

CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS MEETING MINUTES
July 1, 2008
6:00 PM

The meeting was called to order at 6:02 p.m. by Mayor Maloof.

A. PLEDGE OF ALLEGIANCE: Led by Mayor Maloof

B. ROLL CALL:

Mayor Mary Maloof		Present
Commissioner Phil Collins	District 1	Present
Commissioner Ed Gayton	District 2	Present
Commissioner Bob Minning – Vice Mayor	District 3	Present
Commissioner Alan Bildz	District 4	Present

Mayor Maloof asked Agnes Rice to join her at the podium. Mayor Maloof presented Mrs. Rice with a proclamation declaring July 2nd Agnes E. Rice Day in the City of Treasure Island. Mayor Maloof read the proclamation. Mrs. Rice was presented a bouquet of flowers by the Mayor. Commissioner Collins and John Burke presented Mrs. Rice with a birthday card from the people on the Isle of Capri. Sid Rice invited everyone to Gators for a fish fry. Mayor Maloof invited Senator Dennis Jones to comment. He made brief comments.

C. PUBLIC COMMENTS:

Dominique Reiter spoke on behalf of the Chamber of Commerce. She thanked Mrs. Rice and family for their generous gift, the donation of the fireworks display. She then stated that Sun, Sand & Swing was a tremendous success and thanked the City for allowing them to have it. She announced that they would be giving an appreciation party for their volunteers. She invited the Mayor, Commission, and City staff. It will be held on July 26th at Bazzie's from 4:00 to 6:00. Please RSVP the Chamber of Commerce by the 20th.

D. APPROVAL OF MINUTES:

The minutes of the June 3, 2008 and June 17, 2008 meetings and workshops are available for approval. It was moved by Commissioner Bildz and seconded by Commissioner Minning to approve the minutes as corrected. Upon roll call the vote to approve was unanimous.

E. ITEMS OF BUSINESS

1. Consideration of Ord. 08-03, Development Agreement (2nd Reading & Public Hearing)

It was moved by Commissioner Bildz and seconded by Commissioner Collins to approve the Ordinance as read. The public hearing was opened by Mayor Maloof at 6:22 p.m. There being no public discussion the public hearing was closed by Mayor Maloof at 6:22 p.m. Upon roll call the vote to approve was unanimous.

2. Consideration of Ord. 08-05, Sunset Beach Swim Zone (2nd Reading & Public Hearing)

It was moved by Commissioner Bildz and seconded by Commissioner Minning to approve the Ordinance as read. Commissioner Minning stated that the ordinance, as written, referred to all boats, and asked the City Manager to read the definitions from the City Ordinance. Mr. Silverboard read the definition, and stated that this ordinance would apply to all boats whether motorized or not. Commissioner Minning stated that he felt that this was different than what they intended. Commissioners Bildz and Collins agreed. They stated that surfing and skim boards should not be prohibited. Commissioner Collins clarified that surfboards, sailboats and skim boards would be considered boats. Mr. Silverboard stated that they would be considered non-motorized boats. Commissioner Collins stated that he was not in favor of prohibiting those types of activities. Commissioner Minning agreed. Commissioner Minning asked the City Attorney how they should proceed. Ms. Kiefer suggested that they add a definition section excluding those types of vessels. Commissioner Bildz asked if that would be considered a significant change. Ms. Kiefer stated that she felt it was not a significant change, but a clarification. Commissioner Bildz asked that they add the definition that would exclude those types of boating activity. Mr. Silverboard suggested that they continue the 2nd reading to the next meeting. Ms. Kiefer agreed.

The public hearing was opened by Mayor Maloof at 6:34 p.m.

