



Town of Longboat Key Town Commission

Town Hall
501 Bay Isles Road
Longboat Key, FL 34228
(941) 316-1999
(FAX) 316-1942

WWW.LONGBOATKEY.ORG

- AGENDA - REGULAR MEETING

7:00 PM

December 6, 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. October 19, 2010 Special Meeting; October 21, 2010 Regular Workshop; November 1, 2010 Special Meeting (6:45 PM); November 1, 2010 Regular Meeting; November 2, 2010 Joint Meeting with Sarasota County and Manatee County Boards of County Commissioners and Longboat Key; November 11, 2010 Town Hall Meeting; November 16, 2010 Special Workshop Meeting.

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. Legislative Priorities

Each year the Town establishes legislative priorities for submittal to the Sarasota County Legislative Delegation, Manatee County Legislative Delegation, and the Manasota League of Cities. This item was forwarded from the November 18, 2010 Regular Workshop Meeting for confirmation by the Commission. Recommended Action: Approval of the Consent Agenda will forward legislative priorities to the Manasota League of Cities, Sarasota County, and Manatee County Legislative Delegations.

4. Interlocal Agreement Between the Town of Longboat Key and Sarasota County Regarding Bayfront Park Recreation Center / Albritton Property Development

At the October 21, 2010 Regular Workshop Meeting the Town Commission discussed issues that need to be addressed prior to the Town moving forward with a project at the Bayfront Park/Albritton Property location. The Town Attorney has prepared a proposed Interlocal Agreement between the Town of Longboat Key and Sarasota County regarding development of the Bayfront Park and Albritton Property for Commission consideration. Recommended Action: Approval of the Consent Agenda will approve the proposed Interlocal Agreement and forward it to the Sarasota County Board of County Commissioners for their consideration.

George Spoll, Mayor; Jim Brown, Vice-Mayor;
Lynn Larson, District 1; Dave Brenner, District 3; Bob Siekmann, District 5
Hal Lenobel, At-Large; Phill Younger, At-Large

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.

QUASI-JUDICIAL - ORDINANCES - SECOND READING AND PUBLIC HEARING

5. Quasi-judicial - Ordinance 2010-32, The Centre Shops, 5350 through 5390 Gulf of Mexico Drive, Outline Development Plan Amendment

The applicant, Centre Shops of Longboat Key, is requesting approval for an Outline Development Plan Amendment to modify the list of permitted commercial uses utilizing existing parking. The Planning & Zoning (P&Z) Board forwarded this item for Commission consideration and recommends approval. Recommended Action: The Town Commission will base its decision on competent substantial evidence presented at this public hearing.

ORDINANCES - SECOND READING AND PUBLIC HEARING

6. Ordinance 2010-18, Providing for a Referendum Question for a Charter Amendment Regarding Term Limits as Applied to Partial Terms

Pursuant to Commission direction the Town Attorney developed Ordinance 2010-18 to place a Referendum question on the March 2011 General Municipal Election ballot addressing term limits as applied to partial terms. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2010-18.

7. Ordinance 2010-23, Amending Chapter 98, Tree Code

At their September 21, 2010 Regular Meeting the Planning & Zoning (P&Z) Board recommended approval of Ordinance 2010-23 which provides for amendments to Chapter 98, Tree Code. This item was forwarded for second reading and public hearing from the November 1, 2010 Town Commission Regular Meeting. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2010-23.

8. Ordinance 2010-30, Comprehensive Plan Amendment for 10-Year Potable Water Supply Work Plan

Ordinance 2010-30 provides for a Comprehensive Plan Amendment that revises the infrastructure element of the Town's Comprehensive Plan in support of a 10-year potable water supply plan. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2010-30.

