



MINUTES

BOARD OF COMMISSIONERS REGULAR WORKSHOP MEETING JUNE 25, 2025 6:00 P.M.

The City of Madeira Beach Board of Commissioners held a regular workshop meeting at 6:00 p.m. on June 25, 2025 in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

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

MEMBERS ABSENT: David Tagliarini, Commissioner District 1

CHARTER OFFICERS PRESENT: Robin Gomez, City Manager
Clara VanBlargan, City Clerk
Andrew Laflin, Finance Director/City Treasurer Contractor
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. Commissioner Tagliarini was absent.

Mayor Brooks added the recent Recreation Department truck purchase as Item 6.D. Vice Mayor Kerr added Mosquitoes as Item 6.E.

3. PUBLIC COMMENT

John Vanhove, 585 Johns Pass Avenue, said he attended one of the meetings last month to address the permitting issue and how they could improve the permitting process. He is still recovering from the hurricane. The last major obstacle is getting a permit to elevate his home, and he hopes that people could get their homes elevated before the next hurricane event. In May, on the City's website, 19 pending applications had been pending for about five to six months. It appears to be a logjam of work that is not getting much attention. In June, two of the pending permits were approved, with one taking 104 days from start to finish and the other taking 205 days. There are now six new applications, in addition to the 17 pending applications. More are coming in and

fewer are going out, so it is a problem that needs some attention. He would like to know how long a homeowner can expect to wait for their permit to be approved after submitting the application so that they can elevate their home. He was told the initial review could take four to six weeks, but his has taken longer.

Eric Rowe, of 145th Avenue, said they have used all their available funds and are now broke and stressed. They want to return home and regain some peace in their lives quickly. He asked that they give it some rational thought and help people get back into their homes.

Frank Fuller, E. Parsley Drive, said they were all devastated by the storms. It was not anticipated. The City is doing its best, has extra personnel to assist with the permitting process, and faces numerous challenges. His permit was received about three weeks ago, and he is working with a contractor to get back into his home.

Jeremy Patterson, president of Modern House and Building Movers, said the City has been a big help. His biggest issue is with the setback for stairwells and running into that everywhere. FEMA guidelines allow them to go into the rights-of-way. He asked that the City look at what Hillsborough County and St. Petersburg did to resolve the stairwell issue.

Mayor Brooks said those comments were about an agenda item. She did not stop them because the agenda item was not clear. From her meetings with City staff this week, they will discuss the public comments received today. Anyone inclined to stay until the community development part of the meeting is welcome to participate as well.

4. BOARD OF COMMISSIONERS

A. Adopting Ceremonial Items Policy (Resolution 2025-04)

The City Attorney said there have been no changes. It is the same as what the Board saw at the last meeting. It is ready to be set for an upcoming meeting for adoption unless the Board has other suggested changes. Added to the back of the policy are some examples of Keys to the City that other cities use. The Board could decide that at another meeting. It has nothing to do with approving the policy.

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

Commissioner Ghovaee said he looked at the examples, and the plaque with a key on p. 9 would represent them better.

5. CITY MANAGER

A. Snack Shack – Repairs and Agreement Update

The City Manager said they discussed the item at the May workshop. Since the current concessionaires were not present, they requested the opportunity to speak at this workshop. Once the engineer is done, the contractors can make the repairs, and hopefully, that will be completed

over the next four months. The agreement ends in July 2026, and they have requested an extension. The City Attorney is not for an extension, but to go out for an RFP.

Nina [last name?], representing United Park Services, the two concessionaires present. The goal is to complete the repairs and have the employees and patrons back in. The issue is with the agreement. They have not been able to open since October and are asking for an extension. They would like to fulfill their two-year contract, starting from the period they reopen. The City has the right to an RFP, and her clients are happy to participate when it comes. They have a two-year agreement and cannot reopen at this time, due to no fault of their own or the City's. They are looking to be made whole under the contract and would like the Board to consider this.

Vice Mayor Kerr said the initial agreement was made in 2014. The extension would bring that over 10 years, and the Board is not allowed to approve a lease agreement over 10 years. If they go to an RFP, the concessionaire can participate. If they issue an RFP, they could expedite the process and avoid waiting to complete the repairs. He would follow the direction of the City Attorney and do an RFP.

Mayor Brooks said on p. 45 of their packet is the original contract. There is a section in it that says that if Archibald Memorial Beach Park is completely closed for more than seven consecutive days as a result of red tide, a named hurricane, an oil spill, or the closing of 150th Street bridge is an act of God, then the concession fee shall be reduced in proportion to the number of days the Park was closed. She said that language is stricken in the agreement and in the original agreement. Following that, it says the concessionaire is not required, but is encouraged, to get Business Loss Insurance. Business insurance, if obtained by the concessionaire, may be available as insurance coverage for business costs and lost profits due to the inability to conduct business due to acts of God, red tide, oil spills, or hurricanes, and if available, may cover rent and other charges from the City. She said they had not charged rent since the storm. She asked if they were obligated to allow them not to pay rent because they were not there. She is asking because others had asked.

The City Attorney said there is no provision in the agreement that says that they will not have to pay rent if there is an event such as the one that occurred. His legal opinion is that they were legally obligated to pay rent even though they were not there, and look at their business insurance for some reimbursement. In theory, they should have paid it every month up until now. As to the Vice Mayor's question relative to terminating the agreement early so that they can get the RFP out sooner, a provision in the agreement allows them to terminate their concession agreement with 90 days' notice unilaterally. That would alleviate the current concessionaire from putting out huge sums of money to rebuild the interior and with appliances, etc. They can also terminate it because the concessionaires agreed to terminate it.

Mayor Brooks said that, according to the contract, they are on the hook for paying rent.

Commissioner Ghovae asked if the construction cost would be putting it back into its original condition, would it be less than 50% of the value? The City Manager said yes. They will obtain an appraisal. It will show the repairs being less than 50% of the value. Commissioner Ghovae said it was a disaster, and to be a good Samaritan, they should help by giving them the one-year extension because they were not able to do business.

Commissioner McGeehen said he was in favor of the extension. They work well together and could have a good future together. The investment would be long-term. It was unfortunate what happened in September. They should get the RFP out sooner.

