

**MINUTES — OCTOBER 12, 2021
CITY OF INDIAN ROCKS BEACH
REGULAR CITY COMMISSION MEETING**

The Indian Rocks Beach Regular City Commission Meeting was held on **TUESDAY, OCTOBER 12, 2021**, in the City Commission Chambers, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida.

Mayor-Commissioner Kennedy called the meeting to order at 7:01 p.m., followed by the Pledge of Allegiance and a moment of silence.

PRESENT: Mayor-Commissioner Joanne Moston Kennedy, Vice Mayor-Commissioner Joe McCall, Commissioner Philip J. Hanna, Commissioner Edward G. Hoofnagle, Commissioner Denise Houseberg, and City Manager Brently Gregg Mims.

OTHERS PRESENT: City Attorney Randy D. Mora, City Clerk Deanne B. O'Reilly, MMC, Planning Consultant Hetty C. Harmon, AICP, Engineering Consultant Mark J. Frederick, PE.

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

1A. REPORT OF Pinellas County Sheriff's Office.

The Pinellas County Sheriff's Office submitted a written crime analysis report for the month of August and September 2021.

1B. REPORT OF Pinellas Suncoast Fire & Rescue District.

The Pinellas Suncoast Fire and Rescue District submitted a written report for the month of September 2021.

2. PUBLIC COMMENTS.

Danny Huggins, 1 Windrush Boulevard, stated that she is a new resident. She thanked the City Commission for the work that they do. She particularly has an invested interest for any type of socioeconomic enhancements.

3A. REPORTS OF the City Attorney. No report.

3B. REPORTS OF the City Manager.

City Manager Mims provided the following report:

- Acknowledged the passing of Finance and Budget Review Committee Member Frank Waters, who served on that board since 2014. In recognition of his committee service, a memorial brick has been placed at Chic-A-Si Park.
- Code Enforcement for the month of September 2021
 - 38 Parking Citations (does not include PCSO)
 - 8 Notices to Appear
 - 10 Notices of Violation Letters.
 - 3 Courtesy Letters
- In recognition of Breast Cancer Awareness Month. The City will be flying Breast Cancer Awareness Flags at City Hall and at the Campalong Baseball Field.
- Seasonal Banners will be displayed in the auditorium.
- Provided an update on the City's Comprehensive Drainage Plan. He stated part of the adopted budget and mandated by the State of Florida is for the City to update its Master Drainage Plan.

MASTER DRAINAGE PLAN UPDATE

City Manager Mims stated he can go about the update of the Master Drainage Study in a couple different ways: the City can retain CivilSurv or go out for an RFP.

City Manager Mims stated the City has a contract with CivilSurv for engineering services. CivilSurv has served the City well, and they have already done drainage projects for the City and already have maps of the City.

City Manager Mims stated this would be a very thorough and expensive study. He stated for this small town, the City is looking at \$100,000 plus to complete the study.

City Manager Mims asked what the City Commission preferred, retain CivilSurv for this project or go out for an RFP.

Commissioner Houseberg asked of CivilSurv if they had the latest technologies in order to solve the City's drainage problems.

Mr. Frederick stated that CivilSurv does have the latest technologies available for this type of study.

Commissioner Houseberg stated to go through the RFP process, it is long, it is grueling, it takes a lot of time, and then there is the evaluation of the submittals.

Commissioner Hanna asked if the City was under legal obligation to go out for an RFP, with City Manager Mims responding in the negative.

CONSENSUS OF THE CITY COMMISSION TO COORDINATE WITH CIVILSURV TO PREPARE THE MASTER DRAINAGE STUDY FOR THE CITY.

3C. REPORTS OF the City Commission.

COMMISSIONER HOOFNAGLE:

- Encouraged everyone to attend Oktoberfest on Saturday, October 23, 2021, from Noon to 6:00 p.m, in Kolb Park.

VICE MAYOR-COMMISSIONER McCALL:

- Encourages everyone to attend Taste of IRB on Saturday November 6, 2021, from 3:00 p.m. to 9:00 p.m. in Chi-A-Si Park.

