



MINUTES

BOARD OF COMMISSIONERS SPECIAL MEETING JULY 23, 2025 5:30 P.M.

The City of Madeira Beach Board of Commissioners held a special meeting at 5:30 p.m. on July 23, 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
David Tagliarini, Commissioner District 1
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
Thomas Trask, City Attorney

1. CALL TO ORDER

Mayor Brooks called the meeting to order at 5:31 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT

There were no public comments.

4. PUBLIC HEARINGS

A. Ordinance 2025-14, Elevating and Moving Structures – 1st Reading and Public Hearing

City Attorney Tom Trask read Ordinance 2025-14 by title only:

ORDINANCE 2025-14

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING ARTICLE IV (MOVING OF STRUCTURES) OF CHAPTER 14 (BUILDINGS AND BUILDING REGULATIONS) OF THE CODE OF ORDINANCES TO REVISE THE TITLE OF SAID ARTICLE TO ELEVATION AND RELOCATION OF STRUCTURES; TO ESTABLISH REQUIREMENTS FOR ELEVATION PERMITS, REQUIRE DOCUMENT SUBMITTALS, PROVIDE FOR SETBACKS AND ADDRESS CONDITIONS OF PERMIT ISSUANCE FOR THE ELEVATION OF EXISTING STRUCTURES WHERE THE STRUCTURE REMAINS WITHIN THE ORIGINAL HORIZONTAL FOOTPRINT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Jenny Rowan, Community Development Director, said the ordinance was discussed at the June workshop. Chapter 14 is not in the land development regulations, so it does not require a recommendation from the Planning Commission. They did, however, present it to the Planning Commission for feedback. That feedback was integrated into the draft, along with the discussions from the last meeting. The amendment will alleviate issues related to the elevation permit for locations with stairs, decks, and access, particularly on legally non-conforming lots. The buildings were constructed before the current zoning code or setback regulations were in place.

Director Silver explained the changes made in the ordinance. The most significant change based on the workshop comments is Section 14-134, which addresses setbacks and access encroachments. It looks different than what the Board saw at the workshop. They decided to include the definition section to define access structure and address the elevated decks. Based on the feedback from the workshop, they included the distances from the façade and also the distances from each property line. They have that for access structures and elevated decks.

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

Commissioner Ghovae asked if the Gulf could be considered the rear of properties. Director Silver said yes. They have a lot of waterfronts. They measure the rear setback from the water side of the seawall, not the property line. Commissioner Ghovae asked where it was stipulated. Director Silver said it was defined in the rear setbacks section of the code.

Vice Mayor Kerr asked if, on page 8 of the packet, it should be 'property line' or 'right-of-way'? Ms. Forbes said the right-of-way line is the property line and is defined in the same manner.

Vice Mayor Kerr said he saw where access structures are not considered habitable space and may not be roofed. He would think that they would want the ability to have some structure over the door to protect against rain. Ms. Forbes said they could clarify that. What they envisioned in terms of access structure was that once they reached the threshold of entering the door, it would become the elevated deck section, which could be covered. Whatever the landing is when the threshold is reached could be roofed, so they can clarify that more. They meant to include it or how they envisioned it.

The City Attorney cautioned that any substantive changes to the ordinance would require a third public hearing, which would take another month to adopt.

Mayor Brooks said that when reading the elevated decks, the access structure makes sense. It only refers specifically to stairs.

Vice Mayor Kerr motioned to approve Ordinance 2025-14, Amendment to Chapter 14, Article IV, Elevation and Relocation of Structures on first reading and public hearing. Commissioner Ghovae seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

5. NEW BUSINESS

A. Interlocal Agreement with Pinellas County for Multimodal Impact Fee Coordination

Director Silver said they have Rodney and Nicole with Forward Pinellas present, who will be giving a presentation that was in the packet and the agreement. The agreement is to continue collecting their multimodal impact fees. They collect the multimodal impact fee and retain 50% of that.

Rodney Chatman, Planning Division Manager at Forward Pinellas, said that Nicole Galasso, Principal Planner and Project Manager at Forward Pinellas, who is also involved in the important project they are undertaking, is present. Mr. Chatman said they are a special district of the Board of County Commissioners and not Pinellas County. They are an aligned agency with Pinellas County. They often provide technical support to many communities around the county. For example, one of their planners is serving as the town planner in Redington Beach. They recently completed safety studies for Treasure Island and St. Pete Beach on Gulf Blvd. Currently, they are doing a mixed-use regulation project for Indian Rocks Beach. That is a snapshot of some of the smaller-scale local assistance that they provide. They also provide more countywide assistance, which touches nearly every community in the county. Most recently, that has taken on the form of the multimodal impact fee ordinance update. The project was brought to them by Barry, the Pinellas County Administrator. He asked their executive director to take on the update. They graciously agreed. They have been working on the project for about a year now. While updating the ordinance, the Florida Legislature passed House Bill 479, which is the reason they are before the Board tonight. House Bill 479 added numerous requirements to the state impact fee law. One

of the new requirements is that an interlocal agreement must be in place to ensure that the county and cities do not charge the developer twice for the same transportation impact.

