

INDIAN SHORES



19305 Gulf Boulevard, Indian Shores, FL 33785

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*** PUBLIC MEETING ***

TOWN COUNCIL MEETING AGENDA TUESDAY, APRIL 8, 2025, BEGINS AT 5:01 P.M. INDIAN SHORES MUNICIPAL CENTER, 4TH FLOOR

PLEDGE OF ALLEGIANCE TO THE FLAG

ITEM # AGENDA ITEM

- 1.0 Consideration of approving the Town Council Meeting Agenda for April 8, 2025.
- 2.0 Comments from the public on any agenda item.
- 3.0 Consideration of approving the "CONSENT AGENDA" as follows:
 - A. MINUTES:
 1. March 11, 2025 – Town Council Meeting (Ref. pgs.: 1-9)
 2. March 25, 2025 – Special Town Council Meeting (Ref. pgs.: 10-13)
 - B. RECURRING EXPENSES: March 2025 (Ref. pgs.: 14-16)
- 4.0 Correspondence.
 - Sidewalk Project documentation from former Mayor Patrick Soranno.
- 5.0 Administration of Oath to Danny Zsido as he assumes the position of Part-time Training Sergeant, succeeding Captain Jeff Phillips, who will officially retire on April 15, 2025.
- 6.0 **PUBLIC HEARING: Second Reading of Ordinance No. 2025-02**

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, CREATING A JUVENILE CURFEW ORDINANCE AMENDING CHAPTER 66 – STREETS, SIDEWALKS, AND CERTAIN PUBLIC PLACES – AND ADDING A NEW ARTICLE III, SECTION 66-46 THROUGH SECTION 66-51, "JUVENILE CURFEW"; ENACTING PENALTIES FOR VIOLATION; INCORPORATING FINDINGS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE. (Ref. pgs.:17-30)

PLEASE SILENCE ALL CELL PHONES
PLEASE LIMIT PUBLIC COMMENTS TO 3 MINUTES

- 7.0** Report from the Police Chief.
- MEMORANDUM – Beach Week Preparation / Specialty Pay (Ref. pgs.: 31-32)

8.0 PUBLIC HEARING: Resolution No. 08-2025

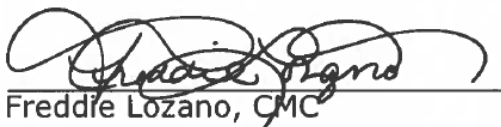
A RESOLUTION OF THE TOWN OF INDIAN SHORES, FLORIDA, ADOPTING THE PINELLAS COUNTY LOCAL MITIGATION STRATEGY ORDINANCE; RECOMMENDING ADOPTION OF THE LOCAL MITIGATION STRATEGY BY THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS; MAKING THIS LOCAL MITIGATION STRATEGY FUNCTION AS THE TOWN OF INDIAN SHORES FLOODPLAIN MANAGEMENT PLAN; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS INCONSISTENT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Ref. pgs.: 33-35)

9.0 PUBLIC HEARING: Resolution No. 09-2025

A RESOLUTION OF THE TOWN OF INDIAN SHORES, FLORIDA, AMENDING THE TOWN'S FY2024-2025 BUDGET. (Ref. pgs.: 36-37)

- 10.0** Report from the Town Attorney.
- 11.0** Discussion and direction on how to allocate funds from the Helene & Milton Grant Program (HMGP). (Ref. pgs.: 38-45)
- 12.0** Review and consideration of proposed Personnel Manual section additions:
- Section 17: License/Registration Certification and Fee Renewals
 - Section 18: Return of Town Property
- (Ref. pgs.: 46-48)
- 13.0** Report from the Building Official for March 2025. (Ref. pg.: 49)
- 14.0** Report from the Town Administrator.
- 15.0** Report from the Finance Director:
- Supplemental Financial Information for Month of February 2025 (Ref. pgs.: 50-51)
 - March 2025 Investment Activity Report (Ref. pgs.: 52-53)
- 16.0** Citizens' comments on any subject.
- 17.0** Council Members' comments on any subject.
- 18.0** Meeting adjournment.



Freddie Lozano, CMC
Town Clerk

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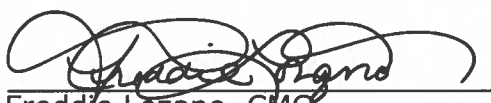
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*** PUBLIC MEETING ***

TOWN COUNCIL MEETING MINUTES WEDNESDAY, MARCH 12, 2025, BEGAN AT 5:01 P.M. INDIAN SHORES MUNICIPAL CENTER, 4TH FLOOR

The Special Town Council Meeting convened at 5:01 P.M.

Those present: Mayor Diantha Schear, Vice Mayor Ellen Bauer, Councilor Mike Howard, Councilor Mark Housman, Councilor Nicholas Menchise, and Town Attorney Daniel Lewis

Also present: Town Administrator Tina Porter, Finance Director Amy Lockhart, Town Clerk Freddie Lozano, Asst. to Town Clerk Ashley Ierna, Police Chief Rick Swann, and Building Official Brian Rusu.

Those absent: None

PLEDGE OF ALLEGIANCE TO THE FLAG

ITEM # AGENDA ITEM

1.0 Consideration of approving the Town Council Meeting Agenda for March 12, 2025.

Motion by Councilor Howard – seconded by **Vice Mayor Bauer** to approve the Town Council Meeting Agenda for March 12, 2025. **All Ayes. Motion carried 5-0.**

2.0 Comments from the public on any agenda item.

Tim Plamer, Business Owner, 19201 Gulf Blvd., voiced that the proposed 1- year ordinance lookback is a great idea.

Rick Zeron, Resident, 18650 Gulf Blvd., #109, voiced concerns about the 10-year lookback period on substantial property improvements and requested a reduction to a 1-year lookback or zero lookback to aid in post-hurricane recovery.

3.0 Consideration of approving the "CONSENT AGENDA" as follows:

A. MINUTES:

1. February 11, 2025 – Town Council Meeting

B. RECURRING EXPENSES: February 2025.

Motion by Councilor Howard – seconded by Councilor Menchise to approve the Consent Agenda. All Ayes. Motion carried 5-0.

4.0 Correspondence.

Mayor Schear received a letter from Town resident Joy Wicke pertaining to the FEMA 50% rule and rollback rules.

5.0 Report from the Police Chief:

The Police Chief presented Life-Saving Awards to MPO Kevyn Andrews and Corporal Robert Strecker who was off duty at the time, for their heroic actions saving a cardiac arrest victim.

For his dedication to the Police Department, Kevyn Andrews was promoted to Corporal.

Lastly, he reported ongoing preparations for St. Patrick's Day Festival and plans to secure additional law enforcement support for the 4th of July holiday. He praised the officers for their dedication during hurricane recovery, including traffic management, securing public property, and supporting emergency services.

6.0 Report from the Town Attorney

The Town Attorney reported that the Town Clerk will be sending emails to schedule a workshop similar to last year, covering meeting procedures and sunshine requirements. A Councilor Boot Camp is planned for April, with scheduling flexibility. Additionally, discussions with the VISTA Village HOA attorney are ongoing, though progress has been slower than expected. VISTA Village is funding its own land survey, and coordination with the town administrator is underway to finalize the process. Recommendations are expected next month.

7.0 PUBLIC HEARING: First Reading of Ordinance No. 2025-02

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, CREATING A JUVENILE CURFEW ORDINANCE AMENDING CHAPTER 66 – STREETS, SIDEWALKS, AND CERTAIN PUBLIC PLACES – AND ADDING A NEW ARTICLE III, SECTION 66-46 THROUGH SECTION 66-51, "JUVENILE CURFEW"; ENACTING PENALTIES FOR VIOLATION; INCORPORATING FINDINGS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY.

The Town Attorney presented the Ordinance by reading its title only.

Mayor Schear opened the public hearing for comments, and there were none.

Motion by **Vice Mayor Bauer** – seconded by **Councilor Howard** to approve the First Reading of Ordinance No. 2025-02.

Council polled. All Ayes. Motion carried 5-0.

8.0 PUBLIC HEARING: First Reading of Ordinance No. 2025-03

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, AMENDING CHAPTER 86 – FLOODS – SECTION 86-17, SECTION 86-52, SECTION 86-64, AND SECTION 86-65 TO REVISE THE RETROACTIVE AND CUMULATIVE ROLLING TEN-YEAR SUBSTANTIAL IMPROVEMENT PERIOD TO A ONE-YEAR PERIOD; INCORPORATING FINDINGS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

The Town Attorney presented the Ordinance by reading its title only.

Mayor Schear opened the public hearing for comments.

Dwight Wicker, 18650 Gulf Blvd., raised concerns about the definition of "substantial improvement," questioning whether upgrades like new windows and doors that meet current standards should count against them financially, despite enhancing flood protection. They argued that such improvements should not be penalized and suggested reconsidering the one-year look-back period, potentially eliminating it if not required by FEMA regulations. He commented that he wasn't sure that the Town needs a one-year lookback, but maybe the Town should look into reducing it further down to a no lookback.

Tim Palmer, 19201 Gulf Blvd. commented on the 10-year lookback period, suggesting that a one-year review is more reasonable. He emphasized that their building improvements were only for safety and necessary upgrades identified by the previous Building Department. Despite minor water damage, they cannot use funds to reinstall wallboard. Given the building's open design, he believed a shorter review period would be fair for both residential and commercial properties.

Mark Pelon, 18650 Gulf Blvd., #103, 106, and 107, supported the one-year lookback, emphasizing its practicality amid rising costs and expenses. While they intend to stay, financial challenges continue to grow. They acknowledge that difficulties will persist and appreciate any assistance that can be provided.

Rick Zeron, 18650 Gulf Blvd., Rick described the damage to his first-floor apartment after a storm caused flooding and destruction. Despite paying property taxes on a value of over \$500,000, he is confused by the Building Official's claim that the apartments are only worth \$80,000 to \$88,000. He was concerned that if the damage exceeds this value, the apartments might be condemned, potentially losing 13 units in his building.

Sam Perrone, 18650 Gulf Blvd., shared his concerns about flood damage to the first-floor units of their building caused by hurricanes Helene and Milton. He mentioned that they are in the process of applying for permits to repair the damage, but FEMA's involvement in Pinellas County has delayed the permit process. Sam requested that the Indian Shores Town Council intervene to ease restrictions and allow permits to be issued for repairs. He also noted that their building has met state safety inspection requirements and completed necessary studies.

Robert Valdez, 18650 Gulf Blvd., shared that although his unit was a second home, their primary residence in Tampa was severely damaged by Hurricane Helene, leaving them without a permanent home. They have been living in Airbnbs for the past six months with limited FEMA assistance. He requested that the Council help with expediting a one-year adjustment to assist with their housing situation.

Rick Zeron, 18650 Gulf Blvd., a longtime resident, expressed that he did not want to lose his only home.

Councilor Menchise expressed concern about the extensive damage caused by Hurricanes Helene and Milton and believed that reducing the 10-year lookback period to just one year would significantly help affected individuals.

Councilor Howard supported the reduction of the substantial improvement lookback period from one year to zero, citing research that

many nearby Pinellas County municipalities already follow a zero look-back policy. He commented that that a shorter or no look-back period would benefit residents by easing rebuilding restrictions after storm events. He believed that a zero lookback is more appropriate. He noted that FEMA defers to local governments for implementation and highlights opportunities to gain Community Rating System (CRS) points through increased public education and flood mitigation efforts, which could offset any point losses over time.

