BOARD OF COMMISSIONERS REGULAR MEETING
TUESDAY, JANUARY 16, 2024 – 6:00 PM
120 108TH AVENUE
TREASURE ISLAND, FL 33706

MEETING NOTICE AND AGENDA

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. APPROVAL OF REGULAR AND WORKSHOP AGENDAS

D. PRESENTATIONS

E. PROCLAMATIONS, RECOGNITIONS, CERTIFICATES OF APPRECIATION

E.1 2023 Employees of the Year

F. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

G. COMMISSIONER REPORTS

Commissioner Toth
Commissioner Doctor
Commissioner Minning
Commissioner Wetzel
Mayor Payne

H. APPROVAL OF MINUTES

H.1 Approval of Minutes: Commission Special Meeting - January 8, 2024
01 08 2024 BoC special meeting minutes.docx

I. CONSENT AGENDA

J. ITEMS OF BUSINESS

J.1 Consideration of Appointment to the City of Treasure Island City Commission – District 3 and Swearing In

Bob Minning Letter of Interest
Gary Potenziano Letter of Interest
Gary Potenziano Resume
Joan Young Letter of Interest
Joan Young Resume
Joan Young Statement Letter

J.2 First reading of Ordinance 2023-20. This ordinance clarifies the permitting regulations and timelines for sign permits by revising Sec. 73-35 “Permits Required” of the City’s Land Development Regulations.

2023 1211 Ordinance 2023-20 (adding statutory timeframes to sign permitting) (02647240).pdf
2023 1221 Resolution 2023-03 Sign Regulations Signed.pdf
Ordinance 2023-20 City of Treasure Island Business Impact Statement.pdf

J.3 Ordinance 2024-02, First Reading, Amending the FY 2024 Budget to change the approved Classification Plan FY24 for four Classification Titles and Pay Grades in Public Works.
ORDINANCE_2024-02 PW_Position Reclassifications.docx
Visio-Proposed New Public Works Organizational Chart 2024.pdf

J.4 Interim City Manager Contract
Interim City Mgr Contract G. Brumback Jan 2024.pdf

J.5 First Amendment to the Non-Exclusive License Agreement with Big Event Slides, LLC for Beach Concessions
BES paperwork signed TI.pdf

K. ADJOURNMENT

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.

AGENDA ITEM NO. E.1

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE: January 16, 2024

SUBMITTED BY: Jessica Zamora, Human Resources

ITEM TYPE: Recognitions

AGENDA SECTION: PROCLAMATIONS, RECOGNITIONS, CERTIFICATES OF APPRECIATION

SUBJECT: 2023 Employees of the Year

BACKGROUND:

Field: Kevin McAlduff, Facility Maintenance Crew Chief in the Public Works Department was nominated and recognized by his peers as a huge asset to our city. His nominations stated that he manages his crew well which results in a lot of projects being completed each week. Kevin is described as professional, responsive, helpful, and truly embodies the Crewe Culture. His peers also recognized his contributions to the dune restoration project that were in addition to his regular job duties.

Office: Lauren Quinto, Human Resources Generalist, was nominated and recognized by her peers for her positive vibes and high energy. A common thread among the nominations is that her engagement in Crewe Culture and organizing events with employees has boosted morale. It is noted that she is always putting forth an effort to develop ideas and skills to not only improve herself, but the City by bringing everyone together. Lauren makes employees feel respected.

Public Safety: Officer Daren Chiaputti, Police Officer was nominated and recognized for work with the homeless population. Officer Chiaputti works closely with LIFT and Directions for Living to ensure everyone gets the assistance

they need. US Senator Rick Scott recognized Officer Chiaputti's efforts to help this population by awarding him the Rocky Pomerance Award. Officer Chiaputti is described as being steadfast and havng a loyal commitment to organizational excellence.

POLICY/PURPOSE: To recognize the Employees of the Year 2023.

STRATEGIC PLAN RELEVANCE: Administration Road Map: Goal 1 - Develop, support, and retain a diverse workforce to serve the needs of the community: Objective 3: Improve recruitment and retention of City employees; Bold Action 5: Create employee appreciation activities and programs

ANALYSIS/DISCUSSION: Employees of the Year are nominated by their peers and supervisors in recognition of their contributions to the organization. Each employee nominated is considered for the award by the Safety Committee, comprised of members from various departments; each nomination is read aloud for the committee to hear, and voting is anonymous. Employees of the Year receive a designated parking space of their choice, publicly recognized for their contributions to the City, and the award is recorded in their personnel file.

FUNDING: .

MOTION: Presentation only

ATTACHMENTS:

AGENDA ITEM NO. H.1

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE:	January 16, 2024
SUBMITTED BY:	Celine Kidwell, Administration
ITEM TYPE:	Minutes
AGENDA SECTION:	APPROVAL OF MINUTES
SUBJECT:	Approval of Minutes: Commission Special Meeting - January 8, 2024
BACKGROUND:	Minutes of public meetings are governed by Florida Statute 286.011. The minutes are not required to be verbatim. Minutes will, however, include: the location, time and duration of the meeting; identification of attending Commission Members; titles of topics that were considered; action taken, in the form of motions, seconds, and votes on the motions. The City Clerk's office recognizes the historical value of providing context. To that end, the City Clerk's office may add a summary of discussions and additional details.
POLICY/PURPOSE:	.
STRATEGIC PLAN RELEVANCE:	.
ANALYSIS/DISCUSSION:	.
FUNDING:	.
MOTION:	I move to approve the minutes of the Commission Special Meeting held on January 8, 2024, as written.

ATTACHMENTS:
01 08 2024 BoC special meeting minutes.docx

CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS
SPECIAL MEETING

MONDAY, JANUARY 8, 2024 – 7:00 PM

CITY HALL AUDITORIUM
120 108TH AVENUE, TREASURE ISLAND, FL 33706

MINUTES

CALL TO ORDER

Mayor Tyler J. Payne called the January 8, 2024, meeting of the Treasure Island Board of Commissioners Special Meeting to order at 7:01 PM.

A. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Payne.

B. ROLL CALL

Present: 4 – Mayor J. Tyler Payne
Commissioner Deb Toth
Commissioner John Doctor
Commissioner Beth Wetzel

C. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

There were no public comments.

D. ITEMS OF BUSINESS

D.1 Discussion of District #3 Commission Vacancy

Mayor Payne announced the item.

City Clerk Celine Kidwell introduced the item.

The City Commission addressed the vacancy in District #3 following the resignation of Vice Mayor/Commissioner Saleene Partridge. With the election qualifications period closed for the upcoming March 2024 ballot, the appointed successor will serve until the regular city election in March 2025. The City Charter mandates the appointment of a qualified individual within 30 days, meeting specific criteria. Interested candidates are invited to submit letters of interest to the City

Clerk's Office by Noon on January 12, 2024. The Commission will review these submissions on January 16, 2024, potentially making an appointment effective until March 31, 2025. The City Charter outlines the process for filling vacancies, emphasizing the importance of maintaining qualifications and addressing extraordinary circumstances.

Commissioners discussed formally seeking consensus on the process and criteria for appointing an individual to the vacant Commission position.

- The individual must be a registered voter in the city.
- The individual must be a qualified elector of the district they will serve.
- Hold no other elected or appointed public office.

Items to include on Letters of Interest:
- Name and Address
- Duration of residency in the City
- Motivation for serving as an appointed Commissioner.
- Education and Professional Experience or attach a resume.
- Any public service or involvement in Treasure Island
- Current and Past involvement with the City or any City Boards

Submission Details:
- Submit in person to the City Clerk at City Hall or by email to cityclerk@mytreasureisland.org.
- Submission Deadline: Friday, January 12, 2024, at noon.
- Commission Meeting on January. 16, 2024 for potential appointment consideration

The City Commission will review and consider received letters of interest to fill the vacancy in District/Seat 3. The appointment will be effective through March 31, 2025. Prospective candidates are encouraged to attend the January 16, 2024, Commission meeting for introduction.

There were no further Commission questions or discussion of District #3 vacancy.

Public Comment
Gary Potenziano spoke to the appointment criteria and process.

Mayor Payne requested a motion.

Motion for Commission Consensus on the Appointment Process:

Motion: A motion was made by Commissioner Toth, seconded by Commissioner Wetzel that Commission adopts the outlined process and criteria for appointing an individual to the vacant Commission position. **The motion carried on the following roll call vote:**

Moved by Deb Toh; seconded by Beth Wetzel to Approve.
Motion Passed: 4 - 0
Voting For: Tyler Payne, Deb Toth, John Doctor and Beth Wetzel
Voting Against: None

Motion for Appointment of Vice Mayor and Suncoast League of Cities Board Appointment Discussion:

Motion: A motion was made by Commissioner Toth, seconded by Commissioner Wetzel to appoint Commissioner Wetzel as Vice Mayor until March 31, 2024. **The motion carried on the following roll call vote:**

Moved by Deb Toth; seconded by Beth Wetzel to Approve.
Motion Passed: 4 - 0
Voting For: Tyler Payne, Deb Toth, John Doctor and Beth Wetzel
Voting Against: None

Commissioner Doctor serves as the alternate member for the Suncoast League of Cities. The Commission collectively agreed to postpone the appointment of a board representative until after the March 2024 election.

D.2 Approve Executing Contract for City Manager Recruitment

Mayor Payne announced the item.

Human Resource Director Jessica Zamora introduced the item.

The City Commission was requested to approve the execution of a contract with Strategic Government Resources (SGR) for City Manager recruitment services. SGR was selected following the review of proposals on December 19, 2023. The contract seeks authorization to spend up to $27,900, with an additional $10,000 for contingency funds covering supplemental services and travel and accommodations for selected finalists. The recruitment plan, led by Doug Thomas, is poised to commence immediately upon approval. The expenses, not initially budgeted for FY24, are anticipated to be covered within HR's Recruiting account, with any potential overages offset against the city's General Fund Contingency account.

There were no Commission questions or discussion.