MAYOR-COMMISSIONER KENNEDY:

- Announced on November 6, 2021, the GreenTown Kids will be hosting a coastal cleanup event.
- Announced on November 13, 2021, will be the Women's Tea Event.

4. ADDITIONS/DELETIONS. None.

5. CONSENT AGENDA:

- A. APPROVAL OF the September 8, 2021 Special City Commission Meeting Minutes.**
- B. APPROVAL OF the September 14, 2021 Regular City Commission Meeting Minutes.**
- C. APPROVAL OF the September 22, 2021 Special City Commission Meeting Minutes.**
- D. CONFIRMING ACTION taken during the September 22, 2021 Special City Commission Meeting.**
- E. APPOINTING HERB SYLVESTER to the Planning & Zoning Board as a regular board member for a two year term, expiring May 31, 2023.**

City Attorney Mora read the Consent Agenda, consisting of Agenda Item Nos. A through E, by title only.

Upon the request of Mayor-Commissioner Kennedy, Herb Sylvester, a Planning and Zoning Board applicant, came to the podium and introduced himself to the City Commission and told the City Commission a little bit about himself and why he would like to serve on the Planning and Zoning Board.

MOTION MADE BY COMMISSIONER HOOFNAGLE, SECONDED BY COMMISSIONER HANNA, TO APPROVE THE CONSENT AGENDA, CONSISTING OF AGENDA ITEMS NOS. A THROUGH E, AS SUBMITTED.

6. **PUBLIC HEARINGS:** None.

7. **OTHER LEGISLATIVE MATTERS:** None.

8A. DISCUSSION of Updated FEMA Flood Insurance Rate Map Comparison to Pinellas County Vulnerability Assessment Study.

City Manager Mims introduced the Agenda Item. He stated CivilSurv would be reviewing the updated FEMA Flood Insurance Rate Map Comparison to Pinellas County Vulnerability Assessment Study.

City Manager Mims stated this evening the City Commission would have two options: (1) Option A - No action required - continue to utilize current FEMA Maps or (2) Adopt County Vulnerability Assessment Elevations.

City Manager Mims stated Risk 2.0 is the new methodology FEMA has come with to base flood insurance rates on. Everything that is discussed this evening would have nothing to do with flood insurance rates.

City Manager Mims stated there is a bill in Congress to delay the implementation of Risk 2.0 because there is a concern about the impact on property owners.

Mark J. Frederick, P.E. of CivilSurv, stated the FEMA Map updates are based on storms up through 2012 or FEMA used for their synthetic storm distributions. It is also based on the LiDAR, a topographic ground elevation data dated 2007.

Mr. Frederick stated the Pinellas VA used newer storms and newer ground elevation information.

Mr. Frederick presented a PowerPoint Presentation showing random properties in the City comparing flood elevations between FEMA 2021 Base Flood Elevation and Pinellas VA 100-Year Elevation. The FEMA 2003 (existing) Base Flood Elevation was also listed on each slide.

Commissioner Hoofnagle asked does the City has to incorporate the Pinellas VA into its Building Codes? Or is it something that the County put out and said this what the County thinks it should be?

Mr. Frederick stated the City could adopt the Pinellas VA, which has higher elevations, or do nothing and continue to utilize current FEMA Maps.

Commissioner Hoofnagle asked if the City has any requirement or standing agreement with Pinellas County that the City is interested in adopting the Pinellas VA.

Mayor-Commissioner Kennedy asked of FEMA or Pinellas VA, which one had the most current data?

Mr. Frederick stated the Pinellas VA looked at storms up until 2018 and newer ground elevations. He noted the FEMA Maps were based on storms and LiDAR up until 2007.

Vice Mayor-Commissioner McCall stated this would affect the standard flood depth for just new construction and rehab because that would trigger the FEMA 50% Rule. He asked if anything would stop a property owner from following the Pinellas VA elevations instead of the FEMA elevations.

City Manager Mims stated legally, the local entity can pass a more restrictive set of regulations than what the FEMA requirements are.

Commissioner Hanna stated there are two different standards, and he is leaning toward looking more at more current data and the LiDAR Study. There is not going to be a penalization for anyone if they went with FEMA or Pinellas VA.

City Manager Mims stated that if Pinellas VA were in place, property owners would be required to build higher than FEMA standards. As long as a property owner meets the FEMA standards, they would not care.

Commissioner Hanna stated if he builds to a higher standard, and since everything is risk-based in terms of elevation, his flood insurance rate would be potentially lower.

City Manager Mims stated that is not true. Just because someone builds to a higher level does not mean their flood insurance rates would go down. There are a lot of things that factor into flood insurance rates.

Mayor-Commissioner Kennedy opened the public comment session for this agenda item. Seeing/hearing no one wishing to speak, she closed the public comment session.

Commissioner Hoofnagle stated the City always strives for simplicity in the City's ordinances. Property owners build above flood elevation for their protection, and the linkage to FEMA to him makes sense because that has a tie-in to an insurance policy. He said it would be nice to recommend the County's Vulnerability Assessment and let property owners know the vulnerability assessment estimates. But, he is having a hard time figuring out why the City would want to go and have a whole set of ordinances linked to Pinellas County when the City is already linked to FEMA. He does not see the benefit in it.

Mayor-Commissioner Kennedy asked Commissioner Hoofnagle what he thought about the fact that the data used for the FEMA Study is so old compared to the Pinellas VA Study, which concerns her.

Commissioner Hoofnagle stated the City could make its property owners aware that the FEMA elevations are the minimum. By the way, there is the Pinellas VA Study available, which is about a foot higher in elevation.

Commissioner Hoofnagle stated that if the City adopted the Pinellas VA elevations, the City would be mandating more stringent standards than FEMA. He understands the Pinellas VA was based on a newer and better model and newer data.

Commissioner McCall stated FEMA is insuring most of this Country. If FEMA is okay with their numbers, he is sure they have some bright people at FEMA that have figured this out. He does not see any benefit from a Citywide perspective to use the Pinellas VA elevations. A property owner has the opportunity to build to whatever elevation they want. They can use the FEMA or the Pinellas VA elevations.

Commissioner McCall said, as Commissioner Hoofnagle stated, the City's ordinances need simplicity, and FEMA gives the cities the guidelines to go by. He stated it is up to the property owner to decide if they want to go by FEMA or Pinellas VA elevations.

Mayor-Commissioner Kennedy stated she understands the different models and data used by FEMA and Pinellas County and asked why FEMA elevations are lower.

Mr. Frederick responded CivilSurv is not advocating one way or the other, and he did not have any direct involvement in either model preparation. CivilSurv is only simply showing the results of what those elevations worked out to. But as far as an opinion, either way, he would not have one to offer tonight based off on the research that CivilSurv has done up to this point.

Vice Mayor-Commissioner McCall stated the FEMA Map (adopted August 2021) and the Pinellas VA Map are both new maps, and the only difference is the data, under time constraints.

CONSENSUS OF THE CITY COMMISSION TO GO WITH OPTION A, NO ACTION REQUIRED, CONTINUE TO UTILIZE CURRENT FEMA MAPS, AND ADVISE PROPERTY OWNERS THAT THE PINELLAS COUNTY VULNERABILITY ASSESSMENT ELEVATIONS ARE AVAILABLE, WITH MAYOR-COMMISSIONER KENNEDY OBJECTING.

Mayor-Commissioner Kennedy stated she feels like the City should be going with Pinellas County.

9. OTHER BUSINESS.

Mayor-Commissioner Kennedy stated she had a meeting with Senator Ed Hooper and reviewed some issues that are currently facing the City: red tide, and beach renourishment, and short-term rentals.

Mayor-Commissioner Kennedy stated next week a group of the local elected officials are meeting with Representative DiCeglie.

10. ADJOURNMENT.

MOTION MADE BY COMMISSIONER HOOFNAGLE, SECONDED BY COMMISSIONER HANNA, TO ADJOURN THE MEETING AT 7:50 P.M. UNANIMOUS APPROVAL BY ACCLAMATION.

November 9, 2021

Date Approved

/DOR