Discussion ensued on having a one-year look back versus a zero lookback, which ultimately led to a Council consensus to favor the zero lookback. The Town Attorney will draft the zero lookback ordinance for first reading at a future meeting.

Motion by Councilor Howard – seconded by Councilor Housman to deny the First Reading of Ordinance No. 2025-02 and to replace it with a new zero lookback ordinance.

Council polled. All Ayes. Motion carried 5-0 to deny Ordinance No. 2025-02.

9.0 PROCLAMATION:

A Proclamation declaring March 17th through March 21st, 2025, as Government Finance Professionals Week.

Mayor Schear declared March 17-21, 2025, as Government Finance Professionals Week. The Town Council thanked Finance Director, Amy Lockhart for all her work.

10.0 Presentation of the Indian Shores Library Annual Report for FY2022-2023.

Chairperson Alice Lawrence presented the annual library report, highlighting the growth in membership and successful fundraising events. The library expanded its children's section, increased public communication, and successfully hosted several book sales. A special exhibit displayed in the Town library featuring local artists was praised for its community engagement.

11.0 Review and consideration of proposed Personnel Manual revisions to the Workers Compensation and Travel sections.

The Town Administrator commented that the current updates include the Workers' Compensation and Travel & Per Diem sections. The Workers' Comp policy has been revised to align with Florida Statute 440 and now requires employees to promptly report injuries to their supervisors to ensure proper follow-up and assistance. Additional safety training and the re-establishment of a safety committee are also planned. The Travel & Per Diem section has been streamlined with new forms for requesting and authorizing travel, clarifying reimbursement procedures and ensuring proper approvals.

12.0 Report from the Building Official for February 2025.

The Building Official provided updates on hurricane recovery, milestone inspections, and building permitting progress. He confirmed ongoing efforts to accelerate permit approvals for hurricane-affected residents. He explained the need for private appraisals in certain condominium evaluations due to discrepancies in property valuation records. Approximately 153 inspections and 104 plan reviews were completed in February 2025. He added that some condominium complexes may require substantial repairs due to structural damage from recent storms, which will require additional coordination with Pinellas County.

He outlined the Town's progress in meeting the state-mandated milestone inspection requirements for older buildings, with a focus on ensuring public safety. The Building Official encouraged residents seeking repairs to contact the Town office directly for guidance in navigating the permitting process.

13.0 Report from the Town Administrator.

The Town Administrator provided updates on ongoing grant applications, disaster recovery, and budget planning. She emphasized proactive efforts to secure additional funding for town infrastructure improvements. She noted ongoing communications with Pinellas County and FEMA to streamline recovery efforts for residents. She reported successfully applying for three Community Development Block Grants (CDBG) for disaster recovery in hopes to receive a portion of the funds awarded to Pinellas County totaling \$813 million for rebuilding and enhancing public infrastructure. There are continued efforts to secure additional emergency preparedness grants, aiming to improve evacuation planning and community safety resources. Lastly, she mentioned upcoming coordination with neighboring towns to create unified storm readiness strategies, including coordinated public messaging and resource sharing.

14.0 Report from the Finance Director:

The Finance Director presented her report as written and added that the Florida Municipal Investment Trust earnings for the second half of February have been posted, adding \$4,700 and bringing the total investment earnings for the month to \$17,834.00.

Councilor Housman appreciated the conciseness and the clarity of the Finance Director's report.

15.0 Citizens' comments on any subject.

Dwight Wicker, 18650 Gulf Blvd., expressed concerns about how the 50% rule is being applied to the building's damage assessment. While he understands the rule, he feels that dividing the value of repairs by individual condos leads to unfair financial burdens on owners. For example, repairs for the entire building are estimated at \$1.8 million, but when broken down per condo, some owners could face repair costs of \$100,000 or more, which may be unaffordable. He commented that applying the rule to individual condos, especially those not directly affected by flood damage, is inappropriate and will prevent some residents from making necessary repairs.

Mark Pelon, 18650 gulf Blvd., requested that the Council review the 50-50 rule, and expressed concerns that certain rules may not be applied consistently in Indian Shores. He questioned how a bottom-floor unit could be appraised so low, acknowledging that while appraisals are generally low, the community is already facing high costs. He touched on the hardship of a resident who has been without hot water for months, and while FEMA has provided some assistance, more help is needed.

Katrina Hale, 19316 Gulf Blvd, shared her experience of losing both her home and business due to Hurricane Helene, noting the challenges of working with different towns for recovery. She praised the Building Official in Indian Shores for being extremely helpful and informative, in contrast to her experience with North Reddington Beach. She also mentioned having to get a private appraisal for her commercial property, which was costly, and highlighted the differences in repair situations between the two towns. Despite the hardships, she expressed gratitude for the support from Indian Shores and commended their efforts during the recovery process.

Sam Perrone, 18650 Gulf Blvd., thanked the Council, the Staff, the Police and Building Departments for their past support and assistance. He gave special recognition to former Building Clerk Bill Jones for his excellent work. Attending his first council meeting, he was thankful for the opportunity to speak and highlighted a successful sea turtle conservatory grant that saved their building association thousands of dollars. He also requested future

consideration for landscaping grants, noting that their community missed out on a previous opportunity.

Mark Pelon, Resident, 18650 Gulf Blvd Unit 107: Talked about property owners facing hardship due to ongoing delays, with some living in temporary housing for several months. He had concerns regarding FEMA assessments and property valuations being too low, impacting their ability to obtain proper permits.

Robert Valdez, 18650 Gulf Blvd, Unit 110, mentioned attending a recent Council and Board of Adjustments and Appeals meetings where residents shared their struggles recovering after Hurricane Helene. A common concern was ensuring that the rebuilding process doesn't place unnecessary burdens on citizens. He acknowledged the challenges the Building Department faced with limited time and resources and stressed the importance of compassion and flexibility in helping those affected closer to recovery. He urged for reasonable, supportive measures to ease the process for everyone affected.

16.0 Council Members' comments on any subject.

The Town Council scheduled a Special Town Council meeting on March 25, 2025, to expedite the first reading of the zero lookback ordinance.

Councilor Mike Howard mentioned receiving an email from Zach Westfall, assistant to John Bishop of Pinellas County Coastal Management, for the beach renourishment project, who shared that while some easement gaps remain in Indian Rocks Beach and Indian Shores, engineers are currently evaluating what areas are constructible. He expressed appreciation for the Town's help in securing easements, with 99 out of 159 obtained so far (about 65.9%). Additionally, the Town's beach cleanup with Keep Pinellas Beautiful is scheduled for April 5, and a special cleanup at the boat ramp—often overlooked—will take place on April 1 in coordination with Boy Scout Troop 431. The Troop, led by Ashley Aierna and Harvey Chapman, recently cleaned the Town's Community Garden, collecting 12 large bags of debris. Their efforts are appreciated and hopefully will inspire more community involvement.

Councilor Housman mentioned recent discussions about the Town's Building Department and praised the staff for their excellent work. He noted there's confusion in the community about the department's role, especially the misunderstanding that the Town is responsible for private property repairs, like pool decks. He emphasized that the Building Department's role is limited to issuing permits and ensuring construction meets code and safety standards. Moving forward, he encouraged better public education on these responsibilities to reduce misinformation and support Town Staff.

Vice Mayor Bauer expressed her heartfelt sympathy for those who are still unable to return to their homes or are working to repair them. She hopes the permit process moves quickly so everyone can get back to normal and wants the community to know she is thinking of them and wishing them the best.

Mayor Schear congratulated Councilor Housman and Councilor Menchise for their re-election to the Town Council. She announced the following upcoming events:

- March 15 – St. Patrick’s Day Festival
- March 20 – Library Read & Feed featuring the book “The Women,” by Kristen Hannah
- May 7 - Storm Ready: Hurricane Awareness & Preparation

Lastly, she encouraged residents to visit the Town’s library, which offers a great selection of current books for just \$5 a year. While the library may not have the full range of services, it provides access to additional resources through a consortium, which would cost the town \$44,000 annually.

17.0 Next Meeting:

- Special Town Council Meeting, March 25, 2025, 5:01 p.m.:
 - Swearing-in ceremony for elected Council Members from March 11, 2025, Municipal Election.
 - Town Council election for 2025-2026 Vice Mayor.

18.0 Meeting Adjournment: 6:35 p.m.

Ashley Ierna
Administrative Assistant to the Town Clerk

INDIAN SHORES



19305 Gulf Boulevard, Indian Shores, FL 33785

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*** PUBLIC MEETING ***

SPECIAL TOWN COUNCIL MEETING MINUTES TUESDAY, MARCH 25, 2025, BEGAN AT 5:00 P.M. INDIAN SHORES MUNICIPAL CENTER, 4TH FLOOR

The Special Town Council Meeting convened at 5:00 P.M.

Those present: Mayor Diantha Shear, Vice Mayor Ellen Bauer, Councilor Mike Howard, Councilor Mark Housman, Councilor Nicholas Menchise, and Town Attorney Daniel Lewis

Also present: Town Administrator Tina Porter, Finance Director Amy Lockhart, Town Clerk Freddie Lozano, Asst. to Town Clerk Ashley Ierna, Police Chief Rick Swann, and Building Official Brian Rusu.

Those absent: None

PLEDGE OF ALLEGIANCE TO THE FLAG

ITEM # AGENDA ITEM

AGENDA AMENDMENT #1:

Mayor Shear proposed an amendment to the agenda to move Agenda Item 3.0 to follow immediately after Item 1.0 so that the elected Vice Mayor can be sworn-in along with Councilors Housman and Menchise under Item 2.0.

The amendment was made so that a fully sworn-in Town Council was seated before continuing to approve the Special Town Council Agenda under Agenda Item 4.0.

Motion by **Vice Mayor Bauer** – seconded by **Councilor Howard** to approve the amended agenda. **All Ayes. Motion carried 5-0.**

1.0 PUBLIC HEARING: RESOLUTION NO. 07-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES, FLORIDA, DECLARING MARK HOUSMAN AND NICHOLAS J. MENCHISE TO HAVE BEEN ELECTED TO THE TOWN COUNCIL; PROVIDING FOR INCORPORATION OF FINDINGS AND RECITALS; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS

**INCONSISTENT HERewith; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE.**

The Town Attorney read the Resolution by title only.

Mayor Schear opened the public hearing for public comments and there were none.

Councilor Housman and **Councilor Menchise** were appreciative and thanked the citizens who voted for them.

Motion by **Vice Mayor Bauer** – seconded by **Councilor Howard** to approve the adoption of Resolution No. 07-2025.

Council polled. All Ayes. Motion carried 5-0.

AGENDA AMENDMENT #1:

3.0 Town Council election of Vice Mayor for March 2025 – March 2026 and administration of Oath of Office.

The Town Clerk reported that Ellen Bauer was the only Council Member interested in serving as the Vice Mayor for the upcoming year.

