THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE

BOARD OF COMMISSIONERS MEETING

The Board of Commissioners of the City of Madeira Beach, Florida will meet at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida to discuss the agenda items of City Business listed at the time indicated below.

6:00 P.M.	Tuesday, October 8th, 2013	AUDITORIUM

A. **CALL TO ORDER:** The meeting was called to order at 6 p.m.

B. **INVOCATION AND PLEDGE OF ALLEGIANCE:** Vice Mayor Terry Lister

C. **ROLL CALL**

MEMBERS PRESENT:	Travis Palladeno, Mayor Terry Lister, Vice-Mayor Nancy Hodges, Commissioner District 2 Elaine Poe, Commissioner District 3 Pat Shontz, Commissioner District 4
STAFF PRESENT:	Shane Crawford, City Manager (CM) Thomas Trask, City Attorney (CA) Aimee Servedio, City Clerk (CC) Dave Marsicano, Central Services Director (CSD)
STAFF ABSENT:	Vince Tenaglia, Finance Director (FD)

D. **APPROVAL OF THE MINUTES** BOC Workshop April 24th, 2012, BOC Special Meeting September 5th 2013, BOC Regular Meeting September 10, 2013, BOC Agenda Setting Meeting September 10, 2013, BOC Regular Meeting April 10, 2012, BOC Special Meeting September 23, 2013, BOC Special Meeting September 23, 2013, BOC Regular Meeting May 8, 2012.

Motion was made by Vice-Mayor Lister to approve the minutes as written and seconded by Commissioner Hodges.

ROLL CALL:

Vice Mayor Lister ....YES	Commissioner Shontz.............................YES
Commissioner Hodges...............YES	Mayor Palladeno.......................................YES
Commissioner Poe.....................YES	

E. **APPROVAL OF THE AGENDA**

Motion was made by Commissioner Hodges to approve the agenda as written and seconded by Commissioner Poe.

ROLL CALL:

Vice Mayor Lister ....YES	Commissioner Shontz.............................YES
Commissioner Hodges...............YES	Mayor Palladeno.......................................YES
Commissioner Poe.....................YES	

F. **PUBLIC COMMENT (limited to 3 minutes)**

PRESENTATIONS/PROCLAMATIONS

1. **FIRE PREVENTION WEEK PROCLAMATION**

Mayor Palladeno presented and read the Proclamation for Fire Prevention week with FC O'Neal. FC O'Neal discussed the Open House that will occur at the Fire Station on 10/9/2013.

2. **RELAY FOR LIFE OF GULF BEACHES—LAUREN HAGWOOD**

Lauren Hagwood: Thanks the Gulf Beaches Community for support and that they have raised $50,000.00 for cancer patients. The 2014 date for relay for life is 5/3/2014 on Treasure Island.

3. **DONATION OF 911 PORTRAIT—E. WALTER LEWIS**

Mayor Palladeno introduced the donation of the portrait by E. Walter Lewis. They met on St. Pete Beach and he wanted to give this to the City due to its work on the 9/11 memorial. Mr. Lewis also described the story of the painting. This is also to commemorate Steven Coakley and the Madeira Beach First Responders. He was also awarded a key to the City. In addition, he also describes his appreciation for the City and how it has positively affected his life. CM stated that it will be hung in the new Fire Department when it is built.

4. **AL CARRIER, DEUEL AND ASSOCIATES—ELEVATION CERTIFICATES & MICHELLE NEWTON, ALL LINES INSURANCE—BIGGERTS WATERS ACT 2012**

CM: This will be a presentation about the elevation certificates and how it goes together with insurance.

