

**IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA**

PROTECT ST. PETE BEACH ADVOCACY
GROUP, a Florida not-for-profit corporation,
et al.,

Plaintiffs,

Case No. 24-000041-CI

v.

CITY OF ST. PETE BEACH, a political
subdivision of the State of Florida, *et al.*,

Defendants,

and

CP ST. PETE, LLC,

Intervenor.

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Plaintiffs, Protect St. Pete Beach Advocacy Group, a Florida not-for-profit corporation, Ruta Anne Hance, Leanne Elizabeth Faris, Jody Powel, Charles Boh, Connie Boh, Lisa Robinson, Harry Metz, Edward Barton Teele and Willian Rodriguez move, pursuant to Florida Rule of Civil Procedure 1.510, for summary judgment on liability as to all counts of the Amended Complaint.

In support of that Motion, Plaintiffs state the following:

INTRODUCTION

In December 2023, four St. Pete Beach city commissioners decided that instead of providing the public with detailed financial information as required by Florida law that they would resign their seats. These four commissioners did not simply resign and call an election, even though the City Charter empowers voters to elect new commissioners when two or more vacancies

occur simultaneously. Instead, the resigning commissioners and the City Attorney concocted a scheme whereby the effective date of resignations would somehow be staggered in order to allow the commissioners resign, shield their financial information from public disclosure and to also select their successors, denying the public the right to vote on their elected representatives.

Nevertheless, two Commissioners plainly stated their intention to resign on December 12, 2024. All four commissioners confirmed their intention to resign (by the end of the year) on December 18, 2024. On the same day, the City of St. Pete Beach (with approval of the City Commission) sent an email to residents that states in pertinent part, “The City of St. Pete Beach has a vacancy on the City Commission all district seats (Districts 1-4).” Stip. Ex. G.

The “staggered resignation” scheme is based on a misunderstanding of applicable law. Once two or more commissioners announced their intention to resign, under Florida law a vacancy was created. Once two or more commissioners created a vacancy, the provisions of Section 3.06(d) of the City Charter were triggered. Under the City Charter once two or more vacancies existed the power to fill the vacancies resided with the electors of St. Pete Beach and not with the City Commissioners who decided that they would rather resign than disclose their financial information to the public. Accordingly, this lawsuit was filed.

As the City Attorney aptly described the situation, the result is that the City now has “an appointed commission and not an elected commission.” Ex. C-3 at 3:14-15; *contra* Fla. Const. Art. VIII, § 2. In making these appointments, the City violated the guarantee provision of the Florida Constitution as well as provisions of its own charter.

PLAINTIFFS’ CLAIMS

Following the City’s decision to circumvent the Florida Constitution and its own charter, Plaintiffs promptly initiated this litigation. *See* Doc. No. 2 (Compl.). In fact, they initiated this

litigation before the final replacement-commissioner was appointed. *Id.* Plaintiffs assert five claims against the City.

First, Plaintiffs seek declaratory relief holding that the City’s process of appointing replacement-commissioners did not comply with the Florida Constitution or the City’s Charter. Specifically, the Florida Constitution requires that “[e]ach municipal legislative body shall be elective.” As the City’s Attorney has stated on record, the process used to fill the vacancies created by outgoing commissioners resulted in a non-elective body. Additionally, the City Charter requires that when two or more vacancies occur “simultaneously,” the City Commission is required to call a special election within 15 days.

Second, Plaintiffs seek declaratory relief holding that even without simultaneous vacancies, the vacancies created for districts 2 and 4 could not be filled by appointment. Commissioners in these districts are elected to two-year terms in odd-numbered years, and each of the outgoing-commissioners had more than six months remaining in their terms. A regular city election was scheduled for March 2023—less than six months after the vacancies were created. Under these circumstances, the City was required to hold a special election. Charter § 3.06(c)(2).

Third, Plaintiffs seek a writ of quo warranto challenging the authority of the individuals appointed as replacement-commissioners to hold office based on the provisions of the Florida Constitution and City Charter mentioned in Count I. Similarly, Count IV seeks a writ of quo warranto challenging the authority of the replacement-commissioners for districts 2 and 4 to hold office based on the violations of the City Charter mentioned in Count II.

Fifth, and finally, Plaintiffs seek a declaratory judgment finding that the current composition of the City Commission violates the Florida Constitutional requirement that municipal bodies be elective.

STATEMENT OF UNDISPUTED FACTS

I. MULTIPLE VACANCIES OCCURRED “SIMULTANEOUSLY.”

A. December 12, 2023 meeting of the St. Pete Beach City Commission.

i. Commissioner Mark Grill resigns.

1. The first vacancy was created on December 12, 2023 when Commissioner Grill announced his resignation in no uncertain terms. Stip. Ex. A-3 at 1 (“I am announcing my resignation as commissioner for District 2 and vice mayor effective December 31st, 2023.”).¹

2. The meeting minutes also reflect Commissioner Grill’s resignation. Stip. Ex. A-2 at 8 (“Vice Mayor Grill announced his resignation as Commissioner for District 2 and Vice Mayor effective 12/31/23.”).

ii. Commissioner Chris Marone resigns.

3. The second vacancy occurred when Commissioner Marone stated in slightly less un-certain terms that he “will not be filling out Form 6,” Trans. Stip. Ex. A-3 at 11:20-25, and that “if the City Attorney . . . if you tell me there’s nothing you can do, you have to fill it out, you know, Jan. 1 . . . you’ll have my resignation,” *id.* at 14:1-9.

iii. City Clerk declares need for a special election.

4. After the December 12, 2023 meeting, the City Clerk emailed the Supervisor of Elections office confirming her belief that the City was required to hold a special election to fill the vacancies created at that meeting. Ex. B (“I just found out that one Commissioner has resigned and will have a termination effective 12/31 one more may resign effective same. Our charter requires a special election . . .”); *see also* Stip. ¶ 13 (“All documents produced by the parties in discovery are authentic copies of documents in their respective files.”).

¹ Although Commissioner Grill later stated “I’ll submit a letter to the City Clerk’s office this week,” there is no evidence that a resignation letter was ever submitted.

B. December 18, 2023 meeting of the St. Pete Beach City Commission

iv. Commissioner Ward Friszolowski Resigns

5. Commissioner Friszolowski announced that he intended to resign. Stip. Ex. B-3 at 15:20-22 (“And for me, not that I want to, but I’ll resign effective today.”).

v. Commissioner Chris Graus Resigns

6. On December 18, 2023 Commissioner Chris Graus stated: “Just because I think it’s going to be best, I’m going to resign . . . I will not fill out Form 6.” Stip. Ex. B-3 at 31:4-6; *see also* Stip. Ex. B-2 at 1 (“Commissioner Graus also expressed his consideration for resignation prior to the end of the year.”).

vi. Commissioner Mark Grill Confirms Resignation

7. When asked by Mayor Petrila at the December 18, 2023 City Commission meeting whether we was “still of the mind to resign,” Commissioner Grill responded “absolutely.” Stip. Ex. B-3 at 9:11-25.

8. Commissioner Grill did announce, however, that he would be changing the effective date of his resignation from December 31st to December 30th in order to avoid having to fill out Form 6.² *See* Stip. Ex. B-3 at 10:1-4 (“Mayor, to your question is no, I haven’t reconsidered and I will amend it December 30th and I’ll work through the exact date.”); *see also* Stip. Ex. B-2 at 1 (“Vice Mayor Grill acknowledged his desire to resign from office effective December 30, 2023.”).

² Commissioners had previously been advised by the City Attorney that “if you don’t want to be subject to that Form 6, you have to resign on or before December 30th. On or before December 30th, not 31st, but on or before December 30th.”

vii. Commissioner Chris Marone Confirms Resignation

9. Commissioner Marone also confirmed his resignation during the City Commission meeting on December 18. Stip. Ex. B-3 at 19:13-20:2 (“I have not changed my position from last Tuesday night when I announced my concerns about Form 6 and that I was not willing to fill out Form 6.”); *id.* at 20:3-11 (“I have not changed my position, I’m not filling out Form 6 and I have talked to the City Attorney about this.”); *see also* Stip. Ex. B-2 at 1 (“Commissioner Marone confirmed he will be resigning from the Commission this year as well and is willing to stagger as the City seeks individuals to fill the vacant seats.”).

viii. City Commission Sends Announcement of Vacancies

10. At the December 21, 2023 meeting, “Mayor Petrilá inquired about the process for the filling of the vacancies [plural] that were confirmed at the December 18th Meeting . . .”. (it was clear to all involved that there were four resignations and thus four vacancies). *See, e.g.*, Stip. Ex. C-2 at 1.

11. During the December 18, 2023 meeting the Commission unanimously agreed to send out an announcement soliciting applications for all four seats. Stip. Ex. B-3 at 23:21-24:5. While staff was preparing the announcement, it was observed that “so, what we now know that we’re dealing with is four districts are in play, so to speak.” *Id.* at 31:10-16.

12. The announcement that was ultimately approved on December 18, 2023 and sent to residents stated “[t]he City of St. Pete Beach has a vacancy on the City Commission all District seats (Districts 1-4). As provided in the City Charter, the City Commission shall appoint a successor as interim Commissioner for each District.” *See* Ex. G.

**C. December 21, 2023 meeting of the St. Pete Beach City Commission—
Discussion and implementation of the “staggered resignation” scheme.**

13. At the next city commission meeting, held December 21, 2023, the City Attorney explained that:

And the charter doesn't really address this situation. It tells us that if two or more seats simultaneously resign, the -- the remaining commission shall call a special election within 15 days. So what we have effectively done is try to arrange for a staggering of the resignations between now and December 30th so that the remaining commissioners can appoint the successor to this -- to the -- the vacant seats.