Motion by **Councilor Menchise** – seconded by **Councilor Housman** to approve the re-election of Ellen Bauer to serve as Vice Mayor for March 2025 – March 2026. **All Ayes. Motion carried 5-0.**

2.0 Oath of Office administered to Elected Officials Councilor Mark Housman and Councilor Nicholas J. Menchise, and Vice Mayor Ellen A. Bauer.

The Town Clerk administered the Oath of Office to the newly elected officials.

3.0 *(See Agenda Amendment #1.)*

4.0 Consideration of approving the Special Town Council Meeting Agenda for March 25, 2025.

AGENDA AMENDMENT #2:

Mayor Schear proposed the addition Agenda Item 4.1 regarding her thank you correspondence letter addressed to Kathryn Hubbard.

Motion by **Councilor Howard** – seconded by **Councilor Menchise** to approve the addition of Agenda Amendment #2 to the Special Town Council Meeting Agenda for March 25, 2025. **All Ayes. Motion carried 5-0.**

AGENDA AMENDMENT #2:

4.1 CORRESPONDENCE:

Mayor Schear shared a thank you letter addressed to Town resident Kathryn Hubbard, who made a generous donation of \$1,500.00 to the Town Library.

5.0 Comments from the public on any agenda item. None.

6.0 PUBLIC HEARING: First Reading of ORDINANCE NO. 2025-04

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, AMENDING CHAPTER 86 – FLOODS – SECTION 86-17, SECTION 86-52, SECTION 86-64, AND SECTION 86-65 TO REMOVE THE RETROACTIVE AND CUMULATIVE ROLLING TEN-YEAR SUBSTANTIAL IMPROVEMENT PERIOD; INCORPORATING FINDINGS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

The Town Attorney presented the First Reading of Ordinance No. 2025-04 by title only.

Mayor Schear opened the hearing for public comments.

Dwight Wicker, 18650 Gulf Blvd., thanked the Council for the Ordinance.

Motion by **Councilor Howard** – seconded by **Councilor Housman** to approve the First Reading of Ordinance No. 2025-04. **All Ayes. Motion carried 5-0.**

7.0 Post St. Patrick's Day Festival report.

The Town Administrator reported that the St. Patrick's Day Festival received great feedback from attendees. The event generated \$5,503.10 in revenue, while total expenses amounted to \$14,667.46. A major cost was insurance, which increased to \$3,275 due to volunteer alcohol service. Despite this, the event remained within the amended \$10,000 budget. Personnel costs, including overtime, were also accounted for. While the festival operated at a loss, it was a planned expense and considered a valuable event for the community.

8.0 Meeting adjournment.

Mayor Schear allowed public comments to be made prior to adjourning the meeting.

Rick Zeron, 18650 Gulf Blvd., questioned if the appraisal process for their building will change now that the proposed zero lookback ordinance is underway.

The Town Attorney advised those with questions about their individual properties to meet with the Building Official outside of the Council meeting for further discussions.

Frank Krozel, 18650 Gulf Blvd., expressed concern over the economic impact of fewer Canadian renters returning after the hurricanes. He compared the Town's recovery efforts to those in Tarpon Springs, where businesses have rebounded. He urged the Council to form a committee and offered his assistance to engage with property owners and renters and take action to revitalize the area. The lack of renters affects local businesses, restaurants, and workers, leading to a loss of tax revenue for Pinellas County.

Steven Raisch, EMT, Pinellas Suncoast Fire and Rescue District, announced the hiring of the new Fire Chief, Ken Grimes. He reported that in February, they responded to 29 emergency calls for medical and fire-related incidents. Additionally, Station 26 at 18395 Gulf Blvd. has reopened after storm-related repairs and is now operational.

Mayor Schear announced the April 8, 2025, meetings and welcomed the public to attend.

Mayor Schear adjourned the meeting at 5:35 p.m.

Freddie Lozano, CMC
Town Clerk



Recurring Expenditures & Aprvd Projects-Res 7-2008

Town of Indian Shores

By Check Number

Date Range: 03/01/2025 - 03/31/2025

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Bank Code: AP BANK-AP BANK						
1779	June C Steding	03/07/2025	EFT	0.00	1,228.50	536
INV0001	Invoice	03/06/2025	February services	0.00	1,228.50	
1325	MOTOROLA SOLUTIONS, INC	03/07/2025	EFT	0.00	4,202.97	537
8330297058	Invoice	03/06/2025	R&I equipment from car#40 to car#58	0.00	4,202.97	
1353	PUBLIC RISK MANAGEMENT OF FL	03/07/2025	EFT	0.00	35,716.99	538
March2025	Invoice	03/06/2025	Medical,Dental,Vision,LTD,ADD	0.00	35,716.99	
1756	Tech Guru Consulting, Inc.	03/07/2025	EFT	0.00	5,799.38	540
10584	Invoice	03/06/2025	BD-laptop	0.00	1,422.98	
10606	Invoice	03/06/2025	March monitoring	0.00	4,376.40	
1584	RISK MANAGEMENT ASSOCIATES INC	03/14/2025	EFT	0.00	3,275.00	542
19729976	Invoice	03/14/2025	St. Pat's special event policy	0.00	3,275.00	
1589	George F. Young, Inc.	03/20/2025	EFT	0.00	1,382.50	543
131542	Invoice	03/20/2025	2nd plat review-The Strand	0.00	1,382.50	
1363	PERSSON COHEN & MOONEY, P.A.	03/20/2025	EFT	0.00	6,473.25	544
5830	Invoice	03/20/2025	Legal services	0.00	6,473.25	
1321	PREFERRED GOVERNMENTAL INSURANCE TRUS	03/20/2025	EFT	0.00	12,827.25	545
COM#66874-3-04..	Invoice	03/20/2025	3rd QTR WC payment	0.00	12,827.25	
1355	WEX BANK	03/20/2025	EFT	0.00	3,718.05	546
103234429	Invoice	03/20/2025	February 2025 fuel purchases	0.00	3,718.05	
1325	MOTOROLA SOLUTIONS, INC	03/28/2025	EFT	0.00	5,551.92	547
8330299803	Invoice	03/27/2025	light & siren pkg car# 59	0.00	5,551.92	
1248	ADVANTAGE TRAILER COMPANY, LLC	03/07/2025	Regular	0.00	9,083.30	49222
INV-00015278	Invoice	03/06/2025	PS-dump trailer	0.00	9,083.30	
1286	ALL AMERICAN FLAG & PENNANT INC	03/07/2025	Regular	0.00	2,014.10	49223
16986	Invoice	03/06/2025	flag mounting hardware	0.00	2,014.10	
1171	LIBERTY FLAGS	03/07/2025	Regular	0.00	1,193.25	49231
115932	Invoice	03/06/2025	American flags (43)	0.00	1,193.25	
1404	US BANK ST. LOUIS IT & C LOCKBOX	03/12/2025	Regular	0.00	2,589.00	49240
INV0001821	Invoice	03/13/2025	CH185 Contributions	0.00	2,589.00	
1784	Crash Champions	03/12/2025	Regular	0.00	5,218.44	49241
700006846	Invoice	03/12/2025	PD- 2022 F-150 repairs cl#435052	0.00	5,218.44	
1790	Amy Lockhart- St Pat's Festival	03/14/2025	Regular	0.00	1,000.00	49243
INV0001831	Invoice	03/14/2025	St. Pat's Festival ticket booth cash	0.00	1,000.00	
1782	St Pete Pressure Wash	03/14/2025	Regular	0.00	1,800.00	49252
202	Invoice	03/14/2025	Nature Park pressure washing	0.00	1,800.00	
1356	TRUIST BANK	03/14/2025	Regular	0.00	10,491.10	49257
3642February20..	Invoice	03/14/2025	January-February purchases	0.00	10,491.10	
1391	VERIZON WIRELESS	03/20/2025	Regular	0.00	2,620.25	49266
6108110159	Invoice	03/20/2025	Device & cellular services	0.00	2,620.25	
1154	WALKER FORD	03/20/2025	Regular	0.00	1,892.46	49267

Recurring Expenditures & Aprvd Projects-Res 7-2008

Date Range: 03/01/2025 - 03/31/2025

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
FOCB245239	Invoice	03/20/2025	windshield replacement/repairs-Town exp...	0.00	1,468.78	
FOCS246856	Invoice	03/20/2025	warranty work,key programming V#7705	0.00	423.68	
1404	US BANK ST. LOUIS IT & C LOCKBOX	03/25/2025	Regular	0.00	2,723.95	49275
INV0001843	Invoice	03/27/2025	CH185 Contributions	0.00	2,723.95	
1397	DUKE ENERGY	03/28/2025	Regular	0.00	9,959.99	49276
INV0001850	Invoice	03/27/2025	Electric utility service	0.00	9,959.99	
1782	St Pete Pressure Wash	03/28/2025	Regular	0.00	1,300.00	49281
207	Invoice	03/27/2025	rear PS building & vinyl fence cleaning	0.00	1,300.00	
1405	MISSION SQUARE RC-EZ LINK Town	03/13/2025	Bank Draft	0.00	9,094.34	DFT0000810
INV0001818	Invoice	03/13/2025	401A W/H	0.00	9,094.34	
1403	EFTPS ONLINE	03/13/2025	Bank Draft	0.00	12,458.86	DFT0000813
INV0001823	Invoice	03/13/2025	Fed tax W/H	0.00	12,458.86	
1403	EFTPS ONLINE	03/13/2025	Bank Draft	0.00	11,486.92	DFT0000814
INV0001824	Invoice	03/13/2025	Social Security W/H	0.00	11,486.92	
1403	EFTPS ONLINE	03/13/2025	Bank Draft	0.00	2,686.52	DFT0000815
INV0001825	Invoice	03/13/2025	Medicare W/H	0.00	2,686.52	
1405	MISSION SQUARE RC-EZ LINK Town	03/27/2025	Bank Draft	0.00	9,531.93	DFT0000818
INV0001841	Invoice	03/27/2025	401A W/H	0.00	9,531.93	
1403	EFTPS ONLINE	03/27/2025	Bank Draft	0.00	12,477.80	DFT0000820
INV0001845	Invoice	03/27/2025	Fed tax W/H	0.00	12,477.80	
1403	EFTPS ONLINE	03/27/2025	Bank Draft	0.00	11,823.14	DFT0000821
INV0001846	Invoice	03/27/2025	Social Security W/H	0.00	11,823.14	
1403	EFTPS ONLINE	03/27/2025	Bank Draft	0.00	2,765.08	DFT0000822
INV0001847	Invoice	03/27/2025	Medicare W/H	0.00	2,765.08	

Bank Code AP BANK Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	14	13	0.00	51,885.84
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	8	8	0.00	72,324.59
EFT's	11	10	0.00	80,175.81
	33	31	0.00	204,386.24

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	14	13	0.00	51,885.84
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	8	8	0.00	72,324.59
EFT's	11	10	0.00	80,175.81
	33	31	0.00	204,386.24

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH	3/2025	204,386.24
			204,386.24

ORDINANCE NO. 2025-02

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, CREATING A JUVENILE CURFEW ORDINANCE AMENDING CHAPTER 66 – STREETS, SIDEWALKS, AND CERTAIN PUBLIC PLACES – AND ADDING A NEW ARTICLE III, SECTION 66-46 THROUGH SECTION 66-51, “JUVENILE CURFEW”; ENACTING PENALTIES FOR VIOLATION; INCORPORATING FINDINGS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Indian Shores (the “Town”) is a Florida municipal corporation and political subdivision of the State of Florida; and