Jonathan Damonte was present to represent one of the owners of T.I. Holdings. They are not in favor of extending the swim zone. He stated that there is nothing that indicates that there have been any accidents or injuries. It appears to be tailored specifically for Caddy's. That appears to be an attempt to restrict commercial property owners, and deprives them of a substantial portion of the use of their property. He cited some case law and presented the Commission with some documentation regarding a similar case in Madeira Beach. This will greatly restrict Caddy's ability to do business. There does not appear to be any prior discussion that provides justification as to why this is necessary. It appears to be based solely on anecdotal evidence from neighbors who are complaining. He suggested that they not restrict activity to a level beyond what reasonable people would expect. This appears to be directed specifically at commercial property owners, which would entitle them to damages, and amounts to a taking because it dramatically restricts their rights to use the waterfront. He suggested that if they were having a problem with a few boaters then they ticket the boaters causing a problem. An ordinance prohibiting boats on the beach is not going to stop the problem of people boating under the influence. He respectfully asked that they not pass this ordinance as presented.

Commissioner Minning stated that the ordinance does not deal with property that fronts Caddy's. The area that is in front of Caddy's now is a swim zone. It is not restricting it there. Mr. Minning stated that for Riparian ownership there has to be waterfront ownership and that has not been shown yet. Mr. Damonte stated that it is well established that the property owner owns the property up to the mean high water line. Everyone has the right to soft sand beaches below the mean high water line. We want the public to enjoy the beach, but the Riparian owner also has the right to the use of that beach. Caddy's owns waterfront along the beach that is currently in the 100 foot level. Those properties would be restricted to the 300 foot level. Commissioner Minning stated that this ordinance is from Weckesser Park, south. Mr. Amico showed a map of the area and pointed out the properties that he owns. He stated that he owns lots down to the

water south of the park. Commissioner Bildz stated that those lots were all west of the CCCL, and more than likely submerged.

Commissioner Collins stated that this was originally brought up to protect the homeowners south of the park. He doesn't believe that anyone is trying to prohibit Caddy's from doing business. Those lots do not affect the homes that were discussed at the prior meeting. Mr. Bildz stated that those lots are in front of some of those houses, and some of the lots are under water. More than likely some of the boats are parking on his lots.

Mr. Amico pointed out on a map where his property is, and where the boats park. He stated that he has tax records and deeds showing that he owns the property. Commissioner Minning stated that there are issues with accreted lands, and this issue is not cut and dried. Mr. Amico stated that he is involved in the case in the courts now. Mr. Amico read from a prepared statement. He stated that he would be happy to meet with them, and that he isn't asking for the entire area to be boat parking. He is asking for only the areas around Caddy's to be boat access. Commissioner Minning stated that they would be discussing addressing his concerns at the workshop. Mr. Amico stated that he felt that it should all be done in one ordinance, rather than taking more time to do it in two parts. Commissioner Bildz stated that he didn't think that it would affect his business significantly. Mr. Amico quoted some statistics regarding his business.

Commissioner Gayton asked Mr. Amico if he knew who owned the property directly to the north and the south of Caddy's. Mr. Amico stated that there was a road that was not being used by the City, and if it was vacated then it would become his property. Commissioner Gayton stated that it was a street that went to the beach. Mr. Amico stated that there was a right of way to the south that the city blocked off and made into a park with nine parking spots. He stated that if the city was not going to use those roads then they would become the property of the property owners to the north and south. He was that property owner. Commissioner Gayton stated that 3rd and 4th Avenues south were deeded to the city. Mr. Amico stated that if the city vacated it would go to the property owners. Commissioner Gayton stated that this property has not been vacated by the City. Mr. Amico stated that this was irrelevant to what we were talking about. Commissioner Gayton stated that there are lots owned by other people in front of Caddy's. There are lots not owned by T.I. Holdings. If we are going to try to work something out we should not be threatening law suits. Mr. Amico stated that he is willing to work it out. There is an attorney and a public recorder here. Commissioner Gayton stated that they can work things out without threats of lawsuits. This is a public safety issue. It is not intended to affect his business. Mr. Amico stated that 300 feet is too far for children to swim to come in to have lunch. Commissioner Gayton stated that he was out there on Sunday, and the area that is an idle speed no wake zone had boats traveling at reckless speeds in that area. Mr. Amico stated that the people violating the law should be ticketed. Commissioner Gayton stated that there were jet skis, motor boats, and a 52 foot yacht spinning around to anchor. The pictures that you showed us at the last meeting showed boats lined up. There is no reason that we cannot protect the people that are swimming in that area. He feels that it is a safety hazard. The only way that he would change his mind is if the city attorney told him that they shouldn't restrict it. Mr. Amico asked why they had to have swimmers in the boating area. He suggested that they make a small area to allow boaters to drop off passengers. He asked to give the boaters some area to come in without having to worry about swimmers. He suggested 150 feet north and 250 feet south of Caddy's. All the

