

**CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS MEETING
TUESDAY, JULY 26, 2005
7:00 PM**

Welcome to the City of Treasure Island Commission Meeting. If you wish to speak on a topic which is on today'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.

A. PLEDGE OF ALLEGIANCE: Led by Mayor Maloof

B. ROLL CALL:

Mayor Mary Maloof	
Commissioner Phil Collins - Vice Mayor	District 1
Commissioner Ed Gayton	District 2
Commissioner Richard Kraus	District 3
Commissioner Alan Bildz	District 4

C. PUBLIC COMMENTS:

D. APPROVAL OF MINUTES:

Minutes of the meetings of May 17 and 24, 2005, are ready for approval.

E. ITEMS OF BUSINESS:

1. Proclamation – Recognizing John Burke
2. Ord. – Amending Qualifying Dates (2nd Reading and Public Hearing)
3. Res. – Amendment to Rules of Procedure
4. Res. – Appointment to Planning and Zoning Board
5. Res. – City Attorney Contract
6. Res. – Supporting the Levy of the 5th Cent Tourist Development Tax

F. DISCUSSION ITEMS:

1. Report on 50th Anniversary Digital Photographs

G. CITY MANAGER/CITY ATTORNEY REPORTS:

H. REPORTS BY COMMISSIONERS

I. PUBLIC COMMENTS:

J. 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.

**CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS WORKSHOP**

May 17, 2005

7:00 p.m.

I. SILENT ROLL CALL BY DEPUTY CITY CLERK:

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

II. PUBLIC COMMENTS:

Mr. Benjamin Hetrick reminded the audience that the *Tour of Homes* would be held on Sunday, 22nd at 1:00 p.m. He said there will be a reception following the tour at the Treasure Island Tennis & Yacht Club (TITYC).

III. MINUTES:

Motion was made by Commissioner Kraus and seconded by Commissioner Collins to approve the minutes from the meetings of February 15 and May 3, 2005 as written. Upon roll call, the vote to approve was unanimous.

IV. DISCUSSION ITEMS:

1. Sex Offenders/Predators on TITV –

Commissioner Gayton referred to a recent article in the *Neighborhood Times* and he stated that there are six sexual offenders living in Treasure Island and three offenders living in St. Pete Beach. Commissioner Gayton provided the names, addresses and arrest records of sexual offenders in Treasure Island.

Commissioner Kraus stated that he felt it was within the City's purview to broadcast the pictures of sexual offenders/predators on TITV as a public service.

Commissioner Bildz stated that there are 40 residents against and only three residents in favor of having the pictures of sexual offenders/predators shown on TITV. He stated that he was not in favor of posting these pictures on TITV and stated that he felt it could have an affect on the City's tourism. Commissioner Bildz said he felt there should be a third category for sexual offenders.

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Commissioner Collins stated that there were six sexual offenders living in Treasure Island before the City began broadcasting the pictures of sexual offenders/predators on TITV and now there are only three living here. He said he felt the other three sexual offenders left because their names and pictures were being shown on TITV. Commission Collins stated that he felt it is important to let people know that we have sexual offenders/predators in the area.

The Commission discussed the arrest record of one of the registered sexual offenders in detail.

Commissioner Kraus stated that he did not feel broadcasting the pictures of sexual offenders/predators would affect tourism but that it would show the City as a progressive community.

Commissioner Collins stated that the pictures need to be broadcasted three to four times per day.

Mayor Maloof asked Police Chief Joe Pelkington to provide details regarding the Jessica Lunsford Act.

Police Chief Pelkington stated that the act requires a sentence of life in prison for molesting a child under the age of twelve with a mandatory 25 year sentence. He said the act also increased the requirements for release and requires sexual offenders/predators to register twice per year and that residency will be checked sporadically. The penalty for failing to report residency was also increased to a third degree felony.

Mayor Maloof asked if sexual offenders/predators are required to wear ankle bracelets. Police Chief Pelkington stated that sexual predators will be required to wear Global Positioning System (GPS) bracelets for life effective September 1st.

Commissioner Gayton asked how often the police officers notify the neighborhood that a sexual offender/predator resides in the area. The Police Chief stated that neighbors are notified within a two block radius when a registered sexual offender/predator moves into the area.

The Police Chief stated that, although the Police Department is not mandated to, it is the department's policy to notify neighbors when either a sexual offender or sexual predator moves into the area.

Commissioner Collins stated that the Police Department should notify the neighbors regarding sexual offenders/predators more often than once per year. The City Manager Ralph Stone stated that the City needs to decide the type of notification it

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wants to use and address state requirements. He said he would follow up on these issues.

Commissioner Collins suggested that the Police Department verify the residences of registered sexual offenders/predators every three months and the City Manager concurred.

Mr. Bernie Wolfson referred to Florida Statute §944.606 regarding notification upon release and he asked if the City is in compliance with this statute.

Mr. Jim Herren referred to one of the registered sexual offenders and stated that this is one individual that made a mistake.

Mr. Max Lenn stated that he understood that the Commission wants to protect the children by broadcasting the pictures of sexual offenders/predators on TITV but that it would hurt the family of one of the sexual offenders. He said he did not feel that displaying the pictures for 15 seconds would serve to protect the children.

Ms. Gwenda Barnitz stated that she did not feel the City's cable channel is the proper place to show these pictures. She said if the City is going to broadcast sexual offenders/predators on TITV that the City should also broadcast other criminals as well.

Ms. Dane Smith stated that she did not agree with the classification that lumps all sexual offenders/predators together. She said it does not differentiate between someone that has consensual sex vs. the violent crimes committed by others. Ms. Smith stated that she did not feel the pictures should be shown on TITV because it "creates fear and hysteria". She said she felt the City should inform people where they can go to get information and pictures of sexual offenders/predators.

Mr. Paul Mevoli stated that Commissioners should provide their opinions on the matter but the decisions regarding procedures for sexual offenders/predators should be made by the City Manager and the Police Department. He asked the Commission to consider the opinions expressed by the audience by making the decision not to broadcast the pictures on TITV.

Mr. Kerry Metzger, a tourist, stated that he stays in Treasure Island every year. He said he feels that sharing this information will help people to make better informed decisions. Mr. Metzger said he felt showing the pictures would bolster tourism since it would show the City has a concern for safety.

Ms. Linda Tyler stated that she agreed with the comments made by Commissioners' Collins, Gayton and Kraus. She said she was in favor of the pictures being shown

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on TITV 15.

Ms. Clara Lee Selby suggested that the Commission appoint a committee to help counsel sexual offenders/predators.

Mr. Frank McConnell asked the Commission to think the matter through before taking action. He said there may be a liability to the City if the list of sexual offenders/predators shown on TITV is not complete.

Ms. Betty Lipke stated that she felt the Commission would be "opening a can of worms" by placing the pictures of sexual offenders/predators on TITV. She asked what will be done about parental abuse and how far the City is going to take this.

Ms. Sami Scott stated that she submitted petitions signed by 168 Sunset Beach, Isle of Palms and Isle of Capri residents that are in favor of showing the pictures of sexual offenders/predators on TITV. She said she felt that television provides one of the best ways to communicate this type of information to residents and tourists. Ms. Scott stated that she also submitted another petition signed by 12 residents also in favor of having the pictures of sexual offenders/predators shown on TITV.

Commissioner Gayton stated that he would like to have an opportunity to speak with the Police Chief and the City Manager on the matter.

Commissioner Gayton stated that for \$23 you can obtain more background information regarding arrest records. He said he felt the City should do this and make the information available to the public.

The Police Chief stated that the Police Department cannot run a criminal history background check and provide it the public.

Commissioner Bildz suggested that the Commission pass a resolution requesting that the State establish another classification for sexual offenders that had consensual sexual relations with minors close to their own age.

Commissioner Kraus stated that he felt the City should be proactive regarding safety by showing the pictures on TITV.

The Commission will consider a motion authorizing the broadcast of sexual offenders/predators pictures and addresses on TITV at the Commission meeting on Tuesday, May 24th.

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2. Civic Leaders' Recommendation for Downtown Redevelopment –

Mr. Frank McConnell, Chair of the Civic Leaders' Group, read the Civic Leaders' recommendations for downtown redevelopment (attached).

The City Manager stated that he has been sitting in on the Civic Leaders' meetings as a resource and to answer the group's questions. He said the group has shown great spirit and zeal and that it has been a pleasure working with the members.

