



**BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA
Wednesday, February 12, 2025 at 6:00 PM
Commission Chambers, 300 Municipal Drive,
Madeira Beach, FL 33708**

This Meeting will be televised on Spectrum Channel 640 and YouTube Streamed on the City's Website.

- 1. CALL TO ORDER**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE - City Attorney Thomas Trask**
- 3. ROLL CALL**
- 4. APPROVAL OF THE AGENDA**
- 5. PROCLAMATIONS - Mayor**
- 6. PRESENTATIONS (limited to 10 minutes each)**
 - A.** Madeira Beach Fire Department - Introduction of New Hires
 - B.** Madeira Beach Fire Department - Firefighter of the Year, 2025
 - C.** Madeira Beach Fire Department - Promotions
 - D.** Madeira Beach Fire Department - Recognition of Years of Service

7. PUBLIC COMMENT

Public participation is encouraged. If you are addressing the Commission, step to the podium and state your name and address for the record, and the organization or group you represent. Please limit your comments to five (5) minutes and do not include any topic on the agenda. Public comment on agenda items will be allowed when they come up.

If you would like someone at the City to follow up on a comment or question made at the meeting, you may fill out a comment card with the contact information and give it to the City Manager. Comment cards are available at the back table in the Commission Chambers. Completing a comment card is not mandatory.

For any quasi-judicial public hearings that might be on the agenda, an affected person may become a party to a quasi-judicial proceeding and can be entitled to present evidence at the hearing, including

the sworn testimony of witnesses and relevant exhibits and other documentary evidence and to cross-examine all witnesses by filing a notice of intent to be a party with the Community Development Director not less than five days prior to the hearing.

8. APPROVAL OF THE MINUTES

- A.** 2025-01-08, BOC Regular Meeting Minutes
- B.** 2025-01-22, BOC Regular Workshop Meeting Minutes

9. CONSENT AGENDA

Any member of the Board of Commissioners can ask to pull a consent item for separate discussion and vote.

10. PUBLIC HEARINGS

- A.** Ordinance 2025-04, Planned Development - 1st Reading and Public Hearing
- B.** Ordinance 2025-05, Temporary Shelters on Residential Property - 1st Reading and Public Hearing
- C.** Ordinance 2025-06, Amendment to Capital Improvement Element of the Comprehensive Plan - 1st Reading & Public Hearing
- D.** Ordinance 2025-07, Adult Use Restriction - 1st Reading and Public Hearing
- E.** Ordinance 2025-08, Amendment to Fees & Collections Manual - 1st Reading & Public Hearing

11. UNFINISHED BUSINESS

12. CONTRACTS/AGREEMENTS

- A.** Public Works / Satellite Building Department Design
- B.** AAA Florida Traffic Safety Grant
- C.** Approve Saltwater Destination Agreement - 2nd Amendment
- D.** Approve Tampa Bay Psychology Services LLC Agreement for Psychological Evaluation and Counseling Services for Fire Personnel
- E.** Rebuilding Madeira Beach, Advanced Engineering
- F.** Emergency Bridge Loan Program - Request for Application

13. NEW BUSINESS

- [A.](#) Resolution 2025-01, Public Records Exemption for Municipal Clerks and Employees who Perform Municipal Elections Work or have any part in Code Enforcement Functions of a City
- B. City Manager - Post Storm Work

14. AGENDA SETTING - FEBRUARY 26, 2025 BOC JOINT WORKSHOP WITH CIVIL SERVICE COMMISSION; 4:00 PM

- A. Ordinance 2025-01, Employee Personnel Policy
- B. Ordinance 2025-02, Civil Service Commission Duties
- C. Ordinance 2025-03, Post Termination Hearings; Hearing Officers

15. AGENDA SETTING - FEBRUARY 26, 2025 BOC WORKSHOP

- A. Post-Hurricane Update
- B. Information Officer
- C. Task Force Committee
- D. Key to the City Discussion
- E. Post-Hurricane Update - Recovery, Rebuild, Permitting, FEMA, FDEM
- F. FY 25 Financial Update & Storms Damage Assessment
- G. City Street Ends Project Update
- H. ITB 25-02 Purchase Rear Load Replacement dumpsters Contract approval
- I. Dumpster purchase Approval

16. REPORTS/CORRESPONDENCE

- [A.](#) Board of Commissioners - 2025 BOC Meeting Schedule
- B. City Attorney
- [C.](#) City Clerk Report - February 2025
- D. City Manager

17. ADJOURNMENT

One or more Elected or Appointed Officials may be in attendance.

Any person who decides to appeal any decision of the Board of Commissioners with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes 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. The law does not require the minutes to be transcribed verbatim; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation to participate in this meeting should call the City Clerk at 727-391-9951, ext. 231 or 232 or email a written request to cvanblargan@madeirabeachfl.gov.



MEMORANDUM

TO: Hon. Mayor and Board of Commissioners
THROUGH: Robin Gomez, City Manager
FROM: Clint Belk, Fire Chief
DATE: February 12, 2025
RE: Introduction of New Hires

Background

It is my pleasure to introduce new members of the Madeira Beach Fire Department.

Joseph Calderaro, Firefighter/EMT	Date of Hire 02/19/2024
Christian Greene, Firefighter/Paramedic	Date of Hire 01/06/2025
Kavaris Service, Firefighter/EMT	Date of Hire 11/04/2024
Daniel Torres, Firefighter/EMT	Date of Hire 11/04/2024

Fiscal Impact

N/A





MEMORANDUM

TO: Hon. Mayor and Board of Commissioners

THROUGH: Robin Gomez, City Manager

FROM: Clint Belk, Fire Chief

DATE: 2/12/2025

RE: Firefighter of the Year, Firefighter/Paramedic Michael Wasilewski

Background

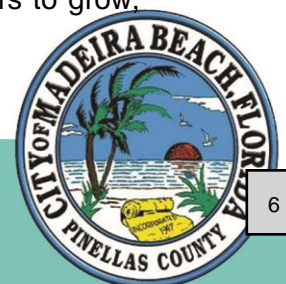
The Madeira Beach Fire Department is proud to announce that Firefighter/Paramedic Michael Wasilewski has been named 2025 Firefighter of the Year, an honor recognizing his unparalleled dedication, exemplary service, and unwavering commitment to excellence.

Since joining the department in 2021, FF Wasilewski has set a high standard for professionalism, hard work, and teamwork. Known for his outstanding work ethic and positivity, he consistently goes above and beyond to support his fellow firefighters and serve the Madeira Beach community with integrity. His peers commend him as a role model who defines what it means to be a Madeira Beach firefighter.

In just a few short years as a firefighter with MBFD, Mike has achieved many milestones. He completed the Acting Driver and Acting Lieutenant programs, stepping into critical roles to meet operational needs. He earned his certification as a Marine Operator and achieved a Bachelor of Science in Public Safety Administration—an accomplishment that underscores his relentless pursuit of excellence in public service. The most recent milestone worth noting is that one day after being nominated for Firefighter of the Year, FF Wasilewski tested for the open Lieutenant position, scoring the highest out of the three candidates allowing him to meet the criteria for a promotion to Lieutenant.

Lt. Wasilewski is more than a skilled firefighter; he is also a highly respected paramedic with an exceptional bedside manner. He brings calm, competence, and compassion to every call. As a preceptor, Mike takes the initiative to mentor and develop new firefighters and paramedic students, ensuring the next generation of Madeira Beach firefighters meets the department's high standards.

A leader on and off duty, Mike prioritizes physical fitness as a cornerstone of his readiness for emergencies, inspiring his colleagues to do the same. His peers describe him as a professional who represents the department with pride and a role model who challenges others to grow, both personally and professionally.



His commitment to service runs deep. Before becoming a firefighter, he served in the United States Marine Corps from 2011 to 2015, deploying to Helmand Province, Afghanistan, during Operation Enduring Freedom in 2012. His dedication extends beyond firefighting—he has served his community as a substitute teacher and lifeguard, embodying the values of resilience, versatility, and service.

It is with the utmost respect and gratitude that we congratulate Lieutenant Michael Wasilewski on being named the 2025 Firefighter of the Year. His hard work, dedication, and leadership inspire us all and remind us why we do what we do.

Fiscal Impact

Recommendation

Attachment(s):





MEMORANDUM

TO: Hon. Mayor and Board of Commissioners

THROUGH: Robin Gomez, City Manager

FROM: Clint Belk, Fire Chief

DATE: February 12, 2025

RE: Promotions

Background

Promotions

Deputy Chief	John Mortellite	October 1, 2024
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Lieutenant	Michael Wasilewski	January 6, 2025
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Fiscal Impact

N/A



JOHN MORTELLITE

DOH 10/09/2023
Promotion 10/01/2024

John Mortellite was promoted to Deputy Chief of the Madeira Beach Fire Department on October 1, 2024. He came to MBFD with 28 years of experience, previously achieving the rank of Assistant Chief with his former department. Throughout his career, he has earned numerous certifications, including a bachelor's degree in Fire Administration, Fire Officer I and II, Fire Instructor I, multiple FEMA Incident Command certifications, and a State of Florida Paramedic License. He has also attended classes at the National Fire Academy in Emmitsburg, Maryland, and participated in many conferences across the country.

In his role at MBFD, Deputy Chief Mortellite is the Emergency Medical Services Officer, Operations Officer, Training Officer, logistics manager, and the department's in-house "tech" specialist. Deputy Chief Mortellite was unofficially promoted a few days early to assist with preparations for Hurricane Helene. During Hurricane Milton, he was instrumental in setting up MBFD's alternate Emergency Operations Center, ensuring mobile internet access and maintaining communication with Pinellas County Dispatch during an unprecedented barrier island evacuation. His efforts ensured a seamless transition and demonstrated his ability to tackle new challenges head-on.

Deputy Chief Mortellite's leadership has been an important factor in elevating MBFD's operational capabilities. His proactive approach, problem-solving skills, and ability to adapt to challenges have already made a significant impact. His promotion marks a new era of success for both him and the department, as MBFD continues to set higher standards for exceptional community service.

MICHAEL WASILESKI

DOH 02/08/2021
Promotion 01/06/2025

Madeira Beach Fire Department held a lieutenant promotion assessment followed by the resignation of Andy Childers.

The promotional assessment was held on December 17, 2024. It comprised of a written examination, several tactical scenarios, and interviews in front of a panel. Each section was given a scoring system. The department had three very qualified candidates with scores just points away from one another.

The Madeira Beach Fire Department is pleased to announce the promotion of Michael Wasilewski to Lieutenant of B shift. FF Wasilewski has served the department for 4 years. During this tenure, he has taken on the responsibilities of Acting Driver, Acting Lieutenant and Marine Operator. With this promotion Lt. Wasilewski will also take on the role of the Department's EMS Coordinator.





MEMORANDUM

TO: Hon. Mayor and Board of Commissioners
THROUGH: Robin Gomez, City Manager
FROM: Clint Belk, Fire Chief
DATE: 02/12/2025
RE: Recognition of Years of Service

Background

Madeira Beach Fire Department would like to recognize the following personnel for their years of service and dedication to the City of Madeira Beach.

Fire Marshal Raul Perez	10 years
Firefighter/Paramedic Johana Whitfield	5 years

Fiscal Impact

N/A

Recommendation

Attachment(s):





MINUTES
BOARD OF COMMISSIONERS
REGULAR MEETING
JANUARY 8, 2025
6:00 p.m.

The City of Madeira Beach Board of Commissioners held a regular meeting at 6:00 p.m. on January 8, 2025, in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

MEMBERS PRESENT: Anne-Marie Brooks, Mayor
David Tagliarini, Vice Mayor/Commissioner District 1
Ray Kerr, Commissioner District 2
Eddie McGeehen, Commissioner District 3
Housh Ghovae, Commissioner District 4

MEMBERS ABSENT: None.

CHARTER OFFICERS PRESENT: Robin Gomez, City Manager
Clara VanBlargan, City Clerk
Andrew Laflin, Finance Director/City Treasurer
Thomas Trask, City Attorney

1. CALL TO ORDER

Mayor Brooks called the meeting to order at 6:00 p.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

City Attorney Tom Trask gave the Invocation and led the Pledge of Allegiance.

3. ROLL CALL

City Clerk Clara VanBlargan called the roll. All were present.

4. APPROVAL OF THE AGENDA

Mayor Brooks added a presentation by Senator Nick DiCeglie to the agenda.

Commissioner Ghovae motioned to approve the agenda with the added presentation. Commissioner Kerr seconded the motion.

ROLL CALL:

Commissioner Ghovae	"YES"
Commissioner Kerr	"YES"
Commissioner McGeehen	"YES"
Vice Mayor Tagliarini	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

5. PROCLAMATIONS

There were no proclamations.

6. PRESENTATIONS

Senator Nick DiCeglie thanked Mayor Brooks for speaking with him a couple of weeks ago about what is going on from the City's perspective in relation to the permits, storm debris collections, and other things that Madeira Beach has been experiencing due to the recent hurricanes. He lives in Indian Rocks Beach and is going through the same. He offered his assistance and asked to consider him as a resource to help do whatever is necessary to help Madeira Beach move forward. He is the chair of the Appropriation Committee on Tourism, Transportation, and Economic Development, and he will be responsible for a lot of the hurricane recovery that will be coming through his committee. They are focusing on appropriation and policy with the Legislature. If any infrastructure projects were impacted by the storm that the City would need help with from an appropriation standpoint such as stormwater or any infrastructure, it is now the time to let him, or his staff know what those projects are and the cost of those projects. They are there to facilitate and help get that into the hopper so they can go through that funding process. From a policy standpoint, he wants to create a uniform set of standards, guidelines, or some system where local governments have resources during post-storms. After the initial emergency response, they all can start hitting the ground running. The State is going to provide resources. He has a language for bill drafting and works with Senate staff. He will send it to the Mayor for Board feedback when that is ready. Anything found to conflict with FEMA will be removed from the beginning. The most disappointing thing is that what they decide to do from a policy standpoint will not impact the residents of Pinellas County. He spoke to a large group today and was asked why the Legislature had not addressed the permitting issue after a storm like Ian. He does not represent that area of the State and has no answer. It is clearly an issue that is required and necessary. Still, it needs to be fine-tuned, so if it happens again, it has the least impact on the residents in one of the most difficult scenarios and experiences they would ever face: storm recovery and trying to get back in their homes. He is trying to make it better for all Floridians. He has the full support of leadership in Tallahassee, which is always a plus. They have a great delegation in Pinellas County as well. Representative Cheney represents the area in the House of Representatives and is very compassionate about the issue and making things right for our residents. The appropriation opportunity for them in Pinellas County is unique. They have great leadership skills in key positions.

Senator DiCeglie responded to questions and comments from the Board and said he looked forward to working with everyone.

7. PUBLIC COMMENT

Threasa Nelson, 140th Avenue, Madeira Beach, thanked the City for its help in getting the residents back into their homes so that they could have some stability within their lives. Businesses are an important aspect as well. She has about 40 years of experience in environmental health and safety and spent her last 10 years in the military as the DOD (Department of Defense) representative to FEMA between the Commonwealth of Virginia and FEMA. What is seen in Madeira Beach has been the worst. Regarding public safety and how citizens can do more to help with recovery, many containers of paint and chemicals are still left behind, and many are sitting by the homes where there are no longer people. Federal and State laws exempt household hazardous waste, which must be picked up. When the weather gets hot again, the containers could pressurize and burst. The rain will cause it to go into the waterways. They need to start looking at the long-term recovery for the community. If there is anything that she and other people can do to help, please let her know.

8. APPROVAL OF MINUTES

- A. 2024-12-11, BOC Regular Meeting Minutes**
- B. 2024-12-11, BOC Regular Workshop Meeting Minutes**

Commissioner Kerr motioned to approve the meeting minutes as written. Commissioner McGeehen seconded the motion.

ROLL CALL:

Commissioner Kerr	"YES"
Commissioner McGeehen	"YES"
Commissioner Ghovae	"YES"
Vice Mayor Tagliarini	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

9. CONSENT AGENDA

10. PUBLIC HEARINGS

A. ABP 2025-01 Dockside Dave's Restaurant

City Attorney Tom Trask said the applicant is Dockside Dave's Restaurant, LLC located at 14701 and 14703 Gulf Blvd. Madeira Beach, Fl 33708. He read the summary of the Code, Article 6, Division 6, Alcoholic Beverages, and the following five factors in Code, Section 110-532 for consideration of the alcoholic beverage application:

1. The extent to which the location and the extent to which the proposed alcoholic beverage request will adversely affect the character of the existing neighborhood.
2. The extent to which traffic generated as a result of the location of the proposed alcoholic beverage request will create congestion or present a safety hazard.
3. Whether or not the proposed use is compatible with the particular location for which it is proposed.
4. Whether or not the proposed use will adversely affect the public safety.
5. No application for review under this section shall be considered until the applicant has paid in full any outstanding charges, fees, interest, fines or penalties owed by the applicant to the City under any section of the Code.

Mr. Trask said the burden of proof is set out in Section 2-10 A, of the City's Code, Burden of proof; conditions; rezoning, stated as follows.

The applicant shall have the burden of proof at the hearing to show by the greater weight of the evidence that the application is consistent with the city comprehensive plan and complies with all procedural requirements of law. Conditions may be suggested by the applicant, the City or any party, or may be imposed by the Board, which are intended to assure consistency and compliance.

Mr. Trask said there are two parties that are identified tonight: Dockside Dave's Restaurant LLC and the City. There have been no notices of intent filed with the City. The order of presentation normally would be the applicant first and then the City, but pursuant to Section 2-9 F, of the Code, he has the ability as the City Attorney to modify the presentation. It would be easier for City staff to present first and then the applicant, and they will do that.

Mr. Trask read the quasi-judicial proceedings as follows:

The Board of Commissioners acts in a quasi-judicial rather than a legislative capacity stating that the hearing is not the Board's function to make law but rather to apply law that has already been established. In the quasi-judicial hearing, the Board is required by law to make findings of fact based upon the evidence presented at the hearing and apply those findings of fact to previously established criteria containing the Code of Ordinances to make a legal decision regarding the application before it. The Board may only consider evidence at the hearing that the law considers competent substantial and relevant to the issues. If the competent substantial and relevant evidence at the hearing demonstrates that the applicant has met the criteria establishing the Code of Ordinances, then the Board is required by law to find in favor of the applicant. By the same token if the confident substantial and relevant evidence of the hearing demonstrates that the applicants failed to meet the criteria established in the Code of Ordinances then the Board is required by law to find 'against' the applicant.

Mr. Trask asked the Commissioners if they received or needed to disclose any ex parte communications that they had with the applicant or any conflicts of interest to disclose. There were none.

Mr. Trask administered the Oath to the witnesses present at the meeting: the applicant (Brandon Nazzario) and the City staff Andrew Morris.

Mr. Trask asked staff to make their presentation. He said the packet is in front of them and asked if the City would be asking for it be received as evidence. Mr. Morris said he would like it to be received into evidence.

City Staff Presentation

Andrew Morris presented the item and read the staff memo into the record, which included the five factors and staff recommendations for the Board to consider when approving the item.

Staff Memorandum to Board of Commissioners – Meeting Details, January 8, 2025

Background:

Pursuant to Land Development Code Article VI, Division 6, Alcoholic Beverages, the applicant for ABP 2025-01, is seeking a Special Food Service Establishment (4COP) alcoholic beverage license for the sale of beer, wine, and liquor for consumption on premises at Dockside Dave's Restaurant of Madeira Beach located at 14701 Gulf Blvd and 14703 Gulf Blvd Madeira Beach, FL 33708. Dockside Dave's Restaurant currently has a 4COP alcoholic beverage license (ABP 2024-02) and is requesting to enlarge the area where alcoholic beverages are sold. Section 110-535. - Expansion of alcoholic beverage zoning of the Madeira Beach Code of Ordinances requires approval of the Board of Commissioners to enlarge the area for the sale of alcoholic beverages, including consideration of all requirements under Section 110-532 – Consideration of alcoholic beverage application. Dockside Daves is in the C-3, Retail Commercial Zoning District with a future land use designation of Residential/Office/Retail (R/O/R). Notice was mailed to properties within 300 feet, and posted on the subject property, at the Gulf Beaches Public Library, City Hall, and the City of Madeira Beach website.

Discussion:

When considering the alcoholic beverage license application, the Board of Commissioners shall consider the following factors:

(1) The extent to which the location and the extent to which the proposed alcoholic beverage request will adversely affect the character of the existing neighborhood.

Dockside Dave's alcohol expansion to the adjacent property will not negatively impact the existing neighborhood character. The existing neighborhood is mostly commercial or multifamily uses, and the existing restaurant already has a Special Food Service Establishment (4COP) alcohol license to serve beer, wine, and liquor on the premises. Additionally, The Reef Bar and Grill located next to this property already serves liquor.

(2) The extent to which traffic generated as a result of the location of the proposed January 08, 2025, BOC Regular Meeting Minutes Page 5 of 18

alcoholic beverage request will create congestion or present a safety hazard.

Dockside Dave's does meet the parking requirements located in (Sec. 110-971). The business owner has an agreement for 11 additional parking spaces at a nearby commercial property for employee parking. Customer parking is located on the property. The proposed alcohol use does not present a safety hazard or lead to additional congestion.

(3) Whether or not the proposed use is compatible with the particular location for which it is proposed.

This proposed expansion of alcohol use is compatible with the location. The expansion to the adjacent property is zoned for commercial use. Nearby businesses like the Reef Bar and Grill already serve liquor.

(4) Whether or not the proposed use will adversely affect the public safety.

Public safety should not be adversely affected by Dockside Daves Restaurant expanding their alcoholic beverage zoning for serving liquor for consumption on the premises. The restaurant is more than 300 feet away from any established church, synagogue, temple, or place of religious worship, public or private school operated for the instruction of minors, or youth recreation (community) center. This 300-foot requirement is the minimum distance required for bars and clubs located in the C-3, Zoning District (sec. 110-530) and does not need to be met for restaurants. Dockside Dave's is currently classified as a restaurant.

(5) No application for review under this section shall be considered until the applicant has paid in full any outstanding charges, fees, interest, fines or penalties owed by the applicant to the City under any section of the Code.

The applicant has no outstanding fines or penalties owed to the City under any section of the Code.

Fiscal Impact: N/A

Recommendation(s): Staff recommends the approval of ABP 2025-01 with the following conditions:

1. The approval of this expansion of alcohol beverage zoning use is not an approval of the remodel permit for the properties.
2. The stop work order for the properties will need to be resolved before City Staff can sign the state application for extension of licensed premises.

Attachments:

Local Application
 Parking Agreement
 Proposed Site Plan State Application
 Public Notice Mailing and Posting

Mr. Morris said that it concluded his presentation.

Questions from the Board of Commissioners

Mr. Trask asked if there were any questions from the Commission for City staff.

Vice Mayor Tagliarini asked if the applicant would have to resolve the stop work before they could move forward or if it is there that they must understand they will have to do that at some point.

Mr. Morris said they understand they must do that to move forward with fixing and getting the restaurant back up and running.

Commissioner Kerr said that 11 spots for offsite parking are in agreement with another commercial establishment. He asked what would happen if that agreement was no longer in effect or if the adjacent commercial property were sold to a different owner. Is there a stipulation in the agreement that other offsite parking will be made available? Is it a temporary thing, 6-month, or 60-year type of agreement?

Mr. Morris, referencing the monthly parking agreement, said he would have to ask the applicant if it was monthly. They are paying the owner each month, but he does not know the terms of the agreement, whether long term or not. They would have to clarify that.

Commissioner Ghovae said on the application that they reference the number of employees to be 30, and on the site plan, it says 10. Mr. Morris said it is usually 10 on a shift but 30 in total. The application would need to clarify that.

Commissioner Ghovae asked how they calculated the parking requirements for the particular use. Mr. Morris said that in the section of the Code they have for restaurant use, they must calculate both the seating for the employees and any dance floor type used. He had to calculate a parking spot for every four seats and every two employees. There are some parking credits related to bike racks. They needed additional offsite parking for the employees to meet the number for the expansion. Commissioner Ghovae said that the plan references the total parking requirement of 42 but does not say how the 42 was achieved. Mr. Morris said he did an Excel spreadsheet of the parking count but did not include it with the staff report. He will include it with future alcohol permits. The additional parking is what fixed it. He does not have the exact count with him.

Mr. Trask asked for confirmation that his testimony meets the parking requirements as required by the Code. Mr. Morris said yes. He did an Excel spreadsheet and made the calculations based on what they gave him, including the additional 11.

Commissioner Ghovae asked if they also met the 50% FEMA rule. Mr. Trask said that was a building issue and it would be when the building permit is considered. That could be made as a condition of the application. They will be required to meet all Florida Building Code requirements. Mr. Morris said correct. The FEMA 50% rule must be met if the application permit gets approved.

Mr. Trask said the applicant, Mr. Nazzario has been sworn under Oath. It is his opportunity to first

ask Mr. Morris any cross-examination questions. If there are no questions, he could give any presentation he wants.

Applicant Presentation

Brandon Nazzario said he followed all the criteria and all the guidelines. The packet presented shows how many parking spaces they have, and it is numbered on their exactly how they are laying it out, which includes the bike racks, motorcycle parking, and excess parking. He wanted a place for his employees to go so they could take care of as many guests as possible. They already utilize the building next door for storage, walk in coolers, and freezers. It is not currently being used, so he wanted to incorporate it. During the two-month season, their restaurant is completely slammed. People are wall to wall and hanging out in the street. He wanted to give them a place to hang out. He can incorporate the building to make it a more beautiful area. Utilizing the space would help the business.

Mr. Nazzario said they have 30 employees in total, 10 employees per shift. He was happy to abide by the FEMA 50% rule condition. He will follow all the building codes on what they need to do to ensure they do it right.

Public Comment

There were no public comments.

The City Attorney said the item is back before the Commission for consideration and approval of the application. It would be done by motion. Staff are recommending two conditions to be placed on it, which is shown in the packet on Page 26, and a third condition recommended by Commissioner Ghovae:

City staff recommendations:

1. The approval of this expansion of alcohol beverage zoning use is not an approval of the remodel permit for the properties.
2. The stop work order for the properties will need to be resolved before City Staff can sign the state application for extension of licensed premises.

Commissioner Ghovae's recommendation:

3. The property owner must comply with the Florida Building Code and the 50% FEMA Rule.

The Commission made comments in favor of the restaurant and the expansion.

Commissioner Kerr thought the Board had already approved it a few months before the recent storms and did not know how it differed. Perhaps the storm changed some things, and they had to reapply. He would be in favor of approving with the recommendations set.

Mayor Brooks said the Board had previously approved their liquor permit. Then the hurricane came, and after reviewing the plans, it was realized that the use of that building was fantastic. Parking is a big deal, and they should always be conscious of following the rules. She has eaten there many times, and many people who go there walk to the restaurant. She and her husband ride their bicycles there.

Vice Mayor Tagliarini motioned to approve ABP 2025-01 for Dockside Dave's Restaurant with the indicated conditions. Commissioner Ghovae seconded the motion.

ROLL CALL:

Vice Mayor Tagliarini	"YES"
Commissioner Ghovae	"YES"
Commissioner McGeehen	"YES"
Commissioner Kerr	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

11. UNFINISHED BUSINESS

A. John's Pass Dredging Update

The City Manager presented the item and gave an update on John's Pass dredging project. They would not know the hurricane's exact impact until next week's meeting with the Department of Environmental Protection. The condition is similar to what it was before the hurricanes. Without any type of study or investigation under the water, it is difficult to determine. The contractor, Aptim, has also been out to the site, but they do not yet know the assessment. Nothing has happened in the area since 2018 regarding any type of dredging or sand removal. The Department of Environmental Protection asked that they obtain a right of access or a construction easement from the adjacent property owner. It was not an issue with the property owner. The dredging will occur over the next several months. At the next workshop, Nicole Sharp, on behalf of Aptim will be there to provide an update.

Mayor Brooks opened to public comment.

Chuck Dillion, a resident of Madeira Beach, asked if any plans or studies were being done as to why it happened. When they moved there 13 years ago, the bridge had just been constructed, and now they must re-dredge it. If they are doing it again in the next 10 or 12 years, they might want to consider doing something to keep it from returning.

Mayor Brooks said in a conversation with the city manager that she recalled it mentioned that the County would maintain dredging once they did the dredging. The City Manager said he and Megan Wepfer are meeting with the County tomorrow to discuss the next item on the agenda and will ask about it and bring that information to the Board. It had been communicated to him that the permit would be for ten years, so if any dredging was needed during that time, they would not have to go through the permitting process with the Army Core again. They would need a DOT permit. They
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are not as extensive as those from the Department of Environmental Protection or the Core. Mayor Brooks said she would go back and look at her notes. She recalled it being said that it would be maintained and re-dredged by the County at the County's expense and not the City's. The City Manager said they will find that out.

Mayor Brooks asked if Aptim would manage the bid process and how long it would take. The City Manager said Aptim would manage the bid process, which should only take a few weeks. Mayor Brooks said because it has been such a touchy subject with the community, she is not sure where the communication breakdown is from Aptim to the City, but the level of miscommunication given to the community is an opportunity for them to figure out how they did that to correct it for future projects to be sure that when they put something out there that it is accurate. She does not blame anyone, but information is important to be correct.

Commissioner Kerr said he recalled that the permit was for an extended period, like for 10 years. They were not privy to the fact that the County would pick up the bill for future dredging in the next 10 years. The Mayor said that was her understanding. The City Manager said he would clarify it. Commissioner Kerr said the project is long overdue.

Commissioner Ghovae said he understands that the \$1.55 million grant is available until June 30, 2025. The City Manager said yes. They have been told they would grant an extension if they needed it. Commissioner Ghovae asked what that meant construction-wise. The City Manager said it is to be completed by June. If they need to extend it, there have been no issues in extending it. Commissioner Ghovae asked how long they would have to request the extension. The City Manager said it could be just a few weeks. Commissioner Ghovae said they needed to be sure of that. The City Manager said it had happened twice already, which is why he had mentioned it before.

Commissioner Ghovae asked about the depth of the sand to be removed. The City Manager said due to the storms, they do not know. They are waiting to determine the exact depth originally. They were told to be about 20 to 30 feet, which is how they determined the 13,000 cubic yards of sand removal.

Commissioner McGeehen wanted confirmation that the dewatered sand would be going north on the City's beach after the dredging. The City Manager said that is the plan.

B. John's Pass Park Jetty Repair

The City Manager said last week that the city staff had removed the remaining broken concrete and the rebar. It has been used considerably within the last couple of weeks. He showed pictures of what it now looks like: a sand walkway. They need the Board's direction on moving forward to bring back a cost at the workshop meeting. Should they leave it as is, add a sidewalk, or add a Mobi mat for the entire way? Tomorrow, they are meeting with the County for suggestions or any requirements. They will not need a permit from the US Army Corp because their jurisdiction is the waterway.

Mayor Brooks opened to public comment. There were no public comments.

Vice Mayor Tagliarini said he appreciated how soon it was done and made it available to the residents. He is not opposed to rebuilding the sidewalk and is in no hurry because it now looks like the passes in other areas. It is rocks and sand.

Commissioner Kerr asked if they received any input from the community. A sidewalk would give easier access, especially for people who need help. However, he would like to hear input from the community.

Commissioner McGeehen said he understands that it must be ADA compliant and asked if it included all the way down to the water as far as handrails, etc. The City Manager said if you look at their two miles of beach and 20 plus miles of sand on the coast to see what is not required. They would need to verify the details. A Mobi mat is an option to allow someone to get on the sand. It would be difficult without it. None of their access down to the beach has that. The City will be putting back the Mobi mats that were destroyed by the storms. There is no requirement to make it accessible and to what point down to the water. They will research that for the workshop.

Commissioner Ghovae said he did not favor a Mobi mat because it is flimsy and can easily be removed by wave action wind. He would be in favor of a sidewalk. The sidewalk would be a barrier between the sand and the boulders. If left as it is, a lot of erosion could happen in the sand, and it would get washed into the bay. Regarding ADA, there are a lot of sidewalks abutting seawalls, and with seawalls, there are no handrails, so ADA would not be a big concern in this case. If building waterward of the CCC (Coastal Construction Control) Line, they would need a DEP permit. It is important they have all the permits prior to construction. He would favor an eight-foot-wide sidewalk for people to walk down and enjoy the beach. The sidewalk also gave access leading to John's Pass.

Mayor Brooks said she has spent more time at the jetty since it was jackhammered out than before. She had the opportunity to speak to many fisher people fishing there who lived in other cities, such as Orlando. It is amazing how many people go down and enjoy that area. She would love to see a sidewalk go back not necessarily for the person who is going to fish because many who fish there do so off the rocks and not the sidewalk. If in a wheelchair or handicap, the only way to access the end of the jetty is a sidewalk. A Mobi mat is a neat alternative until they get the sidewalk built. She would like to have whatever information they get from the County at the workshop because what is decided to do there would depend on the costs. Depending on the costs, they may be unable to commit to it this year. They must know what they will build and how to build it. They need solid information to move to the next step.

The City Manager said mobility mats are considerably less expensive than sidewalks. A 6.5-foot wide Mobi mat is under \$5,000 per one hundred feet. The estimated distance of the previous sidewalk was just under 200 feet. They would need to determine how far down to the sand a Mobility mat would need to go. It would be subject to environmental conditions. They would remove it from an impending storm to keep it from being destroyed. A sidewalk is much more expensive, but it allows people to walk all the way out. The end of the sidewalk would require safety rails like before the storms damaged that. He will bring all the information back to the workshop in two weeks.

Following the discussion, Public Works Director Megan Wepfer said it is much easier to get a mobility mat today than before because it only requires a field permit. Commissioner Ghovae said DEP will not allow concrete waterward of the CCC line. The City Manager said they would discuss that to see what they suggest.

Mayor Brooks opened to public comment. There were no public comments.

C. Hurricane Updates – Recovery, Rebuild, Permitting, FEMA, FDEM

The City Manager gave an update on the item. They had heard everything post-storm from Senator DiCeglie. The City's goal has been and continues to be to repair, restore, get everybody back into their homes, and make the City look better. During the past two months, through repairing, rebuilding, and getting people's property cleaned out and debris removed, they have removed about 140,000 yards. Their debris removal contractor company, DRC Emergency Services, will be collecting hazardous containers left at the curb mentioned during public comment. That will be forthcoming after the remaining debris has been picked up. A majority of debris has been picked up. They are working through their repair mitigation to the City's infrastructure, including the parking lots, parks, and softball fields, to put back as before. Staff is getting quotes and issuing bids for repairs to be made at City Hall, Recreation Center, Archibald Park, etc. They are reviewing the road infrastructure to make sure that what needs to be repaired is repaired. The City is involved with FEMA to get the expenses reimbursed. The cost for reimbursement will be for the debris removal. That is part of the public assistance program. They will continue to provide information to the public on individual assistance so they know what to do and where to go. The biggest one that Senator DiCeglie talked about is the FEMA 50% permit rule. They continue to provide the number of permit applications received, the number of permits issued, and the number of substantial damage notifications that have gone out. All staff have been working on it. It takes everyone to put the City together. They will continue doing that, for that is the commitment going forward.

Marci Forbs in Community Development provided an update on the permitting workflow process. By the end of the week, they should have over 900 substantial determination letters gone out. After meeting with the professionals and receiving feedback, they are now able to accept appraisals better than before. The decisions made impact the residents. With the additional staff, they are working together, and it looks to be going well. They are looking to provide more robust hours to help people. They learned better ways from the County to do things. Leadership through the process has been phenomenal.

The City Manager mentioned the teardown and the rebuild program. The housing assistance program will end in January. Elevate Florida, mentioned earlier today in the County's update, reiterated that the State, through the Florida Division of Emergency Management, had the ability to provide grants. You will be excluded if you are in the V-zone. There is no cap for the grant if you are going to elevate your home. If people participate through the teardown and rebuild mitigation program, grants will be available for up to \$220,000. They would have to sign up through the Florida Division of Emergency Management. The State has allocated \$400 million for that program, specifically for the teardown and rebuilding. The City has been distributing the information and making the flyers available explaining it. The county continues to share

information on what is available and how it would work. The City will no longer be a passthrough. People would go directly to the Florida Division of Emergency Management to receive the information and to follow up on it. The Board has approved waiving the permit fees for a rebuild for a year through September. They are starting to receive questions regarding sanitation services. Single-family homes that are not occupied continue to receive their bill. He will bring something back to the workshop about that, and the Board can decide what to do. It might take an amendment to the City's Code.

The City Manager and Ms. Forbes responded to questions and comments from the Board.

Mayor Brooks said she has seen a high level of commitment from City staff. Employees have been trained in other departments to do new things and are happy about it. The leadership within their City has been fantastic. She thanked everyone for their hard work and their caring for doing that.

The City Manager said he received a request from dozens of individuals wanting the City to keep the laundry and shower trailers. He forwarded that information to the Board. The trailers were set to be demobilized this Saturday, January 11, according to the timeframe given to them by the Florida Department of Emergency Management. The owner said the trailers could stay. The State said they could only remain if the City took over their agreement. Currently, the State pays the cost, and the City pays the cost. That cost has not been provided yet. The ones that the City paid for with the first storm were like \$160,000 for a month. There were six trailers, two for showers and four for bathrooms.

Mayor Brooks opened to public comment. There were no public comments.

Vice Mayor Tagliarini said he would be in favor but would need time certain of when to stop and the cost. He asked if they would be reimbursed for the costs. The City Manager said he would not know. The Florida Divisions of Emergency Management stated they were ending the mission as a resource. Finance Director Andrew Laflin said he did not think the cost would be reimbursed because the State was providing that resource and is cutting it off for a reason.

Mayor Brooks said one of the statements made at an emergency meeting, Director Guthrie had stated that at some point, you must stop. The disaster is a disaster, and at some point they must stop the comfort centers along with other things. If not, people would become dependent on it. The City Manager said there is a pay laundry facility on Gulf Blvd near the intersection of 150th. They could try it through the end of January or February and see what it would be like. The cost could be about \$150,000 to the end of February. Mayor Brooks said that it was a lot of money.

Commissioner Tagliarini said he would need the cost to determine what to do.

The City Attorney said the item was not on the agenda. They do not have a contract, they do not have a cost, and they no longer have an emergency. The Board will be violating its Code to approve continuing something, especially in the range of \$150,000, without the information and without following the Code. He strongly recommended that they do not go down that path. They could discuss it but cannot go down that path until properly vetted.

Commissioner Kerr said he agrees with Mr. Trask. They must follow the State guidelines. It is what it is. There are commercial laundry facilities available. They want to be compassionate, but at some point, they want to return to normal.

Commissioner Ghovae said they need to listen to their city attorney.

12. CONTRACTS/AGREEMENTS

A. Approval to purchase a JCB 35Z-1 Compact Excavator

Public Works Director Megan Wepfer explained the item. The fiscal impact would be \$59,040. It was budgeted for \$65,000 in the FY 2025 budget. Staff recommended approval of the purchase. She explained the purpose and responded to questions and comments from the Board. The equipment would continue to be used and is for city use only. They would not need to get three bids because it is a piggyback off the Sourcewell contract.

Mayor Brooks said she will not open to public comment since there is no public in the audience.

Commissioner Kerr motioned to approve the purchase of a JCB 35Z-1 compact excavator in the amount of \$59,040. Vice Mayor Tagliarini seconded the motion.

ROLL CALL:

- Commissioner Kerr "YES"
- Vice Mayor Tagliarini "YES"
- Commissioner Ghovae "YES"
- Commissioner McGeehen "YES"
- Mayor Brooks "YES"

The motion carried 5-0.

13. NEW BUSINESS

A. 2025 Florida Legislative Session

City Manager Robin Gomez said the Legislative Session begins in less than two months. They have worked with the Legislative Delegation to attempt to secure funding. The City had some success last year in obtaining funding for the dredging and the seawall repair and replacements this year. They have been working with the Big-C on common issues. For example, the short-term rental proposed legislation and other proposed legislation involving changes to the building codes. They also received funding for street repairs that are part of the stormwater project. This item is to get feedback due to the time constraint. The Legislature has been working on resiliency, so they need to suggest anything related to resiliency. They have made requests in the past, specifically for appropriations for a public works/fire department joint building. They did not receive any appropriations for that. As they go forward, they would like to request funding for road projects to alleviate future flooding impacts from the storms they have experienced. Anything they can share

with Shumaker, the City's lobbyist group, would be helpful. He is trying to get the lobbyists to come to the January workshop.

Vice Mayor Tagliarini asked if they could fix the Madeira springs in front of the Daiquiri deck. The City Manager said they addressed it with FDOT. It is not a specific Legislative action, but it has been an annoyance for about a decade. FDOT made a significant repair last year, but it has returned. Director Wepfer said FDOT spent \$250,000 on underdrains to repair it, but it needs to be repaired again due to Hurricane Debby.

Commissioner Kerr said he wanted to suggest putting it on the workshop agenda when Senator DiCeglie was speaking. He had asked for the City's infrastructure funding requests. The federal government authorized a huge amount of funding a few months ago for power infrastructure. That has always been off the table when speaking to the delegation, but now that federal funds are available, at least request them. If not requested, they will not get it. There is plenty of roadway infrastructure they need to do, such as road elevations. That is just a quick shortlist. He has an email saying that FEMA announced \$1.35 billion to increase climate resilience nationwide. He would think that climate resilience has something to do with road elevations and their stormwater.

Commissioner McGeehen said he would like to see a quick study of the basic infrastructure and what improvements need to be made to decrease flooding.

Commissioner Ghovae asked if they planned to go to Tallahassee this year. The City Manager said no. Commissioner Ghovae said it would be a fantastic idea. A lot of cities go to Tallahassee and meet up with the Legislators. It would be a great time to get to know them, and they know us, and to show support. He has been in Tallahassee about every other year for many years. If they do not have it in their schedule this year, he would recommend making a habit and going this year during this season. They could set up meetings ahead of time to meet with their senators and representatives. They could get a lot of mileage by doing that.

The City Manager said they have hired Shumaker for several years to go on the City's behalf. Commissioner Ghovae said that is something different. He suggests a personal connection between the Commission and the State Legislators.

Mayor Brooks asked if going as a group would violate the Sunshine Law. The City Attorney said it would not violate the Sunshine Law if they met individually.

Mayor Brooks said they should work more with their relationship with their representatives. Over the years, the City has had strong ties with our State representatives. The relationships seem to change based on who sits on the Commission, which is a shame. They sit there serving the residents of the City. It is their job to do that. There is no reason they cannot individually have that relationship on any given day. She does not know what going to Tallahassee as a group would look like, so she would need to understand that more because relationships are great. What she would like to see in the department budgets over the next several years are projects they have planned and which would be best for the lobbyist to help get funding for. She understands that without the help of Representative Linda Cheney, they would not have gotten the funding for the John's Pass dredging. She wanted to know what the lobbyist does for the City. The City Manager

had mentioned earlier that he was trying to get the lobbyist to the meeting. They should not have to try to get the lobbyists there because they work for the City. She would like to understand the role of the lobbyist.

Commissioner Ghovae asked how much the City paid the lobbyist and what they got for the money. The City Manager said it was about \$50,000 a year. The Mayor said that in 2022, they got \$1.5 million for John's Pass dredging only with the help of Representative Cheney. In 2023, they got nothing. In 2024, they got \$100,000. The Board knows what is needed, but the city staff knows what funding they need because they are in it daily. She was not saying that the lobbyist did not help in that. They need to know what to push the lobbyist to do for them. And, in conjunction with their elected officials, to have those conversations.

Director Wepfer added that they had three project appropriations, but she does not know the years. The beach groins were \$1.75 million, Area Six \$1 million, and Area Three \$549,400.

The City Manager said the Florida League of Cities is a legislative platform to preserve existing or propose changes such as property taxes to add more exemptions. Although exemptions lower revenue for the City, they save property owners on property taxes.

The City Manager said he would have Shumaker at the meeting to give an update. Commissioner Kerr said he understands that their representative with Shumaker has changed, but they have never met them. Mayor Brooks said that should be high on the list.

14. AGENDA SETTING

- A. Ordinance 2025-06, CIP Update in Comprehensive Plan
- B. Ordinance 2025-04, Planned Development
- C. City Information Dissemination
- D. Grant Writing
- E. Military Court of Honor
- F. FY 25 1st Quarter Financial Update
- G. John's Pass Dredging Update
- H. Post-Hurricane Update
- I. Presentation: Advanced Engineering Design, Rebuilding Madeira Beach
- J. Ordinance 2025-05, Temporary Structures on Residential Property after Natural Emergencies
- K. Mulch
- L. New Website Quotes
- M. Information Officer
- N. Task Force Committee

The City Manager reviewed the list.

Items added to the workshop agenda:

City Manager

- Amendment to the City's adult use establishment ordinance - There was a legislative change last year that requires the City to update its ordinance on adult use establishments because they increased the minimum age.

Commissioner Kerr

- 2025 Florida Legislative Session
 - Infrastructure funding request for Senator DiCeglie
 - Create a preliminary list they can discuss and add to it so they can get that ready to send off at the end of the workshop.
 - If they are interacting with FEMA about the insurance, let them know that it is ridiculous to elevate four feet above base flood elevation and not calculate it into the insurance premium. Homeowners will be elevating their homes at a very high cost and then hit with \$8,000 to \$10,000 insurance premiums when there is nothing they are insuring. It is excessive.

