

**CITY OF TREASURE ISLAND, FLORIDA  
BOARD OF COMMISSIONERS WORKSHOP  
November 20, 2007  
IMMEDIATELY FOLLOWING THE COMMISSION MEETING**

The workshop was called to order at 6:35 p.m. by Mayor Maloof.

**I. DISCUSSION ITEMS:**

1. Guardian Ad Litem Program – Guest Speaker Mitchell Shenklan (Requested by Commissioner Gayton)

Mitchell Shenklan presented a brief video regarding the Guardian Ad Litem program. There are 1,000 children in need of a Guardian Ad Litem at this time. A Guardian Ad Litem assists these children in court and in the foster care system. There are new classes starting in January of 2008. He asked the community for help. They are in need of volunteers.

Commissioner Gayton asked what the minimum age was to become a Guardian Ad Litem. Mr. Shenklan stated that they had to be of driving age. The job is to be an outside, independent volunteer. It is not a caretaker position.

Commissioner Collins asked if they acted as an attorney for the children in court. Mr. Shenklan stated that they were not. There is an attorney available for assistance. Commissioner Collins asked about the classes, and where the offices are located.

Commissioner Bildz asked if there was a cost for the class. It is strictly your time.

Mr. Shenklan explained that it doesn't take that much time, and it is very rewarding. The children need people to make sure that the system is working for them.

Mayor Maloof thanked Mr. Shenklan for his presentation, and for his work in the program.

2. Res. 07-103 Lien Abatement – 12305 3<sup>rd</sup> Street East

Attorney Ethan Loeb requested a reduction in the lien that is currently imposed on this property. The fine has continued to run during the course of the law suit. He has reviewed the staff memo that states a fine of approximately \$180,000. He comes up with approximately \$149,500. When the fire occurred in April there was no longer rental activity in the property. The affidavit of compliance was not issued until August, and the lien continued to run until that date. He read a portion of the Code Enforcement statute. The purpose of the statute is to gain compliance. They are in compliance now. The harm done was minimal, and his client had never had previous violations. They request that the fine be reduced substantially. The property is currently a vacant lot, and his client intends to rebuild, but that is held up while there is a lien on the property. He requested that they move this forward for action at the next regular Commission meeting.

Attorney Kiefer asked if Mr. Loeb felt that the City Commission had a legal obligation to grant his client's request. He stated that his client is entitled to present his case for a reduction.

He stated that the City is obligated to consider all the factors and make a decision. Ms. Kiefer asked if they would consider dropping the appeal if their request was granted. Mr. Loeb stated that he could not answer that without discussing it with his client. Ms. Kiefer asked if he had an amount in mind to request the Commission grant. He requested that they consider it being the administrative costs. Mr. Loeb stated that in making this request they are not waiving any of their rights in the court.

Commissioner Collins asked to review the facts of the case. Ms. Kiefer suggested that they move it forward and discuss it at the meeting. Commissioner Gayton asked if they were required to move this forward to the meeting. Ms. Kiefer stated that they are not. Ms. Kiefer explained the circumstances moving this request out of the Code Enforcement Board and to the Commission. Commissioner Gayton stated that he feels uncomfortable moving this forward while the case is still in the courts.

Commissioner Bildz asked how long this appeal could take. Ms. Kiefer stated one to two years. Commissioner Bildz stated that he would rather see it move forward.

Commissioner Minning stated that he would prefer to wait until it goes through the courts. Ms. Kiefer urged them to move it forward to the meeting. Commissioner Gayton stated that he would prefer to workshop it again in order to receive further information. All information is to be received in a workshop, and then the decision to move it forward for vote is made. He doesn't feel that there is enough information.

Commissioner Minning stated that if there is a legal basis that we are obligated to do this then we need to know that. Ms. Kiefer stated that she does not feel that there is an obligation to act on this request. It is a debt owed to the City. The Commission is the only governing body that can release the lien.

Commissioner Collins stated that he agrees with Commissioner Gayton.

It was agreed to wait until the appeal is concluded in the court to hear the request.

### 3. Res. 07-108 Purchase of Diesel Exhaust Filters

Fire Chief Fant gave a brief explanation of the item. It is the conclusion of the program that they started last year to install filters. They installed two filters last year, and have budgeted for two more this year. Commissioner Minning asked how they were working out. Chief Fant stated that they are working very well. Commissioner Bildz asked if they had noticed a difference in sick days. They have not yet. It was agreed to move this item forward to the next meeting agenda.

### 4. Res. 07-109 Affordable Housing

Associate Planner, Steve DeMerritt gave a brief presentation on the new Florida statute that requires each municipality to report on properties that would be appropriate for affordable housing. He has provided the Commission with a list of available properties, and a resolution that states that there is no land in the city that is suitable. Commissioner Bildz stated that the only property he sees is the Causeway Isles house. Mr. DeMerritt stated that it is technically not in our jurisdiction as it is not within the city limits. Mr. Silverboard stated that the just value is \$347,000, so unless it were to be sold at a loss it is not affordable. This item will move forward to the next meeting agenda.

