



## Town of Longboat Key Town Commission

Town Hall  
501 Bay Isles Road  
Longboat Key, FL 34228  
[WWW.LONGBOATKEY.ORG](http://WWW.LONGBOATKEY.ORG)

### - AGENDA - REGULAR MEETING

7:00 PM

January 9, 2012

#### 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. October 20, 2011, Regular Workshop; October 20, 2011, Special Meeting; November 3, 2011, Special Workshop (Beach Management); November 4, 2011, Special Workshop (Comprehensive Plan Amendments); November 7, 2011, Joint Meeting with Sarasota Board of County Commission; November 7, 2011, Regular Meeting; November 17, 2011, Regular Workshop; and November 17, 2011, Special Meeting Minutes.

[Supporting Documents](#)

#### **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. [Supporting Documents](#)

#### **Closing and Action on Consent Agenda**

3. Ministerial Approval of the Appointment of Michael Murphy as the Firefighters' Retirement System Board of Trustees At-Large Representative

Retirement System Board At-Large Trustees are selected by the other four Board members and are appointed by the Town Commission as a ministerial act. Michael Murphy was selected to serve on the Firefighters' Retirement System Board as the At-Large Trustee. Recommended Action: Approval of the Consent Agenda will confirm Firefighters' Retirement System Board At-Large appointment of Michael Murphy. [Supporting Documents](#)

4. Ministerial Approval of the Appointment of Ron McDonough as the General Employees' Retirement System Board of Trustees At-Large Representative

Retirement System Board At-Large Trustees are selected by the other four Board members and are appointed by the Town Commission as a ministerial act. Ron McDonough was selected to serve on the General Employees' Retirement System Board as the At-Large Trustee. Recommended Action: Approval of the Consent Agenda will confirm General Employees' Retirement System Board At-Large appointment of Ron McDonough. [Supporting Documents](#)

## 5. Ministerial Approval of the Appointment of Peter Kasdan as the Police Officers Retirement System Board of Trustees At-Large Representative

Retirement System Board At-Large Trustees are selected by the other four Board members and are appointed by the Town Commission as a ministerial act. Peter Kasdan was selected to serve on the Police Officers' Retirement System Board as the At-Large Trustee. Recommended Action: Approval of the Consent Agenda will confirm Police Officers' Retirement System Board At-Large appointment of Peter Kasdan. [Supporting Documents](#)

## 6. Resolution 2012-02, Pension Study Funding Resolution

On January 3, 2011, the Town Commission authorized funding for a pension plan study to analyze costs for alternatives going forward for both General Employees' and Police Officers' pension plans. Resolution 2012-02 provides additional funding to expand the pension plan study to include the Firefighters' pension plan. Recommended Action: Approval of the Consent Agenda by a 7-0 vote will pass Resolution 2012-02. [Supporting Documents](#)

## 7. Resolution 2012-03, Opposing Florida HB 4025 and Florida SB 760 - Repeal of Florida Statutes Chapter 205

Florida Statutes, Chapter 205 currently provides for a Business Tax Receipt program from which the Town derives approximately \$165,000 in annual revenue. The Florida House and Senate are currently considering bills that would eliminate Chapter 205 and thereby would terminate the Town's business tax receipt program. Resolution 2012-03 is placed on the December 15, 2011, Regular Workshop Meeting for Commission consideration. Recommended Action: Approval of the Consent Agenda by a 7-0 vote will pass Resolution 2012-03. [Supporting Documents](#)

## 8. Resolution 2012-04, Budget Transfer in the Amount of \$36,284 to Provide Funding for Telecommunications Study

At the December 15, 2011 Regular Workshop Meeting the Town Manager advised of results of the RFQ for Telecommunications Study and selection of TE Connectivity, Inc. as the consultant chosen to provide services to the Town. Resolution 2012-04 provides for funding required to enter a contract for services with TE Connectivity, Inc. Recommended Action: Approval of the Consent Agenda by a 7-0 vote will pass Resolution 2012-04. [Supporting Documents](#)

## 9. Resolution 2012-05, Establishing the Date for the Town of Longboat Key General Municipal Election and Providing for Early Voting

At the December 15, 2011, Regular Workshop Meeting staff was directed to prepare Resolution 2012-05, establishing March 20, 2012, as the Town of Longboat Key General Municipal Election and providing for one week of early voting at Town Hall. Recommended Action: Approval of the Consent Agenda by a 7-0 vote will pass Resolution 2012-05. [Supporting Documents](#)

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

## 10. Ordinance 2012-07, Amending Chapter 30.01(D) Workshop Meetings

At the December 5, 2011 Regular Meeting, Mayor Brown proposed amending the Town Code to provide for future workshop meetings to begin at 2:00 PM. Ordinance 2012-07 was forwarded from the December 15, 2011, Regular Workshop Meeting for first reading. Recommended Action: Pending first reading and discussion, forward Ordinance 2012-07 to the February 6, 2012 Regular Meeting for second reading and public hearing. [Supporting Documents](#)

<b>Ordinances - First Reading and Public Hearing</b>
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**11. Ordinance 2011-16, Amending Chapter 158, Screening and Landscaping Regulations for Transition Yards**