Michelle Newton of All Lines Insurance: The insurance carriers weren't given information from FEMA until May of 2013. It was signed in 2012, but there wasn't a change to the program until now. The stagnancy resulted in a 26-28 billion dollar debt. This is to make the debt more sustainable and pay off the debt. The debt came from Katrina and Sandy. It increases the annual rate cap from 10% to now 20% per year. There are two different rates for every policy: The basic rate (1st portion) and the 2nd rate (2nd portion). In the past they could increase both 10% each per year. Now they do 20% & 20%. Depending on how much coverage one has on the policy, it can equate to more than a 20% increase on ones premium. 10/01 of each year is when the major rate changes occur. After that date, one's agent will be able to inform the policy holder on what the rate will be. This also gets rid of the Pre-Firm Rates, Map grandfathering, artificially low rates and discounts. Pre-Firm = Pre- Flood Insurance Rate Map. The flood maps were done in this area in 1975, and if your home was built before that date, your home is considered Pre-Firm. Until now, the municipalities were able to use Pre-Firm Rates and one didn't need to get a rate certificate. This was a good thing for rates because those buildings were most likely not meeting the guidelines that FEMA desires now (Some buildings are on the ground and some are elevated). Those rates were flat and the B-W rates will based on an elevation certificate. Map grandfathering was used in two ways: if the building was in compliance...we were able to grandfather whatever zone was in effect when the building was built. Also insurance could grandfather the map whenever the owner first established coverage with the NFIP and if coverage was continued without a map, it could be covered (even if the map had changed). B-W will eradicate these considerations in phases and thus not every building is affected right now. Most insurance rates will move to reflect full-risk. Eventually, every building will be rated based on the Flood Map and elevation which is reviewed by ones insurance agent. FEMA will be sending out forms to determine if the home is a primary or secondary property. If it is a secondary residence, rates will increase 25% per year until it reaches the full-risk rate. The condo association unit will be excluded but the owner will not because it will be looked at as a single-family residence. 10/01 2013 will commence the mandatory 5% surcharge for a reserve fund (This is to help for future claims and not to pay off the debt). Those who will be receiving a 25% increase will not get the additional 5%. B-W is a federal law, passed in congress, and was signed by President Obama. It is not a mandate from individual lenders. The Senate could delay this for 1 year in order to figure out a less-intrusive method than this act. Mississippi has sued FEMA for this act, but it is useless because they have no control over it their hands are tied because it is a law. RL buildings = Repetitive Loss and the policy is directly with FEMA and the policy number starts with RL. Those as well as business, commercial, and non-residential will be charged 25% increase per year until it gets to the full-risk rate. These properties will be solicited for elevation certificates. Severe Repetitive loss is for a Condo Association with less than 4 units. Any new policy purchased after 7/6/2012 is the area with the biggest increases. Anecdotal evidence of a first time purchaser of a policy that cost $800 per year now costs $5800 per year. Other people bought policies with the highest deductable possible and only $150,000 of coverage cost $1,200 a year ago and now it's close to $4,000. This applies to any new policy purchased after B-W was signed (7/6/2012). This goes to if someone purchased a home, bought a new policy, or took over the policy from the previous owner, or lapsed policy of 10/4/12. A letter of non-renewal will be sent unless they get an elevation certificate. There will be no phasing in. Effective 10/01/14 (end of grandfathered rates and calls for a more risk-based rate system when a community adopts a FIRM)...If you live in a community where the FIRM is adopted, your rates will increase 25% per year for 5 years. It is only 5 years because that is how long Congress re-approved the NFIP for (it could be longer later or until you reach that full-risk rate). The maps that were last done in Pinellas County was done in 2005 and will not be redone until 2015. Those will not go into effect until 2016-2017. For example, if a new map comes out and shows that your building is in a more hazardous zone that the previous map showed, in 2016-2017 your rate will increase 20-25% per year until you reach that full risk rate. It works conversely if your map shows that your structure is in a less risky area (premiums will decrease). There is a possibility that congress does something to make this less severe before then.

Commissioner Hodges: Since elevation doesn't change, will that have to be looked into again. Ms. Newton said no because in the 1980's, elevation was measured by a benchmark. Now they are done with GPS and is more accurate. The information from that previous certificate can be coupled with the current flood map and use it.