5. Res. 07-113 New LAP Agreement for Boat Ramps and Dune Walkovers

Rick Raus gave a brief explanation of the change in the amount of federal funding that we would receive. The new amount is \$383,000. Mayor Maloof asked what happened to the rest of the money. Mr. Raus explained that there are administrative costs. Commissioner Gayton asked why the percentage of administrative costs has changed. Mr. Raus stated that the state agency changed the agreement. This item will move forward to the next meeting agenda.

6. Res. 07-110 Bid Award – Boat Ramps and Dune Walkovers

Mr. Raus gave a brief explanation regarding the bids for the boat ramps and dune walkovers. There were seven responses, and only one low bidder. Southwest Construction was the low bidder. He checked the references, and they look good. The bid is roughly \$497,000. We have \$383,000, plus a \$120,000 grant from HUD, so there is sufficient funding for the project.

Commissioner Gayton asked if he had discussed the disparity in the bids with the other bidders. Mr. Raus stated that there was no discussion at the bid opening. Commissioner Gayton asked if it included the removal of the old walkovers. Mr. Raus answered in the affirmative. Commissioner Gayton asked why they were extending the walkovers to the east. Mr. Raus explained that there were some areas that may not be extended, but others where they wanted the walkover to meet the cul de sac area. There are areas that are muddy, and they would like to get some growth in the dunes in those areas. It would guide people more. Commissioner Gayton asked about the parking at 125<sup>th</sup>, and not extending it there. Mr. Raus stated that he would like to bring parking up for discussion at a future time. Commissioner Gayton stated that we should not have to extend the walkovers because people are draining their pools into the streets – we should stop them from doing that instead. There is a shortage of beach parking. Instead of extending the walk, we could add parking. Commissioner Bildz stated that if they didn't extend it, there might be enough money to do an additional walkover.

Commissioner Minning asked if we were to save money by not extending to the east, are there other walkovers that could be done. Mr. Raus stated that when these 18 get done we are caught up. It wouldn't hurt to have a little money available for overages. Commissioner Minning stated that there was additional money available from the County for walkovers as well. He asked if the money could be used for the boat ramps. Mr. Raus stated that it was for the same project. Commissioner Gayton stated that the contract didn't include the docks at the boat ramps, so the additional money could be used for those. Commissioner Minning asked if we went forward on the total amount, could we shuffle it internally. Mr. Silverboard stated that we could do a change order. We would need to check both grants to be sure of the dollar amounts.

Commissioner Collins asked if we were liable to lose more funds while we are waiting to do this. Mr. Raus stated that we are locked in now.

Commissioner Minning asked where we were on permitting with the DEP. Mr. Raus stated that the package would be going tomorrow. There has never been a problem in the past, and we are just replacing existing walkovers. Commissioner Minning asked if the contractor would ensure minimal impact on the existing dunes when removing the old walkovers. Mr.

Raus explained that they have been advised as to what they can use for equipment and trucks on the beach.

Commissioner Gayton stated that the walkover at Sunset Vista Park is a hazard and needs to be either removed or repaired. He would like the City Manager to research whether it can be removed. It was built with grant funds from the oil spill money. Mr. Silverboard stated that before they did anything they would have to make sure that we don't have to modify the management plan. Commissioner Bildz stated that we can use a sand path. Commissioner Collins suggested that we don't use the same contractor again. Commissioner Minning stated that we might be able to get funding from the county for it. Mr. Silverboard stated that this walkover is in the sand trail system. It needs to be re-established. If it can be removed it would be more cost effective to do so. This item will move forward to the next meeting agenda.

7. Res. 07-112 Library Trustee Appointment

Joan Vernetzy has volunteered to serve on the Library Board. This item will move forward to the next meeting agenda. Commissioner Gayton would like her to give them a quarterly report on the library usage. Commissioner Gayton read some statistics on the library usage.

8. Ord. 07-14 Emergency Housing Ordinance

Mr. Silverboard gave a brief explanation of this item. Other communities were affected by the previous hurricane systems. They found a need for mobile homes to be used while their residences were being repaired. Various cities have been passing this type of ordinance to be in place in case of a hurricane. This would permit the City Commission to declare a housing emergency, which would enable residents to set up these vehicles on their properties for the period that their house is being reconstructed or repaired. Once the certificate of occupancy is issued it would have to be removed. They would also be allowed to keep a storage unit on the property during this time. The vehicles would have to be located on their property, meet setbacks as best they can, and be connected to city sewer and Progress Energy power. These are temporary structures.

This would go before the LPA for their approval before being brought back to the Commission.

Commissioner Collins asked if a fire would qualify. Mr. Silverboard stated that it would only be in the event that the Commission declared a housing emergency. Commissioner Minning asked if the Commission would also declare the housing emergency over. This ordinance, as worded here, states 18 months. Sometimes projects are not finished in that amount of time. In the case of a significant event it would take at least 18 months to get rebuilt. Mayor Maloof stated that under our safety plan they do vote as a commission to initiate it, and to remove it. Mr. Silverboard stated that he could add something enabling the commission to declare the end of the emergency. Commissioner Bildz stated that one of the reasons that it took so long to rebuild other areas was the lack of housing for the workers. This item will move forward as a resolution to forward to the LPA at the next meeting.

**II. OLD BUSINESS:**

Commissioner Minning gave an update on the water quality testing. There are no advisories at this time.

Commissioner Gayton asked for an update regarding the agreement with the company to study the terms of the contract with St. Petersburg regarding wastewater. Mr. Silverboard has requested a six month extension to the contract but has not heard from St. Petersburg yet. Commissioner Gayton suggested that the City Manager, City Attorney, and either the Mayor or one of the Commission attend the negotiations. He feels that it would show strength during the negotiations. Mr. Silverboard stated that the Mayor will be a part of the negotiations. When there is a sufficient amount of information they will arrange a meeting between the two Mayors. Commissioner Gayton asked about the "pre-negotiations", and whether it would be beneficial during those negotiations. Mr. Silverboard stated that whenever it was necessary the Mayor would be involved.

Commissioner Collins asked about the street sweeper and whether he was still working in Treasure Island. There is an area on Capri Blvd. that doesn't appear to be worked on. Mr. Silverboard stated that he has seen it being used. Commissioner Collins asked Mr. Silverboard to check on when it was being done.

Commissioner Collins has noticed that since the large trash containers have been used people are not bringing them in. People are also leaving trash bags out. The trash trucks can not pick these bags up, so they are being left out for long periods of time. Mr. Silverboard stated that a flyer was put together to remind people of the rules. He will check on that. Commissioner Bildz stated that it would be a code violation at that point. Mr. Silverboard stated that we want to let people know that everything has to be in the can.

Commissioner Collins asked if anyone had anything to be brought up to the BIG-C next week. They will be discussing the funding at 8:00 on Wednesday morning.

Commissioner Collins asked if Sand Dune condos have been advised that the lighting issue has been addressed.

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

Ms. Kiefer stated that she has a draft resolution that will be on the next workshop regarding the erosion control line. The City of St. Petersburg is in receipt of her draft, and is in agreement with the resolution. Once it is passed they can proceed with the beach nourishment project.

Mr. Silverboard confirmed that Mr. Hambidge has turned in his resignation. His last day is November 30<sup>th</sup>. He has done a great job of handling the bridge project. He will be advertising for a Public Works Director with an Engineering degree shortly. Mr. Raus has agreed to step in as interim Public Works Director.

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

Commissioner Collins requested that we consider putting the 5k run on the next workshop. He also wished everyone a Happy Thanksgiving.

Commissioner Gayton has a resignation for the Planning and Zoning Board. Ruthie Starkey has resigned. There are no applications on file. He also wished everyone a happy and safe Thanksgiving.

Commissioner Minning gave an update on the Beach Stewardship Committee. They are going to be holding a joint meeting with the Beach Stewardship Committee from St. Pete Beach. He also wished everyone a great Thanksgiving.

Commissioner Bildz wished everyone a Happy Thanksgiving and a Happy Anniversary to his wife.

Mayor Maloof commented that because of the timing of Don Hambidge's resignation we would not be able to have a reception for him and she feels badly. He did a fabulous job on the bridge project. The state now comes to him for presentations on how he managed the project. She is sorry to see him leave, but wishes him the best. She urged people to send him a note of appreciation. Commissioner Collins suggested that the city make a plaque of appreciation for him. Commissioner Bildz suggested that they have some type of going away reception.

Mayor Maloof stated that she had received a letter of appreciation from Mayor Salci of Niagra Falls.

Mayor Maloof attended a fund raiser for Tampa Bay Watch last Friday. They had Jack Hanna as a speaker. She saw rare animals.

Mayor Maloof reported on the Legislative Conference for the League of Cities that she attended in Orlando. She read the resolution that was passed on the tax reform. She wants the citizens to be aware of the mandates that the city must meet. She asked citizens to contact their legislators asking for a fair tax structure.

Mayor Maloof discussed the slow business climate in the area. She encouraged citizens to shop and eat locally.

Mayor Maloof wished everyone a wonderful Thanksgiving. She stated that Treasure Island is a caring community, and wishes happiness and comfort to everyone.

**V. PUBLIC COMMENTS:**

None

**VI. ADJOURNMENT:**

The meeting was adjourned at 8:08 p.m. by Mayor Maloof.