

**JANUARY 11, 2024**

**REGULAR  
CITY COMMISSION MEETING**

**@ 6:00 PM**



# City of Indian Rocks Beach

1507 Bay Palm Boulevard, Indian Rocks Beach, Florida 33785  
[www.indian-rocks-beach.com](http://www.indian-rocks-beach.com)

## AGENDA

CITY OF INDIAN ROCKS BEACH  
REGULAR CITY COMMISSION MEETING  
THURSDAY, JANUARY 11, 2024 @ 6:00  
P.M. CITY COMMISSION CHAMBERS  
1507 BAY PALM BOULEVARD  
INDIAN ROCKS BEACH, FLORIDA 33785

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### SWEARING-IN CITY COMMISSIONER

#### 1. PRESENTATIONS.

- A. REPORT OF Pinellas County Sheriff's Office.
- B. REPORT OF Pinellas Suncoast Fire & Rescue District.

#### 2. PUBLIC COMMENTS. *[3-minute time limit per speaker.]*

(Any member of the audience may come forward, give their name and address, and state any comment or concern that they may have regarding any matter over which the City Commission has control, EXCLUDING AGENDA ITEMS. All statements made to the City Commission shall be made to the City Commission as a whole, not directed to any individual City Commission Member, and no personal, impertinent, or slanderous remarks shall be permitted. No speaker shall be interrupted, and no debate shall occur between the speaker and the City Commission.)

#### 3. REPORTS OF:

- A. City Attorney.
- B. City Manager.
- C. City Commission.  
*[3-minute time limit per City Commission Member.]*

#### 4. ADDITIONS/DELETIONS.

#### 5. CONSENT AGENDA:

- A. APPROVAL OF the December 1, 2023 Closed Executive Session.
- B. APPROVAL OF the December 12, 2023 City Commission Meeting Minutes.
- C. APPOINTING PHILLIP HANNA to the Finance, Budget & Review Committee as a regular board member for a three-year term, expiring December 31, 2026.

#### 6. PUBLIC HEARINGS: None.

#### 7. OTHER LEGISLATIVE MATTERS: None.

#### 8. WORK SESSION: None.

#### 9. OTHER BUSINESS. : None.

#### 10. ADJOURNMENT.

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APPEALS: Any person who decides to appeal any decision made, with respect to any matter considered at such hearing, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per s. 286.0105, F.S. Verbatim transcripts are not furnished by the City of Indian Rocks Beach, and should one be desired, arrangements should be made in advance by the interested party (i.e., Court Reporter).

In accordance with the Americans with Disability Act and s. 286.26, F.S., any person with a disability requiring reasonable accommodation to participate in this meeting should contact the City Clerk's Office with your request, telephone 727/595-2517 [lkornijtschuk@irbcity.com](mailto:lkornijtschuk@irbcity.com), no later than FIVE (5) days before the proceeding for assistance.

*POSTED: January 5, 2024.*

**Next Regular City Commission Meeting**  
**Tuesday, February 13, 2024 @ 6:00 P.M.**

**Indian Rocks Beach Municipal Election.**

The City of Indian Rocks Beach Municipal Election to fill (2) City Commission Seats will be held on **Tuesday, March 19, 2024**, in the Civic Auditorium, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, from 7:00 a.m. until 7:00 p.m.

**Swearing-in Ceremony and Reception for Mayor-Commissioner Kennedy.**

The City of Indian Rocks Beach incoming City Commission will be sworn in during a public ceremony, on **Thursday, March 28, 2024, at 6:00 p.m.** The swearing-in ceremony will take place in the Civic Auditorium - 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida.

Following the swearing-in ceremony, a reception will be held for Mayor-Commissioner Joanne "Cookie" Kennedy.

Please join us on March 28, 2024, as we honor Mayor-Commissioner Joanne "Cookie" Kennedy for years of dedicated service to the City of Indian Rocks Beach, as a city commissioner, board member, friend, environmentalist, and best of all, Mayor-Commissioner.

