EASEMENT (“**Easement**”) is made this ____ day of _____ 2026, from **CITY OF ST. PETE BEACH** (“**Grantor**”, whether one or more), to **DUKE ENERGY FLORIDA, LLC**, a Florida limited liability company, Post Office Box 14042, St. Petersburg, FL 33733 (“**Grantee**”).

Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee a perpetual easement, to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify, and remove electric and communication lines including, but not limited to, all necessary supporting structures, and all other appurtenant apparatus and equipment for the transmission and distribution of electrical energy, and for technological purposes related to the operation of the electric facilities and for the communication purposes of Incumbent Local Exchange Carriers (collectively, “**Facilities**”).

Grantor is the owner of that certain property described as Lot 5, WATSON’S REPLAT, as recorded in Plat Book 26, Page 74, of the Public Records of Pinellas County, Florida (“**Property**”).

The Facilities shall be underground, except as needed on or above the ground to support the underground Facilities, and located in, upon, along, under, through, and across a portion of the Property within an easement area described as follows:

An Easement Area being ten foot by ten foot (10’x10’) lying along the Southwesterly corner of the above described property (hereinafter referred to as the “**Easement Area**”).

The rights granted herein include, but are not limited to, the following:

For Grantee's Internal Use:
Work Order #: 60830698-20 |
60701193 D

1. Grantee shall have the right of ingress and egress over the Easement Area, Property, and any adjoining lands now owned or hereinafter acquired by Grantor (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).
2. Grantee shall have the right to trim, cut down, and remove from the Easement Area, at any time or times and using safe and generally accepted arboricultural practices, trees, limbs, undergrowth, other vegetation, and obstructions.
3. Grantee shall have the right to trim, cut down, and remove from the Property, at any time or times and using safe and generally accepted arboricultural practices, dead, diseased, weak, dying, or leaning trees or limbs, which, in the opinion of Grantee, might fall upon the Easement Area or interfere with the safe and reliable operation of the Facilities.
4. Grantor shall not place, or permit the placement of, any structures, improvements, facilities, or obstructions, within or adjacent to the Easement Area, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such structure, improvement, facility, or obstruction at the expense of Grantor.
5. Excluding the removal of vegetation, structures, improvements, facilities, and obstructions as provided herein, Grantee shall promptly repair or cause to be repaired any physical damage to the surface area of the Easement Area and Property resulting from the exercise of the rights granted herein to Grantee. Such repair shall be to a condition which is reasonably close to the condition prior to the damage, and shall only be to the extent such damage was caused by Grantee or its contractors or employees.
6. Grantee may increase or decrease the voltage and change the quantity and types of Facilities.
7. All other rights and privileges reasonably necessary, in Grantee's sole discretion, for the safe, reliable, and efficient installation, operation, and maintenance of the Facilities.

The terms Grantor and Grantee shall include the respective heirs, successors, and assigns of Grantor and Grantee. The failure of Grantee to exercise or continue to exercise or enforce any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time, or from time to time, to exercise any and all such rights.

TO HAVE AND TO HOLD said rights, privilege, and easement unto Grantee, its successors, licensees, and assigns, forever. The rights and easement herein granted are exclusive as to entities engaged in the provision of electric energy service. Grantor warrants and covenants that Grantor has the full right and authority to convey to Grantee this perpetual Easement, and that Grantee shall have quiet and peaceful possession, use and enjoyment of the same.

IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this ____ day of _____, 2026.

Witnesses:

CITY OF ST. PETE BEACH

(Witness #1)
Printed Name: _____
Address: _____

Adrian Petrila, Mayor

Grantor(s) Mailing Address:

