

MINUTES

CITY OF INDIAN ROCKS BEACH

REGULAR CITY COMMISSION MEETING

The Indian Rocks Beach Regular City Commission Meeting was held on **TUESDAY, MARCH 28, 2017**, in the City Commission Chambers, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida.

Mayor-Commissioner Johnson called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance and a moment of silence.

PRESENT: Mayor-Commissioner R.B. Johnson
Commissioner Phillip J. Hanna
Commissioner Edward G. Hoofnagle
Commissioner Joanne "Cookie" Kennedy
Commissioner Philip M. Wrobel
City Attorney Randy Mora
City Manager Brently Gregg Mims
City Clerk Deanne B. O'Reilly, MMC
Finance Director Daniel A. Carpenter, CGFO
Public Services Director Dean A. Scharmen
Hetty C. Harmon, AICP, Planner

(To provide continuity for research, items are listed in agenda order although not necessarily discussed in that order.)

1A. PRESENTATIONS to former City Commissioner Terry Hamilton-Wollin.

Mayor Johnson recognized outgoing Commissioner Hamilton-Wollin for devotion and service to the City and presented her with some departing gifts. Mayor stated Ms. Hamilton-Wollin was personally instrumental in the Osprey Nest Stand next to the Walshingham Bridge and the Nature Preserve Community Garden and many more joint projects with the City Commission.

Ms. Hamilton-Wollin stated it was a pleasure to serve on the City Commission for ten years.

1B. REPORT OF Pinellas County Sheriff's Office. No report.

2. PUBLIC COMMENTS.

(The tape recorder malfunctioned during public comments.)

Tom Smith, 19801 Gulf Boulevard, Indian Shores, stated the State allows him to hire State architects or State professional engineers to inspect his projects in order to get his projects done more expeditiously. He explained he has to pay his private-provider as well as City for permits. He received no services from the City for plan review or inspections, and he would like for the City Commission to consider reducing the City fees for him.

Mr. Smith stated a city, by State Law, cannot charge more for building permits than the cost of running that Department. He stated he has found that the City has collected a one million dollars more than what the City should have collected based on the law.

Finance Director Carpenter explained that the documents do not reflect all the expenditures for the Building Department such as Administrative Staff, City Clerk's Office for Records Management, and overhead. In regard to the revenues, he stated there is some revenue in that account that has nothing to do with the Building Department; therefore, cannot be considered in the mathematical equation as to what the City took in for the Building Department. Included in revenues are the City's business tax receipts.

Finance Director Carpenter stated when the revenue is pulled out, which is not part of the Building Department and when actual expenses are added, the number becomes tighter.

John Pfanstiehl, 448 Harbor Drive South, congratulated Commissioner Hanna and Commissioner Wrobel on the election.

Mr. Pfanstiehl stated he reviewed the Pinellas Suncoast Fire and Rescue District (Fire District) FY2017 Budget. He stated the FY2017 Budget was balanced with no revenues from ad valorem, no layoffs, no closings, and no revenues from their reserves. He stated the advertisement the Fire District sent out regarding their advertisement question stated "if we don't approve the ad valorem question, services would be reduced in 2017. At least one station will close. Personnel will be cut. . ."

Mr. Pfanstiehl stated the Harbor Drive Cove is slated to have manatee signs

erected which will take away any chance of children waterskiing and jet skiing. The facts are, and Florida Wildlife Commission (FWC) knows this, no manatee has ever been hurt in the Cove in the history of Indian Rocks Beach.

Nancy Obarski, 708 Beach Trail, stated at the last Fire District meeting, their attorney, under his reports, started to discuss whether or not they should allow citizens' comments. He stated the audience had no right to citizens' comments that cited some case law and stated the Fire Commissioners had decided to have public comments.

Ms. Obarski stated the Fire District Finance Director has no contingency plan if the referendum is thrown out by the Court.

Ms. Obarski stated the law firm that provided the legal services to the Fire District for the referendum and language has not billed them yet. She stated she does not feel the Fire District is able to pay the bill because all they have to work with are ad valorem fees (\$260 plus impact fees). She stated ad valorem fees are required to be used just for services associated with providing fire services.

Ms. Obarski stated the Fire District is still investigating property in Indian Shores to build another station even though they were advised by Pinellas County that the fire station was too close to other fire stations; therefore, that station will not be eligible for EMS funding.

Bob Griffin, 375 La Hacienda Drive, complimented staff on the auditorium renovations; congratulated Commissioner Hanna and Commissioner Wrobel on the election.