WHEREAS, substantial state and federal caselaw has been promulgated which has clarified the constitutional issues and limitations surrounding curfews in particular; and

WHEREAS, the Indian Shores Town Council (the “Council”) finds that a need exists to protect youth from harm and victimization, to protect the safety and well-being of the youth, and to reduce crime and violence committed by unsupervised youth; and

WHEREAS, youth are peculiarly vulnerable to being victims of crime such as homicide, robbery, assault and battery, and sexual offenses. Youth are generally smaller in stature than adults, less likely to be in possession of a weapon, and less able to defend themselves; and

WHEREAS, youth are perceived to be easier targets by those persons inclined to commit violent crimes, a vulnerability is generally increase during the late night hours because persons who are inclined to commit crimes of violence can do so with a lower risk of apprehension, because there is often little or no parental or adult supervision under the circumstances; and

WHEREAS, youth are also less likely to perceive the imminent risk of becoming the victim of a violent crime, and are under an additional threat of sex crimes because of perception that youth are less likely to be believed if they report having been the victim of a sex crime; and

WHEREAS, most parents make every reasonable effort to protect their children from the dangers of crime and make informed choices as to what to allow their children to do; and

WHEREAS, notwithstanding those efforts, parents cannot always maintain control of their children, and children at times fail to obey parentally imposed curfews and can fail to be truthful to their parents about what they are doing during the evening hours out of the home; and

WHEREAS, parental oversight of youth can also be impaired by the fact that some single parents must work during the evening or night hours, leaving their children in an unsupervised or under-supervised setting during these hours; and

WHEREAS, residents of the Town, including parents of minor children, as well as business owners and managers in the Town have asked the Town to develop a lawfully balanced means of assisting them in both reducing the risks to children who are out and unsupervised during nighttime hours, and in reducing the negative effect of unsupervised children being out at night, including vandalism, theft, public urination, underage consumption of alcohol or unlawful narcotics, and disturbance of the peace; and

WHEREAS, the Town, being a beautiful beachfront community with properties offering short term rentals, has for years seen an increase in the number of non-resident youth in the town during holidays, school/university breaks, and during vacation season, resulting in numerous unsupervised youth congregating on the Town's beach, sidewalks, and business locations open during evening hours, during which times vandalism, theft, public urination, underaged consumption of alcohol or unlawful narcotics, public intoxication, fighting, disturbance of sea turtle nesting areas, and general disturbances of the peace are too often occurring; and

WHEREAS, congregation of youth in front of or within businesses during evening hours impedes the ability to customers to freely access and patronize such businesses; and

WHEREAS, the Town does not have sidewalks along Gulf Boulevard, and the congregation of youth on the shared mobility path within the Town during evening hours impedes the free flow of traffic and persons using those mobility paths for their intended purpose; and

WHEREAS, the Town is situated within Pinellas County, the most densely populated county in Florida, and within easy driving distance for youth traveling from Pasco, Manatee, and Hillsborough counties; and

WHEREAS, these geographic regions include several major colleges and universities, as well as school districts with some of the highest levels of student populations, all of which release their students for extended seasonal breaks during the same weeks each year; and

WHEREAS, the Town's Chief of Police (the "Chief") has reported that in prior years, his department has made many attempts to work with short-term rental properties in the Town with the goal of having those property owners/managers play a more active role in overseeing the activities of minors staying at their properties; and

WHEREAS, the Chief has reported that in spite of such efforts, the owners/managers were unwilling to crack down on short-term renting to an apparent adult online, only to have the rental occupied solely by minors, and were either unwilling or unable to exercise any meaningful control over the activities of unsupervised minors in business and on beaches and sidewalks; and

WHEREAS, the Town is a small municipality with limited resources available to combat the unruly behavior of unaccompanied juveniles which impairs the health, safety and welfare of the general public, including the minors involved; and

WHEREAS, Article VIII, § 2(b) of the State Constitution provides that municipalities shall have the governmental powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Florida Statutes § 877.25 authorizes counties and municipalities to enact curfew ordinances regulating the presence of youths in public places and establishments which provide restrictions more stringent or less stringent than the curfew established by the Legislature in Florida Statutes § 877.22 (the model curfew statute); and

WHEREAS, in *State v. J.P.*, 907 So.2d 1101, 1115-16 (Fla. 2004), the Florida Supreme Court (finding the juvenile curfew ordinances of the cities of Pinellas Park and Tampa were constitutional), ruled that strict scrutiny applies to such ordinances, that juveniles are entitled to those fundamental rights of privacy and freedom of movement, and that the ordinances burdened those rights because the ordinances did not contain sufficient exceptions to ensure minors would be allowed to exercise their rights to engage in core First Amendment activities, to engage in interstate travel, and to go to and from valid places of employment; and

WHEREAS, it is the intent of the Town to adopt this Ordinance for the protection of the general public, including minors, by establishing a limited curfew in the Town during certain hours of the day or night during under certain circumstances, in a manner which will protect the fundamental rights of youth and parents by setting out a body of regulations and standards which are narrowly tailored so as to advance public interests deemed by the Council as compelling, which shall conform with requirements set out by the Florida Supreme Court in *State v. JP*, and guidelines of other State and Federal Courts, as well as meeting all requirements of the Constitutions of the United States and the State of Florida; and

WHEREAS, the Council has held public meetings on this Ordinance at which it heard from the Police Department, property owners and residents, and all other interested parties whether those parties were in support of or opposed to the regulations set forth in the Ordinance; and

WHEREAS, the Town passed temporary curfew ordinances for the past two years; and

WHEREAS, as a result of the temporary ordinances, the Town saw a reduced number of calls as compared to the previous years; and

WHEREAS, the Town seeks implement a permanent ordinance; and

WHEREAS, the Council finds that it is in the best interest of the Town, and the health, safety and welfare of its residents, visitors and businesses, to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES:

Section 1: That all of the above recitals are true and correct, and the same are incorporated into this Ordinance as if fully set forth herein.

Section 2: Sections 66-46 through 66-51 of Chapter 66 of the Town of Indian Shores Code of Ordinance shall hereby be created to read as follows:

Sec. 66-46. Definitions.

For the purposes of this chapter, the following words shall be defined as follows:

Direct route means the shortest reasonable path to travel to reach a final destination without any detour or stop along the way.

Emergency means an unforeseen combination of circumstances which results in a situation that requires immediate attention to care for or prevent serious bodily injury, loss of life, or significant property loss. The term “emergency” includes, but is not limited to, a fire, a natural disaster, or an automobile accident.

Establishment means a privately owned place of business to which the public is invited, including, but not limited to, a place of entertainment.

Guardian means:

(1) A person who, under court order, is the guardian of a youth,

(2) A court appointed person or agency acting in the role of a parent.

Holding location means a place designated by the police chief to which a youth taken into custody for a violation of this article may be delivered to await pickup by a parent or by juvenile authorities.

Law enforcement officer means any sworn law enforcement officer under the direction of the police chief or sheriff.

Legal guardianship means a person to whom lawful custody has been given by a court order.

Legal guardian means a person to whom lawful custody has been given by a court order.

Legal holidays shall be understood to include those holidays designated in F.S. § 683.01.

Operator means any individual, firm, association, partnership, or corporation operating, managing, or conducting any business or establishment. The term includes the members or partners of any association or partnership and the officers of a corporation.

Parent means a person who has care and control of a youth as a natural, adoptive or stepparent, and includes a person who is:

- (1) A court-appointed guardian of another person; or
- (2) A person at least 18 years of age and with written authority from a parent or court-appointed guardian to have the care and custody of another person.

Private place means any property or place, whether privately or publicly owned, to which the general public does not have access to and a right to enter or remain of business, recreation, entertainment, or otherwise.

Public place means any property owned or controlled by the Town, county, the state, or other governmental entity, to which the general public has access and a right to enter or remain for business, recreation, entertainment, or other lawful purposes.

Remain means to:

- (1) Linger or stay unnecessarily in a particular place; or
- (2) Fail to leave the premises when requested to do so by a duly authorized law enforcement officer or the owner, operator, or other person in control of the premises.

Semi-public place means any privately-owned or privately-operated real property (including any structure thereon) to which the general public has access and a right to enter or remain for business, recreation, entertainment, or other lawful purpose, and includes any common area of any condominium or housing complex, any vacant lot or vacant or abandoned buildings, and includes but is not limited to any store, shop, restaurant, tavern, theatre, parking lot, alley, road, or shopping center.

Supervising adult means a person who is at least 18 years of age and authorized to have care and control of the youth and who, by virtue of the youth's parents or guardians' authority, is responsible to watch and direct the activities of the youth while the youth is in the care and control of said person.

Swale means the low tract of land in front of or between houses or other properties often used for drainage of stormwater.

Youth means any unemancipated or unmarried person under the age of 18.

Restricted hours or Youth curfew hours mean:

11:00 p.m. until 5:00 a.m.

Sec. 66-47. Establishment of youth curfew; fine.

- (a) A youth shall not be or remain, stay, linger, congregate, move about, wander, or stroll in any public place, semi-public place, or establishment in the town, either on foot or in or upon any vehicle, during curfew hours.
- (b) A youth who has been suspended or expelled from school may not be or remain, stay, linger, congregate, move about, wander, or stroll in any public place, semi-public place, or establishment in the town or within 1,000 feet of a school, either on foot or in or upon any vehicle, during the hours of 7:00 a.m. to 5:00 p.m. during any day on which the county's public schools are open and students are required to attend.
- (c) A youth who violates this section shall receive a written warning for her or his first violation. A youth who violates this section after having received a prior written warning is guilty of a civil infraction and shall pay a fine of \$100.00 for each violation.
- (d) For purposes of this section, a second after warning can occur on the same day and during the same restricted hours period, and it is no defense to the issuance of a second or subsequent violation that the initial warning was issued earlier during the same day and during the same restricted hours period.
- (e) Violation of this section and §66-48 are distinct offenses committed by different individuals and the issuance of a citation to a parent or supervising adult for violation of §66-48 does not preclude issuance of a citation to a youth under this subsection.

Sec. 66-48. Legal duty of parent; fine.

- (a) The parent(s) and any supervising adult(s) of a youth have a legal duty and responsibility to ensure that the youth does not violate §66-47 of this code.
- (b) The parent(s) and any supervising adults(s) have a legal duty and responsibility to personally to supervise (or arrange for a supervising adult to supervise) the youth so that the youth does not violate §66-47 of this code.
- (c) The parent(s) and any supervising adult(s) of a youth who knowingly permit the youth to violate §66-47 shall receive a written warning for the first violation. A parent or supervising adult who knowingly permits the youth to violate §66-46 after having received a prior written warning is guilty of a civil infraction and shall pay a fine of \$100.00 for each violation.

- (d) As an alternative to paying the fine for the civil infraction, the parent(s) or supervising adult(s) who violate this section may choose to perform community service as approved by the town council or town administrator. Each hour of such service shall be applied at the rate of the state minimum wage toward the payment of the civil fine.
- (e) For purposes of this section, a second or subsequent violation after warning can occur on the same day and during the same restricted hours period, and it is no defense to the issuance of a second or subsequent violation that the initial warning was issued earlier during the same day and during the same restricted hours period.
- (f) Violation of this section and §66-47 are distinct offenses committed by different individuals and the issuance of a citation to a parent or supervising adult for violation of §66-47 does not preclude issuance of a citation to a youth under this subsection.

