

**CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS WORKSHOP
January 4, 2005
7:00 p.m.**

I. SILENT ROLL CALL BY DEPUTY CITY CLERK:

Mayor Mary Maloof		Present
Commissioner Phil Collins		Present
Commissioner Ed Gayton		Present
Commissioner Richard Kraus	Vice-Mayor	Present
Commissioner Alan Bildz		Present

II. PUBLIC COMMENTS:

Mr. John Czerwonka and another representative from the Isle of Palms Civic Association presented Mayor Maloof with a donation of \$500 for the wounded servicemen. Mayor Maloof thanked the Isle of Palms Civic Association for its donation and she also thanked everyone else that has made donations. Mr. Czerwonka stated that he would like to keep the drive going and that anyone interested can drop off donations at his residence located at 11355 2nd Street East, Isle of Palms.

III. MINUTES:

Motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the minutes from the meeting of November 2nd as written. Upon roll call, the vote to approve was unanimous.

IV. DISCUSSION ITEMS:

1. Ord. – Condo/Hotel Regulations (1st Reading & Public Hearing 1/11) –

City Planner Lynn Rosetti stated that the Local Planning Agency (LPA) reviewed the Condo/Hotel Ordinance and found it to be consistent with the Comprehensive Plan. She said the changes suggested by the LPA were highlighted for the Commission's review.

The City Planner read *Section 68-494 Condo-Hotel* at Commissioner Gayton's request.

Commissioner Collins asked what happens if a unit is not rented out six (6) times per year. The City Planner stated that it would be handled as Code Enforcement violation.

1/4/05

Commissioner Collins asked how occupancy licenses would be monitored. The City Planner stated that bills for occupancy licenses that are unpaid would trigger a Code Enforcement Officer to investigate the matter.

Commissioner Collins asked what maximum square footage is allowed for a unit. The City Planner stated that floor area ratio is regulated by the City but for the most part a unit would be limited to approximately 800 to 900 square feet. She said that some units could be larger but then other units would need to be smaller. The City Planner stated that it would also be dependent on the Land Use District where the condo/hotel is located.

Commissioner Collins asked if it is mandatory that these units have kitchens. The City Planner responded negatively and stated that the Condo/hotels may or may not provide kitchens in the units.

Commissioner Collins asked if occupational licenses are handled by the unit owner or by the association. The City Planner stated that this issue is currently under discussion.

Commissioner Kraus stated that Section 68-284 (a) (2) and Section 68-304 read that units with full kitchens shall not be considered tourist dwellings. He said he thought this issue was to be addressed.

Commissioner Kraus suggested that the words "will be required" be added to Section 68-494 (2) after the word "hotels" and before the word "prior".

Commissioner Bildz asked if laundry facilities are allowed and the City Planner responded affirmatively.

Commissioner Kraus requested that City Attorney Maura Kiefer research the issue of full kitchens and occupational licensing and report back to the Commission.

Mr. Harry Black asked if the City is requiring occupational licenses from the State because the State requires the City to issue them first.

Mr. Black asked if existing condo/hotels will be grandfathered in under the current regulations. The City Attorney stated that the ordinance will be made retroactive.

Mr. Black asked how the records of condo/hotels will be inspected by the City. The City Planner stated that Code Enforcement may request rental records if there is a possibility of a violation.

Mr. Black commented that the State does not require occupational licenses for each

1/4/05

rental unit. He said there are three (3) types of licenses issued by the State.

Commissioner Bildz requested that the words "will be required" be added after the words "proper licensing" to Section 68-494 (2).

Ms. Gail Byrne stated that the proposed Condo/Hotel Ordinance does not address existing condo/hotel development. She suggested that the Commission consider adding the clause "grandfathered in". She said that the Sunset Vistas advertised to prospective buyers based on the regulations that were in place at the time. Ms. Byrne stated that 200 units were sold with the understanding that these units must be rented out six (6) times per year.

The City Attorney stated that regulations may or may not apply retroactively. She said the conditions imposed during site plan review may be what governs existing condo/hotel development.

The City Manager stated that some sections of the ordinance may apply retroactively while others may not. He said it will have to be looked at on a case-by-case basis.

