

**CITY OF TREASURE ISLAND, FLORIDA**  
**BOARD OF COMMISSIONERS WORKSHOP MINUTES**  
**May 5, 2009**

The workshop was called to order at 6:15 p.m. by Mayor Minning.

**I. DISCUSSION ITEMS:**

1. Discussion of Transfer of Development Rights (Requested by the Local Planning Agency)

Heidi Horak, Chair of the Planning & Zoning Board spoke regarding Transfer of Development Rights. They are a common development tool used all over the State of Florida. She gave an explanation of some reasons why and how they would be used. She would like to get language worked out. It would be included in the Comprehensive Plan Amendment, so it will not happen soon. They are here to see how the Commission feels about this. It is archaic to not have this in our code. We would get a better product out of our developers if we had this in place. What she is looking for now is implementation language. The consultants will work out the details when they develop the plan. There are limits in the Pinellas County code, and we should look there first to see where we should be.

Commissioner Collins asked for clarification as to whether this would increase density or just shift it. Ms. Horak stated that it is a shift, not an increase. Commissioner Collins stated that it appeared to him that the final decision was with the County, and he felt it was a lot of works by staff to then have the County disapprove it. Ms. Horak stated that she has worked on this in St. Petersburg, and they did not need County approval. Most cities have this already.

Commissioner Coward asked what the process would be if the Commission wanted to move forward with this. Ms. Horak stated that they would get draft language first, and then work with HDR on it since they would be working with Ms. Rosetti on the downtown code. Commissioner Coward asked who would be helping with the language. Ms. Horak explained that they have money for HDR to work on this.

Noel Johnson stated that in 1975 she purchased Commercial/General property in Florida. They built according to the rules. In 1992 Pinellas County changed the rules on that property. For 2 ½ years they have had a single family home being rented on a regular basis. Now the County is saying that we need to increase density. She doesn't know how Sunset Beach got left out of the Commercial/General. She thinks that they should be changed back to Commercial/General. She asked who decides that every few years the rules change. They have so many transients coming and going in a single family house that they need laws for it, and they need to enforce the laws on the books. The hotels are losing money from single family homes being rented. Mr. Silverboard stated that their zoning in that area was RH50, which allows tourist accommodations, and there are no restrictions on how many times the house can be rented. Ms. Johnson stated that there should be a capacity law on how many people could be in the house. Ms. Kiefer stated that there is a capacity law on the books. It is the housing code. Commissioner Bildz asked that we check to see that there was a business license on file for this property. Mr. Silverboard stated that it has been investigated and they are operating legally within the laws. Mayor Minning offered to speak with Ms. Johnson about this after the meeting.

Commissioner Bildz read an excerpt regarding the permanent transfer of the density. He expressed concern about this. Mr. Silverboard stated that the area that they would be able to transfer density from would have to have the surplus density to transfer. The area that you would transfer the density to would have to have the need for it. What they are really talking about is transferring for transient lodging. Ms. Horak explained that it would be a "like for

like” transfer and it would run with the land. There would be a limitation where you can’t transfer all of your density. Local governments can do all kinds of things. We have a history of fairness in our development rules, but we just have old ones and need to update them. This is voluntary.

Commissioner Bildz made a comment on one of the items in the Collier County Code of Ordinances that was given to them. He suggested that we point out in our code that public access to the beach can not be blocked. Ms. Horak stated that this would give them one of the tools to do that.

Commissioner Gayton asked if this has previously been discussed with HDR. Ms. Horak stated that they would already have language in their computers, and we would be given some generic language for this.

Mayor Minning asked Ms. Horak if she could give them an example of how this could be used. She explained that an existing hotel on the beach may want to do some improvements to their property, but did not want to redevelop it. This would give them an opportunity to raise cash by selling these without having to rebuild. That is a limited scenario that just about every town does with these. Mayor Minning stated that his understanding was that they could go from a like height and density area, but not from different densities. Ms. Horak stated that it would have to change. It will not be like zoning to like zoning, but like use to like use. Mayor Minning stated that the concept was to create a source downtown. Ms. Horak clarified that it would be to identify source areas of the town. If we were to build out as allowed now we would have five story buildings all down Gulf Blvd. and there would be no way to stop it. There is a lot of unbuilt density around the island.