Nicole Galasso said it was good to be back before the Board of Commissioners in the new role. Everyone may know her from her work with Kimley-Horn on the master plan. She heard that the workshop went well last night. The presentation looked great. One of the first projects taken on when coming to Forward Pinellas was the multimodal impact fee update. When reviewing House Bill 479 with the county attorney's office, they recognized the need for an interlocal agreement between the county and the municipalities that collect fees under the multimodal impact fee ordinance to ensure compliance with state law.

Ms. Galasso provided an overview of the interlocal agreement and the countywide multimodal impact fee ordinance. One of the recent changes in state law is that if the interlocal agreement is not in place by October 1, the collection of mobility or multimodal impact fees defaults to the statutory guidelines. The developer's traffic study will determine the fee amount. The City and county would be required to give a 10% discount automatically. The county or municipality, whichever is collecting the fee, in this case, the City of Madeira Beach, would have to transfer that to the county within 60 days, as opposed to the one year currently provided by the ordinance. It disrupts the existing system, under which all 24 municipalities must follow to collect multimodal impact fees. But it also leaves it up to the developer's traffic study to determine the transportation impacts and requires them to receive a 10% discount if the interlocal agreement is not in place. The interlocal agreement memorializes the existing process for collecting multimodal impact fees. The traffic study, or technical study, conducted to support the ordinance, included all 24 municipalities. Many have been using the countywide multimodal impact fee ordinance for years to collect impact fees. The City of Madeira Beach has its local transportation impact fee program, but because the county's ordinance is in place, the interlocal agreement is before the Board.

Ms. Galasso explained what happens once the multimodal impact fees are collected. Under the countywide ordinance, the City will collect the fee when a development permit application is submitted. That could be for any change of use, redevelopment, or new development. They would calculate the fee based on the net impacts that the development would have on the transportation system. If there is no increase in floor area and the use remains the same, there is no impact fee because there is no net increase in transportation impacts. If you have vacant land that is being developed for anything, there will be a transportation impact associated with it. If you have a duplex and want to redevelop it into a multifamily apartment building, there would be an increase in transportation impacts related to the additional units. The fee would be assessed based on the additional units. That would also be the case of commercial redevelopment. The fee would be assessed when the developer submits a permit application. To issue the permit, the developer would need to pay the impact fee. The City would hold the fees until the end of the fiscal year. At the beginning of the new fiscal year, all the municipalities transfer one-half of all fees collected to the county. The thought process behind it is that revenue sharing helps mitigate impacts, not just to the local transportation network, but also to the countywide transportation network, which has much more capacity to carry higher volumes of traffic. Once the county receives the money, it will

deposit the money from Madeira Beach, along with the money collected from all the other cities, into a trust account associated with the fee district where each City is located. The City of Madeira Beach is in District 13 and shares that district with Indian Rocks Beach and the Redingtons.

Ms. Galasso explained that monies collected and deposited into the District 13 trust account can only be spent within District 13, anywhere within that transportation network. To use the money in another district for transportation projects to improve traffic flow in and out of District 13, they must get permission from all cities in District 13. Because it is a multimodal impact fee, it includes bicycle, pedestrian, and transit improvements. The money can also be spent on transportation plans, as long as the plan receiving revenues from the multimodal impact fees identifies at least one project to be included in the City's CIP within three years. Most transportation plans would do that. The money cannot be used on periodic maintenance or repaving.

Ms. Galasso said that since 2016, when the ordinance was adopted, the county has collected about \$18.5 million in multimodal impact fees. That is not a considerable amount considering the cost of transportation projects. They are plugging in funding gaps for much larger projects. The county has expended a total of \$18,671,309 on multimodal impact fee revenues across 36 projects from FY 2018 to FY 2025. The projects were roadway improvements, ATMS (Advanced Transportation Management System), intersection improvements, bridge reconstruction, signal improvements, sidewalk improvements, and multimodal trails. They collected about \$114,000 in District 13 since the ordinance was adopted. There is not much development happening in beach communities. The money spent has been used to plug funding gaps on the Gulf Blvd ATMS project, which improves traffic flow by improving signal timing. In District 13, there was a fee transfer out. The county used some of the money collected from District 13 for the West Bay Drive Complete Streets project, as there is a connection between Indian Rocks Road and the causeway that extends into District 13 to improve traffic flow in that area.

