



**TOWN OF REDINGTON BEACH
BOARD REGULAR MEETING AGENDA
WEDNESDAY, April 3, 2019
6:30 P.M.**

Town Hall

Assembly Hall

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. PUBLIC FORUM: Non-Agenda Items Only NOTE:** A three minute time limit applies to all comments from the public on non-agenda items only. If a person wishes to address the Board of Commissioners, please fill out a "Speakers Card" and give it to the Town Clerk prior to the start of the meeting.
- 6. REPORTS**

Public Safety	Vice Mayor Kornijtschuk
Building/Code	Commissioner Will
Public Works/Parks	Commissioner Steiermann
Finance	Commissioner Dorgan
Mayor	
Town Clerk	
Attorney Daigneault	
Boards & Committees	
- 7. CONSENT AGENDA**
 - A. Board Regular Meeting Minutes, March 20, 2019**
 - B. Bill List for Day Ending March 29, 2019**
 - C. Donate Life Month**
- 8. OLD BUSINESS**
 - A. Friendship Park Renovations- Outflow Pipe Estimate**
- 9. NEW BUSINESS**
 - A. Planning Board Appointment - Alternate**
 - B. First Reading: Ordinance 2019-01: An Ordinance of the Town of Redington Beach, Florida, Amending the Town Code of Ordinances by Amending Chapter 6 – Building and Building Regulations, Article III. – Building Code, Division 3 – Site Plan, Section 103. – Guidelines, Amending the Criteria for Impervious Surfaces; providing for severability and an effective date.**



- C. **First Reading: Ordinance 2019-02: An Ordinance of the Town of Redington Beach, Florida Amending Chapter 15 – Planning, Article IV. – Citizen Participation Process, Amending Citizen Participation Requirements and Notice Provisions; Providing for Severability and an effective date.**
- D. **Resolution 2019-04: A Resolution of the Board of Commissioners of the Town of Redington Beach, Florida, authorizing the Town to participate in the Florida Surplus Asset Fund Trust as a Member or Participant and to Become a Party to the Indenture of Trust, and Authorizing the Town to Invest Funds of the Town in and pursuant to the Trust and to Execute the instrument of Adoption Relating to the Indenture of Trust and other Necessary Documents**
- E. **Bon Fire Permit Policies**

10. OTHER BUSINESS

11. ADJOURNMENT

Note: The Town of Redington Beach Board of Commissioners meet the First and Third Wednesday of each month beginning at 6:30 p.m.

The Town of Redington Beach Board of Commissioners may take action on any matter during this meeting, including items that are not set forth within this agenda.

Minutes of the Board of Commissioners meeting may be obtained from the Town Clerk's office. The meetings may be recorded. The Minutes are not transcribed verbatim. It is the policy of the Board of Commissioners to make "action minutes" of all meetings

Persons requiring a verbatim transcript of any Town meeting (for purposes of appeal or otherwise) should make arrangements to have a certified Court Reporter, at their own cost and expense, present at the meeting.

Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose 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 based. (F.S 286.0105) **Notice Regarding Special Accommodations: (F.S. 286.26)**



TOWN OF REDINGTON BEACH, FLORIDA
BOARD REGULAR MEETING MINUTES
Wednesday, March 20, 2019
6:30 p.m.

Having been duly advertised as required by law, the **Regular Meeting** of the Board of Commissioners of the Town of Redington Beach, Florida, was held on **Wednesday, March 20, 2019, 6:30 p.m.**, in Redington Beach Town Hall at 105 164th Avenue, Redington Beach Florida.

Mayor Simons called the **Regular Meeting** to order and led the pledge of allegiance.

Roll Call

	Present	Absent
Commissioner Dorgan	X	
Commissioner Kornijtschuk	X	
Commissioner Steiermann	X	
Vice Mayor Will	X	
Mayor Simons	X	
Town Attorney Daigneault	X	
Town Clerk Clarke	X	

Oath of Office for Elected Commissioners: Attorney Daigneault administered the oath of office to Mayor Simons and Commissioners Steiermann and Kornijtschuk.

Appointment of Department Heads: Mayor Simons requested that the department heads remain the same.

Election of Vice Mayor: A motion by Commissioner Will and seconded by Commissioner Steiermann to nominate Tim Kornijtschuk as vice mayor. Motion passed with all ayes.

Agenda: Mayor Simons requested that the Final Reading of Ordinance 2019-03 be tabled until the town receives a response from the State before having the final reading. Commissioner Dorgan also requested that the FL Safe Presentation be heard after the consent agenda. A motion by Commissioner Steiermann and seconded by Vice Mayor Kornijtschuk to accept the amended agenda. Motion passed with all ayes.

Public Forum: None

Public Safety

- Nothing to Report.

Building

- Nothing to Report

Public Works

- The re-dedication of the shelter in memory of Bob Fay had a nice turnout with the Fay Family and Park Board members, past and present.

Finance

- Nothing to Report

Mayor

- Received an email from the Moore's of 15912 Gulf Boulevard regarding bonfires and would like a consensus to put on the agenda for the next meeting.

Town Clerk

- Have closed out the FEMA grant for Hurricane Irma and the town should be receiving the reimbursement shortly.

Town Attorney

- Nothing to Report

Boards and Committees

- Nothing to Report

CONSENT AGENDA

A. Board Regular Meeting Minutes, March 6, 2019

B. Bill list ending for Day ending March 15, 2019

A motion by Vice Mayor Kornijtschuk and seconded by Commissioner Dorgan to approve the consent agenda as presented. No public comment. Motion passed with all ayes.

NEW BUSINESS

- A. FL Safe Presentation:** Commissioner Dorgan noted that Morgan Stanley will no longer administer the towns investments and he had reached out to FL Safe to manage the funds. Jeff Larson, President of FL Management and Administrative Services introduced himself and noted that FL Safe works only with local governments. They have a conservative approach to investing and their rule is safety, liquidity, and yield. A motion by Commissioner Dorgan and seconded by Commissioner Will to transfer the town's investments from Morgan Stanley to Florida Safe. Roll Call Vote. Motion passed with all ayes. Mr. Larson will work with Commissioner Dorgan and staff to get the monies transferred.

	Motion	Second	Aye	Nay	Absent
Commissioner Dorgan	X		X		
Commissioner Steiermann			X		
Commissioner Will		X	X		
Vice Mayor Kornijtschuk			X		
Mayor Simons			X		

OLD BUSINESS

- A. First Reading: Ordinance 2019-04: An Ordinance of the Town of Redington Beach, Florida, Amending Chapters 1 through 3 of the Town Code Concerning the Town Administration to Remove Outdated, Preempted, or Un-enforceable Provisions and to Incorporate Current State and Federal Law requirements; making related findings, providing for codification, severability, and an effective date.** Attorney Daigneault read the Ordinance by title only. A motion by Commissioner Will and seconded by Vice Mayor Kornijtschuk to adopt Ordinance 2019-04 on its first reading. No discussion, no public comment. Motion passed with all ayes by roll call vote.