**AGENDA ITEM NO. 1A**

**REPORT OF  
Pinellas County Sheriff's Office**

**AGENDA ITEM NO. 1B**

**REPORT OF  
Pinellas Suncoast Fire & Rescue District**

**AGENDA ITEM NO. 2**

**PUBLIC COMMENTS**

**AGENDA ITEM NO. 3A**  
**REPORTS OF City Attorney**

**AGENDA ITEM NO. 3B**  
**REPORTS OF City Manager**



Memorandum

To: City Manager – Greg Mims

From: Code Enforcement & Finance Departments

Date: 01/03/2024

Re: Vacation Rental Registration Numbers, Code Violations,  
Parking Tickets , Fines, & Court Hearings

269 Total VR Registrations approved thru Finance Dept.

19 VR Registrations pending in Finance Dept

185 VR Property inspections completed by Code Enforcement

72 VR Properties pending on scheduling inspection

18 VR Property Inspections Scheduled

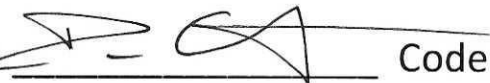
3 Parking Violation Tickets Issued

48 Code Violation Letters Sent

2 Fines / Notice to Appear (Circuit Court)

6 Notice to Appear (Magistrate Court) 3 – Repeat 3 - New

Finance



Dan Carpenter

Code Enforcement



Mike Kelley

**AGENDA ITEM NO. 3C**  
**REPORTS OF City Commission**

**AGENDA ITEM NO. 4**  
**ADDITIONS/DELETIONS**

**AGENDA ITEM NO. 5A**

**CONSENT AGENDA**

**APPROVAL OF the  
December 1, 2023  
Closed Executive Session  
Minutes.**

**MINUTES**  
**CLOSED EXECUTIVE SESSION OF THE CITY OF INDIAN ROCKS BEACH COMMISSION  
AND LITIGATION COUNSEL**  
**FRIDAY, DECEMBER 1, 2023- 9:30 AM**  
**1507 BAY PALM BOULEVARD INDIAN ROCKS BEACH, FL 33785**

**1. Call Public Meeting to Order.**

Mayor-Commissioner Kennedy called the meeting to order at 9:31 a.m.

**2. Pledge of Allegiance and a moment of silence.**

**3. Roll Call-Members Present:** Mayor-Commissioner Joanne Kennedy, Vice-Mayor Commissioner Jude Bond, Commissioner Janet Wilson, Commissioner Denise Houseberg, and Commissioner Lan Vaughan.

**Others Present:** City Attorney Randy Mora, City Manager Gregg Mims, Litigation Counsel Carlos Kelly and City Clerk Lorin A. Kornijtschuk.

Mayor-Commissioner Kennedy read the following: During the City Commission meeting held on Tuesday, November 14, 2023, the City Attorney requested an executive session with the City Commission to discuss ongoing litigation.

This meeting is called so the City Commission can hold a closed executive session with its retained attorney and litigation counsel to discuss strategy related to litigation expenditures and settlement negotiations in ongoing litigation, pursuant to Florida Statute Section 286.011 (8).

The discussion during this meeting is confidential.

This meeting may be attended by: Mayor/Commissioner Joanne “Cookie” Kennedy, Vice-Mayor/Commissioner Jude Bond, Commissioner Denise Houseberg, Commissioner Lan Vaughn, Commissioner Janet Wilson, City Manager Gregg Mims, City Attorney Randy Mora, Litigation Counsel Carlos Kelly, and a certified court reporter whose attendance has been coordinated by the City.

It is estimated that this session will last 90 minutes.

This session will constitute a closed executive session concerning pending litigation to which the City is presently a party before a court. The eight (8) cases to be discussed are as follows:

18th Avenue Properties LLC v. City of Indian Rocks Beach Pinellas Circuit Court Case No. 23-009083-CI; and

715 Gulf, LLC v City of Indian Rocks Beach, Middle District of Fla. Case No. 2023cv02087; and

AP 6, LLC v. City of Indian Rocks Beach, Middle District of Fla. Case No. 8:2023cv01986; and

Florida Dreamscape Vacation Rentals, LLC v. City of Indian Rocks Beach, Middle District of Fla. Case No. 8:2023cv02131; and

Harbor Vista Ventures, LLC v. City of Indian Rocks Beach, Middle District of Fla. Case No. 8:2023cv02137; and

IRB Connect, LLC v. City of Indian Rocks Beach, Middle District of Case No. 8:2023cv02030; and

Peak Ventures, LLC v. City of Indian Rocks Beach, Middle District of Fla. Case No. 8:2023cv02223; and

Shearer v. City of Indian Rocks Beach, Middle District of Case No. 8:2023cv02089.

During this closed executive session, the Commission's discussion shall be confined to settlement negotiations and strategy sessions related to litigation expenditures, as authorized by Section 286.011 (8), Florida Statutes.

The Commission will now recess to the private executive session with the identified attendees.

The City Commission will reconvene the public meeting upon the conclusion of the executive session to formally adjourn.

