



# **MEETING AGENDA**

February 19, 2008

**CITY OF TREASURE ISLAND, FLORIDA  
BOARD OF COMMISSIONERS MEETING  
February 19, 2008  
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 February 5, 2008 are available for approval.

**E. ITEMS OF BUSINESS:**

1. Res. 08-10 Sun, Sand, & Swing
2. Res. 08-12 Disabled American Veterans
3. Ord. 08-01 Amend the Election Ordinance (Second Reading & Public Hearing)

**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 video recording of all public hearings. In the event that you wish to appeal a decision, the recording 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  
February 5, 2008  
6:00 PM**

The meeting was called to order by Mayor Maloof at 6:03 p.m.

**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:**

Pam MacInytyre spoke regarding the City Attorney and the Sunshine Law incident. She stated that she was not the person that initiated the dialogue. The Mayor requested that she not describe the incident in a derogatory manner and suggested that she meet with the City Manager. She sent letters prior to receiving a letter from Mr. Silverboard.

She stated that she thinks the City Attorney has a problem. She has discussed it with the proper authorities. The Mayor asked if there was some way to benefit by sitting down with the City Manager. She stated that she didn't know. She believes the City Attorney was very unprofessional, and wants it to be investigated. The Mayor stated that it is a simple request, and they will look into it.

Ms. MacInytyre stated that she did not elect to be in this position and that is why she is speaking up on it. She wants to see that it gets addressed, and thinks something needs to get done. She wants everything out in the open.

**D. APPROVAL OF MINUTES:**

The minutes of the meeting and workshop of January 15, 2008 are available for approval. It was moved by Commissioner Bildz 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. 08-09 Use of the City Auditorium for the Voters' Watch Debate

Frank McConnell stated that the debate would be on February 22<sup>nd</sup>, 2008 at 6:30. He is looking at tightening down the schedule and leaving in some flexibility. If Mr. Callahan chooses not to appear then Commissioner Bildz will be allowed to be questioned. They will have a schedule after their meeting on Thursday.

Commissioner Gayton stated that he was invited to a Chamber breakfast, but he will not be able to go.

Reid said the date needs to be put into the Resolution. It was moved by Commissioner Minning and seconded by Commissioner Collins to approve the resolution with the addition of the date and time. The date chosen for the debate is February 22, 2008 at 6:30 p.m.. Upon roll call the vote to approve was unanimous.

## 2. Res. 08-05 Acceptance of the Bascule Bridge

It was moved by Commissioner Bildz and seconded by Commissioner Collins to approve the resolution as read. Commissioner Minning asked about the questions that were brought up in the previous discussion. Mr. Silverboard talked about the issues with the bridge closing properly. It wasn't a software issue, but rather a coupling to the motor was dislodged, and it wasn't allowing the bridge to close properly. There will be an inspection every six months. Software issues have been minor glitches. Mr. Silverboard brought up some of the questions that were previously asked. The City Attorney has examined the documents, and has found that there is a provision for a warranty in the contract. Labor is not included in the warranty according to a representative from E.C. Driver. The performance bond stays in place through the warranty period.

Commissioner Collins asked if when we signed the contract weren't we aware that the labor was not included. Mr. Silverboard stated that he couldn't comment on what happened prior to his arrival. He stated that it wasn't the same as buying an appliance, and doesn't think there is an industry standard. Commissioner Minning stated that there are different components and they have different types of warranties. Hal Bruce stated that everyone is very proud of the job they did on the bridge, and they will do a good job to ensure its operation. He believes there shouldn't be any problems.

Commissioner Minning asked about the medallions and stated that he spoke to Jim Phillips. Mr. Bruce stated they are addressing the problem and making them smaller, and we should get some pieces next week. The City is going to install the ones on the sidewalk and Johnson Brothers is going to install the pieces on the outside of the bridge.

Upon roll call the vote to approve was unanimous.

## 3. Res. 08-08 Appointment of Two Planning and Zoning Board Members

It was moved by Commissioner Bildz and seconded by Commissioner Minning to approve the resolution as read. Commissioner Gayton asked that the names of the appointees be read.

Parker Lilia resigned and Lynn Dayvault will be appointed for District 3, for a term expiring in August of 2009. Ruthie Starkey had resigned for District 2, but is now doing well and wants to resume her position. Her term will expire in August of 2008.

Commissioner Minning asked if she is being appointed was her expiration the same as it was on her regular term. Mr. Silverboard explained that with a resignation, they fill the appointment for the remainder of the term of the person who resigned.

Upon roll call the vote to approve was unanimous.

4. Res. 08-07 Consideration of Appointing a Special Magistrate

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

5. Ord. 08-01 Amend the Election Ordinances (First Reading)

It was moved by Commissioner Collins and seconded by Commissioner Minning to approve the ordinance on first reading. Upon roll call the vote to approve was unanimous. The ordinance will come up for second reading and public hearing at the February 19, 2008 meeting.