Commissioner Collins stated that he felt it was a good concept, but wondered what would happen years from now when someone purchased property and found out that the density had been sold. Ms. Horak explained that they would know because it would show up in a title search. The Commission will be able to pick and choose what steps they take and the language that is adopted. She does not see full implementation for a long while. This will require a city referendum vote if there is to be any change in density. Mayor Minning reiterated that this would require changes to the LDR’s and any changes to height or density will require a referendum vote. Ms. Horak stated that this would also require a vote on the Comp Plan amendment.

Marie Barba stated that seven years ago Ms. Horak brought up that this would be a bad idea for the beach area. She stated that most people feel that the beach area should have the lowest density. There was a big concern and fear that the density on the island would be transferred onto the beach and people don’t want to see that. There should be something in whatever we are trying to accomplish downtown. Residents are complaining that they are not getting their things taken care of. There is too much of the commercial going on. The density averaging was a bad idea then. If it is a good idea now then there should be something to inhibit it going onto the shoreline.

## 2. Discussion of Density/Intensity Averaging (Requested by the Local Planning Agency)

Heidi Horak explained that this is another development tool similar to TDR, but you don’t move it around. It is used with contiguous parcels. One of the protections that she would like to see is that you only be allowed to do it if you negotiate a development agreement with the city. This would not require a Comprehensive Plan amendment. The reason to use it would be to lessen the impact of development, and for esthetics. There are many conditions that they can put on it. It would be recorded so that anyone looking at the deed can see it.

Commissioner Collins asked if it was possible that people could transfer density from the east side of Gulf Blvd. to the west side of Gulf Blvd. and wouldn’t that defeat the purpose.

Ms. Horak stated that the answer to that was no, and that they would be able to pick and choose what areas to preserve. In her mind the west side of Gulf Blvd. would only be a sending area, not a receiving area.

Commissioner Bildz stated that this was a development agreement, and those expire. Would these expire as well? Ms. Horak stated that these were a covenant on the property and they do not expire. Mr. Silverboard stated that the properties that would be eligible would be contiguous or separated by a right-of-way, so there would be no transferring it downtown. It would allow the density transfer from the same district to the same district. Ms. Horak agreed and stated that you couldn't allow it from a different district without a zoning change. Commissioner Bildz clarified that the two sides of Gulf Blvd. were in a separate zoning district. Some examples of how the transfers would work were given. Ms. Horak explained that this does not make any changes to density.

The Commission agreed to recommend that the Planning and Zoning Board move forward on these two items.

### 3. Financial Update for Quarter ending March 31, 2009

Mr. Keranen gave a brief explanation of this item. It is the six month update. If we continue with the trend our expenditures should equal the revenues. He commended staff for keeping expenditures down. He had an inquiry from the Commission on balances, and has been asked for a balance sheet. He presented the Commission with a handout of the requested information.

Commissioner Gayton stated that it appeared that we would be \$190,000 less in ad valorem taxes. He gave a list of other revenues that would be lower than anticipated. The total was \$539,000 less than anticipated. We also never budgeted \$45,000 for the library which we have now incorporated. That gives us negative revenue of \$585,000. We are going to have to find \$585,000 to cut in the next six months if our revenues are going to equal expenditures. Most of our expenditures are at the 50% level. Where do you anticipate finding \$600,000 in the next six months? Mr. Keranen stated that if we continue the second half of the year in this pattern we should be ok. When the departments submitted their budgets he asked for their anticipated expenses for the remainder of the year as well, and that information has been incorporated. He has included the encumbrances, and there are some payments that have been made that were paid for the entire year already. There are so many combinations for each department and line item. Commissioner Gayton stated that he wanted to see what was anticipated for each line item. He stated that the information that was provided was fantastic and easy to read, but he wants to see something showing where they will save the \$600,000 by the end of the year.

