

CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS WORKSHOP MINUTES
June 17, 2008

The workshop was called to order at 7:22 p.m. by Mayor Maloof.

I. DISCUSSION ITEMS:

1. Consideration of the Blind Pass SSMW Zone

Commissioner Bildz stated that he brought this up again because St. Pete Beach is looking at the same ordinance. Commissioner Halpern from St. Pete Beach is here to give us their perspective on this. Commissioner Bildz discussed some of the packet materials that he provided.

Commissioner Halpern gave some background on the issue. When he was campaigning, almost everyone that he spoke to that lived on Blind Pass asked what he could do to slow the boats down. He spoke with Commissioner Bildz, and learned that there are many Treasure Island residents on Blind Pass that feel the same way. We need to work together to come up with something agreeable to both cities. The issue is the wakes that are damaging properties, and the safety issue. They crafted an ordinance that they provided a copy of, and have shelved this until July 22nd to give Treasure Island time to act on this.

Commissioner Bildz stated that the people that live on Blind Pass have always wanted this. He thought about the 300 foot swim zone discussed earlier, and this area is narrow.

Commissioner Gayton pointed out a map that he put together. He described the areas and the types of regulations in each area. When this was discussed in 1997 this was a compromise that both the citizens and the boaters agreed to. It was unanimous. He is willing to listen to any comments.

Commissioner Bildz asked for clarification of the measurements of the areas on the map. Commissioner Gayton restated the measurements and that this is what people were promised. Commissioner Bildz discussed some e-mails that he had received. There are boats that can go considerable speeds. He stated that these are tough budget times, and we have to make this simpler to enforce. It should be the same all the time.

Commissioner Minning stated that he tried to do measurements on Google. He took a look at the issue and e-mailed constituents in District 3 and others. He found 61 against changing the restrictions, and 5 for. One person stated that they knew of no other place that had different rules for different times. He knows of many places that this is done around the country. He stated that he lives on the water, and he has seen the amount of boat traffic going down. He feels that we will continue to see a decrease due to gas prices. There are other channels near here that have full speed all the time. One is near the Yacht Club and

Causeway Isles. He referenced the summary from the Treasure Island Police Department giving the activity. There is no citizen complaint to the Treasure Island Police Department, and the citations that are noted there are on weekends. Chief Casey explained how they came up with the numbers. They had their vendor write a specific program that would find anything related to Blind Pass. He was surprised at how low they were. There are few citizen complaints. Most are generated by the officers themselves. There are 105 complaints over a four year period. This is strictly our vessel, and does not include the Coast Guard, Sheriff's office, or St. Pete Beach. He asked the marine officer what the problems were and when they occurred. His answer was that there were very few problems. If this is the number of complaints in four years, it does not represent a significant problem. Commissioner Bildz asked if they received a lot of calls on speeding motorcycles. Chief Casey stated that people do not call those complaints in.

Commissioner Minning stated that he took an inventory of the boats in Blind Pass last Saturday. On the St. Pete Beach side there were three. On Treasure Island there were thirteen. There are not a lot of boats that are subject to wake at any time within the channel.

Commissioner Collins stated that as far as the cigarette boats going 100 MPH, there are cars that go 100 MPH as well. He feels that there are not a lot of people that want the change, and as a Commissioner he feels that he must support what the constituents want. Commissioner Bildz stated that he has 12 against and 28 for after taking out the comments he received from people who didn't leave an address.

Commissioner Gayton asked Chief Casey if there was a universal speed limit for boats in Treasure Island. Chief Casey stated that he is not aware of a speed limit.

Mayor Maloof stated that we had problems around the clock tower. People were always speeding. The only affect we got was when we put in speed bumps. We can't do that in a waterway. It is a false impression that people get when they request these limits, because they assume that people are going to comply. People that are speeders and reckless boaters are not going to comply because of a sign. The only thing that will help will be police surveillance, and we don't know how long we can keep that up.