The City Attorney said the Board legally does not have the authority to extend the contract. The city charter specifically limits the exercise of the Board's powers, as stated in Section 1.7, which he read:

Section 1.7 Limitation on exercise of powers.

The Board of Commissioners shall submit to a referendum vote of the electors of the City, at an election to be called by the Board of Commissioners, and shall require a majority vote of the electorate in favor before approving:

- (1) The sale of any real property owned or possessed by the City, or
- (2) The sale, conveyance, or lease for a term that exceeds ten (10) years of any land owned or possessed by the City.

Only after a favorable referendum vote, by a majority of the electors' votes cast, may such a property interest be sold, leased, or conveyed; provided, however, that the City shall have the power to convey a public utility easement without requiring a referendum vote of the electors of the City.

The City Attorney said the title of that section is Limitation on Exercise of Powers. The Board does not have the legal authority to enter into the lease agreement for a period of time in excess of 10 years.

Mayor Brooks asked if it was within the Board's right to release them from the existing lease, waive the rent due from September to date, and then issue an RFP. The City Attorney said yes. Mayor Brooks said she would favor that and then give them the opportunity to bid. With the amount of work to be done, they could not get in any quicker. As last time, they could approve an agreement with extensions.

The City Attorney said they cannot negotiate with them at the meeting. He would like to allow their attorney to review the agreement again and come up with a solution that both sides would be okay with. The Board agreed.

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

B. John's Pass Dredging Update

The City Manager gave an update on the John's Pass Dredging project. As they look to have the contractor complete the permitting for obtaining permits from the US Army Corps of Engineers, the latest communication is that they are waiting for FDEP, the Florida Department of Environmental Protection, to complete a review. Aptim, the contractor, provided them with additional information specifically regarding state land easements. FDEP replied that they received the information and it is under review. Once they complete the review, the FDEP process will be

complete, and then the US Army Corps of Engineers, with whom Aptim will communicate via phone tomorrow, will complete the necessary reviews to issue the permits. They will know more tomorrow. He could let them know on their next one-on-one or email them the status. As stated last month, they did receive the extension through December 31, 2026.

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

Vice Mayor Kerr requested that the City Manager send the email. The City Manager said he would send it the next day.

Mayor Brooks said it says in the document that the bid documents are drafted and under review, but by whom? The City Manager said it was their internal review process. It has been more than a month, so he will ask them to forward it, so the City's engineering can review it.

C. HR Compensation Study

The City Manager said that it is a project that has taken several months. He introduced John Muller, from Risk Advisors, formerly known as the Gehring Group, with whom the City had contracted to conduct the compensation study.

Mr. Muller said they are the firm the City hired to complete the compensation study. Unfortunately, due to the storms, there was a delay. He will review the methodology and their approach, discuss their findings, recommend changes to the pay plan, explain their compression analysis, which can be a challenging concept for everyone to grasp, and review the financial impacts that the City would incur if they proceeded in that direction. It is estimated that implementation will occur this fiscal year, in October. He explained:

- They held a discovery meeting with the City Manager and the City Manager's assistant to understand the project's goals and what they hoped to achieve. As part of it, they reviewed all the City's information, the pay plan, benefits, all job classifications and descriptions to get a thorough understanding of what the City offers its employees.
- They reviewed each job description from City employees on two different occasions, although they did not get everybody's feedback, but got quite a bit. The information was helpful and considered when reviewing the job description. Job descriptions might be accurate, but sometimes there are things that people are doing that they want to account for. With that said, it still has to be related to the scope of their position. For example, if you have somebody washing dishes and also asking them to scrub decks, they would not be able to compare that exactly. When looking at the jobs from other agencies, they are not constructed that way.
- They benchmarked the 61 job descriptions across 14 different entities in the area listed on the slide, which included:
 1. Treasure Island
 2. St. Pete Beach

3. South Pasadena
4. Dunedin
5. Belleair Bluffs
6. Oldsmar
7. New Port Richey
8. Tarpon Springs
9. Pinellas County
10. Polk City
11. Safety Harbor
12. Clearwater

- Some communities were smaller and had a smaller budget than Madeira Beach, while others were a bit larger. They do that to see who their direct competitors are for talent. Although Clearwater operates with a different budget than Madeira Beach, it would be reasonable for someone currently working for the City to consider a job with the City of Clearwater.
- When they benchmark the positions, they are looking at each job description of the City and comparing it to the job descriptions they collected from the other agencies, and finding the closest match. They compiled all the data and looked at percentiles. Once they benchmark each of the roles and list the salary data for comparable positions, they look at the 50th percentile of the market, the dead middle point, and the 65th and 75th percentiles.
- They also look at ranges and where those salaries go from the minimum end to the top end of the spectrum. Once they compiled all the data, they reviewed it with the City Manager and his assistant. What they found was that the City of Madeira Beach was already above the 50th percentile. In some regards, the City was already kind of trending toward the 65th percentile. So, they opted to focus on the 65th percentile of the market data to start evaluating where they should build the plan and how to construct it.
- They developed the new pay ranges and placed positions in those pay ranges. That information has been turned over to the City.
- As part of it, they look at each job and do testing for the FLSA, the Fair Labor Standards Act. That is to help determine whether the job is eligible for overtime. They found that the City probably had six to seven supervisor-level jobs that had previously been classified as non-exempt or eligible for overtime. Their recommendation would be to reclassify them as exempt from overtime.
- When they conducted the compression analysis, they took the City's roster of existing employees, looking at the job they are in, how long they have been in that job with the City, and what their current pay is. They adjust them, and if necessary, they establish a new minimum salary range for that role.
- Regarding the compression piece, the easiest way to explain it is that they take into consideration how long somebody has been in that job and what is happening in the market

during that time. The City might have hired people into that same role and brought them in at a higher salary over time, because the market dictates it. Those who have been in the job longer get compressed. In that analysis, they take the midpoint of the new salary range, and if somebody has been in that job for 10 years, they should be at least in the middle of that salary range. They have a sliding scale that they adjust the percentile based on. Individuals get moved up to the new minimum and may still receive an additional compression raise in that initial analysis.