Sec.66-49. Legal duty of an operator; fine.

- (a) It shall be unlawful for any operator of a business to knowingly permit a youth to remain, linger, stay, congregate, move about, wander or stroll upon premises of the business during youth curfew hours.
- (b) Operators are encouraged, but not required, to post in a prominent location in their business premises the following notice in no smaller than 30-point font: "PURSUANT TO TOWN CODE §66-46, IT IS UNLAWFUL FOR ANY UNEMANCIPATED PERSONS LESS THAN 18 YEARS OF AGE TO REMAIN ON THESE PREMISES DURING THE YOUTH CURFEW HOURS BEGINNING AT 10:00 P.M. AS SET FORTH IN TOWN CODE §66-46, UNLESS SPECIFICALLY ALLOWED BY TOWN CODE §66-50."
- (c) A business in violation of this section, after having received a prior written warning, is guilty of a civil infraction and shall pay a fine of \$50.00 for the first infraction and a fine of \$100.00 for each subsequent violation.
- (d) It shall constitute a defense if the operator notified a law enforcement officer that the youth was present on the premises of the business during the restricted hours and the youth refused to leave the premises after being requested by the operator to leave.
- (e) It shall also constitute a defense if the operator had posted notice in the form set forth in subsection (b) above and had also notified the youth that the youth was not permitted to the premises during the restricted hours.

Sec.66-50. Exceptions to curfew application.

The youth curfew provided for in §66-46 does not apply to a youth who is:

- (a) Accompanied by a parent or guardian; or

- (b) Accompanied by a supervising adult, provided that the law enforcement officer is able to verify the authorization of the supervising adult through in-person or telephonic contact with the parent or guardian; or
- (c) Married or had been married or emancipated in accordance with state law; or
- (d) Homeless or uses a public place as their usual place of abode; or
- (e) Engaged in interstate travel or bona fide intrastate travel with a parent or with the consent of the youth's parent, which may be verified by the law enforcement officer in-person or telephonically; or
- (f) On an errand at the direction of and with authorization of the youth's parent or supervising adult, using a direct route without detour , provided that the law enforcement officer is able to verify the authorized errand through in-person or telephonic contact with the parent or supervising adult; or
- (g) Attending or traveling to or from, using a direct route an activity that involves the exercise of rights protected under the First Amendment of the United States Constitution (or those similar rights protected by Article 1, Section 3,4, and 5 of the Florida Constitution), such as the free exercise of religion, freedom of speech, and the right of assembly; or
- (h) When the town council presents, or authorizes a third party to present, a special event which occurs during youth curfew hours. Any such events, if they are to occur during youth curfew hours, shall include such safety and security measures as will reasonably protect any youth participating in the event and prevent any youth present during the event from engaging in unlawful activities; or
- (i) Engaged in lawful employment or traveling to or from, by direct route, lawful employment, or who is in a public place or establishment in connection with or as required by a business, trade, profession, or occupation in which the youth is lawfully engaged, provided that the law enforcement officer may verify employment through in-person or telephonic contact with the employer, parent, or supervising adult; or
- (j) Reacting or responding to an emergency that requires the youth's immediate attention as defined in §66-46 and provided that the law enforcement officer may verify such necessity through in-person or telephonic contact with the parent or supervising adult, or through the officer's own observations and judgment; or
- (k) Attending or traveling to or from, by direct route, an official school, religious, or recreational activity that is supervised by adults and is sponsored by governmental entity, civic or religious organization, or similar entity, that accepts responsibility for the youth as an invitee, provided the law enforcement officer may verify these factors through in-person or telephonic contact with the parent, supervising adult, or

representative of the entity or organization that the activity is so sponsored and the entity or organization does accept responsibility for the youth; or

- (l) On the property of, or on the swale or sidewalk abutting the place where the youth resides, or is on the abutting property of, swale or sidewalk of the residential property of an adult next-door neighbor, provided the neighbor confirms to the law enforcement officer that she or he consents and did not complain to law enforcement or code enforcement officers about the youth's presence.

Sec. 66-51. Enforcement procedures.

- (a) A law enforcement officer is authorized to stop persons whom the officer reasonably suspects are in violation of the curfew provisions of this chapter and detain such persons as long as it is necessary to determine whether they are in violation of this chapter.
- (b) Before taking any enforcement action under this chapter, the law enforcement officer shall ask the youth and any person(s) with the youth who claims to be a parent or supervising adult, the youth's age and reason for being in a public place. The Officer shall not issue a citation or notice of violation unless the officer reasonably believes that a violation of this has occurred and that based on any response and other facts and circumstances observed by or brought to the attention of the officer, no defense is present.
- (c) If a youth is in violation of §66-47, the law enforcement agent may:
 - (1) Ascertain the name and address of the youth; and
 - (2) Issue a written warning to the youth that he or she is in violation of the curfew; and
 - (3) Order the youth to leave the restricted area for the remainder of the restricted hours; or
 - (4) Contact the youth's parent or guardian and allow the youth's parent or guardian to take physical custody of the youth.
- (d) The law enforcement officer may take the youth into protective custody if:
 - (1) The law enforcement officer has reasonable grounds to believe that the youth has been abandoned or neglected, or is in immediate danger from her or his surroundings and that removal is necessary for her or his protection, or
 - (2) There is no parent or supervising adult having lawful custody and control over the youth at the youth's home or usual place of abode, or

- (3) The law enforcement officer is unable to make contact with the parent or documented supervising adult of the youth within a reasonable time in order to allow the parent of documented supervising adult to pick up the youth, or
- (4) The parent or supervising adult refuses to pick up or take custody of the youth.
- (e) Following three or more violations of §66-47 by the youth, the police chief or a designated representative may contact the appropriate state or county child welfare agency and recommend an investigation of the youth's home as provided for by law.
- (f) When a youth is taken into custody under subsection (d) above, and the law enforcement office is unable to contact a parent of the youth within 2 hours after the youth is taken into custody, the youth may be transported to a holding location or other facility as provided for by part IV of the Florida Statutes Chapter 39, or to her or her residence.

Section 3: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: That if any provision or part of this Ordinance is declared invalid or unenforceable as a matter of law, the offending portion shall be stricken and all other provision hereof shall remain valid and enforceable.

Section 5: That the provisions if this Ordinance shall become a part of and be included in the Town of Indian Shores Code of Ordinances, and the keeper of the Code is hereby authorized to renumber and incorporate said provisions into the Code Ordinances as may be required to accomplish the orderly codification of same.

Section 6: This Ordinance shall become effective immediately upon adoption in the manner provided by law.

FIRST READING this 12th day of March, 2025.

The first reading of the above Ordinance, upon motion by Vice Mayor Ellen A. Bauer and seconded by Councilor Mark Housman as duly approved at a regular Council Meeting held on the 12th day of March, 2025.

Voting in favor of the First Reading: **Mayor Diantha Schear, Vice Mayor Ellen A. Bauer, Councilor Mark Housman, Councilor Mike Howard, Councilor Nicholas Menchise**

Voting in opposition: **None**

Absent: **None**

Abstaining: **None**

SECOND READING AND FINAL PASSAGE this _____ day of _____, 2025.

The second reading of the above Ordinance, upon motion by _____
and seconded by _____ as duly approved at a Regular
Town Council Meeting held on the _____ day of _____, 2025.

Voting in favor of the Second Reading:

Voting in opposition: Absent: Abstaining:

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN
SHORES, FLORIDA, THIS _____ day of _____, 2025.**

ATTEST:

Diantha Schear
Mayor

Freddie Lozano, CMC
Town Clerk

Approved as to form:

Daniel P. Lewis, Esq.
Town Attorney

Business Impact Estimate

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

Proposed ordinance's title/reference:

Ordinance No. 2025-02

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, CREATING A JUVENILE CURFEW ORDINANCE AMENDING CHAPTER 66 – STREETS, SIDEWALKS, AND CERTAIN PUBLIC PLACES – AND ADDING A NEW ARTICLE III, SECTION 66-46 THROUGH SECTION 66-51, "JUVENILE CURFEW"; ENACTING PENALTIES FOR VIOLATION; INCORPORATING FINDINGS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the Town of Indian Shores is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the Town of Indian Shores is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

¹ See Section 166.041(4)(c), Florida Statutes.

- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

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

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare): **The ordinance is establishes a curfew for unattended minors who also do not fall within specified exceptions.**

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

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the Town of Indian Shores' regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

NONE.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **NONE.**

4. Additional information the governing body deems useful (if any):
[You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: Town of Indian Shores staff solicited comments from businesses in the Town of Indian Shores as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on Town of Indian Shores website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses]. **NONE.**



RICHARD (RICK) SWANN, CHIEF OF POLICE

INDIAN SHORES POLICE DEPARTMENT

Protect With Honor, Serve With Pride

**To: The Honorable Mayor Diantha Schear, Members of the Indian Shores Town Council,
Members of the Administrative and Finance Committee**

From: Chief Richard H. Swann Jr

Date: April 8, 2025

Re: Beach Week Preparation / Specialty Pay

To prepare for the upcoming 4th of July Beach Week, the Indian Shores Police Department (ISPD) has taken several measures to increase safety for all involved. The Towns of Redington Shores and Indian Shores have implemented a juvenile curfew ordinance to address specific hours and locations throughout both towns.

Our Goal is to create a safe environment for everyone, and it is imperative that the HOAs work with ISPD in order to succeed. We have met with the PCSO representatives and attended several HOA annual meetings. ISPD will host a larger planning meeting with the representatives from the major condominium complexes in late April of this year.

As in past, ISPD has executed an interlocal agreement with the Belleair Police Department for additional staffing if needed. The Belleair officers will be working in conjunction with the ISPD officers. This agreement has been filed with the Florida Department of Law Enforcement as required. The off-duty rate is \$65.00 per hour, approximately \$50.00 of that is paid to the officers and the remainder goes to the Town of Belleair for benefits and administrative costs.

If we deploy additional resources from Belleair, we are also requesting that ISPD officers working mandatory overtime be paid premium pay. The premium pay will avoid potential personnel conflicts and maintain parity with the contracted officers from Belleair. The premium pay will be at a rate of \$50.00 per hour from July 1, 2025, through July 5, 2025. ISPD officers will be compensated at their regular rate beginning July 6, 2025.

In response to the 4th of July Beach Week activities the Pinellas County Sheriff's Office (PCSO) also deploys a substantial number of assets, at multiple locations throughout Pinellas County and the barrier islands. PCSO will also dedicate and deploy multiple assets in Indian and Redington Shores during the week to work with and support ISPD.

To emphasize the financial impact this event has on our community, we have included an estimated costs incurred by the Sheriff for the additional assets provided.

\$24,000.00-25,000.00 = Estimated impact on the Indian Shores Police Department budget

(excluding on duty personnel).

\$4,000.00-5,000.00 = Estimated expenses.

\$5,500.00 = Estimated cost for Belleair PD

\$7,370.00 = Estimated cost for Belleair premium pay to ISPD officers is \$5,500.00 plus 34% (\$1,870.00) cost of benefits.

