

**BOARD OF COMMISSIONERS  
TOWN OF REDINGTON SHORES  
REGULAR MEETING  
WEDNESDAY, NOVEMBER 8, 2023 - 6:00 P.M.  
AGENDA**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CONSENT AGENDA**

1. APPROVAL OF MINUTES – Regular Meeting October 11, Workshop Meeting October 25, Special Meeting October 27, Special Meeting November 2.

**APPEARANCES AND PRESENTATIONS**

1. Chief Belk, Madeira Beach Fire- Public Safety Update

**OLD BUSINESS**

1. Second Reading of Ordinance 23-14; Repealing Ordinance 23-10 as Inconsistent with the Town Comprehensive Plan.

**NEW BUSINESS**

1. Appointment of Margaret Carey as Town Clerk for the Town of Redington Shores.
2. 30-60-90-Day Plan Status Update: As Submitted by the Town Administrator.
3. First Reading of Ordinance 23-13; Creating Article III of Chapter 56 of the Town Code Related to Shark Fishing.
4. Seminole Fire Department Written Operational Report.
5. Library Update

**MISCELLANEOUS**

Workshop Meeting- Wednesday, November 29, 2023 – 6:00 P.M.

Regular Meeting- Wednesday, December 13, 2023 – 6:00 P.M.

**COMMISSION REPORTS**

- (1) Mayor Commissioner Henderson
- (2) Vice Mayor Commissioner Hendrickson, District No 3
- (3) Commissioner Blackburn, District No 1
- (4) Commissioner Herig, District No 2
- (5) Commissioner Licata, Commissioner District No 4
- (6) Town Attorney
- (7) Town Administrator

**PUBLIC COMMENTS** (Items not previously discussed on this Agenda)

**ADJOURNMENT**

Pursuant to Florida Statutes § 286.0105, if any person or entity decides to appeal any decision made on any matter considered at any meeting or hearing of any Redington Shores board or commission, he, she or it will need a record of the proceedings and, for such purpose, he, she or it may need to ensure that a verbatim record of the proceedings is made, which record includes the legal arguments, testimony, and evidence upon which the appeal is to be based.

**BOARD OF COMMISSIONERS  
TOWN OF REDINGTON SHORES  
REGULAR MEETING MINUTES  
WEDNESDAY, October 11, 2023 - 6:00 P.M.**

**Call to Order:** 6:00 P.M. Pledge of Allegiance.

**Attendance:** Mayor Commissioner Henderson, Vice Mayor Commissioner Hendrickson, Commissioner Blackburn, Commissioner Herig, Commissioner Licata, Administrator McGlothlin, Attorney Robert Eschenfelder.  
Quorum present.

**Consent Agenda**

1. APPROVAL OF MINUTES – Regular Meeting September 13, Second Budget Hearing September 20, Special Meeting September 21, Workshop Meeting September 27  
Commissioner Herig motion to approve the Consent Agenda. Vice Mayor Commissioner Hendrickson 2<sup>nd</sup>.  
No Commission discussion. No Public Comment.  
Vote taken: All Yay.

**APPEARANCES AND PRESENTATIONS:**

1. Raul Perez, Madeira Beach Fire Inspector Public Safety Update- Mr. Perez gave update with September statistics, update on hiring process of Seminole Fire and a lift station/ EMS station update.
2. Chief Rick Swann, Indian Shores Police Department- Spoke on the Indian Shores Police Departments coin sales/ No Shave November event for their holiday fundraisers, updated the Commission on recent purchases for police vehicles, spoke on aftermath of Hurricane Idalia and gave the Commissioners an idea to have a Hurricane workshop in the coming months.

**OLD BUSINESS**

1. Building Official Review of the Land Development Code- Vincent LaPorta, Redington Shores Building Official, spoke. Mr. LaPorta asked the Commission if they had any specific questions regarding the LDC. Commissioner Herig spoke to Sec. 90-159 (k). Mr. LaPorta spoke on his interpretation of a “Retaining Wall”. The Commission discussed. The Commission discussed fencing requirements. Mr. LaPorta discussed the definitions section, administration section, and the fee schedule. Mr. LaPorta spoke on Sec. 90-78 regarding appeals and stated that disputes typically go before the Board of Adjustment Appeals. Mr. LaPorta spoke on substantial improvements and one year accumulation in Sec. 90-83. Mr. LaPorta then spoke on the above ground tanks and the lack of engineering requirements set forth in Sec. 90-110. No Commission discussion. No Public Comment.
2. Second Reading Ordinance 23-11; Creating § 63-67 of the Town Code (Regarding Erosion Control)- Attorney Eschenfelder read Ordinance 23-11 by title. Commissioner Herig motioned to adopt Ordinance 23-11. Commissioner Blackburn 2<sup>nd</sup>. No Commission discussion. No public comment.  
Vote taken: All yay.
3. Second Reading Ordinance 23-12; Amending § 101-1 and § 101-2 of the Town Code to Revise Days on Which Certain Noise Creation is Prohibited- Attorney Eschenfelder read Ordinance 23-12 by title. Commissioner Blackburn Motioned to adopt Ordinance 23-12. Vice Mayor Commissioner Hendrickson 2<sup>nd</sup>. No Commission discussion. No public comment.  
Vote taken: All yay.

