

**CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS WORKSHOP
October 21, 2003
7:00 p.m.**

I. SILENT ROLL CALL BY DEPUTY CITY CLERK:

Mayor Mary Maloof		Present
Commissioner Phil Collins		Present
Commissioner Irving S. Ellsworth		Present
Commissioner Richard Kraus		Present
Commissioner Barbara Blush	Vice-Mayor	Present

II. PUBLIC COMMENTS:

None.

Mayor Maloof presented a proclamation to Jackie and Larry Yost recognizing them for placing first and third respectively in the USA National Triathlon Championship in Shreveport, Louisiana.

III. DISCUSSION ITEMS:

1. Modification of Sunday Liquor Sales and Consumption Hours –

Mayor Maloof stated that Pinellas County passed an ordinance establishing 11:00 a.m. for the sale of alcohol on Sundays. She said that the Commission must consider whether to change from 10:00 a.m. to 11:00 a.m. for the sale of alcohol on Sundays so that Treasure Island would be in compliance with the County.

City Manager Chuck Coward stated that the County claims it has the exclusive right to set the time for alcohol sales. He said that the Commission could either defend the current time at 10:00 a.m. or change to 11:00 a.m.

City Attorney Jim Denhardt stated that Treasure Island would most likely be the only city that chooses to stay at 10:00 a.m. He recommended that the Commission change to 11:00 a.m.

Mr. Fred Stern stated that it would be costly for businesses to re-advertise 11:00 a.m. for the sale of alcohol on Sundays.

Commissioner Blush asked if establishments in Treasure Island can continue selling alcohol beginning at 10:00 a.m. until the City considers passing an ordinance changing the time to 11:00 a.m.

10-21-03

The City Attorney advised that businesses should follow the County's ordinance setting the sale of alcohol on Sundays at 11:00 a.m.

Mayor Maloof stated that the Commission would review a draft ordinance at the next workshop changing the time for the sale of alcohol on Sundays to 11:00 a.m.

2. 2004 Causeway Toll and Annual Pass Rates –

The City Manager stated that there are three resources that could be used to raise the \$50 million necessary to complete the Causeway Bridge Replacement Project as follows:

1. User fees - tolls and annual passes
2. State and federal grants
3. General Obligation bond issue

He said that the City would try to fund the project using the first two resources.

The City Manager stated that he had a discussion with Mr. Frank McConnell regarding the percentage of Treasure Island residents that buy causeway passes. He said that a total of 15,000 passes were sold last year and that 53% of the passholders gave Treasure Island as their addresses, which means a significant percentage (47%) of passholders are not Treasure Island residents.

The City Manager asked the Commission to establish the dollar amount of increase for tolls and annual passes and adopt a resolution enacting the new rates.

Mayor Maloof stated that although the residents do not want to see an increase in the tolls and passes, the City must raise user fees in order to finance the bridge project.

Commissioner Blush stated that most of her constituents would prefer to see an increase in user fees as opposed to a General Obligation bond issue.

Commissioner Collins stated that he was concerned that a significant number of people will not buy annual passes if they are set at \$80/\$90. He asked if there was a study that estimates the amount of attrition that will occur if the annual passes are set at \$80 to \$100.

The City Manager stated that Wilbur Smith conducted a study and determined that the tolls would be maximized at \$1.25 and the annual passes at \$200. The consultant felt that the tolls would be optimized at \$1.00 and the annual passes at \$60 to \$100.

10-21-03

Commissioner Collins stated that a lot of the current passholders do not reside in Treasure Island and may not continue to buy passes once they are increased.

Commissioner Collins asked if the City surveyed the residents regarding increasing the tolls and annual passes. The City Manager stated that a survey was mailed to annual passholders approximately 1 ½ years ago.

Commissioner Ellsworth stated that the price of an annual pass was \$40 in 1939. He said that if the City had kept up with inflation and the cost of living, the price of annual pass would currently be \$240. Commissioner Ellsworth stated that he was in favor of a \$100 annual pass so that the City can try to avoid issuing a General Obligation bond.

Mr. Fred Stern recommended that the Commission consider establishing a one-way toll for \$2.00 as well as offering a 2 year pass at \$175 rather than \$100. Mr. Stern asked the City not to consider selling the City-owned parking lot on Sunset Beach due to the lack of parking available.

Mr. Frank McConnell recommended that the Commission consider implementing an interim step increase for the annual passes. He expressed his concern that if the Commission raises the price of the annual passes too high, it may cause a dramatic drop-off effect. He stated that the City needs to maximize user fees received from non Treasure Island residents.