Commissioner Ghovae

- Tom and Kitty Stuart Park discussion

Mayor Brooks

- Department heads to give updates on damage due to the hurricanes and the storms they are making. She is unsure if everybody knows about all the damage so that it would be informative. For example:
 - Public Works Director Megan Wepfer
 - Walkovers that are damaged and options available instead of rebuilding the walkway
 - Putting in a Mobi mat
 - Rebuilding down the road so the walkways are accessible now.
 - Recreation Director Jay Hatch
 - Rec Center and fields
 - Community Development/Building Department
 - Update on the repairs downstairs

15. REPORTS/CORRESPONDENCE

- **Board of Commissioners – 2025 Board of Commissioners Meeting Schedule**

The Board changed the Wednesday, October 8, 2025, BOC Regular Meeting to Wednesday, October 1, 2025 because the Mayor would not be able to attend the meeting.

- **City Attorney**

No report.

- **City Clerk's Report – January 2025**

The City Clerk reviewed her January 2025 report. The Oath of Office for the encumbrances will be on Wednesday, March 12, 2025, along with the appointment of a Vice Mayor. A reception will be held before the meeting. The Laserfiche Public Records Search Portal for the public should be available to the public tomorrow. Documents will continue to be uploaded.

- **City Manager**

The City Manager thanked the Commission for their continued support and interactions with the residents and businesses. It has been extremely helpful with post storms. City staff said they appreciated the snacks brought in on Fridays from one of the Commissioners.

16. ADJOURNMENT

Mayor Brooks adjourned the meeting at 9:00 p.m.

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk



MINUTES
BOARD OF COMMISSIONERS
REGULAR WORKSHOP MEETING
JANUARY 22, 2025
6:00 p.m.

The City of Madeira Beach Board of Commissioners held a regular workshop meeting at 6:00 p.m. on January 22, 2025, in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

MEMBERS PRESENT: Anne-Marie Brooks, Mayor
David Tagliarini, Vice Mayor/Commissioner District 1
Ray Kerr, Commissioner District 2
Eddie McGeehen, Commissioner District 3
Housh Ghovae, Commissioner District 4

MEMBERS ABSENT:

CHARTER OFFICERS PRESENT: Robin Gomez, City Manager
Clara VanBlargan, City Clerk
Andrew Laflin, Finance Director, City Treasurer
Thomas Trask, City Attorney

1. CALL TO ORDER

Mayor Brooks called the meeting to order at 6:00 p.m.

2. ROLL CALL

City Clerk Clara VanBlargan called the roll. All were present.

3. PUBLIC COMMENT

There were no public comments.

Mayor Brooks asked that the items in #6 be discussed before those in #5. The Board consented.

4. CITY ATTORNEY

A. Ordinance 2025-07 Minimum Age for Adult Use Establishments F.S. 787.30

The City Attorney explained the item. During the last session, the Florida legislature created a new statute (FS 787.30) that requires the City to create Section 110-841 of the Land Development Code. More specifically, the statute sets the minimum age for employment at adult use establishments at

21 years of age as of January 1. In that regard, we need to create an ordinance to address it. As a direct result of that change, updating the City's code would be appropriate. Ordinance 2025-07 was created for the specific purpose of addressing that State Statute. In addition to that requirement, he added some language similar to what other cities are doing around the State. That is to ensure that no one under 18 is in the adult entertainment establishment, no one can remain if they are under 18 in that establishment, and no one under 18 is allowed to purchase goods or services in that establishment. It is a housekeeping ordinance to come in compliance with the State Statute.

Mayor Brooks opened to public comment. There were no public comments.

Vice Mayor Tagliarini asked for confirmation that there is no adult establishment currently on the barrier island and that it was for moving forward. The City Attorney said he did not have an answer to the question.

Commissioner Kerr asked if they could prohibit an adult entertainment establishment, and the City Attorney said no.

6. COMMUNITY DEVELOPMENT

The Community Development items were discussed before those in #5.

A. Post Hurricane Update – Recovery, Rebuild, Permitting, FEMA, FDEM

The City Manager thanked the staff and said they are looking to get the City looking better than before and getting people back into their homes and businesses. They continue to provide in-person hours two days a week and two Saturdays a month. They continue to produce data on the number of permits and substantial determinations and post them on the City's website and Facebook page. About 1,900 determinations have been issued. They received over 1,700 applications and, issued over 1,000 residential and commercial permits, and to post them at least weekly on the City's website and Facebook page.

Marci Forbes, Community Development Engineer, said they continue sending out determination letters daily depending on the data they need and have several hundred more to go. Most of those go to people who were not necessarily impacted and have post-fire homes and others who have not yet decided to tear down or elevate their structures. They continue doing the SD determinations with City staff to be calculated and issued. They also do other things that are necessary to help in the process. They are getting support from the workforce group offsite. They have been sending them appraisals for review, which they have reviewed about 104; 75 percent of those passed without issues, and 25 percent came back with minor comments. Those are sent back to the applicant for correction by the appraiser. They are also starting to intake cost estimates and helping to review those.

Mayor Brooks opened to public comment.

Yarisi Valero, resident, shared her experience with the permitting:

- She submitted a demolition permit on October 17, 2024, and received a document to move forward with the demolition. She did not receive notice that the document had been sent until she discovered it a few weeks later.
- The demolition moved forward on November 2nd and she submitted the requested pictures to the City and received a notice of acceptance on November 18.
- She came into the City on November 18 for assistance with the documents and was told she had to wait until she received the substantial damage determination letter before moving forward to do anything. On January 3, she received the letter.
- She had already paid for a FEMA-certified private appraisal. It was uploaded to her permit on November 15.
- The substantial damage determination letter was received on January 3. It said her home had been substantially damaged.
- On January 3, she requested a copy of the worksheet showing how the determination was done. Because the information was not received, she sent an email on January 7 and January 13 asking for the details of the determination to be sent to her. To date, that information has not been received.
- On January 17, she received a review of her cash value appraisal. It said it had to be corrected. It was corrected that same day.
- The insurance claim was final the week before Christmas. She received a check, and everything was lined up. To her knowledge, she has not received notice from the City that anything else is needed.

Ms. Valero said they need a timeline. She would like to know how much longer she must pay the mortgage and not be able to live in her home. She needs permits to move forward. If the City continues at that pace, it will be hurricane season again, and nothing will be done.

Vice Mayor Tagliarini asked Ms. Forbes if they had prepared a detail on how the substantial damage was determined. Ms. Forbes said they have the data report to provide to people if it is done in-house. Originally, the sub-consultants would give the details, but now only the percentage is available, which is a large elemental viewpoint. She asks people to provide the substantial damage breakdown with the cost of returning their home to its pre-storm condition.

Commissioner Kerr recalled from a previous meeting that the independent appraisals received need to be in a certain format to be approved by FEMA. Ms. Forbes said it must be in ACV format with the information specifically asked for to be accepted. The process is much faster. Once they get the appraisal, they can review it, supply the data, and immediately apply it to the determination and reverse the determination. They then submit the determination based on the new data received from the ACV appraisal. Everyone participates in every phase because they have so many different things and phases. They now have checks and balances in place to prevent what Ms. Valero is experiencing, which is disappointing. They have new permitting software that has never been utilized in that capacity. Last Thursday, they were shown the permitting process that Pinellas County uses, and it was helpful.

Commissioner Kerr said communication is the key and asked if anyone on staff was responding to emails, someone other than those reviewing everything. It is frustrating on both sides. He

encourages everyone to come in and talk about their case. Ms. Forbes said the emails and phone calls have been the most difficult, but someone is communicating back to them. They have been working together as a team on it. It isn't easy to keep up with the work and the back-and-forth day-to-day communications. They are going to a more robust permitting process. Someone can come in and walk out with a permit. They have much more data and are further along in the process. Hopefully, they will start providing those services next week. The information will be posted on the website to the residents.

Commissioner Ghovae asked about the many hours staff work each week to get things done. Marci said some staff members work over 40 hours weekly to help with the process.

Commissioner McGeehen asked about the support from the county. Ms. Forbes explained that the support has been helpful. Next time, they will be better prepared for permitting and collecting data.

Mayor Brooks said they did not have a playbook to go by after Hurricane Helene. Marci has been a great help. At every meeting, they learn new things about what the staff is doing.

The City Manager said he would ensure every phone call and email was returned as quickly as possible.

B. Rebuilding Madeira Beach

Justin Keller with Advanced Engineering said that at the last meeting, they shared their findings for the watershed management plan and a little about the nuts and bolts of how they prepare the plan, and they got into much discussion. They talked about the strategic utilization of fill, bringing in earth to elevate structures and roads. Based upon feedback from the Commission and some additional discussions with staff, they produced the proposal the Commission has before them. They can start working with the City on some of the big challenges ahead when approved. It gives a breakdown of some immediate tasks they see as an added benefit. The overall tone of the proposal is support. They want to support the City in the plan review, standardizing some of the construction details and other items to develop standards and move forward. They want to do a detailed assessment of what would be needed to support future endeavors and resiliency initiatives the City may want to pursue later. It is not a commitment to picking a path but to support the City in immediate challenges likely to be faced during the rebuild and to provide a clearer picture of what some of the options may look like from a big-picture standpoint moving forward.

Mayor Brooks opened to public comment. There were no public comments.

Commissioner Ghovae said at the last meeting, Justin had recommended that the minimum parking garage be at 7.2. They have a roadway at 5 or 4 and would have to slope up very steeply to get to the parking. It would be a good idea to raise some of the roadways if it does not adversely affect other units remaining at the lower elevation.

Mr. Keller said it is a challenge. Any time they talk about any resiliency and what a coastal community will face, moving forward would be a challenge. Part of what they want to establish within the framework before the Commission are the goals, expectations, and a reasonable run to

reach for as far as some of the roadway elevations and garage elevations. They want to prepare that and come back with formal recommendations. They have looked at a 5-1/2 for a roadway. Without overthinking it, they want to recommend the current framework there. They would need a more programmatic approach to elevating structures and roadways as they continue to pursue capital improvement projects and such. No one wants to drive up a 40-to-45-degree incline to get to their structure.

Commissioner Kerr said Robin gave them the proposal before the meeting. He envisions them sitting down with staff and the Commissioners to create a plan they would agree to vote on and then present it to the public for feedback. They would have a better understanding of how they want to move forward. Once they vote, it will become part of their comprehensive plan. Mr. Keller said there is also a plan review element to it. There is an opportunity to work with residents and plan reviews to see if they can maximize any opportunities in front of them to utilize fill in any rebuild. They want to ensure that everything they do speaks to all the other documents, such as the strategic plan, master plan, and comprehensive plan. If something does not support that document's intent, they must revise it or the program. The kickoff would be to align everybody on what they need to do to unify everything.

Commissioner Kerr said the proposal outlines the number of hours for each phase. Would that be locked in? Mr. Keller said they noted that some of them are time and materials. They will only bill the actual time. They need to figure out the game plan moving forward if starting to go over. There will be no surprises. For phase one end product, the City will get standard details and a breakdown of what they think the goals should be for a program if the City would want to pursue it, and what they would need to do from a comprehensive plan, strategic plan, master plan, and LDRs aspect to accomplish those goals. It is a sense of phase one, recognizing that they are coming in with a lot of momentum based on what they have been through. Also, the hours cover support services for other terrain-type adjacent support tasks.

Commissioner Kerr asked how many new builds or elevation permits they had approved. Ms. Forbs said about three or four since the storm.

Commissioner Kerr said that when elevating a home or building a new home and not thinking about what is being discussed now, the lowest elevation may not be at the top of the mind. Other things are on the residents' minds, and they might miss a huge opportunity to get the lowest level to a goal where they can raise the roads. It is all about raising the roads.

Mr. Keller said that is why they are there; it all sort of spurred out of the watershed management plan. So, not only are they coming with the knowledge they have from prior fill programs. The City is working with Pinellas County to do the vulnerability assessment, which is a requirement. That usually is a planning grant given with a 0% match. To look competitive and purposeful in your actions, having a program or a plan in place for a larger effort will be critical because you would not be the coastal community fighting for those dollars.

Ms. Forbes said that effort is always directed toward the bigger picture so it does not delay their final goal. It is just the first bite of it.

Mayor Brooks asked if the proposal cost was budgeted. Community Development Director Jenny Rowan said it was not budgeted. The Mayor said she wants to know where the money comes from. The City Manager said it would be coming from the stormwater fund. There are reserves there from last year. They will bring it with the budget at mid-year. The Mayor said they are being asked to approve the money before knowing where it is coming from. They need to know if the money is there and not needed somewhere else. Because of the hurricane and the reduction in funds, it would be important for the community to understand that they have the dollars in the budget or in the reserves, and those monies will be there and will not be needed elsewhere. It would have to be paid for.

Commissioner Ghovae suggested that before moving forward with the plan, they might need to vote to ensure that any parking garage's minimum elevation is 7.2. They could do that now. If not, as they move forward, they will not achieve their goals. If they vote on it, Marci can administer that if the minimum elevation for a garage is 7.2. As they require higher ground, they may also need to give some buildings a bit of a height credit.

Mayor Brooks said the Commissioner is saying they could pass an ordinance requiring the height to be what Commissioner Ghovae stated so they would capture that in the houses built before the study is finished and implemented. She asked if that would be reasonable.

Ms. Forbes said that would not be their goal right now. What they are doing now is to figure out what that number would be. Putting it into ordinance form is not what they want to do at this stage. It is trying to work within their framework, what they can do, where they can go, and what that would look like. If it does become 7.2, then it will be based on the experience and the analysis. Mr. Keller said there could be places where they cannot meet that elevation, so part of their vision would be to work with the City by leveraging some of what they have done in the past and creating a cookbook on how to do it. They provide a standardized set of instructions for designers and builders to follow their desired goals.

Chuck Dillion, a resident, explained how he thought the elevation of 7.2 would not work for him. If implemented, it might hamstring people even further. It must go through the building process. The streets are already done. They just spent millions of dollars doing Crystal Island. In District One, the streets are all done. Ray (Commissioner Kerr) had talked about buying the properties on Flamingo and elevating them before the roads were done. A year ago, the elevation of 7.2 would have been good. Now, with the catastrophe, it is too late.

C. Mulch

Community Director Rowan said there had been discussion about amending their LDRs to restrict mulch. She added the Florida Statutes to the meeting packet, discussing Florida-friendly landscaping. It states that a local government ordinance may not prohibit or be enforced to prohibit any property owner from implementing Florida-friendly landscaping on his or her property. They are restricted on what they can restrict in the LDRs.

Mayor Brooks opened to public comment. There were no public comments.

Mayor Brooks said a resident mentioned the issue. When it had come up, the conversation was centered on that wood mulch washes away and floats away. Her question would be if mulch were defined as wood or what the definition of mulch is.

Commissioner Ghovae said he would also like to know about rubber mulch. The Mayor said that would be a better alternative than wood. Shell cannot be restricted because of the word mulch used in the Florida Statute. Director Rowan said that is how she would read it unless Tom says otherwise.

Commissioner Ghovae said pine mulch attracts bugs. Cypress mulch is the best; however, it is expensive and floats. Rubber is often used where there is water.

Commissioner Kerr asked if it could not be prohibited and if they could require adhesion to be applied to prevent it from running off. There are spray-on products to hold it in place. Director Rowan said there is glue that could be sprayed on. They could look further into it. She would not know how it would be enforced.

Mayor Brooks said the conversation was centered around whether you have wood mulch and they have a storm, which washes away, gets into the drains, and clogs them. It creates a lot of issues. They are a barrier island, and the intent was to determine whether they could implement something more friendly to drainage systems. Flooding occurs a lot in the City. Because a resident had brought it up, they could better understand whether they could require an adhesive to keep it from floating away. Could they define mulch as being not wood?

The City Attorney said the State Statute says mulching. They do not get to decide what the legislature thinks the definition of mulching is. The key to the whole statute was created years ago to create Florida-friendly landscaping. It was to allow certain types of plants to maintain water consistency and moisture. Whether it is paper, cardboard, wood, rubber, or anything that floats, it could be considered mulch, and it will be permitted. A better approach would be to get their legislative delegation to add an exception to the statute for coastal communities or those within a mile or two miles of the coast. It could be added to the definition in the statute. That would give the right to prohibit it.

Mayor Brooks said that would be a fantastic idea. If they only had a lobbyist that could do that for them.

Commissioner Ghovae said the process would be time-consuming. He has no problem with rubber mulching.

Commissioner McGeehen said he had a problem with mulch. Every time they have a storm, the mulch prohibits water flow, especially when the water is heading from the west to the east in the community. The attorney's suggestion is a great idea. They could also encourage the neighbors not to use wood chips.

D. Ordinance 2025-05 Temporary Shelters on Residential Property

Director Rowan said Florida Statute 166.0335 prohibits municipalities from prohibiting one temporary shelter on residential property after the Governor issues a declaration of state of emergency. They met with the Florida Division of Emergency Management (FDEM). They reviewed the City's floodplain ordinances and asked that the City update them by acknowledging the Florida Statute. So, it is placing that into the City's LDR and in the FIP requirements. They would combine the two requirements and amend a section of the City's code.

Mayor Brooks opened to public comment. There were no public comments.

Vice Mayor Tagliarini said he would oppose banning temporary shelters on residential property while people renovate and live in them. They could pose a reasonable time limit because people are still waiting for permits and appraisals. He would not think two years would be excessive. Mayor Brooks said it says 36 months. The Vice Mayor said he would go with 36 months. Director Rowan noted that it is in the Florida Statutes.

Commissioner Ghovae asked if they could put a limit on it later down the road as they progress through the season and reconstruction.

Mayor Brooks said they pulled it straight out of the Florida Statute. The 36 months is how long someone can have temporary housing on the property and live in it. If remodeling, they have 36 months. Commissioner Ghovae said they could, but he would not know the financial aspects during the hurricane season.

Director Rowan read the Florida Statute in the packet on page 136. It states that a municipality may not prohibit the placement of one temporary shelter on the residential property for up to 36 months after the declaration date or until a certificate of occupancy is issued on the permanent residential structure on the property.

Mayor Brooks said she would not have a problem with it.

E. Ordinance 2025-04 Planned Development

Director Rowan said the ordinance is a version of Ordinance 2024-18, planned development, that went before the Planning Commission in September. There are a few similar changes in other planned development ordinances, which are as follows:

- The changes include grammatical changes throughout the ordinance, including how it flows.
- It includes the projects being the initial review, and they will gain further details throughout the process.
- It includes the addition of stepbacks within the setbacks in flexibility.
- The PDs in the traditional village commercial core boardwalk and low-intensity mixed-use character districts within the John's Pass Village Activity cannot exceed the height limitations within the development standards.
- It includes additional information on the PD narrative and why the project requests flexibility in the zoning district's land development regulations before rezoning to PD.

- It includes the impact of neighboring properties in the use and development pattern.
- The City Clerk and Community Development Department are added to the list to receive the required neighborhood meeting mailers.
- The sidewalk width changed to 10 ft wide, and the BOC can reduce the width if there are any limitations.
- It includes clarifications on the changes to the development plan that do not need BOC approval.
- They added a second sentence to Sec. 110-396 to clarify what a minor modification is.

Commissioner Ghovae said at the bottom of page 149 there is a reference to ingress and egress that does not have to come before the city council, but the curb cut does. He asked about the difference between an ingress, egress, and curb cut. Director Rowan said they are asking for a zoning change to the development. The entrance may change slightly if they do not have the interior layouts. They would not want to go back before the BOC to open the entire project again just to change where the front door may be. If it is large enough, a change might alter the curb cuts or sidewalks. That might be a different level and would go before the BOC for approval. The ingress and egress would be the entrance doors and more like internal to the building. If it were the driveway, it would be like that minor modification, and it would go before the BOC for approval.

Director Rowan said they will take it to the Planning Commission for discussion and recommendation in February.

Mayor Brooks opened to public comment. There were no public comments.

F. Ordinance 2025-06 Amendment to Capital Improvement Element of Comprehensive Plan

Director Rowan said the ordinance updates the comprehensive plan to include the CIP that the Board voted on in October since they did not have Planning Commission meetings. It is something they do every year.

Mayor Brooks opened to public comment. There were no public comments.

5. CITY MANAGER

The City Manager items were discussed after the Community Development items in #6.

A. Military Court of Honor

The City Manager said the item has been a capital project going on for two years and is looking to complete it. The engineering plans in the packet are almost complete. The Court of Honor will be located at Patriot Park just west of the 911 Memorial, in the area currently occupied by a kiosk. They want to have the design details over the next few weeks and then issue an invitation to bid, hopefully no later than March.

Mayor Brooks opened to public comment. There were no public comments.

Commissioner Kerr said he thought it looked good.

Commissioner Ghovae recommended increasing the width of the sidewalk to 10 feet or matching what is there now on Tom Stuart Causeway. The plans currently show five feet and the right-of-way. And consider raising the elevation a little based on what they have experienced.

The City Manager said they are looking at lighting at Patriot Park. They are looking at alternative components for the lighting so it does not get destroyed and what would be best in that area. It has flooded there a couple of times. Director Wepfer said the elevation at Patriot Park is extremely low, so the water comes over the seawall on a good high tide. They lost all the electricity there due to Hurricane Helene. Most had been repaired before putting in the Christmas tree. All the lights along the seawall must be replaced. They are not repairable anymore due to all the flooding.

Commissioner Ghovae said he did not want to take credit. Before joining the Commission, he contributed \$1,000 towards the project. It is \$26,000. The City Manager apologized and said it was \$26,000. They have \$25,000 from the American Legion and \$1,000 from Northside Engineering (the company owned by Commissioner Ghovae).

Mayor Brooks said they had the money for two years. It has not been a priority, and she would like it to be. Whatever decision they make or whatever they do, it is time to make it a priority to move it forward and get it done. The community supported it, and \$26,000 in donations have been received.

B. Saltwater Destination Beach Concession Agreement – 2nd Agreement

The City Manager said the City has an agreement to have a Beach Equipment Concession Agreement with Saltwater Destinations LLC to provide beach chairs and umbrella rentals to the visitors at Archibald Park for five years, with one additional five-year renewal. Saltwater has requested to extend the Agreement with no changes for the additional five-year period ending in October 2029. The chairs and umbrellas are available to the public from 9:00 a.m. to 5:00 p.m. when the weather is a little sunnier.

Mayor Brooks opened to public comment. There were no public comments.

The Board commented in favor of extending the Agreement for an additional five-year period.

Commissioner Ghovae received confirmation there was insurance coverage.

Commissioner Ghovae asked if the five-year extension would affect what they may do to Archibald Park. The City Manager said no. A little over a year ago, the vendor was extremely amendable and cooperative when restoring the sand dunes. They are pleasant to work with and ambassadors to the City for all the visitors who enjoy going out on the sand.

C. Tampa Bay Psychology Associates Services Agreement

The City Manager said they have an agreement with Tampa Bay Psychology Associates to provide one individual counseling session for the Madeira Beach fire personnel. The vendor previously provided the service for free. It was paid for as part of a grant that ended. They are requesting to continue the service. It is valuable and beneficial to the fire personnel, their work, and their encounters throughout the day. It is recommended that the Board approves the Agreement at a future meeting. It would entail that a one-hour session would be \$165.00. There is money in the fire budget for that, and some fire personnel have used the service. They would not know if the usage would increase, but they will monitor it because it will impact the Fire Department budget.

Fire Chief Clint Belk said he looked into whether they would take the City's insurance, and they do not. They have a petition form to complete and send to the insurance company for partial reimbursement. The grant that paid for the services was not renewed.

Mayor Brooks opened to public comment. There were no public comments.

Vice Mayor Tagliarini said those services are provided by the City's health insurance provider and asked if they could do research to see if any of the recommended providers on their list also deal with the specific subjects. He is not suggesting that they do not provide the service, but he would like it looked into with the City's insurance provider. He wants to make sure they are not paying double for the service. Chief Belk said he would research and bring the information back to the Board before the vote. He wants to keep it going for the two employees who took advantage of it when the grant paid for it.

Commissioner Kerr said he would support it, but they would need to monitor it. He would not want it to be used by too many individuals. Other than that, he supports it.

Commissioner McGeehen and Commissioner Ghovae commented in support of the program.

Commissioner Ghovae asked if they needed to get three bids. The City Attorney said they did not. It is such a small procurement effort.

D. HR, Classification, & Compensation Plans Study Update

The City Manager said in July 2024, the Commission approved an agreement with the RSC Insurance Brokerage, Inc., dba Risk Strategies Company (Gehring Group) to perform a human resources compensation and classification plan study mainly to look at and evaluate existing positions for a variety of components such as comparisons with salaries, how they compare with other cities, look at their job classifications to make sure that positions are appropriately classified, ensure that positions are appropriately classified as exempt or non-exempt, meaning that they are hourly subject to overtime or salaried. They tried to get someone from the Gehring Group to give the presentation at the meeting, but they did provide an update on the study that should be concluded next month. They will give an in-person presentation at the Civil Service Commission meeting next week (January 29 at 4 p.m.).

The City Manager said that the Gehring Group has been looking at salary comparisons and provided the update they have now. They completed an overall assessment of approximately 27 job descriptions out of the City's 81 employees. They defined and obtained looking at salary comparisons with some comparable cities such as Treasure Island, Belleair Bluffs, Dunedin, Seminole, Tarpon Springs, and Clearwater. They will present the charts of their findings by actual job classification as they are listed, beginning with the Building Official, Code Compliance, and City Clerk. They will provide more details about all the positions listed on the three pages. Not every position does the same type of work across every City, and different job classifications will perform different tasks. They are trying to determine where the City of Madeira Beach's positions are relative to the other cities. Once they complete the benchmarking with other cities, they will get the data review and findings. They will then look at the pay grades and determine what changes need to be made or whether they have any compressions to adjust. They will complete the job descriptions and decide whether or not they are exempt or non-exempt to ensure the City follows the Fair Labor Standards Act. They will receive an update at the Civil Service Commission meeting next week. They have confirmed they will be at the February workshop, and he is also trying to get them to attend the regular meeting.

The City Manager said the budget is "not to exceed" \$37,000 to complete the study.

Mayor Brooks opened to public comment. There were no public comments.

Commissioner Ghovae asked if there was a way to compare the salaries to other cities in the area. The City Manager said they would provide that.

Mayor Brooks said she had requested a copy of the surveys submitted to understand what was requested. Out of the 81 employees, only 27 completed the survey, but one is completely blank, so that is 26 submitted. What she had thought they were going to get in the study is that they were going to come and sit with employees and talk about their job duties and that it was going to be requested, not that it was mandatory but the benefit of each employee submitting what their job description is, not what is written on the paper when they are hired but what their actual job duties are. So, they could compare their actual duties and whether an employee is doing more than their job description and should be paid more. It does not look like the information they got back from any employee. She would like to know if what was provided by the employees was requested appropriately to determine how to write the job descriptions. The City Manager said it was an emailed survey. Only 26 employees completed it. They have an email address for everybody and encourage them to use their email. They will discuss that with the company.

Mayor Brooks said that from an outsider looking in, it does not look like enough information was provided in the study to determine whether the employee is doing the job listed in their job description or doing more. That was her observation from the information she read.

Commissioner McGeehen agreed with the Mayor and said he understood they would come to the City and have a face-to-face interview with each employee and do the job description based on what the employee actually does, especially at the cost of \$37,000 and some change. They did not expect it to be an email. He would like a follow-up brought back to them.

Jerry Cantrell, chair of the Civil Service Commission, said the Civil Service Commission met with the Board of Commissioners and asked if they could speak to the Gehring Group so they would understand what the Civil Service Commission requested them to do. What was provided was not what they asked for. Something does not feel right; only 26 employees completed the survey. They were asked to do it in person. What happened was not appropriate.

The City Manager said they have not completed the study and will still have more meetings and opportunities to complete everything as requested.

E. City Information Dissemination

The City Manager said in the packet there is a list of various methods the City has utilized and continues distributing information. He read the list. They are looking at enhancing or looking at alternative methods, such as enhancing the City's website. They are looking at how they disseminate and the timeliness to ensure the content is correct, clear, and concise. The software used to send out information is important, especially through the permitting process. Anybody can receive the information through any electronic device. They are also looking to send communications via texting. Other cities do that.

Mayor Brooks opened to public comment. There were no public comments.

Commissioner Kerr thanked the City Manager for providing the information. He was unaware that the City had so many different avenues, and he would be interested in a text notification to push information out.

Mayor Brooks said text messaging would have been great during post-storms because people did not have internet. They were not on the computer looking at the website. It is beneficial for getting text messages because almost everyone has a cell phone. She does not use the Nextdoor app but signed up to see what Madeira Beach posts there. She could not find any post made by Madeira Beach on Nextdoor. There is some glitch there. They have a lot of avenues, but text messaging would be great.

F. City Web/Internet Site

The City Manager reviewed the item. The City provides a considerable amount of City service information on its website. They are the only City in Pinellas County that utilized ProudCity, their current website vendor, since at least 2021. It has been about four or five years since the redesign of the City's website; five years is the average for the cities looking to redesign their website. City websites have an inordinate amount of information. The information is different for each department. He reached out to four website vendors on how to improve. Doing a complete redesign could range between \$15,000 to \$25,000. There are a couple of firms used by some cities that provide a per-hour consulting fee to provide some guidance, such as making sure the search is an actual accurate search and scrubbing the hundreds and hundreds or thousands of pages that they have to make sure they are still relevant and not outdated. There are components they can do internally. They are getting to the point of looking at doing a complete redesign of the website. There are a couple of quotes in the packet. They can make some enhancements to make sure the

website is updated. Each department updates the website. His office is also the main point for keeping the site updated. They will continue to do that but take it to another level to ensure it is updated.

Mayor Brooks opened to public comment. There were no public comments.

Vice Mayor Tagliarini said he likes the website for the most part and feels that it is laid out well. There are a couple of things he would like to see tweaked. They were more intuitive, but he does not think they need a new website. He would be supportive of hiring a consultant to come in and help the City achieve its goals. To find that out, they need to talk to the different departments, residents, and the Board to find out what areas they would like to improve and then hire a consultant to tweak the current platform. Many people know how to navigate the City's website already, so it will not change drastically.

Commissioner Kerr said he would rather put their resources and time into other things, such as the presentation they had earlier for now. The website is great. No matter what you do, there is always something to tweak.

Commissioner Ghovae said he would support some minor tweaking. There is information that is missing and some that is difficult to find, such as Municode, a powerful tool.

Commissioner McGeehen said it could be some minor tweaking. They must save their money right now.

Mayor Brooks said she mentioned the website because post-storms had more phone calls and communication from residents who could not find the information they needed. She does not know if they need a new website, but the website does not provide information in a friendly manner that people can get. It is difficult for her to find information on the website. If she cannot find it, how can anybody else find it? She does not know the proper process to coordinate to get a better method of delivery of information, but they need to do some tweaking for information. Hurricane Helene showed that. There is a lot of outdated information on the website. She does not advocate spending too much money but advocates for the residents to get better information. The City Manager agreed that locating information on the website should be much easier.

Mayor Brooks said that they are learning what they can do better due to the hurricanes, which is helpful. It is not meant to be criticism. It is what the community said they want the City to do better for them, not for the next storm but for tomorrow in general.

G. Grant Writing

The City Manager said he had communicated with various organizations or partners, such as the Florida League of Cities and some of their engineers who provide grant writing services. The City staff have looked for grants and continue to do that.

Mayor Brooks opened to public comment. There were no public comments.

Commissioner Kerr said grant writing is an art; you must know what you are doing, and it could be time-consuming. He could not expect staff to do grant writing on top of what do daily. They either need to hire a professional or see what Grant Works can do for the City. Grant writers have a success rate in what they do. He took a grant writer course and would not want to be a grant writer. It is too much involved and time-consuming. There are tons of grants out there for cities. Someone must take the time to go after what they know is out there. If part of the compensation covers the actual grant writer, it is a bonus.

Vice Mayor Tagliarini said grant writing is a unique skill set, and some people have had great success. They could hire a successful company or share it with other municipalities through an interlocal agreement for shared cost. They might want some of the same things.

Commissioner Ghovae asked if the City participated in the "Penny for Pinellas" grant program. The City Manager said they receive a distribution and get projects for it. Commissioner Ghovae said the goal is to pump some funds into the City's budget for various reasons. He wants to ensure they can tap into Penny for Pinellas for improvement funding for things like roadways and infrastructure.

Commissioner McGeehen said it would be a great investment for the community. If they had a professional to help get grant money for the community. It would be a win-win situation.

Mayor Brooks reminded everyone that the Florida Leagues of Cities has a grant program they offer. They do grant writing. Anyone can go in and search for available grants. Linda Chaney's Office has offered help with searching for grant opportunities. She does not want to pay someone if some resources and professionals can do it. She spoke to some of the surrounding cities and was told that each department head looks for grant opportunities for what they need. The person finding them does not necessarily need to be the person who writes grants. They already have professionals who work for the City who can write grants and are professionals. She would support if it works out with Grant Works, and they get paid through the grant for their services and the funds they get. She would not support hiring someone to do it. There are too many resources available to them.

Vice Mayor Tagliarini asked if the Florida League of Cities wrote the grants or let you know about the grant opportunities. Mayor Brooks said they provide a portal to search for grant opportunities and will write the grant for them if a grant is found. The City Manager said Euna Solutions is the Florida League of Cities grant writer. The staff looks through the portal and will be more active about doing it. They will begin the budget planning in March and look at what grants are available to help fund things they need over the next couple years.

Commissioner Kerr said he is concerned that they do not have a procedure set. When they know they have a capital outlay, part of the process would be to look for grants. Mayor Brooks said staff look for grants, and if a list is compiled of what grants they have done over the last eight to 10 years, there would be quite a few of them. They might not have all been accepted by the Commission in place at the time, but they do actively search. There might be a system in place. Commissioner Kerr said he hoped there was. It is often mentioned at workshops about needing equipment, and grants are not mentioned. When it was discussed about the electronic Board put up at the Marina, there was no mention of a grant until it was brought up. After the meeting, they

applied for funding through Penny for Pinellas. So, he is not sure it is part of the operational procedure to do that.

Mayor Brooks said a grant writer would only look for grants they are told to seek. Commissioner Kerr said that is why he likes the idea of the consulting service. If they do not need the service and they have other avenues, then before they go out and buy things they need to talk about grants early on before they need it and secure a grant before purchase. Mayor Brooks said it was an administrative conversation Robin would need to have with his staff. The conversation should happen before it comes to the Board.

The City Manager agreed with Commissioner Kerr and said it is a budget issue. They will stress that going forward when putting what they need in the capital budget. They look for grants at that time. The fire chief actively looks for grants for fire equipment. Public Works and Recreation do the same. They will make it an active part of the departments. Grants are available for equipment and capital projects. They have been actively working with the FEMA public assistance grant to get reimbursed for about 10 to 15 million dollars worth of expenditures related to the storm. That is an incredible amount of work, but they must do it. It is incumbent on the administrative side to work with each department head as they look at their budgets for the next several years.

H. Shumaker Advisors – Jim Taylor

Jim Taylor, Vice President of Shumaker Advisors, introduced himself and provided an overview of the firm's services. He reviewed the appropriations his firm obtained for the City over the years and explained how they plan to help the City in the 2025 legislative session.

Mayor Brooks opened to public comment. There were no public comments.

Commissioner Kerr asked if Shumaker Advisors were working on getting federal disaster money for the City's utility undergrounding. Mr. Taylor said they would work with the City to get through the grant process.

Commissioner Kerr asked if they were familiar with the rating structure of property insurance for elevated homes so it remains fair and reasonable. Mr. Taylor said it had been a priority for the State to alleviate increasing premiums, and they will continue to have consistent dialogue with the state lawmakers.

Commissioner Ghovae suggested the Board consider going to Tallahassee once a year during session. He asked how the firm would accommodate them while they were there. Mr. Taylor suggested they come during the Florida League of Cities day because many of the points would be the same. The firm would help set up meetings, and they would offer their office space.

Commissioner Ghovae asked Mr. Taylor to describe what they do. Mr. Taylor said they lobby and advocate for the needs of the City of Madeira Beach.

I. John's Pass Dredging Update – Aptim Presentation

Nicole Sharp, representative of Aptim, gave an update on the John's Pass dredging project. They have been providing the Army Corps of Engineers and the State Department of Environmental Protection (DEP) with information and reassurances that the project benefits the community and the functioning of the inlet system. They are in the final stages of trying to get state and federal permits.

Mayor Brooks opened to public comment. There were no public comments.

Commissioner Kerr asked about the timeline. Ms. Sharp said the DEP has a 45-day timeline from when the information was provided. The State did not want requests for additional information until they visited the project site on January 14. They should hear back from the DEP in about 30 days. The Army Corp of Engineers' timeline for consulting with the agencies is usually 30 days from receiving all complete information.

Commissioner Kerr asked if the dredging would impede boat traffic. Ms. Sharp said it would not be because the project is off to the side of the main channel, and the boaters would have access to go under the bridge.

Commissioner Kerr asked if the sand would be used to renourish the beaches. Ms. Sharp said the sand needs to be disposed of. It is not compatible with the beach. They have some upland park facilities that could benefit from the sand.

Commissioner Ghovae asked if there were any other permitting agencies they needed to go through. Ms. Sharp said there are a lot of agencies, but the most important one is the Department of Transportation. Once they have all the permits, they can begin the work. Commissioner Ghovae asked how long it would take to dredge. Ms. Sharp said they anticipated it would take about 30-45 days. They hope to be out there by June and would request an extension if needed.

Mayor Brooks asked if there would be any issues in receiving the permits. Ms. Sharp did not think there would be any issues. They are in a good position with the Corps. The Mayor said they were told they would have a permit by May of 2024, but they still do not have one. Ms. Sharp said permitting is one of the most complex issues of any project. Emergency projects are prioritized over maintenance projects.

J. Q1 FY 2025 Financial Presentation, Including Post-Hurricane Update

Financial Consultant Andrew Laflin presented the item as follows:

- He prepared a financial overview of the first three months of FY 2025 and compared it to the same three months in FY 2024 and FY 2023 to see if the hurricane had significant impact on certain financial areas.
 - There has been a steady increase from 2023 to 2024 to 2025 in ad valorem taxes. However, they may feel an impact later in FY 2025.
 - There were no significant declines in the non-exchange revenues (other taxes, franchise fees, State shared revenues).

There was a decline in building and planning revenues due to the waiving of hurricane-related permit fees.

- There was a slight decline in the Recreation and Marina fees.
 - Parking-related revenues have taken the biggest hit.
- He explained the year-to-date hurricane expenses.
 - The Non-Departmental Department had the biggest unanticipated expenditure. He intended to bring a budget amendment to the Board mid-year.
 - Hurricane Helene incurred expenses of \$3,297,537.38.
 - Hurricane Milton incurred expenses of \$76,660.18.
 - He reviewed the status of the damage assessment.
 - The damage was mainly to the facilities, vehicles, and equipment, which are subject to insurance reimbursements.
 - The damage inventory will be submitted to FEMA for the reimbursement request process.

Mayor Brooks opened to public comment. There were no public comments.

Vice Mayor Tagliarini asked why there is a discrepancy with the Compensation and Classification Study from the Gehring Group. Mr. Laflin said it was budgeted for in FY 2024 but they did not spend it, so they need to increase the FY 2025 budget with the unspent funds.

Commissioner Kerr asked if they could get retroactive grants for what FEMA does not cover. Mr. Laflin said they would evaluate it and submit everything eligible.

Commissioner Ghovae asked how they project the ad valorem taxes for FY 2025 to be greater than last year. Mr. Laflin said it is the assessed taxable value multiplied by the millage rate. They receive the final information by May or June and budget it at 95%. Commissioner Ghovae asked if the hurricane would affect it. The City Manager said it will. Displaced property owners can apply for a refund. It will impact the City later this fiscal year. Also, if a structure has been demolished, the property value will be lower.

Commissioner Ghovae asked about the stormwater and sanitation charges. The City Manager said they have not been impacted because they are still being billed. An item is on the agenda to address the sanitation fee, but the stormwater fee will continue to be billed.

Mayor Brooks asked what insurance would pay for the repairs to the first floor of City Hall and what repairs are in process. She did not see the Recreation Center on the damage assessment sheet. The City Manager said the \$250,000 is an estimate for City Hall. It and the Recreation Center need to go out to bid. They will add the Recreation Center to the damage assessment sheet. Mr. Laflin said the schedule shows they received an insurance payment for City Hall for \$116,526 and a second proposed payment of \$19,681.

Recreation Director Jay Hatch said the rebuild bid for the Recreation Center is out. A walk-through is scheduled for next week, and the bid opening is in three weeks.

K. Emergency Bridge Loan Program

Financial Consultant Andrew Laflin presented the item. The Florida Commerce Municipal Emergency Bridge Loan program provides interest-free, short-term loans to municipalities impacted by federally declared disasters. The program is designed to help local governments maintain essential operations while awaiting additional funding or revenue recovery. The program is meant to supplement the operational shortfalls due to revenue loss. He will ask for the Board's approval to proceed with the application process at the next regular meeting, finalize the loan details, and bring the specifics back to the Board for final approval.

Mayor Brooks opened to public comment. There were no public comments.

Mr. Laflin responded to questions and comments from the Board.

Commissioner Kerr asked if it was only for a revenue loss. Mr. Laflin said it is to fund operations and cannot be used for capital improvement. They could use the money to keep operations where they are and maintain the capital program as is.

Commissioner Ghovae asked if they could return the money after 10 years if they did not use it. Mr. Laflin said there could be repayment terms, but it will not include interest. The City Manager said they must apply it to the budget and use the money.

The consensus was to bring the request to the next regular meeting for approval.

7. PUBLIC WORKS

A. John's Pass North Jetty Update

Public Works Director Megan Wepfer explained the item. Staff met with U.S. Army Corps. staff on December 12, 2024, to discuss permitting needs to replace the John's Pass North Jetty sidewalk. During the meeting, Army Corps. staff verbally deemed the replacement exempt as the project is above the mean high tide line and will not change the original state of the jetty (rocks). At the direction of the U.S. Army Corps., staff completed a permit application for exemption on December 16, 2024, and submitted it via email. Confirmation from U.S. Army Corps. stating the project has been assigned to staff on December 31, 2024, and to wait 20 days before reaching out.

A meeting was held on January 9, 2025, with Pinellas County Staff to discuss replacing the sidewalk atop the jetty. County staff asked to see the design plans to determine whether a permit would be required. Pinellas County staff mentioned that if the sidewalk sits in the same footprint, they do not believe that a permit will be needed but will require the City to sign a sidewalk agreement. This sidewalk agreement will determine that the City will be solely responsible for all maintenance and liability of the sidewalk.

As mentioned in the BOC regular meeting on January 8, 2025, staff received a quote for a Mobi Mat of 120 ft X 6.5 ft wide for \$6,205.00. The Mobi mat will function as a temporary mobility area for residents and visitors to walk out to the beach area more easily. This mat will sit just north of the rocks on top of the sand.

Mayor Brooks opened to public comment. There were no public comments.

Director Wepfer responded to questions and comments from the Board.

B. Declared Disaster Sanitation Fee

The City Manager explained the item. Due to Hurricane Helene, many residents have been displaced and called requesting to stop services. Staff are bringing forth a recommended declared disaster fee to be added to the fees and collection manual. The current monthly charge per dwelling unit is \$38.74, and the recommended disaster fee is \$10.00 per dwelling unit. Staff recommends each single-family or multifamily dwelling unit meet the criteria of an active interior demolition or remodel permit to qualify for the reduced fee. She asked for direction from the Board.

Mayor Brooks opened to public comment.

Jim and Jane Shifflett, Madeira Beach residents, said that two of the three properties they own were a complete loss and needed to be torn down. They are looking to save money, and one way is through the sanitation costs they are not using.

Director Wepfer responded to questions and comments from the Board.

The consensus was to bring the proposed ordinance back to the Board.

C. Public Works/Satellite Building Department Design

Public Works Director Megan Wepfer explained the item. The Public Works Department presented a proposal to the Board of Commissioners for the design and construction of a new public works facility that will incorporate a satellite office for the building department and the possibility of adding training facilities for the fire department. Currently, the Public Works Department is working out of a shed that was constructed over 20 years ago and is open to all elements. The mechanic and the sanitation employees are housed off the island. The proposed new building will be 135 ft by 55 ft and have a second-story office, break area, and multiple bays, bringing the mechanic back to the island and allowing them to downsize on rental space.

The proposal for engineering services is broken down into two tasks. Task one covers all geotechnical investigations, which include boring samples to check the soil type and determine which foundation will be needed. Task two covers all construction documents, permitting services, construction administration services, and project certifications. Items that will not be covered by task two are Boundary and topographic survey, traffic studies, design of roadway improvements, lift station design, FDOT permitting, and public hearings.

The fiscal impact of the engineering services is \$62,050. Between the Public Works Department and the Building Department, FY 2025 has a budget of \$1.5 million for the design and construction of the new facility. Staff recommended the approval of the engineering proposal with Pennoni Associates, Inc. for \$62,050.

Mayor Brooks said there was no one present for public comment.

Vice Mayor Tagliarini, Commissioner McGeehen, and Commissioner Ghovae said they support it. Commissioner Kerr said he would not support it.

8. RECREATION

There were no Recreation items on the agenda to discuss.

9. ADJOURNMENT

Commissioner Ghovae recommended that the Board give Senator Nick DiCeglie and Representative Linda Chaney a key to the City. He suggested putting two mural walls in the City, one near City Hall and the other in John's Pass. He asked for both items to be placed on the workshop agenda.

Mayor Brooks adjourned the meeting at 10:43 p.m.

ATTEST:

Anne-Marie Brooks, Mayor

Clara VanBlargan, MMC, MSM, City Clerk



Memorandum

Meeting Details: February 12, 2025 – Board of Commissioners Regular Meeting

Prepared For: Honorable Mayor and Board of Commissioners

From: Community Development Department

Subject: Ordinance 2025-04: Planned Development, 1st Reading and Public Hearing

Background: Chapter 110 Zoning, Article V. Districts, Division 10 PD, Planned Development in the Madeira Beach Code of Ordinances has some inconsistencies that need to be resolved.