4. Redington Walk FINAL Plat Tax Parcel ID# 32-30-15-74008-000-4000- Luis Serna, Calvin, Giordano, and Assoc., spoke on the Plat before the Commission and the Platting process. Mr. Serna gave his recommendation to approve without conditions. Commissioner Herig asked what the two conditions were. Luis stated that one condition was that the surveyor asked that the name and title of the applicant be added to the plat and that he receives a copy of the signature before the plat is approved. Attorney Eschenfelder spoke on his review of the plat and stated that municipalities normally sign after signatures from other parties. Attorney Eschenfelder recommended approval pending signatures from the surveyor. Commissioner Herig asked the applicant a question regarding the plan for driveways on the property.  
Public Comment:  
-Matt Iden- 2103 Bayshore Blvd., Tampa, FL- spoke on maintaining a minimum of three driveways per FDOT Regulations.  
Commissioner Blackburn motioned to approve the Final Plat. Vice Mayor Commissioner Hendrickson 2<sup>nd</sup>.  
Vote taken: All yay.

## **NEW BUSINESS**

1. Resolution 09-23; Confirming No Ownership of Property Suitable for Affordable Housing- Attorney Eschenfelder read the resolution by title and explained the Live Local Act. Commissioner Licata motioned to adopt Resolution 09-23. Commissioner Blackburn 2<sup>nd</sup>. No Commission discussion. No public comment.  
Vote taken: All yay.
2. Ratification of Vehicle Purchase for the Town's Public Works Department- Administrator McGlothlin spoke on the purchase and informed the Commission that a \$9,300 budget adjustment was needed. Administrator McGlothlin stated that running boards for the vehicle were provided by Chief Swann and the Indian Shores Police Department.  
Commissioner Blackburn motioned to ratify the letter of intent in the amount of \$49,268.07. Vice Mayor Commissioner Hendrickson 2<sup>nd</sup>. No Commission discussion. No public comment.  
Vote taken: All yay.
3. ParkMobile Parking Agreement Update- Administrator McGlothlin gave an update on the parking agreement and stated that the town has received a draft contract from ParkMobile and has forwarded it to Attorney Eschenfelder. Administrator McGlothlin stated that he hopes to have this contract finalized by the next Regular Commission Meeting.
4. Redington Shores Building Official Position Review- Administrator McGlothlin discussed the Draft Building Official job description and position announcement. Commissioner Blackburn asked if the town was still planning on sharing the Building Official with the Town of Redington Beach. Administrator McGlothlin stated that once the position description is finalized, then the towns would come to an agreement. Commissioner Blackburn stated that she hopes Redington Beach would share the cost in the employees' benefits. Attorney Eschenfelder spoke. The Commission discussed. Vice Mayor Commissioner Hendrickson asked about liability with this new employee if he is shared between the two towns. Attorney Eschenfelder stated that it would be decided in an interlocal agreement. The Commission instructed Attorney Eschenfelder to draft an interlocal agreement once the Administrator speaks with the Redington Beach Mayor.
5. Town Clerk Hiring Status Update- Administrator McGlothlin stated that the new Town Clerk's start date is Monday, November 13, 2023. He informed the Commission that there were no flags in the background check and Ms. Carey stated that she is available for phone/ video conferences with any Commissioner before her arrival.

## **MISCELLANEOUS**

Workshop Meeting- Wednesday, October 25, 2023 – 6:00 P.M.  
Regular Meeting- Wednesday, November 8, 2023 – 6:00 P.M.

## **COMMISSION REPORTS**

**Mayor Commissioner Henderson** – Thanked the Parks and Recreation Committee for their picnic efforts.

**Vice Mayor Commissioner Hendrickson, District 3** – Thank you to Administrator McGlothlin for his efforts so far.

**Commissioner Blackburn, District 1** – None.

**Commissioner Herig, District 2** – The tree trimming project is complete- invasives from the County Parking Lot are gone. The next steps are for Administrator McGlothlin to speak with Pinellas County on the dead beachfront oak tree on the north end of Del Bello Park. Commissioner Herig spoke on Seminole Fire and their lack of communication with the town. Commissioner Herig spoke on arrival times for Commissioners at the Town Picnic. Commissioner Herig asked that the Town Clerk include public comments in the meeting minutes.

**Commissioner Licata, District 4** – Commissioner Licata praised Administrator McGlothlin's attentiveness and spoke on the Indian Shores Shark Ban that was finalized and asked for that item to be placed on the Workshop Agenda for 10-25-2023.

**Town Attorney** – None

**Town Administrator** – Administrator McGlothlin gave an update on permit statistics from September and spoke on the current town banking services. Administrator McGlothlin stated that the town needs to find a new institution. The Commission reached consensus for Administrator to explore new options.

### **PUBLIC COMMENTS** (Items not previously discussed on this Agenda)

- Bill Blackburn- 17717 Gulf Blvd., Redington Shores- Spoke on the different needs from our future shared Building Official with Redington Beach.