There was no public comment.

Mayor Payne requested a motion.

Motion: A motion was made by Vice Mayor Wetzel, seconded by Commissioner Toth to approve the contract with Strategic Government Resources for City Manager recruitment services. **The motion carried on the following roll call vote:**

Moved by Beth Wetzel; seconded by Deb Toth to Approve.
Motion Passed: 4 - 0
Voting For: Tyler Payne, Deb Toth, John Doctor, and Maribeth Wetzel,
Voting Against: None

D.3 Kingfish Park Abutment Repair and Improvement Legislative Funding Withdrawal

Mayor Payne introduced this item for consideration and discussion.

Mayor Payne had requested the Commission to engage in a discussion and consider the official withdrawal of the request for legislative funding of $500,000 for the Kingfish Park project. This decision comes in light of potential development opportunities from property owners. Looking ahead, the focus for the next year will be on seeking resiliency funds for infrastructure and roadway elevation.

The Commission unanimously agreed to withdraw the request for legislative funding.

E. ADJOURNMENT – Meeting adjourned at 7:47 p.m.

AGENDA ITEM NO. J.1

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE:	January 16, 2024
SUBMITTED BY:	Celine Kidwell, Administration
ITEM TYPE:	For Consideration and Discussion
AGENDA SECTION:	ITEMS OF BUSINESS
SUBJECT:	Consideration of Appointment to the City of Treasure Island City Commission – District 3 and Swearing In
BACKGROUND:	Vice Mayor/Commissioner Saleene Partridge resigned from office effective December 30, 2023. Therefore, this meeting is to discuss the process to fill the vacancy. The current election qualifications period ended in mid-December and the Supervisor of Elections has confirmed there is no way to add to candidates the March 2024 ballot at this time. Therefore, the appointed successor will serve until the next regular city election which is March of 2025. The Commission held a Special Meeting on January 8, 2024 to set the process to fill the vacancy.
POLICY/PURPOSE:	To request that the Board of Commissioners to consider the appointment of an individual for District 3.
STRATEGIC PLAN RELEVANCE:	.
ANALYSIS/DISCUSSION:	The City Charter provides that the City Commission must appoint someone to fill the vacancy within 30 days of the seat being vacated. The qualifications in order to be considered for appointment are: 1) the individual must be a registered voter in the city, 2) the individual must be a qualified elector of the district in which they will service, and 3) hold no other elected

or appointed public office.

The City Commission established the process to fill the vacancy by accepting letters of interest that includes the information listed below and submit the related documents in person to the City Clerk at City Hall, or by email to cityclerk@mytreasureisland.org by Noon, Friday, January 12, 2024.

Letters of Interest information:

- Name and Address
- How long have they lived in the City
- Why do they want to serve City as an appointed Commissioner
- Education and Professional Experience (or via Resume)
- Public Service to Treasure Island
- Current and Past involvement with the City or any City Boards

At the regular Commission meeting on January 16, 2024, the City Commission will review and consider the letter of interests received with the intent to appoint someone to fill the vacancy District/Seat 3 for the remainder of the term through March 31, 2025.

The following applicants have submitted their willingness to serve in this capacity:

- Bob Minning
- Gary Potenziano
- Joan Young

Excerpt from the City Charter:

PART I - CHARTER
ARTICLE III. - LEGISLATIVE
Section 3.06. - *Vacancies*; forfeiture of office; filling of *vacancies*.

(a) *Vacancies*. The office of a commissioner shall become vacant upon his death, resignation or removal from office in any manner authorized by law or forfeiture of his office; such forfeiture shall be immediately declared by the remaining members of the commission.

(c) Filling of *vacancies*. A *vacancy* on the commission shall be filled as follows:

(1) Whenever a *vacancy* occurs the city commission by a

majority vote of the remaining members shall choose within thirty (30) days a successor to serve until the next regular city election, after at which time the elected successor for the remainder of the unexpired term of office, if any, shall be elected. The mayor shall make the appointment if the commission cannot agree. If the *vacancy* be that of a commissioner, the appointee shall be a resident of the district in which the *vacancy* occurs. If the *vacancy* is the mayor-commissioner, the vice-mayor shall assume the duties of the mayor until a successor is elected and the appointee shall be from the district of the said vice-mayor. The temporary appointment terminates at the new election of the mayor. All persons who have been appointed to the office as herein provided shall have and possess all of the qualifications required for district commissioners.

(2) Notwithstanding any quorum requirements established herein, if at any time the membership of the commission is reduced to less than a quorum, the remaining members may, by unanimous vote, appoint additional members under subsection (1) above.

FUNDING: .

MOTION: I move to appoint _____ to the City Commission to serve as District 3 Commissioner until the next regular City election, which is March of 2025.

Swearing in will immediately follow.

ATTACHMENTS:

Bob Minning Letter of Interest
Gary Potenziano Letter of Interest
Gary Potenziano Resume
Joan Young Letter of Interest
Joan Young Resume
Joan Young Statement Letter

Robert C. Minning
10218 Tarpon Drive
Treasure Island, FL 33706

January 11, 2024

Treasure Island Mayor and City Commission
Treasure Island City Hall
120 108th Avenue
Treasure Island, FL 33706

Re: District 3 – Open Seat Appointment

Dear Mayor and Commissioners:

Please accept this letter as my expression of interest in being appointed to the open District 3 Commissioners Seat. I offer the following credentials/qualifications:

- am a registered voter in Treasure Island,
- reside at 10218 Tarpon Drive,
- hold no other elected or appointed public office,
- have lived in the City for thirty-one (31) years,
- hold BA Degree in Geology, MAT Degree in Earth Science and a MS Degree in Geology/Hydrogeology,
- have taught Geology/Earth Science/Hydrogeology at Lansing Community College, Wittenberg University and Western Michigan University,
- have provided professional consulting services to private businesses, corporations and public entities in geology/hydrogeology for fifty-four (54) years,
- have owned, operated and run a total of six (6) public and private business,
- was a member and chair of the Beach Stewardship Committee from 2000 to 2007,
- was the District 3 Commissioner from 2007 to 2009, and
- was the Mayor of Treasure from 2009 to 2018.

My interest in an interim appointment to the District 3 Commissioner's Seat is to provide the City Commission and the City in general with my background and experience in dealing with the day to day, medium and long term issues and development. I am familiar with a commissioner's duties and responsibilities including setting the city's budget. I understand that this is an interim appointment and state that I would not be a candidate for the seat in the March 2025 general election.

Thank you for your time and consideration,

Bob Minning

Bob Minning

To: City of Treasure Island
120 108th Avenue
Treasure Island, Florida

City of Treasure Island

I am submitting this letter of interest to be considered for filling the vacant commissioners position in District 3 Paradise Island.

I am Gary Potenziano and reside at 15 Treasure Lane in Paradise Island and have lived there for 12 years with my wife.

I have had the pleasure of serving in the City of Treasure Island on the following boards. Appointed to the Charter Review Board for TI and currently serve per appointment on the Planning and Zoning / Land Planning Agency boards.

I am retired, a veteran and can dedicate the time required to meet the demands of this important position, along with 40 years of business, management and educational experience can contribute to the success of TI.

For your review I have attached a copy of my business and educational experience.

I want to serve as commissioner of district 3 in order to help with the forward movement of our community and make a difference. I have the communication skills to work closely with our residents, city and commissioners and I am well known in our community.
I am very interested and committed in preserving our island and neighbor character and managing growth through sensible cost and expense control.

I am very dedicated and looking forward to serving the community and city of Treasure Island.

Thank you for your consideration

Sincerely
Gary Potenziano
513-889-8829
Treasure.gp@gmail.com

GARY POTENZIANO
15 Treasure Lane, Treasure Island, FL 33706
513.889.8829
treasure.gp@gmail.com

I am a reliable, energetic, results driven, successful professional in operations and sales. I am highly motivated, a team player and professionally capable of providing a strong history of resources and value from my career experiences.

Materials Manager	Procurement/Manufacturing
Field Sales	Lead Union Representative
Sales Engineer	Product Awareness/Development
Sales Manager	Sales/B2B Marketing
Regional Sales Manager	Forecasting/Negotiations/Marketing
	Leadership/Planning

PROFESSIONAL EXPERIENCE

Westinghouse Electric Corp/Defense Contractor	Material and Procurement Manager
Xetron Corporation/ Commercial & defense	Operation Manager and VP
General Electric	Regional Sales Account Manager
Cummins Power Generation	District/Regional sales Manager

KEY PROFESSIONAL ACCOMPLISHMENTS

Green Belt Certified
First Responder on 9/11 World Trade Center Emergency
Responsible for production of numerous weapons defense programs
Recruiter, trainer and development coach
Development of under utilized markets and products
New product market introductions

COMMUNITY LEADERSHIP AND DEVELOPMENT

Served in the United States Air Force	Awarded Non Commissioned Officer of Year

Past President of Elks Organization Hamilton Ohio

Past President of American Cancer Society Maryland Chapter

Past Board member Ohio Alcohol/Drug Abuse

Achieved Undergraduate & Masters Degree University of Maryland and Johns Hopkins

Member of Treasure Island Focus Group Treasure Island Florida

Active Volunteer at Bay PInes VA Hospital (Pinellas County Florida)

Active Volunteer at Gulfport Senior Center (Gulfport Florida)

Appointed to City of Treasure Island Charter Community Review for 2022 (Temporary 6-month position Treasure Island Florida)

Active Board Member for Paradise Island Civic Association (Treasure Island Florida)

Currently serving on Planning & Zoning Board Treasure Island Florida

Past President of 140 Unit Condo Association Mason Ohio

Joan D Young January 8,2024

10399 Paradise Blvd. Unit 107

Treasure Island, Fl 33706

To: City of Treasure Island

RE: Le?er of Interest- District #3 Commission Vacancy

Dear Administra?on:

Good a?ernoon, my name is Joan Young, and I would like to be considered for this posi?on as a resident on Paradise Island since 2016.