Richard Kraus spoke as a long time area resident and boater. Blind Pass is used by many residents. The arrangement in place now works and is a nice compromise. It has worked well ever since enacted. Small groups of people get together and complain, and the silent majority isn't aware of what is going on. The affected group is much larger than the group trying to affect the change. Recreational boating is a huge element of Treasure Island's allure, and we don't need to do anything to discourage this. Boating is down due to the prices of fuel. He spoke with Treasure Island's Marine Patrol Officer. He asked him if he saw a problem or a need for a change. He did not. He is a professional, and he is right. The St. Pete Beach ordinance states that it is to provide for the safety of boaters. There have been no accidents there. If a warrant study were done it would come back with no justification. He stated that it was in the newspaper that baby dolphins were being killed. That is unsubstantiated. It is untrue that there are no other areas that have different rules for different times. He compared it to school zones. He commented on several of Commissioner Bildz's e-mails, and questioned if having St. Pete Beach impose their rules on Treasure Island was home rule. He stated that having the people that live there make the rules for everyone was pure NIMBY'ism. He asked that the Mayor poll the Commission at the end of discussion and put an end to this.

Heidi Horak stated that she was on the committee back in 1997. There was a 50/50 split at the time. She was appalled by the decision and the time use thing. She is not embarrassed and belittled to say that nobody has talked about manatees. There is good evidence that for purposes of wildlife protection we should have SSMW zones. If you are going to have time and use regulations then you should have them during the manatee migration times. If you want to look at it as a whole you should look at this issue. She stated that she feels that the state is going to step in here. You have not done a comprehensive look and have not looked at this issue.

Jeff Warner stated that he thinks that Richard brought a lot of good information to light. He appreciates that the Commissioner from St. Pete Beach came to speak. He mentioned safety, but didn't talk about the safety issues, because there haven't been any. The people that use that pass have the same access and rights to that water as the people that live there. The boating sector is down 50% and is going to get worse. How much boating do you think you are going to see going through Blind Pass when there is almost none going through there during the week. He spends a lot of time going through that pass, but there is almost no traffic. He thinks that this needs to be put to bed. Heidi brought up the manatees. He doesn't want to see them get hurt, but in the past two weeks he's spent a lot of time out there, and he hasn't seen any.

Dave Winkler stated that he has a waterfront business interest on the St. Pete Beach side. He is speaking tonight as a licensed captain. He has the opportunity to live and work daily on Blind Pass. He also represents the voice of the boating public. The vast majority of people do not wish to see this ordinance go forward. The compromise that was reached in 1997 works. In regards to safety issues we have statistical information here tonight that it is minimal. We have ordinances on the books that could easily be enforced without affecting the general public. Mayor Maloof asked if he rents jet skis in his business. He stated that he does, and he allows his customers an extra 15 minutes on their rentals on the weekends so that they can comply with the regulations. He stated that they give a lot of instruction, and have a zero tolerance for alcohol use when renting his equipment. Let's enforce against the careless, reckless ones and not against the general public.

Commissioner Bildz asked if they increased their price due to the cost of fuel. He stated that he has not yet, but may have to. Commissioner Bildz asked if he had seen a decline in business. Mr. Winkler stated that it has declined over 30%.

Will Jacobi stated that he can substantiate the injured dolphin report, as he tried to get it with his kayak. They do have an ordinance in St. Pete Beach that addresses the distance that the boats can travel through the pass, which will force boaters to the Treasure Island side. Sometimes laws are made for a few that will affect all of us. There are manatees out there – they were under his dock this morning. The issue comes down to common sense. When you look at the map it is less than a mile. It will take you 3 or 4 minutes. People talk about the price of gas. The slower you go the less gas you use. When you listen to people that are going through there, you have people that live along the pass. After the last time he spoke he had two notes from people thanking him for speaking. This is about common sense.

Bob Hartmann stated that he did this with his dad 10 years ago too. We took care of the safety issues. There are no boats during the week. You took care of the safety issue with

most of the people. Most of the issues are during the weekend, and the weekend has been addressed.

