

**CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS WORKSHOP MINUTES
January 19, 2010**

The workshop was called to order by Mayor Minning at 6:40 p.m.

I. DISCUSSION ITEMS:

1. Discussion of Replacing the Sand Wall Along the Beach Trail (Requested by Commissioner Coward)

Commissioner Coward explained that she wanted this put on the agenda because it wasn't on the Beach Stewardship Agenda, but they said it was going to be on the next meeting. She asked them specifically what they were going to talk about. She believes the existing wall is what needs to be focused on. The wall is very unsightly. She looked through the budget and \$130,000 was budgeted for the bike trail for the past two or three years. . It was discussed briefly at the last meeting. She feels the Commission needs a plan so we can get the permitting for it. The city spent a lot of money on some plans and it was going to cost millions. She suggested taking some of the elements of the plan and beautify it for the citizens, the businesses, and the tourists that come on our beaches.

Commissioner Coward went to a Beach Stewardship Meeting. She believes the people on the committee are very conscientious of what they are doing, but she doesn't think it is fair to put so much responsibility on a very small group of people. She said she would like to discuss what the city is trying to achieve. Commissioner Collins said he agrees, and wants to know where the money should come from. He wanted the viewing audience to know that the wall that is there now cannot be repaired. Commissioner Coward put part of the plan in the packet, and she believes it is a simple fix, but the city needs to get permitting. She said the LOISS money should be used for it. She believes the bike trail is not going to happen, and the money should be allocated toward the wall. Commissioner Collins said he would be fine with that if it could be done, then he asked City Manager Reid Silverboard if it could be done. Mr. Silverboard said yes the Commission could do that, but at the same time they have a priority project for resurfacing Causeway Boulevard. There is a competing interest for that \$130,000. Commissioner Coward asked about the \$250,000 in the budget for that project. Mr. Silverboard said that was true, but the estimate for the resurfacing is around \$350,000. Commissioner Coward asked if there was an actual estimate for this. Jim Murphy, Public Works Director said the city just received the estimate a few days prior to the meeting. He asked the people who did the fine paving job, to provide him with a budget price for surfacing the causeway from the west side of the bascule bridge, through downtown to the right of way at Gulf Blvd. The surfacing specification would be a 2 inch mil to resurface the road and a 2 inch overlay of highway grade asphalt. The cost including the striping and the thermal plastic came out to approximately \$350,000. Before any decision is made a priority needs to be developed to see where the funding should go. Commissioner Coward said she wants the causeway done, but she doesn't want to put the beach wall on the back burner. She asked if the price for the resurfacing was taking care of 100% of it or just parts that were not done when the bridge was put in. Mr. Murphy said it is the parts excluding the aprons where the new bridge paving went in. This is a budgetary estimate, and they may get a firm price that could vary a bit. Commissioner Coward stated she was not willing to put the beach wall off. She said she feels there is no reason why the city cannot move forward with both projects. She said there first needs to be a plan and a permit. It isn't going to happen this year. She does want the causeway done. She noticed the Public Works Department was out marking the grassy area along the causeway. Mr. Murphy said they started and once they get the

plan they are going to move down the road. Commissioner Coward said she didn't see any reason why they couldn't do the two things at the same time. Place them in the budget for the current year and next year.

Mr. Silverboard said the other priorities need to be noted as well when looking for the money to be allocated. The first thing that the city needs to do is decide what kind of a wall they want to put in there, get a price and then decide where the money is going to come from; for example, the bicycle trail money or perhaps the Penny for Pinellas money. Commissioner Coward said she was not suggesting all the Penny money. She said the city needs to get a plan, find out what it is going to cost and then get a permit. That could take a year. Mr. Silverboard said the city has been struggling with the issue for a long time and it is his understanding that the Commission asked the Beach Stewardship Committee to come up with a plan for the beach trail. They did that. A presentation was done by former-Mayor Fant. The Commission gave direction to the Beach Stewardship Committee. It is fine if the Commission doesn't want the Beach Stewardship Committee to do a recommendation for the wall. Staff is not trying to stall the project, but rather trying to get some kind of agreement on a project. It was recommended to the Beach Stewardship Committee to use Phil Graham's plan as a basis then the city can get a pricing for it, and they would bring it before the Commission and budget for it. He believes everyone is on the same page. Commissioner Coward said she was specifically talking about the wall. She asked the Beach Stewardship Committee what they were going to be talking about because it was very vague. She said it was her understanding that former Mayor Fant was talking about the north end and the south end, but she is specifically talking about making what is currently there more beautiful. She sees nothing wrong with the Beach Stewardship coming to the Commission with some suggestions.