	Motion	Second	Aye	Nay	Absent
Commissioner Dorgan			X		
Commissioner Steiermann			X		
Commissioner Will	X		X		
Vice Mayor Kornijtschuk		X	X		
Mayor Simons			X		

NEW BUSINESS

- A. Resolution 2019-02: A Resolution of the Board of Commissioners of the Town of Redington Beach, Florida, Adopting the Technical Specifications for Swales and Driveways referenced in Ordinance 2018-05; Adopting a Fee Schedule as Referenced in Section 19-8 of Ordinance 2018-05; and Providing for an Effective Date.** Attorney Daigneault read the Resolution by title only. A motion by Commissioner Will and seconded by Commissioner Steiermann to adopt Resolution 2019-02. Bruce McLaughlin, Town Planner stated that this resolution is in conjunction with the ordinance the commission passed in January regarding working in the right of way and driveways. No public input. Motion passed with all ayes by roll call vote.

	Motion	Second	Aye	Nay	Absent
Commissioner Dorgan			X		
Commissioner Steiermann		X	X		
Commissioner Will	X		X		
Vice Mayor Kornijtschuk			X		
Mayor Simons			X		

- B. Building Review Services, Contract expires 3/31/2019:** Town clerk noted that the contract with SafeBuilt is set to expire at the end of the month and had reached out to Darin Cushing to get an amendment for renewal for an additional year. Darin Cushing, building official stated that this is the last amendment to the agreement. Commissioner Steiermann inquired if a third city was to join the contract, the town would receive a portion of the permit fees. Mr. Cushing said he was not aware of what was in the current contract. Town clerk will check the contract and report back to the commission. A motion by Commissioner Steiermann and seconded by Commissioner Will to accept the extension of the building review services contract to March 31, 2020. Motion passed with all ayes.

Other Business

Mayor Simons noted that the town received an additional quote for repair of the outflow pipe at Friendship Park and asked this to be placed on the next agenda.

With no further business, a motion was made by Vice Mayor Kornijtschuk and seconded by Commissioner Steiermann to adjourn. Regular meeting was adjourned at 7:10 p.m.

Adopted: , 2019

Missy Clarke, CMC, Town Clerk

Date: 03/29/2019

Time: 11:47 am

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Town of Redington Beach

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
Fund: 101 General Fund							
Dept: 512 Town Clerk							
101-512-512.310	Professional Sen TYLER TECHNOLOGIES.INC	025-253258	Fundbalance 5/1/19-4/30/20	0	04/01/2019	04/01/2019	1,030.97
							1,030.97
101-512-512.420	Postage CHASE CARD SERVICES	2019-03-07	Postage	0	03/07/2019	03/07/2019	50.00
							50.00
101-512-512.421	Stamps.com CHASE CARD SERVICES	2019-03-29	Stamps.com	0	03/29/2019	03/29/2019	17.99
							17.99
101-512-512.480	Promotion/Public ADRIANA NIEVES	2019-03-27	Big C Ice	0	03/27/2019	03/27/2019	5.55
	CHASE CARD SERVICES	2019-03-27	Big C Breakfast-Frog Pond	0	03/27/2019	03/27/2019	154.46
	MISSY CLARKE	2019-03-27	Big C breakfast expenses	0	03/27/2019	03/27/2019	65.26
							225.27
101-512-512.490	Advertising TIMES PUBLISHING COMPAN	755551	Ord 2019-03 Ad	0	03/15/2019	03/15/2019	63.20
							63.20
101-512-512.510	Office Supplies CHASE CARD SERVICES	07608G	Comp plan copies-UPS store	0	03/22/2019	03/22/2019	16.48
	WATER BOY INC	61007956	Drinking water	0	03/26/2019	03/26/2019	52.60
							69.08
101-512-512.542	Dues & Subscrip I.I.M.C.	2019-03-29	NIEVES- 2019-2020	0	03/29/2019	03/29/2019	110.00
							110.00
Total Dept. Town Clerk:							1,566.51
Dept: 521 Law Enforcement							
101-521-521.340	Law Enforcement PINELLAS COUNTY SHERIFF		April 2019	0	04/01/2019	04/01/2019	21,237.00
							21,237.00
Total Dept. Law Enforcement:							21,237.00
Dept: 572 Parks and Recreation							
101-572-572.462	Maintenance - Gr SUNDAX	71347	Bob Fay Plaque	0	03/04/2019	03/04/2019	291.00
							291.00
101-572-572.521	Twin Towers Ope FLORIDA MONUMENT	190302	3 bricks Steinmetz, Tsmirlian	0	03/22/2019	03/22/2019	78.00
							78.00
101-572-572.522	Gasoline & Oil CHASE CARD SERVICES	01822G	Diesel fuel -Speedway	0	03/20/2019	03/20/2019	34.99
	CHASE CARD SERVICES	03326G	Diesel fuel-Speedway	0	03/28/2019	03/28/2019	26.59
							61.58
101-572-572.535	Signage OSBURN ASSOCIATES INC	263197	"Resident parking only" signs	0	03/07/2019	03/07/2019	609.40
							609.40
101-572-572.599	Swim Buoys JOHN MARSHALL	2019-03-26	10 buoys	0	03/26/2019	03/26/2019	750.00
							750.00

Date: 03/29/2019

Time: 11:47 am

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Town of Redington Beach

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
Total Dept. Parks and Recreation:							1,789.98
Total Fund General Fund:							24,593.49
Fund: 300 Capital Accounts							
Dept: 539 Department of Public V							
300-539-539.630	Infrastructure						
	CPWG	19022827	Undergrounding engineering	0	03/22/2019	03/22/2019	11,020.00
	MORELLI LANDSCAPING INC	19022	Gulf Blvd beautification	0	03/18/2019	03/18/2019	2,250.00
							13,270.00
al Dept. Department of Public Works:							13,270.00
al Fund Capital Accounts:							13,270.00
Fund: 400 Storm Water							
Dept: 535 Storm Water							
400-535-535.650	Engineering Expt						
	LTA ENGINEERS, LLC	1696	FY19 TBERF Grant Services	0	03/25/2019	03/25/2019	6,649.20
							6,649.20
Total Dept. Storm Water:							6,649.20
Total Fund Storm Water:							6,649.20
Grand Total:							44,512.69