...

So in effect, what will happen over the next two weeks before the 30th is that this commission will become, with the exception of the mayor, an appointed commission and not an elected commission. That's what's unprecedented here.

Stip. Ex. C-3 at 2:18-3:17.

14. Shortly after this comment Commissioner Marone removed any ambiguity as to his resignation, stating he was “officially announc[ing his] resignation.” Stip. Ex. C-3 at 19:5-10 (“So I’m going to go ahead and officially announce my resignation as District Four Commissioner, regrettably under these circumstances.”); *see also* Stip. Ex. C-2 at 2 (“Commissioner Marone resigned effective today and left the Commission meeting at 7:56 a.m.”).

15. The City Attorney then observed that “[n]ow you have a vacant seat and the remainder of the commission has to deal with the remaining seat.” Stip. Ex. C-3 at 20:12-14.

16. The Commission then proceeded to vote 3-1 to appoint Mr. Lorenzen to the District Four seat, with Mayor Petrilla, the only member of the Commission who did not resign, voting against. Stip. Ex. C-3 at 73:15-74:7.

**D. December 26, 2023 meeting of the St. Pete Beach City Commission—
Discussion and implementation of the “staggered resignation” scheme.**

17. The next commission meeting was held December 26, 2023. Commissioner Grill, who was running the meeting in Mayor Petrila’s absence, began by stating “I’d just like to state

that today’s agenda has one item, and that’s to address the *previously announced* resignation of District One Commissioner, Commissioner Graus.” Stip. Ex. D-3 at 2:13-21.

18. After the meeting was called to order, Commissioner Graus “officially resign[ed].” Stip. Ex. D-3 at 7:1-6; *see also* Stip. Ex. D-2 at 1 (“Commissioner Graus gave his final remarks thanking the Commission, staff, and his wife. He tendered his resignation as Commissioner effective today and exited the meeting at 2:07 p.m.”).

19. The commissioners then interviewed three applicants for his seat and ultimately appointed Karen Marriott to fill the vacancy. Trans. Stip. Ex. D-3 at 54:5-55:13.

20. As before, the vote to appoint Ms. Marriott passed 3-1 with Mayor Petrila as the only dissenting vote. Stip. Ex. D-3 at 54:5-55:13.

**E. December 27, 2023 meeting of the St. Pete Beach City Commission—
Discussion and implementation of the “staggered resignation” scheme.**

21. As before, Commissioner Grill opened the meeting by stating: “in today’s meeting, we have one item on the agenda and that is to address the previously announced resignation of myself, the District Two Commissioner . . .” Stip. Ex. E-3; *see also* Stip. Ex. E-2 at 1 (“Vice Mayor Grill announced his resignation, effective today. He thanked the City employees, the Commission, and his wife. Vice Mayor Grill left the dais at 7:36 a.m.”).

22. The commission interviewed four candidates and eventually voted 3-1 to appoint Mr. Flitz. Stip. Ex. E-3 at 74:15-75:19.

23. As with the other votes, Mayor Petrila was the lone dissenting vote. *Id.*

**F. December 28, 2023 meeting of the St. Pete Beach City Commission—
Discussion and implementation of the “staggered resignation” scheme.**

24. The Commission met again on December 28, 2023. Commissioner Friszolowski called the meeting to order and announced that there were three items on the agenda including

“number two, discussion of the Commission *vacancies* and possible appointments.” Stip. Ex. F-3 at 2:8-14. His use of the plural “vacancies” again suggests that the Commission faced multiple vacancies that should have been filled by election rather than appointment.

25. The City Attorney again explained the ruse the City was attempting to use to avoid holding an election:

Now, I want to remind you that at the start of this process, back in December 12th, at a regular city Commission meeting, when we first, when I say we, the Administration, we first learned that there was going to be at least two resignations. And then later we found out that there were going to be more between the 12th and the 18th.

...

So that’s when we decided the best route would be to stagger the resignations between that date and the 30th. We were told that once it went past the 30th, then anyone still in office on the 31st would be subject to form six.

...

And what we’re doing is by staggering them is that the Charter says that the remaining Commissioners will appoint the vacancies. And the other problem that we had to be mindful of is being able to call a meeting.

...

This is not an election. And I told you that before when we first started this, that except for the Mayor, once this is over with, this is going to be an appointed Commission.

...

And I just wanted to point out that we started, again, we started this on the 12th. We found out that Vice Mayor Grill was going to resign. Then we found out that Commissioner Marone was going to resign. And then it went further from there.

Stip. Ex. F-3 at 3:8-6:7.

26. The meeting ended without the Commission taking any action.

27. Commissioner Friszolowski tendered a resignation letter on December 30, 2023 stating that it was effective that day. Ex. A.

G. January 9, 2024 meeting of the St. Pete Beach City Commission---Discussion and implementation of the “staggered resignation” scheme.

28. The Commission considered candidates for appointment as Commissioner Friszolowski’s successor at the January 9, 2024 meeting.

29. Although eight residents applied for the vacancy, the Commission was determined to appoint Betty Rzenicki to the seat as she was the only candidate who had qualified to run for the position in the March election. Ex. C at 2:14-3:1; *id.* at 4:3-16.

30. The Commission decided not to interview any other candidates for the position and to appoint Ms. Rzenicki to the District Three seat. Ex. C at 22:4-23:5.

31. As with the three prior appointments, the motion carried 3-1 with Mayor Pettila—the only elected member of the commission—as the sole dissenting vote. *Id.*

II. THREE APPOINTED COMMISSIONERS SET SPECIAL ELECTION WITHOUT AUTHORITY AND IN VIOLATION OF THE CHARTER.

32. The Commission then proceeded to pass a resolution setting a special election for District two and four on August 20, 2024. Ex. C at 29:8-12.

SUMMARY JUDGMENT EVIDENCE

1. The parties met and conferred regarding the stipulated undisputed facts. That stipulation is incorporated herein by reference.

2. Exhibit A to this motion is Commissioner Friszolowski's resignation letter. This document was produced by the City in discovery. *See* Stip. ¶ 13 (“All documents produced by the parties in discovery are authentic copies of documents in their respective files.”).

3. Exhibit B to this motion is an email from the City Clerk to the Pinellas County Supervisor of Elections office. This document was produced by the City in Discovery.

4. Exhibit C to this motion is a true and correct transcript of the City Commission's January 9, 2023 meeting.

SUMMARY JUDGMENT STANDARD

On April 29, 2021, the Florida Supreme Court entered its order *In re: Amendments to Florida Rule of Civil Procedure*, 317 So. 3d 72 (Fla. 2021), adopting the federal summary

judgment standard effective May 1, 2021. By adopting the federal summary judgment standard, the Florida Supreme Court acknowledged that the “[s]ummary judgment procedure is properly regarded not as a disfavored shortcut, but rather as an integral part of the rules aimed at the just, speedy and inexpensive determination of every action.” *Id.* at 75 (quotation omitted). The adoption of the federal summary judgment standard was intended to eliminate “certain features of Florida jurisprudence that have unduly hindered the use of summary judgment in our state.” *Id.*

As a result, no longer can litigants avoid summary judgment by arguing “the existence of any competent evidence creating an issue of fact, however credible or incredible, substantial or trivial, stops the inquiry and precludes summary judgment, so long as the ‘slightest doubt’ is raised.” *Id.* at 76. Instead, under the federal summary judgment standard, the correct test for the existence of a genuine factual dispute is whether “the evidence is such that a reasonable jury could return a verdict for the moving party.” *Id.* at 75.

Under the new summary judgment standard, “[w]hen opposing parties tell two different stories, one of which is blatantly contradicted by the record, so that no reasonable jury could believe it, a court should adopt that version of the facts for the purposes of ruling on a motion for summary judgment.” *Id.* at 75-76. “Where the facts on which the determination of qualified immunity hinges are in dispute, then those facts may require a jury determination. But if there are undisputed facts which require the application of the qualified immunity defense, the fact that there are other disputed issues is of no moment, and the court should grant summary judgment, directed verdict, or judgment notwithstanding the verdict.” *Brescher v. Pirez*, 696 So. 2d 370, 374 (Fla. 4th DCA 1997).

CONTROLLING LAWS

This litigation involves two primary sources of law. First, Article VIII, Section 2 of the Florida Constitution provides that “[e]ach municipal legislative body shall be elective. Second, section 3.06 of the St. Pete Beach City Charter, titled “Vacancies; forfeiture of office; filling of vacancies” provides the mechanism for filling vacancies on the City Commission. That section states that:

(a) *Vacancies*. The office of a commissioner shall become vacant upon his death, resignation, or forfeiture of his office.

* * *

(c) *Filling of vacancies*. A vacancy on the commission shall be filled in one of the following ways:

(1) If there is less than six (6) months remaining in the unexpired term or if there are less than six (6) months before the next regular city election, the commission, by a majority vote of the remaining members shall choose a successor to serve until the newly elected commissioner is qualified. If one year remains in the term of the vacated seat at the time of the next election, that seat shall be filled by election for the remaining term;

(2) If there are more than six (6) months remaining in the unexpired term and no regular city election is scheduled within six (6) months, the commission shall fill the vacancy on an interim basis as provided in subsection (1), and shall schedule a special election to be held not sooner than sixty (60) days, nor more than one (1) year following the occurrence of the vacancy.

(d) *Extraordinary vacancies*. In the event that all members of the commission are removed by death, disability, or forfeiture of office, the governor shall appoint an interim commission that shall call a special election to fill all commission positions. Should two (2) or more vacancies occur simultaneously, on the commission, the remaining members shall, within fifteen (15) days, call a special election to fill the vacant commission positions; such election shall be held in the manner prescribed by the laws of the State of Florida.