Mr. Griffin, Indian Rocks Beach Boat Club, thanked everyone who participated in the Intracoastal Waterway cleanup and invited everyone to the Boat Club's picnic and Fish Fry on April 1 at Keegan Clair Park.

Jim Palamara, 102 15th Avenue, thanked the candidates and new City Commissioners on the election and stated he appreciates the service that everyone does for the community.

Mr. Palamara inquired if the City has an agreement with the utility companies for undergrounding of utilities, with Public Services Director Scharmen stating the City is under contract with a consultant who is working with Duke Energy, Verizon, and Spectrum to provide the City with estimates.

Mr. Palamara stated he uses solar power but he is still required to hook up to Duke Energy and stated there should be something in the Duke Energy contract stating if someone wants to go off the grid, they can.

Bill Thomas, 470 20th Avenue, inquired if the last letter to FWC by the City is the recommendation to have three open basins. He stated there are only two basins open, and wanted to make sure the City is still recommending three open basins for Indian Rocks Beach.

3A. REPORTS OF THE CITY ATTORNEY.

City Attorney Mora briefed the City Commission and the public on the importance of staying in attuned and involved with the Legislators. He stated there are several Bills that deal with pre-exemption (home rule), i.e., vacation rentals.

Commissioner Hoofnagle stated at the last meeting, the City Attorney was asked to research how to approach the Florida Legislature about having the Auditor General's Office prepare an oversight review on the Fire District.

City Attorney Mora stated he circulated a memo to the City Commission on that point. He stated he has looked into the matter and there is no ad hoc way of initiating an audit at the Legislative level.

Mr. Hoofnagle stated it was not about initiating an audit; it was about getting the Legislature to take some action, review, or control of the Fire District.

City Attorney Mora stated the City cannot compel the Legislature to do that. The way the statute is written, as it relates to special districts created by the Legislature, that must come from their failure, their non-feasance in filing audit reports. He contacted the actual committee that is responsible for facilitating that process, and since the passage of that statute (3 years ago), they have not had an occasion to evoke that process, so they could not give more of a perspective on how it has been used.

Mayor Johnson stated there is a movement in Tallahassee in which certain Legislators seem to believe that they understand the best interest of cities' constituencies better than the elected officials who serve those constituencies on a regular basis. The idea of pre-exemption is taking the City's authority away to do any number things having to do with zoning, regulations, and so forth. He stated this is very alarming to most elected officials because it is

taking away the cities' and counties' abilities to have any flexibility, even though the elected officials are the ones who understand intimately what their residents want, what their community wants, and how they differentiate themselves between each other. The Legislature is applying a one-size-fits all philosophy that prevents cities from fine-tuning their ordinances, regulations, rules, and so forth, and that is the struggle that is going on right now.

3B. REPORTS OF THE CITY MANAGER.

City Manager Mims congratulated Commissioner Hanna and Commissioner Wrobel on the election and stated staff looks forward to working with them.

City Manager Mims thanked former City Commissioner Hamilton-Wollin for her service and stated she did a lot of work behind the scenes.

Public Services Director Scharmen presented the agenda memo on crosswalks on Pinellas County-owned Gulf Boulevard and provided a brief history from 2013 to current of the discussion involving Pinellas County, the City Commission, and staff.

Public Services Director Scharmen stated the City Commission has the following options:

- Forward a request to Pinellas County to complete an updated Pedestrian/Bicycle Safety Study along Gulf Boulevard within Indian Rocks Beach.
- Take no action (consistent with MPO Policy Committee decision) and let the public utilize existing crosswalk locations.

Public Services Director Scharmen stated staff's recommendation is to have the City Manager send a letter to Pinellas County and ask for an updated study at the cost of Pinellas County.

Commissioner Wrobel asked what time of year was the last study done, with Public Services Director Scharmen responding April, May, and June (peak season).

Bert Valery, 447 18th Avenue, stated the study was only done on three intersections in Indian Rocks Beach: Walsingham Road, 10th Avenue and 12th Avenue, which are not the ones that he would have chosen. For the past four years, the Pedestrian Bicycle Advisory Committee (PBAC) has been trying to get crosswalks put into Indian Rocks Beach at the intersections. He is not asking for

ped-activated lights or anything that is very expensive; just painted crosswalks.

