

**SEPTEMBER 10, 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

**AGENDA**  
**CITY OF INDIAN ROCKS BEACH**  
**REGULAR CITY COMMISSION MEETING**  
**TUESDAY, SEPTEMBER 10, 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**

**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 August 13, 2024, Regular City Commission Meeting Minutes.**
- B. CONFIRMING ACTION taken during the September 4, 2024, Special City Commission Meeting.**
- C. AUTHORIZE the City Manager to sign a one-year renewal agreement with Public Risk Management (PRM) of Florida for property, casualty, and workers' compensation, and flood coverages for FY 2024-25.**
- D. RESOLUTION NO. 2024-07. Authorizing the Mayor-Commissioner to execute an Interlocal Agreement for the creation of the Metropolitan Planning Organization.**

- E. **RESOLUTION NO. 2024-08.** A resolution of the City Commission of the City of Indian Rocks Beach, Florida, calling for a general election for the purpose of electing, at large, qualified candidates to fill the vacancies of two City Commissioner Seats for two-year terms; establishing a candidate qualifying period; authorizing the City Manager to enter into a contract with the Pinellas County Supervisor of Elections; establishing a polling place for **the March 11, 2025 Election**; authorizing the Pinellas County Supervisor of Elections to verify candidate petition cards and facilitate the election process.
  - F. **APPROVAL OF** the August 27, 2024, City Commission Work Session Meeting Minutes
- 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 [kornijtschuk@irbcity.com](mailto:kornijtschuk@irbcity.com), no later than FIVE (5) days before the proceeding for assistance.

POSTED: September 6, 2024.

**NEXT REGULAR CITY COMMISSION MEETING  
TUESDAY, OCTOBER 8, 2024 @ 6:00 P.M.**

**AGENDA ITEM NO. 1 A**

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



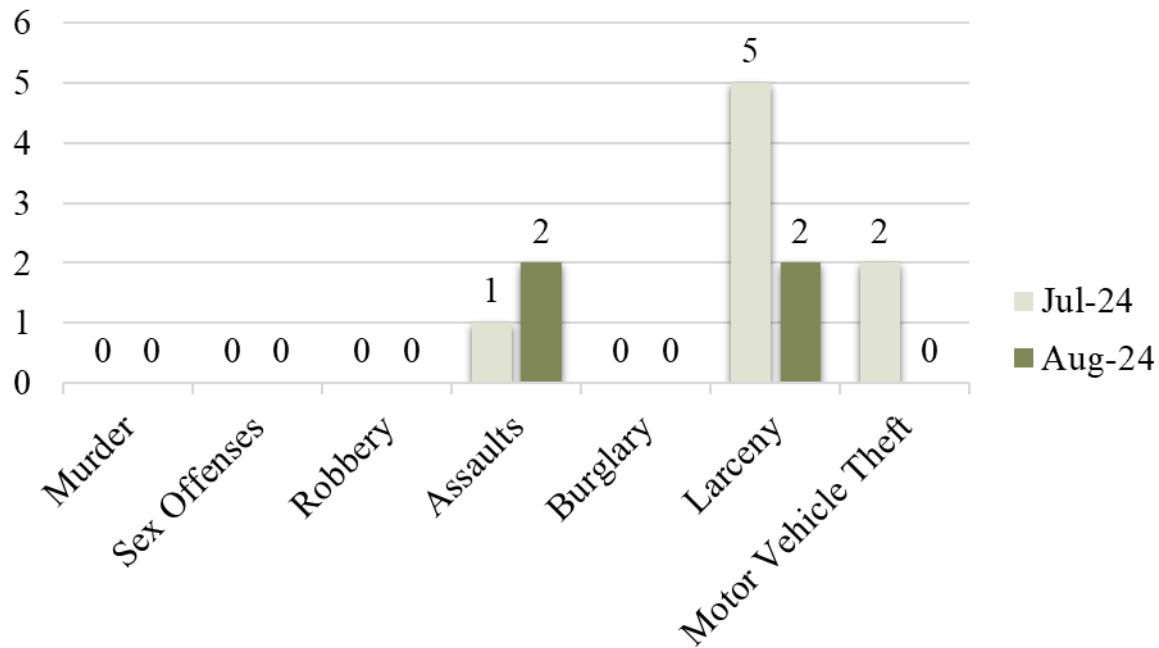
STRATEGIC PLANNING DIVISION

INDIAN ROCKS BEACH ANALYSIS

Select UCR Property & Person Crimes

August 2024

Select UCR Property & Person Crimes	July 2024	August 2024	August 2023 YTD	August 2024 YTD
Murder	0	0	0	0
Sex Offenses	0	0	3	0
Robbery	0	0	2	1
Assaults	1	2	47	37
Burglary	0	0	3	5
Larceny	5	2	74	34
Motor Vehicle Theft	2	0	7	8
<b>GRAND TOTAL</b>	<b>8</b>	<b>4</b>	<b>136</b>	<b>85</b>



## Arrests

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### August 2024

There was a total of 7 people arrested in the City of Indian Rocks Beach during the month of August resulting in the following charges:

ARREST TYPE & DESCRIPTION	TOTAL
<b>County Ordinance</b>	<b>1</b>
Open Container Ordinance	1
<b>Felony</b>	<b>1</b>
Felony Battery-Prior Convictions	1
<b>Warrant</b>	<b>4</b>
Warrant Arrest	4
<b>Traffic Misdemeanor</b>	<b>1</b>
Driving Under The Influence Of Alcohol	1
<b>Grand Total</b>	<b>7</b>

\*Information provided reflects the number of arrests (persons arrested) as well as the total charges associated with those arrests.

## Deputy Activity

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There was a total of 833 events in the City of Indian Rocks Beach during the month of August resulting in 1,075 units responding.

The table below reflects the top twenty-five events to include both self-initiated and dispatched calls in the City of Indian Rocks Beach for the month of August. \*CAD data is filtered by problem type.

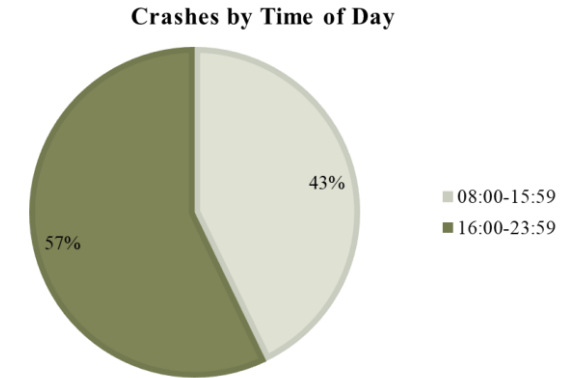
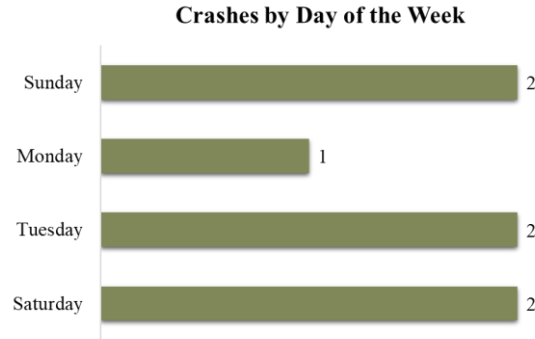
### August 2024

DEPUTY ACTIVITY	TOTAL
Directed Patrol	166
Traffic Stop	160
Vehicle Abandoned/Illegally Parked	123
House Check	82
911 Hangup Or Open Line	30
Area Check	29
Assist Citizen	28
Building Check Business	19
Contact	19
Suspicious Person	18
Ordinance Violation	15
Information/Other	13
Suspicious Vehicle	10
Alarm	10
Accident	8
Assist Other Agency	8
Transport Prisoner	7
Trespass	7
Lost/Found/Abandoned Property	6
Noise	6
Domestic-In Progress	5
Traffic Violation	5
Boating Vessel Stop	5
Fraud/Forgery-Not In Progress	5
Community Contact	5

## Crash & Citation Analysis

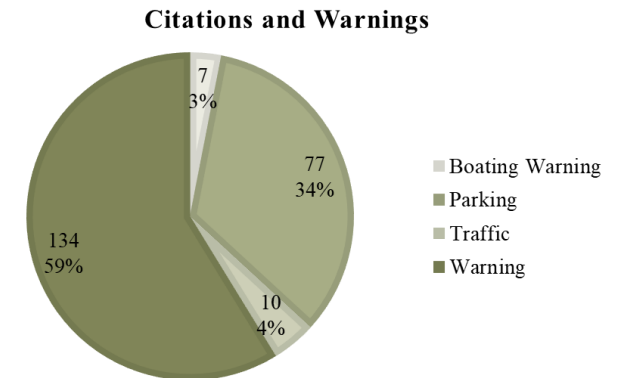
There were 7 crashes in the City of Indian Rocks Beach during August 2024. \*Crash data is filtered by disposition type and may include “accident and hit and run” problem types.

CRASH LOCATIONS	TOTAL
301 Gulf Blvd	1
Gulf Blvd/5th Ave	1
525 20th Ave	1
352 12th Ave	1
Gulf Blvd/8th Ave	1
353 Gulf Blvd	1
399 2nd St	1



There were a total of 228 citations and warnings issued in the City of Indian Rocks Beach during August 2024.

TRAFFIC CITATION LOCATIONS	TOTAL
9th Ave & Gulf Blvd	2
Gulf Blvd & 8th Ave	1
Gulf Blvd & 5th Ave	1
Gulf Blvd & 18th Ave	1
506 Gulf Blvd	1
Gulf Blvd & 7th Ave	1
5th Ave & E Gulf Blvd	1
27th Ave & Gulf Blvd	1
16th Ave & Gulf Blvd	1





**AGENDA ITEM NO. 1 B**

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



## *Pinellas Suncoast Fire & Rescue*

304 FIRST STREET  
INDIAN ROCKS BEACH, FLORIDA 33785-2587

(727) 595-1117 FAX: (727) 250-0111  
[www.psfrd.org](http://www.psfrd.org)

**JEFFREY DAVIDSON  
FIRE CHIEF**

### **AUGUST 2024, MONTHLY REPORT FOR INDIAN ROCKS BEACH**

There were 79 calls for Emergency Services into Indian Rocks Beach during the month of August. These included:

26 Fire Related Calls, such as Fire Alarms, Elevator Emergencies, Wires Down, Electrical Hazards, and outside fires.

53 Medical Related Calls, such as Cardiac Arrest, Trauma Alert, 3 water rescues, cardiac related, stroke, and motor vehicle crashes.

During the Month of August PSFRD personnel completed 702 training hours.

September 11<sup>th</sup>, PSFRD will be hosting our 3<sup>rd</sup> annual September 11<sup>th</sup> Memorial Walk, beginning at Church of the Isles, beginning at 8 a.m. This is a 3.43 mile walk; light refreshments will be provided. Everyone is invited to participate or simply attend.

**AGENDA ITEM NO. 2**

**PUBLIC COMMENTS**

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

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

Memorandum :

To : City Manager , Gregg Mims

From : Code Enforcement & Finance Departments

Date : 09/04/2024

Re: Vacation Rental Registration Numbers, Code Violations ,  
Parking Tickets , Fines NTA'S , Magistrate Hearings

- 353 Vacation Rental Registrations processed thru finance to date
- 5 Vacation Rental Registrations pending in finance
- 372 VR Inspections completed by Code Compliance to date
- 22 VR Inspections pending scheduling in Code Compliance
- 7 VR Inspections currently scheduled in Code Compliance
- 18 VR renewal registrations processed thru Finance to date
- 15 VR renewals inspected by Code Compliance to date
  
- 76 Parking Citations Written
- 23 Violation Letters Sent
- 15 Fines , Notices to Appear
- 16 Courtesy Letters Sent

FINANCE DEPT

Dan Carpenter



CODE ENFORCEMENT

Mike Kelley



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

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



**AGENDA ITEM NO. 5 A  
CONSENT AGENDA**

**APPROVAL OF** the August 13,  
2024, Regular City Commission  
Meeting Minutes.

**MINUTES**  
**CITY OF INDIAN ROCKS BEACH**  
**CITY COMMISSION MEETING**  
**TUESDAY, AUGUST 13, 2024 @ 6:00 PM**  
**1507 BAY PALM BOULEVARD INDIAN ROCKS BEACH, FL 33785**

Mayor-Commissioner Houseberg 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 Denise Houseberg, Vice-Mayor Commissioner Janet Wilson, Commissioner John Bigelow, Commissioner Hope Wyant and Commissioner Jude Bond.

**OTHERS PRESENT:** City Manager Gregg Mims, City Clerk Lorin Kornijtschuk, Finance Director Dan Carpenter, Public Works Director Dean Scharmen and Code Enforcement Officer Manager Mike Kelley.

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 read the July 2024 report.

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

Pinellas Suncoast Fire & Rescue District Fire Chief Jeffrey Davidson reviewed the fire district's monthly report.

Fire Chief Davidson thanked those who attended the housing ceremony for the newest fire engine. He invited the public to join the Third Annual Commemorative Walk on September 11.

Fire Chief Davidson stated that the purchase of the land for the new fire station at the northern end of Indian Rocks Beach will be finalized soon. He planned to set up an advanced life support unit in temporary housing on the property starting April 1st, instead of waiting two years for the fire station to be finished. He stated that the County Director of Emergency Safety was not going to recommend the additional funding to the Board of County Commissioners. He requested the Commission reach out to Pinellas County to secure the needed funds. The Fire Department requires approximately \$360,000 for the EMS fund from April 1, 2025 to September 30, 2025.

Vice-Mayor Commissioner Wilson asked whom the Commission should contact at the county. Fire Chief Davidson stated he would get that information out to her.

Commissioner Bond inquired if the requested funds were for temporary housing and where the funding for the following year would come from.

Fire Chief Davidson clarified that the funds were for personnel, not temporary housing and that the following half-year's funding would come from the next fiscal year. Currently, there are 67.3 million in reserves, which will increase to \$103 million in the 2025 fiscal year. The \$360,000 required is less than 1% of the reserves.

Mayor-Commissioner Houseberg asked if they ever received the pay raise.

Fire Chief Davidson explained that the proposed ad valorem tax was due to an inadequate funding mechanism. Most of the increase was intended for capital needs, and he continues to work with the union on a wage increase.

## **2. PUBLIC COMMENTS.**

Beth McMullen, 481 Harbor Drive South and Tom McMullen, 481 Harbor Drive South, Ms. McMullen spoke about ongoing issues with a short-term rental across from her home, which has been operating since 2021. She has contacted the City and Commission with her concerns, emphasizing that the short-term rental ordinance, which was enacted to protect residents, should be enforced to address these problems. She called for stronger enforcement of the ordinance to ensure neighborhood protections are upheld.

Don House, 2104 Beach Trail, shared his frustration with the lack of respect from some members of the Commission.

John Pfanstiehl, 448 Harbor Drive S., described the negative impact of short-term rentals on residential neighborhoods. He urged the commission to take bold actions to prevent Indian Rocks Beach from becoming like Anna Maria Island.

Linda Newton, 438 Harbor Drive North, reflected on the changing dynamics of the neighborhood due to short-term vacation rentals, stating families cannot afford to live here.

Kellee Watt, 431 Harbor Drive South, stated she had reported vandalism and criminal trespass from a neighboring short-term rental property which continues to create issues with noise.

Dave Goodwin, 1006 First Street, described how the neighborhood has changed, with hotels surrounding his home and constant noise from parties.

Christine Bergman, 2207 Bay Boulevard, expressed disappointment with the abundance of no-street parking signs, which limit parking in her neighborhood.

Scott Shapiro, 2032 20<sup>th</sup> Avenue, advocated for re-creating advisory boards. He expressed frustration with the city removing his parking rights in front of his house without prior discussion.

Teresa Pruchniewska, 316 6<sup>th</sup> Avenue, thanked the public workers for their hard work in keeping the city clean and beautiful. She described issues with a neighbor.

**Mayor-Commissioner Houseberg closed the Public Comment.**

### **3 A. REPORT OF the City Attorney. None.**

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

City Manager Mims stated the city supplied sand and sandbags before the storm and thanked the City team for the preparation and clean up from Hurricane Debbie. The smell on the beach is due to the large sponges washing up; the city is actively raking the beach.

City Manager Mims stated that the Nature Preserve is closed for renovation and is expected to reopen on or before the first of January. He thanked the Friends of the City of Indian Rocks Beach Library for the thousands of hours of volunteer work. He informed the Commission that the City has received renewal of the Community Rating System Program, which saves policyholders in Indian Rocks Beach about \$700,000 annually.

City Manager Mims reported that a pedestrian shelter was destroyed in a traffic accident near Villa Gallace in June. The Finance Director is working with the drivers' insurance company.

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

Commissioner Wyant stated she has been busy in the neighborhood as a Commissioner and thanked Fire Chief Davidson for the invitation to ring in the new fire truck.