Commission discussion. Commissioner Blackburn raised questions on the Land Development Code. Attorney Eschenfelder spoke on the Town's Building Official's analysis. Attorney Eschenfelder recommended that the Land Development Code go to the Planning and Zoning Board.

Commissioner Herig asked for consensus for public comments to be recorded. Commissioner Blackburn spoke. Administrator McGlothlin spoke and stated that he would work with the Interim Clerk and new Town Clerk on minute taking.

**ADJOURNMENT:** 7:18 P.M.

Respectfully submitted,

*Jolie Patterson*

Jolie Patterson  
Interim Town Clerk

**WORKSHOP MEETING  
BOARD OF COMMISSIONERS  
TOWN OF REDINGTON SHORES  
WEDNESDAY, OCTOBER 25, 2023 – 6:00 P.M.  
MINUTES**

**Call to Order:** 6:00 P.M. Pledge of Allegiance

**Attendance:** Mayor Commissioner Henderson, Vice Mayor Commissioner Hendrickson, Commissioner Blackburn, Commissioner Herig, Commissioner Licata, Attorney Eschenfelder, Administrator McGlothlin. Quorum present.

**APPEARANCES AND PRESENTATIONS**

**OLD BUSINESS**

1. Website Posting Policy/ Social Media Policy Update- Administrator McGlothlin thanked Attorney Eschenfelder for the draft policy he provided and recommended that the Commission approve the policy for implementation. Commission consensus for Town Administrator to implement the policy.
2. Citizen Communication App- Administrator McGlothlin narrowed the app search town to GoGov and Civic Plus. Administrator McGlothlin stated that these two apps had similar adaptable modules, but he prefers GoGov citizen notification due to the fact that Civic Plus is more emergency management focused. Administrator McGlothlin stated that he did like the SeeClickFix module on the Civic Plus app. Administrator McGlothlin stated that the next step would be to schedule a demo from the app. Administrator McGlothlin encouraged the Commissioners to participate in the demo. Commissioner Blackburn suggested a special workshop for the demo. Commissioner Herig asked about the app's texting abilities. Administrator McGlothlin stated that both apps have the capability to text. Commissioner Herig asked to be involved/ requested citizen participation. Attorney Eschenfelder stated that a special workshop isn't necessary if there is no communication between the Commissioners.  
Action Item: Administrator McGlothlin to schedule a demonstration for the communication apps.  
Person Responsible: Administrator McGlothlin.
3. Building Official Position Update- Administrator McGlothlin provided an update on the item and stated that Mayor Will will provide volume, fee schedules, and profits from Redington Beaches' building department. Administrator McGlothlin stated that he wants to make sure that the volume is manageable to share a building official between the two towns. Administrator McGlothlin asked for direction from the Commission if Redington Beach doesn't want to partner with Redington Shores. Commissioner Herig stated that the Building Official position does grant writing and believes that the town has enough work to keep a sole Building Official busy. Administrator McGlothlin agreed. Commissioner Blackburn confirmed that this position would report directly to the Administrator. Vice Mayor Commissioner Hendrickson asked for the current volume numbers from the building department. Administrator McGlothlin stated that the current volume is enough for a full-time Building Official. The Commission reached consensus to post the Building Official position.  
Action Item: Building Official job is to be posted.  
Person Responsible: Administrator McGlothlin.

**NEW BUSINESS**

1. Shark Fishing Ban- Attorney Eschenfelder reviewed Indian shores' ordinance and stated reasons for the differences in the ordinance he drafted. Attorney Eschenfelder reviewed possible pushback from permitted fishermen.  
Action Item: Item to be placed on the agenda for first reading for November 8<sup>th</sup> meeting.  
Person Responsible: Clerks Office.
2. BCE Update- Undergrounding of the West Side of Gulf Blvd.- Administrator McGlothlin met with Duke energy and stated that the Binding Cost Estimate did not go down from the last review. Duke Energy is honoring the lowest amount- estimated \$1.597 million. The BCE will need to be met by Fontier and Spectrum as well. Administrator McGlothlin stated that the estimated additional cost would be around \$200 thousand with an additional \$100 thousand added for streetlight repairs. Commissioner Herig asked

if the streetlights were included in the BCE. The administrator will double check with Duke Energy to review the agreement on streetlights. Administrator McGlothlin informed the Commission that the total cost is estimated at \$1.9 million dollars with a commitment required within 2 months. Commissioner Blackburn asked a questions regarding spectrum undergrounding. The Commission discussed. Administrator McGlothlin will get final numbers in the coming weeks from Frontier and Spectrum. The Commission reached a consensus to proceed with the project.

Action Items: Administrator McGlothlin to check on Turtle lighting/ streetlighting to see if it is included in the agreement. Administrator to receive final cost for the project and inform the Commission.

Person Responsible: Administrator McGlothlin.

