

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

The workshop was called to order by Mayor Minning at 6:56 p.m.

I. DISCUSSION ITEMS:

1. Consideration of Res. 09-73, Progress Energy Easement

Public Works Director Jim Murphy made a brief presentation. The cable from St. Petersburg to the Isle of Capri is very long and very old. Progress Energy approached us to improve the service. Progress Energy is asking for an easement through the City's parking lot so to drill across the water way and would like to use the Causeway right of way. They are asking for the Commission's permission for the installation of the cable. One of his concerns about the use of the Right Of Way is the force main on the south side of the bridge. He then introduced Mr. Fastino. Jerry Fastino, Project Manager of Progress Energy stated that the feeder cable can handle the capacity for several hundred of homes on the Isle of Palms and Isle of Capri. He gave a power point presentation detailing their plan.

Commissioner Gayton asked if the alternate feed that is being used is the reason for power outages. Mr. Fastino asked what the length was of the outage. Commissioner Gayton stated that it was a couple of hours. Mr. Fastino said that they were probably not able to switch it. Commissioner Gayton asked if it would eliminate some of the problems. Mr. Fastino answered in the affirmative and explained why. Commissioner Gayton commented that it goes out on Palms and Capri and remains on in other places on the island. Mr. Fastino stated that it was because of the feeder. Commissioner Gayton asked if everything will be underground. Mr. Fastino answered in the affirmative. Commissioner Gayton confirmed that it would be new undergrounding on First Street. Mr. Fastino answered in the affirmative and explained how it would be done. Commissioner Gayton asked why he wouldn't just take out the small feeder line. Mr. Fastino explained that there was a problem with doing that due to the guying that was necessary. Commissioner Gayton asked about the small feeder. Mr. Fastino said they would have to change all the meter cans on the houses and it could be done, but it wasn't part of the design. Commissioner Gayton asked who's expense it would be to change the cans. Mr. Fastino stated that the expense would be up to the customers.

Commissioner Bildz asked where the different feeder lines were. Mr. Fastino said they are already on the causeway. Commissioner Bildz asked why it was necessary to get more easements. Mr. Murphy stated that the property belongs to the City of Treasure Island, but they need to clarify it. He thinks the easements may be recorded in the City of St. Petersburg. With regard to the causeway, he doesn't know of any recorded easements. They would approach that in the same manner as they would the other utilities in the area. Commissioner Bildz asked if there was a water main there. Mr. Murphy said yes, as well as reclaimed water. Commissioner Bildz asked if it was the only water main coming into the city. Mr. Murphy said he wasn't sure. Commissioner Bildz asked if it is the force main. Mr. Murphy stated that there is an 18 inch force main that runs from the main lift station and traverses the causeway. Commissioner Bildz commented that the directional drills are accurate, and asked who was

responsible in the event that something happens. Mr. Murphy doesn't want to face that, which is why he expressed the concern.

Commissioner Coward asked how that is going to affect the water run off on the causeway. Mr. Murphy stated that he doesn't see it impacting it. Progress Energy will repair it if they ruin it. Commissioner Coward said she has concerns that there is so much there now she wonders if it will affect what they want to do. Mr. Murphy said it is shallow excavation work to retain it away from the roadway.

Commissioner Bildz asked if there are problems with the private easements will that be the death knell for this project. Mr. Fastino explained the alternative and said the north of the causeway is on the permit. Commissioner Bildz stated that he was referring to the private easements. Mr. Fastino stated that there are no private easements on the causeway or in St. Petersburg.

Commissioner Coward asked for clarification regarding the north side of the causeway. Mr. Fastino stated that it would be classified as road right of way.

Mayor Minning asked the distance between the directional drills. Fastino said it varies. Mayor Minning stated that on the east side it is a 2200 foot. Mr. Fastino stated that every 700-800 feet they will put a pull box. Mayor Minning asked how often the ground would be disturbed and if they would be relandscaped. Mr. Fastino answered in the affirmative.

Commissioner Bildz asked for clarification for where the easement would be located in City Hall's parking lot. Silverboard stated that it would be right in the middle through the palms. If the city needs to expand the parking or building the lines would have to be moved. Commissioner Bildz asked if it should be closer to where the recycle bins are. Mr. Fastino said they could put it where ever they want, but thought it would be the least disturbance. Commissioner Bildz asked that the cost be put in the agreement that Progress Energy will pay for it if it has to be moved.