Also relevant is Section 3.02(c) of the City Charter, which states:

Election for the office of commissioner from Districts 1 and 3 shall be held in even-numbered years, and elections for the office of commissioner from Districts 2 and 4 shall be held in odd-numbered years, in the manner prescribed by this charter and general Florida Law and shall be for a two-year term.

ARGUMENT

A. BECAUSE MULTIPLE VACANCIES OCCURRED ON THE COMMISSION SIMULTANEOUSLY, THE SEATS WERE REQUIRED TO BE FILLED BY ELECTION.

The St. Pete Beach City Charter provides that a vacancy on the City Commission is created when a sitting City Commissioner resigns. Charter § 3.06(a) (“The office of a commissioner shall become vacant upon his death, resignation, or forfeiture of his office.”). The Florida Constitution similarly provides that a vacancy in a state office is created upon incumbent officer’s resignation. Art. X, § 3, Fla. Const. (“Vacancy in office shall occur upon the creation of an office, upon the death, removal from office, or resignation of the incumbent or the incumbent’s succession to another office . . .”). Courts have interpreted this provision of the Florida Constitution to mean that a vacancy is created when an official resigns, even when that resignation has a future effective date. *Spector v. Glisson*, 305 So. 2d 777, 780 (Fla. 1974) (“The fact that a vacancy has been created, albeit to take effect in futuro, is supported by and is the only conclusion which is consistent with the prior holdings of this Court.”).

In *Spector v. Glisson*, the Florida Supreme Court disavowed prior holdings to the contrary. Specifically, the Court had previously held in *In re Advisory Opinion of the Governor Request of September 6, 1974*, 301 So. 2d 4, 6 (Fla.1974), that “a vacancy does not occur until the date upon which the office actually becomes vacant.” See *In re Advisory Opinion to the Governor*, 600 So. 2d 460, 463 (Fla. 1992) (explaining that “*Spector v. Glisson*, 305 So. 2d 777 (Fla. 1974), nullified this statement.”).

B. A VACANCY IN OFFICE IS CREATED THE MOMENT AN ELECTED OFFICIAL RESIGNS, EVEN IF THE RESIGNATION HAS A FUTURE EFFECTIVE DATE.

It has long been the law in this state that a public official’s resignation creates an immediate vacancy in office. See *In re Advisory Op. to the Gov. (Judicial Vacancies)*, 600 So. 2d 460, 462

(Fla. 1992); *Spector v. Glisson*, 305 So. 2d 777 (Fla. 1974). This is true even when the resignation purports to have an effective date well into the future. *See, e.g., Scott v. Trotti*, 283 So. 3d 340, 342 (Fla. 1st DCA 2018) (resignation in March 2014 to be effective in January 2015 created an immediate vacancy); *Advisory Opinion to Governor re Sheriff And Judicial Vacancies Due To Resignations*, 928 So. 2d 1218, 1220 (Fla. 2006) (“Under our precedent, a judicial vacancy occurs when a letter of resignation is received . . .”); *Smith v. Brantley*, 400 So. 2d 443, 447 (Fla. 1981) (“By statute, resignation had long been declared a means of creating a vacancy in office.”); *id.* (noting the Court’s holding in *Spector* that “an incumbent justice’s resignation, effective prospectively, was held to have created a present vacancy in office which could be filled by an election while the resigning justice still held office.”); *Thompson v. DeSantis*, SC20-985, 2020 WL 5494603, at *1 (Fla. Sept. 11, 2020) (“The resignation of former Justice Robert Luck created a vacancy in office . . .”).

The practical effect of such a rule is that because a vacancy is created immediately, the process to fill that vacancy can begin immediately, helping to minimize the time the office is physically vacant. *See In re Advisory Opinion to the Governor (Judicial Vacancies)*, 600 So. 2d 460, 462 (Fla. 1992) (“Judges are encouraged to and do submit their resignations . . . at a time that permits the process to proceed in an orderly manner and keep the position filled.”); *Trotti v. Scott*, 271 So. 3d 904, 907–08 (Fla. 2018) (“Pursuant to precedent, the Court does not look at when the actual vacancy will occur; rather, it merely determines if the constitutional vacancy occurred prior to the qualifying period A constitutional vacancy occurs upon submission of the resignation to the governor . . .”). This bright-line rule also “allows a reviewing court to apply neutral principles to evaluate objective facts.” *Id.* at 344 (“These neutral principles will apply no matter who the Governor is or what the current political climate looks like.”); *In re Advisory Opinion to*

Governor re Judicial Vacancy Due to Resignation, 42 So. 3d 795, 797 (Fla. 2010) (observing that this rule “promote[s] consistency in the process of filling judicial vacancies”).

In the judicial context, when a vacancy occurs in relation to the qualifying period determines whether the vacancy will be filled by appointment or by election. *In re Advisory Opinion to Governor re Judicial Vacancy Due to Resignation*, 42 So. 3d 795, 797 (Fla. 2010) (“We have interpreted the interplay between article V, section 11(b), and article V, section 10(b), by holding that when a vacancy occurs in the county or circuit courts before the qualifying period for the seat commences, the vacancy should be filled by appointment, but once the election process begins, such a vacancy should be filled by election.”) (citations omitted). When a vacancy in a judicial office occurs prior to the qualifying period, the governor may appoint a successor. But when the qualifying period commences, the governor’s authority to appoint yields to the electoral process.

The situation faced by the City here is similar to the one presented in *In re Advisory Opinion to Governor re: Appointment or Election of Judges*, 824 So. 2d 132, 133 (Fla. 2002). There, a judge whose term was set to expire in January 2003 was involuntarily retired due to a physical disability effective May 30, 2002. Earlier that May, three candidates had qualified to run for the outgoing judge’s seat that November. Governor Bush requested an advisory opinion from the Florida Supreme Court asking: “Should an appointment be made . . . to fill a judicial vacancy which occurs after candidates have qualified for election to the judgeship which has become vacant?” The Court answered that question with a resounding “no”, holding that:

upon the qualification of a candidate or candidates for a circuit or county judgeship during the statutory qualification period, the election method of selection required by section 10(b)(1) and (2) takes precedence over and forecloses the Governor’s constitutional authority and obligation pursuant to section 11(b) to fill a vacancy that occurs during the balance of the incumbent judge’s term of office.

And the Court held that an election was mandated even though this would result in an extended vacancy and “w[ould] work a hardship on the workload” of the Court. Similarly here, qualifying for Districts 1 and 3 occurred in November 2023—well before any vacancy on the commission. *See* Stip. ¶ 19.

The City Charter provides a different method for filling vacancies than does article V of the Florida Constitution. Pursuant to the Charter, when a single vacancy occurs, the remaining commissioners may appoint a successor. § 3.06(c). When there are fewer than six months remaining in the term, the appointee shall serve until a successor is qualified through the normal electoral process. § 3.06(c)(1). When there are more than six months remaining in the term, the commission may appoint a temporary successor, but is required to hold an election within one year of the vacancy being created. § 3.06(c)(2). This all changes however when there are two or more “simultaneous vacancies.” § 3.06(d). When multiple simultaneous vacancies occur, the City Charter provides that “the remaining members shall, within fifteen (15) days, call a special election to fill the vacant commission positions.” § 3.06(d).

A City Commissioner’s resignation creates a vacancy as soon as it is announced, even if the resigning Commissioner states that the resignation will not be effective immediately. There is no requirement that a commissioner submit a letter of resignation or that it be accepted by the mayor or anyone else. *Cf. Smith v. Brantley*, 400 So. 2d 443, 445 (Fla. 1981) (“[T]he governor’s acceptance is not necessary in order to create a vacancy in office.”); *Gonzalez v. Vogel*, 616 So. 2d 473, 476 (Fla. 2d DCA 1993) (for purposes of resign-to-run law, resignation is irrevocable so long as it “imposes no conditions, attempts to reserve no rights in the office currently held, and contains no language suggesting that the officer’s intent is in any way equivocal.”). And of the

four Commissioners who resigned, only Commissioner Friszolowski submitted a letter of resignation.

As explained above each of the four commissioners announced their resignation prior to the first appointment being made at the December 21, 2023 Commission meeting. To rule in Plaintiffs' favor, the court only needs to find that two resignations occurred prior to this date. The two strongest examples of unequivocal resignations came from Commissioner Grill on December 12, 2023 and from Commissioner Marone on December 21, 2023 prior to the Commission appointing her successor. *See* Stip. Ex. A-3 at 1 (Commissioner Grill: "I am announcing my resignation as commissioner for District 2 and vice mayor effective December 31st, 2023."); Stip. Ex. C-3 at 19:5-10 (Commissioner Marone: "So I'm going to go ahead and officially announce my resignation as District Four commissioner, regrettably under these circumstances.").