Commissioner Gayton said he agrees. He believes it has been delayed too long. Phil Graham's plan was too expensive. He believes the most important thing to do is beautify what the city already has right now. It doesn't need to be done all at once. He thinks there should be a special workshop scheduled between the City Commission, Beach Stewardship Committee and staff. The staff can bring all of their proposals, perhaps look at the Phil Graham plans and start with the wall. People enjoy walking on the trail but they do not enjoy the condition of the sand wall. They should start with a workshop and stay in the room until they figure out what they want done. Commissioner Collins said he concurs.

Mayor Minning said the Beach Stewardship Committee is looking at it. Mr. Murphy has put the cost estimate of Phil Graham's plan onto a spreadsheet. The Beach Stewardship Committee has a trip planned to Clearwater on February 3rd at 9 a.m. to look at what they've done. Mayor Minning believes Commissioner Gayton had a good idea with the workshop. Mayor Minning said the city got an estimate from Johnson Brothers a while back. Removing the wall would cost \$15/ft which came out to \$57,000. He said that should be mentioned at the workshop. The question comes up, that if the sand wall is removed would there be additional sand deposited east of the trail, and could the Department of Public Works handle such a thing. He said it was worth discussing. He said they should look at the sections where there is no sand wall which is the St. Petersburg Municipal Beach. He suggested the wall be removed and then continue from there. Anything that takes place beyond that must be considered including the replacement of the concrete sand walk, as well as the permits that DPW will allow, including the removal of what's already there, but the immediate thing to do would be remove the wall.

Commissioner Collins said he is all for taking the wall down, but thinks the wall should be taken down when they have a plan to replace it. There are areas where the sand is piled up against the wall, and he believes that they would have a problem with sand blowing on the trail. Mayor Minning said there should be a plan, but he is fearful if they tie the removal of the sand wall with the replacement of the sand wall, then the replacement may be tied in with the configuration of the walkway. It is pretty straight forward to leave the walk in place and replace the sand wall. If they have intentions of taking elements out of the Phil Graham plan to incorporate along the beach walk it will have to go to DPW for permitting.

Commissioner Gayton said there should be a special session to find a solution that the Commission agrees upon. Mayor Minning said they will look into some dates for the meeting.

Marie Barba said she did research on the state statutes. She would caution the city about removing the wall. She said she believes there is a restriction in one of the Florida statutes that addresses a wall on the public beach. There are tough restrictions and she doesn't believe that the city can easily put it back. Mayor Minning said the representatives from Clearwater that were instrumental in getting their beach wall put up will be at Beach Stewardship Committee Field Trip.

Pam McIntyre wanted to know if the city could try to see what is needed to get a permit to install a new wall. She also wanted to know if the funding could come from the oil spill money. Mayor Minning said that money could not be used on the central beach trail

Mayor Minning said the Commission was in consensus on scheduling a workshop to discuss the trail.

2. Consideration of Res. 10-06, Urging Rejection of Proposed Amendment 4 to the Florida Constitution (Requested by Mayor Minning)

Mayor Minning withdrew the item from the agenda because he wants to bring some speakers in to bring light to both sides of the issue. Commissioner Gayton said there was a memo from the City Attorney. He asked if the resolution is allowed to state a position from a municipality or a county. City Attorney Maura Kiefer said the new law is designed to prevent the running of an ad or a commercial stating that Treasure Island is for or against something. It doesn't prevent the Commission from taking positions or passing resolutions and forwarding them on to political groups deemed necessary.