Discussion: Ordinance 2025-04: Planned Development amends the Planned Development (PD) division in the Madeira Beach Code of Ordinances to fix inconsistencies, reference the Forward Pinellas Countywide Rules, and update the standards in that division to current practices.

Ordinance 2025-04 is similar to Ordinance 2024-18. The Planning Commission recommended approval of Ordinance 2024-18 Planned Development in September (2024) prior to Hurricanes Helene and Milton. Since the original recommendation was months ago the city decided to go about the ordinance anew. Ordinance 2025-04 has some changes from the version provided to the Planning Commission in September. These changes include the following:

- Grammatical changes throughout the ordinance
- Include the project is at its initial review and will gain further detail throughout the process (site plan, building plan)
- Addition of step-backs with setbacks in flexibility
- PDs in the Traditional Village, Commercial Core, Boardwalk and Low Intensity Mixed Use Character Districts in John's Pass Village Activity Center cannot exceed the height limitations provided in the development standards
- Additional information for the PD narrative
- Adding the City Clerk and Community Development Department to required mailers for the neighborhood meeting
- Sidewalk width to ten feet wide and the BOC can reduce the width if there are limitations

- Clarification on changes to the development plan that does not need BOC approval
- Clarification and examples of a minor modification to the development plan that does need BOC approval

Planning Commission reviewed the updated ordinance on February 3, 2025, and recommended approval.

Recommendation(s):

Planning Commission and staff recommend the approval of Ordinance 2025-04: Planned Development.

Fiscal Impact or Other:

N/A

Attachments:

- Ordinance 2025-04 Planned Development
- MB CD 25-01 Consistency Letter
- Ordinance 2025-04 Business Impact Statement

ORDINANCE 2025-04

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 ZONING, ARTICLE V. DISTRICTS, DIVISION 10, PD., PLANNED DEVELOPMENT, OF THE CITY'S LAND DEVELOPMENT CODE PROVIDING FURTHER INFORMATION ON INTENT AND PURPOSE; INCLUDING DIMENSIONAL REGULATIONS; SPECIFYING REQUIREMENTS FOR THE APPLICATION FOR PD ZONING; CLARIFYING THE REVIEW CRITERIA FROM THE LOCAL PLANNING AGENCY; CLARIFYING THE REVIEW CRITERIA FROM THE BOARD OF COMMISSIONERS; INCLUDING STANDARD OPERATING ADJUSTMENTS IN THE CHANGES OF DEVELOPMENT PLAN; AND INCLUDING OPTIONS FOR TIME EXTNSIONS; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Madeira Beach's Planned Development zoning district regulations have not been reviewed thoroughly and updated with standard review criteria in a number of years; and

WHEREAS, City staff has reviewed the current Planned Development zoning district regulations; and **WHEREAS**, City staff has determined that the relationship between the Madeira Beach Comprehensive Plan and Land Development Regulations in the Planned Development zoning district regulations were not clearly stated in Division 10; and

WHEREAS, the allowed uses and dimensional regulations in the Planned Development zoning district regulations were not clearly stated in Division 10; and

WHEREAS, the review criteria for the Local Planning Agency (Planning Commission) and Board of Commissioners was not clear and certain design elements would not be necessary at this stage in development; and

WHEREAS, City staff has recommended that the Planned Development zoning district regulations be revised to address the matters referenced in the recitals above; and

WHEREAS, the Planning Commission has considered the recommended changes referenced above at a public hearing and has recommended approval to the Board of Commissioners; and

WHEREAS, the recommendations of the Planning Commission and city staff have been found meritorious by the Board of Commissioners; and

WHEREAS, the Board of Commissioners held two public hearings to consider the approval of the recommended changes and the adoption of this ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Chapter 110 (Zoning) Article V. (Districts) Division 10 (PD – Planned Development) of the Land Development Code of the City of Madeira Beach is hereby amended to read as follows:

DIVISION 10. ~~PD,~~ PLANNED DEVELOPMENT (PD) DISTRICTS

Sec. 110-386. ~~Intent and purpose of planned development (PD) district.~~ Purpose and Intent

~~It is the intent of the~~ The PD district ~~is intended~~ to accommodate integrated and well-designed developments in accordance with ~~approved~~ development plans ~~containing detail adequate to ensure that have been approved in~~ compliance with this division. The PD district is intended to offer design flexibility and to encourage imaginative, functional, high-quality land planning development for those uses consistent with the applicable future land use plan category and compatible with adjacent and nearby lands and activities. ~~At the PD rezoning phase, the development plan is preliminary and the first step in the development process. Throughout the permitting process the project will gain further details.~~

In keeping with the stated intent of the comprehensive plan and ~~in furtherance of the historic and desired low intensity~~ character of the community, a PD development must meet the intent and criteria (including but not limited to density, intensity, and impervious surface ratio) of the future land use plan categories in the Madeira Beach Comprehensive Plan and plan categories in the Countywide Plan.:

- ~~(1) Meet the minimum design criteria required for the underlying zoning;~~
- ~~(2) At a maximum, be designed to reflect the average intensity, height, and massing of the development pattern on surrounding property of similar zoning and use.~~

~~The application must demonstrate that the proposed PD zoning district meets the clearly stated intent of the comprehensive plan and a clearly defined public purpose. Additional stories, above the limitations of the underlying conventional or PD zoning district at the time the application for PD is officially sufficient, may be considered in light of voluntary provision of civic or community enhancements, e.g., ground floor retail, expanded setback, enhanced landscaping, and other design enhancements furthering the policies and strategies of the comprehensive plan.~~

PD zoning is permitted in the following future land use plan categories of the Madeira Beach Comprehensive Plan: Planned Redevelopment Mixed-Use (PR-MU), Activity Center (AC), Commercial General (CG), Residential/Office/Retail (R/O/R), and Resort Facilities Medium (RFM). In particular, the The PD district is required for development proposed in the resort facilities high land use plan category of the comprehensive plan and for any project requesting the additive density/intensity provided for in the commercial core and the enumerated portions of the causeway sub-districts, in the Madeira Beach Town Center Special Area Plan.

Sec. 110-387. ~~Uses permitted~~ Permitted uses and dimensional regulations.

~~The type(s) of land uses permitted must be consistent in all respects with the comprehensive plan and such uses must be located and arranged to ensure compatibility amongst themselves, with adjacent land uses, and with public facilities, services and utilities. No specific list of uses permitted is established for the PD zoning district. Land proposed for development under the PD zoning district may contain a mixture of temporary lodging, residential, commercial, recreational and other uses consistent with the future land use map designation on the site. In furtherance of comprehensive plan policies and in the interest of neighborhood compatibility, commercial uses in PD developments located in residential districts are limited to a maximum total of 20 percent of the non-parking stories.~~

~~Flexibility in setbacks and step-backs may be allowed provided there is adequate space for site improvements and emergency access; that there is no adverse impact on surrounding properties and there is adequate distance between structures and public or private streets. Flexibility in building height may be allowed provided the development is compatible with the surrounding neighborhood. Increased flexibility in setbacks, step-backs and height from the zoning district prior to the rezoning to PD may also be considered if the design includes voluntary provisions for civic or community enhancements, e.g., ground floor retail, expanded setback, enhanced landscaping, sustainable building practices (LEED), and other design enhancements furthering the policies and strategies of the comprehensive plan.~~

~~PD developments located in the Traditional Village, Commercial Core, Boardwalk, and Low Intensity Mixed Use Character Districts of the John’s Pass Village Activity Center cannot exceed the height limits prescribed in Appendix D - John’s Pass Village Activity Center Development Standards.~~

Sec. 110-388. Application for PD zoning.

- ~~(a)~~ (a) Applications for PD zoning require a preliminary development plan, ~~with graphic illustrations,~~ establishing the basis for the proposed planned development. All application fees must be paid prior to city staff reviewing the PD preliminary development plan. ~~, and all application fees for the established review process.~~
- ~~(b)~~ (b) A development agreement is required when rezoning any property to PD and must go to the Local Planning Agency (Planning Commission) at the same public hearing as the rezoning, before the Board of Commissioners as a discussion item at the first public hearing as the rezoning, and before the Board of Commissioners at the second reading and public hearing as the rezoning. See Chapter 86, Administration, Article IV. Development Agreements for more information on development agreements.
- ~~(c)~~ (c) If the development plan proposes to use the alternative temporary lodging use standards, the development agreement must also follow all required standards in the Forward Pinellas Countywide Rules. In addition, the proposed intensities and densities cannot exceed the allowable maximums as described in the comprehensive plan.
- ~~(bd)~~ (bd) The ~~preliminary~~-PD preliminary development plan ~~proposal~~ must include all information deemed appropriate, necessary, and relevant by the city to conduct the staff review and, at minimum, must include the following:
 - ~~(1)~~ (1) A narrative of the PD preliminary development plan (PD report) is required ~~a preliminary development plan.~~ and must include the following information:
 - a. How the proposal meets the requirements of the comprehensive plan, land development regulations, and any special area plan standards of the City; and
 - b. How the proposal meets the requirements of the Countywide Rules; and
 - c. Why the project is requesting flexibility of the land development regulations of the zoning district prior to rezoning to PD; and

d. The impact on neighboring properties in use and development pattern (e.g. setbacks, building heights).

~~(2) Three hard copies of the signed and sealed preliminary development plan and a digital submission all of which must provide the following:—proposals and one electronic copy; and~~

~~(2) A development report and preliminary development plan including all the following information:~~

a. Legal description, zoning district(s) prior to PD rezoning, future land use (Madeira Beach comprehensive plan) and underlying conventional zoning district plan category (Countywide Plan).

b. Existing use(s) and proposed use(s).

c. Site area in square feet and acres.

~~d. Lot lines Signed and sealed survey.~~

e. Setbacks for zoning district prior to PD rezoning ~~Current required~~ and proposed setbacks.

f. North arrow and scale: engineering scale no smaller than one inch equals 50 feet.

g. Site data table with current standards (for zoning district(s) prior to PD rezoning) and proposed development standards ~~Proposed development criteria (current standard and proposed standard)~~ including at a minimum:

1. Gross floor area and heated floor area of existing and proposed (in square feet);

2. Building coverage (in square feet);

3. Open ~~(green)~~ space (in square feet);

4. Impervious surface area (in square feet) and impervious surface ratio;

5. Density and intensity (including ratios for mixed use);

6. Quantity and type of parking spaces and parking requirements ~~Parking spaces (scaled to location on plan and number of type, e.g., accessible, standard, etc.)~~;

7. ~~Building height(s) measured from the design flood elevation and the total number of stories, include the maximum allowable height from the zoning district prior to PD rezoning, and number of stories allowed and existing on adjacent properties;~~

8. Preservation area(s) (in ~~total~~ square feet);

~~9. Land alteration plan;~~

~~h. 10. Buffering standards, e.g., design standards to buffer neighboring properties from commercial activities, construction impacts, vehicular traffic, etc.;~~

~~i. 11. Solid waste disposal container(s) location and access;~~

~~12. Lighting design standards;~~

~~13. Signage standards;~~

~~j. 14. Tree survey, indicating the species and size of all existing trees, four inches or greater caliper measured at breast height;~~

~~k. 15. Landscape design standards and plans that must, at a minimum meet requirements in Chapter 106, Article II of this Code.~~

~~(i) Comply with chapter 106, article II of this Code and all native and xeriscape plant materials;~~

~~(ii) Indicate location, quantity, size, species, and standards for all trees and shrubs; and~~

~~(iii) Meet or exceed minimum irrigation standards required by this Code;~~

- ~~l.16.~~ Building envelope and general ~~access, egress, and~~ ingress locations;
- ~~m.17.~~ Conceptual stormwater drainage plan ~~with calculations~~ based on maximum proposed development coverage adequate to meet the minimum standards of SWFWMD and this Code, ~~to~~ ensure no additional off-site impacts, and ~~to~~ resolve existing drainage problems deemed necessary by the city;
- ~~n.18.~~ ~~Permit from FDEP with concept plan indicating~~ ~~If a dune system impact is anticipated, the concept plan must address~~ proposed changes, reconstruction, and replanting ~~if dune system impact is anticipated~~; and
- ~~o.19.~~ Details of any design, ~~performance criteria,~~ or ~~performance project commitments criteria assured agreed to~~ at the ~~required~~ neighborhood meeting.
- ~~hp.~~ Mobility and access plan indicating:
1. Proposed curb cuts and off-site traffic access management ~~plan and standards~~;
 2. ~~Preliminary~~ Location and function ~~plan and standards~~ for required sidewalk, bicycle, and other multimodal improvements;
 3. ~~Preliminary On~~on-site circulation; and,
 4. If impacting a collector or arterial road or required by FDOT, a transportation impact study prepared by a registered ~~Florida~~ engineer ~~for submittal and review by city staff and other governing agencies and documented preliminarily approved of FDOT.~~
- ~~q.i.~~ ~~All architectural design standards and guidelines in the comprehensive plan, special area plan or zoning district prior to rezoning PD must be met at a minimum. Structural design criteria meeting city overlay district requirements.~~ Additional design specifications can be required as a condition of approval during the public hearing process.
- ~~j.~~ ~~PD development plan detailing the manner in which the proposal furthers community goals and meets or exceeds existing comprehensive plan, land development code, and special district requirements and standards.~~
- ~~rk.~~ Record of notice of, and transcribed and video record of the required neighborhood meeting.

Sec. 110-389. Procedure for approval of PD zoning, Submission Requirements and Review Process.

~~Submission requirements and process.~~ The city will ~~receive intake~~ the application ~~and initial application fees~~ and distribute ~~accordingly to applicable city staff for review. the application among city staff~~ Staff will first determine if the application is complete for full review, if not, staff will provide the applicant with a compiled list of comments to be addressed. The application must be complete as outlined here in this code such that staff can make a recommendation of either approval, approval with conditions, or denial. Once city staff determines the application is complete and a recommendation has been decided upon; the application, neighborhood meeting, and staff recommendation will be scheduled for public hearing before the planning commission serving as the local planning agency (LPA). ~~for review and comments. The city will compile the staff reviews and provide the applicant with comments, objections, and recommendations for applicant response and application amendment necessary to determine complete sufficiency to facilitate a full review and produce staff findings and a recommendation of approval, approval with conditions, or denial. Once the city determines the application is sufficient, the application, neighborhood meeting record, and staff recommendation will be scheduled for public hearing review and recommendation before the planning commission as the local planning agency (LPA).~~ The formal legal notice of the LPA public hearing must be posted as least 15 days prior to the public hearing date. The LPA will issue findings to the board of commissioners that will include a recommendation of approval, approval with conditions, or denial.

Sec. 110-390. Reimbursement of expenses.

The applicant shall provide for reimbursement of all expenses incurred by the city, deemed necessary by the city manager or his/her designee, to review and process a planned development (PD) district.

Expenses may include, but are not limited to any technical, engineering, planning, landscaping, surveying, legal or architectural services, and advertising.

Within 30 days of the date of receipt of any invoice for such services, the applicant shall reimburse the city for such costs. Failure by the applicant to make such reimbursement when due shall delay the recording of the approved development order, until paid.

Sec. 110-391. Review by local planning agency.

The local planning agency (LPA) will review the ~~proposed~~ PD zoning district application and PD preliminary development plan to ensure that the following criteria are met. The LPA must recommend denial if the application fails to meet the following criteria. If the application meets the following criteria, the LPA may recommend approval, approval with conditions, or denial. ~~The following criteria will guide district assignments and changes in district assignments, whether initiated by the city or by a property owner.~~

- (1) ~~Consistency with the comprehensive plan. All zoning district assignments~~ The PD report and preliminary development plan must be consistent with the comprehensive plan, including, but not limited to the future land use map and future land use element goals, objectives, and policies. ~~The zoning district(s) assigned must be consistent with the land use category of the future land use map.~~
- (2) ~~Land use compatibility. The zoning districts assigned~~ The PD report and preliminary development plan must promote the project's compatibility with adjacent land uses.
- (3) ~~Adequate public facilities. The zoning districts assigned~~ The PD report and preliminary development plan must ~~be consistent with~~ take in consideration the public facilities and services available to reasonably assure the city that the demand for services necessitated by the intensity of uses allowed will not exceed the adopted levels of services for such public facilities and services. Consistency will be verified during the construction permitting phase.
- (4) ~~Public interest. Zoning districts assigned~~ The PD report and preliminary development plan must not conflict with the public interest and must promote the public health, safety and welfare.
- (5) ~~Consistency with land development regulations. Zoning districts assigned~~ The PD report and preliminary development plan must be consistent with the intent and purpose of this Code, specifically the criteria contained in section 110-388 and the general criteria required of the board of commissioner's review provided in section 110-393 of this Code.

Sec. 110-392. Neighborhood information meeting.

The applicant must hold a neighborhood information meeting with property owners within 300 feet of the proposed development prior to the LPA ~~or board of commissioners~~ considering the application. The neighborhood information meeting must be held at a location and time reasonably convenient to the surrounding property owners to maximize attendance, subject to the following requirements:

- (1) *Notification.* Two weeks prior to the neighborhood information meeting date, the applicant must mail notices of the meeting date, place, and time to all property owners inside a radius of 300 feet from the boundaries of the proposed development parcel, to the board of commissioners, the city clerk, the community development department, and must post this information prominently on the property. The applicant must inform the city manager or designee of the proposed meeting date, place, and time prior to sending out the notices. The city manager or designee may require a change of date, place, or time due to schedule conflicts or in order to accommodate advertising requirements for upcoming public

hearing consideration. The applicant must provide documentation of the mailed notice to the city manager or designee for verification. The city manager or designee may reasonably require additional properties be issued a notice and otherwise post notice of the neighborhood information meeting.

- (2) *Applicant's presentation.* At the neighborhood information meeting, the applicant must explain the proposed ~~preliminary~~ PD preliminary development plan, ~~and~~ proposed use of the subject property, ~~and make a provide copies copy~~ of the ~~proposed preliminary~~ PD preliminary development plan ~~available for review by~~ meeting attendees. The applicant may also discuss the project's development objectives, design philosophy, and proposed time schedule for completion.
- (3) *Question and answer period.* Upon completion of the presentation, a reasonable time must be reserved for a question and answer period. Questions should be limited to the proposal as presented, not to the question of whether the site should be developed or redeveloped. The applicant must identify how potential conflicts will be mitigated.
- (4) *Record.* The applicant must provide the city both a written and video record of the neighborhood information meeting, including any ~~representations-commitments~~ made by the applicant to the attendees. ~~The applicant must include any applicant representations as required project provisions in the application.~~

Failure to conduct and properly record a the neighborhood information meeting, as outlined above, provided above renders the PD zoning application incomplete and prevents submission and further review.

Sec. 110-393. Review by board of commissioners.

~~In their analysis of the rezoning application and the proposed development plan submitted pursuant to this division, and prior to official action the board of commissioners shall consider the recommendation of the local planning agency and ensure the rezoning application is in conformance with the criteria listed in section 110-390.~~

The board of commissioners shall consider the recommendation of the local planning agency while analyzing the PD zoning application and preliminary development plan. The board of commissioners shall review the PD preliminary development plan in conformance with the criteria listed in section 110-388 and the following general conditions:

~~The board of commissioners shall review the proposed development plan for compliance with the provisions of article II, site plans and the following general conditions:~~

- (1) Land uses within the development shall be appropriate in their proposed location, in their relationships to each other, and in their relationships with uses and activities on adjacent and nearby properties.
- (2) The development shall comply with ~~applicable city plans and planning policies,~~ the comprehensive plan and shall have ~~a beneficial effect both upon the area of the city in which it is proposed to be established and upon the city as a whole~~ positive effect on the surrounding area and city as a whole.
- (3) Stipulations of approval of a planned development ~~plan~~ may include requirements to construct improvements, dedicate ~~needed~~ property and easements, or contribute money to improvements to public facilities such as roadways, ~~new~~ medians, sanitary sewer and water facilities, drainage systems facilities, street lighting, landscaping, signage, parks and recreational facilities, walkways and sidewalks, burying of utility lines along abutting rights-of-way or ~~adopted-planned~~ streetscape improvements.
- (4) A minimum of a ten-five-foot wide sidewalk shall be provided along any street right-of-way or on private property by easement dedication to the city if the right-of-way is of insufficient width. The board of commissioners can reduce the minimum sidewalk width if there are engineering or environmental limitations making a ten-foot wide sidewalk not feasible.
- (5) The total land area within the development and the area devoted to each functional portion of the development shall be adequate to serve its intended purpose.

- (6) Streets, utilities, drainage ~~systems facilities, landscaping,~~ recreation areas, building heights, size ~~and scale and yards,~~ and vehicular parking and loading facilities shall be appropriate for the particular use involved, and shall equal or exceed the level of design and construction quality required of similar land development elsewhere in the city.
- (7) Visual character and community amenities shall be equal or better in quality than that required by ~~standard a similar development designed with the~~ zoning district ~~standards prior to rezoning to PD. s for similar development.~~
- (8) Open space shall be adequate for the type of development ~~being proposed and the population density of the proposed development.~~
- ~~(9) Outdoor storage of merchandise or materials shall be prohibited.~~
- ~~(109)~~ Areas proposed for common ownership shall be subject to a reliable and continuing maintenance guarantee.
- ~~(11) All existing nonconforming signs or sign structures shall be removed.~~
- ~~(1210)~~ In the case of developments, which are to be constructed in several phases, the proposed phases shall be shown on the overall development plan. The proposed construction phases shall individually comply with the standards set forth in this section in order that, if for any reason construction ceases prior to completion of the entire planned development, the resulting partially complete project will adequately serve its purchasers and occupants and will not cause a general public problem. Each phase should be able to be completed entirely such that each phase may be independently provided a Certificate of Occupancy.

Lastly, the board of commissioners must review the ~~plans, drawings, and schematics preliminary for the proposed development plan~~ development plan in detail. Such drawings shall define the physical character of the project, including all building and architectural treatments. The board of commissioners' review will ensure conformance with the following design standards:

- (1) Treatment of the sides and rear of all buildings within the planned development shall be compatible in amenity and appearance to treatment given to street frontages of the same buildings.
- (2) All buildings in the layout and design shall be an integral part of the development and have convenient pedestrian access to and from adjacent uses.
- (3) Individual buildings shall be related to each other in design, mass, materials, placement and connections to provide a visually and physically integrated development.
- (4) Landscape treatments for walkways, plazas, arcades, roads, and service and parking areas shall be designed as an integral part of a coordinated landscape design for the entire project area. The landscape plan submittal shall include the anticipated appearance of the trees and landscape materials after five years of growth to visually provide their size and proportion relative to the proposed buildings, view corridors, curb appeal, pedestrian corridors, etc.
- (5) The project's scale, and the size, color and proportion of building elements, components and materials are appropriate and harmonious with surrounding neighborhood ~~characteristics structures.~~
- (6) All mechanical equipment, electrical equipment, roof top equipment, refuse areas associated with this project shall ~~not be visible from the public right-of-way be screened.~~
- (7) Appropriate building materials are being used. The use or employment of any of the following is generally considered inappropriate and will not be permitted unless appropriately integrated into a project meeting all other criteria, including aesthetic criteria, of this article:
 - a. Corrugated metal siding;
 - b. Prefabricated metal buildings or their components;

- c. Primary colors or black; and
 - d. False windows or doors, unless used on a parking structure or level to blend into the built environment; ~~and~~
 - e. Unmodified formula and trademark buildings and structures.
- (8) The project's location and design adequately protects or enhances unique site characteristics such as those related to scenic views, natural vistas, waterways or similar features.
- (9) The project appropriately integrates landscape elements into the site plan and building design. Plantings shall be of a size to give the appearance that the project is settled into a mature landscape. The landscape submittal shall include a description of each tree and plant proposed on site by type and details relative to maximum height/size and color at maturity.
- ~~(10) Signage and other building appurtenances are integral components of the building, appropriately scaled, and consistent in character with the building's overall design.~~
- ~~(11) The project incorporates defensible space concepts of crime prevention through environmental design. A lighting plan shall be provided to review safety considerations for pedestrians and motorists, as well as, environmental impacts.~~

Sec. 110-394. Methods of documenting all approvals and conditions.

All plans, schematics, and conditions of a planned development approval will become part of a development order for the project. The development order shall state with specificity the development plan approved by the board of commissioners. The executed development order shall be recorded in the public records of Pinellas County prior to issuance of any building permit for the project.

Sec. 110-395. Effect of PD zoning.

Upon the rezoning of land to a PD district, the approved development plan, along with such requirements, safeguards, modifications or stipulations as may have been included by the board of commissioners in its rezoning action shall be substantially complied with relative to the issuance of all building permits, zoning clearances and certificates of occupancy by the city.

Deviation from the approved development plan or failure to comply with any requirement, safeguard, modification or stipulation imposed by the city at the time of rezoning land to the PD district shall constitute a violation of the Land Development Code, chapter 82.

Sec. 110-396. Changes in development plan.

~~Standard operating adjustments that do not have to go before the board of commissioners for review includes fences, additional parking, pools, landscaping, signage, and accessory structures that meet the requirements of the zoning district prior to the rezoning of PD. It is the intent of the PD rezoning phase that the project be conceptual in nature, therefore interior layouts and egress and ingress may change from the concept plan without any public hearing process as long as the project remains within the approved setbacks.~~

Minor modifications to an approved development order may be approved by the board of commissioners. ~~A minor modification includes changes such as curb cuts, sidewalks, bicycle paths, uses that create an increase in parking requirements (e.g. office to restaurant) or trip generation rate, and complete alterations of architectural style (e.g. old Floridian to brutalist).~~ A minor modification ~~is one which~~ does not increase the density or intensity of the development to occur upon the property; does not result in a reduction or change of previously approved setbacks, open space or public improvements; does not increase the height of the development to occur upon the property; or does not substantially alter the location of any improvements approved for the site. The approved PD zoning conditions, or approved Development Agreement may allow for a percentage of allowances in reduction of

height, intensity, and density and/or increase in setbacks and is not considered a minor modification and does not require further review or consideration by the board of commissioners.

~~There shall be no other modifications of any approved development order permitted by the board of commissioners, without a public hearing.~~ Any applicant desiring such other modifications to an approved development order or approved development plan must commence the planned development approval process anew. Any such applicant must pay the applicable fee and submit the application for a modification to the development order. Such application shall be processed in the same manner as the board of commissioners considered the original development plan, including a public hearing. An amended development order issued pursuant to section 110-394 shall reflect any changed or modified approvals and be recorded in the public records of Pinellas County.

Sec. 110-397. Time limitations.

- (a) Upon failure to complete plans, ~~drawings, and schematics~~ for the proposed development plan within six months of the neighborhood information meeting; the application shall be null and void. No further review or processing of that application shall occur and there shall be no refund of the application fee. The city manager may administratively grant an extension of up to three months upon determination that a good faith effort to submit plans has been made.
- (b) Upon failure to complete plans, ~~drawings, and schematics~~ for the proposed development plan within six months of receiving the technical review comments of the city staff and reviewing agencies; the application shall be null and void. No further review or processing of that application shall occur and there shall be no refund of the application fee or any site plan review fee. The city manager may administratively grant an extension of up to three months upon determination that a good faith effort to submit plans has been made.
- (c) Upon the effective date of an ordinance authorizing a PD district, construction shall commence within ~~12~~ 24 months.
- (d) Upon application filed prior to or on the date of commencement set forth in (c), the city manager may grant a one-year extension of the commencement date upon a determination that a good faith effort to commence construction prior to the commencement date has been made. The city manager may administratively grant up to three one-year extensions. Thereafter, the board of commissioners by resolution may grant a one-year extension of the commencement date upon a determination that a good faith effort to commence construction prior to the commencement date has been made.
- (e) Upon failure to commence construction within the specified time or failure to comply with Section 104.5 of the Florida Building Code:
 - (1) The ordinance rezoning this site to PD shall be automatically deemed repealed;
 - (2) The zoning for the site shall revert to the zoning classification that existed on the site prior to approval thereof; and
 - (3) No further development shall occur on site and no building permit or development order shall be issued thereafter under the terms of the PD district.
- ~~(f) After the commencement date described in subsection (a), no building permit or development order for a new or expanded structure shall be issued under the terms of the PD district without the board of commissioner's approval. Authorization of the PD district shall not create a right to such issuance.~~
- ~~(g)~~ "Construction" for purposes of this section, shall mean obtaining a building permit for a structure or structures authorized in the PD district and initiating substantial site and structural improvements, not including land clearing, land filling and soil compaction.

~~All time limitations set forth in this section shall be applicable to all PD applications filed with the city, as of September 26, 2006.~~

Secs. 110-398—110-400. Reserved.

Section 2. For purposes of codification of any existing section of the Madeira Beach Code herein amended, words **underlined** represent additions to original text, words **stricken** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 3. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 4. In the event a court of competent jurisdiction finds any part or provision of the Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

Section 5. The Codifier shall codify the substantive amendments to the Land Development Code of the City of Madeira Beach contained in Section 1 of this Ordinance as provided for therein and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2025.

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____



January 28, 2025

Andrew Morris, AICP
Long Range Planner
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708

RE: Review of ordinances from the City of Madeira Beach (Ordinances 2025-04, 2025-05, and 2025-06)

Dear Andrew,

Thank you for submitting the proposed amendments to the Countywide Rules, which include revisions to the Planned Development Zoning District, Floodplain Management, and the Capital Improvements Program. After reviewing the ordinances, we find them consistent with the Countywide Rules, with the following comments:

- **Planned Development Zoning District Revisions:** This ordinance aligns with the Countywide Rules by supporting appropriate land-use standards and development practices.
- **Floodplain Management - Use of Recreational Vehicles as Temporary Shelters:** The proposed amendments are consistent with the Countywide Rules, ensuring compliance with safety regulations for floodplain management.
- **Capital Improvements Program Update for Fiscal Years 2025-2030:** This update is consistent with the Countywide Rules, aligning with regional infrastructure planning and funding objectives.

We recognize that the consistency process is an ongoing one, and if either the County or Forward Pinellas staff has failed to note a matter governed by the consistency process in the course of this review, we will be happy to work with you to resolve any such matter as may be necessary.

If you have any questions, please feel free to call me at 727-464-5679 or email me at ewennick@forwardpinellas.org.

Sincerely,

Emma Wennick

Emma Wennick
Program Planner

Business Impact Estimate

Proposed ordinance's title/reference:
Ordinance 2025-04: Planned Development

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Madeira Beach is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Madeira Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Madeira Beach hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

Ordinance 2025-04: Planned Development amends the Planned Development (PD) division in the Madeira Beach Code of Ordinances to fix inconsistencies, reference the Forward Pinellas Countywide Rules, and update the standards in that division to current practices.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Madeira Beach, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City of Madeira Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

No foreseen direct economic impact of the proposed ordinance.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

No foreseen impact on businesses with the proposed ordinance.

4. Additional information the governing body deems useful (if any):

Chapter 110 Zoning, Article V. Districts, Division 10 PD, Planned Development in the Madeira Beach Code of Ordinances has some inconsistencies that need to be resolved. Ordinance 2025-04 fixes these inconsistencies.

**Memorandum**

Meeting Details: February 12, 2025 – Board of Commissioners Regular Meeting

Prepared For: Honorable Mayor and Board of Commissioners

From: Community Development Department

Subject: Ordinance 2025-05: Temporary shelters on residential property, 1st Reading and Public Hearing

Background:

Florida Statute 166.0335 prohibits municipalities from prohibiting one temporary shelter on residential property after the Governor issues a declaration of state of emergency.

Discussion:

Madeira Beach Land Development Regulations do not allow occupied recreational vehicles (Section 94-103) and do not provide any allowances after a state of emergency. Florida Statute 166.0335 prohibits municipalities from prohibiting the placement of one temporary shelter on residential properties after a natural emergency during which a permanent residential structure was damaged and rendered uninhabitable. The Statute includes standards for temporary shelters such as time limitations, connection to water and electricity, and that the shelter does not present a threat to health and human safety. The National Flood Insurance Program also has requirements in the floodplain for structures such as recreational vehicles, one of which being the vehicle must be fully licensed and ready for highway use.

The Planning Commission recommended approval of Ordinance 2025-05 on February 3, 2025, with the addition that the vehicle needs to be on the subject property and maintain a five-foot setback from the curb edge of a street. Staff discussed the Planning Commission's recommendation with the City Attorney who recommended not to include the five-foot setback in the Ordinance.

Recommendation(s):

The Planning Commission recommends approval of Ordinance 2025-05 Temporary Shelters on Residential Properties with the addition that the vehicle maintains a five-foot setback from the curb edge of a street. Staff recommends approval of Ordinance 2025-05.

Fiscal Impact or Other:

N/A

Attachments:

- Ordinance 2025-05 Temporary Shelters on Residential Properties
- FS 166.0335 Temporary Shelter Provision
- NFIP Regulations Section 60.3
- MB CD 25-01 Consistency Letter
- Ordinance 2025-05 Business Impact Statement

ORDINANCE 2025-05

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 94 FLOODPLAIN MANAGEMENT, DIVISION 10. FLOOD RESISTANT DEVELOPMENT, ARTICLE I. BUILDINGS AND STRUCTURES, SECTION 94-103. MANUFACTURED HOMES AND RECREATIONAL VEHICLES, OF THE CITY'S LAND DEVELOPMENT CODE PROVIDING FOR THE USE OF RECREATIONAL VEHICLES AS TEMPORARY SHELTERS ON RESIDENTIAL PROPERTIES FOLLOWING A NATURAL EMERGENCY; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Madeira Beach's Land Development regulations do not allow for occupied recreational vehicles; and

WHEREAS, Florida Statute 166.0335 prohibits municipalities from prohibiting the placement of one temporary shelter on residential properties after a natural emergency during which a permanent residential structure was damaged and rendered uninhabitable; and

WHEREAS, Florida Statute 166.0335 includes standards for the temporary shelter which includes time limitations, connection to water and electricity, and that the shelter does not present a threat to health and human safety; and

WHEREAS, Florida Statute 166.0335 requires the resident to live in the temporary structure; and

WHEREAS, the National Flood Insurance Program (NFIP) requires minimum standards for occupied recreational vehicles; and

WHEREAS, City staff has recommended certain revisions to the Land Development Code to provide for the use of temporary shelters after a natural emergency during which a permanent residential structure was damaged and rendered uninhabitable; and

WHEREAS, the Planning Commission has considered the recommended changes referenced above at a public hearing and has recommended approval to the Board of Commissioners; and

WHEREAS, the recommendations of the Planning Commission and city staff have been found meritorious by the Board of Commissioners; and

WHEREAS, the Board of Commissioners held two public hearings to consider the approval of the recommended changes and the adoption of this ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Chapter 94 (Floodplain Management) Division 10. (Flood Resistant Development) Article I (Buildings and Structures) Section 94-103 (Manufactured homes and recreational vehicles) of the Land Development Code of the City of Madeira Beach is hereby amended to read as follows:

Sec. 94-103. Manufactured homes and recreational vehicles.

In accordance with ~~the chapter~~ Chapter 110, Zoning, permitted uses and special exceptions do not include manufactured homes or occupied recreational vehicles unless used for a temporary shelter on residential property following a declaration of state of emergency issued by the Governor for a natural emergency during which a permanent residential structure was damaged and rendered uninhabitable.

Recreational vehicles used for temporary shelter on residential property after a natural emergency must be fully licensed and ready for highway use, connected to water and electric utilities, does not present a threat to health and human safety, parked on the subject property, and cannot be on site for more 36 months after the date of the declaration or until a certificate of occupancy is issued on the permanent residential structure on the property, whichever occurs first. The resident must live in the recreational vehicle and make a good faith effort to rebuild or renovate the damaged permanent residential structure including, but not limited to applying for a building permit, submitting a plan or design to the City or obtaining a construction loan.

Section 2. For purposes of codification of any existing section of the Madeira Beach Code herein amended, words underlined represent additions to original text, words ~~stricken~~ are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 3. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 4. In the event a court of competent jurisdiction finds any part or provision of the Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

Section 5. The Codifier shall codify the substantive amendments to the Land Development Code of the City of Madeira Beach contained in Section 1 of this Ordinance as provided for therein and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect

immediately upon adoption.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH,
FLORIDA, THIS _____ day of _____, 2025.**

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____

West's Florida Statutes Annotated
Title XII. Municipalities (Chapters 165-185)
Chapter 166. Municipalities (Refs & Annos)
Part I. General Provisions

West's F.S.A. § 166.0335

166.0335. Temporary shelter prohibition

Effective: July 1, 2023

[Currentness](#)

(1) For the purposes of this section, the term “temporary shelter” includes, but is not limited to, a recreational vehicle, trailer, or similar structure placed on a residential property.

(2) Notwithstanding any other law, ordinance, or regulation to the contrary, following the declaration of a state of emergency issued by the Governor for a natural emergency as defined in [s. 252.34\(8\)](#) during which a permanent residential structure was damaged and rendered uninhabitable, a municipality may not prohibit the placement of one temporary shelter on the residential property for up to 36 months after the date of the declaration or until a certificate of occupancy is issued on the permanent residential structure on the property, whichever occurs first, if all of the following circumstances apply:

(a) The resident makes a good faith effort to rebuild or renovate the damaged permanent residential structure, including, but not limited to, applying for a building permit, submitting a plan or design to the municipality, or obtaining a construction loan.

(b) The temporary shelter is connected to water and electric utilities and does not present a threat to health and human safety.

(c) The resident lives in the temporary structure.

Credits

Added by [Laws 2023, c. 2023-304, § 2, eff. July 1, 2023](#).

West's F. S. A. § 166.0335, FL ST § 166.0335

Current with laws, joint and concurrent resolutions and memorials in effect from the 2024 second regular session. The statutes include changes from the Florida Revisor of Statutes.

End of Document

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APPENDIX E:

NFIP REGULATIONS

This Appendix contains the text of the Code of Federal Regulations (CFR) for the National Flood Insurance Program: 44 CFR Parts 59, 60, 65, and 70.

TITLE 44--EMERGENCY MANAGEMENT AND ASSISTANCE

CHAPTER I--FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY

PART 59--GENERAL PROVISIONS – Table of Contents

Subpart A--General

Sec.

59.1 Definitions.

59.2 Description of program.

59.3 Emergency program.

59.4 References.

Subpart B--Eligibility Requirements

Sec.

59.21 Purpose of subpart.

59.22 Prerequisites for the sale of flood insurance.

59.23 Priorities for the sale of flood insurance under the regular program.

59.24 Suspension of community eligibility.

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

Subpart A--General

§ 59.1 Definitions.

As used in this subchapter—

“Act” means the statutes authorizing the National Flood Insurance Program that are incorporated in 42 U.S.C. 4001-4128.

“Actuarial rates”--see “risk premium rates”.

“Administrator” means the Federal Insurance Administrator.

“Agency” means the Federal Emergency Management Agency, Washington DC.

“Alluvial fan flooding” means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and, unpredictable flow paths. “Apex” means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

“Applicant” means a community which indicates a desire to participate in the Program.

“Appurtenant structure” means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

“Area of future-conditions flood hazard” means the land area that would be inundated by the 1percent-annual-chance (100-year) flood based on future-conditions hydrology.

“Area of shallow flooding” means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

“Area of special flood-related erosion hazard” is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation collapse and lateral movement.

(7) Require within any AO zone on the community's FIRM that all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified);

(8) Require within any AO zone on the community's FIRM that all new construction and substantial improvements of nonresidential structures

(i) have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or

(ii) together with attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in Sec. 60.3(c)(3)(ii);

(9) Require within any A99 zones on a community's FIRM the standards of paragraphs (a)(1) through (a)(4)(i) and (b)(5) through (b)(9) of this section;

(10) Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(11) Require within Zones AH and AO, adequate drainage paths around structures on slopes, to guide

floodwaters around and away from proposed structures.

(12) Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A-1-30, AH, and AE on the community's FIRM that are not subject to the provisions of paragraph (c)(6) of this section be elevated so that either

(i) The lowest floor of the manufactured home is at or above the base flood elevation, or

(ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

(13) Notwithstanding any other provisions of Sec. 60.3, a community may approve certain development in Zones A1-30, AE, and AH, on the community's FIRM which increase the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision, fulfills the requirements for such a revision as established under the provisions of Sec. 65.12, and receives the approval of the Administrator.

(14) Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either

(i) Be on the site for fewer than 180 consecutive days,

(ii) Be fully licensed and ready for highway use, or

(iii) Meet the permit requirements of paragraph (b)(1) of this section and the elevation and anchoring requirements for "manufactured homes" in paragraph (c)(6) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards. Such enclosed space shall be useable solely for parking of vehicles, building access, or storage.

(6) Prohibit the use of fill for structural support of buildings within Zones V1-30, VE, and V on the community's FIRM;

(7) Prohibit man-made alteration of sand dunes and mangrove stands within Zones V1-30, VE, and V on the community's FIRM which would increase potential flood damage.

(8) Require that manufactured homes placed or substantially improved within Zones V1-30, V, and VE on the community's FIRM on sites

(i) Outside of a manufactured home park or subdivision,

(ii) In a new manufactured home park or subdivision,

(iii) In an expansion to an existing manufactured home park or subdivision, or

(iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, meet the standards of paragraphs (e)(2) through (7) of this section and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the community's FIRM meet the requirements of paragraph (c)(12) of this section.

(9) Require that recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's FIRM either

(i) Be on the site for fewer than 180 consecutive days,

(ii) Be fully licensed and ready for highway use, or

(iii) Meet the requirements in paragraphs (b)(1) and (e) (2) through (7) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(f) When the Administrator has provided a notice of final base flood elevations within Zones A1-30 or AE on the community's FIRM, and, if appropriate, has designated AH zones, AO zones, A99 zones, and A zones on the community's FIRM, and has identified flood protection restoration areas by designating

Zones AR, AR/A1-30, AR/AE, AR/AH, AR/AO, or AR/A, the community shall:

(1) Meet the requirements of paragraphs (c)(1) through (14) and (d)(1) through (4) of this section.

(2) Adopt the official map or legal description of those areas within Zones AR, AR/A1-30, AR/AE, AR/AH, AR/A, or AR/AO that are designated developed areas as defined in Sec.59.1 in accordance with the eligibility procedures under Sec.65.14.

(3) For all new construction of structures in areas within Zone AR that are designated as developed areas and in other areas within Zone AR where the AR flood depth is 5 feet or less:

(i) Determine the lower of either the AR base flood elevation or the elevation that is 3 feet above highest adjacent grade; and

(ii) Using this elevation, require the standards of paragraphs (c)(1) through (14) of this section.

(4) For all new construction of structures in those areas within Zone AR that are not designated as developed areas where the AR flood depth is greater than 5 feet:

(i) Determine the AR base flood elevation; and

(ii) Using that elevation require the standards of paragraphs (c)(1) through (14) of this section.

(5) For all new construction of structures in areas within Zone AR/A1-30, AR/AE, AR/AH, AR/AO, and AR/A:

(i) Determine the applicable elevation for Zone AR from paragraphs (a)(3) and (4) of this section;

(ii) Determine the base flood elevation or flood depth for the underlying A1-30, AE, AH, AO and A Zone;

and (iii) Using the higher elevation from paragraphs (a)(5)(i) and (ii) of this section require the standards of paragraphs (c)(1) through (14) of this section.

(6) For all substantial improvements to existing construction within Zones AR/A1-30, AR/AE, AR/AH, AR/AO, and AR/A:

(i) Determine the A1-30 or AE, AH, AO, or A Zone base flood elevation; and

(ii) Using this elevation apply the requirements of paragraphs (c)(1) through (14) of this section.

(7) Notify the permit applicant that the area has been designated as an AR, AR/A1-30, AR/AE, AR/AH, AR/AO, or AR/A Zone and whether the structure will be elevated or protected to or above the AR base flood elevation.

[41 FR 46975, Oct. 26, 1976]

Editorial Note: For Federal Register citations affecting Sec. 60.3, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.



January 28, 2025

Andrew Morris, AICP
Long Range Planner
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708

RE: Review of ordinances from the City of Madeira Beach (Ordinances 2025-04, 2025-05, and 2025-06)

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Thank you for submitting the proposed amendments to the Countywide Rules, which include revisions to the Planned Development Zoning District, Floodplain Management, and the Capital Improvements Program. After reviewing the ordinances, we find them consistent with the Countywide Rules, with the following comments:

- **Planned Development Zoning District Revisions:** This ordinance aligns with the Countywide Rules by supporting appropriate land-use standards and development practices.
- **Floodplain Management - Use of Recreational Vehicles as Temporary Shelters:** The proposed amendments are consistent with the Countywide Rules, ensuring compliance with safety regulations for floodplain management.
- **Capital Improvements Program Update for Fiscal Years 2025-2030:** This update is consistent with the Countywide Rules, aligning with regional infrastructure planning and funding objectives.

We recognize that the consistency process is an ongoing one, and if either the County or Forward Pinellas staff has failed to note a matter governed by the consistency process in the course of this review, we will be happy to work with you to resolve any such matter as may be necessary.

If you have any questions, please feel free to call me at 727-464-5679 or email me at ewennick@forwardpinellas.org.

Sincerely,

Emma Wennick

Emma Wennick
Program Planner

Business Impact Estimate

Proposed ordinance’s title/reference:
Ordinance 2025-05: Temporary Shelters on Residential Property

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Madeira Beach is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Madeira Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Madeira Beach hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

Ordinance 2025-05 is in response to FS 166.0335, which prohibits local jurisdictions from prohibiting one temporary shelter on residential properties after a natural emergency during which a permanent residential structure was rendered uninhabitable.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Madeira Beach, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City of Madeira Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

No foreseen direct economic impact of the proposed ordinance. This ordinance only applies to residential properties.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

No foreseen impact on businesses with the proposed ordinance. This ordinance only applies to residential properties.

