



# **MEETING AGENDA**

December 18, 2007

**CITY OF TREASURE ISLAND, FLORIDA  
BOARD OF COMMISSIONERS MEETING  
December 18, 2007  
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	District 1
Commissioner Ed Gayton	District 2
Commissioner Bob Minning	District 3
Commissioner Alan Bildz – Vice Mayor	District 4

**C. PUBLIC COMMENTS:**

**D. APPROVAL OF MINUTES:**

The minutes of the meeting and workshop of December 4, 2007 are available for approval.

**E. ITEMS OF BUSINESS:**

1. Res. 07-116 Acceptance of the Community Rating System Annual Recertification Report
2. Res. 07-117 Bid – Purchase of Solid Waste Containers
3. Res. 07-118 Bid – Purchase of Three (3) Vehicles for Public Works
4. Res. 07-114 Regarding artificially created land seaward of the 1968 MHWL

**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.

**CITY OF TREASURE ISLAND, FLORIDA  
BOARD OF COMMISSIONERS MEETING MINUTES  
December 4, 2007**

The meeting was called to order at 6:04 p.m. by Mayor Maloof.

**A. PLEDGE OF ALLEGIANCE:** Led by Mayor Maloof

**B. ROLL CALL:**

Mayor Mary Maloof		Present
Commissioner Phil Collins	District 1	Present
Commissioner Ed Gayton	District 2	Present
Commissioner Bob Minning	District 3	Present
Commissioner Alan Bildz – Vice Mayor	District 4	Present

**C. PUBLIC COMMENTS:**

John Burke made an announcement that Santa will be traveling around the Isle of Capri on Christmas Eve around 4:00 p.m.

**D. APPROVAL OF MINUTES:**

The minutes of the meetings and workshops of November 6 and November 20, 2007, and workshop of November 13, 2007 are available for approval. It was moved by Commissioner Gayton and seconded by Commissioner Minning to approve the minutes as printed. Upon roll call the vote to approve was unanimous.

**E. ITEMS OF BUSINESS:**

1. Res. 07-115 Emergency Housing Ordinance Referral to Planning Board

It was moved by Commissioner Bildz and seconded by Commissioner Gayton to approve the resolution as read. Commissioner Collins asked about PODS and how long they are allowed. They are allowed for 72 hours. Upon roll call, the vote to approve was unanimous.

2. Res. 07-108 Purchase of Diesel Exhaust Filters

It was moved by Commissioner Minning and seconded by Commissioner Bildz to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

3 Res. 07-109 Affordable Housing

It was moved by Commissioner Bildz and seconded by Commissioner Minning to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

4. Res. 07-113 New LAP Agreement for Dune Walkovers and Boat Ramps

It was moved by Commissioner Bildz and seconded by Commissioner Collins to approve the resolution as read. Commissioner Minning asked if the LAP agreement was needed for both grants. Mr. Silverboard stated that the agreement was for the HUD grant. Upon roll call, the vote to approve was unanimous.

5. Res. 07-110 Bid Award – Boat Ramps and Dune Walkovers

It was moved by Commissioner Collins and seconded by Commissioner Gayton to approve the resolution as read. Commissioner Gayton stated that the new dune walkovers were supposed to be looked at, and asked if it had been done. Mr. Silverboard stated that they had, and there were no immediate changes to the list. There may be a couple of areas that might be modified later. We have to be sure that we comply with ADA requirements. There is also an issue as to whether we can use the funds for the boat docks without getting the agreement modified. We are hesitant to modify the agreement on the boat ramps so that we can do the docks. Commissioner Gayton stated that we had talked about adding some parking. He asked for a consensus from the Commission to ask the Beach Stewardship Committee to take a look at it and make suggestions to the Commission regarding parking at the ends of the walkovers. Commissioner Bildz asked if he meant metered parking. Commissioner Gayton suggested resident parking with stickers. Commissioner Bildz stated that if the spots are metered the tourists would know that it is legal parking. Commissioner Gayton stated that he has no objection to meters. Commissioner Bildz asked if we are required to have ADA compliant walkovers at each one. Rick Raus stated that in the past we were required to have every other one ADA compliant, but there have been recent changes to the requirements on ADA accessible walkovers. He will find out if it is required at each one. Commissioner Collins suggested that we put up signs directing people to the ADA compliant ramps, if we are not required to have all of them ADA compliant. Commissioner Gayton asked that the Beach Stewardship Committee send a written report. Upon roll call, the vote to approve was unanimous.

6. Res. 07-112 Library Trustee Appointment

It was moved by Commissioner Collins and seconded by Commissioner Minning to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

**F. ADJOURNMENT**

The meeting was adjourned at 6:19 p.m. by Mayor Maloof.

**CITY OF TREASURE ISLAND, FLORIDA  
BOARD OF COMMISSIONERS WORKSHOP MINUTES  
December 4, 2007**

The workshop was called to order at 6:27 p.m. by Mayor Maloof.

**I. DISCUSSION ITEMS:**

1. Discussion – Beach Concession Services at Sunset Beach Pavilion

Mr. Silverboard gave a brief explanation of this item. Mr. Coccozza has again requested to obtain a concession at the Beach Pavilion to rent chairs and umbrellas. Commissioner Bildz stated that the last time this came up the Commission denied the request because it was not requested by residents. He feels that the residents in that area do not want beach concessions there. Commissioner Gayton stated that if the residents were interested they would contact Commissioner Bildz. It was the consensus of the Commission that they are not interested in concessions at the Sunset Beach pavilion at this time. Mr. Silverboard was instructed to contact Mr. Coccozza informing him of their decision.

2. Discussion – Dune Walkover at Residence Inn

Mr. Silverboard gave a brief explanation of this item. The owners of the Residence Inn and Sunset Vistas have expressed an interest in building and maintaining dune walkovers behind their properties. The Residence Inn has submitted a written request to do so. Mr. Silverboard suggested that if the Commission was in favor of this then they should instruct staff to develop a license agreement that will address any issues that will arise. We do not have a plan at this time for the walkover. They have been contacted and asked to bring in any available plans to this meeting. Ms. Kiefer stated that it would be essentially the same license agreement that is in place with the South Beach Condo Hotel for the landscaping. Commissioner Bildz asked about the plans. Commissioner Collins asked for clarification as to whether the Sunset Vista owners were still interested. Mr. Silverboard stated that they have since decided that they felt it was the responsibility of the city to provide the walkovers. Commissioner Gayton stated that the site plan that has been referred to shows a raised beach overlook section in the middle of the dune walkover. He feels that the Commission needs a sketch showing exactly what they want. He is not interested in going forward with any license agreement without a sketch. They put in vegetation without approval of the City and DEP. He asked that this be tabled until they bring in more information. Commissioner Minning stated that he didn't think that what was on the drawing would be approved by the DEP. He suggested that they be given copies of what the City is doing, as they have been approved by the DEP. Mr. Silverboard suggested that rather than table the item they defer it to a future meeting, providing that they provide the requested information. Commissioner Gayton stated that he has no problem with deferring it, providing that they have someone in attendance. Commissioner Collins asked about the DEP approvals and how long they normally take. Mr. Raus stated that when it is an "in kind" replacement there is usually no problem, but when it is being replaced with something new it is different. Commissioner Bildz asked if this would be on a meeting or workshop when the information comes in. Mr. Silverboard stated that it would be on a workshop.