Commissioner Gayton said he believed it would be litigated in court before the November election. He hopes the city stays away from any litigation with regard to anything they would say in a resolution. He said the resolutions are to state facts that have been researched. He is very leery of bringing such a resolution forward. Ms. Kiefer said the city can take a position and pass a resolution on Amendment Four without running afoul with the law because the city is not expending public funds as intended by the new law. She said a second issue is if the statements made in the proposed resolution are legitimate and supported. That issue does not overlap with State Law about expending public funds, but rather is an issue of the city's decisions and does the city agree and want to take that position. She suggested that they not be hindered by the State law in arriving at their conclusion.

Commissioner Gayton said the city is not supposed to tell the electorate how to vote on the amendment. Ms. Kiefer said they can say in a resolution that as the elected Commission they are taking a position on a piece of proposed legislation. Commissioner Gayton said he understands that, but there is a fine line between how a political body feels, and then telling the public that they should not vote for it. Ms. Kiefer said if they are uncomfortable making that statement then they should not make it, but making that type of statement is not illegal. Commissioner Gayton said he read in the paper that some of the representatives in Tallahassee are considering rescinding their votes and may put something on the ballot that says you can spend public funds for this. He wants to be sure that when the resolution is brought forth that it does not tell the public how to vote. He is glad Mayor Minning decided to table the issue until a later date so they can give the public a chance to view both sides of the issue.

Commissioner Coward said perhaps the best thing to do is to bring both sides in to discuss it before the Commission decides on it. Mayor Minning said that he wants to make sure all the issues are fairly addressed.

3. Consideration of Res. 10-07, Approving an the Extension for the Hazard Mitigation Grant Program

Fire Chief Charlie Fant stated FEMA made some Hazard Mitigation Funds available. In 2007 the city was granted some of the funds to harden the police and fire building. He was not able to bring the project to completion during the time frame. He met with the State Mitigation Office and sought their advice and they recommended that the city apply for an extension. The extension was granted on December 28, 2009. The city now has another year to complete the project if the funds are able to cover the cost. The grant application was based on Chief Fant getting estimates for covering the windows, replace garage doors and make it wind resistant. Chief Fant is working with Purchasing Coordinator, Hal Bruce and they are developing specifications and putting it out to a single contractor so they have a fixed price. He needs the Mayor's signature to amend the contract so they can move forward with the project.

This item will be placed on the next meeting agenda.

4. Consideration of Res. 10-04, Authorizing a Temporary Full-time Planner Position

Mr. Silverboard said for a number of years the city has recognized that the Land Development Code is outdated and in need of a comprehensive overhaul. An overhaul was attempted back in 2002. The good elements as well as the controversial ones were thrown out. The Commission has recently had several conversations about the need to bring the codes up to date, including the parking issues throughout the island. Some provisions have not been consistently applied. Staff recommends rewriting the codes. The question remains how to go about it: hire a consultant, try and do it in house, does the city have the man power? Mr. Silverboard said he believes the best way to have this done in a timely manner is to hire a full-time temporary planner that has years of extensive experience in the field. This planner would work under the supervision of Lynn Rosetti, City Planner. He believes it could be done in a 15-18 month time frame. He believes that the current workload of the staff would not allow them to have it done in a timely manner. They have attempted it for years, but have made little progress. Mr. Silverboard stated from his observation of the workload and his experience as a planner he thinks that hiring a full-time temporary planner is the best idea. He doesn't recommend hiring a consultant for it is very expensive. It is difficult to predict how many meetings they will have in order to satisfy the Planning Board, Commission and citizens.

Mayor Minning asked the Commission to consider two (2) things: Does the city need to redo the Land Development Regulations (LDRs)? How should it be accomplished? Commissioner Collins wanted to know if they were to hire the temporary planner, how much time would Ms. Rosetti be able to spend with them in order to accomplish the task. Mr. Silverboard said he didn't know the exact amount of time, but if the right person is hired they should have ample experience with zoning compliances. Commissioner Collins wanted to know what would be the benefit of hiring someone from the outside if the City Planner is going to spend so much time with them. He also wanted to know if they needed to hire someone who was intimately involved with the codes in the county and state, and how difficult would it be to find. Mr. Silverboard said he wasn't sure about the amount of time, but believes Ms. Rosetti will be there to answer questions about the current codes in the city. Currently the city has no one who is available to rewrite the codes and the most inexpensive way to have this happen is to hire an experienced temporary planner. Commissioner Collins said he has hesitations because he feels the person that they do hire may be monopolizing the City Planner's time.