Mr. Valery stated Pinellas County leads the State in fatalities and accidents. He is trying to take action by taking the steps that are necessary. He stated Pinellas County has authority on Gulf Boulevard north of Walsingham Road, but the City has the authority to do what it wishes if the City does not agree with Pinellas County.

Mr. Valery stated he does agree that a study needs to be done. He stated he originally asked for painted crosswalks at all 23 intersections north of Walsingham Road. He realized that was little too much, so he is asking for painted crosswalks at 13 intersections.

Mayor Johnson asked if there was a consensus to ask Pinellas County to update the study.

Commissioner Wrobel stated he would like to add it to the agenda to receive more information from staff.

Public Services Director Scharmen stated the City received an award, which he presented to the Mayor, from the American Public Works Association, Florida West Coast Branch, for the 2016- 2017 Project of the Year / Transportation Gulf Boulevard and Walsingham Road Project.

City Manager Mims briefly reviewed the following issues:

- Stated the City sent a letter to the Pinellas County Commissioners supporting the abolishment of "Blue Laws" (alcoholic beverage). The Pinellas County Commissioners adopted an ordinance abolishing the "Blue Laws" and it was up to each municipality to update their City Code to allow the sale of alcohol on Sundays beginning at 8:00 a.m. **CONSENSUS FOR STAFF TO PREPARE AN ORDINANCE THAT WOULD CHANGE THE BLUE LAW FOR SUNDAYS.**
- Requested a 4:00 p.m., workshop prior to the May 9, 2017 Regular City Commission Meeting to discuss land development regulations (LDRs), specifically planned unit developments (PUD), community impact statements, and the conditions that were raised about the development standards along Gulf Boulevard; and if there is time, he would like to discuss vacation rentals. **CONSENSUS TO SCHEDULE A WORK SESSION AT 4:00 P.M., PRIOR THE REGULAR CITY COMMISSION MEETING OF MAY 9, 2017.**
- Stated there are a couple of items that he would like to send directly to

the Planning and Zoning Board are: (1) Where property owners of an existing house are just trying to square off their house and the side setbacks do not meet the current setback requirements. He stated those variances are always recommended by the Board of Adjustments and Appeals and approved by the City Commission, and (2) There are lots in the 7th Avenue area along Gulf Boulevard that do not meet the minimum 5,800 square feet lot size by 50 square feet and those type of variances are always recommended by the Board of Adjustments and Appeals and approved by the City Commission. ***CONSENSUS TO FORWARD THOSE TWO ITEMS TO THE PLANNING AND ZONING BOARD DIRECTLY.***

3C. REPORTS OF THE CITY COMMISSION.

The City Commission congratulated the candidates and elected City Commissioners on their election.

COMMISSIONER HANNA:

- Stated most people do not know about “home rule” and do not follow it and it is basically the public’s rights being cheated by Tallahassee. The smartest way to get the Legislature’s attention is to write them.

COMMISSIONER HOOFNAGLE:

- Stated the City’s State Representative’s, Senator Jeff Brandes, position on “home rule” is not necessarily in sync with the City’s. He recommended that City Commissioners and residents call and write him repeatedly about “home rule” and why the City should be able to regulate short-term rentals in residential neighborhoods.

COMMISSIONER KENNEDY:

- Stated former Commissioner Hamilton-Wollin has always been an advocate for women’s issues, and she will be remembered for the osprey nest platform project.
- Stated she was recently appointed to the Tourist Development Council (TDC) and has been researching how the beach cities can obtain dollars from the TDC. She stated there is funding possibly available for some of the Elite Events that are sponsored by Action 2000, Inc., and the IRB Homeowners’ Association.

COMMISSIONER WROBEL:

- Thanked all the support he received while running for City Commissioner. He stated there are always women behind something that is successful

and he was lucky enough to have two them — his wife, Jane, and Nancy Obarski. He also thanked the Friends of IRB who were very helpful and supportive during his campaign.

- Stated he has been to a couple of Fire District Meetings, and it is very eye-opening to go to one of those meetings. He stated he has been coming to City Commission Meetings since 1998, and there have been some really hot and controversial meetings, but the audience was never treated or looked upon as badly as he was looked upon by just sitting in the audience.
- Stated he has been working with the City as a volunteer and citizen, and he looks forward to working with staff, the organizations, the City Commission, and the residents.

