

**REGULAR
COMMISSION
MEETING
AGENDA**

FEBRUARY 7, 2006

**CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS MEETING
FEBRUARY 7, 2006
6:00 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 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 from the meetings of January 24 (Meeting & Workshop), 2006, are ready for approval.

E. ITEMS OF BUSINESS:

1. Ord. – Segmented Uses (Time Share and Fractional Interest
(2nd Reading & Public Hearing)
2. Ord. – Variance Procedures (ch70-221) (2nd Reading & Public Hearing)
3. Res. – Amend Rules of Procedures – Meeting Schedule

F. 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.

DRAFT

**CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS MEETING
January 24, 2006
6:00 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:

1. Mr. Cantrell, from the Sunset Lions Club, announced that they would be having an Appreciation Day, with an open house, health fair, and spaghetti dinner on February 26, 2006 from 10:00 a.m. to 2:00 p.m.
2. Frank McConnell, from Voters' Watch, gave a reminder about the Meet the Candidates Night tomorrow, January 25, 2006, at Sloppy Joe's. Dinner will be at 6:00, the meeting will begin at 7:00.
3. Lara Valverdi spoke about a new civic organization – Citizens For A Natural Treasure Island Beach. They have a web site – www.naturaltibeach.com.
4. Clara Lee Selby is unhappy because Treasure Island weather is not listed in the St. Pete Times.
5. Billy White, St. James Condominium Association, spoke about the re-lined crosswalks. He thanked Don for the work on the crosswalks. He would like some advertisement for the pedestrian right-of-way, crosswalks, and the new 35 MPH speed limits.
6. Nick Monseur, from Ontario, stays at the Cheri-Lynn Motel in the winter. He is concerned about the number of motorcycles and the related noise in the area. He also encouraged the enforcement of the speed limits.

D. APPROVAL OF MINUTES:

Minutes from the meetings of January 10 (meeting & Workshop), 2006, were approved by unanimous vote.

E. ITEMS OF BUSINESS:

1. Beautification Awards

Ben Hetrick and Mayor Maloof presented Beautification awards. Receiving awards were: Jock & Holly Kreviski (not present), Ron & Mary DeBiase, and Charles & Deborah Smith-deal. The Christmas awards were presented to Scott & Elizabeth Barone (Residential) and Harry Black – Island Inn (Commercial)

2. Ord. – Senior's Homestead Exemption – 2nd Reading and Public Hearing

After hearing the reading of the ordinance it was moved by Commissioner Kraus and seconded by Commissioner Bildz to pass the ordinance as read. The public hearing was opened. There were no public comments. The hearing was closed. City Manager, Ralph Stone, read the qualifications, advised that applications are made at the County Property Appraiser's office, and commented that Treasure Island has one of the few Commissions that have supported the full \$25,000. Upon roll call the vote to approve was unanimous.

3. Res. – Community Center Air Conditioning – Waive Workshop Review

After hearing the reading of the resolution it was moved by Commissioner Gayton and seconded by Commissioner Collins to approve the resolution as read. Some additional costs for the project were \$5,800 for plans for the project, and \$15,000 for items that will be done in-house. These items are things that were eliminated from the bid requests the second time. Don Hambidge advised that the typical warranty on the equipment is one year, and does not recommend purchasing an extended warranty. He reported that the price in the resolution, \$71,650, is no longer correct, as we are past the 15 day time limit in the bid. The correct price will be \$73,200. The notice to proceed can go out tomorrow, and the job will take about 3 months. A motion to amend the cost to \$73,200 was made by Commissioner Gayton and seconded by Commissioner Kraus. Upon roll call the amendment passed unanimously. Upon roll call the resolution, as amended, passed unanimously.

4. Res. – Revised State Revolving Loan Fund Resolution

After hearing the reading of the resolution it was moved by Commissioner Kraus and seconded by Commissioner Collins to approve the resolution as read. After discussion of the wording of the resolution Commissioner Kraus made a motion, seconded by Commissioner Gayton, to amend the resolution by adding the figure of \$1,400,000 to the end of section II. Upon roll call the amendment passed unanimously. Upon roll call the resolution, as amended, passed unanimously.