3. Medicare Reimbursement Discussion for Town Employee- Administrator McGlothlin explains the item and informs the Commissioners that it is in reference to our town receptionist. Commissioner Blackburn spoke on part time employee benefits. Vice Mayor Commissioner Hendrickson asked what our current part time policy is and what our opt out policy is. Administrator McGlothlin spoke on past experiences with these policies. Vice Mayor Commissioner Hendrickson spoke on ADA requirements for insurance. Attorney Eschenfelder spoke on the importance of uniformity in our policies. Vice Mayor Commissioner Hendrickson recommended looking into the option to provide a stipend. Attorney Eschenfelder spoke on town stipend policies.

Action Item: Administrator is to review benefits around similar towns and present these finding at the next workshop meeting on November 29.

Person Responsible: Administrator McGlothlin

4. Town Newsletter Discussion- Administrator McGlothlin reviewed past examples of the town newsletter and asked the Commission to give input on the idea to restart this practice. The Commissioners reached a consensus to continue the newsletter and distribute quarterly reports. Commissioner Blackburn asked for a system to distribute or for a system to discern citizen contact preferences. Mayor Commissioner Hendrickson spoke on distribution methods. Administrator McGlothlin recommended it be distributed in a December newsletter.

Action Items: Commissioners are to send their letters to the administrator by 11/17/23. Administrator to distribute once received.

Person Responsible: Town Commission and Administrator McGlothlin.

Commissioner Herig emphasizes action items to be included in the meeting minutes. Commissioner Herig asked Attorney Eschenfelder a question relating to the Form 6. Attorney Eschenfelder referred the Commissioner to a handout on Form 6's.

Attorney Eschenfelder spoke on the Land Development Code and stated that an error had occurred in the review process that removed the language the prohibited transient rentals in our residential zones. Attorney Eschenfelder recommended a special meeting to place a moratorium on Business Tax Receipts and schedule a Planning and Zoning Board meeting to review an ordinance to remove our newly adopted LDC entirely. Discussion of dates and times amongst the Commission and Attorney Eschenfelder.

Action Item: Clerks Office is to advertise for a special meeting on Friday 10/27 at 1:30 p.m. to adopt the moratorium on Business Tax Receipts and then look into possible dates and times for the Planning and Zoning Board to meet.

Person Responsible: Interim Clerk Patterson.

Administrator McGlothlin spoke on parking at Town Hall and asked for Commission direction on metered parking.

Action Item: The Administrator is to include all parking as metered in the agreement with ParkMobile but not have the town lot charged during business hours. Meters are to close at 10 p.m. and not allow for over night parking,

Person Responsible: Administrator McGlothlin.

Administrator McGlothlin stated that he is working with the City Administrator of Seminole to increase involvement with the Seminole Fire Department. The administrator updated the Commission on weekly siren testing. Administrator McGlothlin asked for Commission direction on pool draining/ sewer cost reimbursement for town residents. The Commission discussed sewer system charges. The Commission reached the consensus that the homeowners are responsible for the draining of their own pools.

**MISCELLANEOUS**

Regular Meeting- Wednesday, November 8, 2023 – 6:00 P.M.

Workshop Meeting- Wednesday, November 29, 2023 – 6:00 P.M.

**ADJOURNMENT** 7:00 P.M.

Respectfully submitted,

*Jolie Patterson*

Jolie Patterson

Interim Town Clerk

**BOARD OF COMMISSIONERS  
TOWN OF REDINGTON SHORES  
SPECIAL MEETING  
FRIDAY, OCTOBER 27, 2023 – 1:30 P.M.  
MINUTES**

**Call to Order:** 1:30 P.M. Pledge of Allegiance

**Attendance:**

In person, Mayor Commissioner Henderson, Vice Mayor Commissioner Hendrickson, Commissioner Blackburn, Commissioner Herig, Administrator McGlothlin

By phone: Attorney Eschenfelder

Absent: Commissioner Licata

Quorum present.

**APPEARANCES AND PRESENTATIONS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

1. Adoption of Resolution 10-23; Establishing a Moratorium on Business Tax Receipt Applications-  
Attorney Eschenfelder read the Resolution by title. Commissioner Herig motioned to adopt the Resolution as read. Commissioner Blackburn 2<sup>nd</sup>. No Commission discussion. No public comment.  
Vote taken: All yay.  
The Commission discussed the next meeting date to adopt the Ordinance to strike the Land Development Code. The Commissioners reached a consensus on meeting on Thursday, November 2<sup>nd</sup>, 2023, at 6:00 p.m.

**MISCELLANEOUS**

Regular Meeting – Wednesday, November 8, 2023 – 6:00 p.m.

Workshop Meeting- Wednesday, November 29, 2023 – 6:00 P.M.

**ADJOURNMENT** 1:35 p.m.

Respectfully submitted,

*Jolie Patterson*

Jolie Patterson

Interim Town Clerk



**BOARD OF COMMISSIONERS  
TOWN OF REDINGTON SHORES  
SPECIAL MEETING  
THURSDAY, NOVEMBER 2, 2023 – 6:00 P.M.  
MINUTES**

**Call to Order:** 6:00 P.M. Pledge of Allegiance

**Attendance:** Mayor Commissioner Henderson, Vice Mayor Commissioner Hendrickson, Commissioner Herig, Commissioner Licata, Administrator McGlothlin.