Serving the city has been a goal of mine since my younger years. Having witnessed so much change in Pinellas County since the early 1980's, I am fascinated with the progress and future of the Tampa Bay area. Treasure Island was a place where I spent much of my ?me as a young adult and coming back to the area a?er 20 years in Hillsborough County brought me an incredible opportunity to experience the next phase of my career.

My business acumen is truly diverse in nature. My earlier work life was centered around retail and bank management. I became an Office manager for an Environmental company and held accoun?ng, payroll and Human Resource cer?fica?ons throughout my 16 years with ongoing consul?ng to follow. Back In 2001, I had received my FL Real Estate License, and chose to keep the status for later use. I have been a FL Notary Public since 1997.

In the 90's, becoming a single mom and working full ?me I had con?nued educa?on towards a BA degree but had not completed. I did receive an associate degree immediately following gradua?ng from the class of 1985, Gibbs Senior High School.

Now a?er both sons are off on their own a?er successful college careers, I get to experience the true defini?on of living in Paradise as a very happy and sa?sfied Empty nester.

When my mother was experiencing the onset of demen?a in 2016, I chose to move back to St. Petersburg area to become her caretaker. This was perfect ?ming for me to u?lize my real estate license and chose this opportunity for flexibility. My mother has since passed away and my ?me is now mine again. I believe I have the skillset to take on the seat on this commission and hope to be a part of significant changes that can improve the area and our lifestyle for the years to come.

Over the years I have volunteered on many occasions for work purposes and personal. I was the Treasurer for the board of my HOA in Brandon for 10+ years and 5 years with my condo associa?on. I also was a member of the Chamber of Commerce in Hillsborough as a bank representa?ve, as well as boards at my son's schools, PTA, SAC and The Boys & Girls Club of America. I also was a voluntary Catechism teacher at Na?vity Catholic Church for 7 years, and more recently served as a commi?ee member of The Alpha House of Pinellas for 2 years in St. Petersburg.

Thank you for your ?me and considera?on, I appreciate the chance to serve the community I call Home!

Contact # (813) 404-2008

Joan D Young

Summary

Proven business development manager adept at securing and maintaining accounts by providing legendary customer service,

Attributes to include Problem solver, High efficiency, Attention to detail, Proficient communication skills, Strong work ethic while demonstrating a genuine team atmosphere that strives to gain business development to be at an optimum level of performance. Superior customer service, with the ability to bring innovative ideas and challenges to create a positive environment for the entire organization.

Professional experience

FL Licensed Realtor® -The Biltmore Group= 350 Gulf Blvd. Indian Rocks Beach, FL

11/23-Current, Prior Real estate agent with Berkshire Hathaway Home Services 8/19-11/23

Office Administrator/HR Wireless Business Consultants 5/2018-Jan 2019

Human Resource Director /Condominium Associates November 2017 –May 2018

Southeast Industrial Sales & Service Inc. 2001-2017

Human Resource Administrator/PHR Certified

Business acumen as office manager: Manage all accounting functions including accounts receivable, accounts payable, financial reporting and liaison with CPA of $10 million sales per year. Administer all human resource activities to include: Payroll, benefit administration and evaluations of 70+ employees. Facilitate and implement all hiring and termination responsibilities to include disciplinary actions, background checks, and New-hire orientation training. Revision Safety and Employee Handbook. DER for company drug free workplace policy. Facilitate, Create and enforce policy, Contracts, Bids, Insurance renewals.

*Selected and implemented new accounting system saving the company excessive monies while increasing information to management system.
*Updated computer, phone and security equipment and brought company online for most tasks.
*Targeted key expenses that were reduced by 20% *Implemented more efficient procedures and collections process controlled past due accounts

with Zero losses.
*Minimized turnover rate previously 44%, currently 8%
*Controlled unemployment costs $0, Since 12/09
*Reduced EMR rating to below 1, current .64
*Supervisor Training- 10 supervisors, monthly, quarterly seminars to develop and improve culture. Returned on as needed basis, for accounting and sales tax audits.

- **Century 21 Shaw Realty- General Real Estate License Status- Active since 2001**

Manufacturers Bank of Florida 2000- 2001

Branch Manager AVP

- Responsible for deposit sales and service to $140 million Main office location. Developed a culture of quality customer service.
- Increased deposits base $2 million.
- Developed satellite innovative communications. Created a centralized bank customer service department to alleviate branch traffic.
- Created audit procedures and incorporated functions that were not addressed in years. Minimized losses and mistakes.

Columbia Bank 1997-2000

Branch Manager

- Leader of largest branch office. Commercial Loan Dept, High Dollar clients- Maintained and strengthened relationships.
- Created team workshops, Assessed historical turnover issues. Taught Cross Selling Classes using Motivational techniques: Employee Retention 100% Goal achieved.
- Customer Retention and Bank Name Recognition goals exceeded. Attended Networking groups, Bank Functions and community projects that proved successful.
- Liaison for satellite branches during merger transition and new operations training.

Prior RETAIL experience: Manager for First Of America In- store Banking, Lerner NY, Toys R Us, Fox moor, NONAME stores, NYC, Sacino&Sons Formalwear, Burdines Fl.

Home Shopping Network, Analyst-AVP Merchandising

EDUCATION- PHR Certification

- **Employment Law & Train the Trainer Accreditations**
- **2010 USF SHRM Learning system-Professional HR**

Certification-College Credit-39 hours

- 2001 Bob Hogue School of Real Estate-Licensed realtor
- 1999 Kent Stickler Sales and Service Program: Leader Effectiveness Training
- 1991-1995 Hillsborough Community College- Additional 18 hours completed toward Bachelors
- 1998-2000- FBA and AIB Banking Courses
- 1987 International Academy of Merchandising

Associate degree

Community Involvement

*ALPHA HOUSE of Pinellas County –Lead Member Butterfly Committee

*Home Owners Association—Treasure Cay, Treasurer 2017-2022 ,

Providence Town homes-Treasurer 4 fiscal years , President , 2012

* HR TAMPA, member SHRM

*FL Notary Public

* Past member of Area Business Chambers and Networking Groups: (NPI, Port Authority, Brandon and Ybor City Chamber of Commerce, SAC (Armwood High School) Big Brothers Big Sisters

Computer Skills

MS Office Suite
Quick Books Premier
Canva
KV Core

EMAIL-jdemalioyoung@brighthouse.com

Joan Young, 10399 Paradise Blvd. Treasure Island FL 33706 01/11/24
City of Treasure Island

Dear Members of the Commission,

I am writing to express my sincere desire to be considered for the appointment to the vacant district seat #3. I am eager to contribute my skills, experience, and passion for service to benefit the residents of our district.

I am confident that these qualities will be invaluable in addressing the diverse needs and challenges facing our district. I am deeply committed to fostering an inclusive and transparent government that works collaboratively with the community to identify and address key issues.

I am not just seeking this appointment as a personal endeavor; rather, I see it as a responsibility and an opportunity to give back to the community that has given me so much.

In addition to my professional skills, I bring a fresh perspective, a willingness to listen, and a commitment to representing the best interests of our citizens. I am eager to collaborate with fellow council members, community leaders, and residents to implement policies and initiatives that will enhance the well-being of our district.

I kindly request the opportunity to discuss my candidacy further during an interview or at any other forum deemed appropriate by the commission. I am open to answering any questions you may have and elaborating on my vision for our district's future.

Thank you for considering my application. I am excited about the prospect of serving our community and contributing to its continued success and development.

Sincerely,

Joan Young



Joan Young
Professional Real Esate Advisor

813-404-2008
Joan@Biltmoregrp.com
Lic # 3014426

BILTMORE GROUP INTERNATIONAL REAL ESTATE
Biltmoregrp.com

AGENDA ITEM NO. J.2

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE: January 16, 2024

SUBMITTED BY: Kathryn Younkin, Community Development

ITEM TYPE: Ordinances

AGENDA SECTION: ITEMS OF BUSINESS

SUBJECT:

First reading of Ordinance 2023-20. This ordinance clarifies the permitting regulations and timelines for sign permits by revising Sec. 73-35 “Permits Required” of the City’s Land Development Regulations.

BACKGROUND:

Comprehensive Plans and Land Development Regulations are the fundamental policy tools of municipalities. The current Land Development Regulations for signs which were adopted in September of 2022 specify that permits are required and outline the submittals required.

This Ordinance adds a section entitled application review which outlines the timelines and responsibilities for permit review and references the applicable state statutes which establish the timeline for that review. The Ordinance also adds information on appeals, which indicates that appeals for a denial of a permit will be heard by the Planning and Zoning Board.

The LPA recommended this Ordinance to the City Commission on December 21, 2023 by LPA Resolution 2023-03 attached.

POLICY/PURPOSE: To amend the Land Development Regulations to providing clarity on the permitting regulations and timelines for sign permits.

STRATEGIC PLAN Financial and Economic Development Road Map

RELEVANCE:	Goal 1: Foster a vibrant business community Objective 2 Bold Action 1: Perform a review of local ordinances and Land Development Regulations Bold Action 2: Update the City's Comprehensive Plan, local ordinances, and Land Development Regulations
ANALYSIS/DISCUSSION:	Florida Statutes have a process and timeline for review of permits, which has been incorporated into the City's Land Development Regulations in order to provide clarity.
FUNDING:	N/A
MOTION:	I move to approve / deny Ordinance 2023-20 on first reading and schedule the second reading on February 6, 2023.

