

**CITY OF TREASURE ISLAND, FLORIDA
COMMISSION WORKSHOP SESSION
August 15, 2006**

Meeting called to order at 7:43

I. DISCUSSION ITEMS:

1. Sand Sculpture Refurbishment

The City Manager Ralph Stone gave a brief overview of the proposal that was received from Sanding Ovations. He has inspected the sand sculpture. It is in relatively good shape considering that it is two years old, but you can see that it has been repaired several times.

Commissioner Kraus commented that it is a nice addition to the downtown area. Commissioner Bildz commented that it is in relatively good shape and maybe now is not the best time to do this. With the bridge opening next year perhaps we should wait and do something bigger next year. Commissioner Collins suggested that we spend \$1,800 and replace it with a new design. This is not really a refurbishment, but rather a new design and sculpture.

It was the consensus of the commission to postpone this item until Ms. Corson can be at a meeting to explain her proposal.

2. Veterans Boat Parade Donation

The Mayor explained that we have been asked to donate again this year to the Veteran's Boat Parade. We have done this for a number of years. This item will appear on the next meeting agenda.

3. Segway Tours – Bayside Tours Along The Beach Trail

City Planner, Lynn Rosetti reported that the applicant has provided further information that was distributed to the Commission. A draft agreement is enclosed.

Mr. Dobrzeniecki gave a brief overview of what his company does when operating the Segway tours. There are 123 companies offering tours throughout the country. He gets clients from all over the country, and also Europe. He has been asked why this tour is not offered on the beaches. Commissioner Gayton asked what section of the trail would be utilized. They would be working with the Bilmar on the west side of that area of the trail. Commissioner Gayton asked how wide an area of the trail would need to be utilized. The unit is as wide as your shoulders – 16 inches. A 3 foot sidewalk is sufficient. The sidewalk here is almost 6 feet. They would utilize both sides – the east side heading north, and the west side heading south. Commissioner Gayton commented that there is a six inch drop off on the east side, and feels that it is a hazard if one of the riders drove the unit over the edge. Mr. Dobrzeniecki agreed. Commissioner Gayton asked if it is safe to drive on half sand/half concrete. Mr. Dobrzeniecki stated that yes, the training addresses that. He trains 200-500

people per month. You are only riding as fast as a brisk walk. The tour would be offered an hour or two prior to sunset. The tourists don't care how fast they go – they want a picture taken. The average age is 55-60 years old. There would be two tours per night, at 45 minutes each, for a total of about two hours. Commissioner Gayton asked the City Attorney to address the liability issue. The City Attorney explained the difference between a tort, or negligence, and other types of liability. Negligence claims are limited to the statutory state sovereign immunity limit of \$100,000. Commissioner Gayton stated that he is also concerned with the seawall in that area. It is in disrepair. He would like to see what Phil Graham's plans are for that area of the Beach Trail. Attorney Kiefer stated that the agreement allows for termination at the sole discretion of the Commission. Bayside Tours would be required to provide a two million dollar insurance policy. From a legal standpoint this is a fairly good risk calculation. Mr. Dobrzeniecki commented that if a Segway hits something it immediately stops, so the impact is much less than that of a moving vehicle such as a bicycle.

Commissioner Collins read comments that he had sent to several people who he received e-mails from. He commented that he feels that any business that operates on City owned property should pay a fee for the use of that property. He suggested an alternative to using the beach trail. He suggested that the tour be operated on the hard packed sand on the water break. He does not want to open up the trail to other motorized vehicles. He also commented that regardless of liability we would still have to defend ourselves. Mr. Dobrzeniecki said that he wants to investigate the affects of sand on the machines. He is also concerned about children playing in the sand on the beach.

Commissioner Bildz agreed that a fee should be charged. He is not in favor of a motorized vehicle on the beach. He asked if skateboards were allowed. The City Manager answered that there are no prohibitions. Commissioner Bildz commented that there are no signs, and no prohibitions against skateboards on the trail. He suggested that there be some prohibitions on the trail. The Beach Stewardship committee discussed this item at their last meeting. Their only comment was that it sounded like a lot of fun.