Virtual: Attorney Eschenfelder

Absent: Commissioner Blackburn.

**APPEARANCES AND PRESENTATIONS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

1. First Reading of Ordinance 23-14; Repealing Ordinance 23-10 as Inconsistent with the Town Comprehensive Plan- Attorney Eschenfelder read Ordinance 23-14 by title. Commissioner Herig Motioned to approve the Ordinance for first reading as read. Vice Mayor Commissioner Hendrickson 2<sup>nd</sup>.  
Commission discussion: Commissioner Herig spoke on her hesitations with Ordinance 23-14. Attorney Eschenfelder explained the exordial clauses in the ordinance and explained that as Ordinance 23-10 is written, it is inconsistent with the town's comprehensive plan. Attorney Eschenfelder stated that the Land Development Code work product that has been completed so far can still be used and edited moving forward. Commissioner Herig stated that she would rather make edits to the Land Development code rather than striking it. Attorney Eschenfelder emphasized the risks in making edits rather than striking it entirely. Commissioner Herig spoke on Mr. Serna's past invoices and stated that he has not billed the town since June of 2022. Herig also explained that Mr. Serna had not used track changes in his work product; therefore, it will be very difficult to see what was changed throughout the code revision project. Commissioner Herig stated that Municode cannot codify an ordinance without track changes. Attorney Eschenfelder stated that this was not true and Municode has editors on staff who make necessary changes from submittals. Mayor Commissioner Henderson asked if the title was advertised property. Attorney Eschenfelder stated that the title was advertised properly; however, the title was not worded appropriately.

**MISCELLANEOUS**

Regular Meeting – Wednesday, November 8, 2023 – 6:00 p.m.

Workshop Meeting- Wednesday, November 29, 2023 – 6:00 P.M.

**ADJOURNMENT** 6:07 P.M.

Respectfully submitted,

*Jolie Patterson*

Jolie Patterson

Interim Town Clerk



**CITY OF MADEIRA BEACH**  
250 MUNICIPAL DRIVE · MADEIRA BEACH, FLORIDA 33708

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October 12, 2023

Mayor MaryBeth Henderson  
Town of Redington Shores  
17425 Gulf Blvd.  
Redington Shores, FL 33708

Dear Mayor Henderson,

For your review and consideration is the monthly report for September 2023.

TYPE OF CALL	TOTAL # OF SINGLE UNIT CALLS
Medical	31
Fire Related	7
Water Rescue	1
<b>TOTAL 39</b>	

**GRAND TOTALS**

	MADEIRA BEACH	SEMINOLE	PINELLAS SUNCOAST	TOTAL
<b>TOTAL RESPONSES BY DEPARTMENT</b>	3	7	32	42
<b>TOTAL EMERGENCY CALLS</b>				<b>39</b>

If we may be of further assistance, please feel free to call our office.

Sincerely,  
*Trish Eaton*  
Assistant to the Fire Chief

**ORDINANCE NO. 23-14**

**AN ORDINANCE OF THE TOWN OF REDINGTON SHORES, FLORIDA, REPEALING ORDINANCE 23-10 AS INCONSISTENT WITH THE TOWN COMPREHENSIVE PLAN; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Florida Statutes § 163.3194(1)(b), all local government land development regulations enacted or amended shall be consistent with the local government's adopted comprehensive plan, and in the event any land development regulation is inconsistent with an adopted comprehensive plan, the provisions of the comprehensive plan shall govern regarding any action taken in regard to an application for a development order; and

**WHEREAS**, the court in *Imhof v. Walton County*, 328 So.3d 32 (Fla. 1<sup>st</sup> DCA 2021) ruled that under the Community Planning Act, complete conformity with a local government's comprehensive plan is the floor, not the ceiling; and

**WHEREAS**, in Attorney General Opinion 85-56, the Florida Attorney General has opined that all land development regulations and actions, including permits for use of property issued by municipality, must be in accordance with its comprehensive plan; and

**WHEREAS**, the court in *Citrus County v. Halls River Development, Inc.*, 8 So.3d 413 (Fla. 5<sup>th</sup> DCA (2009), rehearing denied, review denied 23 So.3d 712, confirmed that zoning involves the exercise of discretionary powers within limits imposed by the local government's adopted comprehensive land use plan, and that a zoning action that is not in accordance with the comprehensive plan is unlawful; and

**WHEREAS**, in Attorney General Opinion 79-88, the Florida Attorney General opined that all development, including construction and building permits thereof, within a municipality undertaken subsequent to adoption of its comprehensive plan pursuant to the Local Government Comprehensive Planning Act must be in accordance with that plan; and, a municipality should move expeditiously to amend its existing zoning ordinances to conform with the land use elements of such adopted comprehensive plan; and

**WHEREAS**, the court in *Lake Rosa v. Board of County Com'rs*, 911 So.2d 206 (Fla. 5<sup>th</sup> DCA 2005), review denied 928 So.2d 334, confirmed that it is improper for a local government to issue any permit for use or development, where the permit would allow the material alteration of the use, density or intensity of the property, in a manner which is inconsistent with the adopted comprehensive plan; and