3. Res. 07-119 – Landscaping of Beach Trail Adjacent to Residence Inn

Mr. Silverboard stated that they are not here to explain their offer. It was agreed to defer this item also. Commissioner Gayton stated that he had sent Mr. Silverboard an e-mail regarding 119<sup>th</sup> Avenue, and the end of the beach trail. He suggested that we get a survey to find out where the trail sits in relation to the 25 foot right-of-way. He suggested that we consider the addition of extra footage to accommodate bicyclists as well as pedestrians. He felt they should discuss whether we should ask NOAA if they would pay for the widening of the trail. They will not pay for the refurbishment of the old trail, but this would be a new section of trail. He feels that the survey should be done before the Residence Inn comes back with their plan. Commissioner Minning agreed that the survey should be done, agrees that the trail should be widened, but doesn't feel that NOAA would be receptive to funding the project. Commissioner Gayton stated that this was a new bicycle path, and we should ask. Commissioner Collins agreed with Commissioner Gayton. Commissioner Minning stated that it would be about four months to get an answer from NOAA. He would like to be optimistic, but doesn't believe they would approve. Commissioner Gayton stated again that it would be a new bicycle path. Mr. Silverboard explained the criteria, and stated that they would include it in the request. Mayor Maloof stated that the amount of the grant keeps getting smaller as time goes on. Commissioner Bildz asked how much the survey would cost, and if we would have to have a resolution to do it. Mr. Silverboard asked if the Commission was in favor of doing the survey. Commissioner Gayton stated that it would be needed to do the projects and was in favor of doing the survey. Commissioners Bildz and Minning stated that they were in favor of it also. Mr. Silverboard will get an estimate of the cost of the survey and report back to the Commission. Commissioner Bildz asked if staff could get an estimate of whether the concrete would need to be replaced, or just added to, and what the cost of that would be. Commissioner Gayton stated that the existing concrete is in very good shape, and would only need to be added to. Mr. Silverboard suggested that we put this in as a budgeted item and get the information together to do it properly. Commissioner Gayton stated that he is not willing to put this project off again. Mr. Silverboard stated that the NOAA project will be completed, but he assumes that this addition will not be approved. We have to find the funds to do it. Commissioner Gayton stated again that he doesn't want to wait another year. With the hotel opening up there will be more traffic, and will be a dangerous situation. He wants to know how much this will cost.

4. Discussion item – Marathon Race

Cathy Hayduke gave a brief update of this item. She has not determined a cost yet, but has spoken with Kevin Dunbar from the City of Clearwater about their race. She is waiting for information from the City of Seminole. She has provided the Commission with some information on possible income and expenses. It could take anywhere from six to twelve months to organize.

June Longe stated that you hire a race management company that will take care of everything. They are paid by the people that sponsor the race. The City would have to allow them to use the roads for the race. A 5k race is finished in less than a half hour. She stated that you can't compare what Treasure Island's race would be with Clearwater's Turkey Trot. She has spoken with Sid Rice, who has given his approval for race participants to park on his property. The City would have to allow the use of the Community Center at no charge for the children's stroll. There would be businesses in town that would sponsor the race.

Commissioner Collins asked about Mr. McCann, and if he feels that this would be successful here in Treasure Island. He suggested that Mr. McCann come to the next workshop to assist in the planning of the race. He would prefer to speak with someone before anyone spends any money. Ms. Longe suggested that if they are going to hear from them, then they should hear from everyone involved.

It was the consensus of the Commission to discuss this at the December 18<sup>th</sup> workshop with the people involved present to answer questions. Commissioner Bildz stated that he doesn't think that there is enough time, and there will be questions about that. Mayor Maloof asked if Ms. Longe has a time frame in mind. Ms. Longe stated that she was thinking about March, but the race management company would advise them on the time frame. Commissioner Collins stated that September might be a good time, since Publix will be opening in September, and it could be a good tie in for that.

Mayor Maloof thanked Ms. Longe and Ms. Hayduke for the time they have put in on this item.

5. Res. 07-117 – Bid – Purchase of Solid Waste Containers

Hal Bruce gave a brief explanation of this item. They would like to purchase 350 of the automated waste collection containers to extend the automated collection program to the north end of the island. The south end would be done approximately 120 days later. Commissioner Collins asked if we still had cans in inventory. He had quite a few people that were unable to use the 90 gallon cans. Mr. Bruce stated that they had some extras on hand and would be purchasing additional 60 gallon cans, so they would have some of each and be able to accommodate the people's needs. Commissioner Minning asked for clarification as to whether this was both the north and south portions of the island. It is the north end only. Commissioner Bildz asked about the number of 60 gallon containers that are used. Mr. Bruce stated that they order both sizes. Commissioner Bildz asked if these could be purchased out of the LOISS funds, and have replacement cans purchased out of Solid Waste funds. Mr. Silverboard stated that LOISS funds were not inexhaustible, and there is a revenue source for the cans. You should use the funds that have been budgeted for them. This item will appear on the December 18<sup>th</sup> meeting agenda.

6. Res. 07-118 – Bid – Purchase of Three (3) Vehicles for Public Works

Hal Bruce gave a brief explanation of this item. They would be replacing three vehicles that are older and have mechanical issues. We would get state bid pricing. Commissioner Collins asked about the vehicle options and whether they were necessary. Mr. Bruce explained that they are included in the state bids. Some, such as cruise control, are standard. Commissioner Collins clarified that they are all part of the package as quoted on the state bid. Commissioner Collins asked what vehicle #16 would be used for. Mr. Bruce explained that it would be used by him, and Code Enforcement when they need to go out on the beach. Commissioner Collins asked how many vehicles were necessary to go out on the beach. He asked if it was possible to have just certain vehicles equipped for the beach. Four wheel drive is more expensive, and those vehicles would be more susceptible to rust. Mr. Bruce explained that not all their vehicles are equipped for the beach. There are occasions that they have to borrow a police vehicle as not all of Public Works vehicles are equipped for it. About half their vehicles are equipped for the beach, and he wouldn't suggest going lower than that. Commissioner Collins asked about the vehicle that would have to have a lift gate installed, and if they could use the lift gate from the old vehicle. Mr.

Bruce explained that they had looked at that, and it is necessary. Commissioner Bildz asked about vehicle #32 being used to pick up parts. Mr. Bruce explained that they pick up parts for the garbage trucks and for the fire trucks. Commissioner Bildz asked how many employees went to pick up the parts. Mr. Bruce explained that the vehicle would also be used to carry tools, and to transport employees to the bridge and other work areas. Commissioner Collins stated that he is not convinced that vehicle #32 has to be a crew cab. Mr. Bruce explained that it is a super cab, not a four door truck. It is mostly used to keep tools inside rather than in a box in the back of the truck. Commissioner Collins asked if it would be cheaper to get the parts delivered. Mr. Bruce explained that we do not have extra trucks, and if a truck breaks down we have to get it repaired as soon as possible, and don't have time for delivery. This item will appear on the December 18<sup>th</sup> meeting agenda.