MAYOR JOHNSON:

- Stated the City had a series of presentations and a work session on beach issues a few months ago, and he would like to request if a work session can be scheduled in June to discuss a long-term plan for maintaining. For instance, a minimum width for the dune system and other issues.
CONSENSUS TO SCHEDULE A WORK SESSION AT 4:00 P.M., ON JUNE 13, 2015, TO ADDRESS SOME OF THE BEACH ISSUES.
- Announced the following events:
 - Saturday, April 1, Boat Club Picnic and Fish Fry.
 - Saturday, April 8, Easter Egg Hunt.
 - Saturday, April 8-9, Citywide Garage Sale
 - Saturday, April 22, Rotary Pancake Breakfast.
 - Saturday, April 22, Beach Art Center Art Fest.
 - Saturday, April 22, IRB Beach Fest.

4. ADDITIONS/DELETIONS.

CONSENSUS TO ADD "CROSSWALKS ON GULF BOULEVARD" TO THE AGENDA UNDER 9A, OTHER BUSINESS.

5. CONSENT AGENDA:

- A. APPROVAL OF the February 14, 2017 Regular City Commission Meeting Minutes.**
- B. SETTING the dates for the City Commission Budget Workshops and Public Hearings for the Fiscal 2017/2018 Operating Budget and Capital Improvements Budget.**

City Attorney Mora read the Consent Agenda, consisting of Agenda Item Nos.

5A and 5B, by title only.

MOTION MADE BY COMMISSIONER KENNEDY, SECONDED BY COMMISSIONER HOOFNAGLE, TO APPROVE THE CONSENT AGENDA, CONSISTING OF AGENDA ITEM NOS. 5A AND 5B. UNANIMOUSLY APPROVAL BY ACCLAMATION.

6A. BOA 2017-02 — 1501 GULF BOULEVARD.

Owner Applicant: Waterfront Tampa Bay Properties, Inc.

Subject Location: 1501 Gulf Boulevard, Indian Rocks Beach, Florida

Legal Description: Indian Beach Re-Revised, Block 26, Lot 8, as recorded in Plat Book 5, Page 6 of the Public Records of Pinellas County, Florida.

Property ID #: 01-30-14-42030-026-0080

Variance Requested: Variance request of 10 feet into the required 25-foot front yard setback and 8 feet into the required 15 foot rear yard setback, resulting in a total setback of 15 feet on the front yard and 7 feet on the rear yard, to allow for enclosure of the two existing buildings. [Official Publication Date: March 10, 2017]

SUBJECT: BOA CASE NO. 2017-02: Variance request of 10 feet into the required 25 foot front yard setback and 8 feet into the required 15 foot rear yard setback, resulting in a total setback of 15 feet on the front yard and 7 feet on the rear yard, to allow for enclosure of the two existing buildings for the property located at 1501 Gulf Boulevard, Indian Rocks Beach, Florida.

STAFF RECOMMENDATION: Based on the variance review criteria of Section 2-152, staff recommends approval of the request.

BOARD OF ADJUSTMENTS AND APPEALS RECOMMENDATION: Approved by a vote of 3-2.

OWNER: Frank Ambrosio
Waterfront Tampa Bay Properties, Inc.
LOCATION of PROPERTY: 1501 Gulf Boulevard
ZONING: B- Business

Direction	Existing Use	Zoning Category
North	Business	B
East	Business	B
South	Business	B
West	Residential	CT

BACKGROUND:

Frank Ambrosio wants to enclose the area between the two buildings to provide for one office building. The existing buildings were built between 1946 and 1949. The required front yard setback in the business zoning district is 25 feet and 15 feet for rear yard setback. The proposed enclosed area between the two buildings would result in setbacks of 15 feet in the front yard and 7 feet in the rear yard.

Sec. 2-152. Variances.

(a) *Generally; criteria for granting variances from the terms of subpart B.*

(1) The Board of Adjustments and Appeals shall make recommendations on and the City Commission shall decide variance applications will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of subpart B will result in unnecessary and undue hardship. In order to recommend or decide any variance from the terms of subpart B, the board or the City Commission shall consider each of the following.

