

CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS WORKSHOP MINUTES
January 6, 2009

The workshop was called to order by Mayor Maloof at 6:04 p.m.

I. DISCUSSION ITEMS:

1. Discussion on Mardi Gras event (Requested by Commissioner Collins)

Commissioner Collins stated that this was going to be a good event for the City. Brighthouse Networks is donating 200 thirty second airtime spots to advertise it. He gave an overview of the various events that would be held during the weekend. This event will be run by the Kiwanis Club of Gulf Beaches. Most of the money will be going to charitable causes. This is the first time this event is being held on Treasure Island, and he hopes it will be an annual event. He gave contact information to purchase tickets to the events.

Mayor Maloof stated that the 21st and 22nd is the date of the Rotary Tennis and Golf Challenge, and the Kiwanis Club was kind enough to move one of their events to accommodate.

2. Discussion of a proposal for hauling yard waste (Information Item)

Jim Murphy, Public Works Director, gave a brief explanation of this item. We currently haul yard waste to the Pinellas County site for a fee. We have received an unsolicited proposal from a company to haul it away and transport it to a location in Hillsborough County. They are proposing to haul it for \$12 per cubic yard. This is an opportunity to save on the \$37.50 per ton tipping fee that we are charged by the County, and saves us the trips to the County facility and the fuel usage for those trips. He has provided the Commission with a spreadsheet analyzing the savings. Our cost per cubic yard is about \$18.16. We have the possibility to save about \$10,000 per year on yard waste disposal. We are proposing to set up a limited arrangement short term contract to try this for a short period of time. We will have to set up a location to transfer the yard waste. We are proposing a location near the lift station. They would pick up the yard waste at a time that is convenient to us. We are proposing to place a new mulch bin in Roselli Park to provide free mulch to residents. The company offering the proposal has agreed to provide free clean mulch.

Commissioner Collins asked if there would be a notification period of they were to stop providing the service. He also asked what would be involved in starting up ourselves again. Mr. Murphy explained that there would be no start up costs to go back as we are already providing the service now. This arrangement would be a short term arrangement that we could cancel at any time. There would be no provisions to allow an extension or any other conditions that would allow the contractor to continue the contract if we are not happy with it. Commissioner Collins asked if we knew the calculations for the yard waste. Mr. Murphy explained how the estimate was arrived at. What makes this deal work is that we get the maximum amount of density for yard waste. Commissioner Collins asked how often they would collect the waste. Mr. Murphy explained that it would likely be once or twice a week. Commissioner Collins asked if rain would make the load heavier. Mr. Murphy stated that we would not be charged by weight, but by the cubic foot.

Mayor Maloof asked if citizens could transport their yard waste to the pick up area. Mr. Murphy stated that they would not.

Commissioner Minning stated that all costs in the estimate were hard costs and asked if labor costs had been estimated. Mr. Murphy gave a brief explanation of how they would arrive at labor costs.

Mr. Silverboard stated that they are proposing to try this for three or four months to see if it worked well and if we could save a decent amount of money. If so, they would come back to the Commission to authorize entering into a longer term contract. He explained that city crews would still be picking up the yard waste and putting it in a specific place for the contractor to pick it up for transportation. The mulch pile that is currently located by the pump station will be moved to the location at Roselli Park. It would be a location that would not be disturbing to the residents in the neighborhood.

Commissioner Minning asked if this works out and is something that we want to pursue, would we need to go out for competitive bid. Mr. Silverboard stated that he didn't think so, as the contract would be for a relatively short period of time. At this time we don't know how it will work in the long term. The contractor contracts with larger companies and with FEMA for disasters such as hurricanes and tornadoes, and this is a slow time for him. We anticipate that this would be a year round thing.

Commissioner Gayton asked if the contractor offered this service to other cities. Mr. Murphy stated that he is working with Safety Harbor, and is in negotiations with the City of Clearwater. He has received a letter of recommendation from Safety Harbor.

The Commission agreed to proceed with the program.

3. Discussion on City Commission Representative to the Gulf Beaches Library Board

Mr. Silverboard explained that there are two issues here. We have received communication from Mayor Simonds regarding forming an ad hoc committee to work out a contract for the future. The second issue is deciding whether or not the Commission wants to have one of its members appointed to the Library Board of Directors.