Commissioner Kraus commented that we had the option several years ago to turn the beach into an airport, and the residents did not want motorized vehicles on the beach. He is not in favor of changing that direction. He is not in favor of turning the beach walk into a commercial entity with motorized vehicles on it.

Mayor Maloof brought up the discussion that arose several years ago regarding Para gliders and other motorized crafts. Jet skis cause injuries, but have not been banned by other municipalities. There are many activities that cause injuries. She has received one negative, and several positive comments regarding this. It is a risk, but she doesn't feel that it is any greater risk than a bicyclist hitting a child. Commissioner Collins commented that most riders have had more than 15 minutes training, and that a bicycle does not weigh 80 lbs. The commission voted unanimously to ban power gliders on the beach, even though there was not one instance of an injury caused by these. The Mayor commented that the Segway website referred to earlier dates back to 2003 and all the cities that have banned them. The current information is that all of these cities are now operating very successful Segway tours. We should look at all the information, not just the negative information.

Mr. Dobrzeniecki commented that they cover 4 ½ miles. They have never had an accident. A handicapped child was able to ride the Segway with no problems.

Valerie Palla spoke in favor of the Segway tours. Ms. Palla commented that each Commissioner has an opinion. She has visited each neighborhood and talked to citizens about Segway tours. She found overwhelming support. 92% of the families felt strongly enough to sign a petition, which she presented. She shared the comments that she had received from the families that she spoke with. She urged the Commission to vote to allow this agreement.

Commissioner Gayton asked about charging the licensee ten dollars on page one of the draft agreement. The City Attorney explained that it is used to make the indemnity charge valid. Commissioner Bildz commented that the City should get something, and feels it should be geared towards the Taylor Beach Rental agreement. He would also like to change the termination terms to a lesser number of days. The City Attorney suggested 3 days. He asked if we could add a clause that if there was an injury the tours could be suspended immediately.

Commissioner Collins asked about page 4, item #22, which defined the word "city" in the contract. The City Attorney gave a brief explanation.

This item will move forward to the meeting agenda for September 13, 2006.

4. Wi-Fi Contract

This item has been removed from the agenda so that recommended contract amendments can be included before this item is discussed.

Commissioner Kraus asked if the insurance requirements were adequate since their employees would have 24/7 access to City buildings. The City Attorney wants to discuss the indemnification clause with the attorney. We should not indemnify the company from liability or waive our sovereign immunity rights.

The City Manager stated that we have not negotiated on the legal points. We have only negotiated on the business and technical points.

5. Definition of Family

City Planner, Lynn Rosetti, gave a brief history of this item. The Commission forwarded their definition to the LPA for their consideration. The City Attorney provided another definition that she felt would better address the issue. There are some strike-throughs and underlines that are to clarify the definition and make it more consistent. She read the proposed definition, and requested that this item be moved to the next meeting for public hearing and first reading.

Commissioner Kraus commented that this was the best definition that he had seen so far, and asked if the LPA had considered having no definition. Based upon information from the American Planning Association the City Attorney presented a definition that she felt would address the concerns. The LPA did consider offering no definition, but it did not receive much approval. The City Attorney feels that this is a good working definition that addresses all concerns. Commissioner Gayton commented that staff and the City Attorney did a very good job.

This item will move forward to the next meeting agenda.

6. Kingfish Park Design

The City Manager reported that Phil Graham had been asked for a bid to design a park on this property, including a shade structure. It includes \$15,000 in architectural fees, and a total of \$40,881. The City Manager spoke with the Public Works Director about the site. We don't know what is there, and there is a question as to whether \$2,500 would be enough, so he asked Phil Graham's opinion. Phil Graham had someone look at it. An additional \$7,500 would be needed. It will require a total of \$42,381. Commissioner Gayton commented that this has been asked for for 3 ½ years. He further commented that the stakeholders should be strictly the city, since it is our park and our land. He has problems with speaking with adjacent property owners who own parking lots without trees. He does not want this project held up due to adjacent property owners. There is nothing there that belongs to other property owners. He sees no impact to adjacent properties. He feels that the scope of services is too big for what we are trying to do. He also feels that the 6 month time frame is too long and it should be 4 months, and strictly adhered to.