4. Additional information the governing body deems useful (if any):

Florida Statute 166.0335



Memorandum

Meeting Details: February 12, 2025 – Board of Commissioners Regular Meeting
Prepared For: Honorable Mayor and Board of Commissioners
Staff Contact: Community Development Department
Subject: Ordinance 2025-06 Amendment to Capital Improvement Element of Comprehensive Plan, 1st Hearing and Public Reading

Background

Each fiscal year, the city is required by Florida Statutes and by its own comprehensive plan to amend its 5-year Capital Improvements Program (CIP) and update the Capital Improvements Element of the Comprehensive Plan.

Discussion

The Planning Commission acting as the Local Planning Agency (LPA) is required to review and make recommendations regarding the CIP and then have a public hearing to update the Capital Improvements Element of the Comprehensive Plan. The portions of the CIP that are to be reviewed are those facility improvements of \$100,000 or more that affect the levels of service standards adopted in the Comprehensive Plan.

The Planning Commission recommended approval of Ordinance 2025-06 on February 3, 2025.

Fiscal Impact

The total fiscal impact of the Capital Improvements Program is \$44,924,500: \$20,075,500 for FY 2025, \$15,125,000 for FY 2026, \$7,820,000 for FY 2027, \$744,000 for FY 2028, \$1,160,000 for FY 2029, and \$0 for FY 2030.

Recommendation(s)

Planning Commission and staff recommend the approval of Ordinance 2025-06.

Attachments/Corresponding Documents

- Ordinance 2025-06
- MB CD 25-01 Consistency Letter
- Ordinance 2025-06 Business Impact Statement

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH TO UPDATE THE CAPITAL IMPROVEMENT PROGRAM (CIP) SCHEDULE OF CAPITAL IMPROVEMENTS FOR FISCAL YEARS 2025 THROUGH 2030; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City of Madeira Beach Planning Commission conducted a public hearing and accepted public input regarding the update to the Capital Improvement Program (CIP) Schedule of Capital Improvements for the fiscal years 2025 through 2030 in the Capital Improvements Element of Comprehensive Plan of the City of Madeira Beach and provided its recommendation to the Board of Commissioners; and

WHEREAS, the City of Madeira Beach Board of Commissioners has considered the Planning Commission’s recommendations and received input from the public at two public hearings.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA THAT;

Section 1. That the Capital Improvement Program (CIP) Schedule of Capital Improvements of the Capital Improvements Element of the City of Madeira Beach Comprehensive Plan is hereby amended and shall read as follows:

Item 10C.

<u>Account Description</u>	<u>Project Title</u>	<u>Description</u>	<u>Fiscal Year 2025</u>	<u>Fiscal Year 2026</u>	<u>Fiscal Year 2027</u>	<u>Fiscal Year 2028</u>	<u>Fiscal Year 2029</u>	<u>Fiscal Year 2030</u>
Capital Improvements	City Hall Veranda & Stair Replacement	Replace tiles along the stairs and the second-floor veranda of City Hall. The current tile is not all slip resistant, and grout is coming out on the stairs.	<u>150,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	Chamber Upgrades	Upgrade the equipment on the AV rack in the chamber room.	<u>20,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	Replace 2016 Duralift mounted bucket	Replace Duralift mounted bucket on truck #19	<u>-</u>	<u>45,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	Replace #44 Caterpillar Backhoe	Replace 2018 Caterpillar Backhoe	<u>-</u>	<u>-</u>	<u>-</u>	<u>85,000</u>	<u>-</u>	<u>-</u>

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<u>Account Description</u>	<u>Project Title</u>	<u>Description</u>	<u>Fiscal Year 2025</u>	<u>Fiscal Year 2026</u>	<u>Fiscal Year 2027</u>	<u>Fiscal Year 2028</u>	<u>Fiscal Year 2029</u>	<u>Fiscal Year 2030</u>
Capital Improvements	<u>Interior Remodel/improvement for storage</u>	<u>The fire station needs air-conditioned storage space for uniforms, public education & community risk reduction items as well as other station related items unable to be stored in an outside environment.</u>	<u>10,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Improvements	<u>Painting of station; interior & exterior</u>	<u>Painting of the interior and exterior of fire station once repairs are made after pending litigation</u>	<u>65,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>Appliances - Kitchen & Laundry Replacement</u>	<u>Replace the kitchen and laundry appliances in the fire station</u>	<u>18,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>Replacement of MDTs</u>	<u>Replacement of MDTs per replacement policy</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>34,000</u>	<u>-</u>	<u>-</u>

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<u>Account Description</u>	<u>Project Title</u>	<u>Description</u>	<u>Fiscal Year 2025</u>	<u>Fiscal Year 2026</u>	<u>Fiscal Year 2027</u>	<u>Fiscal Year 2028</u>	<u>Fiscal Year 2029</u>	<u>Fiscal Year 2030</u>
Capital Equipment	<u>MDTs - Replacement</u>	<u>Pinellas County is mandating that all departments obtain MDTs that must meet specifications outlined by the County. 1 Admin Vehicle MB400 and 3 Apparatus</u>	<u>24,500</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>Bunker Gear Replacement</u>	<u>Replacement of 14 sets of outdated bunker gear per NFPA</u>	<u>-</u>	<u>-</u>	<u>50,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>SCBA Replacement</u>	<u>Replacement of SCBA equipment - replacement recommended by NFPA Standards; Department applied for AFG Grant</u>	<u>310,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Improvements	<u>Recreation Center Fire Suppression System</u>	<u>Fire suppression system for Recreation building.</u>	<u>150,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

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Capital Improvements	<u>Field Maintenance Vehicle</u>	<u>New field maintenance vehicle/rake/leveler.</u>	<u>45,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Improvements	<u>Public Works & Building Services Facility</u>	<u>Building for Public Works employees & vehicles and Building Services operations</u>	<u>1,000,000</u>	<u>1,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>Replacement of T125</u>	<u>Replacement of T125 (2017) per City replacement policy</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>1,100,000</u>	<u>-</u>
Capital Equipment	<u>Deputy Chief Vehicle</u>	<u>New position of Deputy Chief; vehicle will serve as a command center during emergency calls. Includes outfitting of vehicle and MDT</u>	<u>69,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

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<u>Account Description</u>	<u>Project Title</u>	<u>Description</u>	<u>Fiscal Year 2025</u>	<u>Fiscal Year 2026</u>	<u>Fiscal Year 2027</u>	<u>Fiscal Year 2028</u>	<u>Fiscal Year 2029</u>	<u>Fiscal Year 2030</u>
Capital Equipment	<u>Replacement of MB100 Vehicle</u>	<u>Replace current 2017 Ford Explorer through Florida Sheriffs Cooperative Purchasing Program. Utilizing the LOST Fund including outfitting & MDT.</u>	<u>69,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Improvements	<u>Shade Awnings and Dugout Replacement</u>	<u>Replace dugouts and add shade awnings to Recreation Fields.</u>	<u>200,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Improvements	<u>Concession Stand</u>	<u>Engineering and Construction of Concession Stand Replacement. Upgrade of restroom facilities, concession kitchen, storage, and office space.</u>	<u>500,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Improvements	<u>Basketball Court Enclosure</u>	<u>Building to enclose existing basketball court.</u>	<u>-</u>	<u>500,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

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Capital Equipment	Recreation Truck	Truck to be utilized by the Recreation Department for range of department needs included maintenance, special events, and other activities.	<u>50,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	Passenger Van Replacement	Vehicle Replacement for #97 - Ford Van	<u>-</u>	<u>60,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Improvements	Roadway Resurfacing Village Blvd, Boardwalk Pl, & Surface Lot	Mill and resurface Village Blvd, Boardwalk Place, and the surface parking lot.	<u>1,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Improvements	Mill and Resurface parking lot at Archibald	Mill and Resurface the parking lot and thermo stripe	<u>500,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Improvements	Archibald Restroom rebuild.	Demo and Rebuild Archibald Restrooms	<u>1,500,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

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Capital Improvements	<u>Beach Groin Renourishment Project</u>	<u>50% Match Grant with FDEP to renourish the 22-23 exposed beach groins.</u>	<u>1,500,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>#40 Replacement F350 dump truck</u>	<u>Replace #40 a 2009 F350 dump truck</u>	<u>-</u>	<u>150,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>Replace #36 Chevy 1500 with a utility bed</u>	<u>Replace #36 a Chevy 1500 with a utility bed</u>	<u>-</u>	<u>60,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>Replace #109 John Deere Gator 825i</u>	<u>Replace 2016 John Deere Gator 825i</u>	<u>25,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>Replace #112 Chevy 1500 with liftgate</u>	<u>Replace 2018 Chevy 1500 with liftgate</u>	<u>-</u>	<u>60,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Buildings	<u>Satellite Office</u>	<u>Multi-purpose satellite office associated with construction of public works facility for enforcement of Florida Building Code</u>	<u>500,000</u>	<u>500,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Improvements	<u>Metal Roof for boatlift</u>	<u>Metal roof over boatlifts to protect boat(s)</u>	<u>75,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

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Capital Improvements	<u>Additional Building Department Vehicle Parking</u>	<u>Additional parking spaces for building department vehicles at City Centre</u>	<u>75,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Improvements	<u>Reconfigure Building Department Permit Desk</u>	<u>Redesign permit desk to create more office space</u>	<u>25,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>Replace #26 Kenworth T880</u>	<u>Replace #26 a 2020 Kenworth T880 with 32 Yd Heil Packer</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>350,000</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>Replace #29 Kenworth T880</u>	<u>Replace #29 2019 Kenworth T880 with 32 yd Heil Packer</u>	<u>-</u>	<u>-</u>	<u>325,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>Replace #3 F250</u>	<u>Replace 2019 F250 with Easy Dump</u>	<u>-</u>	<u>75,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>Replace #68 F250</u>	<u>Replace 2019 F250 with Easy Dump</u>	<u>-</u>	<u>75,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>Replace #24 Chevy Silverado 1500</u>	<u>Replace a 2019 Chevy Silverado 1500 with a liftgate</u>	<u>-</u>	<u>-</u>	<u>60,000</u>	<u>-</u>	<u>-</u>	<u>-</u>

<u>Account Description</u>	<u>Project Title</u>	<u>Description</u>	<u>Fiscal Year 2025</u>	<u>Fiscal Year 2026</u>	<u>Fiscal Year 2027</u>	<u>Fiscal Year 2028</u>	<u>Fiscal Year 2029</u>	<u>Fiscal Year 2030</u>
Capital Equipment	Replace #5 Chevy Silverado	Replace a 2019 Chevy Silverado 1500 with a liftgate	-	-	60,000	-	-	-
Capital Equipment	Replace #18 Peterbuilt Claw truck	Replace #18 2023 Peterbuilt Claw truck	-	-	275,000	-	-	-
Capital Equipment	Replace #21 Broyhill Load & Pack	Replace #21 2020 Broyhill Load & Pack	-	-	-	275,000	-	-
Drainage & Roadway Improvement	Area 6a - 155th Ave, 154th Ave, 153rd Ave, 1st St E, 2nd St E, Harbor Dr and Municipal Dr	Mill and resurface, fix curbing and upgrade stormwater inlets and outfalls as needed	4,000,000	-	-	-	-	-
Drainage & Roadway Improvement	Area 5 - 131st Ave E & 129th Ave.	Mill & Resurface, Curb Repair, and Stormwater drainage improvements	495,000	-	-	-	-	-
Drainage & Roadway Improvement	Area 3 - East Parsley, West Parsley, Margueirte Dr, A Street, B Street, and Lynn Way	Mill & Resurface, Curb Repair, and Stormwater drainage improvements	500,000	-	-	-	-	-

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<u>Account Description</u>	<u>Project Title</u>	<u>Description</u>	<u>Fiscal Year 2025</u>	<u>Fiscal Year 2026</u>	<u>Fiscal Year 2027</u>	<u>Fiscal Year 2028</u>	<u>Fiscal Year 2029</u>	<u>Fiscal Year 2030</u>
Drainage & Roadway Improvement	Area 9 - Bay Point, Pruitt, Sunset Cove, Virginia, S Bayshore, & Marlyn Way	Bay Point, Pruitt, Sunset Cove, Virginia, S Bayshore, & Marlyn Way Mill Resurface, Storm Repair/replacement and Curb	200,000	7,000,000	-	-	-	-
Drainage & Roadway Improvement	Area 4 - E Madeira Ave, N Bayshore to 145th, 1st Ave E, 148th Ave, 147th Ave, 146th Ave, 145th Ave.	E Madeira Ave, N Bayshore to 145th, 1st Ave E, 148th Ave, 147th Ave, 146th Ave, 145th Ave. Mill & Resurface, Curb Repair, and Stormwater drainage improvements.	-	200,000	7,000,000	-	-	-
Drainage & Roadway Improvement	Area 7 - American Legion Dr.	American Legion Dr. Mill & Resurface, Curb Repair, and Stormwater drainage improvements	1,500,000	-	-	-	-	-
Capital Equipment	Replace #70 F250	Replace 2021 F250 with Utility Body	-	-	-	-	60,000	-

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Capital Equipment	Replace #77 Elgin Whirlwind Street Sweeper	Replace 2018 Elgin Whirlwind Street Sweeper	-	350,000	-	-	-	-
Capital Equipment	Replace #111 - 2016 Chevy Silverado 2500	Replace a 2016 Chevy Silverado 2500 - With a similar truck for use during flooding.	60,000	-	-	-	-	-
Capital Equipment	Replace #110 - 2016 Chevy Silverado 2500	Replace a 2016 Chevy Silverado 2500 - With a similar truck for use during flooding.	60,000	-	-	-	-	-
Capital Improvements	Marina Seawall Replacement	The replacement of 360' of seawall, from the boat ramp to the fuel dock. This project was approved in FY 2024 and may not be completed by the end of FY 2024.	200,000	-	-	-	-	-

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Capital Equipment	<u>Additional Fuel Dispenser</u>	<u>Add another dual pump/hose Gasoline dispenser to help increase revenue and customer service.</u>	<u>30,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Improvements	<u>Parking Garage</u>	<u>Multimodal transportation facility at John's Pass Village</u>	<u>5,000,000</u>	<u>5,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Capital Equipment	<u>ParkSmart's smart sensors</u>	<u>ParkSmart's smart sensors monitor individual parking spaces and relay occupancy. ALPR cameras may also be added; another Kubota is available for events and patrol.</u>	<u>150,000</u>	<u>50,000</u>	<u>50,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total:			<u>20,075,500</u>	<u>15,125,000</u>	<u>7,820,000</u>	<u>744,000</u>	<u>1,160,000</u>	<u>=</u>

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Military Honor Court	Construction of the Military Honor Court	250,000-						
Replace #44	Replace 2018 Caterpillar Backhoe					85,000-		
Replace #19	Replace 2004 Ford F550	75,000-						
Replace 2016 Duralift mounted bucket	Replace Duralift mounted buck on truck #19			45,000-				
Painting of Fire Station	Painting of Fire Station	50,000-						
Replacement of SCBA	Replacement of Self-Contained Breathing Apparatus		250,000-					
Replacement of Bunker Gear -- Lucas	Replacement of Bunker Gear per NFPA -- Lucas						5,000-	
Replacement of Portable Radios	Replacement of portable radios and updating the communications equipment per replacement plan	53,000-						

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Replacement of Portable Radios- Emergency Communications	Replacement schedule- Portable Radios- for Emergency Communication s-	---	---	---	---	---	---	55,000-
Replacement of Kitchen Appliances-	Replacement of Kitchen Appliances-	---	---	12,000-	---	---	---	---
Replacement of Mobile Data Terminals-	Replacement of MDTs with refurbished 3 yr warranty- Panasonic Toughbooks-	---	11,000-	---	---	---	---	---
Replacement of Bunker Gear per NFPA -- Ubiles --	Replacement of Bunker Gear per NFPA -- Ubiles-	---	---	---	4,500-	---	---	---
Replacement of Bunker Gear -- Whitfield-	Replacement of Bunker Gear per NFPA -- Whitefield-	---	---	---	---	---	---	5,000-
Replacement of Bunker Gear -- Wasilewski-	Replacement of Bunker Gear per NFPA -- Wasilewski-	---	---	---	---	---	---	5,000-
Replacement of Bunker Gear -- Roberts	Replacement of Bunker Gear per NFPA -- Roberts-	---	---	4,500-	---	---	---	---

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Replacement of Bunker Gear – Childers	Replacement of Bunker Gear per NFPA – Childers	—	4,500	—	—	—	—	—
Replacement of MDTs	Replacement schedule of Mobile Data Terminals	—	—	—	—	12,000	—	—
Replacement of all 2017 sets of bunker gear per NFPA	Per NFPA 10-yr old bunker gear must be replaced – primary or secondary	—	—	—	50,000	—	—	—
Replacement Appliances – Laundry	Replacement of 10-yr old appliances in the fire station (laundry)	8,500	—	—	—	—	—	—
Brick Pavers under shade awnings	Paver area under two shade awnings in Ball Field Area.	25,000	—	—	—	—	—	—

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Engineering for Concession/Basketball Court Facility	Engineering for Concession/Basketball Court Facility on existing tennis court location. Increased size of restrooms and enclosure of courts to expand programming offerings.	100,000	_____	_____	_____	_____	_____	_____
Public Works & Building Services Facility	Building for Public Works employees & vehicles and Building Services operations.	1,500,000	_____	_____	_____	_____	_____	_____
Johns Pass Park Parking lot Improvements	Mill, Resurface, Stripe, and Improve Johns Pass Parking lot area.	450,000	_____	_____	_____	_____	_____	_____
Quick Response Vehicle	Quick Response Vehicle (LOST Fund)	100,000	_____	_____	_____	_____	_____	_____
Replacement of T125	Replacement schedule of 2017 Rosenbauer Truck 25	_____	_____	_____	_____	_____	1,100,000	_____

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Replacement of 2014 Polaris Ranger	Replacement of 2014 Polaris Ranger	25,000-		—	—	—		—
Replacement of 2017 Explorer	Replacement of Fire Chief's vehicle per City's vehicle replacement plan- LOST Fund	—	55,000-	—	—	—		—
Concession Stand	Engineering and Construction of Concession Stand Replacement. Upgrade of restroom facilities, concession kitchen, storage, and office space.	—	500,000-	—	—	—		—
Recreation Center Solar	Solar on roof of Recreation Center—BP Funds	100,000-		—	—	—		—
Dog Park	Dog park upgrade. Synthetic turf and other improved features.	200,000-		—	—	—		—

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Shade Awnings and Dugout Replacement	Replace dugouts and add shade awnings to Recreation Fields.	200,000-						
Basketball Court Enclosure	Building to enclose existing basketball court.		500,000-					
Concrete around Field 2	Concrete on both sides of Field 2 to replace existing shell which is currently in place. Improves seating access and minimizes maintenance to the area.	30,000-						
City Centre Complex Sidewalk	Replacement of Sidewalk along Rex Place	25,000-						
Recreation Truck	Vehicle Replacement for #20—Chevy Silverado		40,000-					
Passenger Van Replacement	Vehicle Replacement for #97—Ford Van			40,000-				

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Bus Replacement for Social Club	Replacement of E450 Bus with larger, handicap-accessible bus for Senior Program.	150,000						
Roadway Resurfacing Village Blvd, Boardwalk Pl, & Surface Lot	Mill and resurface Village Blvd, Boardwalk Place, and the surface parking lot.		1,000,000					
Archibald Restroom rebuild.	Demo and Rebuild Archibald Restrooms	1,000,000						
Parking lot light repair	Repair the current light system for the parking lot							
Beach Groin Renourishment Project	50% Match Grant with FDEP to renourish the 22-23 exposed beach groins.	3,500,000						
Park Improvements	Enhance pocket parks in Boca Ciega neighborhood	150,000						

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Mill and Resurface parking lot at Archibald	Mill and Resurface the parking lot and thermo stripe	—	450,000	—	—	—	—	—
Patriot Park Fishing Piers rebuild	Rebuild 2 fishing piers located at Patriot Park	125,000	—	—	—	—	—	—
Replace #36	Replace #36 a Chevy 1500 with a utility bed	—	—	60,000	—	—	—	—
#40 Replacement	Replace #40 a 2009 F350 dump truck	—	—	150,000	—	—	—	—
Purchase new F250 Utility Truck	Purchase new F250 utility truck for Grounds Maint. Employee.	60,000	—	—	—	—	—	—
Replace #112	Replace 2018 Chevy 1500 with liftgate	—	—	60,000	—	—	—	—
Replace #109	Replace 2016 John Deere Gator 825i	—	—	25,000	—	—	—	—
Landscape equipment	Landscape equipment needed to maintain city parks.	—	—	—	—	—	—	—

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Satellite office	Satellite office for Building Department in conjunction with new Public Works facility	700,000-						
New 150hp motor for Building Department boat	New motor for Building Department boat	20,000-						
New Ford Lightning Truck	New Building Department Vehicle	65,000-						
Boat Power Poles	Anchor system for building department boat	6,000-						
Replace #21 Broyhill Load & Pack	Replace #21 Broyhill Load & Pack					275,000-		
Replace #29	Replace #29 2019 Kenworth T880 with 32-yd Heil Packer				325,000-			
Replace #68	Replace 2019 F250 with Easy Dump			75,000-				
Replace #33	Replace # 33 a 2016 Peterbilt Garbage truck.	325,000-						

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Replace #26-	Replace #26 a- 2020 Kenworth- T880 with 32- Yd Heil Packer-	---	---	---	---	350,000-	---	---
Truck Lift- Improvement-- 96 gallon cans	Truck Lift- Improvement-- 96 gallon cans-- Three trucks 2- lifts each for- total of 6 units.	---	---	---	---	---	---	---
Replace #18-	Replace #18- 2023 Peterbuilt- Claw truck-	---	---	---	275,000-	---	---	---
Replace #3-	Replace 2019- F250 with Easy- Dump	---	---	75,000-	---	---	---	---
Dual Bin Cleaner- Trailer Mounted-	Dual Bin Trailer mounted cleaner to clean 64G &- 96G containers-	80,000-	---	---	---	---	---	---
Replace #5-	Replace a 2019- Chevy- Silverado 1500- with a liftgate	---	---	---	60,000-	---	---	---
Replace #24-	Replace a 2019- Chevy- Silverado 1500- with a liftgate-	---	---	---	60,000-	---	---	---

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Area 5 - 131st Ave E & 129th Ave.	Mill & Resurface, Curb Repair, and Stormwater drainage improvements	— 2,005,000	— 495,000	—	—	—	—	—
Area 4	E Madeira Ave, N Bayshore to 145th, 1st Ave E, 148th Ave, 147th Ave, 146th Ave, 145th Ave. Mill & Resurface, Curb Repair, and Stormwater drainage improvements.	—	—	200,000	7,000,000	—	—	—
Area 6a - 155th Ave, 154th Ave, 153rd Ave, 1st St E, 2nd St E, Harbor Dr and Municipal Dr	Mill and resurface, fix curbing and upgrade stormwater inlets and outfalls as needed	— 500,000	— 4,000,000	—	—	—	—	—

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Area 9	Bay Point, Pruitt, Sunset Cove, Virginia, S Bayshore, & Marlyn Way Mill Resurface, Storm Repair/replacement and Curb	—	200,000	7,000,000	—	—	—	—
Area 7	American Legion Dr. Mill & Resurface, Curb Repair, and Stormwater drainage improvements	—	1,500,000	—	—	—	—	—
Area 3 - East Parsley, West Parsley, Marguerite Dr, A Street, B Street, and Lynn Way	Mill & Resurface, Curb Repair, and Stormwater drainage improvements	4,000,000	500,000	—	—	—	—	—
Gulf Lane and Beach Access Drainage and Roadway Improvement Project	Mill & Resurface, Curb Repair, and Stormwater drainage improvements	1,800,000	—	—	—	—	—	—
Replace #70	Replace 2021-F250 with Utility Body	—	—	—	—	—	60,000	—

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Replace #111-- 2016 Chevy Silverado 2500	Replace a 2016 Chevy Silverado 2500 --With a similar truck for use during flooding	----- --	----- 60,000	----- --	----- --	----- --	----- --	----- --
Generator replacement for 141st Stormwater Station	The current generator was installed in 2007 and is near the end of its life. Staff would like to run natural gas to cut down on maintenance and fuel costs. Duke proposed an estimate of \$29,000 to run the gas line from Gulf Blvd. Generator Cost estimate at \$60,0000	----- 90,000	-----	----- --	----- --	----- --	-----	----- --
Replace #77	Replace 2018 Elgin Whirlwind Street Sweeper	----- --	-----	----- 350,000	----- --	----- --	-----	----- --

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Replace #110 -- 2016 Chevy Silverado 2500	Replace a 2016 Chevy Silverado 2500 -- With a similar truck for use during flooding	---	60,000-	---	---	---	---	---
Transient Docks	Year 1 -- Engineering & Design Year 2 -- Construction	200,000-	1,000,000-	---	---	---	---	---
Enclose Old Boat Pamp	Connect seawalls along old boat ramp. Remove trees and install a matching vinyl fence. This area will be filled and have a proper EPA approved boat wash down facility. The old washdown facility will be converted into ear parking.	---	50,000-	---	---	---	---	---

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Resurfacing Marina Parking Area	Recoat and resurface asphalt parking area around Marina.	—		—	400,000-	—		—
Seawall Project	Replace 360' of sea wall from the fuel dock to the boat ramp. Cost of 6' high seawall is at \$450.00 per foot.	200,000-		—	—	—		—
Digital Information Sign	Install a high quality informational digital sign in front of the Marina adjacent to 150th avenue. The sign will be used to broadcast public information about Madeira Beach and the Marina.	60,000-		—	—	—		—

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
ParkSmart's in/on-ground smart sensors	ParkSmart's innovative in/on-ground smart sensors monitor individual parking spaces and relay occupancy.	—	50,000	50,000	—	—		—
Parking Garage	Engineering services for parking garage and construction of the garage	3,000,000	3,000,000	—	—	—		—
A parking meter/kiosk	A parking meter/kiosk system can significantly benefit the parking department.	—		—	15,000	15,000		—

Project Title	Item Name	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
New Parking Vehicle	Having an additional vehicle for the parking department would be incredibly helpful in many ways. First and foremost, it would allow for increased efficiency and productivity.	35,000						
Total:		\$21,262,500	\$13,725,500	\$8,146,500	\$8,189,500	\$737,000	\$1,165,000	\$65,000

Section 2. All ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. In the event a court of competent jurisdiction finds any part or provision of the Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

Section 4. Pursuant to Section 163.3184(3), Florida Statutes, the effective date of this plan amendment, if the amendment is not timely challenged, is 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment is effective on the date the state land planning agency, or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution will be sent to the state land planning agency.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2025.

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____



January 28, 2025

Andrew Morris, AICP
Long Range Planner
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708

RE: Review of ordinances from the City of Madeira Beach (Ordinances 2025-04, 2025-05, and 2025-06)

Dear Andrew,

Thank you for submitting the proposed amendments to the Countywide Rules, which include revisions to the Planned Development Zoning District, Floodplain Management, and the Capital Improvements Program. After reviewing the ordinances, we find them consistent with the Countywide Rules, with the following comments:

- **Planned Development Zoning District Revisions:** This ordinance aligns with the Countywide Rules by supporting appropriate land-use standards and development practices.
- **Floodplain Management - Use of Recreational Vehicles as Temporary Shelters:** The proposed amendments are consistent with the Countywide Rules, ensuring compliance with safety regulations for floodplain management.
- **Capital Improvements Program Update for Fiscal Years 2025-2030:** This update is consistent with the Countywide Rules, aligning with regional infrastructure planning and funding objectives.

We recognize that the consistency process is an ongoing one, and if either the County or Forward Pinellas staff has failed to note a matter governed by the consistency process in the course of this review, we will be happy to work with you to resolve any such matter as may be necessary.

If you have any questions, please feel free to call me at 727-464-5679 or email me at ewennick@forwardpinellas.org.

Sincerely,

Emma Wennick

Emma Wennick
Program Planner

Business Impact Estimate

Proposed ordinance's title/reference: ORDINANCE 2025-06: AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH TO UPDATE THE CAPITAL IMPROVEMENT PROGRAM (CIP) SCHEDULE OF CAPITAL IMPROVEMENTS FOR FISCAL YEARS 2025 THROUGH 2030; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Madeira Beach is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Madeira Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Madeira Beach hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

Each fiscal year, the City is required by Florida Statutes and by its own comprehensive plan to amend its 5-year Capital Improvements Program (CIP) and update the Capital Improvements Element of the Comprehensive Plan.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Madeira Beach, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;**
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and**
- (c) An estimate of the City of Madeira Beach’s regulatory costs, including estimated revenues from any new charges or fees to cover such costs.**

The fiscal impact of the Capital Improvement Program (CIP) for the City of Madeira Beach is \$20,075,500 for FY 2025, \$15,125,000 for FY 2026, \$7,820,000 for FY 2027, \$744,000 for FY 2028, \$1,160,000 for FY 2029, \$0 for FY 2030. It is not foreseen there would be direct economic impacts on private businesses by the proposed ordinance.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

There is no foreseen impact on businesses with the proposed ordinance. The fiscal impact of the Capital Improvement Program (CIP) would be on the City of Madeira Beach.

4. Additional information the governing body deems useful (if any):

This ordinance assures that the Madeira Beach Comprehensive Plan is consistent with Florida Statutes.



Memorandum

Meeting Details: February 12, 2025 – Board of Commissioners Regular Meeting
Prepared For: Planning Commission
Staff Contact: Community Development Department
Subject: Ordinance 2025-07 Adult Use Restriction, 1st Reading and Public Hearing

Background

Florida Legislature recently created Florida Statute 787.30 which sets a minimum age for employment at adult use establishments at 21 years of age effective January 1, 2025.

Discussion

In order to comply with State Law and in an effort to reduce human trafficking locally, the City Attorney has reviewed the current provisions of Division 13 (Adult Entertainment Uses) of the Code of Ordinances for the City of Madeira Beach and recommends creating a new Section to include a provision for the minimum age for those working in adult entertainment establishments and further to prohibit persons under 18 years of age from entering, remaining at or purchasing goods or services from such establishments.

Planning Commission recommended approval of Ordinance 2025-07 on February 3, 2025.

Fiscal Impact

N/A

Recommendation(s)

Staff recommends the approval of Ordinance 2025-07 Adult Use Restriction.

Attachments/Corresponding Documents

- Ordinance 2025-07 Adult Use Restriction
- MB CD 25-01 Consistency Letter
- Ordinance 2025-07 Business Impact Statement

ORDINANCE 2025-07

AN ORDINANCE OF THE CITY OF MADEIRA BEACH FLORIDA, CREATING SECTION 110-841 OF SUBDIVISION I (IN GENERAL) OF DIVISION 13 (ADULT ENTERTAINMENT USES) OF ARTICLE VI (SUPPLEMENTARY DISTRICT REGULATIONS) OF CHAPTER 110 (ZONING) OF THE CODE OF ORDINANCES TO PROHIBIT PERSONS UNDER THE AGE OF 18 YEARS OF AGE TO ENTER, REMAIN IN OR PURCHASE GOODS OR SERVICES AT AN ADULT ENTERTAINMENT ESTABLISHMENT; TO PROHIBIT PERSONS UNDER THE OF 21 YEARS OF AGE TO BE AN EMPLOYEE OF AN ADULT ENTERTAINMENT ESTABLISHMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Madeira Beach previously adopted adult use provisions in its Code of Ordinances to establish reasonable and uniform regulations that will protect the health, safety and general welfare of the people of the City of Madeira Beach; and

WHEREAS, several courts have found that there is a demonstrated link between regulations which raise the minimum age for workers in adult use establishments and curbing the secondary effects of human trafficking; and

WHEREAS, the Florida Legislature recently created Florida Statute 787.30 which sets a minimum age for employment at adult use establishments at 21 years of age effective January 1, 2025; and

WHEREAS, in order to comply with State Law and in an effort to reduce human trafficking locally, the City Attorney has reviewed the current provisions of Division 13 (Adult Entertainment Uses) of the Code of Ordinances for the City of Madeira Beach and recommends creating a new Section to include a provision for the minimum age for those working in adult entertainment establishments and further to prohibit persons under 18 years of age from entering, remaining at or purchasing goods or services from such establishments; and

WHEREAS, the recommended amendment to the Land Development Code was presented to and reviewed by the Planning Commission at a public hearing; and

WHEREAS, the Planning Commission has recommended approval of the proposed amendment; and

WHEREAS, the recommendations of the Planning Commission and the City Attorney have been found meritorious by the Board of Commissioners; and

WHEREAS, the Board of Commissioners has received input from the public at two public hearings.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Section 110-841 (Minors Prohibited) of Subdivision I (In General) of Division 13 (Adult Entertainment Uses) of Article VI (Supplementary District Regulations) of Chapter 110 (Zoning) of the Code of Ordinances of the City of Madeira Beach is hereby created and shall read as follows:

Sec. 110-841 – Minors Prohibited.

It shall be a violation of this division for an operator of an adult entertainment establishment, regardless of whether it is licensed under this division, to knowingly, or with reason to know, permit, suffer or allow:

- (1) Admittance to the adult entertainment establishment of a person under 18 years of age;
- (2) A person under 18 years of age to remain at the adult entertainment establishment;
- (3) A person under 18 years of age to purchase goods or services at the adult entertainment establishment; or

(4) A person to work at the adult entertainment establishment as an employee who is under 21 years of age.

Section 2. That this Ordinance shall become effective immediately upon its passage and adoption.

Section 3. For purposes of codification of any existing section of the Madeira Beach Code herein amended, words **underlined** represent additions to original text, words **stricken** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 4. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 5. In the event a court of competent jurisdiction finds any part or provision of the Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

Section 6. The Codifier shall codify the substantive amendments to the Code of Ordinances of the City of Madeira Beach contained in Section 1 of this Ordinance as provided for therein and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 7. Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect immediately upon adoption.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY
OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2025.**

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____



January 28, 2025

Andrew Morris, AICP
Long Range Planner
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708

RE: Review of ordinances from the City of Madeira Beach (Ordinances 2025-04, 2025-05, and 2025-06)

Dear Andrew,

Thank you for submitting the proposed amendments to the Countywide Rules, which include revisions to the Planned Development Zoning District, Floodplain Management, and the Capital Improvements Program. After reviewing the ordinances, we find them consistent with the Countywide Rules, with the following comments:

- **Planned Development Zoning District Revisions:** This ordinance aligns with the Countywide Rules by supporting appropriate land-use standards and development practices.
- **Floodplain Management - Use of Recreational Vehicles as Temporary Shelters:** The proposed amendments are consistent with the Countywide Rules, ensuring compliance with safety regulations for floodplain management.
- **Capital Improvements Program Update for Fiscal Years 2025-2030:** This update is consistent with the Countywide Rules, aligning with regional infrastructure planning and funding objectives.

We recognize that the consistency process is an ongoing one, and if either the County or Forward Pinellas staff has failed to note a matter governed by the consistency process in the course of this review, we will be happy to work with you to resolve any such matter as may be necessary.

If you have any questions, please feel free to call me at 727-464-5679 or email me at ewennick@forwardpinellas.org.

Sincerely,

Emma Wennick

Emma Wennick
Program Planner

Business Impact Estimate

Proposed ordinance's title/reference:

ORDINANCE 2025-07

AN ORDINANCE OF THE CITY OF MADEIRA BEACH FLORIDA, CREATING SECTION 110-841 OF SUBDIVISION I (IN GENERAL) OF DIVISION 13 (ADULT ENTERTAINMENT USES) OF ARTICLE VI (SUPPLEMENTARY DISTRICT REGULATIONS) OF CHAPTER 110 (ZONING) OF THE CODE OF ORDINANCES TO PROHIBIT PERSONS UNDER THE AGE OF 18 YEARS OF AGE TO ENTER, REMAIN IN OR PURCHASE GOODS OR SERVICES AT AN ADULT ENTERTAINMENT ESTABLISHMENT; TO PROHIBIT PERSONS UNDER THE OF 21 YEARS OF AGE TO BE AN EMPLOYEE OF AN ADULT ENTERTAINMENT ESTABLISHMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Madeira Beach is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Madeira Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits as those terms are defined in Section 163.3164, Florida Statutes, and development agreements as authorized by the Florida Local Government Development Agreement Act under Sections 163.3220-163.3243, Florida Statutes;

¹ See Section 166.041(4)(c), Florida Statutes.

- b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party;
- c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Madeira Beach hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

Florida Legislature recently created Florida Statute 787.30 which sets a minimum age for employment at adult use establishments at 21 years of age effective January 1, 2025. A new section in the Code of Ordinances will be created to required the minimum age for those working in adult entertainment establishments and further to prohibit persons under 18 years of age from entering, remaining at or purchasing goods or services from such establishments.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Madeira Beach, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City of Madeira Beach’s regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

No foreseen direct economic impact.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

None at the moment, if an adult use establishment opened in Madeira Beach it would have to adhere to this regulation.

4. Additional information the governing body deems useful (if any):

In order to comply with State Law and in an effort to reduce human trafficking locally, the City Attorney has reviewed the current provisions of Division 13 (Adult Entertainment Us-es) of the Code of Ordinances for the City of Madeira Beach and recommends creating a new Section.



Memorandum

Meeting Details: February 12, 2025

Prepared For: Mayor & Board of Commissioners

From: Megan Wepfer, Public Works Director

Subject: Ord. 2025-08 1st reading Fees and Collection Manual

Background

Due to Hurricane Helene many residents have been displaced from their homes and have requested a reduction of sanitation fees. Staff is bringing forth the first reading of Ordinance 2025-08 for the current monthly fee per unit of \$38.74 to be reduced to a Declared Disaster Fee of \$10.00 per month per unit. For a resident, occupant or owner of a premises in the city to qualify for the declared disaster sanitation fee the following requirements must be met:

1. The premises must have a structure on it that is rendered unoccupied and uninhabitable due damage sustained from Hurricanes Helene or Milton
2. There must be an active city permit for demolition or remodel/repair of the structure
3. The resident, occupant or owner must complete an on-line application and receive approval of that application by the City in writing;
4. The resident, occupant or owner must not be residing on the premises. This requirement, for example, prohibits the resident, occupant or owner from residing in the structure, tent, camper, recreational vehicle or other living quarters whether temporary or permanent;
5. The resident, occupant or owner may not place any trash, trash container, debris, equipment, or other materials at curbside for city sanitation collection or removal.

Upon approval of the declared disaster sanitation fee application the City will remove city issued trash and recycling containers.

Fiscal Impact

The fiscal impact is unknown at this time.

Recommendation(s)

Staff Recommends approval of the first reading of Ordinance 2025-08.

Attachments

- Ordinance 2025-08 Fee's & Collection Manual

ORDINANCE 2025-08

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING A REVISED APPENDIX A. – FEES AND COLLECTION PROCEDURES MANUAL OF THE CODE OF ORDINANCES OF CITY OF MADEIRA BEACH, FLORIDA, TO ADD A DECLARED DISASTER SANITATION FEE; REPEALING ORDINANCE 2024-22; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Madeira Beach adopted Ordinance 2024-22 providing for the amendment of Fees and Collection Procedures Manual; and

WHEREAS, on September 24, 2024, the Governor of the State of Florida entered an Executive Order declaring a State of Emergency for 64 counties in the State of Florida, including Pinellas County, due to the dangers presented by Hurricane Helene; and

WHEREAS, on October 5, 2024, the Governor of the State of Florida also entered Executive Order declaring a State of Emergency for 35 counties in the State of Florida, including Pinellas County, due to the dangers presented by Hurricane Milton; and

WHEREAS, Hurricanes Helene and Milton posed serious threats to the lives and property of residents of Madeira Beach, Florida and a State of Local Emergency was declared for all territory within the legal boundaries of Madeira Beach, Florida; and

WHEREAS, both Hurricanes Helene and Milton caused extensive damage to public utilities, public buildings, public communications systems, public streets and roads, public drainage systems, commercial and residential buildings and areas; and

WHEREAS, City Staff has reviewed the current provisions of the Fees and Collection Procedures Manual for the City of Madeira Beach and wishes to revise same to provide each single family or multi-family dwelling unit, upon qualification by meeting certain criteria, relief from the normal trash, recycling and garbage fees; and

WHEREAS, City staff wishes to repeal Ordinance 2024-22; and

WHEREAS, the recommendations of staff have been found meritorious by the Board of Commissioners; and

WHEREAS, the Board of Commissioners has received input from the public at two public hearings.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, AS FOLLOWS:

Section 1. The City of Madeira Beach’s revised Fees and Collection Procedures Manual attached hereto as Exhibit A is hereby adopted.

Section 2. Ordinance 2024-22 is hereby repealed.

Section 3. Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2025.

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____

Exhibit A
Ordinance 2025-08



FEES & COLLECTION PROCEDURE MANUAL

(Updated Through Ordinance 2025-08)

Office of the City Clerk
Adopted: _____

FEES & COLLECTION PROCEDURE MANUAL

(UPDATED THROUGH ORDINANCE 2025-08)

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ARTICLE I. CITY CLERK'S OFFICE- FEES FOR INSPECTING AND COPYING PUBLIC RECORDS

(Res. 2016-24, 07/12/2016; Res. 2013-50, 10/08/2013; Res. 09.10, 09/21/2009; Res. 04.02, 01/27/2004; ORD. 2018-03; 06/12/2018; Ord. 2019-06); Ord. 2020-04; Ord. 2021-12 05/12/21

SECTION A. What is a public record?

Section 119.11 (12), F.S., defines "public records" to include:

"all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency."

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business which are used to perpetuate, communicate, or formalize knowledge. *Shevin v. Byron, Harless, Schaffer, Reid and Associates, Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

All such materials, regardless of whether they are in final form are open for public inspection unless the Legislature has exempted them from disclosure.

Wait v. Florida Power & Light Company, 372 So. 2d 420 (Fla. 1979)

SECTION B. Right of access to public records under reasonable conditions, F.S., Sec. 119.07(1)(a):

"Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time under reasonable conditions and under supervision by the custodian of the public records."

The term "reasonable conditions" as used in Sec. 119.07(1)(a), F.S., "refers not to conditions which must be fulfilled before review is permitted but to reasonable regulations that would permit the custodian of the records to protect them from alteration damage, or destruction and also to ensure that the person reviewing the records is not subjected to physical constraints designed to preclude review." *Wait v. Florida Power & Light Company*, 372 So. 2d 420, 425 (Fla. 1979). See also *Chandler v. City of Greenacres*, 140 So. 3d 1080, 1084 (Fla. 4th DCA 2014) (noting the narrow interpretation of the phrase "reasonable conditions"): and *Tribune Company v. Cannella*, 458 So. 2d 1075, 1078 (Fla. 1984), *appeal dismissed sub nom.*, *DePerte v. Tribune Company*, 105 S.Ct. 2315 (1985) (the sole purpose of custodial supervision is to protect the records from alteration, damage, or destruction).

Accordingly, the "reasonable conditions" do not include a rule or condition of inspection which operates to restrict or circumvent a person's right of access. AGO 75-50. "The courts of this state have invalidated measures which seek to impose any additional burden on those seeking to exercise their rights to obtain records" under Ch. 119, F.S. inf. op. to Cook, May 27, 2011. And see *State v. Webb*, 786 so. 2d 602 (Fla. 1st DCa 2001) (requirement that persons with custody of the public records allow records to be examined "at any reasonable time, under reasonable conditions" is not unconstitutional as applied to public records custodian who was dilatory in responding to public records requests).

A public records request "shall provide sufficient specificity to enable the custodian to identify the

requested records. The reason for the request is not required to be disclosed." Fla. R. Jud. Admin 2.420(m)(l). The custodian "is required to provide access to or copies of records but is not required either to provide information from records or to create new records in response to a request." *Commentary, In re Report of the Supreme Court Workgroup on Public Records*, 825 So. 2d 889, 898 (Fla. 2002). The custodian having custody of the records shall determine whether the requested records are subject to the rule, whether there are any exemptions, and the form in which the record is provided. Fla. R. Jud. Adm in. 2.420(m)(2). If the request is denied, the custodian shall state in writing the basis for the denial. *Id.*

SECTION C. Extensive requests pursuant to F.S. §199.07.(4).

Sec. 119.07(4)(d), F.S., provides, "[i]f the nature or volume of public records requested to be inspected or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both, the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the agency or attributable to the agency for the clerical and supervisory assistance required or both."

If a public records request requires an extensive use of the City's resources, a special service charge may be imposed. Special service charges will be calculated based upon the City's actual cost of burden, (wages, taxes, insurance, and benefits), for the lowest paid personnel capable of fulfilling the request.

Large volume of records requested. Deposits are based upon an actual estimate of the cost of production, with a minimum of 50% due before production of the records begins.

SECTION D. Fees for inspecting and copying public records pursuant to F.S. §119.07(1)(a).

Public records held by the City are open to inspection by any person, during reasonable times and under reasonable circumstances. Although Florida law makes some records exempt or confidential, the City wishes to make all non-exempt records available to the public at no cost provided the request to inspect or copy records does not involve an extensive use of City personnel or other resources.

- (1) One-sided copy, each page.....\$0.15
 - (2) Two-sided copy, each page.....\$0.20
 - (3) Certified copy, each page\$1.00
 - (4) Notary Public Fee.....\$5.00
- Pursuant to F.S. §117.05(2a); the fee of a notary public may not exceed \$10.00 for any one notarial act, except provided in Sec. 117.045.)