At their November 15, 2011 Regular Meeting, the Planning & Zoning Board recommended approval, and forwarded, Ordinance 2011-16 to the Town Commission for consideration. Ordinance 2011-16 amends the Zoning Code to provide for alternative methods to meet Code requirements for landscape buffers in transition yards. Recommended Action: Pending first reading and discussion, forward Ordinance 2011-16 to the February 6, 2012 Regular Meeting for second reading and public hearing. [Supporting Documents](#)

**12. Ordinance 2011-21, Amending Chapter 158.006, Landscaping Required**

At the June 6, 2011 Regular Meeting the Town Commission adopted Ordinance 2011-10, amending Section 158.152 of the Town Code. Commissioner Younger asked that provisions of Section 158.152 be reviewed pertaining to the time frame for replacement of non-compliant hedges. Pursuant to the Town Code, the Planning & Zoning Board reviewed the issue and forwarded Ordinance 2011-21 to the Town Commission for consideration. Recommended Action: Pending first reading and discussion, forward Ordinance 2011-21 to the February 6, 2012 Regular Meeting for second reading and public hearing. [Supporting Documents](#)

**13. Quasi-Judicial – Ordinance 2012-03, Parcel B-1, By Isles (MODA), 594 Bay Isles Road, Outline Development Plan Amendment – [See Supporting Documents below](#)**

At their December 13, 2011 Regular Meeting the Planning & Zoning (P&Z) Board recommended approval, and forwarded, Ordinance 2012-03 to the January 9, 2012 Regular Meeting for Commission consideration. Recommended Action: The Town Commission will base its decision on competent substantial evidence presented at this public hearing.

1. [Transmittal Memo, Ordinance 2012.03; Parcel B-1 South ODP](#)
2. [Parcel B-1 Site Plan Staff Report](#)
3. [B-1 ODP Ordinance 2012-03](#)
4. [Exhibit C to Ordinance 2012-03](#)
5. [Oversize Exhibits Information](#)

**14. Quasi-judicial – Ordinance 2012-04, Parcel B-2, Bay Isles, (Town Plaza II), 545 Bay Isles Parkway, Outline Development Plan Amendment [See Supporting Documents below](#)**

At their December 13, 2011 Regular Meeting the Planning & Zoning (P&Z) Board recommended approval, and forwarded, Ordinance 2012-04 to the January 9, 2012 Regular Meeting for Commission consideration. Recommended Action: The Town Commission will base its decision on competent substantial evidence presented at this public hearing.

1. [Transmittal Memo, Ordinance 2012-04 Parcel B-2 ODP](#)
2. [Parcel B-2 Site Plan Staff Report](#)
3. [B-2 ODP Ordinance 2012-04 without departure](#)
4. [Exhibit C to Ordinance 2012-04](#)
5. [Oversize Exhibits Information](#)

**15. Quasi-judicial – Ordinance 2012-02, Parcel A, Bay Isles (Shoppes of Bay Isles-Publix), 525 Bay Isles Parkway, Outline Development Plan Amendment [See Supporting Documents below](#)**

At their December 13, 2011 Regular Meeting the Planning & Zoning (P&Z) Board recommended approval, and forwarded, Ordinance 2012-02 to the January 9, 2012 Regular Meeting for Commission consideration. Recommended Action: The Town Commission will base its decision on competent substantial evidence presented at this public hearing.

1. [Transmittal Memo, Ordinance 2012-02 Publix ODP](#)
2. [Publix ODP Staff Report](#)
3. [Publix ODP Ordinance 2012-02](#)
4. [Exhibit C to Ordinance 2012-02](#)
5. [Oversize Exhibits Information](#)

**Ordinances - Second Reading and Public Hearing**

**16. Ordinance 2011-36, Budget Transfer for One-Time Payment to Town Employees**

At the November 17, 2011, Special Meeting, the Town Commission unanimously supported a one-time payment of \$1,000 to the Town's full time employees and a prorated amount to the part time employees based on hours worked the previous twelve months. Ordinance 2011-36 provides for the Budget transfer for Fiscal Year (FY) 2011-2012 to appropriate funding for the approved payment. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2011-36. [Supporting Documents](#)

**17. Ordinance 2012-01, Pass-Through of Manatee County Wholesale Water and Wastewater Rate Increases**

On October 25, 2011, the Manatee Board of County Commissioners voted on increasing wholesale water and wastewater rates effective November 1, 2011. Commission policy has been to pass-through Manatee County rate changes to the Town's utility ratepayers as provided for in Town Code Chapter 51, Sections 11 and 21. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2012-01. [Supporting Documents](#)

**Resolution and Public Hearing**

**18. Quasi-judicial – Resolution 2012-01, Parcel A, Bay Isles (Shoppes of Bay Isles-Publix) 525 Bay Isles Parkway, Site Plan Amendment**

At their December 13, 2011 Regular Meeting the Planning & Zoning (P&Z) Board recommended approval, and forwarded, Resolution 2012-01 to the January 9, 2012 Regular Meeting for Commission consideration. Recommended Action: The Town Commission will base its decision on competent substantial evidence presented at this public hearing. [See Supporting Documents below](#)

- 1. [Transmittal Memo, Resolution 2012-01; Publix Site Plan Amendment](#)
- 2. [White Paper on Traffic at Publix](#)
- 3. [Publix Site Plan Staff Report](#)
- 4. [Resolution 2012-01; Planning Board Recommendation](#)
- 5. [Exhibit B to Resolution 2012-01](#)
- 6. [Oversize Exhibits Information](#)

**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.