

**CITY OF TREASURE ISLAND, FLORIDA  
BOARD OF COMMISSIONERS WORKSHOP  
April 17, 2007  
IMMEDIATELY FOLLOWING REGULAR COMMISSION MEETING**

The meeting was called to order by Mayor Maloof at 6:48 PM

**I. DISCUSSION ITEMS:**

1. Treasure Islettes Donation for Beautification

Mr. Fant reported that the Treasure Islettes have offered to donate \$3,000 to continue the planting of annuals around the City. Mayor Maloof thanked the Islettes for their donations. People notice the flowers and comment on how beautiful the downtown looks. This item will move forward to the next meeting agenda.

2. Local Business Tax (Ordinance)

Mr. Fant explained that the state legislature passed an act that deals with the business tax. It changes the name from the occupational license tax act to the business tax act. There was some confusion regarding contractors being licensed as a result of them paying their tax. Mike Wichman, Community Improvement Director, explained that there have been incidences of contractors throughout the state misrepresenting themselves as "licensed" simply by paying the Occupational License Tax. Commissioner Gayton asked if someone could explain why the occupational license tax revenues are down. Mr. Wichman explained that much of this revenue comes in later in the year. This item will move forward to the next meeting agenda for first reading and public hearing.

3. Budget Calendar

Mr. Fant explained that this item appears every year at this time establishing the dates for action on the next year's budget. There is a date range for the budget workshop meetings. At this early date it is difficult to set meeting dates. These can be finalized in late May or early June. The meetings for September need to be adjusted to avoid conflicting with the Pinellas County Commission meetings, and School Board meetings. They were suggested to move to the next day. Commissioner Bildz asked about the September 5<sup>th</sup> workshop at 5:01, and whether it was for budget only. Mr. Fant answered in the affirmative. This item will move forward to the next meeting agenda.

4. Additional Compensation for the Bascule Bridge CEI Contractor

Mr. Hambidge stated that since the last meeting he provided the Commission with a memo that should have cleared up some of the questions from the last meeting. The amount in the resolution is an amount not to exceed. He explained that he goes over all invoices monthly to ensure that they are reasonable. This would be for time and material actually worked and spent. Commissioner Gayton stated that he talked with Mr. Hambidge yesterday and went over the figures. He didn't understand at the last meeting

how the figure was arrived at. Mr. Hambidge had explained to him that it also covered the five months prior to the extension, with the balance coming for the extra work after July 31<sup>st</sup>. We will need an additional resolution, because we already have a resolution stating that the bridge will not exceed \$5,000,000. This additional money will exceed the limit. He asked Attorney Kiefer how this should be done. She will meet with Mr. Fant and Mr. Hambidge to ensure that this is handled properly. Mr. Fant stated that the resolution has been drafted, and will be presented in the packet for the next meeting. It will authorize staff to spend a not to exceed amount for the additional documented costs that are incurred for dealing with the extended contract. They will review the resolution with Attorney Kiefer before the next meeting. Commissioner Gayton stated that he wanted to see a not to exceed number in the resolution. The dates are fluid, and the number could change due to that. He suggested using \$265,000 in case of additional rain days. Commissioner Collins asked how the previous contract addressed this type of contingency. Mr. Hambidge explained that the contractor had to rework their schedule due to the delays in getting the steel. They did the best job that they could. This was an unforeseen occurrence. The contract addresses these occurrences, and provides for payment for these unanticipated costs. Commissioner Minning stated that everything that we have goes back to the steel manufacturer. Is there anything that we can do to recoup some of this from them? Mr. Hambidge stated that this was between them and Johnson Brothers. There are only two manufacturers of this type of steel in the country. The defense department took the steel, and we couldn't get it on time. Commissioner Minning asked again if they bore any burden for this. Mr. Hambidge stated that with an act of God or of war they were off the hook. Ms. Kiefer stated that there was a clause in the contract for "force major". Commissioner Bildz asked how many more bridge closures we can expect. There will be six or eight more closures. This week's closure is earlier than the past closures. Mr. Hambidge explained that as the weather gets hotter it is better to do the concrete pours earlier in the day. The bridge is scheduled to be completely open in August of 2007. This item will move forward to the next meeting agenda.