Commission Gayton agrees the LDRs need to be reviewed and he thought it was the longest running review in the city. In 1985 the Florida legislature passed a statute naming a Local Planning Agency (LPA) which mandated each municipality and county to form an LPA. The LPA would be the entity for

reviewing proposed Land Development Regulations, Land Development Codes or amendments. The LPA would make recommendations to the governing body as to the consistency of the proposal for the adopted comprehensive plan. Many years ago the city asked what the issues were with the LDRs. The City Planner at that time had some meetings with the Planning and Zoning Board, local businesses and civic associations. A lot of work was put into the LDRs in 2002. Ordinance 02-06 was brought to the table but was not passed because of the height and density issue. Commissioner Gayton said there are many good other good points in Ordinance 02-06 and he thought that for the past six years the staff was working with the LPA on it. He pointed out the thousands of hours put into the project by the city planner and LPA. He doesn't believe the Commission has the authority to take the responsibility away from the LPA. He suggested that the current City Planner sit down with the LPA until the LDRs are completed. It is the Commission responsibility to tell the LPA what they want and give them a timeframe to go by. He believes a lot of work has been completed and they are very close to the completion. He suggested the City Manager get involved and direct the City Planner to stay out of Code Enforcement and put more of her time on the LDRs and not look outside of the city for help.

Commissioner Collins believes that with all the experience Ms. Rosetti has, she can complete it faster than a newly hired person who knows little about the city. Commissioner Coward said Ms. Rosetti knows the city and the people. She believes that if Ms. Rosetti was given the time she needed, she could complete the project. She suggested someone take her phone calls, or allow Neal Schwartz to talk to a customer. Commissioner Collins said he could not vote to spend \$100,000 to hire someone outside the community to help with the LDRs.

Mr. Silverboard said the State Law does not say the LPA has to write and develop the Land Development Code. The law says the LPA makes a recommendation on the Land Development Code to the City Commission. He said it was going to take dozens of meetings with the LPA to review and get it to the City Commission. The LPA has a key role in making the recommendations for the LDRs. He could ask Ms. Rosetti to complete the LDRs in a year, but the Special Area Plans, the Land Use Amendments, the EAR Amendments, and dozens of plan reviews will not be completed. It is unrealistic. Mr. Silverboard said he would not bring it before the City Commission if there were an alternative. The Commission asked for a recommendation and this is the fastest most inexpensive way. Commissioner Collins said they want it done, but are looking at the most viable way to do it. He then questioned if Assistant City Planner, Steve DeMerritt was capable of taking on the task and consulting with Ms. Rosetti along the way, and then perhaps hiring someone under Mr. DeMerritt for a cheaper price. Mr. Silverboard looked into Mr. DeMerritt taking on the LDRs, and also Ms. Rosetti working on the LDRs and hiring someone to do her job, but the other person would have to learn the current codes. Mr. Silverboard explained it is the experience of writing a code as opposed to applying the existing code. Commissioner Collins asked if Ms. Rosetti put 95% of her efforts into the LDRs and the other 5% overseeing Mr. DeMerritt, and if Mr. DeMerritt gets too much work, maybe they can hire him an assistant. Mr. Silverboard said that situation has been considered, and he believes hiring a temporary full-time planner is the best way to get the best product in the most inexpensive way.

Commissioner Coward wanted to know if the work done in the past was useless. Ms. Silverboard said the work was done almost 9 years ago, and the world has changed since then. Community needs must be taken into consideration. Commissioner Coward wanted to know why this wasn't discussed during the budget hearings. She feels like a decision needs to be made with such little information. Mr. Silverboard said that since the budget was done the Commission had several meetings where the chairperson read a list of different things that needed to be done, and the Commission then directed Mr. Silverboard to come up with a plan. This was requested by the Commission.

Mayor Minning said he spoke to the City Manager about getting proactive about the LDRs. Mayor Minning then again brought up the two areas to look at: Do they need to change the LDRs? How do they go about doing it?

City Planner Lynn Rosetti said most of the communities in the area did have to hire consultants to prepare the Evaluation and Appraisal Report of their Comprehensive Plans and their EAR based amendment. She stated she completed the EAR Amendment and is completing the Comp Plan which will go before the LPA in April. This has been a big savings for the city for they did not need to hire a consultant. She recommended the LDRs need to be looked at chapter by chapter. She recalled a time when she worked for another community where it was important that the LDRs got updated. That city had a big staff that could help the Zoning Manager with his other duties. There is a large effort going into the task including writing law that must be consistent with county wide rules and state comprehensive plan. There are people that come in to the city on a day to day basis asking for help. The day to day planning cannot stop. It is a matter of priorities and there are two staff members. After the comprehensive plan is done a consistency plan needs to be redone and the capital improvement on an annual basis.

Mayor Minning asked if she is the best qualified person to do this. Ms. Rosetti said she may be but there is a lot of other stuff to do. She said at least by overseeing a very experienced planner who knows how to write code, she could direct them and they should be able to run with it as opposed to them coming in and trying to meet with people on a day to day basis with no background information about their cases. Commissioner Collins asked Ms. Rosetti if Mr. DeMerritt could take over her daily tasks if the LDRs were made her priority. Ms. Rosetti said Mr. DeMerritt does the day to day of the current planning, however she doesn't think he has the experience to do code writing or EAR- Based Amendment. Ms. Rosetti said Mr. DeMerritt is constantly working with the public and writing zoning letters and she is trying to prep him for the day to day of the Planning and Zoning Board. Commissioner Collins asked if it would be less expensive to hire someone to do that type of work then elevate Mr. DeMerritt's position so that she can concentrate on the LDRs. Ms. Rosetti said they should hire a really experienced person to help out.

Commissioner Gayton said that all the work that was done nine years ago may be outdated, but the memos regarding transfer and development rights are only a year old. He has watched Ms. Rosetti meet with the LPA and P&Z for the past 5 years go over each Land Development Code step by step. He wants to know how Ms. Rosetti would be able to relate all the changes to a hired planner. He said he thought it would take more of her time to transfer that information to them then it would be for her to do the work. He believes the main thing is that the LPA must review the LDRs, and there is no getting around it. He believes it is a waste of time to hire someone that has never met with the LPA.

Maria Barba said she agreed with Commissioner Coward. The item was not in the budget, and it doesn't have to be done in a year and a half. The city has had many reviews. She thinks the residents' suggestions have fallen on deaf ears. A lot of issues are not being addressed by the P&Z or the LPA. She believes a large portion of it is a time management issue. Prior to Leon Atkinson there wasn't an LPA, she believes it is an efficiency issue. Many residents may be upset because they are only concentrating on Special Area Plans. The city already has the LDRs, they just need to be reviewed and come up with something concrete. There is a lot competency within the P&Z and LPA and they don't need to hire another person to do it.

Pam McIntyre questioned if Ms. Rosetti is co-director for Code Enforcement. She is co-director of the Community Improvement Department. Ms. Rosetti said it consists of Planning, Building and Code Enforcement. Ms. McIntyre has dealt with Steve DeMerritt recently and she believes he is quite competent. Ms. Rosetti knows it better than anyone. She said the LPA has not met for the past three

(3) months. She said the Commission needs to direct the City Manager to put on the agendas what needs to get done. She believes the LPA should automatically go on after the P&Z. Right now there is a variance sign for the Yacht Club. The LPA said they only have a status report. She believes these are a lot of missed opportunities. She said Mr. Silverboard should give better direction to the LPA and to staff and get the agenda moving. The LDRs need to be redone. She said there are cities that have their LDRs in place, and maybe we could chat with neighboring communities.