3/25/2019	8589 PAYROLL	277.05
	8590 PAYROLL	277.05
	8591 PAYROLL	381.75
	8592 PAYROLL	277.05
	8593 PAYROLL	277.05
	8594 PAYROLL	1,759.15
	8595 PAYROLL	1,309.68
	8596 PAYROLL	1,197.24
	8597 PAYROLL	1,251.86
EFT	Payroll Liabilities	3,104.56
EFT	Retirement	2,437.28
3/28/2019	8598 Testa	614.50
		13,164.22

MAYOR SIMONS

COMMISSIONER WILL

VICE MAYOR KORNIJTSCHUK

COMMISSIONER DORGAN

ATTEST:

COMMISSIONER STEIERMANN

Missy Clarke, CMC, Town Clerk

Regular Meeting of April 3, 2019

Proclamation

TOWN OF REDINGTON BEACH, FLORIDA

OFFICE OF THE MAYOR

WHEREAS, one of the most meaningful gifts that a human being can bestow upon another is the gift of life; and

WHEREAS, more than 35,500 Americans receive a lifesaving organ transplant every year; and

WHEREAS, a new patient is added to the national patient waiting list for an organ transplant every 10 minutes; and

WHEREAS, over 113,000 men, women, and children are currently on the national waiting list for organ transplantation, of which nearly 5,700 are in the West and Southwest Florida area; and

WHEREAS, an average of 22 people die every day awaiting an organ transplant that does not come in time; and

WHEREAS, one organ, tissue, and eye donor can save or enhance the lives of as many as 75 people, and

WHEREAS, everyone is a potential organ, eye, and tissue donor and can register their wish to save lives through organ and tissue donation at www.donateliflorida.org or on their driver license;

NOW, THEREFORE, I James Simons, Mayor of the Town of Redington Beach Florida, do hereby proclaim the month of April 2019 as

DONATE LIFE MONTH

In the Town of Redington Beach and encourage all residents to consider giving life through organ donation and to sign up on the Florida's organ and tissue donor registry by visiting www.donateliflorida.org or when renewing their driver license or state identification card.

James Simons, Mayor



Woodruff & Sons, Inc.

6450 - 31st Street East, Bradenton, FL 34203 (physical)
P.O. Box 10127, Bradenton, FL 34282-0127 (mailing)
Tel # 941.756.1871 ~ Fax # 941.755.1379

www.woodruffandsons.com

Proposal

To: LTA Engineers	Contact: Lynn Burnett
Address: Bradenton, FL	Phone:
	Fax:
Project Name: Town Of Redding Beach Pipe Outfall	Bid Number: P19-026
Project Location:	Bid Date: 3/14/2019

Thank you for the opportunity to quote.

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	Clean Existing 18" RCP	1.00	LS	\$2,360.63	\$2,360.63
2	Install 15" ADS & Construct Junction Box	1.00	LS	\$4,492.27	\$4,492.27

Total Bid Price: \$6,852.90

Notes:

- All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices.
- Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the proposal.
- The existing 15" RCP will be cleaned with the vac-truck
- The existing 8" PVC will be removed and a new junction box will be constructed to accommodate the new 15" ADS outfall.
- The junction box will be constructed in the field and approximately 20 lf of 15" ADS will be installed without equipment.
- Survey, layout and record drawings furnished by the owners' surveyor.
- The existing 15" RCP on the down stream side of the new junction box will be left in place.
- Woodruff & Sons, Inc. will not be responsible for identifying or handling any hazardous or contaminated material that may be encountered.
- Prices may be withdrawn by Woodruff & Sons, Inc. if not accepted within 45 days of receiving this proposal.

Payment Terms:

Payment due within 30 days of date of invoice, regardless of when payment is made by Owner.

ACCEPTED:

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Buyer: _____

Signature: _____

Date of Acceptance: _____

CONFIRMED:

Woodruff & Sons, Inc. - Proposal

Authorized Signature: _____

Estimator: Matt Anderson

(941) 756-1871 matta@woodruffandsons.com

G.A. NICHOLS COMPANY

2271 BELLEAIR RD
CLEARWATER, FL 33764
FLA LIC # CGCA 17846

(727) 561-0509
Fax (727) 561-0511
greg@ganichols.com

PROPOSAL

January 29, 2019

Missy Clarke
Town of Redington Beach
105 164th Ave
391-3875
townclerk@townofredingtonbeach.com

RE: Storm Culvert Work

WE WILL PROVIDE EQUIPMENT, LABOR AND MATERIAL TO DO THE FOLLOWING WORK:

1. STORM LINE AT CITY PARK

We will remove and haul offsite 30' of 18 x 24 ercp.
Build a concrete junction box at the end of the ercp.
The box will have a cast iron ring and cover
Run 20' of 18" hdpe outfall pipe from the box to the water

Cost for this work..... \$ 9500

2. SEAWALL ALONG 161st AVE

Wellpoint
Excavate to uncover the existing 36" rcp
Build coffer dam waterside of seawall
Install new joint of 36" rcp thru seawall
Seal opening to water tight
Backfill excavation
Sod

Cost for this work..... \$ 25,000

Conditions: We are not responsible for damage to unmarked underground lines of any type
No engineering or permitting costs included

Sincerely,

Greg Nichols
President



TOWN OF REDINGTON BEACH, FLORIDA

APPLICATION FOR APPOINTMENT TO TOWN BOARD OR TOWN COMMITTEE

NAME: Joseph Fleish
ADDRESS: 511 - 161st Ave, Redington Beach, FL 33708
HOME PHONE: _____ CELL PHONE: 248 425-8096
E-MAIL: fleishjo@gmail.com

SEEKING APPOINTMENT TO (Check Appropriate Choice):

☐ Board of Adjustment ☒ Planning Board ☐ Park Board ☐ Other (Specify) _____

EDUCATIONAL BACKGROUND:

School: Wayne St. U Location: Detroit MI Major: Finance Degree: Master's

EMPLOYMENT:

Employer: Retired Industry: _____

Address: _____ City: _____ State: _____ Zip: _____

Position: _____ How Long: _____

Employment Reference: _____ Phone: _____

Prior Employment:

Employer: _____ Industry: _____

Address: _____ City: _____ State: _____ Zip: _____

Position: _____ How Long: _____

Employment Reference: _____ Phone: _____

Why would you like to be considered as a candidate for service as noted in this Application?

to be a part of planning of future of Redington Beach

Signature

Date: 3.19.2019



FLORIDA MUNICIPAL SERVICES

18001 Gulf Blvd.
Redington Shores, FL 33708
(727) 202-6825

ADVERTISED PUBLIC HEARING

Meeting Date: April 3, 2019

Agenda Item ____

March 26, 2019

MEMORANDUM

TO: Honorable Mayor and Members, Town Board of Commissioners

FROM: Darin Cushing, CBO, CFM, Building Official
R. Bruce McLaughlin, AICP, MCIP, Town Planner

SUBJECT: Land Development Code Amendment, Impervious Surface Ratio (ISR)
Proposed Ordinance 2019-01