Ms. Galasso said the purpose of the interlocal agreement presented to the Board is to maintain the existing system. It allows the City to retain 50% of all fees collected, which can be allocated for spending in future fiscal years, and it will help ensure compliance with state law, avoiding default to state guidelines. The Board can approve it, although it still needs to go to a few other communities. They will be going before the Board of County Commissioners on September 4 for the final approval of the ordinance. If it is not approved by October 4, they will default to the statutory guidelines as explained.

Mayor Brooks opened to public comment.

A resident, who did not provide his name for the record, said that he noticed in the presentation that the distribution to the different cities did not include Madeira Beach. Ms. Galasso explained that some districts encompass multiple municipalities, which is why Madeira Beach is not listed, as it is grouped with the mid-county beaches.

Commissioner Ghovae asked for confirmation that the City could not charge more than the county charges for multimodal fees. Ms. Galasso said the countywide ordinance provides options for an alternative fee calculation and gives discretion to the city manager or their designee, or whoever is administering the ordinance, to decide whether to default to an alternative fee calculation. Her understanding is that it cannot be used to charge more, but the alternative calculation method could be used to charge less if an agreement has been reached.

Commissioner Ghovae asked if they could hire an engineer to perform calculations or obtain an interpretation of the code for calculating impact fees. He asked what would happen if the City calculated less by mistake and the developer paid the lesser fee. Ms. Galasso said she did not think Pinellas County would ask for the difference not paid to them. They do not oversee that process.

Commissioner Ghovae said that in the past, the fee was calculated based on dwelling units, rather than square footage.

Mr. Chatman said they are working to update the ordinance. There are things there that can be improved in terms of administrative interpretations. This coming year, they are developing an administrative manual to ensure consistent interpretations of the ordinance and classification of uses across the 25 local governments. They will also be looking at the City's example of residential square footage. Currently, the ordinance breaks it down by certain increments of square footage. They are exploring alternative methods to assess transportation impacts instead of using square footage. Perhaps go back to dwelling unit classification or calculation. That is on a separate track. Statutorily, they must complete phase two of the work within 12 months. They will keep the City apprised of the various changes they recommend to the ordinance. They are looking at use classifications, calculation methods, and the underlying methodology.

Vice Mayor Kerr asked if it was an option for the Board to decide not to execute the interlocal agreement and use the current portion of mobility impact fees they have now. The interlocal agreement must, at a minimum, ensure that any new development or redevelopment is not charged twice for the same transportation capacity impacts.

The City Attorney said they are talking apples and oranges right now. The interlocal agreement specifically says they cannot charge twice. The moratorium is coming up for the Board's consideration in the following agenda item. They will be talking about a review of the current mobility fee that the City charges to ensure it is not being charged twice. There may still be a portion of the mobility fee that the City can collect, and it can also collect the county multimodal fee without overlapping. That is the purpose of the upcoming study. Even if the Board approves the agreement, there may not be a charge that the City will impose in the future based on the study's findings. It is not one or the other; it could be both, but they must ensure they are not charged twice for the same thing, whatever that may be.

Ms. Galasso said it was an option not to sign the interlocal agreement. They would default to statutory guidelines for calculating and collecting both the countywide multimodal impact fee and

the City's local transportation impact fee. That is, if the Board decides not to go with the moratorium option. Either way, the Florida Statutes stipulate that an interlocal agreement must be in place by October 1, 2025, when a county and a municipality both charge an impact fee for transportation. If the agreement is not in place, the City would default to the statutory guidelines as explained.

Vice Mayor Kerr asked if each new development or renovation would be required to have a study, which includes residential. Mr. Chatman said yes because the fee charged would have to be based on something. They are trying to help the City comply with state law. If they do not choose the interlocal agreement, it will make the staff's and the city attorney's jobs much harder. It would be unclear what the fee would be based on, what the methodology would be. Staff would be put in a difficult position in administering the fee program adequately.

Vice Mayor Kerr said that several years ago, a study was conducted to determine the fee structure for new build or renovation projects. Mr. Chatman said that, as the city attorney had advised, they are currently undertaking a study update. Within the next 12 months, they will have a clearer picture of what the City can do to maintain its local mobility fee program, as well as the countywide approach. It is possible that both can exist.

Director Silver pointed out that the City's comprehensive plan supports the multimodal impact fee with the county, and they will cooperate with them.