The City Manager stated that the downtown area has enormous potential and that the group's recommendations are appropriate and timely. He suggested that the Commission consider having Mr. David Healey, Executive Director of the Pinellas Planning Council and County Commissioner Karen Seel address the Commission regarding redevelopment opportunities. He said he would also recommend that the other boards be present.

Commissioner Kraus stated that the property owners were not mentioned in the recommendations. The City Manager stated that involving the property owners would be one of the first courses of action. He said the property owners would benefit from improved marketability once redevelopment takes place. The City Manager stated that he has spoken to many of the major property owners and that none of them have indicated that they did not want to move forward with redevelopment.

Commissioner Bildz asked what the Civic Leaders' Group would be addressing next. Mr. McConnell stated that the group will focus on the impact of installing a traffic light at the intersection of 104th/107th/108th Avenues.

Mayor Maloof complimented the Civic Leader's Group on "doing a tremendous job".

Commissioner Gayton thanked the group for its time and input.

The Commission will consider a resolution approving the Civic Leaders' Recommendations for downtown redevelopment at the Commission meeting on Tuesday, May 24th.

3. Highway Lighting Maintenance Reimbursement by FDOT -

The City Manager stated that the Federal Department of Transportation (FDOT) has agreed to pay the City \$130 per fixture for the maintenance of lighting on State road 699.

Commissioner Collins asked how many streetlights are included. Commissioner

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Kraus stated that there are 30 streetlights on Gulf Boulevard.

The City Manager stated that he would report back regarding the number of streetlights.

The Commission will consider approval of this resolution at the Commission meeting on Tuesday, May 24th.

4. LPA Recommendation – Special Exception Approval Process –

City Planner Lynn Rosetti reviewed with the Commission the LPA's recommendation for revision to the special exception procedures found in Chapter 70 and the special exception criteria found in Chapter 68 of the land development regulations.

Commissioner Bildz asked if site plans are required for single-family and duplex dwellings. The City Planner stated that for the purpose of special exception only, a site plan is not necessary.

Commissioner Kraus referred to *Section 68-481. Special Exception uses* of the proposed ordinance and asked if #'s 8 through 12 are additions to be considered. The City Planner stated that all of the special exception uses should begin with "the use is" or "the use will". She indicated that she would make the necessary corrections to the proposed ordinance for the Commission meeting on Tuesday, May 24th.

The Commission will consider this ordinance for first reading and public hearing on Tuesday, May 24th.

5. Surf Beach Condo/Hotel Request to Landscape City-Owned Property –

The City Planner reviewed with the Commission the request for the Commission to approve a conceptual landscape plan and give permission for the Surf Beach Condo-Hotel to seek approval from the Florida Department of Environmental Protection (FDEP) for such a landscape plan for the portion of the beach westward of the Surf Beach Condo-Hotel presently under construction at 11040 Gulf Boulevard.

Commissioner Gayton asked how far from the beach walkway the plantings would be. The City Planner stated that she would report this information back to the Commission next week.

Commissioner Collins asked if there would be an irrigation system. The City

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Planner stated that she would check on the plans for irrigation and report back to the Commission next week.

The Commission will consider a resolution allowing the Surf Beach Condo-Hotel to landscape City-owned property at the Commission meeting on Tuesday, May 24th.

6. Historic Preservation Regulations & Design Review Guidelines –

The City Planner reviewed with the Commission, the Planning & Zoning Board's interest in exploring regulations pertaining to both historic preservation legislation and design review guidelines. She stated that staff can prepare an overview presentation that outlines options and alternatives for the LPA to consider. The City Planner stated that the LPA discussed the possibility of establishing a fact finding committee for this purpose.

Commissioner Gayton stated that he felt the LPA would like to obtain a legal opinion from the City Attorney on whether a subcommittee can be formed for information gathering purposes and whether the Commission supports the LPA exploring historic preservation and design review guidelines.

The City Manager recommended that staff meet with the LPA to define problems and alternatives to address these issues. He stated that he was not in favor of the LPA forming a subcommittee and engaging in its own research without receiving any direction from staff on these issues. The Commission concurred with the City Manager's recommendation.

7. Rights-of-Way Vacation Remedy -

The City Attorney reviewed with the Commission two proposed ordinances that correct Citywide vacations that were passed by resolutions. The first ordinance addresses the vacation of the utility easement at the former Ramada Inn site and the second ordinance is an omnibus ordinance that applies to all vacations that were formerly passed by resolutions.

Commissioner Bildz stated that he felt uncomfortable voting on the omnibus ordinance.

Commissioner Gayton stated that he did not feel the Commission had the authority to pass an ordinance to vacate 1st Street West and Sunshine Lane between 120th and 121st Avenues (Ramada Inn site) that was previously vacated by resolution. The City Attorney stated that the City contractually agreed to pass an ordinance vacating the area.

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The Commission will consider the ordinance vacating 1st Street West and Sunshine Lane between 120th and 121st Avenues at the Commission meeting on Tuesday, May 24th.

The City Attorney stated that she would eliminate the omnibus ordinance.

V. OLD BUSINESS:

None.

VI. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

The City Manager stated that the Coast Guard approved reducing the number of bascule bridge openings from 4 times to 3 times per hour.

Mayor Maloof asked if the boating public would be notified. The City Manager stated that the Coast Guard will send notices to mariners.

Commissioner Collins asked what the number of bridge openings would be after construction of the new bridge is complete. The City Manager stated that the bridge will open on demand for the first year but that the number of openings necessary will be reduced significantly since the new bridge will be 21 feet high.

The City Manager stated that the ceramic medallions have been placed on the sides facing motorists. He commented regarding how nice they look.

VII. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Gayton stated his concern that Sunshine State Insurance Company is canceling Florida homeowners' insurance policies. He suggested that people check their policies to make sure they have not been cancelled.

Commissioner Bildz stated that Mr. Phil Graham of Phil Graham & Company (landscape architect) was present at the Beach Stewardship Committee to address the extension of the beach trail. He said that Mr. Graham assured the members that there would be plenty of public meetings regarding the extension of the beach trail before any decisions are made.

Commissioner Bildz stated that the sunset is not visible from the Sunset Vista Trailhead Park with the extension of the dune walkover.

Mayor Maloof stated that the Art Guild will be closing for the summer.

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VIII. PUBLIC COMMENTS:

Mr. John Burke stated that tickets for the Tour of Homes (May 22nd) can be purchased at Fifth Third Bank, Bank of America, Treasure Island Tennis & Yacht Club, the Treasure Island Post Office, etc. for \$20. He said that people can choose to do the tour by riding in the busses provided or in their own cars.

Mayor Maloof stated that Commissioner Bildz and she would be attending the Suncoast League of Municipalities conference taking place this Thursday through Saturday.

Mayor Maloof stated that she would be attending the Potluckapalooza this Saturday.

IX. ADJOURNMENT:

Mary Maloof, Mayor

Phil Collins - District 1

Ed Gayton - District 2

Richard Kraus - District 3

Alan Bildz - District 4

ATTEST:

Jennifer Nye, Deputy City Clerk

**CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS MEETING
May 24, 2005
7:00 p.m.**

A. PLEDGE OF ALLEGIANCE: Led by Mayor Maloof

B. ROLL CALL:

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

C. PUBLIC COMMENTS:

Commissioner Collins requested that item #7 be moved to the first item on the agenda. He stated that Deputy Scott Summers from the Pinellas County Sheriff's Office was present to address the Commission on sexual offenders/predators.

Mayor Maloof stated that she preferred to leave the item as #7 on the agenda but allow the Deputy to speak at the beginning of the meeting.

Deputy Summers stated that he is assigned to sexual offender tracking for the County and that he would be happy to answer any questions from the Commission.

Commissioner Collins asked how the County determines when a sexual offender has left the County. Deputy Summers stated that sexual offenders are required to update their licenses within 48 hours of moving and that the State provided this information to the counties.

Commissioner Collins asked if local authorities are notified when a sexual offender leaves the county. Deputy Summers responded negatively and stated that it is the responsibility of the municipalities' police departments to check the Federal Department of Law Enforcement's (FDLE) database.

Commissioner Collins asked Deputy Summers to explain how information regarding these crimes is disseminated. Deputy Summer stated that details can be provided regarding the nature of the crime but not details regarding the victim.

Commissioner Collins asked the Deputy if he thought the City should have a disclaimer should the pictures of sexual offenders be shown on TITV and Deputy Summers stated that the City should confer with the City Attorney regarding the issue.