Depending on the date of construction and what was done in regards to renovations (including major ones), there is a percentage that date of constriction can be moved to say that it was later. The date of construction isn't the issue, it's more of the elevation

CM: This is bad. Pinellas County finally saw property values increase and he thinks this could stall the market and put the area in a semi-economic downturn. Ms. Newton agrees. She has not seen anything of this magnitude (been in the Flood Insurance business for 14 years). Taking away discounts for a Community Rating System from properties will negative elevations. They used to get a 20% discount on their rate and that was taken away. That was an intense change. Initially carriers were told that this would affect a small percentage of people and they were wrong about that. "In theory it's a good idea for a program that is in major debt and is still paying Sandy claims". The building should be rated based on the risk that is present today and not 20 years ago. This wasn't accurately forecasted and its effects on an insurance policy level. She thinks they might have to scale it back and the increase of rate overnight really hurts the housing market. CM: This really hurts the seniors who live on a fixed income and B-W will be impossible to pay as well as impossible to sell without foreclosure or bankruptcy. Having a house that has never flooded doesn't matter. "Since it's a federal program, the underwriting is very generalized. They don't look at statement of losses at all. They look at the flood map, elevation, what type of building, and how it is built".

- One solution is to do a one-time property tax of $300 for every home in the US and that would take care of the debt.

On hurricane insurance, insurance carriers have a 1% - 3% deductible rather than a fixed rate. It doesn't make sense to have flood insurance when it is such a risky type of loss at a flat rate. It doesn't deter people from preventing the loss with (for example) a $1,000 deductible. If you have to pay 3% of your building value, then you will make it more sustainable to flood. Her idea is to require flood insurance similar to requiring home insurance. If you are in a lower risk zone, your insurance is less. She wants Pre-Firm rates and map grandfathering, but if every home had to have flood insurance, it would make it much easier. There are other solutions out there. Most likely, representatives did know the magnitude or even read it because it was included in a 600 page bill for Transportation Safety. CM: Its not fair for the people who have never flooded to have to foot the bill for people who have flooded 10-15 times. RL categories have to show their Elevation Certificate sooner than people who are not in that category. There is no differentiation between the losses policy. If everyone had flood insurance, FEMA wouldn't be paying disaster assistance to the 80% of the people who didn't have flood insurance in Sandy & Katrina. These people would have been paying into the program. She hopes that when this is discussed in DC, everyone from the sector is present. Insurance professionals, FEMA, get quote examples. This has affected people throughout the country (everyone who is insured under the NFIP). There have been similar outcries in other states, but in Florida there is a lot of coast and a lot of older homes. Rep. Maxine Waters, (D.-Calif.), co-authored along with Rep. Judy Biggert, (R-Ill.).

Owner of a Tri-Plex: He cannot increase his rent enough to offset the cost of this insurance hike. What are his options? Pay it off himself and have no money to live on because he is retired or give it bank to the back and make them pay the insurance. This would cause renters to leave the area.

For those who have mortgages, flood insurance is required. If it is in-escrow, the money is taken out automatically. If it isn't → you get that bill → do not pay = the insurance company will contact you and impose "force place coverage" upon you. She isn't sure what the force rates are, but in the past they were always more expensive and she doesn't know if they have been adjusted for B-W. "If I got the $6000-$10000 bill, I would contact my mortgage company and ask how much the force place coverage is". If it's going to be less than that, I might take the force place. Force place only protects the lenders interests and not the homeowners. That is the worst solution to a problem that currently doesn't have a clear solution. That essentially leaves you without flood insurance.

She specializes in Condo Associations and if there are two subsidies: Grandfathering the Zone and Pre-Firm. If there is a lapse in coverage, risk dramatically increases and the rates will skyrocket due to the different zoning that will occur due to the new eradication of the zoning grandfather subsidizes. Thus if bills that require 2.5-5 million dollars in premiums, people will not pay the bill → no money will be received to pay back the debt → the fund will fall further into debt.