7. Res. 07-114 Accreted Lands

Ms. Kiefer gave an explanation of this item. She provided the Commission with a draft resolution that is necessary to continue with DEP permitting process for the sand sharing project. She showed three slides that were provided by Mr. Truitt in 2006. She pointed out the area of accreted lands. The City of St. Pete is still working on their version of the resolution. Ms. Kiefer's version has been approved by DEP. She urged the Commission to approve the resolution.

Commissioner Collins stated that there are two families who claim to own property west of the ECL. Ms. Kiefer stated that we are not establishing an ECL. Commissioner Collins asked if this would have any impact on those families. Ms. Kiefer stated that it would not. Commissioner Bildz stated that those properties are not in this area. This will be discussed at the Beach Stewardship meeting next week.

This item will move forward to the December 18<sup>th</sup> meeting agenda.

8. Res. 07-116 Approval of the Report of the Mitigation Committee

Neal Schwartz gave a brief explanation of this item. It is the annual recertification report. The report has been forwarded to the ISO and been accepted. The Mitigation Committee has asked that the Commission approve the report.

Commissioner Minning asked about the rating of "7" that we have been given. Mr. Schwartz explained that the residents get a 15% discount on their flood insurance policies because of this rating. Commissioner Collins asked if residents need to make this known to their insurance companies, or is it something that the insurance companies know. Mr. Schwartz stated that the insurance company should know, and we advertise it. This item will move forward to the December 18, 2007 meeting agenda.

9. Discussion item – Definition of Resident

Ms. Kiefer gave a brief explanation of the item. She stated that it depended upon what you were defining it for. We would have to be very careful about durational residency requirements, particularly for running for office. Intent is considered the main factor in defining residency. She explained actions that would imply intent. She stated that if they wanted to have residency requirements for running for office then they would have to change the Charter. There are already criteria for residency established in the City ordinances.

Commissioner Collins stated that he asked for review because he was concerned about non-residents sitting on committees, and asked if we should require board and committee members to be registered voters. Ms. Kiefer stated that it would imply intent to reside in Treasure Island, and could be accomplished by resolution. Mayor Maloof stated that we have people from foreign countries that own property and live here full time, but can't register to vote. Would they be excluded? Commissioner Collins stated that we should limit it to registered voters. Commissioner Bildz suggested that a Florida driver's license or ID card should be enough. There are many residents that are not voters for personal reasons. Commissioner Minning asked for clarification on whether this was strictly for boards and committees, and whether we were making this more complicated than it needed to be. Commissioner Gayton stated that he brought this up because of an applicant from his district. He suggested that we take this on a case by case basis, and leave it up to the Commissioner from the district being represented to check. Mayor Maloof stated that she feels that our residents who are not citizens should not be excluded. It was agreed that it would be left up to the Commission to make the decision regarding the appointment.

#### 10. Discussion - Proposed Rules Regarding Site Plan Review Appeals

Mr. Silverboard gave a brief explanation of this item. There was a site plan review that came before the City Commission. At the November 6<sup>th</sup> meeting the Commission asked for clarification of procedures. He has provided the Commission with his suggestions. They would make a written application to the City, there would be a process where the City could charge for the review, that the application would go through the Community Development Department for review for completeness, and would then go through the City Manager to be placed on the next workshop. There are some standard quasi-judicial procedures. There are certain things that the Commission is obligated to do, such as take testimony, and make written findings of the Commission's conclusion.

Commissioner Gayton went through several items in the report. He asked who would be responsible to set the fee. It could be set by resolution. He asked about the requirement for a person desiring to testify to file a form with the City Clerk stating whether they are for or against the petition. This is a way for the Mayor to organize how you would call witnesses. The person testifying would be on record, and it could be determined if they had an interest in the petition, rather than just an opinion. Ms. Kiefer stated that it establishes the status of the witness. Commissioner Gayton asked if we would be allowing hearsay evidence. Ms. Kiefer stated that it was allowed at a quasi-judicial hearing. Commissioner Gayton asked for clarification as to who would be considered a party to the petition in regards to who can cross examine. Ms. Kiefer stated that it would be the petitioner, the Commission, or staff. Mr. Silverboard stated that there could be other parties involved in certain cases. Ms. Kiefer stated that it should be decided on a case by case basis. Commissioner Gayton asked the meaning of "informal manner". Ms. Kiefer stated that it is not governed by the court. Commissioner Gayton asked for clarification as to who could cross examine. Ms. Kiefer stated that it was generally the petitioner, Commission, or staff. Commissioner Gayton asked about the fees and how they would be established. Mr. Silverboard stated that you could set a fee for the application, and inform them that they would be responsible for costs such as expert witnesses. Ms. Kiefer stated that there is a difference between a filing fee and costs. Commissioner Gayton then asked if when someone appeals a decision of the Planning and Zoning Board and the applicant wants to appeal to the City Commission, is it a hearing on the portion that the Planning and Zoning Board heard and denied it on, or is this an appeal based on anything. Ms. Kiefer stated that it is a de novo appeal, which means it is

a new hearing. This is an independent review of the application. Commissioner Gayton stated that we shouldn't reject someone that the Planning and Zoning board has already approved. Mr. Silverboard explained that the Planning Board hears the site plan review. If the Planning Board approves it and the applicant accepts it then it doesn't go anywhere else. If the Planning Board rejects it, or puts conditions on it that the applicant doesn't accept they have the option of appealing to the City Commission rather than taking it to court. You can look at the Planning Board decision and staff report to assist in making a decision. If the applicant is unhappy with the Commission's decision then they have the option of going to court. Commissioner Minning stated that the basis of the appeal would be on whatever the Planning and Zoning Board denied on, or the condition that they set that was unacceptable. Mr. Silverboard stated that they should hear all evidence when making their decision. Commissioner Bildz asked if an aggrieved party can appeal to the Commission. Ms. Kiefer stated that she wasn't sure and would research that. Commissioner Gayton stated that we have given the Planning and Zoning Board the authority to approve or deny. Mr. Silverboard stated that you have, but you have left the final approval in the event of an appeal with the Commission. Commissioner Gayton stated that he doesn't feel that they should hear the whole case again, but should only hear the denial. Ms. Kiefer stated that the City ordinance would need to be changed if that was what the Commission wanted. The petitioner will only appeal what was denied or a condition that they find unacceptable. Commissioner Minning stated that he agreed with Commissioner Gayton on that issue. They should not have to go back through everything. Mr. Silverboard stated that there may be items that they agree with the Planning Board on and affirm their decision. The code, as it exists now, is ok for appeals. It saves the applicant, and the city money. He urged the Commission to leave as much flexibility as they can. Ms. Kiefer stated that in the code, their decision is binding. The applicant in this case is willing to be bound by the Commission's decision. Commissioner Gayton stated again that they should only hear the area that they have been denied on. Commissioner Bildz stated that he liked the rules, and felt that a fee should be set. People should know the rules up front, and we should not limit ourselves. Ms. Kiefer stated that generally they will focus in on the area of denial, and if something major was overlooked then the Commission should deny it. Ms. Kiefer stated that the ordinance is perfect as it stands, and the rules that Mr. Silverboard have drafted address everything that they need addressed. Commissioner Collins asked for clarification as to the options that the applicants have for appeal. Having an appeal come before the Commission saves us going to court. There are not a lot of these cases. He does not have a problem with this and thinks that they should defer to the City Attorney and City Manager on this. Commissioner Bildz asked if this should go before the LPA. Ms. Kiefer stated that it was not necessary as it was just informal rules of procedure and filing fees.