- As they constructed the new pay plan, they based it on the 65th percentile of the market because of where the City is already, and they wanted the City to be competitive. One of the things they had to account for was that several of the entities they compared the City against did not have a comparable for each of the City's positions. Some of the entities listed for comparison have two or three positions total in the entire town or city. Some facilities are not the same, and some do not operate a marina. Those with a marina do not have as many dedicated positions for the marina.
- How do they put the new positions on the new pay plan? They are looking at the comparable level of skill within the City and the pay grade they are currently in today. Should they stay with some of those positions? For example, they will keep all directors in the same pay grade and keep all managers who manage similarly sized departments in the same pay grade. So, if they did not have direct comparison or enough comparisons, they are trying to keep that job family together.
- Throughout the exercise, and with the feedback they did get back from the employees who completed the questionnaires, they had to revise some of the positions or condense some positions. They consolidated the different levels of accounting and came back with only two levels.
- The City has a senior mechanic position that is occupied by one individual who will be going away, so they have classified the other mechanic positions.
- They classified some positions that are not currently occupied, such as an HR generalist or an HR director, because the City may elect to fill those positions down the road. They did the same thing with finance.
- The marina and parking enforcement are two areas where they did not receive much comparable information, as many other agencies do not have a marina staffed by employees. The same applies to parking enforcement, which is often part of the police department or outsourced completely. So, they had to look at the positions and put them where they made sense on the pay plan.
- After they did the compression analysis and moved everybody into the new pay ranges, they have the following:

- There are 18 employees below the new minimum of the pay range. To implement the new pay plan and bring everyone up to the new minimum salary ranges would cost about \$37,667.
- There is one employee above the maximum of the new pay range. There are several ways to address that, such as paying the overage to them at the end of the year in a lump sum. It would not go toward their retirement and other things of that nature because they are at the maximum of their pay range.
- The estimated compression cost is \$89,257. Those individuals will transition from non-exempt to exempt status. They reviewed their average overtime pay over the past few years to ensure that no one is disadvantaged. If they added it to their pay, it would bring them above or at least to the level indicated by the compression analysis. For some people, that would still be below where the compression is.
- The total financial impact on the City to implement would be approximately \$157,360, based on implementation in the October pay cycle.
 - Cost includes pension, FICA, and WI paid by the City
 - Cost without employer benefits \$126,924
- The study would impact 31 employees.

Mr. Muller said they tried to look at the positions objectively and bring the City into parity with the market. Then, for those in affected positions, ensure they are paid appropriately within their respective pay scale. The 31 employees are still a good representation of those who are likely to see some immediate benefits out of the pay study. Everyone will see a benefit because there is a good chance their pay ranges and future earnings will increase without them needing to move into a new position.

Mr. Muller said there are a lot of agencies going through this process right now, so you want to stay competitive with the market, and have no positions stay open for long periods of time, especially when there is a real glaring need in a particular area.

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

Commissioner McGeehen asked when they started the study. Mr. Muller said it was just before the hurricanes. It was completed a couple of months back, but there were some scheduling issues on his end. He needed to be there to explain it to everyone.

Commissioner McGeehen asked if he had talked to the employees in person. Mr. Muller said it was through an online survey they developed. They do it anonymously, so they only see their position and gather that data. They look for current themes, and if something did not look right, they asked questions and asked that it go back to the department.

Commissioner McGeehen inquired about the 18 employees who fall below the minimum pay range. Mr. Muller said that if the new proposed pay plan is implemented, they currently have 18 employees who are below the new minimum for their position and need to be brought up to at least that new minimum.

Commissioner McGeehen asked if any of the pay increase was based on performance. Mr. Muller said no. It is a complete market study by an outside independent third party, and the compression analysis is based on longevity. He has been an HR practitioner for over two decades and is a big proponent of performance-based pay. However, you must first enter the market and have a pay plan that is representative of the market before you tackle performance-based pay.

Commissioner Ghovae asked the City Manager what inspired the study. The City Manager stated that they have been discussing it for the past several years, and the Civil Service Commission specifically requested that the study be conducted. The last one was in 2019.

Vice Mayor Kerr said he was trying to understand the 50th percentile versus the 65th percentile, and the City is already above the 50th percentile but below the 65th. If they work for Madeira Beach, odds are they are better than average if they work somewhere else. Mr. Muller said that compared to some of the others, they are definitely doing better.

Vice Mayor Kerr asked what would drive the City to be in the 65th percentile. Mr. Muller said that it was a conversation they had with the City Manager, and it is typically their stance that, as an outside consulting firm, bringing them into the City is trying to be more competitive in the market and trying to get above the 50th percentile. Most agencies shoot for the 75th or higher, but they understand, given the size of the City, that may not be feasible from a budgetary standpoint.

Vice Mayor Kerr asked if the full study would be available. Mr. Muller said that the full pay plan, benchmarking results, and compression analysis have already been provided to the City via a shared drive. The Vice Mayor said he had not seen those documents and asked if he had also provided the presentation. Mr. Muller said yes. The Vice Mayor said he looked forward to looking at it.

Mayor Brooks asked how many employees participated in the survey. Mr. Muller said it was less than half the employees. That is why they reopened it a second time, well into the study, at the request of the Civil Service Commission, and about five more employees filled it out.

Mayor Brooks said it was her understanding that when they approved the study, their company would come in and sit with each individual and have a conversation. Mr. Muller said it was not in the scope of work they presented; it was an option.

Mayor Brooks asked if the percentile included benefits. Mr. Muller said no, just salary. The Mayor asked if that information would be included in the completed study. She would like to see how they compare to the benefits of surrounding municipalities. Mr. Muller said he had a high-level survey he could provide. It is like comparing apples to oranges because the plans are made up differently. The Mayor said she was a big supporter of providing benefits to employees because, as a municipality, they can only afford so much. They pay with tax dollars, so what could they do for the employees? They may be at the 65th percentile of pay, but they want to create a culture and provide them benefits that make someone want to be there. She would not want them to go somewhere else because they offer more benefits. So, she would be interested in seeing what other municipalities offer in that regard. A high-level would be great if he could provide that.