"When the map changes for a Pre-FIRM building, will the Pre-FIRM rate change at the same time"? No
"When will renewal Pre-FIRM policies be elevation rated"? After 10/01/14, but most likely not until 2015.

Timeline = 7/6/2013 – Biggert-Waters was signed and increased the rate capped from 10-20% → 1/1/2013 – Determining the Pre-Firm annual rate increases (25%) for secondary residences and requiring elevation certificates (DELAYED) → 10/1/13 – Pre-FIRM repetitive loss properties with less than 5 units & Pre-FIRM business properties have to get elevation certificates and get a 15% annual rate increase until it will reflect the full risk rate → Brand new polices after 7/6/2012 will reflect the full risk rate → All polices will have a 5% surcharge to create a reserve fund. → 10/01/15- properties located in areas where map changes occurred after B-W was signed will have a 20% annual rate (not Pinellas County). → 10/1/15 - All other Pre-Firm properties will be asked to get elevation certificates and they will get a 20% annual rate increase until that reflects the full-risk rate.

Good news for Pinellas County = 1) The Map isn't changing until 2016-2017 and there will most likely be some sort of change before then. 2) Other Pre-Firm properties (if you aren't selling your home) will not be affected until 2015 or after (buying time to make changes). She says to get the highest deductible you can but that won't make a huge dent in a $10,000 premium.

Mayor recommends that all citizens talk to the FL senators because it has been passed in the house, but it still needs to be approved in the senate. Also other states can help this as well because all votes count.

CM: Ms. Newton has an open forum at any time to come in. The City has been getting frantic calls daily and a good answer isn't available for them. Her presentation is posted on the website.

Resident; "Our house is at -6 elevation and I was looking at the FEMA Map. It says that we will owe $13,000-15,000 per year. Is that the rate for our house in 2015?" She said it could be due to the elevation. Anything higher than 4 feet doesn't matter, but the lower the elevation (-4, 5, 6) the higher the rate. Right now its 20% of the current rate increase annually until it hits the full-risk rate. That doesn't start until 2015 or 2016 for primary residences.

Steve Kochick: "What happens with properties with 5 or more units?" They will be treated as a secondary residence or business and will be subject to a 25% increase due to the general underwriting practices.

Al Carrier, Deuel and Associates: He showed a blank copy of an elevation certificate and FEMA fact sheet. The primary purpose of this form is to document (developed by FEMA) elevation and other machinery items in your home. This is to be used by building officials and when your home is completed, it is to determine if your home is above base flood elevation for whatever the municipal code stipulates. The City's Municipal code is 1 foot above sea level for base flood which is a high standard that helps with Madeira Beach's Community Rating System. He went through the form and how to fill it out. GPS is now required in order to figure out where a home is if it was destroyed. Base flood elevation is the most important number on the form (that is determined by the flood maps). Most homes in Madeira Beach are Pre-Firm homes with an attached garage. Floor elevation of the garage, floor elevation of the home itself, and machinery (A/C, water softener, hot water tanks, central vacuum, and not pool pumps). B9 is an important section on the form and the lowest machinery or finished floor elevation. Hopefully machinery is above the finished floor elevation, but you are rated on the lowest elevation. Landscaping build up of dirt near the house skews the elevation. That is easily fixed, but needs to occur. Section D needs an original signature and a seal. PLEASE KEEP AN ORIGINAL. Photos of the property are required as well as comments by the company doing the elevation certificate. Shop around to get a good price...D&A is $350. Make sure they are a reputable name and that they have liability insurance. The type of house/property matters as well. The City is rated as high it can (it's at 20% and is shooting for 25%)

G. CONSENT AGENDA

1. **DECLARATION OF SURPLUS**
   Consent authorizes a 2006 Road master trailer to be declared surplus and sold at GovDeals.com.
2. **SPECIAL EVENT**
   Special Event for 17th Annual Veterans Boat Parade on November 9, 2013 sponsored by American Legion Post #273, and to consider one day alcoholic beverage permit to sell and consume alcoholic beverages outside on premises of the American Legion property during the Veterans Boat Parade.