ATTACHMENTS:
2023 1211 Ordinance 2023-20 (adding statutory timeframes to sign permitting) (02647240).pdf
2023 1221 Resolution 2023-03 Sign Regulations Signed.pdf
Ordinance 2023-20 City of Treasure Island Business Impact Statement.pdf

ORDINANCE 2023-20

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING CHAPTER 73 "SIGNS" OF THE CITY OF TREASURE ISLAND CODE OF ORDINANCES BY REVISING SECTION 73-35 "PERMIT REQUIRED" IN ORDER TO CODIFY APPLICABLE STATUTORY TIMEFRAMES FOR PERMIT APPLICATION REVIEW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT, PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 73 of the City Code of Ordinances ("Code"), entitled "Signs," regulates land development pursuant to Chapter 163, F.S. related to signage; and

WHEREAS, Chapter 73 contains requirements for sign permits, which must be applied for; and

WHEREAS, applications for sign permits are required by statutory law to be reviewed in accordance with the timeframes established in section 166.033, Florida Statutes, which has been applied by the City since the statute has been effective; and

WHEREAS, the requirement for sign permit applications contained in Chapter 73 does not expressly reference the applicable statutory timeframes for reviewing applications for such permits under section 166.033, Florida Statutes; and

WHEREAS, the City desires to amend Section 73-35 of the Code to expressly include the applicable statutory timeframes; and

WHEREAS, the City Commission has reviewed the relevant current Code provisions of the City of Treasure Island and finds that certain modifications are necessary and desirable to clarify various requirements in the Code; and

WHEREAS, the City Commission determines that the adoption of this Ordinance is in the interests of the public health, safety and welfare of the City and its residents.

NOW, THEREFORE, THE CITY OF TREASURE ISLAND, FLORIDA DOES ORDAIN:

SECTION 1. The recitals set forth in the "Whereas" clauses above are ratified and confirmed as true and correct and are hereby adopted as legislative findings by the City Commission of the City of Treasure Island, Florida, for the adoption of this Ordinance.

SECTION 2. That section 73-35 of the Code of Ordinances of the City of Treasure Island, Florida, is hereby amended to read as follows:

Sec. 73-35. Permit required.

(a) *Permitted signs.*

(1) No person shall paint, erect, demolish, alter, rebuild, enlarge, extend, relocate, demolish, repair, do any work upon, attach to, or suspend from a building or structure, any sign unless a permit for such sign has been issued by the building official or unless such sign is specifically exempted from permit requirements.

(2) No permit shall be required to change the copy or message on signs which are specifically designed for the use of replaceable copy. This shall not include the replacement of sign panels.

(3) It shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of a sign permit without the prior written approval of the building official. A written record of such approval shall be entered upon the original permit application and maintained in the files of the building official.

(4) Applications for permits required by this article shall be in writing upon forms to be furnished by the building official.

(5) Any repair work on a sign of a structural nature shall require a separate permit. Simple, non-structural maintenance of a sign shall not require a permit.

(b) *Permitting process.*

(1) All signs, except those specifically exempted, shall require a zoning clearance and permit prior to erection.

(2) Applicants for sign permits shall provide the following information:

a. Detailed scale drawing of the sign showing all dimensions.

b. Accurate plot plan drawn to scale showing location of the sign on site. Such plan shall show location of all uses on site, including but not limited to structures, parking areas, driveways, green areas, walkways and roadways.

c. Survey of the parcel on which the sign is to be placed (this may be waived for attached signs).

d. Statement signed by the permit applicant as to the number and size of existing on-site signs.

e. Application for attached signs shall include a plan showing dimensions and layout of the building.

f. Information as may be required by the city building department.

g. Other appropriate information relative to the sign and its location.

h. Signs of a height greater than six feet and within ten feet of current or proposed right-of-way lines shall require a letter of no objection from the local electric power company to ensure current and future compliance to applicable codes and to protect the safety of the public.

(c) *Application review.*

(1) Within 30 days after receiving an application for a sign permit, the city will review the application for completeness and issue a letter indicating that all required information is submitted or specifying with particularity any areas that are deficient. If the application is deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information. Within 120 days, the city will approve, approve with conditions, or deny the application for a sign permit. The city and applicant may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance. An approval, approval with conditions, or denial of the application for a sign permit will include written findings supporting the city's decision. The timeframes contained in this subsection do not apply in an area of critical state concern, as designated in s. 380.0552, Florida Statutes or chapter 28-36, Florida Administrative Code.

(2) When reviewing an application for a development permit or development order that is certified by a professional listed in s. 403.0877, Florida Statutes the city may not request additional information from the applicant more than three times, unless the applicant waives the limitation in writing.

a. If the city makes a request for additional information and the applicant submits the required additional information within 30 days after receiving the request, the city will review the application for completeness and issue a letter indicating that all required information has been submitted or specify with particularity any areas that are deficient within 30 days after receiving the additional information.

b. If the city makes a second request for additional information and the applicant submits the required additional information within 30 days after receiving the request, the city will review the application for completeness and issue a letter indicating that all required information has been submitted or specify with particularity any areas that are deficient within 10 days after receiving the additional information.

c. Before a third request for additional information, the applicant must be offered a meeting to attempt to resolve outstanding issues. If the city makes a third request for additional information and the applicant submits the required additional information within 30 days after receiving the request, the city must deem the application complete within 10 days after receiving the additional information or proceed to process the application for approval or denial unless the applicant waived the city's limitation in writing.

(3) If an application for a sign permit is denied by the city, the applicant may appeal the administrative decision of denial to the planning and zoning board for a quasi-judicial public hearing in accordance with section 70-181 of the code. If the applicant is aggrieved by the final decision of the planning and zoning board, it may then appeal the planning and zoning board's final decision to circuit court within 30 days after rendition of its decision in accordance with section 70-243 of the code.

(~~c~~d) *Permit fees.*

(1) Before any permit is issued under the provisions of this article, the applicant shall pay a fee as provided by a schedule of fees in appendix A, as set by the city commission.

(2) Should any person, firm, or corporation start work without first obtaining a permit, the building official shall ensure that the proper permitting procedure is henceforth followed, charging the fee required for such work without a permit.

(~~d~~e) *Variance.*

(1) *Requests authorized.* Requests for variances from any provisions of this article are hereby authorized and shall be processed by the planning and zoning board pursuant to section 70-221.

(2) *Criteria.* Variances from the terms of these regulations may not be contrary to the public interest. Variances may be granted where, owing to special conditions, the literal enforcement of the provisions would result in unnecessary hardship, not to include economic hardship. However, no variance shall be granted unless the criteria of section 70-221 are met. In addition to these usual criteria for variances to the provisions of this article, any additional signage allowed pursuant to variances shall be conditioned in such a way that, taking into consideration existing allowable signage in the area, the additional signage does not exacerbate visual clutter, driver distraction or traffic safety in the area.

SECTION 3. SEVERABILITY.
It is the intention of the City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, or provision of this ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 4. CONFLICT.
All ordinance or portions of ordinances in conflict with or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. CODIFICATION.
Sections 2 of this Ordinance shall be codified in the Code of Ordinances for the City of Treasure Island, Florida. The codifier is authorized to renumber or reclassify such other provision of the Code of Ordinance to accomplish such intention. The codifier is also authorized to make editorial changes not affecting the substance of this Ordinance in the substitution of article, ordinance, section, paragraph, or such other appropriate word or phrase in order to accomplish such intention.

SECTION 6. EFFECTIVE DATE.
This ordinance shall take effect immediately upon its final passage.

FIRST READING and PUBLIC HEARING on the ____ day of _____, 2023.

SECOND READING and PUBLIC HEARING on the ____ day of _____, 2023.

PUBLISHED in the Tampa Bay Times on the ____ day of _____, 2023.

The foregoing ordinance was offered during the meeting of the City Commission of the City of Treasure Island, Florida, sitting on the ____ day of _____, 2023 by Commissioner _____ who moved its adoption; was seconded by Commissioner _____ and upon roll call, the vote was:

YEAS:

NAYS:

ABSENT OR ABSTAINING:

_____
J. Tyler Payne, Mayor

ATTEST:

_____
Celine Kidwell, City Clerk

Approved as to form:

_____
Jennifer R. Cowan, City Attorney

LOCAL PLANNING AGENCY
RESOLUTION NO. 2023-03

A RECOMMENDATION TO THE CITY OF TREASURE ISLAND CITY COMMISSION FOR THE APPROVAL OF AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING CHAPTER 73 "SIGNS" OF THE CITY OF TREASURE ISLAND CODE OF ORDINANCES BY REVISING SECTION 73-35 "PERMIT REQUIRED" IN ORDER TO CODIFY APPLICABLE STATUTORY TIMEFRAMES FOR PERMIT APPLICATION REVIEW.

WHEREAS, Section 163.3174, Fla. Stat., provides for the establishment of a "local planning agency"; and

WHEREAS, Section 163.3174, Fla. Stat., describes the duties and responsibilities of a Local Planning Agency, which include preparing and making recommendations of comprehensive plan amendments and proposed land development regulation amendments; and

WHEREAS, on December 21, 2023, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed amendments provided herein and found the amendments consistent with the Treasure Island Comprehensive Plan and its elements; and

WHEREAS, on December 21, 2023, the Planning and Zoning Board, sitting as the Local Planning Agency, held a public hearing on Ordinance 2023-20 amending Chapter 73, Signs and has considered the information received at said public hearing; and

WHEREAS, on December 21, 2023, the Planning and Zoning Board, sitting as the Local Planning Agency, recommended approval of Ordinance 2023-20 to the City Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Local Planning Agency of the City of Treasure Island, Florida, in a public meeting assembled:

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

The City of Treasure Island Local Planning Agency hereby transmits to the City Commission the proposed amendments to the Land Development Regulations, as set forth in Exhibit "A", Ordinance 2023-20, with the recommendation to approve said amendments.

PASSED AND DULY ADOPTED BY THE CITY OF TREASURE ISLAND LOCAL PLANNING AGENCY, 21st Day of December 2023.

TREASURE ISLAND LOCAL PLANNING AGENCY

Richard Harris, Chair
Local Planning Agency

01-04-2024
Date

City of Treasure Island
Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:
ORDINANCE 2023-20

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING CHAPTER 73 "SIGNS" OF THE CITY OF TREASURE ISLAND CODE OF ORDINANCES BY REVISING SECTION 73-35 "PERMIT REQUIRED" IN ORDER TO CODIFY APPLICABLE STATUTORY TIMEFRAMES FOR PERMIT APPLICATION REVIEW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT, PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

Question 1. Does the proposed ordinance meet one or more of the exceptions listed below? If so, then please check the applicable exception below and move to Question 2. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by section 166.041(4), Florida Statutes, for the proposed ordinance. If there is no applicable exception, proceed with completing the business impact estimate at Question 3.

☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
☐ The proposed ordinance relates to the issuance or refinancing of debt;
☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
☐ The proposed ordinance is an emergency ordinance;

☐ The ordinance relates to procurement; or

☒ The proposed ordinance is enacted to implement the following:

a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Question 2. Based on the exception you selected above and in accordance with the provisions of the controlling law, please provide an explanation below of why the ordinance meets the exception(s).

Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation. Part II of Chapter 163 exempts ordinances related to land development regulation.

Chapter 73 is included within the Land Development Regulations of the City of Treasure Island.

In addition, the regulations in 73-35(c) are enacted to expressly acknowledge that sign permits are required by statutory law to be reviewed in accordance with the timeframes previously established in section 166.033, Florida Statutes.

Question 3. If there is no applicable exception, proceed with completing the below Business Impact Estimate. This Business Impact Estimate may be revised following its initial posting. In accordance, the City hereby publishes the following information:

A. Summary of the proposed ordinance (must include a statement of the public purpose to be served by the proposed ordinance, such as serving the public health, safety, morals and welfare of the City):

B. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, including the following, if any:

(1) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;

(2) Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and

(3) An estimate of the City's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

(4) Any other direct economic impacts of the proposed ordinance on private, for-profit businesses in the City that are not covered by (1), (2), or (3):

C. Good faith estimate of the number of businesses likely to be impacted by the ordinance:

D. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses*).

AGENDA ITEM NO. J.3

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE: January 16, 2024

SUBMITTED BY: Mike Helfrich, Administration

ITEM TYPE: Ordinances

AGENDA SECTION: ITEMS OF BUSINESS

SUBJECT: Ordinance 2024-02, First Reading, Amending the FY 2024 Budget to change the approved Classification Plan FY24 for four Classification Titles and Pay Grades in Public Works.

BACKGROUND: Recently, Public Works retired a 38-year veteran of the city. He worked his way up from a Service Worker I to a Public Works Supervisor in Solid Waste and Stormwater/Wastewater. During his time at the city, he became the Public Works Supervisor by having experience in Solid Waste and Stormwater/Wastewater (PWC) Divisions, which was developed over time. In an effort to replace this one specialized retired employee, Public Works has proposed several reclassifications.

POLICY/PURPOSE: To amend the FY 2024 Budget to change the approved Classification and Pay Plan FY24 for four Classification Titles and Pay Grades in Public Works.

STRATEGIC PLAN RELEVANCE: Under Administration Roadmap; Goal 1: Development support and retain a diverse workforce to serve the needs of the community; Objectives: Encourage professional development and leadership opportunities to support a dynamic workforce, evaluate needs, skills and positions for future staffing and improve recruitment and retention of City employees.

ANALYSIS/DISCUSSION: Because of the difficulty in hiring a Public Works Supervisor

with similar experience and diverse knowledge, Public Works is proposing to modify its organization (See Exhibit 1 - Proposed Public Works Organization) and is proposing the following reclassifications:

1. Public Works Supervisor assigned to Sanitation/Water Pollution Control (Pay Grade C) to a Solid Waste Foreman (Pay Grade 17)
2. Utility Maintenance Crew Chief (Pay Grade 15) to a Utility Maintenance Foreman (Pay Grade 17)
3. Special Project Manager (Pay Grade B) to a Special Projects Supervisor (Pay Grade C)
4. Building Manager (Pay Grade A) to Building Supervisor (Pay Grade C).

This request will not have an increase in the overall number of authorized positions or increase the approved FY 24 Budget.

FUNDING:

The reclassifications will be cost neutral.

MOTION:

I move to adopt / deny Ordinance No. 2024-02, amending the FY 2024 Classification and Pay Plan in the approved FY 2024 Budget to reflect Public Works Supervisor assigned to Sanitation and Water Pollution Control (Pay Grade C) to a Solid Waste Foreman (Pay Grade 17), reclassify the Utility Maintenance Crew Chief (Pay Grade 15) to a Utility Maintenance Foreman (Pay Grade 17), reclassification of the Special Project Manager (Pay Grade B) to a Special Projects Supervisor (Pay Grade C) and reclassify the Building Manager (Pay Grade A) to Building Supervisor (Pay Grade C) at this first reading and schedule a 2nd and final reading on February 6th.

ATTACHMENTS:
ORDINANCE_2024-02 PW_Position Reclassifications.docx
Visio-Proposed New Public Works Organizational Chart 2024.pdf

ORDINANCE 2024-02

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING THE FISCAL YEAR 2024 BUDGET TO AMEND THE CLASSIFICATION AND PAY PLAN TO RECLASSIFY THE PUBLIC WORKS SUPERVISOR POSITION ASSIGNED TO SANITATION AND WATER POLLUTION CONTROL DIVISIONS (PAY GRADE C) TO A SOLID WASTE FOREMAN (PAY GRADE 17), RECLASSIFY THE UTILITY MAINTENANCE CREW CHIEF (PAY GRADE 15) TO A UTILITY MAINTENANCE FOREMAN (PAY GRADE 17), RECLASSIFY OF THE SPECIAL PROJECT MANAGER (PAY GRADE B) TO A SPECIAL PROJECTS SUPERVISOR (PAY GRADE C) AND RECLASSIFY THE BUILDING MANAGER (PAY GRADE A) TO A BUILDING SUPERVISOR (PAY GRADE C); PROVIDING FOR SEVERABILITY; CONFLICT; AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance 2023-16, the City of Treasure Island, Florida adopted an annual operating budget for fiscal year 2024; and

WHEREAS, the adopted budget included an allocation of positions and titles among the Public Works programs across the City's General, Wastewater, Solid Waste, and Stormwater funds; and

WHEREAS, long-time City employee James Newton has retired and vacated one of the Public Works Supervisor positions; and

WHEREAS, the current labor market is not sufficient to replace Mr. Newton's functions with a single individual, as his on-the-job expertise can only be learned with many years of unique experience; and

WHEREAS, City staff has identified existing employees as having certain skills or expertise to assume portions of Mr. Newton's previous assignments; and

WHEREAS, these positional adjustments necessitate the addition of a new Public Works Foreman classification and adjustments to existing classifications to reflect new responsibilities to the Classification Pay Plan; and

WHEREAS, these impacts are will generate a projected cost savings to all affected funds; and

WHEREAS, pursuant to the City's Charter and generally accepted accounting principles, the City of Treasure Island finds it in the public's interest to amend the City's budget to change the Classification and Pay Plan.

NOW, THEREFORE, THE CITY OF TREASURE ISLAND DOES ORDAIN:

SECTION 1. The recitals set forth in the "Whereas" clauses above are ratified and confirmed as true and correct and are hereby adopted as findings by the City Commission of the City of Treasure Island, Florida for the adoption of this Ordinance.

SECTION 2. The budget for the City of Treasure Island, Florida for the fiscal year 2024, as adopted pursuant to Ordinance 2023-16, is hereby amended by the following changes to classifications in the Pay and Classification Plan:

1. Public Works Supervisor assigned to Sanitation/Water Pollution Control (Pay Grade C) to a Solid Waste Foreman (Pay Grade 17)
2. Utility Maintenance Crew Chief (Pay Grade 15) to a Utility Maintenance Foreman (Pay Grade 17)
3. Special Project Manager (Pay Grade B) to a Special Projects Supervisor (Pay Grade C)
4. Building Manager (Pay Grade A) to Building Supervisor (Pay Grade C).

SECTION 3. The allocation of FY24 appropriated funds will not change, but these modifications generate a projected cost savings.

SECTION 4. SEVERABILITY. It is declared to be the intent of the City Commission, that if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. CONFLICT. This action supersedes all ordinances and resolutions of the City or portions thereof, in conflict with or inconsistent with this ordinance, to the extent of such inconsistency or conflict.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage.

FIRST READING and PUBLIC HEARING on the ____ day of _____, 2024.

SECOND READING and PUBLIC HEARING on the ____ day of _____, 2024.

PUBLISHED in the Tampa Bay Times on the ____ day of _____, 2024.

The foregoing ordinance was offered during the meeting of the City Commission of the City of Treasure Island, Florida, sitting on the _____ day of _____, 2024 by Commissioner _____ who moved its adoption; was seconded by Commissioner _____ and upon roll call, the vote was:

YEAS:

NAYS:

