

INDIAN SHORES

Ph 727.595.4020 Fax 727.596.0050
19305 Gulf Boulevard, Indian Shores, FL 33785
www.myindiashores.com



TOWN COUNCIL WORKSHOP MINUTES TUESDAY, MARCH 26, 2019, BEGINS AT 3:30 P.M. INDIAN SHORES MUNICIPAL CENTER, 4TH FLOOR

The meeting convened at 3:30 p.m.

Those present: Mayor Patrick C. Soranno, Vice Mayor Diantha Schear, Councilor Mike Hackerson, Councilor Mike Petruccelli, Councilor Bill Smith, and Town Attorney Regina Kardash.

Also present: Town Administrator Bonnie Dhonau, Town Clerk Freddie Lozano, Building Official Steve Tetlak, Town Engineer Robert H. Brotherton, Fire Commissioner Larry Schear, and Citizen Art Newsome.

ITEM # AGENDA ITEM

1.0 Discussion and review of proposed Floodplain Ordinance 2018-02.

Attorney Kardash mentioned that the version of the ordinance that was handed out at the meeting contained Rebecca Quinn's comments along with her recommended changes.

Multiple public records requests were made to Miami/Dade, Hillsborough County, and the Florida Division of Emergency Management (FDEM) for correspondence letters regarding whether approval of the ordinance from FDEM is required or not. It was discovered that Miami/Dade did not go through FDEM and Ms. Quinn. They sent their proposed ordinance with their higher standards directly to the Federal Emergency Management Agency (FEMA) who approved it.

Patrick C. Soranno
Mayor

Diantha Schear
Vice Mayor

Mike Hackerson
Councilor

Michael (Mike) Petruccelli
Councilor

William F. (Bill) Smith
Councilor

Bonnie Dhonau
Town Administrator

E.D. Williams
Interim Chief of Police

Susan L. Scrogam
Director of Finance
and Personnel

Freddie G. Lozano
Town Clerk

Steve Tetlak
Building Official

Regina Kardash, Esq.
Town Attorney

Hillsborough also sent their ordinance directly to FEMA, but it was revoked. They are currently in the process of rewriting their ordinance.

She mentioned the meeting with SAFEbuilt regarding the Town's Community Rating System (CRS) rating. The Town will lose CRS points if Ms. Quinn's changes are implemented. The Town will also lose points if it does not have a revised and updated version of the flood ordinance in place before the CRS audit.

Ms. Dhonau mentioned that on FDEM's website, one of the questions on their Frequently Asked Questions page is if adopting the model ordinance is required, and the answer is no. She had a telephone conversation with Collis Brown of FEMA, Atlanta regarding additional savings the Town could have by going from a CRS rating of 6 to a 5, and the answer was \$105,000 per year for the Town residents. Mr. Brown mentioned that FEMA's last Community Assistance Visit (CAV) in 2016 showed a few items remained open, one of which is the Town's flood ordinance. She mentioned Ms. Quinn's suggestion to include mobile homes in a Town that is in a special flood hazard area. Mr. Brown confirmed that the Town does not have to adhere to the model ordinance.

Attorney Kardash would like to determine the most reasonable way to move forward prior to making any changes to the ordinance.

She referred to Section 86-63 and 86-64 in Ms. Quinn's draft regarding general standards and specific standards. These two sections are currently in the Town's code. She does not think it would hurt the Town if they are rewritten so that they reflect proper amendments.

Mayor Soranno asked Mr. Tetlak for the Town's current total points and what we need to do to get to a 5.

Ms. Dhonau did not think the points could be quantified since they were figured using the 2012 scoring system versus the 2017 manual which has a different scoring system.

Attorney Kardash reviewed the scoring system for the rest of the Council. Part of what is being looked at during the audit are those areas that could garner more points and areas that did not garner points but should have under the previous scoring system. She

mentioned Section 110-322 regarding building height restrictions that may need amending if another foot of freeboard is added.

Mr. Brotherton would like to review the final Flood Insurance Rate Maps to see if there are any negative impacts from adding the extra foot of freeboard.