5. Res. – Corps of Engineers Consent Agreement for Beach Renourishment

After hearing the reading of the resolution it was moved by Commissioner Bildz and seconded by Commissioner Collins to approve the resolution as read. There was a question about the line, and why there was no line between 110th and the Holiday Inn. Rick Raus said that the county would be asked to be involved in putting a line out. There is a line from the 119th area north, but there is none from 110th – 119th. A line would be needed in order to borrow sand from that area. Upon roll call the resolution passed unanimously.

6. Ord. – Segmented Uses (Time Share and Factional Interest) 1st Reading

After hearing the reading of the ordinance it was moved by Commissioner Kraus and seconded by Commissioner Collins to adopt the ordinance as read. After a brief discussion a public hearing was held. There were no public comments. Upon roll call the ordinance was passed unanimously. The second reading and public hearing will be held on February 7, 2006.

7. Ord. – Revisions to Variance Procedures (CH70-221) 1st Reading

After hearing the reading of the ordinance it was moved by Commissioner Kraus and seconded by Commissioner Gayton to adopt the ordinance as read. There was no discussion. A public hearing was held. There were no public comments. Upon roll call the ordinance was passed unanimously. The second reading and public hearing will be held on February 7, 2006.

8. Res. – Referral to LPA for review - Initiating Land Use Plan Change – SVTP

After hearing the reading of the resolution it was moved by Commissioner Bildz and seconded by Commissioner Gayton to approve the resolution as read. There was no discussion. Upon roll call the resolution was approved unanimously.

9. Res. - Referral to P&Z for review – Community Appearance Codes

After hearing the reading of the resolution it was moved by Commissioner Gayton and seconded by Commissioner Kraus to accept the resolution as read. There was a brief discussion about the added language about gravel lawns. Commissioner Kraus questioned the 72 hour time limit in Section D-1. It had been discussed at an earlier meeting that it should be 48 hours. After brief discussion it was agreed to leave the 72 hours as is and allow the LPA to make its recommendation. There was also brief discussion about shed limitations and derelict boats. Upon roll call the resolution was approved unanimously.

10. Res. – Downtown Redevelopment Plan Consultant Agreement

After hearing the reading of the resolution it was moved by Commissioner Gayton and seconded by Commissioner Bildz to accept the resolution as read. There was brief discussion regarding the changes in the contract, and that the marketing and related costs are part of the scope of service in the contract. Upon roll call the resolution was approved unanimously.

11. Res. – Support Florida League of Cities Key Priority Legislative Issues

After hearing the reading of the resolution it was moved by Commissioner Kraus and seconded by Commissioner Collins to accept the resolution as read. There was no discussion. Upon roll call the resolution was approved unanimously.

12. Res. – Beach Communities Gulf Boulevard Undergrounding of Utilities

After hearing the reading of the resolution it was moved by Commissioner Kraus and seconded by Commissioner Collins to accept the resolution as read. Commissioner Kraus spoke briefly about the Gulf Boulevard Task Force. This item will be on the agenda of the County Commission workshop on February 14th. Most communities have voted to limit their participation in the beautification due to unknown costs. Commissioner Bildz felt that it is more polite to request rather than order the work be done. Commissioner Bildz made a motion to amend the resolution, item #1 to read "The City of Treasure Island hereby requests that Pinellas County Fund the entire cost for undergrounding the utilities along Gulf Boulevard". Upon roll call the amendment passed with four votes in the affirmative and one no vote. Upon roll call the resolution, as amended, was approved unanimously.

13. Res. – Grant Request from Voters Watch for Free Use of Auditorium

After hearing the reading of the resolution it was moved by Commissioner Kraus and seconded by Commissioner Collins to accept the resolution as read. There was no discussion. Upon roll call the resolution was approved unanimously.

14. Res. – Election Board Appointments

After hearing the reading of the resolution it was moved by Commissioner Collins and seconded by Commissioner Kraus to accept the resolution as read. Commissioner Gayton had questions about how poll workers were notified. The City Clerk will be sure that all poll workers are contacted. It was pointed out that John Burke's name was on the list twice. The names on the list will change as people notify the county that they can not work. Updated resolutions will be presented as needed. Upon roll call the resolution was approved unanimously.