The City Manager commented that the location has historically been a utilitarian site. It has been patched together. It is a very prominent site, and has lines of sight back to the condos and some single family properties. We will have to follow site plan just like others would, and we will have to address their concerns. The time spent on that will be minimal, but it is important. The permitting process creates some uncertainty in the time required. The time frame is not unreasonable with the site plan review process in there. He asked Phil Graham if he has the resources to get this done. He said that he did.

Commissioner Gayton asked for an explanation of some of the fees. The City Manager explained them. Commissioner Collins commented that an architect could design a very elaborate house for less than \$42,000. Why is this so expensive? The City Manager stated that he doesn't think that it is too expensive when you add up the scope of work involved. Commissioner Bildz suggested that meetings with stakeholders be eliminated. Commissioner Kraus commented that he agrees with Commissioner Collins and feels that it is an obscene amount of money. The City Manager stated that we are not building a single family home on a known lot. We are building on a piece of property with unknown elements on it. We could strip out some items such as talking with Public Works or neighbors. We could take this off the agenda and put this out to bid, or the Commission could rewrite the scope of work. We could remove the construction oversight, but someone needs to do that as an owner's rep. We could hire someone else. Commissioner Kraus asked if we should first do a resolution for the \$7500 for the geo-tech services and see what is there before we move forward.

We will come back with a resolution for the geo-tech services at the next meeting, and the scope of work will have to be adjusted.

7. Water Pollution Control Rate Adjustment

The City Manager gave a brief explanation of this item. This item is a follow up from the budget discussions. This is a rate fee adjustment to the Water Pollution Control Fund. We are now the lowest in the county. We will still be the 3rd lowest in the county. If this fee is not

adjusted we will be upside down in this account. We are now being assessed significant chloride surcharges by the city of St. Pete. We recommend that you consider this adjustment to address those charges.

This item will move forward to the next meeting agenda for 1st reading.

8. Solid Waste Rate Adjustment

The City Manager gave a brief explanation of this item. We are recommending that the Solid Waste fee be increased by \$1.45 per month. We are now the 7th lowest in the county, and we would continue to be the 7th lowest. This is driven by the general costs in providing the solid waste services that we provide here. Commissioner Kraus asked why Pinellas Park was so low and commented that there is a huge variation from highest to lowest. The City Manager explained that there are many communities that do not provide services such as picking up white goods, or yard waste. St. Pete does not pick up anything that is not in a can.

This item will move forward to the next meeting agenda for 1st reading.

9. Storm Water Utility Rate Adjustment

The City Manager gave a brief explanation of this item. It was discussed at the meeting during the Single Family Drainage Retrofit item discussion. This rate adjustment to our current fee would still leave us 2nd to the lowest in the county.

This item will move forward to the next meeting agenda for 1st reading.

10. Budget & Salary Ordinance

The Personnel Director, Fred Turner, presented the recommendation to amend the salary ordinance. All of these amendments are included in the budget that was presented. The 3.7% increase is the same increase that the police and fire unions negotiated. As we do every year we do a salary survey to see where our salaries fall in comparison to other communities. We try to have each of those salaries be around the median. We want to be competitive and retain good employees. This involved a few changes in the salary ranges. Most went up, with a few going down.

Commissioner Kraus asked about some of the pay grades for specific classifications. Some went up as many as three grades. The Code Enforcement positions would leave one inspector below the minimum. The Personnel Director explained that he would be moved up to the minimum of the new grade.

Commissioner Bildz does not feel that the City Clerk's salary should be included in this item, since she is an employee of the City Commission. He wants this to be a separate item and a separate resolution. This will be a separate item on the agenda for the next meeting.

This item will move forward to the next meeting agenda for 1st reading.

11. County Charter Review Committee Proposals Opposition

This item was moved to the meeting agenda and acted on there.

12. Resolution Appointing Individuals to Serve on Boards and Committees

The City Attorney read the resolution, and reported that she had gotten a call from Mr. Kaul, who prefers to serve on another board or committee. The City Clerk gave a report on what she had heard from the various board and committee members whose terms are expiring. Most of the members will be reappointed. Susan Keller does not want to be reappointed. Commissioner Bildz wants to replace Tom Mumford on the Planning and Zoning Board with Steve Gingrich. Commissioner Bildz pointed out that Dan Helton had been left off of the resolution. He needs to be reappointed. The City Clerk stated that Judy Dato on Beautification needed to be reappointed as well. The Commission will vote on all but the District 2 Planning and Zoning, and one Mitigation Committee member. It was moved by Commissioner Gayton and seconded by Commissioner Kraus to reappoint and appoint as per the discussion. Upon roll call the vote to appoint was unanimous.