Commissioner Bildz asked if we knew when the ad hoc committee would be meeting. Mr. Silverboard explained that we have not received a schedule yet, they need to have a list of members first. Commissioner Bildz volunteered to represent the Commission on the ad hoc committee.

Commissioner Minning asked if Commissioner Collins had interest in serving on the committee. Commissioner Collins answered in the affirmative.

Mayor Maloof asked if Commissioner Gayton had interest in serving. He stated that he does not.

Commissioner Collins stated that he knows some of the people from the BIG-C meetings.

Mayor Maloof stated that she doesn't know if they will consider continuing the 10% reduction, but we should ask for it.

Commissioner Minning asked if there was still an issue regarding which contract is valid, and if that is something that the committee was going to resolve. Mr. Silverboard answered in the affirmative. They will try to make changes to the contract to ensure that all five communities remain members.

Commissioner Bildz will serve on the ad hoc committee. Commissioner Minning suggested that he also serve as a board member for continuity. Mr. Silverboard stated that we currently have two board members, and they will have to decide which member to replace. He will contact both members to see if someone is willing to step down.

4. Res. 09-01, Retention of Egmont Key State Park by the Florida Park Service

Mayor Maloof explained that we received a letter asking for support of the resolution to keep Egmont Key State Park as a part of the State Park service. Commissioner Minning explained that it would still be a state park, but it would not be manned or maintained. There is widespread support to put this back in the state budget.

Mayor Maloof stated that this is a prediction of things to come. She wholeheartedly supports this. The Commission all stated that they support this. This item will move forward to the January 20, 2009 meeting agenda.

5. Res. 09-02, Supporting Special Assessments to Fund Law Enforcement Services

Mayor Maloof explained that Mayor Yakes from Gulfport brought this forward. It would allow municipalities to charge a fee to people who cause accidents to cover the expense of the additional investigations that law enforcement has to do as a result. Item number six goes along with this. The funds in item number six would go to the court system that deals with alcoholism and the services that they provide.

Commissioner Collins stated that it doesn't address child molesters or the additional costs incurred to deal with them. Mayor Maloof stated that the main focus was on accidents which require extra police work.

Commissioner Minning stated that he has discussed this with the City Manager. It is a difficult resolution to understand. He is concerned with the word "initial" in the first paragraph, and doesn't understand how it is different than what we do now. Is this another tax on top of the ad valorem that our citizens already pay? Mayor Maloof stated that this is a fee that the person causing the accident would have to pay. Commissioner Bildz clarified that the term "special assessment" was what Mayor Maloof was referring to as the "fee". Commissioner Minning stated that the way this was written it was a tax.

Commissioner Gayton stated that he doesn't understand the whole meaning of the resolution either. He at first thought that this would take the place of the ad valorem taxes for our police department. Mayor Maloof asked City Attorney Maura Kiefer what her opinion was. She stated that she has spoken to Mayor Yakes about it. She explained that the nature of a special assessment was that it had to benefit property in a particular manner over and above the general things that the city does. She would need more information to advise further on this. She will contact Mayor Yakes' legal staff to discuss it and will report back to the Commission at the next meeting.

The Commission agreed to wait on this item until Ms. Kiefer clarifies it further for them.

6. Discussion on a special alcohol tax

Mayor Maloof explained that this would be a one cent tax per drink. The proceeds would fund court programs related to alcohol abuse.

Mr. Silverboard explained that this is an idea from Mayor Yakes. He is looking for support from other cities.

Commissioner Minning stated that it would be helpful to receive information from both sides when items like this are presented. Mr. Silverboard asked if they wanted to invite Mayor Yakes to a future meeting. Mr. Minning stated that he could be asked to provide information to back up his statements in the letter. Ms. Kiefer will invite him to come to a future meeting to explain the item.

Commissioner Gayton stated that he would like to see more information before they vote on this. Commissioner Bildz stated that he had seen something on the news about this, and the bar owners were not in favor of it. It adds up to a lot of money.

Mayor Maloof stated that she likes to cooperate with other communities, but we need more information before making a decision.

II. OLD BUSINESS:

Commissioner Gayton asked if Ms. Kiefer had information regarding the issue with Cornerstone Bank. Ms. Kiefer explained that she received a telephone call from their attorney today. Cornerstone Bank has declined to reimburse the City for attorney fees. She felt that it would have been fair for them to do so as it would save them going forward with their lawsuit. She has a motion for summary judgment from them. They provide appropriate documentation stating that their lien is superior to the City's. She is convinced that the City will not receive funds from this property. We can sign the settlement agreement and end it, or Mr. Verona will set a date for a hearing for summary judgment later in the month. She feels that the court will agree that the bank's lien is superior. She would prefer to get a summary judgment from the court to establish the superiority of the bank's lien.