15. Motion – Federal Funding Priorities

After hearing the reading of the motion it was moved by Commissioner Kraus and seconded by Commissioner Bildz to accept the motion as read. There was brief discussion regarding the beach trail, marina, and backflow prevention. Upon roll call the motion was approved unanimously.

F. ADJOURNMENT:

The meeting was adjourned at 7:30 by Mayor Maloof.

Mary Maloof, Mayor

Phil Collins – District 1

Ed Gayton – District 2

Richard Kraus – District 3

Alan Bildz – District 4

ATTEST:

Dawn Foss, City Clerk

DRAFT

CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS WORKSHOP
January 24, 2006
7:40 p.m.

I. DISCUSSION ITEMS:

1. **Ord. – Segmented Uses (Time Share and Fractional Interest (2nd Reading & Public Hearing 2/7/06))**

No Discussion

2. **Ord. – Variance Procedures [CH70-221] (2nd Reading & Public Hearing 2/7/06)**

No Discussion

3. **Street Sweeper**

Don Hambidge, Public Works Director, introduced Kra Whitmore from Sweeping Corp. Kra gave some background on his company and discussed the schedule and procedures for street sweeping. Questions were answered, and suggestions were made for improving the service. He will e-mail a schedule that can be made available to the public via the website, channel 15, and e-alerts. The commission directed the Public Works Director to add Gulf Boulevard to the route, and attempt to get FDOT to reimburse the City for part of the cost.

4. **Commission Direction on Meeting Schedule**

All were in agreement that the twice monthly schedule is working. Amended language for new rules of procedure will be presented at the next Workshop on February 7th.

II. OLD BUSINESS:

Commissioner Kraus asked about the fence at 90th Avenue. The sign is being prepared to be placed on the seawall. Mr. Yost will be removing his fence.

Commissioner Kraus also asked about the license for the sidewalk at the South Beach Condo Hotel. DEP approval was obtained.

III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

No report.

IV. REPORTS & COMMENTS BY COMMISSIONERS:

1. Tampa Bay Regional Planning Council Boundary Re-Alignment – We want to write a letter to OPPAGA regarding our opposition of removing Manatee County from the Tampa Bay region and moving it to the Sarasota region. [MM]
2. Isle of Capri Association is active again and has new officers. They will be hosting their annual garage sale on February 11, 2006. [PC]
3. The crosswalk project is coming along well. There have been more installed, and more signs placed. DOT has done some striping, and has accepted 3 out of 4 of the requested crosswalks. Public Works is installing the reflective material. [EG]

4. Commissioner Gayton has a volunteer for the Beautification Committee. He needs a resolution. [EG]
5. Commissioner Kraus has been talking with Leslie Waters, House Speaker Pro-tem regarding taking over the bridge. She would like to be invited to any opening ceremonies. [RK]
6. Commissioner Kraus has heard about a private boat on City property. It will be investigated. [RK]
7. The Big-C meeting will be held tomorrow morning at 9:00 a.m. Dale Oliver, Vice President at Progress Energy, will be the guest speaker. [RK]
8. Commissioner Bildz attended the Beach Stewardship meeting. The sand share program looks pretty good. [AB]
9. Nicole Elko has advised us that our Beach Nourishment project has been entered into a competition for future of the region awards. [MM]
10. Piney Point closure is going well. [MM]
11. There is a memo regarding an advanced course for officials. [MM]
12. There will be a workshop on February 16th regarding Rapid Bus Transit [MM]
13. There is a workshop coming up on Sustainable Tampa Bay. [MM]

IV. PUBLIC COMMENTS:

No comments.

V. ADJOURNMENT:

Meeting adjourned at 8:25 by Mayor Maloof.

Mary Maloof, Mayor

Phil Collins – District 1

Ed Gayton – District 2

Richard Kraus – District 3

Alan Bildz – District 4

ATTEST:

Dawn Foss, City Clerk



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: *E-1*
Meeting Date: 2-07-06

SUBJECT: Segmented Uses (Time Share and Fractional Interest)

RECOMMENDATION: Administration recommends the approval of the Proposed Amendments to Section 68-494 (Condo-Hotel Regulations) of the Land Development Regulations.