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Commissioner Collins asked Deputy Summers if he felt it would be a good idea to show the pictures of sexual offenders on TITV. Deputy Summers stated that the County is not showing the pictures on its local channel because there are too many. He said he felt there are positives and negatives to the showing the pictures on TV. Deputy Summers stated that a disadvantage would be that the City would have to check the database daily to make sure the pictures are up to date.

Deputy Summers stated that he recommended placing FDLE's Website name and information on that would enable people to look up sexual offenders themselves. He said the City takes on a liability for the information it displays on TITV and that it needs to be kept up to date if the City wants to show pictures of sexual offenders on TITV.

Commissioner Gayton asked who is responsible for tracking sexual offenders in Treasure Island. Deputy Summers stated that Treasure Island's Police Department is responsible.

Commissioner Gayton asked how often the County checks on some sexual offenders. Deputy Summers stated that the County checks on some offenders twice per year and others every month.

Commissioner Bildz asked what database the County uses. Deputy Summers stated that the County has its own database of information regarding criminals.

Commissioner Bildz asked if there has been an increase in the number of sexual offenders in recent years. Deputy Summers stated that there were 700 to 800 sexual offenders when the database was established in 1997. He stated that there are 1,200 sexual offenders in the database now. Deputy Summers stated that for every sexual offender that is arrested there are eight or nine that have not yet been caught.

Deputy Summers stated that Detective Kathy Lovelace and Sergeant David Schilt have always attended the regional meetings and that they did an excellent job of making a failure to register case against a sexual offender. He said Treasure Island's Police Department is well aware of the procedures to follow for sexual offenders.

Commissioner Collins thanked Deputy Summers for addressing the Commission on the issue.

Mr. Carl Ystrom stated that his tenant, Anita Larsen, had a birthday and that she was "98 years young".

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Mr. Frank McConnell stated that the Voters Watch meeting for May was cancelled and that the next meeting would be held on the last Wednesday in June.

Mr. McConnell stated that the tables of the Sun, Sand & Symphony concert on Saturday, May 28th were sold out but a few tables were left for the concert on Friday, May 27th at a cost of \$175 per table.

Mayor Maloof stated that the residents can ride one of the City busses that will be picking up people from the various islands to the Sun, Sand & Symphony.

D. MINUTES:

Motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the minutes from the meetings of February 22nd and March 1st as written. Upon roll call, the vote to approve was unanimous.

E. ITEMS OF BUSINESS:

1. Bridge Update –

Public Works Director Don Hambidge stated that an inspection of the bascule bridge revealed no new deterioration but he said it does not imply that the weight limit restriction should be dropped. He stated that a bascule pier moved one-half inch and it was remedied. The Public Works Director stated that Progress Energy did not complete the utility relocation that was supposed to have been done before the bascule bridge construction began. He said the construction is going well at approximately six days behind schedule. The Public Works Director stated that the north half of the bridge was 99% demolished and that the approach piers at four and eleven were completed.

2. Ord. – Vacating 120th & 121st Avenues (1st Reading) –

After hearing the first reading of the ordinance pertaining to the vacation of First Street West and Sunshine Lane between 120th and 121st Avenues, within the City of Treasure Island, Florida, motion was made by Commissioner Kraus and seconded by Commissioner Collins to approve the ordinance as read.

City Manager Ralph Stone suggested the Commission consider placing a period after the word "Ordinance" in Section 1 and delete "subject to the City's declaration of its intent and right to reserve unto the City and all associated utility easements within said right-of-way, and as relocated" and the Commission concurred.

Upon roll call, the vote to approve was unanimous.

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3. Ord. – Special Exception Approval Process (1st Reading & Public Hearing) –

After hearing the reading of the ordinance pertaining to land development; providing for the amendment of Chapter 70, Section 201, to revise special exception use requirements, motion was made by Commissioner Kraus and seconded by Commissioner Collins to approve the ordinance as read.

Commissioner Collins asked for clarification regarding Section 70-201 (a) "With the exception of single-family and duplex development proposals, all requests for special exception usage shall be accompanied by a site plan which shall undergo concurrent review by the Planning and Zoning Board". He asked if this exception applies solely to single-family and duplex development or if it also applies to tri-family and quadruple family development.

The City Planner stated that the exception applies strictly to single-family and duplex development. She said single family on the Gulf of Mexico will still require site plan review as it does currently.

Mayor Maloof declared a public hearing. There being no comments, the public hearing was closed.

Upon roll call, the vote to approve was unanimous.

4. Res. – Authorizing Agreement for Highway Lighting Maintenance Reimbursement by FDOT -

After hearing the reading of the resolution authorizing the City Manager to enter into an agreement with FDOT to be compensated for maintenance of lighting on State Road 699, motion was made by Commissioner Collins and seconded by Commissioner Kraus to approve the resolution as read.

Commissioner Gayton stated that there are 101 streetlights on State Road 699. He asked why the City would maintain the streetlights on this road if the City does not want to maintain the streetlights on City-owned roads in Treasure Island. He also asked if the City has the proper equipment and personnel to maintain streetlights.

The City Manager stated that the City would continue to use Progress Energy for maintenance and replacement of the streetlights throughout the City but that the State has offered the City \$12,700 to reimburse the City for fees paid to maintain and replace streetlights on State Road 699.

Upon roll call, the vote to approve was unanimous.

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5. Res. – Allowing Surf Beach Condo-Hotel to Landscape City-owned Property –

After hearing the reading of the resolution establishing design criteria for landscaping on properties adjacent to the beach sidewalk, motion was made by Commissioner Collins and seconded by Commissioner Bildz to approve the resolution as read.

The City Planner stated that she had prepared answers to the Commission's questions from last week. She stated that the depth of City-owned land measures 70 feet by scale ruler from the Surf Property to the sidewalk. The City Planner stated that the closes distance between the vegetation and the sidewalk is approximately 20 feet and the average is 28 feet. She further stated that the landscaper confirmed there will be a low-volume irrigation system that may use well, potable or reclaimed water. The City Planner stated that the pipes will be below ground.

Commissioner Bildz asked if the developer would be required to obtain a permit since it is City-owned property. The City Planner stated that if approved by DEP the developer would seek a license agreement with the City.

Commissioner Kraus stated that the resolution is different from the one that was provided at the previous workshop meeting. He said he was not comfortable with this resolution because it gives the City Manager the approval authority for the DEP plan instead of the Commission. The City Manager stated that he felt that since the City has the specific planting plan and that there would be little chance of change but he said he would be fine with making that change. Commissioner Kraus stated that he would like the developer to be required to come back to the Commission for final review and approval.

The City Attorney stated that the Commission allowed the City Manager to execute the agreement with the South Beach Condo-Hotel landscape license agreement.

Commissioner Collins withdrew his motion and Commissioner Bildz withdrew his second.

Motion was made by Commissioner Kraus and seconded by Commissioner Gayton to adopt the resolution that was presented to the Commission at the workshop meeting on May 17, 2005. Upon roll call, the vote to approve was unanimous.

6. Res. – Civic Leaders Recommendation for Downtown Redevelopment –

After hearing the reading of the resolution authorizing the City Manager to

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undertake certain activities related to initiating a downtown redevelopment plan, motion was made by Commissioner Kraus and seconded by Commissioner Bildz to approve the resolution as read.

Commissioner Bildz stated that there were many wonderful ideas (that could be related to our downtown area) presented by the speakers at the Suncoast League of Municipalities conference. He said he would like the Civic Leaders to hear from some of these speakers as well.

Mayor Maloof stated that Mr. Angelo Rao from Volkert & Associates would be speaking at the Big-C meeting on Wednesday, May 25th being held here in Treasure Island.

Mayor Maloof stated that a speaker from the Urban Land Institute spoke regarding incentives cities can use to attract chains such as McDonalds, Target, etc.

Commissioner Bildz stated that cities have the authority to place stipulations on how these chains will look architecturally to better fit the overall community.

The City Manager stated that he negotiated with the McDonald's in Clearwater and that it has a metal roof and a Key West style front porch beach motif. He said (for example) cities do not have to acquiesce to neon arches if it does not fit your community.

Commissioner Bildz quoted Mr. David Healey's (Executive Director of the Pinellas Planning Council) statement that, "Redevelopment isn't going to wait for a plan. The longer we wait, the less choices we will have".

Upon roll call, the vote to approve was unanimous.

7. Motion – Allowing Sexual Offenders/Predators on TITV -

Mayor Maloof stated that the Commission needs to make a policy decision regarding whether to show the pictures and addresses of sexual offenders/predators on TITV.

