



February 16, 2024

sgrvlaw.com

George M. Vinci, Jr.  
Direct Dial Number  
P 215.241.8840  
Direct Fax Number  
F 215.531.9128  
[rwolf@sgrvlaw.com](mailto:rwolf@sgrvlaw.com)

Philadelphia Office  
Seven Penn Center  
1635 Market Street  
7th floor  
Philadelphia, PA 19103  
P 215.241.8888  
F 215.241.8844

New Jersey Office  
One Greentree Centre  
10000 Lincoln Drive East  
Suite 201  
Marlton, NJ 08053  
P 856.988.5490

Florida Office  
360 Central Avenue  
Suite 1550  
St. Petersburg, FL 33701  
P 727.896.4604

Admitted to practice:  
Pennsylvania, New Jersey  
and Florida

**VIA E-MAIL:** [andrew@dickmanlawfirm.org](mailto:andrew@dickmanlawfirm.org)  
**AND FEDERAL EXPRESS**

Andrew Dickman, Esq.  
City Attorney  
City of St. Pete Beach  
155 Corey Avenue  
St. Pete Beach, Florida 33706

**RE: Request for Recusal of Mayor Adrian Petri  
Sirata Resort (CUP 23053)**

Dear Mr. Dickman:

On behalf of our client, CP St. Pete, LLC (“Applicant”), we write to request that Mayor Adrian Petri recuse himself from participation in the quasi-judicial hearing before the City Commission on the Sirata Resort Conditional Use Permit Application 23053 (“CUP Application”) scheduled for February 21, 2024. Because of his pervasive bias against the CUP Application, Mayor Petri’s participation in this proceeding will violate the Applicant’s due process rights.

As you are aware, the City Commission’s decision on the CUP Application is quasi-judicial, which entitles the Applicant to due process under both the United States and Florida Constitutions. *Cherry Comms., Inc. v. Deason*, 652 So. 2d 803, 804 (Fla. 1995). Due process requires – at a minimum – that the Applicant be provided an impartial decision-maker at the hearing on the CUP Application. *Ridgewood Properties, Inc. v. Dept. of Comm. Affairs*, 562 So. 2d 322, 324 (Fla. 1990) (“An impartial decisionmaker is a basic constituent of minimum due process.”); *Seminole Entertainment, Inc. v. City of Casselberry*, 811 So. 2d 693 (Fla. 5th DCA 2001) (holding that elected official’s evidentiary rulings reflected a pervasive bias that violated fundamental due process rights, especially considering the official campaigned on a platform against the applicant’s business). The Applicant’s right to an impartial decision-maker is violated if a reasonably prudent person in the Applicant’s position would fear that it could not obtain a fair and impartial hearing before the City Commission. *Jones v. Florida Keys Community College*, 984 So. 2d 556, 557 (Fla. 3d DCA 2008). Clearly, that is the case with Mayor Petri.

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Mayor Petrila is the founder of Protect St. Pete Beach, an organization that has consistently and vocally opposed the CUP Application even before it was filed with the City. Not only is Protect St. Pete Beach vocally opposed to the CUP, it has filed a lawsuit against the City, pending as *Protect St. Pete Beach Advocacy Group, et al. v. City of St. Pete Beach, et al.*, Case No. 24-000041-CI, with the goal of blocking and/or delaying a determination of the CUP Application by removing all of the current Commissioners, except for its founder and biggest supporter Mayor Petrila. A copy of the Amended Complaint is attached as **Exhibit A**<sup>1</sup>. Mayor Petrila's role with that organization is proudly displayed in his official biography page on the City's website. See <https://www.stpetebeach.org/740/5771/Adrian-Petrila>. But Mayor Petrila's bias runs deeper than just founding an organization adverse to the Applicant. Upon being sworn into public office, he continued his involvement with that organization, serving as its chair and signing financial documents on its behalf.<sup>2</sup>

Further, in response to a public records request submitted by the Applicant, Mayor Petrila produced incomplete, redacted text messages evidencing ex parte communications with the members of Protect St. Pete Beach regarding the pending CUP Application. See **Exhibit D** attached hereto. He also attended an ex parte meeting with at least one condominium association, where he provided information about the upcoming public hearing and where, at that meeting, the association ultimately voted to financially support Protect St. Pete Beach in opposing the CUP Application. See **Exhibit E** attached hereto. Compounding the prejudicial impact of these ex parte communications, Mayor Petrila used his authority as the presiding officer during the December 5, 2023 public hearing to prevent Ms. Batsel from inquiring into the substance of the communications. See **Exhibit F** attached hereto.

For these reasons, we request that you advise the entire City Commission of the importance of Mayor Petrila recusing himself from participating in the quasi-judicial hearing on the CUP Application. Further, we request that Mayor

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<sup>1</sup> As a basis for its standing, Protect St. Pete Beach asserts that it "has actively participated in public meetings regarding the Sirata development approval by lodging objections and presenting expert testimony and personal observations from its members," and that it will be impacted "because an unelected Commission which does not represent the will of the people will cast the deciding vote on the Sirata and TradeWinds projects, both of which are highly controversial decisions highly relevant to Protect St. Pete Beach's mission." Amended Complaint, ¶¶ 12-13.

<sup>2</sup> Specifically, while Mayor Petrila was sworn into public office on March 28, 2023, he served as chair of Protect St. Pete Beach until April 24, 2023. See **Exhibit B** attached hereto. Mayor Petrila signed a Protect St. Pete Beach Campaign Treasurer's Report Summary for the period of March 10, 2023 to March 31, 2023, which the City received on April 4, 2023, while simultaneously serving as Mayor of St. Pete Beach. See **Exhibit C** attached hereto.

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Petrila abstain from any discussion or consideration of this item in his official capacity in any way.

We also request that this letter be placed in the record for the hearing. If you have any questions or would like to discuss this issue further, please do not hesitate to contact us.

Very truly yours,

  
GEORGE M. VINCI, JR.

GMV/jg  
Enclosures

cc: Mayor Adrian Petrila ([apetrila@stpetebeach.org](mailto:apetrila@stpetebeach.org))  
Commissioner Karen Marriott ([kmarriott@stpetebeach.org](mailto:kmarriott@stpetebeach.org))  
Commissioner Nick Filtz ([nfiltz@stpetebeach.org](mailto:nfiltz@stpetebeach.org))  
Commissioner Betty Rzewnicki ([brzewnicki@stpetebeach.org](mailto:brzewnicki@stpetebeach.org))  
Commissioner Richard Lorenzen ([rlorenzen@stpetebeach.org](mailto:rlorenzen@stpetebeach.org))  
Matthew McConnell, Esq. ([matthew@dickmanlawfirm.org](mailto:matthew@dickmanlawfirm.org))  
S. Elise Batsel, Esq. ([ebatsel@stearnsweaver.com](mailto:ebatsel@stearnsweaver.com))