

**CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS MEETING MINUTES
October 19, 2010**

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

A. PLEDGE OF ALLEGIANCE: Led by Mayor Minning

B. ROLL CALL:

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

Mayor Minning announced that they would be moving the agenda around. He introduced Pinellas County Commissioner Karen Seel.

Commissioner Seel gave a brief presentation regarding the proposed consolidation of the Pinellas Planning Council and the Metropolitan Planning Organization. She stated that those that worked on the committee are in agreement on the consolidation. She gave an explanation of the process that was followed and the areas that were studied by the committee, and explained the recommendation of the committee and the process for passage. They are requesting all of the cities approve the proposed language and reapportionment before their meeting on November 22nd.

Jewel Cole from the Pinellas County Attorney's office gave a brief explanation of the views of the legal department regarding this issue. She explained the reason for the reapportionment plan, which would allow for two additional members to represent the beach communities. This is a proposed revision to the special act, which has not been changed in over 30 years. They have sent out sample resolutions for the cities to use in support of the proposed changes. She encouraged the Commission to pass the resolutions.

Commissioner Bildz asked how this would benefit Treasure Island, and if there would be money saved. Commissioner Seel stated that they think it will serve at least 10-15% immediately, and when the county wide maps are revised it should save more. Ms. Cole stated that it would be a benefit to Treasure Island citizens when the maps are scaled back as it would make it easier for them to develop their properties.

Mr. Silverboard asked about the reapportionment plan and how "wed" they were to the grouping of cities. Commissioner Seel stated that there are very strong feelings about the way it is being grouped. This does put a beach representative on the board. Mr. Silverboard suggested that the representative that would cover Treasure Island should be someone closer to the southern part of the county as opposed to the northern part as the issues are very different. Commissioner Seel stated that she would take the idea back to the MPO. She had attended one of the BIG-C meetings and there were no negative comments.

Mayor Minning asked what impact Amendment 4 might have on this. Commissioner Seel explained that if it passes then any changes they make would have to go on the ballot.

Commissioner Bildz asked what the chances are of getting the legislative delegation to do anything if they get all 24 cities on board with this. Commissioner Seel stated that it was excellent, but they needed the support of all 24 municipalities. Commissioner Bildz asked if the other 23 communities are on board with this. Commissioner Seel answered in the affirmative. They are still talking with people, but so far everyone is in agreement.

Mayor Minning thanked them for their presentation. This item will be presented at the next meeting.

C. PROCLAMATIONS, RECOGNITIONS, CERTICATES OF APPRECIATION None

D. PUBLIC COMMENTS:

Kevin Johnson spoke regarding the City Manager's spending authority.

E. APPROVAL OF MINUTES:

The minutes of the September 22, 2010 meeting and workshop and October 5, 2010 executive session, meeting and workshop and October 11, 2010 executive session are available for approval. It was moved by Commissioner Bildz and seconded by Commissioner Coward to approve the minutes as corrected. Upon roll call the vote to approve was unanimous.

Mr. Silverboard introduced Christine Trovato, who has been appointed as the City's new Finance Director. She was welcomed by the Commission.

F. APPROVAL OF REGULAR AND WORKSHOP AGENDAS

G. CONSENT AGENDA None

H. ITEMS OF BUSINESS:

1. Presentation by Pinellas County Commission Chair Karen Seel regarding the proposed consolidation of the PPC and MPO.

This item was presented previously in the meeting.

Commissioner Coward asked if the changes would affect anything that we are trying to do with our planning, and if they were being premature. Mr. Silverboard stated that he feels that they are getting rid of the PPC, and explained that they recognized that there needs to be some kind of county-wide land use oversight. The MPO is transportation oriented. The things that we want to do will have to be approved by the county by whatever organization is in place at the time. It is important that we have representation. Under the new set up we will be in a grouping of ten, and if that rotates it will be seldom that we have direct representation. Many of the people that would be representing us are in a different area of the county than we are. Commissioner Coward stated that her concern is that we have things in front of the PPC now, and how this will affect those things. Mr. Silverboard stated that it shouldn't affect those things. This has to go before the legislature for approval, so any new changes would not take effect until the new budget year. Our projects should be complete before that.