Commissioner Bildz showed a video of a Channel 10 news story regarding sexual offenders. Three of the sexual offenders in this broadcast had sexual relations with someone they thought was over the age of sixteen. Commissioner Bildz re-stated his position that the law needs to be changed to address situations like these.

Commissioner Bildz suggested that the Commission pass a resolution asking the legislature to address the need to classify sexual offenders rather than lumping

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them all together.

The City Attorney stated that the distinction between sexual offenders and sexual predators is that the City is required to notify residents of sexual predators in their neighborhood but not sexual offenders.

Mayor Maloof stated that Detective Kathy Lovelace and Sergeant David Schilt are making every effort to maintain the whereabouts of sexual offenders and to check on them frequently.

Commissioner Gayton asked if the City has the authority to check on sexual offenders at least 4 times per year and Police Chief Joe Pelkington responded affirmatively. He said his concern was the legality of releasing records on criminal history. The Police Chief stated that the department can provide the public with police reports that are no longer active.

The City Attorney stated that active police reports are not subject to public disclosure while inactive police reports are.

Commissioner Kraus stated that showing the pictures of sexual offenders on TITV is an effective way to protect the children from sexual offenders.

Commissioner Collins stated that by not showing the pictures of sexual offenders on TITV, the City is sending a clear message that Treasure Island is not proactive and therefore, inviting these individuals back into our community.

Ms. Tricia Christen-Rivas read a letter from an Isle of Palms resident in favor of showing the pictures of sexual offenders/predators on TITV. Ms. Christen-Rivas read her response to the letter stating that her neighbor should not be lumped in with the rest of the sexual offenders.

Mr. Carl Ystrom stated that he agreed with Commissioner Bildz' comments and that he was not in favor of showing the pictures on TITV. He said he would prefer that the City provide information so that people can get the list of sexual offenders/predators in the area from the Web.

Ms. Sami Scott spoke in favor of showing the pictures of sexual offenders on TITV. She said it is important to make sure the children are safe. Ms. Scott stated that 180 constituents asked the Commission to honor their requests to place the pictures on TITV.

Mr. Jeff Warner spoke in favor of showing the pictures of sexual offenders on TITV.

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Commissioner Bildz asked whether the City would be showing pictures of sexual offender in surrounding communities since they could also be a threat. Commissioner Kraus stated that the City should start with airing the pictures of sexual offenders residing in Treasure Island.

Commissioner Gayton stated that the pictures of sexual offenders were taken off TITV to get input from the residents. He said his constituents have indicated that they want the pictures to be shown on TITV and that he will vote accordingly.

Motion was made by Commissioner Kraus and seconded by Commissioner Collins to broadcast the pictures of sexual offenders/predators on TITV and to authorize the City Manager and the City Attorney to establish a disclaimer.

Upon roll call, the vote to approve was unanimous.

F. CITY MANAGER/CITY ATTORNEY REPORTS:

Commissioner Gayton asked if there is a lawsuit that was served on the City by Ka'Tiki and the City Attorney responded affirmatively.

Commissioner Gayton stated that he had no knowledge of this and the City Attorney stated that the litigation cannot be discussed at a public meeting and that the Commission would need to schedule an executive session to discuss the matter.

The City Manager stated that the City receives approximately one lawsuit per month and that these lawsuits are forwarded to the Florida League of Cities in most cases. He stated that the Commission can be provided with a list of all active lawsuits on a regular basis if the Commission so desires.

Commissioner Gayton stated that he felt the Commission should receive copies of lawsuits when they are received by the City. The City Manager stated that the City Attorney must receive the lawsuit first and determine how to proceed. He said that when the Commission must take action, an executive session can be scheduled.

Commissioner Gayton stated that he felt the Commission should be aware of any lawsuits the City receives against it. The City Attorney stated that the Commission can receive copies of lawsuits.

The City Manager stated that he would develop a list of active lawsuits and discuss with the City Attorney what information can be provided. The City Attorney stated that all pleadings would be public records but that ongoing litigation cannot be discussed in an open forum.

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G. REPORTS BY COMMISSIONERS:

Commissioner Collins stated that the bascule bridge would be closed on Thursday from 8:30 am until 7:00 pm.

Commissioner Collins asked for a status on the demolition of the hi 'n dry. The City Manager stated that the building is expected to be demolished in the next 30 to 60 days.

Commissioner Collins read a letter from a resident regarding a vacant house that is being neglected. He said he has received other letters regarding this property and he asked what can be done to resolve the problem. The City Manager recommended that the residents contact Code Enforcement.

The City Manager stated that staff is in the process of reviewing the Community Improvement Code to see where the Code needs to be updated. He said once this is done, staff will present recommendations to the Commission (by the end of the summer).

Commissioner Gayton reminded residents that Sunshine State Insurance Company is pulling out of Florida due to catastrophic exposure management. He recommended that people check their policies and pay careful attention when they are up for renewal.

Commissioner Kraus stated that a Big-C meeting would be held on Wednesday, May 25th at 9:00 am in Treasure Island.

Commissioner Bildz stated that he attended the Suncoast League of Municipalities conference and he said that it was a wonderful experience.

Commissioner Bildz stated that residents should contact Dr. Bob Minning or himself regarding ordering sea oats.

Commissioner Bildz reminded the residents that the Sun, Sand & Symphony would be held on Friday, May 27th and Saturday, May 28th.

Mr. Jeff Warner stated that a lot of trash is accumulating at 94th Avenue and Gulf Boulevard (former Suntasia). He asked what can be done about the problem. The City Manager stated that the area has been fenced off and that the owner had the trash disposed of.

The City Manager stated that repeat offenders can be "tagged" and Code Enforcement will address them accordingly.

5/24/05

H. PUBLIC COMMENTS:

None.

I ADJOURNMENT:

Mary Maloof, Mayor

Phil Collins - District 1

Ed Gayton - District 2

Richard Kraus - District 3

Alan Bildz - District 4

ATTEST:

Jennifer Nye, Deputy City Clerk



**CITY OF TREASURE ISLAND
AGENDA COVER MEMORANDUM**

Agenda Item #: *E1*
Meeting Date: 7-26-05

SUBJECT: Proclamation recognizing John Burke

RECOMMENDATION: N/A

SUMMARY:

Attached is a copy of a proclamation recognizing John Burke as one of the City's most dedicated volunteers.

Reviewed by:

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

Submitted by:
Commission

Originating Dept:

User Dept:

Attachments:

Proclamation

Costs:

Total:

Current Fiscal Year:

Funding Source:

Capital Improvement
 Operating
 Other

Appropriation Code:

CITY OF TREASURE ISLAND PROCLAMATION

WHEREAS, John Burke, a resident of Treasure Island, is hereby recognized as one of the City's most dedicated volunteers, donating hundreds of hours assisting the City and Community; and

WHEREAS, John has assisted the city staff in setting up and breaking down the commission chambers before and after meetings; and

WHEREAS, John is and has been an active and participating member of the Beach Stewardship Committee; and

WHEREAS, John has joined the community in the Beach Cleanup Volunteer Day within the City; and

WHEREAS, John has volunteered his time to help out in many of the City-sponsored social activities; and

WHEREAS, The City Commission desire to express its appreciation to John Burke for his assistance to the City of Treasure Island throughout the years.

NOW, THEREFORE, THE CITY OF TREASURE ISLAND DOES PROCLAIM:

That the Treasure Island City Commission does hereby extend to John Burke its appreciation for his dedication to the City of Treasure Island throughout the years.

Dated this 26th day of July 2005

Mary Maloof, Mayor



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: *E2*
Meeting Date: 7/26/05

SUBJECT:

Amending the qualifying period for candidates.

RECOMMENDATION:

Staff is recommending that the Commission adopt an ordinance amending the qualifying period for candidates to January 2nd through January 16th.

SUMMARY:

The qualifying period for candidates was amended for the March 2004 General Municipal Election in order to meet the Pinellas County Supervisor of Elections' (SOE) revised deadline of January 2nd for submitting a list of candidates and ballot language.

For the March 2005 General Municipal Election and subsequent elections, the Pinellas County SOE established that the ballot language deadline is 50 days prior to Election Day.

As a result, the deadline to submit the list of candidates and ballot language to the Pinellas County SOE for the March 2006 General Municipal Election is January 23rd.