Commissioner Ellsworth stated that Acalde & Fay (federal lobbyist) has indicated that the current user fees are set way too low and that it may affect the City's ability to obtain federal grant funds.

Mr. Frank McConnell stated that he thought it might be wise to test the market in increments by raising the annual passes to \$80 and eventually increasing them to \$100.

The City Manager stated that if the City raises the price of annual passes in increments that the bridge construction would have to be postponed because 80 % of the annual passes are sold in the first two months. He also stated that the rating agencies require 6 months of revenue generated from the increased annual price of the passes to determine the toll revenue bond amount that can be issued.

Commissioner Kraus stated that he would prefer that the City not be forced to issue a General Obligation bond.

Mr. Larry Yost asked if the City has considered pro-rating the price of annual passes throughout the year. The City Manager stated that it could place the City in a

10-21-03

precarious position if the annual passes are pro-rated because there could be a dramatic decline in revenue and there is no way of knowing how significant the decline would be until it is too late.

Commissioner Collins and Commissioner Kraus stated that they support raising the price of annual passes to \$80 and \$1.00 for tolls.

Commissioner Ellsworth, Commissioner Blush and Mayor Maloof stated that they support raising the price of annual passes to \$100 and \$1.00 for tolls.

The City Manager recommended that the Commission find an annual pass amount that is unanimous. He said that a united Commission is important for the reliability level of both the citizens and the rating agencies.

Commissioner Collins and Commissioner Kraus re-affirmed their position favoring an \$80 annual pass.

Mr. Michael Daughtry stated that underwriters would look at the City's ability to pay as well as credit and projections of income. He urged each of the Commissioners to vote based on his/her conscience.

Mayor Maloof, Commissioner Ellsworth and Commissioner Blush stated that they supported increasing the annual pass price to \$100.

The Commission will consider a resolution setting the annual pass price at \$100 and the coin toss at \$1.00 at the next Commission workshop.

3. Referral of Ordinance for Five-Foot Increase in Building Height to LPA –

The City Manager stated that the Commission has been provided with a resolution referring an ordinance increasing building height by 5 feet to the Local Planning Agency for consideration.

Commissioner Collins asked if the ordinance increases building height by f5 feet across the board and the City Manager responded affirmatively.

Commissioner Blush stated that she received 7 calls from people regarding a statement that the Commission could re-enact Ordinance 02-06 by a vote of 3 to 2.

The City Attorney stated that he did not agree with the statement because the Citizen Initiated Referendum requires a majority of the electorate to vote on any changes to the Land Development Regulations relating to density and height.

10-21-03

Commissioner Collins asked how the Commission could change the majority of those registered to vote to a simple majority. The City Attorney stated that another referendum would be necessary to revise the Citizen Initiated Referendum. The City Attorney stated that the ordinance increasing building height by 5 feet as well as a referendum regarding amending the Citizen Initiated Referendum to a simple majority could be added to the ballot at the same election.

Mr. Frank McConnell recommended that the ordinance be revised to provide for approval by the number of registered voters required by the law at that time and the City Attorney indicated that the issue would be addressed.

The Commission will consider this resolution on Tuesday, October 28th.

4. Special Event Permit for Downtown Farmer's Market –

The City Manager stated that the farmer's market began this week. He asked the Commission to consider issuing a permit that would provide for a no cost business license and the use of the City's easements. He recommended that the Commission issue the permit on a 6-month basis.

Commissioner Blush stated that the first weekend of the market was a big success. She said that she spoke to the market's organizer, Ms. Elizabeth Barone who asked if the weekly use of the City's banner could be included with the permit.

The City Manager stated that if the farmer's market had permanent use of the banner, it would exclude advertising other events.

The Commission discussed other ways to advertise the farmer's market in the downtown area. Commissioner Blush stated that the Treasure Island Business Association may have some ideas.

The Commission will consider this resolution on Tuesday, October 28th.

5. Interlocal Agreement to Negotiate Wastewater Treatment Contract –

The City Manager outlined a memorandum and agreement provided to the City Commission regarding the possibility of Treasure Island forming a consortium with the Cities' of Oldsmar and Gulfport in order to negotiate with the City of St. Petersburg for a more favorable wastewater contract that's term is in perpetuity. He said that Treasure Island would split the costs for experts with Oldsmar and Gulfport (Treasure Island's share - \$19,500).

Commissioner Collins stated that the agreement with Public Resources

10-21-03

Management Group, Inc. (PRMG) indicates the total cost of services for phases I and II is \$65,000. The City Manager stated that PRMG expects to either have an agreement in place by the end of phase II or the three cities will begin litigation in phase III.

The Commission will consider this resolution on Tuesday, October 28th.

6. Report on Beach Density and Property Rights –

The City Manager provided a report to the Commission regarding density credit relating to the Coastal Construction Control Line (CCCL) as well as issues regarding the publicness of property.

The City Manager stated that, in Treasure Island, property west of the CCCL has a land use designation of preservation which has a density allocation of zero. He said that property owners have recently been pressuring the City to allow density credit for property west of the CCCL.

The City Manager stated that some lots extend out to the beach and into the water and that some lots owned by private citizens are completely west of the CCCL. He said that some of the property owners of these lots have tried to set rules for their private property that is considered to be part of the public beach. The City Manager reported that he met with property owners of the following properties; the Venetian II, the Beach House, the Rock House and Caddy's, to discuss the issue of density credit. He stated that he also discussed the issue of the publicness of property with Mr. Amico of Caddy's. The City Manager said that all three property owners have been particularly aggressive at challenging staff on these issues.

The City Manager reported that the City's position on these issues is as follows:

1. The City does not allow a density credit for property west of the CCCL. He stated that this position is supported by the Pinellas Planning Council and the Pinellas County's Comprehensive Plan.
2. Structures must have a state permit and a site plan from the City to build west of the CCCL.
3. Private property owners may choose to maintain the portion of their property that is part of the beach if DEP permits have been secured for beach raking.
4. Section 161.141 Florida Statutes declares that any additions to property cannot be used to expand a CCCL density credit. In

10-21-03

addition, private property that is part of the public beach is subject to a public easement and the traditional uses of public beaches shall continue.

The City Manager recommended that the Commission consider obtaining a legal opinion from a land use attorney as a first line of legal defense.

The City Attorney stated that he discussed the issues with the City Manager and City Planner Lynn Rosetti and he said that it is also his recommendation that the City obtain a legal opinion from a recognized land use attorney on these subjects.

Commissioner Kraus asked if any of the property owners are trying to enforce privateness. The City Manager stated that Mr. Amico was restricting the use of coolers but that he has since refrained from doing so after the City Manager informed Mr. Amico that the City did not concur with his opinion regarding privateness.

Mayor Maloof instructed the City Manager to obtain proposals from land use attorneys.

Mr. Frank McConnell indicated that the legislative intent regarding public access to beaches is clear and that the City should take an aggressive stance on these matters.

7. Publication of the Treasure Island History Report –

Commissioner Kraus stated that there is a large spread between the dollar amount of the proposals submitted to publish Treasure Island's history. He asked if Press Time had provided good service in the past. The City Manager responded affirmatively and stated that Press Time handled the printing of the 2002 City calendar.

Mayor Maloof suggested that the City sell the history publications and use the proceeds towards the 2005 anniversary celebration.

The Commission agreed that the price of the history publications would be \$3.00 and that 2,000 copies would be printed for distribution.

8. State Lobbying Contract with Fowler & O'Quinn –

The City Manager stated that this is the third year of a one-year contract with Fowler & O'Quinn, P.A. in the amount of \$40,000 to lobby at the state level. He stated that this firm enabled the City to secure a \$5.2 million TOP's grant in 2002.

10-21-03

The Commission will consider this resolution on Tuesday, October 28th.

9. Purchase of 2004 Police Vehicles –

The City Manager stated that the revised memorandum deleted a pool vehicle for the Public Works Department.

Chief Joe Pelkington stated that the acquisition of these vehicles will mean that all police vehicles are 4x4's and thus will be equipped to patrol the beach.

The City Manager stated that the City budgeted for the purchase of these vehicles in this fiscal year's budget.

Commissioner Collins asked how many miles the vehicles that are being replaced have accumulated. Chief Pelkington stated that the vehicles generally have 80,000 to 100,000 miles when they are replaced.

Commissioner Collins asked how many vehicles the Police Department has in total. Chief Pelkington stated that there are 7 patrol cars and 4 unmarked cars.

Commissioner Collins asked how many police officers are on patrol at any given time and the Chief indicated that there are 3 or 4 officers on each shift and 3 shifts daily.

The City Manager stated that 2 of the marked patrol vehicles are strictly canine vehicles which leaves 5 marked cars for general use.

The Commission will consider this resolution on Tuesday, October 28th.

10. Proposal for Beach Wildlife Management Plan –

Dr. Bob Minning, Beach Stewardship Committee Chairperson, asked the Commission to endorse the preparation of a Beach Wildlife Management Plan. He stated that the committee plans to develop an RFP with City Staff and that the committee would review, rank and select a proposal as well as establish a proposed budget for the project.

Commissioner Blush state that she is a member of the Beach Stewardship Committee and she recommended that the Commission approve the project.

The Commission will consider this resolution on Tuesday, October 28th.

11. Resolution Concerning MPO –

Mayor Maloof stated that the purpose of this resolution is to promote greater awareness of cycling as means of transportation.

The Commission will consider this resolution on Tuesday, October 28th.

12. Ord. - Amending Qualification Period for Municipal Elections –

The Commission will consider this ordinance for 2nd reading and public hearing on Tuesday, October 28th.

13. Ord. – Setting Second Tuesday in March for Municipal Elections –

The Commission will consider this ordinance for 2nd reading and public hearing on Tuesday, October 28th.

14. Ord. – Setting Runoff Elections for the Fourth Tuesday following the Regular Election -

The Commission will consider this ordinance for 2nd reading and public hearing on Tuesday, October 28th.

IV. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

1. E-Civis Program –

The City Manager reported that department heads tested the E-Civis Web cite and found that the there were no grants listed on the site that they were not already aware of. He recommended against joining the Web site.

2. Gulf Boulevard Access Signs –

The City Manager stated that signage will be placed along Gulf Boulevard to advise drivers of the various dead end streets. The top of the sign will read, "Local traffic only – 100 Block" and the bottom of the sign will read, "To Blocks 200 – 700 Avenues east use 116th Avenue".

The City Manager thanked Commissioner Kraus for proofing the City calendar.

The City Manager reported that installation of the decking at the St. James Bridge would begin on Thursday or Friday. He invited the Commission to take a 30 minute tour and asked them to call Public Works Director Don Hambidge to schedule an appointment.

10-21-03

V: REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Kraus reported that he delivered information on the FAST trip to Washington, D.C. to State Representative Waters on October 15th.

Commissioner Blush provided an update on the Drum Circle. She stated that it appears that the Drum Circle is beginning to wind down around 10:00 p.m. but there are still complaints regarding the duration of the drumming.

Commissioner Blush stated that she received a brochure regarding the 12th annual Future of the Region Awards from the Pinellas Planning Council. She asked if the Commission would consider nominating Sunset Vista Trailhead Park for an award. Commissioner Blush stated that she would work with City staff to fill out the application.

Mayor Maloof stated that she attended the Suncoast League luncheon on Saturday. She stated that Representative Waters was a speaker and that she reminded Representative Waters of Treasure Island's need for bridge funding.

Mayor Maloof stated that she would be attending the State Economic Redevelopment conference in Tampa Wednesday through Friday.

VI. PUBLIC COMMENTS:

Ms. Marie Barba stated that when Caddy's was under Glory Days' management, they tried to require people not to drink alcohol on the beach. She said the police have to uphold the law.

Ms. Barba stated that the surveys that have been conducted do not reflect the number of people that may not buy annual passes at \$100 and she said that \$80 would be a "happy-medium" price for the annual pass.

10-21-03

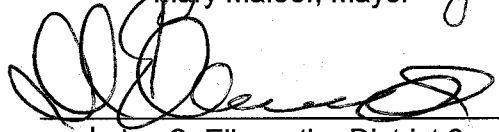
VII. ADJOURNMENT:



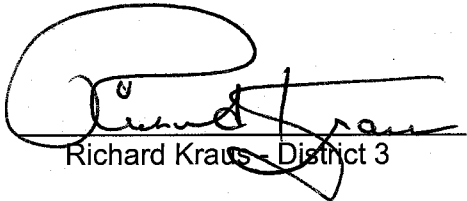
Phil Collins - District 1



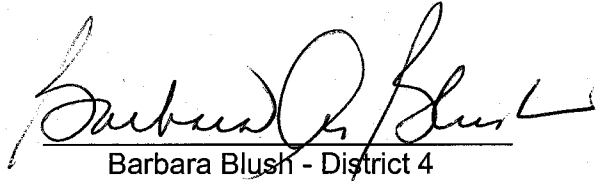
Mary Maloof, Mayor



Irving S. Ellsworth - District 2

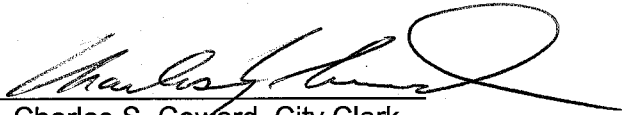


Richard Kraus - District 3



Barbara Blush - District 4

ATTEST:



Charles S. Coward, City Clerk