C. MEANING OF THE WORD "SIMULTANEOUS"

Two events occur "simultaneously" if any part of the two events is overlapping. For example, if a television show begins at 7:00 and runs for one hour and a second show begins at 7:30 and runs for a half hour, the two shows are being aired "simultaneously." *See Linear Tech. Corp. v. Impala Linear Corp.*, 379 F.3d 1311, 1324 (Fed. Cir. 2004) ("Because simultaneously merely requires a condition to exist at the same time or concurrently, the district court erroneously construed the 'simultaneously off' limitations too narrowly."); *Kernal Records Oy v. Mosley*, 794 F. Supp. 2d 1355, 1366 (S.D. Fla. 2011) ("'Simultaneous' is defined in relevant part as 'existing or occurring at the same time: exactly coincident.'" (citing Merriam–Webster Dictionary online, <http://www.merriam-webster.com/dictionary/simultaneous> (June 1, 2011))); *Valeda Co. LLC v. Am. Seating Co.*, 13-60824-CIV, 2014 WL 11633700, at *5 (S.D. Fla. May 19, 2014) ("The ordinary meaning of 'simultaneous' is 'at the same time.'"). This definition is consistent with how

courts commonly use the word. *Bettioui v. Le Minotenn, LLC*, 2010 WL 11505545, at *2 (S.D. Fla. Apr. 7, 2010) (“The FLSA contemplates that there may be several simultaneous employers who are responsible for compliance with the FLSA.”); *United States v. McCloud*, 818 F.3d 591, 595 (11th Cir. 2016) (“To qualify as separate under the ACCA, the predicate crimes must be ‘successive rather than simultaneous’—in other words, ‘temporally distinct.’ (citing *United States v. Weeks*, 711 F.3d 1255, 1261 (11th Cir.2013) (per curiam)); *Hurst v. Youngelson*, 354 F. Supp. 3d 1362, 1379 (N.D. Ga. 2019) (“There can be several simultaneous employers of any individual worker.” (citing *Falk v. Brennan*, 414 U.S. 190, 195, (1973)); see also § 61.519, Fla. Stat. (referring to “simultaneous proceedings” where “at the time of the commencement of the proceeding, a proceeding concerning the custody of the child had been commenced in a court of another state”).

Consider, for example, the First DCA’s opinion in *Lance Block, P.A. v. Searcy, Denney, Scarola, Barnhart & Shipley, P. A.*, 85 So. 3d 1122, 1123 (Fla. 1st DCA 2012). That case involved a dispute over who was entitled to attorneys’ fees authorized by the legislature in a claims bill. *Id.* at 1123. After the litigation was filed, the defendant moved to compel arbitration. *Id.* The Court held a hearing and took the matter under advisement. *Id.* Later, the trial court entered an order granting the motion and on the same day entered an order recusing himself from the case. The Plaintiff argued that the order compelling arbitration was void, relying on precedent holding that “any order entered simultaneously with [an] order of recusal is void.” *Id.* (citing *Dream Inn, Inc. v. Hester*, 691 So. 2d 555, 556 (Fla. 5th DCA 1997) (marks omitted)). The First DCA held that the orders were entered “simultaneously” even though they were not entered at precisely the same moment. The Court did not provide a “comprehensive definition” of the word “simultaneous” but

noted that “we are confident ‘simultaneously’ means something broader than the judge's grasping a pen in either hand in order to sign two orders at once.”³

In *In re Advisory Opinion to the Governor*, 132 So. 2d 1, 2 (Fla. 1961), the governor sought clarification on the dual-office prohibition. The 1961 legislature created the Board of Conservation and the Board hired Randolph Hodges, a State Senator, as its director. *Id.* at *2. The Court determined that the role of Director of the Board of Conservation was “clerical or administrative employee” and not a civil officer, thus “there [wa]s no constitutional impediment against Senator Hodges holding this position while *simultaneously* serving as a member of the State Senate.” *Id.* The court implicitly recognized that holding both positions “simultaneously” did not require that Sen. Hodges begin serving in each position at precisely the same moment.

Using the same logic here, vacancies on the commission occurred “simultaneously” or “at the same time” if any portion of the vacancies created by the resignations were overlapping. By the end of the December 18, 2023 meeting, all four commissioners had announced their resignations and thus multiple simultaneous vacancies were created. At that point, the commission was no longer permitted to fill the vacancies by appointment, but was instead required to call a special election within 15 days.

Any other interpretation of section 3.06 would lead to absurd results and would render the extraordinary vacancies provisions of 3.06(d) surplusage. *Campbell v. State*, 125 So. 3d 733, 741 (Fla. 2013) (“Another applicable maxim of statutory construction is that statutes will not be construed so as to reach an absurd result.” (marks and citation omitted)); *Quarantello v. Leroy*, 977 So. 2d 648, 652 (Fla. 5th DCA 2008) (“We are required to give effect to every word, phrase,

³ The Court cited to *Losh v. Brown*, 6 Vet. App. 87, 89 (Vet. App. 1993), for the proposition that “a day is to be considered as an indivisible unit or period of time, and acts done or events occurring during the day are not referable to any portion of the day more than any other portion thereof, and are therefore to be regarded as occurring at the same time,” unless “priority between two occurrences on the same day can actually be established.”

sentence, and part of the statute, if possible, and words in a statute should not be construed as mere surplusage.” (marks and citation omitted). If section 3.06(d) is to be interpreted as requiring vacancies to be created “at the same time on the same date,” as the City Attorney suggested, Stip. Ex. B-3 at 5:18-25, two resignations would only lead to simultaneous vacancies if they were submitted jointly—an event incredibly unlikely to occur and one the drafters of the city charter likely never contemplated. Under the plain meaning of section 3.06(d), the extraordinary vacancies provision is triggered when two vacancies exist and any portion of those two vacancies overlap.

D. THE FATAL FLAW IN THE CITY’S SCHEME

The problem with the City’s plan was its misreading of the City Charter. City officials seemed to believe that so long as the resignations did not occur simultaneously (or “at the same time”) then the vacancies created by those resignations would not trigger Section 3.06(d) of the Charter.⁴ For example, at the December 12, 2023 City Commission meeting, the City Attorney stated:

And the charter doesn’t really address this situation. It tells us that if two or more seats *simultaneously resign*, the -- the remaining commission shall call a special election within 15 days. So what we have effectively done is try to arrange for a *staggering of the resignations* between now and December 30th so that the remaining commissioners can appoint the successor

Stip. Ex. C-3 at 2:18-3:1; *see also* Stip. Ex. A-3 at 23:2-9 (“Now, what does simultaneously mean? One resigns one day before the other. I don’t know. . . . I mean what does simultaneously really

⁴ The other flaw in the City’s plan is the fact that the resulting make-up of the commission—four appointed commissioners and an elected mayor—violated Article VIII, Section 2(a) of the Florida Constitution. The section provides that “[e]ach municipal legislative body shall be elective.” *Cf. Wright v. City of Miami Gardens*, 200 So. 3d 765, 774 (Fla. 2016) (“The declaration of rights expressly states that ‘all political power is inherent in the people.’ The right of the people to select their own officers is their sovereign right . . .” (citing *Ervin v. Collins*, 85 So. 2d 852 (Fla. 1956)); *Spector v. Glisson*, 305 So. 2d 777, 781 (Fla. 1974) (“We have historically since the earliest days of our statehood resolved as the public policy of this State that interpretations of the constitution, absent clear provision otherwise, should always be resolved in favor of retention in the people of the power and opportunity to select officials of the people’s choice, and that vacancies in elective offices should be filled by the people at the earliest practical date.”)).

mean? Is that a workaround to the simultaneous situation? I think it's not a -- I need time to give you guys a legal opinion on that."); *see also* Stip. Ex. B-3 at 5:18-25 ("I see [simultaneous vacancies] as [resignations occurring] at the same time on the same date."). He also explained his plan, based on this misunderstanding, to "stagger" resignations in order to avoid what he perceived as "simultaneous vacancies":

But I want to stagger, if anyone else is thinking about it, I think this is the time that we need to talk about it and say, okay, well when are we - - how -- when is that date going to happen so that we don't have simultaneous *resignations* and within the next two weeks we'll have to schedule special meetings to do the vacancy filling.

Stip. Ex. B-3 at 6:8-16. Others at the meeting also expressed their misunderstanding of the distinction between a vacancy and a resignation. *See, e.g.*, Stip. Ex. B-3 at 24:18-15 ("Right. But we're not going to -- the resignation -- the vacancy isn't going to occur simultaneously . . . [B]asically, *your resignations need to be effective at different times*"); *id.* ("we need to stagger *the resignations* so that by the 30th, you know . . . basically, *your resignations* need to be effective at different times, like for example, if we took care of District 3 today then that's done. Then we figure out how do we stagger the other districts."). Mr. Griffin later commented that:

The Mayor was correct earlier that a vacancy is what triggers filling a vacancy. So there's no reason or there's no foundation for interviewing candidates if there isn't a vacancy. So if the vacancy doesn't happen today, then there's no reason. You can't interview potential appointees unless there's a vacancy.

..

And I think to interview people now for a seat that's not vacant yet, I think would be out of order.

I mean it's -- it's tricky. Like if someone said like -- if -- if Vice Mayor said, well, I'm going to effective -- I'm resigning effective 12/30, you can't take that as a vacancy because he's not vacant. So, you can't make the appointment proactively. So, in other words, you can't vote on Thursday for a vacancy that's happening on the 30th.

Stip. Ex. B-3 at 34:2-35:12; *contra Spector v. Glisson*, 305 So. 2d 777, 780 (Fla. 1974) (“an effective resignation does create a present vacancy to be filled . . . The fact that a vacancy has been created, albeit to take effect in futuro, is supported by and is the only conclusion which is consistent with the prior holdings of this Court.”).

Contrary to comments made by attorneys and advisors to the commission, the “extraordinary vacancies” provision of the City Charter is activated not by simultaneous *resignations*, but by simultaneous *vacancies*. See City Charter § 3.06(d) (“Should two (2) or more vacancies occur simultaneously, on the commission, the remaining members shall, within fifteen (15) days, call a special election . . .”). Plaintiffs concede that the resignations did not occur simultaneously. The vacancies created by those resignations, however, overlapped—they occurred “at the same time”—as evidenced by the email approved by the Commission and sent by the City announcing “a vacancy on the City Commission, all district seats.” Accordingly, the City Charter mandated that the vacancies created by the resignations at issue in this case were required to be filled by special election. The appointment of four city commissioners in a span of less than three weeks violated not only the spirit, but also the plain language of the City Charter. Accordingly, Plaintiffs are entitled to summary judgment in their favor.