Commissioner Coward stated that we will probably save around \$70,000 just on gasoline alone.

Commissioner Bildz stated that Commissioner Gayton has already pointed out our parking revenue. That was based on the additional parking meters that have not been installed yet. Mr. Silverboard stated that we are working on that project now. Commissioner Bildz stated that there are a lot of tickets being written on Sunset Beach and he thought the parking fine revenue would be higher. Mr. Silverboard stated that the revenue doesn't come in right away or in twelve equal payments. We have not started events yet, so that revenue doesn't show up yet. Some of the new rates didn't kick in until January 1<sup>st</sup>, so there are only a couple of months showing at the higher rates. In terms of the expenditures, there are a variety of things that we have not spent money on yet. We will have to cut down on expenses in the LOISS fund because the revenues will be lower. Commissioner Bildz asked if parking meters would be cut. Mr. Silverboard stated that they would not, that we would need the revenue generating items.

Commissioner Collins asked if we were anticipating a strong last quarter. Mr. Silverboard stated that we are not in the same position that we were several years ago, and we are not able to provide all the services that we have provided in the past. We are trying to cut costs. Where we have a critical vacancy we are taking much longer to fill, and other vacancies we are not filling at all. Most cities would defer capital expenditures in this situation. There is very little capital in our general fund, and we are deferring capital expenditures in other funds.

Mayor Minning asked for an explanation of the difference between the expenditures on the report, and the expenditures explained by Commissioner Gayton. Mr. Keranen explained that it was the amount budgeted, plus the encumbrances. Mr. Keranen will provide them with a report to explain his estimates.

Commissioner Gayton asked if there was any indication from Property Appraisal of what the estimated taxable values will be. Mr. Silverboard stated that they are anticipating an 8% reduction, which translates to about \$400,000 in revenues. It does not include other things, so it may be a little less. We are planning on budgeting for a 10% reduction. We will not get good numbers until July.

Commissioner Coward asked Mr. Silverboard to explain what happens with the properties that don't pay their taxes. Mr. Silverboard explained that we would not realize the revenues until the properties are sold for back taxes. That has been a very small amount in the past.

Commissioner Gayton asked how much money we had budgeted in the State Board of Administration. Mr. Keranen stated that we do not invest there.

Commissioner Bildz asked what the FDIC Insurance was on our bank accounts. Mr. Keranen stated that we can only invest in state approved public depositories. He is going to be recommending changes to this and recommending some of our local banks.

Marie Barba stated that Charlie Fant was talking about a \$400,000 savings if we went with the County. That is a lot of money. If you set up contracts like you do with the developers and get a liaison going between Charlie Fant and Pinellas County you could save money. Mr. Silverboard explained that the city gets paid about \$470,000 by the county for EMS services. Everyone pays a millage for EMS services, and some of it gets paid to the service providers. The county is experiencing a shortfall, and is planning on reducing the amount that they give us and still expecting us to provide the same services. If we refuse what they are giving us they will pay someone else and we will have that much less to perform our fire services. The county will be limiting what they will be paying for. We are trying to convince the county to pay for an ALS rescue unit rather than an ALS fire unit. At best we hope to keep somewhere close to what we have been getting, which is about \$476,000. Ms. Barba asked about contracting for fire services. Mr. Silverboard stated that the county does not provide fire services and we would have to start a special fire district. We operate under mutual aid agreements with other nearby communities. Ms. Barba asked about the referendum that would have to go before the people for fire services. Mayor Minning explained the difference between the Advanced Life Support (ALS) services, and the fire services. It is two separate items. Ms. Barba asked how it would save us money. Mr. Silverboard explained that our department was the least expensive department to operate in the county. Ms. Barba asked if it was true that the Police Department cost the city \$2.5 million and Madeira Beach was only spending \$800,000. Mr. Silverboard stated that all Madeira Beach is paying for is two officers. We have more officers, detective capabilities, having the ability to respond to Sunset Beach type issues, and other issues. Ms. Barba asked if they would charge us more for additional services. Do the police ever freeze salaries? Mr. Silverboard stated that this year they got no increases, and in Fire only three

people got increases. Commissioner Gayton stated that the police budget was \$2.5 million, and Fire \$1.3 million, so they do make up a large portion of our expenditures.