Mayor-Commissioner Kennedy reconvened the Public Meeting in the City Chambers at 11:24 a.m.

**Motion** was made by Commissioner Houseberg and seconded by Vice-Mayor-Commissioner Bond to adjourn at 11:25 a.m. **Unanimous approval by acclamation.**

**AGENDA ITEM NO. 5B**

**CONSENT AGENDA**

**APPROVAL OF the  
December 12, 2023  
Regular City Commission  
Meeting Minutes.**

## MINUTES

**CITY OF INDIAN ROCKS BEACH  
REGULAR CITY COMMISSION MEETING  
TUESDAY, DECEMBER 12, 2023- 6:00 PM  
1507 BAY PALM BOULEVARD INDIAN ROCKS BEACH, FL 33785  
(MEETING CAN BE VIEWED AT WWW.INDIAN-ROCKS-BEACH.COM)**

Mayor-Commissioner Kennedy called the meeting to order at 6:00 p.m., followed by the Pledge of Allegiance and a moment of silence.

**MEMBERS PRESENT:** Mayor-Commissioner Joanne Kennedy, Vice-Mayor Commissioner Jude Bond, Commissioner Denise Houseberg, Commissioner Lan Vaughan and Commissioner Janet Wilson.

**OTHERS PRESENT:** City Attorney Randy Mora, Finance Director Dan Carpenter and City Clerk Lorin A. Kornijtschuk.

**ABSENT:** City Manager, Gregg Mims.

For continuity, items are listed in agenda order, although not necessarily discussed in that order.

**1 A. REPORT OF** Pinellas County Sheriff's Office.  
A PCSO representative reviewed the monthly report.

**1 B. REPORT OF** Pinellas Suncoast Fire & Rescue District.  
Fire Chief Jeffrey Davidson reviewed the fire district's monthly report.

## **2. PUBLIC COMMENTS.**

Diane Daniels, 309 10<sup>th</sup> Avenue, stated the fire inspection went with relative ease. She stated she is working with an online property service called Evolve. Ms. Daniels explained her non-profit organization called vacation donations.org.

John Phanstiel, 448 Harbor Drive South, congratulated Denise Houseberg on becoming Mayor-Commissioner. He stated that the upcoming Senate Bill 280 will make it harder for the City to enforce anything.

Mayor-Commissioner Kennedy closed the public comments.

## **3 A. REPORT OF the City Attorney.**

City Attorney Mora reported Senate Bill 280 was filed on November 30<sup>th</sup>, 2023. He stated that the City Manager with the Mayor's execution sent a correspondence on behalf of the City prior to the Regulated Industry's Committee meeting on December 13 expressing its displeasure with the proposal and will continue to monitor the developments.



City Attorney Mora reported that there are 8 pending lawsuits challenging the Short-Term Rental Ordinances, with 7 scheduled for mediation in early January.

City Attorney reminded the Commission one of the elements of the financial disclosure forms regardless of Form 1 or Form 6, is affirming that you have done your 4-hour training on Sunshine Law Ethics and Public Records.

Commissioner Houseberg and Mayor-Commissioner Kennedy asked what it means to the City if Senate Bill 280 passes.

City Attorney Mora read the proposed registration requirements.

- **Registration Requirements:** A city may *only* require seven (7) things as part of the registration process: (1) ID owner; (2) DBPR Registration; (3) Tax Registration; (4) Update required info; (5) Designated Responsible Party; (6) Maximum Occupancy based on sleeping accommodation; and (7) pay all liens.
- **Fifteen Day Review & Approval Process:** A city must review and accept or issue a written denial within 15 days of application – or it is deemed accepted

### **3 B. REPORT OF the City Manager.**

Finance Director Dan Carpenter stated the City Managers report is included in the Agenda Packet.

### **3 C. REPORT OF the City Commission.**

Commissioner Wilson thanked IRB Home and Beach Art Center for the Tour of Homes event.

Commissioner Houseberg stated she continues to work on the new website content.

Commissioner Vaughan announced his resignation as City Commissioner effective December 31, 2023. On December 18, 2023, he resubmitted his letter of resignation to the City Clerk with an effective resignation date of December 30, 2023.

Vice-Mayor Commissioner Bond had no comments.

Mayor – Commissioner Kennedy congratulated Commissioner Houseberg on being unopposed for the Mayor-Commissioner seat.

Mayor- Commissioner Kennedy stated she felt terrible for Commissioner Vaughans resignation, and this is the 2<sup>nd</sup> Commissioner that has resigned because of Senate Bill 780.