Commissioner Tagliarini motioned to approve the Interlocal Agreement with Pinellas County for Multimodal Impact Fee Coordination. Commissioner Ghovae seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

B. Resolution 2025-07, One-Year Moratorium on Local Mobility Impact Fees

City Attorney Tom Trask read Resolution 2025-07 by title only.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA; IMPOSING A TEMPORARY MORATORIUM ON THE IMPOSITION AND COLLECTION OF THE MOBILITY FEE REQUIRED PURSUANT TO CHAPTER 92 (PROPORTIONATE SHARE DEVELOPMENT FEE) OF THE CITY OF MADEIRA BEACH CODE OF ORDINANCES UNTIL JULY 31, 2026;

PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

The City Attorney said that they discussed it at a previous meeting. Some directions were given to consider adopting the moratorium that would prevent the imposition and collection of the fee. Specifically, when Mr. Murphy conducted the mobility fee study a couple of years ago, it was with the understanding that the City was not collecting the county's multimodal transportation impact fee. Therefore, it was not considered in the calculation. What he and City staff are concerned about is that they want to ensure that if they are going to charge a fee, it is not similar in nature to the county's fee for the same development. To do that, they need to put the brakes on the collection and imposition of the current fee while the study is being conducted, so they can confirm that they are not charging the developer twice, which is the purpose of the resolution.

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

Commissioner Ghovae asked if the county would be okay with the City having the moratorium. The City Attorney said the county has no say one way or the other. The Board is in control of the fee. He did not reach out to the county to see if they agreed, and he does not understand why they would not agree, given that they are trying to ensure their actions are correct, in compliance with the statute, and with the interlocal agreement. He recommended that they sign it.

Commissioner Tagliarini asked if Forward Pinellas would do the study and if there would be a cost associated with it. Director Silver said they would come back to the Board on that. What they are doing now is a moratorium on the local mobility impact fee. After that, they will come back to the Board to discuss a study and what it entails. The study would determine if they are charging twice for the same impacts on transportation, which they would not want to do.

Commissioner Tagliarini inquired whether it would result in a significant revenue shortfall during the moratorium. Director Silver said they would still be charging the culture and recreation impact fee, which is the largest amount of local impact fees collected, and continue to collect the public safety impact fees.

Mayor Brooks requested clarification that Forward Pinellas would conduct a study, which would determine whether the City is double-dipping. Mr. Chatman said the ordinance update will examine how the Madeira Beach mobility fee program can exist alongside the countywide program. They will return to the staff with an approach that allows both to coexist. The Mayor said that was her understanding, because she has zero interest in the City spending money on a study if they are already conducting one. If they are coming back to the Board with their study, the City would not want to conduct a study until it receives that information and puts a moratorium on collecting the fees. She does not feel that, based on their conversations, they have a choice. They have to enter into an interlocal agreement and impose a moratorium to determine what is proper. Therefore, residents and business owners who are redeveloping over the next 12 months will pay less. It is not money from their budget, so it is essentially extra money, which makes it easy to say yes. When they get the information, they can decide if they need to do another study, which she doubts.

Commissioner Tagliarini motioned to adopt Resolution 2025-07, One-Year Moratorium on Local Mobility Impact Fees, effective upon adoption until July 31, 2026, unless the Board of Commissioners rescinds or extends the moratorium by subsequent resolution. Commissioner McGeehen seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

C. Forward Pinellas Board Appointment

Mayor Brooks said the Big C has a representative on the Forward Pinellas Board. Mayor Will has been the representative. At the last Big C meeting, Mayor Will reported to the Committee that he was no longer able to serve on that Board. He asked for someone to volunteer, but no one volunteered. Because the meetings are held on the same days as the Board of Commissioners' meetings, but earlier in the day, it works well for her schedule, and she could commit. She informed the Big C that she would accept the position. For that to come before the Big C, she needs the Board of Commissioners to vote to appoint her as the representative for the Big C.

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

Commissioner Ghovae motioned to appoint Mayor Anne-Marie Brooks to serve as a member of the Forward Pinellas board. Commissioner Tagliarini seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

Added Item at the Meeting:

D. Proposed Millage Rate for FY 2026

The City Attorney said it would be appropriate to have a motion to approve the millage rate at whatever the Board decides. City staff suggested the millage rate be 2.7500 mills.

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

Vice Mayor Kerr motioned to accept the City staff recommendation and set the millage rate of 2.7500 mills for the next fiscal year. Commissioner Tagliarini seconded the motion.

ROLL CALL:

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

The motion carried 5-0.

6. ADJOURNMENT

The Board consented to starting the BOC Regular Meeting at 6:40 p.m. to allow a break following this meeting.

Mayor Brooks adjourned the meeting at 6:23 p.m.

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk