

**CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS WORKSHOP MINUTES
February 05, 2008**

The workshop was called to order by Mayor Maloof at 6:43 p.m.

I. DISCUSSION ITEMS:

1. Res. 08-10 Sun, Sand & Swing (Requested by Dominique Reiter)

Dominique Reiter, President of the Chamber of Commerce, spoke about the Sun, Sand & Swing event. She stated that she is excited about Treasure Island having any kind of events that draw people from outside of the area to enjoy Treasure Island. Last night there was a grand opening at the Renaissance, and she and Mayor Maloof spoke with a Mayor from Iowa who came to visit Treasure Island because of the advertising on the Chamber of Commerce website. The Open Air market is a great success. She has been asked by another Chamber for their list of vendors. They passed out a survey at the market, and have received some interesting results. They will be giving the complete results to the Commission after it concludes in March. Sun, Sand, and Swing will bring lots of people to Treasure Island. She believes there will be more people staying at the hotels, and visiting Treasure Island businesses. The event will be held on May 24, 2008 from 9 a.m. to 9 p.m. They have changed the name because the symphony raised its price again. She hopes to have music for all ages, including high school jazz bands, Dixie land bands, swing bands, and other top notch entertainment.

As part of the Resolution the Chamber is asking for use of the tables, police protection, parking on the beach, and funds that could be allocated for the beach. Local restaurants were asked to be vendors on the beach, but it is one of their busiest weekends, so they are unable to.

The table prices are going to be reduced to \$200, and the people can provide their own food. Local residents will be catering some of the tables. They are asking the residents to support the event in the form of donations, or any other kind of assistance. A citizen can purchase a table or just a chair for \$30. They will have children's rides, and fireworks.

Commissioner Minning asked if she could translate the functions requested from the City into dollars. Ms. Reiter wants to make sure the tables are guaranteed, and would like people to transport the tables and chairs. The police overtime will be limited to the evening hours of the event. The insurance is taken care of. Commissioner Minning asked if the Chamber will take care of the clean up. Ms. Reiter stated that Commissioner Minning had commented last year that the clean up crew did a wonderful job after the event. Mayor Maloof asked if the clean up would be done in the evening or the next morning. Ms. Reiter stated that it would be early the next morning. She is concerned that the event will cost \$40,000. She is making a plea to have some of the expenses be absorbed, and making a plea to the residents to buy a table, chair, or volunteer.

Commissioner Gayton asked if they had finalized the fee for parking. Ms. Reiter stated that the fee will be decided at the Executive Chamber Meeting but they are leaning towards \$5 per car. Commissioner Gayton asked about the boundaries of the parking. Ms. Reiter stated that they would be the same as last year.

Commissioner Bildz asked about item number 10 in the resolution, regarding fund raising. Ms. Reiter stated that there maybe a lot of people coming to the City as Ms. Hayduke has handled this in the past. City staff would not be calling people for sponsorship.

Commissioner Collins stated that the only problem that he saw last year was that there were a lot of people who didn't pay attention to where they were directed to park. Ms. Reiter stated that the only people that she was aware of who didn't park in the designated areas were the vendors, and the people who set up the stages. Commissioner Collins said that he was talking about private individuals. Ms. Reiter asked him to help them out by pointing out the cars that were in question.

Commissioner Bildz asked if she thought the civic associations would be willing to participate if they didn't make any money. Ms. Reiter stated that they will be meeting with the Presidents to discuss what they would like to do to help the Chamber, and how they think it should be handled. Their initial thought was that the civic associations could get the tickets and bring them back, and the associations will get 80% of their profits, or if they would like it in one big tent and divide the proceeds. Last year the symphony cost \$26,000 and there was only \$26,000 in sponsorship. They had other expenses to pay for in addition to the symphony. They are trying to reduce most of the costs. There was one sponsor who only wanted to sponsor things that were children-oriented.

Commissioner Bildz asked what would happen if you don't have enough funds. She is going to give everyone the goal now. The event will not be cancelled, but they may have to cancel parts of the event such as the fireworks if they do not raise enough money.

Mayor Maloof added that when after the 50th Anniversary the City stopped paying for the event. With finances being what they are, the City cannot help financially the way they used to, and is imploring the citizens of Treasure Island to help; otherwise there won't be these kinds of events in the City. Ms. Reiter thanked her for the compliments.

Commissioner Minning asked if the services that are being asked of the city can be put into monetary form. Mr. Silverboard said that it would be in the next staff report.

2. Res. 08-12 Disabled American Veterans Use of the Community Center (Requested by Commissioner Collins)

Commissioner Collins explained that a representative of the DAV approached him about the possibility of the City providing a venue twice a month to provide counseling for area disabled vets. He is requesting one day twice a month and would spend about an hour with the disabled vets. He suggested the garden room at the Community Center.

Commissioner Bildz asked about the dates. Are the proposed date's ones that the Garden room isn't rented? Commissioner Collins stated that they would work around scheduled events. They will try to give it some consistency, yet not disrupt any thing in the community.

Commissioner Bildz asked how many veterans will participate. Commissioner Collins stated that there is no way of knowing how many are coming. There is a rep for the DAV who is a councilor, and will answer any kind of questions that they have about things like their disability payments or how to get into the hospital.

Mayor Maloof commented that it is informational, not psychological. Commissioner Collins asked Mr. Scott, the representative from the DAV, if he had covered all aspects of this.

Mr. Scott explained that the chapter was formerly located on Corey Avenue, but the building was sold. They lack a venue to reach local veterans in the area. They never charge for any kind of claim. This is all done through members dues. All they are asking is a place with a little bit of privacy, and it can be done Tuesday, Wednesday or Thursday evenings. Also, any type of appointment would be made through the chapter and no calls would be made to the City.

Commissioner Collins suggested that Mr. Scott and Ms. Hayduke get together to discuss a schedule. He is going to volunteer to drive veterans to and from the venue. Mr. Scott said they process claims for war and peace time veterans. Once started, he would prefer that people call for appointments and it be limited to two evenings per month. He also asked for a mention in the City's e-newsletter.

Commissioner Collins clarified that the city's only involvement would be to provide a facility. He would like to move it forward.

Commissioner Bildz asked how long ago the Corey Avenue facility closed. Mr. Scott stated that it was about two years ago. He stated that Chapter 13 it is the largest chapter in the state of Florida. Commissioner Bildz asked how many people they counseled there. Mr. Scott stated that they council any veteran or their spouse and family members.

Commissioner Minning asked how the public would find about it. It would be through the e-newsletter, and there is someone at the chapter between 9:00 and noon every day.

This item will move forward to the February 19, 2008 meeting agenda.

II. OLD BUSINESS:

Commissioner Gayton asked about the Gulf Coast Recovery properties and what was remaining. Ms. Kiefer stated that there are two properties, and Code Enforcement has three cases that she suggests be heard before the Special Magistrate. She suggested that they may want to wait until they hear from the court on the existing case. Commissioner Gayton said the residents in the area do not want to wait. There has been a complaint since the beginning. The Citizens would like something to be done. Nothing has been done 250 15th Avenue; nothing has changed from 3 years ago. Ms. Kiefer stated that they will get the agreement for the Special Magistrate signed and will keep the Commission apprised of what is happening with these.

Commissioner Minning asked for an update on the Elnore Island Grant. Mr. Silverboard stated that Ms. Rosetti has spoken to the Fish and Wildlife, and they said go ahead. He will have a report at the next meeting.

III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

Ms. Kiefer discussed the sewer dispute. She has sent a letter to St. Pete. She indicated before that she has gone as far as she could go with the matter. If you choose to litigate you will be required to do mediation first. She reviewed letters in the Public Works Department, and found a letter that stated it was illegal to put forth a surcharge, and is speaking to attorneys who specialize in this type of work. There is a statute that states that the city cannot assess a

surcharge to another municipality. If the Commission would like to work with her office she can reduce the legal budget. She is proposing to the City Manager to try and start up negotiations. She thinks St. Pete is pretty stubborn, and they have made up their minds. Mayor Maloof asked how long ago the previously mentioned letter was written. It was approximately 8 years ago. The letter did not turn up in document requests made to the City of St. Pete. She is also interviewing consultants, which is extremely important. She has identified the ones that you would want to consider. It could come down to an issue as simple as the Chapter 180.02 regarding the boundaries and ability to charge the surcharge.

Commissioner Gayton asked if we had already engaged a consultant. Mr. Silverboard stated that part of it was in regards to the rate study, and a portion was to provide from a rates perspective to the attorney their expertise when it comes to charging these surcharges. They are not attorneys, they are rate specialists. The St. Pete Beach attorney has met with Mr. Moye and Mr. Ori to come up with their case. The City will use Mr. Ori for the litigation part, but we don't know how much.