SUMMARY:

In May 2005, the City Commission referred the topic of time share and fractional uses to the LPA for review and recommendations. During the review process, staff determined that the City's land development regulations addressed residential segmented uses within the existing definition of "dwelling tourist." Rather than continue to try and define and design regulations specifically for "time share" and "fractional use," which was proving difficult, it was decided by the LPA to expand the existing Condo-Hotel code to include transient segmented uses. In this manner, all types of transient segmented uses would be covered now and in the future.

Ultimately, the LPA decided to amend the Condo-Hotel Regulation (Section 68-494), and further expand the types of transient uses covered therein. On December 15, 2005, the LPA voted to recommend approval of these changes to the City Commission. This amended Code is attached for the Commission's review.

This item was reviewed by the Commission at their January 10, 2006 workshop and was forwarded for First Reading and Public Hearing on January 24, 2006. Second Reading and Public Hearing is currently scheduled for February 7th, 2006.

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<p>Reviewed by:</p> <p>_____ Legal</p> <p>_____ Finance</p> <p>_____ Personnel</p> <p>_____ Public Works</p> <p><input checked="" type="checkbox"/> Community Imp</p> <p>_____ Recreation</p> <p>_____ Police</p> <p>_____ Fire</p>	<p>Originating Dept: Community Improvement</p> <hr/> <p>User Dept:</p> <hr/> <p>Attachments:</p> <p><input checked="" type="checkbox"/> Ordinance</p>	<p>Costs:</p> <p>Total</p> <hr/> <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: Lynn Rosetti, City Planner</p>		

ORDINANCE NO. 06-

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, PERTAINING TO LAND DEVELOPMENT; AMENDING CHAPTER 68-484 TO INCLUDE TRANSIENT SEGMENTED USES; 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 time share and fractional interest 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 time share and fractional interest use issue; and,

WHEREAS, the Planning and Zoning Board, acting as the Local Planning Agency, has found that the term "segmented use" is already in use within Treasure Island's land development regulations and is an appropriate term to place other specific segmented transient uses such as time share and fractional use within; and

WHEREAS, the Planning and Zoning Board, acting as the Local Planning Agency, has reviewed these transient segmented use 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 include transient segmented uses in the regulations pertaining to condo-hotels, motels and hotels because all such uses pertain to transient-type uses; 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 transient segmented uses in the code section that regulates condo-hotel and hotel and motel 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 of the Land Development Regulations is hereby amended to include the following:

Sec. 68-494. Condo-hotels, Hotels and Motels, and Transient Segmented Uses (such as time share and fractional interests).

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. Additionally, segmented uses, such as time share and fractional interests, are often transient in nature and must also be regulated as a transient use rather than a residential use. Exceptions to the general transient character of segmented uses can be found under the definition of "dwelling tourist" in Section 68-2 of the land development regulations. It is the intent of this regulation to ensure that condo-hotels are operated and governed in substantially the same manner as conventional hotels/motels. It is also the intent of this section to regulate all segmented uses not exempted under the definition of "dwelling, tourist" to be operated and governed in substantially the same manner as conventional hotels/motels. Further, this regulation is designed to protect and preserve the density requirements mandated in districts where traditional hotels and motels are allowed, as well as preserving future transient accommodations on the open market, and made available to the general public and tourists. The operation of condo-hotels, hotels and motels, and transient segmented uses is strictly a commercial activity and is inconsistent with residential use. Transient and business related activities have different impacts on governmental facilities and infrastructure (e.g., density, traffic, parking, schools). As such, this regulation is to ensure that the use and operation of condo-hotels, hotels and motels, and segmented uses remain an exclusively commercial enterprise, 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, hotels and motels, and transient segmented uses except where noted:

- (1) All units in a condo-hotel, hotel or motel, or transient segmented use shall be considered transient accommodation units and must be made available as rentals on a continual daily, weekly or monthly basis. 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 for transient accommodations.
- (2) Proper licensing will be required of all ~~condo-hotel~~ transient accommodation units through all applicable agencies that license hotels prior to any certificate of occupancy being issued. All licenses must be kept current.
- (3) A reservation system shall be required as an integral part of the ~~condo-hotel or hotel/motel~~ transient accommodation facility for the rental of units.