6. Res. 08-06 Supporting the Florida League of Cities Key Priority Issues

It was moved by Commissioner Gayton and seconded by Commissioner Collins to approve the resolution as read.

Commissioner Bildz had questions about the use of electronic detection devices for traffic infractions. Mr. Silverboard read the document from the Florida League of Cities, and stated that they could be placed essentially at any place the City, County and State feel it is appropriate, and it is really up to the City to enforce.

Commissioner Bildz stated that his objection is that the owner of the vehicle gets the ticket and may not be the driver of the vehicle. Mr. Silverboard said that it is the coming and the going that is recorded, and it takes a picture of the driver's face.

Ms. Kiefer said it may be unconstitutional to give an owner of a vehicle a moving violation if they were not driving, and it would be very difficult to enforce.

Upon roll call the vote to approve was unanimous.

**F. ADJOURNMENT**

The meeting was adjourned by Mayor Maloof at 6:33 p.m.

**CITY OF TREASURE ISLAND, FLORIDA  
BOARD OF COMMISSIONERS WORKSHOP MINUTES  
February 05, 2008**

The workshop was called to order by Mayor Maloof at 6:43 p.m.

**I. DISCUSSION ITEMS:**

**1. Res. 08-10 Sun, Sand & Swing (Requested by Dominique Reiter)**

Dominique Reiter, President of the Chamber of Commerce, spoke about the Sun, Sand & Swing event. She stated that she is excited about Treasure Island having any kind of events that draw people from outside of the area to enjoy Treasure Island. Last night there was a grand opening at the Renaissance, and she and Mayor Maloof spoke with a Mayor from Iowa who came to visit Treasure Island because of the advertising on the Chamber of Commerce website. The Open Air market is a great success. She has been asked by another Chamber for their list of vendors. They passed out a survey at the market, and have received some interesting results. They will be giving the complete results to the Commission after it concludes in March. Sun, Sand, and Swing will bring lots of people to Treasure Island. She believes there will be more people staying at the hotels, and visiting Treasure Island businesses. The event will be held on May 24, 2008 from 9 a.m. to 9 p.m. They have changed the name because the symphony raised its price again. She hopes to have music for all ages, including high school jazz bands, Dixie land bands, swing bands, and other top notch entertainment.

As part of the Resolution the Chamber is asking for use of the tables, police protection, parking on the beach, and funds that could be allocated for the beach. Local restaurants were asked to be vendors on the beach, but it is one of their busiest weekends, so they are unable to.

The table prices are going to be reduced to \$200, and the people can provide their own food. Local residents will be catering some of the tables. They are asking the residents to support the event in the form of donations, or any other kind of assistance. A citizen can purchase a table or just a chair for \$30. They will have children's rides, and fireworks.

Commissioner Minning asked if she could translate the functions requested from the City into dollars. Ms. Reiter wants to make sure the tables are guaranteed, and would like people to transport the tables and chairs. The police overtime will be limited to the evening hours of the event. The insurance is taken care of. Commissioner Minning asked if the Chamber will take care of the clean up. Ms. Reiter stated that Commissioner Minning had commented last year that the clean up crew did a wonderful job after the event. Mayor Maloof asked if the clean up would be done in the evening or the next morning. Ms. Reiter stated that it would be early the next morning. She is concerned that the event will cost \$40,000. She is making a plea to have some of the expenses be absorbed, and making a plea to the residents to buy a table, chair, or volunteer.

Commissioner Gayton asked if they had finalized the fee for parking. Ms. Reiter stated that the fee will be decided at the Executive Chamber Meeting but they are leaning towards \$5 per car. Commissioner Gayton asked about the boundaries of the parking. Ms. Reiter stated that they would be the same as last year.

Commissioner Bildz asked about item number 10 in the resolution, regarding fund raising. Ms. Reiter stated that there maybe a lot of people coming to the City as Ms. Hayduke has handled this in the past. City staff would not be calling people for sponsorship.

Commissioner Collins stated that the only problem that he saw last year was that there were a lot of people who didn't pay attention to where they were directed to park. Ms. Reiter stated that the only people that she was aware of who didn't park in the designated areas were the vendors, and the people who set up the stages. Commissioner Collins said that he was talking about private individuals. Ms. Reiter asked him to help them out by pointing out the cars that were in question.

Commissioner Bildz asked if she thought the civic associations would be willing to participate if they didn't make any money. Ms. Reiter stated that they will be meeting with the Presidents to discuss what they would like to do to help the Chamber, and how they think it should be handled. Their initial thought was that the civic associations could get the tickets and bring them back, and the associations will get 80% of their profits, or if they would like it in one big tent and divide the proceeds. Last year the symphony cost \$26,000 and there was only \$26,000 in sponsorship. They had other expenses to pay for in addition to the symphony. They are trying to reduce most of the costs. There was one sponsor who only wanted to sponsor things that were children-oriented.