Motion was made by Commissioner Shontz to approve the consent agenda as written and seconded by Vice-Mayor Lister.

CSD: This is the rest room trailer and it was temporary while working at the City Marina and we have exhausted it use.

Commander of American Legion: This is a request for an open date at the American Legion to allow its non-members to come in for the veteran boat parade on 11/9. 12/7 is Pearl Harbor recognition date 3/17 for St. Patrick's Day. He mentioned other organizations they recognize.

ROLL CALL:

Vice Mayor Lister ....YES
Commissioner Hodges...............YES
Commissioner Poe.....................YES
Commissioner Shontz...................................YES
Mayor Palladeno...YES

H. **UNFINISHED BUSINESS**

1. **CONTRACT APPROVAL**
Library Service Contract Approval

CM: This contract is budgeted to the penny.

Motion was made by Commissioner Poe to approve the Library Service Contract as written and seconded by Vice-Mayor Lister.

ROLL CALL:

Vice Mayor Lister ....YES	Commissioner Shontz.............................YES
Commissioner Hodges...............YES	Mayor Palladeno.......................................YES
Commissioner Poe....................YES	

2. **CONTRACT APPROVAL**
Christmas Decoration Contract Approval

CM: This is what spurred the purchasing topic for the next workshop. This is a re-vamped proposal and this is piggy-backing off what T.I. & St. Pete Beach has done. In the past, Madeira Beach has received complaints regarding their Christmas Ornaments. The administration has met and has come to the conclusion that the City should spend a little more than it usually does to make it look special. The City will take 5,000 from the 7/4 budget and put to this. The light poles and some trees will be wrapped with green and red streamers and garland. He wants to upgrade from last year and the ornaments will be "classier" than last year. This contract doesn't lock the City into a 3 year agreement. It is a very expensive endeavor for a City to decorate itself on its own so he thinks that staying with this vendor is a good idea. The City will most likely stay with this vendor. The City rents the decorations and they don't own anything.

Commissioner Shontz is looking forward to the final project and hopefully they will stay lit and intact. CM: The palms will be wrapped and Matt Powers said that there will be a push for everyone to light up their buildings nicely.

Motion was made by Commissioner Shontz to approve the Christmas Decoration Contract as written and seconded by Vice-Mayor Lister.

ROLL CALL:

Vice Mayor Lister ....YES	Commissioner Shontz.............................YES
Commissioner Hodges...............YES	Mayor Palladeno.......................................YES
Commissioner Poe....................YES	

I. **NEW BUSINESS**

1. **CONTRACT FOR CONDUCTING MUNICIPAL ELECTION**

Motion was made by Vice-Mayor Lister to Contract for Conducting a Municipal Election as written and seconded by Commissioner Shontz.

V-M Lister: There was previous discussion to have it coincide with the State Election in order to save money, but that never materialized. The election costs around $15,000-$20,000. CM said that this conversation could be started again in the future.

ROLL CALL:

Vice Mayor Lister ....YES	Commissioner Shontz.............................YES
Commissioner Hodges...............YES	Mayor Palladeno.......................................YES
Commissioner Poe....................YES	

2. **INTERLOCAL AGREEMENT BETWEEN PINELLAS COUNTY AND ITS NPDES COUNTY PERMITEES FOR THE IMPLEMENTATION AND OPERATION OF SURFACE WATER QUALITY AND BIOLOGICAL MONITORING PROGRAM**

Motion was made by Vice-Mayor Lister to approve the Interlocal agreement between Pinellas County and its NPDES County permitees for the implementation and operation of surface water quality and biological monitoring program as written and seconded by Commissioner Shontz.

CM: This is a routine upkeep of a program that has been going on for many years.