## **4. ADDITIONS/DELETIONS.**

ADDITION a discussion of filing Commissioner Vaughans seat.

## **5. CONSENT AGENDA.**

### **A. APPROVAL of November 14, 2023, Special City Commission Meeting Minutes.**

**B. APPROVAL of November 14, 2023, Regular City Commission Meeting Minutes.**

City Attorney Mora read the Consent Agenda, consisting of Agenda Item 5 A and 5 B, by title only.

**MOTION was made by Commissioner Vaughan and seconded by Commissioner Wilson to approve the Consent Agenda, consisting of Agenda item no. 5 A. and 5 B. The Motion carried unanimously.**

**6. PUBLIC HEARING. None.**

**7. LEGISLATIVE MATTERS.**

Mayor Kennedy asked the Commission if they agreed to hold a Special City Commission Meeting on Tuesday, January 9, 2024 at 4 P.M. to fill Commissioner Vaughans seat until March 2025. She stated the City and Commission would go through the same procedure that was done in October to appoint an applicant.

**Unanimous approval by acclamation.**

**8. WORK SESSION ITEMS. None.**

**9. OTHER BUSINESS. None.**

**10. ADJOURNMENT.**

**Motion was made by Commissioner Vaughan and seconded by Commissioner Houseberg to adjourn at 6:47 p.m. Unanimous approval by acclamation.**

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Joanne Moston Kennedy, Mayor-Commissioner

Attest: \_\_\_\_\_  
Lorin A. Kornijtschuk, City Clerk

**AGENDA ITEM NO. 5C  
CONSENT AGENDA**

**APPOINTING  
Phil Hanna to the Finance, Budget, Review  
Committee.**

**CITY OF INDIAN ROCKS BEACH**  
**APPLICATION for Serving on City Board**

1. Name: Phil Hanna  
Home Phone: \_\_\_\_\_ Cell Phone: 727.422.4035  
Work Phone: \_\_\_\_\_ Email: Phanna1@tampabay.rr.com
2. Home Address: 403 Harbor Drive South Indian Rocks Beach, FL 33785
3. Occupation: Businessman
4. Education & Training: Indiana Military Academy 1972 Indiana State University 1973  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Experience: Brief Job History, use additional sheets, if necessary: \_\_\_\_\_  
Created and operated a nationwide IVR company, Teledynamics, specializing in educating physicians on various drug products offered by leading worldwide pharmaceutical companies.  
\_\_\_\_\_  
Helped found a national television network for the agribusiness industry. AGDAY was seen in 85 markets daily across the country.  
\_\_\_\_\_  
Ellis Diaz Advertising Agency, Tampa. Worked on lead team that created all advertising media for the Florida Lottery.  
\_\_\_\_\_  
\_\_\_\_\_
6. Are you a resident of the City, if so, for how long? 32 year resident of Indian Rocks Beach
7. Are you a registered voter:  Yes  No
8. Have you ever held public office at any time:  Yes  No - If yes, when? March of 2009 to March of 2023 as City Commissioner in Indian Rocks Beach  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*SEE REVERSE SIDE\*\*\*

9. Have you ever served on a City board/committee:  Yes  No - If yes, please state the boards/committees and the dates that you served on those boards/committees: \_\_\_\_\_  
 Indian Rocks Beach Management Board for two years

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10. Do you currently serve on a City board/committee:  Yes  No - If yes, please state the board/committee and when your term will expire on that board/committee: \_\_\_\_\_

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11. Are you related to a commissioner or an employee of the City of Indian Rocks Beach?  
 Yes  No

12. Please check the boards/committees that you are interested in serving on.

	<b>Board of Adjustments &amp; Appeals</b>
x	<b>Finance &amp; Budget Review Committee</b>
	<b>Planning and Zoning Board</b>

13. Would you consider serving on another board/committee other than the one(s) you selected above?  Yes  No

*The Office of the City Clerk will submit your application when vacancies occur. Applications are effective one year from the date of submittal. If you have any questions, please contact the City Clerk at telephone number 727/517-0204.*

Phillip J. Hanna  
 Signature

December 11, 2023  
 Date

**AGENDA ITEM NO. 6**  
**PUBLIC HEARINGS**

**AGENDA ITEM NO. 7**  
**OTHER LEGISLATIVE MATTERS**

**AGENDA ITEM NO. 8**

**WORK SESSION**



**AGENDA ITEM NO. 9**

**OTHER BUSINESS**

**AGENDA ITEM NO. 10**

**ADJOURNMENT**