Commissioner Bildz stated that he liked it, and thought perhaps they should tighten the rules as to who gives testimony. Ms. Kiefer stated that they would make a recommendation as to the fee, and work on the portion regarding cross examination.

This item will appear on the December 18<sup>th</sup> meeting agenda.

#### 11. Discussion – Gulf Boulevard Beautification Funding (Requested by Commissioner Collins)

Commissioner Collins gave a brief explanation of this item. This came up at the last BIG-C meeting. The County had previously offered to pay for the undergrounding of the utilities if the cities paid for the beautification. The county is now proposing to only pay for a 50/50

match of the undergrounding costs. Mr. Silverboard stated that if this gets approved so that we are not obligated to pay for landscaping, and can spend the money on undergrounding or other aspects of the project, we should try to retain as much flexibility as possible. He feels that the County is looking for a way to take the Penny money that they have set aside for this project to use for other projects. We should be sure that we get our fair share of the grant monies, and be able to use the money for things other than beautification. Commissioner Minning asked about the formula being used to come up with the 50/50 funding amounts. Most communities will not be able to come up with the funds. Commissioner Collins stated that the communities need to stick together and try to make them stick with their original plan. Mayor Maloof stated that she feels that they are trying to make the terms so disagreeable that the communities will back out and then the County won't be obligated. Commissioner Gayton stated that the grant money does not have to be used strictly for beautification. Mr. Silverboard has asked for a proposal to do a study. Commissioner Gayton stated that if we are satisfied with what they are allowing us to use the money for then we should accept it. We should not put obstacles in the way. Mr. Silverboard stated that we don't want the 50% match, and we don't want to spend the money on strictly beautification. Commissioner Bildz stated that the county would be requiring some sort of match. Does the Commission have an amount that they would agree on? Commissioner Collins stated that there was no match originally. Commissioner Bildz suggested that we go to them with a counter offer. Commissioner Collins stated that he feels it is premature to negotiate. Mr. Silverboard suggested that they discuss it at the BIG-C and suggest that we negotiate a different match formula. Commissioner Collins stated that the next meeting is on January 30<sup>th</sup>.

## **II. OLD BUSINESS:**

Commissioner Collins mentioned the stickers for the trash cans, and has received a suggestion from a resident of hangers. Mr. Silverboard stated that we are doing hangers.

Commissioner Collins talked about the sprinklers around the causeway. Mr. Silverboard stated that they would be checked tomorrow.

Commissioner Collins had someone soliciting to buy magazines. It appears to be a scam. Nobody is allowed to solicit on Treasure Island without an ID from the Police Department.

Commissioner Collins asked about the "No Outlet" sign at the corner of Capri Blvd. Heavy trucks are deteriorating the cul de sac when they are turning around.

Commissioner Gayton suggested that residents get a description of solicitors for the Police.

Commissioner Gayton asked if we had received anything from St. Petersburg regarding extending the contract. Mr. Silverboard reported that they do not agree with extending the contract, and there will be a meeting this week to discuss it.

Commissioner Minning gave a report on the water quality at our beaches. It is good.

## **III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:**

## **IV. REPORTS & COMMENTS BY COMMISSIONERS:**

Commissioner Collins stated that the Treasure Island Christmas Parade was a great event.

Commissioner Collins gave a reminder of Saturday's beach clean up.

Commissioner Collins again offered to answer questions at condo association meetings.

Commissioner Collins announced that next week was the Isle of Capri's annual Christmas party. It will be held at Ricky T's.

Commissioner Bildz reported on the Sunset Beach Civic Association Christmas meeting. They will be having a Santa Parade on December 23<sup>rd</sup>.

Mayor Maloof suggested that this was a good time for us as a community to do some collecting for the disabled vets at Bay Pines. Checks can be dropped off at City Hall or at Fifth Third Bank. She also suggested items that could be purchased and donated. Anything dropped off at City Hall will be delivered the week before Christmas.

**V. PUBLIC COMMENTS:**

None

**VI. ADJOURNMENT:**

The workshop was adjourned at 9:08 p.m. by Mayor Maloof.



## CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

December 18, 2007

Item No. E-1

**DATE:** December 12, 2007

**TO:** Reid Silverboard, City Manager

**FROM:** Lynn Rosetti, AICP, City Planner and Neal Schwartz, BCA, CFM, Building Official

**SUBJECT:** Resolution 07-116, Community Rating System Annual Recertification

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The National Flood Insurance Program's (NFIP) Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions meeting the three goals of the CRS: 1. reduce flood losses, 2. facilitate accurate insurance rating; and, 3. promote awareness of flood insurance.

As a condition of continued participation in the CRS program, Treasure Island must complete an annual CRS recertification report. The City's Mitigation Planning Committee met on November 13, 2007 to review the City's recertification report and recommended that the City Commission accept the Community Rating System Annual Recertification Report submitted to the ISO.

### **Recommendation:**

Staff recommends approval of Resolution 07-116 accepting the Community Rating System Annual Recertification Report (Attachment A).

**RESOLUTION 07 - 116**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND ACCEPTING THE COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION REPORT, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Treasure Island is a barrier island that is vulnerable to natural and man-made disasters; and,

**WHEREAS**, The National Flood Insurance Program's (NFIP) Community Rating System (CRS) was implemented in 1990 as a program for recognizing and encouraging community floodplain management activities that exceed the minimum NFIP standards; and,

**WHEREAS**, the City of Treasure Island has participated in the Community Rating System (CRS) program of the National Flood Insurance Program (NFIP), since it applied on December 4, 1991; and,

**WHEREAS**, the CRS rewards communities that undertake flood damage mitigation and public awareness activities beyond the basic NFIP requirements; and,

**WHEREAS**, the City of Treasure Island received a CRS Class rating of 7 in 1999; and,

**WHEREAS**, Treasure Island received its five-year audit on August 17, 2006 by the Insurance Services Office, Inc. (ISO), and received a letter advising that Treasure Island exceeds the minimum NFIP standards and continues to meet the criteria for a CRS Class rating 7; and,

**WHEREAS**, The City's Mitigation Planning Committee met on November 13, 2007 to review the CRS Annual Recertification Report; and,

**WHEREAS**, The Mitigation Planning Committee approved a motion to accept the CRS Annual Recertification Report submitted by staff, and has recommended it be forwarded to the City Commission for approval.