****For all other requests, the fee prescribed for duplication of public records shall represent the actual cost of duplication.***

For purposes of this sections, "Duplicating" means the process of reproducing an image or images from an original to a final substrate through the electrophotographic, xerographic, LED, inkjet or dye sublimation, laser, or offset process or any combination of these processes, by which an operator can make more than one copy without rehandling the original.

SECTION E. Custodian of Public Records and Designated Custodians of Public Records

CUSTODIAN OF PUBLIC RECORDS

Clara VanBlargan, MMC, MSM, City
Clerk cvanblargan@madeirabeachfl.gov
Phone (727) 391-9951, ext. 231

RECORDS CUSTODIANS

The Records Custodian of each department are designated by the City Clerk. The records custodian of their department shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time under reasonable conditions and under supervision by the custodian (supervisor) of those public records to be inspected or copied. Although, the custodian "is required to provide access to or copies of records they are not required either to provide information from records or to create new records in response to a request." *Commentary, In re Report of the Supreme Court Workgroup on Public Records*, 825 So. 2d 889, 898 (Fla. 2002), and shall determine if the requested records are subject to the rule, whether there are any exemptions, and the form in which the record is provided. Fla. R. Jud. Adm. in. 2.420(m)(2). If the request is denied, the custodian shall state in writing the basis for the denial. *Id.*

A list of designated department Records Custodians is posted in each department and on the City’s website.

ARTICLE II. DEVELOPMENT SERVICES

A. General Development Services Fee Structure:

It is the intent of the City that all development review costs be borne by the beneficiaries. The initial nonrefundable fee will be required at the time an application is submitted. Costs for review services including personnel, consulting or material will be charged against the account of each application. At such time as costs meet the value of the submitted fee, all review activities will be suspended until the applicant submits an additional fee in an amount equal to the initial fee. Unused fee amounts beyond the initial nonrefundable fee will be reimbursed at issuance of the Certificate of Occupancy (CO). The cost of required advertising and mailing for major site plans, land use or zoning amendments will be charged separately and paid prior to the scheduling, advertising, or preparation of mailed notice for public hearings and/or meetings. These fees do not include costs associated with the developer’s conduct of neighborhood/community meetings which will be the financial responsibility of the developer. This policy applies to all the fees of this section.

B. Special Magistrate Hearings. Fees for Special Magistrate Hearings shall be as follows:

(Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 05.20, 09/14/2005; res. 04.08, 06/22/2004, Ord. 936, §1, 02/20/2001; Ord. 953, §2, 11/13/2001; Code 1983, §19-502)

- (1) Zoning variances for residential dwelling units (per variance,-up to three units).....\$1,800.00
- (2) Zoning variances for multifamily, tourist dwellings, or commercial.....\$2,000.00

- (3) Special exception use\$1,800.00
- (4) Appeal of decision (appeal is refundable if decision is overruled).....\$1,500.00
- (5) After-the-fact variance (double fee)\$3,600.00
(Ordinance 2016-06)
- (6) Conversion of a nonconforming non-habitable area into a habitable area\$1,000.00

C. *Alcoholic Beverage Permit Application Fee* \$800.00
(Res. 2012-14, 09/05/2012)

D. *Platting.*
(Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 04.02, 01/27/2004)

- (1) Review of construction drawings \$500.00
- (2) Replat\$500.00
- (3) Final\$500.00
- (4) Amendment to a plat \$500.00
- (5) Minor subdivision.....\$350.00
- (6) Lot line adjustments..... \$200.00
- (7) Unity of title\$100.00
- (8) Rescission of unity of title \$250.00

E. *Vacation. (Not including costs associated with referendum)*
(Res. 2016-24, 07/12/2016, Res. 07.14, 06/26/2007; Res. 04.02, 01/27/2004)

- Right-of-way (as approved by referendum)\$1,500.00
- Easement (as approved by referendum when required)\$1,500.00

F. *Site Plan and Redevelopment Process*
Level of site plan review to be determined in accordance with city land development ordinance and interpreted by development review staff.
(Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 04.02, 01/27/2004)

- (1) Minor Site Plan Review \$300.00
- (2) Intermediate Site Plan Review
 - a. First Review Site Plan Submittal\$1,000.00
- (3) Major Site Plan Review

- a. First Review Site Plan Submittal\$2,000.00
- (4) Administrative Waiver\$500.00
- (5) Encroachment Extension.....\$1,000.00
- G. Zoning/Land Development Regulation Interpretations and Meetings – Base Fee..... \$100.00

Interpretation of land development regulations such as number of legal units existing on a property, nonconforming provisions, subdivision regulations, and/or Planning, Zoning or Predevelopment review meetings. Such services would include up to one hour of meeting and or research of the Planner and can include the preparation of a written interpretation. Time required above an hour or requiring the participation of additional staff, shall be charged at the employees' hourly rate plus benefits on a time for time basis. On-site consultation with planner or Certified Flood Plain Manager (as needed; by request) requires an additional fee of \$100.00.

- H. Zoning Verification Letter \$100.00

Includes one hour of research. Additional time will be charged at the employee’s hourly rate plus benefits.

(Res. 2016-24, 07/12/2016)

Verification in writing (formal letter on City stationery) as to the property's zoning. This includes a copy of the related district regulations. Such letters are often requested by realtors for property closings.

- I. Land Development Regulations Amendment \$1,500.00
(Res. 2016-24, 07/12/2016)

- J. Land Use Amendment \$3,000.00
(Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 04.02, 01/27/2004)

- K. Rezoning \$2,000.00
(Res. 07-14, 06/26/2007)

- L. Planned Development (PD) and Planned Development Amendments. (Res. 07.14, 06/26/2007)

- (1) Development Meetings-Charged as Plan Review Meetings at the combined hourly rate of all staff assigned by the Planning Director.

- (2) Plan Review

- a. Preliminary Plan and Standards Review \$1,500.00

- b. First Plan and Standards Plan Review \$2,500.00

- c. Each Subsequent Submittal\$500.00
Plus hourly rate of assigned staff

- (3) Minor modifications not requiring full site plan, neighborhood/community meetings or zoning map amendment or amendment of the planned development agreement \$1,000.00

- (4) Major modifications.....To be charged by the full rate for a new Planned Development.

- (5) Development Agreements..... Application fee of \$500.00 and charges will include all staff

and consulting time at hourly rates plus benefits and will be paid prior to execution of the Development Agreement Ordinance.

M. *Special Agreements (for Development Agreements, see Section L)*
(Res. 10.12, 07/20/2010; 07.14, 06/26/2007)

(1) For Board of Commissioner's Approval..... \$500.00

**Plus, City Attorney's legal and recording fees; i.e. encroachment(s); use of City parking area, etc.*

(2) For Administrative Review and Approval.....all staff hourly rates, legal and recoding fees

N. *Unaddressed Research Requests – Base Fee* \$100.00

O. *FEMA/Floodplain Ordinance Interpretations and Reviews–Interpretation Base Fee* \$100.00

Interpretation of the City's Floodplain Ordinance beyond the verification of the specific flood zone and the basic requirements related to that zone. Such request would include up to one hour of research and include the preparation of a written interpretation. Additional research time shall be charged at the rate of \$100 per hour.

Building Plan Review Base Fee of \$50 or 10% of any building permit fee of over \$1,000, whichever is greater plus \$100 additional fee for any revisions to signed and sealed plans or for site changes.

P. *FEMA Verification Letter* \$100.00

Verification of FEMA flood zone in writing (formal letter on city stationery) (Res. 2016-24; 07/12/2016)

Q. *Solicitor's Permit (Res. 07.23, 12/11/2007)*

(1) Permit for any business with current Local Business Tax Receipt (BTR)\$10.00

(2) Permit for any business without current BTR \$100.00

a. For each additional person participating without a BTR\$20.00

R. *Short-term/Vacation Rental Certification Certificate of Compliance* \$300.00

S. *Specific Site Plan Applications*

(1) Dog Dining Request\$75.00

A fee of \$75.00 shall be required for both the initial application and subsequent annual renewals requesting to allow dogs in specified outdoor area(s) of a food service establishment during operating hours. This fee shall offset the City's cost to administer, review and inspect such request. This fee shall apply only to pet dogs, service animals are already permitted within business establishments by law.

(2) *Sign, Murals, Banners*.....\$75.00

T. *Building Permit Fee Schedule.*

The following building permit fee schedule shall be used when issuing a permit for any type of construction including, but not limited to, the following: Commercial, Residential, Single Family or Multi-Family for Building, Mechanical, Plumbing, Gas, Fire Roofing, Swimming Pools, Aluminum Structures, Interior or Exterior remodeling, Accessory Structures, Additions, Fuel Tanks, Alarms, Sprinklers, Driveways, Signs, Docks, Seawalls, Walls and Fences, Sheds, Infrastructure or Excavation, or any other type of construction under the Florida Building Code.

(Res. 2016-24, 07/12/2016; Res. 2016-03, 02/09/2016)

- (1) Residential and Commercial (NON-REFUNDABLE) permit plan review deposit fee
 - a. Value of \$2,499 or less\$50.00*
 - b. Value of \$2,500 or more..... 25% of total permit value (minimum \$50)*

The application plan review fee shall be collected at the time of the submitted permit application. This shall be a non-refundable plan review application fee in addition to any other applicable fees listed in Article II, Section I (Building Permit Fee Schedule).

Definitions of "residential" and "commercial" are based on the 2017 2020 Florida Building Code:

"Residential building" shall mean any "one- and two-family dwelling" or portion thereof, including "townhouses", that is used, or designed or intended to be used for human habitation, for living, sleeping, cooking, or eating purposes, or any combination thereof, and shall include accessory structures thereto.

"Commercial": for this code, all buildings that are not included in the definition of "residential buildings."

- (2) EXPRESS Permit – issued same day (plus any additional applicable fees)\$50.00*
- (3) Valuation Fee: One Percent (1%) of the Total Project Value, which includes both materials and labor and other related fees). Zero Percent (0%) of the Total Project Value for all Hurricane Helene and Hurricane Milton permit fees for work involving the interior and/or the exterior demolition, repairs, and/or new construction which includes both materials and labor and other related fees resulting from damage by both listed Hurricanes until September 26, 2025.
- (4) Florida Surcharge Fee: The Building Permit fee as required by Florida Law, a total of two and one-half (2½%) percent per permit. A minimum of four dollars for the Building Permit Fees.*
- (5) Pre-Permit Plan Review Fee: All plan review fees for large "commercial and residential" building permits including one-and-two family dwellings, townhouses, multifamily units and all commercial projects shall be:
 - a. One-and-two family dwellings & townhouses\$250.00
 - b. Multifamily units & commercial projects\$500.00
 - c. FEMA - SI/SD projects\$250.00
 - d. Minimum fee.....\$100.00

- (6) Re-examination of plans due to corrections, changes, or alterations, prior to or after permit issuance.

- a. Plan revisions (Minor, 2,499 sq. ft. or less) \$100.00
- b. Plan revisions (Large) greater than (>) 2500sq. ft..... \$250.00

(7) Miscellaneous Fees:

- a. Certificate of Occupancy and/or Certificate of Completion\$50.00
- b. Letters of Determination (e.g., flood, building, etc.)\$50.00
- c. Change of contractor (all trades).....\$50.00
- d. Change of use or occupancy.....\$50.00
- e. Demolition of structure:
 - i. Demolition base fee (up to 5,000 sq \$100.00
 - ii. Structures over 5,000 sq. ft\$250.00
- f. Early release of power (*before electrical final*)..... \$50.00
- g. Moving of structure..... \$100.00
- h. Permit extension (*per extension*) \$50.00
- i. Transfer of Permit \$50.00
- j. Permit fee for applications performed by an outside entity:
The permit fee for an application when the Building Official has approved the request of the applicant to have an outside entity, contracted by the applicant, perform the required inspections shall be:
 - i. Fee per sq. ft. of the proposed structure \$1.00
 - ii. Minimum fee, (plus any applicable fees)\$50.00
- k. Red tags and/or failed inspection(s) (*per tag/inspection*) \$50.00
- l. Replacement of placard card (*per placard card*).....\$25.00
- m. Special consultation with Building Official (*as needed;by request*) \$100.00
- n. FEMA or damage pre-permit inspection, Fire or Structural(*Includes Trades*)..... \$100.00
- o. Building Code, Life & HealthSafety inspection..... \$100.00
- p. After hours inspection (*beyond normal business hours*) \$250.00
- q. Stop-work order (*per order*)\$50.00
- r. Temporary power pole.....\$50.00
- s. Tent permit\$25.00
- t. Tree removal permit\$50.00
- u. Well/Test boring application..... \$100.00
- v. Each additional boring on same site \$20.00
- w. Building Safety/Milestone Report Review Fee \$250.00

(8) "After the Fact" permit fee:

- a. Shall be **(5)** times the face value of the permit valuation fees.
- b. Any subsequent "After-the-fact" permit issued to the same Contractor, Property Owner and/or Homeowner within the following (12) months shall be **(10)** times the normal fees.

(9) Refunds. NO refunds on permits unless such permit was issued in error in part of the City. There shall be no refund of fees if work commences or of the permit is 90 days or older.

(10) Miscellaneous items. At the discretion of the Building Official, all construction related activities that do not qualify under one of the trades (Building, Mechanical, Electrical, Plumbing, and others) may be classified as miscellaneous. A permit for such activity may or may not be required at the

discretion of the Building Official. An appropriate related fee shall be set by the Building Official for such miscellaneous permit.

(11) Rental inspection fees (4 units or less)

- a. Initial application.....\$40.00
- b. Biennial license renewal.....\$15.00
- c. Initial inspection (*per unit*) \$50.00
- d. Biennial inspection (*per unit*) \$70.00
- e. Re-inspection fee (*per inspection*)..... \$100.00

Re-inspection fee for every inspection after second if failure to correct violation(s) is due to owner/manager negligence.

- f. Penalties: Ten percent (10%) penalty for failure to submit a timely renewal fee during first month of delinquency; an additional five percent (5%) penalty for each month of delinquency thereafter.

*This fee shall be waived for all Hurricane Helene and Hurricane Milton permit fees for work involving the interior and/or the exterior demolition, repairs, and/or new construction which includes both materials and labor and other related fees resulting from damage by both listed Hurricanes until September 26, 2025.

U. Impact Fee Schedule

Impact fees were adopted beginning on April 1, 2022, and impact fees are updated annually beginning October 1st each year through fiscal year 2028 in accordance with the schedule below, based on the following amount per sq ft of building area*:

Category or Class	Calculated fee rate multiply by building area						
	FY 2022	FY 2023	FY 2024	FY 2025	FY2026	FY 2027	FY 2028
Culture & Recreation	\$3.57	\$4.76	\$5.94	\$7.13	\$8.23	\$9.52	\$11.89
Mobility	\$0.45	\$0.60	\$0.75	\$0.90	\$1.05	\$1.20	\$1.50
Public Safety	\$0.18	\$0.24	\$0.30	\$0.36	\$0.42	\$0.48	\$0.60
Total	\$4.20	\$5.60	\$6.99	\$8.39	\$9.70	\$11.20	\$13.99

*Building area refers to the enclosed area of buildings measured in square feet within the city according to the Pinellas County Property Appraiser as provided in the field TOTLVGAREA in the Pinellas County Property Appraiser's Geographic Information System.

ARTICLE III. FINANCE DEPARTMENT

A. *Credit Card Transaction Convenience Fee*An amount suitable to recover card processing fees charged to the City.

B. *Indebtedness Search*..... \$50.00

C. *Returned/unfunded/worthless checks*..... Pursuant to F.S. §68.065(2)

D. *Recording of Documents:*

(1) First Page\$10.00

(2) Each Additional Page \$8.50

E. *Parking fines and penalties.* Parking fines and penalties shall be as follows:

(Res. 06.29, 11/28/2006; Res. 04.09, 08/10/2004; Code 1983, §5-19; City Ord 2022-23)

(1) Overtime Parking\$60.00

(2) Double Parking.....\$80.00

(3) Parking in a "NO PARKING" Zone\$90.00

(4) Other Improper Parking.....\$90.00

(5) Delinquency Fee (After 15 Days).....\$30.00

(6) Disabled Parking PermitSec. 66-52(c), Code of Ordinances

Note: A Parking enforcement officer can ticket every hour for repeat violations.

F. *Special event parking permit (daily permit)*\$35.00

Special event parking permits and road closure fees established for specified events are listed below with additional events authorized by the City Manager.

(Res. 2014-20, 05/13/2014)

Johns Pass Seafood Festival
Memorial Day
by the BOCC by resolution.

The Fourth of July
Additional event days as authorized

G. *Business Parking Permit (up to 4 permits/month/Business) per month*\$40.00

Permit for any business with current Local Business Tax Receipt (BTR).

H. *Parking meters city-wide*..... \$4.00/hr

I. *Overnight Parking*..... \$72.00/day

up to 7 days. Selective Surface Parking lots from 130th to Kitty Stuart Park.

- J. *Festival Parking.* The City Manager maintains the right to designate festival parking rates for designated special events at his/her discretion. Each special event is subject to review.
- K. *No operator of a vehicle shall park a vehicle on dirt, grass or landscaped city rights-of-way, medians, swales, or similar areas. The city manager, or designee, may waive this prohibition on a temporary basis where it is determined that such waiver is necessary.*
- L. *Parking Fee Amendment Resolution.* In order to adjust parking fees as may be needed due to environmental, economic, or other conditions that may occur during the fiscal year, parking fees can be waived, decreased, or increased at any time during the fiscal year by Resolution of the Board of City Commissioners.

**Note/Clarification: Due to the parking meter fee increasing from \$4.00 per hour, the minimum charge for credit cards for half the time or thirty minutes is now \$2.00.*

(Res. 04.09, 08/10/2004; Res. 04.02, 01/27/2004)

ARTICLE IV. FIRE DEPARTMENT

A. Fire & Life Safety Inspection

- (1) Places of Assembly (Posted Occupant Load):
 - a. Up to 49 People.....\$50.00
 - b. 50 –149 People\$100.00
 - c. 150 People or More \$150.00
- (2) Residential structures, hotel/motel, timeshare, rentals/resort rentals (5 units or greater)
 - a. 5 –10 Units..... \$100.00
 - b. 11 –20 Units.....\$150.00
 - c. 21 –49 Units\$200.00
 - d. 50 or More Units\$350.00
- (3) Automotive and/or Marine Service or Storage Facilities \$200.00
- (4) Automotive and/or Marine Fueling Facilities..... \$200.00
- (5) Standalone Single Business:
 - a. Up to 2,499 sq. ft\$50.00
 - b. 2,000 or more sq. ft \$100.00
- (6) Multiple Commercial/Businesses:
 - a. Unoccupied, per suite\$25.00
 - b. Occupied, per suite.....\$50.00
- (7) Storage Facilities
 - a. Up to 4,999 sq. ft\$100.00
 - b. 5,000 or more sq. ft \$200.00

- (8) Subsequent Fee for Each Return Inspection for Compliance\$30.00
- (9) Fire Department Red Tag/Stop Work Order\$50.00
- B. Fire Plan Review and Correlated Inspection(s)**
 - (1) For Site Plans and Building Plans\$0.05/sqft
 - (2) Other fire plans review (fire alarm, fire suppression, etc.) \$250.00
 - (3) Failed inspections(s) (per each inspection)\$50.00
- C. CPR Classes.**
 - (1) Resident\$25.00
 - (2) Non-resident.....\$50.00
- D. Fire Engine Rental for Fire System Testing and/or Certification.**
 - (1) First 4 Hours.....\$1,000.00
 - (2) Each Additional Hour \$250.00
(Res. 08.10, 09/23/2008)
- E. Special Event Fee**
 - (1) Fire Rescue Special Event (per Hour) \$125.00
 - (2) Equipment Service Fee; Fuel, Oil, Maintenance, etc. (per unit per day).....\$50.00
 - (3) Special Event Inspection; Cooking Tents, Food Trucks, etc. (per event) \$100.00
- F. Short Term Vacation Rental Inspection - Annual (Air BNB, VRBO, etc.)..... \$100.00**

ARTICLE V. PARKS & RECREATION

(Res. 2016-24, 07/12/2016; Res. 2016-03, 02/09/2016; Res. 2015-21, 08/11/2015; Res. 2015-09,03/10/2015; Res. 2014-53, 12/10/2014; Res. 10.05, 03/23/2010; Res. 09.09, 09/21/2009; Res. 07.14,06/26/2007; Res. 05.20, 09/14/2005; Res. 06.23, 09/13/2005; Code 1983 §19-508)

- A. Recreation.**
 - (1) Adult Sports Registration:
 - a. Rate determined by sport, competitive analysis, and cost recovery.
 - i. Resident/Non-Resident Pricing model will be utilized.
 - (2) Youth Sports
 - a. Rate determined by sport, competitive analysis, and cost recovery.
 - i. Resident/Non-Resident Pricing model will be utilized.
 - (3) After-School Program (will take effect August 1, 2020):
 - a. Resident (*daily*) \$9.00

- b. Non-Resident (*daily*) \$12.00
- c. City Employee (*daily*) \$9.00

(4) Summer Camp Program:

- a. Resident Rate by Session:
 - i. Session 1 \$500.00
 - ii. Session 2 \$500.00
 - iii. Full Summer Session \$1,000.00
 - iv. Individual Weekly Rate \$150.00
- b. Non-Resident Rate by Session:
 - i. Session 1 \$625.00
 - ii. Session 2 \$625.00
 - iii. Full summer session..... \$1,250.00
 - iv. Individual weekly rate \$200.00
- c. City Employee Free

(5) Fitness Classes

- a. Contracted Recreation Instructors will agree to a 75% and 25% contract split with the City for their services.
- b. Recreation Director may negotiate class rate based upon needs/uses of recreation facilities as well as class supply requirements.

B. Recreation Center and City Hall Rentals.

(Res. 2016-24, 07/12/2016; Res. 2015-21, 08/11/2-15; Res. 2014-53, 12/20/2014)

(1) Monday – Thursday rental period. Rental hours must include set-up and breakdown for all vendors and guests. Rental includes use of contracted space, set-up/breakdown of tables and chairs, banquet kitchen (if applicable), and cleaning fee. The 6.5% sales tax is included in hourly rates. Deposits may be refunded within thirty (30) days of an event.

- a. Recreation Center Rooms (security deposits are refundable)
 - i. Full Recreation Center (all rooms) (*security deposit \$400.00*)..... \$300.00/hr.
 - ii. Boca View Hall (*security deposit \$200.00.00*) \$100.00/hr.
 - iii. Ocean Walk Room (*security deposit \$200.00*) \$50.00/hr.
 - iv. Starboard Room (*security deposit \$200.00*)..... \$50.00/hr.
 - v. Outside Deck (*security deposit \$400.00*)..... \$100.00/hr.
 - vi. Boca View Hall & Outside Deck (*security deposit \$400.00*)..... \$150.00/hr.
 - vii. Setup/breakdown Fee- *Up to 2 hours before and 2 hours after* \$50.00/hr.
- b. City Hall Rooms (security deposits are refundable)
 - i. City Centre Room (*security deposit \$400.00*)..... \$200.00/hr.
(includes use of outside deck & restrooms)
 - ii. Commission Chambers* (*security deposit \$200.00*) \$200.00/hr.

***ONLY as a backup space for outside reservations negatively impacted by weather.**

- c. Resident Discount- applied to hourly rental rates..... 20% discount.

(2) Friday – Sunday rental period. Rental includes use of contracted space, set-up/breakdown of tables and chairs, banquet kitchen (if applicable), and cleaning fee. The 6.5% sales tax is not included in hourly rates. Security deposit may be refunded within thirty (30) days following an event.

- a. Recreation Center Rooms (security deposits are refundable)
 - i. Full Recreation Center (*all rooms*) (*security deposit \$400.00*) \$350.00/hr.
 - ii. Boca View Hall (*security deposit \$200.00*) \$150.00/hr.
 - iii. Ocean Walk Room (*security deposit \$200.00*)\$75.00/hr.
 - iv. Starboard Room (*security deposit \$200.00*).....\$75.00/hr.
 - v. Outside Deck (*security deposit \$200.00*)..... \$125.00/hr.
 - vi. Boca View Hall & Outside Deck-(*security deposit \$400.00*) \$250.00/hr.
 - vii. Setup/breakdown Fee – Up to 2 hours before and 2 hours after\$50.00/hr.
- b. City Hall Rooms (security deposits are refundable):
 - i. City Centre Room (*security deposit \$400.00*) \$250.00/hr.
(*includes use of outside deck & restrooms*)
 - ii. Commission Chambers* (*security deposit \$200.00*) \$250.00/hr.

***ONLY as a backup space for outside reservations negatively impacted by weather.**

c. Resident discount on hourly rates.

(3) Set-up and Cleaning Fees (*per location*):

- a. Less than 50 attendees.....\$100.00
- b. 50+ attendees \$200.00

C. *Park & Pavilion Rentals*

(*Res. 2016-24, 07/12/2016; Res. 2015-09,03/10/2015*)

(1) Archibald Park

- a. Pavilion rental for four (4) hours (each additional hour is\$25.00/hour):
 - i. Resident.....\$100.00
 - ii. Non-Resident.....\$200.00
- b. Sand Volleyball Court Rental for four (4) hours (each additional hour is\$25.00/hour):
 - i. Resident.....\$25.00
 - ii. Non-Resident.....\$50.00

(2) John's Pass Park:

- a. Pavilion rental for four (4) hours (each additional hour is\$25.00/hour):
 - i. Resident.....\$100.00
 - ii. Non-Resident..... \$200.00

(3) Splash Pads Rentals

- a. Resident Rates
 - i. Splash Pad (2 Hours)..... \$100.00
 - ii. Splash Pad w/ Tables & Chairs on Patio(2 Hours) \$200.00
- b. Non-Resident Rates

- i. Splash Pad (2 Hours) \$150.00
- ii. Splash Pad w/ Tables & Chairs on Patio(2 Hours) \$250.00

D. Athletic Field Rentals

(Res. 2016-24, 07/12/2016; Res. 2014-53, 12/10/2014)

(1) Hourly resident rates by facility (6.8% Sales Tax NOT included)

- a. Softball Field\$25.00
- b. Soccer Field.....\$25.00
- c. Basketball Court \$5.00
- d. Tennis Court \$5.00
- e. Field Preparation and Lining (softball).....\$45.00
- f. Field Preparation and Lining (football/soccer)\$25.00
- g. Attendant Fee (per staff member).....\$25.00
- h. Rental Cleaning Fee\$25.00
- i. Light Fee\$10.00

(2) Hourly non-resident rates by facility (6.5% Sales Tax NOT included)

- a. Softball Field\$30.00
- b. Soccer Field.....\$30.00
- c. Basketball Court.....\$10.00
- d. Tennis Court\$10.00
- e. Field Preparation and Lining (softball).....\$50.00
- f. Field Preparation and Lining (football/soccer)\$30.00
- g. Attendant Fee (per staff member).....\$30.00
- h. Rental Cleaning Fee\$30.00
- i. Light Fee\$15.00

E. Wedding Permits.

- (1) Small wedding permit application fee \$100.00*
 - a. **A gathering of less than 50 persons with minimal decor as determined by staff; additional fees may apply.*
- (2) Wedding permit application fee..... \$200.00*
 - a. **A gathering of more than 50 persons with minimal decor as determined by staff; additional fees may apply.*

F. Special Events.

- (1) Event Application Fee (*less than 1,000 attendees*)..... \$100.00
- (2) Event Application Fee (*more than 1,000 attendees*) \$250.00
A fee of \$100.00/\$250.00 payable to the City as reasonable cost for processing, evaluating, and issuing the permit is required. The BOC may waive the application fee by resolution at annual special event review when determined in the best interest of the community and upon demonstration of non- profit status.
- (3) Deposit. *Deposits shall be determined upon the estimated impact on the City*

owned property of which the event is hosted.

- a. Small event.....\$250.00
- b. Large event..... \$500.00

A refundable deposit shall be payable to the City in advance of the event for damage to public property or City services incurred in direct association with the event and not identified in the original special event application approval. The BOCC may waive the deposit by resolution at annual special event review when determined in the best interest of the community, and upon. The City reserves the sole right to determine which portion, if any, of the deposit shall be returned to the applicant within 30 days after the event. The City Manager may waive special event fees to the amount of no more than \$500 upon his/her determination that it will be a benefit to the community.

(4) Fees

- a. Large Event (1,000+ Attendees)
 - i. Facility Rental Per Event\$3,000.00
(Includes use of stage and event field)
- b. Small Event (Less than 1,000 attendees)
 - i. Stage Fee
 - 1. Resident.....\$50.00/hr.
 - 2. Non-Resident..... \$100.00/hr.
 - ii. Field Usage Fee
 - 1. Resident.....\$50.00/hr.
 - 2. Non-Resident..... \$100.00/hr.

- c. City Event Fees
 - i. Trash Can Fee *(per trash can)* \$5.00
 - ii. Dumpster fee with single pick-up 3 Yard Dumpster\$136.70
 - iii. Event Barricades (available at City Hall Property Only)
 - 1. Setup Fee per – event \$100.00
 - 2. Barricade Fee - per day\$10.00
 - iv. Other fees including but not limited to additional City personnel staff, such as EMT support through Madeira Beach Fire Department, etc. Five times the rental fee for receptacles will be withheld from deposit for those not returned within 48 hours of event.

d. **Mandatory Non-City Fees.** The required use of Pinellas County Sheriff's Deputies, as defined within the special events section of ordinances, will be negotiated directly with the Pinellas County Sheriff's Office. It is the **sole responsibility of the applicant** to secure the appropriate number of deputies as required by the Sheriff's Department.

e. **Other Non-City Fees.** Other fees included but not limited to Madeira Beach City Centre and field clean-up, additional civilian security, and vehicle parking professionals shall be the **sole responsibility of the applicant.**

- f. Table games (Canasta, Bridge, etc.)
 - i. Resident: \$1.00
 - ii. Non-resident: \$2.00

ARTICLE VI. PUBLIC WORKS

A. Trash, Recycling, and Garbage

(1) Removal service fees-

All residents, occupants, or owners of premises in the city shall be required to have accumulations of garbage, trash, garden trash, recyclable items, and noncombustible refuse removed and disposed of by the sanitation division of the city Public Works Department. For the purpose of this section a unit shall be defined as a living unit for human habitation containing kitchen facilities. For a resident, occupant or owner of a premises in the city to qualify for the declared disaster sanitation fee the following requirements must be met: (1) the premises must have a structure on it that is rendered unoccupied and uninhabitable due damage sustained from Hurricanes Helene or Milton; (2) there must be an active city permit for demolition or remodel/repair of the structure; (3) the resident, occupant or owner must complete an on-line application and receive approval of that application by the City in writing; (4) the resident, occupant or owner must not be residing on the premises. This requirement, for example, prohibits the resident, occupant or owner from residing in the structure, tent, camper, recreational vehicle or other living quarters whether temporary or permanent; (5) the resident, occupant or owner may not place any trash, trash container, debris, equipment, or other materials at curbside for city sanitation collection or removal. Upon approval of the declared disaster sanitation fee application the City will remove city issued trash and recycling containers. The charges for garbage, recycling, and trash removal services shall be as follows:

- a. Single Family and Multi-Family, per dwelling, per month:
 - i. 64 Gallon Cart..... \$38.74
 - o Each additional cart per month.....\$14.00
 - ii. 96 Gallon Cart.....\$45.74
 - o Each additional cart per month.....\$14.00
 - iii. Declared Disaster Sanitation Fee.....\$10.00
- b. Commercial. All offices and business establishments required to have a local business tax receipt are hereby classified commercial. A commercial rate for the collection of garbage and trash is hereby established to be in accordance with the following for non-compacting containers:
 - i. Service twice per week, per month (Dumpster)
 - (a) One cubic yard..... \$122.82
 - (b) One and a half cubic yard.....\$157.00
 - (c) Two cubic yard\$191.17
 - (d) Three cubic yard.....\$259.52
 - ii. Each additional service per week, per month (Dumpster)
 - (a) One cubic yard \$68.35
 - (b) One and a half cubic yard.....\$76.90
 - (c) Two cubic yard\$102.53

- (d) Three cubic yard\$136.70
 - iii. Service twice per week, per month (96 Gallon cart) \$40.00
 - o Each additional cart per month..... \$14.00
 - iv. Each additional service per week, per month (96 gallon cart) \$16.00
 - v. Sunday collections are double the additional service rate.
 - vi. Replacement Toter fee \$75.00
 - vii. Accounts classified as multifamily dwelling, or hotel, motel or motor lodge may elect to be charged for garbage and trash removal services in conformity with the commercial rates defined in this section but in no case shall less than one can per unit be elected. It is the burden of the property owner to notify the city of such election. Those establishments electing the commercial or bulk rate shall have the option of changing the type of service by giving 30 days' notice. Requests for changes in service shall be in writing and addressed to the city. The city reserves the right to determine the number of cans, the number and size of containers and/or frequency of disposal, with applicable charges, during any period of the year, for commercial containers.
 - c. Bulk item removal. Any item identified in section 54-33 regarding the removal of other waste and non-combustible refuse will be collected by the city, for a minimum disposal fee of \$50.00 plus \$10.00 for each item picked up
 - d. Unlawful/Illegal Dumping\$250.00
 - e. Bulk waste. Noncombustible refuse in excess of normal weekly limits, by either residential or commercial establishments shall be picked up at the rate of \$50.00 per hour per collection day, based on elapsed time of collection, plus allowances for disposal run and dump charges. Such charges shall also be made to homes having more than normal trash collection.
- (2) Recycling service fees (Commercial)
- a. Condominium properties shall be billed based on direct costs incurred by the City to provide recycling service through its contractual service provider.

(3) Billing.

It is the property owner's responsibility to pay charges against the property. It shall be at the discretion of the city to determine the appropriate billing party. Upon request, the city will attempt to bill tenants, but only if the owner signs a statement acknowledging his responsibility for the charges generated, along with the information necessary so that they may be contacted at the point wherever a delinquency occurs. The city reserves the right to bill the property owner, if it so chooses, regardless of circumstances surrounding the account.

(4) Owner's liability.

If the premises are sold, any remaining claims by the city for garbage and trash services not settled at time

of transfer of ownership of the property shall become the responsibility of the new owner. This applies equally to the sale or foreclosure of any property and represents charges for service presently or previously provided. On all premises, the owner of such premises shall be liable for all garbage and trash service charges against the property irrespective of whether such premises is occupied by owner, tenant, or vacant. The occupation of fully constructed premises shall be irrelevant to the liability of the owner and/or occupant for the charges as provided for in this section. The schedule of charges shall be imposed on all fully constructed premises, whether occupied or not, and regardless of volume of garbage or trash generated. Liability for payment shall begin on the date of ownership of property.

(5) Payment, penalties, delinquency constitutes lien against property.

(Code 1983, §19-511)

All garbage and trash fees are due and payable upon receipt. Bills not paid within 30 days of the billing date will be considered delinquent and shall constitute grounds for filing a lien against the property with the clerk of the circuit court. Bills that arrive after the 30-day deadline will be assessed penalty interest on the next bill. It is the owner's responsibility to see that the payment arrives within the 30-day billing period. Bills not paid within 30 days shall have penalty interest added at the rate of 1½ percent per month beyond the delinquency date (30days).

B. Stormwater Utility Management

(1) Created.

A stormwater management utility fee, also referred to in this section as "fee" was created and imposed on all developed property within the city for services and facilities provided by the stormwater management program. For the purposes of imposing the fee, all developed property within the city shall be classified into the following three classes:

- a. Residential Property
- b. Non-Residential Property
- c. Mixed Use Property

The Public Works Director will, from time to time, prepare a list of property within the City and assign a classification of residential or nonresidential property.

(2) Schedule of Rates

(Res. 05.20, 09/14/2005)

- (1) The EDU rate shall be \$10.00 per month for each EDU.
- (2) The stormwater management utility fee shall be calculated for each developed property as follows:
 - i. The fee for property consisting solely of dwelling units is the rate of one EDU multiplied by the number of dwelling units existing on the property. That is:

$$\text{Fee} = (\text{EDU rate}) \times (\text{Number of dwelling units})$$

- ii. The fee of a property with no dwelling units is the rate of one EDU multiplied by the numerical factor. The numerical factor is obtained by dividing the total impervious area in square feet of the nonresidential property by 1,249 square

feet. The resulting calculation is:

Fee = (EDU rate) X (Impervious area expressed in square feet) / 1,249 square feet, but not less than the rate for one EDU)

****Fractional remainders***

- iii. The fee for mixed use property (dwelling units and commercial) is the rate of one EDU multiplied by the number of dwelling units existing on the property. The total on-site impervious is then compared to the impervious area allocated to dwelling units by multiplying the number of dwelling units X 1,249 square feet per dwelling unit and subtracting the resulting square footage of impervious area from the total impervious area. If the remaining impervious area is zero or negative, the fee is the EDU rate multiplied by the number of dwelling units.

If the remaining impervious area is greater than zero, then the additional fee for the remaining impervious area is calculated under subsection (2)(b) of this section.

- (3) The minimum fee for developed property, whether residential or nonresidential, within the city is equal to the rate of one EDU subject to reduction as set forth in subsection (4) of this section.
- (4) On-site stormwater quality management facilities reduction shall be allowed and calculated as follows:
- i. In order to encourage the improvement of the quality of stormwater runoff, a reduction in the stormwater management utility fee is authorized for those developed properties which are addressed by a stormwater management facility designed and constructed for the purpose of stormwater pollution reduction.
 - ii. A reduction in fee is allowed for a particular developed property only if the stormwater runoff from the property is treated by a stormwater management facility that has been designed, constructed, and is maintained properly for the purpose of stormwater pollution reduction and adheres to the drainage requirements of the ten-year frequency, 60-minute storm event. If it is determined by the Director of Community Services that the stormwater management facility has not been, nor is currently being, properly maintained as designed, the Director of Community Services may disallow the on-site stormwater management facility credit.
 - iii. Specific stormwater treatment facilities that qualify for this reduction include, but are not limited to, retention or filtration ponds; front, rear, and side lot swales; mechanical treatment or separation facilities; or extensive improvement in the amount of pervious surfaces by the use of turf-block for parking areas, driveways, patios and sidewalks.
 - iv. For applicable properties, the fee shall be reduced by 25 percent. The reduced fee will, therefore, be calculated as the fee determined in this subsection

multiplied by the factor of 0.75 (Fee X0.75).

(3) Billing, Collecting, Delinquency, and Penalty

- a. Bills for stormwater service shall be rendered bimonthly by the county water system as agent for the city. The fixed monthly charge shall be payable in advance.
- b. If any bill shall not be paid within seven days after the date it has been declared delinquent, water service to the premises shall be disconnected until such delinquent account is paid in full, including all applicable disconnection and reconnection charges.
- c. Statements for the stormwater management utility fee shall be payable at the same time and in the same manner and subject to the same penalties as they are otherwise set forth for other utility fees administered by the city. The property owner or fee payer will be notified of any delinquency in the payment of the stormwater management utility fee in the same manner that delinquent water, garbage and sewer bills are notified and the failure to pay such fee as is otherwise provided in the statement rendered to the payer shall subject the property to the discontinuance of water, garbage and sewer services and shall subject the fee payer to all other penalties and charges provided relative to the discontinuance of such utility services.
- d. The administrative appeal and hearing procedure applicable to the discontinuance of utility services shall be applicable to the discontinuance of such services for the nonpayment of the stormwater management utility fee.

(4) Adjustments of fees.

(Code 1983, §19-512)

- a. Any owner, tenant or occupant who has paid the rendered fee and who believes that the fee is in error may, subject to the limitations set forth in this division, submit an adjustment request to the Public Works Director.
 - i. Adjustment requests shall be made in writing and shall set forth in detail the grounds upon which the belief is based.
 - ii. The Public Works Director shall review the adjustment request within 90 days of the submittal of the request and shall respond in writing to the requesting fee payer, either denying or granting the request with the reason therefore stated in such response.
 - iii. The rate adjustment, if granted, will apply retroactively to the date at which the erroneous information was applied to the fee payer's fee, but will not exceed one year prior to the adjustment request.
 - iv. Upon denial of the adjustment request, the owner, tenant, or occupant making the original adjustment request may, within 30 days of the receipt of denial, petition for a review of the adjustment request by the board of adjustment.

The board of adjustment shall review the adjustment request in accordance with the provisions set forth in the City Code, Chapter 2, as well as the documented evidence provided in the original adjustment request and supplemental evidence requested by the Director of Community Services or provided by the fee payer prior to the decision made by the Director of Community Services. Within 60 days of the petition the board of adjustment shall in writing, either grant or deny the petition. If the petition is granted, the Public Works Director will apply the adjustment to the fee for the requesting customer for the retroactive period identified by the board of adjustment.

- b. The Public Works Director, upon discovering an error or oversight in the calculation of the fee, may initiate an adjustment request. The request must be made in writing documenting the reasons for the adjustment. In the event that the adjustment would require the increase in fee for a fee payer, the Public Works/Marina Director must provide the adjustment request to the affected fee payer 30 days prior to adjusting the fee and offer the fee payer an opportunity within the stated 30 days to provide reasons why the adjustment should not be made. An increase or decrease in fee shall not be retroactively effective more than one year from the date of adjustment.
- (5) Sec. 70-156. - Enforcement.
- a. *Civil penalties.* Any violation of any provision of this article, or of any regulation or order issued under this article, shall be subject to a civil penalty not less than \$50.00 or more than \$500.00 per day, or imprisonment of up to 60 days, or both such fine and imprisonment, for each violation.
 - b. *Criminal penalties.* Any intentional or willful violation of any provision of this article, or of any regulation or order issued under this article, shall be subject to a criminal penalty not less than \$50.00 or more than \$500.00 per day, or imprisonment of up to 60 days, or both such fine and imprisonment, for each violation.
 - c. *Injunctive relief.* Any violation of any provision of this article, or of any regulation or order issued under this article, shall be subject to injunctive relief if necessary to protect the public health, safety, or general welfare.
 - d. *Continuing violation.* A person shall be deemed guilty of a separate violation for each and every day during any continuing violation of any provision of this article, or of any regulation or permit issued under this article.
 - e. *Enforcement actions.* The director may take all actions necessary, including the issuance of notices of violation and the filing of court actions, to require and enforce compliance with the provisions of this article and with any regulation or permit issued under this article.

ARTICLE VII. MADEIRA BEACH MUNICIPAL MARINA

A. Vessel inspection.
 (Code 1983, Chapter 19, Article VII)

Live-aboard vessels desiring to stay beyond ten days will be required to obtain a no- fee annual permit and pay a vessel inspection fee of \$25.00

B. Madeira Beach Municipal Marina fees
 (Res 2016-03, 02/10/2016)

The marina maintains the ability to adjust the rates below to account for changes in the sales tax Rates during the fiscal year; allowing for payments to stay consistent until this manual is updated and approved by the Commission. Employees receive the same rates as residents. The marina staff can issue transient slip discount coupons up to 20% off through online booking sites as a marketing tool. Discounts will be for off peak times.

Fees for the Madeira Beach Municipal Marina shall be as follows (each of these fees are subject to all applicable sales taxes):

- (1) Transient Wet Slip per day.....\$2.10/foot/day
- (2) Transient Wet Slip per week.....\$11.00/foot/week
- (3) Transient Dry Storage
 - a. Regular per day\$28.04/day
 - b. Holidays and/or weekends per day.....\$37.38/day
- (4) Transient Dry Storage\$257.01 /month
- (5) Wet Slip non-Live-aboard \$13.50/foot/month
- (6) Boat Lift\$17.00/foot/month
- (7) Commercial non-live-aboard wet slip..... \$14.50 /foot/month
- (8) Wet Slip Live – aboard\$20.00/foot/month
- (9) Dry Storage – under 26’ boat length.....\$172.90/month
- (10) Dry Storage – 26’+ boat length\$210.28/month
- (11) Resident Dry Storage (Limited to Madeira Beach Residents Only) \$130.84/month
- (12) Dry storage for non-motorized boat*\$28.17/month
 - a. *Kayaks, canoes, and small boat that can be carried by one (1) person.
- (13) Boat Ramp Fees
 - a. Launch\$4.67/day
 - b. Launch and Park\$14.02/day
 - c. Holiday Launch and Park\$18.69/day
 - d. Resident Launch (New).....\$1.87
 - e. Resident Launch & Park (New)\$9.35

- (14) Late Fee\$30.00
- (15) Residents with recreational vehicles and motor homes and boat displaced by City Road and/or Stormwater construction will be provided free storage space for those vehicles.
- (16) Fuel Discounts -Maximum discount per gallon \$0.30/gal
 - a. Commercial\$0.20/gal
 - b. Gulf of Mexico Commercial Fishing Fleet Discount\$0.30/gal
 - c. 50+ Gallon\$0.05/gal
 - d. Boat US/ Sea Tow\$0.05/gal
 - e. Madeira Beach Resident.....\$0.05/gal
 - f. City Co-sponsored / Community events.....\$0.20/gal
 - i. Great American Grunt Hunt
 - ii. King of the Beach fishing tournament (Spring and Fall)
 - iii. Veterans Boat Parade
 - iv. Wild West Kingfish Tournament (*Spring and Fall*)
 - v. Sun Coast Kingfish Classic (*Spring and Fall*)
 - vi. Christmas Boat Parade
 - vii. Any other City Co-sponsored events as approved by the City Manager
- (17) Surveillance camera optional fee\$25.00/month
- (18) Live-aboard permits.....\$5.00(72 hours)
(*Res 2019-18, 12/17/2019*)
- (19) Temporary 3HR Wet Slip Parking/No Power\$20.00 + Tax

This page reserve for Publications by the City Clerk

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Madeira Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

ORDINANCE 2024-22

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING A REVISED APPENDIX A. – FEES AND COLLECTION PROCEDURE MANUAL OF THE CODE OF ORDINANCES OF CITY OF MADEIRA BEACH, FLORIDA; REPEALING ORDINANCE 2024-05; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Madeira Beach is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Madeira Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits as those terms are defined in Section 163.3164, Florida Statutes, and development agreements as authorized by the Florida Local Government Development Agreement Act under Sections 163.3220-163.3243, Florida Statutes;
 - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party;

¹ See Section 166.041(4)(c), Florida Statutes.

