

**CITY OF TREASURE ISLAND, FLORIDA
COMMISSION WORKSHOP SESSION
TUESDAY, JANUARY 4, 2005
7:00 P.M.**

Welcome to the City of Treasure Island Commission Meeting. If you wish to speak on a topic that is on this evening's agenda, a speaker's form [available in the rear of the room] must be completed and given to the Deputy City Clerk. Please do not address the Commission from your seat, but rather from the podium where your comments can be heard by all and recorded as required by Florida law. Unscheduled topics may be presented under the Public Comments section of the agenda.

I. PUBLIC COMMENTS:

II. APPROVAL OF MINUTES:

Minutes from the meeting of November 2, 2004 are ready for approval.

III. DISCUSSION ITEMS:

1. Ord. - Condo/Hotel Regulations (1st Reading & Public Hearing 1/11)
2. Ord. - Proposed Charter Amendments (2nd Reading & Public Hearing 1/11)
 - a. Article I, Section 1.02 - Extraterritorial Powers, Pertaining to City-owned Property
 - b. Article III, Section 3.05(f) - Prohibitions, Pertaining to Abolishment or Creation of City's Police or Fire Departments
 - c. Article III, Section 3.05 (g) - Prohibitions, Providing Protection for Pending Citizen Initiative or Referendum Measures
 - d. Article III, Section 3.09 – Ordinances in general, Providing a Definition of Resolution
 - e. Article VI, New Section 6.05 – Voting Percentages, Providing a Definition of Majority Vote of the Electorate
 - f. Article VII, Section 7.03 – Petitions, Pertaining to Percentages & Time for Filing for Referendum/Initiative Petitions
 - g. Article VII, - Section 7.07 – Results of Election, Providing new language for Amending or Repealing Initiative or Referendum Laws
3. Informational Brochure for Proposed Charter Amendments
4. Splitting LPA and Planning & Zoning Board - LPA Recommendation (as per Res. 04-80)
5. CEI Bascule Bridge Award
6. Update on Bascule Bridge Construction - Verbal Report
7. Engineer of Record - Request for Statement of Qualifications
8. Assignment of Carol Ann Landscape Agreement
9. Appointment to Mitigation Planning Committee
10. Appointment to Beautification Committee

IV. OLD BUSINESS:

V. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

VI. REPORTS & COMMENTS BY COMMISSIONERS:

VII. PUBLIC COMMENTS:

VIII. ADJOURNMENT:

Any person desiring to file an appeal to any action taken by the Commission at this meeting will need a record of the proceedings and for such purpose may be required to insure that a verbatim transcript is made. Said transcript shall be made by the appellant at his or her expense. The City maintains a tape recording of all public hearings. In the event that you wish to appeal a decision, the tape may or may not adequately insure a verbatim record of the proceedings. Therefore, you may wish to provide a court reporter at your expense.

Any person with a disability who needs any accommodation in order to participate in this proceeding is entitled to assistance at no cost. Please contact the office of the City Clerk in writing at 120 – 108 Avenue, Treasure Island FL 33706 or by phone at 727 547 4575 at least two working days prior to the meeting to advise what assistance is needed.

**CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS WORKSHOP
November 2, 2004
7:00 p.m.**

I. SILENT ROLL CALL BY DEPUTY CITY CLERK:

Mayor Mary Maloof		Present
Commissioner Phil Collins		Present
Commissioner Ed Gayton		Present
Commissioner Richard Kraus	Vice-Mayor	Present
Commissioner Alan Bildz		Present

II. PUBLIC COMMENTS:

None.

III. MINUTES:

Motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the minutes as written. Upon roll call, the vote to approve was unanimous.

Commissioner Bildz thanked everyone who participated in the sea oats planting that took place on Sunset Beach. He said there are 2,000 seedlings left to be planted and that 10,000 more plants are expected to be delivered.

IV. DISCUSSION ITEMS:

1. Ord. – Reduce Quorum Requirement for the Planning & Zoning Board (1st Reading & Public Hearing 11/9/04) –

City Planner Lynn Rosetti reported that the LPA has found the ordinance to be consistent with the Comprehensive Plan. She said that staff is recommending that the first reading and public hearing be scheduled for November 9th.

Commissioner Bildz asked for clarification regarding the proposed reduction in quorum. The City Planner stated that the proposed language changes the quorum requirement to a minimum majority of the seated board membership.

Commissioner Gayton read Resolution No. 04-47 pertaining to condo/hotels and Resolution No. 04-57 pertaining to the Special Exception approval process. He said the LPA was given two extensions to complete its review of these items and report back to the Commission by the end of the year. Commissioner Gayton said that at the last LPA meeting, the LPA voted to send the condo/hotel issue back to the

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Commission. He said he feels the LPA has not completed its review of the condo/hotel issue.

Commissioner Kraus asked why the LPA chose not to use the extension granted until the end of the year for its review of the condo/hotel issue and the Special Exception approval process. The City Planner stated that she provided the LPA with draft ordinance language for both the condo/hotel issue and the Special Exception approval process. City Attorney Maura Kiefer stated that the LPA voted to refer the draft language back to the Commission for its review in the interest of expediency.

Mayor Maloof asked if the points that are addressed by the draft condo/hotel ordinance are being addressed in developers' agreements for condo/hotels. The City Planner responded negatively and stated that condo/hotels are currently being considered as hotels. She said that she is attaching a number of conditions of approval to the site plans for condo/hotels that include most of what will be included in the section of the Code that will address condo/hotels.

Commissioner Gayton stated that on May 11th the Commission passed a resolution regarding Special Exceptions and the Commission attached a letter from the former City Attorney (dated April 27th) asking the LPA to indicate the following:

1. Which of the proposed options are most consistent with the adopted Comprehensive Plan.
2. Whether the Planning & Zoning Board wishes to recommend an approval process and new criteria.

Commissioner Gayton said the LPA never discussed or voted on these issues relating to Special Exceptions. He further said the purpose of the Commission sending the condo/hotel issue and the Special Exception approval process to the LPA was to allow the LPA to provide the Commission with proposed language for changes to the regulations.

The City Planner stated that the LPA was provided with staff's recommended language and the memorandum from the former City Attorney. She said that it is her understanding that the LPA is in support of staff's recommended language.

Mayor Maloof suggested that Commissioner Gayton meet with the City Manager and the City Planner to discuss these issues in more detail and Commissioner Gayton concurred.

Mr. Frank McConnell stated that he is a new member of the Planning & Zoning

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Board. He indicated that he does not feel the LPA has spent enough time reviewing the condo/hotel and the Special Exception approval process issues. He said there have been specific objections to the language prepared by staff that have not been addressed. He recommended that the City Administration put sufficient priority on these issues so the LPA can properly address them.

The City Attorney stated that she disagreed with Mr. McConnell's comments. She said that the LPA had staff's recommended language months ago and that the board took a vote on these issues. The City Attorney stated Mr. McConnell has only been a member for three meetings and that the LPA has discussed these issues previous to his attendance at the meetings.

The ordinance reducing the quorum requirement for the Planning & Zoning Board is scheduled for first reading and public hearing on Tuesday, November 9th.

2. Ord. – General/Runoff Election Dates (2nd Reading & Public Hearing 11/9/04) -

This ordinance is scheduled for second reading and public hearing on Tuesday, November 9th.

3. Ord. – Early Voting (2nd Reading & Public Hearing 11/9/04) –

This ordinance is scheduled for second reading and public hearing on Tuesday, November 9th.

4. Special Events Permit for Paralite USA, LLC –

Mr. Jim Jackson of Paralite USA, LLC stated that the event was a big success last year and that he is looking forward to holding the event again in Treasure Island this year. He said the special events permit is being requested for the event to be held on December 31st, January 1st and January 2nd.

Commissioner Kraus stated that the Bilmar has endorsed this event. He asked if any beverage vendors have been contacted and Mr. Jackson responded negatively. Commissioner Kraus said the resolution would need to include any vehicles or trailers that the group plans to have on the beach for this event. Mr. Jackson stated that only a trailer and a 20' x 30' tent will be placed on the beach during this event.

Commissioner Kraus read 14 CFR subpart (b) 103.15 and asked if all the paramotor operators will be made aware of this regulation and be required to comply as best they can and Mr. Jackson responded affirmatively.

The Commission will consider a resolution granting a special events permit to

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Paralite USA, LLC to hold its 4th annual New Year's Eve Fly-in at the Commission meeting on Tuesday, November 9th.

5. Local Mitigation Strategy –

Fire Chief Charlie Fant stated that staff is recommending that the Commission adopt the recently updated Pinellas County Local Mitigation Strategy. He stated that the purpose of the local mitigation strategy is to develop pre-disaster planning in order to mitigate and preclude damages from natural disasters where possible. He indicated that the City must continue participation in a local mitigation strategy in order to maintain its eligibility for mitigation funding.

Commissioner Kraus stated that the Pinellas County Local Mitigation Strategy is available on the County's Web site in PDF format and Fire Chief Fant stated that hard copies are also available at City Hall.

The Commission will consider a resolution adopting the Pinellas County Local Mitigation Strategy at the Commission meeting on Tuesday, November 9th.

6. Donation from the Village of Paradise Island –

Mayor Maloof stated that the Village of Paradise Island has donated \$200 to the City. She said the funds will be used for the Recreation Department's summer program scholarship fund.

The Commission will consider a motion accepting the donation of \$200 from the Village of Paradise Island at the Commission meeting on Tuesday, November 9th.

V. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

City Attorney Maura Kiefer stated that the Charter Review Committee is making progress and that she anticipates at least three (3) proposed Charter amendments coming before the Commission so far.

The Fire Chief stated that the City Manager is attending the Urban Land Institute Conference in New York City.

VI. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Collins commended the City Manager and Mayor Maloof for their efforts in opposition to the PSTA imposing that the City be absorbed into a Countywide transit system and the PSTA requiring that the residents be taxed for participation in a Countywide transit system.

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Commissioner Collins asked the residents to help with watering the sea oats recently planted on Sunset Beach.

Commissioner Kraus gave a report on the BIG-C meeting of the previous week. He stated that Ms. Nicole Elko of Pinellas County Coastal Management reported on the impact of the hurricanes on the beaches. Commissioner Kraus also reported that the PSTA withdrew its application for participation in a Countywide transit system and that it is no longer included on the legislative agenda.

Commissioner Kraus stated that the annual Paradise Island yard sale will be held on Saturday, November 13th.

Commissioner Kraus stated that the sand sculpture on 107th Avenue is now complete for anyone that is interested in viewing it.

Commissioner Bildz reported that district 4 had only 5 voting machines at the Community Center for the Presidential Election held on November 2nd. He said the Supervisor of Elections advised him that the number of voting machines provided for each precinct was based on the percentage of voters that voted from that precinct during the Primary.

Commissioner Bildz stated that City Manager Ralph Stone and his wife, Julie participated in the sea oats planting.

Mayor Maloof thanked Commissioner Kraus for conducting the Commission meeting last week. She also thanked Fire Chief Fant for filling in for the City Manager.

Mayor Maloof stated that a Florida League of Cities' sponsored conflict resolution consortium for successful citizen advisory boards in Orlando on December 10th.

Mayor Maloof stated that the Pinellas Delegation will meet on November 9th from 9:00 am until noon.

Mayor Maloof asked Commissioner Collins to attend the Suncoast League of Cities' meeting in her place on November 20th and he responded affirmatively.

Mayor Maloof stated that the Mayor's Council met the previous week with the Board of County Commissioners to discuss items presented by the Pinellas Assembly. Mayor Maloof stated that the farmers market will start up again on Saturday, November 13th.

Mayor Maloof stated that Congressman Bill Young was a guest speaker at a

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luncheon she attended earlier in the day. She said it gave her and other Treasure Island residents another opportunity to thank him again for the \$50 million grant.

Mayor Maloof stated that she attended the Boy Scouts of America dinner last week and she said that Mr. Bill Stover, a resident, received an award.

Mayor Maloof stated that the City is still collecting CD players, CD's and gift cards to Wal Mart or Sam's for the wounded servicemen at Walter Reid Hospital throughout the month of November. She asked people to drop their donations off at City Hall.

VII. PUBLIC COMMENTS:

Ms. Clara Lee Selby thanked the Treasure Island residents that participated in the hurricane relief efforts.

Ms. Selby asked for a status on the zip code issue. Mayor Maloof stated that the City will be sending out a survey to ask residents whether they would be in favor of a zip code designation for Treasure Island.

Commissioner Bildz stated that Mayor Maloof should also thank Congressman Bill Young for the beach renourishment fund since it is 80 percent federally funded. Mayor Maloof said she has thanked him for all of his efforts in obtaining funding for Pinellas County. She said Congressman Young has commented that Pinellas County has been left out of grant funding for many years and that he is making it his goal to turn that around.