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

That the City Commission hereby accepts the Community Rating System Annual Recertification Report (Attachment A) submitted to the ISO.

The foregoing Resolution was offered during Regular Session of the City Commission of the City of Treasure Island, Florida, sitting on the 18th day of December, 2007, 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:

\_\_\_\_\_  
Dawn Foss, City Clerk

ATTACHMENT A

**COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION**

OMB No. 168  
Expires June 31

Section 1 Community Data

If there are any changes or corrections to the information in this section, please line out the old item and write in the correction.

Community: TREASURE ISLAND, CITY OF State: FL NFIP Number: 125

Recertification Date: 10/01/07

Chief Executive Officer

Name: Mr. Reid Silverboard Title: City Manager

Address 120 108th Avenue, Treasure Island, FL 33706-4794

CRS Coordinator:

Name: Mr. Neal Schwartz, CFM Title: Building Official

Name: Ms. Lynn Rosetti, AICP Title: City Planner

Address 120 108th Avenue, Treasure Island, FL 33706-4794

Coordinator's Phone: (727) 547 - 4575 Fax: (727) 547- 4584

Email address: [nschwartz@mytreasureisland.org](mailto:nschwartz@mytreasureisland.org)

Email address: [lrosetti@mytreasureisland.org](mailto:lrosetti@mytreasureisland.org)

We are maintaining, to the best of my knowledge and belief, in force all flood insurance policies that have been required of us as a condition of federal financial assistance for insurable buildings owned by us and located in the Special Flood Hazard Area shown on our Flood Insurance Rate Map.

Section 2. Certification

I hereby certify that this community is continuing to implement the activities noted below as credited under the Community Rating System and described in our original application and subsequent modifications.

Signed:   
Mr. Reid Silverboard, City Manager

Date: 10/31/2007

## COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION

OMB No. 1660-0022  
Expires June 30, 2010

### Section 3 Community Activities

Your community has been verified as receiving CRS credit for the following activities. If your community is still implementing these activities the CRS Coordinator needs to put his or her initials in the blank and attach the appropriate items. The numbers refer to the activity number which is found in the CRS Coordinator's Manual.

- 310 We are maintaining Elevation Certificates on all new and substantially improved buildings in our Special Flood Hazard Area.
- 310 We are maintaining Elevation Certificate data in computer format. Attached is a disk with the elevation certificate data obtained since our last submittal. [  Initial here if there have not been any new buildings or substantial improvements in the floodplain since the last submittal. Do not attach a disk. ]
- 320 We are providing Flood Insurance Rate Map information, advise information on the flood insurance purchase requirement to inquirers and keep records of the service.
- 320 Attached is a copy of the document that told lenders, insurance agents, and real estate offices about this service this year. [ NHS Initial here if the information is included in your annual outreach project to the community. Mark the attachment to Activity 330 to show where this service is publicized. ]
- 330 Attached is a copy of this year's annual outreach project to the community.
- 330 Attached is a copy of the additional outreach project(s) we conducted this year.
- 350 Our public library continues to maintain flood protection materials.
- 350 We continue to conduct an annual review and update of the information and links in our flood protection website.
- 360 We continue to provide flood protection assistance to inquirers and maintain records of the service.
- 360 Attached is a copy of the document that told others about this service this year. [ NHS Initial here if the information is included in your annual outreach project to the community or to the flood plain properties. Mark the attachment to Activity 330 to show where this service is publicized. ]
- 360 Attached is a copy of one page of the log, a letter, or other record that we kept on this service this year.
- 420 We continue to preserve our open space in the floodplain.

## COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION

OMB No 1560-0022  
Expires June 30, 2010

- 430 We continue to enforce the floodplain management provisions of our zoning, subdivision and building code ordinances. [ ] Initial here if you have amended your floodplain regulations. Attach a copy of the amendment ]
- 450 We continue to enforce the stormwater management provisions of our zoning, subdivision and building code ordinances for new developments in the watershed. [ ] Initial here if you have amended your stormwater management regulations. Attach a copy of the amendment.]
- 430 We continue to enforce our current building code [ ] Initial here if you have amended your building code. Attach a copy of the amendment.
- 430 We continue to employ those staff credited for attaining their CFM, and those who have attended the credited training courses. [] Initial here if your staff has changed and attach a statement as to the staffing changes
- 450 We continue to enforce the requirement that all new buildings outside the SFHA must be elevated above the street or otherwise protected from drainage problems.
- 450 We continue to enforce the provisions of our zoning, subdivision and building codes as they pertain to erosion and sediment control and water quality.
- 503 Attached is a copy of this year's notice on property protection that we sent to our repetitive loss areas.
- 510 Attached is a copy of our floodplain management plan's annual progress report. Please note: for CRS purposes, this progress report must occur prior to October 1, 2007. If the update has occurred earlier this year, please submit documentation to that effect.
- 510 We have provided copies of this progress report to our governing board, local media, and the state NFIP Coordinating office.
- 520 We continue to maintain as open space the lots where buildings were acquired or relocated out of the floodplain.
- 530 We continue to encourage property owners interested in retrofitting their buildings to protect them from flood damage [ ] Initial here if there have been any changes (additions or deletions) to the buildings credited as being flood protected. Attach a description of those changes
- 540 We continue to implement our drainage system maintenance program including record keeping of the maintenance activities
- 540 We continue to enforce our stream dumping regulations.

**COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION**

OMB No 1860-0022  
Expires June 30, 2010

- 540 Attached is a copy of this year's outreach project that explained our stream dumping regulations. [ NHS Initial here if the information is included in your annual outreach project to the community. Mark the attachment to Activity 330 to show where your stream dumping regulations are explained. ] [  Initial here if you publicize the regulations with "no dumping" signs instead of through an outreach project. ]
- 610 We have tested and maintained our flood threat recognition system
- 610 Attached is a report evaluating how our flood warning program worked during the flood(s) we had this year. [ NHS Initial here if your community did not have a flood that qualifies for evaluating the program (i.e., a flood that damaged more than 10 buildings, caused more than \$50,000 in property damage, or caused the death of one or more persons.) ]
- 610 We tested our warning dissemination equipment and procedures this year.
- 610 Attached is a copy of this year's outreach document that told people about the flood warnings and safety measures. [  Initial here if the information is included in your annual outreach project to the community or flood plain properties. Mark the attachment to Activity 330 to show where the flood warnings and safety measure are explained. ]
- 610 We conducted at least one exercise of our flood response plan this year.
- 630 The State of Florida continues to provide communities with State Dam Safety credit based on requirements adopted by the state and recognized by FEMA.

NFIP Number 125153

MISS Hudson,

I have sent you this draft to review with attachments. I will mail the corrected report with the elevation certificate disk when the report is to your satisfaction.