Commissioner Collins asked if an easement is granted to Progress Energy that if there is a catastrophe Progress Energy should be responsible for moving the lines. Mr. Fastino stated that they would work something out.

Commissioner Bildz stated that if the City does this in good faith he would like the same good faith effort when the City has a problem. Mr. Fastino asked if someone calls in the lights. It was answered in the affirmative. Progress Energy is looking for an address and doesn't always get one. Commissioner Bildz explained that the lights are much brighter in the neighborhoods lately, and asked if they could be lowered. Mr. Fastino explained that there have been no changes made, and the lights get dimmer as they get older.

This item will move forward to the next meeting agenda.

Commissioner Bildz asked if the residents of 112th Avenue wanted to, could they get together and pay for the meter box change outs and have the transmission line undergrounded. Mr. Silverboard said it could get more complicated than that. The meter box may be bad in older houses, the electrical panels may need to be redone, and he isn't sure how they could fit with their schedule of what they are proposing to do.

Commissioner Gayton said that they have been trying to coordinate with homeowners for the past 20 years. He thinks it is a great idea, but doesn't think it could be done in the time frame they need to get the cables changed. He doesn't think there should be more added to this.

2. Consideration of Res. 09-72, Approval of the GBPL Service Contract for 2009-2010

This item was moved to the meeting agenda for approval.

3. Discussion – Special Detail Rate (Requested by Commissioner Gayton) (Backup Forthcoming)

Police Chief Casey asked the Commission to look at the paperwork he gave them, and went over some of the highlights of the spreadsheets. All but the two state agencies had a set rate and it is his understanding they could go up to \$80/hour, but it does normally top out at approximately \$50/hour. Sometimes there is a scheduling officer and depending on the complexity of the situation the rate could be \$100-\$200 per detail.

In terms of the overall insurances, it remains the same if a person is either on or off duty. In September 2009 the City stopped contributing the FRS portion for wages paid an off duty and it is pretty much the norm throughout the state. The rates of pay vary from the time and a half range. Some have take home cars. We have four people who take home their cars but they are very rarely involved in special duty.

Once he has a better understanding of what the Commission would like he will go back and speak to the officers. If there is a rate change in what the officers are paid the union will be involved.

Commissioner Gayton reminded him that during the budget process the revenue coming in has increased significantly over the years to \$177,000 budgeted for this year, and he wanted to know what was included in the benefit package. They were told that it was retirement and FICA, which brought it up about 30% above and beyond the \$177,000 that, was funded in the budget. We need to find a solution so that we are not subsidizing private industry. The residents don't need to subsidize the extra money. In the memo the 22% has been eliminated. Chief Casey stated that it is not the norm to pay those amounts. Commissioner Gayton stated that it is not a contractual issue. Chief Casey stated that it is not; the only issues would be if the rate of pay changed. Commissioner Gayton said that he appreciated that consideration, and the officers hopefully understand. He stated that the Commission would like to charge enough to pay the overtime and FICA.

Mr. Silverboard asked Chief Casey to explain the different overtime rate chart. Ms. Valdes came up to the podium and explained the regular over-time rate. The two benefits that fluctuate based on earnings are FICA and Workers' Comp. The last column is all the over-time rates, including the two benefits that fluctuate with earnings. The average is \$42.27/hour. There are non-sworn positions in there. Commissioner Gayton stated that the lower paying officers are not used on special detail. He doesn't feel that the \$42.27 is representative of the officers that are used. Ms. Valdes stated that the parking enforcement and the community officer are used at Caddy's, but the majority are not usually used. Commissioner Gayton stated that with the officers and the sergeants the average rate is more than \$42.27, so there needs to be a real number of the average so the Commission can see if they can cover the FICA. They have figures from March 17-July of 2009, and he wants to know why some of the officers are paid \$48.03 and some are \$37.08. Casey said the \$48.03 is the charge to the vendor, but dispatchers are a little less. Commissioner Gayton said some things were confusing and quoted some of the pay rates on the reports.