II. OLD BUSINESS:

Commissioner Gayton asked about an e-mail from City Manager Stone regarding a planning and zoning meeting regarding the beach trail. Why are we deviating from the contract that we have with Phil Graham? According to the schedule he was supposed to give the Commission a report in October of 2005, December of 2005, and May of 2006. Why would the P&Z hold a public hearing when Phil Graham has not addressed the Commission? Where is he on the project and what needs to be done? The City Manager gave an update on the project. Mr. Graham's schedule was adjusted. With a project of this size you want to have the various boards and Civic Associations weigh in. This will give you a sense of where the community is, and then you have complete discretion on what you do with the plan. Commissioner Gayton asked if there are any plans, and where the project is right now. The City Manager gave a brief update. Commissioner Kraus asked what we were allowed to do regarding materials. The City Manager stated that we have had meetings, but have not gotten answers from all of the permitting agencies. After talking with Phil Graham, and staff, it was decided that the best way to proceed was for Phil to take what he heard and fashion the best plan that he could design, being sensitive to the issues, but giving the community the best plan that he could design. We will get design extension alternatives, including materials. He has been asked to provide unit costs so that we can make decisions. You will make a decision based on the pieces that you want, and then we will try to get permitted. The City Manager feels that NOAA will get frustrated because of the length of time this process will take. He may come to you with a request to ask NOAA if we can take the \$380,000 and use it on the existing trail, and hopefully that will achieve part of what we are trying to do, before the money disappears.

The City Manager said that we could do a special meeting, but the Commissioners will get the information individually. Commissioner Gayton commented that he didn't see the need for a special meeting if they were getting the information. He asked who would be making the decisions – would it be the P & Z, Beach Stewardship Committee? The City Manager stated that those committees would be advisory, and you would have the final decision. The P & Z will be hosting a meeting on September 12th and will invite the Beach Stewardship Committee, LPA, and Beautification Committee. Commissioner Bildz asked if he should participate as a Beach Stewardship Committee member. He did not want to sit in if it created a conflict. The City Attorney's opinion was that he could sit in. They would not be taking formal action. It is information gathering.

Commissioner Gayton asked about the railings for the bridge. The City Manager explained that they delivered railings for the bridge tender and they were sent back because they were not up to spec. Don Hambidge visited the fabricator. They were in the process of being fabricated, but were not painted. They will deliver half in 3 weeks, or all of them in a month. They are a couple of weeks behind. They are Johnson Brothers' sub, and they would deal with it as far as penalties. Commissioner Collins asked how long it would take to install once the railings are delivered. The City Manager stated that it should go quickly once they are here.

Commissioner Bildz asked about the progress on the Community Center. The City Manager stated that the trusses have been ordered and scheduled to be delivered the 2nd week in September. There have been challenges with the A/C contractor. They had to do some unanticipated structural work to the walls. They are now in a position to finish that up. They need to be out before Peter Brown gets there.

Commissioner Bildz asked when the Commission proposed budget will be out. The City Manager stated that the first public hearing will be September 13th and the final meeting would be September 26th. There was a conflict with the 12th. The conflict with the first Tuesday was that it is Election Day. Commissioner Bildz commented that the Beach Stewardship Committee had a question with the budget regarding the resolution requiring a minimum balance of \$500,000 in the Beach Improvement Fund. The current balance is \$477,000. How is that rectified? The City Manager stated that that is a policy decision that you have to make. You have the discretion to go below the minimum, and expend the funds as you see fit. This is a year that we are trying to protect the sales tax funds while we are doing the bridge work. At some point in time we will have to address that things have changed in terms of beach renourishment and its value, and funding sources have changed. Beach renourishment is no longer a cosmetic for the tourist industry. Commissioner Bildz commented that it never makes the President's budget. Our Congressman gets us funding, but he will not be there forever. The City Manager commented that in the event of a catastrophic event we would go to the county, state or federal level for emergency funds. The \$500,000 is nice to have, and a good matching source, but this may not be the best use of these funds.