- (4) There shall be a lobby/front desk area that is internally oriented and must be operated as a typical hotel/motel lobby/front desk area would be operated.
- (5) All units shall be subject to all applicable tourist tax collections, when rented.
- (6) Transient accommodation units shall not be used for homesteading purposes or home occupational licensing, ~~time-share or fractional interests.~~
- (7) Notwithstanding subsection (12), below, one unit may be used on a full-time basis by a resident manager(s), and, if applicable, subject to the governance of the condominium or transient segmented use association.
- (8) All transient accommodation units, except the resident manager unit, must be included in the inventory of units that are available for rent.
- (9) A condo-hotel or transient segmented use may be allowed in any land use district where a hotel or motel is allowed.
- (10) Annual occupational licenses for each business operating a condo-hotel unit or transient segmented use shall be required for each such unit from the City of Treasure Island, and for each business operating a hotel/motel facility, whichever is applicable.
- (11) All ~~condo-hotels and hotels/motels~~ transient accommodation facilities must have sufficient signage viewable by the general public designating the use as a hotel, ~~or~~ motel, or transient accommodation.
- (12) Owner-occupation. Units in a condo-hotel, hotel or motel, ~~facility,~~ or segmented use facility, may not be occupied by their owner(s) for more than a total of ninety (90) days in any consecutive twelve (12) month period.
- (13) The books and records of the condo-hotel, hotel or motel, or transient segmented use pertaining to the rentals of each unit in the ~~condo-hotel or hotel/motel~~ transient accommodation facility shall be open for inspection by authorized representatives of the City of Treasure Island, upon reasonable notice, in order to confirm compliance with these regulations as allowed by general law.
- (14) The City of Treasure Island may require affidavits of compliance with this section from each condo-hotel unit owner, ~~or~~ hotel/motel facility owner, or transient segmented use owner.

SECTION 2. 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 3. It is the intention of the Treasure Island City Commission that each provision hereof be considered separable, and that the invalidity of any provision of this ordinance shall not affect the validity of any other provisions of this ordinance or Chapter 68 of the City of Treasure Island's Code of Ordinances.

SECTION 4. 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 5. This Ordinance shall take effect immediately upon its final passage.

FIRST READING on the day of , 2006.

SECOND READING on the day of , 2006.

FIRST PUBLIC HEARING on the day of , 2006.

SECOND PUBLIC HEARING on the day of , 2006.

PUBLISHED in the St. Petersburg Times on the day of , 2006 and on the day of , 2006.

Mary H. Maloof, Mayor

ATTEST:

Dawn Foss, City Clerk



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: *E2*
Meeting Date: 02-07-06

SUBJECT: Revisions to Variance Procedures

RECOMMENDATION: Administration recommends the approval of the proposed revisions to the attached variance procedures (Section 70-221 of the City Code).

SUMMARY:

As part of its review of Commission referral items, the LPA re-examined the variance procedures found in Section 70-221 of the City Code and determined that certain modifications were warranted. These modifications are not major, but represent a refining of the Code. These modifications are shown in underlined text in the attached proposed ordinance.

This item was reviewed by the Commission at their January 10, 2006 workshop and was forwarded for First Reading and Public Hearing on January 24, 2006. Second Reading and Public Hearing is currently scheduled for February 7th, 2006.

Reviewed by:

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

Submitted by:

Lynn Rosetti, City Planner

Originating Dept:

Community Improvement

User Dept:

Attachments:

- Ordinance

Costs:

Total

Funding Source:

- Capital Improvement
- Operating
- Other

Appropriation Code:

ORDINANCE NO. 06-_____

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA PERTAINING TO LAND DEVELOPMENT; AMENDING CHAPTER 70 OF SAID LAND DEVELOPMENT REGULATIONS TO MODIFY THE VARIANCE PROCEDURES AND CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Planning and Zoning Board of the City of Treasure Island has initiated suggested modifications and changes to the variance procedures and criteria of this City, and

WHEREAS, The suggested changes to the variance procedures and criteria are consistent with the Treasure Island Comprehensive Plan and the Pinellas County Comprehensive Plan, and the Countywide Plan Rules.