Vice-Mayor Commissioner Wilson reported she would be attending the Florida League of Cities Conference in Hollywood, Florida. She expressed excitement about networking with other leaders from similar communities and exploring long-term solutions for Indian Rocks Beach. She also planned to look into joining significant committees that could benefit the city.

Mayor-Commissioner Houseberg stated that the smell on the beach is not only due to the sponges. She read in the Tampa Bay Times that one hundred million gallons of wastewater were released into the waterways because the sewage systems in the Tampa Bay area were overwhelmed by Hurricane Debbie. She also reported that IRB Home is looking for volunteers for the Holiday Tour of Homes.

### **4. ADDITIONS/DELETIONS. None.**

City Attorney Mora read Consent Agenda 5 A through 5 F.

### **5. CONSENT AGENDA:**

- A. APPROVAL OF** the July 9, 2024, Regular City Commission Meeting Minutes.
- B. APPROVAL OF** the July 16, 2024, Special City Commission Meeting Minutes
- C. CONFIRMING ACTION** taken during the July 16, 2024 Special City Commission Meeting.
- D. APPROVAL** of the July 16, 2024, City Commission Budget Work Session Minutes.
- E. APPROVAL OF** the FY 2025 Law Enforcement Contract with the Pinellas County Sheriff's Office.
- F. ACCEPT/FILE** June 2024 Year-to-Date Financial Report.

**Motion by Vice-Mayor Commissioner Wilson and seconded by Commissioner Wyant to approve the agenda items 5 A through 5 F.**

**Vote taken: Unanimous approval by acclamation.**

### **6. PUBLIC HEARINGS: None.**

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

## **8. WORKSHOP: Discussion of possible paid parking program in Indian Rocks Beach**

Mayor-Commissioner Houseberg asked if there was a consensus to discuss implementing a paid parking program. Unanimous consensus to discuss paid parking.

City Manager provided a report in the agenda packet listing other nearby beach communities that charge for parking and provided insight into their parking hours and parking fees. He stated the Commission would need to consider the impact on three principal areas if paid parking is implemented: (1) beach accesses, (2) business district, and (3) parks, including the Nature Preserve, Kolb Park, 10<sup>th</sup> Avenue Park, and Brown. The average rate for public parking is \$4.00 per hour.

Commissioner Houseberg asked if the County Park at the 17<sup>th</sup> Avenue beach access would stay at \$2.50.

City Manager Mims explained that it does not need to remain at \$2.50. The City has an interlocal agreement with the County and the City receives 60% of the proceeds from the county lot which helps cover janitorial costs. If the Commission decides to implement paid parking, he will discuss adjusting rates with the County Administrator who can adjust rates administratively.

Vice-Mayor Commissioner Wilson asked if the designated resident parking space would remain.

City Manager Mims recommended allowing all property owners with a city parking decal to park without a fee, consistent with other beach cities like Indian Shores and Bellaire Beach. He suggested keeping designated spaces for residents.

Mayor Commissioner Houseberg asked if different hours would be set for beach accesses as compared to parks.

City Manager Mims stated that cities in the report have various hours. He recommended discussing specific hours for beach accesses, whether 24-hour or specified times and if a set time for no parking is needed.

Mayor Commissioner Houseberg suggested that residents should be able to park overnight at beach accesses.

City Manager Mims stated that the city code currently allows overnight parking on a public right-of-way or beach access for up to 72 hours

Commissioner Wyant stated she wanted to hear from the business district, as it would be most affected. She stated that a resident decal should not be needed for overnight parking. She likes to visit the beach after midnight and our neighbors in Largo should be able to as well.

Commissioner Bond inquired if any towns have a 24-hour paid parking program.

City Manager Mims stated that municipalities have various approaches.

City Manager Mims suggested obtaining guidance from the Commission, so he can have a discussion with the business triangle group and provide their feedback to the Commission.

Commissioner Wyant expressed concern about parking around the Little League Field.

City Manager Mims suggested having separate discussions about beach accesses, the business triangle, and parks, as they are all different situations. He cautioned that too many exceptions might make the program unworkable.

Commissioner Wyant proposes signs reading "No Beach Parking" or "Two-Hour Limit." She expressed concerns about parking at some parks. She suggested revisiting the subject of no parking signs.

City Manager Mims said enforcing "No Beach Parking" signs would be challenging. If the program is implemented, clear signs explaining the rules would be necessary to avoid confusion.

Vice-Mayor Commissioner Wilson highlighted the lack of sidewalks and safety concerns when walking down the street.

Mayor-Commissioner Houseberg proposed a rate of \$4.00 per hour, which she considered a middle ground based on the other beaches' charges. Commissioner Bigelow suggested \$5.00 per hour and Commissioner Bond agreed. Vice-Mayor Commissioner Wilson was comfortable with either \$4.00 or \$5.00 per hour. Commissioner Wyant also agreed with either amount.

The consensus was to consider paid parking at \$5.00 an hour.

Mayor-Commissioner Houseberg moved the subject to determine parking hours and if it was needed.

City Manager Mims clarified parks with legally set hours from 7 a.m. until sunset: Nature Preserve, 10<sup>th</sup> Avenue Park, and Brown Park.

Commissioner Bond recommended 8 a.m. to 8 p.m. for beach accesses.

Mayor-Commissioner Houseberg proposed 8 a.m. to 8 p.m. for beach accesses, with parking being free after 8 p.m. and until midnight for those without a resident decal.

Commissioner Wyant disagreed with no parking at beach accesses after midnight for non-residents.

Vice-Mayor Commissioner Wilson suggested 8 a.m. to 8 p.m. in the business district to encourage turnover. Commissioner Bond agreed.

City Manager Mims noted that Kolb Park is a complex area, including City Hall, Art Center, Little League Field, and Senior Softball League, which complicates implementing a consistent parking plan.

The Commission acknowledged that Kolb Park's parking situation would need separate consideration.

#### **Mayor-Commissioner Houseberg opened Public Comment.**

Kellee Watt, 431 Harbor Drive South, questioned if free parking is a problem. She supported the idea of a two-hour limit parking sign.

Don House, 2104 Beach Trail, supports paid parking at \$4.00 per hour and does not like allowing overnight parking at the beach accesses.

Maria Heshmati, 315 La Hacienda Drive, expressed support for paid parking.

Robert Johnson, 1206 Beach Trail, stated he did not have a problem with paid parking and suggested limiting parking after 11 p.m. or midnight. He noted that parking was initially intended for businesses, restaurants, the post office, and the museum, and now is overutilized by beachgoers and condo residents.

Beth McMullen, 481 Harbor Drive South asked if paid parking would be implemented in front of Nektons, Groupers and Crabbybills.

Commissioner Bigelow responded that those are private property and that they have hired a tow truck service.

Scott Shapiro, 2032 20<sup>th</sup> Avenue, stated he does not see a problem with free parking. He suggested doing a straw poll or placing it on the ballot for the residents to vote on this issue,

John Thayer, 1819 Bay Boulevard, stated he fought hard against paid parking because Indian Rocks Beach is a little town. He does not see an issue with the parking. He requested the Commission to take it slow.

Matthew Barrowclough, 211 11<sup>th</sup> Avenue, urged the Commission to consider the reasons for paid parking and its impact on access for working families and communities.

Christine Bergman, 2207 Bay Boulevard, stated that after COVID-19, the beach was visited by everyone but there was an overreaction by placing the abundance of no parking signs. She is proud that Indian Rocks Beach is the last beach to have free parking.

Mr. Heshmati, 315 La Hacienda Drive, supports paid parking to manage overcrowding and more control of the city.

Commissioner Wyant asked City Manager Mims how the money from paid parking would be used.

City Manager Mims explained if implemented, staff would provide a projected revenue, work it through the budget process, and have the Commission decide the best way to allocate the funds.

City Manager Mims explained that this item was placed on the agenda for discussion a while back but was delayed due to the resignation of commission members and the appointment of commissioners to get a fully seated commission. He stated the need for a citizen advisory board is a fallacy, as elected officials represent their constituents.

**9. OTHER BUSINESS:** None.

**10. ADJOURNMENT.**

**Motion by Commissioner Bond and seconded by Vice-Mayor Commissioner Wilson to adjourn at 8:23 p.m.**

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

\_\_\_\_\_  
**Denise Houseberg, Mayor-Commissioner**



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



**AGENDA ITEM NO. 5 B  
CONSENT AGENDA**

**CONFIRMING ACTION** taken  
during the September 4, 2024,  
Special City Commission Meeting.

**INDIAN ROCKS BEACH CITY COMMISSION  
AGENDA MEMORANDUM**

**MEETING OF:** September 10, 2024 **AGENDA ITEM: 5 B**  
**ORIGINATED BY:** Lorin A. Kornijtschuk, City Clerk   
**AUTHORIZED BY:** Brently Gregg Mims, City Manager   
**SUBJECT:** Confirming action taken during the September 4, 2024  
Special City Commission Meeting.

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Pursuant to Charter, Section 4.12, Special Meetings of the Commission, decisions taken at a special meeting shall be confirmed at the next regular meeting.

The City Commission took the following action during the September 4, 2024 Special City Commission Meeting:

- 1 A. ORDINANCE NO. 2024-01.** Adopting the final levying of ad valorem taxes for the City of Indian Rocks Beach, Pinellas County, Florida, Fiscal Year 2025 at 1.7300.
- 1 B. ORDINANCE NO. 2024-02.** Adopting a budget for Fiscal Year 2025.

**MOTION:**

I move to confirm the action taken during the September 4, 2024 Special City Commission Meeting.

**CITY OF INDIAN ROCKS BEACH  
ORDINANCE NO. 2024-01**

**AN ORDINANCE OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF INDIAN ROCKS BEACH, PINELLAS COUNTY, FLORIDA, FISCAL YEAR 2024/25; AND PROVIDING FOR NOTIFICATION OF REQUISITE GOVERNMENT AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Indian Rocks Beach City Charter, Section 8.2. Ad Valorem Taxes, authorizes the City Commission to levy ad valorem taxes as necessary for the conduct of municipal government, and

**WHEREAS**, the City Commission of the City of Indian Rocks Beach, on July 16, 2024, adopted a Proposed Fiscal Year 2024/25 Millage Rate of 1.7300 following the first public hearing, as required by Florida Statute 200.065; and

**WHEREAS**, the City Commission of the City of Indian Rocks Beach, Florida, held a final public hearing on September 18, 2024 to adopt a Fiscal Year 2024/25 Final Millage Rate, as required by Florida Statutes 200.065; and

**WHEREAS**, the gross taxable value for operating purposes not exempt from taxation within the City of Indian Rocks Beach, Pinellas County, Florida, has been certified by the Pinellas County Property Appraiser to the City Commission of the City of Indian Rocks Beach, Florida, as \$2,115,118,224.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, AS FOLLOWS:**

**Section 1.** The Fiscal Year 2024/25 operating millage rate for Citywide expenses is 1.7300 mills which is more than the roll back rate of 1.5579 by 11.0500%.

**Section 2.** This Ordinance shall take effect immediately upon its adoption.

**Section 3.** The City is hereby directed to notify all pertinent governmental agencies of the provisions hereof, as required by law.

**ADOPTED ON FIRST READING** at a meeting of the City Commission of the City of Indian Rocks Beach, Florida, held the 4th day of September, 2024.

**PUBLISHED** the 15th day of September, 2024.

**ADOPTED ON SECOND AND FINAL READING AT THE SECOND PUBLIC HEARING** on the 18th day of September, 2024.

\_\_\_\_\_  
Denise Houseberg, Mayor/Commissioner

ATTEST: \_\_\_\_\_  
Lorin Kornijtschuk, City Clerk

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Randy D. Mora, City Attorney

# Business Impact Estimate

*This form should be included in the agenda packet for the item under which the proposed ordinance or resolution is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.*

Proposed resolution's title/reference: **ORDINANCE 2024-01**

**AN ORDINANCE OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF INDIAN ROCKS BEACH, PINELLAS COUNTY, FLORIDA, FISCAL YEAR 2024/25; AND PROVIDING FOR NOTIFICATION OF REQUISITE GOVERNMENT AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

If one or more boxes are checked below, this means the City is of the view that a business impact estimate is *not* required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Development orders and development permits, as those terms are defined in Florida Statutes § 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under Florida Statutes § 163.3220-163.3243;
  - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the City;
  - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**The City is adopting this ordinance pursuant to Fla. Stat. §§ 166.241 and 200.065, governing the adoption of municipal budgets and methods of fixing millage rates.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

**There is no discernible direct impact on businesses for compliance, apart from any obligation to timely remit any owed *ad valorem* taxes, pursuant to Florida Statute.**

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

**There is no discernible direct impact on businesses for fees, as apart from any obligation to timely remit any owed *ad valorem* taxes, pursuant to Florida Statute.**

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

**None.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

**This is an ordinance of general application regardless of whether property is owned individually or by a business, therefore no unique subset is identified or estimated here.**

4. Additional information the governing body deems useful (if any):

**None.**

**CITY OF INDIAN ROCKS BEACH  
ORDINANCE NO. 2024-02**

**AN ORDINANCE OF THE CITY OF INDIAN ROCKS BEACH, PINELLAS COUNTY, FLORIDA, ADOPTING A BUDGET FOR FISCAL YEAR 2024/25; MAKING APPROPRIATIONS AND OPERATING EXPENDITURES FOR FISCAL YEAR 2024/25; AND PROVIDING FOR NOTIFICATION OF REQUISITE GOVERNMENT AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Indian Rocks Beach, Pinellas County, Florida, held public hearings on September 4th and September 18th concerning the FY 2024/25 Budget as required by Florida Statutes, and

**WHEREAS**, the City Commission of the City of Indian Rocks Beach, Pinellas County, Florida, set forth revenue estimates and expenditure appropriations in the FY 2024/25 Final Budget in the Total Appropriation amount of \$ 10,593,730 and

**WHEREAS**, the City Commission of the City of Indian Rocks Beach, Pinellas County, Florida, desires to adopt said FY 2024/25 Final Budget and establish operating expenditure appropriations for each of the funds included in this Budget.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF INDIAN ROCKS BEACH, PINELLAS COUNTY, FLORIDA, THAT:**

**Section 1.** The Final Budget for Fiscal Year 2024/25 be and is hereby incorporated as a part of this ordinance and is hereby approved and adopted as the budget of the City of Indian Rocks Beach for the Fiscal Year ending September 30, 2025.

**Section 2.** All budget expenditure appropriations are by Fund and are based on the total expenditures and/or expenses of said Fund, even though the budget has been prepared based on line items and departmental categories and with summarizations.

**Section 3.** For the payment of expenses and obligations of the City of Indian Rocks Beach, Florida, for Fiscal Year 2024/25, there is hereby

appropriated from the money in the treasury of the City and any accruing revenue of the City available for said purposes, for the Funds hereinafter set forth, the sums of money shown in the following schedule:

General Fund	\$	5,381,270
Solid Waste Enterprise Fund		1,763,290
Local Option Sales Tax Fund		3,389,170
Local Option Gas Tax Fund		60,000
Recreational Impact Fund		0
Multimodal Impact Fund		0
Development Impact Fund		0
Total Appropriations	\$	<u>10,593,730</u>

**Section 4.** This ordinance shall take effect immediately upon adoption.

**Section 5.** The City Manager shall automatically adjust the total amount of the FY 2024/25 budget by the amount of encumbrances outstanding at September 30, 2024.

**Section 6.** The City is hereby directed to notify all pertinent governmental agencies of the provisions hereof, as required by law.

**ADOPTED ON FIRST READING** at a meeting of the City Commission of the City of Indian Rocks Beach, Florida, held the 4th day of September, 2024.

**PUBLISHED** the 15<sup>th</sup> day of September, 2024.

**ADOPTED ON SECOND AND FINAL READING AT THE SECOND PUBLIC HEARING** on the 18th day of September, 2024.

\_\_\_\_\_  
Denise Houseberg, Mayor/Commissioner

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

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Randy D. Mora, City Attorney



# Business Impact Estimate

*This form should be included in the agenda packet for the item under which the proposed ordinance or resolution is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.*

Proposed resolution's title/reference: **ORDINANCE 2024-02**

**AN ORDINANCE OF THE CITY OF INDIAN ROCKS BEACH, PINELLAS COUNTY, FLORIDA, ADOPTING A BUDGET FOR FISCAL YEAR 2024/25; MAKING APPROPRIATIONS AND OPERATING EXPENDITURES FOR FISCAL YEAR 2024/25; AND PROVIDING FOR NOTIFICATION OF REQUISITE GOVERNMENT AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

If one or more boxes are checked below, this means the City is of the view that a business impact estimate is *not* required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Development orders and development permits, as those terms are defined in Florida Statutes § 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under Florida Statutes § 163.3220-163.3243;
  - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the City;
  - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

---

<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**The City is adopting this ordinance pursuant to Fla. Stat. §§ 166.241 and 200.065, governing the adoption of municipal budgets and methods of fixing millage rates.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

**There is no discernible direct impact on businesses for compliance, apart from any obligation to timely remit any owed *ad valorem* taxes, pursuant to Florida Statute.**

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

**There is no discernible direct impact on businesses for fees, as apart from any obligation to timely remit any owed *ad valorem* taxes, pursuant to Florida Statute.**

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

**None.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

**This is an ordinance of general application regardless of whether property is owned individually or by a business, therefore no unique subset is identified or estimated here.**

4. Additional information the governing body deems useful (if any):


**None.**


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

**AUTHORIZE** the City Manager to sign a one-year renewal agreement with Public Risk Management (PRM) of Florida for property, casualty, and workers' compensation, and flood coverages for FY 2024-25.

