

CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS MEETING MINUTES
June 1, 2010

The meeting was called to order at 6:03 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

C. PUBLIC COMMENTS:

Harry Black commended city staff on the great job done over the weekend at the Bands on the Sand event. He feels that it was one of the best attended ever.

Eric Corson stated that everyone did a great job over the weekend. There were no problems. The beach was clean every morning. He reported that he is on the Sunset Beach Civic Association. They will have their first new Sunday afternoon beach clean up on June 13th. Commissioner asked if they would be weekly. Mr. Corson stated that they would do two clean ups on the second weekend of every month.

D. APPROVAL OF MINUTES:

The minutes of the May 18, 2010 meeting and workshop 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. Presentation, Progress Energy on Installation of Power Line

Mr. Murphy gave a brief update on the need for a new distribution feed to the city. He introduced Jerry Faustino, from Progress Energy. Mr. Faustino thanked Mr. Murphy and Mr. Silverboard for their cooperation, and introduced the members of the group that are working on the project.

Mr. Faustino gave a power point presentation on the project. It is expected to be completed by the end of 2010.

Mr. Silverboard asked Mr. Faustino to explain the time of day, days per week, and the traffic management plan for the project. Mr. Faustino introduced Steve McLaughlin from Mac Driller, Inc., who will be doing the drilling on the project. He estimates the project to last about six to eight weeks. They would like to close both sides of the bridge down to one lane during the project for traffic calming purposes. They will work six days per week from about 7:00 a.m. until about 7:00 p.m. Mr. Silverboard asked about where

they will locate their equipment. Mr. McLaughlin explained that they were hoping to work something out with the Yacht Club, and had another staging area in mind if that doesn't work out. He gave a brief explanation of the process. Mr. Silverboard asked if the landscaping in the median will be restored to its current condition. Mr. McLaughlin answered in the affirmative.

Commissioner Collins asked if this will take care of the repeated black outs that some of the island is experiencing. Mr. Faustino gave a brief explanation of some of the measures that they have taken to date. Commissioner Coward stated that she wanted to be sure that anything that was disturbed on both sides of the causeway would be replaced. Mr. Faustino assured her that it would be. Commissioner Bildz clarified that all the cables that have been replaced were along the causeway. Mr. Faustino answered in the affirmative, and clarified that they will not disturb the bridge. Commissioner Bildz asked who would assume liability if something happened during the bore. Mr. Faustino stated that EC Driver has approved their plans, and they feel that they have exceeded the minimum distances that were asked for. Commissioner Bildz asked who the permitting agency was. Mr. Faustino listed some of the permitting agencies.

Commissioner Bildz asked about the inspection of the force main and whether we would be trying to do that project at the same time. Mr. Murphy explained that the inspection revealed that the pipe was in good condition and they would not have to do anything with it at this time. They are retaining a preferred location for future use.

2. Consideration of Res. 10-48, License Agreement for Allowing Beach Concessions Behind the Island Inn

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

Commissioner Bildz asked about the permitted uses in the license agreement. He suggested that they add "with the consent of the Commission" to the sentence allowing the City Manager to approve other equipment. It was agreed by consensus to add that language. Commissioner Bildz stated that he wanted to ensure that the equipment would not be stored in the sea oats. Mr. Silverboard stated that it would be in front of the sea oats, and not in front of a beach access or residences. The sea oat plantings in that area are located in the center of the Island Inn property. Commissioner Bildz asked about the hours of operation and why it excluded Christmas Day and New Years, and also why the hours didn't begin until 8:00 a.m. Mr. Silverboard explained that it was a similar agreement to the one that the city has with Mr. Taylor.

Commissioner Coward asked if they could require him to be open every day between those hours. Mr. Silverboard stated that because it was a license agreement for a service that the Commission is approving to provide for the public then he needs to be open every day. The language is similar to the Taylor agreement. Ms. Kiefer made a suggestion to the language if they didn't want to require him to be open daily. Commissioner Collins stated that they shouldn't require it, especially in the event of bad weather. Commissioner Collins urged them to require Mr. Coccozza to supply trash cans in his service area.

Commissioner Caldwell agreed that the words "may operate" would be better than "shall operate". Ms. Kiefer stated that her suggested language was more appropriate.

Mr. Silverboard pointed out that a requirement to keep the area clear of debris was already in the license agreement. Commissioner Collins stated that he feels strongly that trash cans should be required. Mr. Cocozza stated that there are already two trash cans in the area. Commissioner Collins stated that he doesn't want to see trash on the beach and wants two more there. Mr. Cocozza agreed to supply another two trash cans.

Commissioner Coward stated that it was a public beach, and asked whether they city should be responsible for picking up trash all along the beach. A brief discussion regarding trash pick up on the beach ensued. Mayor Minning suggested that Mr. Cocozza provide trash cans for the immediate area, and empty them into the city receptacles at the end of the day.

Harry Black stated that the cabanas are directly behind the Island Inn Hotel. The sea oats are high enough now that you don't see the bottom of the cabanas. The view is not being obstructed, and he is not getting complaints from his guests. There is no service on their end of the beach, and his guests are asking for it. He urged the Commission to allow Mr. Cocozza to operate.

Upon roll call the vote to approve was unanimous.

3. Consideration of Ord. 10-04 Amendments to Chapter 30, Personnel, Code of Ordinances (Second Reading and Public Hearing)

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

The public hearing was opened at 6:48 p.m. by Mayor Minning. There being no public comment the public hearing was closed at 6:48 p.m. by Mayor Minning.

Upon roll call the vote to approve was unanimous.

4. Consideration of Res. 10-40, Amendments to the Personnel Manual

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

Commissioner Coward asked for a clarification of the service bonus and whether we are currently doing this. Ms. Valdes answered in the affirmative.

Upon roll call the vote to approve was unanimous.

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

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

Commissioner Collins stated that his concern was traffic back ups on Gulf Blvd.

Mayor Minning asked Mr. Murphy if the LAP agreement was being pursued. Mr. Murphy answered in the affirmative. Mayor Minning asked how it would affect the agreement with Publix in the event that we do get reimbursement in the future. Mr. Silverboard stated that it would depend upon the terms of the LAP agreement. A brief discussion ensued.

Upon roll call the vote to approve was unanimous.

6. Consideration of Res. 10-49, Amendments to the Commission Rules of Procedure

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

Commissioner Collins asked for clarification regarding the consent agenda. He stated that he disagrees with not allowing a member of the public to request something be withdrawn from the consent agenda. Ms. Kiefer clarified that items would have already been workshopped. She made brief comments regarding the procedure and logic for using a consent agenda.

Commissioner Caldwell stated that public comments are ahead of the voting, and the items are workshopped. The rules do not deny the public the right to make comments or ask questions. She sees no problem with the consent agenda as proposed.

Commissioner Caldwell has received a letter from a resident of the Isle of Palms expressing concerns. She suggested that they clearly state in their Rules of Procedure what may not be presented in a consent agenda, and suggested that anything regarding the expenditure of funds be excluded. Mayor Minning stated that anything regarding expenditure of funds comes before the Commission now.

Commissioner Coward stated that she likes that explanation. She was looking for examples. Ms. Kiefer explained that all non-monetary items could go on the consent agenda. She read an excerpt from the rules in Indian Rocks Beach regarding consent agendas. She suggested that it could be used for administrative type things. It is already in their rules. The question is whether to allow a member of the public to remove an item.

Commissioner Bildz stated that he wants to either leave in the public's right to remove an item, or take out the consent agenda. He asked that they leave in the Commission's ability to add items to the workshop at the workshop, and also that no official action will be taken during a workshop. He also voiced his objections to presentations and quasi-judicial items being placed on the meeting agenda rather than the workshop agenda. Mr. Silverboard explained that it was a courtesy to the public. Commissioner Bildz then stated that he has never heard of the presiding officer moving an item, and reminded them that they were going to remove the word "possible" regarding conflict of interest. Mr. Silverboard explained what was said at the previous meeting. It was agreed to strike the word "possible". Commissioner Bildz made brief comments regarding several other sections. There was a brief discussion about the presiding officer having the ability to

make a motion. There was a 3-2 consensus to allow the presiding officer to make a motion. Commissioner Bildz asked for clarification as to whether city staff was included in the rules for decorum. Ms. Kiefer stated that it said "any person", which would include staff.

Commissioner Caldwell suggested that they add Ms. Kiefer's suggested language regarding monetary resolutions to the section on the consent agenda. It was agreed to do so by consensus.

Marie Barba stated that she is not in favor of the public's right to remove something from the consent agenda being taken away. She feels that they are taking away the public's right to speak. They need flexibility in their rules.

Ed Gayton stated that he may not have been clear in what he said when he spoke at the last meeting. He clarified that he was only referring to the consent agenda, not the meeting agenda. He has not heard one good argument to remove the ability of the public from removing something from the consent agenda.

Ms. Kiefer stated that these are their rules and she has no opinions. She did not draft the proposed version.

Mayor Minning asked for consensus regarding the consent agenda. Commissioner Collins stated that he is not in favor of removing a member of the public from the language. Commissioner Caldwell stated that she has no problem with leaving it in as proposed so long as items can be removed and be voted on at that meeting. Commissioner Coward stated that they should leave the public in. Commissioner Bildz stated that the public should have the right to remove items. Mayor Minning asked who puts together the consent agenda. Mr. Silverboard stated that it is staff that puts the agenda together. Under "F" the Commission can change the agenda. Ms. Kiefer clarified that by state law they cannot put an ordinance on a consent agenda. It was agreed by consensus to leave in "member of the public".

Commissioner Bildz asked for the Commission's opinion on his suggestion to leave in the language regarding no action being taken at a workshop. Commissioner Caldwell asked if sending something to the P&Z would be an example of action that could be taken at a workshop. Mayor Minning suggested that they include Commissioner Bildz's suggestions for that section, as well as his suggestion to allow the Commission to add items to the workshop agenda at the workshop. It was agreed by consensus to do so. Commissioner Bildz asked that they add back quasi-judicial items to the workshop. Mr. Silverboard explained that it would add two more weeks to the process. Ms. Kiefer gave an example of where an applicant must appeal to the Commission before they are allowed to appeal in court, but they only have 30 days to appeal to the court. This could cause a problem with applicants. She feels that it could be defective in some cases. Commissioner Bildz stated that it would be covered by the "extenuating circumstances" item. It was agreed by consensus to leave that section as is.

It was agreed to bring this back to the next meeting in final form.

F. ADJOURNMENT

The meeting was adjourned at 7:52 p.m. by Mayor Minning.