- c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Madeira Beach hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

This ordinance amends the Fees and Collection Procedure Manual to changing existing fees within Residential and Multifamily Solid Waste.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Madeira Beach, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City of Madeira Beach’s regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

This amendment reduces residential and Multifamily solid waste fees, which will reduce total cost of utility bills.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Difficult to estimate.

4. Additional information the governing body deems useful (if any):

This amendment will result in a reduction of revenues to be generated in the Sanitation Fund.



Memorandum

Meeting Details: February 12, 2025

Prepared For: Mayor & Board of Commissioners

From: Megan Wepfer, Public Works Director

Subject: Public Works / Satellite Building Department Design

Background

The public works department is bringing a proposal to the Board of Commissioners for the design of a new public works facility that will incorporate a satellite office for the building department and the possibility of adding training facilities for the fire department. Currently the Public Works department is working out of a shed that was constructed over 20 years ago and is open to all elements and the mechanic and sanitation employees are housed off the island. The proposed new building will be 135ft by 55ft and will have a second story office and break area and multiple bays which will bring the mechanic back to the island and allow us to downsize on rental space.

The proposal for engineering services is broken down into two tasks. Task one covers all geotechnical investigation which includes boring samples to check the soil type for which foundation will be needed. Task two covers all construction documents, permitting services, Construction administration services, and project certifications. Items that will not be covered by task two are Boundary and topographic survey, traffic studies, design of roadway improvements, Lift station design, FDOT permitting, and public hearings.

Fiscal Impact

The fiscal impact for the engineering services is \$62,050.00. Between the Public Works Department and the building department FY25 has \$1.5 million budgeted towards the design and construction of the new facility.

Recommendation(s)

Staff recommends the Board of Commissioners approve the engineering proposal with Pennoni for the Public Works building in the amount of \$62,050.00.

Attachments

- Pennoni Proposal
- Site location with proposed building size



January 14, 2025

MDBCH25001P

City of Madeira Beach
Attn: Megan Wepfer
Public Works Director
505 150th Avenue
Madeira Beach, FL 33708

RE: Public Works Facility
Madeira Beach, FL

Dear Ms. Wepfer:

Pennoni Associates Inc. (Pennoni) is pleased to present this proposal to The City of Madeira Beach to provide professional engineering services for the design of a new public works facility within the +/- 5.74 Acre parcel located at 505 150th Ave, within the city of Madeira Beach. It is our understanding that the proposed project will consist of the construction of a +/- 7,500 sf Public Works Building and fire support structure, and supporting site improvements. Based on current Zoning and Land Use Information, the property is Zoned Marine Commercial (C-4) with a future land use designation of Planned Development Mixed Use. Based on FEMA Flood Map Information, the property is within the Coastal Floodplain Zone AE11.

We are providing this proposal for engineering services. Our scope is as follows:

TASK 1 – GEOTECHNICAL INVESTIGATION

The purpose of our geotechnical study is to obtain information on the general subsurface soil conditions at the project site. The subsurface materials encountered will then be evaluated with respect to the available project characteristics. In this regard, engineering assessments for the following items will be formulated:

- Identification of the existing groundwater levels and estimated normal seasonal high groundwater fluctuations.
- General location and description of potentially deleterious materials encountered in the borings which may have an impact on the proposed construction.
- Allowable capacities and estimated foundation settlement for shallow foundations supporting the structure.
- General geotechnical recommendations for the proposed construction.

The following services will be performed:

- Site reconnaissance and stake boring locations.
- Request utility location services from Sunshine811.
- Coordinate GPR utility clearing services.
- Perform a total of six (6) Standard Penetration Test (SPT) borings at the project site. Samples will be collected, and Standard Penetration Test resistances measured continuously for the top ten feet and at approximate intervals of five feet, thereafter. SPT borings will be performed as follows:
 - Three (3) SPT borings will be performed to a depth of 10 feet below the existing ground surface within the pavement improvement areas.
 - Three (3) SPT borings will be performed to a depth of 30 feet below existing ground surface within the building footprint.

- Visually classify and stratify soil samples in the laboratory and conduct a laboratory testing program as needed to verify soil classifications.
- Report the results of the field exploration and engineering analysis. The results of the subsurface exploration will be presented in a written report signed and sealed by a professional engineer specializing in geotechnical engineering.

TASK 2 – CIVIL ENGINEERING

A. Construction Documents

Using the owner provided boundary and topographic survey, and conceptual site plan in CAD format, we will prepare Construction Documents coordinated with the design team. The site elements such as building envelope, sidewalks, driveways, parking, utilities, and pedestrian access outside of the building envelopes will be documented.

1. We anticipate the construction documents will include the following:

- Existing Conditions Plan
- Demolition Plan
- Site Plans
- Grading Plans
- Utility Plans
- Landscape Plans (Code Compliant)
- Landscape Details (Code Compliant)
- Stormwater Management Design and Details
- Construction Details

2. We will notify the surrounding utility companies of the proposed project and request locations, conflict information, comments, and details on their existing utilities and service to the Site in attempt to avoid conflicts.

NOTE: Please be advised that a state law in association with Sunshine State One Call of Florida allows utility companies to charge service fees for providing utility location information inside public rights-of-way and/or easements. These fees cover services such as meetings with engineers, site visits to flag utilities in the field, reviewing and marking up plans to depict the location of their facilities, etc., which are necessary to facilitate the design and construction of improvements within rights-of-way and/or easements. As an Associate Member of the Sunshine State One Call of Florida, and as your engineering consultant, we may incur these costs associated with your Project, and if so, we will include them on our invoices to the Client as a direct reimbursable cost.)

3. We will coordinate with the lighting designer to identify the location of the lighting fixtures and prepare a photometrics plan compliant with the governing municipalities ordinance. We will coordinate with the MEP engineer to power service to the fixtures through the site, terminating at the building.

4. We anticipate attending up to four (4) virtual calls/meetings to coordinate the site aspects of the project with the design.

B. Permitting Services

1. We will prepare schematic exhibits for and attend a Pre-Application meeting with the Southwest Florida Watershed Management District (SWFWMD) to review the Project Site and to discuss the stormwater management permit requirements for this Project.

2. We will prepare the required applications and submissions to the SWFWMD with supporting stormwater management design calculations for the proposed improvements. An ERP exemption approval is anticipated since building impervious area will be replacing ground level impervious area.
3. We will prepare the required permit applications and submissions to the City of Madeira Beach TRC depicting a code compliant design of the site improvements.
4. We will attend up to two (2) design review meetings/calls with the City to review status of site civil engineering plans and discuss any changes or revisions requested.
5. Payment of review fees, impact fees, soils testing, environmental/ecological surveys, platting, and other subconsultants, and other costs not included in this proposal are the Client's/Owner's responsibility.

C. Construction Administration Services

The effort necessary during construction is dependent on the abilities and judgments of the construction manager and contractors. Thus, we are providing a fee based on assumed hours for some tasks and a construction period of up to six months.

1. We will review shop drawings, checking for conformance with the design of the project and compliance with the information given in the construction documents.
2. We will respond to requests for information (RFI's) from the Construction Manager to clarify the scope of work during construction and to convey design intent.
3. We will make visits to the site during construction of site work components and at such other times as requested to review construction progress, to coordinate site work with other requirements of the project, and to attend construction meetings. We are including up to four site visits in this proposal.
4. We will prepare a "punch list" when the construction is substantially complete and follow up with a second visit to review the completed punch list items.
5. Using the as-built files provided by the Contractor, we will prepare the Project Close Out Submittal.

D. Project Certifications

1. Once construction is deemed sufficiently complete Pennoni will prepare and submit a "Statement of Completion and Request to Transfer to Operation" for the stormwater management ponds. The form will be submitted with the contractor provided As-Built Drawings to the SWFWMD and The City of Madeira Beach if necessary. Please note that any deviations from the approved construction plans (notwithstanding the opinions of inspectors, local approval, etc.) such as pipe slope, retention pond size, elevation differences, and contractor exclusions (geotechnical engineering and testing requirements on the plans) which call into question the capacity of the system(s) could require Additional Services by Pennoni to resolve same and/or Client's indemnification of Pennoni.

Civil Engineering Scope Exclusions

The following services are not included in the scope of this proposal. If any of the services below is needed, we can provide a separate design proposal for the requested scope.

- Boundary and Topographic Survey
- Traffic Studies
- Design of Public Roadway Improvements
- Lift Station and/or Utility Main Extension Design
- FDOT Permitting
- Public Hearings

FEE

Pennoni will complete the professional services in the Scope of Services for the fee of:

TASK 1 – GEOTECHNICAL INVESTIGATION	\$11,800
TASK 2 – CIVIL ENGINEERING SERVICES	
A. Construction Documents	\$28,750
B. Permitting	\$ 9,500
C. Construction Administration Services	\$ 8,500
D. Project Certifications	\$ 3,500
	Task 2 Total: \$50,250

PROJECT TOTAL: \$62,050

All fees are considered to be Lump Sum unless otherwise noted.

Any services performed by Pennoni for this Project which are not specifically included in the above Scope of Services are Additional Services and we will provide a proposal for the additional work.

BILLING AND PAYMENT

An invoice for professional services completed will be presented for payment on a monthly basis. Invoices are due upon receipt. The Client acknowledges that the method of billing and payment has been discussed in detail, that the terms agreed upon can only be changed by a written addendum agreed to by both parties, and that work may be stopped until payment is made in accordance with the agreement. Payments to Pennoni shall be made no later than 15 days after the Client is paid by the Owner under the Prime Agreement. The Client shall exert reasonable and diligent efforts to collect prompt payment from the Owner.

TERMS AND CONDITIONS

A. GENERAL

1. Pennoni Associates Inc. General Terms and Conditions (Form LE01FL 01/2018) are attached hereto and are considered as part of the Scope of Services. The Client indicates by the execution of this proposal that they have reviewed and understand the General Terms and Conditions.

B. CIVIL/SITE

1. The lump sum fees of this proposal are for providing the specific services described within the Scope of Services. Any services provided by Pennoni Associates Inc. for this project which are not specifically included in the above Scope of Services are additional services and will be billed as such in addition to the above-stated lump sum fees.
2. Pennoni Associates Inc. does not guarantee approvals as these are often subject to circumstances beyond our control. Our fees are due and payable regardless of ultimate approval.
3. Based on available documentation and online data no wetlands are present within the site, and delineation of wetlands is not included within this scope of services. If wetland delineation becomes necessary, we will provide a separate proposal for that service.
4. This proposal assumes that Zoning Variance approvals are not required for the site. If these permits become necessary, we will provide a separate proposal for those services.
5. This proposal assumes that utilities are available adjacent to the site, and design of a lift station is not expected. If utility extensions or lift station designs are required, we will provide a separate proposal for those services.
6. Design of Public Roadway improvements and Traffic Studies are not included within this scope of services.

Pursuant to 558.0035 F.S., an individual employee or agent of Pennoni Associates, Inc. cannot be held individually liable for damages resulting from negligence occurring within the course and scope of this professional services contract or the performance of professional services hereunder, by signing this agreement, you have accepted this limitation of liability.

Thank you for the opportunity to provide these professional services for this exciting project. If this proposal is acceptable, please sign and return this proposal as our Notice-to-Proceed. If you have any questions, or if you would like to discuss any of the above, please contact please contact me at 727-325-1257

Sincerely,
PENNONI



Brian M. Diehl, PE
Regional Vice President



Jason Sheridan, PE
Civil/Site Division Manager

Accepted By:

(Authorized Representative of the Client)

(Print Name & Title)

(Date)



PENNONI ASSOCIATES Item 12A.
GENERAL TERMS & CONDITIONS
MDBCH25001P

1. Unless withdrawn sooner, proposals are valid for thirty (30) days.
2. The technical and pricing information in proposals is the confidential and proprietary property of Pennoni Associates Inc. ("Pennoni") or any Pennoni subsidiary or affiliate. Client agrees not to use or to disclose to third parties any technical or pricing information without Pennoni's written consent.
3. The agreement created by the Client's acceptance of a proposal and these Terms & Conditions is hereinafter referred to as the "Agreement." If a proposal is submitted to Client and Client fails to return a signed copy of the proposal but knowingly allows Pennoni to proceed with the services, then Client shall be deemed to have accepted the terms of the proposal and these General Terms & Conditions. If there is a conflict or inconsistency between any express term or condition in the proposal and these General Terms & Conditions, then the proposal shall take precedence. The proposal and these General Terms & Conditions constitute the entire Agreement, and supersede any previous agreement or understanding.
4. Payment is due upon receipt of invoices as submitted. If Client chooses to make any payment via major credit card, Client agrees to pay a 3% surcharge or 1.03 times the total amount invoiced. Client agrees to pay interest at the rate of 1½ percent per month on invoices that are more than 30 days past due. If an invoice is 30 or more days past due, then Pennoni may suspend services and refuse to release work on this Agreement or any other agreement between Client and Pennoni until Client has paid all amounts due. Unless Pennoni receives written notice of Client's dispute of an invoice within 30 days of the invoice date, the invoice will be presumed correct. If payment is not made in accordance with the Agreement, then Client agrees to pay reasonable costs and attorney's fees incurred by Pennoni to collect payment.
5. All drawings, sketches, specifications and other documents ("Documents") in any form, including electronic, prepared by Pennoni are instruments of Pennoni's services, and as such are and shall remain Pennoni's property. Upon payment in accordance with the Agreement, Client shall have the right to use and reproduce the Documents solely for the purposes of constructing, remediating, using or maintaining the project contemplated by the Agreement ("Project"). The Documents are prepared for use on this Project only, and are not appropriate for use on other projects, any additions or alterations of the Project, or completion of the Project by others. Client shall not use the Documents in violation of this paragraph without Pennoni's express written consent; and such use is at the Client's sole risk. Client agrees to indemnify, defend and hold harmless Pennoni from any claims, damages, losses, liabilities and expenses arising from such prohibited use.
6. The proposed fees and schedule constitute Pennoni's best estimate of the charges and time required to complete the Project. As the Project progresses, facts uncovered may dictate revisions in scope, schedule or fee. The hourly rate schedule for services provided on a time and material basis will be subject to increases annually.
7. Fee and schedule commitments will be subject to change for delays caused by Client's failure to provide specified facilities or information, or for delays caused by third parties, unpredictable occurrences or force majeure.
8. Where the method of payment is based on time and materials, Client agrees that the following will apply: The minimum time segment for charging work is one-quarter hour, except the minimum time segment for charging of field survey work is four (4) hours. Client reimbursable expenses include travel and living expenses of personnel when away from the home office on business connected with the Project; subcontractor and subconsultant costs; identifiable communications, mailing and reproduction costs; identifiable drafting and stenographic supplies; and expendable materials and supplies purchased specifically for the Project. A ten (10) percent administrative and handling charge will be added to client reimbursable expenses.
9. Client's termination of this Agreement will not be effective unless Client gives Pennoni seven (7) days prior written notice with accompanying reasons and details, and affords Pennoni an opportunity to respond. Where the method of payment is "Lump Sum," Client agrees that the final invoice will be based on services performed to the effective date of cancellation, plus an equitable adjustment to provide for costs Pennoni incurred for commitments made prior to cancellation. Where the method of payment is time and materials, Client agrees that the final invoice will include all services and direct expenses up to the effective date of cancellation plus an equitable adjustment to provide for costs Pennoni incurred for commitments made prior to cancellation.
10. Pennoni will maintain at its own expense Workman's Compensation insurance, Commercial General Liability insurance, and Professional Liability insurance.
11. Neither the Client nor Pennoni shall assign this Agreement without the written consent of the other.

- 12. Pennoni does not represent or warrant that any permit or approval will be issued by any governmental or regulatory agency, and Pennoni will endeavor to prepare applications for such permit or approval in conformance with applicable requirements, but, in view of the complexity of and the frequent changes in applicable rules and regulations and interpretations by the authorities, Pennoni cannot guarantee that any such application will be considered complete or will conform to all applicable requirements.
- 13. Pennoni will perform its work in accordance with generally accepted professional standards. THERE ARE NO OTHER WARRANTIES, EXPRESSED OR IMPLIED. This Agreement is solely for the benefit of the Client and its successors. There is no third-party beneficiary of this Agreement.
- 14. CLIENT AND PENNONI HAVE CONSIDERED THE RISKS AND REWARDS ASSOCIATED WITH THIS PROJECT, AS WELL AS PENNONI'S TOTAL FEE FOR SERVICES. CLIENT AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, PENNONI'S TOTAL AGGREGATE LIABILITY (INCLUDING THE LIABILITY OF ITS OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, SUBCONTRACTORS AND CONSULTANTS) TO THE CLIENT (AND ANYONE CLAIMING BY, THROUGH OR UNDER THE CLIENT) FOR ANY AND ALL INJURIES, CLAIMS, LOSSES, EXPENSES OR DAMAGES ARISING OUT OF THIS AGREEMENT FROM ANY CAUSE OR CAUSES IS LIMITED TO THE TOTAL FEE RECEIVED BY PENNONI UNDER THIS AGREEMENT OR \$50,000, WHICHEVER IS GREATER. SUCH CAUSES INCLUDE, BUT ARE NOT LIMITED TO, PENNONI'S NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, OR BREACH OF CONTRACT OR WARRANTY.

IN THE EVENT THE CLIENT IS UNABLE TO ACCEPT THE ABOVE LIMITATION OF LIABILITY, PENNONI AGREES TO INCREASE THE LIMITATION TO \$1,000,000 UPON ITS RECEIPT, PRIOR TO PERFORMING ANY SERVICES, OF CLIENT'S WRITTEN AGREEMENT TO PAY AN ADDITIONAL SUM OF NOT LESS THAN 10% OF THE TOTAL FEE UNDER THIS AGREEMENT OR \$1,000, WHICHEVER IS GREATER.
- 15. Client shall make no claim against Pennoni unless the Client first provides a written certification, executed by an independent design professional, specifying those acts or omissions which the independent design professional contends is a violation of generally accepted professional standards and upon which the claim will be premised. The independent design professional must be licensed to practice in the state where the Project is located and in the discipline related to the claim. Client agrees that the independent design professional's certification is a condition precedent to the Client's right to institute any judicial proceeding.
- 16. If required under the scope of services, Pennoni shall visit the Project site to become generally familiar with the progress and quality of the work for which Pennoni prepared contract documents, and Pennoni shall not make exhaustive or continuous onsite inspections. Pennoni's services do not include supervision or direction of the contractor's work. Observation by Pennoni field representatives shall not excuse the contractor for defects or omissions in its work. Pennoni shall not control construction means, methods, techniques, sequences, or procedures, and the contractor is solely responsible for all work on the Project, including safety of all persons and property.
- 17. If Client does not retain Pennoni to render construction phase services, then Client waives any claim it may have against Pennoni and agrees to indemnify, defend, and hold harmless Pennoni from any loss or liability, including attorneys fees and other defense costs, arising out of or related to the interpretation of Pennoni's plans and specifications, the review of shop drawings, the evaluation of contractor's request for change orders, or the failure to detect and correct obvious errors or omissions in Pennoni's plans and specifications.
- 18. Unless and until a court determines that Pennoni's preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs, specifications and/or Pennoni's giving or failure to give instructions is the primary cause of any damage, claim, loss or expenses, Client shall indemnify, defend and hold harmless Pennoni and its officers, employees and consultants from and against all damages, claims, losses or expenses, including reasonable attorneys fees and other costs of defense, arising out of this Agreement. In the event the Client is required to defend Pennoni under this paragraph, Pennoni shall have the right to select its attorneys.
- 19. Client agrees to pay reasonable expert witness fees if Pennoni or any of its employees is subpoenaed to testify as a fact or opinion witness in any court proceeding, arbitration, or mediation to which the Client is a party.
- 20. Unless otherwise provided in this proposal, Pennoni shall have no responsibility for the discovery, presence, handling, removal, or disposal of hazardous materials or underground structures at the Project site.
- 21. Client and Pennoni waive consequential damages arising out of this Agreement.
- 22. This Agreement shall be governed by the laws of the State of Florida.
- 23. Both Pennoni and Client agree to waive the right to subrogation for covered losses and each shall obtain similar waivers from Owner, subcontractors, property and casualty insurers, and any other party involved in this Project.



City of Madeira
Beach Public Works

150th Ave



MEMORANDUM

TO: Hon. Mayor and Board of Commissioners

THROUGH: Robin Gomez, City Manager

FROM: Clint Belk, Fire Chief

DATE: 02/12/2025

RE: AAA Florida Traffic Safety Grant

Background

The Madeira Beach Fire Department recently applied for and received a grant from AAA, The Auto Group/Auto Club Insurance Association. This grant is AAA's Florida Traffic Safety Grant and was issued in the amount of \$5,400. The funds will be used by the department to purchase road safety tools/equipment to improve the safety of firefighters while on scene of an accident or an emergency.

Fiscal Impact

The Madeira Beach Fire Department was awarded a grant in the amount of \$5,400 with no additional cost or matching requirements from the City.

Recommendation

Staff recommends that the Board of Commissioners accept the Florida Traffic Safety Grant from AAA in the amount of \$5,400 to be used for purchase of road safety tools/equipment to protect firefighters while on scene of an accident or emergency.

Attachment(s):

Email from Fire Marshal Perez and AAA Auto Group announcing the grant



Eaton, Trish

From: Perez, Raul
Sent: Friday, September 13, 2024 12:23 PM
To: Robin Gomez
Cc: Belk, Clint; Eaton, Trish
Subject: RE: ACG Foundation Grant Communication

This grant increases road safety for the fighters while on the scene of an accident or an emergency. This includes (5) portable reflective speed bumps, (5) additional reflective collapsable cones, (1) 3-foot diamond shape road sign with a 4-foot stand that reads, " EMERGENCY AHEAD", (2) Electric vehicle plug-in to shut down the battery current throughout the vehicle while attempting to extricate and or removing the patient(s) from the car.

Raul Perez

Fire Marshal

Madeira Beach Fire Rescue Station 25
250 Municipal Drive
Madeira Beach, FL 33708
(727)391-3400 Office
(727)946-7339 Cell



From: Robin Gomez <RGomez@madeirabeachfl.gov>
Sent: Friday, September 13, 2024 8:31 AM
To: Perez, Raul <RPerez@madeirabeachfl.gov>
Cc: Belk, Clint <cbelk@madeirabeachfl.gov>; Eaton, Trish <teaton@madeirabeachfl.gov>
Subject: RE: ACG Foundation Grant Communication

Congratulations! Thank you for obtaining the grant.
What is the proposed grant project.?

Raul Perez

From: Perez, Raul <rperez@madeirabeachfl.gov>
Sent: Friday, September 13, 2024 8:12 AM
To: Ward, Gretchen L. <glward@acg.aaa.com>
Cc: Belk, Clint <cbelk@madeirabeachfl.gov>; Eaton, Trish <teaton@madeirabeachfl.gov>; Robin Gomez <RGomez@madeirabeachfl.gov>
Subject: RE: ACG Foundation Grant Communication

Thank you so much for this grant. Our dept. is very grateful. We will be following through with your requests.

Once again, THANK YOU!!!

Raul Perez
Fire Marshal
 Madeira Beach Fire Rescue Station 25
 250 Municipal Drive
 Madeira Beach, Fl 33708
 (727)391-3400 Office
 (727)946-7339 Cell



From: Ward, Gretchen L. <glward@acg.aaa.com>
Sent: Wednesday, September 11, 2024 3:38 PM
To: Perez, Raul <rperez@madeirabeachfl.gov>
Subject: ACG Foundation Grant Communication

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

9/11/2024

Raul Perez
Madeira Beach Fire Rescue
rperez@madeirabeachfl.gov

Dear Raul,

Congratulations! On behalf of the Auto Club Group Foundation, I'm pleased to inform you that your grant request in the amount of \$5,400.00 for Firefighter road safety project has been approved. We have requested a check be sent and you should receive the funds within the next three to four weeks.

Please note that a condition of this grant is that your organization submits a final report which will be available through the grant application portal. This brief summary addressing grant implementation, evaluation, outcomes, budget recap and testimonials will be due no later 6/11/2025. This information will help us shape the future of our grant making and may be used by our marketing and social media teams to share your accomplishments.

The mission of the Auto Club Group Foundation is to work on behalf of our members and the communities we serve to create lasting solutions, inspire learning and provide research and funding in the areas of traffic safety, driver education and financial literacy. Thank you for all you do in your community to help us achieve that mission.

Once again, congratulations and we send our best wishes for continued success.

Warm Regards,

Gretchen Ward
Foundation Consultant
The Auto Club Group Foundation

The information transmitted is intended only for the person(s) or entity to which it is addressed and may contain confidential and or privileged material and should be treated as a confidential The Auto Club Group communication. If the reader of this message is not the intended recipient, you are hereby notified that your access is unauthorized, and any review, dissemination, distribution, or copying of this message including any attachments is strictly prohibited.

Disclaimer: Under Florida law (Florida Statute 668.6076), email addresses are public records. If you do not want your email address released in response to a public records request, please do not send electronic mail to the City of Madeira Beach. Instead, contact the appropriate department/division.

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MEMORANDUM

Item 12C.

TO: Board of Commissioners
FROM: Robin I. Gomez, City Manager
DATE: February 12, 2025
RE: Saltwater Destination Beach Equipment Concession Agreement

Background

On October 22, 2019, the City of Madeira Beach executed a Beach Equipment Concession Agreement with Saltwater Destinations, LLC, (Saltwater) to provide beach chairs and umbrella rentals to visitors at Archibald Park for a period of five (5) years, with one additional five (5) year renewal. Saltwater has requested to extend the agreement with no changes for the additional five-year period that will end in October 2029.

Discussion

The City and Saltwater have agreed to the enclosed five (5) year extension beginning October 22, 2024, and ending on October 21, 2029. The agreement provides for an annual \$12,000.00 payment for the use of the Archibald Park identified area to provide the equipment rentals, the same payment as in the first five years. All other agreement obligations will remain in place for the five (5) year extension.

The City received approval from the National Parks Service of the 2nd Amendment to the Concessionaire Agreement.

Fiscal Impact

Continue annual recurring revenue of \$12,000.00.

Recommendation

Staff recommend approval of the 2nd amendment to the original Concession Agreement with Saltwater Destination, LLC,. for the equipment concession services at Archibald Park.

**SECOND AMENDMENT TO
BEACH EQUIPMENT CONCESSION AGREEMENT**

**THIS SECOND AMENDMENT TO SALTWATER DESTINATION BEACH EQUIPMENT
CONCESSION AGREEMENT**

("Second Amendment") is hereby entered into by and between the **CITY OF MADEIRA BEACH**, a Florida municipal corporation, hereinafter referred to as "City," and, **SALTWATER DESTINATION, LLC.**, a Florida corporation, hereinafter referred to as "Concessionaire."

RECITALS

WHEREAS, the City and Concessionaire entered into that certain Saltwater Destination Beach Equipment Concession Agreement, hereinafter referred to as "Agreement," dated October 22, 2019; and

WHEREAS, the City and Concessionaire entered into that certain First Amendment to Saltwater Destination Beach Equipment Concession Agreement referred to as "1st Amended Agreement," dated April 28, 2021; and

WHEREAS, City and Concessionaire wish to address:

1. The extension of the Agreement for an additional five (5) year period beginning October 22, 2024 and ending October 21, 2029.
2. All other agreement terms are to remain unchanged;

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained herein, the parties mutually agree that:

1. The Term of the Agreement shall be extended for an additional five (5) year period beginning October 22, 2024 and ending on October 21, 2029, unless terminated sooner pursuant to the terms of the Agreement.

2. Except as expressly set forth herein, all of the terms, covenants and conditions of the Agreement are hereby ratified and confirmed by City and Concessionaire, and each, by the execution of this Amendment, hereby signifies their intent to be bound thereby.

IN WITNESS WHEREOF the Parties hereto have executed this Amendment on the day and year set forth next to their signatures below.

CITY OF MADEIRA BEACH
a Florida municipal corporation

By: Robin I. Gomez
Robin I. Gomez, City Manager

Dated: 1-15-25

ATTEST:

Clara VanBlargan, City Clerk

SALTWATER DESTINATION, LLC
a Florida corporation,

By: Tyler J. Morris
Tyler J. Morris, Manager

Dated: 1.15.25



MEMORANDUM

Item 12D.

TO: Board of Commissioners
FROM: Robin I. Gomez, City Manager
DATE: February 12, 2025
RE: Tampa Bay Psychology Associates Service Agreement

Background

City continues to reinvest in the continued professional skills and well-being of its employees through various methods and services. Fire Department personnel as first and emergency responders face considerable physical and mental interactions/challenges periodically requiring some additional professional services.

Discussion

To assist our Fire Department personnel with the occupational dangers and other physical and psychological stress the City would like to proactively provide mental health/well-being evaluations and counseling. The City would like to enter into an agreement with Tampa Bay Psychology Associates, LLC, to provide a variety of professional, individual counseling sessions with Fire Department staff.

Fire Department employees will have the opportunity to independently request/schedule (with the Chief's approval) a 60-minute individual counseling session for support during/of a personal crisis.

The agreement will run through December 31, 2025.

Fiscal Impact

City will pay a flat \$165.00 per one 60-minute session

AGREEMENT FOR SERVICES

THIS AGREEMENT, entered into this 9 day of January, 2025, by and between the City of Madeira Beach ("City"), a Florida municipal corporation, 300 Municipal Drive, Madeira Beach FL. 33708 and Tampa Bay Psychology Associates, LLC, ("Professional") a Florida corporation, 111 North Belcher Road, Suite 101, Clearwater, Florida, 33765.

WHEREAS, the City recognizes that first responder work is stressful, dangerous and often stigmatized. Research has shown time and again that fire department personnel's occupational stress is directly related to higher rates of heart disease, divorce, sick days taken, alcohol abuse, and major psychological illnesses such as acute stress disorder, post-traumatic stress disorder, depression, and anxiety disorder. As such, the City desires to address mental health challenges faced by fire department personnel proactively by providing mental health evaluation and counseling; and

WHEREAS, Professional agrees to provide psychological evaluation and counseling services for fire department personnel of the Madeira Beach Fire Department (MBFD);

NOW THEREFORE, in consideration of the promises stated herein, the City and Professional mutually agree as follows:

1. SCOPE OF PROJECT.

Professional agrees to provide psychological evaluation and counseling services required by the Madeira Beach Fire Department, which services are more particularly described as follows:

A. Individual Counseling Sessions:

MBFD employees may independently request 60-minute individual counseling sessions for support during personal crises on their own initiative. These counseling sessions require the approval of the Fire Chief of MBFD. Appointments requested in response to personal crises, including issues, concerns or needs related to marriage, parenting, substance abuse, stress or grief shall be provided at a time mutually

convenient for Professional and the requesting MBFD employee.

MBFD employee-initiated services will be confidential, with employee names omitted from any documentation which may be provided to MBFD. Professional shall be responsible for supplying its own office space to perform individual counseling services under this Agreement but may perform services on MBFD premises at MBFD's request.

Upon termination of this Agreement, Professional should refer all active MBFD clients to another service provider, who has been approved by the City, as required by professional and ethical standards. Alternatively, employee(s) may continue to seek services through Professional at the employee's expense.

Professional is not authorized to provide individual counseling services pursuant to this Agreement to MBFD employees who have filed a Workers' Compensation claim. Prior to providing individual counseling services to any MBFD employee, Professional shall be responsible for verifying that the MBFD employee has not filed a Workers' Compensation claim.

B. Availability and Contact Information:

Professional shall provide MBFD with at least one contact telephone number by which they may be contacted during normal business hours (Monday through Friday, 08:00 to 5:00). If Professional is unavailable during normal business hours, Professional shall utilize a messaging service or other mechanism to process incoming calls. Professional must return messages within one hour unless Professional is treating a patient or in session with a patient at such time, and in such case, Professional shall return messages as soon as reasonably practicable.

2. TIME OF PERFORMANCE.

This Agreement shall commence on January 2, 2025, and shall terminate on December 31, 2025.

3. COMPENSATION.

The City will pay Professional the sum of \$165.00 per one (1) hour counseling session.

4. METHOD OF PAYMENT.

Professional's invoices shall be submitted to the Fire Chief of the Madeira Beach Fire Department for approval for payment on a monthly basis. The City agrees to pay, after approval, under the terms of the Florida Prompt Payment Act §218.70, Florida Statutes. A HIPAA compliant activity report will be sent with all corresponding invoices

The City's performance and obligation to pay under this Agreement is contingent upon an annual appropriation of the City's budget.

5. NOTICES AND CHANGES OF ADDRESS.

Any notice required or permitted to be given by the provisions of this Agreement shall be conclusively deemed to have been received by a party hereto on the date it is hand delivered to such party at the address indicated above (or at such other address as such party shall specify to the other party in writing), or if sent by registered or certified mail (postage prepaid) on the fifth (5th) business day after the day on which such notice is mailed and properly addressed.

6. TERMINATION OF AGREEMENT .

The City at its sole discretion may terminate this Agreement by giving Professional a ten (10) day written notice of its election to do so and by specifying the effective date of such termination. Professional shall be paid for its services through the effective date of such termination. Further, if Professional shall fail to fulfill any of its obligations hereunder, this Agreement shall be in default, the City may terminate the Agreement, and Professional shall be paid only for work completed.

7. INDEMNIFICATION AND INSURANCE.

Professional shall defend, indemnify and hold harmless the City of Madeira Beach, from and against any and all liabilities, claim demands, damages, expenses, fees, fines, penalties, suits, proceedings, actions and causes of action of any and every kind and nature caused by or are alleged to be caused by Professional or any of its affiliates, contractors, sub-contractors, members, employees, agents and representatives, excepting any liability or claim arising or growing out of the gross negligence or willful misconduct of the City, its employees, or officials. Nothing herein shall be construed to waive or modify the provisions of Section 768.28, Florida Statutes or the doctrine of sovereign immunity.

Professional covenants that at all times while this agreement is in effect it will maintain the following insurances:

- A. **Commercial General Liability Insurance** coverage, including but not limited to, premises operations, products/completed operations, products liability, contractual liability, advertising injury, personal injury, death, and property damage in the minimum amount of \$1,000,000 (one million dollars) per occurrence and \$2,000,000 (two million dollars) general aggregate.

- B. **Commercial Automobile Liability Insurance** coverage for any owned, non-owned, hired or borrowed automobile is required in the minimum amount of \$1,000,000 (one million dollars) combined single limit.

- C. Unless waived by the State of Florida, statutory **Workers' Compensation Insurance** coverage in accordance with the laws of the State of Florida, and **Employer's Liability Insurance** in the minimum amount of \$100,000 (one hundred thousand dollars) each employee each accident, \$100,000 (one hundred thousand dollars) each employee by disease and \$500,000 (five hundred thousand dollars) aggregate by disease with benefits afforded under the laws of the State of Florida. Coverage should include Voluntary Compensation, Jones Act, and U.S. Longshoremen's and Harbor

Worker's Act coverage where applicable. Coverage must be applicable to employees, contractors, subcontractors, and volunteers, if any.

D. **Professional Liability Insurance/Medical Errors and Omission/Malpractice** with minimum limits of \$1,000,000 (one million dollars) per occurrence. If a claims made form of coverage is provided, the retroactive date of coverage shall be no later than the inception date of claims made coverage, unless prior policy was extended indefinitely to cover prior acts. Coverage shall be extended beyond the policy year either by a supplemental extended reporting period (ERP) of as great a duration as available, and with no less coverage and with reinstated aggregate limits, or by requiring that any new policy provide a retroactive date no later than the inception date of claims made coverage.

8. PROPRIETARY MATERIALS.

Upon termination of this Agreement, Professional shall transfer, assign and make available to MBFD or its representatives all property and materials in Professional's possession belonging to or paid for by the City.

9. INTERESTS OF PARTIES.

Professional covenants that its officers, employees and shareholders have no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance and/or provision of services required under the terms and conditions of this Agreement.

10. CONFORMANCE WITH LAWS.

Professional agrees to comply with all applicable federal, state and local laws during the life of this Agreement.

11. ATTORNEY FEES.

In the event either party seeks to enforce this Agreement through

attorneys at law, then the parties agree that each party shall bear its own attorney fees and costs.

12. GOVERNING LAW AND VENUE.

The laws of the State of Florida shall govern this Agreement, and any action brought by either party shall lie in the Middle District of Florida or Pinellas County, Florida.

13. CONFIDENTIALITY.

Each party ("Receiving Party") shall not disclose, publish, or disseminate the Confidential Information (as defined below) of the other party ("Disclosing Party") to anyone other than those of such Receiving Party's employees and subcontractors with a need to know, or as may be required by legal process or applicable Laws (including but not limited to Chapter 119, Florida Statutes, and the court decisions construing the same). Each party agrees to accept the other party's Confidential Information for the sole purpose of carrying out such Receiving Party's authorized activities under this Agreement. Each party agrees not to make copies of the other party's Confidential Information except to the extent permitted pursuant to this Agreement. Each party agrees not to use the Confidential Information of the other party for its own or any third party's benefit without the prior written approval of an authorized representative of the Disclosing Party in each instance. In the event a Receiving Party is required to disclose the Disclosing Party's Confidential Information in accordance with applicable Laws or by an order of a court or governmental agency, the Receiving Party shall give written notice to the Disclosing Party to enable the Disclosing Party to make a reasonable effort to obtain a protective order or other confidential treatment for Confidential Information. Such notice shall be provided prior to disclosure unless otherwise required by court order or applicable Laws. Professional acknowledges that, in the event of a public records request, the City may be limited in the amount of notice that it may be able to provide Professional prior to disclosure of records and agrees that the City Attorney shall have the sole and absolute discretion to determine when public records must be released in order to comply with Chapter 119, Florida Statutes, and the court

decisions construing same. By designating information as Confidential Information, Professional agrees to indemnify and hold harmless the City, its officials or employees for any award to a plaintiff for damages, costs and reasonable attorney's fees incurred by the City by reason of any legal action challenging a claim. Professional shall require as a condition of any subcontract that the subcontractor expressly acknowledges and agrees to be bound by the same confidentiality requirements to which Professional is bound by this Agreement.


"Confidential Information" means confidential and proprietary information of either party that is disclosed to the other party which, in the case of written information, is marked "confidential" or "proprietary" and which, in the case of information disclosed orally or stored electronically, is identified at the time of disclosure as confidential and proprietary and summarized and confirmed in writing as such by the Disclosing Party within thirty (30) days of the disclosure. Confidential Information shall not include information that (i) as of the Effective Date or after the Effective Date is or becomes generally available to the public through no fault or breach of the Receiving Party; (ii) the Receiving Party can demonstrate to have had rightfully in its possession prior to disclosure by the Disclosing Party; (iii) is independently developed by the Receiving Party without the use of any Confidential Information; or (iv) the Receiving Party rightfully obtains from a third party who has the right to transfer or disclose it. No representations, expressed or implied, are being made through the disclosure of Confidential Information.

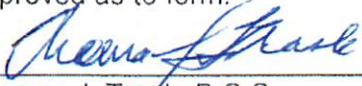
14. CITY PROPERTY.

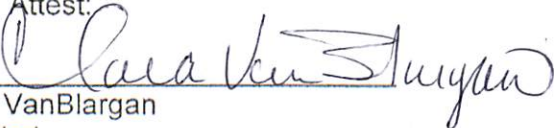
To the extent permitted by applicable Laws, all studies, generic reports and data compilations prepared by Professional pursuant to this Agreement shall be the exclusive property of the City. Professional shall deliver such City property to the City prior to final payment. Notwithstanding anything to the contrary herein, Professional shall be the Records Owner, as defined in Section 456.057, Fla. Stat., of all patient records.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

CITY OF MADEIRA BEACH, FLORIDA

By: 
Robin Gomez
City Manager

Approved as to form:

Thomas J. Track, B.C.S
City Attorney

Attest:

Clara VanBlargan
City Clerk

Tampa Bay Psychology Associates, LLC

By: 
Brandy L. Benson, Manager

**Memorandum**

Meeting Details: February 12, 2025 – Board of Commission Workshop

Prepared For: Honorable Mayor and Board of Commissioners

From: Community Development Department/Public Works

Subject: Rebuilding Madeira Beach – Advanced Engineering

Background: Advanced Engineering is performing Madeira Beach’s Watershed Management Plan, as the city works through this plan there needs to be discussions on proactive measures for the long-term viability of the community with respect of sea level rise and flooding.

Discussion: Barrier islands are particularly vulnerable to the impacts of climate change, including rising sea levels and storm surge. As these risks intensify, we must look to the future on how to mitigate potential damage and ensure the island remains habitable and functional for generations to come. The quote from Advanced Engineering starts that process and brings the firm in to review the challenges the city faces when reviewing new homes with the Land Development Regulations. This process will evaluate the best methods to combat rising sea levels, considering factors such as cost, environmental impact, and changes to the Land Development Regulations.

Fiscal Impact or Other:

The fiscal impact for the Preliminary Program Development, Document Review and Support Services is \$89,865.81 which will be paid from the Madeira Beach Stormwater Fund.

Recommendation:

Staff recommends the Board of Commissioners approve the proposal from Advanced Engineering for the Preliminary Program Development, Document Review and Support Services for the Terrain Modification Program in the amount of \$89,865.81.

Attachments:

Proposal for Preliminary Program Development, Document Review and Support Services by Advanced Engineering

ADVANCED

ENGINEERING & DESIGN, INC.

3931 68th Avenue North, Pinellas Park, FL, 33781 • (727) 526-9158 • www.aed-fl.com

January 30, 2025

Megan Wepfer
 Public Works Director
 City of Madeira Beach
 505 150th Ave.
 Madeira Beach, Florida 33708

Re: City of Madeira Beach
 Proposal for Preliminary Program Development, Document Review, and Support Services

Dear Ms. Wepfer:

Advanced Engineering & Design, Inc. (AED) is pleased to provide this proposal for preliminary program development, document review, and support services. This work will include the preliminary development of a Terrain Modification Program (TMP), plan review, development of standard details, and additional support services for the City of Madeira Beach (City).

The City has already experienced impacts from tidal conditions, and those conditions are only expected to worsen over time (**Figure 1**). The projection below only considers tidal impacts and sea level rise. It does not include rainfall events or more extreme events, such as the ones that recently occurred.



Figure 1. Predicted tidal impacts of a King Tide in 2100.

AED is wrapping up Madeira Beach’s Watershed Management Plan (WMP), which evaluates the impacts of design storm events across the City. While working on this effort, several areas of opportunity were identified. Based on these opportunities, five (5) projects were recommended to improve the Flood Protection Level of Service (FPLOS) and the City’s overall resilience (**Figure 2**). It should be noted that many of these projects propose the use of fill.



Figure 2. Locations of Best Management Practices (BMPs) to be implemented as a result of the ongoing WMP.

Recent weather events have highlighted the importance of Madeira Beach exploring the implementation of resilient strategies (**Figure 3**). The City is interested in evaluating options for resilience that keep residents in their homes through 2100 with an improved FPLOS. In addition to highlighting the importance of exploring options for a more resilient City, these storm events have simultaneously created challenges and opportunities for the City. The burden of the

permitting/plan review process addressed in this scope represents only one of those challenges. However, despite these challenges, the opportunity to rebuild a better Madeira Beach – a more resilient Madeira Beach has also been created.



Figure 3. Photos of flood conditions in Madeira Beach, FL.

The incorporation of TMP would increase the city's resilience through the standardized utilization of fill. The TMP would be a City-wide program that elevates low-lying public and private lands segmentally over time. Having a program in place to elevate public and private properties over time provides the ability to elevate public infrastructure. However, promoting the use of fill as a resilience strategy presents a unique set of challenges. These challenges vary from regulatory restrictions, such as the National Flood Insurance Program, to technical difficulties associated with floodplain impacts.

This scope is designed to accomplish two (2) primary goals: 1.) to assist City Staff through the permitting/plan review process while supporting willing applicants use of fill using TMP principles and 2.) to establish the framework of a TMP for the City and obtain an understanding of what guidance documents support or conflict with this effort. Upon the completion of the effort outlined in this scope, the City can then begin to take steps to construct and formalize the TMP to incorporate long-term resiliency measures beyond what is currently outlined in its existing land development regulations, comprehensive plan, strategic plan, and master plan.

AED will provide the following services:

1. Project Development & Preparation of Guiding Documents

This task includes the project kickoff, the establishment of Terrain Modification Program (TMP) goals, a technical review of critical guidance documents, coordination with Kimley-Horn on the ongoing development of the new master plan, one (1) community engagement event, and one (1) roundtable meeting with the City before finalizing the guiding documents. *This task does not include the development of a Terrain Modification Manual (TMM) or a standalone guidance document. The documents created in this deliverable are meant to support the creation of a standalone guidance document and/or the TMM.*

The CONSULTANT shall:

- 1.01 Conduct a project kickoff meeting with City staff and other key stakeholders.
- 1.02 Establish terrain modification program goals and prepare a document outlining the program's objectives within the existing governing framework. Establishing these goals may result in goals that are currently unachievable due to the current restrictions on the utilization of fill. This will become more apparent in the following task. The technical memorandum in task 1.03 will address these conflicts.
- 1.03 Perform a technical review of critical documents, including the following: land development regulations, comprehensive plan, strategic plan, and master plan. Prepare a technical memorandum documenting the revisions required to the existing governing framework to implement the Terrain Modification Program. *This technical memorandum will only provide recommendations on changes, not the actual language for implementing the changes.*
- 1.04 Coordinate with Kimley-Horn staff on the master plan for its inclusion in Task 1.03. *This subtask will be billed on a time and materials basis. This assumes that the master plan is at a point of completion where it can be included in Task 1.03 within the timeline of this effort.*
- 1.05 Hold one (1) public engagement event to educate the community on the City's resiliency goals and how they can support its goals to be more resilient through the utilization of fill.
- 1.06 Hold one (1) roundtable meeting with City staff to get feedback and finalize guidance documents.