**INDIAN ROCKS BEACH CITY COMMISSION  
AGENDA MEMORANDUM**

**MEETING OF:** September 10, 2024 **AGENDA ITEM:** 5 C

**ORIGINATED BY:** Dan Carpenter, Finance Director 

**AUTHORIZED BY:** Brently Gregg Mims, City Manager 

**SUBJECT:** PRM Property/Casualty/Workers Compensation & Flood Insurance  
Renewal Fiscal Year 2024/25 – Authorize City Manager to sign one  
year agreement.

---

**BACKGROUND:**

Each year, the IRB Administration works with PRM (Public Risk Management) to obtain renewal quotes for both property/casualty/workers compensation and flood insurance. PRM is a public entity risk-sharing pool dedicated to making insurance both available and affordable for its members. Currently, it provides property/casualty/workers compensation coverage. The City of Indian Rocks Beach has been a member of PRM since 2000 and has benefitted significantly from its loss prevention support programs.

**ANALYSIS:**

The property/casualty/workers compensation renewal quote for FY 2024/25 provides the same level of insurance coverage and deductibles as in previous years. In total, premiums have increased 7.39% to \$263,765 for FY 2024/25. A leveling out of costs in the property market led to small renewal increase for the over \$12.8 million of insured property values covered within the city.

Preferred pool membership and full participation in loss prevention programs helped to mitigate the premium renewal amount for FY 2024/25. IRB receives a 5% discount for being a drug-free workplace and a 3% discount for our workers' compensation premium for having an active safety program.

FY 2024/25 flood insurance renewals have been received for both City Hall and the Historic Museum. The market for flood insurance has experienced continued increases on properties located within high-risk flood areas. Renewal rates for FY 2024/25 flood premiums increased approximately 11% for City insured properties.

**MOTION:**

Authorize the City Manager to sign a one-year agreement to bind property and casualty insurance coverage, effective 10/1/2024, expiration 10/1/2025.

**AGENDA ITEM NO. 5 D  
CONSENT AGENDA**

**RESOLUTION NO. 2024-07.**

Authorizing the Mayor-Commissioner to execute an Interlocal Agreement for the creation of the Metropolitan Planning Organization.

**INDIAN ROCKS BEACH CITY COMMISSION  
AGENDA MEMORANDUM**

**MEETING OF:** September 10, 2024

**AGENDA ITEM:** 5 D

**ORIGINATED BY:** Lorin A. Kornijtschuk, City Clerk 

**AUTHORIZED BY:** Brently Gregg Mims, City Manager 

**SUBJECT:** **RESOLUTION NO. 2024-07.** Interlocal Agreement for Creation of the Metropolitan Planning Organization (MPO).

---

**BACKGROUND:**

The following information is drafted and circulated to assist in the commission's consideration of the enclosed Interlocal Agreement. Title 23 USC §134 and Title 49 USC §§5303-5305, as amended by the Moving Ahead for Progress in the 21<sup>st</sup> Century Act and §339.175, Florida Statutes (F.S.), provide for the creation of Metropolitan Planning Organizations to develop transportation plans and programs for urbanized areas.

The Interlocal Agreement is for the formation of a Metropolitan Planning Organization between the Florida Department of Transportation (FDOT), the County of Pinellas, the cities of Belleair Beach, Belleair Bluffs, Clearwater, Dunedin, Gulfport, Indian Rocks Beach, Largo, Madeira Beach, Oldsmar, Pinellas Park, Safety Harbor, St. Pete Beach, St. Petersburg, Seminole, South Pasadena, Tarpon Springs, Treasure Islands, the towns of Belleair, Belleair Shore, Indian Shores, Kenneth City, North Redington Beach, Redington Beach, Redington Shores, and the Pinellas Suncoast Transit Authority (PSTA).

Purpose:

The general purpose of this Interlocal Agreement is to re-establish the MPO and recognize the boundary and reapportionment approved by the Governor. The Interlocal Agreement shall serve:

- (a) To assist in the development of transportation systems embracing various modes of transportation in a manner that will maximize the mobility of people and goods within and through this metropolitan area and minimize, to the maximum extent feasible for transportation-related fuel consumption and air pollutants;
- (b) To develop transportation plans and programs, in cooperation with FDOT, which plans and programs provide for the development of transportation facilities that will function as a multi-modal and intermodal transportation system for the metropolitan planning area;
- (c) To implement and ensure a continuing, cooperative, and comprehensive transportation planning process that results in coordinated plans and programs consistent with the comprehensively planned development of this affected metropolitan planning area in cooperation with FDOT;
- (d) To assure eligibility for the receipt of federal capital and operating assistance pursuant to Title 23 USC §134 and Title 49 USC §§5303, 5304, 5305, 5307, 5309, 5310, 5311, 5314, 526, 5337, 5339, and 5340; and

- (e) To carry out the metropolitan transportation planning process, in cooperation with FDOT, as required by federal, state, and local laws.

The MPO is intended to be a forum for cooperative decision-making by officials of the government entities that are parties to the Interlocal Agreement in the development of transportation-related plans and programs, including, but not limited to:

- (a) The LRTP;
- (b) The TIP;
- (c) The UPWP;
- (d) Incorporating performance goals, measures, and targets into the process of identifying and selecting needed transportation improvements and projects;
- (e) A congestion management process for the metropolitan area and coordinated development of all other transportation management systems required by state or federal law;
- (f) Assisting FDOT in mapping transportation planning boundaries required by state or federal law;
- (g) Supporting FDOT in performing its duties relating to access management, functional classification of roads, and data collection; and
- (h) Performing other tasks required by state or federal law.

Coordination with FDOT and Consistency with Comprehensive Plans.

Chapter 334, F.S., grants broad authority for the FDOT's role in transportation. §334.044, F.S., includes the legislative intent declaring that FDOT shall be responsible for coordinating the planning of a safe, viable, and balanced state transportation system serving all regions of the State.

§339.155, F.S., requires FDOT to develop a statewide transportation plan, which considers, to the maximum extent feasible, strategic regional policy plans, MPO plans, and approved local government comprehensive plans.

§339.175(5), F.S., specifies the authority and responsibility of the MPO and FDOT to manage a continuing, cooperative, and comprehensive transportation planning process for the metropolitan area.

In fulfillment of this purpose and in the exercise of the various powers granted by Chapters 334 and 339, F.S., the parties to this Interlocal Agreement acknowledge that actions taken pursuant to this Interlocal Agreement will be consistent with local government comprehensive plans.

Membership; terms of office.

The membership of the MPO shall consist of 13 voting members and one non-voting advisor. The names of the member local governmental entities and the voting apportionment of the governing body as approved by the Governor shall be as follows: three voting members representing the Pinellas County Board of County Commissioners; two voting members representing the City of St. Petersburg; one voting member for each of the following cities: Pinellas Park, Dunedin, Clearwater, and Largo; and one rotating voting member representing the cities of Oldsmar, Safety Harbor, and Tarpon Springs; one rotating voting member representing the following Inland Communities:

Belleair, Belleair Bluffs, Gulfport, Seminole, South Pasadena, and Kenneth City; **one rotating voting member representing the following communities which comprise the Barrier Islands Governmental Council (BIG-C): Belleair Beach, Indian Rocks Beach, Madeira Beach, St. Pete Beach, Treasure Island, Belleair Shore, Indian Shores, North Redington Beach, Redington Beach, and Redington Shores**; one voting member representing the Pinellas Suncoast Transit Authority (PSTA); and one non-voting advisor representing the Florida Department of Transportation (FDOT).

The term of office of a member of the MPO shall be four years. The membership of a member who is a public official automatically terminates upon said official leaving the elective or appointive office for any reason or may be terminated by a majority vote of the total membership of the governmental entity represented by the member. A vacancy shall be filled by the original appointing entity. A member may be appointed for one or more additional four-year terms.

**ANALYSIS:**

The federal government, under the authority of Title 23 United States Code (USC) §134 and Title 49 USC §5303, requires each metropolitan area, as a condition for the receipt of federal capital or operating assistance, to have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the metropolitan area.

**MOTION:**

I move to approve/deny Resolution No. 2024-07, authorizing the Mayor-Commissioner to execute an Interlocal Agreement for Creation of the Metropolitan Planning Organization.



**CITY OF INDIAN ROCKS BEACH  
RESOLUTION NO. 2024-07**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, AUTHORIZING THE MAYOR-COMMISSIONER TO EXECUTE AN INTERLOCAL AGREEMENT FOR THE CREATION OF THE METROPOLITAN PLANNING ORGANIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Interlocal Agreement is for the formation of a Metropolitan Planning Organization between the Florida Department of Transportation (FDOT), the County of Pinellas, the cities of Belleair Beach, Belleair Bluffs, Clearwater, Dunedin, Gulfport, Indian Rocks Beach, Largo, Madeira Beach, Oldsmar, Pinellas Park, Safety Harbor, St. Pete Beach, St. Petersburg, Seminole, South Pasadena, Tarpon Springs, Treasure Islands, the towns of Belleair, Belleair Shore, Indian Shores, Kenneth City, North Redington Beach, Redington Beach, Redington Shores, and the Pinellas Suncoast Transit Authority (PSTA); and

**WHEREAS**, the general purpose of this Interlocal Agreement is to re-establish the MPO and recognize the boundary and reapportionment approved by the Governor; and

**WHEREAS**, the federal government, under the authority of Title 23 United States Code (USC) §134 and Title 49 USC §5303, requires each metropolitan area, as a condition for the receipt of federal capital or operating assistance, to have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the metropolitan area; and

**WHEREAS**, Title 23 USC §134 and Title 49 USC §§5303-5305, as amended by the Moving Ahead for Progress in the 21<sup>st</sup> Century Act and §339.175, Florida Statutes (F.S.), provide for the creation of Metropolitan Planning Organizations to develop transportation plans and programs for urbanized areas; and

**WHEREAS**, the membership of the MPO shall consist of 13 voting members and one non-voting advisor. The names of the member local governmental entities and the voting apportionment of the governing body as approved by the Governor shall be as follows: three voting members representing the Pinellas County Board of County Commissioners; two voting members representing the City of St. Petersburg; one voting member for each of the following cities: Pinellas Park, Dunedin, Clearwater, and Largo; and one rotating voting member representing the cities of Oldsmar, Safety Harbor, and Tarpon Springs; one rotating voting member representing the following Inland Communities: Belleair, Belleair Bluffs, Gulfport, Seminole, South Pasadena, and Kenneth City; one rotating voting member representing the following communities which comprise the Barrier Islands Governmental Council (BIG-C): Belleair Beach, Indian Rocks Beach, Madeira Beach, St. Pete Beach, Treasure Island, Belleair Shore, Indian Shores, North Redington Beach, Redington Beach, Redington Shores; one voting member representing the Pinellas Suncoast Transit Authority (PSTA); and one non-voting advisor representing the Florida Department of Transportation (FDOT).

**WHEREAS**, the City of Indian Rocks Beach desires to participate cooperatively in the performance, on a continuing basis, of a coordinated, comprehensive transportation planning process to assure that highway facilities, mass transit systems, bicycle and pedestrian facilities, rail systems, air transportation, and other facilities will be properly located and developed in relation to the overall plan of community development.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, that:**

**Section 1.** The Mayor-Commissioner is hereby authorized to execute an Interlocal Agreement for Creation of the Metropolitan Planning Organization.

**Section 2.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 10<sup>th</sup> day of September 2024, by the City Commission of the City of Indian Rocks Beach, Florida.

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Denise Houseberg, Mayor/Commissioner

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

/lak

# Business Impact Estimate

*This form should be included in the agenda packet for the item under which the proposed ordinance or resolution is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.*

Proposed resolution's title/reference: **Resolution 2024-07**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, AUTHORIZING THE MAYOR-COMMISSIONER TO EXECUTE AN INTERLOCAL AGREEMENT FOR THE CREATION OF THE METROPOLITAN PLANNING ORGANIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

If one or more boxes are checked below, this means the City is of the view that a business impact estimate is *not* required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Development orders and development permits, as those terms are defined in Florida Statutes § 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under Florida Statutes § 163.3220-163.3243;
  - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the City;
  - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

---

<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**The City is adopting this resolution pursuant to its authority to contract, enter into interlocal agreements, and to facilitate compliance with federal and state mandates relating to metropolitan planning organizations.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

**There is no discernible direct impact on businesses based solely on the City's membership and participation in this interlocal agreement.**

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

**There are no known charges or fees being imposed by the proposed resolution.**

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

**None.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

**This is a resolution of general application regardless of whether property is owned individually or by a business, therefore no unique subset is identified or estimated here.**

4. Additional information the governing body deems useful (if any):

**None.**



August 14, 2024

The Honorable Denise Houseberg, Mayor  
City of Indian Rocks Beach  
1507 Bay Palm Blvd.  
Indian Rocks Beach, FL 33785

Re: Forward Pinellas Reapportionment Plan – Amended Interlocal Agreement

Dear Mayor Houseberg:

As you may be aware, Forward Pinellas coordinates countywide land use and transportation planning to support the 25 local governments in Pinellas County. In doing so, it functions in two capacities. One as the Pinellas Planning Council (PPC) and the other as the Pinellas County Metropolitan Planning Organization (MPO). Metropolitan planning organizations are governed by federal and state law and are required to exist in each urbanized area greater than 50,000 residents, as designated by the Census.

The Forward Pinellas Board is now comprised of 13 members, representing eight (8) municipal governments, the Pinellas County Commission, and the Pinellas Suncoast Transit Authority (PSTA). Three of the municipal government seats are shared by multiple cities and rotate every two years, enabling the board to represent all 25 local governments.

In accordance with Section 339.175, F.S., the Governor is required to review the membership composition of each metropolitan planning organization (MPO) in conjunction with the decennial Census, and to reapportion it as necessary to comply with state and federal requirements. The Reapportionment Plan is necessary to identify the voting membership and seat terms for Forward Pinellas, both in its role as the MPO and as the PPC.

On September 13, 2023, the Forward Pinellas Board voted unanimously to adopt a resolution approving a membership Reapportionment Plan, which is enclosed for your review. That Plan was subsequently transmitted to the Governor. This week we received a letter from the Governor approving the recommended Plan.

Highlights of the new Plan include the following:

- Updating city and county population totals based on the 2020 U.S. Census;
- Reapportionment of the governing board from 13 to 19 members;
- Adding two seats for the City of St. Petersburg due to increased population;

- Adding a seat for the City of Clearwater due to increased population;
- Adding a seat for Tarpon Springs due to increased population;
- Adding a seat for the Pinellas County Commission due to increased population;
- Requiring one of the County Commission seats be from an at-large district.
- Splitting the current Inland Communities seat into two seats to allow for shorter rotation times;
  - **Inland North:** Belleair, Belleair Bluffs and Seminole
  - **Inland South:** Gulfport, South Pasadena, Kenneth City
- Lengthening the term for rotating seats from two years to three years;

With the Governor's approval letter in hand, it is now necessary to amend the Interlocal Agreement for the Creation of the Pinellas County MPO, which was originally executed in October of 2014, to allow for the expansion of the board membership. The local governments, PSTA and FDOT are required signatories on the amended agreement. Each entity with seats on the new board will have 60 days from the date of the Governor's letter, or until October 7, 2024, to make its appointment(s) to the new board which will be seated in January 2025. To that end, we are asking that you place this item on an upcoming agenda as soon as reasonably possible. We are happy to attend the meeting at your discretion to provide additional information and answer any questions as needed. This can be done with or without a formal presentation by our staff.

Please find attached the original 2014 interlocal agreement for the creation of the MPO, the amendment to the interlocal agreement, the Reapportionment Plan, a slide showing the new board composition and the letter from the Governor.

As always, we appreciate your support and the opportunity to serve your community, Pinellas County, and the region. Please feel free to contact me at (727) 464-8712 or by email at [wblanton@forwardpinellas.org](mailto:wblanton@forwardpinellas.org) if you have any questions or need any additional information.