Commissioner Collins said he greatly appreciates where Mr. Silverboard is coming from and values his input. He suggested giving Ms. Rosetti a time agenda, have Mr. DeMerritt take over more responsibilities, and have department meetings to go over things. Commissioner Gayton said the Commission has not been giving direction to the LPA. He would like to find out what the LPA needs from the Commission to help them get a quicker start on reviewing the LDRs. He'd rather see that information going from the Commission to the LPA and asked that the Mayor write a memo addressing this issue. Commissioner Coward said she concurs. She suggested writing out a time line so the LPA could see what the Commission expects of them. She would also like to see what staff could do to free up Ms. Rosetti's time. The Commission can look at the issue again if it does not work out.

Pam McIntyre asked if there can be a Commission liaison to the LPA. Commissioner Gayton said he thinks that is an excellent idea and it is something to consider. Mayor Minning clarified that they are not asking the LPA to write the LDRs, but rather review them. Mayor Minning asked the Commission if they were in agreement that the LDRs need to be revised. They were all in agreement. He then asked if it was something the Commission wanted to engage in in the near future. They were all in agreement. He then asked who was going to do the writing. Commissioner Gayton said after the LPA reviews the LDRs and they come to a consensus then someone should sit down and write them.

Ms. Kiefer said several years ago, while working in Boston, she revised the zoning code. It took her two years. It is writing legislation. It is a collective effort dealing with the planning department, the public, the commission, however, in her opinion, the actual writing of code should be done by an attorney. She thinks she will play a large role in the project. She stated she drafted the condo/hotel ordinance. She believes the city was the first in the State of Florida to enact that ordinance. There was a lot of work involved. Recently they directed the City Attorney and City Manager to discuss the Charter Review Committee. It will take a lot of time to revise the regulations. What do we want to change and why? There is no direction or strategy. Each part of the city has its own issues. She suggested perhaps having a joint meeting with the LPA and the Commission. Commissioner Coward wanted to know what the plan was. Mayor Minning summarized that the LDRs need to be revised. The process should start quickly. The issue that remains is who is going to do it. The Commission asked the City Manager to give them his recommendation, which they have in front of them. They then asked the City Planner for input, and there is concurrence between the City Manager and Planner. Mayor Minning asked what the Commission wants to do about it. Commissioner Gayton would like the LPA to review LDRs, for they have been doing it for the last five years. He would like to ask the LPA what help they need from the Commission to move the process along. If they make a final decision, they send it to the City Attorney to see if it is correct and send it back to the Commission for the final say. If the Commission doesn't like it, it doesn't get passed. Commissioner Gayton said the LDRs are already written. The LPA must decide if they want to keep them as is, or rewrite it. They will sit down as a board and make the decision among themselves, and then either the City Attorney or Manager will decide if it is compatible with the comprehensive plan and then it will go back to the Commission for a vote.

Mr. Silverboard stated that the LPA is not responsible, nor do they have the experience to write the codes. He doesn't think that is a realistic way. The LPA is going to elect Ms. Rosetti to do things. The charter says she takes direction from the city manager. How will all of the City Planner's other work get done when the board is giving her other demands on her time. The best way to handle it is the

suggestion from staff. If the Commission would like Ms. Rosetti to write the code and hire someone else for her job temporarily then that can be done. The City Attorney is capable of looking at the legal sufficiency of a code, but she doesn't have the experience of writing the substance of the code. Commissioner Collins asked if it would be more cost effective to have Ms. Rosetti write the codes and hire someone in her place. Mr. Silverboard stated that they are still hiring someone to do Ms. Rosetti's job and the problem is that the temporary planner doesn't have Ms. Rosetti's knowledge of the clientele. Commissioner Collins said that would be where Mr. DeMerritt would come in. Commissioner Gayton again said it is the responsibility of the LPA to review the LDRs and they are the only people who have the authority to recommend any changes to the Commission. Mr. Silverboard said he is very familiar with the law and was not suggesting they go against it.

Commissioner Coward asked if any of the neighboring municipalities have updated their LDRs and if so how did they achieve it. Mr. Silverboard said that one city's codes are not like another city's. It is based on good planning practice. Ms. Rosetti is the best person to do it, but we need a second person with her sensibilities to help it along.