2. Consideration of Ord. 10-03, Approving a swim zone at Land's End (1st Reading)

It was moved by Commissioner Bildz and seconded by Commissioner Caldwell to approve the ordinance as read.

Upon roll call the vote to approve upon first reading was unanimous.

3. Consideration of Res. 10-90, Approving Chapter 164 mediation with the City of St. Petersburg regarding strong waste surcharges

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

Mayor Minning stated that he received a call from Mayor Foster's assistant yesterday. Mayor Foster will be discussing this with his staff and will respond as soon as he has consulted with them. He asked that they wait on this until he hears back from Mayor Foster.

Commissioner Bildz stated that he would prefer to pass this and state that it goes into effect after they get a response from Mayor Foster. Commissioner Coward stated that approximately \$200,000 of this is overage, and the rest is interest. She is opposed to them going into any kind of legal situation at this point in time. Ms. Kiefer explained that if they get a judgment in their favor they are entitled to receive interest. Commissioner Bildz stated that this is taxpayers' money and he feels that they are obligated to pursue this. Commissioner Coward stated that she is opposed to this.

Commissioner Collins stated that he agrees with Mayor Minning and supports tabling this until the next meeting. Commissioner Caldwell stated that she agrees. Commissioner Bildz stated that this is only for mediation, not for a lawsuit. Commissioner Caldwell asked if this was the item that has the "clock ticking".

Ms. Kiefer stated that these are all good suggestions. All this means is that they would draft a letter. She could hold off on sending it until they ask her to. Commissioner Collins stated that he could support drafting the letter, but would not want it sent out until they hear back from Mayor Foster. Commissioner Coward stated that they should respect the Mayor's wishes. Mayor Minning stated that he would like this tabled until the next meeting.

It was moved by Commissioner Caldwell and seconded by Commissioner Collins to table this item until the next meeting. The motion carried on a 3-2 vote with Commissioners Coward and Bildz being the dissenting votes.

4. Consideration of Res. 10-88, Approving a facility rental fee increase for FY 2010-2011

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 Ord. 10-11, Amending purchasing procedures (1st Reading)

It was moved by Commissioner Bildz and seconded by Commissioner Caldwell to approve the ordinance as read.

Commissioner Collins read an excerpt from the proposed ordinance. He stated that he supports increasing the limit from \$8,000 to \$10,000, but feels that the items that he is allowed to approve should be included in the budget. Commissioner Bildz stated that it is increasing it from \$4,000 to \$10,000. Commissioner Collins stated that it is incumbent upon them to police the budget. A brief discussion ensued regarding the spending limitations and whether the items had to be specifically listed in the budget. Mr. Silverboard explained that they are attempting to clarify that language, and make it easier on staff to govern on a day to day basis. He suggested that if they are saying that it has to be specifically listed in the budget they change those limitations, but they need some flexibility for staff to do their jobs. He used the contract on the workshop agenda as an example of this. This would increase the authority by \$2,000. This was last increased in 1999.

Commissioner Collins stated that where he has a problem is whether these items have been specifically budgeted for. Mr. Silverboard explained that he cannot spend anything out of fund balance that has not been appropriated. Commissioner Coward explained her understanding of the proposed process. Mr. Silverboard stated that she was correct, and gave further examples of how this has worked in the past. Commissioner Collins stated that he feels that this is more confusing than the current language. Mr. Silverboard stated that when we do the budget we don't know what is going to come up in the upcoming year. Everything now takes at least a month to accomplish. They need to determine what level of managing they want to do of staff and where they will set their limits as the policy setting body. They should be giving direction to staff as to what they want accomplished, and letting staff do their jobs to accomplish their goals.

Commissioner Collins asked if the current language and policy has caused a delay in the past. Mr. Silverboard answered in the affirmative. Commissioner Coward asked for examples of these things. Commissioner Bildz gave the example of the Commission retreat. Mr. Silverboard gave the example of the Brotherton contract in the undergrounding project. He explained that this is an attempt to clarify the policy. If they are uncomfortable with the proposed limit then they should decide what limit they are comfortable with. He has no problem with the language that Commissioner Collins is commenting on so long as it gives him the authority for him to do what he needs to do to run the city.