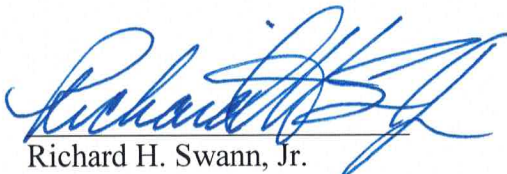
\$7,670.00 = Estimated overtime cost is \$6,500.00 plus 18% (\$1,170.00) cost of benefits.

\$28,000.00-30,000.00 = Estimated cost for additional staffing and assets provided by Pinellas County Sheriff

\$52,000.00-55,000.00 = Estimated Net Event Cost (excluding duty personnel and miscellaneous expenses)

The good news is that the HOA representatives we have met with share our goals and our commitment to make this a safe event. They have all agreed to do their part.

Respectfully,

A handwritten signature in blue ink, appearing to read "Richard H. Swann, Jr.", is written over a horizontal line.

Richard H. Swann, Jr.
Chief of Police
Indian Shores Police Department

RESOLUTION NO. 08-2025

A RESOLUTION OF THE TOWN OF INDIAN SHORES, FLORIDA, ADOPTING THE PINELLAS COUNTY LOCAL MITIGATION STRATEGY ORDINANCE; RECOMMENDING ADOPTION OF THE LOCAL MITIGATION STRATEGY BY THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS; MAKING THIS LOCAL MITIGATION STRATEGY FUNCTION AS THE TOWN OF INDIAN SHORES FLOODPLAIN MANAGEMENT PLAN; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS INCONSISTENT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Indian Shores, Florida, ("Town") is a municipal corporation located within Pinellas County; and

WHEREAS, the Town is located in an area that is vulnerable to natural and man-made disasters; and

WHEREAS, the Town has adopted previous iterations of the Countywide Local Mitigation Strategy under Resolution 04-1999, Resolution 11-2004, Resolution 04-2010, Resolution 05-2015, and Resolution 09-2020; and

WHEREAS, the Local Mitigation Strategy is reviewed and updated every (5) years in accordance with law and the best interests of the community; and

WHEREAS, the Town supports efforts to make our community more disaster-resistant, thereby reducing the costs of disasters, preventing or mitigating their impact to our residents, and reducing time needed for recovery; and

WHEREAS, the Town is a participant in the Community Rating System of the Nation Flood Insurance Program; and

WHEREAS, the Town's participation in the Community Rating System provides benefits to homeowners holding flood insurance policies; and

WHEREAS, the State of Florida has designated that a local strategy is the first step in the process of making a community disaster-resistant; and

WHEREAS, the local mitigation strategy has been through a comprehensive five-year revision as required by State and Federal law; and

WHEREAS, the Local Mitigation Strategy qualifies for credit as a floodplain management plan under the National Flood Insurance Program and Community Rating System; and

WHEREAS, the Local Mitigation Strategy provides the consistent framework for future pre-disaster mitigation efforts and post-disaster redevelopment, regardless of the type of future threat faced by our community; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES, FLORIDA, AS FOLLOWS:

Section 1. That the Town Council hereby finds the above statements to be true and correct, and incorporated as a material part of this Resolution.

Section 2. The Town Council hereby approves and adopts the Pinellas County Local Mitigation Strategy developed by the Local Mitigation Strategy Workgroup.

Section 3. That this local mitigation strategy shall function as the Town's Floodplain Management Plan required under the Community Rating System.

Section 4. That the Town Clerk is directed to distribute copies of this Resolution to the Federal Emergency Management Agency and all other concerned governmental bodies, agencies, and representatives as deemed appropriate by the Town Council.

Section 5. That if any provision of this Resolution is found to be invalid or unenforceable as a matter of law by a court of competent jurisdiction, the offending provision(s) shall be severed, and the remainder shall continue in full force and effect.

Section 6. That all Resolutions or portions of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. That this Resolution shall become effective immediately upon passage and adoption in the manner provided by law.

The above and foregoing Resolution, upon Motion by _____ and seconded by _____, was duly approved and adopted at a regular Town Council meeting held on the ____ day of _____, 2025.

Voting in favor of the Resolution:

Voting in opposition to the Resolution:

Absent:

Abstaining:

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN
SHORES, FLORIDA, THIS _____ DAY OF _____, 2025.

ATTEST:

Diantha Schear
Mayor

Freddie Lozano, CMC
Town Clerk

INDIAN SHORES

19305 Gulf Boulevard, Indian Shores, FL 33785

 www.myindianshores.com |  Ph: 727.595.4020 |  Fax: 727.596.0050



MEMORANDUM

To: Honorable Mayor Diantha Schear and Members of the Council

Through: Christina R. Porter, Town Administrator

From: Amy Lockhart, Director of Finance & Personnel

Date: April 8, 2025

Re: Budget Amendment Fund 011: Roads and Bridge

The original budget for the Roads and Bridge fund included \$136,350 for maintenance. Listed under this account code were miscellaneous repairs and restriping of roads.

Due to age and the effects of the hurricanes on our streets, we are recommending an examination of the condition of our streets, sidewalks, and curbing. We desire to obtain engineering services that would report on the work that needs to be completed, along with a recommended schedule, and prioritization of the projects. Subsequently, the plan would be to competitively procure the repair projects. This will allow the Town to incorporate this work into the Master Capital Improvement Plan.

This request is to reallocate \$100,000 from the Fund 011 Maintenance budget to Professional Services.

Budget Report Account Summary

For Fiscal: 2024-2025 Period Ending: 03/31/2025

	Original Total Budget	Current Total Budget	Budget Amendment Request	Period Activity	Fiscal Activity
Fund: 011 - ROAD AND BRIDGE					
Revenue					
011.000.335.120 STATE REVENUE SHARING	6,585.00	6,585.00		0.00	2,500.01
011.000.335.490 STREET LT & SIGNAL	64,175.00	64,175.00		0.00	0.00
011.000.338.900 COUNTY LOCAL OPT GAS TAX	23,902.00	23,902.00		0.00	3,213.47
011.000.381.001 RD & B FUND BALANCE	121,688.00	121,688.00		0.00	0.00
Revenue Total:	216,350.00	216,350.00		0.00	5,713.48
Expense					
011.088.531.510 PROFESSIONAL SERVICE	0.00	0.00	100,000.00		
011.088.541.430 UTILITIES	80,000.00	80,000.00		6,128.26	38,485.90
011.088.541.460 MAINTENANCE	136,350.00	136,350.00	(100,000.00)	0.00	0.00
Expense Total:	216,350.00	216,350.00		6,128.26	38,485.90
Fund: 011 - ROAD AND BRIDGE Surplus (Deficit):	0.00	0.00	0.00	-6,128.26	-32,772.42

RESOLUTION NO. 09-2025

A RESOLUTION OF THE TOWN OF INDIAN SHORES, FLORIDA, AMENDING THE TOWN'S FY2024-2025 BUDGET.

WHEREAS, the FY2024-2025 budget of the Town of Indian Shores was adopted on September 23, 2024; and

WHEREAS, the Roads & Bridge Fund contained a Maintenance budget line for \$136,350; and

WHEREAS, it is the desire of the Town Council to amend the budget for FY2024-2025 to reduce this budget line by \$100,000 and move this budget to Professional Services in order to examine the Town's vehicle and pedestrian corridors; and

WHEREAS, this budget amendment represents the request to record this expenditure adjustment in the Road and Bridge Fund.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Indian Shores:

1. That the FY2024-2025 budget be amended to move \$100,000 from the Maintenance expenditure budget line to Professional Services.

The above and foregoing Resolution, upon Motion by _____ and seconded by _____ was duly approved and adopted at a regular Town Council Meeting held on the 8th day of April 2025.

Voting in favor of the Resolution:

Voting in opposition to the Resolution:

Absent:

Abstaining:

ATTEST:

Diantha Schear, Mayor

Freddie Lozano, CMC, Town Clerk

Reallocation from HMGP to Elevate Florida

COMPARISON OF:

- A. Reallocating a portion of Helene & Milton HMGP allocations to Elevate Florida vs.
- B. Retaining these HMGP allocations for infrastructure projects.

A. REALLOCATING TO ELEVATE FLORIDA	B. RETAINING HMGP ALLOCATION FOR INFRASTRUCTURE PROJECTS
<ul style="list-style-type: none"> ▪ HMGP reallocation will help cover more residential mitigation projects than what could be covered, with just the Statewide Elevate Florida funding. ▪ Increases our ability to help more residents especially those who don't have flood insurance. 	<ul style="list-style-type: none"> ▪ Limited Grant Funds for Infrastructure Mitigation. Only two major federal funding options – HMGP and Building Resilient Infrastructure and Communities (BRIC). ▪ HMGP is the only major federal funding source for infrastructure mitigation projects, especially for our smaller municipalities, who have small-scale projects, which wouldn't qualify for BRIC. ▪ Only 15% of the CDBG-DR allocation can be used for mitigation projects.
<ul style="list-style-type: none"> ▪ HMGP reallocation is guaranteed funds for our residents. 	<ul style="list-style-type: none"> ▪ Many concerns raised by residents regarding inadequate infrastructure impacting flooding.
<ul style="list-style-type: none"> ▪ Unprecedented Opportunity - Through Elevate Florida, the residential mitigation applications will be completely managed by the State. ▪ Local jurisdictions do not currently have capacity to handle residential mitigation at the local level. ▪ Less upfront costs for residents. 	<ul style="list-style-type: none"> ▪ Unprecedented Opportunity - allocation for HMGP Helene (approx. \$240 million) and HMGP Milton (approx. \$176 million) are the largest HMGP allocations that Pinellas County has ever received. ▪ We have over 400 mitigation projects on the Local Mitigation Strategy Plan (LMS) worth \$1.8 billion, many of which have remained unfunded for many years.
<ul style="list-style-type: none"> ▪ Elevate Florida has an expedited review process, enabling a more aggressive timeline for construction, which would be extremely beneficial for residents currently displaced by these hurricanes. 	<ul style="list-style-type: none"> ▪ Projects asking for a total of approx. \$802 million federal share, have been submitted for HMGP Helene and HMGP Milton allocation.
	<ul style="list-style-type: none"> ▪ High cost-benefit of infrastructure mitigation projects – A single infrastructure project could benefit a large segment of our residents and result in significant future costs savings.
	<ul style="list-style-type: none"> ▪ Reduced need for borrowing and municipal bonds for project needs.
	<ul style="list-style-type: none"> ▪ Limited information at this point, to make a well-informed decision about reallocation amount. Too many unknowns.

EXPLANATION FOR SOME OF THESE ARE GIVEN BELOW:

A. REALLOCATING TO ELEVATE FLORIDA

- **HMGP reallocation will help cover more residential mitigation projects than what could be covered with just the Statewide Elevate Florida funding.**
- **Help more residents who don't have flood insurance.**
Elevate Florida will be funded through FMA Swift Current and State's HMGP allocation. HMGP does not have a requirement for flood insurance. Reallocating from Pinellas County's HMGP allocation to Elevate Florida, will add to the Elevate Florida's HMGP funds for our residents, and thus enable more Pinellas County applicants to elevate or reconstruct, who currently don't have flood insurance.
- **There are no income requirements to meet eligibility for residential mitigation under Elevate Florida** as these are not requirements of FMA Swift Current or HMGP – the source of funds for Elevate Florida. **This enables many interested residents to take advantage of this mitigation program.**
- **HMGP reallocation is guaranteed funds for our residents** although it doesn't guarantee every application will be eligible and every eligible application can be covered in the available funding.
- **Elevate Florida has an expedited review process enabling a more aggressive timeline for approvals and construction which would be extremely beneficial for residents currently displaced by hurricanes Helene and Milton.** This is also unique to Elevate Florida as a regular FMA or HMGP residential mitigation project, could take many years for completion and reimbursement.