Commissioner Bildz asked what would happen if you don't have enough funds. She is going to give everyone the goal now. The event will not be cancelled, but they may have to cancel parts of the event such as the fireworks if they do not raise enough money.

Mayor Maloof added that when after the 50<sup>th</sup> Anniversary the City stopped paying for the event. With finances being what they are, the City cannot help financially the way they used to, and is imploring the citizens of Treasure Island to help; otherwise there won't be these kinds of events in the City. Ms. Reiter thanked her for the compliments.

Commissioner Minning asked if the services that are being asked of the city can be put into monetary form. Mr. Silverboard said that it would be in the next staff report.

## **2. Res. 08-12 Disabled American Veterans Use of the Community Center (Requested by Commissioner Collins)**

Commissioner Collins explained that a representative of the DAV approached him about the possibility of the City providing a venue twice a month to provide counseling for area disabled vets. He is requesting one day twice a month and would spend about an hour with the disabled vets. He suggested the garden room at the Community Center.

Commissioner Bildz asked about the dates. Are the proposed date's ones that the Garden room isn't rented? Commissioner Collins stated that they would work around scheduled events. They will try to give it some consistency, yet not disrupt any thing in the community.

Commissioner Bildz asked how many veterans will participate. Commissioner Collins stated that there is no way of knowing how many are coming. There is a rep for the DAV who is a councilor, and will answer any kind of questions that they have about things like their disability payments or how to get into the hospital.

Mayor Maloof commented that it is informational, not psychological. Commissioner Collins asked Mr. Scott, the representative from the DAV, if he had covered all aspects of this.

Mr. Scott explained that the chapter was formerly located on Corey Avenue, but the building was sold. They lack a venue to reach local veterans in the area. They never charge for any kind of claim. This is all done through members dues. All they are asking is a place with a little bit of privacy, and it can be done Tuesday, Wednesday or Thursday evenings. Also, any type of appointment would be made through the chapter and no calls would be made to the City.

Commissioner Collins suggested that Mr. Scott and Ms. Hayduke get together to discuss a schedule. He is going to volunteer to drive veterans to and from the venue. Mr. Scott said they process claims for war and peace time veterans. Once started, he would prefer that people call for appointments and it be limited to two evenings per month. He also asked for a mention in the City's e-newsletter.

Commissioner Collins clarified that the city's only involvement would be to provide a facility. He would like to move it forward.

Commissioner Bildz asked how long ago the Corey Avenue facility closed. Mr. Scott stated that it was about two years ago. He stated that Chapter 13 it is the largest chapter in the state of Florida. Commissioner Bildz asked how many people they counseled there. Mr. Scott stated that they council any veteran or their spouse and family members.

Commissioner Minning asked how the public would find about it. It would be through the e-newsletter, and there is someone at the chapter between 9:00 and noon every day.

This item will move forward to the February 19, 2008 meeting agenda.

## **II. OLD BUSINESS:**

Commissioner Gayton asked about the Gulf Coast Recovery properties and what was remaining. Ms. Kiefer stated that there are two properties, and Code Enforcement has three cases that she suggests be heard before the Special Magistrate. She suggested that they may want to wait until they hear from the court on the existing case. Commissioner Gayton said the residents in the area do not want to wait. There has been a complaint since the beginning. The Citizens would like something to be done. Nothing has been done 250 15<sup>th</sup> Avenue; nothing has changed from 3 years ago. Ms. Kiefer stated that they will get the agreement for the Special Magistrate signed and will keep the Commission apprised of what is happening with these.

Commissioner Minning asked for an update on the Elnore Island Grant. Mr. Silverboard stated that Ms. Rosetti has spoken to the Fish and Wildlife, and they said go ahead. He will have a report at the next meeting.

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

Ms. Kiefer discussed the sewer dispute. She has sent a letter to St. Pete. She indicated before that she has gone as far as she could go with the matter. If you choose to litigate you will be required to do mediation first. She reviewed letters in the Public Works Department, and found a letter that stated it was illegal to put forth a surcharge, and is speaking to attorneys who specialize in this type of work. There is a statute that states that the city cannot assess a

surcharge to another municipality. If the Commission would like to work with her office she can reduce the legal budget. She is proposing to the City Manager to try and start up negotiations. She thinks St. Pete is pretty stubborn, and they have made up their minds. Mayor Maloof asked how long ago the previously mentioned letter was written. It was approximately 8 years ago. The letter did not turn up in document requests made to the City of St. Pete. She is also interviewing consultants, which is extremely important. She has identified the ones that you would want to consider. It could come down to an issue as simple as the Chapter 180.02 regarding the boundaries and ability to charge the surcharge.

Commissioner Gayton asked if we had already engaged a consultant. Mr. Silverboard stated that part of it was in regards to the rate study, and a portion was to provide from a rates perspective to the attorney their expertise when it comes to charging these surcharges. They are not attorneys, they are rate specialists. The St. Pete Beach attorney has met with Mr. Moye and Mr. Ori to come up with their case. The City will use Mr. Ori for the litigation part, but we don't know how much.