NOW, THEREFORE, be it ordained by the City Commission of the City of Treasure Island, Florida, that Chapter 70 of the Land Development Regulations is hereby amended to read as follows:

Section 1. Chapter 70, Section 221 of the Land Development Regulations of the City of Treasure Island is hereby amended to read as follows:

Sec. 70-221. Procedure.

The Planning and Zoning Board or the City Commission, as provided for by the City Code, may authorize a variance from the provisions of the land development regulations that are not contrary to the public interest. The power and authority to grant variances to accessory structures, parking requirements, building height, and waterfront yards abutting the Gulf of Mexico or public beach will be solely within the jurisdiction of the City Commission. In no instance shall a variance be granted to density. The Planning and Zoning Board or the City Commission, as applicable, shall not review a variance request until:

- (a) An application for such variance has been received by the City Manager or specified designee, stating the special conditions and circumstances applying to the building, structure, or land for which such variance is sought. The application applicant shall ~~demonstrate that the existing conditions and circumstances are such that the strict application of the provisions of the land development regulations would deprive the applicant of reasonable use of said building, structure, or land equivalent to the use made of buildings, structures, or lands in the same district and permitted under the terms of this provision, and that the peculiar conditions and circumstances are not the result of the actions of the applicant, the applicant's agents, or the applicant's predecessors in title~~ submit a

narrative that explains the variance being requested in a manner that addresses the criteria specified in subsection (d) of this section of the code as they relate to the specific request. Since each application is considered based upon the unique circumstances presented by such application, prior decisions of the Board or Commission shall not constitute grounds for the granting of any variance.

(b) The Board or Commission has received a report from the City Manager or specified designee that evaluates the application based on the criteria required by this section.

(c) The Board or Commission holds a public hearing after written and posted notice has been given to the extent provided by Chapter 70 of the City Code.

(d) ~~The board or commission finds that the following criteria have been considered:~~ has considered the following criteria and find that they have been substantially satisfied and a hardship exists:

(1) The variance is in fact a variance as set forth within the land development regulations and within the province of the board or commission based upon the opinion of the ~~city attorney~~ city manager or his designee;

(2) Special conditions or circumstances exist which are peculiar to the building, structure, or land for which the variance is sought and do not apply generally to buildings, structures, or lands in the same district;

(3) Strict application of the provisions of the land development regulations would not permit the applicant reasonable use of the building; structure, or land;

(4) The peculiar conditions and circumstances existing are not the result of the actions of the applicant, the applicant agent's agents, or the applicant's predecessors in title.

~~(5) The reasons set forth in the application justify the granting of a variance;~~

~~(6)~~ (5) The variance proposed to be granted is the minimum variance that will make possible the reasonable use of the building, structure, or land;

~~(7)~~ (6) Owing to special conditions, a literal enforcement would result in unnecessary hardship. Special conditions to be considered pursuant to this section of the land development regulations shall include, but not be limited to, the following circumstances:

a. *Redevelopment.* If the proposed project involves the redevelopment or utilization of an existing developed or partially developed site.

b. *Substandard lot(s).* If the proposed project involves the utilization of an existing legal nonconforming lot(s).

c. *Neighborhood character.* If the proposed project promotes the established development pattern of a block face, including setbacks, building height, and other dimensional requirements.

d. *Public facilities.* If the proposed project involves the development of public parks, public facilities or public utilities.

e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.

~~(87)~~ The granting of the variance will be in harmony with the general purpose and intent of this chapter; ~~and~~

~~(98)~~ The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(f) In granting any variance, the Planning and Zoning Board or City Commission may prescribe appropriate conditions and safeguards in conformity with the land development regulations. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

(g) Under no circumstances shall the Planning and Zoning Board or City Commission grant a variance to permit a use not generally or by special exception permitted in the land use district involved or any use expressly or by implication prohibited by the land development regulations.