EXECUTIVE SUMMARY

In 2016 the Town attempted to increase the permitted ISR in residential areas from 0.40, applicable since at least 1989, to 0.65. This attempt included efforts to amend both the Comprehensive Plan and the Land Development Code, the former being invalid for procedural reasons. In November, 2018, the Town Board rescinded its effort as to the Plan and left the permitted ISR under the Plan at 0.40. A corresponding change in the LDC is required. **STAFF RECOMMENDS THAT ORDINANCE 2019-01 BE ADOPTED ON FIRST READING SUBJECT TO ANY COMMENTS THAT MAY BE MADE AT THE PUBLIC HEARING.**

BACKGROUND

Applicant	Town of Redington Beach
Affected Area	All Residential Areas in the Town

March 26, 2019

THE REQUEST

To Amend Section 6-103 of the Town Code to delete the called-out permitted ISR and to insert a cross-reference to the Town's adopted Comprehensive Plan.¹

HISTORY

Since at least 1989 and the adoption of a new Comprehensive Plan pursuant to the 1985 Growth Management Act, the permitted ISR in the Town's residential areas was 0.40. In 2016, the then Building Official recommended increasing the permitted ISR to 0.65 to be more in line with the permitted ISR in other Beach communities.

The Town attempted to implement the Building Official's recommendation through the adaption of Ordinances 2016-04 purporting to amend the ISR in the Comprehensive Plan's residential designations and 2016-08 amending Code Section 6.103. Ordinance 2016-04 never lawfully took effect because the Town was not then permitted to amend its Comprehensive Plan having failed to prepare an Evaluation and Appraisal Report, because the notice and hearing for Ordinance 2016-04 were inadequate and because Ordinance 2016.04 was never submitted to the State for approval.²

In the summer of 2018, the Planning Board, acting without a staff recommendation, recommended to the Town Board that the Comprehensive Plan Amendment attempted by Ordinance 2016-04 be readopted. By the time this proposal reached the Town Board in November, 2018:

- Staff had had the benefit of an additional three months of casual observation of the conditions in the Town, particularly through the "rainy season;"

¹ Section 6.59 of the Town Code already contains the desired cross-reference:

Permeable and pervious materials. Rocking or placement of other acceptable permeable materials on the lot area is an acceptable method of landscaping and may be used in conjunction with lot grading and swales provided permeable and pervious materials do not exceed the allowable impervious lot coverage set in the Future Land Use Element of the Adopted Comprehensive Plan after the runoff co-efficient for impervious materials are taken into consideration. Furthermore, no impermeable underlining shall be allowed. The permeable and pervious materials are required to allow for maximum on-site drainage percolation.

Section 6.59 (a)(4).

² Whether or not there were enactment issues with Ordinance 2016-08 has not been examined since the governing Comprehensive Plan policy was never lawfully amended.

March 26, 2019

- The storm surge from Hurricane Michael caused substantial street flooding, even without a rainfall event;
- A squall line that passed rapidly over the Town in the early afternoon of October 26, 2018, dropped 0.23" of rain³ on the Town and left significant areas of standing water;
- Staff, along with a highly qualified stormwater engineer, toured the entire Town on October 26, 2018, renewing our observations of the stormwater issues in the Town;
- The Town has embarked on the pursuit of flood mitigation funding from the Southwest Florida Water Management District, the Tampa Bay Estuary Program and, perhaps, the Federal Emergency Management Agency, and the success of these funding applications could be adversely affected by the increase in the permitted impervious surface ratio;
- The 2016 increase in the impervious surface ratio, beyond the status of the ISR, was clearly procedurally invalid.

Based on the foregoing, Staff's ambivalence on the topic of the appropriate impervious surface ratio was resolved and Staff then firmly recommended against increasing the impervious surface ratio above the lawfully established 0.40 ratio. This Board concurred and rescinded the effort to increase the permitted ISR to 0.65 with the result that the lawful ISR in the Town's residential areas remains 0.40.

On February 13, 2019 the Planning Board made a finding that Ordinance 2019-01 was consistent with the Town's Comprehensive Plan and recommended that the Ordinance be adopted by this Board.

NOTICE

The Clerk's Office will advise as to the notice given of this public hearing.

AUTHORITY

The proposed amendment to the Town's Land Development Code is an amendment to a land development regulation as defined by § 163.3164 (26), F.S. Pursuant to §§ 4 and 5 of the Town

March 26, 2019

Charter, the Town is governed by the Board of Commissioners which may exercise all powers available to a municipality under the Constitution and laws of the State of Florida. Those powers include preparing, adopting and amending land development regulations, including the regulation of imperious surface ratios.

COMPREHENSIVE PLAN CONSISTENCY

As discussed above, the permitted ISR in the lawfully adopted Comprehensive Plan is 0.40. Pursuant to § 163.3194, F.S., a comprehensive plan governs when it is inconsistent with a land development regulation. Therefore, the 0.40 ISR in the lawfully adopted Comprehensive Plan is the governing standard.

Nonetheless, the published (electronic and paper) Town Code contains the contradictory 0.65 ISR in § 6-103 and Comprehensive Plan cross-reference in § 6-59. Further, the Town's Comprehensive Plan is not available online. Thus, anyone doing site design based on online research is likely to design to the unlawful 0.65 ISR. This inconsistency requires a prompt amendment.

RECOMMENDATION

STAFF RECOMMENDS THAT ORDINANCE 2019-01 BE ADOPTED ON FIRST READING SUBJECT TO ANY COMMENTS THAT MAY BE MADE AT THE PUBLIC HEARING.

**TOWN OF REDINGTON BEACH
ORDINANCE NO. 2019 - 01**

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 6 - BUILDING AND BUILDING REGULATIONS, ARTICLE III. - BUILDING CODE, DIVISION 3 - SITE PLAN, SECTION 103. - GUIDELINES, AMENDING THE CRITERIA FOR IMPERVIOUS SURFACES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town of Redington Beach strives to provide uniformity between its Comprehensive Plan and its Code of Ordinances; and

WHEREAS, the Board of Commissioners of the Town of Redington Beach has amended its Comprehensive Plan at the recommendation of the Town's Planning Board to provide for a higher impervious surface ratio requirement for residential lots; and

WHEREAS, the Board of Commissioners of the Town of Redington Beach has determined that the existing provisions of Chapter 6, Buildings and Building Regulations, Article III, Building Code of the Code of Ordinances of the Town of Redington Beach, should be amended in order to maintain consistency with the Town's Comprehensive Plan; and

WHEREAS; the Florida Constitution, Municipal Home Rule Powers Act and the Charter of the Town of Redington Beach authorizes the Board of Commissioners to exercise any power for municipal purposes, except when prohibited by laws.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF REDINGTON BEACH, FLORIDA, AS FOLLOWS:

Section 1: Pursuant to the Town Charter, the Board of Commissioners has the authority to amend the Code of Ordinances.