- a. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. *The existing structures were built in 1946 and 1949 prior to the current zoning regulations.*
- b. The special conditions and circumstances do not result from the actions of the applicant. *The applicant did not create any special conditions or circumstances.*
- c. Granting the variance will not confer on the applicant any special privilege that is denied by subpart B to other lands, structures or buildings in the same zoning district. *Granting the variance will allow the buildings to be enclosed and will not grant any special privilege to the applicant that is denied other owners in the same*

- zoning district.*
- d. Literal interpretation of the provisions of subpart B would deprive other properties in the same zoning district under the terms of subpart B and would work unnecessary and undue hardship upon the applicant. *But for the variance, the applicant will not be able to have the buildings joined together to function more efficiently than the existing separated offices.*
 - e. The variance granted is the minimum variance that will make possible the reasonable use of the land, structure or building. *This is the minimum variance to allow the owner to enclose the area between the two buildings to function as one business.*
 - f. The granting of the variance will be in harmony with the general intent and purpose of subpart B, and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare. *Granting the variance will allow the owner to join the two buildings together to function as one building and will not be injurious to the area or detrimental to the public welfare.*

Letters in support of the variance request were received from James and Karin Palamara, 102 15th Avenue, and Jiudrich Hubinger, 107 15th Avenue.

Pursuant to a legal notice published in the March 10, 2017-edition of the St. Pete Times Section of the *Tampa Bay Times*, as evidenced by an affidavit of publication filed with the City Clerk, a public hearing was held on BOA Case No. 2017-02.

City Attorney Mora read BOA Case No. 2017-02 by title only, and advised that this is a quasi-judicial proceeding.

City Attorney Mora briefly explained the procedure for a quasi-judicial proceeding.

City Attorney Mora inquired if any City Commission Member needed to disclose any ex-parte communications or if they have conducted any site visits regarding this application; to which the City Commission responded in the negative.

All persons planning to give testimony during the quasi-judicial proceeding were duly sworn in by City Attorney.

Mayor Johnson opened the public hearing.

Planner Harmon presented BOA Case No. 2017-02 via a PowerPoint presentation, which included an aerial view, a survey, a proposed floor plan, elevations, and photographs of the existing building, the intersection of 15th Avenue and Gulf Boulevard, rear of the buildings from 15th Avenue, front of the buildings from Gulf Boulevard, and Gulf Boulevard looking south.

Planner Harmon stated this is a variance request of 10 feet into the required 25-foot front yard setback and 8 feet into the required 15-foot rear yard setback, resulting in a total setback of 15 feet on the front yard and 7 feet on the rear yard to allow for enclosure of two existing buildings for the property located at 1501 Gulf Boulevard, and stated the existing buildings were built between 1946 and 1949 prior to the current zoning regulations.

Planner Harmon stated staff does recommend approval of this variance request based on the fact that the existing structures were built in 1946 and 1949 prior to the current zoning regulations, and the applicant does not create any special conditions or circumstances with these buildings.

Planner Harmon stated granting the variance will allow the buildings to be enclosed and will not grant any special privilege to the applicant, which would be denied to other owners in the same zoning district.

Planner Harmon stated the applicant would not be able to have the buildings joined together to function more efficiently if not for this variance. This is the minimum variance to allow the owner to enclose the area between the two buildings to function as one business. Granting the variance will allow the owner to join the two buildings together to function as one building and will not be injurious to the area or detrimental to the public welfare.

Frank Ambrosio, applicant/owner of 1501 Gulf Boulevard, was present to explain the variance request and to answer any questions or concerns of the City Commission.

Jim Palamara, 102 15th Avenue, spoke in support of the variance request.

Mayor Johnson closed the public hearing.

MOTION MADE BY COMMISSIONER KENNEDY, SECONDED BY COMMISSIONER HANNA TO APPROVE A VARIANCE REQUEST OF 10 FEET INTO THE REQUIRED 25-FOOT FRONT YARD SETBACK AND 8 FEET

INTO THE REQUIRED 15 FOOT REAR YARD SETBACK, RESULTING IN A TOTAL SETBACK OF 15 FEET ON THE FRONT YARD AND 7 FEET ON THE REAR YARD, TO ALLOW FOR ENCLOSURE OF THE TWO EXISTING BUILDINGS FOR THE PROPERTY AT 1501 GULF BOULEVARD, INDIAN ROCKS BEACH, FLORIDA, AND LEGALLY DESCRIBED AS INDIAN BEACH RE-REVISED, BLOCK 26, LOT 8, AS RECORDED IN PLAT BOOK 5, PAGE 6 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

**ROLL CALL: HANNA AYE
 HOOFNAGLE AYE
 KENNEDY AYE
 WROBEL AYE
 JOHNSON AYE**

MOTION CARRIED UNANIMOUSLY.

7A. RESOLUTION NO. 2017-01. Declaring the results of the 2017 Municipal Election, for two City Commission Seats, held on March 14, 2017.