E. CONCLUSION

There is no genuine dispute as to any material fact and, for the reasons stated above, Plaintiffs are entitled to judgment in their favor as a matter of law. Accordingly, Plaintiffs respectfully request that the Court enter summary judgment in their favor and grant any further relief the Court deems appropriate.

Dated April 25, 2024.

Respectfully submitted,

/s/ Leonard M. Collins

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CERTIFICATE OF SERVICE

I certify that, on April 25, 2024, the foregoing document was furnished by email to all individuals identified on the Service List that follows.

/s/ Leonard M. Collins

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Exhibit A

Ward J. Friszolowski
3566 Belle Vista Drive E.
St. Pete Beach, FL 33706

December 30, 2023

Amber LaRowe
City Clerk
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706

Re: Letter of resignation

Dear Amber,

I have enjoyed serving the City of St. Pete Beach continuously for the last 32 years as an appointed and elected official. I served in appointed office on the City's Aesthetic and Historic Preservation Board, the Library Board and the Planning Board for 10 years. I also served in elected office as a City Commissioner, Vice Mayor and Mayor for 22 years.

It has been an honor and a privilege to serve the citizens of our community. I'm proud of the accomplishments made possible by the teamwork of my elected colleagues and all of the City staff that made it possible.

Due to a recent, new State Law that requires financial disclosure that conflicts with my personal privacy and company policies, I don't have a choice but to resign from my position as City Commissioner, District 3 effective on December 30, 2023. I will continue to file the appropriate State Financial Disclosure Form 1 as I have for years. It is unfortunate that I have to resign early before my planned departure from elected office in March, 2024.

I have enjoyed working with you and your staff in the City Clerk's office. I have also enjoyed working with City Manager Wayne Saunders and City Attorney's Andrew Dickman and Matthew McConnell over the years.

Thank you for all of the hard work that you have done to make the City of St. Pete Beach a great place to live, work and visit.

Sincerely,



Ward J. Friszolowski

Exhibit B

Filing # 189048293 E-Filed 01/03/2024 10:36:44 PM

EXHIBIT A

From: [Public Meetings](#)
To: [Amber LaRowe](#)
Subject: Letters of Interest -- Vacant Commissioner Seats
Date: Monday, December 18, 2023 3:45:50 PM

CAUTION: This message has originated from **Outside of the Organization**. Do Not Click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

[View this in your browser](#)

The City of St. Pete Beach has a vacancy on the City Commission all District seats (Districts 1 – 4). As provided by the City Charter, the City Commission shall appoint a successor as Interim Commissioner for each district.

At their December 18, 2023, Special Meeting, the Commission approved the process to fill the vacancy as follows:

Interested candidates must meet the following qualifications:

1. Shall be a full-time resident of the City of St. Pete Beach District for a period of one (1) year before November 17, 2023; and
2. Shall be a qualified voter of Pinellas County; and
3. Shall be qualified under the Constitution and laws of the State of Florida to hold the office to which he or she desires to be nominated or elected.

Interested candidates must:

1. Submit a letter of interest; and
2. Submit a resume (or Curriculum vitae); and

The City Commission intends to interview candidates in the Commission Chambers at special meetings scheduled for December 21, 2023, 7:30 a.m., December 26, 2023, 2:00 p.m., December 27, 2023, 7:30 a.m., December 28, 2023, 7:30 a.m. and December 29, 2023, 7:30 a.m.

If interested, please provide the documents listed above by

5:00 p.m. on December 20, 2023:

Amber LaRowe, City Clerk

City of St. Pete Beach

155 Corey Avenue

St. Pete Beach, FL 33706

727.363.9220

cityclerk@stpetebeach.org

Submissions can be submitted in person, electronically, or by mail. All submissions must be **RECEIVED** by the deadline. No consideration will be given to applicants who submit documents after the deadline.

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Exhibit C



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Transcript of City Commission Meeting 01/09/24

Date: January 9, 2024

Case: Protect St. Pete Beach -v- St. Pete Beach

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Transcript of City Commission Meeting 01/09/24
Conducted on January 9, 2024

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|--|--|
| <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p> <p>1</p> <p>TRANSCRIPT OF VIDEO-RECORDED CITY COMMISSION MEETING JANUARY 9, 2024</p> <p>IN THE MATTER OF PROTECT ST. PETE BEACH V. ST. PETE BEACH</p> <p>Job No.: 529152 Pages: 1 - 35 Transcribed by: Christian Naaden</p> | <p>3</p> <p>1 to educate them -- the commissioner to public records 2 laws, ethics laws, Sunshine laws, other types of 3 procedural matters. I'm sure there's other things that 4 have to be brought into consideration. 5 And I -- I would just think that the logical 6 choice would just to be go ahead and appoint Betty 7 Rzewnicki, since she's prepared to take that seat, and 8 we wouldn't have to redo it in March. That's my 9 recommendation. Excuse my voice. I -- I'm a little 10 under the weather. 11 MR. PETRILA: I think you're doing well there. 12 Recognizes District 4. 13 MR. LORENZEN: Thank you. Yeah. I think, 14 again, it's a matter of consistency. I think we've 15 covered this subject extensively on the last meeting, 16 if not two meetings. She was qualified, so I think the 17 other candidates that showed interest have been 18 notified, and I think they are aware this was going to 19 transpire. 20 So, I guess I'm a believer in consistency. I 21 think we've had enough turbulence. And I think this 22 kind of keeps things going the way -- consistent with</p> |
| <p>2</p> <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p> <p>PROCEEDINGS</p> <p>[00:08:35 - 00:35:16]</p> <p>MR. PETRILA: All right. The first item we have is a the discussion of district 3 vacancy. MR. DICKMAN: Mayor, I'll -- I'll start this off. So, this seat is vacant, vacated by Commissioner Friszolowski, as you know, as of the 30th of December last year. Under the charter, the remaining members of the commission are to appoint an interim -- excuse me, an interim commissioner to serve the remainder of the term, which is through the -- through the March 2024 election. It's my understanding that the only individual that's on the ballot, or that -- that qualified for the election in March 2024 is Ms. Betty Rzewnicki and that she is -- has been given authorization from her employer to be appointed. Doesn't mean you have to appoint her. I want to say that, from my perspective, it's the most logical choice, only because from a city attorney point of view, whoever gets appointed, we have</p> | <p>4</p> <p>1 how we've appointed the other three commissioners. So, 2 that's kind of where I'm tending. Recognize District 2. 3 MR. FILTZ: I have a question for clarity for 4 the city attorneys. So, whether we appoint someone here 5 tonight, whomever -- whomever that may be, Betty is 6 going to be the commissioner for District 3 as of March 7 19th regardless of what we decide tonight. Is that 8 correct? 9 MR. DICKMAN: That's correct. She is the only 10 person that qualified for that particular election. So, 11 therefore, she will -- she will be the only person 12 that's elected to that seat. I'm not sure if she's even 13 going to be on the ballot. But I'm not sure how the 14 supervisor of election handles it. But she is 15 essentially going to take that seat. There is no 16 challenger. 17 Let me -- let me also make a quick comment 18 about that. It's been brought to my attention that I 19 used the phrase commissioner elect at one of the past 20 meetings when we were talking about that. The use of 21 that phrase was really to distinguish the difference 22 between District 1 and District 3.</p> |

Conducted on January 9, 2024

5

1 Because in District 1, it's different, there's
 2 two people that are going to be on the ballot. And I
 3 simply used that as a way of distinguishing the two
 4 things. You're technically not commissioner elect until
 5 after the election and before you take a seat. So, I
 6 just wanted to clarify the record on that.
 7 MR. PETRILA: Recognize District 1.
 8 MS. MARRIOTT: Tha- -- thanks for clarifying
 9 that, Andrew. And I agree with -- with Commissioner
 10 Lorenzen that it seems to make -- and -- and we did
 11 discuss this extensively before that, for the sake of
 12 continuity and, you know, the fact that -- that. Ms.
 13 Rzewnicki will be the elected commissioner as of March
 14 19th, it seems to be the only thing that makes sense.
 15 Do you have any opinion on the issue, Mayor?
 16 MR. PETRILA: Do we have any audience
 17 comments, city clerk?
 18 MS. LAROWE: I did not receive any cards, but
 19 that doesn't mean -- if anybody wants to come forward,
 20 they can.
 21 MR. PETRILA: If you'd like to fill out a
 22 card, they're in the back, yellow card. Bring that to

6

1 the city clerk and then we'll recognize you. I'm -- I'm
 2 torn. Because I remember our discussion, and I don't
 3 have any issues with the discussions that we had last -
 4 - two weeks ago, almost two weeks ago now.
 5 My simple reading of tonight's agenda was a
 6 discussion. It doesn't say we're going to be making an
 7 appointment. It sounds like the individuals were not
 8 notified until this morning, so with less than a few
 9 hours notice.
 10 This is in no way a reflection of anything
 11 related to Betty. But I think we need to make sure that
 12 we provide people due notice, and I'm not sure that
 13 that's happened in this case. If you have an audience
 14 comment, now is the time to step forward, please. You
 15 can fill out the card afterwards. Please state your
 16 name and address for the record.
 17 MR. KEARNEY: Hello. My name's James Kearney.
 18 I've been a me- -- a resident in the Belle Vista
 19 neighborhood since 2017. I've owned three separate
 20 properties in this district for -- since 2007 -- '15,
 21 and over the years, I've seen quite a few different
 22 things go on here.