B. RETAINING FULL HMGP ALLOCATION FOR INFRASTRUCTURE PROJECTS

Limited Grant Funds for Infrastructure Mitigation.

There are federal grant funds that can help with residential mitigation (elevations, reconstruction, wind retrofits etc.) such as FMA, FMA Swift Current, Hurricane Loss Mitigation Program (HLMP), etc. These are available annually. HMGP is another option, that is available following a major disaster.

For infrastructure mitigation, there are only two major federal mitigation funding options – HMGP and Building Resilient Infrastructure and Communities (BRIC).

- **Out of these two, only BRIC is available annually, but it is nationally competitive** i.e., infrastructure projects must compete with projects nation-wide to get selected. This means this is not a viable funding source for all our smaller municipalities who have local mitigation projects. *E.g. Street drainage improvements; seawall repairs; hardening critical infrastructure such as wastewater treatment plants, EOC and fire stations; lift station upgrades, etc.*
- **HMGP is the primary federal grant funding for infrastructure mitigation projects. It is an allocation specific to Pinellas County.** Pinellas County, its 24 municipalities and special districts and private non-profits are eligible for this funding.
- **HMGP is only available after a major storm that triggers a presidential declaration.** Although this funding becomes available occasionally, the need for infrastructure mitigation (need for maintenance, repairs and upgrade) frequently occurs, due by age, regular wear and tear, and by smaller more frequent disaster events throughout the year.
- **HMGP is the only funding source for infrastructure mitigation projects for our smaller municipalities, who have small-scale projects and do not have the capacity to fund the 25% match, required for large infrastructure mitigation projects.** Although these projects are critical to prevent flooding and for the safety of their residents, these small-scale projects, typically wouldn't be able to compete with projects nationwide and therefore wouldn't qualify for BRIC.
- **Only 15% of the Community Development Block Grant – Disaster Recovery (CDBG-DR) allocation can be used for mitigation projects. Under CDBG-DR for infrastructure projects, a certain percentage of the service area (population to be served by a project) should qualify as low or moderate income. Need to confirm this.**
- **Unprecedented Opportunity**
The allocation for HMGP Helene (approx. \$240 million) and HMGP Milton (approx. \$176 million) are the largest HMGP allocations that Pinellas County has ever received.

It is a unique opportunity to comprehensively, look at mitigation in terms of:

- Type of mitigation projects (residential as well as infrastructure; focused on minimizing not just coastal but also inland and riverine flood losses).

- Involving a wide range of entities in mitigation – special districts and private non-profits who are eligible to apply for HMGP for mitigation projects.
- Ability to pursue larger mitigation projects, which have a wider impact in terms of flood mitigation, which would otherwise be very difficult to implement, due to lack of funding.
- Pursue long standing, unfunded projects from the Local Mitigation Strategy (LMS) project list which includes over 400 mitigation projects.

Concerns raised by residents regarding outdated infrastructure resulting in flooding.

Concerns were raised by residents in the LMS Five Year Update workshop (October 17th, 2024) about inadequate infrastructure and drainage systems, and inland flooding during extreme rain events. Post hurricanes Helene and Milton, we received over 150 emails from residents highlighting inadequate infrastructure in their neighborhood and flooding conditions.

Limited information at this point, to make a well-informed decision about reallocation amount.

Applications are currently being submitted to Elevate Florida or are in early stages of review, therefore there is limited information available right now, to make a well-informed decision about the reallocation.

Too many unknowns:

- **Number of applications that are cost-effective** and therefore eligible.
- **Applications that would qualify under CDBG-DR.**
- **Number of acquisition projects that are viable** and the willingness of the jurisdictions to accept the ownership and maintenance of properties in perpetuity.
- **Number of applications that are duplicates** i.e. applicants entering applications more than once or entering in two applications for two different project types, etc.
- **Number of primary and secondary applicants.** Currently available information on the applicants shows 93% of the applicants are self-reported as primary residents. State is going to prioritize primary residences for Elevate Florida.

Potential Projects Submitted for HMGP Helene and Milton - Potential projects asking for a total of approx. \$806 million federal share, have been submitted to the LMS Working Group, by various jurisdictions in Pinellas County, for HMGP Helene and HMGP Milton allocation. See attached Potential Projects list.

Providing a large reallocation could prevent us to fund such mitigation needs.

High cost-benefit – A single infrastructure project could benefit a large segment of our residents and sometimes residents in multiple jurisdictions, resulting in significant future costs savings. Every \$1 spent today on mitigation helps save \$6 in future, in terms of repair and recovery costs (direct and indirect costs).

OVERALL STRATEGY

The overall strategies are explained below. Related questions asked by Pinellas County and other Counties in Florida, and associated responses from FDEM on those questions, are provided in [BLUE](#).

REALLOCATING A PORTION OF HMGP FUNDING TO ELEVATE FLORIDA

- **Reallocate a certain percentage of HMGP allocation to Elevate Florida.**

This will enable us to pursue many different mitigation goals such as:

- Individual residential mitigation through elevations, mitigation reconstructions and retrofits.
 - Mitigation of infrastructure to prevent or lessen flooding impacts and minimize losses.
 - Flood mitigation of coastal and inland, riverine, and other hydraulically constrained areas.
 - Prevent recurring costs following a major storm or during frequently occurring, extreme precipitation or continuous rain events –
 - Cost borne by jurisdictions due to repeated breakdown of old infrastructure and costly repairs as well as.
 - The indirect costs borne by residents, due to the ensuing flooding exacerbated by the old, or inadequate infrastructure.
 - Hardening our critical infrastructure that helps assist residents during different phases - emergency response, evacuation and recovery.
 - Pursue critical mitigation projects that were on hold, for a long time due to significant project costs and lack of funding.
 - Implement mitigation projects that can impact a large segment of our population.
- **Using HMGP for infrastructure projects, enables us to bring in more entities to help mitigate risks within Pinellas County and its 24 municipalities.** Private non-profits such as hospitals, schools and colleges; regional and statewide agencies; and special districts (such as school boards, fire districts and PSTA) are all eligible to apply for HMGP.
 - **If there are many Elevate Florida applications (as is in Pinellas County's case) and there is a significant need, the likelihood of the reallocation to be reverted to HMGP project list is minimal.**
 - **Considering the State's criteria for allocation of funds from Elevate Florida, several communities within Pinellas County's would qualify as high priority for the Elevate Florida Program.** As indicative of the HMGP allocation, Pinellas County is one of the worst affected areas from hurricane Helene and Milton, within the State of Florida. We have several geographical areas (i.e. high-risk communities) impacted by floods, and high number of residences in flood zones and repetitive loss properties.

- **Reallocate in phases.**

In subsequent phases, more information will be available from the State and therefore better clarity about the deficit that we are trying to cover using HMGP funds. This will help fine tune our reallocation based on the results of the application review and reallocate more if needed.

This will allow better coordination between the Elevate Florida and CDBG-DR efforts and enable us to maximize both programs for our residents. See answers from the State below.

SUBMITTING INFRASTRUCTURE PROJECTS FOR HMGP

- **Submit a long list of mitigation projects for HMGP.**

Considering Pinellas County is eligible for Tier I and Tier II HMGP funding, it is essential that we submit a long list of projects worth more than the allocated amount. This will enable us to access any additional funding that is available, beyond the Tier I allocation (\$416), if our projects are deemed eligible. Tier II is any unused funding from other counties who did not completely use up their allocation.

- **Consider change in project costs while calculating the combined federal share requested from the HMGP.**

The initial estimate of the total federal share requested by various entities in Pinellas County, from the HMGP allocations for hurricanes Helene and Milton is approx. \$809 million. *See attached Potential Projects List.*

- This is based on the projects that have been submitted as of 03/12/2025.
- Please note, not every project submitted will be deemed eligible.

The costs could go up when final calculations are completed by the potential applicants, as a part of the application development. Therefore, it is recommended to consider a buffer of 5 to 10 percent.

- **Check the submitted Potential Projects List for HMGP Helene and Milton, to see if any of these projects would qualify under CDBG-DR.**

RESPONSES FROM THE STATE TO QUESTIONS ASKED BY PINELLAS AND OTHER COUNTIES ABOUT ELEVATE FLORIDA

Q. If funds are reallocated to Elevate Florida and then not used, what happens?

FDEM's Response: The leftover funds would be reverted to the regular projects funding to be used for the normal PPL project submissions. Because of this, we would still encourage WGs to over-submit regular projects so that if money does get reverted after the Helene and Milton HMGP application deadline (July 25th at 11:59 PM ET) (which could happen) you would be able to use it.

Q: How will the reallocated funds be assigned to our county's applicants?

FDEM's Response: As stated, any reallocated funds will be dedicated to that county's applicants. If funds are reallocated by a county, we will use those funds first and then additional projects may be prioritized in the Statewide fund. That being said, if any applicants are eligible for Swift Current those would be prioritized for that funding separate from the HMGP funding. If funds are reallocated, that is guaranteed funding for your county's residents, while still being able to potentially fund additional applicants from your county with the statewide funds and ensure properties from across the state have access to funding.

ELEVATE FLORIDA APPLICATION PRIORITIZATION

Q. Will FDEM provide allocations for Elevate Florida by county?

FDEM's Response: There will not be an allocation by county for the funds. FDEM will prioritize all projects (regardless of State or county funding) based on **repetitive loss, substantial damage, geographic area and flood zone, primary residence, and structure type.**

Q. Will priority be given if a group of homes in the same high-risk neighborhood apply?

FDEM's Response: The program aims to prioritize high-risk communities. If a significant number of homes in a geographic area have applied, Elevate Florida will consider this factor when determining how to batch and prioritize applications for state and federal review.

Q. If our LMS reallocates funds, can we choose which type of projects get funded or choose how that money gets prioritized?

FDEM's Response: We will use the same prioritization methodology across the entire program, including county HMGP reallocations.

Q. If a county does not contribute any funds to this program, will property owners still be eligible?

FDEM's Response: Yes, the State has funding from FMA and HMGP available for property owners statewide. If a county provides additional funds, the State will utilize those funds to directly fund projects for property owners in those counties.

Q. If we decide to reallocate some now, can we increase the amount later?

FDEM's Response: Yes. However, we would only want to increase the amount and not decrease it.

Q. If a county does not contribute any funds to this program, will property owners still be eligible?

FDEM's Response: Yes, the State has funding from FMA and HMGP available for property owners statewide. If a county provides additional funds, the State will utilize those funds to directly fund projects for property owners in those counties.