Sincerely,



Whit Blanton FAICP  
Executive Director

Cc: Gregg Mimms, City Manager  
Lorin Kornijtschuk, City Clerk  
Mayor David Will

Attachments

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

**THIS AMENDMENT** (hereinafter "Amendment") is made and entered into by and between FLORIDA DEPARTMENT OF TRANSPORTATION; the COUNTY OF PINELLAS; the CITIES OF BELLEAIR BEACH, BELLEAIR BLUFFS, CLEARWATER, DUNEDIN, GULFPORT, INDIAN ROCKS BEACH, LARGO, MADEIRA BEACH, OLDSMAR, PINELLAS PARK, SAFETY HARBOR, ST. PETE BEACH, ST. PETERSBURG, SEMINOLE, SOUTH PASADENA, TARPON SPRINGS, TREASURE ISLAND; the TOWNS OF BELLEAIR, BELLEAIR SHORE, INDIAN SHORES, KENNETH CITY, NORTH REDINGTON BEACH, REDINGTON BEACH, REDINGTON SHORES; and the PINELLAS SUNCOAST TRANSIT AUTHORITY (PSTA), collectively known as "the Parties."

**RECITALS**

**WHEREAS**, the Parties reaffirm the Interlocal Agreement dated October 15, 2014, except as amended herein; and

**WHEREAS**, § 134 Title 23 of the United States Code requires the designation of metropolitan planning organizations (hereinafter "MPO" or "MPOs") in urban areas, as defined by the United States Census Bureau; and

**WHEREAS**, § 339.175(4)(a), Fla. Stat., requires the Governor to review the composition of the Metropolitan Planning Organizations membership in conjunction with the decennial census; and

**WHEREAS**, § 134 of Title 23 of the United State Code sets forth membership requirements for MPOs designated for transportation management areas with a population of 200,000 or more residents; and

**WHEREAS**, on September 13, 2023, the governing board of Forward Pinellas, in its role as the Metropolitan Planning Organization, reviewed its voting composition and approved a resolution supporting the adoption of the MPO Membership Apportionment Plan (the "Apportionment Resolution") and determined that it was appropriate to expand the voting membership of the governing board; and

**WHEREAS**, the signatories to this Amendment desire to ratify and reaffirm the Apportionment Resolution as is fully set forth herein; and

**NOW, THEREFORE**, in consideration of the mutual covenants, promises, and representation herein, the parties agree as follows:

**I. Recitals.** The forgoing recitals are true and correct.

**II. Interlocal Agreement.**

Article 4, Section 4.01 (a) of the Interlocal Agreement dated October 15, 2014, is amended to read as follows:



(a) The membership of the MPO shall consist of 19 voting members and one (1) non-voting advisor. The names of the member local governmental entities and the voting apportionment of the governing board as approved by the Governor shall be as follows: four (4) voting members representing the Pinellas County Board of County Commissioners, one of which must be from an At-Large District; four (4) voting members representing the City of St. Petersburg; two (2) voting members representing the City of Clearwater; one (1) voting member for each of the following cities: Pinellas Park, Dunedin, Clearwater, Largo and Tarpon Springs; one (1) rotating voting member representing the cities of Oldsmar and Safety Harbor; one (1) rotating voting member representing the cities of Belleair, Belleair Bluffs and Seminole; one (1) rotating voting member representing the cities Gulfport, South Pasadena and Kenneth City; one (1) rotating voting member representing the following communities which comprise the Barrier Islands Government Council (BIG-C) (excluding Clearwater): Belleair Beach, Indian Rocks Beach, Madeira Beach, St. Pete Beach, Treasure Island, Belleair Shore, Indian Shores, North Redington Beach, Redington Beach, Redington Shores; one (1) voting member representing the Pinellas Suncoast Transit Authority (PSTA); and one (1) non-voting advisor representing the Florida Department of Transportation.

Article 4, Section 4.01 (c) of the Interlocal Agreement dated October 15, 2014, is amended to read as follows:

(c) The voting membership of an MPO shall consist of not fewer than five or more than 25 apportioned members, the exact number to be determined on an equitable geographic-population ratio basis by the Governor, based on an agreement among the affected units of general-purpose local government as required by federal rules and regulations and shall be in compliance with 339.175(3) F.S.

Article 4, Section 4.02 of the Interlocal Agreement dated October 15, 2014, is amended to read as follows:

Section 4.02. Terms. Except as provided for below, the term of office of members of the MPO shall be four years.

The term of office for the SAFETY HARBOR/OLDSMAR consortium of municipalities shall be three (3) years, on a rotating basis. The order of rotation will be Safety Harbor, Oldsmar. If a municipality decides to defer its term of appointment, the process will proceed to the next municipality in the order shown and the deferring municipality will go to the end of the rotational order. A municipality in a rotating seat may retain its seat beyond the normal three-year cycle if the other two municipalities in the rotation agree to not appoint a member to the board from their respective jurisdiction. Finally, if the appointed elected official is unable to complete their three-year term, that Municipal Commission or Council will appoint another elected official for the balance of the term.

The term of office for the BELLEAIR/BELLEAIR BLUFFS/SEMINOLE consortium of municipalities shall be three (3) years on a rotating basis. The order of rotation shall be, Belleair, Belleair Bluffs, and Seminole. If a municipality decides to defer its term of appointment, the process will proceed to the next municipality in the order shown and the deferring municipality will go to the end of the rotational order. A municipality in a rotating seat may retain its seat beyond the normal three-year cycle if the other two municipalities in the rotation agree to not appoint a member to the board from their respective jurisdiction. Finally, if the appointed elected official is unable to complete their three-year term, that Municipal Commission or Council will appoint another elected official for the balance of the term.

The term of office for the GULFPORT/SOUTH PASADENA/KENNETH CITY consortium of municipalities shall be three (3) years. The order of rotation shall be Gulfport, South Pasadena and Kenneth City. If a municipality decides to defer its term of appointment, the process will proceed to the next municipality in the order shown and the deferring municipality will go to the end of the rotational order. A municipality in a rotating seat may retain its seat beyond the normal three-year cycle if the other two municipalities in the rotation agree to not appoint a member to the board from their respective jurisdiction. Finally, if the appointed elected official is unable to complete their three-year term, that Municipal Commission or Council will appoint another elected official for the balance of the term.

The term of the rotating voting member representing the aforementioned BIG-C communities shall be two years, however, the appointed elected official may be reappointed for up to four successive two-year terms, for a maximum term of eight years. The BIG-C, by majority vote, shall recommend appointments from nominations of elected officials provided by individual member municipalities. The municipal government board on which the recommended elected official serves shall confirm the appointment and transmit the name of the appointee to the MPO. If the appointed elected official is unable to complete their two-year term for any reason, the same procedure used for the original appointment by the BIG-C and the appointing municipality shall be followed.

The membership of a member who is a public official automatically terminates upon said official leaving the elective or appointive office for any reason, or may be terminated by a majority vote of the total membership of the governmental entity represented by the member. A vacancy shall be filled by the original appointing entity. A member may be appointed for one or more additional four-year terms.

- III. Severability.** The invalidity or unenforceability of any term or provision of this Amendment or the non-applicability of any such term or provision to any person or circumstance shall not impair or affect the remainder of this Amendment, and the remaining terms and provisions hereof shall not be invalidated but shall remain in full force and effect but shall be construed as if such invalid, unenforceable, or non- applicable provisions were omitted.

- IV. Entire Agreement.** This Amendment represents the entire understanding and agreement between the parties with respect to the subject matter hereof. None of the terms and provisions hereof may be amended, supplemented, waived or changed orally, but only by a writing signed by each of the parties hereto.
- V. Rules of Construction.** Whenever used herein, the singular number shall include the plural, the plural shall include the singular, and the use of any gender shall include all genders.
- VI. Amendment Execution and Counterpart Signature Pages.** This Amendment may be executed in any number of counterparts, each of which when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same instrument.
- VII. Effective Date.** This Amendment shall become effective upon its filing in the Pinellas County Office of the Clerk of the Circuit .. Any amendment hereto shall become effective only upon its filing in the Pinellas County Office of the Clerk of the Circuit Court.

**IN WITNESS WHEREOF**, the undersigned parties have caused this Amendment to the Interlocal Agreement dated October 15, 2014, to be duly executed on their behalf.

[Continued on following  
pages]

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**TOWN OF BELLEAIR**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF BELLEAIR BEACH**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF BELLEAIR BLUFFS**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**TOWN OF BELLEAIR SHORE  
PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF CLEARWATER**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)



**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF DUNEDIN**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF GULFPORT**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF INDIAN ROCKS BEACH**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**TOWN OF INDIAN SHORES**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**TOWN OF KENNETH CITY**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF LARGO**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF MADEIRA BEACH  
PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**TOWN OF NORTH REDINGTON BEACH**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)



**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF OLDSMAR**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF PINELLAS PARK**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**TOWN OF REDINGTON BEACH**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**TOWN OF REDINGTON SHORES**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF SAFETY HARBOR**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF ST. PETE BEACH**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF ST. PETERSBURG**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF SEMINOLE**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)



**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF SOUTH PASADENA**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF TARPON SPRINGS**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF TREASURE ISLAND**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**BOARD OF COUNTY COMMISSIONERS**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**PINELLAS SUNCOAST TRANSIT AUTHORITY**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**DISTRICT SEVEN**

**FLORIDA DEPARTMENT OF TRANSPORTATION**

**TAMPA, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**INTERLOCAL AGREEMENT FOR CREATION OF THE  
METROPOLITAN PLANNING ORGANIZATION**

THIS INTERLOCAL AGREEMENT for the formation of a Metropolitan Planning Organization is made and entered into on this 15<sup>th</sup> day of October, 2014, by and between the FLORIDA DEPARTMENT OF TRANSPORTATION; the COUNTY OF PINELLAS; the CITIES OF BELLEAIR BEACH, BELLEAIR BLUFFS, CLEARWATER, DUNEDIN, GULFPORT, INDIAN ROCKS BEACH, LARGO, MADEIRA BEACH, OLDSMAR, PINELLAS PARK, SAFETY HARBOR, ST. PETE BEACH, ST. PETERSBURG, SEMINOLE, SOUTH PASADENA, TARPON SPRINGS, TREASURE ISLAND; the TOWNS OF BELLEAIR, BELLEAIR SHORE, INDIAN SHORES, KENNETH CITY, NORTH REDINGTON BEACH, REDINGTON BEACH, REDINGTON SHORES; and the PINELLAS SUNCOAST TRANSIT AUTHORITY (PSTA), collectively known as “the parties.”

**RECITALS**

WHEREAS, the federal government, under the authority of Title 23 United States Code (USC) §134 and Title 49 USC §5303, requires each metropolitan area, as a condition for the receipt of federal capital or operating assistance, to have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the metropolitan area;

WHEREAS, the parties to this Interlocal Agreement desire to participate cooperatively in the performance, on a continuing basis, of a coordinated, comprehensive transportation planning process to assure that highway facilities, mass transit systems, bicycle and pedestrian facilities, rail systems, air transportation and other facilities will be properly located and developed in relation to the overall plan of community development;

WHEREAS, Title 23 USC §134 and Title 49 USC §§5303-5305, as amended by the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) and Section 339.175, Florida Statutes (F.S.), provide for the creation of Metropolitan Planning Organizations to develop transportation plans and programs for urbanized areas;

WHEREAS, pursuant to Titles 23 USC §134(d), 49 USC §5303, 23 CFR §450.310(b), and Section 339.175(2), F.S., a determination has been made by the Governor and units of general purpose local government representing at least 75 percent of the affected population (including the largest incorporated city, based on population as named by the Bureau of Census) in the urbanized area to designate a Metropolitan Planning Organization;

WHEREAS, pursuant to this Interlocal Agreement, the parties wish to collectively participate in the metropolitan planning process as the Pinellas County MPO for the Pinellas County urbanized area, herein after referred to as “the Metropolitan Planning Organization” or “the MPO”. Further, the parties approved by unanimous vote a reapportionment and boundary plan for presentation to the Governor on the 10<sup>th</sup> day of July 2013;

WHEREAS, pursuant to Section 339.175(4), F.S., the Governor, by letter to the MPO Chair dated the 13<sup>th</sup> day of February 2014, approved the reapportionment and boundary plan submitted by the MPO;

WHEREAS, pursuant to Title 23 CFR §450.314(a), and Section 339.175(10), F.S., an agreement must be entered into by the Department, the MPO, and the governmental entities and public transportation operators to identify the responsibility of each party for cooperatively carrying out a comprehensive transportation planning process;

WHEREAS, this Interlocal Agreement is required to create the Metropolitan Planning Organization and delineate the provisions for operation of the MPO;

WHEREAS, the undersigned parties have determined that this Interlocal Agreement is consistent with Section 339.175(10), F.S.;

WHEREAS, the undersigned parties have determined that this Interlocal Agreement is consistent with statutory requirements set forth in Section 163.01, F.S., relating to Interlocal Agreements; and

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representation herein, the parties desiring to be legally bound, do agree as follows:

## ARTICLE 1 RECITALS; DEFINITIONS

Section 1.01. Recitals. Each and all of the foregoing recitals are incorporated herein and acknowledged to be true and correct to the best of the parties' knowledge. Failure of any of the foregoing recitals to be true and correct shall not operate to invalidate this Interlocal Agreement.

Section 1.02. Definitions. The following words when used in this Interlocal Agreement (unless the context shall clearly indicate the contrary) shall have the following meanings:

Interlocal Agreement means and refers to this instrument, as may be amended from time to time.

Department means and refers to the Florida Department of Transportation, an agency of the State of Florida created pursuant to Section 20.23, F.S.

FHWA means and refers to the Federal Highway Administration.

FTA means and refers to the Federal Transit Administration.

Long Range Transportation Plan (LRTP) is the 20-year transportation planning horizon which includes transportation facilities; identifies a financial plan that demonstrates how the plan can be implemented and assesses capital improvements necessary to preserve the existing metropolitan transportation system and make efficient use of existing transportation facilities; indicates proposed transportation activities; and in ozone/carbon monoxide nonattainment areas is coordinated with the State Implementation Plan, all as required by Title 23 USC §134(c), Title 49 USC §5303, Title 23 CFR §450.322, and Section 339.175(7), F.S.

Metropolitan Planning Area means and refers to the planning area determined by agreement between the MPO and the Governor for the urbanized area containing at least a population of 50,000 as described in Title 23 USC §134(b)(1), Title 49 USC §5303, and Section 339.175(2)(c) and (d), F.S., and including the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period, which shall be subject to the Metropolitan Planning Organization's planning authority.

MPO means and refers to the Metropolitan Planning Organization formed pursuant to this Interlocal Agreement as described in 23 USC §134(b)(2), 49 USC §5303, and Section 339.175(1), F.S.



Transportation Improvement Program (TIP) is the staged multi-year program of transportation improvement projects developed by a Metropolitan Planning Organization consistent with the Long Range Transportation Plan, developed pursuant to 23 USC §134(j), 49 USC §5303, 23 CFR §450.324 and Section 339.175(8), F.S.

Unified Planning Work Program (UPWP) is the biennial program developed in cooperation with the Department and public transportation providers, that identifies the planning priorities and activities to be carried out within a metropolitan planning area to be undertaken during a 2-year period, together with a complete description thereof and an estimated budget, all as required by 23 CFR §450.308, and Section 339.175(9), F.S.

## **ARTICLE 2 PURPOSE**

Section 2.01. General Purpose. The purpose of this Interlocal Agreement is to re-establish the MPO and recognize the boundary and reapportionment approved by the Governor. This Interlocal Agreement shall serve:

- (a) To assist in the development of transportation systems embracing various modes of transportation in a manner that will maximize the mobility of people and goods within and through this metropolitan planning area and minimize, to the maximum extent feasible for transportation-related fuel consumption and air pollution;
- (b) To develop transportation plans and programs, in cooperation with the Department, which plans and programs provide for the development of transportation facilities that will function as a multi-modal and intermodal transportation system for the metropolitan planning area;
- (c) To implement and ensure a continuing, cooperative, and comprehensive transportation planning process that results in coordinated plans and programs consistent with the comprehensively planned development of this affected metropolitan planning area in cooperation with the Department;
- (d) To assure eligibility for the receipt of federal capital and operating assistance pursuant to Title 23 USC §134 and Title 49 USC §§5303, 5304, 5305, 5307, 5309, 5310, 5311, 5314, 5326, 5337 and 5339, 5340; and
- (e) To carry out the metropolitan transportation planning process, in cooperation with the Department, as required by federal, state and local laws.

Section 2.02. Major MPO Responsibilities. The MPO is intended to be a forum for cooperative decision making by officials of the governmental entities which are parties to this Interlocal Agreement in the development of transportation-related plans and programs, including but not limited to:

- (a) The LRTP;
- (b) The TIP;
- (c) The UPWP;

- (d) Incorporating performance goals, measures, and targets into the process of identifying and selecting needed transportation improvements and projects;
- (e) A congestion management process for the metropolitan area and coordinated development of all other transportation management systems required by state or federal law;
- (f) Assisting the Department in mapping transportation planning boundaries required by state or federal law;
- (g) Supporting the Department in performing its duties relating to access management, functional classification of roads, and data collection; and
- (h) Performing such other tasks required by state or federal law.