business is north of Weckesser Park. He wants to keep people safe, and wants to be able to accommodate boat, car, walking and any other traffic that Caddy's can accommodate. He feels that there is a way to keep the swimmers safe. Commissioner Gayton stated that people walk 300 feet to the water. He didn't feel that it is too far. Mr. Amico stated that walking and swimming were two different things. Commissioner Gayton stated that at 250 feet out the water was up to your neck. Mr. Amico stated that it would be above a child's head.

John Gordon stated that he has been using the beach and going to Caddy's for many years. 300 feet is too far to ask his son to swim. They would be taking away something that he has been enjoying for 35 years. Restricting speed and certain places for access he understands, but to not allow his son to grow up with the same benefits that he has is ridiculous. This seems harsh to him. He stated that sometimes they can't get to Caddy's by car because it is too busy, so they take jet skis or boats. You are taking a right away from his son that he has had for 35 years.

Max Linn stated that he has lived on Sunset Beach his whole life. He has boated with Mayor Maloof's son. He suggested that they sit down and negotiate. He lives on the beach for the fun of the beach. If he wanted to live in a neighborhood like Northeast St. Pete he would go there. The reason to live there is for the fun of the beach. There are new houses in that area that are owned by people that are not full time residents. There is always an element of risk in life. He asked the Commission not to lose track of the purpose of the beach, which is to have fun. Mr. Amico has done more for Sunset Beach than anyone. There is nobody that doesn't want to protect the citizens, but governments sometimes go too far to protect the people. Caddy's is one of the few places to have fun. They could work out something that is a win-win situation. That will be a huge loss of revenue for Caddy's if passed. Commissioner Gayton is concerned for safety. There have been no accidents out there. At the same time you are trying to protect, keep in mind that if you put too many restrictions on it you will take away people's place to have fun. Sit down and negotiate with him.

Ron White stated that he lives in Tampa, and is the newest resident on Sunset Beach. He moved there last week. He and his partner own six boats. It was quite an investment. He stated that a 100 yard swim is a long way. He has taken boater safety classes. He feels that there is a happy medium here. He asked that if they want to charge him for being a beach front property owner then don't restrict his use of the beach.

Marie Barba stated that she is not here to address the boating situation, but the swim zone. Her son grew up on Sunset Beach. She is concerned about her community. The kids grew up there surfing, and it is their right to use the beach. If you pass this, start thinking about designating certain areas for surfing, and certain areas just for swimming. She understands that there are people with a problem with boating. She suggested using the area in front of Sunset Vista Park for boating. She suggested that they come to a compromise, and suggested that they table to avoid a law suit.

Harold Selzer stated that he is the former founder of Sam Selzer's Steakhouse. Years ago, when he had one day off a week, he and his wife came to Sunset Beach every Sunday. He now has a home in Treasure Island in Sunset Beach. They paid a premium to live in this community and have the right to have a boat. He is frustrated in being a homeowner there. He doesn't understand why they haven't been notified of this issue.