Section 2: That Chapter 6, Buildings and Building Regulations, Article III, Building Code, Division 3, Site Plan shall be amended as follows:

Sec. 6-103. Guidelines.

The following criteria shall serve as guidelines for site plans:

(1) *Impervious surface*. Impervious surface shall not exceed ~~70~~
~~percent of a commercial lot and 65 percent of a residential lot~~ the
allowable impervious lot coverage established in the Future Land
Use Element of the Adopted Comprehensive Plan.

Section 3: That the portions of Chapter 6, Article III, Building Code not expressly altered by this Ordinance remain in full force and effect

Section 4: If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 5: This Ordinance shall become effective immediately upon final passage and adoption.

PASSED AND ADOPTED by the Board of Commissioners of the Town of Redington Beach, Pinellas County, Florida, on this ____ Day of _____ 2019.

ATTEST:

Missy Clarke, CMC Town Clerk

Nick Simons, Mayor

	Motion	Seconded	Aye	Nay	Absent
Commissioner Dorgan					
Commissioner Steiermann					
Commissioner Will					
Vice Mayor Kornijtschuk					
Mayor Simons					



FLORIDA MUNICIPAL SERVICES

18001 Gulf Blvd.
Redington Shores, FL 33708
(727) 202-6825

ADVERTISED PUBLIC HEARING

Meeting Date: April 3, 2019

Agenda Item ____

March 26, 2019

MEMORANDUM

TO: Honorable Mayor and Members, Town Board of Commissioners

FROM: Darin Cushing, CBO, CFM, Building Official
R. Bruce McLaughlin, AICP, MCIP, Town Planner

SUBJECT: Planning Code Requirements, Citizen Participation
Proposed Ordinance 2019-02

EXECUTIVE SUMMARY

Citizen participation is the linchpin of planning. However, a government's failure to strictly comply with notice and hearing requirements almost inevitably leads to a challenged ordinance being declared void. Further, recent experience has shown only a minimal response to public hearing notices. The current citizen participation requirements require both correction and clarification, and to become less onerous for the Town. The Local Planning Agency found Ordinance 2019-02 not inconsistent with the Comprehensive Plan and recommended its approval. **STAFF RECOMMENDS THAT ORDINANCE 2019-02 BE ADOPTED ON FIRST READING SUBJECT TO ANY COMMENTS THAT MAY BE MADE AT THE PUBLIC HEARING.**

BACKGROUND

Applicant	Town of Redington Beach
Affected Area	Entire Town

March 26, 2019

THE REQUEST

Staff requests that the Citizen Participation Article of the Town Code be updated and corrected and made less onerous – both financially and in terms of compliance – on the Town.

HISTORY

The Town Code's Citizen Participation Process, Chapter 15, Article IV, §§ 15-81 - 15-88 is derived entirely from the Town's 1980 Code, without any intervening amendments. Presumably the underlying ordinance(s) pre-date the 1980 Code.

Since 1980, the 1985 Growth Management Act (now styled as the "Community Planning Act"), has been adopted and then amended, with a different set of notices and procedures for the adoption of comprehensive plan amendments, and Chapter 95-310, Laws of Florida, substantially changed the enactment process for land development regulations. Further, the current Article IV has some issues, (such as a reference to a county government), and needs modernization.

On March 5, 2019, at a duly advertised public hearing, the Planning Board made a finding that Ordinance 2019-02 was not inconsistent (see below) with the Town's Comprehensive Plan and recommended that the Town Board adopt the Ordinance.

NOTICE

The Clerk's Office will advise as to the notice given of this public hearing.

AUTHORITY

Pursuant to §§ 4 and 5 of the Town Charter, the Town is governed by the Board of Commissioners which may exercise all powers available to a municipality under the Constitution and laws of the State of Florida. Those powers include preparing and adopting (via § 15-56 of the Town Code), a comprehensive plan for the Town and related land development and other, related, regulations.

The proposed amendment to the Town's Planning Code is not an amendment to a land development regulation as defined by § 163.3164 (26), F.S. However, since the amendment

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deals with notices and hearings related to comprehensive plan amendments and to land development regulation amendments, it is prudent to treat the amendment in the same fashion as a land development regulation amendment.

COMPREHENSIVE PLAN CONSISTENCY

The current Comprehensive Plan in Section 2.0¹ describes the public participation process that was being followed in the adoption of the 2008 EAR-based Comprehensive Plan Amendment. As noted in footnote 1, unlike some other comprehensive plans which include a “public participation element,” there are no policies within the Plan itself with which this amendment must be consistent. Therefore, comprehensive plan consistency is not an issue in the consideration of proposed Ordinance 2019-03.

ANALYSIS

Following is a brief analysis of the key changes in the existing Code. In addition to the specific changes discussed below, throughout the Ordinance “Town,” “Planning Board,” “Local Planning Agency,” and “Board of Commissioners” are capitalized.

All references to “meetings” and “workshops” are deleted. Beyond the “government in the sunshine” requirements for notice and the posting of agendas for all meetings of local government boards, there is no requirement for specific public notice of meetings or workshops. By suggesting that there should be a specific public notice for other than public hearings, the current code is creating a potential vulnerability to an enactment challenge.

Section 15-82 (a) is clarified.

Section 15-82 (b) is deleted since it simply reflects the ongoing legal status of the Plan and LDRs and is thus now surplusage.

Section 15-83 is amended to use a more standard reference to the Florida Statutes and to delete the reference to the Florida Administrative Code since the referenced code sections no longer contain definitions.

¹ Some comprehensive plans adopt formal Citizen (or Public) Participation Elements.” If Redington Beach had such an element, then a formal finding of consistency would be required.

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Section 15-84 (a), as presently written, arguably applies to all actions of the Town Board related to the Comprehensive Plan and to the Town's land development regulations. By adding notice requirements beyond those vigorous notice requirements mandated by state law, the current code is creating another potential vulnerability to an enactment challenge.

The proposed amendment eliminates the potential applicability of the additional notice requirements to Town Board public hearings and simply requires compliance with State law for notice of Town Board public hearings.

As set out below, the notice requirements for Planning Board public hearings are clarified and simplified. In particular, the publication requirements are reduced to one notice, and a required time range replaces the current timing requirements.

Section 15-84 (b) (1) reduces the required number of published notices from two to one.

Section 15-84 (b) (2) is a clarification of existing language and the removal of surplusage.

Section 15-84 (b) (3) amends the scheduling of the published notices based in part on the reduction of the required number of notices. Not less than seven and not more than 14 days will provide adequate public notice and will also permit the Town to take advantage of the lower advertising rates in the neighborhood section of the paper, where notice in the neighborhood section of the paper is adequate, appropriate and legally sufficient.