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VIII. ADJOURNMENT:

Mary Maloof, Mayor

Phil Collins - District 1

Ed Gayton - District 2

Richard Kraus - District 3

Alan Bildz - District 4

ATTEST:

Ralph Stone, City Clerk



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: III-1
Meeting Date: 1/4/05

SUBJECT:

To provide for condo-hotel regulations and definitions in Chapter 68 of the land development regulations.

RECOMMENDATION:

The Administration recommends that the City Commission approve recommendation to adopt specific condo-hotel regulations from the Planning and Zoning Board acting as the Local Planning Agency.

SUMMARY:

On December 16, 2004, the Planning and Zoning Board, acting as the LPA, completed its review of proposed condo-hotel regulations and found these regulations to be consistent with the Treasure Island Comprehensive Plan and elements thereof. The LPA recommended that the City Commission adopt these condo-hotel regulations as amended (shown with shaded text).

The proposed condo-hotel as amended is attached for the Commission's consideration.

Reviewed by:

_____ Legal
_____ Finance
_____ Personnel
_____ Public Works
 Community Imp
_____ Recreation
_____ Police
_____ Fire

Submitted by:

Lynn Rosetti, AICP
City Planner

Originating Dept:

Community Improvement

User Dept:

Community Improvement

Attachments:

Proposed condo-hotel ordinance.

Costs:

Total: -\$0-

Current Fiscal Year: 2004-05

Funding Source:

Capital Improvement
 Operating
 Other

Appropriation Code:

ORDINANCE NO. 05-

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, PERTAINING TO LAND DEVELOPMENT; AMENDING CHAPTER 68-2 OF SAID LAND DEVELOPMENT REGULATIONS TO A ADD DEFINITIONS; ADDING A NEW SECTION RELATING TO CONDO-HOTELS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Treasure Island has requested that the Planning and Zoning Board, acting as the Local Planning Agency, review and revise Treasure Island's land development regulations to provide for condo-hotel uses; and,

WHEREAS, the Planning and Zoning Board, acting as the Local Planning Agency, has conducted such review and received input from staff regarding the condo-hotel issue; and,

WHEREAS, the Planning and Zoning Board, acting as the Local Planning Agency, has reviewed these condo-hotel provisions for consistency with the adopted Comprehensive Plan and elements thereof; and,

WHEREAS, the Planning and Zoning Board, acting as the Local Planning Agency, wishes to recommend a specific definitions and a new section in the land development regulations pertaining to condo-hotels; and,

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, finds that such proposed changes are consistent with the adopted Comprehensive Plan of the City of Treasure Island, Florida; and,

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, wishes to recommend the passage of these proposed revisions to the Land Development Regulations as amended, to include a definition of *condo-hotel* and a revised definition of *hotel or motel*, and also the addition of a new section in the code that regulates condo-hotel use in Treasure Island.

NOW, THEREFORE, be it ordained by the City Commission of Treasure Island, Florida, that Chapter 68 of the Land Development Regulations is hereby amended to read as follows:

SECTION 1. Chapter 68-2 of the Land Development Regulations of the City of Treasure Island, Florida, is hereby amended to include the following definition:

Condo-Hotel means a hotel or motel comprised of units that are owned by an individual, corporation, or any other legal entity having mandatory

~~membership into an association comprised of all owners within the same development. All units must be made available for guest rental on a daily, weekly, or monthly basis consistent with hotel or motel regulations (see hotel or motel definition). Each unit is part of a larger complex of similarly situated units and is not to be used or owned as timeshare or fractional interest or as a residential dwelling, as regulated by Section 68-494.~~

SECTION 2. Chapter 68-2 of the Land Development Regulations of the City of Treasure Island, Florida, is hereby amended as follows:

~~**Hotel or motel** means a building or buildings containing individual guest rooms, units or efficiencies for which daily or weekly lodging is provided to be more or less transient residences of individuals or families.~~

Hotel or motel means a building or buildings containing individual guest rooms, units or efficiencies for which daily, weekly or monthly lodging is provided as transient accommodations.

SECTION 32. Chapter 68 of the Land Development Regulations is hereby amended by adding a new section, Section 68-494, relating to condo-hotel use that reads as follows:

Sec. 68-494. Condo-hotel.

The City of Treasure Island recognizes that the condo-hotel is a hybrid form of ownership of the traditional hotel/motel concept. It must be recognized that condo-hotel is considered to be a transient hotel/motel use, and not a residential use. In addition to any existing regulations relating to hotel/motel development found elsewhere in the land development regulations, the following criteria shall apply to all condo-hotels development.

- (1) All units in a condo-hotel shall be considered transient accommodation hotel/motel units and must be made available as rentals on a continual daily, weekly or monthly basis. Provided further that the occupancy of such unit may not be more frequent than sixty days per tenancy in any continuous twelve month period. If the occupancy of any such unit does not change more frequently than six times or more in any continuous twelve month period, then a rebuttable presumption shall arise that the unit is not being used as a condo-hotel unit for transient accommodations.
- (2) Proper licensing of all units through all applicable agencies that

- license hotels prior to certificate of occupancy being issued. Licenses must be kept up to date annually.
- (3) A reservation system shall be required as an integral part of the condo-hotel for the rental of units.
- (4) There shall be a lobby/front desk area that is internally oriented and must be operated as a hotel/motel.
- (5) All units shall be subject to all applicable tourist tax collections.
- (6) Units shall not be used for homesteading purposes or home occupational licensing, time-share or fractional interests.
- (7) One unit may be used on a full-time basis by a resident manager(s) provided that such unit is owned by the developer or management company and subject to the governance of the condominium association.
- (8) All units, except the resident manager unit, must be included in the rental inventory of units that are available for rent.
- (9) A condo-hotel may shall be allowed in any land use district where a hotel or motel is or transient accommodation use would be allowed.
- (10) Annual occupational licenses for the rental units from the City of Treasure Island shall be required in the same manner as other hotels and motels, and such licenses must be maintained annually for each rental unit.
- (11) All units in a condo-hotel must be subject to requirements of mandatory membership in a common association and may be subject to rental by an exclusive rental agency selected by such condo association, or shall be subject to rental by the owner or by a rental agency selected by the unit owner, and all unit owners shall make such units available for rent through one of such rental agencies, or directly by the unit owner.
- (121) All condo-hotels must have sufficient signage viewable by the general public designating the use as a hotel or motel.
- (132) Units in a condo-hotel may not be occupied by the individual owner(s) of the unit for more than a total of sixty (60) ninety (90) days in any consecutive twelve (12) month consecutive period.
- (143) The books and records of the condo-hotel pertaining to the rentals of each unit in the condo-hotel shall be open for inspection by representatives of the City of Treasure Island, upon reasonable notice, in order to confirm compliance with these regulations as allowed by general law.
- (154) The City of Treasure Island may require affidavits of compliance with this section from each unit owner.

SECTION 43. In all other respects, the provisions of Chapter 68 of the Land Development Regulations of the City of Treasure Island, Florida, not hereby amended or modified, shall remain in full force and effect.

SECTION 54. It is the intention of the City Commission that such amended ordinance be included in the Land Development Regulations of the City of Treasure Island, Florida, and the publisher of the Land Development Regulations may renumber or reclassify such other provisions of the Land Development Regulations to accomplish such intention.

SECTION 65. This Ordinance shall take effect immediately upon its final passage.

FIRST READING on the 11th day of January, 2005.

SECOND READING on the 25th day of January, 2005.

FIRST PUBLIC HEARING on the 11th day of January, 2005.

SECOND PUBLIC HEARING on the 25th day of January, 2005.

PUBLISHED in the St. Petersburg Times on the 29th day of December, 2004 and on the 12th of January, 2005.

Mary H. Maloof, Mayor

ATTEST:

Ralph Stone, City Clerk



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: III-2
Meeting Date: 1/4/05

SUBJECT: Proposed City Charter Amendments (Second Reading & Public Hearing 1/11/05)

RECOMMENDATION:

Conduct Second Reading and public hearing on the seven attached proposed Charter amendment ordinances on 1/11/05.

SUMMARY:

At the November, 30, 2004 City Commission special meeting, the Commission reviewed the recommendations of the Charter Review Committee and directed the City Attorney to prepare ordinances for the seven recommendations as amended and approved by the City Commission. These seven ordinances were passed on first reading on December 14th and are attached for City Commission review and action at the second reading and public hearing on January 11th.

Reviewed by:

- Legal
- Finance
- Personnel
- Public Works
- Community Imp
- Recreation
- Police
- Fire

Submitted by:
Jennifer Nye, Deputy City Clerk

Originating Dept:

Administration

User Dept:

Attachments:

Proposed Charter Amendment Ordinances

None

Costs:

Total:

Current Fiscal Year:

Funding Source:

- Capital Improvement
- Operating
- Other

Appropriation Code:

ORDINANCE NO. 05-

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, PERTAINING TO THE CITY CHARTER; PROPOSING AN AMENDMENT TO THE CITY CHARTER; PROVIDING AN AMENDMENT TO ARTICLE I, SECTION 1.02 PERTAINING TO THE CITY COMMISSION'S AUTHORITY TO ALIENATE CITY-OWNED LANDS; PROVIDING THAT THE PROPOSED AMENDMENT WILL BE CONSIDERED BY THE ELECTORATE AT A REFERENDUM ELECTION CONCERNING SUCH PROPOSED AMENDMENT; ESTABLISHING THE QUESTION TO BE PRESENTED TO THE ELECTORATE ON SUCH REFERENDUM QUESTION; PROVIDING FOR THE DATE OF SUCH REFERENDUM ELECTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 6.01 of the Charter of the City of Treasure Island provides for the appointment of a charter review committee to review and make recommendations to the city commission on proposals for Charter amendments; and

WHEREAS, pursuant to such Charter provision, the city commission has appointed a charter review committee, which committee has submitted proposals for amendments to the Charter of the City of Treasure Island to the city commission; and

WHEREAS, the city commission has studied such recommendations, and desires to propose an amendment to the Charter of the City of Treasure Island, with such proposed amendment to be submitted to a vote of the electorate by referendum.

NOW, THEREFORE, THE CITY OF TREASURE, FLORIDA DOES ORDAIN:

SECTION 1. That the city commission of the City of Treasure Island, Florida does hereby adopt a proposal to amend the Charter of the City of Treasure Island, Florida by amending Article I, Section 1.02 as follows:

Section 1.02. Extraterritorial powers.

- (a) Except as limited herein, the City of Treasure Island shall have the power to acquire, by purchase, condemnation or otherwise, take, hold, lease, sell, grant, convey and encumber such real and personal or mixed property, or interest therein, whether within or without the limits of the city as may be necessary for any of the purposes of the city, and to improve, sell, lease, mortgage, pledge or otherwise dispose of same, or any part thereof, including real estate or any interest therein not necessary or required for public use or that may have become unsuitable for public use, to the same extent that a natural person may do.
- (b) Limitations. Notwithstanding paragraph (a), all parks, wherever located, and public lands within the city limits of the City of Treasure Island that are contiguous to or provide water access including but not limited to the Gulf of

Mexico beaches, Boca Ciega Bay and Blind Pass, including rights-of-way and access easements, may not be sold, leased beyond three (3) years, traded or given away absent the passage by an affirmative vote of four fifths (4/5) of the City Commission, and approval by the electorate, or by a vote of the electorate through initiative or referendum as provided for in Article VII. Real property owned by the City of Treasure Island shall not be leased for a period beyond fifteen (15) years and only upon the specific authorization of an affirmative vote of a four-fifths majority of the entire City Commission.

SECTION 2. That in order to determine whether Section 1.02 of the Charter of the City of Treasure Island, Florida shall be amended as shown in Section 1, above, the following referendum question shall be presented to the electorate of the City of Treasure Island, Florida, on a ballot in conjunction with the General Election to be held on March 8, 2005:

**PROPOSED CHARTER AMENDMENT OF TREASURE ISLAND,
FLORIDA CONCERNING ALIENATION OF CITY-OWNED LANDS**

Shall Article I, Section 1.02 of the Charter of the City of Treasure Island, Florida, pertaining to the city commission=s powers to alienate city-owned lands, be amended in accordance with the proposal set forth in Ordinance No. 05- __ so as to limit the commission=s powers to sell, lease beyond 3 years, trade, or gift parks, wherever located, and public waterfront lands, or that provide water access, absent a fourth-fifths Commission vote and approval by the electorate?

YES (For the amendment)

NO (Against the amendment)

SECTION 3. If a majority vote of the electorate voting at the General Election conducted on March 8, 2005, vote "Yes" (For the amendment) then Article I, Section 1.02 of the Charter of the City of Treasure Island , Florida shall be amended as reflected in SECTION 1, above.