(h) The granted variance shall be valid for one year. To remain in effect after one year, one of the following must have occurred:

(1) An extension of time has been approved by the approving body;

(2) Building permits relating to the requested variance have either been applied for or granted; or

(3) A site plan review relating to the requested variance has been applied for or approved by the Planning and Zoning Board.

Any requests for an extension of time relating to a variance(s) must be in writing and received by the City Manager or specified designee at least three weeks prior to its expiration date in order for the request to be placed on the approving body's agenda.

SECTION 2. 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 3. It is the intention of the Treasure Island City Commission that each provision hereof be considered separable, and that the invalidity of any provision of this ordinance shall not affect the validity of any other provisions of this ordinance or Chapter 68 of the City of Treasure Island's Code of Ordinances.

SECTION 4. 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 5. This Ordinance shall take effect immediately upon its final passage.

FIRST READING on the day of , 2006.

SECOND READING on the day of , 2006.

FIRST PUBLIC HEARING on the day of , 2006.

SECOND PUBLIC HEARING on the day of , 2006.

PUBLISHED in the St. Petersburg Times on the day of , 2006 and on the day of , 2006.

Mary H. Maloof, Mayor

ATTEST:

Dawn Foss, City Clerk



CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #: *E 3*
Meeting Date: 2-07-06

SUBJECT: Amend the Rules of Procedure to reflect the change in meeting dates and times.

RECOMMENDATION: Pass the attached resolution.

SUMMARY:

At the January 24, 2006, commission meeting, the commission discussed the change in the meeting schedule from four separate meetings each month to two combined meetings twice a month. These meetings would be held on the first and third Tuesday of each month starting at 6:00 PM.

This change requires a change in the Rules of Procedure. Attached is a resolution amending the rules of procedures and a copy of the updated Rules of Procedures.

Reviewed by: ____ Legal ____ Finance ____ Personnel ____ Public Works ____ Community Imp ____ Recreation ____ Police ____ Fire	Originating Dept:	Costs: Total
	User Dept:	
	Attachments: <input checked="" type="checkbox"/> Resolution Rules of Procedures	Funding Source: <input type="checkbox"/> Capital Improvement <input type="checkbox"/> Operating <input type="checkbox"/> Other
Submitted by: Ralph Stone, City Manager		Appropriation Code:

RESOLUTION No. 06-

**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 COMMISSION OF 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 the Regular Session of the City Commission of the City of Treasure Island, Florida, sitting on the 7th day of February, 2006 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:

Dawn Foss, City Clerk

COMMISSION

RULES

OF

PROCEDURE

Adopted – February 7, 2006

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.~~ immediately following the regular Commission Meeting 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.

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Adopted July 26, 2005

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 one week* 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~~ Wednesday 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~~

I. Discussion Items

II. Old Business

III. City Manager/City Attorney Reports & Comments

IV. Reports & Comments by Commissioners

V. Public Comments

VI. 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 an agenda item. A separate card shall be completed for each 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 agenda item at their request do not have to complete a card for that item.

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- c. **Speaking Once on Topics.** Each person is limited to speak once on each Agenda Item unless otherwise approved or requested by the Commission
- d. **Written Communications.** Interested parties or their authorized representatives may address the Commission by written communications in regard to matters under discussion.
- e. **Oral Communications.** Interested parties or their authorized legal representatives may address the Commission by oral communications in regard to matters then under discussion.
- 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 committee appointed by the Presiding Officer. Each member of the Commission may

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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~~ first and ~~fourth~~ third Tuesday of each month at the hour of ~~7:00~~ 6:00 p.m. (commencing on ~~June 11, 2002~~ March 7, 2006 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

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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

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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

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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. Optional 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

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subsequent meeting of the Commission.

1. **Remarks of Commissioner - when entered in minutes.** The City Clerk 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 an agenda item. A separate card shall be completed for each 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 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.
- d. **Written Communications.** Interested parties or their authorized representatives may address the Commission by written communications in regard to matters under discussion.
- e. **Oral Communications.** Interested parties or their authorized legal representatives may address the Commission by oral communications in regard to matters then under discussion.
- f. **Reading of protests, etc.** Interested persons or their authorized

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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.

- 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.

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- 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.

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.