Vice Mayor Kerr said he recalled that when they discussed approving the study, it was not only going to be salaries but also benefits and job descriptions. Mr. Muller said they provided several proposals or options to the City, and at the time of contracting, they engaged in the compensation study. Reviewing job descriptions and refreshing the data down the road was an option. The full benefits and full job description review were not part of the scope that they agreed to. The Vice Mayor said he recalled that it was a base, and there were two options. They approved option one. Mr. Muller said he would be happy to send over the scope that was signed off on. The Vice Mayor said he would look at the meetings from a year ago to see what that was. If the report does go over the benefits, he looks forward to seeing that. Mr. Muller said that regardless of what they did, they had a very high-level report they could do. It is broader than just the immediate area in terms of benefits, as that is a large portion of what their company does. It does not take much time to include it.

Vice Mayor Kerr said he believes the City offered great benefits. The Mayor agreed.

D. The Barrier Islands Governmental Council (Big-C)

Mayor Brooks said they had the Big-C meeting today, and it was very informative.

- Barry Burton and his team from Pinellas County presented on beach renourishment. Although beach renourishment is important for all the other communities on the barrier island, Madeira Beach does not get to participate in this process and therefore does not receive beach renourishment. The county was able to obtain the permits for beach renourishment in the other communities. It is \$130,000, and Barry said it would be required to redo every five years. They mentioned that obtaining approvals for access rights from homeowners along the beach is difficult because people are unwilling to sign them. Although they still have to get them, it is limited to that particular thing.
- They talked about the legislative need to change what the Army Corps does, and it is something that needs to be done on a federal level. The county is working with Anna Paulia Luna to get it changed federally. It will probably not happen any time soon, but they are working on it.
- They talked about insurance. The Florida League of Cities had come and given a presentation on it. She would like to provide more information on it at the next regularly scheduled BOC meeting, specifically to give a report and present the slideshow. There are many things to prepare for the hurricane. The City does some of them, but there were a few things she had not heard of before. She will share the presentation with the City Manager and then present it to the Board at the regular meeting. The information would also be shared with the community. There are opportunities to improve post-hurricane, thanks to the presentation today. She will talk about some specifics of the items in it that we do at the City.

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

Vice Mayor Kerr asked if they could get a copy of the presentation. The City Manager said that he would forward it to the Board. The Vice Mayor said they are hosting post-disaster events and meetings to discuss what can be done better for the next time a disaster occurs.

Mayor Brooks asked the Fire Chief what report he does after a storm. Chief Belk said if it is a major storm, they do an after-action plan or review.

Vice Mayor Kerr said they were going to create a handbook so they would avoid making mistakes.

Mayor Brooks said they should have a workshop. In listening to the Fire Chief and several other cities and organizations in the county, they all do after-action reports on everything. The county conducts an after-action report, and they have done one following Hurricane Helene and Hurricane Milton. If the City did one, she had not seen it. The benefit of an after-action report would be to have a meeting and talk about those things. The Vice Mayor said they can also put it on the website. When a disaster is imminent, people will have a place to go and look for answers.

Vice Mayor Kerr asked if the \$130,000 for beach renourishment is all county funds. The Mayor said yes. They are funding it through the tourism tax. They are pumping sand from different locations out into the water, right up to the beach, and not carting in sand from elsewhere. There is an area near John's Pass where they will pump sand onto the beaches. There is an area up by Sand Key where they pump sand onto the beaches.

E. Integris VCISO

The City Manager said at the last meeting that Mr. Laflin had presented a budget amendment for the additional fees associated with IT work. The IT contractor or firm is Integris. Due to a change in Florida Law a couple of years ago, a statute was created requiring cities to have a cybersecurity plan and programs. Integris offered after they were chosen to offer a virtual CIO or Chief Information Security Officer. That is the purpose of the \$5,000 a month they have been paying Integris for. It goes toward providing and developing the policies and procedures they've developed. They are sending them as they are developed. He has started reviewing them and will have staff review them. It is regarding cybersecurity components, from the basics of password protection to avoiding phishing and spam-type emails, and not bringing your own devices to work. Whether they use the contract over the next year will be determined over the next couple of months. This may serve as an impetus to issue the next RFP for IT services to determine if it can be included in the reply they received for their information technology services.

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

The City Manager said he put the one-page, the first page of the agreement, in the packet. It is a 12-month commitment.

Vice Mayor Kerr inquired about the expiration date of the IT agreement. The City Manager said it was for a three or five-year contract. There is a way to get out of the agreement.

Mayor Brooks said she obtained the City's RFQ and asked why the cybersecurity services were not included in it. It says they have cybersecurity training. If they needed a \$5,000 a month agreement, why was it not considered part of the original agreement when it should have been? The City Manager said he did not know why, but it came after they approved the agreement.

Mayor Brooks said that the amount is \$60,000. They started paying it last year in this fiscal year. The City Manager had committed to spending \$60,000 without bringing it to the Commission for approval. The Vice Mayor said he thought they did approve it. It was presented as a new requirement by the state. They did not research to see if it should have been included in the RFQ.

Mayor Brooks said that, as she understood it, the item was included in the RFQ, so why would they pay an additional \$60,000 for something that is already included, on top of the almost \$200,000 they are already paying? She would like to gain a better understanding of it. What are they getting for \$5,000 a month? The Vice Mayor agreed.

The City Manager said that they are providing a process and project to protect all the IT data they produce. He will get additional information.

Mayor Brooks said that what the agreement says they are going to do should be part of the contract they have for \$200,000 a year. It does not seem like they should be paying any extra.

Vice Mayor Kerr said that if they presented it, they did not have to include it, but it is something mandated by the state. What steps do they need to take to break the agreement and issue an RFP for an all-inclusive bid?

Mayor Brooks, for clarification, asked if the scope of work was included in the RFQ. If it were, they should not be paying for it. The Vice Mayor said if it was, they should be reimbursed for what they paid.

Commissioner Ghovaei agreed with the Mayor. It is a lot of money.

6. COMMUNITY DEVELOPMENT

A. Nonconformances, Variances, and Open Sky Requirements

The City Manager said that, following the storm, property owners are applying to build new structures and elevate existing ones. They are receiving requests for variances or other requests related to existing and/or non-conforming uses on various lots. The staff will provide a review and some examples to determine, based on the discussion and input, if any future changes are needed to either existing processes or existing City codes. Some of the requirements are related to the Florida Building Code, so any changes that need to be made may require a statutory amendment.