Commissioner Gayton asked if transient accommodations include the requirement for a lobby and a front desk. The City Planner stated that the standards of site plan approval were the basis for developing Section 68-494.

Ms. Byrne asked how this ordinance would affect the condo/hotel projects she is currently involved in. The City Manager stated that staff would need to look at each project and advise her as to which sections of the ordinance may apply.

Ms. Byrne asked when this information could be made available and the City Attorney stated that she would work on it immediately.

The Commission will consider this ordinance for first reading and public hearing on Tuesday, January 11th.

2. Ord. - Proposed Charter Amendments (2nd Reading & Public Hearing 1/11) –

The Commission will consider these ordinances for second reading and public hearing on Tuesday, January 11th.

3. Informational Brochure for Proposed Charter Amendments –

The City Manager stated that staff is looking for direction on how to proceed with the

1/4/05

informational brochure. He recommended that it be distributed to the civic associations and made available at City Hall.

The Commission discussed the informational brochures submitted by Commissioners Kraus, Ms. Dominique Reiter and the City Attorney.

The Commission decided not to include the discussion for each proposed Charter Amendment submitted by the City Attorney.

The Commission finalized the wording for each of the seven (7) proposed Charter Amendments.

The Commission discussed the manner for distribution of the brochure.

Commissioner Gayton said he felt that the City could be challenged by someone that did not receive the brochure if the civic associations were solely handling its distribution.

The City Manager stated that he would provide the Commission with the cost to mail the brochure to the residents at the Commission meeting on January 11th.

Mr. Frank McConnell asked if the two (2) sections referring to 20% of the electorate could be defined for the voters.

The Commission will consider a resolution approving the informational brochure at the Commission meeting on Tuesday, January 11th

4. Splitting LPA and Planning & Zoning Board – LPA Recommendation (as per Res. 04-80) –

The City Planner stated that staff is recommending that the LPA and the Planning & Zoning Board not be split. She said that it is not necessary since the quorum issue has been addressed by reducing the number of members that constitutes a quorum and there has been a significant reduction in absenteeism.

Commissioner Bildz asked if subcommittees would be subject to the Sunshine Law. The City Attorney stated committees that make recommendations are subject to the Sunshine Law but fact finding committees are not.

Commissioner Collins recommended that the Commission not take any action to split the Board since the members have indicated they would prefer to stay as one Board.

The City Manager suggested that the Commission revisit the issue in six (6) months

1/4/05

and the Commission concurred.

5. CEI Bascule Bridge Award –

The Public Works Director reviewed with the Commission the prequalification selection process and he reported that EC Driver & Associates was selected as the top ranked firm by the rating panel. He recommended that the Commission award a not-to-exceed CEI contract in the amount of \$5,000,000 to EC Driver & Associates.

Commissioner Kraus asked if the firm is locked in at \$5,000,000. The Public Works Director stated that any unforeseen items would come back to the Commission for approval.

The City Attorney stated that virtually every contract has a clause that addresses unforeseen circumstances where no breach of contract would exist.

The City Manager stated that state law prohibits the City from competitively bidding this but he said that the City has the benefit of FDOT's market rates.

The Commission will consider a resolution awarding a CEI contract at the Commission meeting on Tuesday, January 11th.

6. Update on Bascule Bridge Construction – Verbal Report –

The Public Works Director reported that Mr. Jim Phillips from EC Driver, the City Manager and he discussed the weight restriction on the bascule bridge. He said that Mr. Phillips indicated that one truck that is over the weight restriction could compromise the deck. The Public Works Director recommended 24 hr/7-day bridge surveillance to provide for better enforcement of the weight and axle restrictions.

The Public Works Director stated that the sidewalk on the bascule bridge was damaged due to the recent storm and that it is now closed to pedestrians. He said that he plans to address pedestrian access to the bridge during construction in three (3) weeks.

The Public Works Director stated that during the next 15 months the bridge decking will be cut in half except for the drawbridge. He said the new leaves will begin to be put into place at 16 months and the bridge is slated to be re-opened by July, 2006.

The Public Works Director stated that the monthly inspection report indicated that the bridge is deteriorating at a slower rate since the weight restriction was enacted. He said the bascule bridge can still support up to the four (4) ton maximum.