Ms. Kiefer said she disagreed with the City Manager in that she has over 20 years of experience writing LDRs. The Code says there are three ways to amend LDRs. They send something to the LPA, the LPA sends them a recommendation, or petition from 51% or more of the land owners. The P&Z then reviews the proposed amendment, within 45 days. She has observed that the LPA is looking for direction from the Commission. She suggested thinking about whether or not the Commission wants to spend money in revising the LDRs. Mayor Minning asked if they should go with the City Manager's recommendation and hire a planner or have Ms. Rosetti write the LDRs. Commissioner Collins asked how much money are we willing to spend to it. Commissioner Gayton wants to get suggestions from the LPA and get a time frame from them. Commissioner Collins suggested they pose the question to the LPA and come have an answer at the next meeting. Mayor Minning said it has been suggested that it would take 15-18 months for a full-time person devoted to revise the code, and it seems as though the LPA, who meet once a month will take much longer to meet this task. Commissioner Collins said it is up to the Commission to save the city some money.

5. Discussion of Gulf Beaches Ray's Appreciation Day (Requested by Commissioner Collins)

Commissioner Collins said that last year the BIG-C asked if the cities wanted to be involved in the Ray's appreciation day. The city would need to set up a ticket purchasing agent. The date is June 14, 2010. They need a staff volunteer. Mr. Silverboard said the BIG-C wants the city to be a ticket outlet. Mayor Minning went to it last year, and he said it was fun. Mr. Silverboard suggested the Chamber of Commerce sell the tickets. Mayor Minning said he would approach the Chamber about it.

II. OLD BUSINESS:

Commissioner Collins wanted to know if there was any new update on the Palms or Capri Bridge. Mr. Silverboard said none of the grant awards have been announced, but they expect to hear about it by February. Mr. Silverboard said they are going to ask Congressman Young to including money in next years supplemental funding. Commissioner Collins wanted to know what the outcome was regarding the medical insurance with Indian Shores. Mr. Silverboard said it was approved and they are now covered under our insurance.

Commissioner Gayton asked Ms. Kiefer if she could write a draft agreement between the BIG-C and the county regarding LOISS Funding undergrounding utilities along Gulf Blvd. Ms. Kiefer said she has started to work on that. She contacted Mike Davis of St. Pete Beach for she was told he may have already drafted something. She has started studying the proposals that have gone back and forth since

2008 with respect to the subject. She is in the process of trying to get a current grasp on where the county is with regard to the money and if it is the same division of labor that was envisioned in 2008-09. She said she needs to meet with the City Manager about it and she may have to go to the County Attorney and get an updated version of the agreements. Commissioner Gayton said in the beginning it was supposed to be a beautification project. The County said money will be given for undergrounding if the cities pay for the beautification. The County Commission said there was not enough money from LOISS and the City of Treasure Island's would only receive \$2.6 million. He thinks that the City Attorney and City Manager need to talk to the County Commission about the issue. Commissioner Gayton said a County Staff Memo says they are going to give the cities 25% of the original \$35 million. The Commission wants to know if the County will guarantee the \$35 or \$27 million over a five year period. Commissioner Gayton would like the City Attorney to get it in writing before the city loses all of the funding. Ms. Kiefer stated that she and the City Manager will go there and she also thinks the County needs to pass a resolution to memorialize the staff memo. Ms. Kiefer stated she knows that Indian Shores has undergrounded their utilities. Commissioner Gayton said they did so because they got a bond, but the County said the town of Indian Shores can recoup that money with the Penny for Pinellas Funds. Indian Shores only spent \$6 million, and will be reimbursed \$5 million. Ms. Kiefer wanted to know if the City approved a contract every year with the County regarding the distribution of the Penny Funds. Commissioner Gayton said this particular item was different.

Commissioner Gayton stated the City Manager, City Attorney and City Clerk's evaluations have not been done in several years. The Commission has yet to evaluate the current City Clerk. Commissioner Coward said the Commission has not evaluated the City Clerk because she used to be evaluated by the City Manager. Commissioner Gayton commented that the City Clerk has always been a constitutional officer. Commissioner Coward wants to concentrate on long term planning with regard to the evaluations.