## **II. OLD BUSINESS:**

Commissioner Gayton asked the status of the downtown redevelopment plans with HDR. Ms. Rosetti will give them a status update at the next update.

Commissioner Gayton asked if any repaving would be done this year. Mr. Silverboard stated that there is \$500,000 budgeted and it will be done. Commissioner Gayton asked if they would be using the same list. Mr. Silverboard stated that they would be using the same list, but would reevaluate to ensure that there wasn't another street that had gotten worse since last year.

Commissioner Bildz asked for an update on the status of the restroom trailer at Caddy's. Mr. Silverboard stated that the trailer that Mr. Amico planned on buying was sold and that Mr. Amico was looking for another one that would meet the requirements.

Mayor Minning asked if they should continue with their special workshop in light of what happened earlier. It was decided that there was no need.

## **III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:**

Ms. Kiefer stated that she was canceling the executive session for tomorrow as there was no need at this time.

Mr. Silverboard stated that he had met with the Lion's Club, who asked if the City would allow them to install two port-a-potties in the vicinity of their property. They stated that ever since the city created the no wake zone there has been more activity in the area. They would be willing to pay for them. They would be located on the corner of their property. Mr. Silverboard asked if the commission would allow them to install them on their property landward of the dune line. Commissioner Collins asked if that would have any impact on the sea oats that they are trying to protect. Mr. Silverboard stated that they would be put in where they would be accessible. The Lion's Club did ask if they could be considered the next time there was a sea oat planting.

## **IV. REPORTS & COMMENTS BY COMMISSIONERS:**

Commissioner Collins gave a brief report on the BIG-C meeting held in April.

Commissioner Gayton stated that he was glad to see a picture of Don and Betty Nolan in the Barrier Island Gazette being given an environmental award. They are responsible for keeping our beaches clean. It would have been nice to have John Burke's picture there too. Commissioner Collins stated that this Saturday is beach clean up.

Commissioner Bildz stated that he has been to a few library meetings. There will be a welcoming party for the new Library Director tomorrow night.

Commissioner Bildz reported that the hot topic at the Sunset Beach Civic Association meeting last night was parking.

Mayor Minning commented on the fireworks that were planned for New Year's Eve. He is suggesting that they open the beach up for camping for Treasure Island families. He asked if there was interest on the Commission's part for an activity of this sort. Commissioner Bildz

stated that he would not agree with that. Mayor Minning stated that it would be a nice thing to do for the families of Treasure Island. It could be done in a manner that would be environmentally friendly. Commissioner Gayton asked if it would be for Treasure Island residents only. Commissioner Coward suggested that they talk to Cathy Hayduke and the Chamber first. We need people to do the work and it is sometimes hard to get people to do the work. Mayor Minning agreed to discuss it with the Chamber and Cathy.

Ms. Reiter stated that it was an idea worth discussion. She then reported on the Isle of Capri's wine and cheese party to be held this Friday at the Community Center.

**IV. PUBLIC COMMENTS:**

Ms. Reiter stated that the New Year's Eve camping event was an idea worth discussion. She then reported on the Isle of Capri's wine and cheese party to be held this Friday at the Community Center.

Tony Amico stated that more than half of the crowds at Sunset Beach were not his customers. They don't eat or drink there; they only use his rest rooms. Caddy's is now paying about \$8,000 a month to the city for security, in addition to paying for their own security. The people that the Lion's Club representatives are talking about are not his customers.

Pam McIntyre asked if the information that Commissioner Collins gave regarding the offshore drilling could be put on the TV station. They will discuss it with Jeff tomorrow.

**VI. ADJOURNMENT:**

The workshop was adjourned at 8:07 p.m. by Mayor Minning.