7

1 I've never been in a position like this, I was
 2 unaware of the process completely. I missed the cutoff
 3 date to sign up for it, but I will be paying attention
 4 in the future. And if this doesn't go the right way,
 5 I'll probably put my hat in the ring for the next
 6 election. And that's pretty much it.
 7 MR. PETRILA: Thank you, sir.
 8 MR. KEARNEY: I would be interested in
 9 serving, but not on -- for three months because -- for
 10 exactly what you stated. You have to get yourself
 11 indoctrinated into the rules and the whole process, and
 12 I think for three months, it's a waste of time. I think
 13 it would cause more confusion than it's worth, and I
 14 think you guys have been through enough. So, move
 15 forward. Thank you.
 16 MR. PETRILA: Thank you, sir. Do we have any
 17 other comments?
 18 MS. LAROWE: Yes. Jeffrey Lance Sherrill.
 19 MR. PETRILA: Please state your name and
 20 address for the record.
 21 MR. SHERRILL: My name is Jeffrey Lance
 22 Sherrill. I live at 3921 Belle Vista Drive East, St.

8

1 Pete Beach, Florida, I've been a resident since 2019.
 2 And, you know, I do agree with Commissioner Lorenzen
 3 that consistency and continuity, along with the
 4 attorney, that probably is the best action in this
 5 circumstance.
 6 I, too, though am a little bit, you know,
 7 probably concerned, because this is fir- -- this my
 8 first time getting involved in St. Pete Beach politics.
 9 I've seen some things that I think have been very good,
 10 I've seen some things that I think are a little
 11 dubious.
 12 And I was a little perturbed two weeks ago
 13 when we got here and there was just no communication.
 14 That was my biggest concern about what was going to
 15 happen. Because we all -- I think there were eight of
 16 us that showed up on the morning meeting on the 27th.
 17 And, again, that's something that I -- new to
 18 the area compared to a lot of people. About four or
 19 five years I've been here, and some people, 30, 40, 50,
 20 I've heard. But I want to make sure that, you know,
 21 everybody knows that I'm giving the city, and the city
 22 managers, and commissioners my benefit of the doubt.

Transcript of City Commission Meeting 01/09/24
Conducted on January 9, 2024

9

1 I don't think anybody's doing anything to put
2 things under the table. I just think that maybe it was
3 a lack of communication that we weren't going to have
4 any actions that morning. Because I -- I -- again, it
5 wasn't about getting up or missing work. I'm retired
6 and I think a lot of people are.

7 But I -- I do think that as a newcomer, I want
8 to make sure that I have a good taste in my mouth about
9 what is going on, and my family, too, now that we're
10 down here. So, you know, I'm from the Northern Virginia
11 area originally, and there's a lot of dirty dealing
12 that goes on up inside the Beltway. And, you know,
13 that's one reason we came down here, because we love
14 this area.

15 So, you know, I am going to be involved also.
16 I'm -- give my blessing to whatever you decide to do
17 tonight. Because, again, the election's on the 26th, I
18 did not meet the deadline, I didn't even think about it
19 at that time. I just thought about it when I saw there
20 were no applicants, you know, right at the
21 Christmastime when they said that was going to happen.

22 So, again, I -- I'm going to be a fixture in

10

1 the neighborhood. I'm not going to be a loudmouth or a
2 complainer without bringing solutions to the table.
3 Because complaints without solutions are just problems.
4 Thank you.

5 MR. PETRILA: Thank you, sir. Do we have any
6 other comments? Please state your name and address for
7 the record.

8 MR. BAILEY: My name's James Bailey. I've
9 lived out here since 1992 on 355 Belle Vista Drive, and
10 I also lived on 1800 Pass A Grille Way for two years
11 there. And my concern is safety issues. There are all
12 sorts of safety issues going on right now that -- that
13 are -- the current facilities that we have won't be
14 able to handle them.

15 The roadways won't be able to handle traffic
16 getting on and off the island in case of hurricanes or
17 storms. And also, fire -- our fire departments and all
18 our other safety departments will be taxed to the
19 brink, and won't be able to handle what -- what new
20 business we're going to have if -- if they increase the
21 -- the size of the hotels.

22 At -- we can't even put a bathroom on the --

11

1 on the beach. We've had -- for 10 years, we've had the
2 same number of restroom facilities there. And that's --
3 that's a health issue right there.

4 We -- our reporting on clean water and -- is -
5 - is laughable. As a statistician, the -- there's
6 nothing -- a week -- is it a weekly or two weekly
7 reporting of it? It's -- it's horrible. I don't know.
8 That's the -- those are some of my thoughts. I'm sorry
9 I haven't given a much more in-depth detail.

10 But if you look at Siesta Key, they're --
11 they're holding back on expanding their hotels due to
12 safety issues too. And I think we need to follow that
13 very closely, and -- and maybe consider listening to
14 some of the issues that they've come up with too. Thank
15 you.

16 MR. PETRILA: Thank you, sir. How many people
17 are here today because they want to be considered for
18 District 3? If you'll please raise your hand. One, two,
19 three. City clerk, are those still on the city website
20 somewhere?

21 MS. LAROWE: Yes. They're on the city clerk
22 page under the general election tab of the city's

12

1 website.

2 MR. PETRILA: Thank you.

3 MS. LAROWE: Mm-hmm. Also, I just wanted to
4 say that on December 28th at 11:25 a.m., I sent an e-
5 mail to all those interested candidates and apologized,
6 letting them know that had I known anything
7 differently, I would've communicated such. I also
8 advised them that -- to -- it would be an item on for
9 January 9th at 6:00 p.m. And if and when I heard
10 anything differently that I would be in touch, and
11 that's when I followed up this morning.

12 MR. PETRILA: Well, I think if we're going to
13 be consistent, we should follow what we did for the
14 other districts, which is we interviewed the
15 individuals that were present and willing to put their
16 name forward.

17 MR. LORENZEN: If I may, Mr. Mayor, that's why
18 I asked that question specifically a couple commission
19 meetings ago, or special commission meetings ago, that
20 why do we do district -- I believe it was two -- it had
21 two qualified, fully qualified folks running --

22 MR. PETRILA: District 1.

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4 (13 to 16)

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| <p style="text-align: right;">13</p> <p>1 MR. LORENZEN: District 1, thank you. And it 2 was explained to me, okay, it was two, so it's a 3 slightly different format. But I guess I -- I harken 4 back to the fact that only one candidate was deemed 5 fully qualified. So, I think this one should be treated 6 slightly differently. And -- and I think it's -- I 7 think we've kind of put this through the ringer quite a 8 bit already. So, I --</p> <p>9 MR. PETRILA: So, if Karen --</p> <p>10 MR. LORENZEN: -- I'm not sure we gain --</p> <p>11 MR. PETRILA: -- loses her election, did we 12 just waste three months?</p> <p>13 MR. LORENZEN: Say again?</p> <p>14 MR. PETRILA: If Karen loses her election, did 15 we just waste three months?</p> <p>16 MR. LORENZEN: I don't think so. I think she's 17 a long-term resident that is -- is up on a lot of the 18 issues. And I --</p> <p>19 MR. PETRILA: And these individuals are not?</p> <p>20 MR. LORENZEN: That's -- cast no aspersion on 21 them. I'm -- they may be more qualified. Who knows?</p> <p>22 MS. MARRIOTT: I think -- excuse me. I think</p> | <p style="text-align: right;">15</p> <p>1 sent out an e-mail, you -- and you heard back from some 2 of those individuals.</p> <p>3 We've also heard from Jeff -- Jeffrey, and 4 we've heard from James -- Jim tonight and -- and their 5 brief explanation, where they stand. So, correct me if 6 I'm wrong, there's the -- the individuals we haven't 7 heard from would be William [ph], Mike [ph], and 8 Jackson [ph]?</p> <p>9 MS. LAROWE: Yes. That's correct.</p> <p>10 MR. FILTZ: Okay. And -- and you sent them an 11 e-mail, no -- no response today? Okay.</p> <p>12 MS. MARRIOTT: And are any of them in 13 attendance?</p> <p>14 MS. LAROWE: I take that back. Mr. Seguin [ph] 15 did reply and say he received my e-mail. But he didn't 16 say whether he was coming, or not coming, or -- nothing 17 like that. He just said, received your e-mail.</p> <p>18 MR. LORENZEN: May I, Mr. Mayor?</p> <p>19 MR. PETRILA: Please.</p> <p>20 MR. LORENZEN: For the city clerk or the 21 attorney, do you see any breach in election law 22 protocol of the charter if we were to --? I don't know</p> |
| <p style="text-align: right;">14</p> <p>1 that the -- the difference is that -- that had -- had 2 only one of us been going to be on the ballot for March 3 in my district, we would the- -- then -- then the 4 situation would be the same.</p> <p>5 You know, where -- where there is only one 6 logical choice for who to appoint for that seat. I'm 7 not sure it -- I'm not sure it serves anyone well to 8 interview people if we are then going to just appoint 9 Ms. Rzewnicki because that's what makes the most sense.</p> <p>10 MR. PETRILA: I don't know how I'm going to 11 vote, I'm not sure how any of you are going to vote. 12 So, we're presuming that we all know how we vote 13 already?</p> <p>14 MS. MARRIOTT: I -- I'm -- no.</p> <p>15 MR. PETRILA: Okay.</p> <p>16 MR. FILTZ: Mayor?</p> <p>17 MR. PETRILA: Sure.</p> <p>18 MR. FILTZ: Have a -- I have a question for 19 city clerk. So, for District 3, the list I have of 20 individuals who put their names in, it was recognized 21 Betty was the only qualified candidate for the March 22 election. The other individuals, I -- I understand you</p> | <p style="text-align: right;">16</p> <p>1 if we have to make a motion to vote or how we do this 2 procedurally. But were we to do that, and Ms. Rzewnicki 3 was selected or approved I guess it would be, would 4 that be breaking anything in the charter procedurally?</p> <p>5 MR. DICKMAN: Honestly, like, here's -- here's 6 the situation. I -- I'm getting a text message from a 7 guy named Tom Rask [ph] who's threatening a lawsuit 8 because of -- apparently, he thinks that this should 9 not be me- -- this is a discussion item, and not an 10 action item.</p> <p>11 Now, I'm getting text messages from Tom Rask 12 who's threatening a lawsuit because this -- he believes 13 this is a discussion item and not a -- a action item. 14 I'm a little unclear about this, I'm not sure what -- 15 he says something about a letter that he wrote to the 16 city.</p> <p>17 But -- but I mean, the commis- -- the 18 charter's clear, the commission gets to appoint. If you 19 -- if you want to be extra, extra, extra careful and 20 cautious, you can put it off for two weeks and 21 interview everyone.</p> <p>22 Make an -- make it clear on the agenda that</p> |

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| <p style="text-align: right;">17</p> <p>1 this is an action item, and instead of, like, the 2 mistaken word that says, discussion of District 3, I 3 mean, okay. Let's be ultra conservative and -- and do 4 that. And, you know, people like Tom Rask will stop 5 texting me and threatening lawsuits. 6 I mean, if you -- if -- if -- if that's how 7 you want to go and -- and operate. But I'm just telling 8 you from a logical point of view that I believe 9 strongly that at the last meeting, we talked about 10 taking action on District 3. 11 In fact, I -- I made it that -- that 12 recommendation, I wouldn't go any further, meaning that 13 I wouldn't wait for Betty Rzewnicki past the 9th, 14 because it's not -- it's not in the best interest of 15 the city to have four commissioners, because you can 16 frequently end up with a tied -- a tie vote. And that - 17 - that's not good for the city. 18 But if you want to avoid, apparently, a 19 threatened lawsuit from Tom Rask, who I guess is now 20 some kind of reporter with -- I don't know. I don't 21 know wa- -- who he is. I mean, I've met him a couple 22 times.</p> | <p style="text-align: right;">19</p> <p>1 audience, and he could come up and speak to what he's 2 talking about. He said he sent an e-mail or a letter to 3 the city. 4 MR. PETRILA: Is Tom Rask in the audience? 5 Going once, twice. No Tom Rask. 6 MR. DICKMAN: Okay. 7 MR. LORENZEN: Mayor, if I may. I kind of feel 8 like it's paralysis here. And I've read all these e- 9 mails from Tom Rask as well. And -- and it's kind of a 10 damned if we do, damned if we don't scenario here. 11 There's always going to be somebody that's unhappy no 12 matter what the committee -- or commission decides on. 13 So, I just wanted to throw that out. But I'm 14 kind of in the mind of forge ahead with what we said -- 15 what we all thought was going to happen tonight, 16 regardless of whether the language was not exactly 17 precise. But that -- that's kind of how I'm feeling. 18 MR. FILTZ: Mayor? 19 MR. PETRILA: Go ahead. 20 MR. FILTZ: I -- I would like to move item 21 three, the -- the discussion item of District 3 vacancy 22 to an action item. I'm -- I move to move the dis- --</p> |
| <p style="text-align: right;">18</p> <p>1 But, you know, I'm ge- -- you know, you could 2 put this off for two -- two weeks, and bring it back up 3 at your next commission meeting, and -- and put it 4 under -- be very, ultra clear on the agenda, and put it 5 under action item so that it's clear, and everybody who 6 wants to be considered for this seat show up, do the 7 interviews, and go through the process, then do that. 8 MR. MCCONNELL: And -- and if I may, Andrew, 9 if you put it under action item, you have to take 10 action. So, I -- I think the idea of putting it here is 11 it gave you the flexibility of not taking action. But 12 if you make it an action item, you must make a decision 13 on that agenda at that meeting. So, I just want to 14 point that out. 15 MR. DICKMAN: It's just unfortunate that the 16 wording says, discussion of District 3 and vacancy. It 17 should say, discussion and possible action. That's what 18 it was supposed to say, but it doesn't. 19 And if you want to avoid being sued by Tom 20 Rask, and be -- be -- be held -- held by Tom Rask, held 21 up, you know, that's fine. Then reword the agenda and 22 bring it back in two weeks. Maybe Tom Rask is in the</p> | <p style="text-align: right;">20</p> <p>1 number three, discussion of District 3 vacancy to an 2 action item. 3 MR. PETRILA: City clerk, can that be done? 4 MS. LAROWE: I don't -- I don't know. You've 5 already approved the agenda. It's -- 6 MR. FILTZ: Which included that change. 7 MS. LAROWE: It was -- yeah. It was a 8 discussion that it would be discussed at this. That was 9 the part of the change. That it would be discussed 10 whether to take action. Yes. 11 MR. FILTZ: If I may comment -- 12 MR. DICKMAN: So, the interpretation is that 13 it's not just -- I mean, if it were to be just a 14 discussion item, it would've been placed under that 15 section of the agenda. The word discussion is just 16 being used as -- for some reas- -- I'm sorry. 17 MR. PETRILA: That's all. 18 MR. DICKMAN: I didn't re- -- you know -- 19 MR. FILTZ: Mayor, if I may. 20 MR. PETRILA: Go ahead. 21 MR. FILTZ: Si- -- since it's a discussion 22 item and we're discussing it, just using logic here,</p> |

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6 (21 to 24)

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| <p style="text-align: right;">21</p> <p>1 going through the one, two, three, four, five, six, 2 seven, eight, nine individuals, Al Cau- -- forgive me 3 if I'm pronouncing any names wrong. 4 Al Causi [ph] e-mailed city clerk, he's 5 withdrawing, correct? Okay. Jennifer McKenney [ph], she 6 was -- withdrew her name, correct? Okay. Betty, we know 7 Betty's here. Sam [ph] withdrew his name, correct? 8 Jeffrey, he's here. We heard from him, had a brief 9 opinion as to where he's -- where he stands. 10 William Hammond [ph], no word from. He was 11 sent an e-mail. He was here when we talked about this 12 meeting. Talking about action, if it's -- if it's an 13 action you want to take, I feel, you know, you might 14 show up here. But I don't know, maybe circumstance. We 15 don't -- we don't know. 16 Mike acknowledged your e-mail. Jim -- James -- 17 Jim, we heard from, got his opinion. So, Jackson, 18 didn't -- didn't hear from. Okay. I just want to be 19 clear and understand all that. So, as far as moving it 20 to an action item, if we can decide or no- -- or not, I 21 would defer to the city attorney, city clerk on that. 22 MR. PETRILA: City attorney has given you his</p> | <p style="text-align: right;">23</p> <p>1 MS. LAROWE: Okay. 2 MR. PETRILA: Then, no. 3 MS. LAROWE: Okay. Motion carries three to 4 one. 5 MR. PETRILA: Next we have audience comments. 6 7 [00:35:17 - 00:40:22] 8 9 MALE 1: I don't know if we're going to do it 10 now. 11 MS. LAROWE: John Kurzman. 12 MR. PETRILA: Please state your name and 13 address for the record. 14 MR. KURZMAN: John Kurzman , Bahia Honda Way 15 South. 16 MR. PETRILA: Please speak into the 17 microphone, John. We can't hear you otherwise. 18 MR. KURZMAN: I was just rushing the clock, 19 you know. John Kurzman, Bahia Honda Way Sou- -- 20 MR. PETRILA: Doesn't start until you show up. 21 MR. KURZMAN: Welcome, everyone, and everyone 22 soon to be. And my -- my main thing is that I think</p> |
| <p style="text-align: right;">22</p> <p>1 opinion. It is now for us to make a decision. So, if 2 one of you would like to make a motion one way or the 3 other, we're happy to entertain that. 4 MS. MARRIOTT: I would like to make a motion 5 to appoint Betty Rzewnicki as the interim commissioner 6 for District 3. 7 MR. LORENZEN: I second that motion. 8 MR. PETRILA: Any further discussion? City 9 clerk, if you'll please do a roll call. 10 MS. LAROWE: Commissioner Lorenzen? 11 MR. LORENZEN: Yes. 12 MS. LAROWE: Commissioner Marriott? 13 MS. MARRIOTT: Yes. 14 MS. LAROWE: Commissioner Filtz? 15 MR. FILTZ: Yes. 16 MS. LAROWE: Mayor Petrilá? 17 MR. PETRILA: I abstain. 18 MS. LAROWE: You cannot abstain. 19 MR. MCCONNELL: Yeah. You cannot abstain. 20 MR. PETRILA: Then you have a no. 21 MR. MCCONNELL: Unless you have a voting 22 conflict, you must vote.</p> | <p style="text-align: right;">24</p> <p>1 everyone -- I sent you an e-mail earlier today. And it 2 was really about this [errata ?], but it's really in 3 general too. 4 Normally, when you're elected, you get to have 5 the opportunity to campaign, and meet the public, and 6 the public gets to meet you. And then after you're 7 elected, there's even time for the public to meet you, 8 and you meet them, and share opinions. You get to 9 really learn your constituents. 10 You've been deprived of that. And so, I'm just 11 hoping that there's a way to give you guys time to get 12 up to speed in those relationships and that new role 13 before you're just, you know, thrown into the pit with 14 the lions to make decisions while you're trying to 15 represent everyone. 16 And then secondly, as the attorney mentioned, 17 there's public records law training, there's Sunshine 18 law training, there's all sorts of training to get. You 19 know, just Robert's Rules, you know, what it mea- -- 20 you know, what it means to do all the things that 21 happen when you're up on the podium. So, all that takes 22 time too.</p> |

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| <p style="text-align: right;">25</p> <p>1 Third, you know, when you look at, you know, a 2 lot of government institutions like this one, and 3 pretty much all the government institutions, you don't 4 normally replace everyone at the same time, they're 5 staggered. This is two years, this is two years, but 6 it's different years. 7 So, you always get to look at the other 8 people, and see what they're doing, and you get the 9 feel of it, and you can see how they're handling those 10 issues. And you're being deprived of that too. And that 11 makes your job harder also. 12 So, one of the things I'm just really hoping 13 also is that the staff can help you. Because I know 14 when I look in the past, a lot of the times, you'll get 15 items in your packet, which comes out literally, I 16 think, three or four days before a meeting, you have to 17 read everything in the packet, learn it, understand it. 18 And then public is trying to make comments on 19 it, and they're trying to communicate. And -- and then 20 you get to the meeting, and -- and -- and someone's 21 saying, well, oh, here -- here's the -- here's the 22 spreadsheet that goes with that, or here's the</p> | <p style="text-align: right;">27</p> <p>1 MR. PETRILA: Thank you, John. That actually 2 brings up a good point, city clerk. Has everyone 3 received their orientation packages for new 4 commissioners? 5 MS. LAROWE: Yes. I sat with each of them the 6 day that they were selected, administered the oath, and 7 then I prepared a folder with a copy of attorney 8 general opinions, a copy of the presentation that the 9 tea- -- legal team and I put together for -- in the 10 summer, I gave them a USB and the PowerPoint. 11 I printed off this -- the link for the 12 Sunshine manual, which is a downloadable PDF, which is 13 a lot easier, because you can do control F. So there's 14 that. There's a cheat sheet on parliamentary and 15 Robert's Rules. Matthew and I sat with the two -- Rich 16 -- Commissioner Lorenzen and Commissioner Filtz and 17 heavily discussed things. 18 Commissioner Marriott and I had already met 19 through -- through qualification. So, she had some 20 training, and she had attended the June training as she 21 sea- -- was seated on the beach stewardship committee. 22 And then I put together their orientation binder after</p> |
| <p style="text-align: right;">26</p> <p>1 correction to the table that goes with that, and you're 2 trying to decide things on the fly. 3 So, I really hope that in the interest of 4 things that everyone can help give you more time to 5 make your decisions, recognizing that you're new in the 6 role. And -- and -- and really give leniency, and 7 really give everybody more time to -- to -- to take the 8 pressure off of you. 9 And if there's some way to defer, really if -- 10 if some way so that you, in this stage, that certainly 11 before the election, or before the August election, or 12 just -- just give you more time. If you could somehow 13 hit the breaks on maybe some of the major, major 14 decisions that have to be made. You know, I -- I -- you 15 know, so that you don't have to make the major things 16 right up front. 17 Ease into it a little. Start making some of 18 maybe the small things, and -- and -- and gradually 19 move in. Because this is, like, a -- you're making 20 decisions that could be very major for people. And -- 21 and it's just to be fair to you guys, too, to do the 22 best you can. Thank you.</p> | <p style="text-align: right;">28</p> <p>1 I made some updates to staffing and gave that to them 2 as well. 3 MR. PETRILA: Okay. So, everyone's had almost 4 two weeks, so you all have read the package? 5 MR. FILTZ: Yeah. 6 MR. LORENZEN: Yep. 7 MR. PETRILA: Good on parliamentary procedure, 8 Robert's Rules? Yes. Okay. All right. Next we have item 9 five, sub A, vice mayor appointment. 10 11 [02:14:15 - 02:20:37] 12 13 MR. PETRILA: I know that was an hour long 14 exercise. But we are looking at a total of, based on my 15 quick math here, about \$3.5 million of consent items. I 16 think it's important that, as we are stewards of the 17 city's funds that are given to us by our taxpayers, all 18 of you, all of us, that we make sure we do our due 19 diligence on that part. And if takes an hour, it takes 20 an hour. Next we have resolutions, 7A, resolution 2023- 21 26 -- 22 MS. LAROWE: Sorry --</p> |

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| <p style="text-align: right;">29</p> <p>1 MR. PETRILA: -- special election. 2 MS. LAROWE: Sorry. 3 MR. PETRILA: What -- what did I miss now? 4 MS. LAROWE: I just jumped into -- you can 5 start reading titles. Sorry. 6 MR. PETRILA: Yeah. You can read the rest of 7 it now. 8 MS. LAROWE: A resolution of the City of St. 9 Pete Beach, Pinellas County, Florida establishing the 10 date for the 2024 special municipal election and the 11 qualification period for the commissioner for District 12 2 and District 4. 13 Back on Dec- -- on December 18th, I prepared 14 and agenda report outlining the conversation that I had 15 with the supervisor of elections on the feasibility of 16 either adding to the March election, or holding a 17 special election. And at that time, they provided me 18 with one date in August, August 20th, with a ballot 19 language deadline of June 14th. And the second option 20 was November 5th with a ballot language deadline of 21 August 9th. 22 I went back to what I did for a special</p> | <p style="text-align: right;">31</p> <p>1 I think we'll continue to look into this 2 situation, because I know that there -- you know, there 3 is a desire to try to get people elected as quickly as 4 possible to these seats. But when we look at the 5 complexities of having an election, it's not like it 6 used to be in the -- the old days. The city is just not 7 equipped to ho- -- to conduct its own election. It just 8 simply is not. 9 I wish the supervisor of election would be a 10 little bit more open to the city paying the supervisor 11 of election to hold an earlier election. But they will 12 not do it. And I can tell you at least one other 13 attorney in another municipality has asked the same 14 question, and they have been told no. They won't do it. 15 MR. PETRILA: Thank you. 16 MR. DICKMAN: You're welcome. 17 MR. PETRILA: Any discussion? 18 MS. LAROWE: I do have one other thing to add. 19 If you do choose the August for Districts 2 and 4, that 20 does not mean that there won't be a normal election 21 with normal qualifications. And as I stated in my 22 December 18th memorandum, the Districts 2 and 4 would</p> |
| <p style="text-align: right;">30</p> <p>1 election that the city underwent for District 2 in 2 2021. And I formatted this resolution that's on yo- -- 3 tonight for approval based on what we did then, which 4 was to hold the special election in August, and at one 5 week qualification in the first week of May. So, that's 6 what's in front of you tonight. 7 MR. DICKMAN: Mayor, could I piggyback onto 8 that a little bit? 9 MR. PETRILA: Certainly. 10 MR. DICKMAN: As -- as you heard from Amber, 11 you know, she contacted the supervisor of election to 12 see if we could get an earlier date. I contacted the 13 supervisor of election, Matthew has contacted 14 supervisor of this election, other attorneys have 15 contacted supervisor of election. 16 They're telling them all, no, we cannot help 17 you, everybody's in the same boat, you all have to be 18 on the dates that we set. I just want to make it clear 19 that we have done everything in our power that we know 20 about to have an earlier election. But the supervisor 21 of election has not been willing to come off of the 22 regular dates that they have set.</p> | <p style="text-align: right;">32</p> <p>1 still have a qualification in November, first two weeks 2 as we normally do with a March 2025 election. 3 MR. PETRILA: So, that would be November of 4 next year? 5 MS. LAROWE: This year. November -- 6 MR. PETRILA: This year? 7 MS. LAROWE: -- 2024. Mm-hmm. For a March 2025 8 election. 9 MR. PETRILA: Time flies. 10 MS. LAROWE: Yeah. 11 MR. PETRILA: Okay. So, the term would be from 12 August until March of next year? Okay. Thank you. Any 13 comments from the audience? 14 MS. LAROWE: I received no cards. 15 MR. PETRILA: Thank you. 16 MS. MARRIOTT: I -- 17 MR. PETRILA: Yes? 18 MS. MARRIOTT: It's -- I mean, I -- I -- 19 correct me if I'm wrong. But this seems like the only - 20 - like this is the soonest practical solution. And any 21 other option would be to delay it until November, 22 correct?</p> |


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1 MR. LORENZEN: Well, Mr. Mayor, given the
2 silence on this one, I -- I move to -- to approve this
3 resolution, 2023-26, special election qualifying
4 period.
5 MS. MARRIOTT: Second.
6 MR. PETRILA: City clerk, if you'll please do
7 a roll call.
8 MS. LAROWE: Commissioner Marriott?
9 MS. MARRIOTT: Yes.
10 MS. LAROWE: Commissioner Filtz?
11 MR. FILTZ: Yes.
12 MS. LAROWE: Commissioner Lorenzen?
13 MR. LORENZEN: Yes.
14 MS. LAROWE: Mayor Petrilá?
15 MR. PETRILA: Yes.
16 MS. LAROWE: Motion carries. I will get that
17 information on the website this week regarding the
18 qualification and the special election dates.
19 MS. MARRIOTT: And, Amber, can -- can I ask
20 also that when you put that on the website, that --
21 that we also clearly state the information about the --
22 the term that somebody would be being elected for, and

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1 the further qualification --
2 MS. LAROWE: Yes. I can --
3 MS. MARRIOTT: -- information as well?
4 MS. LAROWE: Yes. I can do that. Mm-hmm.
5 MR. PETRILA: Next we have item for
6 discussion, 8A, floodplain ordinance community meeting.
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1 CERTIFICATE OF TRANSCRIBER
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17 March 20, 2024
18 Chris Naaden
19
20 (529152, St. Petersburg Special City Commission
21 meeting, 1-9-24)
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