

City of Treasure Island Beach Stewardship Committee

March 12, 2003

1:30 PM

COMMITTEE PRESENT: Robert Minning, Barbara Blush, George Greenfield, Sully Lowe, Sid Rice, Chuck Coward, Rick Raus; Cliff Truitt, Coastal Tech;

Members of the Public: Heidi Horak

Chairman Robert Minning called the Beach Stewardship Committee meeting to order at 1:35 PM in the City Hall auditorium, 108th Avenue, Treasure Island, Florida.

1. The draft minutes of the February 12, 2003 meeting were distributed and reviewed. Upon appropriate motion the minutes were approved as drafted.
2. There were no additions or changes to the proposed agenda.
3. Cliff Truitt reported on the status of the Sand Sharing project permit application. The required Public Notice advertising the permit application was prepared and published by the Corps of Engineers on February 14, 2003. There is a 30-day open comment period from that date. A recent call to the Corps staff handling the notice indicated that only a few comments had been received. Cliff had drafted a response to the Corps' Project Manager for Treasure Island statements of concern about the scope of our sand sharing proposal and the Corps' schedule for maintenance. The Committee members were asked to review the draft letter and send any comments to Don Hambidge.
4. City Staff Beach Responsibilities: Chuck Coward introduced this item which was prepared in response to Committee member questions at earlier meetings about who in the City was responsible for certain tasks or services affecting the beach. Chuck noted that City staff involvement with beach issues comes about for three reasons: basic activities and services provided in some degree to all City areas, the beach just being one 'user area;' the City-State interface on the State's Coastal Construction Control Line (CCCL) program; and the City's direct ownership of certain beach property. Key City staff described their responsibilities related to the beach as follows:

I. Basic Activities.

Trash Collection. Rick Raus said that the Public Works Department is responsible for trash collection on the beach including emptying over 100 trash receptacles at least twice each week. He said that the collection method has evolved over time and experience to now using a light truck to pull a modified dumpster to each trash receptacle. Public Works also responds with clean up and trash collection after any special public events on the beach such as the symphony or 4th of July fireworks; and, performs special inspections and debris clean up after storms.

Beach Raking. In a related service, Public Works is responsible for raking the “public portion” of the beaches above the water’s edge. Each raking pass down the beach takes the equipment and operator about one week and the entire shoreline is covered twice each month. The primary reason for the raking is to remove seaweed and other debris for aesthetic reasons. Secondary by-products are that the raking helps reduce the spread of exotic and/or noxious plants such as sand spurs and it levels any small surface depressions to reduce water ponding. Rick noted that the rake operator avoids the existing dune areas and any other spots of desirable, native beach vegetation.

A question was asked about whether the raking or other Public Works actions deal with typical escarpments that form along the beach from time to time. Rick said that the equipment does have a ‘box spreader’ that provides a limited capability, but more severe occurrences usually require assistance from the County.

Heidi Horak asked for details on how the seaweed is handled and disposed of in the raking operation. She said that the seaweed along the wrack line typically acts as a ‘net,’ collecting other forms of trash. Rick Raus responded that the rake operator tries to segregate seaweed deposits that have larger trash trapped and leaves them for later pick-up. In the areas with lighter seaweed and little other trash, the rake pushes the seaweed back into the water. Discussion continued with the conclusion that staff would keep the issue in mind and try to seek a better overall solution.

Police Patrols. Chief Joe Pelkington began his presentation by noting that when he originally joined the Police Department, the City had only one 4-wheel drive vehicle suitable for beach patrol. Typical marked cruisers used for regular street patrol at the time only had a life span of about two years; to “preserve” the 4-wheel drive beach vehicle they would only put it out for beach patrol on the weekends. For emergency responses on the beach, a patrol officer would park his cruiser, get the 4-wheel drive vehicle, complete the response call and return the vehicle back to the station. Things have changed significantly today. Under the new Department budget, SUV-type vehicles that can access the beach at any time or location will replace all of the existing conventional police cars.

The current typical beach patrol schedule attempts to put officers on the beach three times per shift. During some times of the year and/or if there are other pressing needs in other areas, that schedule may slip to three times per 24-hour period. By ordinance the beach “closes” at 1:00 AM and typically an officer patrols the entire beach length shortly thereafter to advise any remaining people about the closure. All officers receive extensive training in vehicle safety and the Department’s policy is to restrict patrol speeds on the beach to 5 mph.

The most common calls or complaints that the patrol officers handle on the beach include thefts of belongings, illegal “vehicles” such as the kite-driven carts, boats in designated swimming areas, glass on the beach, indecent exposure and lewd conduct. The Department treats the beach generally as any other “neighborhood,” but the Chief did note that in the “beach neighborhood” a much larger number of these problems seem to be related to alcohol. It is not illegal to drink alcohol on the beach, but drunken behavior is policed.