Commissioner Bildz stated that he feels the problem is that people are concerned that he could spend money out of the fund balance. Mr. Silverboard stated that people don't understand the process. Fund balance is not in the budget, therefore he cannot spend it. Commissioner Coward gave an example of her understanding. Mr. Silverboard explained that there are times that a greater need comes up. They would not take the money from one department to spend in another.

Commissioner Collins stated that he would feel more comfortable adding language that would require that funds be approved and budgeted to paragraph A. Mr. Silverboard asked if they agreed on what that meant. Commissioner Coward stated that it would be budgeted for a specific purpose. Mr. Silverboard stated that if that was the case he would prefer that it be left as is as his hands would be tied. It would be much more restrictive. Commissioner Bildz stated that the way the ordinance is written now there is

no authority to spend anything that is not specifically included in the budget. He feels that this is a good ordinance and would solve the problem.

Ed Gayton stated that the current ordinance is not confusing. He read an excerpt from the current ordinance. The original concept was to increase the spending limits for the City Manager. The people want to see where their money is being spent. He asked if the City Manager could take the money that was appropriated for a City Planner and spend it in \$10,000 increments on something else. He read another excerpt from the ordinance. He stated that there are no checks or balances, and he doesn't see why the City Manager can't take the extra two weeks to bring something before the Commission. He sees no reason why spending \$10,000 that has not been budgeted should not be brought before the public.

Mr. Silverboard stated that the reason that it has not been a problem or been brought to the Commission is that it has been \$8,000. A City Manager that spent \$80,000 that was budgeted for something else in \$10,000 increments will not last long. A City Manager is a professional. Commissioner Collins stated that this is no reflection on Mr. Silverboard or any City Manager. As a business owner he wants to know where the money is spent, and he feels that the public wants to know as well. Mr. Silverboard stated that they should at least be able to operate as they are now. Commissioner Bildz stated that he feels that this is a good change.

Mayor Minning asked Commissioner Collins if he feels there has been a time that this has been abused. Commissioner Collins stated that it has not, but he feels that they have a responsibility to the people that put them in office to be accountable.

Commissioner Collins asked if the proposed additions would work for Mr. Silverboard. Mr. Silverboard stated that he would prefer to see it kept as is if they are going to make it more restrictive. He didn't agree with Commissioner Bildz' opinion on the current ordinance, but he agrees that there is ambiguity there. Commissioner Bildz stated that he feels that the new ordinance is much clearer.

Commissioner Caldwell suggested that they change it in such a way to allow the City Manager to spend money if there is money available, but if there is not a line item in the budget he would be required to come back to the Commission and discuss it. Mr. Silverboard stated that he would prefer that they leave it as is currently. Commissioner Bildz stated that they should pass the ordinance and let the manager manage.

Mayor Minning stated that it is a matter of checks and balances, and there has not been anything brought forward saying that there has been a problem or abuse. There is a remedy for abuse of the system. He sees no need for micromanaging. They set policy, and set policy with the budget. They rely on staff to run the budget.

Commissioner Collins asked how they could prevent a City Manager from spending \$10,000 without notifying the Commission. Mayor Minning stated that they could add that to the ordinance. Mr. Silverboard stated that every expenditure made is reported in the financials. He is trying to provide the accountability that is needed. It was agreed to put in the purchasing policy a requirement that the City Manager notify the Commission of purchases in excess of \$8,000.

Commissioner Bildz expressed concern about the language regarding the bid process. An explanation was given.

Upon roll call the vote to approve upon first reading was unanimous.

Mayor Minning asked to discuss another item that came up today. There has been a resignation on the Code Enforcement Board. He asked if they could appoint Dominique Reiter, who is currently sitting as an alternate member, to replace that member. It was agreed to bring a resolution to the next meeting.

I. ADJOURNMENT

The meeting was adjourned by Mayor Minning at 7:58 p.m.