Section 2.03. Coordination with the Department and Consistency with Comprehensive Plans. Chapter 334, F.S., grants broad authority for the Department's role in transportation. Section 334.044, F.S., includes the legislative intent declaring that the Department shall be responsible for coordinating the planning of a safe, viable, and balanced state transportation system serving all regions of the State. Section 339.155, F.S., requires the Department to develop a statewide transportation plan, which considers, to the maximum extent feasible, strategic regional policy plans, MPO plans, and approved local government comprehensive plans. Section 339.175(5), F.S., specifies the authority and responsibility of the MPO and the Department to manage a continuing, cooperative, and comprehensive transportation planning process for the metropolitan area.

In fulfillment of this purpose and in the exercise of the various powers granted by Chapters 334 and 339, F.S., the parties to this Interlocal Agreement acknowledge that decisions made by the MPO will be coordinated with the Department. All parties to this Interlocal Agreement acknowledge that actions taken pursuant to this Interlocal Agreement will be consistent with local government comprehensive plans.

### **ARTICLE 3 MPO ORGANIZATION AND CREATION**

Section 3.01. Re-establishment of MPO. The MPO for the metropolitan planning area as described in the membership reapportionment plan approved by the Governor is hereby created and re-established pursuant to this Interlocal Agreement to carry out the purposes and functions set forth in Articles 2 and 5. The legal name of this Metropolitan Planning Organization shall be the Pinellas County MPO.

Section 3.02. MPO to operate pursuant to law. In the event that any election, referendum, approval, permit, notice, other proceeding or authorization is required under applicable law to undertake any power, duty, or responsibility hereunder, or to observe, assume, or carry out any of the provisions of this Interlocal Agreement, the MPO will, to the extent of its legal capacity, comply with all applicable laws and requirements.

Section 3.03. Governing board to act as policy-making body of MPO. The governing board re-established pursuant to Section 4.01 of this Interlocal Agreement shall act as the policy-making body for the MPO, and will be responsible for coordinating the cooperative decision-making process of the MPO's actions, and will take required actions as the MPO.

Section 3.04. Data, reports, records, and other documents. Subject to the right to claim an exemption from the Florida Public Records Law, Chapter 119, F.S., the parties shall provide to each other such data, reports, records, contracts, and other documents in its possession relating to the MPO as is requested. Charges are to be in accordance with Chapter 119, F.S.

Section 3.05. Rights of review. All parties to this Interlocal Agreement and the affected federal funding agencies (e.g., FHWA, FTA, and FAA) shall have the rights of technical review and comment on MPO's projects.

#### **ARTICLE 4 COMPOSITION; MEMBERSHIP; TERMS OF OFFICE**

Section 4.01. Composition and membership of governing board.

- (a) The membership of the MPO shall consist of 13 voting members and one (1) non-voting advisor. The names of the member local governmental entities and the voting apportionment of the governing board as approved by the Governor shall be as follows: three (3) voting members representing the Pinellas County Board of County Commissioners; two (2) voting members representing the City of St. Petersburg; one (1) voting member for each of the following cities: Pinellas Park, Dunedin, Clearwater, Largo; one (1) rotating voting member representing the cities of Oldsmar, Safety Harbor and Tarpon Springs; one (1) rotating voting member representing the following Inland Communities: Belleair, Belleair Bluffs, Gulfport, Seminole, South Pasadena, Kenneth City; one (1) rotating voting member representing the following communities which comprise the Barrier Islands Government Council (BIG-C): Belleair Beach, Indian Rocks Beach, Madeira Beach, St. Pete Beach, Treasure Island, Belleair Shore, Indian Shores, North Redington Beach, Redington Beach, Redington Shores; one (1) voting member representing the Pinellas Suncoast Transit Authority (PSTA); and one (1) non-voting advisor representing the Department.
- (b) All voting representatives shall be elected officials of general purpose local governments, except to the extent that the MPO includes, as part of its apportioned voting membership, a member of a statutorily authorized planning board or an official of an agency that operates or administers a major mode of transportation. All individuals acting as a representative of the governing board of the county, the city, or authority shall first be selected by said governing board.
- (c) The voting membership of an M.P.O. shall consist of not fewer than 5 or more than 19 apportioned members, the exact number to be determined on an equitable geographic-population ratio basis by the Governor, based on an agreement among the affected units of general-purpose local government as required by federal rules and regulations and shall be in compliance with 339.175(3) F.S.
- (d) In the event that a governmental entity that is a member of the MPO fails to fill an assigned appointment to the MPO within sixty days after notification by the Governor of its duty to appoint a representative, the appointment shall then be made by the Governor from the eligible individuals of that governmental entity.

Section 4.02. Terms. Except as provided for below, the term of office of members of the MPO shall be four years. The term of office for the OLDSMAR/SAFETY HARBOR/TARPON SPRINGS consortium of municipalities shall be two (2) years, on a biennial rotating basis. The membership of a member who is a public official automatically terminates upon said official leaving the elective or

appointive office for any reason, or may be terminated by a majority vote of the total membership of the governmental entity represented by the member. A vacancy shall be filled by the original appointing entity. A member may be appointed for one or more additional four year terms.

The term of the rotating voting member representing the aforementioned BIG-C communities shall be two years, however, the appointed elected official may be reappointed for up to four successive two-year terms, for a maximum term of eight years. The BIG-C, by majority vote, shall recommend appointments from nominations of elected officials provided by individual member municipalities. The municipal government board on which the recommended elected official serves shall confirm the appointment and transmit the name of the appointee to the MPO. If the appointed elected official is unable to complete their two-year term for any reason, the same procedure used for the original appointment by the BIG-C and the appointing municipality shall be followed.

The term of the rotating voting member representing the aforementioned Inland Communities shall be two years. The order of rotation shall be Gulfport, Belleair, South Pasadena, Belleair Bluffs, Kenneth City and Seminole. If a city/town decides to defer its term of appointment, the process will proceed to the next city/town in the order shown and the deferring city/town will go to the end of the rotational order. Finally, if the appointed elected official is unable to complete their two-year term, that City/Town Commission or Council will appoint another elected official for the balance of the term.

## **ARTICLE 5 AUTHORITIES, POWERS, DUTIES AND RESPONSIBILITIES**

Section 5.01. General authority. The MPO shall have all authorities, powers and duties, enjoy all rights, privileges, and immunities, exercise all responsibilities and perform all obligations necessary or appropriate to managing a continuing, cooperative, and comprehensive transportation planning process as specified in Section 339.175(5) and (6), F.S.

Section 5.02. Specific authority and powers. The MPO shall have the following powers and authority:

- (a) As provided in Section 339.175(6)(g), F.S., the MPO may employ personnel and/or may enter into contracts with local or state agencies and private planning or engineering firms to utilize the staff resources of local and/or state agencies;
- (b) As provided in Section 163.01(14), F.S., the MPO may enter into contracts for the performance of service functions of public agencies;
- (c) As provided in Section 163.01(5)(j), F.S., the MPO may acquire, own, operate, maintain, sell, or lease real and personal property;
- (d) As provided in Section 163.01(5)(m), F.S., the MPO may accept funds, grants, assistance, gifts or bequests from local, state, and federal resources;
- (e) The MPO may promulgate rules to effectuate its powers, responsibilities, and obligations enumerated herein; provided, that said rules do not supersede or conflict with applicable local and state laws, rules and regulations; and

- (f) The MPO shall have such powers and authority as specifically provided in Section 163.01 and Section 339.175(2)(b), (5) and (6), F.S., and as may otherwise be provided by federal or state law.

Section 5.03. Duties and responsibilities. In addition to those duties and responsibilities set forth in Article 2, the MPO shall have the following duties and responsibilities:

- (a) As provided in Section 339.175(6)(d), F.S., the MPO shall create and appoint a technical advisory committee;
- (b) As provided in Section 339.175(6)(e), F.S., the MPO shall create and appoint a citizens' advisory committee;
- (c) As provided in Section 163.01(5)(o), F.S., the MPO shall be liable for any liabilities incurred by the MPO, and the MPO may respond to such liabilities through the purchase of insurance or bonds, the retention of legal counsel, the approval of settlements of claims by its governing board, or in any other manner agreed upon by the MPO. Nothing contained herein shall constitute a waiver by any party of its sovereign immunity or the provision of section 768.28, F.S.
- (d) As provided in Section 339.175(9), F.S., the MPO shall establish an estimated budget which shall operate on a fiscal year basis consistent with any requirements of the UPWP;
- (e) The MPO, in cooperation with the Department, shall carry out the metropolitan transportation planning process as required by Title 23 CFR Parts 420 and 450, and Title 49 CFR Part 613, Subpart A, and consistent with Chapter 339, F.S., and other applicable state and local laws;
- (f) As provided in Section 339.175(10)(a), F.S., the MPO shall enter into agreements with the Department, operators of public transportation systems and the metropolitan and regional intergovernmental coordination and review agencies serving the metropolitan area. These agreements will prescribe the cooperative manner in which the transportation planning process will be coordinated and included in the comprehensively planned development of the area;
- (g) Perform such other tasks presently or hereafter required by state or federal law;
- (h) Execute certifications and agreements necessary to comply with state or federal law; and
- (i) Adopt operating rules and procedures.

## **ARTICLE 6 FUNDING; INVENTORY REPORT; RECORD-KEEPING**

Section 6.01. Funding. The Department shall allocate to the MPO for performance of its transportation planning and programming duties, an appropriate amount of federal transportation planning funds consistent with the approved planning funds formula.

Section 6.02. Inventory report. The MPO agrees to inventory, to maintain records of and to insure proper use, control, and disposal of all nonexpendable tangible property acquired pursuant to funding under this Interlocal Agreement. This shall be done in accordance with the requirements of Title 23 CFR Part 420, Subpart A, Title 49 CFR Part 18, Subpart C, and all other applicable federal regulations.

Section 6.03. Record-keeping and document retention. The Department and the MPO shall prepare and retain all records in accordance with federal and state requirements, including but not limited to 23 CFR Part 420, Subpart A, 49 CFR Part 18, Subpart C, 49 CFR §18.42, and Chapter 119, F.S.

Section 6.04 Compliance with laws. All parties shall allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the parties in conjunction with this Agreement. Specifically, if a party is acting on behalf of a public agency the party shall:

- (a) Keep and maintain public records that ordinarily and necessarily would be required by the Department in order to perform the services being performed by the party.
- (b) Provide the public with access to public records on the same terms and conditions that the Department would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
- (d) Meet all requirements for retaining public records and transfer, at no cost, to the Department all public records in possession of the party upon termination of the Agreement and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the Department in a format that is compatible with the information technology systems of the Department.

## ARTICLE 7 MISCELLANEOUS PROVISIONS

Section 7.01. Constitutional or statutory duties and responsibilities of parties. This Interlocal Agreement shall not be construed to authorize the delegation of the constitutional or statutory duties of any of the parties. In addition, this Interlocal Agreement does not relieve any of the parties of an obligation or responsibility imposed upon them by law, except to the extent of actual and timely performance thereof by one or more of the parties to this Interlocal Agreement or any legal or administrative entity created or authorized by this Interlocal Agreement, in which case this performance may be offered in satisfaction of the obligation or responsibility.

Section 7.02. Amendment of Interlocal Agreement. Amendments or modifications of this Interlocal Agreement may only be made by written agreement signed by all parties here to with the same formalities as the original Interlocal Agreement. No amendment may alter the apportionment or jurisdictional boundaries of the MPO without approval by the Governor.

Section 7.03. Duration; withdrawal procedure.

- (a) Duration. This Interlocal Agreement shall remain in effect until terminated by the parties to this Interlocal Agreement. The Interlocal Agreement shall be reviewed by the parties at least every five years, concurrent with the decennial census, and/or concurrent with a new Federal Reauthorization bill, and updated as necessary.
- (b) Withdrawal procedure. Any party, except Pinellas County and the City of St. Petersburg, as the United States Bureau of the Census designated largest incorporated city, may withdraw from this

Interlocal Agreement after presenting in written form a notice of intent to withdraw to the other parties to this Interlocal Agreement and the MPO, at least 90 days prior to the intended date of withdrawal. Upon receipt of the intended notice of withdrawal:

- (1) The withdrawing member and the MPO shall execute a memorandum reflecting the withdrawal of the member and alteration of the list of member governments that are signatories to this Interlocal Agreement. The memorandum shall be filed in the Office of the Clerk of the Circuit Court of each county in which a party hereto is located; and
- (2) The MPO shall contact The Office of the Governor and the Governor, with the agreement of the remaining members of the MPO, shall determine whether any reapportionment of the membership is appropriate. The Governor and the MPO shall review the previous MPO designation, applicable federal, state and local law, and MPO rules for appropriate revision. In the event that another entity is to be afforded membership in the place of the member withdrawing from the MPO, the parties acknowledge that pursuant to Title 23 CFR §450.310(1)(2), adding membership to the MPO does not automatically require redesignation of the MPO. In the event that a party who is not a signatory to this Interlocal Agreement is afforded membership in the MPO, membership shall not become effective until this Interlocal Agreement is amended to reflect that the new member has joined the MPO.

Section 7.04. Notices. All notices, demands and correspondence required or provided for under this Interlocal Agreement shall be in writing and delivered in person or dispatched by certified mail, postage prepaid, return receipt requested. Notice required to be given shall be addressed as follows:

See Exhibit A (attached) for the address of record for all signatories to this Interlocal Agreement.

A party may unilaterally change its address or addressee by giving notice in writing to the other parties as provided in this section. Thereafter, notices, demands and other pertinent correspondence shall be addressed and transmitted to the new address.

Section 7.05. Interpretation.

- (a) Drafters of the Interlocal Agreement. The Department and the members of the MPO were each represented by or afforded the opportunity for representation by legal counsel and participated in the drafting of this Interlocal Agreement and in choice of wording. Consequently, no provision should be more strongly construed against any party as drafter of this Interlocal Agreement.
- (b) Severability. Invalidation of any one of the provisions of this Interlocal Agreement or any part, clause or word, or the application thereof in specific circumstances, by judgment, court order, or administrative hearing or order shall not affect any other provisions or applications in other circumstances, all of which shall remain in full force and effect; provided, that such remainder would then continue to conform to the terms and requirements of applicable law.
- (c) Rules of construction. In interpreting this Interlocal Agreement, the following rules of construction shall apply unless the context indicates otherwise:
  - (1) The singular of any word or term includes the plural;
  - (2) The masculine gender includes the feminine gender; and
  - (3) The word “shall” is mandatory, and “may” is permissive.

Section 7.06. Enforcement by parties hereto. In the event of any judicial or administrative action to enforce or interpret this Interlocal Agreement by any party hereto, each party shall bear its own costs and attorney's fees in connection with such proceeding.

Section 7.07. Interlocal Agreement execution; Use of counterpart signature pages. This Interlocal Agreement, and any amendments hereto, may be simultaneously executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

Section 7.08. Effective date; Cost of recordation.

- (a) Effective date. This Interlocal Agreement shall become effective upon its filing in the Office of the Clerk of the Circuit Court of each county in which a party hereto is located. Any amendment hereto shall become effective only upon its filing in the Office of the Clerk of the Circuit Court for each county in which a party hereto is located.
- (b) Recordation. The MPO hereby agrees to pay for any costs of recordation or filing of this Interlocal Agreement in the Office of the Circuit Court for each county in which a party is hereto located. The recorded or filed original, or any amendment, shall be returned to the MPO for filing in its records.

IN WITNESS WHEREOF, the undersigned parties have executed this Interlocal Agreement on behalf of the referenced legal entities and hereby re-establish the above designated MPO.