1/4/05

Commissioner Gayton asked what sort of barricades will be used to divide the two lanes of traffic on the bridge. The Public Works Director stated that concrete barricades are being used on the outside lanes and delineators are being used on the inside lanes.

Commissioner Collins asked what the City has in place to notify pedestrians and bicyclists that the pedestrian sidewalk on the bascule bridge is closed. The Public Works Director stated that signs have been posted and police officers and toll plaza personnel are taking the appropriate actions.

7. Engineer of Record – Request for Statement of Qualifications –

The Public Works Director recommended that the Commission approve advertising a request for a statement of qualifications for an engineer of record in accordance with Section 287, Florida Statutes. The firm selected will assist the City with capital improvement projects within the Water Pollution Control Division over the next few years.

The Commission will consider a resolution authorizing an advertisement for a request for a statement of qualifications for an engineer of record at the Commission meeting on Tuesday, January 11th.

8. Assignment of Carol Ann Landscape Agreement –

This item was removed from the agenda.

9. Appointment to Mitigation Planning Committee –

Mayor Maloof stated that Ms. Heidi Horak submitted her resignation from the committee and that Mr. Jack Jones submitted an application to serve on it.

The Commission selected Mr. Jack Jones to serve on the Mitigation Planning Committee.

The Commission will consider a resolution appointing Mr. Jack Jones to serve on the Mitigation Planning Committee at the Commission meeting on Tuesday, January 11th.

10. Appointment to Beautification Committee –

Mayor Maloof stated that Ms. Barbara Schmidt submitted her resignation from the Beautification Committee.

1/4/05

Commissioner Gayton nominated Ms. Joann Rosell to serve on the Committee. The Commission will consider a resolution appointing Ms. Joann Rosell to serve on the Beautification Committee at the Commission meeting on Tuesday, January 11th.

IV. OLD BUSINESS:

Commissioner Gayton asked for an update regarding the planters in the Pirate Square parking lot. The City Manager reported that staff is looking for master site plans, etc. and that he has scheduled a meeting with the City Attorney to discuss the matter.

V. CITY MANAGER/CITY ATTORNEY REPORTS:

The City Manager reported that there are thirty-nine (39) private properties that have preservation applied to them. He stated that the City does not have a one unit per acre density option for residential properties having this preservation land use designation. The City Manager stated that he would confer with Deputy City Clerk Jennifer Nye and the Pinellas County Supervisor of Elections (SOE) to determine whether the issue could be placed on the March ballot.

VII. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Kraus wished everyone a Happy New Year.

Commissioner Kraus stated that a beach cleanup is scheduled to take place on Saturday, January 8th. He asked anyone interested to meet at Robby's Pancake House at 7:30 am or behind the Waffle House at 8:45 am.

Commissioner Bildz stated that the sea oats are growing and looking beautiful.

Commissioner Bildz thanked Mayor Maloof for attending the Sunset Beach Civic Association's meeting on Monday, and swearing in the new officers.

Commissioner Gayton asked Mr. John Czerwonka to give his name address and telephone number for those that would like to make donations for the wounded servicemen.

John Czerwonka
11355 2nd Street East
Treasure Island, FL 33706
(727) 360-0712

Mayor Maloof stated that the Treasure Island Business Association (TIBA) had the

1/4/05

pirate ship decorated with lights for Christmas.

Mayor Maloof wished everyone a Happy New Year.

VIII. PUBLIC COMMENTS:

Mr. Carson Munsey stated that builders and developers for condo/hotels should have a duty to research regulations and inform the buyers and that they have to live with whatever they say to the buyers.

Ms. Carol Coward suggested that the City provide the civic associations with the informational brochure for proposed Charter Amendments.

Ms. Coward asked if there are any meetings planned that allow for question and answers to address the proposed Charter Amendments.

Ms. Coward suggested including the brochure in the civic associations newsletters.

IX. ADJOURNMENT:

Mary Maloof, Mayor

Phil Collins - District 1

Ed Gayton - District 2

Richard Kraus - District 3

Alan Bildz - District 4

ATTEST:

Ralph Stone, City Clerk