Sid Rice asked if smaller ATV-type vehicles could be better suited than full-sized SUVs because officers might be able to see better from them and they were more maneuverable. Chief Pelkington replied that the Department had considered ATVs, but felt that all officers needed to be available for all types of calls, not just beach-related ones. Unless and until the City moved to having an exclusive beach patrol unit, the SUVs seemed to be the most flexible approach. There was also a question about police patrolling the public beach restrooms, but it was noted that there are attendants during the times when the facilities are supposed to be open. After closing hours the restrooms are locked, but officers do check the locked buildings as part of their patrol.

Heidi Horak asked if officers were trained in environmental issues such as identifying turtle crawls or least tern nests? The Chief said that they were very familiar with marine turtle issues, but perhaps less so with nesting birds. Ms. Horak was concerned that she had seen patrol officers driving up to roped-off bird nesting areas and asked the Chief to discuss with his staff.

A Marine Patrol unit typically monitors the beach at least four times a week primarily to enforce the “no vessels in swimming areas” regulation, which includes wave runners as well. Also, any missing marker buoys are noted and Public Works replaces them as needed.

Fire and Rescue. Chief Charlie Fant stated that the City Fire and Rescue had no “scheduled activities,” but responded as needed to fires on the beach – typically vandalism fires in the dune vegetation – and to accidents or injuries. He also compared his resources today with those of the 1970’s when the one 4-wheel drive beach vehicle would bring injured people to meet a land-based ambulance for transfer and subsequent transport. The Department now has three 4-wheel drive vehicles including 2 rescue units that can recover injured people from the beach and transport them if necessary. The rescue units are normally pre-positioned at one or more of the four beach access points during special events. Actual fire-fighting apparatus are all too large to access and move on the beach. Often vegetation fires that are not threatening will be allowed to burn out while being monitored by fire personnel with hand equipment in a beach accessible vehicle. Any more serious or threatening fires are handled from the landside with conventional apparatus. When asked about calls to treat stingrays injuries and similar “seasonal critters,” the Chief first noted that the lifeguards and beach pavilion staff are very experienced in handling minor events. Beyond that, the Department may get anywhere from a few calls per month to a dozen in one day.

City Code Chapter 58. Chuck Coward discussed and provided copies of portions of Chapter 58 of the City Code, which is the primary regulatory instrument for beach-related activities and issues. The list of regulated activities includes, for example, surfboarding, recreational activities (spearfishing, diving), fishing from bridges, throwing ‘missiles,’ begging/soliciting, selling without a license, vandalism, glass containers, vegetation protection, boats, posting ads, open fires, construction without a permit, night-time closure and “other.” As he noted, this is a very wide range of activities that typically are un-related except by having some common “beach connection.” Overall, the code sections address issues for purposes that might be considered either ‘common sense,’ ministerial or safety related.

Chuck discussed some specific topics in greater detail including activities licensed by the City Commission. He stated that as far as he knew there was only one such agreement, which is with Taylor Beach Service for providing beach chairs and umbrellas, etc. The agreement dates to August 1981 and allows Taylor some very limited ads (e.g., a price list), on-beach storage and similar service related activities in return for a current fee to the City of \$7,500. The code requires the City Manager to review the contract annually and Chuck said he visits the operation 2 to 3 times per year prior to his formal review.

He also discussed Section 58.38 of the code, which is a blanket prohibition of all motor vehicles on the beach. This section would seem to be so broad as to prohibit City, County and State vehicles even in the line of official business. The State DEP had a similar problem with the State administrative code and they were revising it to say “except as authorized by local governments.” The City followed with Ordinance 03-03, which amends Chapter 58 to allow for appropriate vehicle access for various public purposes.

Special Events. Lynn Rosetti, of the City Planning staff, discussed general rules and procedures for special events proposed to be held on the beach. Requests for special events on the beach range from small gatherings of as few as 4 or 5 people such as a wedding, to very large events such as the symphony. Residents or event sponsors are asked to send a letter to the Community Improvement Department stating as many details about the proposed event as possible. Lynn reviews the requests to determine if the event requires a permit or not, and if it does, what type of approval is necessary. Certain proposed facilities such as tents or specific activities such as amplified music are automatic triggers requiring the event to obtain a permit. The staff philosophy is to work toward compromises with event sponsors to reduce the impacts and the need for permits. The staff may administratively approve minor activities by letter. The City Commission reviews and approves permits for larger events.

Sully Lowe asked how clean up after an event is handled. Lynn said that typically the individual event sponsor/applicant is responsible for all clean up. Dr. Greenfield asked if there are fees imposed for events. Typically there is no application fee unless some aspect of the event triggers the need for a regular building permit in which case normal building permit fees apply.