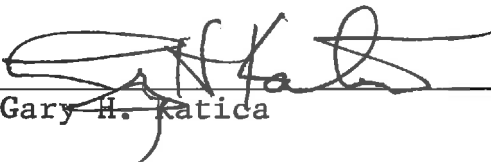


Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**TOWN OF BELLEAIR**

**PINELLAS COUNTY, FLORIDA**

BY:   
Gary H. Katica

TITLE: Mayor

ATTEST:   
Donna Carlen

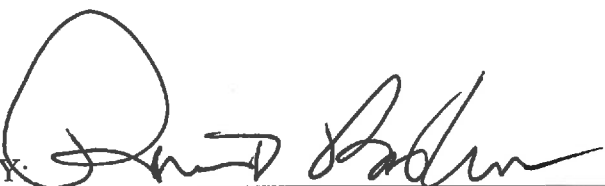
TITLE: Town Clerk  
(Seal)

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

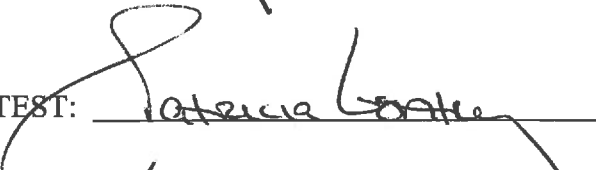
Signed, Sealed and Delivered in the presence of:

**CITY OF BELLEAIR BEACH**

**PINELLAS COUNTY, FLORIDA**

BY:  \_\_\_\_\_

TITLE: Mayor \_\_\_\_\_

ATTEST:  \_\_\_\_\_

TITLE: City Clerk \_\_\_\_\_  
(Seal)

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF BELLEAIR BLUFFS**

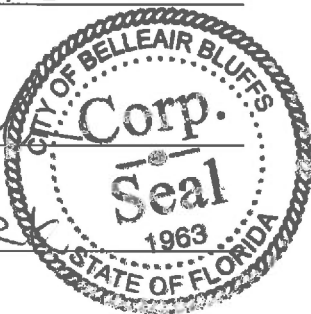
**PINELLAS COUNTY, FLORIDA**

BY: Joseph A. Barkley

TITLE: VICE-MAYOR

ATTEST: Donna Hill

TITLE: CITY CLERK  
(Seal)



Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**TOWN OF BELLEAIR SHORE**

**PINELLAS COUNTY, FLORIDA**

BY:  \_\_\_\_\_

TITLE: Mayor. \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_  
(Seal)

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF CLEARWATER**

**PINELLAS COUNTY, FLORIDA**

BY: SEE BELOW

TITLE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

(Seal)

Countersigned:

CITY OF CLEARWATER, FLORIDA

George N. Cretekos

George N. Cretekos  
Mayor

By: William B. Horne II

William B. Horne II  
City Manager

Approved as to form:

Camilo A. Soto

Camilo A. Soto  
Assistant City Attorney

Attest:

Rosemarie Call

Rosemarie Call  
City Clerk



I hereby certify that this is a true and correct copy of the original as it appears in the files of the City of Clearwater. Witness my hand and official seal of the City of Clearwater.

This 4 day of September, 2014

Rosemarie Call

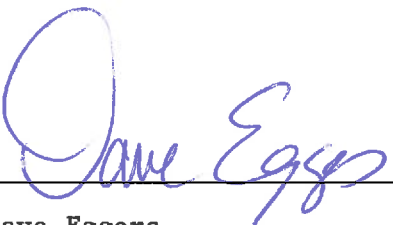
City Clerk

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF DUNEDIN**

**PINELLAS COUNTY, FLORIDA**

BY: 

Dave Eggers  
Mayor

TITLE: \_\_\_\_\_

ATTEST: 

Denise M. Schlegel  
City Clerk

TITLE: \_\_\_\_\_

(Seal)

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF GULFPORT**

**PINELLAS COUNTY, FLORIDA**

BY: *Thomas E. O'Rilly*

TITLE: *City Manager*

ATTEST: *Lucy Demuth*

TITLE: *City Clerk*  
(Seal)

Approved as to Form

*Andrew Salzman*  
Andrew Salzman, City Attorney

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF INDIAN ROCKS BEACH**

**PINELLAS COUNTY, FLORIDA**

BY:   
R.B. Johnson

TITLE: Mayor-Commissioner

ATTEST:   
Deanne B. O'Reilly

TITLE: City Clerk  
(Seal) R2014-60



Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**TOWN OF INDIAN SHORES**

**PINELLAS COUNTY, FLORIDA**

BY:   
JAMES J. LAWRENCE

TITLE: MAYOR

ATTEST:   
ELAINE JACKSON, MMC

TITLE: TOWN CLERK  
(Seal)

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**TOWN OF KENNETH CITY**

**PINELLAS COUNTY, FLORIDA**

BY: 

TITLE: Mayor

ATTEST: 

TITLE: Town Clerk

(Seal)

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF LARGO**

**PINELLAS COUNTY, FLORIDA**

BY: 

TITLE: Mayor

ATTEST: 

TITLE: CITY CLERK  
(Seal)



Reviewed and Approved:  
  
City Attorney

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF MADEIRA BEACH**

**PINELLAS COUNTY, FLORIDA**

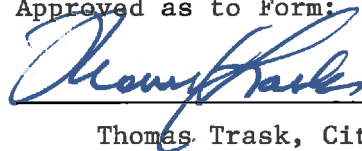
BY:  \_\_\_\_\_

TITLE: Mayor \_\_\_\_\_

ATTEST:  \_\_\_\_\_

TITLE: City Clerk \_\_\_\_\_  
(Seal)

Approved as to Form:

 \_\_\_\_\_  
Thomas Trask, City Attorney

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**TOWN OF NORTH REDINGTON BEACH**

**PINELLAS COUNTY, FLORIDA**

BY: 

TITLE: Mayor

ATTEST: \_\_\_\_\_

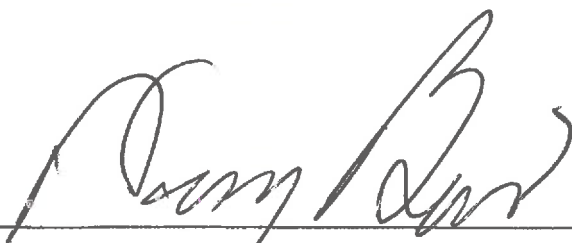
TITLE: \_\_\_\_\_  
(Seal)

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

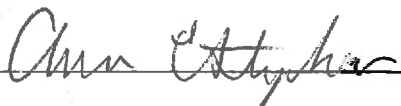
Signed, Sealed and Delivered in the presence of:

**CITY OF OLDSMAR**


**PINELLAS COUNTY, FLORIDA**

BY: 

TITLE: Mayor

ATTEST: 

TITLE: City Clerk  
(Seal)

Approved as to form:  


Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF PINELLAS PARK**

**PINELLAS COUNTY, FLORIDA**


BY: 

TITLE: Mayor, Sandra L. Bradbury

ATTEST: 

TITLE: City Clerk, Diane M. Corna  
(Seal)

Approved as to form and correctness:

  
FOR City Attorney, James W. Denhardt  
City of Pinellas Park

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**TOWN OF REDINGTON BEACH**

**PINELLAS COUNTY, FLORIDA**

BY:                     *Gen A. [Signature]*                    

TITLE:                     *Mayor*                    

ATTEST:                     *Missy Clarke*                    

TITLE:                     *Town Clerk*                      
(Seal)



Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**TOWN OF REDINGTON SHORES**

**PINELLAS COUNTY, FLORIDA**

BY: *Ben Pulver*

TITLE: MAYOR

ATTEST: *Mary F Palma*

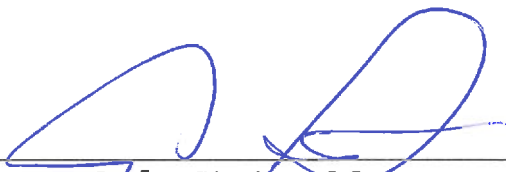
TITLE: TOWN CLERK  
(Seal)

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization


Signed, Sealed and Delivered in the presence of:

**CITY OF SAFETY HARBOR**

**PINELLAS COUNTY, FLORIDA**

BY:   
\_\_\_\_\_ **Andy Steingold**

TITLE: \_\_\_\_\_ **Mayor**

ATTEST:   
\_\_\_\_\_ **Karen Sammons**

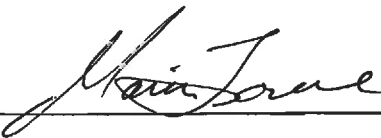
TITLE: \_\_\_\_\_ **City Clerk**  
(Seal)

**Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization**

Signed, Sealed and Delivered in the presence of:

**CITY OF ST PETE BEACH**

**PINELLAS COUNTY, FLORIDA**

BY: 

TITLE: Mayor

ATTEST: 

TITLE: City Clerk  
(Seal)

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF ST. PETERSBURG**

**PINELLAS COUNTY, FLORIDA**

BY: 

TITLE: Mayor

ATTEST:   
Chandrahasa Srinivasa

TITLE: City Clerk  
(Seal)



Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF SEMINOLE**

**PINELLAS COUNTY, FLORIDA**

BY: Juan F. Edmunds

TITLE: City Manager

ATTEST: Rose Benoit

TITLE: City Clerk  
(Seal)

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF SOUTH PASADENA**

**PINELLAS COUNTY, FLORIDA**

BY: *Don Calabu*

TITLE: MAYOR

ATTEST: *Carly Lewis*

TITLE: CITY CLERK

(Seal)

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF TARPON SPRINGS**

**PINELLAS COUNTY, FLORIDA**

BY: David O. Ache

TITLE: Mayor

ATTEST: Gene S. Jacobs

TITLE: City Clerk & Collector  
(Seal)



Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**CITY OF TREASURE ISLAND**

**PINELLAS COUNTY, FLORIDA**

BY: Robert Manning

TITLE: Mayor

ATTEST: Dawn Joss

TITLE: City Clerk  
(Seal)



Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**BOARD OF COUNTY COMMISSIONERS**

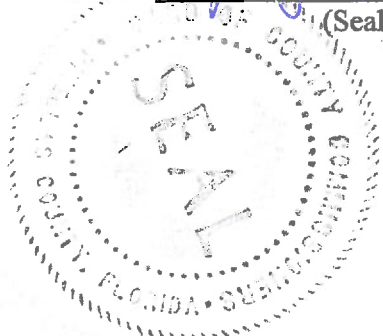
**PINELLAS COUNTY, FLORIDA**

BY: Karen Williams Seel

TITLE: Chairman, Pinellas County Commission

ATTEST: Norman D. Long

TITLE: Deputy Clerk for Ken Burke, Clerk



APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

By [Signature]  
Attorney

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization

Signed, Sealed and Delivered in the presence of:

**PINELLAS SUNCOAST TRANSIT AUTHORITY**

**PINELLAS COUNTY, FLORIDA**

BY: Kenneth T. Will

TITLE: PSTA Chairperson

ATTEST: [Signature]

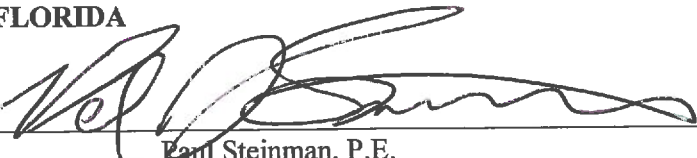
TITLE: PSTA CEO

(Seal)

Interlocal Agreement to Re-establish the Pinellas County Metropolitan Planning Organization.


Signed, Sealed and delivered in the presence of:

**DISTRICT SEVEN  
FLORIDA DEPARTMENT OF TRANSPORTATION  
TAMPA, FLORIDA**

BY:   
Paul Steinman, P.E.

TITLE: District Seven Secretary

DATE: 10/15/14

ATTEST: 

TITLE: Executive Assistant

APPROVED AS TO LEGAL FORM AND SUFFICIENCY  
Florida Department of Transportation

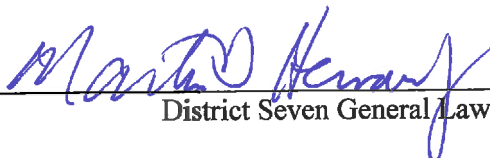
  
District Seven General Law Office

Exhibit A

Mayor Gary Katica  
Town of Belleair  
901 Ponce DeLeon Boulevard  
Belleair, FL 33756-1096

Mayor Rob Baldwin  
City of Belleair Beach  
444 Causeway Boulevard  
Belleair Beach, FL 33786-3399

Mayor Chris Arbutine  
City of Belleair Bluffs  
2747 Sunset Boulevard  
Belleair Bluffs, FL 33770-1978

Mayor Robert E. Schmidt, Jr.  
Town of Belleair Shore  
1460 Gulf Boulevard  
Belleair Shore, FL 33786-3351

Mayor George Cretekos  
City of Clearwater  
112 South Osceola Avenue  
Clearwater, FL 33756-5106

Mayor Dave Eggers  
City of Dunedin  
542 Main Street  
Dunedin, FL 34698

Mayor Samuel Henderson  
City of Gulfport  
2401 53<sup>rd</sup> Street South  
Gulfport, FL 33737

Mayor R.B. Johnson  
City of Indian Rocks Beach  
1507 Bay Palm Boulevard  
Indian Rocks Beach, FL 33785-2899

Mayor James Lawrence  
Town of Indian Shores  
19305 Gulf Boulevard  
Indian Shores, FL 33785-2257

Mayor Teresa Zemaitis  
Town of Kenneth City  
6000 54<sup>th</sup> Avenue North  
Kenneth City, FL 33709-3699

Mayor Pat Gerard  
City of Largo  
201 Highland Avenue NE  
Largo, FL 33770-2512

Mayor Travis Palladeno  
City of Madeira Beach  
300 Municipal Drive  
Madeira Beach, FL 33708-1916

Mayor William Queen  
Town of North Redington Beach  
190 173<sup>rd</sup> Avenue  
North Redington Beach, FL 33708-1397

Mayor Doug Bevis  
City Oldsmar  
100 State Street West  
Oldsmar, FL 34677-3655

Mayor Sandra Bradbury  
City of Pinellas Park  
5141 78<sup>th</sup> Avenue North  
Pinellas Park, FL 33781-2456

Mayor James "Nick" Simons  
Town of Redington Beach  
105 164<sup>th</sup> Avenue  
Redington Beach, FL 33708-1519

Mayor Bert Adams  
Town of Redington Shores  
17425 Gulf Boulevard  
Redington Shores, FL 33708-1299

Mayor Andy Steingold  
City of Safety Harbor  
750 Main Street  
Safety Harbor, FL 34695-3597

Mayor Maria Lowe  
City of St. Pete Beach  
155 Corey Avenue  
St. Pete Beach, FL 33706-1701

Mayor Rick Kriseman  
City of St. Petersburg  
175 5<sup>th</sup> Street North  
St. Petersburg, FL 33701-3708

Mayor Leslie Waters  
City of Seminole  
9199 113<sup>th</sup> Street North  
Seminole, FL 33772-5226

Mayor Dan Calabria  
City of South Pasadena  
7047 Sunset Drive South  
South Pasadena, FL 33707-2895

Mayor David Archie  
City of Tarpon Springs  
324 Pine Street East  
Tarpon Springs, FL 34689-5004

Mayor Bob Minning  
City of Treasure Island  
120 108<sup>th</sup> Avenue  
Treasure Island, FL 33706-4702

Mr. Brad Miller, CEO  
Pinellas Suncoast Transit Authority  
3201 Scherer Drive  
St. Petersburg, FL 33716

Mr. Paul Steinman, District VII Secretary  
Florida Department of Transportation  
District VII  
11201 N. McKinley Drive, MS #7-100  
Tampa, FL 33612

Commissioner Karen Seel, Chairman  
Pinellas County  
Board of County Commissioners  
315 Court Street  
Clearwater, FL 33756-5165

# **EXHIBIT A**

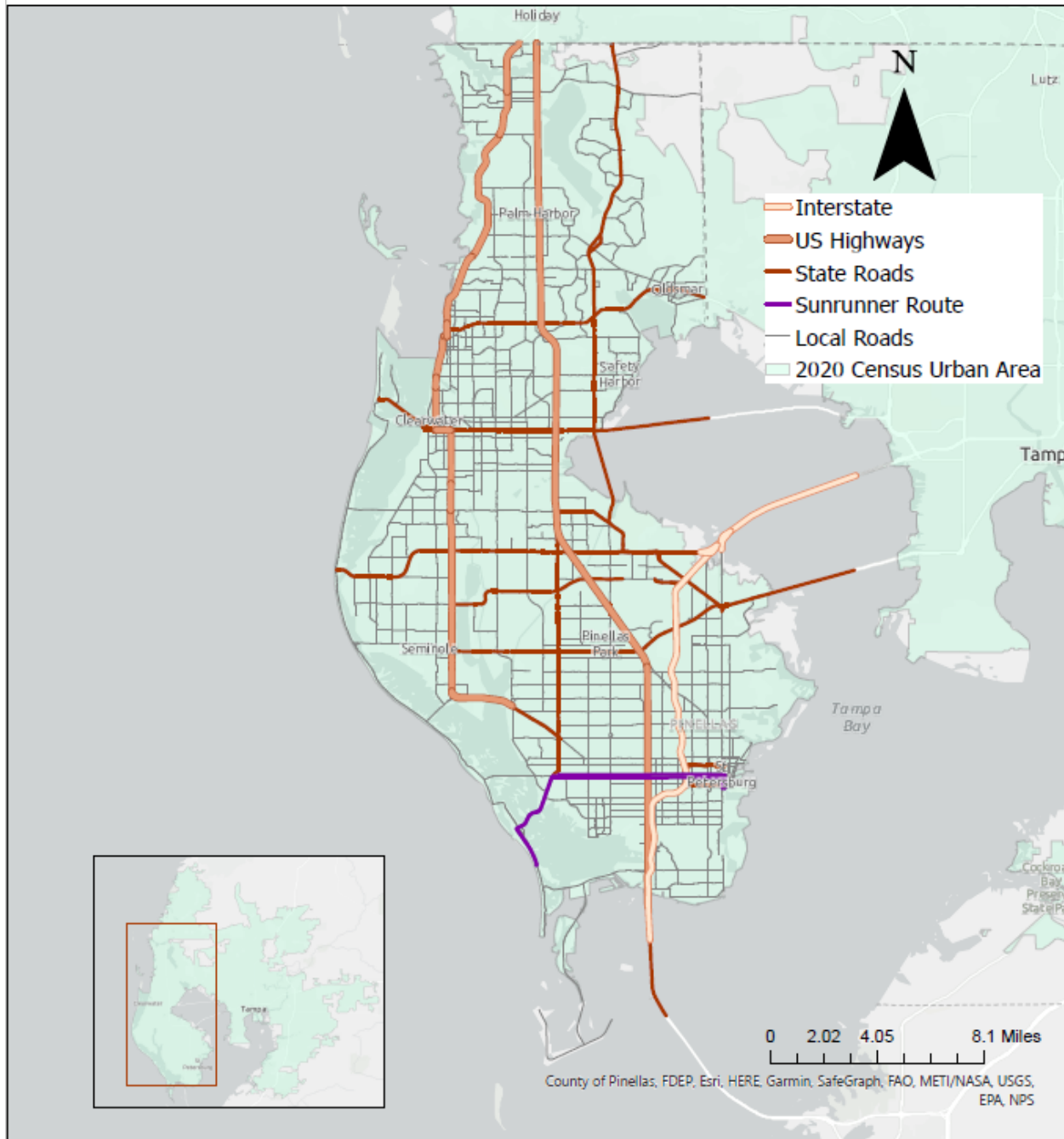
## **PINELLAS COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) MEMBERSHIP REAPPORTIONMENT PLAN**

**Approved by the Forward Pinellas Board on August 2, 2023**

### **Urban Area Boundary**

Pinellas County is located on the Gulf coast of central Florida. While comprised of 25 local government jurisdictions (24 municipalities and an unincorporated area) and approximately 280 square miles in size, Pinellas is geographically the second smallest county in Florida. According to the United States Bureau of the Census, the entire county is urbanized and with a 2020 population of 959,107 it is Florida’s most densely populated county. This is an increase from 916,542 in 2010, representing a 4.4% increase overall during the ten-year period.