ROLL CALL:

Vice Mayor Lister ....YES	Commissioner Shontz..............................YES
Commissioner Hodges...............YES	Mayor Palladeno...YES
Commissioner Poe....................YES	

3. **RESOLUTION 2013-50**
A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CITY OF MADEIRA BEACH FEES AND COLLECTION PROCEDURE MANUAL; AMENDING ARTICLE I (CITY CLERK'S OFFICE) TO DELETE REFERENCE TO COSTS ASSOCIATED WITH COPYING SPECIFIC DOCUMENTS IN ORDER TO PROVIDE FOR FEES THAT REPRESENT ACTUAL COSTS; AMENDING ARTICLE III (COMMUNITY DEVELOPMENT) BY ADDING FEES FOR DOG DINING PERMIT APPLICATIONS, ZONING VERIFICATION LETTERS, FEMA VERIFICATION LETTERS, ZONING/LAND DEVELOPMENT REGULATION INTERPRETATIONS, FEMA/FLOODPLAIN ORDINANCE INTERPRETATIONS, AND UNADDRESSED RESEARCH REQUESTS; AMENDING ARTICLE IV (PARKING PERMITS) BY ADDING 129TH AVENUE WEST AND GULF BOULEVARD AND JOHNS PASS PARK, AND REVISING THE FEES; AMENDING ARTICLE V (FIRE DEPARTMENT) BY COMBINING LOCAL BUSINESS TAX RECEIPT INSPECTIONS WITH FIRE INSPECTION, ADDING FEES FOR CPR CLASSES AND FIRE ENGINE RENTAL FOR FIRE SYSTEM TESTING AND/OR CERTIFICATION; AMENDING ARTICLE VII TO ADD FEES FOR SMALL BOAT TRANSIENT WET SLIPS AND MONTHLY TRANSIENT DRY STORAGE AND INCREASING THE MONTHLY FEE FOR DRY STORAGE; BY PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR DISTRIBUTION; AND PROVIDING FOR AN EFFECTIVE DATE

CA: Read by Title Only.

Motion was made by Commissioner Shontz to pass Resolution 2013-50 on its first reading as written and seconded by Commissioner Poe.

CM: The fee for hourly parking is in its own meeting so that will be amended. There will be a series of special meetings coming up to discuss some new developments – especially the CVS development.

ROLL CALL:

Vice Mayor Lister ....YES	Commissioner Shontz..............................YES
Commissioner Hodges...............YES	Mayor Palladeno...YES
Commissioner Poe....................YES	

J. REPORTS/CORRESPONDENCE

- **CITY COMMISSION**

V-M Lister mention the LED Street lights that are being discussed by Rep. Peters. Mayor Palladeno mentioned that this was the best presentation that has occurred on Biggert-Waters and that has been the main focus of the Big-C.

- **CITY ATTORNEY**
- **CITY MANAGER**

CM: CSD Marscicano is back part-time this week and full-time next week. Lots of people have had medical issues and everyone is being attended to. The Leverocks Building is basically gone and that is a good thing. CM has been spending time from the builders' team and one of the members includes Dave Healy. Since he is involved, something will be happening but the plan is not solidified. The town's street sweeping will be occurring on 10/14. He did allow for free parking at Johns Pass on 11/9 due to an event. There have been a lot of events in the Pass (every other weekend) and they deserve some concessions during the down-turn of the season. The City did not lose the restaurant! The City is in the best possible situation regarding the Bond. The debt service payment will remain at $300,000.00 and the City will be able to borrow a little bit more in order to be able to do other projects while that money is tied up in the City Hall. There will be a bond closing in the week 10/22. There will be a lot of construction in town in addition to municipal projects.

- **CITY CLERK**

K. ADJOURNMENT: The Meeting was adjourned at 7:39 p.m.

Date Approved: 11-5-13

Travis Palladeno, Mayor

Submitted by Aimee Servedio, City Clerk

The law does not require the City Clerk to transcribe verbatim minutes; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation in order to participate in this meeting should call 727-391-9951 or fax a written request to 727-399-1131.

POSTED: October 4, 2013 **THIS MEETING IS TELEVISED LIVE ON CHANNEL 615**