Mr. Silverboard clarified that they charged Caddy's \$48, and then we pay our officers whatever our overtime rate is. Commissioner Gayton asked if we charge \$48 per hour for a

Communications officer. Chief Casey clarified that it is \$37 for a Communication Officer. Commissioner Gayton stated that they needed to clarify whether the amount they charge is covering the FICA. Mr. Silverboard said the last column shows the variation. The higher amount is not what we are going to pay their officers. Mr. Silverboard said he and the Chief still need to hash it out. The Sheriff Department pays an hourly rate for specific positions. Because our contract states that our officers get time and a half, so we can't go to a system like that until next year. The overall average, excluding the Chief, is \$43.97/hour, but there are some that lower than that. Commissioner Gayton believes they should get the time and a half, just as along it averages out for the City. Commissioner Gayton asked if it included the retirement. Chief Casey stated that it did. The rate started with the construction of the bridge. The more senior officers don't need to work as much. Commissioner Gayton said his calculations were based prior to realizing the benefits were not included. He is pleased that it brought it down. Chief Casey believes the city is in good shape right now.

Mayor Minning said there is some good information now based on this past year, so they can figure out the mix and apply it for an average for next year. Chief Casey stated that he needed the direction from the Commission. Mayor Minning wants to make sure that everything is fair for everyone.

Commissioner Coward would like to see more realistic numbers used. The City doesn't want the officers to make less money, but rather we want to know how much money we are paying out for special detail. All the officers are working the details. Commissioner Collins stated that Chief Casey said that the more senior officers don't have to work them so often. Chief Casey stated that speaking department-wise the lower officer's work it more than the more senior officers.

Mr. Silverboard said they will bring it back to the November 2nd meeting. Commissioner Bildz stated that for special detail he would prefer to see Treasure Island police. He does like the way the Sheriff's Office calculates their rates. Mayor Minning stated that it is a contract issue. Commissioner Bildz said it should be something to consider, and they would like the City of Treasure Island police working the special detail.

II. OLD BUSINESS:

Mr. Silverboard asked Mr. Murphy to talk about the traffic light at 104th. Mr. Murphy explained that they did a warrant study for 104th and 108th that was given to FDOT a while back, and the bottom line is they rejected the lights at 108th. They are considering the traffic warrant for 104th, and want to do another count during the tourist season. Mayor Minning clarified that the City would have to wait for FDOT to do their own study before it can move forward. Mr. Murphy answered in the affirmative. Mr. Murphy said he tried to explain to them the time frame where the beach gets the most amount of use. Mr. Murphy said that the data is important to FDOT. Commissioner Gayton said the numbers shocked him and probably shocked FDOT as well. Mr. Murphy agreed and said they may feel comfortable validating it.

Mayor Minning asked what level would be validated; would 500 be too little? Mr. Murphy said FDOT still needs the data. Commissioner Bildz asked at 129th and 104th Avenue, can they at least stripe it as a crosswalk? Mr. Silverboard will show him, and Mr. Murphy will determine if it is in the FDOT right of way. Commissioner Bildz stated that he believes it is city property and Commissioner Gayton concurred. Mr. Murphy said he would look into it.

Mr. Murphy said that 8 weeks ago they discussed the selling of the palms on Paradise. The trees were to be sold and each tree replaced with a fox-tail palm. There was an unsolicited proposal from a contractor. We did go out to bid, and we only received one bid. There was a conclusion that

the project needs to be bonded. We went to contractor with bond requirement and they were unable to get a bond. They believed that an architect could get a bond, but he could not. Mr. Murphy then asked about an escrow of about 50% of the trees involved in the contract, and that did not work. He then asked for an offer that would be of interest to the city. The contractor said there was another landscape architect that would be able to do this, but we heard today that they are unwilling to bond the project. So, there is a contractor, but they are unable to get a bond.

Commissioner Collins asked how much it costs for the bond. Mr. Murphy said there was a lot involved. They have to prove that they are financially viable. Commissioner Collins asked the name of the contractor. Mr. Murphy stated that it is Palm Exchange. Commissioner Coward said the smaller businesses need to provide certain information, and they often can not meet the requirements.

Mr. Murphy said that his two suggestions were to take this contract with the risk or not go for the contract and go through another bid process.

Commissioner Collins stated that if there is no bond the city will come out on the losing on the end. Commissioner Gayton agreed. Mr. Murphy said the project would stop, but we'd still own the trees. Commissioner Gayton said he wouldn't vote unless there is a bond. Mr. Murphy stated that time is working against us; the trees are being inoculated, and they are getting close to the power-lines. Commissioner Bildz suggested that they change the contract to require them to pay for the trees right away, before they get the trees. He would like to see the City get a check for the tree before it is removed.