Q. Will counties receive reports about Elevate Florida applications within their county?

FDEM's Response: FDEM will share the applications that are approved and awarded by FEMA, providing counties with a record of projects that are approved and progressing to construction. If a local community or LMS Work Group needs more information to make an informed decision about reallocation of HMGP funds or local outreach efforts, requests can be sent to residentialmitigation@em.myflorida.com.

Q. What reporting and regular information will our Working Group receive?

FDEM's Response: We will let the WG know when projects are approved for awareness and to add to your PPL if you'd like. Also, if projects are denied we will provide that list so you can be aware and see if there are any other opportunities available to them outside of Elevate Florida. We will keep the map above updated with number of applications on a weekly basis until the portal closes.

Additional questions that we could ask the State

- If some of our submitted HMGP projects are deemed ineligible, we will have money remaining from our approx. \$416 million HMGP allocation (combined allocations for Helene and Milton). In that case, could we divert our unused Tier-I allocations (for HMGP Helene and Milton) to Elevate Florida?
- Acquisition Projects
 - How does the State intend to handle acquisition projects? Would the city or county where the home being acquired is located, be responsible for the 25% match for the application?
 - Would the city or county where the home being acquired be responsible for the ownership and maintenance of the property?

INDIAN SHORES

19305 Gulf Boulevard, Indian Shores, FL 33785

 www.myindianshores.com |  Ph: 727.595.4020 |  Fax: 727.596.0050



MEMORANDUM

To: Honorable Mayor Diantha Schear and Members of the Council

From: Christina R. Porter, Town Administrator
Amy Lockhart, Director of Finance & Personnel

Date: April 8, 2025

Re: Revisions to the Personnel Manual: *New Sections: License/Registration Certification and Fees Renewals, and Return of Town Property*

This month we are bringing before the Council two new sections for inclusion in the Town's Personnel Manual: *License/Registration Certification and Fee Renewals* and *Return of Town Property*.

The *License/Registration Certification and Fee Renewals* section explains that the Town will reimburse for certifications or licenses if they are directly related to the employee's official duties. However, the Town will not provide for the initial certification if that certification is part of the minimum job qualifications. This section also outlines compensation should training take place during normal work hours, or the employee incurs overtime, in accordance with the Fair Labor Standards Act.

The *Return of Town Property* section outlines assets and objects that must be returned to the Town upon employment separation. It lists who should receive these items and provides for remuneration should the items not be returned.

Thank you for your consideration.

SECTION 17: LICENSE/REGISTRATION CERTIFICATION AND FEE RENEWALS

- A.** It is the policy of the Town to reimburse employees for renewal costs for registrations, certifications, or licenses which are directly job related, and enhance the knowledge, skills, and abilities related to the official duties performed.
- B.** The initial attainment of the registrations, certifications, or licenses is not reimbursable by the Town if they are included as minimum qualifications in the employee's job description. If the above referenced are obtained and paid for by the employee, and are directly related to an employee's current position, but are not required, the employee may be eligible for a one-time lump sum payment under the incentive pay program.
- C.** If an educational exam is required during normal work hours, the employee will be given the time off with pay. If the employee does not pass the exam and a subsequent test must be taken, the employee must submit a leave request form for vacation/personal time. Any expenses incurred will be the responsibility of the employee.
- D.** Non-exempt personnel who attend training programs (to maintain certifications, etc., required by the Town) in addition to normal work hours will be compensated for all overtime hours according to the Fair Labor Standards Act.
- E.** Reimbursements for all registrations, certifications, or licenses are approved at the Department Manager or Director level.

SECTION 18: RETURN OF TOWN PROPERTY

At the time of separation and prior to receiving final monies due, all records, assets, uniforms, keys, tools, security badges, Town issued credit cards, mobile phone, and other items of Town property in the employee's custody must be returned to the Director of Finance & Personnel or the Police Chief's designee. Any monies or assets due to the Town shall be collected by deductions from the employee's final paycheck to the extent allowed by law and otherwise by appropriate legal action.

INDIAN SHORES



19305 Gulf Boulevard, Indian Shores, FL 33785

www.myindianshores.com | Ph: 727.595.4020 | Fax: 727.596.0050

Memorandum

To: Members of Town Council
From: Brian Rusu, CBO CFM
Date: April 8, 2025
RE: Building Official's Report for the Month of March 2025

Building Department Statistics

MONTH	PERMITS	INSP.	VALUATION	FEES COLLECTED	FEES WAIVED	TOTAL FEES
March 2025	85	198	\$3,387,277.48	\$34,161.57	\$23,266.35	\$57,427.92
February 2025	173	144	\$7,763,632.83	\$16,615.19	\$110,199.43	\$126,814.62
January 2025	109	214	\$5,296,179.52	\$49,688.08	\$33,820.25	\$83,508.33
December 2024	110	126	\$1,927,392.55	\$6,532.12	\$36,555.29	\$43,087.41
November 2024	102	93	\$1,417,667.75	\$14,589.54	\$21,785.70	\$36,375.24
October 2024	50	29	\$1,062,817.27	\$15,217.61		
September 2024	34	75	\$6,697,047.12	\$117,160.64		
August 2024	45	102	\$1,165,171.55	\$21,331.76		
July 2024	40	81	\$542,571.31	\$13,170.10		
June 2024	41	70	\$1,741,653.55	\$28,949.78		
May 2024	56	100	\$2,336,332.56	\$42,998.07		
April 2024	56	77	\$1,563,930.89	\$27,877.39		
March 2024	44	81	\$3,229,290.13	\$19,812.69		
TOTALS:						
FISCAL YEAR 24/25				\$136,804.11	\$225,627.02	\$347,213.52
FISCAL YEAR 23/24*				\$376,636.50	\$4,292.83	\$380,929.33

*Amount reflects entire FY24 activity


Brian Rusu
Certified Building Official, CFM
Town of Indian Shores

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MEMORANDUM

To: Honorable Mayor Diantha Schear and Members of the Council

Through: Christina R. Porter, Town Administrator

From: Amy Lockhart, Director of Finance & Personnel

Date: April 8, 2025

Re: Investment Earnings: March 31, 2025

Please find below investment activity details through March 31, 2025.

Florida Municipal Investment Trust (FMIVT)

As of the date of this agenda preparation, the FMIVT interest was not yet posted for March 31, 2025. This account continues to grow due to investment earnings. The earnings for the first half of March were \$2,721, bringing FY2025 earnings to \$31,658.

FMIVT				
FY2025 Investment Schedule				
Date	Beginning Balance	Interest Rate*	Interest	Ending Balance
October 16, 2024	1,778,682.24	-0.0907%	(70.74)	1,778,611.50
October 31, 2024	1,778,611.50	1.9802%	1,447.40	1,780,058.90
November 15, 2024	1,780,058.90	3.4853%	2,549.57	1,782,608.47
November 30, 2024	1,782,608.47	5.1422%	3,767.06	1,786,375.53
December 16, 2024	1,786,375.53	5.3124%	4,160.00	1,790,535.53
December 31, 2024	1,790,535.53	4.7559%	3,499.54	1,794,035.07
January 16, 2025	1,794,035.07	3.6139%	2,842.07	1,796,877.14
January 31, 2025	1,796,877.14	4.1308%	3,050.37	1,799,927.51
February 18, 2025	1,799,927.51	4.0134%	2,968.72	1,802,896.23
February 28, 2025	1,802,896.23	6.8300%	4,723.06	1,807,619.29
March 17, 2025	1,807,619.29	3.4334%	2,720.57	1,810,339.86
Total FY2025 Interest Earned			31,657.62	
* Average interest rate calculated here, not available from FMIVT.				

FLCLASS

The FLCLASS investment account balance increased only by interest in March. The final statement for March had not yet been published at the time this memo was prepared, however the activity projects interest revenue at \$10,069.86.

In FY2025 the Town's FLCLASS account earned approximately \$63,055.

FLCLASS						
FY2025 Investment Schedule						
Date	Beginning Balance	Deposits	Withdrawals	Average Interest Rate	Interest	Ending Balance
October '24	2,425,754.20		350,000.00	4.9979%	9,765.21	2,085,519.41
November '24	2,085,519.41	300,000.00	95,000.00	4.8301%	8,037.16	2,298,556.57
December '24	2,298,556.57	1,415,000.00	-	4.6255%	11,397.14	3,724,953.71
January '25	3,724,953.71	100,000.00	900,000.00	4.4812%	13,643.21	2,938,596.92
February '25	2,938,596.92	175,000.00	-	4.4503%	10,142.47	3,123,739.39
March '25	3,123,739.39	50,000.00	50,000.00		10,069.86	3,133,809.25
Total FY2025 Interest Earned					63,055.05	

Fiscal-year-to-date FMIVT and FLCLASS investments total \$4,944,149.11.

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MEMORANDUM

To: Honorable Mayor Diantha Schear and Members of the Council

Through: Christina R. Porter, Town Administrator

From: Amy Lockhart, Director of Finance & Personnel

Date: April 8, 2025

Re: Supplemental Financial Information for the Month of February 2025

Cash account balance as of February 28, 2025:

- | | |
|-----------------------------|--------------|
| • General Operating account | \$ 81,053.93 |
| • Parking Revenue account | \$ 3,551.10 |

Investment account balances as of February 28, 2025:

- | | |
|---------------------------------|----------------|
| • FL Municipal Investment Trust | \$1,804,650.57 |
| • FL Cooperative Liquid Assets | \$2,998,739.39 |

Total Cash accounts and Investment account balance: \$4,887,994.99

General Operating Fund summary:

- Total General Fund revenues received are 53.08% of the FY2025 budget.
- Ad Valorem tax distributions received are 88.32% of the FY2025 budgeted line item.
- General Fund operating expenses: At 42% of the way through this fiscal year, we have spent 47% of our General Fund budget. This is primarily due to the unplanned payments for hurricane expenses, and the budgeted General Fund transfers of \$433,893 to the Debt Service Fund for the bond payment and \$136,560 to the Capital Improvement Fund for new vehicles and equipment.

Road & Bridge Fund summary:

- Expenses exceeded revenue by \$26,644. This overage is primarily due to the cost of electricity for the Gulf Boulevard streetlights. The Town is awaiting an FDOT payment of \$64,175 for this purpose, which we anticipate receiving in May.

Capital Improvement Fund summary:

- The Town received its final \$100,000 Penny IV payment from Pinellas County for reimbursement for the monument.

- Total Capital Improvement expenditures to date are \$256,560. This is due to the budgeted purchases of four Police vehicles, and under Other Equipment, a trailer for the Public Service department.

UNAUDITED

**TOWN OF INDIAN SHORES
FINANCIAL SUMMARY
February 28, 2025**

FUND	FY24/25 BUDGET	YTD BUDGET	% YTD	ACTUAL YTD REVENUE	% ACTUAL	ACTUAL YTD EXPENSE	% ACTUAL	YTD CHANGE IN FUND BALANCE
GENERAL	\$6,261,373	\$ 2,608,905	41.67%	\$ 3,323,400	53.08%	\$ 2,966,999	47.4%	\$ 356,400
ROAD & BRIDGE	\$ 216,350	\$ 90,146	41.67%	\$ 5,713	2.64%	\$ 32,358	15.0%	\$ (26,644)
CAPITAL IMPROVMT	\$ 831,569	\$ 346,487	41.67%	\$ 265,021	31.87%	\$ 256,560	30.9%	\$ 8,461