***Figure 1: Forward Pinellas Urban Boundary***



**Table 1: Forward Pinellas 2010 and 2020 Population by Jurisdiction**

	<b>2010 Population</b>	<b>2020 Population</b>
Belleair	3,869	4,273
Belleair Beach	1,560	1,633
Belleair Bluffs	2,031	2,311
Belleair Shore	109	73
Clearwater	107,685	117,292
Dunedin	35,321	36,068
Gulfport	12,029	11,783
Indian Rocks Beach	4,113	3,673
Indian Shores	1,420	1,190
Kenneth City	4,980	5,047
Largo	77,648	82,485
Madeira Beach	4,263	3,895
North Redington Beach	1,417	1,495
Oldsmar	13,591	14,898
Pinellas Park	49,079	53,093
Redington Beach	1,427	1,376
Redington Shores	2,121	2,176
Safety Harbor	16,884	17,072
St. Pete Beach	9,346	8,879
St. Petersburg	244,769	258,308
Seminole	1,7233	19,364
South Pasadena	4,964	5,353
Tarpon Springs	23,484	25,117
Treasure Island	6,705	6,584
UNINCORPORATED	270,494	275,669
Total Population	916,542	959,107

Source: 2010 and 2020 Census

**Federal and State Law**

Federal law (Title 23 Code of Federal Regulations, Part 450) provides that a metropolitan planning organization shall be designated for each urbanized area with a population of more than 50,000 individuals. The Pinellas County Metropolitan Planning Organization (MPO) was created in 1977 pursuant to the provisions of federal rules and regulations and companion state laws. Chapter 339, Subsection 339.175(3)(a), F.S., provides that the voting membership of a metropolitan planning organization shall consist of not fewer than five or more than 25 apportioned members, the exact number to be determined on an equitable geographic-population ratio basis, based on an agreement among the affected units of general-purpose local government and the Governor, as required by federal regulations.



The Governor, in accordance with 23 U.S.C. s.134, may provide for MPO members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area that do not have members on the MPO. With some exceptions, County Commission members shall comprise not less than one-third of the MPO membership. One exception is in metropolitan areas, wherein Section 339.175(3)(b), F.S., allows voting membership on the MPO for authorities or other agencies not under the jurisdiction of a general-purpose local government represented on the MPO, which have been created by law to perform transportation functions and are performing such functions. In Pinellas County, the Pinellas Suncoast Transit Authority (PSTA) is such an authority. Because the PSTA has membership on the MPO, the County Commission representation is reduced to at least 20% of the voting membership, as allowed by law. All voting members shall be elected officials of general-purpose local government.

Section 339.175(4) F.S., provides that the Governor, with the agreement of the affected units of general-purpose local government as required by federal rules and regulations, apportion the membership on the applicable MPO among the various governmental entities within the area.

### **Current MPO Board Composition**

Presently, the MPO is comprised of 13 voting members, representing the 24 municipal governments, the Pinellas County Commission and PSTA. One municipal government seat is shared by three north county cities (Oldsmar, Safety Harbor, and Tarpon Springs), one seat is shared by the inland cities (Belleair, Belleair Bluffs, Gulfport, Kenneth City, Seminole and South Pasadena) and one seat is shared by the beach communities (Belleair Beach, Belleair Shore, Indian Rocks Beach, Indian Shores, Madeira Beach, North Redington Beach, Redington Beach Redington Shores, St. Pete Beach and Treasure Island). On the current board, the County Commission represents the unincorporated area of Pinellas. In addition, the District Seven Secretary for the Florida Department of Transportation, or a designee, serves as a non-voting technical advisor to the MPO.

### **Proposed MPO Board Composition**

Consistent with the board action taken on August 2, 2023, the MPO proposes to reapportion its board membership by adding six additional seats, for a total of 19 board members. This reapportionment is proposed to reflect a desire by our local communities that share seats to have longer, and more frequent, opportunities to serve, while also re-balancing the weight of the votes for our jurisdictions following the 2020 Decennial Census. Our experience since 2014 is that two-year terms for rotating seats is insufficient for members to gain knowledge to be as effective as other members, and it also inhibits leadership opportunities on the board. Two additional seats for the City of St. Petersburg and one additional seat for the City of Clearwater are also being added to reflect the relative number of residents in those jurisdictions, a new seat is being created for the City of Tarpon Springs and an additional seat is being added for the Board of

County Commissioners (BCC) to ensure a minimum of 20% of the vote be retained for the BCC, per State Statute. To develop the Reapportionment Plan, population numbers from the 2020 Census were utilized.

The 10 beach communities located along Gulf Boulevard (referenced above), plus the City of Clearwater, formed a consortium in January 1990 called the Barrier Islands Government Council, Inc. (a.k.a. the BIG-C). By agreement of the consortium members in 2011, the following provisions for appointments have been established for the seat to be rotated among the municipalities:

- The appointed elected official will serve a two-year term.
- The appointed elected official may be reappointed for up to four successive two-year terms, for a maximum term of eight years.
- The BIG-C (excluding Clearwater), by majority vote, shall recommend appointments from nominations of elected officials provided by individual member municipalities.
- The municipal government board on which the recommended elected official serves shall confirm the appointment and transmit the name of the appointee to the MPO; and
- If the appointed elected official is unable to complete their two-year term for any reason, the same procedure used for the original appointment by the BIG-C and the appointing municipality shall be followed.

This Reapportionment Plan creates an additional seat for the six inland municipalities (Belleair, Belleair Bluffs, Gulfport, Kenneth City, Seminole, and South Pasadena), providing more opportunities for those communities to have an opportunity to serve on the board.

One seat will be shared by Belleair, Belleair Bluffs, and Seminole. The following terms and rotational procedures for these alternating seats the members will share are as follows:

- The appointed elected official will serve a three-year term.
- The order of rotation will be Belleair, Belleair Bluffs, and Seminole.
- If a municipality decides to defer its term of appointment, the process will proceed to the next city in the order and the deferring city will go to the end of the rotational order.
- A municipality in a rotating seat may retain its seat beyond the normal 3-year cycle if the other two municipalities in the rotation agree to not appoint a member to the board from their respective jurisdiction.
- If the appointed elected official is unable to complete their three-year term, that municipality Commission/Council will appoint another elected official for the balance of the term.

One seat will be shared by Gulfport, Kenneth City and South Pasadena. The following terms and rotational procedures for these alternating seats the members will share are as follows:

- The appointed elected official will serve a three-year term.
- The order of rotation will be Gulfport, South Pasadena, Kenneth City.
- If a city decides to defer its term of appointment, the process will proceed to the next city in the order and the deferring city will go to the end of the rotational order.
- A municipality in a rotating seat may retain its seat beyond the normal 3-year cycle if the other two municipalities in the rotation agree to not appoint a member to the board from their respective jurisdiction.
- If the appointed elected official is unable to complete their three-year term, that City Commission/Council will appoint another elected official for the balance of the term.

One seat shall be shared by the municipalities of Oldsmar and Safety Harbor. The following terms and rotational procedures for these alternating seats the members will share are as follows:

- The appointed elected official will serve a three-year term.
- The order of rotation will be Oldsmar, Safety Harbor.
- If a city decides to defer its term of appointment, the process will proceed to the next city in the order and the deferring city will go to the end of the rotational order; and
- If the appointed elected official is unable to complete their three-year term, that City Commission/Council will appoint another elected official for the balance of the term.

Nonrotational seats will be apportioned as follows:

- Four seats for representatives from the Board of County Commissioners, one of which must be from an At-Large District
- Four seats for representatives from the City of St. Petersburg
- Two seats for representatives from the City of Clearwater
- One seat for a representative from the City of Largo
- One seat for a representative from the City of Pinellas Park
- One seat for a representative from the City of Dunedin
- One seat for a representative from the City of Tarpon Springs
- One seat for a representative from the Pinellas Suncoast Transit Authority

The District Seven Secretary for FDOT, or a designee, will continue to serve as a non-voting technical advisor to the MPO.

**Table 2: Forward Pinellas Apportionment Plan**

Jurisdiction	Number of Votes	Percent of Population	Percent of Vote
BCC	4	28.7%	21.1%
St. Pete	4	26.9%	21.1%
Clearwater	2	12.2%	10.5%
Largo	1	8.6%	5.3%
Pinellas Park	1	5.5%	5.3%
Beaches	1	3.2%	5.3%
Dunedin	1	3.8%	5.3%
Tarpon Springs	1	2.6%	5.3%
Oldsmar, Safety Harbor	1	3.4%	5.3%
Belleair, Belleair Bluffs, Seminole	1	2.7%	5.3%
Gulfport, Kenneth City, South Pasadena	1	2.3%	5.3%
PSTA	1	N/A	5.3%

**Membership**

All voting representatives shall be elected officials of general-purpose local governments, except, to the extent that the MPO includes, as part of its apportioned voting membership, a member of a statutorily authorized planning board or an official of an agency that operates or administers a major mode of transportation. All individuals acting as a representative of the governing board of the County, the city or authority shall first be selected by said governing board.

The voting membership of an MPO shall consist of not fewer than five or more than 19 apportioned members, the exact number to be determined on an equitable geographic-population ratio basis by the Governor, based on an agreement among the affected units of general-purpose local government as required by federal rules and regulations and shall be in compliance with 339.175(3) F.S.

In the event that a governmental entity that is a member of the MPO fails to fill an assigned appointment to the MPO within sixty days after notification by the Governor of its duty to appoint a representative, the appointment shall then be made by the Governor from the eligible individuals of that governmental entity.

### **Terms**

Unless otherwise outlined, the term of office of members of the MPO shall be four years and shall begin on January 1<sup>st</sup> of the calendar year, or as early as possible in the calendar year, depending upon election cycles, and concluding at the end of the calendar year. The membership of a member who is a public official automatically terminates upon said official leaving the elective or appointive office for any reason, or may be terminated by a majority vote of the total membership of the governmental entity represented by the member, or the BIG-C for the beach communities. A vacancy shall be filled by the original appointing entity for the duration of the term.

<b>Jurisdiction</b>	<b>Number of Votes</b>	<b>Percent of Population</b>	<b>Percent of Vote</b>
BCC	4	28.7%	21.1%
St. Pete	4	26.9%	21.1%
Clearwater	2	12.2%	10.5%
Largo	1	8.6%	5.3%
Pinellas Park	1	5.5%	5.3%
Beaches	1	3.2%	5.3%
Dunedin	1	3.8%	5.3%
Tarpon Springs	1	2.6%	5.3%
Oldsmar, Safety Harbor	1	3.4%	5.3%
Belleair, Belleair Bluffs, Seminole	1	2.7%	5.3%
Gulfport, Kenneth City, South Pasadena	1	2.3%	5.3%
PSTA	1	N/A	5.3%
<b>Total:</b>	<b>19</b>	<b>100.0%</b>	<b>100.0%</b>



**RON DeSANTIS**  
GOVERNOR

August 8, 2024

Pinellas County Metropolitan Planning Organization  
310 Court Street  
Clearwater, FL 33756

To Whom It May Concern:

In accordance with s. 339.175, Florida Statutes, and Title 23 CFR Part 450, please consider this letter as formal concurrence with the Department of Transportation's recommendation that the Pinellas County Metropolitan Planning Organization's apportionment plan meets the requirements of s. 339.175, Florida Statutes and Title 23 CFR 450.312(a).

The MPO's continued adherence to the requirements of Florida Law are of utmost importance.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis, Governor

CC: Mr. Jared Perdue, P.E., Secretary, Florida Department of Transportation

**AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE  
CREATION OF THE PINELLAS COUNTY METROPOLITAN  
PLANNING ORGANIZATION**

Signed, Sealed and Delivered in the presence of:

**CITY OF INDIAN ROCKS BEACH**

**PINELLAS COUNTY, FLORIDA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

(seal)




## **AGENDA ITEM NO. 5 E CONSENT AGENDA**


### **RESOLUTION NO. 2024-08.**

A resolution of the City Commission of the City of Indian Rocks Beach, Florida, calling for a general election for the purpose of electing, at large, qualified candidates to fill the vacancies of two City Commissioner Seats for two-year terms; establishing a candidate qualifying period; authorizing the City Manager to enter into a contract with the Pinellas County Supervisor of Elections; establishing a polling place for **the March 11, 2025 Election**; authorizing the Pinellas County Supervisor of Elections to verify candidate petition cards and facilitate the election process.

**INDIAN ROCKS BEACH CITY COMMISSION  
AGENDA MEMORANDUM**

**MEETING OF:** September 10, 2024 **AGENDA ITEM: 5 E**

**ORIGINATED BY:** Lorin A. Kornijtschuk, City Clerk 

**AUTHORIZED BY:** Brently Gregg Mims, City Manager 

**SUBJECT:** **RESOLUTION NO. 2024-08.** Calling for a general election for the purpose of electing, at large, qualified candidates to fill the vacancies of two Commissioner Seats for two-year terms and entering into a contract with the Pinellas County Supervisor of Elections for the **MARCH 11, 2025 MUNICIPAL GENERAL ELECTION.**

---

**BACKGROUND:**

The City of Indian Rocks Beach is subject to and has adopted the applicable provisions of the Florida Elections Code, Florida Statute Chapters 97 through 106.

Pursuant to Charter Section 3.1, Manner of Holding Elections, the City Commission of the City of Indian Rocks Beach shall, by resolution, prescribe the manner of holding both general and special elections not inconsistent with the provisions hereof and said City Commission shall also by resolution provide such polling place or places as they deem expedient. The Pinellas County Canvassing Board shall serve as the canvassing board for the City for the purpose of declaring the results of elections.

The City of Indian Rocks Beach has requested the assistance from the Pinellas County Supervisor of Elections in conducting their Municipal General Election to be held on March 11, 2025.

The Pinellas County Supervisor of Elections has agreed to provide such assistance to the City subject to conditions, considerations, and agreements.

The Pinellas County Supervisor of Elections advised that final ballot language for the March 11, 2025, Ballot is due on or before December 31, 2024.

Pursuant to Section 22-63, Ballot Language, Subsection (g), no later than 90 days prior to the issue election, December 11, 2024, the City Clerk shall transmit to the Pinellas County Supervisor of Elections a certified copy of any ordinance calling an issue election together with the designating number, if applicable, the ballot title, and the substance of the issue.

All persons desiring to be candidates at such election shall qualify in accordance with the provisions of the Charter and Code of Ordinances for the City of Indian Rocks Beach and the elections laws of the State of Florida pertaining to municipal elections.