He pays \$10,000 a year in taxes. One of his expectations is to be able to drive his boat wherever he wants, including Caddy's. He is on that beach every day of the year. It is deserted most of the time. It comes alive on the weekends. We are a recreational area. We are there to attract visitors and stimulate the economy and provide the people who live there to enjoy the time that they spend there. This is silly. You have a beach that runs about 3 miles. There is one business in that area. Mr. Amico is out at 7:00 a.m. cleaning up the beach. There is enough space there that Mr. Amico suggested having a boat parking zone within reach of his business. He has no objection to that. In 40 years there has been no tragic accident here. There has been no loss of life, or injury. The number of people complaining is minimal. The rest of us should be heard too. If the problem is people speeding, then address that. The fire and police departments are always present. We have the resources to police this, and the city needs to do its job to enforce the rules. There is an easy solution that can be done through discussion, negotiation and compromise.

Judy Dato stated that they have owned their house on Sunset Beach for 22 years. She doesn't believe that the whole problem is people going to Caddy's. People are carrying cases of beer to the boats. She caught someone relieving herself in her sea oats over the weekend. Shell Island is closed to boaters now, so they are coming to our beach. She doesn't feel the whole problem is boats going to Caddy's. It is boats coming to party. We come to relax, and we don't need fun 24 hours a day.

The public hearing was closed by Mayor Maloof at 7:33 p.m.

Commissioner Gayton stated that he did not say that there were boats speeding through the area. He meant that they were at idle speeds. He didn't say that they would have to swim the length of a football field. He has no objection to tabling this to consider other suggestions. He thinks the suggestion to have an area for boats only is a good idea to him. Ms. Kiefer stated that she recommended that they continue this to a date certain so that they would not have to start it over again. Commissioner Gayton stated that he would like to workshop it before the date certain. Mr. Silverboard suggested that they workshop it at the August 19 meeting. Commissioner Gayton wants to do it sooner. Commissioner Collins suggested the first meeting in August. Commissioner Minning agreed. Mr. Silverboard stated that they can workshop it at the first workshop in August, and have the second reading on August 19th. If they make substantial changes it can be the first reading again.

Commissioner Minning stated that he feels that it is important for people to know that the Commissioner is not cold hearted, and they are concerned for all residents and all businesses. A testament to that is the second item on the workshop tonight. We recognize that Caddy's has the right to do business, and wanted to come up with a compromise. We will probably postpone that discussion when we come to that item tonight. We wanted to be in full consideration of something that would help Caddy's out.

3. Consideration of Motion, CC-2008-01-VR – Variance Request to Parking Requirements by Eldan, Inc., for Property Located at 10701 - 10711 Gulf Boulevard and 102 - 112 107th Avenue

Ms. Kiefer stated that this is a quasi-judicial hearing, and she would swear in anyone who might comment on this issue. She swore in those present who would be commenting.

Commissioner Gayton stated that it said in his packet that certain items would be provided, including the application. He does not have the application. Ms. Rosetti explained that there have been several revisions. Commissioner Collins stated that he has not had time to review the information provided this evening. Commissioner Gayton asked Ms. Rosetti about the application dated June 9, 2008. In the same package they received a revision. He asked what they would be discussing tonight. Ms. Rosetti stated that they would be discussing the plan with the revisions. What they received tonight was a copy that incorporates all of the revisions noted in the prior package. It is a complete corrected copy. Commissioner Gayton asked if they had a letter of hardship. Ms. Rosetti stated that they have a written narrative from the applicant in their packet. Commissioner Gayton stated that the number of parking spots referred to in the narrative differs from the plan. Ms. Rosetti stated that there is also a revised narrative in the packet. She explained that it was resigned because a line was changed. Commissioner Gayton read an excerpt from the narrative, and asked about discrepancies in the number of parking spaces. Ms. Rosetti explained that there was an error on the part of the applicant, but that her staff report was correct. The difference is in the number of public spaces, which are shown on the drawing that they received last week. Commissioner Gayton commented on one of the drawings included in the revision, and asked if it was representative of the site plan. Ms. Rosetti stated that it should have been the same scale, but sometimes things are changed when faxed.