Section 15-84 (c) allowing individuals or groups to demand personal notice of public hearings from the Clerk's office is deleted based on Staff's analysis and conversations with the Town Attorney's office. The existing provision, while not unique, is atypical and creates potential for another enactment challenge.

Former Section 15-84 (c) is deleted as surplusage.

Sections 15-85 (b) (4) and 15-86 (b) (4) are amended by deleting the requirement that speakers on agenda items submit speakers' cards. This change is in keeping with the Town's current practice and the current practices of the Planning Board and Town Board are adequate to obtain an accurate record of public hearing participants.

Sections 15-85 (e) and 15-86 (d) are deleted both because the respective Boards have sufficient discretion to effectively run their own meetings and, as a practical matter, the likelihood of any meeting running long enough to invoke these rules is essentially non-existent.

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Section 15-86 (a) is deleted as surplusage.

Based on the foregoing analysis, proposed Ordinance 2019-02 retains a more than adequate notice/citizen participation regime while eliminating surplus requirements and significantly reducing the potential for successful enactment challenges to future comprehensive plan or land development regulation amendments.

RECOMMENDATION

STAFF RECOMMENDS THAT ORDINANCE 2019-02 BE ADOPTED ON FIRST READING SUBJECT TO ANY COMMENTS THAT MAY BE MADE AT THE PUBLIC HEARING.

1 TOWN OF REDINGTON BEACH
2 PROPOSED ORDINANCE 2019-02

3
4 AMENDING CITIZEN PARTICIPATION REQUIREMENTS
5

6 AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA,
7 AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING
8 CHAPTER 15 - PLANNING, ARTICLE IV. - CITIZEN PARTICIPATION
9 PROCESS, AMENDING CITIZEN PARTICIPATION REQUIREMENTS
10 AND NOTICE PROVISIONS; PROVIDING FOR SEVERABILITY AND
11 PROVIDING AN EFFECTIVE DATE.
12

13 WHEREAS, the Town of Redington Beach desires to have all citizens affected by
14 comprehensive planning and land development regulation proposals to have the opportunity to
15 engage in the process; and
16

17 WHEREAS, the Board of Commissioners of the Town of Redington Beach desires to
18 amend the Town's Code of Ordinances to update that process and provide for notice requirements
19 consistent with Florida Statutes; and
20

21 WHEREAS, the Board of Commissioners of the Town of Redington Beach has
22 determined that amendments to the existing provisions of Chapter 15, Planning, Article IV,
23 Citizen Participation Process of the Code of Ordinances of the Town of Redington Beach, are
24 necessary in order to accomplish same; and
25

26 WHEREAS; the Florida Constitution, Municipal Home Rule Powers Act and the Charter
27 of the Town of Redington Beach authorize the Board of Commissioners to exercise any power
28 for municipal purposes, except when prohibited by law;
29

30 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF
31 THE TOWN OF REDINGTON BEACH, FLORIDA, AS FOLLOWS:
32

33 Section 1. The foregoing whereas clauses are incorporated herein by reference and
34 made a part hereof.
35

36 Section 2: Pursuant to the Town Charter, the Board of Commissioners has the
37 authority to amend the Code of Ordinances.
38

39
40 Section 3. Chapter 15, Article IV of the Town Code is amended to read as follows:
41

ARTICLE IV. - CITIZEN PARTICIPATION PROCESS

Sec. 15-81. - Title of article.

This article shall be known as the citizen participation process ordinance for the ~~town~~ Town.

Sec. 15-82. - Intent of article.

(a) It is the intent of this article that all citizens affected by comprehensive planning and land development regulation proposals be encouraged to provide, and be afforded the opportunity for, input throughout the ~~preparation and enactment~~ process of preparing and enacting the Comprehensive Plan and land development regulations.

~~(b) It is further the intent of this article that the town comprehensive plan shall remain in full force and effect until repealed by a new comprehensive plan and a new land development code. The procedures for public participation and advertising shall be as specified in the ordinances named in this subsection until such time as the new comprehensive plan is ready for advertising and adoption.~~

~~(eb)~~ It is further the intent of this article that the procedures specified in this article apply to the formal adoption process of the comprehensive plan, amendments to the comprehensive plan, preparation of the land development code, and any amendments, including regulation of land subdivision, open space provisions, drainage and stormwater management, floodplain development, environmentally sensitive areas, signage, parking, innovative land development regulations, impact fees, consideration of the evaluation and appraisal report, and any other matters deemed appropriate by the ~~board~~ Board of Commissioners.

~~(dc)~~ It is further the intent of this article that the terms “citizen participation” and “public participation” are synonymous and apply to affected persons, substantially affected persons, and aggrieved or adversely affected parties, as defined in F.S. §§ 163.3184(1)(a), 163.3213(2)(a) and 163.3215(2), respectively.

Sec. 15-83. - Definitions,

For purposes of this article, unless specifically noted otherwise, the definitions found in Part II, Chapter 163, Florida Statutes, 2018, F.S. ch. 163, pt. II, and chapter 9J-5 of the Florida Administrative Code are hereby adopted and incorporated herein by reference.

1 Sec. 15-84. - Notices.

2
3 (a) Town Board of Commissioners Notices

4
5 All notices of hearings, meetings and/or proceedings of or before the Town Board of
6 Commissioners shall be given as required by Florida law.
7

8
9 (b) Planning Board/Local Planning Agency Public Hearings

10
11 (1) The office of town clerk will advertise public hearings that are to be held by the Planning
12 Board/Local Planning Agency twice once in a newspaper that is published at least five
13 days per week that a public hearing, ~~public meeting or public workshop, as the case may~~
14 ~~be,~~ will be held to consider any of the matters described in subsection 15-82~~(eb)~~.
15

16 (2) The advertisement ~~will include an identification of who is holding the hearing, meeting or~~
17 ~~workshop, as well as shall set forth~~ the date, time, place and general subject of the
18 hearing, ~~meeting or workshop~~ and the location where copies of materials related to the
19 proposed matter may be reviewed. The advertisement will appear in a section of the
20 newspaper other than the classified or legal sections, ~~when necessary.~~ The advertisement
21 will encourage the public to provide written or verbal comments on the matters under
22 consideration. ~~Workshops may be held without advertising provided a public~~
23 ~~announcement is made at a public meeting of the town.~~
24

25 ~~(b)(3)~~ The advertisements shall appear approximately 14 not more than 14 days and not less
26 than seven days prior to the public hearing, meeting or workshop and ~~not later than five~~
27 ~~days prior to the hearing, meeting or workshop.~~
28

29 ~~(e)(4)~~ In addition to the advertising requirements described in subsections ~~(a) and (b) (1), (2),~~
30 and (3) of this section, a notice of the hearing, ~~meeting or workshop~~ will be posted in a
31 conspicuous place at the town hall at least seven days prior to the hearing, ~~meeting or~~
32 ~~workshop.~~
33

34 ~~(d)~~ The office of town clerk will also provide a direct notice of any hearing, ~~meeting or~~
35 ~~workshop to any group, agency or government that registers with the county to receive~~
36 such notice at least 14 days prior to the hearing, ~~meeting or workshop.~~ The group, agency
37 or government receiving such notice shall be responsible to notify its membership of the
38 particulars involved.
39

40 ~~(e)~~ The office of town clerk will conform to the applicable notice requirements for adoption
41 of the comprehensive plan as described in F.S. §§ 163.3184 and 163.3187.