**WHEREAS**, on December 21<sup>st</sup> 2021, the Town retained a professional planning consultant to work with the Town to update the Town's LDC; and

**WHEREAS**, the Town's stated purpose of the LDC revision project was to remove or revise outdated, conflicting, inconsistent or unclear provisions, to provide for consistency with current state statutes, to update sign regulations consistent with federal court rulings, and to create

better organizational structure; and

**WHEREAS**, the exordial clauses and the project scope set forth in the contract stated that the project was for the consultant to review the Town’s LDC and to prepare updates which would ensure consistency with Florida Statutes Chapter 163, make the LDC more logically organized, to remove outdated, preempted, or inconsistent provisions, and to make the LDC more user-friendly; and

**WHEREAS**, the Town Commission adopted Ordinance 23-10 on September 21<sup>st</sup> 2023; and

**WHEREAS**, the title of Ordinance 23-10 was:

AN ORDINANCE OF THE TOWN OF REDINGTON SHORES, FLORIDA, REVISING CHAPTER 90 OF THE TOWN CODE (THE LAND DEVELOPMENT CODE) TO REMOVE OR REVISE OUTDATED, CONFLICTING, INCONSISTENT OR UNCLEAR PROVISIONS, TO PROVIDE FOR CONSISTENCY WITH CURRENT FLORIDA STATUTES, TO UPDATE SIGN REGULATIONS CONSISTENT WITH FEDERAL COURT RULINGS, AND TO CREATE BETTER ORGANIZATIONAL STRUCTURE; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE

and;

**WHEREAS**, while there were many iterations of the LDC revisions reviewed in workshops over time, certain final revisions to Ordinance 23-10 erroneously included edits to the allowable uses in the Town’s RS-7, RS-10, RD-15, and RM-15 zoning districts even though changes to allowable uses was never included in the project; and

**WHEREAS**, the Town’s existing Comprehensive Plan provides, in relevant part, that residences and residential areas be conserved, that existing residential areas shall be protected from the encroachment of incompatible activities, and that that residential areas shall be designated to protect property from excessive traffic and noise; and

**WHEREAS**, the Comprehensive Plan further provides that tourist accommodations shall be located in the Resort Facilities Medium land use category, with structures limited to restrictions applied to multi-family residential structures; and

**WHEREAS**, the Comprehensive Plan further provides that the Town’s Land Development Code must contain provisions which, at a minimum, ensure the compatibility of adjacent land uses and provide for adequate and appropriate buffering, and encourage the maintenance of the Town’s beach residential community atmosphere; and

**WHEREAS**, the Comprehensive Plan further provides that it is the Town’s objective that the character of existing residential neighborhoods shall be maintained; and

**WHEREAS**, the edits to the allowable uses in the Town’s RS-7, RS-10, RD-15, and RM-15 zoning districts made in Ordinance 23-10, which would remove transient accommodations prohibitions in these districts, were clearly incompatible and inconsistent with the Comprehensive Plan provisions set forth above; and

**WHEREAS**, the title to Ordinance 23-10 did not provide notice to Town residents that any change in allowed or prohibited uses in any zoning district would occur due to the adoption of the Ordinance; and

**WHEREAS**, to the contrary, the title of the Ordinance and all representations of Town officials regarding the purpose and effect of the Ordinance were that the Ordinance’s purposes were to ensure the LDC was up to date with current provisions of state statutes, to ensure the Town’s sign code was compliant with prevailing federal caselaw, and to remove any redundant or inconsistent provisions of the LDC; and

**WHEREAS**, the court in *A.B.T. Corp., Inc. v. City of Fort Lauderdale*, 664 F.Supp. 488 (S.D. Fla. 1987), affirmed 835 F.2d 1439, confirmed that an ordinance, the title of which, which fails to provide adequate notice of what changes are being made to existing codes is void; and

**WHEREAS**, because Ordinance 23-10 erroneously included edits to the allowable uses in the Town’s RS-7, RS-10, RD-15, and RM-15 zoning districts; and

**WHEREAS**, those changes were not only unintended but were clearly inconsistent with the Town’s adopted Comprehensive Plan; and

**WHEREAS**, the title to Ordinance 23-10 did not provide notice to Town residents that any changes were being made to allowable uses in any Town zoning district; and

**WHEREAS**, The Town Commission therefore finds that the changes in the Town’s RS-7, RS-10, RD-15, and RM-15 zoning districts included in Ordinance 23-10 are void as inconsistent with the Town’s Comprehensive Plan, and that since the title to the Ordinance did not provide notice of any such changes, Ordinance 23-10 is void, and it must be repealed in its entirety.

**NOW, THEREFORE BE IT ORDAINED** by the Board of Commissioners of the Town of Redington Shores, Florida, that:

**Section 1.** Ordinance 23-10 is hereby repealed in its entirety.

**Section 2.** The LDC revision project is referred back to the Town Planning Board, which board shall ensure future revisions to the Town’s LDC are consistent with the Town’s comprehensive plan in all respects, and are compliant with Florida law.