SECTION 4. This ordinance shall take effect immediately upon its final passage, and any amendments to the Charter proposed by this ordinance and approved by the electorate shall be effective the date after such referendum approving such amendment, and the certifying of such election.

FIRST READING on the 14th day of December, 2004.

SECOND READING on the 11th day of January, 2005

Ord. No 05-

PUBLIC HEARING on the 11th day of January, 2005.

PUBLISHED in the St. Petersburg Times on the 29th day of December, 2004.

Mary Maloof, Mayor

ATTEST:

Ralph Stone, City Clerk

ORDINANCE NO. 05-

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, PERTAINING TO THE CITY CHARTER; PROPOSING AN AMENDMENT TO THE CITY CHARTER; PROVIDING AN AMENDMENT TO ARTICLE III, SECTION 3.05 PROHIBITIONS, REGARDING THE ABOLISHMENT OR CREATION OF THE CITY'S POLICE OR FIRE DEPARTMENT; PROVIDING THAT THE PROPOSED AMENDMENT WILL BE CONSIDERED BY THE ELECTORATE AT A REFERENDUM ELECTION CONCERNING SUCH PROPOSED AMENDMENT; ESTABLISHING THE QUESTION TO BE PRESENTED TO THE ELECTORATE ON SUCH REFERENDUM QUESTION; PROVIDING FOR THE DATE OF SUCH REFERENDUM ELECTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 6.01 of the Charter of the City of Treasure Island provides for the appointment of a charter review committee to review and make recommendations to the city commission on proposals for Charter amendments; and

WHEREAS, pursuant to such Charter provision, the city commission has appointed a charter review committee, which committee has submitted proposals for amendments to the Charter of the City of Treasure Island to the city commission; and

WHEREAS, the city commission has studied such recommendations, and desires to propose an amendment to the Charter of the City of Treasure Island, with such proposed amendment to be submitted to a vote of the electorate by referendum.

NOW, THEREFORE, THE CITY OF TREASURE, FLORIDA DOES ORDAIN:

SECTION 1. That the city commission of the City of Treasure Island, Florida does hereby adopt a proposal to amend the Charter of the City of Treasure Island, Florida by amending Article III, Section 3.05 as follows:

Section 3.05. Prohibitions.

- (a) *Appointment, removals.* Neither the commission nor any of its members shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the manager or any of his subordinates are empowered to appoint, but the commission may express its views and fully and freely discuss with the manager anything pertaining to appointment and removal of such officers and employees.

- (b) *Interference with administration.* Except for the purpose of inquiries and investigation by the commission, all inquiry dealing with any portion of the administrative services of the City with the exception of the following paragraph [subsection (c)] shall be with the city manager, and neither the commission nor any member thereof shall give any orders to any subordinate or officer of the city either publicly or privately, directly or indirectly.
- (c) *Financial audit, management evaluation.* The finances of the city shall, under the direction of the commission, be examined and audited by a certified public accountant at least once a year. The financial audit shall be a certified audit with no exceptions, and all reports and recommendations of the auditor shall be made directly to the commission. The city commission shall consider and determine the necessity of a professional management evaluation of the administrative activities at least once every five (5) years.
- (d) *Holding other office; not to have interest in city contract.* No present or former elected city official shall hold any compensated city office or employment until one year after the expiration of the term for which he has served. No official or appointed member of a board or committee shall hold more than one elected or appointed position in the city. No official or other employee of the city shall have any personal interest in any contract of the city if he thereby, directly or indirectly, gains a profit in money, property, or otherwise; and any such contract in which a city official or employee may be or become interested in shall be voidable by the city and shall be voided without delay by the city commission. This shall not be construed to prohibit or restrict volunteer firemen from holding elective or appointive positions with the city, nor shall this section be construed to prohibit an appointed member of a standing board or committee from serving in an appointed capacity on a board or committee appointed for a specific purpose and with a limited duration.
- (e) *Ethics.* The commission shall enact, by ordinance, a code of ethics for all elected and appointed officers and employees of the city. The code of ethics shall set standards of conduct equal to or stronger than the standards of conduct established by state law.
- (f) Neither the Treasure Island Police Department nor the Treasure

Island Fire Department shall be abolished by action of the city commission absent:

- 1) The passage by an affirmative vote of ~~all five~~ three members of the city commission of an ordinance to abolish either such department; ~~or~~ and approval by the registered voters of the abolishment of such department at referendum called by the city commission to consider such question.
- 2) Nothing herein shall be construed to prevent the commission, by initiative ordinance, or the electorate, by initiative or referendum petition, as set forth below in section 6.02, from resurrecting a new police or fire department, subsequent to abolishment.

SECTION 2. That in order to determine whether Article III, Section 3.05 of the Charter of the City of Treasure Island, Florida shall be amended as shown in SECTION 1, above, the following referendum question shall be presented to the electorate of the City of Treasure Island, Florida, on a ballot in conjunction with the General Election to be held on March 8, 2005:

PROPOSED CHARTER AMENDMENT OF TREASURE ISLAND, FLORIDA CONCERNING ABOLISHMENT OR CREATION OF THE CITY'S POLICE AND FIRE DEPARTMENTS

Shall Article III, Section 3.05 of the Charter of the City of Treasure Island, Florida, pertaining to prohibitions placed upon the city commission, be amended in accordance with the proposal set forth in Ordinance No. 05- __ so as to require a 3/5 vote of the commission, plus approval vote of the electorate, in order to abolish the police or fire department, and to provide for the re-creation of any such abolished department?

YES (For the amendment)

NO (Against the amendment)

SECTION 3. If a majority vote of the electorate voting at the General Election conducted on March 8, 2005, vote "Yes" (For the amendment) then Article III, Section 3.05 of the Charter of the City of Treasure Island, Florida shall be amended as reflected in Section 1, above.

SECTION 4. This ordinance shall take effect immediately upon its final passage,

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and any amendments to the Charter proposed by this ordinance and approved by the electorate shall be effective the date after such referendum approving such amendment, and the certifying of such election.

FIRST READING on the 14th day of December, 2004.

SECOND READING on the 11th day of January, 2005

PUBLIC HEARING on the 11th day of January, 2005.

PUBLISHED in the St. Petersburg Times on the 29th day of December, 2004.

Mary Maloof, Mayor

ATTEST:

Ralph Stone, City Clerk

ORDINANCE NO. 05-

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, PERTAINING TO THE CITY CHARTER; PROPOSING AN AMENDMENT TO THE CITY CHARTER; PROVIDING AN AMENDMENT TO ARTICLE III, SECTION 3.05 PROHIBITIONS, REGARDING PROTECTION OF PENDING CITIZEN INITIATIVE OR REFERENDUM MEASURES; PROVIDING THAT THE PROPOSED AMENDMENT WILL BE CONSIDERED BY THE ELECTORATE AT A REFERENDUM ELECTION CONCERNING SUCH PROPOSED AMENDMENT; ESTABLISHING THE QUESTION TO BE PRESENTED TO THE ELECTORATE ON SUCH REFERENDUM QUESTION; PROVIDING FOR THE DATE OF SUCH REFERENDUM ELECTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 6.01 of the Charter of the City of Treasure Island provides for the appointment of a charter review committee to review and make recommendations to the city commission on proposals for Charter amendments; and

WHEREAS, pursuant to such Charter provision, the city commission has appointed a charter review committee, which committee has submitted proposals for amendments to the Charter of the City of Treasure Island to the city commission; and

WHEREAS, the city commission has studied such recommendations, and desires to propose an amendment to the Charter of the City of Treasure Island, with such proposed amendment to be submitted to a vote of the electorate by referendum.

NOW, THEREFORE, THE CITY OF TREASURE, FLORIDA DOES ORDAIN:

SECTION 1. That the city commission of the City of Treasure Island, Florida does hereby adopt a proposal to amend the Charter of the City of Treasure Island, Florida by amending Article III, Section 3.05 by adding a new subsection (g) as follows:

Section 3.05. Prohibitions.

- (a) *Appointment, removals.* Neither the commission nor any of its members shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the manager or any of his subordinates are empowered to appoint, but the commission may express its views and fully and freely discuss with the manager anything pertaining to appointment and removal of such officers and employees.
- (b) *Interference with administration.* Except for the purpose of inquiries and investigation by the commission, all inquiry dealing with any portion of the administrative services of the City with the exception of the following paragraph [subsection (c)] shall be with the city manager, and neither the commission nor any member thereof shall give any orders to any subordinate or officer of the city either publicly or privately, directly or

indirectly.

- (c) *Financial audit, management evaluation.* The finances of the city shall, under the direction of the commission, be examined and audited by a certified public accountant at least once a year. The financial audit shall be a certified audit with no exceptions, and all reports and recommendations of the auditor shall be made directly to the commission. The city commission shall consider and determine the necessity of a professional management evaluation of the administrative activities at least once every five (5) years.
- (d) *Holding other office; not to have interest in city contract.* No present or former elected city official shall hold any compensated city office or employment until one year after the expiration of the term for which he has served. No official or appointed member of a board or committee shall hold more than one elected or appointed position in the city. No official or other employee of the city shall have any personal interest in any contract of the city if he thereby, directly or indirectly, gains a profit in money, property, or otherwise; and any such contract in which a city official or employee may be or become interested in shall be voidable by the city and shall be voided without delay by the city commission. This shall not be construed to prohibit or restrict volunteer firemen from holding elective or appointive positions with the city, nor shall this section be construed to prohibit an appointed member of a standing board or committee from serving in an appointed capacity on a board or committee appointed for a specific purpose and with a limited duration.
- (e) *Ethics.* The commission shall enact, by ordinance, a code of ethics for all elected and appointed officers and employees of the city. The code of ethics shall set standards of conduct equal to or stronger than the standards of conduct established by state law.
- (f) Neither the Treasure Island Police Department nor the Treasure Island Fire Department shall be abolished by action of the city commission absent:
 - 1) The passage by an affirmative vote of all five members of the city commission of an ordinance to abolish either such department; or
 - 2) Approval by the registered voters of the abolishment of such department at referendum called by the city commission to consider such question.
- (g) *Protection of pending citizen referendum or initiative actions: Once a citizens initiative petition or a citizens referendum petition is certified as sufficient by the city clerk, as provided for in section 7.04, the city*

commission shall not introduce any new proposed ordinance(s) which, if passed by the commission before said petitions are voted on by the electorate at the next election, would either defeat or frustrate the intended purposes of the petitions.

No rights in derogation of the provisions of any pending Referendum or Initiative petition under any ordinance or other action of the City of Treasure Island city commission, between the time the petition is certified sufficient by the city clerk and the certification of the election results on the referred or initiated ordinance, shall be enforced against the City of Treasure Island.

SECTION 2. That in order to determine whether Article III, Section 3.05 of the Charter of the City of Treasure Island, Florida shall be amended as shown in Section 1, above, the following referendum question shall be presented to the electorate of the City of Treasure Island, Florida, on a ballot in conjunction with the General Election to be held on March 8, 2005:

PROPOSED CHARTER AMENDMENT OF TREASURE ISLAND,
FLORIDA CONCERNING PROTECTION OF PENDING CITIZEN
INITIATIVE OR REFERENDUM MEASURES:

Shall a new section 3.05(g) be added to Article III of the Charter of the City of Treasure Island, Florida, pertaining to prohibitions, which would provide protection of pending citizen initiative or referendum measures, be amended in accordance with the proposal set forth in Ordinance No. 05- __ so as to prohibit the city commission from passing ordinances which would defeat or frustrate pending citizen measures?

YES (For the amendment)

NO (Against the amendment)

SECTION 3. If a majority vote of the electorate voting at the General Election conducted on March 8, 2005, vote "Yes" (For the amendment) then Section 3.05 of the Charter of the City of Treasure Island, Florida shall be amended as reflected in Section 1, above.

SECTION 4. This ordinance shall take effect immediately upon its final passage, and any amendments to the Charter proposed by this ordinance and approved by the electorate shall be effective the date after such referendum approving such amendment, and the certifying of such election.

FIRST READING on the 14th day of December, 2004.

Ord. No 05-

SECOND READING on the 11th day of January, 2005

PUBLIC HEARING on the 11th day of January, 2005.

PUBLISHED in the St. Petersburg Times on the 29th day of December, 2004.

