



Town of Longboat Key Town Commission
Town Hall
501 Bay Isles Road
Longboat Key, FL 34228
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- AGENDA -

REGULAR MEETING

7:00 PM

February 1, 2010

Pledge of Public Conduct

- We may disagree, but we will be respectful of one another.
- We will direct all comments to issues.
- We will avoid personal attacks.

Call to Order and Pledge of Allegiance

Approval of Minutes

1. December 7, 2009 Regular Meeting and December 17, 2009 Regular Workshop Meeting Minutes

Committee Reports and Communications

Public to be Heard

2. Opportunity for Public to Address Town Commission

At each meeting the Town Commission sets aside a time for the public to address issues that are not on the agenda.

Closing and Action on Consent Agenda

3. Longboat Key Police Department Grant Request – Edward Byrne Memorial Justice Assistance Grant

The Town of Longboat Key Police Department is seeking \$2,200 from the Edward Byrne Memorial Justice Assistance Grant to fund the purchase of a citation printer for the Marine Patrol Unit. This grant requires no matching funds from the Town. Recommended Action: Approval of the Consent Agenda will authorize submission of the grant application.

4. Florida Department of Transportation (FDOT) Entryway and Wayfinding Signs Design

The Town was awarded a Federal Stimulus Project Grant that includes entryway and wayfinding signs to be placed in the FDOT or Town rights-of-way along Gulf of Mexico Drive. FDOT Representatives presented the conceptual sign designs at the January 21, 2010 Regular Workshop Meeting. This item is placed on the February 1, 2010 Regular Meeting Consent Agenda for formal action. Approval of the Consent Agenda will approve FDOT sign design.

Lee Rothenberg, Mayor; Bob Siekmann, Vice-Mayor;
George Spoll, District 2; Peter O'Connor, District 3; Jim Brown, District 4;
Hal Lenobel, At-Large; Gene Jaleski, At-Large

5. Request for Waiver of Sound Regulations (Town Code Chapter 130, §130.02) for Florida Department of Transportation (FDOT) for Gulf of Mexico Drive (SR 789) Repaving Project

Staff is requesting Commission confirmation of the Town Manager's intention to issue a Waiver of Sound Regulations to allow FDOT extended work hours during the summer months. This waiver would expedite completion of the repaving project during the evening hours. Recommended Action: Approval of the Consent Agenda will acknowledge Town Manager waiver of sound regulations for FDOT Repaving project.

The purpose of the Consent Agenda is to expedite those items on an agenda that appear to be of a routine nature. Any item on the Consent Agenda can be removed from the Consent Agenda and placed on the Regular Agenda by any member of the Town Commission without having to make a motion, receive a second, or submit to a vote; otherwise, all items on the Consent Agenda are voted upon in their totality by one action (motion, second and vote) and are not subject to discussion. A vote in the affirmative on the Consent Agenda is a vote of confirmation to the action noted in each item.

Ordinances - First Reading

6. Ordinance 2010-03, Amending Chapter 34, Employment Policies – Firefighters' Retirement System

During the 2009 Legislative Session the Florida Legislature passed amendments to Chapters 175 and 185 which govern municipal pension plans. Proposed Ordinance 2010-03 provides for amendments to Town Code Chapter 34, Employment Policies – Firefighters' Retirement System in order for the Town to remain eligible for the receipt of State premium tax monies. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-03 to the March 1, 2010 Regular Meeting for second reading and public hearing.

7. Ordinance 2010-04, Amending Chapter 34, Employment Policies – General Employees' Retirement System

During the 2009 Legislative Session the Florida Legislature passed amendments to Chapter 2009-97, Laws of Florida which governs municipal pension plans. Proposed Ordinance 2010-04 provides for amendments to Town Code Chapter 34, Employment Policies – General Employees' Retirement System for consistency with legislative changes. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-04 to the March 1, 2010 Regular Meeting for second reading and public hearing..

8. Ordinance 2010-05, Amending Chapter 34, Employment Policies – Police Officers' Retirement System

During the 2009 Legislative Session the Florida Legislature passed amendments to Chapters 175 and 185 which govern municipal pension plans. Proposed Ordinance 2010-05 provides for amendments to Town Code Chapter 34, Employment Policies – Police Officers' Retirement System in order for the Town to remain eligible for the receipt of State premium tax monies. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-05 to the March 1, 2010 Regular Meeting for second reading and public hearing.

9. Ordinance 2010-08, Request for Years of Service Credit - Dakel

Lt. Doug Dakel's request for years of service credit was forwarded from the January 21, 2010 Regular Workshop Meeting for Commission consideration. Recommended Action: Pending discussion, provide direction to Manager.