Ms. Kiefer stated that if the City is considering litigation it would have to be in executive session. She will send a memo about her findings, and she believes the City has a very strong legal argument against this surcharge.

Commissioner Collins stated that with the letter dated 8 years ago, shouldn't it be a no brainer, and asked for a copy of the letter. Ms. Kiefer stated that a copy of the letter will be attached to the memo.

Ms. Kiefer gave a brief update in the federal case. She has filed a brief, and is hoping for a decision in the fall.

Commissioner Minning asked for an update on the ECL. Ms. Kiefer stated that a resolution has been drafted and is being reviewed.

The City Manager reported on a major water main break in the County water line, which broke our sewer line. The county responded right away, and the sewer line was capped. 30 or so homes were given notices to boil water for the next 48 hours.

The City Manager reported that we have received a letter from Brighthouse to notify us that they are going to have another rate increase. The residents should be getting notified. Please note that the city has no control over the cable rate increase.

IV. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Gayton stated that a sexual offender has moved in at 276 115th Avenue. Commissioner Gayton called Chief Casey about the 1,000 ft law. The county came out, measured it, and he was informed by his probation officer that he needed to move by 6 p.m. by tonight. Neighbors within a two block radius are notified. He moved within 50 feet of a bus stop. He would like to discuss finding out where the kids are dropped off and try to ensure that this does not happen again.

Commissioner Gayton stated that in the last month, we received at least 11 copies of memorandums from the City Attorney regarding the incident that happened after a P & Z meeting. The City Attorney felt that a discussion was possibly a violation of the Sunshine Law. Consequently there has been a question about the conduct of the City Attorney. He will yield to

the Mayor's request not to move into it. It cannot be swept under the rug. It needs resolution. He wrote an e-mail to the Mayor asking why the memorandum from the City Attorney regarding the initial investigation did not come to them. The memos from the City Attorney are not finding their way to the Mayor and City Commission. He would like some kind of recommendation so it doesn't get out of hand. It is the Commission's responsibility to resolve this.

Mayor Maloof stated that she didn't answer his email because it is a violation of the Sunshine Law. Commissioner Gayton had consulted with the Attorney General's office regarding this issue. He is requesting that the City Commission should receive all correspondence. He wants the conflict solved before it goes too far.

Commissioner Bildz agrees with his intent, but he isn't sure how to go about it. He believes that the P&Z board feels that there is a cover up in the city.

Mr. Silverboard stated that he doesn't believe that the P & Z board has stated that.

Commissioner Gayton stated that if in the eyes in the P & Z board, as a body, it needs to bring it to the Commission, not individuals. We can always fix the problem. The problem right now is at least two members are upset, and Maura is saying that is not the way it is. Let's resolve this to the satisfaction of all parties. How that is done is what he is asking the Commission about. He suggested either the Florida League of Cities, or a mediator.

Commissioner Minning stated that he sees two issues. There is a root, was there a violation of the Sunshine Law. Stemming from that is the conflict. The City Attorney is not going to pursue it. Ms. Kiefer stated she was going to step aside because she didn't want any questions about her objectivity, as it is a serious accusation and didn't feel it was in her purview. She stated that she is bound by Florida bar laws, and feels she is obligated to not look the other way. Commissioner Minning commented that everyone is caught in the middle, because now nobody knows if there was a violation or not. Ms. Kiefer stated that she has asked members on a number of occasions to stop discussing board business. It is a normal thing, and she simply reminds them of the Sunshine laws. She has no reason not to take Ms. MacIntyre's word. She was not privy to the entire conversation. The Assistant City Planner did hear the conversation. Whether what he heard is a violation is subject to debate.

Commissioner Minning stated that she is the individual that brought this forward. That she stated that there is a potential violation. Ms. Kiefer said that she has not interviewed Mr. Shogren. She suggested that the statement should be taken from the Police. Commissioner Minning stated that this began with her, and now she is withdrawing from taking an active role, so now it has fallen on the Commission's lap to decide whether to go forward with this or not. His problem with this is the word "potential" and nothing concrete, the Commission is being asked to make a concrete decision. If they are to do that, then they need further information from her. If she feels strongly about it then she needs to tell them. Ms. Kiefer stated that she did not hear the entire conversation. She asked them not to discuss board business. Ms. MacIntyre stated that she was discussing the letter. She advised her not to discuss the letter as it was board business, and they stopped. Commissioner Minning asked if there were records from Mr. Shogren. Ms. Kiefer stated that there are none.

Commissioner Bildz stated that we should drop it. Commissioner Minning agreed, if there is no violation. Commissioner Gayton stated that he has a letter from Ms. McCreary, who was standing next to them during this discussion. Ms. McCreary said there was no discussion. The

City Attorney has put it back in our laps. The City Attorney works for the City Commission. The memorandums should go to the Commission and cc the City Manager.

Commissioner Minning stated that he doesn't want to pursue it. Commissioners Collins and Gayton agreed. Commissioner Minning stated that the City should look at what the issue was regarding the special exception. Commissioner Bildz stated that the issue is what conditions were not met. The P & Z should be able to handle this. Mayor Maloof stated that she has not felt that it was the whole board that felt there was a problem, which was why she suggested that they discuss it with the City Manager. Commissioner Bildz stated that he wants the P & Z Board to be satisfied. If they set conditions, they should be followed. Ms. Kiefer stated that enforcement is tricky, and she would like to workshop some items with them if they are interested.

Commissioner Minning asked the City Manager to share what his interpretation of Amendment 1 passing was. Mr. Silverboard stated that there are 2400 homesteaded properties in the City. The vast majority of them would receive the full homestead exemption. Each \$25K would give a saving of approximately \$59.00. \$140,000 less will be coming to the City. There is no way that anyone in the state could give a good estimate of the full impact of this. The impact will take place over a number of years. In terms of the \$25,000 exemption for business equipment, there is no number, but it is relatively small. We will see approximately \$150,000 less revenue for the general fund. Of greater importance, when the homestead is cut, so is the County's revenue. We currently get approximately \$450,000 from the County and we don't know what the impact will have on that revenue.

The state has a \$2 billion short fall, due to the State not collecting as much sales tax as they anticipated. That applies to other general funds as well. The Federal Reserve is trying to stimulate the economy by providing cuts to the federal fund rate. They have knocked off 1.25% in the last 30 days, so we are losing interest earnings. All of these things are having a compounding effect. We are trying to assess what our financial picture will be next year, and looking at the revenues for the remainder of the year.

What we are looking at are things that we are not going to be able provide, and they are things that citizens would expect. The City is going to start its budget soon, and there will be some unfortunate choices to make.

Commissioner Minning announced that on February 16th there would be a sea oats planting. Participants should meet at 126th at 9:00 a.m. There will be 2,000 sea oat liners and 400 or 500 one gallons.

Commissioner Bildz stated that he knows that the season has picked up because the traffic in front of Caddy's has been unbearable lately. There is valet parking. The valet gets carted back in a golf cart and comes the wrong way down Harrell because the traffic is so bad. The Sunset Beach Civic Association had its annual Spaghetti Dinner. It was very well attended.

Mayor Maloof stated that we have received the Congressional Record. Congressman Bill Young mentioned Treasure Island as a Tree City. There is a benefit for the library called "Food for Thought" It will be held on February 16th at the Library. On March 14, 15, and 16th the Ikebana Society will be meeting here. She urged people to support the Chamber and its events. She announced that the Residence Inn opened. It is a beautiful property.

V. PUBLIC COMMENTS:

Dominique Reiter reported that a group went to John Morroni's dinner commemorating fire crew, police and paramedics. It was a wonderful event.

Ms. Reiter stated that the Chamber is going to have their first breakfast. It will be an informal Meet the Candidates at Sloppy Joe's for \$12. Please RSVP the Chamber.

Pam MacIntyre stated that she appreciates the help in expediting the closing of the issue. At the January 17, 2008 Planning and Zoning meeting she asked for compliance to code 74-30, of the subdivision regulations. They did not receive materials in a timely manner. She doesn't agree with the City Attorney's interpretation of the rules when she stated that it was not substantial enough to be concerned. She stated that it more the way the City Attorney addressed the prior issue rather than what it was concerned with.

John Burke gave a reminder that Saturday is the garage sale on the Isle of Capri, sponsored by the Civic Association from 8 a.m. The hearts to identify you as a participant are available at Gail Byrne's office. People coming can get maps at Roselli Park. This is a big money maker for the Association. This money is what is used to make donations to the City.

VI. ADJOURNMENT:

The workshop was adjourned by Mayor Maloof at 8:28 p.m.

Mary Maloof, Mayor

Phil Collins – District 1

Ed Gayton – District 2

Bob Minning – District 3

Alan Bildz – District 4

ATTEST:

Dawn M. Foss, City Clerk