*CANDIDATE QUALIFYING WILL BEGIN MONDAY, DECEMBER 2, 2024, AT NOON, AND WILL END MONDAY, DECEMBER 9, 2024, AT NOON.*

The outcome of the election for the two Commissioner Seats shall be determined by the candidates receiving the greatest number of votes for each seat.

The polling place for such election shall be the Civic Auditorium, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, and the polls shall be open from 7:00 a.m. to 7:00 p.m.

The Pinellas County Canvassing Board will conduct the Logic and Accuracy Tests, open and prepare absentee/mail ballots for tabulation and tabulate all ballots for the March 11, 2025, General Municipal Election at the Pinellas County Supervisor of Elections' Service Center located at 13001 Starkey Road, Largo, Florida.

The City Manager is authorized to contract with the Pinellas County Supervisor of Elections to conduct said election and tabulate all ballots at the Elections Service Center.

The Pinellas County Supervisor of Elections shall be responsible for appointing all poll workers.

The Pinellas County Supervisor of Elections is hereby authorized to independently verify candidate petition cards and determine their compliance with the legal and administrative requirements of the City's and Florida's election laws.

Election tabulation will take place at the Elections Service Center. Election results will be released throughout the night and posted to the Pinellas County Supervisor of Elections' website, [www.votePinellas.com](http://www.votePinellas.com). Only cumulative results will be released on election night. No results will be suppressed. The Elections Office will provide precinct results when the Pinellas County Canvassing Board certifies the official results.

**MOTION:**

I move to **APPROVE/DENY RESOLUTION NO. 2024-08**, calling for a general election on March 11, 2025, for the purpose of electing, at large, qualified candidates to fill the vacancies of two City Commissioner Seats for two-year terms: establishing a candidate qualifying period: authorizing the City Manager to enter into a contract with the Pinellas County Supervisor of Elections; establishing a polling place; authorizing the Pinellas County Supervisor of Elections to verify candidate petition cards and facilitate the election process.

**CITY OF INDIAN ROCKS BEACH  
RESOLUTION NO. 2024-08**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, CALLING FOR A GENERAL ELECTION FOR THE PURPOSE OF ELECTING, AT LARGE, QUALIFIED CANDIDATES TO FILL THE VACANCIES OF TWO CITY COMMISSIONER SEATS FOR TWO-YEAR TERMS; ESTABLISHING A CANDIDATE QUALIFYING PERIOD; AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE PINELLAS COUNTY SUPERVISOR OF ELECTIONS; ESTABLISHING A POLLING PLACE FOR THE MARCH 11, 2025 ELECTION; AUTHORIZING THE PINELLAS COUNTY SUPERVISOR OF ELECTIONS TO VERIFY CANDIDATE PETITION CARDS AND FACILITATE THE ELECTION PROCESS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Indian Rocks Beach is subject to and has adopted the applicable provisions of the Florida Elections Code, Florida Statute Chapters 97 through 106; and

**WHEREAS**, pursuant to Charter Section 3.1, Manner of Holding Elections, the City Commission of the City of Indian Rocks Beach shall, by resolution, prescribe the manner of holding both general and special elections not inconsistent with the provisions hereof and said City Commission shall also by resolution provide such polling place or places as they deem expedient. The Pinellas County Canvassing Board shall serve as the canvassing board for the City for the purpose of declaring the results of elections; and

**WHEREAS**, the City of Indian Rocks Beach has requested the assistance from the Pinellas County Supervisor of Elections in conducting their municipal general election to be held on March 11, 2025; and

**WHEREAS**, the Pinellas County Supervisor of Elections has agreed to provide such assistance to the City subject to conditions, considerations, and agreements; and

**WHEREAS**, the Pinellas County Supervisor of Elections has advised that the final ballot language for the March 11, 2025, Ballot is due on or before December 31, 2024; and

**WHEREAS**, pursuant to Section 22-63, Ballot Language, Subsection (g), no later than 90 days prior to the issue election, December 11, 2024, the City Clerk shall transmit to the Pinellas County Supervisor of Elections a certified copy of any ordinance calling an issue election together with the designating number, if applicable, the ballot title, and the substance of the issue.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, that:**

**Section 1.** The City of Indian Rocks Beach, Florida, Municipal General Election shall be conducted on March 11, 2025, for the purpose of electing, at large, qualified candidates to fill the vacancies of two City Commissioner Seats for two-year terms.

**Section 2.** The outcome of the election for the two City Commissioner Seats shall be determined by the candidates receiving the greatest number of votes for each seat.

**Section 3.** Except as otherwise provided by the City Charter and Code of Ordinances, the provisions of the election laws of the State of Florida shall apply to this election.

**Section 4.** The polling place for such election shall be the Civic Auditorium, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, and the polls shall be open from 7:00 a.m. to 7:00 p.m.

**Section 5.** All persons desiring to be candidates at such election shall qualify in accordance with the provisions of the Charter and Code of Ordinances for the City of Indian Rocks Beach and the elections laws of the State of Florida pertaining to municipal elections.

**Section 6.** Candidate Qualifying Period will begin Monday, December 2, 2024, at noon, and will end Monday, December 9, 2024, at noon.

**Section 7.** The Pinellas County Canvassing Board shall conduct the Logic and Accuracy Tests, open and prepare absentee and mail ballots for tabulation, and tabulate all ballots for the March 11, 2025, General Municipal Election at the Pinellas County Supervisor of Elections' Service Center located at 13001 Starkey Road, Largo, Florida.

**Section 8.** The Pinellas County Supervisor of Elections is hereby authorized to appoint poll workers.

**Section 9.** The Pinellas County Supervisor of Elections is hereby authorized to independently verify candidate petition cards and determine their compliance with the legal and administrative requirements of the City's and Florida's election laws.

**Section 10.** The City Manager shall be authorized to contract with the Pinellas County Supervisor of Elections to conduct said election and tabulate all ballots at the Pinellas County Supervisor of Elections Service Center.

**Section 11.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 10<sup>th</sup> day of September 2024, by the City Commission of the City of Indian Rocks Beach, Florida

\_\_\_\_\_  
Denise Houseberg, Mayor-Commissioner

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

/lak

# Business Impact Estimate

*This form should be included in the agenda packet for the item under which the proposed ordinance or resolution is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.*

Proposed resolution's title/reference: **Resolution 2024-08**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, CALLING FOR A GENERAL ELECTION FOR THE PURPOSE OF ELECTING, AT LARGE, QUALIFIED CANDIDATES TO FILL THE VACANCIES OF TWO CITY COMMISSIONER SEATS FOR TWO-YEAR TERMS; ESTABLISHING A CANDIDATE QUALIFYING PERIOD; AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE PINELLAS COUNTY SUPERVISOR OF ELECTIONS; ESTABLISHING A POLLING PLACE FOR THE MARCH 11, 2025 ELECTION; AUTHORIZING THE PINELLAS COUNTY SUPERVISOR OF ELECTIONS TO VERIFY CANDIDATE PETITION CARDS AND FACILITATE THE ELECTION PROCESS; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

If one or more boxes are checked below, this means the City is of the view that a business impact estimate is *not* required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Development orders and development permits, as those terms are defined in Florida Statutes § 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under Florida Statutes § 163.3220-163.3243;

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

4. Additional information the governing body deems useful (if any):

**None.**

**AGENDA ITEM NO. 5 F  
CONSENT AGENDA**

**APPROVAL OF** the August 27,  
2024, City Commission Work  
Session Meeting Minutes.



**MINUTES**  
**CITY OF INDIAN ROCKS BEACH**  
**CITY COMMISSION WORK SESSION**  
**TUESDAY, AUGUST 27, 2024 @ 4:00 PM**  
**1507 BAY PALM BOULEVARD INDIAN ROCKS BEACH, FL 33785**

Mayor-Commissioner Houseberg called the meeting to order at 4:00 p.m., followed by the Pledge of Allegiance and a moment of silence.

**MEMBERS PRESENT:** Mayor-Commissioner Denise Houseberg, Commissioner John Bigelow, Commissioner Hope Wyant, Commissioner Jude Bond, and Vice-Mayor Commissioner Janet Wilson (by phone).

**OTHERS PRESENT:** City Attorney Randy Mora, Attorney Carlos Kelly, City Clerk Lorin Kornijtschuk, and Pinellas County Sheriff Officer Captain Michael Leiner.

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

**1. Introduction by City Attorney Mora of the proposed Ordinance No. 2023-02-Vacation Rental Regulations.**

City Attorney Mora clarified what was to be expected at the meeting. He emphasized that no new ordinances or regulations would be adopted. The purpose was to determine whether the commission wanted to see the proposed ordinance presented for first reading at a future meeting. He explained the city is currently facing multiple lawsuits challenging the validity of our short-term rental ordinance, which was adopted last May. These lawsuits led to a court-ordered mediation. The mediation produced a proposed settlement in the form of a revised ordinance. He explained that the commissioners are the policymakers, and the ultimate decisions about this ordinance rest with them.

To recap the timeline:

- On April 11, 2023, the commission held the first reading of the ordinance.
- By August, lawsuits challenging the ordinance began to emerge.
- The court ordered mediation on October 19, 2023.
- Mediation discussions continued into January 2024, during which Senate Bill 280 was introduced but later vetoed.
- The current proposed ordinance is the result of ongoing discussions and aims to resolve these lawsuits.

City Attorney Mora further explained that currently there are seven active lawsuits, all in federal court. They involve a range of claims, including challenges based on takings, First Amendment rights, equal protection, and procedural due process, among others. The city's potential liability includes invalidation of parts or all of the ordinance and exposure to attorney's fees and litigation costs.

If the proposed ordinance is adopted, the lawsuits would be dismissed, with no monetary settlement involved. If the ordinance is rejected, litigation may resume, and new deadlines

would need to be set. The ordinance changes include revisions to definitions, registration requirements, inspection processes, and occupancy restrictions.

The changes are intended to address the concerns raised in the lawsuits and streamline enforcement. Notably, the proposed ordinance eliminates some previous requirements and clarifies others to better align with legal standards and practical enforcement.

## **2. PUBLIC COMMENT.**

Linda Newton, 438 Harbor Drive North, stated that short-term rentals functioning as businesses in residential zones contribute to increased traffic, parking issues, and overall strain on infrastructure. She encouraged the commission to keep the ordinance.

Bill Snyder, 425 18<sup>th</sup> Ave, stated that he agrees with everything Linda Newton said, and would like to have all meetings at 6 p.m.

Patti Katz, 124 13<sup>th</sup> Ave stated excessive short-term rentals threaten the balance by disrupting the community's quality of life, safety, and stability. They contribute to the housing crisis, inflate property prices, and displace local workers, undermining the community's core values. She urged the commission to keep the ordinance in place.

Jerry Newton, 438 Harbor Drive North, stated he agreed with Ms. Newton's concerns about infrastructure. The cost of litigation is a concern, but defending residents' right to live safely should be a top priority. We should allocate funds to hire a strong attorney to protect our community.

Beth McMullen, 481 Harbor Drive South expressed disappointment with the scheduling of the workshop on the short-term rental ordinances, noting it was set at 4 p.m. on a holiday weekend, making it difficult for many residents to attend. She disagreed with the proposed increase in maximum occupancy limits from 10 to 14. She urged the commission to uphold the existing ordinance.

Don House, 2104 Beach Trail, questioned whether the proposed ordinance if adopted, would be defensible under current state law. If the ordinance is not legally sound, it could lead to further lawsuits and increase the city's exposure to liability.

Steve Van Leeuwen, 601 2<sup>nd</sup> Street stated that living by the beach naturally involves dealing with tourists, who contribute positively to the community. Some renters may negatively impact the community, many do a good job and should not be judged by a few bad examples. He stated he should be able to rent out his home if he wants to.

Kim Beer, 2003 Bayview Place suggested comparing crime rates between tourists and residents and proposed that residents should have the opportunity to vote on whether a related ordinance should be passed.

Bob Coplen, 447 20<sup>th</sup> Avenue, stated that the city faces risks related to fees and costs, but notes that such risks are not absolute. He highlighted a public safety concern related to inadequate infrastructure, noting that streets were not designed to handle current traffic and pedestrian volume. He suggested the city commission take action. He stated that it is unreasonable for public lodging hotels to be exempt from fines or license suspension for severe, repeated

violations, pointing out that professionals like cosmetologists, general contractors, accountants, doctors, and attorneys can face similar penalties for misconduct.

Kelly Cisarik, 448 Harbor Drive S. stated the importance of maintaining strong enforcement in the short-term rental ordinance, specifically the ability to suspend or revoke registrations for repeat offenders through a special magistrate. She requested that legal expenses be included in the next budget meeting to ensure the ordinance can be defended if insurance funds are exhausted. She urged that the ordinance retain the term "bedroom" to ensure proper safety standards are met.

Jennifer Riley, 10 Janice Place stated the importance of maintaining and enforcing ordinances to ensure safety and order, and that weakening these rules would harm the community. She suggested educating the renters.

John Pfanstiehl, 448 Harbor Drive S. stated there are several critical issues with proposed changes to the short-term rental regulations. He suggested that funds should be allocated to defend the regulations and hire a lobbyist for a stronger effort in Tallahassee.

Marty Krajnik, 402 Harbor Drive North, stated she is all for hiring some lobbyists.

Dave Watt, 431 Harbor Drive South stated that the root of the problem is occupancy, and the city needs to fight that problem.

Thea Wilson, 444 Harbor Drive South made a distinction between good and bad actors, suggesting that the burden should not fall solely on the residents.

Susan Bell, 717 1<sup>st</sup> Street, is worried about the enforcement of occupancy rules and feels threatened about calling the police on a rental home. She is concerned that reporting issues might lead to negative repercussions for herself.

Lan Vaughan, 301 Harbor Drive, stated to reject the mediation and stay on course.

RB Johnson, 1206 Beach Trail, acknowledges the risks of challenging the litigation but does not believe the existing ordinance is too burdensome for vacation rental owners. He feels the ordinance already addresses all the concerns of the citizens.

Laura West, 486 Harbor Drive South, stated to keep the ordinance as is, the stricter the better.

Carol Sampey, 434 Harbor Drive North, stated everyone agrees that we need to stick with the ordinance we have.

Sean Rowland, 1206 Gulf Boulevard, stated that the city needs to address the problems in a manner that is going to solve the problems. He stated that some owners and investors live in the neighborhood and are trying to do their best.

Tom Marinelli, 430 Harbor Drive North, stated the State Legislator passed the law that allowed this to happen, and his fellow citizens need to think about that the next time they go to vote.

Nancy Obarski, 708 Beach Trail, stated the commission needs to look at the risks versus the rewards.

Peter Kapralos, 114 14<sup>th</sup> Avenue, stated he was a short-term rental owner. He thanked the police for their hard work.

Richard Bower, 324 La Hacienda Drive, stated the commission should reject the revised ordinance.

**Mayor-Commissioner Houseberg closed the Public Comment.**

**1. Discussion by the City Commission of the proposed Ordinance No. 2023-02-Vacation Rental Regulations.**

Commissioner Bond stated that the city needs to carefully consider the risks before making any decisions. Stopping the discussion now would be unwise, as the city has not fully explored the topic. It is important that everyone, especially those who were not involved in creating the ordinance, understands its risks, implications, and strengths before we move forward.

Commissioner Bigelow questioned when the matter would go to court if mediation discussions ended.

Attorney Carlos Kelly responded that he did not have the answer. The case has been administratively closed. He speculated that the other side would seek to reopen the case, and the judge would provide a schedule

Commissioner Bigelow stated he rejects the new ordinance and wants to keep the original one. It is important to maintain control and prevent excessive demands. The City of Indian Rocks Beach is doing well, and the new parking charges will support various improvements.

Vice-Mayor Commissioner Wilson stated that it is not the time to abandon the ordinance, and we should go forth to see what happens. The legal ramifications were explained at the private individual meeting with the City Attorney and City Manager.

Commissioner Wyant stated he agreed with Vice-Mayor Commissioner Wilson that the legal implications were addressed during the individual meeting with the City Attorney and City Manager. She acknowledged that it was a difficult decision and recognized the efforts from both sides. She stated she has spoken with residents who are in favor of maintaining the current ordinance.

Mayor-Commissioner Houseberg stated she agreed with Commissioner Bond to further discuss the proposed amended ordinance, and that she is concerned that no amount of regulation is enough.

City Attorney Mora clarified that the majority of the commission, Bigelow, Wilson, and Wyant, has directed staff to reject the amended ordinance and resume litigation. The membership confirmed the Attorney's impression of the Commission's consensus direction.

**3. ADJOURNMENT.**

**Motion was made by Vice-Mayor Commissioner Wilson to Adjourn and seconded by Commissioner Wyant to adjourn at 6:35 p.m. unanimous approval by acclamation.**

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

\_\_\_\_\_  
**Denise Houseberg, Mayor-Commissioner**

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

**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**