5. Additional Compensation for the Fuel Tank Removal

Mr. Hambidge explained that nothing was picked up in the monitoring wells. The contaminated soil was below them, and we think it was there before them. There was additional soil that had to be removed. Because it was contaminated, there were additional things that had to be done. Commissioner Minning asked if this gets us through to "clean closure". Mr. Hambidge stated that there would need to be additional monitoring wells installed, and further testing before that would be the case. Mr. Minning stated that you would need two consecutive samples to comply. This item will move forward to the next meeting agenda.

6. Ordinance Change re: Code Enforcement Board

Attorney Kiefer stated that she submitted this item to clarify items in the Code Enforcement Board ordinance. There is also a sample resolution included. This would be used to appoint a Special Magistrate. Mayor Maloof stated that we had received a letter of interest from Dominic Amadio. Ms. Kiefer stated that Ed Peck would be interested if all of our cases were to go to a Special Magistrate. They can only serve one city, so he would have to resign from another community. She would suggest that we have two or three on hand, due to scheduling conflicts or conflicts of interest with clients. Commissioner Gayton asked what the difference was between a special master and a hearing officer. Ms. Kiefer explained the difference between the two. Commissioner

Collins asked for clarification regarding having several candidates. Can the city have a Special Master that is "on call"? Ms. Kiefer answered in the affirmative. He asked if there would be attorneys willing to do that. Ms. Kiefer stated that there would be attorneys willing to do that. We are in the process of developing the board, and there may not be a need for a Special Magistrate. If something came up where she would be recommending a Special Master she would put it on the agenda. Commissioner Gayton stated that he is comfortable with the ordinance and would like to move forward. Commissioner Bildz agreed. Commissioner Minning asked about the last sentence, giving the City Attorney the review authority. Ms. Kiefer stated that someone needed to make a decision, and she would be involved, so she should be there to assist wherever necessary. Commissioner Minning asked if it would be better read "at the option of the City Attorney" or "at the recommendation of the City Attorney with the approval of the City Commission". She stated that it would have to come before the City Commission every time a Special Master was recommended, if the wording were changed. Commissioner Gayton stated that as far as the resolution goes, he would rather have one Special Master rather than a list. They would not be used often. Ms. Kiefer suggested an alternate as well. Mayor Maloof agreed. Commissioner Bildz stated that he wants it to read "at the option of the City Attorney". This item will move forward to the next meeting agenda for first reading and public hearing.

### **OLD BUSINESS:**

Commissioner Gayton stated that after six months we usually receive a revenue and expenditure status. We should put it on the agenda to look at the budget, and explain why we are in the red already. Mr. Fant stated that on some items you can't go by the percentages, because some items are a one time expense. Mayor Maloof suggested that we get last year's to compare it to. Mr. Fant stated that it would be difficult without the backup. He suggested that it might be better to bring individual questions to him or Mr. Silverboard, rather than bring it to a meeting. Commissioner Gayton stated that we have brought it to a meeting in the past, and he would rather see it brought to the full Commission. This item will appear on the second workshop agenda in May. Commissioner Bildz asked Commissioner Gayton if he had done any research on how the proposed roll back rates would affect our budgets. Commissioner Gayton stated that it could be about 15%.

Commissioner Bildz stated that Commissioner Minning used to be a citizen member of the Beach Stewardship Committee and has resigned. He would like to see this item on the agenda for the next meeting, rather than workshop.

Commissioner Minning requested that the Marina Committee be discussed at the next workshop.

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

Ms. Kiefer reported that on the federal case the trial has been moved to August. This is a disappointment, but it gives us more time to work on it. Anyone being subpoenaed would be given plenty of notice. It is estimated to last two weeks, but it is not unusual for it to last longer. This extension was requested by them. She feels that she is very happy with how discovery progressed, and the testimony that was provided. All that remains from today forward is trial preparation.