Commissioner Bildz stated that the majority is the residents that live on Blind Pass. In reference to his NIMBY'istic attitude comment, people do not want to see injuries or death in their backyard. In reference to home rule, this is in District 4 and the residents in District 4 want it. He owns a kayak. When he takes it into Blind Pass he has to battle the currents and the wakes from the boats. It is difficult. He expressed concern for the manatees. He asked if there is no boating during the week, why are people so up in arms about this. He hopes that this can move forward to a meeting. It is a common sense issue.

Commissioner Minning does not want to move this forward. Commissioners Gayton and Collins agreed. Commissioner Bildz stated that he wants to move it forward. Mayor Maloof stated that she appreciates his opinion, but it was the will of the Commission not to move this forward.

2. CC-2008-01-VR – Variance request to parking requirements by Eldan, Inc., Located at 10701-10709 Gulf Boulevard

Lynn Rosetti, City Planner, stated that Commission sets a Public Hearing for this on July 1, 2008. She gave a brief explanation of this item. She stated that she has revised the notice to encompass all of the addresses of this property. Once the public hearing is set the applicant must take the notice and mail it to all property owners within 200 feet of the property. They will receive all information regarding this in their next packet.

Commissioner Gayton asked if they would be receiving a site plan. Ms. Rosetti stated that they would have a survey and a plan, but a site plan would be reviewed by the Planning and Zoning Board.

3. Consideration of Res. 08-54, Beautification Committee Appointment

Commissioner Collins explained that Mr. Nolan has resigned from the Beautification Committee in hopes of serving on another committee. He has someone interested in filling the position. Commissioner Gayton stated that they shouldn't have to workshop appointments to board or committees. Commissioner Bildz stated that he would like to see that added to the rules, and would like to see all their rules reviewed.

There are several openings on various boards and committees that need to be filled. It was clarified that the Code Enforcement Board ordinance does not require appointments by district.

II. OLD BUSINESS:

Commissioner Collins stated that the Green Armada is not available for the June or July Enlor Island cleanups, but would be available in September if they are given enough notice.

Commissioner Gayton asked if Ms. Kiefer would be giving a report on the St. Petersburg wastewater situation. She stated that we are waiting for information from our consultant, and responses to letters that we have sent to St. Petersburg. She feels that we can work out some of the issues but not the surcharge. After this meeting we will proceed as professionally and amicably as possible. This will mean asking the court for declaratory judgment. Commissioner Gayton stated that we would have to go to arbitration. She explained that it was Chapter 164, and we can waive it if we choose. We can go through with the mediation. She is not sure if it would serve any purpose. Commissioner Gayton asked if she was ready to file suit. She stated that she is moving along those lines. He asked if she recommended waiving the mediation. She stated that she did recommend that. Mr. Silverboard explained that the meeting will be held at the end of the month. We have been ready, but have had to wait for them. Commissioner Gayton asked for a time frame of when she would feel comfortable filing the suit, and asked if she could give them something by the next meeting or next month. She will discuss it next month.

Commissioner Bildz asked if we can work on the dune walkovers during turtle season. Mr. Silverboard stated that we are still waiting for an answer from the state and he will report back when he hears something.

III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

Mr. Silverboard discussed the joint workshop with the Beach Stewardship Committee and asked the Commission to get back to the City Clerk with available dates. The Commission agreed that next Tuesday at 8:00 would be the best date.

IV. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Minning gave a reminder of the next Elnor Island clean up. It will be the 28th at 8:30 at Gator's docks.

Commissioner Minning stated that he has two board appointments that he would like to see brought forward to the next meeting.

Mayor Maloof gave a reminder about the Suncoast League meeting to be held on Thursday evening in Gulfport. She is unable to attend.

V. PUBLIC COMMENTS:

VI. ADJOURNMENT:

The workshop was adjourned at 8:42 p.m. by Mayor Maloof.