Thank-you  
Neal Schwartz Building Official  
Lynn Rosetti City Planner

Attachments

**ACTIVITY WORKSHEET**

**AW-214-4**

**EDITION: July 2007**



# CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

December 18, 2007

Item No. E-2

**DATE:** December 12, 2007  
**TO:** Reid Silverboard, City Manager  
**FROM:** Hal Bruce, Transportation Director  
**SUBJECT:** Res 07-117, Purchase of Solid Waste Collection Containers

---

## **Summary**

The Public Works Department requests authorization to purchase approximately 765 90-Gallon automated solid waste collection containers at the unit price of \$58.95 each for an estimated cost of \$45,100. In addition the Public Works Department requests authorization to purchase 195 60-gallon automated solid waste collection containers at the unit price of \$45.75 each for an estimated cost of \$8920. The grand total cost for both 90 Gallon and 60 Gallon automated solid waste collection containers is estimated to be \$54,035.00. The unit prices for the containers are the same as the last two years.

These containers are available for purchase off of the City of St. Petersburg bid with Rotonics Manufacturing, Inc. These automated solid waste collection containers will be used to provide automated solid waste collection in the Sunshine Beach/Lagoon Lane area followed by the final section of Treasure Island, Sunset Beach, about 60 to 90 days thereafter.

Funding in the amount of \$54,035.00 has been budgeted for this purchase in Solid Waste Fund, Account 1706-55290.

## **Recommendation**

Staff recommends approval of Resolution 07-117, authorizing the purchase of 90 Gallon and 60 Gallon automated solid waste collection containers off of the City of St. Petersburg bid with Rotonics Manufacturing, Inc. for implementing automated collection in the Sunshine Beach/Lagoon Lane and Sunset Beach areas at the unit price indicated in the staff report. Further, if additional containers are required to complete the implementation of these phases, staff is authorized to purchase the quantity needed at the approved unit prices.

**RESOLUTION NO. 07- 117**

**A RESOLUTION OF THE CITY OF TREASURE ISLAND CITY COMMISSION APPROVING THE PURCHASE OF NINETY (90) AND SIXTY (60) GALLON AUTOMATED SOLID WASTE COLLECTION CONTAINERS FROM ROTONICS MANUFACTURING, INC. IN THE ESTIMATED AMOUNT OF \$54,035.00 AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission has approved a program for automated solid waste collection; and

**WHEREAS**, the containers for collection of solid waste for the automated system are available for purchase off of the City of St. Petersburg bid with Rotonics Manufacturing, Inc. for the unit price of \$45.75 for the 60 gallon containers and \$58.95 for the 90 gallon containers: and

**WHEREAS**, the city desires to purchase approximately 765 ninety gallon containers and 195 sixty gallon containers for a total price of approximately \$54,035.00 in order to implement automated garbage collection for the Sunshine Beach/Lagoon Lane and Sunset Beach Areas of Treasure Island. The actual number of each size container purchased will be adjusted to meet customer demand as the program is implemented in these two areas.

**NOW, THEREFORE, THE CITY OF TREASURE ISLAND CITY COMMISSION RESOLVES THAT:**

1. The purchase of the above reference containers is approved from Rotonics Manufacturing, Inc. at the unit prices set out in the City of St. Petersburg bid for a total price of approximately \$54,035.00.
2. Staff is authorized to purchase additional containers at the approved unit prices should additional containers be required to complete the implementation of these phases provided sufficient funding is available.
3. This Resolution will become effective immediately upon adoption.

The foregoing Resolution was offered during Regular Session of the City Commission of the City of Treasure Island, Florida, sitting on the 18th day of December, 2007 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:

---

Dawn Foss, City Clerk



# CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

December 18, 2007

Item No. E-3

**DATE:** December 12, 2007  
**TO:** Reid Silverboard, City Manager  
**FROM:** Hal Bruce, Transportation Director  
**SUBJECT:** Res 07-118, Purchase of Three Public Works Vehicles

---

## **Summary**

The Public Works Department requests authorization to purchase one (1) new 2008 Ford Explorer 4 x 4 in the amount of \$20,369.00, one (1) new 2008 Ford F-150 4 x 4 Super Cab in the amount of \$19,899.00 and one (1) new 2008 Ford F-150 4 x 2 Super Cab in the amount of \$17,943.00 from Don Reid Ford under the Florida State Sheriffs Association Contract. These vehicles will replace vehicle #16, a 1991 Ford Explorer with 89,500 miles; Vehicle # 32, a 1997 Ford Pickup with 115,000 miles and Vehicle # 42, a 1996 Dodge pickup with 84,000 miles.

## **Discussion**

Vehicle #16 is 17 years old and has 89,500 mile on it. The vehicles transmission uses fluid, the four-wheel drive does not work and there are serious rust issues. The new vehicle will be used by Public Works along with Code Enforcement and other departments when needed.

Vehicle #32 is used by the Garage to pick up parts in a three county area. The current vehicle has 115,000 miles on it, the transmission is slipping, and the engine is using oil.

Vehicle # 42 is used by the Water Pollution Department Foreman. The truck has 84,000 miles on it, has front-end problems, cooling, and rust issues.

Total cost for all three vehicles from Don Reid Ford is \$58,211.00

## **Funding**

A total of \$65,500.00 has been budgeted in the LOISS Fund, Account 23-56420, for the purchase of these vehicles. These vehicles will be equipped with extra lights and vehicle #32 will be equipped with a lift gate, but the total will be under the budgeted amount.

## **Recommendation**

Staff recommends approval of Resolution 07-118 authorizing the purchase of one (1) new 2008 Ford Explorer 4 x 4 in the amount of \$20,369.00, one (1) new 2008 Ford F-150 4 x 4 Super Cab in the amount of \$19,899.00 and one (1) new 2008 Ford F-150 4 x 2 Super Cab in the amount of \$17,943.00 from Don Reid Ford under the Florida State Sheriffs Association Contract. Further staff will be authorized to dispose of Vehicle # 16, a 1991 Ford Explorer, # 32, a 1997 Ford F-150, and # 42, a 1996 Dodge by auction, sealed bids or other appropriate method. If approved, sufficient funding is available as outline above for this purchase.

# PROPOSAL

NAME: CITY OF TREASURE ISLAND

DATE OCTOBER 8, 2007

FAX: 727-547-4587

ATTENTION: HAL BRUCE

2008 FORD EXPLORER 4DR 4x4  
 4.0 V-6 ENGINE  
 AUTOMATIC OVERDRIVE TRANSMISSION  
 CLOTH BUCKET SEATS  
 POWER WINDOWS AND LOCKS  
 SPEED CONTROL  
 AIR CONDITIONING

TOTAL \$20,369.00

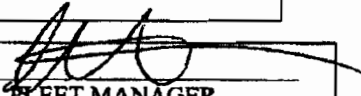
DELIVERY 60 - 75 DAYS ARO

We thank you for the opportunity to make this proposal and will appreciate your acceptance. Acceptance of this proposal will not be binding upon us until this proposal is approved hereonin writing by an official of Don Reid Ford, Inc. Return of one copy of this proposal and your purchase order number constitutes your official acceptance.