Ms. Kiefer stated that in a quasi-judicial hearing they should give staff a chance to explain and then they ask questions. Commissioner Gayton stated that there are rules to be followed, and he is trying to make sure he has the information required. Ms. Kiefer stated that there is a normal order of procedure for all quasi-judicial hearings for the city. If you find that it is deficient you can discuss it at that time. Commissioner Gayton stated that before they hear a case they need to have an application and proof of ownership. Ms. Kiefer stated that it was correct, but that he was taking it out of order.

Ms. Rosetti gave the staff presentation on the application in front of the Commission. She showed several photographs of the subject property.

Commissioner Gayton asked about ex parte communications. Ms. Kiefer asked if anyone had any. Commissioner Gayton stated that his brother owns a business adjacent to the property, but that he has no interest in it. Ms. Kiefer stated that there was no issue with that.

Alex Plisko was present to represent the property owner. Their plan is to redevelop the property. There are currently 7 tenants. They will have only two tenants, with one possibly being a Starbucks. The site plan was revised due to the change in the location of the dumpster. There would be 40 parking spaces available. 35 would be on the site, and five would be public use only. The square footage is the same. They rounded up on one calculation, and asked for another parking space because of that calculation.

Commissioner Gayton stated that that clears up some of the confusion. A brief discussion of the documents ensued. Commissioner Gayton stated that he would like time to read what they received tonight. Commissioner Collins stated that the only

difference that he can see is the placement of the dumpster. He asked Ms. Kiefer if this change in the number of parking spaces would cause any problems in the future. Ms. Kiefer stated that each request was on a case by case basis and specifically does not set precedence for any other case.

Commissioner Bildz stated that it says Starbucks. Our code requires 9 parking spaces. At the Starbucks on Central Avenue there are much more than 9 spaces, and it is a very busy place. He stated that he can not vote for this unless there will be a bicycle rack so that people can bike to the restaurant and not require a parking space. Mr. Plisko stated that they would have no objection to that. They have a Surf Style store in Clearwater Beach that has no parking at all. It is all walk up business. The Starbucks or whatever restaurant goes in there will be able to use the spaces allocated for Surf Style. Ms. Rosetti explained that the entire site needs to have adequate parking. It does not have to be for a specific business in the parcel. Mr. Plisko explained that there are 46 spaces required. The site can accommodate 35 spaces. There are five spaces that do not exist, but we are willing to create them on the public right of way. Commissioner Gayton asked who would give them permission to create spaces in the right of way. Ms. Rosetti stated that it would be the Commission. Commissioner Gayton asked if those five spaces were included in this request. They are not included – they would be additional. Commissioner Gayton asked if they would be removing three parking spaces on 107th. Mr. Plisko explained that they would be moved to the east side of the building. They would be adding one handicapped space on 107th and one on the eastern end of the building. There are no existing handicapped spaces now. They would be adding two. There is currently no landscaping. They would be adding landscaping. Mayor Maloof asked if they would be able to remove the cement pole that is there now. They do not know at this time. Commissioner Minning clarified that they are reducing the deficiency from 27 down to 11, and complimented them on what they would be doing in the downtown area. Commissioner Bildz asked for clarification on the right of way. Ms. Rosetti stated that staff is recommending that they allow the additional five public parking spaces. It would help alleviate some of the parking issues that they are having to the north. Commissioner Bildz stated that they would not be reviewing that tonight. Tonight they are discussing the variance request for the other parking spaces. Commissioner Gayton asked about the reduction in the size of the dumpsters. Mr. Plisko explained that there are currently seven users and they are reducing it down to two. Commissioner Gayton asked what would happen if they went to the Planning & Zoning Board and they required him to increase the size. Ms. Rosetti explained that Jim Murphy, Public Works Director has stated that it is sufficient.

