

**CITY OF TREASURE ISLAND, FLORIDA  
BOARD OF COMMISSIONERS MEETING MINUTES  
August 18, 2009**

The meeting was called to order at 6:10 p.m. by Mayor Minning.

**A. PLEDGE OF ALLEGIANCE:** Led by Mayor Minning

**B. ROLL CALL:**

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

**C. PUBLIC COMMENTS:**

Dominique Reiter spoke about the Labor Day event that the Chamber of Commerce will be holding on the beach. She gave a list of some of the events that they had planned, and asked for volunteers.

Jim Bates, Program Manager for the restoration and marketing of the Westwind Suites, invited everyone to attend their grand opening on Thursday, August 20<sup>th</sup> at 4:00 p.m.

**D. APPROVAL OF MINUTES:**

The minutes of the meeting and workshop of August 4, 2009 are available for approval. It was moved by Commissioner Bildz and seconded by Commissioner Coward to approve the minutes as printed. Upon roll call the vote to approve was unanimous.

**E. ITEMS OF BUSINESS**

1. Consideration of Res. 09-55, Agreement with Gelatis, Inc. for Beach Concession Services at Sunset Beach

Ms. Kiefer suggested that they amend the resolution to authorize the City Manager to enter into a license agreement with Gelatis, Inc. Mayor Minning stated that it would be part of the motion.

It was moved by Commissioner Bildz and seconded by Commissioner Coward to approve the resolution as amended.

Commissioner Bildz stated that at the workshop he suggested that a three year contract might be too long for an unknown company in an area that has previously resisted concessions. He would like to see a track record of at least a year, and thinks the city and the vendor needs to have an out if it isn't working out. He would like the duration to be for one year with options to extend. Ms. Kiefer stated that the way the license agreements are drafted is that they can be terminated at will. It is an easy arrangement

to go in and out of. Commissioner Bildz asked about the twelve payments, and asked if it would be better to take the \$5,000 up front. Ms. Kiefer stated that if they choose to terminate it could cause some issues. Ms. Hayduke explained that he had offered that initially, but now is looking to have the same terms as Taylor Beach Rentals, who has twelve equal payments.

Commissioner Bildz stated that until today he has not heard a word about this, but today he received several e-mails in opposition.

Upon roll call the vote to approve was unanimous.

## 2. Consideration of Res. 09-53, Paradise Boulevard Median Palms

Ms. Kiefer stated that she had the same suggestions regarding the language to authorize the City Manager to enter into the agreement.

Mayor Minning stated that he received two phone calls today on this matter. One was from a party offering \$32,000. He directed them to speak with the City Manager. Mr. Silverboard stated that it is a shame that he didn't bid on it. Commissioner Collins stated that he felt they should move forward on this.

It was moved by Commissioner Bildz and seconded by Commissioner Collins to approve the resolution as amended.

Mayor Minning asked if we were going follow through on the bonding issue. Mr. Murphy explained that they have discussed this with Palm Exchange, who will be working with the architect to provide the bond for the project. They are prepared to provide a performance bond to cover the \$26,400, as well as the value of the foxtail palms that we are to get for whatever trees are not completed in that twelve month period.

Upon roll call the vote to approve was unanimous.

## 3. Consideration of Res. 09-56, Causeway Drainage Analysis

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.

## 4. Consideration of Res. 09-61, Emergency Beach Renourishment Interlocal Agreement

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

## 5. Consideration of Res. 09-57, Audit Services Extension

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

## 6. Consideration of Res. 09-62, Marina Committee Appointment

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

Commissioner Bildz asked if the committee met during the day due to the time constraints of the applicant. Mr. Silverboard stated that the committee meets once a year and they will be sure he is available.