Commissioner Coward said she received a message from a resident saying they stopped the planting of the palm trees along Paradise Blvd. Commissioner Coward received an answer back from the City Manager. The cold weather and the holidays have put the project on hold. It will continue shortly and should be completed by April. She received a letter from the Paradise Civic Association president stating they want to beautify the area even more.

III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

Ms. Kiefer said the Schwarz case is confirmed for trial on February 16, 2010. It should last a week. They anticipate several expert witnesses as well as some lay witnesses. She said if they lose on the issue the second phase of the trial would concentrate on damages claimed. Mediation is set for January 25, 2010 in front of a federal magistrate. Mayor Minning, Reid Silverboard and the City Attorney will be in attendance. She is requesting an Executive Session on the Schwarz case. She suggested having it before the next Commission Meeting on February 2, 2010 at 5 p.m. Commissioner Gayton asked if the mediation was closed, and Ms. Kiefer said he could attend if he would like to, but she said having two members of the Commission there may go against the Sunshine Laws. Commissioner Gayton said he would not speak.

Ms. Kiefer then spoke about the wastewater case. St. Petersburg removed the case from Federal Court. They are in the discovery phase and are in the process of evaluating responses.

Mr. Silverboard reiterated what Commissioner Coward said about the palm trees. He said the city received its permit from DOT to finish the 107th Avenue mast arms. There will be a lane closure at the intersection of 107th and Gulf Blvd. for about six hours for the installation of the new traffic signal mast

arm on Wednesday, January 20, 2010 starting at 8 p.m. The police will be stationed at the intersection to help direct traffic.

Mr. Silverboard said the city had a cold snap that lasted for over a week. As a result there are several dead fish. There have been complaints asking to clean up the dead fish from the canals. The city doesn't have the equipment. Seagulls have come back and have been eating. He asked the Department of Public Works to possibly look into hiring a commercial fisherman if it gets really bad.

Mr. Silverboard said the name of the park contest has kicked off. The prize is a \$200 savings bond. The contest is to rename the former county beach park. The rules are on the website or available at City Hall. Last day for the contest is February 5, 2010.

There is a button on the city's website to make a donation to Haiti to aid in the earthquake. The button leads you to several other sites.

IV. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Collins offered his services to visit any of the condo associations and address their questions. He will be at Sun Ketch III on Friday, January 22, 2010.

Commissioner Gayton said that during the Red Tide many of the dead fish were removed from the canals by a front end loader. He said if it does become a health hazard maybe they should talk to Assistant Public Works Director Rick Raus about it.

Commissioner Coward stated that the 12 year old tennis team from Treasure Bay won the US Florida Section Tournament. She got an opportunity to chat with some National Tennis coaches who were visiting Treasure Bay and they complimented the facilities as well as our nationally known Tennis Pro, Phil Gerardi.

Mayor Minning said the beach access signage from the NOAA Grant Money has been put forth. The prototype will be ready for Commission review next month. He said he received a nice email from a resident thanking the city for cleaning up the Buccaneer property. He urged the citizens to get their applications in if they are interested in serving on the Visioning Committee and Charter Review Committee. The Commission would like to review the applications at the next meeting.

V. PUBLIC COMMENTS:

Maria Barba said she wanted to comment about one of the biggest property owners of downtown, Mr. Dowling. She said Mr. Dowling said he didn't like the HDR plan. She said Mr. Dowling had some good suggestions about the plan including doing for little cost. She said Mr. Dowling apparently suggested bringing the plans to University of South Florida students in an effort to save money. Ms. Barba said she agreed with Mr. Dowling. She believes downtown should be an area where the height and density could go up. She would like to see different options and get a consensus.

VI. ADJOURNMENT:

The workshop was adjourned at 9:07 p.m. by Mayor Minning.

Robert Minning, Mayor

Phil Collins – District 1

Ed Gayton – District 2

Carol Coward – District 3

Alan Bildz – District 4

ATTEST:

Dawn M. Foss, City Clerk