

**CITY OF TREASURE ISLAND, FLORIDA
PLANNING AND ZONING BOARD
Sitting as the
LOCAL PLANNING AGENCY
December 17, 2009**

1. ROLL CALL:

Lynn Dayvault	Present
Cheri Ellsworth	Absent
Steve Ferguson	Absent
Susan Givens	Present
Daniel Helton	Present
Heidi Horak (Chair)	Present
Kevin Johnson	Present
Jim Lorenz	Present
Bill McAlduff	Absent
Frank McConnell	Absent
Kathy McCreary	Present
Susan Reiter	Absent
Joe Roberts	Present
Robert Shogren	Present
Christopher Sierra (Vice-Chair)	Present

The Chair, Heidi Horak, called the meeting to order at 2:23 pm and noted that the City Attorney, Maura Kiefer, and the City Planner, Lynn Rosetti, were present.

It was noted that Mr. McAlduff, Ms. Ellsworth, Mr. McConnell, and Ms. Reiter phoned to report their absence. Mr. Ferguson was unable to stay for the LPA meeting.

2. MINUTES

Motion was made by Ms. Givens and seconded by Mr. Sierra to approve the minutes of November 19, 2009 as printed. Motion was passed by unanimous consent.

3. ITEMS OF BUSINESS

12/17/09

a. Possibility of Meeting without a Quorum

The Chair had requested clarification of opening a meeting in a situation where there is no quorum. Ms. Horak noted that in her research of Sec. 70-9e the quorum issue only pertains to the P & Z meetings and also that in the memo from the City Planner dated December 10, 2009 in which Sec 70-5 is noted, it also only pertains to the P & Z Board meetings.

The City Attorney explained that almost every meeting it is common practice to only conduct business with a quorum in attendance. Ms. Kiefer stated that the spirit and intent would be that the same rules as apply to the P & Z meetings should also apply to the LPA meetings and that no official business should be conducted without a quorum.

The Chair suggested that language be inserted in Section 3 of the Rules of Procedure to reflect the rules of the P & Z Board also apply to the LPA portion of the meetings.

ACTION:

Motion was made by Mr. Sierra and seconded by Ms. Givens to modify the Rules of Procedure to reflect the application of the rules of the P & Z Board to the LPA. Motion was passed by unanimous consent.

The City Attorney requested a change in the Agenda to allow discussion on extracting easements as a condition of approval in new development. The Board agreed unanimously to this request.

b. Rules of procedure Amendment – Pledge of Allegiance

ACTION:

Motion was made by Mr. Lorenz and seconded by Ms. McCreary to include the Pledge of Allegiance before the LPA meetings.

Mr. Sierra requested the motion be amended to include language to modify the Rules of Procedure as recommended by staff so that Section 7 and 10 reflect the Pledge of Allegiance at LPA meetings.

Mr. Lorenz and Ms. McCreary agreed to the amendment.

Upon roll call the vote to approve the amendment was 9 ayes and 1 nay as follows:

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Lynn Dayvault	aye	Jim Lorenz	aye
Susan Givens	aye	Kathy McCreary	aye
Daniel Helton	aye	Joe Roberts	aye
Heidi Horak	nay	Robert Shogren	aye
Kevin Johnson	aye	Christopher Sierra	aye

The order of the Agenda was modified to accommodate the City Attorney for discussion of the extracting of 10 foot easements as a condition of development.

The City Attorney stated that there is a huge gray area and on going litigation regarding reasonable use of land. Ms. Kiefer noted that the easement condition can be negotiated with a property owner prior to a site plan review but not as a condition of approval on all plans.

The Chair stated that in Florida there is no difference between an easement and a right of way.

The Chair questioned if the City Attorney upon a request by Mr. McConnell had an opportunity to research Special Area Plan amendments to intensity/density and their relation to the Comprehensive Plan and the Land Development Regulations. Board discussion ensued.

c. Downtown Redevelopment/Special Area Plan

The Chair deferred this item and referred the Board to her memo to the joint meeting of the City Commission and Planning and Zoning Board sitting as the LPA dated November 4, 2009.

d. Historic Subcommittee Report

The Chair stated that there will be a subcommittee meeting following the LPA and they will be looking at the Smart Form which is a new way to data into the master site file.

5. City Planner and/City Attorney Reports/Comments

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No City Planner or City Attorney Reports

6. Old Business

There was no old business.

7. New Business

Ms. McCreary questioned the participation of Board members on other committees.

Mr. Lorenz questioned the status of the parking discussion and the City Planner responded that it is now being prepared.

8. Adjournment

Motion was made by Ms Givens and seconded by Mr. Sierra to adjourn.

Meet was adjourned at 3:00 pm.

Next LPA meeting will be January 21, 2010 following the P & Z meeting.

A J. Sarko
Recording Secretary

Heidi Horak
Chair