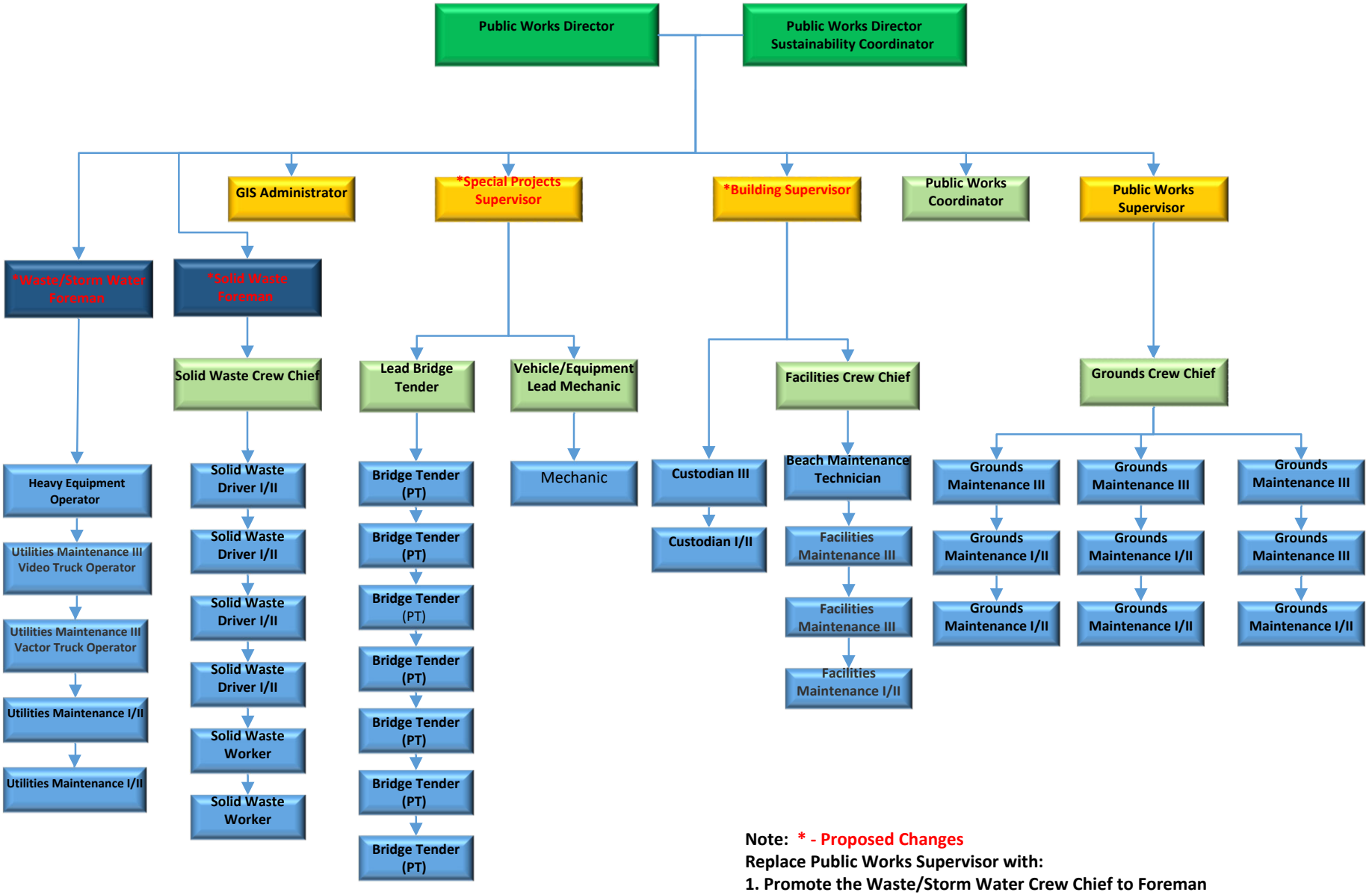
ABSENT OR ABSTAINING:

_____
J. Tyler Payne, Mayor

ATTEST:

_____
Celine Kidwell, City Clerk

Exhibit 1 - PUBLIC WORKS ORGANIZATION



Note: * - Proposed Changes

Replace Public Works Supervisor with:

1. Promote the Waste/Storm Water Crew Chief to Foreman
2. Solid Waste Foreman (Replace Retired Supervisor)
3. Promote the Building Supervisor (Category A) to Category C and Special Projects Manager/Supervisor (Category B) to Category C.

AGENDA ITEM NO. J.4

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE:	January 16, 2024
SUBMITTED BY:	Celine Kidwell, Administration
ITEM TYPE:	Request to Commission
AGENDA SECTION:	ITEMS OF BUSINESS
SUBJECT:	Interim City Manager Contract
BACKGROUND:	City Manager, Amy Davis has resigned, effective February 2, 2024, to accept a position with Pinellas County. To allow time for the City Commission to conduct a recruitment for a new City Manager, an interim City Manager is needed.
POLICY/PURPOSE:	To review and approve the Interim City Manager contract with Garry Brumback.
STRATEGIC PLAN RELEVANCE:	N/
ANALYSIS/DISCUSSION:	The proposed contract is to name Garry Brumback as Interim City Manager of the City while the Commission conducts a recruitment for a new City Manager. The contract is essentially very similar to the contract with the existing City Manager with the following exceptions: • Does not include health/medical insurance coverage • Does not include a vehicle allowance • Does not include severance pay The effective date is Monday, January 29th to provide for a week overlap with Ms. Davis to coordinate any pending projects/issues.
FUNDING:	The funding for the contact would be paid from the current City Manager budgeted salary and benefit line items in the adopted FY 2024 budget.

MOTION: I move to approve / deny the Interim City Manager contract with Garry Brumback.

ATTACHMENTS:
Interim City Mgr Contract G. Brumback Jan 2024.pdf

INTERIM CITY MANAGER AGREEMENT

THIS AGREEMENT, made and entered into on this 12th day of January, 2024 by and between the City of Treasure Island, a State of Florida municipal corporation (the "City") and Garrison "Garry" C. Brumback, an individual, (the "Employee"), collectively the parties, pursuant to the following terms and conditions:

WITNESSETH:

WHEREAS, the City's current City Manager is leaving the City on February 3, 2024; and

WHEREAS, the City is conducting a search for a new City Manager and desires to have an Interim City Manager during the period where a search is conducted and until a new City Manager is appointed; and

WHEREAS, the City desires to employ the services of the Employee as the Interim City Manager of the City of Treasure Island as provided by in Article IV, Section 4.02 of the City of Treasure Island's City Charter ("City Charter"); and

WHEREAS, the City desires to provide certain benefits and to establish certain conditions of the Employee's employment; and

WHEREAS, Employee desires to accept employment as Interim City Manager; and

WHEREAS, the parties acknowledge that the Employee previously worked with the City as City Manager before retiring from the City and the Employee is a member of the International City/County Management Association (ICMA) and ICMA Credentialed Manager.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

Section 1: Duties.

The City hereby appoints Employee as its Interim City Manager to exercise the chief administrative responsibilities and duties as prescribed by the City Charter and City Code, and any applicable Resolutions, Ordinances, and policies established by the City of Treasure Island, to perform all other legally permissible and proper duties and functions as the City Commission may from time to time assign. Employee agrees to accept the appointment as Interim City Manager and agrees to exercise his best efforts in performing said duties.

Section 2: Term.

A. Employee's appointment as Interim City Manager shall begin on January 29th of 2024 at 12:01 a.m. and continue for 6 months or until the City selects and appoints a City Manager, whichever occurs first, ("Initial Term"), unless otherwise extended by mutual written agreement of the parties and subject to Sections 3, 4, 5 and 6 of this Agreement.

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B. Throughout this Employment, the Employee shall not engage in other employment or activity for which he is paid or is compensated, unless the City has given prior written approval. Any such approval rests entirely within the sole discretion of the City Commission.

Section 3: Termination and Severance Pay.

A. This Agreement may be terminated at any time without cause by the City. Employee recognizes and acknowledges that he is an employee at will, he has no property right in the position of Interim City Manager, and that this Agreement provides any and all remedies available to Employee in the event it is terminated.

B. This Agreement and therefore, Employee's appointment, shall terminate immediately upon the conviction of Employee of a felony or crime involving moral turpitude or dishonestly; upon a finding that Employee committed an ethical violation by a court, administrative proceeding, ICMA, the State of Florida Ethics Commission, or other body or court of competent jurisdiction; or upon other actions constituting gross misfeasance, malfeasance, gross incompetence, or illegal act involving personal gain in conjunction with Employee's position as Interim City Manager.

Section 4: Resignation.

In the event Employee voluntarily resigns his position with the City, Employee shall give the City sixty (60) days' prior written notice, unless the parties agree otherwise.

Section 5: Disability.

If Employee is unable to perform his duties for any reason excluding death, including, but not limited to, sickness, accident, injury, or mental incapacity for a period of four (4) successive weeks beyond any accrued leave, the City may terminate this Agreement. In the event this Agreement is terminated pursuant to this Section, the City shall pay Employee all accrued compensation and benefits due Employee under this Agreement within ten (10) working days of such termination. The City shall have no other liability to the Employee, his estate, heirs, or beneficiaries.

Section 6: Death.

This Agreement shall be terminated by the death of the Employee as of the date of death. In the event of the Employee's death, the City shall pay a designated beneficiary of the Employee or his estate all accrued compensation and benefits due Employee under this Agreement within ten (10) working days of the Employee's death. The City shall have no other liability to the Employee, his estate, heirs, or beneficiaries.

Section 7: Salary.

The City agrees to pay Employee for his services as Interim City Manager an annual base salary of One Hundred Seventy-Five Thousand, Eight Hundred and Fifty-Eight U.S. Dollars

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($175,858), which shall be paid on a pro rata basis, payable at the same schedule as is applicable to all other City employees.

Section 8: Leave.

Beginning January 29, 2024, Employee shall be credited with ten (10) days of accrued vacation leave and shall accrue more days over the Initial Term in the same manner as that which accrued for exempt City employees. In addition, the Employee shall be entitled to sick leave in the same amount as exempt City employees and such sick leave shall be accrued in the same manner as that which accrues for exempt City employees. Upon termination of this Agreement, however terminated, Employee shall be paid 100% of all unused vacation leave and will be paid for any unused sick leave in accordance with the City's personnel manual.

Section 9: Benefits.

A. Employee has refused the benefits afforded to other employees of the City including comprehensive medical insurance (medical, dental, and vision care). Employee will receive long-term disability and life insurance in the same manner afforded to other employees of the City.

B. Employee will be enrolled in the City's 401a plan and the City agrees to contribute eight (8%) percent of the Employee's base salary on an annual basis and the Employee agrees to contribute not less than five (5%) percent of the Employee's Base Salary on an annual basis. Such amounts shall accrue to be contributed on a pay period basis. Vesting shall be stepped based on as provided for in accordance with the provisions of the City's 401a plan.

C. The City agrees to contribute an amount equal to seven (7%) percent of the Employee's Base Salary on an annual basis to a Section 457 Retirement Plan instituted by the City for the Employee. Such amounts shall accrue to be contributed on a pay period basis. Contributions provided to the Employee's Section 457 Plan shall be deemed 100% vested upon payment by the City.