Commissioner Bildz asked about the PSTA bus, now that the bridge is open. The last discussion that the City manager had, they weren't inclined to bring a bus over until the bridge was completely finished, and they may not be inclined to bring a bus over at all since we are not part of the group. There is a new route under discussion that would take it out to Tyrone, and then out to the beaches. There is a group who wants it to go straight to Treasure Island. Planning work on that is going on right now.

Commissioner Bildz asked about the meeting schedule for September. Since there are 5 Tuesdays in October, will we move the October meetings? The City Manager stated that we would not be changing the schedule.

III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

The City Attorney reported that mediation in the federal suit is scheduled for November 20th at 10:00 a.m.

The City Manager had no report.

IV. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Collins reported that he represented the City at the Florida League of Cities Conference in Jacksonville. He filled in for Mayor Maloof at the FL League of Mayors Seminar. He gave a report on the seminar. We all know that our economy has slowed down. He provided some interesting statistics – population is at a strong growth rate of 2.2% - equals about 400,000 people each year. That is the equivalent of a city the size of Miami each year. At this rate, FL, by the year 2020, will be the biggest state in the US, surpassing NY. There are 332 people per square mile in FL. The average age is 38 years old. Florida has the fastest job growth rate of 2.3%, and the lowest unemployment rate. Although we have said that the economy is not great, it looks promising.

Commissioner Collins will give a Traffic Management Seminar report in an upcoming meeting.

Commissioner Collins has information for the City Manager on the ramp system that he looked at in Jacksonville.

Commissioner Gayton reported that the Isle of Palms was out of power for an hour last night, and an hour and a half today. Progress energy says it was two problems – a switching problem, and a feeder problem from Madeira Beach.

Commissioner Kraus had nothing to report.

Commissioner Bildz reported that the Beach Stewardship committee had a sand sharing update. They are looking for new survey information. There was a discussion about the parking lot upgrade at parking lot #7, old Ramada, Sunset Vistas and the funds coming out of beach fund. They are for the plan, but against funds coming out of beach fund. Sand sharing has started at Sunshine beach. It has been widened approximately 100 feet. Sunset will widen by approximately 75 feet. Beach vegetation will be provided by the county. Sunshine should be finished this week, and then they will move on to Sunset Beach.

Commissioner Bildz attended the Hotel-Motel Association luncheon. He thanked Bill Young for the dedication shown for beach renourishment.

Commissioner Bildz announced that a resident in District 4 is running for Governor. He wished Max Lynn well in his campaign.

Mayor Maloof received e-mail from North Redington Beach. They talked about having a representative who can meet with a pedestrian expert, who will be meeting with the beach communities for one day on August 31st. They need someone to be available when he arrives, but they can not give us an exact time. She shared her experiences with walking in downtown Treasure Island recently. Trying to get across the street here in a crosswalk is a life and death situation. She went through all the maneuvers – making eye contact, signaling. Nobody stops or slows down. You wait until there is a lull in traffic, and they are coming at you from both directions. She has done this at St. James, the clock tower, and many of the intersections. She can not believe how people ignore people in crosswalks. It is a serious problem. She would recommend that the Commission go out and see what she is talking about. The City Manager reported that Chief Casey has arranged for a deployment during each shift to patrol each neighborhood to enforce crosswalk safety. They will be aggressively enforcing this.

Mayor Maloof commented on a post card that we have received. Tampa Bay Living Legacy is a documentary film that will be airing on Channel 16. It deals with mounting development, stress to habitats, and damaging air pollution. She strongly recommends that everyone watch it. Commissioner Gayton suggested that Jeff tape it and play it on channel 15. Tampa Bay Soundings has a listing of grants available. There is an article on there targeting animal waste. It harbors bacteria that can cause illness. They recommend that you pick up the litter and deposit it in your toilet so that it can be treated. She urged residents to clean up all animal waste.

V. PUBLIC COMMENTS:

There were no public comments.

VI. ADJOURNMENT:

The meeting was adjourned at 10:18 by Mayor Maloof.