155 Corey Avenue

St. Pete Beach, Florida 33706

(Witness #2)
Printed Name: _____
Address: _____

STATE OF _____

COUNTY OF _____

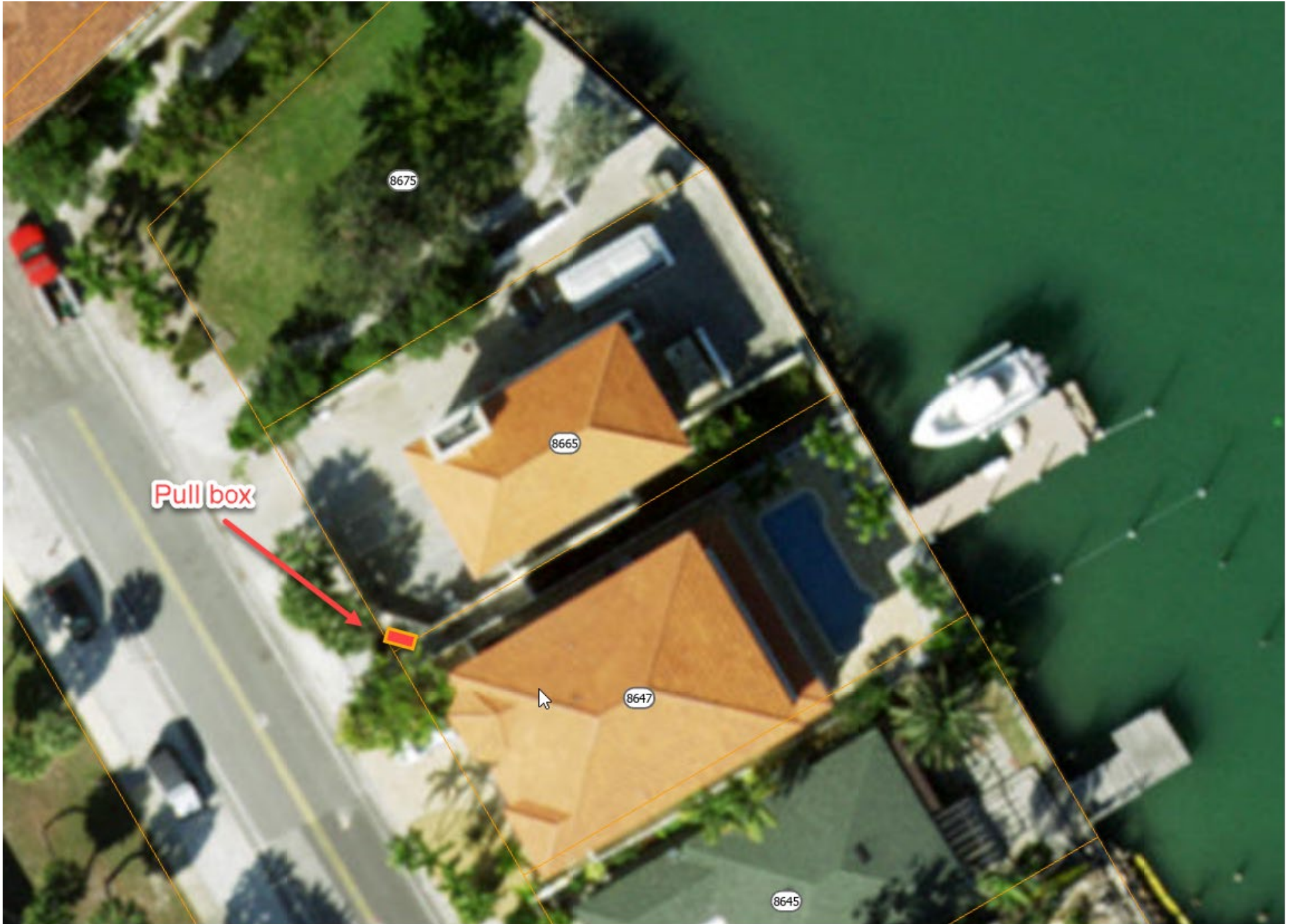
The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2026 by Adrian Petrila, Mayor of CITY OF ST. PETE BEACH. He is personally known to me or has produced _____ as identification.