**Section 3.** 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 4.** As it has been repealed, the Codifier shall ensure Ordinance 23-10 is not codified.

**Section 5.** Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

**ADOPTED ON FIRST READING** on the 2<sup>nd</sup> day of November, 2023, by the Board of Commissioners of the Town of Redington Shores, Florida.

**ADOPTED ON SECOND AND FINAL READING** on the 8<sup>th</sup> day of November, 2023, by the Board of Commissioners of the Town of Redington Shores, Florida.

**Attest:**

\_\_\_\_\_  
MaryBeth Henderson, Mayor Commissioner

\_\_\_\_\_  
Town Clerk



November 2, 2023

To: Town of Redington Shores Board of Commissioners

From: Mike McGlothlin, Town Administrator

Subject: 30-60-90-Day Plan Status Report

Dear Board of Commissioners,

In closing our first quarters' work together, I would like to share with you the status of the tasks that were developed for my initial 30-60-90-day plan after being entrusted to serve as your Town Administrator. Accordingly, the following listing of tasks will be noted as those that have been "completed", those that are "in progress", and those that are still needing to be addressed.

### **COMPLETED**

- Relationship and partnership building within the Town's leadership team, staff, and citizen base. Extend efforts to county and state as opportunity allows.
- Conduct review of pending administrative assignments and take appropriate action.
- Start organizational assessment through internal and external discussion, listening and observation.
- Completed review of personnel and training files of all direct reports. Met with each individually to ascertain equipment and/or training needs.
- Reviewed Town's financial data and status – prior versus upcoming budget year, revenue versus expense reports, balance sheets, and financial reports from the Town's Accountant.
- Reviewed Town's Personnel Policies. This document was updated in May of 2023, but several topics have been identified that need to be discussed and considered for future adoption.
- Reviewed Town's Emergency Management plans, processes, functions, and personnel; contrasted with response for Hurricane Idalia. Several items identified for improvement via internal after-action report and staff discussion.
- Reviewed and approved development work of Town's Accountant for the FY 2023-24 Operating and Capital budgets. Ensured final product was presented to the Town Commission for approval and adoption.
- Instituted the Town Administrator's monthly report.
- Review of Town Ordinances/Resolutions.
- Review of Land Use/Planning Activities.

- Hiring of new Town Clerk. (Was not included in initial plan but became a priority after the departure of previous Town Clerk the week after my arrival)

### **IN PROGRESS**

- Coordinated corrective siting of swim and shallow water buoys with the assistance of the Maintenance Department Supervisor.
- Development and implementation of an internal assignment tracking program.
- Ensure completion of parking lot renovations for County and Town lots (updated parking meters for these lots and Town Hall as well), along with needed improvements to Nature Park.
- Verify that National Pollutant Discharge Elimination System (NPDES) certification, as governed by Florida Department of Environmental Protection, has been completed for applicable Town personnel.
- Ensure the hire of a Town Building Official with desired/required certifications, including Flood Plain Management, has been completed. Assign Town Building Official to review expired permits procedure within the Building Department.
- Underground West Gulf Boulevard Project – Duke Energy BCE work completed, BCE work for Frontier and Spectrum pending arrival. Also working on ancillary costs for streetlight replacement/upgrade with Duke Energy representative.
- Town Charter Review – scheduled initial discussion to take place at the November 2023 Commission Workshop.

### **TO BE ADDRESSED**

- Inspect and become familiar with the audio/visual upgrade to the Commission Chambers.
- Sewer Infrastructure Upgrade – reline of main runs, lateral placement, and lift stations replaced/upgraded as needed.
- Stormwater Repairs – conduct scope of work for necessary repairs, development of an updated maintenance plan, complete Stormwater Master Plan portion of project.
- Procure updated financial management software for the Town.

Respectfully submitted,



Mike McGlothlin  
Town Administrator



**ORDINANCE NO. 2023-13**

**AN ORDINANCE OF THE TOWN OF REDINGTON SHORES, FLORIDA, CREATING ARTICLE III OF CHAPTER 56 OF THE TOWN CODE RELATED TO SHARK FISHING; REPEALING § 56-10 OF THE TOWN CODE RELATED TO PENALTIES; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 56 of the Redington Shores Town Code addresses the subject of Animals; and

**WHEREAS**, earlier in 2023, a deceased tiger shark washed ashore in the neighboring Town of Indian Shores, and its death was attributed to shore-based shark fishing; and

**WHEREAS**, shore-based shark fishing is commonly performed by luring sharks close to the shore by chumming the waters near the beach where people are often located, thus increasing the chance for shark bites; and

**WHEREAS**, while properly-regulated off-shore/deep sea shark fishing may lawfully occur, the taking of smaller, younger sharks on-shore, such as the endangered tiger shark which, when killed, was pregnant, is environmentally irresponsible; and

**WHEREAS**, Part 635 (Atlantic Highly Migratory Species) of Title 50 (Wildlife and Fisheries) of the United States Code of Federal Regulations provides, at 50 C.F.R. § 635.4, for the issuance for certain Atlantic tuna, swordfish, or shark fishing permits by the National Marine Fisheries Service; and

**WHEREAS**, Florida Administrative Code § 68B-44.009(3) allows the Florida Fish and Wildlife Conservation Commission to issue a shore-based shark fishing permit; and

**WHEREAS**, the Commission has reviewed an ordinance from Delray Beach, Florida, which ordinance has also been adopted by the Town of Indian Shores, and has determined that a similar ordinance should be adopted by the Town; and

**WHEREAS**, the Commission determines that it would be in the best interests of the Town, and its residents and aquatic environment, to adopt a prohibition of on-shore shark fishing.