Reviewed by:

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

Submitted by:
Jennifer Nye

Originating Dept:
Administration

User Dept:

Attachments:

Ordinance

Costs: N/A

Total

Funding Source:

Capital Improvement
 Operating
 Other

Appropriation Code

ORDINANCE NO. 05-

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, PERTAINING TO ELECTIONS; AMENDING SECTION 14-9 OF THE "CODE OF ORDINANCES OF THE CITY OF TREASURE ISLAND, FLORIDA" PERTAINING TO THE QUALIFICATION OF CANDIDATES FOR MUNICIPAL ELECTION; AMENDING THE TIME PERIODS FOR QUALIFICATION OF SUCH CANDIDATES; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE "CODE OF ORDINANCES OF THE CITY OF TREASURE ISLAND, FLORIDA"; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Pinellas County Supervisor of Elections has notified the City that the ballot language and the list of candidates for the March municipal elections are required to be submitted to the Pinellas County Supervisor of Elections office at least 50 days prior to said March municipal elections, and

WHEREAS, the City Commission wishes to amend the period of qualification of candidates for the March 2006 election and subsequent municipal elections held in March.

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

SECTION 1. That Section 14-9 of the "Code of Ordinances of the City of Treasure Island, Florida" shall be amended as follows:

Sec. 14-9. Qualification of candidates, applications and petition.

(a) Every person who shall be a candidate for the office of commissioner or of mayor-commissioner shall file with the city clerk an application to have his name printed upon the ballot as a candidate for the office to which he aspires, in which application he shall declare whether he is a candidate for a seat as commissioner or as mayor-commissioner.

(b) Qualification papers shall be available in the office of the city clerk at noon on ~~December 16th~~ January 2nd preceding the March election until noon of ~~December 30th~~ January 16th preceding the March election. In order to qualify as a candidate in any municipal election, the candidate must file the qualification papers by no later than noon on ~~December 30th~~ January 16th preceding the March election. In the event that either such date falls on a Saturday, Sunday or municipal holiday, then such date shall be extended until noon of the next preceding date that is not a

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Saturday, Sunday or municipal holiday. In the event of a special municipal election called as a result of any vacancy in office, the filing date shall be established by the City Commission in the ordinance or resolution calling such special election.

(c) All applications by candidates shall be accompanied by an affidavit that the candidate has all of the requirements of and is a legal voter of the city and is not a candidate as a nominee or representative of any political party or any committee or convention representing or setting for any political party.

(d) A petition for the candidacy of the applicant, which shall be signed by not less than five qualified electors of the city, shall be filed with the application, setting forth that the applicant is known to the petitioners and is known by the petitioners to be of good moral character and qualified for the office for which he has applied. No elector shall sign more than two petitions for the candidacy of others to city office. Signatures on petitions shall be verified by the supervisor of elections of the county.

(e) If any qualified candidate dies, withdraws or is removed from the ballot following the end of the qualifying period, and if such action leaves fewer than two candidates for that office, the qualifying periods for that particular office shall immediately reopen; and additional qualification papers shall be available for that particular office in the office of the city clerk until noon, 14 days subsequent to the death, withdrawal or removal from the ballot of the original candidate. The city commission shall hold a special meeting within the first seven days of such additional qualifying period for the purpose of announcing a vacancy in the candidacy, announcing the additional qualifying period, and taking any action that may be necessary herein to reschedule the election for that particular office. If the closing date of the additional qualifying period is less than 20 days before the date of the scheduled election, the city commission shall schedule a special election for that particular office, which election shall be held at least 20 days, but no more than 35 days subsequent to the last day of the additional qualifying period. The procedure established in this subsection shall apply only in the event of the death, withdrawal or removal from the ballot of any candidate who qualified during the original qualifying period of such office.

Ord. No. 05-

SECTION 2. In all other respects, the provisions of Section 14-9 of the "Code of Ordinances of the City of Treasure Island, Florida" not hereby amended or modified, shall remain in full force and effect.

SECTION 3. It is the intention of the City Commission that such amended ordinance be included in the "Code of Ordinances of the City of Treasure Island, Florida" and the publisher of the Code may renumber or reclassify such other provisions of the Code to accomplish such intention.

SECTION 4. The provisions of this Ordinance and all parts and sub-parts thereof shall be deemed to be severable and independent of each other, and in the event any portion or subsection of this Ordinance is found to be invalid or unenforceable, such findings shall not affect any remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon its final passage.

FIRST READING on the 12th day of July, 2005.

SECOND READING and PUBLIC HEARING on the 26th day of July, 2005.

PUBLISHED in the St. Petersburg Times on the 13th day of July, 2005.

Mary Maloof, Mayor

ATTEST:

Jennifer Nye, Deputy City Clerk



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: *E3*
Meeting Date: 7/26/05

SUBJECT:

Amending the Commission's *Rules of Procedure*.

RECOMMENDATION:

Staff is recommending the Commission pass a resolution amending the Commission's *Rules of Procedure*.

SUMMARY:

The Commission's *Rules of Procedure* does not differentiate between addressing the Commission during Public Comments and on Agenda Items. In addition, the *Rules of Procedure* does not limit individuals to speaking once on each agenda item unless otherwise approved or request by the Commission.

Reviewed by:

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

Submitted by:**Originating Dept:**

Administration

User Dept:

Administration

Attachments:

None

Costs:

Total

Funding Source:

Capital Improvement
 Operating
 Other

Appropriation Code:

RESOLUTION NO. 05-

**A RESOLUTION APPROVING AMENDMENTS TO
THE RULES OF PROCEDURE FOR THE CONDUCT
OF CITY COMMISSION WORKSHOPS AND
MEETINGS; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Commission did previously, through Resolution 97-30 and amendments thereto, establish and approve the *Rules of Procedure for the Conduct of Commission Meetings*; and

WHEREAS, the City Commission desires to approve said *Rules of Procedure* as amended.

NOW, THEREFORE, THE CITY OF TREASURE ISLAND DOES RESOLVE:

That the City Commission does hereby adopt the *Rules of Procedure* as set forth in the attached *Commission Rules of Procedure* as amended. Said *Rules of Procedure* shall continue until the same are amended or repealed. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered during Regular Session of the City Commission of the City of Treasure Island, Florida, sitting on the 26th day of July, 2005, by Commissioner who moved its adoption; was seconded by Commissioner and upon roll call, the vote was:

YEAS:

NAYS:

ABSENT OR ABSTAINING:

Mary H. Maloof, Mayor

ATTEST:

Jennifer Nye, Deputy City Clerk

COMMISSION

RULES

OF

PROCEDURE

ARTICLE I
COMMISSION WORKSHOPS

SECTION 1. REGULAR WORKSHOPS

- a. Definition.** A workshop is defined as a meeting of the City Commission in all respects, except that it shall be held for the primary purpose of informing the City Commission on matters for consideration at a regular Commission meeting.

No official action by the City Commission may be taken during a workshop.

Routine administrative matters of the City government, including committee appointments and assignments, may be resolved at a workshop for the purpose of giving the presiding officer, Mayor and staff direction or authority to act on behalf of the City.

- b. Time.** The City Commission of the City of Treasure Island shall hold regular workshops on the first and third Tuesday of each month at 7:00 p.m. or on such day and time as may be set by Resolution of the City Commission.

When the day fixed for any workshop of the Commission falls upon a date designated by law as a legal or national holiday or shall fall upon some commemorative day designated locally or upon a day of local emergency, such workshop shall be held at a date and time agreed upon by the City Commission.

- c. Place.** Commission workshops shall be held in the City Auditorium, 120 -108 Avenue, Treasure Island, Florida, or in some other duly designated place.

SECTION 2. SPECIAL WORKSHOPS

The Mayor, Vice-Mayor or a majority of the Commissioners may call Special Workshops of the City Commission upon at least 12 hours' written or verbal notice to each member. All members of the City Commission shall receive immediate notification by telephone of any change of meeting date or time.

SECTION 3. AGENDA

All reports, communications, draft ordinances, contract documents or other matters to be submitted to the City Commission for discussion shall be submitted to the City Manager by *the end of the business day* on the *Tuesday* prior to the workshop.

Upon the affirmative vote of three (3) or more members of the City Commission, the Commission may add topics to the agenda at the workshop but may not take formal action on any such added items.

All information including, but not limited to, supporting documents to agenda items shall be placed in the Commission packet no later than 3:00PM of the Friday preceding a Commission workshop.