BACKGROUND: An election was held on March 14, 2017. Many municipal codes require that election results be ratified or declared by the governing body via resolution once the election results are certified by the canvassing authority. Alternately, codes may provide that election results are self-executing upon certification by the canvassing authority without resolution by the governing body. The City’s Code is silent on the matter.

ANALYSIS: Although the City Attorney’s office is not aware of any statutory authority requiring ratification outside the context of a bond referendum, there is some old case law suggesting that it is necessary. Because the City’s Code does not directly address the issue, the City Clerk has prepared this resolution in an abundance of caution.

The results of the Election are reported as follows:

FOR CITY COMMISSIONERS (TWO OPEN SEATS)

Commissioner Terry Hamilton-Wollin	367
Commissioner Phillip J. Hanna	551
Commissioner Philip M. Wrobel	577
Commissioner Hope Wyant	383

City Attorney Mora read Resolution No. 2017-01 by title only.

The agenda memo was presented by the City Clerk.

MOTION MADE BY COMMISSIONER HOOFNAGLE, SECONDED BY COMMISSIONER WROBEL, TO APPROVE RESOLUTION NO. 2017-01, DECLARING THE RESULTS OF THE 2017 MUNICIPAL ELECTION, FOR TWO CITY COMMISSION SEATS, HELD ON MARCH 14, 2017. UNANIMOUS APPROVAL BY ACCLAMATION.

7B. APPOINTMENT OF Vice Mayor-Commissioner.

BACKGROUND: Charter Section 4.4 authorizes the City Commission to appoint a Vice Mayor-Commissioner from among the members of the City Commission at its first regular meeting following certification each year.

The duties of the Vice Mayor-Commissioner shall be to preside over the meetings of the City Commission during the absence of the Mayor-Commissioner, and in general, in the absence or the incapacity of the Mayor-Commissioner, they shall do and perform those acts and things provided in the City Charter to be done by the Mayor-Commissioner.

ANALYSIS: The City Commission should appoint a member of the City Commission to serve as Vice Mayor-Commissioner, which term shall commence on March 28, 2017, and shall expire on the newly elected City Commission's first meeting following certification of the March 13, 2018 Municipal General Election results.

City Attorney Mora read the agenda memo by title only.

The agenda memo was presented by the City Clerk.

Commissioner Hanna nominated Commissioner Kennedy as Vice Mayor.

MOTION BY COMMISSIONER HOOFNAGLE, SECONDED BY COMMISSIONER HANNA, TO APPOINT COMMISSIONER KENNEDY AS THE VICE MAYOR UNTIL THE NEWLY ELECTED CITY COMMISSION'S FIRST MEETING FOLLOWING CERTIFICATION OF THE MARCH 13, 2018 MUNICIPAL GENERAL ELECTION. UNANIMOUS APPROVAL BY ACCLAMATION.

7C. RESOLUTION NO. 2017-02. Providing for the establishment of signatories on behalf of all checking accounts for the City by providing for the City Manager, City Clerk, Finance Director, Mayor-Commissioner and the Vice Mayor-Commissioner to be said signatories.

BACKGROUND: Code Section 2-33 states: "Following the election of any members of the City Commission, the City Commission as a whole shall appoint two of its members as signatories for the purpose of executing checks, other negotiable instruments and official documents where the City Manager or City Clerk are unavailable for executing such documents. This shall be done by resolution. Said resolution shall include the name and title of all officials authorized to execute these documents, including the City Manager and the City Clerk."

ANALYSIS: Staff is recommending that the following individuals be recognized as authorized signatories for the City:

- R.B. Johnson, Mayor/Commissioner
- Joanne "Cookie" Kennedy, Vice Mayor/Commissioner
- Brently Gregg Mims, City Manager
- Deanne Bulino O'Reilly, MMC, City Clerk
- Daniel A. Carpenter, Finance Director

City Attorney Mora read Resolution No. 2017-2 by title only.

The agenda memo was presented by the City Clerk.

MOTION MADE BY COMMISSIONER HOOFNAGLE, SECONDED BY VICE MAYOR KENNEDY, TO APPROVE RESOLUTION NO. 2017-02, AUTHORIZING THE FOLLOWING INDIVIDUALS AS SIGNATORIES FOR THE CITY OF INDIAN ROCKS BEACH: MAYOR-COMMISSIONER R. B. JOHNSON; VICE MAYOR-COMMISSIONER JOANNE "COOKIE" KENNEDY; CITY MANAGER BRENTLY GREGG MIMS; CITY CLERK DEANNE BULINO O'REILLY AND FINANCE DIRECTOR DAN A. CARPENTER. UNANIMOUS APPROVAL BY ACCLAMATION.