**NOW, THEREFORE BE IT ORDAINED** by the Board of Commissioners of the Town of Redington Shores, Florida, that:

**Section 1.** A new Article III (SHARK FISHING) of Chapter 56 (ANIMALS) of the Redington Shores Town Code is hereby created as follows:

**ARTICLE III. – SHARK FISHING**

**Sec. 56-30. Shore-based shark fishing prohibited.**

- A. Notwithstanding the possession of a permit issued pursuant to Florida Administrative Code § 68B-44.009(3) or 50 C.F.R. § 635.4, a person may not participate in shore-based shark fishing in the jurisdictional waters of the town.
- B. For purposes of this article, the term “shark” shall have the same meaning as is set forth in § 68B-44.002(2).
- C. For purposes of this article, the term “shore-based shark fishing” shall mean the targeting or harvesting any species of shark when fishing from shore, wade fishing, or fishing from any structure attached to shore, including but not limited to bridges, piers, docks, and jetties. Fishing from shore or any structure attached to shore by or with any of the following gear or methods shall constitute shore-based shark fishing regardless of the species targeted or harvested.
  - (1) Fishing with a metal leader greater than 4 feet in length.
  - (2) Using a fighting belt, fighting harness, or similar device used in conjunction with a fishing rod to give the angler a mechanical advantage when reeling in a fish.
  - (3) Deploying bait by any means other than casting from shore or casting while wade fishing, including but not limited to transporting or dropping the bait by or from a vessel, surfboard, drone, or by swimming.
  - (4) Deploying bait by means other than casting shall not constitute shore-based shark fishing if the bait is attached to a hook for which the maximum distance measured between two points inside the curve created by the hook does not exceed 1.5 inches, when measured at the widest dimension.

**Sec. 56-31. – Accidental catches.**

A person who accidentally catches a shark in violation of § 56-30 while fishing from shore must release such shark immediately at the site of capture, without unnecessary harm. Delaying the release of a shark for any period of time longer than necessary to remove the hook or other fishing tackle is prohibited. If the hook cannot be removed quickly, either the hook must be cut or the leader must be cut as close to the hook as possible in order to remove as much fishing tackle as possible without delaying release.

**Section 2.** Section § 56-10 of the Redington Shores Town Code is hereby repealed in its entirety.

**Section 3.** Pursuant to Florida Statutes § 166.041(4)(a), prior to the date the public notice of the public hearing for this Ordinance was published, the Town prepared and posted on its website a business impact estimate which included: a) a summary of the Ordinance, a statement of the public purpose to be served by the Ordinance, b) an estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the Town, c) an estimate of direct compliance costs that businesses may reasonably incur due to the Ordinance, d) identification of any new charge or fee on businesses created by the Ordinance or for which businesses will be financially responsible, e) an estimate of the Town's regulatory costs and of revenues from any new charges or fees imposed on businesses to cover such costs, and f) a good faith estimate of the number of businesses likely to be impacted by the Ordinance.

**Section 4.** For purposes of codification of any existing section of the Redington Shores Code herein amended, words **underlined** represent additions to original text, words **~~stricken~~** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

**Section 5.** 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 6.** The Codifier shall codify the substantive amendments to the Redington Shores Code contained in Sections 1 through 2 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

**Section 7.** Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

**ADOPTED ON FIRST READING** on the 8<sup>th</sup> day of November, 2023, by the Board of Commissioners of the Town of Redington Shores, Florida.

**ADOPTED ON SECOND AND FINAL READING** on the 13<sup>th</sup> day of December, 2023, by the Board of Commissioners of the Town of Redington Shores, Florida.

**Attest:**

\_\_\_\_\_  
MaryBeth Henderson, Mayor

\_\_\_\_\_  
Margaret Carey, Town Clerk



# *City of Seminole Fire Rescue*

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November 1, 2023

Mayor MaryBeth Henderson  
Town of Redington Shores  
17425 Gulf Blvd.  
Redington Shores, FL 33708

Mayor Henderson,

Listed below are all of the calls for fire and EMS services in the town of Redington Shores for the month of October 2023.

## **TYPE OF CALL**

- Medical/EMS- 15
- Motor Vehicle Collisions- 3
- Fire Related Incidents- 3
- Hazardous Materials- 0
- Marine Rescues- 0

## **TOTAL CALL VOLUME 21**

If I could be of any further assistance, please let me know. Thank you for your time.

Respectfully Submitted,

*Robb Williams*

Division Chief of Operations  
City of Seminole Fire Rescue