AJ Audet spoke representing the American Legion. He stated that he is glad to see redevelopment going on. He asked about the driveway that would be to the west of the existing sidewalk, and whether it would extend to the end of the alley. He also asked about where the parking that they were proposing to create would be located. Mr. Plisko showed Mr. Audet where the various parking areas would be located, and answered his questions.

Commissioner Gayton stated that it was disturbing to him that they received an application on the night of their review. He hopes that they are not missing anything. He stated that the hardship has not been brought on by the owner, as he purchased it with fewer parking spaces than are required, and they are proposing more spaces. Commissioner Bildz stated that they could redevelop this now without any further spaces.

It was moved by Commissioner Minning and seconded by Commissioner Collins to approve the motion as read.

Commissioner Bildz requested that they add a condition to the motion requiring a bike rack. The applicant stated that they had no objection. Commissioner Bildz asked that they provide a rack to accommodate not less than twelve bicycles.

Commissioner Minning restated his motion to include staff recommendations, including the bike racks. Ms. Rosetti stated that the inclusion of the bike rack counts for an additional parking spot. Mayor Maloof stated that there is great walk-in traffic in that area, and she doesn't believe that it would be any different for the retail that they are proposing to put it there.

Upon roll call the vote to approve was unanimous.

4. Consideration of Res. 08-58, Rules of Procedure Amendments

It was moved by Commissioner Minning and seconded by Commissioner Collins to approve the resolution as read.

Commissioner Bildz asked why this was on a meeting before a workshop. Mr. Silverboard stated that the Commission had requested this to be on the meeting agenda rather than the workshop agenda. Commissioner Bildz stated that he had no problem with numbers 1, 2, & 3, and suggested that they skip items 4 & 5. Mr. Silverboard explained that the reason for item #4 was that there are several events that the Commission has approved in the past with certain stipulations. We know what the conditions are that the Commission would routinely require. We would still bring forward new things, and large items like Sun, Sand & Swing. The second item is, there are from time to time, situations that we believe due to time or cost constraints that we should put this on the regular agenda so long as the Commission approves it. There are currently no exceptions.

Ms. Kiefer stated that in the recommended change, it states that items MAY proceed directly. They would have the option of saying no when the time came. Commissioner Bildz stated that he thought there was going to have a more comprehensive look at the rules. He would like to see the rules enforced, and if we are not going to enforce them, they should be removed. Mr. Silverboard stated that he believed that the rules of procedure need to be reviewed and revised to accommodate items like quasi-judicial hearings. There are items that were written to accommodate the way they used to operate. He would like to come back with some proposed changes at a future workshop.

Upon roll call the vote to approve was unanimous.

5. Consideration of Res. 08-57, Crosswalk Bid Price Adjustment

It was moved by Commissioner Bildz and seconded by Commissioner Minning to approve the resolution as read.

Commissioner Collins asked if there were safeguards to ensure that this would not happen in the future. Mr. Silverboard stated that these things reflect structural problems with the way we go out to bid. We are in the process of amending those procedures. As an example, we still have not received the permit to put the crosswalk in. We should have the permit in hand before we go out to bid so that we can sign the contract and get going on it. The bids were received in November or December, but we did not award the bid until February. Hopefully after we get through this round of projects we will have a new process in place.

Commissioner Collins asked again why we didn't have something in place to safeguard this. Mr. Silverboard stated that in this case he believed that their price increase was justified. When the Public Works Director was going to sign the contract he compared the quantities in the proposal and found that they did not match. The contractor agreed to hold the unit prices, even though the unit prices are back to February, and to apply them to the increased quantities that are needed for the one crosswalk. Commissioner Collins asked if there is now a process in place to ensure this doesn't happen again. Mr. Silverboard stated that we are in the process of putting a new policy in place.

Upon roll call the vote to approve was unanimous.

6. Consideration of Motion to Accept a Donation by Isle of Palms Civic Association to the Recreation Department

It was moved by Commissioner Gayton and seconded by Commissioner Bildz to approve the motion as read. Upon roll call the vote to approve was unanimous.