City Staff presenting:

- Joe Petraglia, Community Development planner and floodplain manager
- Marci Forbes, Community Development CFM and engineer
- Andrew Morris, Community Development long-range planner

Mr. Petraglia said permitting is currently a big issue. It takes a long time to obtain a building permit due to a combination of things, primarily the high volume of permits, and many are denied. They will talk about the reasons behind it and some possible solutions. They can modify the code to not

only expedite the permitting process but also ensure that the permits are approved in the way that the homeowners and applicants want them approved in the first place.

Mr. Petraglia said there were four code sections they possibly could change to help with the issues, and how those changes could take effect.

1. The non-conforming code section addresses any existing structure that does not meet the current code, which in Madeira Beach, is far more than half of the applications, whether the structure is non-conforming with the setbacks, the lot is not conforming, or a combination of both. That code also has a few more issues that need to be addressed in the future. If they changed the non-conforming section, it would only include the essential information needed to initiate the permit applications. They can change it again in the future to address the other issues.
2. They could change the open sky code, which is included in the agenda packet. It explains what is allowed in the setbacks, which is the reason permits are denied. The sky code defines how Madeira Beach codes addresses setbacks and what is allowed within the setback.
3. They could modify the setback requirements in general to expedite permit issuance within the zoning districts. Most issues are located in the R-1 and R-2 residential zoning districts. Setbacks are currently 20 feet in front of the water in R-1, and it is 30 feet from the water's edge of the seawall. Most other situations are 25 feet. The setbacks differ based on zoning and lot width.

If they were to change any of those three code sections, because they are part of the land development regulations, it would require them to bring the possible amendments to the Planning Commission for input. A downside would be that it would add time to adopting an ordinance.

4. A fourth option is somewhat obsolete code that has not been used much. It is called the moving of structures in Chapter 14, and it is not part of the land development regulations. Changing that code might make things a little faster. It has remained unchanged since 1984. The way it's written, it seems that the intent is for someone to move a house from one lot to another within Madeira Beach or to relocate it out of Madeira Beach. Amendments to that code could possibly be made to help expedite the elevation structure permits. It would be a temporary solution and not help with the new builds. They would not have to take it to the Planning Commission.

Mr. Petraglia reviewed some of the examples from the PowerPoint slides and the handout distributed at the meeting. Some examples he explained as follows:

- In their non-conforming section already, they are allowed to elevate an existing structure, even if it is not in compliance with the setback and is grandfathered in. For those grandfathered in, you would think the permit process would not take so long. The examples show that they would need to add decks and stairs to access the home. The way the code is written, any addition, including stairs and decks, has to meet the setback requirements. If the structure is already non-conforming, it leaves limited options for adding stairs and access.
- The way the code is written, with the open sky, you are allowed to encroach 50% of the side yard setbacks with access stairs, but there is no allowance for the front or rear. He

showed an example where the access was in front of the house. The applicant proposed adding a front deck and stairs to access the home, but the permit application was denied because it encroached on the required 20-foot setback. The house already encroaches, so the part that already encroaches and is grandfathered in cannot have anything else added to it. The only way they could access the house would be to remodel the inside and cut into the slab and having to build access into there, which is costly or relocating the front door to one of the sides and having to have the stairs and access at the sides, which the applicant was not interested in doing.

- Many people ask about variances. A variance applies to a specific lot and a particular situation. In 2020, the City passed an ordinance that made variances even more stringent than they already were. It must meet all six of the criteria, one of which is that it must be the minimum possible and not the other way to make reasonable use of the land.
- An example was a conforming size lot and elevation of an existing structure. They applied for a variance, but it was denied. The site plan submitted with their variance application proposed adding a balcony four feet wide to the already non-conforming rear setback. It did not meet all six criteria since the Florida Building Code only requires one, meaning ingress and egress to the house. The rear balcony doors were not a necessity, which a variance is only for a necessity if there is no other way to access the house, for example. Therefore, the variance was denied for that and a few other reasons. After the variance was denied, they submitted a revised plan. They proposed sealing off the back access and creating an access point on the side. They lost the rear sliding glass doors, and now they only have minimal access. Open access allows rear cantilevered balconies to encroach into the required setback. So, if the required setback is already beyond that, they cannot add anything else, but on the left side. They are waiting for the applicant to revise their plans. They can make it work and approve the permit once it is a cantilevered balcony on the left side. That is a good example to show why variances are not always the best option.
- They want to have a code for the approval of a permit without having to go through the variance process, which adds time and money to the applicant and to staff time and delays permitting even further.

Ms. Forbes showed an example of a buildable lot that was already fully maxed out in the front yard. It was already encroaching by half a foot. There was no opportunity to provide front access, as per the current code, but there was plenty of room in the back. She did not know whether to deny the front stairs on the condition that they could build the back stairs once the code was corrected, so they could then build the front stairs. They have to consider the entire project. The homeowner is the only one to suffer. She would love to get every house five to ten feet off the ground and then figure out how to provide access, but the code does not allow it.

Ms. Forbes said that the City's code does not permit the elevation of structures. Every community is going through it. Their biggest challenge is elevating structures in the community. They have to work within their land development regulations. They can work with the City Attorney to see if they can expedite the process. It would be strictly geared towards elevating the structures. They are doing everything they can to streamline the process, ensuring that people get what they want. Every day, they are thinking of ways to communicate and get things done to make things better.

Mr. Morris said that for new construction, they have been doing a lot of variances for rebuilding after catastrophic loss, which is essentially residential structures that have been substantially damaged. The owner wants to demolish and replace it with a similar-sized structure that is elevated. For single-family homes, the code permits building within the same footprint. However, this is particularly challenging with older homes and non-conforming lots in R-2 and R-1 residential zones. There are bizarre setbacks. He showed an example on the screen. The home was 1,000 square feet, and it had a side setback of less than a foot. The applicant wanted to build a new home and was required to apply for a variance and pay a \$1,800 fee. That could add another 30 to 45 days, as they only hold a special magistrate hearing once a month. He maintained the five-foot minimum setback requirement for R-2 on the side and maintained the existing non-conforming setback requirement on the front.