Commissioner Gayton asked for clarification as to how long the city's lien would stay on the property. Ms. Kiefer explained that it would stay on the property until the foreclosure. We have requested that our lien remain on the property until the sale of the property and that we receive funds in the event that there is additional money available after the sale of the property. It will be up to the court to decide on that issue.

Commissioner Gayton asked why it took three months for the Commission to be notified of this lawsuit. It is in the contract with the City Attorney that they be notified of lawsuits and expenditures for legal services. He asked why they were not asked for permission to enter into negotiations. Ms. Kiefer explained the process that has been followed and stated that in the future she will see that the Commission receives copies of all summons received. She did not do much on this until after she brought this to the commission. Her contract states that that it is \$500 in costs, which are different from legal fees. She further explained that the only time the Florida League of Cities picks up the tab is when there are damages sought

from the City. Commissioner Gayton read an excerpt from Ms. Kiefer's contract regarding written status reports on a monthly basis and asked that she resume providing them. Ms. Kiefer agreed to do so. Ms. Kiefer asked if they also wanted to see the items that she assists the Police Department with. Commissioner Gayton answered in the affirmative.

Commissioner Bildz stated that they have started on the dune walkovers and they look nice. He commended the City Manager and Public Works Department for the professional job that they are doing.

III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

Ms. Kiefer reported that our request for rehearing on the federal case was denied. It is back in the Federal District Court in Tampa.

Ms. Kiefer reported that Mr. Irwin has filed an action asking for court action to enable him to get his firearms back.

Ms. Kiefer stated that regarding the St. Petersburg Surcharge Dispute, we are at impasse. She will be serving the City of St. Petersburg and commencing litigation.

Ms. Kiefer gave a brief explanation on the Schwarz foreclosure action by Wells Fargo that is located in Pinellas Park. She will provide the Commission with information each time she receives a summons. Commissioner Gayton asked for the summons and the complaint. She will e-mail them in PDF format via e-mail. Mayor Maloof asked if we knew how many pieces of property he owns in Pinellas County. Ms. Kiefer stated that we don't but we could find out. We could search by his name. Commissioner Gayton stated that he owns four pieces of property in Pinellas County.

IV. REPORTS & COMMENTS BY COMMISSIONERS:

Mayor Maloof stated that Treasure Island has experienced something new in its history. We have three candidates running for office who have no competition. Commissioner Minning will take office as Mayor on March 17th. Carol Coward will take over as Commission in District 3. Incumbent Commissioner Collins will remain in office in District 1. She congratulated the three candidates.

Commissioner Collins gave a reminder about the beach clean up. He also congratulated the three candidates, and thanked Mayor Maloof for her six years of service as Mayor.

Commissioner Gayton commented that Don and Betty Nolan with assistance from John Burke head up the committee on the beach clean up. They pick up over 450 pounds of debris on the beach each month. He thanked the volunteers for their work.

Commissioner Gayton stated that there has been a sign erected at 104th Ave. and Gulf Blvd. near Publix that is a traffic hazard. It is blocking the view of oncoming traffic. He would like the sign removed.

Commissioner Minning offered congratulations to Carol Coward and Commissioner Collins and thanked Mayor Maloof for her service. He thanked the members of the community that offered him their support and advice.

Commissioner Bildz gave a reminder of the Sunset Beach cleanup to be held this Saturday. They do not keep track of the amount of debris that they pick up.

Mayor Maloof stated that there would be a national salute to hospitalized veterans on Valentine's Day. There will be a concert at the Ford Amphitheatre on Thursday, February 12th. All money collected would be donated to hospitalized veterans. Information will be available at City Hall.

V. PUBLIC COMMENTS:

Carol Coward stated that she is pleased that the election turned out this way, and said that she looked forward to working with all of them.

Mayor Maloof stated that she thought that Commissioner Collins was a real gentleman. He had considered running for Mayor, but decided to remain where he is. That saved the City \$14,000 in costs.

VI. ADJOURNMENT:

The workshop was adjourned by Mayor Maloof at 7:15 p.m.