II. Coastal Construction Control Line (CCCL) Activities.

Mike Wichman, the Community Improvement Director and Building Official, described the City’s interface with the State-regulated CCCL. The current CCCL in Pinellas County was established by the Governor and Cabinet in 1978. Aerials depicting the location of the CCCL are available for viewing in the Building Department offices. The CCCL has the effect of creating three zones of regulation in the City. In Zone I, from the CCCL west to the Gulf of Mexico Mean High Water Line, no construction, excavation or similar activity may take place without State Department of Environmental Protection (FDEP) review and approval. In Zone II, which is the area landward of the CCCL for a distance of 300 feet or to the right-of-way of the State highway, activities are prohibited that may destroy dunes or dune vegetation, or which may impact marine turtle nesting (e.g., special lights and window glass are required); in addition, all structures must be elevated on piling or other erosion resistant foundations at least 2 ½ feet above the base flood elevation and any understructure construction must be of an approved

breakaway design. Building requirements for the rest of the City, which comprises Zone III, generally follow typical FEMA “A-zone” standards.

In summary, west of the CCCL the FDEP is responsible for all activity including dune and beach protection. A FDEP field engineer, Steve West, is available locally to help with information and limited administrative authority to approve minor work. In matters east of the CCCL, the City regulations apply as noted above. Mike discussed some specific code requirements for the most common requests including fences and pools. Fences are exempted from site plan review by the Planning and Zoning Board provided they meet certain standards such as no greater than 4 feet high, “see-through” design and a 7-foot side setback. Although exempt from site plan review, fences do require a building permit and a lot survey is necessary. Pools in Zone II must be supported on piling, but should be elevated *no more* than one-foot above finished grade. Similarly, patios must be no higher than one foot above grade; decks may extend more than one foot off grade, but if they do, they must be screened below by some type of lattice.

Sid Rice discussed State building site review criteria dealing with the average line of existing structures in an area. He also suggested that the City’s Land Development Regulations should address possible transfers of development rights for property owners whose ownership extends to the Mean High Water but who might be adversely affected by the CCCL regulations.

III. City-owned Property

Lynn Rosetti discussed the City’s ownership of upland property fronting the beach from 104th to 119th avenues. The City owns the land as a result of a 1968 court decision. Some of the adjacent property owners have grandfathered uses that extend onto the City’s property such as shuffleboard courts, barbeque areas, etc. Recently additional property owners have asked for agreements with the City that would allow them to have similar uses. The City staff has developed guidelines for such uses including the required use of native species for all landscaping. The proposed activities require FDEP CCCL approval and then they come back to the City for licensing. Lynn showed a video of the City property, illustrating the types of uses and approved landscaping.

Chuck Coward summarized some additional points and continued by answering several questions from the Committee. Public Works is looking at purchasing a larger, more powerful raking machine that would have an increased capacity and speed of operation. He commented on the status of the beach trail and confirmed that the idea to extend it north and south is in the future and the City Commission probably will not address it until after the Trailhead Park project is complete. Dr. Greenfield asked about any plans for widening and otherwise improving the existing trail. Chuck noted that the trail design is an evolving issue and that it had already been widened from 6 feet to the present 10 feet only 4 years ago. Additional improvements that are consistent with demonstrated need and within available funding always can be considered. Robert Minning followed-up with a question about FDEP’s typical prohibition of on-grade concrete seaward of the CCCL and how that might affect extending or widening the trail. Chuck replied that this is always a point of contention and negotiation and it had come up during review of the Trailhead Park design where Steve West had in fact denied the use of concrete that would have been the ‘connector’ to a future trail extension.

Barbara Blush asked about the City policy on Australian pines and whether any permit was required to remove them. Australian pines are listed as a prohibited species and may be removed without any permit. They may not be planted anywhere within the City.

Heidi Horak was invited to speak to the Committee and provided copies of an earlier letter to Chairman Minning. Ms. Horak stated that protecting habitat and environmental resources was not only a proper role for local governments, but also a required role. The City's Comprehensive Plan states that such stewardship and protection is a specific objective of certain plan elements. She questioned, however, whether present practices such as the beach raking and returning debris back into the water support those goals. She suggested that the present Beach Management Plan be expanded to address habitat issues and felt that such an expansion was a logical extension of the sand sharing project and the dune education piece. She would like to see the Committee take a more active leadership role in addressing issues associated with wildlife. Discussion continued about an Arbor Day project involving a school class and the City's beautification committee. Several Committee members indicated support for dealing with such issues, but it was also noted that doing so might require some change in our charter by the City Commission.

5. Committee Member Remarks:

Barbara Blush reported that the City had received an Award of Excellence for the Committee's work from the Tampa Bay Regional Planning Council.

She also said that Mayor Atkins had called during a trip to Tallahassee to say that the statewide hotel/motel association seemed to be lobbying *against* a bill that would prevent alternative uses of the Beach Erosion Control Trust Fund. The Mayor had spoken in favor of the protective bill and asked Barbara to contact the local hotel/motel association and question them on their position on the issue. The City Commission had just passed a resolution to send to the Legislature supporting the preservation of the trust fund.

There were no further remarks.

6. The next regular Committee meeting date was set for April 9, 2003 at 1:30

The meeting was adjourned at 4:00 PM.