Ms. Kiefer stated that if the City is considering litigation it would have to be in executive session. She will send a memo about her findings, and she believes the City has a very strong legal argument against this surcharge.

Commissioner Collins stated that with the letter dated 8 years ago, shouldn't it be a no brainer, and asked for a copy of the letter. Ms. Kiefer stated that a copy of the letter will be attached to the memo.

Ms. Kiefer gave a brief update in the federal case. She has filed a brief, and is hoping for a decision in the fall.

Commissioner Minning asked for an update on the ECL. Ms. Kiefer stated that a resolution has been drafted and is being reviewed.

The City Manager reported on a major water main break in the County water line, which broke our sewer line. The county responded right away, and the sewer line was capped. 30 or so homes were given notices to boil water for the next 48 hours.

The City Manager reported that we have received a letter from Brighthouse to notify us that they are going to have another rate increase. The residents should be getting notified. Please note that the city has no control over the cable rate increase.

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

Commissioner Gayton stated that a sexual offender has moved in at 276 115<sup>th</sup> Avenue. Commissioner Gayton called Chief Casey about the 1,000 ft law. The county came out, measured it, and he was informed by his probation officer that he needed to move by 6 p.m. by tonight. Neighbors within a two block radius are notified. He moved within 50 feet of a bus stop. He would like to discuss finding out where the kids are dropped off and try to ensure that this does not happen again.

Commissioner Gayton stated that in the last month, we received at least 11 copies of memorandums from the City Attorney regarding the incident that happened after a P & Z meeting. The City Attorney felt that a discussion was possibly a violation of the Sunshine Law. Consequently there has been a question about the conduct of the City Attorney. He will yield to

the Mayor's request not to move into it. It cannot be swept under the rug. It needs resolution. He wrote an e-mail to the Mayor asking why the memorandum from the City Attorney regarding the initial investigation did not come to them. The memos from the City Attorney are not finding their way to the Mayor and City Commission. He would like some kind of recommendation so it doesn't get out of hand. It is the Commission's responsibility to resolve this.

Mayor Maloof stated that she didn't answer his email because it is a violation of the Sunshine Law. Commissioner Gayton had consulted with the Attorney General's office regarding this issue. He is requesting that the City Commission should receive all correspondence. He wants the conflict solved before it goes too far.

Commissioner Bildz agrees with his intent, but he isn't sure how to go about it. He believes that the P&Z board feels that there is a cover up in the city.

Mr. Silverboard stated that he doesn't believe that the P & Z board has stated that.

Commissioner Gayton stated that if in the eyes in the P & Z board, as a body, it needs to bring it to the Commission, not individuals. We can always fix the problem. The problem right now is at least two members are upset, and Maura is saying that is not the way it is. Let's resolve this to the satisfaction of all parties. How that is done is what he is asking the Commission about. He suggested either the Florida League of Cities, or a mediator.

Commissioner Minning stated that he sees two issues. There is a root, was there a violation of the Sunshine Law. Stemming from that is the conflict. The City Attorney is not going to pursue it. Ms. Kiefer stated she was going to step aside because she didn't want any questions about her objectivity, as it is a serious accusation and didn't feel it was in her purview. She stated that she is bound by Florida bar laws, and feels she is obligated to not look the other way. Commissioner Minning commented that everyone is caught in the middle, because now nobody knows if there was a violation or not. Ms. Kiefer stated that she has asked members on a number of occasions to stop discussing board business. It is a normal thing, and she simply reminds them of the Sunshine laws. She has no reason not to take Ms. MacIntyre's word. She was not privy to the entire conversation. The Assistant City Planner did hear the conversation. Whether what he heard is a violation is subject to debate.

Commissioner Minning stated that she is the individual that brought this forward. That she stated that there is a potential violation. Ms. Kiefer said that she has not interviewed Mr. Shogren. She suggested that the statement should be taken from the Police. Commissioner Minning stated that this began with her, and now she is withdrawing from taking an active role, so now it has fallen on the Commission's lap to decide whether to go forward with this or not. His problem with this is the word "potential" and nothing concrete, the Commission is being asked to make a concrete decision. If they are to do that, then they need further information from her. If she feels strongly about it then she needs to tell them. Ms. Kiefer stated that she did not hear the entire conversation. She asked them not to discuss board business. Ms. MacIntyre stated that she was discussing the letter. She advised her not to discuss the letter as it was board business, and they stopped. Commissioner Minning asked if there were records from Mr. Shogren. Ms. Kiefer stated that there are none.

Commissioner Bildz stated that we should drop it. Commissioner Minning agreed, if there is no violation. Commissioner Gayton stated that he has a letter from Ms. McCreary, who was standing next to them during this discussion. Ms. McCreary said there was no discussion. The

City Attorney has put it back in our laps. The City Attorney works for the City Commission. The memorandums should go to the Commission and cc the City Manager.