Ms. Forbes said they wanted to make the changes because the non-conforming sections affect new builds and elevations. The quicker route is the moving structure one. That will directly impact elevated homes while continuing to address issues like new builds. They identify the issues they need to fix and determine how to expedite them.

Mayor Brooks opened to public comment.

Nicki Rusinack, 14024 Vivian Drive, thanked the City for trying to expedite the permitting process. She was one of the examples given. They did not realize that they were outside the buildable area. She asked if, with more storms and making the homes more sustainable and safer, they would be able to make changes to the codes to make them more modern. They want to put equity into their house, not just slap stairs on the side or back to access it.

Mayor Brooks said they could not conduct a Q&A, but if she would like to make her comments, the Commission could opt to discuss them or speak with City staff.

Ms. Rusinack urged the Board to consider updating the codes to make them more modern, making elevation accessible, and ensuring homes are equitable, rather than remaining stagnant with outdated codes that do not conform to elevated homes, especially as more disasters occur.

Caralina Leid, 6350 3rd Palm Point, St. Pete Beach, said her husband is a local builder, and they own Trinity Carpentry together. She represents their clients and the residents of Madeira Beach. Madeira Beach is a community made up of older homes, smaller lots, and a growing need for storm resilience. The average home in Madeira Beach was built in 1965, with 25% dating back to the 1940s and 1950s. Those homes were designed for a different error. There are small, irregularly shaped lots that often do not fit modern building styles. Applying today's rigid setback and footprint standards to yesterday's homes unintentionally punishes residents who are simply trying to rebuild safely and resiliently. She explained the construction projects they are working on in Madeira Beach, as shown in the documents the City Clerk distributed to the Board for their review. She offered suggestions that other communities have implemented to improve the permitting process.

Mayor Brooks said she wanted everyone to understand that Community Development wants to make changes to the City's codes to help move the process along. There are two options. One is a

longer road that requires the Planning Commission and two ordinance readings with the Board of Commissioners to adopt an ordinance. The other option is to change an old ordinance that could be voted on at the next meeting. It would provide an option or avenue to expedite the permits, particularly for elevation permits.

The City Attorney said that if they are going to change the code, whether it is the land development code or the code of ordinances, it requires an ordinance and two public hearings. The paths being presented today involve changing the code of ordinances, which requires only two public hearings, and changing the land development code, which necessitates a public hearing before the Planning Commission, followed by two public hearings before the Board of Commissioners. That would result in cutting out about 30 to 45 days, as they would not be dealing with the Planning Commission.

Mayor Brooks said that was what she was trying to say. To avoid waiting one or two months to adopt an ordinance, they could call a special meeting to vote on the first reading, and she asked if they could call a special meeting to vote on it again.

The City Attorney said the city charter requires 15 days' notice before the second reading. The first reading does not require notice before voting, but the second reading does. As long as the ordinance is noticed 15 days in advance of the second reading, it can be adopted. It does not have to be 15 days in between each hearing.

Mayor Brooks said she is looking to allow the planning department to implement an option that they have found beneficial for homeowners trying to lift their homes and rebuild. She would propose that they do it in the quickest possible legal manner, based on the staff's recommendation as to what changes would be recommended to help the residents.

Vice Mayor Kerr said he viewed it as twofold. One, the restrictions on setbacks, etc., are being addressed by the staff with the stairs, which is what the Mayor is referring to. The other is the timeliness of it, and they are just at the beginning stage. The 22 homes to be elevated, as listed, will be completed as quickly as new builds are coming in. They need to address how they are applying for the permits. Although it is electronic, based on what they have seen, you have to make frequent comments. Those frequent comments could be put into the check boxes before they ever submit. They need to make sure the check boxes are checked. Whenever they can address the comments before the application comes in, the percentage of approved first-round reviews would increase. He knows that from the dialogues that the Redingtons and possibly other communities have made adjustments to the setbacks regarding the stairs.

Lastly, via email, they discussed metrics. How are they doing? Are we improving the average time it takes? As a resident, what can I expect regarding the timeline for the permit? If they had the metrics of the problems people are having, they might be able to help them.

Mr. Petraglia said they have always had a checklist on the website outlining what is required based on the type of permit. Two weeks ago, they put together a detailed checklist for elevations and new construction, which was posted on the City's website in the Planning and Zoning section [Community Development]. On the list is everything they look for.

Ms. Forbes said that to help expedite the review process, Al Carrier, the City's contracted engineer, is creating data tables for the designers to insert on their cover page to complete. It will be downloadable on the website. The Vice Mayor stated that the better the process, the more it will benefit everyone.

Ms. Forbes said she would run an elevation permit report every Friday and meet with the team on Monday morning. She will then visually review the resubmitted permits to try to get them to the next review based on her assessment from the report that Friday.

Mayor Brooks inquired about the next steps regarding non-conformances, variances, and open sky requirements, once they have obtained the Board's buy-in.

Ms. Forbes said she would like to focus on Chapter 14 and work with the City Attorney to confirm that they are on the right track. They will then refine the verbiage to be inserted into the ordinance and bring it back to the Board at the next meeting to begin weighing in on it. She has also spoken to other communities that have done the same or similar thing. The code must be specific to Madeira Beach and how it works. By the next meeting, the Board can be presented with an ordinance that they can start working on.

Mayor Brooks received confirmation that changes will be made to Chapter 14 and then change the land development code by going through the entire process, which would be the long-term best benefit for the community. They will simultaneously work on both.

The City Attorney confirmed that the ordinance would not require publication for its first reading, only for its second reading. They must notice the meeting and what will be in the meeting.

The City Attorney said that they have not discussed the details, which are the most important part of the ordinance, such as what is allowed and how they would do it regarding setbacks and stairs, etc. It is not just an easy fix. This is the first time he heard of it today. It does not require publication, but they can work on it as quickly as possible to present it at the first meeting; however, it will require a discussion. He would not attend that meeting, thinking merely to approve it. There will be a lot there to consider.