9. Ordinance 2010-37, Amending Chapter 34.44 Membership

The newly hired Fire Chief has expressed his interest in participating in a defined contribution plan. Allowing the Chief to convert from the defined benefit plan would reduce his pension cost from 46% to 16% of salary. Chapter 34 of the Town Code regarding Fire Pension needs to be modified to accommodate the Chief's request. Resolution 2010-43 transferring \$20,172.59 from Town Commission Contingency to establish the 401(a) account has been placed for formal action on the December 6, 2010 Regular Meeting agenda. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2010-37.

QUASI-JUDICIAL - RESOLUTIONS

10. Quasi-judicial - Resolution 2010-44, Mar Vista Restaurant, 760 Broadway Street, Site Plan Amendment

Resolution 2010-44 provides for a site plan amendment for construction of a second story addition over the existing Mar Vista Restaurant. At their November 16, 2010 Regular Meeting the Planning and Zoning (P&Z) Board recommended approval of the site plan amendment with amendments. Recommended Action: The Town Commission will base its decision on competent substantial evidence presented at this public hearing.

RESOLUTIONS**11. Resolution 2010-43, Providing for a Budget Transfer in the Amount of \$20,172.59 from Town Commission Contingency**

At the November 1, 2010 Regular Meeting the Town Commission held first reading of Ordinance 2010-37, providing for the Fire Chief to opt out of the Firefighters' Retirement System. The Ordinance was forwarded to the December 6, 2010 Regular Meeting for second reading and public hearing. Approval of the request will reduce the Town's pension cost for the Fire Chief from 46% to 16% of salary. Resolution 2010-43, provides for a budget transfer to establish the Fire Chief's 401(a) account. Recommended Action: Pending discussion, pass Resolution 2010-43.

12. Resolution 2010-45, Fiscal Year 2009-2010 Year End Budget Transfer

End of Fiscal Year 2009-10 budget transfers are being proposed for various general ledger line items. Resolution 2010-45 provides for the necessary budget transfers to be made for compliance with the Town Charter. Recommended Action: Pending discussion, pass Resolution 2010-45.

13. Resolution 2010-49 Authorizing the Refunding of the Town's General Obligation Bonds, Series 1999, and the Acceptance of the Loan Proposal from Branch Banking and Trust Company (BB&T)

At the November 18, 2010 Regular Workshop Meeting there was Commission consensus for refunding the 1999 General Obligation Bonds in order to realize approximately \$293,000 in savings over the remaining life of the Bond. Resolution 2010-49 provides for the authorization to proceed with refunding, acceptance of proposal by BB&T, and signature of necessary Loan Agreements. Recommended Action: Pending discussion, pass Resolution 2010-49.

14. Resolution 2010-50, Establishing March 8, 2011 as the General Municipal Election and Providing for Early Voting, Advertising and Ballot Layout

At the November 18, 2010 Regular Workshop Meeting there was Commission consensus to change the Town's General Municipal Election date to March 8, 2010; to establish dates for early voting; and for related advertising expenses. Resolution 2010-50 provides for the change in election date, early voting dates, advertising budget, and ballot layout. Recommended Action: Pending discussion, pass Resolution 2010-50.

NEW BUSINESS**15. Request from Town Attorney for Authorization to File a Complaint Against James Armstrong's Property to Enforce the Town Code**

The Town Attorney has requested placement of this item on the December 6, 2010 Regular Meeting for Town Commission consideration. Town Code Section 30.09 requires Town Commission authorization in order for the Town Attorney to proceed with the proposed action. Recommended Action: Pending discussion, provide direction to Town Attorney.

16. Longboat Key Trolley (Route 18) Discussion

At the November 18, 2010 Special Meeting the Town Commission held discussion regarding options for continuation of the Longboat Key Trolley service and forwarded this item to the December 6, 2010 Regular Meeting for additional discussion. Recommended Action: Pending discussion, provide direction to Manager.

17. Beach Project Discussion

The Town Manager has placed this item on the December 6, 2010 Regular Meeting as a placeholder in the event Commission discussion, direction or action is required regarding subjects related to the Town's upcoming beach project. Recommended Action: Pending discussion, provide direction to Manager.

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.