Commissioner Minning stated that he doesn't want to pursue it. Commissioners Collins and Gayton agreed. Commissioner Minning stated that the City should look at what the issue was regarding the special exception. Commissioner Bildz stated that the issue is what conditions were not met. The P & Z should be able to handle this. Mayor Maloof stated that she has not felt that it was the whole board that felt there was a problem, which was why she suggested that they discuss it with the City Manager. Commissioner Bildz stated that he wants the P & Z Board to be satisfied. If they set conditions, they should be followed. Ms. Kiefer stated that enforcement is tricky, and she would like to workshop some items with them if they are interested.

Commissioner Minning asked the City Manager to share what his interpretation of Amendment 1 passing was. Mr. Silverboard stated that there are 2400 homesteaded properties in the City. The vast majority of them would receive the full homestead exemption. Each \$25K would give a saving of approximately \$59.00. \$140,000 less will be coming to the City. There is no way that anyone in the state could give a good estimate of the full impact of this. The impact will take place over a number of years. In terms of the \$25,000 exemption for business equipment, there is no number, but it is relatively small. We will see approximately \$150,000 less revenue for the general fund. Of greater importance, when the homestead is cut, so is the County's revenue. We currently get approximately \$450,000 from the County and we don't know what the impact will have on that revenue.

The state has a \$2 billion short fall, due to the State not collecting as much sales tax as they anticipated. That applies to other general funds as well. The Federal Reserve is trying to stimulate the economy by providing cuts to the federal fund rate. They have knocked off 1.25% in the last 30 days, so we are losing interest earnings. All of these things are having a compounding effect. We are trying to assess what our financial picture will be next year, and looking at the revenues for the remainder of the year.

What we are looking at are things that we are not going to be able provide, and they are things that citizens would expect. The City is going to start its budget soon, and there will be some unfortunate choices to make.

Commissioner Minning announced that on February 16<sup>th</sup> there would be a sea oats planting. Participants should meet at 126<sup>th</sup> at 9:00 a.m. There will be 2,000 sea oat liners and 400 or 500 one gallons.

Commissioner Bildz stated that he knows that the season has picked up because the traffic in front of Caddy's has been unbearable lately. There is valet parking. The valet gets carted back in a golf cart and comes the wrong way down Harrell because the traffic is so bad. The Sunset Beach Civic Association had its annual Spaghetti Dinner. It was very well attended.

Mayor Maloof stated that we have received the Congressional Record. Congressman Bill Young mentioned Treasure Island as a Tree City. There is a benefit for the library called "Food for Thought" It will be held on February 16<sup>th</sup> at the Library. On March 14, 15, and 16<sup>th</sup> the Ikebana Society will be meeting here. She urged people to support the Chamber and its events. She announced that the Residence Inn opened. It is a beautiful property.

## **V. PUBLIC COMMENTS:**

Dominique Reiter reported that a group went to John Morroni's dinner commemorating fire crew, police and paramedics. It was a wonderful event.

Ms. Reiter stated that the Chamber is going to have their first breakfast. It will be an informal Meet the Candidates at Sloppy Joe's for \$12. Please RSVP the Chamber.

Pam MacIntyre stated that she appreciates the help in expediting the closing of the issue. At the January 17, 2008 Planning and Zoning meeting she asked for compliance to code 74-30, of the subdivision regulations. They did not receive materials in a timely manner. She doesn't agree with the City Attorney's interpretation of the rules when she stated that it was not substantial enough to be concerned. She stated that it more the way the City Attorney addressed the prior issue rather than what it was concerned with.

John Burke gave a reminder that Saturday is the garage sale on the Isle of Capri, sponsored by the Civic Association from 8 a.m. The hearts to identify you as a participant are available at Gail Byrne's office. People coming can get maps at Roselli Park. This is a big money maker for the Association. This money is what is used to make donations to the City.

**VI. ADJOURNMENT:**

The workshop was adjourned by Mayor Maloof at 8:28 p.m.



## CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

February 19, 2008

Item No. E-1

**DATE:** February 8, 2008

**TO:** Mayor and Commissioners

**FROM:** Reid Silverboard, City Manager

**SUBJECT:** Resolution 08-10, Sun, Sand & Swing Event

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**BACKGROUND** – The Treasure Island Chamber of Commerce has in the past sponsored the Sun, Sand and Symphony event over the Memorial Day weekend on the beach located at Gulf Boulevard and 104<sup>th</sup> Avenue. This year, the Chamber of Commerce has decided to revamp the event by changing the name, and the type of entertainment and activities offered. Additionally, the Sun, Sand and Symphony has in the past been a two day event; however, the Chamber is proposing that Sun, Sand and Swing be a one day event.

**DISCUSSION** – The Chamber of Commerce will hold their annual event on the beach during the Memorial Day weekend. The event is scheduled for Saturday, May 24, 2008 from approximately noon until 10:00 pm. A rain date is scheduled for Sunday, May 25, 2008. Activities will include a variety of musical groups; Open Air Market vendors; food and beverages by the Civic Associations; children's activities and fireworks at the conclusion of the evening.

The Chamber of Commerce is proposing to partner with the City and is requesting the following from the City to assist in making the event possible.

1. **Parking on the Beach** – The Chamber is requesting permission to park vehicles on the beach for a fee of \$5.00-\$10.00 per vehicle. The Chamber will abide by the same conditions as outlined in last year's resolution. The boundaries of the parking area will be clearly delineated. Turtle nests and sea oat areas will be marked accordingly. No parking will be allowed after midnight on Saturday, May 24, 2008. The parking area will be removed and a clean up detail will complete a clean up of the area by 9:00 AM on Sunday, May 25, 2008.
2. **Tables and chairs** – The Chamber is requesting the use of the city's tables and chairs for the reserved area, and for food, beverage and merchandise concessions. City crews would deliver, set up, break down and remove the tables and chairs.
3. **Staff** – the Chamber is requesting that the city absorb any overtime costs for the Police and Recreation Department employees. In the past, the city has paid for the overtime costs. The Police Department is requested for traffic control; pedestrian walkways and beach patrol during the event. The Recreation Department staff provides the delivery and pick up of tables; trash collection during and after the event; roping off of fireworks and reserved areas, and other related tasks.

The estimated cost for staff services is:

Police : Four (4) officers assigned to the event. Two (2) officers would work on the beach and two (2) officers would be scheduled to work traffic and crosswalks. Four officers at 12 hours each would equal 48 hours of overtime at a rate of \$46.19 per hour for a total of \$2,218.00 for the event. Additionally, the Police Department will have the full compliment of officers working their normal assigned shift.

Recreation Department: Staff be will assigned to deliver and pick up tables and chairs; trash detail during and after event; cleanup; staking of fireworks and reserved seating areas; locking and cleaning county restrooms; and additional assistance where needed during the event. Two (2) staff members would work event at regular pay and three (3) staff members to work event at overtime pay. All five (5) staff members would be assigned eight (8) hour shifts on Saturday and three (3) of the staff members would be assigned to return tables and chairs and perform cleanup duty on Sunday morning for a period of four (4) hours. The cost for Recreation staff with benefits would be \$1,379.00.

The estimated total costs of Police and Recreation department staff for the Sun, Sand and Swing event is \$3,597.00

4. Insurance – the Chamber has requested that they be permitted to “dovetail” off the city’s insurance. However, Fred Turner spoke with John Ligon from the Florida League of Cities, and according to Mr. Ligon the Florida Municipal Insurance Trust cannot add a private entity to the City’s insurance policy. A private entity is not afforded the same protection under the Sovereign Immunity Statute 768.28 which caps Governmental entities liability losses at \$100,000/\$200,000. The City’s re-insurance is based on this protection and it would be a violation of our agreement if the city made an exception. Also, the City’s liability does not include liquor liability only host liquor liability which does not include the sale of alcohol.
5. Funds to offset expenses – in addition to the above in-kind support, the Chamber is requesting funding to assist in offsetting the cost of the event. The Chamber has not indicated the amount of funding requested to assist in offsetting the cost of the event. There are no funds available budgeted to provide to the Chamber for this event. Funding would have to be taken from General Fund surplus should the Commission desire to donate money for this event.

#### RECOMMENDATION

Staff recommends approval of Resolution 08-10, granting permission to the Chamber for use of the tables, chairs and staff as in previous years. Further the Resolution permits parking of vehicles on the beach provided all the necessary requirements are met to protect the environment, nesting turtles and sea oats. The Chamber would be required to submit parking plans to Rick Raus, Interim Public Works Director, for approval.

Dominique Reiter will be at the meeting to address the Commission and answer any questions that the Commission may have.

ATTACHMENTS: Letter of request from the Treasure Island Chamber of Commerce  
Sun, Sand and Swing Resolution



Mary Maloof  
Mayor  
City of Treasure Island

January 15, 2008

Dear Mayor,

The Treasure Island Chamber of Commerce is very excited to announce that this Memorial Day Weekend we are planning a *Sun, Sand & Swing* event for Saturday, May 24, 2008 on the beaches of Treasure Island. The Chamber feels that updating the event, and creating an opportunity for new activities, will revive the festival and refresh the local and traveling public's perception of both the event and the City of Treasure Island.

The Chamber is proposing to partner with the City of Treasure Island to produce this year's *Sun, Sand & Swing* event. The following details are requested of the City to assist in making the event possible: beach parking, tables, security, clean up, insurance, and funds to off set expenses.