Attorney Kardash noted the SAFEbuilt consultant mentioned that additional points could be garnered for every year (for up to 15 years) added to the Town's 10-year.

Ms. Dhonau interjected that one of the reasons for the workshop is to get direction from Council so that Attorney Kardash can rewrite the ordinance to a level that can be presented to Council in hopes for a for a second reading at the April 9 meeting. A second reading by April 9 positions the Town to be ready for the CRS audit which could happen within the next 90 days. With all of the information we have, she felt that we are at a point to present it to FEMA for approval with the knowledge that it does not comply strictly with the model and provide reasons why.

Attorney Kardash made everyone aware that it would go to April 9 for its first reading as it was tabled and was never approved the first time.

Ms. Dhonau proceeded to say then it would have to go through its first reading on April 9 and then schedule a Special Council meeting for its second reading.

Attorney Kardash touched on Division 7, Section 86-39 regarding variances and to have it reference Chapter 110 of the Town's code on variances. The Town will not allow variances to the Town's flood ordinance.

Conversation ensued on dry-proofing for commercial structures which would not gain CRS points but may help improve the owner's insurance rates. It will also help satisfy the variance item on the model ordinance.

Mayor Soranno mentioned that this would be a plus for commercial properties if it is added to the ordinance.

Ms. Dhonau mentioned that Mr. Brown told her one of the outstanding items from the 2016 CAV visit was to get a model ordinance that is in compliance or have a FEMA approved ordinance. She added that the Town's CRS points may be at stake if the Town does not have a FEMA approved ordinance.

Councilor Hackerson commented that it is in the interest of the Town's residents to have a FEMA approved ordinance.

Attorney Kardash stated the ordinance should be drafted and tailored to a limited scope with regards to variances.

Attorney Kardash's last point was adding the explicit prohibitions for RVs and mobile homes and the provision for no structural fill.

Mr. Brotherton would like to get a definition for the term "manufactured home." He would like to see if modular homes are considered manufactured homes. Modular homes could meet all requirements of the Town's building code. He does not want to limit the building of a home because it is built in a different manner.

Attorney Kardash will research the term's definition.

Ms. Dhonau asked if the reference to Chapter 553.36 that Mr. Tetlak provided could be added in parenthesis.

Attorney Kardash replied that can be done or the statutory definition could be included in the ordinance.

Ms. Dhonau summarized her understanding that a consensus from Council was reached to move forward and have Attorney Kardash prepare the ordinance to have it ready for its first reading at the April 9 meeting. Once passed, then proceed with working towards raising even higher standards and find ways to garner more CRS points based on SAFEbuilt's and Mr. Tetlak's recommendations.

Consensus was reached by Council to have Attorney Kardash proceed with the changes.

Mayor Soranno asked if there was any sense where the Town would be under the new scoring system.

Mr. Tetlak stated we need 150 additional points to reach a 5 based on the old system.

Ms. Dhonau added that one of the SAFEbuilt representatives didn't understand why the Town is not already at a 5 because of the Town's cumulative and freeboard.

Mayor Soranno acknowledged the work that the staff has put in to get the Town to a 5 which would result in a \$105,000 savings for the Town's residents per year.

Attorney Kardash will incorporate as many of Ms. Quinn's recommended items into the ordinance that she feels will not endanger the Town's CRS points.

Ms. Dhonau mentioned the consideration of purchasing the property at the corner that is for sale and designate it as a pocket park. It is at a repetitive loss area. The deed would state that the property is to remain a green space in perpetuity. If the Town is not already at a 5, this purchase could garner the additional points to get to 5.

Conversation ensued regarding pedestrian safety, the Town's 70th Anniversary celebration, FDOT, post St. Patrick's Festival observations, and Town activities for the Municipal 4th floor

Meeting adjourned at 4:47 p.m.

A handwritten signature in black ink, appearing to read "Freddie Lozano", written over a horizontal line.

Freddie Lozano
Town Clerk