1 Sec. 15-85. - Hearings before HLocal ~~pPlanning~~ aAgency/Planning Board

- 2
- 3 (a) Prior to approval, adoption or enactment, as appropriate, by the ~~bBoard~~ of
- 4 ~~eCommissioners~~, of any matter listed in section 15-82, the HLocal ~~pPlanning~~ aAgency
- 5 shall hold at least one public hearing in conformance with the notice requirements
- 6 described in section 15-84. The hearing may be continued to an announced time certain
- 7 upon a majority vote. An agenda for the hearing shall be posted in or near the meeting
- 8 room.
- 9
- 10 (b) The HLocal ~~pPlanning~~ aAgency. public hearing shall afford members of the public
- 11 reasonable opportunity to present their views on any matter under consideration. The
- 12 chairperson may, at his discretion, rule out-of-order public comments he deems
- 13 repetitious or not germane to the matter under discussion.
- 14
- 15 (c) The sequence of activities regarding the matters under consideration shall be as follows:
- 16
- 17 (1) Announcement of the matter for consideration by the chairperson. Evidence that the
- 18 notice requirements of section 15-84~~(e)~~ have been met will be supplied prior to
- 19 continuing the matter.
- 20
- 21 ~~(3)~~(2) Presentation of staff reports or comments, if any, whether written or oral. Written staff
- 22 reports, if prepared, shall be provided to the HLocal ~~pPlanning~~ aAgency, applicable
- 23 agencies, and proponents ~~and any group registered pursuant to subsection 15-84(d)~~ at
- 24 least ~~seven~~ three days prior to ~~consideration~~ the public hearing.
- 25
- 26 ~~(2)~~(3) Presentation by the applicant or principal proponent of the matter.
- 27
- 28 (4) Comments from the proponents and opponents of the matter in as nearly equal
- 29 proportions as possible. ~~All speakers will be required to fill out address cards prior to~~
- 30 ~~commencement of public hearings so that an accurate record of participants can be~~
- 31 ~~maintained.~~
- 32
- 33 (5) Close of public input except for direct questions as may be initiated by a member of the
- 34 HLocal ~~pPlanning~~ aAgency.
- 35
- 36 (6) HLocal ~~pPlanning~~ aAgency. discussion, debate and recommendation by majority vote prior
- 37 to considering the next matter or adjournment.
- 38
- 39 (d) The HLocal ~~pPlanning~~ aAgency. shall transmit its recommendation on each matter decided
- 40 to the board of commissioners.
- 41

(e) ~~The local planning agency shall conclude consideration of the agenda not later than 11:00 p.m. No agenda item may be initiated after 10:30 p.m. unless agreed to by a majority vote. Agenda items not considered at the hearing will be tabled for a time certain.~~

Sec. 15-86. - Hearings before bBoard of eCommissioners.

(a) ~~Prior to transmittal of the town comprehensive plan to the state department of community affairs, the board of commissioners shall hold at least one public hearing to consider the recommendation pursuant to the notice requirements described in section 15-84. The hearing may be continued to an announced time certain upon a majority vote. An agenda for the hearing shall be posted in or near the meeting room.~~

(b)(a) The Any public hearing before the bBoard of eCommissioners shall afford members of the public reasonable opportunity to present their views on any matter under consideration. The chairperson may, at his discretion, rule out-of-order public comments he deems repetitious or not germane to the matter under discussion.

(c)(b) The sequence of activities regarding matters under consideration shall be as follows:

(1) Announcement of the matter for consideration by the chairperson.

(3)(2) Presentation of staff reports or comments, if any, whether written or oral. Written staff reports, if prepared, shall be provided to the bBoard of eCommissioners applicable agencies, and proponents ~~and any group registered pursuant to subsection 15-84(d).~~ The recommendation of the lLocal planning agency. shall also be presented in written or oral form.

(2)(3) Presentation by the applicant or principal proponent of the matter.

(4) Comments from the proponents and opponents of the matter in as nearly equal proportions as possible. ~~All speakers will be required to fill out address cards prior to commencement of a public hearing so that an accurate record of participants can be maintained.~~

(5) Close of public input except for direct questions as may be initiated by a member of the bBoard of eCommissioners .

(6) Discussion, debate and approval, adoption or enactment by the bBoard of eCommissioners, as appropriate for the specific matter, by majority vote, prior to considering the next matter, adjournment, or tabling for a time certain.

(d) ~~The board of commissioners shall conclude consideration of the agenda not later than 11:00 p.m. No agenda item may be initiated after 10:30 p.m. unless agreed to by a majority vote. Agenda items not considered at the hearing will be tabled for a time certain.~~

Sec. 15-87. - Advisory committees.

- (a) The ~~b~~Board of ~~e~~Commissioners may, from time to time, appoint advisory committees to participate in the matters listed in subsection 15-82(c).
- (b) Advisory committees ~~meeting~~ss shall be subject to the notice requirements described in section 15-84**(b)**.

Sec. 15-88. - Executive summary of comprehensive plan and land development code.

As soon as practical after adoption of the comprehensive plan and the land development code, an executive summary of each document shall be prepared and made available to the public at the cost of reproduction and handling.

PASSED AND ADOPTED by the Board of Commissioners of the Town of Redington Beach, Pinellas County, Florida, on this _____ day of _____ 2019.

ATTEST:

Missy Clarke, CMC Town Clerk

Nick Simons, Mayor

	Motion	Seconded	Aye	Nay	Absent
Commissioner Dorgan					
Commissioner Steiermann					
Commissioner Will					
Vice Mayor Kornijtschuk					
Mayor Simons					

RESOLUTION 2019-04

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF REDINGTON BEACH, FLORIDA, AUTHORIZING THE TOWN TO PARTICIPATE IN THE FLORIDA SURPLUS ASSET FUND TRUST AS A MEMBER OR PARTICIPANT AND TO BECOME A PARTY TO THE INDENTURE OF TRUST, AND AUTHORIZING THE TOWN TO INVEST FUNDS OF THE TOWN IN AND PURSUANT TO THE TRUST AND TO EXECUTE THE INSTRUMENT OF ADOPTION RELATING TO THE INDENTURE OF TRUST AND OTHER NECESSARY DOCUMENTS.