7. Consideration of Res. 09-60, Annual Board and Committee Appointments

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

8. Consideration of Res. 09-58, Library Interlocal Agreement

Ms. Kiefer gave an update on what she has done to revise the agreement. She has e-mailed her draft to all the City Attorneys. The Madeira Beach attorney has notified her that they will not agree to it. She then explained the changes that she had suggested. There are four potential issues. In section D-4 she took out the first paragraph and inserted it in section B. Her second change was also in section D-4. She deleted the last sentence regarding accrued charges. Mr. Silverboard stated that it meant that if you were in the library for four months you pay for four months. Ms. Kiefer stated that she doesn't know exactly what they mean, so she can not recommend it. Commissioner Bildz stated that he felt that it meant that it was for services that had been received but not paid for. Mr. Silverboard stated that it is in the service agreement. Ms. Kiefer stated that she can change the language there. Mr. Silverboard stated that we need to keep in mind that it has to be approved by four other communities. The fewer changes that we make the easier it will be to get them approved. He feels that this one should be left alone. Commissioner Collins stated that he was in favor of leaving this one alone. Commissioner Gayton agreed.

Commissioner Coward stated that the changes in section D-2 seemed to make it a clumsy paragraph. Mayor Minning stated that it was brought up by Commissioner Bildz at the last workshop that we don't have our budget discussions until after June 30<sup>th</sup>, but that has not been addressed in this. Commissioner Coward suggested that they do this a year in advance, rather than wait until the final hour. Ms. Kiefer stated that under state law you do a budget for appropriations for that fiscal year. Mayor Minning asked if you can commit a future Commission, and didn't think that it was possible. Mr. Silverboard explained that we could stay in a year longer but put them on notice that it is our intention to drop out. It wouldn't mean that we have to, but would give the Commission more time to get feedback from the community. He has had a discussion with the City Manager from Madeira Beach. The other communities are not going to budge from the June 30<sup>th</sup> date. We are not going to get agreement from them. Commissioner Coward stated that it seems that all we do is make the other cities mad, and we are the only city that can't seem to get on the bandwagon. Mr. Silverboard stated that our residents are not using the library as much as residents from other cities. It is a quality of life issue. There was a brief discussion about the timing of the budgets. Mr. Silverboard stated that as long as the contingency for funding was left in there he didn't see an issue with the agreement. If we try to change it the vote will be 4-1. Ms. Kiefer stated that we have two agreements; the interlocal agreement and the service agreement. Our position was still that we are part of the library. What really has meat is the service agreement, which is the commitment to the funding. You can enter into it, but if you don't approve the funds then you don't enter into the service agreement. She feels that the notice is fine, and it doesn't really matter.

Commissioner Coward asked what needed to be done tonight. Mayor Minning explained that they need to wait for the rest of the cities to comment on the changes. Ms. Kiefer explained her third change. It is in regards to the date of termination of the agreement. The community should be able to use the library until whatever date they are paid through. The second thing she deleted was the remainder of the paragraph, and added a sentence regarding the terminating community being allowed to re-enter the agreement by signing a new service agreement. Commissioner Bildz stated that the issue of the back pay never came up in the ad hoc committee, so he didn't know where that came from. He feels that it would be unenforceable as the agreement would be terminated. Commissioner Coward asked if we paid in advance. Mr. Silverboard answered in the affirmative. Commissioner Bildz stated that if we have paid for a quarter then our residents should be allowed to use the services for that quarter. Ms. Kiefer also suggested that they remove section 6 as she doesn't know what the assets are or if there are shareholders. Commissioner Bildz explained that if Treasure Island decides not to fund we would not be allowed to take away 43% of the books. The land belongs to the City of Madeira Beach. The assets are the building, books, and equipment inside. Most of the bank account came from the PPLC. Mr. Silverboard explained that the old agreement never specified what happened with the assets, and last year the question came up when Treasure Island almost dropped out. Because the issue wasn't addressed in the agreement one of the attorneys felt that it should specify. Ms. Kiefer stated that she didn't know who Gulf Beaches Public Library, Inc. was. The Commission was in agreement that it should stay in the agreement.

Ms. Kiefer asked for direction from the Commission. She would like a consensus on her suggested changes. She reviewed the suggested changes.

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

## **F. ADJOURNMENT**

The meeting was adjourned at 7:00 p.m. by Mayor Minning.