PO# \_\_\_\_\_

Respectfully submitted  
DON REID FORD, INC.

ACCEPTED: \_\_\_\_\_

BY:   
 FLEET MANAGER

# PROPOSAL

NAME: CITY OF TREASURE ISLAND

DATE: OCTOBER 8, 2007

FAX: 727-547-4587

ATTENTION: HAL BRUCE

**2008 FORD F-150 4X2 SUPER CAB XL SERIES  
 (OXFORD WHITE)  
 5.4LITER V-8 ENGINE  
 AUTOMATIC TRANSMISSION  
 AM/FM STEREO  
 .P235 BSW A-S  
 3.55 REGULAR AXLE  
 7050 GVWR  
 17" GREY STEEL  
 VINYL 40/20/40 SEAT  
 POWER BLACK MIRRORS  
 TRAILER TOW PACKAGE  
 POWER EQUIPMENT GROUP**

**TOTAL \$ 17,943.00**

**DELIVERY 60 - 90 DAYS ARO**

We thank you for the opportunity to make this proposal and will appreciate your acceptance. Acceptance of this proposal will not be binding upon us until this proposal is approved hereonin writing by an official of Don Reid Ford, Inc. Return of one copy of this proposal and your purchase order number constitutes your official acceptance.

PO# \_\_\_\_\_

Respectfully submitted  
DON REID FORD, INC.

ACCEPTED: \_\_\_\_\_

BY:   
FLEET MANAGER

# PROPOSAL

NAME: CITY OF TREASURE ISLAND

DATE: OCTOBER 8, 2007

FAX: 727-547-4587

ATTENTION: HAL BRUCE

**2008 FORD F-150 4X4 SUPER CAB XL SERIES  
 (OXFORD WHITE)  
 5.4LITER V-8 ENGINE  
 AUTOMATIC TRANSMISSION  
 AM/FM STEREO  
 .P235 BSW A-T  
 3.55 LIMITED  
 7200 GVWR  
 17" GREY STEEL  
 VINYL 40/20/40 SEATS  
 POWER BLACK MIRRORS  
 POWER EQUIPMENT GROUP**

**TOTAL \$ 19,899.00**

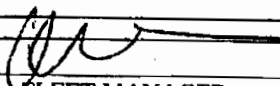
**DELIVERY 60 – 90 DAYS ARO**

We thank you for the opportunity to make this proposal and will appreciate your acceptance. Acceptance of this proposal will not be binding upon us until this proposal is approved hereon in writing by an official of Don Reid Ford, Inc. Return of one copy of this proposal and your purchase order number constitutes your official acceptance.

PO# \_\_\_\_\_

Respectfully submitted  
DON REID FORD, INC.

ACCEPTED: \_\_\_\_\_

BY:   
FLEET MANAGER

**RESOLUTION NO. 07-118**

**A RESOLUTION OF THE CITY OF TREASURE ISLAND CITY COMMISSION APPROVING THE PURCHASE THREE NEW REPLACEMENT VEHICLES UNDER THE FLORIDA STATE SHERIFFS ASSOCIATION CONTRACT IN THE TOTAL AMOUNT OF \$58,211.00 AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Public Works Department has budgeted for the purchase of three replacement vehicles in the 2007-08 Fiscal Year; and

**WHEREAS**, the Public Works Department has requested permission to purchase these three vehicles from Don Reid Ford, Maitland FL, under the Florida State Sheriffs Association contract.

**WHEREAS**, the City Commission desires to authorize the purchase of said vehicles at this time.

**NOW, THEREFORE, THE CITY OF TREASURE ISLAND CITY COMMISSION RESOLVES THAT:**

The Public Works Department is hereby authorized to purchase three new replacement vehicles as follows:

1. One new 2008 Model Year Ford Explorer XLT 4x4 in the amount of \$20,369.00 from Don Reid Ford, Maitland Florida under the Florida State Sheriffs Association contract.
2. One new 2008 Model Year Ford F-150 4x4 in the amount of \$19,899.00 from Don Reid Ford, Maitland Florida under the Florida State Sheriffs Association contract.
3. One new 2008 Model Year Ford F-150 4x2 in the amount of \$17,943.00 from Don Reid Ford, Maitland Florida under the Florida State Sheriffs Association contract.
4. Staff is authorized to dispose of the Vehicle # 16, a 1991 Ford Explorer, # 32, a 1997 Ford F-150, and # 42, a 1996 Dodge by auction, seal bid or other appropriate method.

The foregoing Resolution was offered during Regular Session of the City Commission of the City of Treasure Island, Florida, sitting on the 18th day of December 2007 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:

\_\_\_\_\_  
Dawn Foss, City Clerk



## CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

December 18, 2007

Item No. E-~~4~~

**DATE:** December 12, 2007  
**TO:** Mayor and Commission  
**FROM:** Maura J. Kiefer, City Attorney  
**SUBJECT:** Resolution 07-114, Accreted Lands Seaward of ECL

---

The attached proposed Resolution is the product of several months of negotiations and research regarding the issue of an "Erosion Control Line" (ECL). If you recall, the establishment of an ECL was a requirement of our DEP Permit to commence a beach fill project. The purpose of these fill projects is to control ongoing erosion to the City's beach.

In light of current legal concerns, mainly as expressed in the "Save Our Beaches, Inc." case (now before the Florida Supreme Court), the DEP has cooperated with the City in devising an alternative to the actual establishment of an ECL. The DEP is willing to accept the City's formal acknowledgement that they have no legal claim to artificially created lands. Further, that lands accreted seaward of the 1968 MHWL have been the result of several fill projects performed since then. These fill projects are adequately chronologically documented by aerial photographs and other technical documentation maintained by Coastal Technology Corporation, as well as the involved state government agencies.

### **Recommendation:**

Staff recommends approval of Resolution 07-114 acknowledging that pursuant to state law, the City of Treasure Island has no legal claim to artificially created land seaward of the 1968 MHWL resulting from the various renourishment projects.