WHEREAS, the Town of Redington Beach (THE “Participant”) desires to pool its surplus public funds with other local government entities by becoming a Participant, and purchasing shares of beneficial interest, in the Florida Surplus Asset Fund Trust (“FL SAFE” or the “Trust”) a common law trust under the laws of the State of Florida, that offers both a Stable Net Asset Value Fund (SNAV) and a Variable Net Asset Fund (VNAV), and therefore approves and adopts the following resolution:

WHEREAS, Art. VIII, Sec. 2 Fla. Const., in part provides municipalities shall have governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law;

WHEREAS, Sec. 166.021, Fla. Stat., in part provides municipalities shall have the governmental, corporate and proprietary powers to enable them to conduct municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law, and further defines a municipal purpose to mean activity or power which may be exercised by the state or its political subdivisions;

WHEREAS, Sec. 218.415, Fla. Stat., authorizes units of local government to invest and reinvest public funds in excess of the amounts needed to meet current expenses in certain enumerated investments, in any other investments authorized by the municipality or county by law or by ordinance or by a school district or special district by law or by resolution, and in addition authorizes units of local government to invest and reinvest such surplus public funds in any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act, as provided in Sec. 163.01, Fla Stat.;

WHEREAS, Sec. 163.01, Fla. Stat., authorizes a political subdivision, agency, or officer of the State of Florida, including but not limited to state government, county, city, school district, single, and multi-purpose special district, single and multi-purpose public authority, metropolitan or consolidated government, a separate legal entity or administrative entity created under subsection (7) of Section 163.01, Fla Stat., or an independently elected county officer (each of the foregoing a “Local Government Entity” or “Entity”), to exercise jointly with any other Entity any power, privilege, or authority which such Entities share in common and which each might exercise separately;

WHEREAS, Sec. 163.01, Fla. Stat., further authorizes such public agencies to enter into contracts in the form of interlocal agreements to accomplish such purposes;

WHEREAS, under the terms of an Indenture of Trust dated as of July 13, 2012, as amended, relating to the Trust (the "Indenture of Trust") any Local Government Entity desiring to participate in the Trust as a member must become a party to the Indenture of Trust;

WHEREAS, it is the intent of the Participant, with other Local Government Entities, to join in an intergovernmental investment pool pursuant to Sections 163.01 and 218.415, Fla. Stat. and to enter into the Indenture of Trust for such purpose and that the Indenture of Trust will serve as an interlocal agreement under Section 163.01, Fla. Stat.

WHEREAS, the participant finds that the creation of an intergovernmental investment pool pursuant to the indenture of Trust serves a governmental purpose for the Participant and would therefore be in the best interests of the Participant, its officials, officers, and citizens I that such a program would offer diversified and professionally managed portfolios to meet investment needs, would result in the economies of scale that would create greater purchasing powers, and would thereby lower the costs traditionally associated with the investment of the assets of the Participant; and

WHEREAS, as the governing body of the Participant desires to participate in the Trust formed in accordance with the aforesaid statutes, and to purchase shares therein as provided in the Indenture of Trust, in order to pool its surplus funds with other Local Government Entities, it has passed, in accordance with applicable law the following resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF REDINGTON BEACH, FLORIDA:

That the governing body of the Participant has reviewed Article VIII, Section 2, of the Florida Constitution, Section 166.021, 125.01, 218.415, and 163.01 of the Florida Statutes, and the merits of investing in the Trust, including the Trust's liquidity, risk diversification, flexibility, convenience, and cost compared to the alternative direct purchase of comparable investments.

That the governing body of the Participant hereby expressly authorizes the Participant to participate in the Trust as a member and to become a party of the Indenture of Trust, which is adopted by reference with the same effect as if it had been set out verbatim herein. A conformed copy of the Indenture of Trust shall be filed with the minutes of the meeting at which this Resolution was approved or passed.

The Participant is hereby expressly authorized to purchase shares of beneficial interest in the Trust from time to time with available funds, and to redeem some or all of its share of beneficial interest from time to time as funds are needed for other purposes, subject to the terms and restrictions of the Indenture of Trust.

The Trustees of the Trust are designated as having official custody of the Participants funds which are invested by the purchase of shares of beneficial interest in the Trust.

DULY ADOPTED AND PROCLAIMED by the Board of Commissioners of the Town of Redington Beach, Pinellas County, Florida, on this 3rd Day of April, 2019.

ATTEST:

Missy Clarke, CMC Town Clerk

Nick Simons, Mayor

	Motion	Seconded	Aye	Nay	Absent
Commissioner Dorgan					
Commissioner Steiermann					
Commissioner Will					
Vice Mayor Kornijtschuk					
Mayor Simons					



TOWN OF REDINGTON BEACH
105 - 164th AVENUE
REDINGTON BEACH, FL 33708
PHONE: 727-391-3875 FAX: 727-397-6911
www.townofredingtonbeach.com

Bon Fire Policies

1. Bon Fire permits are issued for Redington Beach residents only.
2. No bonfires will be allowed during Turtle Season, May 1st – October 31st. All fires must be extinguished by midnight. Permit holder must adhere to the noise ordinance, which is 11pm.
3. Location of bonfires shall be exclusive to Beach Park. Residents who reside on the Gulf of Mexico are allowed to have a bonfire at their home with proper permit.
4. The bonfire cannot be within fifty (50) feet of any building. The removal or disturbance of any vegetation on the beach is prohibited.
5. **The burning of Christmas trees strictly prohibited.**
6. The applicant must contact the Madeira Beach Fire Department (727-391-3400) 24 hours prior to verify wind and weather conditions. Town Hall staff will notify the Pinellas County Sheriff's Office of all bonfire permits.
7. Clean up: The permit holder is responsible for ensuring that any and all fires are completely extinguished prior to leaving the area. The permit holder is solely responsible for ensuring that the area is left clean and clear of any and all debris.
8. The Town reserves the right to refuse a permit for failure to adhere to policy.

Procedure for obtaining a bonfire permit:

- Applications are available on our website or can be emailed to applicant upon request.
- Applicant must complete permit form and submit to Town Hall. This can be done electronically via email to info@townofredingtonbeach.com, by U.S. Mail or in person.
- After application is received by Town Hall, it is signed by a Town Official and sent electronically to the Madeira Beach Fire Department for approval. After the Fire Department Official signs the permit it is then sent electronically to both the applicant and Town Hall.
- **The approved permit must be in your possession at the time of the bonfire and be shown to authorities upon request at any point during the event.**