

**CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS WORKSHOP MINUTES
May 18, 2010**

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

I. DISCUSSION ITEMS:

1. Discussion, Request to Provide Beach Concession Services (request by Brian Coccozza)

Mr. Coccozza asked for permission to operate a chair and cabana rental service on the beach behind the Island Inn.

Commissioner Bildz asked how long Mr. Coccozza was renting cabanas in that area before he was stopped. Mr. Coccozza stated that it was about two months. Commissioner Bildz asked if there would be money charged for this license. Mr. Silverboard stated that they should do so.

Commissioner Collins asked Mr. Coccozza if he would be willing to pay the same fees as he agreed to pay at Sunset Beach. Mr. Coccozza stated that he would not be as it is a very different situation. Commissioner Collins stated that he doesn't have a problem with this.

Commissioner Bildz asked what he was renting at the Beach Pavilion and asked if this was the same equipment. Mr. Coccozza stated that it is the same equipment, but this is only a small area behind the hotel, as opposed to the larger public beach area at Sunset Beach. Commissioner Bildz asked what Mr. Coccozza felt was fair for this area. Mr. Coccozza asked what the occupational license fee was as he would have other expenses and this was a start up business.

Noel Johnson stated that Mr. Coccozza has been renting on the beach for months without a license. This vendor knew that he was supposed to get approval from the Commission. There were complaints from Sunset Beach when he was there. He knew the rules and defied them.

Kevin Johnson stated that he has spoken with several people and they are all against the concessions in that area.

Commissioner Coward asked if Mr. Coccozza had a license when he was at Sunset Beach. He stated that he cleared everything with Mr. Silverboard. Commissioner Coward asked if business licenses run for a year, and would it be for a specific location. Mr. Silverboard explained that it would be for a year and is location specific. Commissioner Coward stated that Mr. Coccozza would need to get a license for that location. Commissioner Coward clarified that the area where he would be renting is not private property, but is the public beach.

Mr. Silverboard asked how the Commission would consider it if the Island Inn were providing that service themselves to their guests? Mr. Coccozza should have inquired first. The real issue is; is this something that would be beneficial to the city.

Commissioner Caldwell asked how they would be setting themselves up for others doing this up and down the beach, and how to control that. What control do they have over the condition of the equipment? Mayor Minning explained that in the license agreement there is a clause regarding the condition of the equipment. He then explained that each request would have to be taken up individually.

Commissioner Collins stated that he understands Mr. & Mrs. Johnson's concerns, though he feels that this situation is different than the Sunset Beach situation. He feels that if the Island Inn is endorsing this for their guests they will be policing this area very well and he doesn't think it will be a problem.

Commissioner Bildz commented that he wants the city's payment and the storage arrangements specified in the license agreement. Commissioner Collins stated that the storage should be at the Island Inn, and the city's license fees should be sufficient.

Mayor Minning asked Ms. Hayduke to bring this to the next meeting with that information.

2. Consideration of Res. 10-46, Signal Engineering for Gulf Blvd. and 104th Ave.

Mr. Murphy gave a brief explanation of the item. This is the next step in the process of getting a signal installed. He is proposing to award a work authorization to Volkert Engineering to complete the design work. Volkert has been involved with this project already. He gave a brief explanation of the scope of the work for the project. If things go as planned this light should be in service during the first quarter of 2011.

Commissioner Collins asked if there was a way to incorporate turn lanes. Mr. Murphy explained that the problem is that it would involve significant amounts of work at a cost of just under \$1 million. There are ways that Volkert can signalize the intersection to address the turn situation. The main concern there is the pedestrian situation. Commissioner Collins expressed concerns with cars in the left lane waiting to turn and causing traffic back ups. Mr. Silverboard explained that when they met with Mr. Dabkowski regarding a turn lane it was discussed that it could be addressed with the cycles of the light. This would buy time for the DOT to plan for this and budget for it. A brief discussion regarding the functions of the signal and the location of the mast arms ensued.

Commissioner Bildz asked if Publix was willing to pay half of the cost up to \$600,000 for a contribution of \$300,000. Mr. Silverboard answered in the affirmative.

Mayor Minning asked about the LAP agreement. He hopes that we pursue it for reimbursement in the future. Mr. Silverboard stated that Volkert is LAP certified and we will try to get one. Commissioner Coward stated that she remembered that

Volkert would prepare and present this. Mr. Silverboard stated that they will do so, but that doesn't mean that the DOT will agree to it.

This item will move forward to the next meeting agenda.

3. Discussion on updating the Commission Rules of Procedure

Mr. Silverboard gave a brief explanation of this item. He has provided them with a proposed revamped Rules of Procedure. He gave a brief explanation of his proposed changes.

Commissioner Caldwell pointed out a correction in Section 2.3 regarding notice of meetings. Mr. Silverboard explained that there still may be circumstances where all Commissioners are not personally notified due to circumstances beyond our control, but we will always attempt to notify them.