SECTION 4. PRESIDING OFFICER - ELECTION AND DUTIES

The presiding officer of the Commission shall be the Mayor, or in the Mayor's absence, the Vice-Mayor. At the first Commission meeting after each regular city election, the Commission shall elect one of its members as vice-mayor. The presiding officer shall preserve strict order and decorum at all workshop meetings.

SECTION 5. CALL TO ORDER - PRESIDING OFFICER

The Mayor, or in the Mayor's absence, the Vice-Mayor, shall take the chair precisely at the hour appointed for the workshop and shall immediately call the Commission to order. In the absence of the Mayor and the Vice-Mayor, the City Clerk or the Deputy City Clerk shall call the Commission to order, whereupon a temporary chairman shall be selected by the members of the Commission present. Upon arrival of the Mayor or Vice-Mayor, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Commission.

SECTION 6. QUORUM

A majority of all the duly constituted members of the Commission shall constitute a quorum at any regular or special workshop. In the absence of a quorum, the presiding officer may, at the insistence of any two members present, compel the attendance of absent members.

SECTION 7. ORDER OF BUSINESS

- a. All workshops of the Commission, with the exception of executive sessions called to discuss the negotiation of union contracts *and litigation as provided by law*, shall be open to the public. Promptly at the hour set by law on the day of the workshop, the members of the Commission, City Clerk, City Attorney, Mayor or Vice-Mayor and City Manager shall take their regular stations in the Commission chambers and the business of the Commission shall be taken up for consideration.
- b. Take Up For Consideration In The Following Order: *Workshop Items shall be addressed as follows:*
 - I. Public Comments
 - II. Approval of Minutes
 - III. Discussion Items
 - IV. Old Business
 - V. City Manager/City Attorney Reports & Comments
 - VI. Reports & Comments by Commissioners
 - VII. Public Comments
 - VIII. Adjournment

- c. At the discretion of the Commission, any item(s) not requiring individual action or public hearing may be designated for action at the next Commission meeting on the "Consent" agenda.

SECTION 8. DISCUSSION OF AGENDA ITEMS

- a. **Getting the floor - improper references to be avoided.**

Every Commissioner desiring to speak shall address the chair and upon recognition by the presiding officer, shall confine comments to the question under debate, avoiding all personalities and indecorous language.

- b. **Interruptions.** A Commissioner, once recognized, shall not be interrupted when speaking unless the Commissioner is called to order. If a Commissioner, while speaking, is called to order, the Commissioner shall cease speaking until the question of order is determined, and if in order, the Commissioner shall be permitted to proceed.

SECTION 9. ADDRESSING THE COMMISSION

- a. **Public Comments.** Any person desiring to address the Commission on items not listed on the agenda may do so during Public Comments. Individuals addressing the Commission on the same topic should attempt to provide new information and not repeat the comments of the previous speaker.

- b. **Agenda Items.** Any person desiring to address the Commission shall first complete a card expressing the desire to address the Commission on ~~a specific topic~~ an agenda item. A separate card shall be completed for each ~~topic~~ agenda item the person desires to discuss. All cards shall be given to the Deputy City Clerk prior to the discussion of the agenda item. Those persons addressing the Commission on an ~~item on the~~ agenda item at their request do not have to complete a card for that item.

- c. Speaking Once on Topics. Each person is limited to speak once on each Agenda Item unless otherwise approved or requested by the Commission
- e-d. Written Communications. Interested parties or their authorized representatives may address the Commission by written communications in regard to matters under discussion.
- b-e. Oral Communications. Interested parties or their authorized legal representatives may address the Commission by oral communications in regard to matters then under discussion.
- e-f. Cellular Telephones. Cellular telephones and audible pagers shall be turned off while the City Commission is in session.

SECTION 10. MANNER OF ADDRESSING COMMISSION - TIME LIMIT

Each person addressing the Commission shall step in front of the podium, shall give his/her name and address in an audible tone of voice for the record, and unless more or less time is granted by the presiding officer, shall limit his/her address to *five (5)* minutes. All remarks shall be addressed to the Commission as a body and not to any member of the Commission thereof. No person other than the Commission and the person having the floor shall be permitted to enter into any discussion either directly or through a member of the Commission, without the permission of the presiding officer. No questions shall be asked of a Commissioner except through the presiding officer.

SECTION 11. DECORUM

- a. By Commission Members. During all workshops, Commission members must preserve order and decorum and a member shall neither by conversation or otherwise delay or interrupt the proceeding or the peace of the Commission nor disturb any member while speaking or refuse to obey the orders of the

Commission or its presiding officer, except as otherwise herein provided.

- b. **By persons.** Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the Commission shall be forthwith barred by the presiding officer from further audience before the Commission unless permission to continue be granted by a majority vote of the Commission.
- c. No member of the audience shall, during a Commission meeting, make or cause to be made any disruptive noise or sound, signs or graphic displays of any kind shall not be exhibited in Commission chambers, except in connection with a presentation made to the Commission by a speaker at the podium.

SECTION 12. ENFORCEMENT OF DECORUM

If it becomes necessary, the police chief or the police chief's designee shall be called to act as Sgt. at Arms. He/she or they shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the workshop. Upon instructions of the presiding officer, it shall be the duty of the sergeant-at-arms or any of them present, to place any person who violates the order and decorum of the meeting under arrest and cause him/her to be prosecuted under the provisions of the Ordinances for the City of Treasure Island. The complaint shall be signed by the presiding officer.

SECTION 13. AD HOC COMMITTEES

The City Commission by resolution, may create one or more ad hoc committees to advise the Commission on specific matters affecting the health, safety and welfare of the citizens of the City or on matters relating to the operation of the city government. Any such ad hoc committee created shall exist for a period not to exceed 120 days unless the Commission approves a different term of existence. Each committee shall have a composition as determined by the Commission with the chairperson of the

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committee appointed by the Presiding Officer. Each member of the Commission may nominate city residents to serve on any ad hoc committee, and the Commission by majority vote, shall select the members and alternates to the committee from the list of nominees. Within 15 days after the last meeting of the committee, the committee chairperson shall submit a written report to Commission with its findings and recommendations.

ARTICLE II

REGULAR BUSINESS MEETINGS

SECTION 1. BUSINESS MEETINGS

- a. **Time.** The City Commission of the City of Treasure Island shall hold regular business meetings on the second and fourth Tuesday of each month at the hour of 7:00 p.m. (commencing on June 11, 2002, or on such day and such times as may be set by Resolution of the City Commission.

When the day fixed for any regular business meeting of the Commission falls upon a date designated by law as a legal or national holiday or shall fall upon some commemorative day designated locally or upon a day of local emergency, such meeting shall be cancelled or rescheduled to a more appropriate date and time agreeable to the members of the Commission.

Regular business meetings as the same are designated in the Charter for the City of Treasure Island, shall be those meetings which are so designated by resolution of the City Commission as "Regular Meetings."

- b. **Place.** All regular business meetings of the Commission shall be held in the City Auditorium, 120 - 108 Avenue, Treasure Island, Florida, or in some other duly designated place.

SECTION 2. SPECIAL BUSINESS MEETINGS

7/26/05

The Mayor, Vice-Mayor or a majority of the Commissioners may call Special Business Meetings of the City Commission upon at least 12 hours' written notice to each member, served personally or left at his usual place of business or abode, providing, however, that the requirement of notice may be waived if all members of the Commission sign written waiver of such notice or are all present at roll call of such special business meeting.

Notice shall contain a statement giving the purpose of said meeting and only upon unanimous consent of the Commission shall any other item be added.

All members of the City Commission shall receive immediate notification by telephone of any change of meeting date or time.

SECTION 3. AGENDA

- a. **General.** All reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the City Commission shall be discussed and agreed upon by the City Commission at a regular or special workshop. The Mayor shall set forth the agenda for all regular and special meetings of the Commission with the approval of the majority of the Commission.
- b. **Consent Agenda.** At the discretion of the Commission, any item(s) not requiring individual action or public hearing may be acted on in a single motion under the Consent Agenda. Any Commissioner, member of the public, City Attorney or City Manager may withdraw any item(s) from the Consent Agenda for individual discussion and Commission action.

SECTION 4. PRESIDING OFFICER - ELECTION AND DUTIES

The presiding officer of the Commission shall be the Mayor, or in his absence, the Vice-Mayor. At the first commission meeting after each regular city election, the

Commission shall elect one of its members as vice-mayor. The presiding officer shall preserve strict order and decorum at all meetings of the Commission. The presiding officer shall state every question coming before the Commission on all subjects and decide all questions of order, subject, however, to an appeal to the Commission upon such questions, in which event a majority vote of the Commission shall conclusively govern and determine such questions of order. The presiding officer shall vote on all questions and the presiding officer's name shall be called last. The Mayor shall sign all ordinances and resolutions adopted by the Commission during the Mayor's term of office.