7. Consideration of Res. 08-59, Neubauer Regatta

It was moved by Commissioner Minning and seconded by Commissioner Collins to approve the resolution as read.

Les Lathrop apologized for addressing the request to the past City Manager.

Commissioner Collins asked if the port-o-lets would be discretely placed. Mr. Lathrop answered in the affirmative.

Commissioner Minning asked how many entrants they expected. Mr. Lathrop anticipates 60 boats. He will take care of the Coast Guard permits.

Upon roll call the vote to approve was unanimous.

8. Consideration of Res. 08-60, Beach Stewardship Committee Appointments

It was moved by Commissioner Bildz and seconded by Commissioner Collins to approve the resolution as read. Upon roll call the vote to approve was unanimous.

9. Consideration of Res. 08-61, Planning & Zoning Board Appointment

It was moved by Commissioner Minning and seconded by Commissioner Bildz to approve the resolution as read. Upon roll call the vote to approve was unanimous.

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

It was moved by Commissioner Collins and seconded by Commissioner Minning to approve the resolution as read. Upon roll call the vote to approve was unanimous.

11. Consideration of Res. 08-62, Code Enforcement Board Appointment

It was moved by Commissioner Bildz and seconded by Commissioner Minning to approve the resolution as read.

There are currently no applicants. The Commission urged the public to fill out applications to serve. The motion and second were withdrawn.

Noel Johnson asked to speak regarding the variance application. She doesn't feel that they should have received plans tonight and acted on them. They should have more time to look at things before approving them. Mayor Maloof stated that they did have the information. The revisions were on there. What they received tonight was that addition of the five sites put into the overall site. Ms. Johnson stated that she was concerned because we are always doing things that cost the city money. Mr. Silverboard stated that this was a quasi-judicial hearing. The evidence and the testimony are to be presented at the hearing. The consideration is held at the hearing. They can not discuss these items at a workshop. This is why he mentioned earlier that we should update the rules of procedures. Commissioner Gayton stated that this is why he asked for the application for the variance. They did not have the revised application and detailed site plan until tonight. He doesn't feel that they had the information available. He feels that it has to be corrected. Ms. Kiefer voiced concern about reopening something that has been closed.

Mr. Silverboard stated that he had an item to discuss. As they know, the fireworks are being sponsored by Gators on the Pass. The barge is going to be located toward the north end of the wide part of the beach. He would like to have parking be allowed on the beach, and for us to charge \$10 for that parking. It will help us to get pedestrians to the event, and to raise some needed revenues. Mr. Silverboard was asked how it would be staffed, and whether the same area would be used as was used for Sun, Sand & Swing. Mr. Silverboard stated that it would be staffed by Recreation staff, and would be the same area of the beach. There are costs that we need to recover, and it is an opportunity to generate some cash. Commissioner Collins stated that he can see the validity. Commissioner Minning stated that he inspected after Sun, Sand & Swing, and the parking area was cleaner than the area where the vendors were. Commissioner Collins stated that he has never seen a problem with it in the past. Mayor Maloof stated that she would be in favor of it. Commissioner Bildz asked about the hours that the parking would be allowed. It would be roughly 6:00 p.m. to midnight. We will have a sign out for beach parking. Commissioner Minning commented that it would alleviate people crossing Gulf Blvd. Commissioner Gayton stated that he hoped that people would stop by Gators and show their appreciation. He is not an advocate of parking on the beach. Commissioner Minning stated that the survey that was done was used by Sun, Sand & Symphony several years ago. None of those areas are even close to the sensitive areas.

Upon roll call, the vote to approve was: Commissioner Collins, yes, Commissioner Gayton, no, Commissioner Minning, yes, Commissioner Bildz, no, Mayor Maloof, yes. Motion carries on a 3-2 vote.

G. ADJOURNMENT

The meeting was adjourned at 9:09 p.m. by Mayor Maloof.