CITY OF TREASURE ISLAND
NOTICE OF PUBLIC MEETING

TUESDAY, AUGUST 18, 2020
6:00 PM

NOTICE IS HEREBY GIVEN that the Treasure Island City Commission will hold a public meeting by means of communications media technology to which all persons are invited, at 6:00 pm on Tuesday, August 18, 2020.

NOTE: The Change of meeting location from in-person at City Hall to a meeting by means of communications media technology is pursuant to Executive Order Number 20-69, issued on March 20, 2020, section 120.54, Florida Statutes, and the City’s Proclamation, as subsequently extended, and Resolution 20-04 dated March 24, 2020.

A copy of the agenda and all supporting documents will be available on the City’s website on August 12, 2020, www.mytreasureisland.org, by contacting City Clerk Nickerson at rmickerson@mytreasureisland.org, or by calling her at (727) 547-4575 x229.

Provisions have been made for any member of the public desiring to observe and/or participate to have access to the meeting. There are five ways to observe the meeting:

1. **Watch the meeting on TV, but not participate.** As always with the City Commission meetings, anyone can watch the broadcast from Spectrum channel 644.

2. **Watch the meeting online, but not participate.** As always with the City Commission meetings, anyone can watch the livestream from the City’s Website at: [http://treasureislandcityfl.iqm2.com/](http://treasureislandcityfl.iqm2.com/)

3. **Watch the meeting and participate, using GoToWebinar.** Any one may register to attend the GoToWebinar and view the meeting on their computer by visiting [https://global.gotomeeting.com/join/972276821](https://global.gotomeeting.com/join/972276821).

4. **Listen to the meeting on the phone:** Anyone may listen on the phone by 1 (646) 749-3122. When the meeting ID is requested, enter the access code of **972-276-821** and press the # key.

5. **Watch at City Hall and participate.** While City Hall remains closed to the public due to the COVID-19 emergency, the City will open it briefly for the meeting to allow public comment to occur subject to all applicable emergency measures in place to prevent the further spread of COVID-19. Further, City Hall will have computers set-up to allow anyone to watch and/or participate using GoToWebinar. City Hall is located at 120 108th Ave., Treasure Island, FL 33706. All interested parties are required to abide by all State, County, and local emergency orders and are urged to remain at home and practice social distancing.

There are additional ways to provide public comment for the meeting:

1. **Calling.** By call 727-547-4575 ext. 229, which includes using a TTY line, anyone may leave a voicemail message, which will either be transcribed and read or replayed during public comment.
2. **Email.** By sending an email to the City Clerk at rnickerson@mytreasureisland.org which will be read during public comment

3. **Mail.** By mailing any written comments to the City Clerk 120 108th Ave., Treasure Island, FL 33706, which will be read during public comment

When providing public comment by any of the means described above, the person should state their name, address, and identify that they are offering general public comment or the specific agenda item they are addressing. Public comments offered using communications media technology will be afforded equal consideration as if the public comments were offered in person. The public can obtain additional information and instruction regarding participating in this meeting by calling the City Clerk at (727) 547-4575 x229 or visiting the City’s website https://www.mytreasureisland.org/residents/departments/information_technology/virtual_meetings.php

Any person with a disability requiring assistance, auxiliary aids, and services for this meeting may notify the City Clerk at (727) 547-4575 x229 or calling 711(TTY) at least 24 hours prior to the meeting.

For any person desiring to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, pursuant to s. 286.0105, Fla. Stat. Any transcript shall be requested and made by the individual requesting same at his or her own expense. Therefore, a court reporter may be desired or required accordingly. A video of this meeting may be requested through the City’s record custodian, City Clerk Ruth Nickerson at rnickerson@mytreasureisland.org or by calling her at (727) 547-4575 x229.
I. CITY MANAGER AND CITY ATTORNEY REPORT
   1. Labor Day Fireworks Display - Monday September 7, 2020
   2. City Clerk - Certified Municipal Clerk
II. DISCUSSION
   1. No Wake Zone
III. OLD BUSINESS
IV. CITY COMMISSION REPORTS
V. PUBLIC COMMENT
VI. ADJOURN

For any person desiring to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based [F.S. 286.0105]. NOTE: Any transcript shall be requested and made by the individual requesting same at his or her own expense. Therefore, a court reporter may be desired or required accordingly.

Any person with a disability who needs any accommodation in order to participate in this proceeding is entitled to assistance at no cost. Please contact the Office of the City Clerk in writing at 120 108th Avenue, Treasure Island, FL, 33706 or by phone at (727) 547-4575 at least two working days prior to the meeting to advise what assistance is needed.
DATE: July 30, 2020

TO: Mayor and City Commission

FROM: Admin Manager,

SUBJECT: No Wake Zone

______________________________________________

BACKGROUND

We have been asked to look at the possibility of marking the waterway of Blind Pass as a minimum/no wake zone. The pass is currently a no/minimum wake zone on weekends and holidays and the request has been to make it 7 days a week. The rationale is that there have been reports of boats and jet skis speeding in the pass during the week potentially causing damage to boats that are not on lifts and seawalls.

There has also been a request to establish a no/minimum wake zone in the area of St James Bridge adjacent to and behind the new Fusion docks. This request was made by the owners of the Fusion citing concern for boaters and jet skis safety.

POLICY / PURPOSE

The purpose of this item is to get guidance from the Commission on whether or not they want to approve one or both of these requests.

STRATEGIC PLAN RELEVANCE

Goal 7: Preserve the City’s unique and high-quality neighborhoods.

ANALYSIS / DISCUSSION

Staff has received requests for two no/minimum wake zones as described above. The process to establish these zones is lengthy and may require approval from agencies outside the City. Even if we can establish them ourselves it will need to be done in coordination with both Pinellas County navigation and the Fish and Wildlife Commission.

FUNDING
There is no funding needed for this request.

RECOMMENDATIONS

It is requested that the City Commission determine the value of this request and direct staff accordingly.

ATTACHMENT(S)

- Email from City Attorney Jennifer Cowan on the potential process
From: Jennifer R. Cowan <jcowan@bmolaw.com>
Sent: Thursday, July 9, 2020 6:13 PM
To: Brumback, Garry <gbrumback@mytreasureisland.org>
Subject: No wake zones

I did some really quick research and here is some brief information on no wake zones. If you are interested in proceeding with this further, I would like to do a little more research.

*Quick Summary – Municipalities can establish vessel speed, including no wake areas, in limited circumstances. Those circumstances are outlined below. Additionally, COTI has set up such zones. (See section 58-92 of the City’s Code).*

Pursuant to s. 327.46(1)(a), Florida Statutes, the Fish and Wildlife Conservation Commission may establish boating-restricted areas, including restrictions of vessel speed and vessel traffic, on the waters of this state for any purpose necessary to protect the safety of the public if such restrictions are necessary based on boating accidents, visibility, hazardous currents or water levels, vessel traffic congestion, or other navigational hazards or to protect seagrasses on privately owned submerged lands.

Pursuant to s. 327.46(1)(b), Florida Statutes, municipalities and counties have the authority to establish the following boating-restricted areas by ordinance:

1. An ordinance establishing an idle speed, no wake boating-restricted area, if the area is:
   a. Within 500 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways more than 300 feet in width or within 300 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways not exceeding 300 feet in width.
   b. Within 500 feet of fuel pumps or dispensers at any marine fueling facility that sells motor fuel to the general boating public on waterways more than 300 feet in width or within 300 feet of the fuel pumps or dispensers at any licensed terminal facility that sells motor fuel to the general boating public on waterways not exceeding 300 feet in width.
   c. Inside or within 300 feet of any lock structure.

2. An ordinance establishing a slow speed, minimum wake boating-restricted area if the area is:
   a. Within 300 feet of any bridge fender system.
   b. Within 300 feet of any bridge span presenting a vertical clearance of less than 25 feet or a horizontal clearance of less than 100 feet.
   c. On a creek, stream, canal, or similar linear waterway if the waterway is less than 75 feet in width from shoreline to shoreline.
   d. On a lake or pond of less than 10 acres in total surface area.
3. An ordinance establishing a vessel-exclusion zone if the area is:
   a. Designated as a public bathing beach or swim area.
   b. Within 300 feet of a dam, spillway, or flood control structure.

Pursuant to s. 327.46(1)(c), Florida Statutes, municipalities and counties have the authority to establish by ordinance the following other boating-restricted areas:

1. An ordinance establishing an idle speed, no wake boating-restricted area, if the area is within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.

2. An ordinance establishing a slow speed, minimum wake, or numerical speed limit boating-restricted area if the area is:
   a. Within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.
   b. Subject to unsafe levels of vessel traffic congestion.
   c. Subject to hazardous water levels or currents, or containing other navigational hazards.
   d. An area that accident reports, uniform boating citations, vessel traffic studies, or other creditable data demonstrate to present a significant risk of collision or a significant threat to boating safety.

3. An ordinance establishing a vessel-exclusion zone if the area is reserved exclusively:
   a. As a canoe trail or otherwise limited to vessels under oars or under sail.
   b. For a particular activity and user group separation must be imposed to protect the safety of those participating in such activity.

Any of the ordinances adopted pursuant to this paragraph shall not take effect until the commission has reviewed the ordinance and determined by substantial competent evidence that the ordinance is necessary to protect public safety pursuant to this paragraph. Any application for approval of an ordinance shall be reviewed and acted upon within 90 days after receipt of a completed application. Within 30 days after a municipality or county submits an application for approval to the commission, the commission shall advise the municipality or county as to what information, if any, is needed to deem the application complete. An application shall be considered complete upon receipt of all requested information and correction of any error or
omission for which the applicant was timely notified or when the time for such notification has expired. The commission’s action on the application shall be subject to review under chapter 120. The commission shall initiate rulemaking no later than January 1, 2010, to provide criteria and procedures for reviewing applications and procedures for providing for public notice and participation pursuant to this paragraph.

City Regulations
The City of Treasure Island has designated swim zones, idle speed/no wake zones, and slow speed zones in section 58-92 of its Code.

Other items mentioned in our discussion
Additionally – here is information on manatee protection zones - https://myfwc.com/boating/waterway/markers/manatee-protection-zone/
Also – here is generic information on Pinellas County Water and Navigation’s purpose and charge - https://www.pinellascounty.org/environment/watershed/water_navigation.htm

Please let me know if you need anything more on this. Thanks.