7D. RESOLUTION NO. 2017-03. Appointing a voting delegate and first and second alternate voting delegates to represent the City at the Barrier Islands Governmental Council (BIG-C) meetings.

BACKGROUND: The BIG-C By-Laws, Article III, Section 2, Representation, states that all elected officials of each municipality shall be members of the Council, one of whom shall be appointed by the municipality as the voting delegate. Each municipality may appoint other elected officials as alternate voting delegates. Each municipality shall designate their delegates in writing.

Delegate #1 - Name - Voting Delegate.

Delegate #2 - Name - Alternate to Delegate #1.

Delegate #3 - Name - Alternate to Delegate #2.

An Alternate Voting Delegate may vote when the Voting Delegate is absent. Each municipality is entitled to one vote.

The object of the BIG-C is to stimulate communications between the barrier islands cities to focus on problems common to all, including but not limited to: tourism, recycling, public transportation, beach preservation, renourishment and access, marine environment, air and water quality, public safety, density management, waterway regulation, taxation based on permanent residents and average transient population, to unite and be able to have one voice addressing the County, State, and Federal governments while respecting the individuality of each.

April, 2017 - April, 2018 - Voting Delegates

Vice Mayor Terry Hamilton-Wollin - Voting Delegate

Commissioner Phil J. Hanna -1st Alternate

Mayor R.B. Johnson - 2nd Alternate

ANALYSIS: The City Commission needs to appoint a Voting Delegate and two Alternate Voting Delegates to the BIG-C.

The BIG-C meetings are held the last Wednesday of each month at 9 a.m., with the location rotating between the membership cities.

City Attorney Mora read Resolution No. 2017-03 by title only.

The agenda memo was presented by the City Clerk.

MOTION MADE BY COMMISSIONER HOOFNAGLE, SECONDED BY COMMISSIONER HANNA, TO APPOINT MAYOR JOHNSON AS THE VOTING DELEGATE TO THE BIG-C BOARD OF DIRECTORS.UNANIMOUS APPROVAL BY ACCLAMATION.

MOTION MADE BY VICE MAYOR KENNEDY, SECONDED BY COMMISSIONER HANNA, TO APPOINT COMMISSIONER HOOFNAGLE AS FIRST ALTERNATE. UNANIMOUS APPROVAL BY ACCLAMATION.

MOTION MADE BY VICE MAYOR KENNEDY, SECONDED BY COMMISSIONER HOOFNAGLE, TO APPOINT COMMISSIONER WROBEL AS SECOND ALTERNATE. UNANIMOUS APPROVAL BY ACCLAMATION.

MOTION MADE BY VICE MAYOR KENNEDY, SECONDED BY COMMISSIONER WROBEL, TO APPROVE RESOLUTION NO. 2017-03, APPOINTING MAYOR JOHNSON AS THE CITY'S VOTING DELEGATE AT THE BIG-C MEETINGS WITH COMMISSIONER HOOFNAGLE AS THE FIRST ALTERNATE VOTING DELEGATE, AND COMMISSIONER WROBEL AS THE SECOND ALTERNATE VOTING DELEGATE. UNANIMOUS APPROVAL BY ACCLAMATION.

8. WORK SESSION ITEMS [DISCUSSION ONLY]: None.

9A. OTHER BUSINESS — CROSSWALKS ON PINELLAS COUNTY-OWNED GULF BOULEVARD.

Commissioner Wrobel inquired what is the study going to show and inquired if all streets were included in the study.

City Manager Mims responded when the study was done, it included the entire stretch of Gulf Boulevard from Walsingham Road north through Sand Key.

City Manager Mims stated he asked Tom Washburn of Pinellas County the following questions:

- Would a pedestrian study be required before a new crosswalk is installed? Mr. Washburn responded for any County roads where they have traffic control authority, Pinellas County would conduct a study to confirm there is a need before installing a traffic control device.
- Would the cost of the updated IRB Pedestrian Study be covered by Pinellas County. Mr. Washburn responded Pinellas County would conduct the updated pedestrian study. This has been part of their plan since the initial study was conducted. Just like with the original study, Pinellas County would present the results and their recommendations to the City before any implementation for the City's concurrence.
- If any additional crosswalks were installed in IRB, would the treatments

require the same as the existing crosswalks in IRB. Mr. Washburn responded any treatments would be based on the data collected. If there is enough demand at a particular location that warrants an RRFB, then that would be their recommendation. There may be locations where the demand does not warrant an RRFB, but something else.