Mr. Silverboard added that they should pay for the fox tail palm too. Commissioner Collins said that if they can't afford a bond, they can't pay for the trees. Commissioner Bildz stated that there is more involved with getting a bond. Mr. Murphy stated that if they work it right with the client regarding deposits that might be an approach that could work and is something that we should explore.

Mayor Minning asked how the trees were laid out. Mr. Murphy said he could talk to Palm Exchange about the situation and give them the terms that would be acceptable. Mayor Minning asked if they can speak to them and report back to the Commission. Commissioner Gayton said that was one of their problems. Mr. Murphy said that the dynamics have changed. Ms. Kiefer said she was trying to move conservatively, and they are supposed to do it tree by tree. The worse that can happen is you are out one tree. They had to check with the city before they move onto the next tree. They did agree to that.

Commissioner Coward said she recalled that one tree was taken out and a new tree was put in. Mr. Murphy stated that the tree would be removed, the double foxtail palm put in, and the median restored.

Commissioner Gayton asked how many trees there were and how much we would receive for each. Mr. Murphy stated that it was 39 trees at \$700 per tree.

Commissioner Collins asked about the county parking lot, and wanted to know if any headway has made about the naming of it. Mr. Silverboard stated that Ms. Hayduke has put together a proposed program, and Ms. Kiefer has developed a waiver. He will ask Ms. Hayduke to send them a memo telling them the status.

Commissioner Bildz brought up the parking workshop and wanted to know if the planning and zoning board was involved. Mr. Silverboard stated that both special meetings will have the planning board there to discuss parking regulations and downtown redevelopment.

III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

Ms. Kiefer gave an update on the Brown Construction litigation. It is a suit by the insurance company. They are trying to recover the money that they paid to the City of Treasure Island. It is getting complicated. Brown has gotten permission to sue two subcontractors. The collapse was caused by the rain, but there was an absence of scuppers on the roof. There is no exposure to the city. Cathy Hayduke will be called as a witness.

Mr. Silverboard advised the Commission that Cathy Hayduke received a request from Ricky T's to close down part of 106th Avenue on Saturday, October 24th from noon to 6:00 p.m. for a Breast Cancer Awareness event. There is not enough time for the Commission to go over it. The last time it happened it was done administratively. They will work with Walgreen's. They will donate all proceeds to breast cancer awareness. Commissioner Bildz asked if they will be requesting the police for a special detail. Mr. Silverboard answered in the affirmative.

Mr. Silverboard reported that he spoke to Maggie Cinnella from the Gulf Beaches Public Library about the procedures for the Commission to act on an item such as the service agreement.

IV. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Collins offered his services to the condo associations and civic associations. The Isle of Capri Civic Association is having a wine and cheese social on October 16th at the Community Center at 6:30. The cost is \$10, and you get to take home a bottle of wine.

Commissioner Coward went to BIG-C and Progress Energy was there giving a report. She asked the representative about the lights on 107th. We can be credited for the lights out on 107th from the date that it was reported. She feels that we should have a large credit coming back. She then asked if we have a rendering of what the building at the corner of 107th and Gulf Boulevard would look like. There is a straight line drawing in the file. There was a brief discussion on the types of plans that are filed.

Commissioner Bildz stated that he received an e-mail received from person who received a ticket from the Police Department. He wants someone to answer the e-mail. Mr. Silverboard sent it to Chief Casey to look into and answer.

Mayor Minning reported that the BIG-C passed a resolution against offshore oil drilling in state waters. Mayor Minning stated that we as a Commission need to address is the Gulf Beautification money. The BIG-C is trying hard to keep it at \$35 million, but it is to be dropped down by 20%. We need to start getting plans together regarding how we want to use the money and get them in for approval. In 2013 the money may be made available. Commissioner Gayton suggested that we tie in the \$385,000 grant money in with this beautification money. Mayor Minning stated that it is in the works and the first discussions will be next week with the DOT.

Mayor Minning gave a reminder about the Canadian Thanksgiving Dinner to be held on Monday. For a first, we will have as a guest at the dinner the Mayor of Niagara Falls, as well as the Attorney General from Canada, who is the equivalent of the Vice President of the United States.

V. PUBLIC COMMENTS:

None

VI. ADJOURNMENT:

The workshop was adjourned at 8:29 p.m. by Mayor Minning.