2. Plan Review & Additional Support Services

This task includes supporting the City with its existing plan review process while implementing the goals set forth within the guiding documents created in Task 1. Additionally, this task includes coordinating with contractors and building officials. AED will essentially be serving as an organic TMM in lieu of having a preliminary TMM for fill utilization under restrictions of the existing governing documents. *All subtasks associated with Task 2 will be billed on a time and materials basis.*

The CONSULTANT shall:

- 2.01 Support the existing plan review process as an extension of staff while incorporating the guiding documents established in Task 1.
- 2.02 Coordination with contractors and building officials through the plan review process as needed.

3. Standard Details & Fill Visualization

This task includes developing standard details utilized in the TMP and providing utilization support services as needed.

The CONSULTANT shall:

- 3.01 Develop standard details for all various roadway and stormwater infrastructure elements.
- 3.02 Provide fill utilization support services on an as-needed basis. *This subtask will be billed on a time and materials basis.*

4. Assumptions:

- 1. Unless otherwise stated in this scope of work, all meetings will be held virtually.
- 2. The master plan is/will be at a stage where aspects can be reviewed and implemented while it is being produced within the timeframe of this project.
- 3. BMPs for public infrastructure will not be provided.

Performance Schedule

This work will be completed by May 31, 2025, as outlined in the project schedule below. It is recognized that plan review support services and other tasks billed on a time and materials basis may extend beyond the anticipated completion date.

Project Schedule					
Task	Description	Feb. '25	Mar. '25	Apr. '25	May '25
1.01	Project Kickoff Activities & Preliminary Stakeholder Engagement				
1.02	Establishment of Program Goals & Preparation of Memorandum				
1.03	Technical Review of Critical Documents & Preparation of Technical Memorandum				
1.04	Coordination with Kimley-Horn Staff on the Master Plan				
1.05	Community Engagement Event				
1.06	Roundtable with City Staff & Finalization of Guiding Documents				
2.01	Plan Review Support				
2.02	Contractor & Building Official Coordination				
3.01	Development of Standards Details				
3.02	Fill Utilization Support Services				

Compensation to the Consultant

For the Scope of Services described in this work assignment, Advanced Engineering & Design, Inc. shall be compensated a Lump Sum of \$89,865.81 per the terms of our master agreement. *Subtasks 1.04, 2.01, 2.02, and 3.02 will be billed on a time and materials basis against the lump sum amounts allotted in the proposed labor breakdown (PLB). If the amounts assigned to those subtasks are exhausted, additional funds will be required to continue the effort on those subtasks. The CONSULTANT will provide a worksheet with each invoice showing the balance associated with each subtask billed on a time and materials basis.*

Next Steps

Developing and implementing a TMP entails complex tasks that cannot be performed quickly without due diligence and extensive technical review. The effort outlined in this scope will be a major lift in the early development of the framework for the TMP. However, additional work still needs to be done before the implementation of a TMP.

1. Continue to develop the TMP.

- a. The efforts outlined in this scope establish a preliminary framework for a TMP, including program goals and guiding documents to support the implementation of some TMP principles within the existing governing documents. The program must be further developed to incorporate goals that may not be achievable under the current governing documents.

2. Develop the TMM.

- a. The efforts outlined in this scope include the production of a technical memorandum and some guiding documents intended to assist with incorporating some TMP principles within the existing governing documents. However, creating a standalone TMM is not included within this scope. Creating a TMM at this point would result in the need for two manuals – one that is utilized for the current governing documents and one that would be used once those documents were modified. A TMM would need to be developed as the official guidance document associated with the TMP to implement the TMP. In an effort to streamline development and save costs, AED intends on utilizing similar documents that have been creating for adjacent communities.

3. Modify existing governing documents (land development regulations, comprehensive plan, strategic plan, and master plan) as needed to support the implementation of the TMP's goals.

- a. The efforts outlined in the scope include the production of a technical memorandum outlining recommended changes to support a more robust TMP. Writing the ordinance language for these changes and adopting those modifications will be necessary to implement both the TMP and the TMM.

4. Implement both the TMP and TMM.

- a. The efforts outlined in this scope include an organic incorporation of some TMP principles within the existing governing documents. To actually incorporate a robust TMP and TMM, the items above would need to be completed, and both the TMP and TMM would need to be implemented.

5. Ongoing Program Maintenance.

- a. Once the program is established, maintaining the TMP will be essential for its longevity. The program's goals will need to be revisited based on the latest scientific findings regarding sea level rise projections, including the timing of impacts and resulting tidal elevations. Revisions may also be needed as development patterns change and community preferences become more defined.

We look forward to working with you on this project and assure you that we will make our best effort to make it a success. Please feel free to give me a call if you have any questions.

Sincerely,
Advanced Engineering & Design, Inc.



Justin V. Keller, P.E., CFM, ENV SP
President



Cody J. Stewart, M.S., ENV SP, WEDG
Director of Resilience & Sustainability

Attachment(s): Proposed Labor Breakdown

Terrain Modification Program

Item 12E.

Preliminary Program Development, Document Review, & Support Services

Proposed Labor Breakdown

Task No.	Description	Sr. Project Manager	Sr. Project Engineer	Project Engineer	CAD Operator	Admin.	Hours	Total	
		\$ 221.26	\$ 183.98	\$ 161.49	\$ 107.66	\$ 72.31			
1	Project Development & Preparation of Guiding Documents								
1.01	Project Kickoff Activities / Preliminary Stakeholder Engagement	2	3	3		2	10	\$ 1,623.55	
1.02	Establishment of Program Goals / Preparation of Memorandum	6	16	16		4	42	\$ 7,144.32	
1.03	Technical Review of Critical Documents (Codes, Comp Plan, Strategic Plan, Master Plan, etc.) / Preparation of Technical Memorandum Documenting Revisions Required for Terrain Modification	6	12	90		4	112	\$ 18,358.66	
1.04	Ongoing Coordination with Kimley-Horn Staff on the Master Plan (Time & Materials)	4	8	12			24	\$ 4,294.76	
1.05	Community Engage Event	4	12	12		4	32	\$ 5,319.92	
1.06	Roundtable with City Staff / Finalize Guiding Documents	5	5	12		4	26	\$ 4,253.32	
		Task 1 Subtotal							\$ 40,994.53
2	Plan Review & Additional Support Services								
2.01	Plan Review Support Budget (Time & Materials)	12	36	36		2	86	\$ 15,236.66	
2.02	Contractor / Building Official Coordination (Time & Materials)	6	24	24		4	58	\$ 9,908.08	
		Task 2 Subtotal							\$ 25,144.74
3	Standard Details & Fill Visualization								
3.01	Development of Standards Details	12	24	36	40	3	115	\$ 17,407.61	
3.02	Fill Utilization Support Services (Time & Materials)	4	8	12	14	3	41	\$ 6,018.93	
		Task 3 Subtotal							\$ 23,426.54
		Subtotal							\$ 89,565.81
		Reimbursables (Mileage, Reproductions, etc.)							\$ 300.00
		Total							\$ 89,865.81



Memorandum

Meeting Details: January 22, 2025

Prepared For: Hon. Mayor Brooks & Board of Commissioners

Staff Contact: Andrew Laflin, Finance Director

Subject: Emergency Bridge Loan Program

Background

The Florida Commerce Municipal Emergency Bridge Loan program provides interest-free, short-term loans to municipalities impacted by federally declared disasters. The program is designed to help local governments maintain essential operations while awaiting additional funding or revenue recovery.

Program Highlights:

- **Eligibility:** Open to municipalities in areas under a FEMA disaster declaration.
- **Loan Amount:** Based on demonstrated need, with no statutory maximum.
- **Term:** Up to 10 years.
- **Interest:** Interest-free for the full term.

Staff intends on collaborating with Florida Commerce to assess the City's eligibility, identify qualifying expenses, and clarify any restrictions on fund use.

This request is part of a two-step process for Commission approval of debt obligations:

1. **Step 1: Approval to Apply:** By approving this request, Commission will allow staff to initiate the application process, work with Florida Commerce to determine eligibility, and negotiate loan terms and qualifying expenses. This step does not obligate the City to accept the loan or incur any debt.
2. **Step 2: Approval to Accept the Loan:** Once staff has completed the application process and finalized the loan terms and amount, a detailed funding request will be presented to Commission for review and approval. This ensures that Commission retains full oversight before the City commits to any financial obligations.

This two-step process maintains transparency, ensures financial responsibility, and allows the City to act promptly to secure resources while retaining the Board of Commissioner's role in final decision-making

Fiscal Impact

There is no immediate financial impact associated with this request to apply for the loan. Any financial obligations will be presented to Commission for approval once the loan terms and amount are finalized.

Recommendation(s)

Staff recommends that Commission authorize staff to apply for the Florida Commerce Municipal Emergency Bridge Loan program and direct staff to return with a detailed funding request, including loan terms and conditions, once finalized.

Attachments

- Emergency Bridge Loan Program Information

<https://www.floridajobs.org/business-growth-and-partnerships/Small-and-Minority-Business-Resources/Small-Business-Innovation/local-government-emergency-bridge-loan>

Local Government Emergency Bridge Loan

Home > Business Growth and Partnerships > Small Business Innovation Resources > Small Business Innovation > Local Government Emergency Bridge Loan

- Community Planning
 - Community Planning Table of Contents
 - Areas of Critical State Concern Program
 - Accessing Comprehensive Plans and Plan Amendments (Florida Papers)
 - ORC Reports and Notices of Intent
 - Property Rights Element Evaluation and Appraisal Review of the Comprehensive Plan
 - General Information About Developments of Regional Impact and Florida Quality Developments
 - Developments of Regional Impact Repository
 - List of Local Governments Qualifying as Dense Urban Land Areas
 - Revitalization of Expired Homeowners Association Declarations and Covenants
 - Community Planning Staff Directory (Alphabetical)
 - Community Planning Review Team Assignments
- Community Services
 - Community Development Block Grants
 - Community Partnerships



About the Local Government Emergency Revolving Bridge Loan

- ▶ The Local Government Emergency Revolving Bridge Loan Program is managed by FloridaCommerce and provides interest free loans to local governments throughout Florida that were impacted by federally declared disasters. More than \$40 million is available to fund governmental operations within these Florida counties and municipalities and bridge the gap between the time of the disaster and the time additional funding sources or revenues are secured.
- ▶ "Governmental Operations" - costs associated with continuing, expanding, or modifying local governmental operations to meet disaster-related needs, and includes costs such as, but not limited to, staff salaries and payroll.
- ▶ Please submit applications and questions to LocalGovernmentBridge@Commerce.fl.gov.

Awards

- ▶ \$5 Million to City of Crystal River
- ▶ \$13.1 Million to City of Sanibel [↗](#)
- ▶ \$25 Million to Lee County [↗](#)
- ▶ \$11.9 Million to Town of Fort Myers Beach [↗](#)
- ▶ \$2 Million to City of Bonita Springs [↗](#)

- Eligibility
- How to Apply
- Webinar
- FAQs

Eligibility

Eligibility

- ▶ Applicant must be a county or municipality located in an area designated in a Federal Emergency Management Agency disaster declaration.
- ▶ Applicant must submit all required information and documentation.
- ▶ Applicant must show that it may suffer or has suffered substantial loss of its tax or other revenues as a result of the event and demonstrate a need for financial assistance to enable it to continue to perform its governmental operations.

RESOLUTION 2025-01

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, URGING THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION TO PROVIDE A PUBLIC RECORDS EXEMPTION FOR MUNICIPAL CLERKS AND EMPLOYEES WHO PERFORM MUNICIPAL ELECTIONS WORK OR HAVE ANY PART IN CODE ENFORCEMENT FUNCTIONS OF A CITY; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, many municipal employees who perform duties that include, or result in, investigations into complaints regarding election fraud, legal enforcement of hearings that could lead to a criminal prosecution or code enforcement actions are exposed to threats and other acts of violence; and

WHEREAS, municipal clerks often administer elections and some election workers have been targeted for threats and violence due to the nature of materials they are responsible for; and

WHEREAS, municipal clerks are often involved in legal enforcement proceedings in actions related to violations of codes and ordinances and, occasionally, these proceedings have led to retaliation and threats by the violators; and

WHEREAS, currently public records exemptions in Florida include those for local personnel who either investigate, enforce or otherwise provide a service that can result in contentious interactions when action is taken and municipal clerks and their staff fall within the need for a window for greater protection; and

WHEREAS, the Florida Association of City Clerks is very concerned for the safety and well-being of the municipal clerks and their staff who serve the public on a daily basis and are, oftentimes, the first contact of citizens with cities; and

WHEREAS, the City of Madeira Beach has complied with all requirements and procedures of Florida law in processing and adopting this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That the City of Madeira Beach hereby adopts the recitals set forth above as the legislative findings of the Board of Commissioners.

Section 2. The Mayor and Board of Commissioners of the City of Madeira Beach, Florida, hereby urge and encourage the Florida State Legislature to enact legislation to provide a public records exemption for municipal clerks and employees who

perform municipal elections work or have any part in code enforcement functions of a municipality.

Section 3. The City Clerk of the City of Madeira Beach is hereby directed and authorized to send a certified copy of this Resolution to Governor Ron DeSantis, Senator Nick DiCeglie, Representative Anna Paulina Luna, the Suncoast League of Cities and the Florida League of Cities (FLC).

Section 4. That this Resolution shall become effective immediately upon its passage and adoption.

INTRODUCED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS ____ DAY OF _____, 2025.

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

2025 BOARD OF COMMISSIONERS MEETING SCHEDULE

Patricia Shontz Commission Chambers – City Hall, 300 Municipal Drive, Madeira Beach, FL

“All meetings & Events listed are in the Commission Chambers.”

“Meetings, dates & times are subject to change.”

<u>DATE</u>	<u>DESCRIPTION</u>	<u>TIME</u>
Wednesday, February 12, 2025	BOC Regular Meeting	6:00 PM
Wednesday, February 26, 2025	BOC Joint Workshop with Civil Service Commission	4:00 PM
Wednesday, February 26, 2025	BOC Regular Workshop Meeting	6:00 PM
Tuesday, March 11, 2025	Municipal Election Day – “NO CITY ELECTION”	
Wednesday, March 12, 2025	BOC Regular Meeting (<i>Induction into Office-Mayor & District Commissioners 3&4; Appointment of Vice Mayor</i>)	6:00 PM
Wednesday, March 26, 2025	BOC Budget Workshop #1	4:00 PM
Wednesday, March 26, 2025	BOC Regular Workshop Meeting	6:00 PM
Wednesday, April 9, 2025	BOC Regular Meeting	6:00 PM
Wednesday, April 23, 2025	BOC Budget Workshop #2	4:00 PM
Wednesday, April 23, 2025	BOC Regular Workshop Meeting	6:00 PM
Wednesday, May 14, 2025	BOC Regular Meeting	6:00 PM
Monday, May 26, 2025	MEMORIAL DAY – City Holiday	
Wednesday, May 28, 2025	BOC Budget Workshop #3	4:00 PM
Wednesday, May 28, 2025	BOC Regular Workshop Meeting	6:00 PM
Wednesday, June 11, 2025	BOC Regular Meeting	6:00 PM
Thursday, June 19, 2025	JUNETEENTH – City Holiday (<i>tentatively added – to be adopted in new personnel manual</i>)	
Wednesday, June 25, 2025	BOC Budget Workshop #4	4:00 PM
Wednesday, June 25, 2025	BOC Regular Workshop Meeting	6:00 PM
Friday, July 4, 2025	INDEPENDENCE DAY – City Holiday	
Wednesday, July 9, 2025	BOC Regular Meeting	6:00 PM
Wednesday, July 23, 2025	BOC Budget Workshop #5	4:00 PM
Wednesday, July 23, 2025	BOC Regular Workshop Meeting	6:00 PM

Wednesday, August 13, 2025	BOC Regular Meeting	6:00 PM
Wednesday, August 27, 2025	BOC Budget Workshop #6	4:00 PM
Wednesday, August 27, 2025	BOC Regular Workshop Meeting	6:00 PM

Monday, September 1, 2025	LABOR DAY – City Holiday	
Wednesday, September 10, 2025	BOC Special Meeting <i>(Tentative FY 2026 Millage & Budget-1st Reading & Public Hearing)</i>	5:45 PM
Wednesday, September 10, 2025	BOC Regular Meeting	6:00 PM
Wednesday, September 24, 2025	BOC Special Meeting <i>(Adoption of FY 2026 Millage & Budget-2nd Reading & Public Hearing)</i>	5:45 PM
Wednesday, September 24, 2025	BOC Regular Workshop Meeting	6:00 PM

Wednesday, October 1, 2025	BOC Regular Meeting	6:00 PM
Wednesday, October 22, 2025	BOC Regular Workshop Meeting	6:00 PM

Tuesday, November 11, 2025	VETERANS DAY – City Holiday	
Wednesday, November 12, 2025	BOC Regular Workshop Meeting <i>(date & time change due to Thanksgiving Holidays)</i>	2:00 PM
Wednesday, November 12, 2025	BOC Regular Meeting <i>(Meeting time change)</i>	4:00 PM

Thursday, November 27, 2025	THANKSGIVING DAY – City Holiday	
Friday, November 28, 2025	DAY AFTER THANKSGIVING DAY – City Holiday	

Wednesday, December 10, 2025	BOC Regular Workshop Meeting <i>(date & time change due to Christmas & New Year’s Holidays)</i>	2:00 PM
Wednesday, December 10, 2025	BOC Regular Meeting <i>(Meeting time change)</i>	4:00 PM

Candidate Qualifying Period
NOON, Monday, December 1, 2025 through NOON, Friday, December 12, 2025, excluding weekends.
(Commissioner District 1 and Commissioner District 2) - March 10, 2026 Municipal Election – Candidate Packets available Mon. November 3rd

Wednesday, December 24, 2025	CHRISTMAS EVE – City Holiday
Thursday, December 25, 2025	CHRISTMAS DAY – City Holiday

Wednesday, December 31, 2025	NEW YEAR’S EVE - City Holiday <i>(tentative- may or may not be removed in new personnel manual when adopted)</i>
Thursday, January 1, 2026	NEW YEAR’S DAY – City Holiday

CITY CLERK’S REPORT FEBRUARY 2025

Laserfiche Project

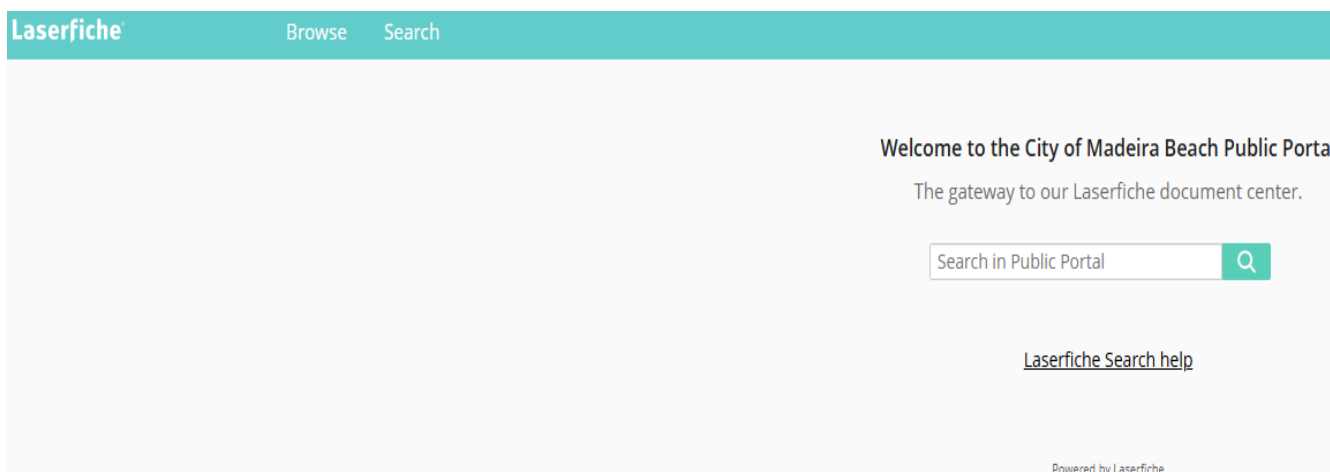
The buildout of Laserfiche was completed in November 2024 and the City Clerk’s Office is continuously uploading documents for public view. Any issues encountered are quickly resolved by the Laserfiche Support Specialists. The Public Portal is now live on the City’s website. <https://madeirabeachfl.gov/>. The “Public Records Search” link is located at the top of the City’s homepage in the green border as shown below:



Laserfiche is great software to store the City’s public records electronically in one centralized location for easy access to everyone from any mobile device or computer. Storing the records electronically in Laserfiche serves as a backup to the electronic records stored on the City’s network servers that are not accessible to the public. The City Clerk’s office, with the help of the Building Department, has been scanning paper records stored at City Hall and in off-site storage for uploading into Laserfiche.

The website link to the Public Portal: <https://portal.laserfiche.com/Portal/Welcome.aspx?repo=r-a9b9ccd6&preview=EQ9FtF2&ref=designer>

For assistance in learning various types of searches, click the “Laserfiche Search Help” link as shown below in the public portal. To browse through the documents in the files, click the “Browse” link in the green border at the top of the Laserfiche Public Portal as shown below:



JustFOIA

JustFOIA public records tracking software streamlines the process of managing requests, enabling government agencies and workers to respond more quickly and accurately, significantly improving efficiency. The software helps with maintaining compliance with applicable laws and

enhances transparency by ensuring timely and accurate responses to public records requests. It improves time management, costs, and communication.

JustFOIA benefits the public by providing a transparent, user-friendly online platform to submit and track public records requests, allowing citizens to easily access government information while streamlining the process for agencies by automating workflows, reducing processing time, and ensuring timely responses, ultimately fostering greater trust between the public and government entities by making the records request process more accessible and efficient.

A public records request made to the City Clerk, who is the Custodian of Public Records, can be made anonymous, by email, phone, mail, in person or by clicking the JustFOIA Link on the City’s website.

The City Clerks Office purchased the JustFOIA software in 2022 and from May 27, 2022 (date of first request):

- 749 public records have been processed
- The average completion time is 5.41 days.
- The monthly average public records request received in JustFOIA is 23.
- JustFOIA is cloud based, so very large documents are accessed through the Laserfiche cloud and not through email eliminating the need for mail delivery, thumb drives, and discs.



01/01/2022 - 02/04/2025 Filter

Barracuda

The City Clerk’s Office purchased Barracuda, an email cloud archiving service and email gateway defense for email security. It keeps communication safe and tamper-free and makes public records search easier to satisfy a public records request in accordance with the Florida Public Records Law (F.S. Ch. 119).

Current Reports:

Impersonation Protection

Spear phishing protection









[Report mi](#)

Protection status for City of Madeira Beach

<p>Email threats Last 6 months, updated daily</p> <p>181 Threats protected</p> <p>0.003% False positives (9)</p> <p>318.1k Total emails scanned</p> <p><small>Last Email Processed: Feb 04, 2025 At 8:11 PM</small></p> <p>View real-time phishing emails</p>	<p>Account takeover Last 30 days</p> <p>0 Outstanding alerts</p> <p>View account takeover alerts</p>	<p>Domains</p> <p>1 Total</p> <p>0 Reporting mode</p> <p>1 Enforcement mode</p> <p>View DMARC reporting</p>	<p>Licensing information</p> <p>108 Licensed Microsoft 365 Mailboxes</p> <p>View mail</p>
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Report from February 4, 2025 – Backed up several times per day

Backup

	Exchange	17,623 items	1.24 GB		LAST BACKUP ON FEB 4TH, 2025
	OneDrive	145 items	163.72 MB		LAST BACKUP ON FEB 4TH, 2025
	SharePoint	46 items	302.46 KB		LAST BACKUP ON FEB 4TH, 2025
	Teams	525 items	1.31 MB		LAST BACKUP ON FEB 4TH, 2025

BOARD OF COMMISSIONERS ANNUAL MEETINGS REPORT

The annual meetings report is a new report that will be produced by the City Clerk. It can be modified to the desire of the Board. The report is a great reference tool and will be located on the Board of Commissioners webpage and in the Laserfiche public portal. All meeting items for each year are also recorded in the meeting minutes index, which is in addition to the annual report.

2024 ORDINANCES INDEX

The index lists all ordinances adopted by the Board of Commissioners in 2024. A great reference tool that is located in Laserfiche public portal along with other years.

2024 RESOLUTION INDEX

The index lists all resolutions adopted by the Board of Commissioners in 2024. A great reference tool that is located in Laserfiche public portal along with other years.

Board of Commissioners Annual Meetings Report (January 1, 2024 – December 31, 2024)



(03/2023 – 03/2025)
Anne-Marie Brooks
Mayor



(03/2022 – 03/2026)
David Tagliarini
Vice Mayor/Commissioner
District 1



(03/2022 – 03/2026)
Ray Kerr
Commissioner
District 2



(03/2023 – 03/2025)
Eddie McGeehen
Commissioner
District 3



(03/2023 – 03/2025)
Housh Ghovae
Commissioner
District 4

Prepared By
Clara VanBlargan, MMC, MSM
City Clerk
February 3, 2025

BOARD OF COMMISSIONERS – 01/01/2024 – 06/14/2024

James "Jim" Rostek, Mayor
Ray Kerr, Commissioner District 2 (Vice Mayor through 04/10/2024)
David Tagliarini, Commissioner District 1
Eddie McGeehen, Commissioner District 3
Anne-Marie Brooks, Vice Mayor/Commissioner District 4

TERM OF OFFICE

03/2023 – 03/2026 (Resigned 06/14/2024)
03/2022 – 03/2026 (new 2-year term 03/27/2024)
03/2022 – 03/2026 (new 2-year term 03/27/2024)
03/2023 – 03/2025
03/2023 – 03/2025

BOARD OF COMMISSIONERS – 06/14/2024 – Current

Anne-Marie Brooks, Mayor
Ray Kerr, Commissioner District 2
David Tagliarini, Vice Mayor/Commissioner District 1
Eddie McGeehen, Commissioner District 3
Housh Ghovae, Commissioner District 4

TERM OF OFFICE

03/2023 – 03/2025 (Mayor as of 6/14/2024)
03/2022 – 03/2026 (new 2-yr term 03/27/2024)
03/2022 – 03/2026 (new 2-yr term 03/27/2024)
03/2023 – 03/2025
03/2023 – 03/2025 (appointed 7/10/2024)

ANNUAL SALARY - (City Charter, Section 2.2(B) and Ordinance 2023-23)

Mayor \$10,000
District Commissioner \$7,500

BOARD OF COMMISSIONERS MEETING ATTENDANCE

- January 10, 2024, BOC Regular Meeting – All present
- January 24, 2024, BOC Regular Workshop – All present
- February 14, 2024, BOC Regular Meeting – All present
- February 28, 2024, BOC Special Meeting - All present
- February 28, 2024, BOC Regular Workshop - All present
- March 13, 2024, BOC Regular Meeting – All present
- March 27, 2024, BOC Special Meeting – Mayor Rostek absent
- March 27, 2024, BOC Regular Workshop – Mayor Rostek absent
- April 10, 2024, BOC Regular Meeting – All present
- April 24, 2024, BOC Budget Workshop – Vice Mayor Brooks and Commissioner Tagliarini absent
- April 24, 2024, BOC Regular Workshop – Vice Mayor Brooks absent
- May 8, 2024, BOC Regular Meeting – All present
- May 22, 2024, BOC Budget Workshop- Commissioner Tagliarini absent
- May 22, 2024, BOC Regular Workshop – All present
- June 12, 2024, BOC Regular Meeting – Mayor Rostek and Commissioner Tagliarini absent
- June 26, 2024, BOC Budget Workshop – Commissioner Tagliarini absent, District 4 Commissioner seat vacant
- June 26, 2024, BOC Regular Workshop – Commissioner Tagliarini absent, District 4 Commissioner seat vacant
- June 26, 2024, BOC Special Meeting – Commissioner Tagliarini absent, District 4 Commissioner seat vacant
- July 10, 2024, BOC Regular Meeting – All present
- July 24, 2024, BOC Budget Workshop – All present
- July 24, 2024, BOC Regular Workshop Meeting – All present
- August 14, 2024, BOC Regular Meeting – All present

- August 28, 2024, BOC Budget Workshop Meeting – All present
- August 28, 2024, BOC Regular Workshop Meeting – All present
- September 11, 2024, BOC Regular Meeting – All present
- September 11, 2024, BOC Special Meeting – All present
- September 30, 2024, BOC Special Meeting - All present
- September 30, 2024, BOC Regular Workshop Meeting – Meeting Canceled due to Hurricanes
- October 10, 2024, BOC Regular Meeting – Meeting canceled due to Hurricanes
- October 23, 2024, BOC Workshop Meeting – Meeting canceled due to Hurricanes
- November 13, 2024, BOC Regular Meeting - All present
- November 13, 2024, BOC Regular Workshop Meeting – All present
- November 20, 2024, BOC Special Meeting – Commissioner Kerr absent
- December 11, 2024, BOC Regular Meeting – Vice Mayor Tagliarini absent
- December 11, 2024, BOC Regular Workshop – All present

PROCLAMATIONS

January 10, 2024, BOC Regular Meeting

- Certified Registered Nurse Anesthetist Week; January 21-27-2024

May 8, 2024, BOC Regular Meeting

- Proclamation: National Safe Boating Week; May 18 – 24, 2024
- Proclamation: 55th Annual Municipal Clerks Week; May 5 – 11, 2024
- Proclamation: National Public Works Week; May 19 – 25, 2024

PRESENTATIONS

January 10, 2024, BOC Regular Meeting

- Gulf Beaches Public Library Board Update & Upcoming Special Events – Helen Price, Library Board Trustee

January 24, 2024, BOC Regular Workshop Meeting

- Fire Department - Introduction of New Hires
- Fire Department - Fire Crew of the Year, 2024
- Fire Department - Fire Inspector Reclassification to Fire Marshal
- Fire Department - Fire Lieutenant Promotion
- Brian Lowack, President/CEO, Visit St. Pete/Clearwater

February 14, 2024, BOC Regular Meeting

- Gulf Beaches Rotary Contribution – Presented by members of the Gulf Beaches Rotary Club

March 13, 2024, BOC Regular Meeting

TI/MB Chamber of Commerce 2023 Community Partner of the Year - City Manager Robin Gomez presented the 2023 Community Partner of the Year award to the Madeira Beach Recreation Department.

April 10, 2024, BOC Regular Meeting

- FY 2023 Annual Comprehensive Financial Report (ACFR) – Zach Chalifour, Partner with James & Co., P. L.

June 12, 2024, BOC Regular Meeting

- Brent Burish, CEO, HCA Florida St. Petersburg and Pasadena Hospitals

August 28, 2024, BOC Regular Meeting

- Fire Department - Presentation to Lt. Andrew Childers - Fire Chief Clint Belk recognized Lt. Childers for 12 years of outstanding service. His last day with the Madeira Beach Fire Department will be September 2, 2024

December 11, 2024, BOC Regular Meeting

- Amie Leigh, Capacity Path Clinical Director, said she provided the State Emergency Response Team for community crisis stabilization. She wanted to perform a workshop session at City Hall on Friday, December 13, to provide community support, resilience, and capacity building.

MEETING MINUTESJanuary 10, 2024, BOC Regular Meeting

- 2023-12-13, BOC Regular Meeting Minutes – *Approved 5-0*

February 14, 2024, BOC Regular Meeting

- 2024-01-10, BOC Regular Meeting Minutes – *Approved 5-0*
- 2024-01-24, BOC Regular Workshop Meeting Minutes – *Approved 5-0*

March 13, 2024, BOC Regular Meeting

- 2024-02-14, BOC Regular Meeting Minutes – *Approved 5-0*
- 2024-02-28, BOC Special Meeting Minutes – *Approved 5-0*
- 2024-02-28, BOC Regular Workshop Meeting Minutes – *Approved 5-0*

April 10, 2024, BOC Regular Meeting

- 2024-03-13, BOC Regular Meeting Minutes – *Approved 5-0*
- 2024-03-27, BOC Special Meeting Minutes – *Approved 5-0*
- 2024-03-27, BOC Regular Workshop Meeting Minutes – *Approved 5-0*

May 8, 2024, BOC Regular Meeting

- 2024-04-10, BOC Regular Meeting Minutes – *Approved 5-0*
- 2024-04-24, BOC Budget Workshop Meeting Minutes – *Approved 5-0*
- 2024-04-24, BOC Regular Workshop Meeting Minutes – *Approved 5-0*

June 12, 2024, BOC Regular Meeting

- 2024-05-08, BOC Regular Meeting Minutes – *Approved 3-0*
- 2024-05-22, BOC Budget Workshop Meeting Minutes – *Approved 3-0*
- 2024-05-22, BOC Regular Workshop Meeting Minutes – *Approved 3-0*

July 10, 2024, BOC Regular Meeting

- 2024-06-12, BOC Regular Meeting Minutes – *Approved 5-0*
- 2024-06-26, BOC Budget Workshop Meeting Minutes – *Approved 5-0*
- 2024-06-26, BOC Special Meeting Minutes – *Approved 5-0*

August 14, 2024, BOC Regular Meeting

- 2024-06-26, BOC Regular Workshop Meeting Minutes – *Approved 5-0*
- 2024-07-10, BOC Regular Meeting Minutes – *Approved 5-0*
- 2024-07-24, BOC Budget Workshop Meeting Minutes – *Approved 5-0*
- 2024-07-24, BOC Regular Workshop Meeting Minutes – *Approved 5-0*

September 11, 2024, BOC Regular Meeting

- 2024-08-14, BOC Regular Meeting Minutes – *Approved 5-0 with a correction*
- 2024-08-28, BOC Budget Workshop Meeting Minutes – *Approved 5-0*
- 2024-08-28, BOC Regular Working Meeting Minutes – *Approved 5-0*

November 13, 2024, BOC Regular Meeting

- 2024-09-11, BOC Regular Meeting Minutes – *Approved 5-0*
- 2024-09-11, BOC Special Meeting Minutes – *Approved 5-0*
- 2024-09-30, BOC Special Meeting Minutes – *Approved 5-0*

December 11, 2024, BOC Regular Meeting

- 2024-11-13, BOC Regular Meeting Minutes – *Approved 4-0*
- 2024-11-13, BOC Regular Workshop Meeting Minutes – *Approved 4-0*
- 2024-11-20, BOC Special Meeting Minutes – *Approved 4-0*

PUBLIC HEARINGS – ORDINANCESJanuary 10, 2024, BOC Regular Meeting

- Ordinance 2023-21, Dune Protection and Beach Debris – 2nd Reading and Public Hearing – *Approved 5-0*
- Ordinance 2023-33, Amendment to Capital Improvement Element of the Comprehensive Plan – 2nd Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-01, Calling the March 19, 2024 Municipal Election – 1st Reading & Public Hearing – *Approved 5-0*

February 14, 2024, BOC Regular Meeting

- Ordinance 2024-01, Calling the March 19, 2024 Municipal Election – 2nd Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-03, An ordinance adopting a code provision regarding parking meter overtime and failure to pay provisions - 1st Reading & Public Hearing – *Approved 5-0*

March 13, 2024, BOC Regular Meeting

- Ordinance 2023-01, John's Pass Village Activity Center Plan – 2nd Reading and Public Hearing – *The vote amended Ordinance 2023-01 to lower the bonus maximum in the Commercial Core from 100 to 87 UPA and the John's Pass Resort from 100 to 75 UPA - Approved amendment 4-1*

(Mayor against)

- Ordinance 2023-02, Amending FLUM to add John's Pass Village Activity Center – 2nd Reading and Public Hearing – *Approved 4-1 (Mayor against)*
- Ordinance 2024-02, Open Accessory Structures – 1st Reading & Public Hearing – *Postponed 1st Reading and Public Hearing of Ordinance 2024-02 to the April 10, 2024, BOC Regular Meeting and discuss it at the March 27, 2024, BOC Workshop Meeting.*
- Ordinance 2024-03, An Ordinance adopting a code provision regarding parking meter overtime and failure to pay provisions – 2nd Reading and Public Hearing – *Approved 5-0*

April 10, 2024, BOC Regular Meeting

- Ordinance 2024-04, Amendment to Code - Special Magistrate Code – Code Enforcement – 1st Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-06, Amendment to Code - Special Magistrate – Compensation – 1st Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-05, Amendment to Fees & Collections Procedure Manual – 1st Reading & Public Hearing – *Approved 5-0*

May 8, 2024, BOC Regular Meeting

- Ordinance 2024-04, Special Magistrate – Code Enforcement – 2nd Reading and Public Hearing - *Approved 5-0*
- Ordinance 2024-06, Special Magistrate Compensation – 2nd Reading and Public Hearing – *Approved 5-0*
- Ordinance 2024-05, Fees & Collection Procedures Manual FY 2024 Update – 2nd Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-02 Open Accessory Structures – 1st Reading and Public Hearing – *Approved 5-0 with the addition of the tribal ID and 4% lot size*

June 12, 2024, BOC Regular Meeting

- Ordinance 2024-02, Open Accessory Structures – 2nd Reading & Public Hearing - *Approved 3-0*

July 10, 2024, BOC Regular Meeting

- Ordinance 2024-08, Fences – 1st Reading & Public Hearing – Joseph Petraglia, Planning Technician, explained the revisions made to the ordinance after the first reading and public hearing – *Approved 5-0*

August 14, 2024, BOC Regular Meeting

- Ordinance 2024-08, Fences – 2nd Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-09, Appendix D John's Pass Village Activity Center Development Standards – 1st Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-10, C-1 refer to Appendix D – 1st Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-11, Rezone John's Pass Village Activity Center Development Standards – 1st Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-12, Amending C-2 to reserve – 1st Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-13, C-3 to be consistent with MBTC SAP – 1st Reading & Public Hearing – The motion was to approve Ordinance 2024-13, C-3 to be consistent with MBTC SAP amends the C-3 Retail Commercial Zoning District to reference properties within the PR-MU Future

Land Use Category and other minor updates including townhouses as an allowed use and open rooftop uses as a special exception – *Approved 5-0*

- Ordinance 2024-14, C-4 to be consistent with MBTC SAP – 1st Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-15, R-3 to be consistent with MBTC SAP – 1st Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-16, Fees & Collection Procedures Manual FY 2024 Update #2 – 1st Reading & Public Hearing – *5-0*
- Ordinance 2024-17, Business Tax Receipt Fee Update – 1st Reading & Public Hearing – *Approved 5-0*

September 11, 2024, BOC Regular Meeting

- Ordinance 2024-09, Appendix D John's Pass Village Activity Center Development Standards – 2nd Reading & Public Hearing – *Approved 3-2, (Vice Mayor Tagliarini and Commissioner Kerr voted against.)*
- Ordinance 2024-10, C-1 refer to Appendix D – 2nd Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-11, Rezone John's Pass Village Activity Center Development Standards – 2nd Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-12, Amending C-2 to reserve – 2nd Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-13, C-3 to be consistent with MBTC SAP – 2nd Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-14, C-4 to be consistent with MBTC SAP – 2nd Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-15, R-3 to be consistent with MBTC SAP – 2nd Reading & Public Hearing – *Approved 5-0*
- Ordinance 2024-16, Fees & Collection Procedures Manual FY 2024 Update #2 – 2nd Reading & Public Hearing – *5-0*
- Ordinance 2024-17, Business Tax Receipt Fee Update – 2nd Reading & Public Hearing – *Approved 5-0*

September 11, 2024, BOC Special Meeting

- Ordinance 2024-19, Adopt the Tentative Millage Rate for Fiscal Year beginning October 1, 2024, and ending September 30, 2025 – 1st Reading & Public Hearing - *Approved 5-0*
- Ordinance 2024-20, Adopt Tentative Budget for Fiscal Year beginning October 1, 2024, and ending September 30, 2025 – 1st Reading & Public Hearing – *Approved 5-0*

September 30, 2024, BOC Special Meeting

- Ordinance 2024-19, Adopt the Millage Rate for Fiscal Year beginning October 1, 2024, and ending September 30, 2025 – 2nd Reading & Public Hearing - *Approved 5-0*
- Ordinance 2024-20, Adopt the Budget for Fiscal Year beginning October 1, 2024, and ending September 30, 2025 – 2nd Reading & Public Hearing – *Approved 5-0*

November 13, 2024, BOC Regular Meeting

- Ordinance 2024-21, Revising Definition of Substantial Improvement – 1st Reading & Public Hearing – *Approved 5-0*

- Ordinance 2024-22, Fees & Collections Procedures Manual – FY 2025 – 1st Reading & Public Hearing – *Approved 5-0 to include the language the City Attorney read aloud.*

November 20, 2024, BOC Special Meeting

- Ordinance 2024-21, Revising Definition of Substantial Improvement – 2nd Reading & Public Hearing – *Approved 4-0*
- Ordinance 2024-22, Fees & Collections Procedures Manual – FY 2025 – 2nd Reading & Public Hearing – *Approved 4-0*

PUBLIC HEARINGS – ALCOHOLIC BEVERAGE LICENSE APPLICATIONS

February 14, 2024, BOC Regular Meeting

- 2COP Alcoholic Beverage License ABP 2024-01 - Osaka Japanese and Thai Restaurant of Madeira Beach – *Approved 5-0*

April 10, 2024, BOC Regular Meeting

- 4COP Alcoholic Beverage License ABP 2024-02 - Dockside Dave's Restaurant – *Approved 5-0*

May 8, 2024, BOC Regular Meeting

- 2COP Alcoholic Beverage License ABP 2024-03 - Sip & Scoop – *Approved 5-0 with the condition that a bike rack with at least three stalls be added on the premises*

August 14, 2024, BOC Regular Meeting

- 4COP Alcoholic Beverage License ABP 2024-04 - Dick's Last Resort – *Approved 5-0*

RESOLUTIONS

March 13, 2024, BOC Regular Meeting

- Resolution 2024-01, 2023 Statewide Mutual Aid Agreement – *Approved 5-0*

April 10, 2024, BOC Regular Meeting

- Resolution 2024-02, Board of Commissioners Policy Handbook – *Approved 3-2, excluding rotation of roll call votes (Vice Mayor Brooks and Commissioner Tagliarini against)*

May 8, 2024, BOC Regular Meeting

- Resolution 2024-03, FY 2024 Budget Amendment #2 – *Approved 5-0*

August 14, 2024, BOC Regular Meeting

- Resolution 2024-04, Adoption of Section 125 Cafeteria Plan – *Approved 5-0*
- Resolution 2024-05, Holiday Halfathon Road Closure – *Approved 5-0*

September 30, 2024, BOC Special Meeting

- Resolution 2024-07, Emergency Resolution – *Approved 5-0*

December 11, 2024, BOC Regular Meeting

- Resolution 2024-08, Opt Out of Live Local Act – *Approved 4-0*

CONTRACTS/AGREEMENTS

January 10, 2024, BOC Regular Meeting

- FY 2024 Capital Garbage Truck Lease Approval – *Approved 4-1 (Vice Mayor Kerr against)*
- RFP# 2023-09, Patriot Park Dock Replacement Bid Acceptance and Approval – *Approved 5-0*

February 14, 2024, BOC Regular Meeting

- Field Internship Agreement with SPC – *Approved 5-0*
- RFP 2023-11, Digital Information Sign Purchase – *Approved 5-0*
- Purchase 2023 Chevy Silverado 5500 Regular Cab 2WD – *Approved 5-0*
- Fireworks Agreement – *Approved 5-0*

March 13, 2024, BOC Regular Meeting

- Code Enforcement/Satellite Office – *Motioned to allow staff to negotiate an agreement with Mali Corp. to construct the code enforcement office space – Approved 5-0*
- Agreement with Network People for Security Focused Information Technology Support and Consulting Services - *Approved 5-0*
- RFQ 23-12, Planning Services to Create and Implement a New City Master Plan – *Motioned to proceed with Kimley-Horn for RFQ 23-12, Planning Services to create and implement a New City Master Plan - Approved 5-0*
- ADA Bus Purchase – *Approved 5-0*
- Easement Agreement for Condo A Company, LLC – *Approved 5-0*

April 10, 2024, BOC Regular Meeting

- Code Enforcement/Satellite Office – The item was moved to the May 8, 2024 BOC Regular Meeting.
- RFQ 23-12, Planning Services to Create and Implement a New City Master Plan – *Motioned to approve the Consulting and Design Services Agreement and the Scope of Services with Kimley-Horn for RFQ 23-12 - Approved 5-0*
- ITB 2023-14 Coastal Groin Restoration Approval - *Motioned to approve contract with Speeler Co. to complete the Coastal Groin Restoration Project – Approved 5-0*
- Approval to surplus #33 (2016 Peterbilt rear load packer), #37 (2017 Peterbilt rear load packer), and trade in #23 (2023 Kenworth T880 with a 32 CY rear load packer) and purchase a 2024 truck (Battle Motor with a Pac tech body) – *Approved 5-0*
- Engagement Letter for Magistrate Services with Bart Valdes (current Special Magistrate) for a term of one year – *Approved 5-0*

May 8, 2024, BOC Regular Meeting

- Redington EMS Station Funding Agreement – *Approved 5-0*
- Agreement with Mali Contracting Corp. to construct Code Enforcement/Satellite Office – *Approved 5-0*

June 12, 2024, BOC Regular Meeting

- Gulf Beaches Public Library FY 2025 Budget – *Approved 3-0*

- Fire – IAFF Local 4966 Collective Bargaining Agreement FY 24 – FY 27 – *Approved 3-0*
- Gulf Blvd. Undergrounding City Easement Approval - *Approved 3-0*
- Concession Stand and Enclosed Building Schematic Proposal – *Approved 3-0*
- City Manager Employment Agreement – 2nd Amendment – *Approved 3-0*
- Human Resources, Compensation, & Classification Study – Approve Consulting Agreement with RSC Insurance Brokerage, Inc. dba Risk Strategies Company (Gehring Group) – *Motion failed 2-1 - The item was postponed and continued to the next BOC Regular Meeting on July 10, 2024*

July 10, 2024, BOC Regular Meeting

- Human Resources, Compensation, & Classification Study – Approve Consulting Agreement with RSC Insurance Brokerage, Inc. dba Risk Strategies Company (Gehring Group) – *Approved 4-1 (Commissioner McGeehen voted against)*
- ITB #2004-05 Purchase ADA Restroom Trailer – *Approved 5-0 to move forward with purchasing from NIU Toilet for \$56,900, which is also on the Sourcwell purchasing program for government agencies under Contract #081721-NIU*
- Snack Shack Concession Agreement – Approve 2nd Amendment – *Approved 5-0*

August 14, 2024, BOC Regular Meeting

- Contract Approval RFP 2024-06 City Facility Cleaning Services – *Approved 5-0 to approve the contract with City Facility Cleaning Services for a three-year term with two one-year optional renewals for \$136,319.44 Annually*

September 11, 2024, BOC Regular Meeting

- Approve FY 2025 PCSO Law Enforcement Services Contract – *Approved 5-0*
- Gulf Beaches Public Library Service Contract – October 1, 2024 through September 30, 2025 – *Approved 5-0*
- ITB #24-07 Awning Over Parking Pad/Storage at the Fire Station – *Approved 5-0*
- Approval of 2024 Emergency Medical Services ALS First Responder Agreement and FY 25 ALSFR Budget – *Approved 5-0*
- Approval of Construction Manager at Risk for Redington EMS Station – *Approved 5-0*
- RFP 2024-03 City Seawall Repairs and Replacements – *Approved 5-0*
- ITB 2024-08 Archibald Restroom Project Contract Approval – *Approved 5-0*
- Rubicon Software Contract Approval, 3-year Term – *Approved 5-0*
- Forward Pinellas Reapportionment Plan – *Approved 5-0*

November 13, 2024, BOC Regular Meeting

- FY 2024 Audit Engagement Letter – James Moore & Co. – *Approved 5-0*
- Amendments to Aclarian Consulting and Software Agreements – *Approved 5-0*
- Park Street Antique Center Lease for Public Works – *Approved 5-0*
- JUCO Kickoff Classic Proposed Agreement – *Approved 5-0*
- Ford F-250 Crew Cab XL Purchase – *Approved 5-0*

December 11, 2024, BOC Regular Meeting

- New Business – Jetty Debris Removal – *Approved 4-0 to request the City Manager to have the concrete and rebar removed from the jetty*

BOARD OF APPOINTMENTS

June 12, 2024, BOC Regular Meeting

- Appointment of Alternate Trustee to the Gulf Beaches Public Library Board – *Approved 3-0 to postpone the item to the July 10, 2024 BOC Regular Meeting*

July 10, 2024, BOC Regular Meeting

- Appointment of Alternate Trustee to the Gulf Beaches Public Library Board – *Approved 5-0 to appoint Vice Mayor Tagliarini to serve as an Alternate to the Gulf Beaches Library Board.*

August 14, 2024, BOC Regular Meeting

- Appointments – Civil Service Commission – *Approved 5-0 to appoint James Michael Paul and Paul Tilka to serve as members of the Civil Service Commission*
- Appointments – Planning Commission – *By voting ballots of each of the five Commission members, Mark Cloud, John Meagher, and John Connolly were appointed to serve on the Planning Commission*

WORKSHOP AGENDA SETTING FOR UPCOMING WORKSHOP

January 10, 2024, BOC Regular Meeting (January 24, 2024, BOC Regular Workshop)

- Live-aboard Boats Anchoring
- Update on Tom and Kitty Stuart Park Resident Parking
- Update on Fitness Center
- John's Pass Village Zoning
- Outsourcing versus the internal cost of trash pick-up
- Mulch and wood chip problem after flood waters recede

February 14, 2024, BOC Regular Meeting (February 28, 2024, BOC Regular Workshop)

- Purchase Kubota Mini Excavator
- City Hall Satellite Office
- RFP 2023-14 Coastal Groin Restoration bid discussion.
- John's Pass Village Activity Center and Zoning
- Tampa Bay Beaches Chamber of Commerce (TBCC) Check Presentation
- Master Plan
- Roles and Responsibilities as Commission Members

March 13, 2024, BOC Regular Meeting (March 27, 2024, BOC Regular Workshop)

- John's Pass Village Zoning
- CRS and LMS
- Master Plan
- Board of Commissioners Policy Handbook – Review for changes
- RFP 2024-02 City Facility Cleaning Services bid discussion
- RFP 2023-14 Coastal Groin Restoration bid discussion
- Residential Parking discussion

- Ordinance 2024-02, Open Accessory Structures
- Ordinance 2024-04, Special Magistrate Provisions Relating to Code Enforcement
- Ordinance 2024-06, Special Magistrate Provisions Relating to Variances and Special Exceptions
- Special Magistrate Agreement Approval
- Ordinance 2024-05, Amend Fees and Collections Procedure Manual
- Bicentennial Park

April 10, 2024, BOC Regular Meeting (April 24, 2024, BOC Regular Workshop)

- Ordinance 2024-02 Accessory Structures
- Bicentennial Park Usage
- Residential Parking
- Beach Chairs/Umbrellas on Sand in front of Caddy's Restaurant
- Redington Beaches EMS Station Funding Agreement
- Updates to Fence Code G. John's Pass Village Zoning
- Additional Homestead Rights
- City Marina Development
- Additional Homestead Rights
- City Marina Development
- The Board consented to Commissioner Kerr meeting with RJ Myers of Shumaker Advisors (Lobbyist) to get his feedback on advocating for additional Homestead rights. The topic will be on the next workshop agenda.