SECTION 5. CALL TO ORDER - PRESIDING OFFICER

The Mayor, or in the Mayor's absence, the Vice-Mayor, shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order. In the absence of the Mayor and the Vice-Mayor, the City Clerk or the Deputy City Clerk shall call the Commission to order whereupon a temporary chairman shall be selected by the members of the Commission present. Upon arrival of the Mayor or Vice-Mayor, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Commission.

SECTION 6. ROLL CALL

Before proceeding with the business of the Commission, the City Clerk or the Deputy City Clerk shall call the roll of the members, and the names of those present shall be entered in the minutes.

SECTION 7. QUORUM

A majority of all the duly constituted members of the Commission shall constitute a quorum at any regular or special meeting of the Commission. In the absence of a

quorum, the presiding officer may, at the insistence of any two members present, compel the attendance of absent members.

SECTION 8. ORDER OF BUSINESS

All meetings of the Commission shall be open to the public. Promptly at the hour set by law on the day of each regular meeting, the members of the Commission, City Clerk, City Attorney, Mayor or Vice-Mayor and City Manager shall take their regular stations in the Commission Chambers and the business of the Commission shall be taken up for consideration and disposition in the following order:

1. Option invocation and/or pledge of allegiance
2. Roll call
3. Public comments
4. Approval of minutes of previous workshop and business meetings
5. Introduction and adoption of resolutions and ordinances
6. Reports and comments of City Manager, City Attorney and Commissioners
7. Public comments
8. Adjournment

SECTION 9. READING OF MINUTES

Minutes of the Business Meeting or Workshop Meeting shall be read at the request of any member of the City Commission.

SECTION 10. RULES OF DEBATE

- a. **Sequence of Debate.** Action on items before the Commission shall be commenced by oral motion of a Commissioner. Upon said motion receiving a

second by a Commissioner other than the Commissioner who made the original motion, said motion shall then be opened for discussion. At the conclusion of discussion, action on the motion shall be concluded by roll call vote commencing with the Commission member making the motion followed by the Commissioner of the next district [*EXAMPLE: Motion made by District 2 and seconded by District 4 - Voting sequence would be District 2, District 3, District 4, District 1, Mayor*]. The Commissioner making any motion shall not be required to vote affirmatively on said motion. The Commissioner seconding the motion being voted upon shall not be required to vote in favor of said motion.

- b. **Presiding officer may debate, vote, etc.** The Mayor, Vice-Mayor or such other member of the Commission as may be presiding may vote, second and debate from the chair subject only to such limitations of debate as are imposed by these rules on all members and shall not be deprived of any of the rights and privileges of the Commissioner by reason of the Commissioner acting as a presiding officer. No member of the Commission who is present at any meeting of the Commission at which an official decision, ruling or other official action is to be taken or adopted may abstain from voting in regard to such decision, ruling or act and a vote shall be recorded or counted for each such member present except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under the provisions of Chapter 112, Florida Statutes. In such cases, such members shall comply with the disclosure requirements of Section 112.313, Florida Statutes.
- c. **Getting the floor - improper references to be avoided.** Every Commissioner desiring to speak shall address the chair and upon recognition by the presiding officer, shall confine comments to the question under debate, avoiding all personalities and indecorous language.
- d. **Interruptions.** A Commissioner, once recognized, shall not be interrupted when

speaking unless it be to call the Commissioner to order or as herein otherwise provided. If a member while speaking is called to order, he shall cease speaking until the question of order is determined, and if in order, the Commissioner shall be permitted to proceed.

- e. **Withdrawal of motions.** Any motion before the commission may be withdrawn at any time prior to a vote being taken thereon by the Commissioner making such motion, upon agreement by the Commissioner seconding said motion to withdraw his second.
- f. **Amending of motions.** At any time during discussion of a motion on the floor, a motion to amend said motion may be made if the amending motion is seconded, the Commission shall at the conclusion of discussion, first vote on the amending motion and then upon the original motion in its original form as amended. An amending motion may be withdrawn in the same manner as set forth in subparagraph e above.
- g. **Privilege of closing debate.** The Commissioner moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.
- h. **Motion to reconsider.** A motion to reconsider any action taken by the Commission may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed or adjourning session thereof. Such motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor, it shall be debatable. Nothing herein contained shall be construed to prevent any member of the Commission from making or remaking the same or any other motion at a subsequent meeting of the Commission.
- 1. **Remarks of Commissioner - when entered in minutes.** The City Clerk

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shall be directed to enter in the minutes a synopsis of the discussion on any question coming regularly before the Commission.

SECTION 11. ADDRESSING THE COMMISSION

- a. Public Comments. Any person desiring to address the Commission on items not listed on the agenda may do so at Public Comments. Individuals addressing the Commission on the same topic should attempt to provide new information and not repeat the comments of the previous speaker.
- b. Agenda Items. Any person desiring to address the Commission shall first complete a card expressing the desire to address the Commission on ~~a specific topic~~ an agenda item. A separate card shall be completed for each ~~topic~~ agenda item the person desires to discuss. All cards shall be given to the Deputy City Clerk prior to the discussion of the agenda item. Those persons addressing the Commission on an ~~item on the~~ agenda item at their request do not have to complete a card for that item.
- c. Speaking Once on Topics. Each person is limited to speak once on each Agenda Item unless otherwise approved or requested by the Commission
- ~~e-d.~~ Written Communications. Interested parties or their authorized representatives may address the Commission by written communications in regard to matters under discussion.
- ~~b-e.~~ Oral Communications. Interested parties or their authorized legal representatives may address the Commission by oral communications in regard to matters then under discussion.
- ~~e-f.~~ Reading of protests, etc. Interested persons or their authorized representatives may address the Commission by reading protests, petitions or communications relating to zoning, sewer and street proceedings, hearings on

protests, appeals and petitions or similar matters in regard to matters then under consideration.

- d.g. Cellular Telephone.** Cellular telephone and audible pagers shall be turned off while the City Commission is in session.

SECTION 12. ADDRESSING THE COMMISSION AFTER MOTION

After a motion is made by the Commission, no person shall address the Commission without first securing the permission of the Commission to do so.

SECTION 13. MANNER OF ADDRESSING COMMISSION - TIME LIMIT

Each person addressing the Commission shall step in front of the podium, shall give his/her name and address in an audible tone of voice for the record, and unless more or less time is granted by the presiding officer, shall limit his/her address to *five (5)* minutes. All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Commission and the person having the floor shall be permitted to enter into any discussion either directly or through a member of the Commission, without the permission of the presiding officer. No questions shall be asked of a Commissioner except through the presiding officer.

SECTION 14. DECORUM

- a. By Commission members.** While the Commission is in session, the members must preserve order and decorum and a member shall neither by conversation or otherwise delay nor disturb any member while speaking or refuse to obey the orders of the Commission or its presiding officer, except as otherwise herein provided.
- b. By persons.** Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the commission shall be forthwith

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barred by the presiding officer from further audience before the Commission unless permission to continue be granted by a majority vote of the Commission.

SECTION 15. ENFORCEMENT OF DECORUM

If it is deemed necessary by the presiding officer, the police chief or the police chief's designee shall be called to act as sergeant-at-arms. He/she or they shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Commission meeting. Upon instructions of the presiding officer, it shall be the duty of the sergeant-at-arms, or any of them present, to place any person who violates the order and decorum of the meeting under arrest and cause him/her to be prosecuted under the provisions of the ordinances for the City of Treasure Island. The complaint shall be signed by the presiding officer.

SECTION 16. EFFECTIVE DATE

These rules shall be in force and effect immediately upon adoption by the City Commission of the City of Treasure Island and shall remain in effect until such Rules are amended or repealed.

The Rules of Procedure were originally adopted by Resolution 490 of the City Commission sitting in Regular Session on July 17, 1973 and any amendments thereto have been incorporated in this booklet.



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: *E4*
Meeting Date 7-26-05

SUBJECT: Appointment to Planning and Zoning Board to replace Martin Heinrich who is resigning.

RECOMMENDATION:

Approve appointment to Planning and Zoning Board.

