

From: [Amber LaRowe](#)
To: [Ariana Wilson](#)
Subject: FW: Continuance Request - Sirata
Date: Tuesday, January 9, 2024 3:28:04 PM
Attachments: [Sirata CUP - A Dickman Ltr 1.8.24 re 1.10.24 Sirata Hearing.pdf](#)

Please place this email and attachment in JustFOIA for that most recent request

From: Matthew McConnell <matthew@dickmanlawfirm.org>
Sent: Monday, January 8, 2024 6:34 PM
Cc: Wayne Saunders <wsaunders@stpetebeach.org>; Amber LaRowe <cityclerk@stpetebeach.org>; Andrew Dickman <andrew@dickmanlawfirm.org>
Subject: Continuance Request - Sirata

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Mayor and Commissioners,

Attached, please find a request for a continuance of the Sirata hearing. We agree that the circumstances require a continuance or deferral to a future date.

We can discuss this further tomorrow at the commission hearing. Feel free to call Andrew or I with any questions.

Enjoy your evening,
Matthew

Matthew McConnell, Assistant City Attorney
City of St. Pete Beach
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St. Pete Beach, FL 33706
727.527.7150
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January 8, 2024

VIA E-MAIL

Wayne Saunders, Interim City Manager (wsaunders@stpetebeach.org)
Jennifer McMahon, Director (rddirector@stpetebeach.org)
Brandon Berry, Planner II (bberry@stpetebeach.org)
Andrew Dickman, City Attorney (via email: andrew@dickmanlawfirm.org)
Matthew McConnell, Esq. (via email: matthew@dickmanlawfirm.org)
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, Florida 33706

Re: Notice of Request for Continuance of January 10, 2024 City Commission Hearing
Columbia Sussex - Sirata Resort (CUP 23053)

Gentlemen and Ms. McMahon:

We understand that the City of St. Pete Beach has faced unprecedented issues in the last few weeks due to the resignation of four out of five City Commissioners. It is our understanding that the City has already appointed three new City Commissioners, and may appoint a fourth City Commissioner on January 9, 2024.

As you are aware, the continued quasi-judicial public hearing on the Sirata Resort (“Sirata”) Conditional Use Application (CUP 23053) is scheduled for the following day, January 10, 2024. Sirata is concerned about the integrity of the proceedings and the applicant’s due process rights if the January 10th public hearing moves forward. If a new Commissioner is appointed on January 9th, it is not possible for that Commissioner to have adequate time to review and digest the voluminous amount of reports, documents and materials contained in the record. If a new Commissioner is not appointed, there will only be four sitting Commissioners. The City Commission has routinely granted continuances for applicants in order for the applicant’s case to be heard by a fully seated City Commission, and we would request that the same decision be made for Sirata if no one is appointed to the vacant seat at the January 9th meeting. Regardless of the outcome on the January 9th meeting, proceeding with the hearing on January 10th would be extremely prejudicial and would result in a deprivation of the applicant’s due process rights.

Wayne Saunders, Interim City Manager
Jennifer McMahon, Director
Brandon Berry, Planner II
Andrew Dickman, City Attorney
Matthew McConnell, Esq.
January 8, 2024
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Accordingly, we wanted to provide you with advance notice that we will be requesting a continuance of the January 10th public hearing in order to provide the new Commissioner with sufficient time to thoroughly review the record so that he or she is prepared to make a decision based on the record and the evidence presented at the hearing in accordance with Florida law.

I will attend the January 10th hearing to discuss the continuance request and work through any other procedural issues related to the Sirata hearing. Please feel free to contact me if you have any questions regarding this matter.

Very truly yours,



S. Elise Batsel

SEB/sjw

cc: Kevin Reali, Esq. (via email: kreali@stearnsweaver.com)