Section 10: Professional Development.

A. Employee shall be a member in good standing of ICMA at all times of employment. In support of this requirement and as may be budgeted annually by the City Commission, the City agrees to pay for the reasonable professional dues and subscriptions necessary for Employee's continuation in national, state, and local professional organizations necessary and desirable for his continued professional participation and growth and for the good of the City. This shall include participation in the International City/County Management Association (ICMA) and the Florida City/County Management Association (FCCMA).

B. Also, as may be budgeted annually by the City Commission, the City hereby agrees to pay the travel and subsistence expenses of Employee, in accordance with Chapter 112 of the Florida Statutes, for reasonable professional and official travel, meetings, and occasions adequate to continue the professional development of the Employee and to pursue necessary official functions of the City including, but not limited to, attendance at the annual conference of FCCMA and other short courses and seminars.

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Section 11: Residency Requirement.

The Employee is specifically exempted by the City Commission from the requirement set forth in Section 4.02(b) of the City Charter, which requires the City Manager to reside within the boundaries of the City within six (6) months of appointment.

Section 12: Hours of Work.

It is recognized that the Employee will often be required to devote considerably more hours to his position than other employees, and that the Employee will devote a great deal of time outside the normal hours of business toward the business affairs of the City. Working hours will be flexible to accommodate the requirements and practices of the Interim City Manager position, but generally Employee shall work during normal City business hours, excluding City recognized holidays, vacation leave or other leave in accordance with this Agreement or the applicable City policy. The concept of "overtime" is not applicable to the position of Interim City Manager. No compensation shall be paid for overtime and compensatory time off will not be a matter of right based upon particular evening requirements or demanding projects. However, occasional time away from the office will be recognized as consistent with the nature of the professional position.

Section 13: Indemnification.

In addition to what is required under State and local law, City shall defend, save harmless, and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in performance of Employee's duties as Interim City Manager, unless the act or omission involved willful or wanton misconduct or performed in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. The City shall have the authority to settle, as it considers appropriate, any claim or suit filed against the Employee to which this indemnification applies. The requirements of this section shall survive termination of this Agreement, however terminated, for so long as such provision remains in the City Code.

Section 14: Bonding.

The City shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

Section 15: General Provisions.

A. The text herein shall constitute the entire agreement between the parties. It may not be changed orally, but only by an agreement in writing signed by the parties.

B. This Agreement shall be binding upon and inure to the benefit of the heirs, administrators, and executors of the Employee.

C. This Agreement shall be effective upon execution.

D. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, illegal, invalid, or unenforceable, the remainder of this Agreement shall remain in full force and effect.

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E. Notice pursuant to this Agreement shall be given by certified mail through United States Postal Service delivery, addressed as follows:

CITY: Mayor and City Commission
City of Treasure Island
120 108th Avenue
Treasure Island, Florida 33706

EMPLOYEE: Garry Brumback
Interim City Manager

F. The City Commission, in consultation with Employee, shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City Charter, the City Code, or any other applicable law.

G. All provisions of the City Charter, and regulations and rules of the City relating to vacation and other leave, retirement and pension system contributions, holidays and other fringe benefits and working conditions as they now exist or hereafter may be amended, also shall apply to Employee as they would to other employees of the City, in addition to said benefits enumerated specifically for the benefit of the Employee, except as herein provided.

H. The waiver by either party of a breach of any provision of this Agreement by the other shall not operate or be construed as a waiver of any subsequent breach by that party.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first above written.

CITY OF TREASURE ISLAND

ATTEST

By: _____
Celine Kidwell, City Clerk

By: _____
Tyler Payne, Mayor

EMPLOYEE:

By: _____
Garry Brumback

_____
Date

AGENDA ITEM NO. J.5

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE: January 16, 2024

SUBMITTED BY: Cathy Hayduke, Parks & Recreation

ITEM TYPE: Contracts

AGENDA SECTION: ITEMS OF BUSINESS

SUBJECT: First Amendment to the Non-Exclusive License Agreement with Big Event Slides, LLC for Beach Concessions

BACKGROUND: In August 2022, the City renewed a Non-Exclusive License Agreement with Terri and Randall Young of Big Event Slides, LLC for beach concessions. The permitted uses includes the following beach concessions:

- Hippo waterslide, bounce house and/or bungee trampoline
- Cabanas, chairs, lounges, umbrellas, kayaks and paddleboard rentals
- Beach gear valet service

The term of the license is for an initial period of three (3) years with an option to renew for two additional one (1) year periods. The annual license fee was $27,500 plus applicable sales tax and paid in monthly increments to the City. The license fee may be adjusted by the City from time to time, not to exceed more than one increase per year, with a 3% maximum increase per year. The annual licensed fee was broken down as such:

- Hippo slide and inflatables $19,000
- Beach Gear Valet Service $2,400
- Vendor Parking Space $600
- Beach Concessions (cabanas, umbrellas, kayaks, paddleboards, lounges, chairs) $5,500

POLICY/PURPOSE: Commission approval is required to authorize the City Manager to amend the Non-Exclusive License Agreement with Terri and Randall Young of Big Event Slides, LLC. for beach

concessions

STRATEGIC PLAN RELEVANCE:

Financial and Economic Development Road Map
GOAL 1: Foster a Vibrant Business Community; OBJECTIVE 1: identify opportunities to cultivate an environment to help local businesses thrive.

GOAL 2: Maximize the utilization of the City's resources.

GOAL 3: Obtain awards and recognition for the beach; OBJECTIVE 1: Identify opportunities to garner recognition to further the promotion of the beach.

ANALYSIS/DISCUSSION:

Big Event Slides, LLC purchased the beach gear valet service from Sand Runners, LLC. The beach gear valet service has not been successful and therefore, Terri and Randall Young would like to terminate this service and its applicable license fee from their Non-Exclusive License Agreement's permitted uses. The annual fee for the beach gear valet service is $2,472 which will be deducted from the current annual license fee of $28,307.04, for a revised annual license fee of $25,835.04.

FUNDING:

The current annual license fee is $28,307.04. In Fiscal Year 2023, the license fee was adjusted three (3%) percent.

The annual fee for the beach gear valet service is $2,472 which will be deducted from the current annual license fee of $28,307.04, for a revised annual license fee of $25,835.04.

MOTION:

I move to approve / deny and authorize the City Manager to execute the First Amendment to the Big Event Slides Master Agreement removing the beach gear valet service and associated annual license fee of $2,472.

ATTACHMENTS:
BES paperwork signed TI.pdf

First Amendment to Non-Exclusive License Agreement Between City of Treasure Island and Big Event Slides, LLC

This First Amendment to Non-Exclusive License ("First Amendment") is made this _____ day of("Effective Date"), bet',veen the City of Treasure Island, Florida, a Florida municipal corporation, (hereinafter called the "City") and Big Event Slides, LLC, a Florida limited liability company (hereinafter referred to as "Licensee") (collectively the "Parties"), and shall amend and supplement that certain Non-Exclusive License entered into by and between the Parties dated August 2, 2022 (hereinafter the "License").

WITNESSETH

WHEREAS, all capitalized terms used in this First Amendment, which are not otherwise defined in this First Amendment, shall have the same meaning as set forth in the License; and

WHEREAS, the Parties entered into the License to grant the Licensee permission to provide certain services on a Public Beach located within the City, including a Beach Gear Valet Service; and

WHEREAS, the Parties no longer wish the License to include Beach Gear Valet Services and that the inclusion of these services in the License is no longer needed; and

WHEREAS, the Parties wish to amend the License as set forth in this First Amendment.

NOW THEREFORE, in consideration of the mutual covenants and consideration provided in this First Amendment, it is hereby agreed that the License is amended as follows:

1. Recitals Acknowled [a]ed. The foregoing recitals are true and correct and are incorporated herein by reference.

2. Amendment to section 4 of the License. Section 4 of the License is amended to read as follows:

4. Purpose, Scope, Uses, Equipment, Hour. The principal purpose of the City granting the privileges under this non-exclusive License is to permit the Licensee to provide a Hippo or Trippo waterslide and bounce houses or bungee trampoline for adults and children, and provide permission for beach concessions and a parking space in the Spoonbill lot.

4.1 Permitted Uses and Permitted Use Areas: The Permitted Use Area is to be kept in a neat, clean, and orderly fashion and free from trash at all times. The Public Beach is open to the public and the public shall not be prohibited from utilizing the Public Beach or setting up within the permitted use area as long as the public does not interfere with the beach Licensee's beach

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concessionaries operations or safety of its patrons. Sufficient space shall be maintained on the Public Beach so that the public safety, cleanup, and repair vehicles can pass safely through the Permitted Use Areas. Licensee recognizes that this is a non-exclusive license that the City may grant

licenses to other vendors for the Permitted Use Areas as well, and that Licensee will not interfere with any other licensee of the City. The Permitted Use Areas is the specified area on the Public Beach below or other area as specified in this License for the permitted uses:

4.1. I Inflatables. The Hippo/Trippo waterslide, bounce house and/or bungee trampoline will be placed on the Public Beach directly behind Gulf Front Park located at 10400 Gulf Boulevard and as approved by the Florida Department of Environmental Protection. Licensee will be required to reduce the number of inflatables and floor plan each November during the annual Sanding Ovations, Masters Cup event as the area behind Gulf Front Park is used for vendor and band parking. Licensee may be required to reduce the number of inflatables and floor plan during the year, as the area behind Gulf Front Park is used for other special events and vendor and band parking.