SUMMARY:

Martin Heinrich, a current member of the Planning and Zoning Board from Commissioner Kraus's district is resigning. Commissioner Kraus recommends Tracey Heard as the replacement for Mr. Heinrich. The application information is attached for your information.

Reviewed by:

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

Submitted by:

Richard Kraus - Commissioner

Originating Dept:

Commission

User Dept:

Attachments:

Resolution
Application from Tracy Heard

Costs:

Total

Funding Source:

Capital Improvement
 Operating
 Other

Appropriation Code:

RESOLUTION NO. 05-

A RESOLUTION APPOINTING TRACEY HEARD TO REPLACE MARTIN HEINRICH WHO RESIGNED ON THE PLANNING AND ZONING BOARD OF THE CITY OF TREASURE ISLAND EFFECTIVE IMMEDIATELY.

WHEREAS, Martin Heinrich a member of the Planning & Zoning Board has submitted his resignation from the Planning and Zoning Board; and

WHEREAS, the City Commission desires to appoint Tracey Heard to replace Mr. Heinrich to serve on the Planning and Zoning Board effective immediately.

NOW, THEREFORE, THE CITY OF TREASURE ISLAND DOES RESOLVE:

That the following appointment shall be made to the Planning & Zoning Board:

PLANNING & ZONING BOARD	<i>DIST.</i>	<i>TERM</i>	<i>EXPIRES</i>
Tracey Heard	3	07-26-05	08-31-05

The foregoing Resolution was offered during Regular Session of the City Commission of the City of Treasure Island, Florida, sitting on the 26th day of August, 2005, by Commissioner who moved its adoption; was seconded by Commissioner and upon roll call, the vote was:

YEAS:

NAYS:

ABSENT:

Mary Maloof, Mayor

ATTEST:

Jennifer Nye, Deputy City Clerk

CITY OF TREASURE ISLAND, FLORIDA
120 - 108TH AVENUE
TELE: 727-547-4575

APPLICATION FOR APPOINTMENT TO CITY BOARDS & COMMITTEES

Please indicate which board or committee you would like to serve on:

- | | | | |
|-----------------------------|--------------------------|-------------------------------|-------------------------------------|
| Beach Stewardship Committee | <input type="checkbox"/> | Marina Committee | <input type="checkbox"/> |
| Beautification Committee | <input type="checkbox"/> | Mitigation Planning Committee | <input type="checkbox"/> |
| Code Enforcement Board | <input type="checkbox"/> | Personnel Advisory Board | <input type="checkbox"/> |
| Gulf Beaches Library Board | <input type="checkbox"/> | Planning & Zoning Board | <input checked="" type="checkbox"/> |
| Other - Please Specify | <input type="checkbox"/> | _____ | |

Are you available for: Daytime meetings Yes No
 Evening meetings Yes No

Name TRACY HEARD Phone No. (H) 367-2915 (W) 432-2046
 Address 63 Dolphin Drive, Treasure Island, FL 33706

Present Occupation Self - family business in New Mexico
 If retired, what was your last occupation? _____

Do you have any special education, skills, or talents that would be beneficial to the appointment you are seeking? If so, what are they? I HAVE worked in managerial positions for commercial and industrial construction companies. I have been a jobsite estimator and an auditor for Arizona Public Service, the State Energy Company. I also worked at securing jobsites. I am still involved in our family scuba diving business in New Mexico, Recreational teaching, retail and Commercial divisions. Most importantly; I want to be involved in my new home community, and its' future growth!

Should I be appointed to serve on a board or committee, I agree to comply with and uphold the City's Charter and Code of Ordinances. I understand that I will have to take an Oath of Office should I be appointed to a quasi-judicial board.

Tracy Heard 7-14-05
 Signature Date

For City Use Only
 Applicant Lives In District _____



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: *E5*
Meeting Date 7-26-05

SUBJECT: Adjustment of City Attorney Compensation

RECOMMENDATION: Approve resolution providing a 3% increase to the City Attorney's compensation

SUMMARY

In conjunction with the City Attorney annual evaluation, the City Commission has indicated that the City Attorney should receive an increase of 3 per cent applied to the current compensation rate of \$2,900 per month. The new rate would be \$2,987 dollars per month which equates to a \$1,044 annual increase. The new total annual compensation would be \$35,844.

Reviewed by:

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

Submitted by:

Originating Dept:

User Dept:

Attachments:

None

Costs:

Total

Funding Source:

Capital Improvement
 Operating
 Other

Appropriation Code:

RESOLUTION NO. 05

A RESOLUTION OF THE CITY OF TREASURE ISLAND CITY COMMISSION APPROVING A THREE PER CENT INCREASE IN THE CITY ATTORNEY'S MONTHLY FEE.

Whereas, the City Commission of the City of Treasure Island has reviewed the contract with the City Attorney; and

Whereas, the City Commission has determined that an increase in the monthly compensation of three per cent is appropriate.

Now Therefore, the City Commission of the City of Treasure Does Resolve that:

1. The City Commission of the City of Treasure Island approves an increase in the City Attorney's monthly compensation of three per cent, which provides an adjusted monthly fee of \$2987.
2. This resolution will become effective on October 1, 2005 in conjunction with the Fiscal Year 2005-2006 approved budget.

The foregoing Resolution was offered during Regular Session of the City Commission of the City of Treasure Island, Florida, sitting on the 26th day of August, 2005, by Commissioner who moved its adoption; was seconded by Commissioner and upon roll call, the vote was:

YEAS:

NAYS:

ABSENT:

Mary Maloof, Mayor

ATTEST:

Jennifer Nye, Deputy City Clerk



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: *EG*
Meeting Date 7-26-05

SUBJECT: Supporting the Levy of the 5th Cent Tourist Development Tax

RECOMMENDATION:

Pass a resolution supporting the levy of the 5th Cent Tourist Development Tax dedicated exclusively to promoting and advertising tourism.

SUMMARY:

A resolution is attached wherein the City of Treasure Island is joining with the other communities in Pinellas County in their support of the levy of the 5th cent tourist development tax to be dedicated exclusively to promoting and advertising tourism.

Reviewed by:

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

Submitted by:
Commission

Originating Dept:
Commission

User Dept:

Attachments:
Resolution

Costs:

Total

Funding Source:

Capital Improvement
 Operating
 Other

Appropriation Code:

RESOLUTION NO. 05

**A RESOLUTION OF THE CITY OF TREASURE ISLAND
SUPPORTING THE LEVY OF THE 5TH CENT TOURIST
DEVELOPMENT TAX DEDICATED EXCLUSIVELY TO
PROMOTING AND ADVERTISING TOURISM**

WHEREAS, the tourism industry plays a critical role in the economy of Pinellas County, Florida, and in 2004 there were in excess of 5,000,000 overnight visitors that had a total economic impact on the Pinellas County economy of more than \$5.6 billion; and

WHEREAS, promoting and advertising tourism in Florida, nationally, and internationally is critical to the continued growth and viability of the tourism industry in Pinellas County; and

WHEREAS, Section 125.0104(3)(n), Florida Statutes, authorizes the imposition of a fifth cent tourism development tax by a majority plus one vote of the Board of County Commissioners; and

WHEREAS, the Pinellas County Tourist Development Council has prepared and recommended an amendment to the tourist development plan providing for the levy of the fifth cent to be used exclusively for promoting and advertising tourism in the State of Florida, nationally and internationally, and recommended that the Board of County Commissioners levy the fifth cent tourist development tax.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND
DOES RESOLVE:**

That Board of County Commissioners approve the levy of the fifth cent Tourism Development Tax dedicated exclusively to promote and advertise tourism.

This Resolution shall become effective upon its adoption.

The foregoing Resolution was offered during Regular Session of the City Commission of the City of Treasure Island, Florida, sitting on the 26th day of August, 2005, by Commissioner who moved its adoption; was seconded by Commissioner and upon roll call, the vote was:

YEAS:

NAYS:

ABSENT:

Mary Maloof, Mayor

ATTEST:

Jennifer Nye, Deputy City Clerk



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: *F1*
Meeting Date 7/26/05

SUBJECT: Report on 50th Anniversary Digital Photographs

RECOMMENDATION: N/A

SUMMARY:

The Mayor will be contacting the chamber and local civic organizations to see if they will be interested in selling the booklets through their organization. She will have a report at the meeting on Tuesday.

Reviewed by:

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

Submitted by:
Mayor Maloof

Originating Dept:
Commission

User Dept:

Attachments:
None

Costs:

Total

Funding Source:

Capital Improvement
 Operating
 Other

Appropriation Code: