

**CITY OF TREASURE ISLAND  
BOARD OF COMMISSIONERS MEETING  
February 25, 2003  
7:00 p.m.**

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

**B. ROLL CALL:**

Mayor Leon G. Atkinson	Present
Commissioner Stephanie Lavino	Absent
Commissioner Irving S. Ellsworth Vice-Mayor	Absent
Commissioner Mary Maloof	Present
Commissioner Barbara Blush	Present

**C. MINUTES:**

Motion was made by Commissioner Maloof and Seconded by Commissioner Blush to approve the minutes from the meeting of February 11, 2003 as written. Upon roll call, the vote was unanimous.

**D. PUBLIC COMMENTS:**

Mr. Chris Hearn spoke regarding the crosswalk in front of Sloppy Joe's. He stated that crosswalks are a good traffic calming measure and suggested that the Commission consider adding a crosswalk at the Island Inn. Mr. Hearn stated that while the crosswalks are a good idea, drivers are not stopping at the crosswalks for pedestrians to cross. He asked the Commission to place signs at the crosswalks so that drivers will notice them and stop.

Mr. Hearn stated that all candidates have agreed to repeal Ordinance 02-06. He asked the Commission to repeal the ordinance now in order to heal the community.

Mr. Hearn stated that the recall is not tied to whether the Commission were to decide to repeal Ordinance 02-06. He said that if the ordinance was repealed, a lot of people might reconsider signing the recall petitions.

Mr. Hugh Ruckdeschel spoke regarding a memorandum Attorney Denhardt wrote regarding "possible ways of setting aside the ordinance enacted by referendum" at the request of Commissioner Ellsworth. He referred to letter D on the second page of the memo that deals with the validity of a referendum "to enact Land Development Regulations if the referendum did not go through the process of Land Development Regulation enactment required by Florida Statute §166.041". Mr. Ruckdeschel stated that the referendum calls for a majority of the voters in order to pass variances. He further stated that the Commission is violating the City Charter

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by hearing height variances.

Mr. Jim Dobyms thanked the candidates, the studio audience and the people that tuned into channel 15 for the recent candidate debates. Mr. Dobyms also thanked the Commission for allowing Voters Watch to handle the debates as well as Mark Santos, City Staff and the volunteers for helping with the event.

Ms. Ruth Bartlett stated that she was approached by some of the older residents and asked to pose questions on their behalf at the debates.

Mr. Ruckdeschel apologized to Jim Dobyms for being suspicious of the handling of the debate. He stated that Mr. Dobyms handled the debates very well.

**E. ACTION ITEMS:**

**1. Resolution – FY01-02 Audit Report -**

After hearing the reading of the resolution accepting the Comprehensive Annual Financial Report, report on compliance and on internal control over financial reporting based on an audit of financial statements performed in accordance with governmental auditing standards for the fiscal year ended September 30, 2002, motion was made by Commissioner Blush and seconded by Commissioner Maloof to approve the resolution as read.

Mr. Bob Heber, a representative of the independent auditing firm Grant Thornton, highlighted the major points of the audit. He stated that the general fund had a budgeted deficit of \$160,000, but in fact had a surplus of \$118,000 thus improving the budget by \$317,000. He said the City's general fund reserve balance is 17% of the total expenditures.

Mr. Heber stated that his firm found no material weaknesses. He stated that the firm met with City Staff to discuss their responses to the comments and found the responses to be adequate. Mr. Heber said that the only prior year's comment that was not implemented was to finalize the wastewater situation with the City of St. Petersburg. He stated that he is working with the City to come up with some alternatives.

Mayor Atkinson asked if the City's goal was for general fund reserves balance to be at 15% of the total annual expenditures.

Mr. Chuck Coward, City Manager, indicated that the goal is for the fund balance to be between 15% to 20%.

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The City Manager stated that both he and the Finance Director, Mr. Darren LaFrance are proud to present the audit report to the City. He stated that there was a \$121,000 increase in the fund balance during fiscal year 2001/2002.

The City Manager stated that the City was able to absorb the \$2 million payout to conclude the Land's End lawsuit without it affecting the taxpayers. He stated that it speaks well for the financial stability of the City.

Mayor Atkinson stated that this report seems to be the first that has been so smooth with little criticism.

Mr. Heber stated that there are some issues such as computer security that are discussed in the comments section.

Mayor Atkinson complimented City Staff on a job well done.

Commissioner Maloof asked if there have been any inquiries as to how the City can provide for computer security.

Mr. Heber stated that his firm is satisfied with the City's responses regarding the issue.

Upon roll call, the vote was unanimous.

**2. [Case CC03-03-VR - 40 - 78<sup>th</sup> Avenue - John A. Volpe] Request of John A. Volpe to allow a single-family residential structure to exceed the height limitations –**

All applicants, witnesses, members of staff or other persons wishing to address any item before the Board of a quasi-judicial nature were duly sworn at this time.

Ms. Lynn Rosetti, the City Planner, gave a presentation and answered questions of the Commission.

Commissioner Blush reported that she had exparte communication with the Volpes on several occasions.

Mayor Atkinson stated that he also had exparte communication with the Volpes prior to the hearing.

Mayor Atkinson stated that the coastal construction control line would add 2 ½ feet to the elevation of coastal properties. He said if this were in effect, the Volpes would not need a variance.

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No abutting property owners were present.

Motion was made by Commissioner Blush and seconded by Commissioner Maloof to approve the variance allowing a single-family residential structure to exceed the height limitations by 2 ½ feet. Upon roll call the vote was unanimous.

**3. Case CC03-04-VR – 765 123<sup>rd</sup> Avenue - Ron Pownell] Request of Ron Pownell to allow a single-family residential structure to exceed the height limitations -**

All applicants, witnesses, members of staff or other persons wishing to address any item before the Board of a quasi-judicial nature were duly sworn at this time.

No ex parte communication was reported.

The City Planner gave a presentation and answered questions of the Commission.

The City Planner stated that she received a letter from the applicant authorizing Gail Byrne to speak on behalf of the applicant.

The City Planner stated that this particular variance case was the only permit that was affected by the approval of Ordinance 02-06 and its subsequent injunction and moratorium.

Motion was made by Commissioner Maloof and seconded by Commissioner Blush to approve the variance allowing a single-family residential structure to exceed the height limitations by 5 feet. Upon roll call, the vote was unanimous.

**4. Ordinance 03-03 – Driving Motor Vehicles on the Beach –**

After hearing the first reading of Ordinance 03-03 pertaining to driving motor vehicles on the beaches in the City of Treasure Island; amending section 58-38 of the "Code of Ordinances of the City of Treasure Island, Florida", pertaining to driving motor vehicles on beaches; providing for exceptions; providing for the inclusion of such amended ordinance in the "Code of Ordinances of the City of Treasure Island, Florida, providing an effective date, motion was made by Commissioner Maloof and seconded by Commissioner Blush to approve the ordinance as read.

Ms. Ruth Bartlett asked about use of the beaches for vehicles that are part of the festivities such as the Sun, Sand and Symphony celebration that take place on the beaches.

The City Manager stated that only vehicles that are directly related to events taking place on the beaches will be allowed access to the beaches.

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Upon roll call, the vote was unanimous.

**5. Resolution – Preservation of Florida's Beach Management Trust Fund –**

After hearing the reading of the resolution requesting the Florida State Legislature to save the Beach Management Trust Fund, motion was made by Commissioner Blush and seconded by Commissioner Maloof to approve the resolution as read. Upon roll call, the vote was unanimous.

**6. Resolution – Contract for Construction Inspection on the Causeway Fixed Bridges –**

After hearing the reading of the resolution awarding a contract to E.C. Driver & Company for construction engineering and inspection duties related to the replacement of the two fixed bridges on the Treasure Island Causeway at an estimated cost of \$916,977.41, motion was made by Commissioner Blush and seconded by Commissioner Maloof to approve the resolution as read. Upon roll call, the vote was unanimous.

**7. Resolution – Purchase of Replacement Lid for Sewer Lift Station No. 1**

–

After hearing the reading of the resolution awarding a contract to Westra Corporation to replace the collapsed concrete hatch at lift station #1 in the amount of \$10,010.00, motion was made by Commissioner Maloof and seconded by Commissioner Blush to approve the resolution as read.

Commissioner Blush asked when the replacement of the hatch is scheduled to occur.

Mr. Don Hambidge, Public Works Director, indicated that the work will take four to six weeks to complete.

Commissioner Blush asked how long the street would be blocked for the replacement of the hatch.

The Public Works Director indicated that the street would be blocked for a morning or afternoon.

Upon roll call, the vote was unanimous.

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**8. Purchase of Lift for Public Works Barge –**

After hearing the reading of the resolution awarding a contract to Pinellas Dock & Lift to construct a barge cradle lift in the amount of \$8,221, motion was made by Commissioner Blush and seconded by Commissioner Maloof to approve the resolution as read.

The City Manager stated that the main issue with the barge is getting it out of the water. He said that while a trailer would be cheaper, the barge is 11 feet wide so the trailer would not be street legal.

The Mayor stated that with the lift, only one person is required to get the barge in and out of the water.

The City Manager said that during the lift is also necessary because the barge will be placed in and taken out of the water several times during the week.

**F. CITY MANAGER/CITY ATTORNEY REPORTS & COMMENTS:**

The City Manager stated that he will be prepared to present the recommendations for firms to be designated as bond and disclosure counsels at the Commissioners' Workshop Session on March 18<sup>th</sup>.

The Public Works Director reported that a public notice has been circulated by the Corps of Engineers regarding the Sandsharing Project. He stated that the notice is merely a response to a proposal for a concept on sandsharing that the City submitted to the Corps of Engineers in March, 2002.

**G. REPORTS & COMMENTS BY COMMISSION:**

Commissioner Blush stated that she was happy to hear the jackhammers and to see that Westra is making repairs to the asphalt in Bay Plaza. She said this is a good sign that Westra will follow through with the repairs that are required as a result of the reclaimed water project.

Commissioner Blush stated that Carol Malkin is inviting the Commission and the public to attend the Arbor Day event taking place at the Community Center at 4:00 pm on Wednesday, March 5<sup>th</sup>. She said that there will be a ceremonial tree planting as well as seedling giveaways and awards given to children from several schools in the area.

Commissioner Maloof stated that she received a request from the Paradise Island Civic Association (PICA) concerning their flagpole. She said that it will be on the

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agenda for the March 18<sup>th</sup> meeting.

Commissioner Maloof stated that she has received numerous calls from residents at Key Capri regarding the possible development of Elnor Island. She stated that she would like to reassure everyone that the City has no plans to develop Elnor Island. Commissioner Maloof further stated that Mr. Bob Dowling is researching the possibility of creating a sanctuary for wounded birds on Elnor Island. She also stated that she spoke with Tampa Bay Estuary and the Florida Department of Environmental Protection (DEP) regarding the matter and she was told that there is not much that can be done with spoil islands. Commissioner Maloof stated that the raccoons must be removed in order to get the birds to nest on the island.

Mayor Atkinson stated that Mr. Dowling would like to give the Seabird Sanctuary some relief by relocating some of the wounded birds to Elnor Island where they can live in their natural environment. He stated that it is possible in the future that children's tour groups may be allowed go to the island to learn about the environment and wildlife as long as the tours are limited and well monitored.

Mayor Atkinson encouraged everyone to go to the polls and vote on Election Day, Tuesday, March 4<sup>th</sup>.

**H. PUBLIC COMMENTS:**

Ms. Susan Givens pointed out an error in the resolution awarding a contract to E.C. Driver & Company for construction inspection of the Causeway fixed bridges. A figure within the resolution read \$9916,977.14 instead of \$916,977.14. The correction was duly noted by the scribe.

Mr. Carl Ystrom commented that the plants in front of the stage looked nice during the debates and that they should be displayed for the Commission meetings as well.

Mr. Nick Monsoor stated that he is leaving to go back to Canada and that he is proud to be leaving as an honorary member of the City. He said that he is proud of the community and he thanked the Commission and wished them good luck.

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I. ADJOURNMENT:

Stephanie Lavino - District 1

Mary Maloof - District 3

Leon G. Atkinson, Mayor

Irving S. Ellsworth - District 2

Barbara Blush - District 4

ATTEST:

Charles S. Coward, City Clerk