Commissioner Bildz asked why the optional invocation was removed in Section 4.1 a. Mr. Silverboard explained that it hasn't been done since he's been here. Commissioner Bildz stated that he prefers to leave it in. It was agreed by consensus to do so.

Mayor Minning stated that in Section 3.2 the words temporary chairman should be replaced with the words presiding officer for consistency. Mr. Silverboard commented that Section 3.3 should be struck completely. A brief discussion ensued regarding the presiding officer and who it might be.

Commissioner Bildz stated that in Section 4.1.1, he did not agree with removing a member of the public from being able to remove items from the consent agenda. Mr. Silverboard stated that it is the Commission's agenda. It doesn't prevent a member of the public from requesting that an item be removed, and then a Commissioner could request that it be removed. Ms. Kiefer stated that it is very unusual for a member of the public be allowed to make those decisions. Mayor Minning stated that any member of the public could request it. They are trying to maintain order. Commissioner Caldwell stated that a member of the public could voice their concern before they even get to the agenda, so she believes that it should be removed from the paragraph. Commissioner Bildz stated that if they were going to strike out the member of the public from removing an item then he would like to see the entire consent agenda stricken. Commissioner Coward stated that she agrees with Commissioner Caldwell regarding the public having the ability to request this before the consent agenda comes up. Commissioner Collins agreed. Commissioner Bildz stated that he doesn't have a problem with the consent agenda unless the public can not request items be removed. It was the consensus of a majority of the Commission to strike the words member of the public.

Commissioner Bildz stated there is no public comment in Section 4.3. It was suggested that they add that. Commissioner Bildz stated that special meetings are called for a specific subject, and they are allowed to speak on action items. It was agreed to add a public comment item.

Commissioner Bildz stated that in section 5.1, informational items and quasi judicial items should not be an exception to the workshop requirement as a workshop is where they get their information. Mr. Silverboard explained that there are certain items that they get information on and if it was on the regular agenda they could act on them if necessary. Informational items are usually not items that they are asked for a decision. It is usually people coming in to provide information and they wouldn't have to sit through all the rest of the items to present their information. He then explained that quasi judicial items can not be discussed, so there was no reason to include them. Commissioner Bildz stated that he disagrees. He likes the idea of informing the residents of what the Commission is about to do. They get a lot of e-mail in the two weeks between the workshop and the meeting.

Commissioner Caldwell gave the example of sending something to the Planning and Zoning Board as something that could go directly to the meeting. There are several opportunities for the public to comment between the Commission meeting and the Planning and Zoning meetings. It doesn't bypass public input, and she doesn't know why they would want to delay that. She feels that they should discuss it, express their views, and send it to them. Mr. Silverboard stated that it isn't very efficient, and it would be easy to pass a motion to send things to the Planning and Zoning Board immediately. He gave the example of the last quasi judicial meeting and follow up discussion as an example.

Mr. Silverboard explained that they often get the same staff report twice. They discuss things at workshops that need to be discussed. There are many items that don't need to be. Commissioner Collins agreed with Mr. Silverboard. Mayor Minning stated that it is up to the Commission to decide what is appropriate. That is the checks and balances that they need. Commissioner Collins stated that people would be happier if they were more efficient. It was agreed by a majority consensus of the Commission to leave this as presented.

Mayor Minning commented that in Section 6.2 it does not say whether the presiding officer can move an item or not. Mr. Silverboard explained that the Mayor has asked for clarification as to whether he can do that. Under Roberts Rules the Mayor could hand the gavel off and make a motion. Mayor Minning stated that the Mayor is a Commissioner and shouldn't be deprived of the rights of all Commissioners. He suggested that the wording be changed to "may move, second, and debate". Commissioner Bildz stated that he has never heard of a presiding officer making a motion. Mr. Silverboard gave the example of the Mayor requesting an item be placed on the agenda, and asked who would make the motion or present the item. It is not covered in the rules. Commissioner Coward stated that their group is small and every opinion is important. She feels that it should be clarified. It was agreed to do so.

Commissioner Bildz commented that in Section 6.3 there should be a conflict of interest, and not just the appearance of a conflict. Mr. Silverboard asked if it was up to the Commission to decide that. Ms. Kiefer stated that it was, and that it was usually up to her to issue a legal opinion regarding whether something was a conflict of interest. It was agreed to remove the words "or appears to be".

Commissioner Bildz stated that in Section 6.10 the sentence should end after the words “synopsis of the discussion” and the rest should be stricken. Ms. Kiefer reminded them that the minutes are not meant to be a transcript and she agreed with Commissioner Bildz. It was agreed by consensus to do so.

Commissioner Bildz commented that courtesy should be required while addressing the Commission and asked about the use of the word “boisterous”. Mayor Minning commented that they do a good job of keeping order and allowing people to speak.

Commissioner Bildz suggested that in Section 9 they end the sentence regarding remarks being addressed to the Commission as a body at that point and strike the words “and not to any member of the Commission thereof”. It was agreed by a majority consensus to leave it as proposed.

Commissioner Bildz asked what “or any of them present” meant in Section 11 and suggested that it be stricken. Ms. Kiefer stated that he was correct, that it was redundant.

Mayor Minning suggested that in Section 13, the chairperson of a committee be appointed by the Commission and not by the presiding officer. It was agreed to keep that as presented as it was in the current rules.

Former Commissioner Ed Gayton stated that in Section 4.1.1 it allows the City Attorney and the City Manager to remove items from the consent agenda, but they don’t want to allow a member of the public to remove an item. These meetings are for the public. In Section 10, Decorum, it shouldn’t be only the Commission members that have to maintain decorum. It should also include the City Attorney and the City Manager.

II. OLD BUSINESS:

Commissioner Collins asked for clarification of the status of the bridge openings. Mr. Silverboard stated that he had heard from former Commissioner Kraus regarding this. Mr. Bruce provided him with the information that was given to the Commission. The Coast Guard is still looking at this. It is opening upon demand at this time. A brief discussion about the openings ensued.

Commissioner Caldwell asked about the lights on the new business on Gulf Boulevard. Several people on the Isle of Palms have told her that the height of the light poles is lighting up their homes. She asked how they could address that during the site plan process. Mr. Silverboard explained that they could put something in the Land Development Code to address it. He checked it after the last meeting. You can see the lights from here, but it doesn’t cast a shadow, and he doesn’t know if it would register on a light meter. Commissioner Caldwell commented that she has been in some of the backyards and it was an issue, but she knows that it is being worked on.

Commissioner Bildz asked why the business tax wasn't on the meeting agenda. Mr. Silverboard explained that it was raised last year so would not come up again until next year.

Commissioner Bildz stated that regarding the Commission retreat, he doesn't feel that the City Manager has the authority to authorize the expenditure of the money under our purchasing policy. He read an excerpt from the policy. This item has not been approved and budgeted for. Mr. Silverboard explained that that was why he brought it to the Commission for discussion. Every year we do a supplemental budget for items like this, or we take it out of contingency. He feels that it is important. We went through a request for proposal for the visioning process, and the strategic planning is really an outgrowth of that process. We are getting the government rate for it. Commissioner Bildz stated that he sees them bypassing a lot of rules. Mr. Silverboard stated that he is in the process of writing an administrative policy for purchasing. The current rules are inadequate. Along with that will be an ordinance that will lay out in much more detail the purchasing policy of the city. Mayor Minning stated that they gave the City Manager their consent to go forward with that at the last meeting. Commissioner Bildz stated that their consent should be in the form of a resolution. Mr. Silverboard gave an example of another time the Commission gave consent without a resolution. The Commission authorized him to proceed.

III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

Ms. Kiefer gave a brief update on the St. Petersburg wastewater case. She then reported that she has some tentative deposition dates on the Schwartz case. She suggested that the Mayor and City Manager attend.

Mr. Silverboard stated that they are investigating the availability of TIGER 2 funds for replacement of the Palms and Capri bridges. The consultant has informed him that this round of money is limited to projects of at least \$10 million in size. Our projects are in the neighborhood of \$4 million to \$5 million. The consultant suggested that they tie them in with another project to come up with \$10 million.

Mr. Silverboard reported that we've been told that there is a rate study going on for the City of St. Petersburg. Our consumption has gone way down, and we can expect a rate increase of somewhere between 8 and 10%. We were not anticipating doing a rate increase this year, but if it is a 10% increase we will have to do a pass through in our rates.

Mr. Silverboard stated that the police have scaled back the police presence at Caddy's as the crowds have thinned out. There have been no problems so far with doing so. They will be fully staffed on holiday weekends and at times when there are peak crowds.

Mr. Silverboard gave a reminder of the retreat to be held on the 28th. The information will be available to the public, and it will be considered a special meeting.

IV. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Coward asked about problems with the new pay stations. Mr. Silverboard explained that there were some problems with the satellite communications, and explained how it works. Commissioner Coward asked how it was being corrected, and if people were being ticketed. Mr. Silverboard gave a brief explanation of the information that the police receive on their computers. There is an unwritten policy that they are not writing tickets unless it is a gross violation. We are in the process of getting that delay corrected. He will let the Commission know when it is fixed.

Commissioner Bildz reported on the budget meeting that was held at the library yesterday. Treasure Island's share will be \$86,200. Mr. Silverboard explained that the County is reducing their funding and the cities have to make up the difference. The budget will be approved at the June 7th meeting.

Mayor Minning gave a reminder of the Bands on the Sand event to be held on May 29th.

Mayor Minning announced that beginning in June there will be a new event being held on the first and third Saturdays called Saturday Sunsets.

Mayor Minning gave an update on the oil leak information. It is available on the city's home page.

V. PUBLIC COMMENTS:

Kevin Johnson reported that at the last Code Board meeting it was stated by Mr. Schwartz that the brightness at Surf Style was about five times over what it should be, and they are supposed to be addressing it.

VI. ADJOURNMENT:

The workshop was adjourned at 8:58 p.m. by Mayor Minning.