Mary Maloof, Mayor

ATTEST:

Ralph Stone, City Clerk

ORDINANCE NO. 05-

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, PERTAINING TO THE CITY CHARTER; PROPOSING AN AMENDMENT TO THE CITY CHARTER; PROVIDING AN AMENDMENT TO ARTICLE III, SECTION 3.09, ORDINANCES, PROVIDING A DEFINITION FOR RESOLUTION; PROVIDING THAT THE PROPOSED AMENDMENT WILL BE CONSIDERED BY THE ELECTORATE AT A REFERENDUM ELECTION CONCERNING SUCH PROPOSED AMENDMENT; ESTABLISHING THE QUESTION TO BE PRESENTED TO THE ELECTORATE ON SUCH REFERENDUM QUESTION; PROVIDING FOR THE DATE OF SUCH REFERENDUM ELECTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 6.01 of the Charter of the City of Treasure Island provides for the appointment of a charter review committee to review and make recommendations to the city commission on proposals for Charter amendments; and

WHEREAS, pursuant to such Charter provision, the city commission has appointed a charter review committee, which committee has submitted proposals for amendments to the Charter of the City of Treasure Island to the city commission; and

WHEREAS, the city commission has studied such recommendations, and desires to propose an amendment to the Charter of the City of Treasure Island, with such proposed amendment to be submitted to a vote of the electorate by referendum.

NOW, THEREFORE, THE CITY OF TREASURE, FLORIDA DOES ORDAIN:

SECTION 1. That the city commission of the City of Treasure Island, Florida does hereby adopt a proposal to amend the Charter of the City of Treasure Island, Florida by amending Article III, Section 3.09 as follows:

Section 3.09 Ordinances and resolutions in general.

“Ordinance” means an official, legislative action of the commission, which action is a regulation of a general and permanent nature and enforceable as a local law.

“Resolution” means an expression of the Board of Commissioners concerning matters of administration, expression of a temporary character, or a provision for the disposition of a particular item of the administration business of the Board of Commissioners.

- (a) *Form.* Each ordinance or resolution, except [a] budget ordinance, shall be introduced in writing and shall embrace but one subject and matters properly connected therewith. The subject shall be clearly stated in the title. No ordinance shall be revised or amended by reference to its title only. Ordinances to revise or amend shall set out in full the revised or amended act, section, subsection, or paragraph of a section or

subsection.

- (b) *Procedure.* Ordinances shall be adopted in accordance with the procedures set forth by state law.
- (c) *Effective date.* Except as otherwise provided in this Charter, every adopted ordinance shall become effective in accordance with the provisions as et forth by state law.
- (d) *Action requiring an ordinance.* In addition to other acts required by law or by specific provision of this Charter to be done by ordinance, those acts of the city commission shall be by ordinance which:
 - (1) Adopt or amend an administrative code or establish or abolish any city department or agency;
 - (2) Establish a rule or regulation the violation of which carries a penalty;
 - (3) Levy taxes authorized by general law;
 - (4) Grant, renew or extend a franchise;
 - (5) Set service or user charges for municipal services or granting administrative authority for such charges by resolution;
 - (6) Authorize the borrowing of money not inconsistent with the limitations in the constitution and general law of the state and this Charter;
 - (7) Convey or lease or authorize by administrative action the conveyance or lease of any lands of the city not inconsistent with the limitations set forth in this Charter;
 - (8) Amend or repeal any ordinance previously adopted, except as otherwise provided in Article VII with respect to repeal of ordinances reconsidered under the referendum power.

SECTION 2. That in order to determine whether Article III, Section 3.09 of the Charter of the City of Treasure Island, Florida shall be amended as shown in Section 1, above, the following referendum question shall be presented to the electorate of the City of Treasure Island, Florida, on a ballot in conjunction with the General Election to be held on March 8, 2005:

**PROPOSED CHARTER AMENDMENT OF TREASURE ISLAND,
FLORIDA CONCERNING A DEFINITION OF RESOLUTION:**

Shall Article III, Section 3.09 of the Charter of the City of Treasure Island, Florida, pertaining to ordinances, be amended in accordance with the proposal set forth in Ordinance No. 05- to provide a definition of resolution?

YES (For the amendment)

NO (Against the amendment)

SECTION 3. If a majority vote of the electorate voting at the General Election conducted on March 8, 2005, vote "Yes" (For the amendment) then Section 3.09 of the Charter of the City of Treasure Island, Florida shall be amended as reflected in Section 1, above.

SECTION 4. This ordinance shall take effect immediately upon its final passage, and any amendments to the Charter proposed by this ordinance and approved by the electorate shall be effective the date after such referendum approving such amendment, and the certifying of such election.

FIRST READING on the 14th day of December, 2004.

SECOND READING on the 11th day of January, 2005

PUBLIC HEARING on the 11th day of January, 2005.

PUBLISHED in the St. Petersburg Times on the 29th day of December, 2004.

Mary Maloof, Mayor

ATTEST:

Ralph Stone, City Clerk

ORDINANCE NO. 05-

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, PERTAINING TO THE CITY CHARTER; PROPOSING AN AMENDMENT TO THE CITY CHARTER; PROVIDING AN AMENDMENT TO ARTICLE VI, GENERAL PROVISIONS, PROVIDING A DEFINITION OF VOTING PERCENTAGES; PROVIDING THAT THE PROPOSED AMENDMENT WILL BE CONSIDERED BY THE ELECTORATE AT A REFERENDUM ELECTION CONCERNING SUCH PROPOSED AMENDMENT; ESTABLISHING THE QUESTION TO BE PRESENTED TO THE ELECTORATE ON SUCH REFERENDUM QUESTION; PROVIDING FOR THE DATE OF SUCH REFERENDUM ELECTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 6.01 of the Charter of the City of Treasure Island provides for the appointment of a charter review committee to review and make recommendations to the city commission on proposals for Charter amendments; and

WHEREAS, pursuant to such Charter provision, the city commission has appointed a charter review committee, which committee has submitted proposals for amendments to the Charter of the City of Treasure Island to the city commission; and

WHEREAS, the city commission has studied such recommendations, and desires to propose an amendment to the Charter of the City of Treasure Island, with such proposed amendment to be submitted to a vote of the electorate by referendum.

NOW, THEREFORE, THE CITY OF TREASURE, FLORIDA DOES ORDAIN:

SECTION 1. That the city commission of the City of Treasure Island, Florida does hereby adopt a proposal to amend the Charter of the City of Treasure Island, Florida by amending Article VI, General Provisions, by adding a new Section 6.05 as follows:

Section 6.05 Voting Percentages

As used throughout this Charter, whenever any Charter provision, or ordinance enacted under its authority, requires a majority vote of the electorate, that shall mean a simple majority of those actually voting, and not a majority of all who had the right to vote. Unless otherwise provided by general law, this provision shall apply retroactively to all Charter provisions and ordinances enacted thereunder.

SECTION 2. That in order to determine whether ARTICLE VI of the Charter of the City of Treasure Island, Florida shall be amended as shown in Section 1, above, the following referendum question shall be presented to the electorate of the City of Treasure Island, Florida, on a ballot in conjunction with the General Election to be held on March 8, 2005:

**PROPOSED CHARTER AMENDMENT OF TREASURE ISLAND, FLORIDA
CONCERNING A DEFINITION OF VOTING PERCENTAGES:**

Shall a new section 6.05 be added to Article VI of the Charter of the City of Treasure Island, Florida, pertaining to General Provisions, in accordance with the proposal set forth in Ordinance No. 05- defining "voting percentages" to mean a majority of those actually voting and not a majority of all who had the right to vote and applying retroactively to all charter provisions and ordinances?

YES (For the amendment)

NO (Against the amendment)

SECTION 3. If a majority vote of the electorate voting at the General Election conducted on March 8, 2005, vote "Yes" (For the amendment) then Article VI of the Charter of the City of Treasure Island, Florida shall be amended as reflected in SECTION 1, above.

SECTION 4. This ordinance shall take effect immediately upon its final passage, and any amendments to the Charter proposed by this ordinance and approved by the electorate shall be effective the date after such referendum approving such amendment, and the certifying of such election.

FIRST READING on the 14th day of December, 2004.

SECOND READING on the 11th day of January, 2005

PUBLIC HEARING on the 11th day of January, 2005.

PUBLISHED in the St. Petersburg Times on the 29th day of December, 2004.

Mary Maloof, Mayor

ATTEST:

Ralph Stone, City Clerk

ORDINANCE NO. 05-

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, PERTAINING TO THE CITY CHARTER; PROPOSING AN AMENDMENT TO THE CITY CHARTER; PROVIDING AN AMENDMENT TO ARTICLE VII, INITIATIVE, REFERENDUM AND RECALL, SECTION 7.03 "SAME – PETITIONS" REDUCING THE PERCENTAGE SIGNATURES REQUIRED FOR REFERENDUM PETITIONS FROM 25% TO 20%; INCREASING THE TIME FOR FILING REFERENDUM PETITIONS FROM 30 DAYS TO 90 DAYS FROM THE COMMISSION'S FAILURE TO REPEAL THE REFERRED ORDINANCE; PROVIDING THAT THE PROPOSED AMENDMENT WILL BE CONSIDERED BY THE ELECTORATE AT A REFERENDUM ELECTION CONCERNING SUCH PROPOSED AMENDMENT; ESTABLISHING THE QUESTION TO BE PRESENTED TO THE ELECTORATE ON SUCH REFERENDUM QUESTION; PROVIDING FOR THE DATE OF SUCH REFERENDUM ELECTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 6.01 of the Charter of the City of Treasure Island provides for the appointment of a charter review committee to review and make recommendations to the city commission on proposals for Charter amendments; and

WHEREAS, pursuant to such Charter provision, the city commission has appointed a charter review committee, which committee has submitted proposals for amendments to the Charter of the City of Treasure Island to the city commission; and

WHEREAS, the city commission has studied such recommendations, and desires to propose an amendment to the Charter of the City of Treasure Island, with such proposed amendment to be submitted to a vote of the electorate by referendum.

NOW, THEREFORE, THE CITY OF TREASURE, FLORIDA DOES ORDAIN:

SECTION 1. That the city commission of the City of Treasure Island, Florida does hereby adopt a proposal to amend the Charter of the City of Treasure Island, Florida by amending Article VII, Initiative, Referendum and Recall, by amending Section 7.03 as follows:

Section 7.03 Same - Petitions

- (a) *Number of signatures.* Initiative or referendum petitions must each be signed by qualified electors of the city equal in number to at least ~~twenty-five (25)~~ twenty (20) percent of the total number of qualified electors registered to vote at the last regular city election. ~~for initiative petitions to require a reconsideration of an ordinance adopted by the city commission, and twenty (20) percent of the total number of qualified electors registered to vote at the last regular city election for initiative petitions for the proposal of ordinances for the consideration by the city commission.~~

- (b) *Form, content.* All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink or indelible pencil and shall be followed by the address of the person signing. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered.
- (c) *Affidavit of circulator.* Each paper of a petition shall have attached to it, when filed, an affidavit executed by the circulator thereof stating that he personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his presence, that he believes them to be the genuine signature of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.
- (d) *Time for filing referendum petitions.* Referendum petitions must be filed within ~~thirty (30)~~ ninety (90) days after adoption by the city commission fails to repeal of the ordinance sought to be reconsidered, and initiative petitions shall be filed within ninety (90) days after obtaining the initial signature on such petition.

SECTION 2. That in order to determine whether ARTICLE VII, Section 7.03 of the Charter of the City of Treasure Island, Florida shall be amended as shown in SECTION 1, above, the following referendum question shall be presented to the electorate of the City of Treasure Island, Florida, on a ballot in conjunction with the General Election to be held on March 8, 2005:

**PROPOSED CHARTER AMENDMENT OF TREASURE ISLAND, FLORIDA
CONCERNING SIGNATURE AND FILING REQUIREMENTS FOR
REFERENDUM PETITIONS:**

Shall Article VII, Section 7.03 of the Charter of the City of Treasure Island, Florida, pertaining to Initiative, Referendum and Recall, be amended in accordance with the proposal set forth in Ordinance No. 05- so as to reduce the signature requirement for referendum petitions from 25% to 20%, and to increase the time for filing referendum petitions from 30 days to 90 days from the time the Commission fails to repeal the referred ordinance?

YES (For the amendment)

NO (Against the amendment)

SECTION 3. If a majority vote of the electorate voting at the General Election

conducted on March 8, 2005, vote "Yes" (For the amendment) then Article VI, Section 7.03 of the Charter of the City of Treasure Island, Florida shall be amended as reflected in SECTION 1, above.

SECTION 4. This ordinance shall take effect immediately upon its final passage, and any amendments to the Charter proposed by this ordinance and approved by the electorate shall be effective the date after such referendum approving such amendment, and the certifying of such election.

FIRST READING on the 14th day of December, 2004.

SECOND READING on the 11th day of January, 2005

PUBLIC HEARING on the 11th day of January, 2005.

PUBLISHED in the St. Petersburg Times on the 29th day of December, 2004.

Mary Maloof, Mayor

ATTEST:

Ralph Stone, City Clerk

ORDINANCE NO. 05-

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, PERTAINING TO THE CITY CHARTER; PROPOSING AN AMENDMENT TO THE CITY CHARTER; PROVIDING AN AMENDMENT TO ARTICLE VII, INITIATIVE, REFERENDUM AND RECALL, SECTION 7.07, RESULTS OF ELECTION, PROVIDING THAT CITIZEN ENACTED LAWS MAY ONLY BE AMENDED OR REPEALED BY A VOTE OF THE ELECTORATE AT THE POLLS; PROVIDING THAT THE PROPOSED AMENDMENT WILL BE CONSIDERED BY THE ELECTORATE AT A REFERENDUM ELECTION CONCERNING SUCH PROPOSED AMENDMENT; ESTABLISHING THE QUESTION TO BE PRESENTED TO THE ELECTORATE ON SUCH REFERENDUM QUESTION; PROVIDING FOR THE DATE OF SUCH REFERENDUM ELECTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 6.01 of the Charter of the City of Treasure Island provides for the appointment of a charter review committee to review and make recommendations to the city commission on proposals for Charter amendments; and

WHEREAS, pursuant to such Charter provision, the city commission has appointed a charter review committee, which committee has submitted proposals for amendments to the Charter of the City of Treasure Island to the city commission; and

WHEREAS, the city commission has studied such recommendations, and desires to propose an amendment to the Charter of the City of Treasure Island, with such proposed amendment to be submitted to a vote of the electorate by referendum.

NOW, THEREFORE, THE CITY OF TREASURE, FLORIDA DOES ORDAIN:

SECTION 1. That the city commission of the City of Treasure Island, Florida does hereby adopt a proposal to amend the Charter of the City of Treasure Island, Florida by amending Article VII, Initiative, Referendum and Recall, by amending Section 7.07 as follows:

Section 7.07 Results of election.

- (a) *Initiative.* If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results ~~and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the commission.~~ If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.
- (b) *Referendum.* If a majority of the qualified electors voting on a referred ordinance vote against it, it shall be considered repealed upon certification of the election results.

- (c) Amending or repealing Initiative or Referendum laws. Any local ordinance voted into effect by the electorate pursuant to Initiative or Referendum procedures as set forth in this Charter, shall only be subsequently amended or repealed by the electorate at the polls. This section shall be retroactive, as allowed by general law. This section shall not be construed to prevent the city commission from adopting Charter amendments, or initiated ordinances, through the procedures set forth above in Sections 6.02(a) and 7.01, respectively.

SECTION 2. That in order to determine whether ARTICLE VII, Section 7.07 of the Charter of the City of Treasure Island, Florida shall be amended as shown in Section 1, above, the following referendum question shall be presented to the electorate of the City of Treasure Island, Florida, on a ballot in conjunction with the General Election to be held on March 8, 2005:

**PROPOSED CHARTER AMENDMENT OF TREASURE ISLAND, FLORIDA
CONCERNING AMENDMENT OR REPEAL OF CITIZEN-ENACTED LAWS**

Shall Article VII, Section 7.07 of the Charter of the City of Treasure Island, Florida, pertaining to Initiative, Referendum and Recall, be amended in accordance with the proposal set forth in Ordinance No. 05- to provide that citizen enacted laws may only be changed by a vote of the electorate at the polls?

YES (For the amendment)

NO (Against the amendment)

SECTION 3. If a majority vote of the electorate voting at the General Election conducted on March 8, 2005, vote "Yes" (For the amendment) then Article VI, Section 6 of the Charter of the City of Treasure Island, Florida shall be amended as reflected in Section 1, above.

SECTION 4. This ordinance shall take effect immediately upon its final passage, and any amendments to the Charter proposed by this ordinance and approved by the electorate shall be effective the date after such referendum approving such amendment, and the certifying of such election.

FIRST READING on the 14th day of December, 2004.

SECOND READING on the 11th day of January, 2005

Ord. No 05-

PUBLIC HEARING on the 11th day of January, 2005.

PUBLISHED in the St. Petersburg Times on the 29th day of December, 2004.

Mary Maloof, Mayor

ATTEST:

Ralph Stone, City Clerk



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: III-3
Meeting Date: 01-04-05

SUBJECT:

Information material for the proposed Charter amendments for the March election.

RECOMMENDATION

Provide direction to Administration regarding the informational material for the public that describes the Charter amendments that are proposed for the March 2005 election

SUMMARY:

Attached are three proposals for providing the public information for the March 2005 election on Charter amendments. The three proposals have been provided by Commissioner Kraus and two of the Charter Review Committee members, Dominique Reiter and Marie Barba. All of the proposals are very similar. Also included is the information that has been developed by the City Attorney that includes "pros and cons" for each proposed amendment. Administration requests that the City Commission provide direction regarding the proposal(s) that are preferred to be provided to the public for information prior to the election.

Reviewed by:

Legal
 Finance
 Personnel
 Public Works
 Community Imp
 Recreation
 Police
 Fire

Submitted by:

Ralph Stone

Originating Dept:

Administration

User Dept:

Administration

Attachments:

Administration

None

Costs:

Total:

Current Fiscal Year:

Funding Source:

Capital Improvement
 Operating
 Other

Appropriation Code:

CITY of TREASURE ISLAND CHARTER AMENDMENTS

CHARTER AMENDMENT #1

City Charter, Article 1, Section 1.02

Parks and public lands that are contiguous to or provide water access within the limits of the City of Treasure Island may not be sold, leased beyond three (3) years or given away unless approved by a 4/5 vote of the Commission and an affirmative vote of the electorate, or an affirmative vote of the electorate through initiative or referendum.

YES - Parks and city lands with water access can be sold, leased for only three years, traded or given away with a 4/5 Commission vote and approval by the voters.

NO - Leases remain at 15 years; lands can be sold, leased, traded or given away with 4/5 Commission approval and no vote of the electorate.

CHARTER AMENDMENT #2

City Charter, Article 1/1, Section 3.05 (l)

The elimination of the police and fire departments requires:
An affirmative vote of three (3) members of the City Commission and
an affirmative vote of the electorate. _____

YES - Elimination of police and fire departments requires approval of three commissioners AND approval by the voters. _____

NO - Elimination of police and fire departments requires approval of all five commissioners OR approval of the voters at a Commission initiated referendum.

CHARTER AMENDMENT #3

City Charter, Article 1/1, Section 3.05(g)

Once a citizen's initiative petition is certified as sufficient, the City Commission shall be prohibited from introducing any new proposed ordinance(s) which, if passed, would either defeat or frustrate the intended purposes of the petitions.

YES - No new laws that might interfere with a citizen's petition prior to its being voted upon will be permitted.

NO - A citizen's petition prior to balloting is not law: therefore a commission will have the ability to establish policy and local law.

Prepared by
Commissioner Kraus

CHARTER AMENDMENT #4

City Charter, Article 1/1, Section 3.09

Provides a definition for resolution as follows:

"Resolution" means an expression of the Board of Commissioners concerning matters of administration, expression of a temporary character, or a provision for the disposition of a particular item of the administration business of the Board of Commissioners.

YES - Defines "resolution" for Commission concerning matters of administration. NO -leaves new resolution definition section out of City Charter.

CHARTER AMENDMENT #5

City Charter, Article VI, Section 8.05

A majority vote of the electorate shall mean_ a simple majority of those actually voting, and not a majority vote of all who had the right to vote. This provision shall apply retroactively to all Charter provisions and ordinances.

YES - Defines .Majority vote" as a majority of those actually voting, not "Super Majority."

NO-Leaves definition out of City Charter.

CHARTER AMENDMENT #6

City Charter, Article VII, Section 7.03

Initiative or referendum petitions must each be signed by qualified electors of the city equal to at least twenty (20) percent of the total number of qualified electors registered to vote at the last regular city election. Referendum petitions must be filed within ninety (90) days after the City Commission fails to repeal the ordinance sought to be reconsidered, an initiative petitions shall be filed within ninety (90) days after obtaining initial signatures on such petitions.

YES - Petitions for new ordinances and reconsideration of old ordinances must have signatures of 20% of registered voters; petitioners have 90 days to file.
NO -leaves the numbers at 25% for old ordinances, 20% for new and 30 days to file.

CHARTER AMENDMENT #7

City Charter, Article VII, Section 7.07

Any local ordinance voted into effect by the electorate pursuant to initiative or referendum procedures as set forth in this Charter shall only be subsequently amended or repealed by the electorate at the polls.

YES -Laws passed by citizen votes can only be changed by a citizen vote.

NO-Would allow the Commission to change a citizen initiated ordinance.

CHARTER AMENDMENTS

Attached please find my comments with reference to a summary of the proposed Charter Amendments. I left more space that is really needed, so that any one would have room to make their own notes. Also, we probably should, after each heading of the Amendment, indicate which article the proposed amendment affects.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read 'D. Reiter', with a long horizontal flourish extending to the right.

Dominique Reiter

CHARTER AMENDMENTS

YES ----FOR THE AMENDMENT

NO-----AGAINST THE AMENDMENT

CHARTER AMENDMENT #1

ALL parks and public lands that are contiguous to or provide water access within the limits of the City of Treasure Island may not be sold, leased beyond three years or given away unless approved by a 4/5 vote of the Commission and an affirmative vote of the electorate.

YES – ALL parks and city lands with water access can be sold, leased for only three years, with a 4/5 Commission vote and approval by the voters.

NO – Lease remain at 15 years, lands can be sold, leased, with 4/5 Commission approval.

CHARTER AMENDMENT #2

The elimination of the police and fire departments requires an affirmative vote of three members of the City Commission and an affirmative vote of the electorate, and if so abolished nothing would prevent re-establishment of departments.

YES – Elimination of police and fire departments requires approval of three commissioners AND approval by the voters and nothing would prevent re-establishment of departments.

NO – Elimination of police and fire departments requires approval of all five commissioners OR approval of the voters on a referendum which is initiated only by the Commission..

CHARTER AMENDMENT #3

Once a citizen's initiative petition is certified as sufficient, the City commission shall be prohibited from introducing any new proposed ordinance(s) which, if passed, would either defeat or frustrate the intended purposes of the petitions.

YES – Any pending citizens petitions, once certified, would have no interference from the City Commission.

NO – A citizen’s petition prior to balloting is not protected and therefore a Commission can have the ability to establish any other policy which may subvert said petition.

CHARTER AMENDMENTS #4, #5,#6

SAME WORDING AS PRESENTED BY CITY

CHARTER #7

Any local ordinance voted into effect by the electorate pursuant to initiative or referendum procedures as set forth in this Charter shall only be subsequently amended or repealed by the electorate at the polls. This provision is retroactive.

YES – Ordinances passed by citizen votes can only be changed by a citizen vote.

NO – Any ordinance passed by the electorate can be amended or repealed by the Commission.

Date: 12/13/04

To: Mayor and Commissioners

From: Marie Barba

RE: Charter Review Information Sheet per City Staff and City Attorney.

I am addressing the Charter Amendments per item:

Charter Amendment #2

Error appears in the number of members -- should be 3 members as requested by the commission. Jennifer Nye already agreed to the change.

Additionally, the second condition requiring an affirmative vote was eliminated by the commission.

Charter Amendment #3

Yes – Needs a clause to clarify the ambiguity of any citizens petition. This amendment does not speak to any citizen petition only to the petitions found sufficient in accordance with the Charter. This can be clarified simply by:

Yes – No new laws that might interfere with a citizen's petition validated by Treasure Island (meeting the required 25% or 20% valid signatures on a petition) may be enacted by the commission before the vote of the electorate.

No – A citizens petition validated by the city is not law; therefore a commission will have the ability to establish a change to policy and local law or retain the status quo.

Charter Amendment #5

Error appears in the retroactive Charter provisions only; it should also include ordinances. Jennifer Nye already agreed to the change.

Charter Amendment #7

The initial intent of the Charter Committee was addressing all citizen petitions. The ballot language I feel is incorrect because it states "*Any local ordinance voted into effect by the electorate pursuant to initiative or referendum procedures etc.*" The explanation should clearly state only the *initiative or referendum petitions* can be changed by the electorate at the ballot. There are other referendum ordinances placed on the ballot such as advisory or with ordinance language that are also current ordinances. Notably, these ordinances were not discussed by the Charter Review Committee but I don't feel that all ordinances passed by citizens held to a higher standard of the electorate is necessarily unsound. I feel the opposition to this issue will view this as an ineffective way for the commission to operate.

Yes – Citizens initiative petition ordinances can only be changed by the electorate at the ballot.

No – Empowers the commission to repeal citizen initiated ordinances instead of the vote of the electorate.

City Attorney's summary pertaining to Section 3.05 (g), I feel this is lobbying by the city attorney. The clause, "it deems prudent, even if doing so would be contrary to the goals of a pending referendum petition." is interpreted as the commission needs to be able to establish a new ordinance or retain the affected ordinance regardless of what the 25% or 20% signatures by the register voters deem important to their community.

*******INFORMATION SHEET*******

The following information is a summary of a proposed amendment to the City Charter of the City of Treasure Island. This summary is intended for informational purposes only. Please refer to the ordinances and ballot questions for actual amendment language.

PROPOSED CHARTER AMENDMENT

City Charter, Article 1, Section 1.02

Parks and public lands that are contiguous to or provide water access within the limits of the City of Treasure Island may not be sold, leased beyond three (3) years or given away unless approved by a 4/5 vote of the Commission and an affirmative vote of the electorate.

YES -- Parks and city lands with water access can be sold, leased for only three years, with a 4/5 Commission vote and approval by the voters.

NO -- Leases remain at 15 years; lands can be sold, leased, with 4/5 Commission approval.

DISCUSSION: Currently, the City Commission doesnot need citizen approval in any decisions regarding the sale, lease, conveyance, etc... of any city-owned lands. The proposed amendment would require that before waterfront-lands, or those lands that provide water access, be sold or leased, encumbered, etc... the Commission must have a 4/5 vote and let the citizens vote on it. Some city-owned lands would not be affected by this proposed amendment, such as non-waterfront property and easements or rights-of-way. In any event, public hearings must be held before any decisions on any lands are made, by anybody.

*******INFORMATION SHEET*******

The following information is a summary of a proposed amendment to the City Charter of the City of Treasure Island. This summary is intended for informational purposes only. Please refer to the ordinances and ballot questions for actual amendment language.

PROPOSED CHARTER AMENDMENT

City Charter, Article III, Section 3.05 (f)

The elimination of the police and fire departments requires:

An affirmative vote of 3/5 members of the City Commission and an affirmative vote of the electorate.

YES -- Elimination of police and fire departments requires approval of three of the five commissioners AND approval by the voters

NO -- Elimination of police and fire departments requires approval of all five commissioners OR approval of the voters on a referendum which is initiated only by the commission.

DISCUSSION: Currently, the decision of whether to abolish City fire or police departments is in the exclusive control of the Commission. They may either decide the issue themselves by a vote of all five members, or, they may place a referendum question before the voters to decide the issue.

The proposed amendment would mandate that the voters approve any commission action to abolish the police and/or fire department.

*******INFORMATION SHEET*******

The following information is a summary of a proposed amendment to the City Charter of the City of Treasure Island. This summary is intended for informational purposes only. Please refer to the ordinances and ballot questions for actual amendment language.

PROPOSED CHARTER AMENDMENT

City Charter, Article III, Section 3.05(g)

Once a citizen's initiative petition is certified as sufficient, the City Commission shall be prohibited from introducing any new proposed ordinance(s) which, if passed, would either defeat or frustrate the intended purposes of the petitions.

YES -- No new laws that might interfere with a citizen's petition prior to its being voted upon may be passed by the city commission.

NO -- A citizen's petition prior to balloting is not law; therefore a commission must have ability to establish policy and local law, and pass ordinances, or take other action, it deems prudent, even if doing so would be contrary to the goals of a pending referendum petition.

DISCUSSION: Some citizens feel very strongly that if they take the time and effort to circulate an initiative petition, then their petition should have the benefit of a vote at the polls. To that end, they feel that if the commission is not prevented from taking action they might otherwise take before a vote is decided, then their petition is not given a fair chance. On the other hand, some feel that a referendum measure, which could be started by virtually any group who has certain interests, could also be calculated to defeat important city actions which could greatly benefit the citizenry.

*******INFORMATION SHEET*******

The following information is a summary of a proposed amendment to the City Charter of the City of Treasure Island. This summary is intended for informational purposes only. Please refer to the ordinances and ballot questions for actual amendment language.

PROPOSED CHARTER AMENDMENT

City Charter, Article III, Section 3.09

Provides a definition for resolution as follows:

“Resolution” means an expression of the Board of Commissioners concerning matters of administration, expression of a temporary character, or a provision for the disposition of a particular item of the administration business of the Board of Commissioners.

YES - Defines “resolution” for Commission concerning matters of administration.

NO BB Leaves new resolution definition section out of City Charter.

DISCUSSION: This is mainly considered a “housekeeping” measure. Most of the other municipalities contain a definition of resolution, as well as ordinance, in their charters. Many people ask what is the difference between a resolution, and an ordinance. This charter amendment will insert the definition directly in the charter.

*******INFORMATION SHEET*******

The following information is a summary of a proposed amendment to the City Charter of the City of Treasure Island. This summary is intended for informational purposes only. Please refer to the ordinances and ballot questions for actual amendment language.

PROPOSED CHARTER AMENDMENT

Charter, Article VI, Section 6.05

A majority vote of the electorate shall mean a simple majority of those actually voting, and not a majority vote of all who had the right to vote. This provision shall apply retroactively to all Charter provisions and ordinances.

YES-- Defines “majority vote” as a majority of those actually voting, not just those registered to vote, and would apply retroactively.

NO -- Leaves definition out of City Charter.

DISCUSSION: Currently there is at least one ordinance on the books which was created by a citizens’ referendum, namely, Section 68-126. The wording of 68-126 makes it unclear how such a law could ever be changed, if desired. That language provides that it can only be changed by a “majority of the electorate”. That phrase could be interpreted to mean a “super-majority”, or a majority of every person who is registered to vote, not those actually voting. Some voters, although they may move, or even pass away, remain on the voter registration lists, thus skewing the actual numbers of the qualified electorate. Some feel that “one person, one vote” is the most logical, fair way to decide election matters. Conversely, some feel that providing a “super-majority” is the strongest way to secure a citizen-enacted law from future change.

*******INFORMATION SHEET*******

The following information is a summary of a proposed amendment to the City Charter of the City of Treasure Island. This summary is intended for informational purposes only. Please refer to the ordinances and ballot questions for actual amendment language.

PROPOSED CHARTER AMENDMENT

City Charter, Article VII, Section 7.03

Initiative or referendum petitions must each be signed by qualified electors of the city equal to at least twenty (20) percent of the total number of qualified electors registered to vote at the last regular city election. Referendum petitions must be filed within ninety (90) days after the City Commission fails to repeal the ordinance sought to be reconsidered, an initiative petitions shall be filed within ninety (90) days after obtaining initial signatures on such petitions.

YES -- Petitions for new ordinances and reconsideration of old ordinances must have signatures of 20% of registered voters; petitioners have 90 days to file.

NO -- Leaves the numbers at 25% for old ordinances, 20% for new and 30 days to file.

DISCUSSION: Currently the charter provides for a 25% signature requirement for referendum petitions, and 20% for initiative petitions. Both petitions are measures which are put on the ballot by the citizenry. A referendum petition seeks to amend or repeal an *existing* law, whereas an initiative petition seeks to create a *new* law. Some feel there should be no difference between the two as far as signature and filing requirements because they are both citizen-inspired measures.

*******INFORMATION SHEET*******

The following information is a summary of a proposed amendment to the City Charter of the City of Treasure Island. This summary is intended for informational purposes only. Please refer to the ordinances and ballot questions for actual amendment language.

PROPOSED CHARTER AMENDMENT

City Charter, Article VII, Section 7.07

Any local ordinance voted into effect by the electorate pursuant to initiative or referendum procedures as set forth in this Charter shall only be subsequently amended or repealed by the electorate at the polls. This provision shall apply retroactively to all Charter provisions and ordinances.

YES -- Laws passed by citizen votes can only be changed by a citizen vote, and this shall apply retroactively.

NO -- Retains the current checks and balances of the commission to make changes.

DISCUSSION: Some citizens feel that if the citizenry has gone the distance to enact a law on its own, then that law should only be changed by another vote of the citizens. Conversely, some feel that a citizen-enacted law does not always make for "good" law, and may contain unforeseen and undesirable consequences. Consequently, if the city commission is not allowed to act as they normally would, by repealing or amending a citizen-enacted law, then the city's elected officials, and/or the administration may not be able to provide timely, perhaps critical action needed.



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: III-4
Meeting Date: 1/4/05

SUBJECT:

To revisit the issue of splitting the Planning and Zoning Board into two separate boards.

RECOMMENDATION:

The Administration recommends that the City Commission not split the Planning and Zoning Board into two Boards at this time.

SUMMARY:

On September 21, 2004 the City Commission received a report from the Planning and Zoning Board stating that the Board did not want to be split. Since this time, the quorum has been reduced and there has been less absenteeism.

At the September 21, 2004 City Commission meeting, the Commission decided to revisit this issue again in three months. For this reason, this item has been placed on the January 4th, 2005 agenda.

Reviewed by:

Legal
 Finance
 Personnel
 Public Works
 Community Imp
 Recreation
 Police
 Fire

Submitted by:

Lynn Rosetti, AICP
City Planner

Originating Dept:

Community Improvement

User Dept:

Community Improvement

Attachments:

None.

Costs:

Total: -\$0-

Current Fiscal Year: 2004-05

Funding Source:

Capital Improvement
 Operating
 Other

Appropriation Code:



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: III-5
Meeting Date: 1/04/05.

SUBJECT: Bascule Bridge Construction, Engineering and Inspection Services (CEI) Contract Award

RECOMMENDATION: Award CEI Contract to EC Driver & Associates for the not-to-exceed amount of \$5,000,000.

SUMMARY: The consensus of the rating panel was that EC Driver placed first; PBCS placed second; and, PBS&J and Volkert were tied for third. Given the outcome of the rating panel and the fact that using EC Driver would keep the team complete from the fixed end bridges through the construction of the bascule bridge, I recommend that the Commission award the CEI Contract for the Bascule Bridge Construction project to EC Driver & Associates for a not-to-exceed price of \$5,000,000.

The responding firms were: PBS&J; PBCS; Volkert; and, EC Driver. All four firms were invited in to make an oral presentation before the rating panel. The rating panel consisted of the City Manager; Don Hambidge, Public Works Director; and, Hal Bruce, Assistant Public Works Director for Transportation & Bridges. All four firms were allowed 15 minutes to present their qualifications, followed by a 25 minute Q&A period and then a 5 minute wrap-up. All of the firms were rated on a 100 maximum point system, with 25 points allocated for Bascule Design Experience; 25 points allocated for Bascule CEI experience; 25 points allocated for job approach; and, 25 points allocated for Miscellaneous.

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Reviewed by: <input type="checkbox"/> Legal <input type="checkbox"/> Finance <input type="checkbox"/> Personnel <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Community Imp <input type="checkbox"/> Recreation <input type="checkbox"/> Police <input type="checkbox"/> Fire	Originating Dept: Public Works User Dept: Public Works Attachments: Memo <input type="checkbox"/> None	Costs: Total: \$5,000,000. Current Fiscal Year: \$1,000,000. Funding Source: <input type="checkbox"/> Capital Improvement <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Other Appropriation Code: Causeway Enterprise Fund (Federal Grant)
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CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: III-6
Meeting Date: 1-04-05

SUBJECT: Bascule Bridge Construction Update

RECOMMENDATION:
Information only.

SUMMARY:

The Bascule Bridge construction is due to start the first week in January 2005. The Public Works Director will provide an update on this project including the status of the bridge security issue.

Reviewed by:

Legal
 Finance
 Personnel
 Public Works
 Community Imp
 Recreation
 Police
 Fire

Submitted by:
Ralph Stone

Originating Dept:

User Dept:

Attachments:

None

Costs:

Total:

Current Fiscal Year:

Funding Source:

Capital Improvement
 Operating
 Other

Appropriation Code:



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: III-7
Meeting Date: 1-04-2005

SUBJECT: Engineer of Record – Request for Statement of Qualifications

RECOMMENDATION: The Administration recommends City Commission approval to advertise the request for statement of qualifications for an engineer of record.

SUMMARY:

The Public Works Department is proposing several capital improvements projects within the Water Pollution Control Division over the next few years. Therefore, there is a need to retain an Engineer of Record to assist in project design, development of bid documents, construction engineering inspections and other ancillary services. These projects include the upgrade of the Master Pump Station and sanitary sewer force main repairs.

The Request for Statement of Qualifications will allow the City of Treasure Island to select an Engineer of Record in accordance with Section 287, F.S. ("The Consultants' Competitive Negotiation Act.") and City Charter. Upon selection of an Engineer of Record, each project will be separately defined for scope of services and costs.

Reviewed by:

- Legal
- Finance
- Personnel
- Public Works
- Community Imp
- Recreation
- Police
- Fire

Submitted by:
Don Hambidge, PE
Public Works Director

Originating Dept:

Public Works Department

User Dept:

Public Works Department

Attachments:

- Request for Statement of Qualifications document
- Consultant Selection Information Form
- SOQ schedule

None

Costs: N/A

Total:

Current Fiscal Year:

Funding Source:

- Capital Improvement
- Operating
- Other

Appropriation Code:



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: III-8
Meeting Date: 01-04-05

SUBJECT:

Assignment of the former Carol Ann Condo-Hotel License Agreement to new owners of the South Beach Condo-Hotel property.

RECOMMENDATION:

Administration recommends approval of the assignment of the existing license agreement to new owners.

SUMMARY:

The Carol Ann Condo-Hotel currently has an approved license agreement that allows the landscaping of the city owned property between the west property line of the hotel and the Beach Trail. This agreement was approved in December 2001 and provides that upon a change of ownership the City has the authority to approve the assignment of the license to the new ownership group.

The hotel was recently sold and the new owner(s), who are represented by Gail Byrne, Managing Partner, has requested an assignment of the license. The new owners have reviewed the agreement and agree with the license in its entirety and are not requesting any changes in the agreement. Their intent is to maintain the area consistent with the current agreement. The agreement does require that the owner(s) provide a one million dollar insurance policy for liability and property damage for the area that names the City of Treasure Island as co insured.

Administration recommends that the City Commission approve the assignment and authorize the City Manager to execute a new license agreement subject to all the terms of the existing agreement including proof on the insurance requirement.

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<p>Reviewed by:</p> <p><input checked="" type="checkbox"/> Legal</p> <p><input type="checkbox"/> Finance</p> <p><input type="checkbox"/> Personnel</p> <p><input type="checkbox"/> Public Works</p> <p><input type="checkbox"/> Community Imp</p> <p><input type="checkbox"/> Recreation</p> <p><input type="checkbox"/> Police</p> <p><input type="checkbox"/> Fire</p>	<p>Originating Dept:</p> <p>Administration</p> <hr/> <p>User Dept:</p> <p>Administration</p> <hr/> <p>Attachments:</p> <p><input type="checkbox"/> None</p>	<p>Costs:</p> <p>Total:</p> <p>Current Fiscal Year:</p> <p>Funding Source:</p> <p><input type="checkbox"/> Capital Improvement</p> <p><input type="checkbox"/> Operating</p> <p><input type="checkbox"/> Other</p> <hr/> <p>Appropriation Code:</p>
<p>Submitted by:</p>		

RESOLUTION 05-

A RESOLUTION APPROVING THE ASSIGNMENT OF THE FORMER CAROL ANN CONDO-HOTEL LICENSE AGREEMENT TO THE NEW OWNERS OF THE PROPERTY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THIS ASSIGNMENT.

Whereas, the City of Treasure Island, Florida has previously approved a license agreement for the use of city-owned property for the purposes of landscape improvements; and

Whereas, the location of this license agreement is the property formerly know as the Carol Ann Condo-Hotel; and

Whereas, the license agreement authorizes the City to approve the assignment of the license agreement upon the sale of the property; and

Whereas, the new owners of the property, now know as the South Beach Condo-Hotel have requested approved of the license assignment with no changes to the current license agreement.

Now Therefore The City of Treasure Island, Florida Does Resolve:

Section 1. That the existing license agreement for the property formerly know as the Carol Ann Condo-Hotel is approved for assignment to the new property owner's for the property, which is now know as the South Beach Condo-Hotel.

Section 2. That the City Manager is authorized to execute an assignment of said agreement subject to the same terms as the existing agreement.

Section 3. This resolution becomes effective upon approval by the City Commission of the City of Treasure Island, Florida.

The foregoing Resolution was offered during Regular Session of the City Commission of the City of Treasure Island, Florida, sitting on the 11th day of January 2005, by Commissioner who moved its adoption; was seconded by Commissioner and upon roll call, the vote was:

YEAS:

NAYS:

ABSENT OR ABSTAINING:

Mary Maloof, Mayor

ATTEST:

Ralph Stone, City Clerk

LICENSE AGREEMENT

THIS LICENSE AGREEMENT is granted this 12th day of December, 2001, by the City of Treasure Island, Florida, a Florida municipal corporation, hereinafter called the "City" and granted unto John Keporos, Inc. (hereinafter called the "Licensee").

WITNESSETH

WHEREAS, the Licensee is the owner of real property legally described on Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, the City is the owner of public beach located along the entire western edge of the Licensee's above-described real property; and

WHEREAS, the Licensee has requested of the City a license to use a parcel of the City's beach, designated Parcel A as shown on Exhibit "B" attached hereto and incorporated herein, for the purpose of providing landscaping on Parcel A; and

WHEREAS, the City has determined that the construction of such items will not unreasonably interfere with pedestrian or vehicular traffic upon the beach or the public's general use of the public beach; and

WHEREAS, the City Commission of the City of Treasure Island has determined that there exists the need for outdoor landscaping in the beach area in the City of Treasure Island to provide a unique environment for relaxation; and

WHEREAS, the existence of landscaping encourages additional pedestrian traffic to these areas, and encourages more beach activity, commercial business and redevelopment; and

WHEREAS, there is a need for limitations and standards on any such license to ensure that a safe, family environment is maintained in the public beach areas in the City of Treasure Island; and

WHEREAS, the City desires to grant a license to the Licensee to utilize the property depicted as Parcel A for the uses hereby established, subject to all of the limitations contained herein; and

WHEREAS, the Licensee, by executing this License Agreement, consents to and does hereby agree to be bound by all conditions of the granting of this license.

NOW, THEREFORE, in consideration of the Licensee's agreement to be bound by all of the terms and conditions for the granting of this license, the City does hereby grant to the Licensee a license for the use of Parcel A for the purpose, and subject to the limitations as set forth herein.

1. License Components: This license, including attached endorsements and exhibits, constitutes the entire license granted by the City to the Licensee on the subject matter hereof, and may not be changed, modified, discharged or extended except by written endorsement duly executed on behalf of the City, and delivered to the Licensee. The Licensee agrees that no representations or warranties shall be binding upon the City unless expressed in writing herein.

2. Endorsement Obligations: The Licensee agrees to be bound by and to comply with the provisions of all endorsements enumerated in and attached to this agreement, as may be from time to time included, amended or modified by the City.

3. Purpose of the License: A principal purpose of the City in granting the privileges under this License Agreement is to make available for public use City facilities, for the better accommodation, convenience and welfare of the public, and to increase the tax base in the City.

4. Grant of License: The City does hereby grant unto the Licensee a license on the property described as Parcel A described on Exhibit "B" to use such property, subject to the limitations contained herein, for the purpose of landscaping.

5. Improvements: All landscaping constructed on Parcel A shall be subject to prior approval by the City, and the Licensee agrees to construct landscaping on Parcel A in accordance with any additional requirements or specifications set forth by the City.

6. No Waiver of Applicable Regulations: Nothing in this License shall be construed to exempt the Licensee from full compliance with all applicable building, zoning and land use regulations on the licensed parcels. The Licensee hereby further agrees to obtain all necessary permits and to otherwise fully comply with all requirements of the City, Pinellas County and the State of Florida pertaining to any landscaping of such licensed property.

7. Limitations of Interest: The Licensee hereby further agrees that the Licensee shall not obtain any prescriptive rights, easements, or other legal or equitable interest in the licensed parcels by reason of the execution of this License Agreement, or by compliance with the terms thereof by the Licensee. Ownership of the said licensed property shall at all times remain in the City, and the Licensee shall not do anything inconsistent with such ownership, except as may be permitted by this License Agreement.

8. Encumbrances: The granting of this license does not vest in the Licensee any interest in the real property subject to being mortgaged, encumbered or liened, and no action of the Licensee shall cause or create any interests in real estate or any encumbrance upon any such real property.

9. Indemnity: The Licensee shall indemnify and save harmless the City of and from any and all damages, including all of its attorney's fees and court costs, whether suit be brought or not, resulting from or arising out of the execution of this License Agreement, the construction of any landscaping or improvements on the licensed parcel, or any other action taken pursuant to this License Agreement by any person or entity. The Licensee shall pay all attorney's fees of the City's attorney concerning the preparation of and granting of this License. The Licensee hereby further releases the City, its officials, officers, agents, and employees of and from any and all claims which it may have had, now have, or hereafter acquire because of or by reason of the execution of this License Agreement, the construction of the above-described landscaping or improvements on the licensed parcel, and for any actions taken pursuant to this Agreement.

10. Indemnity Insurance: The Licensee does hereby release, and agrees to indemnify, defend and save harmless the City, from and against all claims, actions, causes of action, demands, judgments, costs, expenses and all damages of every kind and nature, incurred by or on behalf of any person or corporation whatsoever, predicated upon injury to or death of any person or loss of or damage to property of whatever ownership, including the Licensee to this agreement and its employees and in any manner arising out of or connected with, directly or indirectly, the operation or use of the licensed premises, by the

Licensee or by its assigns or lessees. The Licensee further agrees to execute and deliver to the City at the time of acceptance and execution of this Agreement a comprehensive liability insurance policy, including public liability and property damage, acceptable to and approved by the City, covering the premises and the operations to be conducted on the premises in a minimum amount of One Million Dollars (\$1,000,000.00). The amount of insurance required herein may be amended from time to time by the City, upon reasonable notice to the Licensee.

The City shall be named as an insured in any insurance policy required hereunder, and said policies shall contain a provision waiving all subrogation rights against the City.

Certified copies of above policy or a certificate evidencing the existence thereof or a binder shall be delivered to the City upon the execution of this Agreement. In the event a binder is delivered, it shall be replaced within ten days by a certified copy of the policy. Each such copy or certificate shall contain a valid provision or endorsement that the policy may not be canceled, terminated, changed or modified without giving ten days' written notice thereof to the City.

A renewal policy shall be delivered to the City at least fifteen days prior to a policy's expiration date except for any policy expiring on the expiration date of this Agreement or thereafter.

11. Successive Interest: The obligations of the Licensee pursuant to this License Agreement shall be binding upon the Licensee, its successors, assigns, and legal

representatives. However, the City reserves the right to approve, in its sole discretion, the assignment of this License to any tenant or successor in interest of the License.

12. Supervision and Personnel: The Licensee shall assure that competent and experienced personnel are employed on the licensed parcels at all times in order to assure that there is full compliance with all terms and limitations of this License Agreement.

13. No Unlawful Use: The Licensee shall use the areas herein described only for the purposes stated, and for no unlawful purposes whatsoever.

14. Proper Attire: The Licensee shall assure that all employees of the Licensee or of any lessee of the Licensee are dressed in appropriate attire to promote a wholesome, family-oriented, tourist development of the public beach of the City, as determined by the City Manager of the City.

15. Noise. The Licensee shall at all times assure that not only is there full compliance with any applicable City, County or State noise ordinances and regulations, but that no noise is generated on or from the licensed parcels, or from any adjacent restaurant or bar area that opens onto the licensed premises, that is objectionable or offensive to the City, even if such noise is not a violation of the City's noise ordinance. There shall be no outdoor amplification of noise or music, including pager systems, and voice paging, conducted on or over the licensed parcels, except as may be allowed in writing from time to time by the City Manager, which permission can be withdrawn in writing from time to time by the City Manager.

16. Signage: The Licensee shall not erect, construct or maintain any signage on the licensed parcel, or construct any exposed signage adjacent to the licensed parcel,

unless a consent to such signage has first been given, in writing, by the City, through its City Manager.

17. Lighting: The Licensee shall not construct, erect or maintain, or allow any patron on the licensed parcel to exhibit or maintain, any lighting that is in violation of the City's lighting standards concerning the preservation and protection of turtles, or otherwise.

18. Public Use of Premises: At any time that the Licensee is allowing any person to use parcel A, such licensed parcel A shall not be closed for any private function, but shall be open and available for use of the public, at large.

19. Litter and Debris: The Licensee shall at all times keep Parcel A free and clean of trash and debris, and the Licensee shall not allow any trash or debris generated from the licensed parcel to litter upon any of the adjacent public beach of the City.

20. Outdoor Cooking: The Licensee shall not permit or allow any outdoor cooking or open fire or flames on any of the licensed premises, without the prior written consent of the City.

21. Construction of License: The Licensee agrees that in the event of any litigation concerning the construction of this Agreement or the interpretation of any language used in this Agreement, that this Agreement, and any of its provisions, shall be interpreted in favor of the City. No provisions in this Agreement shall be construed against the City by virtue of this Agreement having been drafted by the City.

22. Taxes: In the event that as a result of this License Agreement, Parcel A, as shown on Exhibit "B," or any of the City's adjacent public beach property, is found to be subject to ad valorem or other tax assessment, then and in such event, the Licensee

agrees to promptly pay when due, taking advantage of all early payment discounts, any and all taxes that shall be assessed, imposed, charged or collected.

23. Assignment: The Licensee shall not assign nor sublet any of its property located adjacent to the licensed parcel, or this license hereby granted, in whole or in part, without the express prior written permission of the City.

24. Notices: Any notice or communication which the City may desire to give the Licensee shall be deemed sufficiently rendered or given if the same be in writing and sent by certified mail, return receipt requested, addressed to John Keporos or the Licensee at the address of 11360 Gulf Boulevard, Treasure Island, Florida 33706, or left at the address of the licensed parcel, or delivered to the Licensee's representative; and the time of rendition of such notice or communication shall be deemed to be the time when the same is mailed, left or delivered as herein provided.

25. TERMINATION: THIS LICENSE IS SUBJECT TO, AND THE LICENSEE ACKNOWLEDGES THAT THIS LICENSE IS SUBJECT TO, BEING WITHDRAWN AND TERMINATED BY THE CITY AT ANY TIME, UPON FIFTEEN (15) DAYS' WRITTEN NOTICE GIVEN TO THE LICENSEE AS PROVIDED FOR HEREIN. THE CITY, IN ITS SOLE DISCRETION, SHALL HAVE THE AUTHORITY TO DETERMINE WHETHER TO TERMINATE THIS LICENSE AGREEMENT, AND THE LICENSEE AGREES THAT THE CITY'S DISCRETION IN ANY TERMINATION OF THIS LICENSE AGREEMENT SHALL NOT BE SUBJECT TO JUDICIAL REVIEW OR CHALLENGE, BUT SHALL BE FINAL.

26. Removal of Improvements: In the event of termination of this Agreement, the Licensee shall remove any improvement constructed on the licensed parcel within ninety (90) days following termination of this Agreement, and conclusion of the ninety (90) period provided for in paragraph 25 above and shall restore the parcel to the condition as existed prior to the granting of this license. However, at the discretion of the City and if requested by the City, the Licensee agrees to allow any of the landscaping improvements on Parcel A to remain, and the Licensee shall surrender title and ownership to such landscaping improvements to the City.

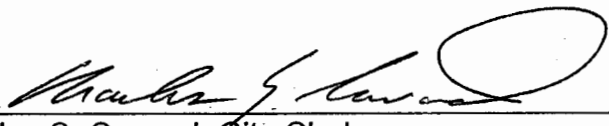
27. Maintenance of Landscaping; Liens: The Licensee agrees that it shall, at all times, at its expense provide maintenance for all landscaping on Parcel A and/or on the Licensee's property adjacent to Parcel A, as may be from time to time requested or directed by the City. The Licensee further agrees that in the event such maintenance is not performed by the Licensee, that if the City shall perform such maintenance, the City shall have a lien against the Licensee's property adjacent to the licensed premises for the City's cost in performing such maintenance, to include administrative charges and overhead. The Licensee further agrees that in the event of termination of this License Agreement, that if the Licensee fails to restore the licensed property to the condition as it existed prior to the granting of this License upon the request of the City, and it is necessary for the City to restore such parcel, that the City shall have a similar lien for its costs and expenses, including administration and overhead, for the restoration of or removal of any landscaping or improvements placed upon the licensed property by the Licensee.

27. "City": Wherever used herein, the term "City" shall refer to the City Commission of the City of Treasure Island, Florida, either acting in whole or acting through its designated City Manager.

28. Entire Agreement: This Agreement embodies the entire License Agreement of the City. There are no promises, terms, conditions, or allegations other than those contained herein, and this document shall supersede all previous communications, representations, and/or agreements, whether written or verbal, between the parties hereto. This License Agreement may be modified or revoked at any time by the City, by delivering a copy of any modifications or superseding agreement to the Licensee, at the Licensee's address provided herein.

Pursuant to Resolution of the City Commission of the City of Treasure Island, Florida, this License Agreement is hereby granted this 12th day of December, 2001.

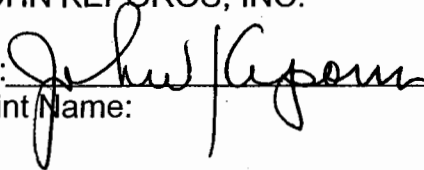
CITY OF TREASURE ISLAND, FLORIDA

By: 
Charles S. Coward, City Clerk

ACKNOWLEDGMENT OF CONDITIONS

John Keporos, Inc., as Licensee herein, hereby accepts the grant of license contained herein, and agrees to be bound by all terms, conditions and limitations imposed upon the Licensee pursuant to this License Agreement.

"Licensee"
JOHN KEPOROS, INC.

By: 
Print Name:

3400A161.LA

EXHIBIT "A"

PARCEL I:

TRACT I: That part of Government Lots 2 and 3, Section 23, Township 31 South, Range 15 East, Pinellas County, Florida, described as follows:

A tract of land lying between parallel lines 100 feet apart at right angles, extending from the Western right-of-way boundary line of Gulf Boulevard (State Highway No. 699) to the waters of Gulf of Mexico, the Southeastern boundary of which lies parallel to and 300 feet at right angles in a Northwesterly direction from a line described as follows:

From the Northwest corner of Section 23, Township 31 South, Range 15 East, run thence South $37^{\circ} 32' 14''$ East, 3610.34 feet to a point on West boundary line of Gulf Boulevard (State Highway No. 699) as constructed, thence South $52^{\circ} 00' 50''$ West to waters of Gulf of Mexico; said line being the Western portion of Northwestern line of tract of land described in Deed Book 790, Page 389, Clerk's Instrument No. 554950, Records of Pinellas County, Florida;

LESS a strip of land extending from Gulf of Mexico to easternmost boundary of lands included in Instrument of Dedication by Ordinance of City of Treasure Island, Florida, dated September 28, 1938, recorded in Deed Book 810, Page 305, Clerk's Instrument No. 571719, Records of Pinellas County, Florida;

AND

TRACT II: That part of Government Lots 2 and 3, Section 23, Township 31 South, Range 15 East, Pinellas County, Florida, described as follows:

A tract of land lying between parallel lines 100 feet apart at right angles, extending from the Western right-of-way boundary line of Gulf Boulevard (State Highway No. 699) to the waters of Gulf of Mexico, the southeastern boundary of which lies parallel to and 400 feet at right angles in a Northwesterly direction from a line described as follows:

From the Northwest corner of Section 23, Township 31 South, Range 15 East, run thence South $37^{\circ} 32' 14''$ East, 3610.34 feet to a point on West boundary line of Gulf Boulevard (State Highway No. 699) as now constructed for a Point of Beginning of said line; thence South $52^{\circ} 00' 50''$ West, to waters of Gulf of Mexico; said line being the Western portion of Northwestern line of tract of land described in Deed Book 790, Page 389, Clerk's Instrument No. 554950, Records of Pinellas County,

Continued on next page

CONTINUATION OF EXHIBIT "A"

Florida;

LESS a strip of land extending from Gulf of Mexico to easternmost boundary of lands included in Instrument of Dedication by Ordinance of City of Treasure Island, Florida, dated September 28, 1938, recorded in Deed Book 810, Page 305, Clerk's Instrument No. 571719, Records of Pinellas County, Florida.

PARCEL II:

Lot 2, Block 1, THE JOLLY ROGER MOTEL SUBDIVISION, according to the plat thereof, as recorded in Plat Book 111, Page 56, Public Records of Pinellas County, Florida.

Exhibit B

Description of City-Owned Beach Property Located Westward of the Carol Ann Condo Hotel at 11360 Gulf Boulevard

From a point of beginning at the NW property marker of that parcel identified in Exhibit A of this license agreement and generally described as the Carol Ann Condo Hotel located at 11360 Gulf Boulevard, proceed westward within the public beach area approximately 87 feet to the concrete walk; thence proceed southward along the eastern edge of the concrete walk approximately 200 feet; thence proceed eastward approximately 93 feet to the SW property marker of that parcel identified in this description as Exhibit A; thence proceed northward approximately 204 feet along the western edge of that parcel of land identified in this description as Exhibit A to the point of beginning.

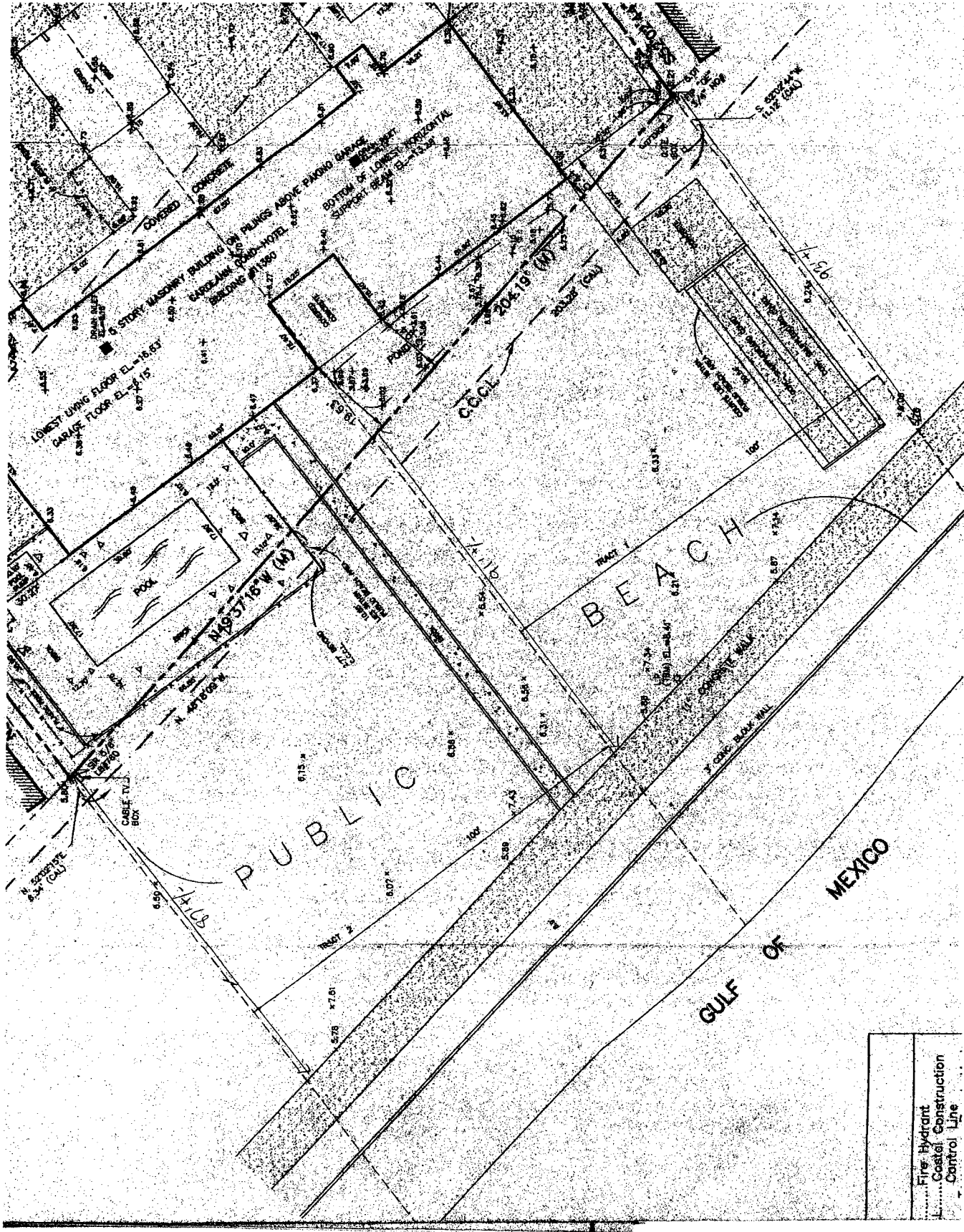


Exhibit B



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: III-10
Meeting Date: 1/4/05

SUBJECT:

Beautification Committee Vacancy – District 2

RECOMMENDATION:

Staff recommends that the Commission make an appointment to the Beautification Committee to replace the vacancy that exists due to the resignation of Ms. Barbara Schmidt.

SUMMARY:

Beautification Committee Chair Carol Malkin submitted a letter of resignation on behalf of Ms. Barbara Schmidt.

Staff recommends that the Commission appoint a member to the Beautification Committee to fill this vacancy.

A resolution for an appointment to the Beautification Committee will be prepared for the Commission's consideration at the Commission meeting on Tuesday, January 11th.

Reviewed by: <input type="checkbox"/> Legal <input type="checkbox"/> Finance <input type="checkbox"/> Personnel <input type="checkbox"/> Public Works <input type="checkbox"/> Community Imp <input type="checkbox"/> Recreation <input type="checkbox"/> Police <input type="checkbox"/> Fire	Originating Dept: Administration	Costs: Total: Current Fiscal Year:
	User Dept: Administration	Funding Source: <input type="checkbox"/> Capital Improvement <input type="checkbox"/> Operating <input type="checkbox"/> Other
	Attachments: <input checked="" type="checkbox"/> None	Appropriation Code:
Submitted by: Jennifer Nye		