- Based on the ITS/ATMS Agreement between the County and IRB, the County retains traffic control device approval for Gulf Boulevard. Mr. Washburn responded he was not sure where Pinellas County stands with the traffic control authority for two reasons. The first reason is that by the agreement, traffic control authority does not transfer until Pinellas County begins construction of the ATMS/ITS system along a particular road. The second reason has to do with the City's request to not include ITS equipment within the City limits.

City Manager Mims stated the City has a very good working relationship Pinellas County and stated the crosswalks will be a cooperative item between the City and Pinellas County.

City Manager Mims stated the BPAC, which Mr. Valery is a member of, voted in support of painted roadway crosswalks on Gulf Boulevard in Indian Rocks Beach. However, the Technical Coordinating Committee (TCC) recommended that the MPO support the County's Pedestrian/Bicycle Safety Study that was based on Traffic Manual (TEM) criteria and that only the location recommendations from the County study be marked at this time. The County also agreed to conduct a study in the future to determine if additional improvements are needed and to bring that study back to the TCC for review.

City Manager Mims stated Mr. Washburn stated at the TCC meeting that the County would not object to additional crosswalk installations as long as the request is generated by the City of Indian Rocks Beach and the City agrees to pay for the work.

City Manager Mims stated the Pinellas County MPO Policy Committee supports the original County Pedestrian/Bicycle Safety Study that was based on Traffic Engineering Manual criteria that only crosswalk locations recommended in the study be marked at this time and the County conduct a follow-up evaluation to determine if additional improvements are needed.

City Manager Mims stated before any action is taken by the City Commission on Gulf Boulevard crosswalks, Pinellas County needs to do an IRB Pedestrian Study.

Mayor Johnson stated the BIG-C has recommended that all Gulf Boulevard crosswalks be unified and standardized for safety reasons and to make it less confusing.

Vice Mayor Kennedy clarified that Pinellas County will be paying for the Pedestrian Study.

Commissioner Wrobel inquired of Vice Mayor Kennedy what does Forward Pinellas think of it.

Vice Mayor Kennedy stated Pinellas Forward feels it is time for a new Pedestrian Study for Indian Rocks Beach since it has been four years.

Commissioner Hoofnagle inquired how long will the study take to be completed.

City Manager Mims stated the City does not have any control over when Pinellas County will start the study. However, the first thing the City needs to do is make a request Pinellas County. He stated there is an importance to when the study is done because the study should be done during the City's peak times.

Bert Valery, 447 18th Avenue, stated he would like crosswalks on Gulf Boulevard to provide safe, clear, and direct pedestrian access to public access paths leading to the Gulf of Mexico. He stated Pinellas County needs to choose high volume crosswalks like 18th Avenue, 20th Avenue, instead of choosing intersections with little foot traffic.

John Pfanstiehl, 448 Harbor Drive South, spoke in opposition of crosswalks at every intersection. He stated most pedestrians are killed or injured in crosswalks. It gives the pedestrians a false sense of security.

Brian Smith, 232 Pinecrest Drive, Ozona, stated he is the Chairman of the BPAC and stated he supports crosswalks on Gulf Boulevard and fully supports the study.

Rebecca Sacra, 368 La Hacienda Drive, spoke in opposition of crosswalks at every intersection, stating it will create traffic issues.

Mayor Johnson clarified that Pinellas County, in concert with City, put in the 7th Avenue crosswalk after the results of the last study.

Commissioner Hoofnagle inquired if the City can guide the County to some of

the hot spots that the City Commission feels should be included in that study.

City Manager Mims stated his discussion with Pinellas County is to look at every intersection in Indian Rocks Beach. If that changes, he will notify the City Commission.

CONSENSUS FOR THE CITY MANAGER TO MAKE A REQUEST TO PINELLAS COUNTY FOR AN INDIAN ROCKS BEACH PEDESTRIAN STUDY.

10. ADJOURNMENT.

MOTION MADE BY COMMISSIONER HANNA, SECONDED BY COMMISSIONER WROBEL, TO ADJOURN THE MEETING AT 8:34 P.M. UNANIMOUS APPROVAL BY ACCLAMATION.

April 11, 2017
Date Approved

R.B. Johnson, Mayor-Commissioner

ATTEST: _____
Deanne B. O'Reilly, MMC, City Clerk