Ms. Kiefer met with Nicole Elko and Cliff Truitt on the erosion control line. The City of St. Petersburg is voicing objection to establishing an erosion control line in front of their property. Their concern is that it would cut into their accretioned land that they have acquired over the years. They are also concerned that this would violate the terms of the trust that provided the property. She will continue to work on this.

Mr. Fant commented that when the agenda was put together he expected this to be a long meeting. He is pleasantly surprised at how quickly it has gone. He feels that the questions being asked ahead of the meeting are what allowed this to happen. He urged the Commission to continue with that process, and thanked them for doing it this week.

Mr. Fant reported on the structure fire that occurred on the island on Sunday. The fire was entirely in concealed spaces in the house. There were four people relocated due to the fire. Pinellas County Utilities had 2<sup>nd</sup> Street partially blocked. We had to block off 3<sup>rd</sup> Street for the fire. He offered an apology to the people that were inconvenienced. He thanked the Police Department for their assistance, and the people that were understanding of the situation.

He gave a reminder that the bridge would be closed on Thursday from 6 a.m. to 4 p.m.

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

Commissioner Collins stated that they hoped to have the water mains completed by August. There will be times when the water will be intermittent, and there will be temporary lane closures. The person to talk to is Ida Dorsey. Her number is 422-8126.

Commissioner Collins gave additional information on the Fisher House, the program that Ms. Reiter spoke about earlier in the meeting. This supports the military and their families, giving them a place to stay when visiting their loved ones who are hospitalized. Their web address is [www.fisherhouse.org](http://www.fisherhouse.org). If you would like to contribute, you can make checks out to the Fisher House Foundation. Their tax ID number is 113158401. These are tax deductible donations. The checks can be given to Jack Kraniak, 455-0894, or to him, 360-8635. This is very important to helping these men and women heal.

Commissioner Minning reported on the Beach Stewardship Elnore Island project. City Planner, Lynn Rosetti is hopeful that we will be getting the SFWMD grant.

Commissioner Bildz reported that the Sunset Beach Civic Association Barbeque will be held on May 7<sup>th</sup>. Call Joel Cohen for tickets at 363-0977.

Mayor Maloof gave a reminder that June 16<sup>th</sup> would be the annual Suncoast League meeting.

Mayor Maloof gave a reminder of "Rock Around the Clock" for next weekend. This event starts at 5:30, and runs until 11:00. There will be many activities.

Mayor Maloof discussed an e-mail she had sent out to the Commission regarding animal waste. She would like to refer this item to the Planning and Zoning committee for their review. There is a family in Sunset Beach experiencing a problem with this, and she would like to see our codes strengthened on this issue. Commissioner Bildz stated that if it was as bad as they stated, it could also be a cruelty to animals issue.

Mayor Maloof reported on a program that was given at the last Mayor's Council meeting called "Clothes to Kids". Children in need are provided a complete wardrobe twice a year at no cost. She suggested that families may want to donate clothing, financial donations, or volunteer time to assist in this project. The children that receive the clothing do better in their studies. Commissioner Gayton asked how to contact the program directly. The phone number for Clothes to Kids is 441-5050. They are located on Hercules. They are looking for a location in the lower Pinellas County area.

**V. PUBLIC COMMENTS:**

Dominique Reiter stated that the clock tower is not on "Treasure Island time". Mr. Fant stated that there is a technical issue with that, and it will be addressed tomorrow morning.

Mr. Burke asked what the status was of the trolley coming back across Central Avenue to Treasure Island. He feels that it has an effect on some of the businesses in downtown Treasure Island. Commissioner Bildz stated that PSTA will not look at this until the bridge is completed. They set the routes once a year. They will look at it next year after the bridge is open. He urged the city to press the county on this.

**VI. ADJOURNMENT:**

The meeting was adjourned by Mayor Maloof at 8:07