**Beach Parking:** We are again proposing to allow parking for the event in a designated area on the beach. Beach parking will reduce congestion around the community center and downtown areas as well as provide safety for people crossing Gulf Boulevard and funds to help pay for the event. In 2007, the City approved the same plan calling for 612 parking spaces just north of the designated event area.

We will again coordinate this event with DEP and will make sure that there are no barriers set up if a turtle would like to nest in hard pan sand. (Note: In 30 years no turtles have ever nested in the proposed event area.) We have briefed our City Manger and his staff and have done a walk through of the proposed event and parking areas.

As in the past, there will be no overnight parking. All vehicles will leave after the fireworks and no later than 12am. Parking will be for Saturday only. A detailed cleanup crew will remove any evidence of auto parking on the beach the next morning.

Local boy scouts will provide parking assistance. The proposed parking area is the same area that all trucks, cars, semis and support vehicles drive over to set up the event. The area is hard pan sand. We propose to share parking revenues with the Treasure Island Beach Stewardship Committee, the Boy Scouts and your Chamber of Commerce. The plan is to charge 10 dollars per vehicle.

**Tables:** The Chamber requests the use of all available City tables for this event. Not having the expense of table rentals from an external vendor will help to keep the costs of the event down.

**Clean Up:** We additionally request that the City be responsible for trash collection after the event as in previous years.

144 - 107<sup>th</sup> Avenue, Treasure Island, FL 33706  
(Phone) 727.360.4121 (Fax) 727.360.4609  
[tchamber1@tampabay.rr.com](mailto:tchamber1@tampabay.rr.com) [www.treasureislandchamber.org](http://www.treasureislandchamber.org)

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**Insurance:** In 2007, the insurance for this event cost approximately \$3,000.00. If the Chamber were allowed to dovetail the City's insurance policy, the cost could potentially be reduced to as little as \$100.00 for the 2008 event.

**Security:** In 2007, the City agreed to absorb the entirety of overtime costs for the Police, Recreation and Public Works personnel. The Chamber made this request due to the decrease in sponsorship donations and increased costs of the event. At this time, the Chamber has even fewer committed sponsorship dollars for the 2008 event than for the 2007 event, and requests that the City again provides for the security of the City's residents and tourists during this proposed 2008 event.

**Funds to Off Set Expense:** This year's event will not be possible without support and backing from the City of Treasure Island. As the biggest event on the beach during this holiday weekend, *Sun, Sand & Swing* is estimated to bring over 20,000 people to Treasure Island throughout the weekend. This civic event will not only benefit the Treasure Island Chamber of Commerce but will prove to promote patronage of the City's businesses over Memorial Day Weekend 2008 and, with the help of the City to produce this event safely, efficiently and with little congestion, it is sure to encourage attendees to return on subsequent occasions creating residual returns for the City. The Chamber is requesting appropriate funds from the City to support *Sun, Sand & Swing* 2008.

Respectfully,



Dominique Reiter

President

Treasure Island Chamber of Commerce

cc: City Commissioners, City Manger, Public Works Director, Recreation Director

## **RESOLUTION NO. 08- 10**

### **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND APPROVING THE LOCATION AND USE OF A PORTION OF THE TREASURE ISLAND BEACH FOR THE SUN, SAND AND SWING EVENT AND FOR A TEMPORARY PUBLIC PARKING AREA FOR THE EVENT ON SATURDAY, MAY 24, 2008 AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Treasure Island Chamber of Commerce has taken on the responsibility of producing and funding the annual Sun, Sand and Symphony event which will occur on Saturday, May 24, 2008; and

**WHEREAS**, the Chamber has decided to revamp the event by changing the name and the type of entertainment and activities offered at said event which is anticipated to draw several thousand spectators; and

**WHEREAS**, the Chamber of Commerce has requested that a temporary parking lot on the beach immediately north of the event and audience site for approximately 612 vehicles be approved for Saturday, May 24, 2008; and

**WHEREAS**, the Chamber understands that there are a number of conditions of approval that will be necessary in order to allow the event and temporary parking to occur.

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

1. The boundaries of the parking lot area will be clearly marked and will provide all the necessary requirements to protect the nesting turtles, sea oats and environment.
2. No parking will be allowed past midnight on Saturday, May 24, 2008
3. The Chamber will need to coordinate with the Public Works Director, Recreation Director, Fire Chief and Police Chief any issues related to the beach parking location and use.
4. The parking area will be removed and a clean up detail will complete a clean up of the area by 10:00 AM on Sunday, May 25, 2008
5. The Chamber will be responsible for the repair of any damage that may occur to any property owned or maintained by the City of Treasure Island and the City of St. Petersburg relating to the temporary parking on the beach.
6. The Chamber will be responsible for securing and obtaining the necessary permission or permits from the City of St. Petersburg, the Florida Department of Environmental Protection, Pinellas County Parks Department and any other entity that may be required prior to the event.
7. The Chamber will need to provide a liability insurance policy naming the City of Treasure Island as an additionally insured entity at a level of no less than one million dollars.
8. The City of Treasure Island will absorb any personnel costs for the Police and Recreation employees for the event.
9. The City of Treasure will allow the Chamber to use the tables and chairs from the Community Center and City Hall Auditorium at no cost.