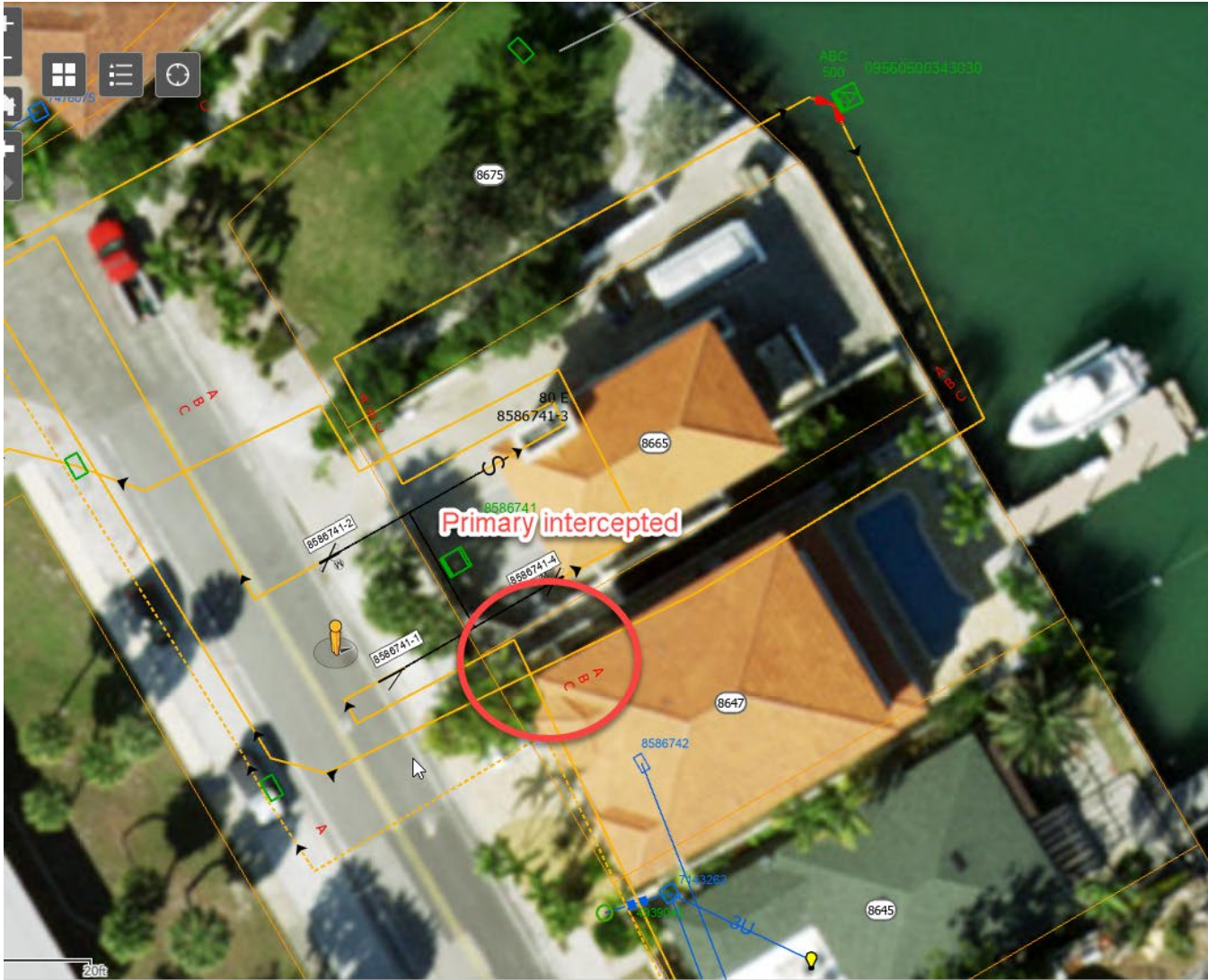


Notary Public: _____
Printed/ Typed Name: _____
Commission Expires: _____

This instrument prepared by Manny R. Vilaret, Esquire, 10901 Danka Circle Suite C, St. Petersburg, FL 33716.

For Grantee's Internal Use:
Work Order #: 60830698-20 |
60701193 D







**CITY COMMISSION MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Resolution 2026-05: Waive permit fees for seawall repairs in rights-of-way

Action Request: Motion to [adopt/adopt with modification/deny/continue to [specify date certain]] Resolution 2026-05.