Mayor Brooks said they normally discuss things in their regular workshop and asked if they could discuss it at the next regular meeting as a discussion item. The City Attorney said yes, they can discuss and hash out anything at any meeting, and if it turns out, he can bring the ordinance back for a second reading. If it is not substantive, then that would be all it requires. If they are substantive, it will require a third public hearing.

Vice Mayor Kerr asked if they could have a 4:00 p.m. workshop meeting before the 6:00 p.m. regular meeting to discuss it. Mayor Brooks said they could discuss that particular topic, and then if they agree on an ordinance, they could schedule the first reading for the next regular meeting after July. They can do whatever they want in meetings as long as they meet the 14-day notice requirement.

Ms. Forbes said they could come up with the best draft possible for discussion and then hash it out. Mayor Brooks said their code is outdated, and she would want to do whatever is best for what the City wants, and for what the community needs. Ms. Forbes said if they need to come back and discuss it again, they can. The community will know that the City is heading in a progressive direction.

Commissioner McGeehen said he felt encouraged that the community came out and made comments. They can work together on solving the problems. It will help them in the future in case something else happens. The discussion tonight primarily focused on potential amendments that could help speed up and simplify the rebuilding process, as well as enhance the process for property owners who want to elevate their homes. What can they do in the future to make it simpler and easier for everyone? Tonight was a great step towards coming together, discussing ideas, and changing some outdated codes and ordinances that could be improved.

Mr. Morris said regarding the land development regulations, non-conformances, and Section 110-427. They are bringing them as discussion items to the July meeting of the Planning Commission. They got the feedback today and will get the feedback from the Planning Commission and will bring a rough draft of that to the July BOC workshop meeting. That will be a more mid-term solution that will take a little more time, due to the three public hearings: one with the Planning Commission and two with the BOC readings. Forward Pinellas will also be reviewing it because they review the LDRs.

The City Attorney asked if they were dealing with issues of ingress and egress for the raised homes, or if they were discussing side yard setbacks or front yard setbacks, such as square off homes, or adding more livable space. Staircases are one thing, and additional living space or squaring off a building outside its footprint, and what it looks like right now, is another. He wants to be working on what they want them to work on. All the key issues do not have to do with the square footage of the home, but with access. He thinks that the current focus for the homes being raised is the access issue. Ms. Forbes said that they would come with the LDRs. The priority for them is to provide people with minimum access to their home and to allow for this by code within the square footage of the home they are elevating. They could add flexibility for access.

Commissioner Ghovaei thanked everyone in attendance. Their goal and desire are to help the neighborhood reach its desired needs. He thanked the staff for their work. Perhaps at the next workshop, Community Development can bring a desirable setback that also meets the fire department's requirements. They also do not want to affect their next-door neighbors during their rebuild. It is important to keep that in mind. Regarding non-conforming, perhaps they can add language to make it conforming and eliminate the non-conforming aspect, even though it may not meet certain regulations. Having addressed the zoning code, there is also the third-party provider. Once the zoning plans are approved, residents can take them to a third-party provider for review. They may get a quicker response from them because of the overload.

Fire Chief Belk said that in a single-family residential structure, they have no jurisdiction in the fire and life safety aspects. It falls under the Florida Building Code.

B. Add Ordinance Language for Unsafe Structures

Community Development Engineer Marci Forbes said the building official brought the item to her attention. The Code only addresses unfit structures and not unsafe structures. Unfit does not mean a structure is about to collapse. Unsafe means it poses a risk. She will work with the building official on the verbiage and bring it back to the Board.

Mayor Brooks opened to public comment.

Jeremy Patterson, President of Modern Movers, said the City staff is phenomenal. The private provider aspect does not work in areas below the base flood elevation, according to the state ordinance.

Vice Mayor Kerr asked how they identify and flag unsafe homes. Ms. Forbes said Code Enforcement identifies them. The building official is being proactive and catching a lot of them. They will also take citizen complaints. The City Attorney said that a name and address must be provided with a code violation complaint, and this information will become part of the public record.

Mayor Brooks said the Code does not allow them to do anything about unsafe homes. It would allow them to board up a house and charge it to the homeowner. They may not get paid until the land is sold. The City Attorney said a property needs to become non-homestead property before they can collect on the lien amount.

Vice Mayor Kerr asked if there was a way to prove a property is homesteaded. You have to live there for six months. Mayor Brooks said the only thing to comply with the homestead is to claim it as a primary residence and not claim any other property as a primary residence. The Vice Mayor asked if that was defined as six months. The Mayor said not in the state of Florida. Your driver's license and voter registration designates your primary residence. The City Attorney said that there is a federal law, known as the Soldiers' and Sailors' Civil Relief Act of 1940 [The Service Members Civil Relief Act (SCRA) formerly known as the Soldiers' and Sailors' Civil Relief Act], which protects service members during their active duty.

C. Hurricane Permit Update

Community Development Engineer Marci Forbes reviewed the figures that were posted on the website. The time delay is an issue, and they address it as a whole. She would like to start providing more detailed information on time frames.

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

D. Recreation Truck

Mayor Brooks said that the Commission approved the purchase of a Ford F-250 truck for \$55,411.40, with a budget allocation of \$60,000. For months, the vehicle was not marked with the City logo. She also found two other City vehicles that were not marked. She said the city manager

told her the truck would be wrapped, and it would take another two or three more weeks. She requested the invoices for the work done on the vehicle.

Mayor Brooks said the City paid \$1,256 to remove the stock wheels, paint them black, flip them so the white lettering is on the inside, mount and balance them. She did not understand how it was not a flagrant misuse of public funds. There was nothing about the money that had to do with driving the vehicle. She listed the following items that were purchased for the vehicle, totaling \$14,300.11:

- Lear commercial topper - \$3,056
- Other accessories - \$4,556.50
- Cargo glide - \$2,700
- Floor coverings - \$192.19
- Bolt covers and runners - \$731.94
- Light bar - \$3,589.54
- Wiring harness for the light bar - \$398.94
- City logo - \$894

Mayor Brooks said she wanted to know how much the City paid to put the vinyl on the truck, which led her to find out about the other purchases. She wondered where else they could be wasting money and what else was happening that they were unaware of. It is her responsibility, as a commissioner on the Board, to share what she knows with the Commission. She said the City Manager told her that he was unaware of any of the purchases. She wanted it in the sunshine and did not think it was right.