May 8, 2024, BOC Regular Meeting (May 22, 2024, BOC Regular Meeting)

- City Manager's Employment Agreement – 2nd Amendment
- John's Pass Village Zoning
- Parking Garage Update
- Bicentennial Park
- Beach Chairs/Umbrellas on Sand in front of Caddy's Restaurant
- FY 2025 Gulf Beaches Public Library Budget
- Noise Ordinance
- HR, Classification, Compensation Study
- IAFF Collective Bargaining Agreement
- Consider hiring a Grant Writer on an as needed basis

June 12, 2024, BOC Regular Meeting (June 26, 2024, BOC Regular Workshop)

- Impact Fees - Residential
- Snack Shack Agreement
- Proposed Parking Garage
- Grant writer consultant, various types of grants
- Beach Chairs/Umbrellas - Caddy's Restaurant
- Special area Plan amendments in the Code (R-3, C-3, C-4)
- John's Pass Village Zoning

July 10, 2024, BOC Regular Meeting (July 24, 2024, BOC Regular Workshop)

- Planned Development Amendment

- Proposed Zoning Change – 129th Ave. E.
- John's Pass Village Zoning
- Floodplain amendments
- Parking Garage
- PCSO Law Enforcement Services Agreement FY 2025
- RFP 2024-06 City Facility Cleaning Contract
- Mayor/District Commissioners Pay
- Flood Insurance Update/Homestead Issue – Letter to State
- Commission districts, why they have them, why the Mayor is at large, the challenges of changing that, and the pros and cons.
- Court of Honor
- Boat docks at Rock Park
- Kitty Stewart Park bathroom
- The underground commercial utility projects going on are not complete. Invite Duke Energy to attend.
- Residential undergrounding. What does that look like, how is Duke Energy involved, and what is the cost? Invite Duke Energy to attend.
- What are the rights on their beaches, public versus private? If their property lines are extending automatically down to the mean water line, then how much can that be regulated by the City or any municipality? If it is private property, can it be regulated? If it is public property, why can't they regulate it if it is a blanket regulation, not specifically for one property?
- Discuss how to designate zoning of beach property seawards of the coastal construction control line, i.e., preserving land and what activities are permissible in the hypothetical zoning to create uniformity along their beaches.
- Make a playground in the area of 140th.

August 14, 2024, BOC Regular Meeting (August 28, 2024, BOC Regular Workshop)

- PCPAP City of MB Right-of-Way (ROW) Map Information - Election Candidates Campaign Sign Placement
- Commission Districts
- Flood Insurance Update/Homestead Issue - Letter to State
- ITB #24-07 Award of Bid for Awning over Parking/Storage Area at Fire Station
- ITB #24-08 Archibald Park Bathroom Project
- RFQ 24-09 Construction Manager At-Risk N Redington Fire Station
- Approval of 2024 EMS ALSFR Agreement & FY25 ALSFR Budget
- Seawall Repair/Replacement RFP 2024-03
- Alcohol, Noise, and Special Events

September 11, 2024, BOC Regular Meeting (September 30, 2024, BOC Regular Workshop)

- Presentation: Representative Linda Chaney Check Presentation for Seawall Replacements
- Presentation: Tampa Bay Beaches Chamber of Commerce
- Saltwater Destination LLC – 2nd Amendment to Lease
- Playground near 140th Avenue Area
- Court of Honor
- Boat Docks at ROC Park & John's Pass

- Beaches (sand), Public vs Private – City Regulatory Processes
- Sections in the Code to Update for the New C-1 Zoning District
- BOC Ciega, Street End (Pocket) Park Update
- Tom & Kitty Stuart Park Bathroom & Landscaping
- Ordinance 2024-18, Planned Development
- Forward Pinellas Grant – John's Pass Village
- Gulf Blvd. Undergrounding Project (invite Duke Energy)
- Code Enforcement – Short-term Rental, High/Tall Grass
- Alcohol, Noise, and Special Events – Review for proposed changes
- Derelict Docks
- Discuss a solution/code to assist residents when elevators are down in their building

November 13, 2024, BOC Regular Meeting (November 13, 2024, BOC Regular Workshop)

- No items listed on the Agenda for the November BOC Workshop

December 11, 2024, BOC Regular Meeting (December 11, 2024, BOC Regular Workshop)

- The Court of Honor
- The dredging of John's Pass
- The status of the walkway being rebuilt on the jetty

BOC WORKSHOP MEETINGS - DISCUSSIONS

January 24, 2024, BOC Regular Workshop Meeting

- Boats, Live-aboards, and Anchoring - The City Attorney said Section 4. D. of the Statute states that live-aboards and floating structures have to be approved by the Florida Fish and Wildlife Conservation Commission before the Board can adopt them. The boats anchored in Madeira Beach waters do not meet any criteria. Commercial vessels can only be regulated. He could prepare a code provision, but it would need FEMA/City Participation in Mitigation Restoration/Flooding Prevention Programs – *The consensus was to move forward.*
- Board of Commissioners to schedule a Special Meeting in March following the March 19, 2024 Municipal Election and Certification of Election Results: Reporting the Election Results of the Charter Amendment and Induction into Office - Ray Kerr and David Tagliarini to serve a new two-year term as District Commissioner – *The Special Meeting was scheduled for 5:30 p.m., Wednesday, March 27, 2024.*
- John's Pass Village Activity Center Zoning - The Board asked the presenters to identify and include the structures with high densities in John's Pass Village in their next presentation.
- RFP 2023-11 Digital Information Sign – *The consensus was to move forward with the item.*
- Tom & Kitty Stuart Park Parking Lot Overview: Financial Status, Increased Utilization, and User Engagement – *The consensus was to continue with the trial.*
- Refuse Collection Contracted Service Analysis – *The consensus was not to outsource the garbage collection at this time.*
- Fitness Center – *The consensus was to bring back the yearly cost to continue with the open registration.*
- City-Sponsored Fireworks – *The consensus was to bring a contract with proposed dates to the next regular meeting for approval.*

February 28, 2024, BOC Regular Workshop

- BOC Roles & Responsibilities
- Code Enforcement/Satellite Office – *The consensus was to move forward with the project.*
- City of Madeira Beach Master Plan – Presented by Kimley-Horn
- John's Pass Village Activity Center Plan and Zoning
- Statewide Mutual Aid Agreement – 2023
- Redington Emergency Services Building Update
- ADA Bus Purchase

March 27, 2024, BOC Regular Workshop

- Board of Commissioners Policy Handbook – *The Board recommended changes to bring forward to the regular meeting for approval.*
- Engagement Letter to Serve as Special Magistrate for the City of Madeira Beach – *The consensus was to move forward.*
- Ordinance 2024-04, Special Magistrate – Code Enforcement – *The consensus was to move forward.*
- Ordinance 2024-06, Special Magistrate – Approval Process for Compensation Rate - *The consensus was to move forward.*
- Kimley-Horn Madeira Beach Master Plan Scope of Services Draft – *The consensus was to move forward.*
- Local Mitigation Strategy (LMS) and Community Rating System (CRS) Update
- Ordinance 2024-02, Open Accessory Structures – *Postponed to next workshop meeting*
- *John's Pass Village Activity Zoning Workshops.*
- Ordinance 2024-05, Fees & Collection Procedures Manual FY 2024 Proposed Update – *The consensus was to move forward to the regular meeting for a vote.*
- Approval to Surplus & Purchase a Truck – *The consensus was to proceed with the trade-in and purchase.*
- ITB 2023-14 Coastal Groin Restoration Approval – *The consensus was to move forward with Speeler Co. for the groin restoration project.*

April 10, 2024, BOC Regular Workshop

- City Marina – Future Usage – Discussed ways to improve the City Marina
- Homestead Exemption, Property Tax Changes – *The consensus was for Commissioner Kerr to begin drafting a letter to be sent to Senator DiCeglie, Representative Cheney, and Lobbyist RJ Myers.*
- RFP 2024-01 HR, Classification, Compensation Plans Study – *The consensus was for the City Manager to negotiate an agreement with the Gehring Group.*
- Redington EMS Station Funding Agreement – *The consensus was to move forward with the agreement.*
- John's Pass Village Activity Center Zoning Workshop – *The consensus was to schedule a Special Meeting for a walking tour of John's Pass Village.*
- Ordinance 2024-02, Open Accessory Structures – *The consensus was to make the maximum height in residential areas 14 and 20 feet for commercial properties. Planning staff were directed to review the noise ordinance and bring it back to a future workshop.*

- Potential Fence Code Amendments - Staff proposed adding a non-conforming section in the Code. All fences would have to meet the current Fence Code. There would be no non-conforming allowances.
- Parking – Residential – *The consensus was to add the measurements the Parking Department used. The revision would be brought back for First Reading at a future meeting.*
- Trash Collection – Residential – Discussed how the level of service decreased. Director Wepfer said if they outsourced sanitation, she could not use her staff in a different department unless positions were created. She is almost fully staffed with one vacancy.

May 22, 2024, BOC Regular Workshop

- Bicentennial Park Usage - The City Attorney reminded the Board that any park modification needs to be approved by the School Board. Specific provisions in the agreement prohibit the City from damaging the property. They do not want to put themselves in a position where they could lose the right to use the property.
- City Manager Employment Agreement – 2nd Amendment - The Board discussed a four-year extension with four additional leave days and would discuss a salary increase every May.
- Gulf Beaches Public Library FY 2025 Budget - Helen "Happy" Price, Gulf Beaches Public Library Vice Chairperson, gave an update on the FY 2025 budget. They proposed an increase of 1.04% from last year. *The consensus was to bring it back to the June 12 regular meeting for approval.*
- Parking Hourly Rate Discussion - *The consensus was to bring the ordinance for the increase back for the first reading at the August meeting and the second reading at the September meeting.*
- RFP 2024-01 HR, Classification, and Compensation Plans Study - Jerry Cantrell, Civil Service Commission Chair, gave a PowerPoint presentation explaining the need for a new Compensation Study. The Gehring Group will be doing a complete study. For an additional \$10,000, they would include a review of job descriptions. The total cost is \$37,640. The City Manager said \$50,000 was budgeted for the study, and they would not need to borrow money from other funds.
- Impact Fees – Residential - Jerry Murphy, University of Florida and Planning Consultant to the City, explained that the way the Comprehensive Plan was established, they needed to have both commercial and residential impact fees. They must amend the Comprehensive Plan and show that residential growth does not impact the community. There may be other options to look at. *The consensus was to have the City Manager meet with the City Attorney and Community Development to decide the best course of action and bring it back to the Board.*
- Chairs/Umbrellas on Sand at Caddy's Restaurant on Gulf Blvd. - *The item was removed from the agenda.*
- Noise Ordinance – Community Development Director Jenny Rowan said they were asked to include provisions in the ordinance that would address complaints about noise from accessory structures and special events. A subsection in Section 34-87 for mechanical machinery to include noise-dampening methods would be an option. Tom Edwards, District One, suggested putting a provision in the ordinance that would allow a citizen to object to a permit like the City of St. Petersburg has. He encouraged the Board to look at it.
- John's Pass Village Activity Center Zoning
- IAFF Local 4966 Collective Bargaining Agreement Oct 2024 – Sept 2027 - The City Manager said the estimated fiscal impact for the first year is about \$200,000.
- Gulf Blvd Undergrounding City Easement Approval - Director Wepfer requested the Board's approval for three easements for the final phase of the Gulf Blvd. Utility Underground project.

The easements allow Duke Energy to place its equipment on the City's parcels rather than the FDOT right-of-way. *The consensus was to bring it back to the next regular BOC meeting for approval.*

- Concession Stand and Enclosed Building Schematic Proposal - Director Hatch asked for approval to move forward with the proposal provided by Colliers Engineering & Design, Inc., which is currently under contract with the City. They will do any grant writing. Director Hatch will bring back the cost estimates and the source of funding.

June 26, 2024, BOC Regular Workshop

- Grant Writer Consultant (Various Types of grants) – City Manager said he would discuss at a future workshop whether they can contract for specific grants
- Snack Shack Concession Agreement – 2nd Amendment
- Resignation letter from former Mayor James Rostek - The City Clerk announced that the Commissioner District 4 vacancy application was posted on the City's website and that copies were available on the table at the back of the room.
- MBTC Special Area Plan Amendments to C-3, C-4, R-3 Zoning Districts
- John's Pass Village Activity Center Zoning
- Caddy's Public Beach ABP
- Impact Fees
- ITB #2024-05 Purchase ADA Restroom Trailer

July 24, 2024, BOC Regular Workshop

- Mayor/Commissioner Pay – *The consensus was no salary increase.*
- Parking Garage
- PCSO Law Enforcement Services Contract FY 2025 – *The consensus was to move forward with the item.*
- Proposed Zoning Change – 129th Avenue E - Discussed allowing short-term rentals along 129th Avenue
- Floodplain Amendments
- John's Pass Village Activity Center Zoning
- Planned Development Amendments
- Business Tax Receipt Fee Update – *The consensus was to move forward with the update.*
- Ordinance 2024-16 – Fees & Collections Manual Update #2 FY 2024 – *The consensus was to move forward with the update.*
- Enterprise Fleet Management Vehicle Purchase – *Board in favor of purchasing vehicles*
- Approval of Section 125 Plan Document – *The consensus was to move forward.*
- RFP 2024-06 City Facility Cleaning Services – *The consensus was to move forward with American Janitorial, Inc.*

August 28, 2024, BOC Regular Workshop Meeting

- ITB #24-07, Awning Over Parking Pad/Storage at the Fire Department – *The consensus was to move forward.*
- Approval of Construction Manager at Risk for Redington EMS Station – *The consensus was to move forward.*

- Approval of 2024 Emergency Medical Services ALS First Responder Agreement and FY 25 ALSFR Budget – *The consensus was to move forward.*
- Flood Insurance Update/Homestead Issue – Letter to State – *Mayor Brooks asked Ms. Forbes to make the changes in the letter and provide it to Commissioner Kerr within the next week. Commissioner Kerr could then put his stamp on it. That could come before the Commission at the next meeting.*
- PAPA0 City of MB Right-of-Way (ROW) Map Information – Election Candidates Campaign Sign Placement – Sign Codes
- John's Pass Village Activity Center Standards - *The City Attorney received direction from the Board to bring back the ordinance as it was at the first reading, except to add the words "or highest point of a flat roof" in the beginning paragraph of Section D-108 and keep the added first sentence in D-107 shown on Page 197 of the packet.*
- Discussion of potential amendments to Alcoholic Beverages, Noise, and Special Events in the Madeira Beach Code of Ordinances – *The consensus was to bring the item to the next workshop.*
- RFP 2024-03 City Seawall Repairs and Replacements – *The consensus was to go with Staff's recommendation*
- ITB 2024-08 Archibald Restroom Project Discussion – *The consensus was to move forward.*
- Rubicon Software Contract Approval – *The consensus was to move forward.*

November 13, 2024, BOC Regular Workshop Meeting

- Post Storm Update and Jetty Update
- Ordinance 2024-21, Revising Definition of Substantial Improvement – *The consensus was to move forward with the ordinance.*
- Madeira Beach Master Plan Update
- Madeira Beach Proportionate-Share Development Fee
- FY 2024 Audit Engagement Letter – James Moore & Co. - *The consensus was to move forward.*
- Presentation of FY 2024 Budget vs Actual Analysis & FY 2025 Revenue Loss Projections
- Ordinance 2024-22, Fees & Collection Procedure Manual – FY 2025 Update #1 – *The consensus was to move forward with the ordinance and set the date to one year from the date of the hurricane*
- Amendments to Aclarian Consulting and Software Agreements - *The consensus was to move forward.*
- Park Street Antique Center Lease for Public Works - *The consensus was to move forward.*
- Ford F-250 Crew Cab XL Purchase - *The consensus was to move forward.*
- JUCO Kickoff Classic Proposed Agreement - *The consensus was to move forward.*

December 11, 2024, BOC Regular Workshop Meeting

- Financial Analysis & Preliminary Damage Assessment – Post Hurricane
- Resolution 2024-08, Opt Out of Live Local Act
- City Web/Internet Site
- Rebuilding Madeira Beach Presentation (Advanced Engineering & Design, Inc.)
- Temporary Use of RVs and Campers
- Restricting Mulch Usage

- Financial Analysis & Preliminary Damage Assessment

BOC SPECIAL MEETINGS – SHADE MEETINGS

February 28, 2024, BOC Special Meeting (for a shade meeting)

- The City of Madeira Beach vs. Wannemacher Jensen Architects, Inc. and Hennessy Construction Services Corp., Case #23-7114-CI, Circuit Court of the Sixth Judicial Circuit in and for Pinellas County, Florida.

BOC BUDGET WORKSHOPS

- April 24, 2024, BOC Budget Workshop #1
- May 22, 2024, BOC Budget Workshop #2
- June 26, 2024, BOC Budget Workshop #3
- July 24, 2024, BOC Budget Workshop #4
- August 28, 2024, BOC Budget Workshop #5

MUNICIPAL ELECTIONS/APPOINTMENTS/RESIGNATIONS

March 27, 2024, BOC Special Meeting

- March 19, 2024 Municipal Election – Reported the Unofficial Election Results – City of Madeira Beach to change the Candidate Qualifying Period to the first full week in December instead of the first two full weeks in December – **Failed 429/236 Votes** (Results will also be reported at April 10, 2024, BOC Regular Meeting)
- Induction Into Office – Newly Elected Members of the Board of Commissioners – David Tagliarini, District Commissioner 1, and Ray Kerr, District Commissioner 2

April 10, 2024, BOC Regular Meeting

- March 19, 2024 Municipal Election – Reported the Certified Final Election Results – City of Madeira Beach to change the Candidate Qualifying Period to the first full week in December instead of the first two full weeks in December – **Failed 429/236 Votes**
- Vice Mayor – Commissioner Brooks was appointed to serve as the Vice Mayor for a one-year term.

June 26, 2024, BOC Special Meeting

- Discuss and approve the District 4 Commissioner Vacancy Application and Process for Selection and Appointment – *Approved application 3-0 / Approved process outlined in Mr. Trask's June 17 memorandum 3-0*

July 10, 2024, BOC Regular Meeting

- Review Applications for Board of Commissioners Vacancy and Appoint District 4 Commission Member – *Approved 4-0 to appoint Applicant Housh Ghovae was appointed to serve as District 4 Commissioner for the remaining term expiring in March 2025*
- Induction Into Office – District 4 Commissioner – *The City Clerk administered the Oath of Office to House Ghovae, Commissioner District 4*

- Appointment of Vice Mayor – *Approved 5-0 to appoint Commissioner David Tagliarini to serve as Vice Mayor for a remaining term expiring in April 2025*

LETTER OF SUPPORT ITEMS

February 14, 2024, BOC Regular Meeting

- Tampa Bay Coastal Master Plan Letter of Support from the City of Madeira Beach Mayor, James "Jim" Rostek – *Approved 5-0*

June 12, 2024, BOC Regular Meeting

- Tampa Bay Regional Planning Council – Coastal Master Plan Support Letter – *Approved 3-0*

July 10, 2024, BOC Regular Meeting

- Fiscal Year 2023 Edward Byrne Memorial JAG – Countywide Program funds for Projects within Pinellas County – *Approved 5-0*

September 11, 2024, BOC Regular Meeting

- Flood Insurance Update/Homestead – Letter to State – *Approved 5-0*

REPORTS/CORRESPONDENCE – BOARD OF COMMISSIONERS & CHARTER OFFICERS

January 10, 2024, BOC Regular Meeting

- The City Attorney said he issued a memorandum updating the legislative efforts and bills related to local governments.
- The City Clerk said they needed to pick a date for the swearing-in-ceremony for elected officials. It needs to be after the election. *The consensus was to add it to the next workshop.*

February 14, 2024, BOC Regular Meeting

- City Attorney updates: Schooner Litigation (Burke versus the City of Madeira Beach); William Gay versus Hendricks, Andrews, Hodges, and Price; and Fire Station Litigation.
- City Clerk's Report – February 2024.
- The City Clerk said the City must be in compliance with the Cyber Security Act and have the policies in place by January 1, 2025. Security software was purchased to go with the Barracuda software, and she has been working to implement it.
- City Manager's Report – December 2023 and January 2024

February 28, 2024, BOC Regular Workshop

- City Attorney Tom Trask reported that the Second District Court of Appeal issued its mandate on the case Mr. Gay filed against the City and former Mayor Hendricks, Commissioners Andrews, Price, and Hodges. The mandate ended the lawsuit, and the case is final.

March 13, 2024, BOC Regular Meeting

- City Clerk's Report – March 2024
- City Manager's Report – February 2024

April 10, 2024, BOC Regular Meeting

- The City Attorney reminded the Board that he issued two memos this month. One time at the end of the legislative session, and the other related to a Supreme Court case about the use of social media
- City Clerk's Report – April 2024
- The City Manager reminded everyone of upcoming events.

May 8, 2024, BOC Regular Meeting

- Board of Commissioners – 2024 BOC Meeting Schedule - September 25, 2024, BOC Special Meeting was changed to Monday, September 30, 2024, at 5:45 p.m. for the 2nd Reading and Public Hearing to adopt the FY 2025 Millage Rate and Budget Ordinances. The Regular Workshop would be at 6:00 p.m. on the same day. October 9, 2024, Regular Meeting was changed to Monday, October 14, 2024, at 6:00 p.m. Commissioner Tagliarini said he did not have his work schedule but would give plenty of notice of any changes.
- City Clerk's Report – May 2024
- The City Manager reminded everyone that the next Budget Workshop meeting will be on Wednesday, May 22, 2024, at 4:00 p.m., followed by the BOC Regular Workshop meeting at 6:00 p.m. He reported a beach cleanup with the Trash Turtles on May 18, 2024, from 7:30 a.m. until 10:30 a.m. at Archibald Park, followed by a life vest giveaway from 10:00 a.m. until noon. The Beach Groin project began on Monday, May 13. The Clearwater Marine Aquarium is ensuring the turtle nests will not be disturbed. Mayor Rostek asked for more participation in the Trash Pirates cleanups.

June 12, 2024, BOC Regular Meeting

- Board of Commissioners – 2024 BOC Meeting Schedule – *No changes*
- City Clerk's Report – June 2024
- The City Manager reminded everyone of upcoming BOC meetings.

July 10, 2024, BOC Regular Meeting

- 2024 BOC Meeting Schedule – *No changes*
- The Board congratulated Vice Mayor Tagliarini and Commissioner Ghovae on their new positions.
- Commissioner Ghovae thanked the City Clerk for her steadfast work in the appointment process and for ensuring every line on the application was completed.
- The City Manager reminded the Board of the four-hour mandatory ethics training on July 17 from 10:00 a.m. to 3:30 p.m. in the Chamber and other upcoming events. The City Clerk said lunch will be provided at the ethics training.

August 14, 2024, BOC Regular Meeting

- 2024 BOC Meeting Schedule – *No Changes*
- City Clerk's Report – August 2024
- The City Clerk gave an update on the Laserfiche program
- Commissioner Ghovae recognized the City Manager, Fire Department, Public Works, Recreation, and the Trash Pirates for doing a great job after the storms.
- The City Manager thanked everyone for doing a great job during the storm and for the preparation and cleanup afterward. He invited everyone to attend upcoming public meetings and events.

September 11, 2024, BOC Regular Meeting

- 2024 BOC Meeting Schedule – *No Changes* – The City Clerk said she will have the 2025 meeting schedule available at the November meeting.
- The City Attorney reminded the Board of the Victoria Cardona motion for a contempt hearing on September 18, 2024, and the fire station case is going to mediation on December 19.
- City Clerk's Report – September 2024
- The City Manager reminded everyone of upcoming events and thanked City staff for their work on the 911 remembrance event.

November 13, 2024, BOC Regular Meeting

- 2024 & 2025 BOC Meeting Schedule – *No Changes*
- City Clerk's Report – November 2024
- The City Clerk said the Election Notice for the Candidate Qualifying Period and the Candidate Packets have been posted on the City's website and advertised. Packets can be downloaded, or paper copies can be provided by request. Qualifying papers can be filed with the City Clerk beginning on November 18 but will not be date-stamped and accepted until the beginning of the qualifying period. She encouraged everyone to begin the petition process before the qualifying period starts because many residents cannot currently live in their homes. Getting the 25 signatures needed in time to qualify could be difficult. She cannot accept any qualifying documents after the qualifying period ends at noon on December 13. Everyone must be qualified by that time.
- The City Manager thanked the Board and everyone for their continued support and Staff for the many hours they worked.
- Mayor Brooks invited everyone to the community beach aid event on November 30, 2024. Thanksgiving Dinner will be provided for the community, along with music and activities for the kids.
- Commissioner Ghovae reminded everyone that the Area District Manager for SBA Loans, C. J. Castro, would be at City Hall from noon until 5:00 p.m. tomorrow, Thursday.

December 11, 2024, BOC Regular Meeting

- 2025 BOC Meeting Schedule – *No Changes*
- City Clerk's Report – December 2024.
- The City Clerk gave an update on the Laserfiche Project
- The City Manager thanked the City staff for their hard work, the Mayor and Commission for their continued support, and everyone for their patience during this difficult time.

ORDINANCE NO.	SUMMARY OF TITLE	FIRST READING	PUBLISHED DATE	Adopted Date
2023-01	An Ordinance of the City of Madeira Beach, Florida adopting the Madeira Beach John’s Pass Village Activity Center Plan; providing for an introductory statement of plan purpose and overview; providing for background history and community engagement; providing for the plan area, existing and proposed uses and density/intensity standards, and distinct character districts; providing for transportation impacts and connectivity; providing for coastal high hazard area considerations; providing for planning and urban design principles; providing for implementation strategies; providing for transmittal to, and consideration by, Forward Pinellas and the Countywide Planning Authority; providing for transmittal to the Florida State Department of Economic Opportunity for their review and comment; providing for the filing of this amendment in the office of the city clerk; providing for conflict; providing for severability; and providing for an effective date.	01/11/2022	02/28/2024	03/13/2024 with two (2) changes
2023-02	An Ordinance of the City of Madeira Beach, Florida, amending the future land use map designation of the city’s comprehensive plan from commercial general, recreation/open space, residential medium, residential/ office/retail, and resort facilities medium to activity center for the area as set forth in the accompanying legal description in exhibit a attached hereto and hereby made a part of this ordinance; providing for future revitalization and development within the activity center category to be consistent with and pursuant to the procedures, guidelines and standards of the john’s pass village activity center plan as adopted by ordinance 2023-01, and as such plan may be implemented and administered through the adoption of a john’s pass village activity center zoning district(s); providing for transmittal to and consideration by forward Pinellas and the countywide planning authority for a corresponding amendment of the countywide future land use map to the countywide plan category of activity center (neighborhood center); providing for transmittal to the Florida state department of economic opportunity for their review and comment; providing for the filing of this amendment to the city future land use map in the office of the city clerk; providing for conflict; providing for severability; and providing for an effective date.	01/11/2023	02/28/2024	03/13/2024
2024-01	An Ordinance of the City of Madeira Beach, Florida, calling for a municipal election on march 19, 2024, for the purpose of providing for one charter amendment; providing for publication; authorizing election expenditures; identifying the Pinellas County canvassing board as the canvassing board for the March 19, 2024 municipal election; providing for polling places; providing for repeal of ordinances or parts of ordinances in conflict herewith to the extent of such conflict; and providing for an effective date.	01/10/2024	01/31/2024	02/14/2024
2024-02	An Ordinance of the City of Madeira Beach, Florida, amending Division 4 (accessory structures) of Article VI (supplementary district regulations) of chapter 110 (zoning) of the city’s land development code to provide for applicability; to provide definitions; to require building permits for accessory structures and provide for regulation of	03/13/2024 – Postpone to 03/27/2027 BOC Wk and then postponed to		

ORDINANCE NO.	SUMMARY OF TITLE	FIRST READING	PUBLISHED DATE	Adopted Date
	chickees; to provide for maintenance of accessory structures; amend the setbacks for rear yard accessory structures on lots on water in r-1 zoning district; amend the setbacks for rear yard accessory structures on lots on water in r-2 zoning district; amend the setbacks for accessory structures in c-4 zoning district and add allowances for federal and state regulated structures; add quantity to maximum size of accessory structures in r-1, r-2, and r-3 zoning districts; amend the maximum size for enclosed and open accessory structures for single-family use, duplex and multifamily use, and temporary lodging use; add quantity to maximum size of accessory structures in c-1, c-2, c-3, and c-4 zoning districts; add a section to address construction trailers; add a section to address outdoor kitchens; providing for conflict, severability and codification; and providing for an effective date.	04/24/2024 BOC reg. WK for discussion. 1 st Reading 05/08/2024, approved w/changes	05/29/2024	06/13/2024
2024-03	An Ordinance of the City of Madeira Beach, Florida, creating section 66-70 to provide duties of vehicle operators to actuate parking meters and amending section 66-72 to provide for additional limitations on parking in city parking lots and beach access easements in chapter 66 (traffic and vehicles) of the code of ordinances; providing for conflict; providing for codification; providing for severability; and providing for an effective date.	02/14/2024	02/28/2024	03/13/2024
2024-04	An Ordinance of the City of Madeira Beach, Florida, amending division 2 (enforcement by special magistrate) of article vii (code enforcement) of the code of ordinances of the City of Madeira Beach to reflect the changes that have been adopted in chapter 162, Florida statutes; deleting section 2-380 (priority of liens) and renumbering subsequent sections; providing for conflict; providing for codification; providing for severability; and providing for an effective date.	04/10/2024	04/24/2024	05/08/2024
2024-05	An Ordinance of the City of Madeira Beach, Florida, adopting the fees and collections procedure manual; repealing ordinance 2023-18, providing for conflict, providing for severability and providing for an effective date.	04/10/2024	04/24/2024	05/08/2024
2024-06	An Ordinance of the City of Madeira Beach, Florida, amending section 2-502 (appointment and removal) of article viii (special magistrate) of chapter 2 (administration) of the code of ordinances of the City of Madeira Beach to amend the approval process for the rate of compensation of the special magistrate; providing for conflict; providing for codification; providing for severability; and providing for an effective date.	04/10/2024	04/24/2024	05/08/2024
2024-07	Civil Service Commission Rules			
2024-08	An Ordinance of the City of Madeira Beach, Florida, amending chapter 110 zoning, article vi supplementary district regulations, division 3 landscape fences, gates, hedges, and walls of the city's land development code to provide further information on definitions in applicability of division; to include the vision triangle, amend front,	7/10/2024	7/31/2024	8/14/2024

ORDINANCE NO.	SUMMARY OF TITLE	FIRST READING	PUBLISHED DATE	Adopted Date
	side and rear yards, and include fences around swimming pools in location and height of fences, hedges, and walls; and add a nonconformities section; providing for conflict, codification and severability; and providing for an effective date.			
2024-09	An Ordinance of the City of Madeira Beach, Florida, amending the code of ordinances of the City of Madeira Beach to adopt appendix d to establish the john’s pass village activity center development standards; providing that said standards shall regulate development in the john’s pass village district; providing for permitted, accessory and special exception uses; providing for building site area requirements; providing for setback requirements; providing for residential, vacation rental and temporary lodging use density; providing for maximum building height; providing for maximum floor area ratio; providing for impervious surface ratio; providing for alternative temporary lodging use standards; providing for design standards and guidelines; providing for conflict, providing for severability; and providing for an effective date.	08/14/2024	08/28/2024	09/11/2024
2024-10	An Ordinance of the City of Madeira Beach, Florida, amending chapter 110 zoning, article v. districts, division 5. c-1, tourist commercial of the city’s land development code to rename it as c-1 john’s pass village activity center; providing further information on purpose and intent of the john’s pass village activity center district; replacing the development standards set forth in sections 110-257 through 110-265 with the development standards set forth in appendix d (john’s pass village activity center development standards); providing for conflict, codification and severability; and providing for an effective date.	08/14/2024	08/28/2024	09/11/2024
2024-11	An Ordinance of the City of Madeira Beach, Florida, rezoning real property from c-1 john’s pass village activity center, c-2 john’s pass marine commercial, c-3 retail commercial, c-4 marine commercial, pd planned development, and r-3 medium density multifamily residential zoning districts to c-1 john’s pass village activity center for the area as set forth in the accompanying legal description in exhibit a attached hereto and hereby made a part of this ordinance; providing for future revitalization and development within the activity center category to be consistent with and pursuant to the procedures, guidelines and standards of the john’s pass village activity center plan as adopted by ordinance 2023-01; and providing for an effective date thereof.	08/14/2024	08/28/2024	09/11/2024
2024-12	An Ordinance of the City of Madeira Beach, Florida, deleting division 6. john’s pass marine commercial, sections 110-286 through 110-295 of chapter 110 zoning, article v. districts of the city’s land development code; providing for conflict, codification and severability; and providing for an effective date.	08/14/2024	08/28/2024	09/11/2024
2024-13	An Ordinance of the City of Madeira Beach, Florida, amending chapter 110 zoning, article v. districts, division 7. c-3, retail commercial, of the city’s land development code providing further information on definition; purpose and intent; allowing townhouses as an allowed	08/14/2024	08/28/2024	09/11/2024

ORDINANCE NO.	SUMMARY OF TITLE	FIRST READING	PUBLISHED DATE	Adopted Date
	use; including open rooftop uses as a special exception use; including development standards that references density and intensity, height, floor area ratio, and impervious surface ratio regulations in the commercial core and transitional character districts from the madeira beach town center special area plan; providing for conflict, codification and severability; and providing for an effective date.			
2024-14	An Ordinance of the City of Madeira Beach, Florida, amending chapter 110 zoning, article v. districts, division 8. c-4, marine commercial, of the city's land development code providing further information on definition; purpose and intent; allowing townhouses as an allowed use; including open rooftop uses as a special exception use; including development standards that references density and intensity, height, floor area ratio, and impervious surface ratio regulations in the causeway character district from the madeira beach town center special area plan; providing for conflict, codification and severability; and providing for an effective date.	08/14/2024	08/28/2024	09/11/2024
2024-15	An Ordinance of the City of Madeira Beach, Florida, amending chapter 110 zoning, article v. districts, division 4. r-3, medium density multifamily residential, of the city's land development code providing further information on definition; purpose and intent; allowing townhouses as an allowed use; including open rooftop uses as a special exception use; including development standards that references density and intensity, height, floor area ratio, and impervious surface ratio regulations in the beachfront, causeway, and peninsula character districts from the madeira beach town center special area plan; providing for conflict, codification and severability; and providing for an effective date.	08/14/2024	08/28/2024	09/11/2024
2024-16	An Ordinance of the City of Madeira Beach, Florida, adopting the fees and collections procedure manual; repealing ordinance 2024-05; providing for conflict; providing for severability and providing for an effective date.	08/14/2024	08/28/2024	09/11/2024
2024-17	An Ordinance of the City of Madeira Beach, Florida, amending chapter 62 taxation, article ii local business tax, section 62- 60 local business tax schedule of the city's code of ordinances to increase the levy of the local business tax fees by five percent; providing for conflict, codification and severability; and providing for an effective date.	08/14/2024	08/28/2024	09/11/2024
2024-18	Planned Development Zoning District Amendments	-----		
2024-19	An Ordinance of the City of Madeira Beach, Florida, establishing the tentative millage rate for fiscal year 2025, providing and announcing the name of the taxing authority, the rolled back millage rate, the percentage increase over the rolled back millage rate, and the millage rate to be levied and providing for an effective date.	09/11/2024	09/25/2024	09/30/2024
2024-20	An Ordinance of the City of Madeira Beach, Florida, adopting the tentative budget for the fiscal year beginning October 1, 2024 and ending September 30, 2025, and providing for an effective date.	09/11/2024	09/25/2024	09/30/2024

ORDINANCE NO.	SUMMARY OF TITLE	FIRST READING	PUBLISHED DATE	Adopted Date
2024-21	An Ordinance of the City of Madeira Beach, Florida, revising section 94-33 of division 9 (general) of chapter 94 (floodplain management) to delete the requirement to evaluate previously issued building permits; amending the definitions of substantial damage and substantial improvement in section 94-93 of division 9 (general) of chapter 94 (floodplain management) of the code of ordinances to delete the repetitive flood damage provision and the one-year look back requirement; revising section 14-39 of article ii (technical codes and standards) of chapter 14 (buildings and building regulations) of the code of ordinances to delete subparagraph (d) regarding the definitions of substantial damage and substantial improvement in the Florida building code; providing for conflict, codification and severability; and providing for an effective date.	11-13-2024	11-06-2024	11-20-2024
2024-22	An Ordinance of the City of Madeira Beach, Florida, adopting a revised appendix a. – fees and collection procedures manual of the code of ordinances of city of madeira beach, Florida; repealing ordinance 2024-05; providing for conflict, codification and severability; and providing for an effective date.	11-13-2024	11-06-2024	11-20-2024

Resolution No.	Summary of Title	Adopted	
2024-01	A Resolution of the Board of Commissioners of the City of Madeira Beach, Florida, adopting a Statewide Mutual Aid Agreement; providing for conflict; providing for severability; and providing an effective date.	03/13/2024	
2024-02	A Resolution of the Board of Commissioners of the City of Madeira Beach, Florida, amending the Board of Commissioners Policy Handbook; repealing resolution 2023-05; and providing for an effective date.	04/10/2024	
2024-03	<u>Fiscal Year 2024 Budget Amendment #2.</u> A Resolution of the Board of Commissioners of the City of Madeira Beach, Florida, amending the budget for Fiscal Year 2024 (October 1, 2023 through September 30, 2024) by increasing appropriations for expenditures in the general fund, the Archibald Park Fund, the Building Fund, the Sanitation Fund, the Stormwater Fund, the Marina Fund, and the Parking Fund; and providing for an effective date.	05/08/2024	
2024-04	A Resolution of the Board of Commissioners of the City of Madeira Beach, Florida, adopting a section 125 cafeteria plan; providing for conflict; providing for severability; and providing an effective date.	08/14/2024	
2024-05	A Resolution of the City of Madeira beach, Florida, establishing: Sunday, December 22, 2024; Sunday, December 21, 2025; Sunday, December 20, 2026; Sunday, December 19, 2027; and Sunday, December 17, 2028 as the dates for the annual Florida gulf beaches holiday Halfathon, starting in madeira beach adjacent to city hall, south to madeira way, west to gulf boulevard, heading north in the northbound lanes of gulf boulevard to Indian Shores; allowing temporary road restrictions to be created between 6:00 a.m. and 9:00 a.m., to be field adjusted as necessary by the Pinellas County sheriff's office; authorizing the city manager to sign the Florida department of transportation applications, provided by the race director, for temporary closing of a state road; providing for reading by title only; and providing for an effective date.	08/14/2024	
2024-06	Forward Pinellas Local Agency Grants Program	Did not go forward	
2024-07	A Resolution of the Board of Commissioners of the City of Madeira Beach, Florida, declaring a local state of emergency for Madeira Beach due to Hurricane Helene and its potential threat of harm to the people and property of the City of Madeira Beach; and providing for an effective date hereof.	09/30/2024	
2024-08	A Resolution of the Board of Commissioners of the City of Madeira beach, Florida, opting out of providing the 80-120% AMI "missing middle" property	12/11/2024	

	tax exemption to developments that would otherwise qualify pursuant to house bill 7073; and providing for an effective date hereof.		
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