Strategic Objective: Recovery, Resiliency & Sustainability

Date: March 9, 2026

Prepared By: Ralf Brookes, City Attorney

Through: Frances Robustelli, City Manager

Summary of Issue:

Certain privately owned seawalls within the City directly adjoin City-owned right-of-way along the waterfront. In these locations, the seawalls are impacted by public use of the adjacent right-of-way. This includes routine vehicular traffic, municipal service vehicles, storm debris removal operations, and other public activities that may contribute to accelerated structural wear.

Because these seawalls help protect adjacent public infrastructure and right-of-way, their deterioration presents broader coastal resiliency and public safety concerns beyond the individual property owner.

It is recommended that Commission adopt a resolution temporarily waiving seawall permit fees for a period of two (2) years for qualifying properties whose seawalls directly adjoin City right-of-way.

The proposed waiver would:

- Encourage timely repair and replacement of aging seawalls;
- Promote shoreline stabilization and coastal resiliency;

- Protect public infrastructure located within the adjacent right-of-way;
- Incentivize property owner participation in coordinated or bundled repair efforts; and
- Provide a defined timeframe to stimulate action while limiting long-term fiscal exposure.

The City would not fund construction or assume ownership of private seawalls. Rather, it would provide a limited financial incentive by waiving permit fees to encourage proactive maintenance and replacement within a defined timeframe.

Eligibility would be based on objective criteria, specifically adjacency of a private seawall to City right-of-way.

The proposed two-year window would allow property owners to organize collectively, secure contractor pricing, and complete necessary improvements while providing a clear sunset date to limit fiscal exposure.

Funding:

The fiscal impact is limited to the temporary loss of seawall permit fee revenue for qualifying properties during the two-year period.

Attachments:

1. 2026-05 Bldg Permit Waiver Seawalls Impacting City ROW

RESOLUTION NO. 2026-05

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH TO TEMPORARILY WAIVE BUILDING PERMIT AND PLANS EXAMINATION FEES FOR PRIVATE SEAWALL PERMITS ADJOINING CITY RIGHTS OF WAY BEGINNING MARCH 10, 2026, THROUGH AND INCLUDING MARCH 10, 2028; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on September 26, 2024, storm surge and high winds from Hurricane Helene caused significant flood damage from storm surge to private seawalls adjacent to, or impacting, city rights of way throughout the City of St. Pete Beach; and

WHEREAS, on October 9, 2024, high winds and heavy rains from Hurricane Milton caused significant damage to many seawalls; and

WHEREAS, damage from these two hurricanes is an extraordinary condition that warrants waiver of certain permit and plans examination fees for seawall repairs adjoining city rights of way in the City of St. Pete Beach; and

WHEREAS, the City Commission of the City of St. Pete Beach wishes to encourage timely seawall repair and replacement; promote coastal resiliency and shoreline stabilization; protect adjacent public infrastructure and right-of-way; incentivize property owner participation in coordinated repair efforts; and support potential bundled or group construction efforts to reduce overall project costs; and

WHEREAS, the City Commission of the City of St. Pete Beach would not fund construction or assume ownership of private seawalls; rather, it would provide a limited financial incentive by waiving permit fees to encourage proactive maintenance and replacement within a defined timeframe; and

WHEREAS, the proposed two-year window would allow property owners to organize collectively, secure contractor pricing, and complete necessary improvements while providing a clear sunset date

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, THAT:

Section 1. Each of the above recitals is incorporated herein as the findings of the City Commission.

Section 2. There shall be a temporary waiver of certain City of St. Pete Beach building permit fees and plans examination fees from March 10, 2026, through March 10, 2028, for permit applications for repairs or demolition of seawalls adjacent to, or impacting, city rights of way in the City of St. Pete Beach.

Section 3. This Resolution is effective immediately upon adoption.

PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, THIS _____ DAY OF _____, 2026.

CITY COMMISSION, CITY OF ST. PETE BEACH, FLORIDA.

Adrian Petrila, Mayor

ATTEST:

Renee Rose, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Ralf Brookes, City Attorney