**RESOLUTION NO. 07- 114**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND, FLORIDA, DECLARING A CONSENSUS CONCERNING THE LEGAL STATUS AND LOCATION OF SUBMERGED LANDS SEAWARD OF THE 1968 APPROXIMATE MEAN HIGH WATER LINE DUE TO MAN-MADE ACTIVITIES; PROVIDING FOR AN EFFECTIVE DATE;**

**WHEREAS**, Treasure Island holds in trust for the free use of the general public a public beach located within the jurisdictional boundaries of Treasure Island as depicted in the attached survey (Exhibit 1) as "Public Beach"; and

**WHEREAS**, the Public Beach held in trust by the City of Treasure Island has sustained severe beach erosion for the past several decades. Since 1969, in response to the erosion, the State of Florida has completed several beach nourishment or fill projects seaward of the 1968 approximate mean high water line ("MHWL"); and

**WHEREAS**, the attached survey delineates the location of the 1968 approximate MHWL; and

**WHEREAS**, a Florida Department of Environmental Protection permit (DEP Project No. 0196309-001-JC) for a proposed sand-sharing, beach nourishment project will require an acknowledgement of the location of certain state-owned lands artificially created seaward of the City's Public Beach areas by man-made activities performed during nourishment or fill projects; and

**WHEREAS**, it is in the public's best interest that the City of Treasure Island, Florida, declare and acknowledge that it has no interest, and shall not acquire any interest in and to the subject lands lying seaward of the 1968 approximate MHWL, in that said lands resulted from man-made activities performed during beach nourishment or fill projects.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND DOES DECLARE AND ACKNOWLEDGE:**

**SECTION 1.** All lands lying seaward of the 1968 approximate MHWL, as depicted on the attached survey, were created as a result of the past beach nourishment or fill projects.

**SECTION 2.** The City of Treasure Island presently has no interest in, and shall not acquire any interest in or to the said man-made created lands, pursuant to state law. The City acknowledges said lands belong to the State of Florida, held in trust by the Board of Trustees of the Internal Improvement Trust Fund.

**SECTION 3:** Nothing in this Resolution shall be construed to conflict with the City of Treasure Island's existing rights, interest and title to any lands comprising the City of Treasure Island's Public Beach, as depicted on the attached survey.

**SECTION 4.** A certified copy of this Resolution shall be recorded in the records of Pinellas County which will serve as notice to the public of this Resolution regarding the location of state-owned lands in proximity to the City's Public Beach.

**SECTION 5.** This Resolution shall take effect immediately upon its passage by the Commission.

The foregoing Resolution was offered during the Regular Session of the City Commission of the City of Treasure Island, Florida sitting on the 18<sup>th</sup> Day of December 2007 by \_\_\_\_\_ who moved its adoption; was seconded by Commissioner \_\_\_\_\_ and upon roll call, the vote was:

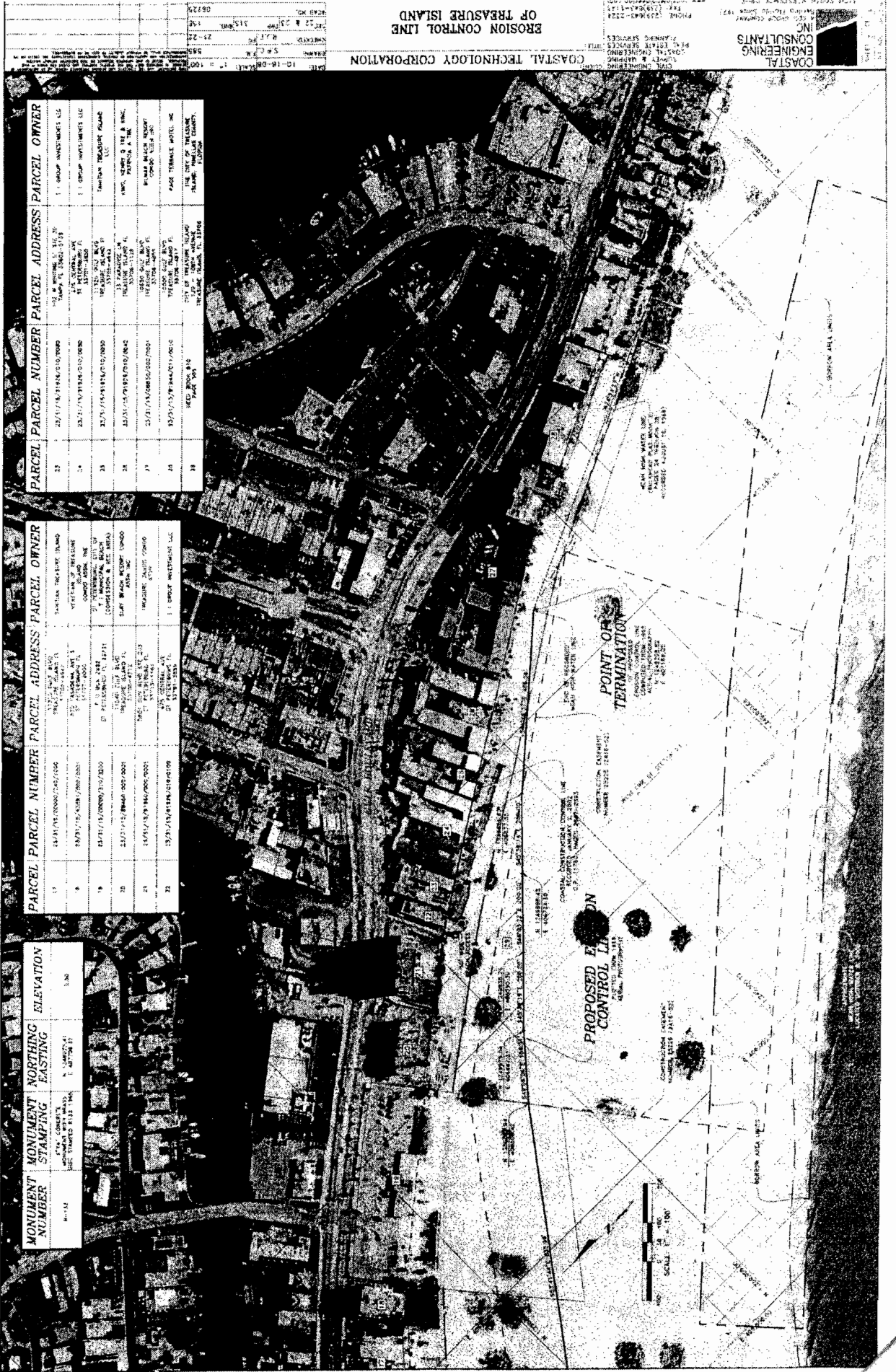
YEAS: Commissioners  
NAYS:  
ABSENT OR ABSTAINING: None

\_\_\_\_\_  
Mary Maloof, Mayor

ATTEST: \_\_\_\_\_  
Dawn Foss, City Clerk

Exhibit 1

Res 07-114



MONUMENT NUMBER	MONUMENT STAMPING	NORTHING EASTING	ELEVATION
8-11	1-1-1987	1-1-1987	1.00

PARCEL NUMBER	PARCEL ADDRESS	PARCEL OWNER
17	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
18	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
19	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
20	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
21	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
22	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC

PARCEL NUMBER	PARCEL ADDRESS	PARCEL OWNER
23	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
24	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
25	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
26	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
27	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
28	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
29	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
30	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC
31	15/01/15/0000/10/0000	1. GROUP INVESTMENTS LLC

COASTAL TECHNOLOGY CORPORATION  
 COASTAL ENGINEERING  
 ENGINEERS  
 CONSULTANTS

EROSION CONTROL LINE  
 OF TREASURE ISLAND

POINT OF TERMINATION

PROPOSED EROSION CONTROL LINE

SCALE 1" = 100'