10. This resolution is 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 19<sup>th</sup> day of February, 2008 by Commissioner ( ) who moved its adoption; was seconded by Commissioner ( ) and upon roll call, the vote was:

**YEAS:**

**NAYS:**

**ABSENT OR ABSTAINING:**

ATTEST:

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Mary H. Maloof, Mayor

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Dawn Foss, City Clerk



## CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

February 19, 2008

Item No. E-2

**DATE:** February 8, 2008

**TO:** Mayor and Commissioners

**FROM:** Reid Silverboard, City Manager

**SUBJECT:** Res 08-12, Request by Disabled American Veterans Request for Fee Waiver

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### **Background:**

Commissioner Collins has been approached by a representative of the Disabled American Vets requesting permission to use the Garden Room at the Community Center one day per week (either a Monday or Wednesday) twice per month free of charge in order to conduct counseling services to qualified disabled veterans who live in the Treasure Island area. As it is difficult for some of these Veterans to get to the facility at Bay Pines, it is thought that arranging to obtain certain services in Treasure Island might be beneficial.

### **Discussion:**

Sam Scott with the Disabled American Veterans met with staff after the Workshop meeting on February 5, 2008 and said the DAV would like to use the Garden Room to provide counseling/referral services, on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month from 6-8 PM. We understand that he would like to start in March. This use does not conflict with any Recreation Department programs or classes. Also, there will be no additional staff costs as staff work Thursday evenings for Bingo.

Past practice has been to have the City Commission approve free use of city facilities.

### **Recommendation:**

Staff recommends approval of Resolution 08-12 authorizing the use of the Garden Room twice per month at no charge.

**RESOLUTION NO. 08-12**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND GRANTING PERMISSION TO THE DISABLED AMERICAN VETERANS TO USE THE GARDEN ROOM, WAIVING THE FEE, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Disabled American Veterans provide counseling services to qualified disabled veterans who live in the Treasure Island area ; and

**WHEREAS**, it is difficult for some of these veterans to get to the facility at Bay Pines; and

**WHEREAS**, the City Commission feels that arranging to obtain these services in Treasure Island may be beneficial;

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

1. Permission is granted for the use of the Garden Room free of charge by the Disabled American Veterans twice monthly on a schedule to be arranged with the Recreation Department.
2. This resolution is 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 ( ) 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

February 19, 2008

Item No. E-3

**DATE:** February 8, 2008

**TO:** Mayor and Commission

**FROM:** Maura J. Kiefer, City Attorney

**SUBJECT:** Ordinance 08-01, Election Canvassing Boards

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The attached proposed Ordinance is to allow the City Clerk to substitute the County Canvassing Board for the City Canvassing Board comprised of the City Attorney, City Clerk and Mayor-Commissioner, as allowed by state law.

**Recommendation:**

Staff recommends approval of Ordinance 08-01 on 2nd Reading.

## ORDINANCE NO. 08- 01

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, PERTAINING TO ELECTIONS; AMENDING SECTION 14-15 OF THE CODE OF ORDINANCES OF THE CITY OF TREASURE ISLAND, FLORIDA, PERTAINING TO THE CANVASSING BOARD PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF ORDINANCES OF THE CITY OF TREASURE ISLAND, FLORIDA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Pinellas County Supervisor of Elections has notified the City that the County is willing to serve in lieu of the City's canvassing board as allowed by state law; and,

WHEREAS, the City Commission wishes to amend the City's Ordinance governing the canvassing board and recognize that the County may serve in lieu of its own members.

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

SECTION 1. That Section 14-15 of the "Code of Ordinances of the City of Treasure Island, Florida" shall be amended as follows:

### **Sec. 14-15. General laws of state to govern elections.**

(a) The provisions of the general laws of the state pertaining to state and municipal elections relative to qualification of electors, registrations, manner of voting and duties of election officers shall govern all municipal elections of the city.

(b) The canvassing board for municipal elections shall consist of the city clerk, the city attorney and the mayor-commissioner unless the mayor-commissioner is running opposed, in which instance a city commissioner who is not a candidate or is running unopposed shall be appointed by a majority of the city commission to serve on the board. Additionally, the County canvassing board may serve in lieu of the City canvassing board as determined by the City Clerk.

SECTION 2. In all other respects, the provisions of Section 14-15 of the "Code of Ordinances of the City of Treasure Island, Florida" not hereby amended or modified shall remain in full force and effect.

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

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

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

FIRST READING on the 5<sup>th</sup> day of February, 2008.

SECOND READING and PUBLIC HEARING on the 19<sup>th</sup> day of February 2008.

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Mary Maloof, Mayor

ATTEST:

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Dawn Foss, City Clerk