Mayor Brooks said the Parking Division purchased lights for a vehicle at a cost of less than \$2,200, including installation.

The City Manager said they do not work here to waste money, and it was not a waste of money. He said the mayor did not have all of the information. The tires were for a different vehicle, vehicle #20. He said the 2024 Ford F250 Crew Cab XL was approved in November 2024. It was part of a Bradford County Sheriff's Office contract with Duval Ford. It was budgeted for \$65,000 and purchased for \$55,411.40. The agenda memo included that the truck would be outfitted with a topper and rear slide-out storage to ensure city equipment would be protected from the elements. It did not mention that it would be additional purchases. It should be clear, and they should be explaining what they are spending when purchasing equipment.

Recreation Director Hatch explained that the tires were purchased as replacements for truck #20 because they had dry-rotted sometime around the storm. He did not know how they were put on the truck. Mayor Brooks said the Duval Ford invoice indicates the new tires were put on the new truck. Director Hatch said this is the first time he has been informed of this information. A professional conversation could have been had before this came to the Board. He agreed that he could have been clearer in the agenda item memo.

Director Hatch said the light bar is a light kit used to encompass the truck with lights for safety reasons, and it is a decent investment. The City Manager said they can determine why there is a

difference in the cost for the Parking Department's light bars. He is not aware of every purchase in the City, and he believes the department heads make the best possible purchases.

Director Hatch said they quoted out the topper and cargo glide separately. He said the white bus, which does not have a logo, was overlooked, and a simple City seal will be put on it. It took longer than it should have to get the new truck wrapped and everything installed. It is in the process of getting the lights installed.

The City Manager said they will review it and share all of the information.

Commissioner Ghovae commended the Mayor on her transparency and how much she cares. They are responsible for answering to the residents. He said the city manager is basically the executive director, and the commission communicates with him.

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

Commissioner McGeehen thanked the Mayor for bringing it to their attention.

Vice Mayor Kerr said he looks forward to the update to get to the bottom of it.

Mayor Brooks said she is trying to be transparent. If she knows something, she will share it with the Commission, and the only way she can do that is on the dais.

E. Mosquitoes

Vice Mayor Kerr said they have a problem with mosquitoes in the City due to standing water, such as that from unmaintained pools. He wondered if they could request help from Pinellas County. Commissioner Ghovae said Pinellas County has a mosquito control department.

Mayor Brooks said she thought there might be something that could be added to pools to help with mosquitoes. She did not know what they could do about the unmaintained pools. She asked what the protocol was. The City Manager said they notify the property owner that it needs to be maintained. If they do not clean it, it goes before the Magistrate.

The City Attorney said that the county can distribute minnows to green pools to feed on mosquito larvae. The problem with green pools is that there is no electricity to the pump, so the pool will never get clean. It would need to be drained and filled with something or fenced off to protect the public.

Mayor Brooks said they can use Mosquito Dunks, which are blocks thrown into ponds and standing water that kill mosquito larvae. The City Manager said that they will contact Pinellas County Mosquito Control to address the pools and any other code-related issues. The City Attorney said that if the situation becomes really bad, they could use their police powers to protect the public, but they do not want the code enforcement officer to go on private property.

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

7. FINANCE

A. Presentation of Series 2013 Bond Refunding Opportunity

Finance Director Consultant Andrew Laflin said in 2013, the City issued a total of \$4,760,000 in public bonds and public debt to finance the construction of the City Center. Some of the principal repayments have occurred, so the remaining debt is \$3,620,000. Some of the bonds have become callable, which means they can pay them down through a refunding. If the interest rate from the series 2013 debt is higher than the interest rate today, they can have a gain on the refunding. The Board previously approved the issuance of an RFP for a bank loan to refund the \$3.6 million. The purpose of the item was to review the RFP.

Mr. Laflin said they received two responses. One was from Republic Bank and the other was from Webster Bank. The response from Republic Bank would result in negative savings. Webster Bank proposed a 4.6% fixed rate through the maturity date of 2043 with optional call provisions. They would see approximately \$37,000 in net present value of savings after paying the issuance costs. The costs of issuance would total almost \$60,000.

Mr. Laflin said there are disclosure requirements associated with it because it was a public debt issuance in 2013. The City engaged Digital Assurance Certification (DAC), which ensures the City's compliance with disclosure requirements, for \$2,500 per year. By refunding to a bank, they would eliminate that cost, which would be a savings of about \$45,000 over the next 18 years.

Mr. Laflin said Webster Bank would hold the fixed rate until July 31. They would draft a resolution for the refunding of the debt for the next regular meeting.

The City could move forward with the Webster Bank offer or reject all offers and wait for a lower interest rate in the future. Mr. Laflin asked for direction on how to proceed from the Board.

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

Vice Mayor Kerr asked what staff recommended. Mr. Laflin said there are indications that interest rates are moving downward. The Vice Mayor said it makes sense to consider what interest rates will be doing six months from now. Mayor Brooks agreed.

8. PUBLIC WORKS

A. Beach Groin Restoration Project update June Workshop 2025

Public Works Director Megan Wepfer reported that the project and repairs were completed on June 14. She is waiting for one final pay app. To date, without the final pay app, they have spent \$3,319,591.89. She is hoping to come in under budget.

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

Commissioner Ghovae asked if they had to get a structural engineer. Director Wepfer said they had a marine and a civil engineer from the beginning.

Vice Mayor Kerr asked if, given the opportunity to do it over, she would have done anything differently with the design? Director Wepfer said there were not many options. The original beach groins were not removed; they were fortified and remain structurally sound.

Vice Mayor Kerr asked how they poured in the water. Director Wepfer said it was tide-based, and their permit was very strict, which is why it has taken a year and a half to complete.

9. RESPOND TO PUBLIC COMMENTS/QUESTIONS

Mayor Brooks said she felt like they responded to the public comments because they were all related to what Community Development presented. The Commission agreed.

10. ADJOURNMENT

Mayor Brooks adjourned the meeting at 9:08 p.m.

ATTEST:

Anne-Marie Brooks, Mayor

Clara VanBlargan, MMC, MSM, City Clerk