Ordinances - First Reading and Public Hearing**10. Quasi-judicial – Ordinance 2010-02, Cedars Tennis Club, 645 Cedars Court, Outline Development Plan Amendment**

At their December 15, 2009 Regular Meeting the Planning & Zoning (P&Z) Board voted to recommend approval of Ordinance 2010-02 with an amendment to remove the reference to 'snack bar'. This item was forwarded to the February 1, 2010 Regular Meeting for Commission consideration.

Recommended Action: The Town Commission will base their decision on competent substantial testimony presented at this meeting.

Ordinances - Second Reading and Public Hearing**11. Ordinance 2009-22, Moore's Stone Crab Restaurant, Comprehensive Plan Amendment**

The applicant, Moore-Hicks, Limited Partnership, LLC, property owner, is requesting consideration of an application for a Small Scale Comprehensive Plan Amendment to the Future Land Use Map for the property located at 800 Broadway Street, currently known as Moore's Stone Crab Restaurant, to amend the Future Land Use designation of the subject property from Limited Commercial (CL) to High Density Single Family / Mixed Residential (RH-6), limited to four dwelling units per acre.

Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2009-22.

12. Quasi-judicial - Ordinance 2009-21, Moore's Stone Crab Restaurant, Change of Zoning

The applicant, Moore-Hicks, Limited Partnership, LLC, property owner, is requesting a Change of Zoning from Limited Commercial (C-1) to Single-Family High Density Residential (R-6SF), limited to four dwelling units per acre, for the property located at 800 Broadway Street, known as the Moore's Stone Crab Restaurant site. Recommended Action: The Town Commission will base its decision on competent substantial evidence presented at this public hearing.

Resolutions**13. Resolution 2010-06, Budget Transfer in the Amount of \$125,000 for Longboat Pass Inlet Management Study**

At the December 17, 2009 Regular Workshop Meeting the Town Commission provided direction to take the necessary steps to initiate an Inlet Management Plan funded jointly with Manatee County. The total cost of the study is approximately \$250,000. In the event the Town Commission elects to proceed with the Inlet Management Study a budget transfer will be needed for the Town's funding share. Recommended Action: Pending discussion, pass Resolution 2010-06.

14. Resolution 2010-05, Budget Transfer in the Amount of \$103,879 for Sand Search in Federal Waters

Due to the Port Dolphin Memorandum of Agreement, the Town of Longboat Key is pursuing a Federal Sand Resource Mineral Lease for the borrow site identified as F-2. To fund the additional expense associated with this project a budget transfer of \$103,879 is required. Recommended Action: Pending discussion, pass Resolution 2010-05.

15. Resolution 2010-07, Budget Transfer in the Amount of \$25,365 for Beach Nourishment Project Permitting

The continuing process to obtain a permit for the upcoming Town-wide beach nourishment project includes additional engineering work to respond to Florida Department of Environmental Protection Requests for Additional Information. The transfer amount required to continue this work is \$25,365. Recommended Action: Pending discussion, pass Resolution 2010-07.

New Business**16. Discussion Regarding Early Voting for March 2010 Municipal Election**

The Sarasota County Supervisor of Elections has advised that Florida Statutes require that municipalities must offer early voting consistent with the early voting offered by the County. Sarasota County intends to offer early voting for a two week period whereas the Town has scheduled for one week. Recommended Action: Pending discussion, provide direction to Manager.

17. Appointment to Fill Vacancy of Zoning Board of Adjustment, Seat 2

A vacancy exists on the Zoning Board of Adjustment, Seat 2. This item is placed on the February 1, 2010 Regular Meeting for appointment to Seat 2 with a term expiration of May 9, 2012.

Recommended Action: Pending discussion, appoint individual to Seat 2 on the Zoning Board of Adjustment.

18. Appointment to Fill Vacancy of Code Enforcement Board, Seat 5

A vacancy exists on the Code Enforcement Board, Seat 5. This item is placed on the February 1, 2010 Regular Meeting for appointment to Seat 5 with a term expiration of May 11, 2011.

Recommended Action: Pending discussion, appoint individual to Seat 5 on the Code Enforcement Board.

Town Commission Comments**Town Attorney Comments****Town Manager Comments****Press to be Heard****Adjournment**

No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, Fla. Stat.).

In accordance with the Americans with Disabilities Act and Section 286.26, F.S., persons needing a special accommodation to participate in this proceeding should contact the Town Clerk's office at 941-316-1999 forty-eight (48) hours in advance of this proceeding. If you are hearing impaired, please call 941-373-7002.