4.1.2 Lea.Cb---.CQDCÉS.SiQ.LS. License is permitted to provide beach concessions, including cabanas, chairs, lounges, umbrellas, kayaks, and paddleboards, on the Public Beach from 104th Avenue south to 102nd Avenue. Additional equipment may be provided for rent or sale upon approval by the City at a mutually agreed upon fee. fie paddleboards and kayaks are not permitted to leave the swim zone area by renters and should not be rented during inclement weather. The Licensee is required to prepare and keep current a rescue/recovery plan in case a boat exits the swim zone area or is in need of assistance. The rescue/recovery plan must be submitted to the Recreation Director prior to signing this License. The Licensee shall comply with all boating laws including but not limited to law pertaining to personal floatation devices or lifejackets and hours of operations. No kayaks or paddleboards shall be rented from dusk to twilight. The Licensee may offer lessons for paddleboard and kayak rentals.

4.1.3 Storage boxes. Two wooden storage boxes no larger than 4'x4'x8' may be stored within located within the Permitted Use Area at 103rd Avenue and 104th Avenue so long as the Florida Department of Environmental Protection issues any required permits or exemption for the installation of such storage units on the Public Beach and the City approves the location. Storage boxes must be kept in a neat, safe and defect free condition. Storage units must be locked at all times. No signage is permitted on the storage units. Licensee's insurance as provided in the paragraph entitled "Insurance" must

also cover incidences related to person walking, sitting, laying, jumping, etc. from or on the boxes, Storage units must not interfere with or obstruct vehicles utilized for repair, cleanup or public safety on the Public Beach. Storage boxes must not be located in front of residences, cannot disturb the view of the property owners, and cannot disturb the view from Gulf Front Park.

4.1.4 Parking Space. Licensee is granted use of the reserved Licensee parking space located at 103rd Avenue at the Spoonbill lot. The Cityrd will designate one (l) beach vendor parking space at the 103 Avenue, Spoonbill lot as determined by the City at a cost of $600 per year paid in increments of $50 per month plus any applicable sales tax.

4.1.5 Utilities. Licensee is granted use of the electrical panel located on the Public Beach and the water from the restroom facility at Gulf Front Park. It will be the responsibility of the Licensee. and its employees to secure the water hoses and electrical cords daily to prevent trip or safety hazards, The use of the water and electricity by the Licensee is included in the Licensee's annual payment to the City.

4.1.6 Securi!y Cameras. Licensee is permitted to install a security camera on the outside of the restroom facility at Gulf Front Park facing its inflatables on the Public Beach for its operations. Licensee solely responsible for the security camera, including, but not limited to, obtaining and paying for any required repairs or insurance. The installation of the equipment must be perforrned by a licensed contractor and that the corfractor will be required to obtain a permit from the City. The City has no overhead utilities to this building and any new utility must be undergrounded. The City will not provide any technical or maintenance staff for this equipment. The City is not responsible for any of the security cameras or associated equipment, including, but not limited to any damage sustained from inclement weather such as lighting strikes, salt air or vandalism, etc. If the City finds that the equipment becomes in need ofrepair, poses hazard, Licensee will be responsible for the repair or removal of the equipment in a reasonable time period. Licensee will be responsible for the removal of the equipment and repairs to City property that were caused by the installation or removal of the equipment at the end of the Term, regardless of the License expiring or terminating. Licensee will be required to post signage notifying the users of the amusement equipment and beachgoers that a video surveillance camera is in operation and recording. No recording of voices or sound is permitted in the use of the equipment. The camera shall not be used in such a way that privacy of beachgoers or business dwellings are compromised.

4.1.7 Signs. Signage advertising the various beach concessions is limited within the Permitted Use Area only and only as provided in this License. The use of feather flags, sandwich boards, and yard signs is prohibited. Up to a 10 square foot in total banner (canopy) sign attached to the Licensee's tent is permitted. The Licensee shall not erect, construct or maintain any signage on the Public Beach or on the inflatables or construct any exposed signage adjacent to the Public Beach, unless consent to such signage has first been given, in wHting, by the City, through its City Manager.

4.1.9 Turtle Season. Turtle Season is May 1st through October 31st. The Licensee shall not setup equipment next to or within 10 feet of a roped off turtle nest. No equipment shall be setup until the Public Beach has been inspected for tunle nests each morning. See section entitled "Hours of Operation" for more information.

4.1.9 Fireworks. Additionally, as the Permitted Use Area is within the City's established fireworks area. Licensee will be required to relocate or remove equipment within the safety zone as determined by the Treasure Island Fire Department and will be permitted to use one (1) pickup u•uck to remove, relocate, and return equipment as provided for in the section entitled "Vehicles."

4.2 Rental Equipment. Licensee's equipment must be kept in a safe and good working condition. The waterslides and inflatables must be deflated and secured when not in use. At times when the waterslides and inflatables are not in use for a period of time, Licensee must store or house equipment on its property outside the Permitted Use Area.

The City will assume no liability for loss or damage to any of Licensee's equipment. Licensee will be responsible for the ongoing maintenance and any associated costs to replace or repair its equipment. All equipment must be kept a minimum of 150 feet from the approximate high tide line and approximately 8 yards apart. No equipment may be setup or stored within 20 feet from any dune system. The City may make periodic inspections of the equipment and, if necessary, inform the Licensee of any unsafe or unacceptable equipment. However, this does not release the Licensee from his/her duty to inspect the equipment daily for any defects or hazards. Maintenance of equipment may be performed by an outside vendor, but the vendor may not drive on the Public Beach or Permitted Use Area. Licensee shall provide various amusements that comply with and meet all industry acceptable safety standards. Licensee shall setup the site, including security anchoring the concessions and fencing off the area.

4.3 Tropical Storm or Hurricane Warning. In the event of a severe thunderstorm warning or tornado warning issued by the National Weather Service for the Treasure Island area, Licensee must secure all equipment, including, but not limited to, the waterslides and inflatables. In the event of an emergency, which includes, but is not limited to severe thunderstorms, tornados,

tropical storm or hurricane warnings issued by the National Weather Service for Pinellas County, declarations of state or local emergency, or at the direction of first responders, the City may require the Licensee to remove all equipment, including, but not limited to, storage boxes from the Public Beach and store all equipment outside of the City. The City is not responsible for any damage to any property kept on the Permitted Use Area, whether such damage is caused by act of God or persons utilizing the Permitted Use Area and surrounding areas.

In the interest of public safety, Licensee is permitted to use (1) pickup truck to remove or return all equipment, in accordance with the section entitled "Vehicles," in the event of a Tropical Storm or Hurricane Warning declared for Treasure Island.

4.4 Hours of Operation. The hours of operation will be permitted from 8:00 AM until sunset daily. However, during Turtle Season from May 1st through October 31 st, no equipment shall be setup until the Public Beach has been inspected for turtle nests each morning. Licensee shall not setup any equipment next to or within ten (10) feet of a roped off turtle nest.

4.5 Vehicles. The City prohibits the use of all vehicles whatsoever on the Public Beach in connection with the activities authorized under this License. However, in the interest of public safety, the Licensee is permitted to use one (1) vehicle for the setup, tear down and to provide maintenance and the replacement of equipment as approved by the City as provided below. The Licensee must adhere to the use of the specified beach accesses located at Treasure Island Gulf Front Park located at 10400 Gulf Boulevard, Treasure Island, FL 33706. No driving over or parking on beach mobility mat is permitted.

Licensee is permitted to use one (1) vehicle in the Permitted Use Area for the maintenance of equipment, on an as needed basis during the following times:

- May through October, 5 PM to 7 PM daily, as needed
- November through April, 4 PM to 6 PM daily, as needed
- All vehicles on the beach must be clearly and visibly marked with the company's name so as to be easily identified by City staff.

However, nothing in this License authorizes Licensee to violate state law. Specifically, "Vehicular traffic" across the Public Beach is strictly prohibited pursuant to section 161.58, Florida Statutes, as cited in the Modified Final Summary Judgment- Declaratory Relief and Permanent Injunction entered in Tahitian Treasure Island, LLC, et al. vs City of Treasure Island, Pinellas County Case No. 13-011287-CI (hereinafter the "Injunction"). Licensee is prohibited from taking any action in violation of the Injunction or Section 161.58, Florida Statutes.

3. Amendment to section 5.1 of the License. Section 5.1 of the License is amended to read as follows:

5.1 Licensee will pay an annual license fee of $25,835.04 plus applicable sales tax in monthly increments to the City and as invoiced by the Finance Department. This amount includes the $600 per year vendor parking space rental at the Spoonbill lot as defined in the section entitled "Parking Space." The license fee may be adjusted by the City from time to time, not to exceed more than one increase per year, with a 3% maximum increase per year.

4. Amendment to section 6 of the License. Section 6 of the License is amended to read as follows:

6. No of Applicable Regulations. Nothing in this License shall be construed to exempt the Licensee from full compliance with all applicable federal, state and local laws and regulations. Prior to using the Permitted Use Area and throughout the term of this License, the Licensee further agrees to obtain all necessary permits and to otherwise fully comply with all requirements of the City, Pinellas County and the State of Florida pertaining to any licenses and permits as may be required by law for the operation of its business, including, but not limited to, the inflatable waterslides, and cabanas.

5. Authorization. Each of the Parties hereto covenant to the other party that it has the lawful authority to enter into this First Amendment, that the governing or managing body ofeach of the Parties has approved this First Amendment, and that the governing or managing body of each of the Parties has authorized execution of this First Amendment in the manner set forth below.

6. Counterparts. This First Amendment may be executed in one or more counterparts, any one of which need not contain the signatures of more than one party, but all such counterparts taken together will constitute one and the same instrument.

7. Electronic Signatures. This First Amendment may be executed by electronic signature technology and such electronic signature shall act as the Parties' legal signatures on this First Amendment and shall be treated in all respects as an original handwritten signature.

IN WITNESS WHEREOF, the Parties have executed this First Amendment as of the Effective Date.

CITY OF TREASURE ISLAND, FLORIDA Attest:

By:_____ By:_____

Amy Davis, City Manager

Celine Kidwell, City Clerk

EVENT SLIDES, LLC

Printed Name: Randall Young

As its: CEO, Founding Partner

1/11/24

WITNESSES:

Printed Name: Kaylynn Phillips

Printed Name: Nikola Anic

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By: