



This meeting will be live-streamed via the Town's website

Town of Longboat Key Town Commission

**501 Bay Isles Road
Longboat Key, FL 34228
(941) 316-1999**

WWW.LONGBOATKEY.ORG

- AGENDA - REGULAR MEETING

7:00 PM

May 5, 2014

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

Proclamations and Special Presentations

1. Proclamation – National Public Works Week – May 18 – 21, 2014

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.

Approval of Minutes

3 March 3, 2014 Regular Meeting; March 4, 2014 Special Meeting; March 17, 2014 Regular Workshop Meeting; March 31, 2014 Statutory Meeting; April 7, 2014 Special Meeting; April 7, 2014 Special Workshop Meeting; April 7, 2014 Regular Meeting; April 21, 2014 Special Workshop Meeting for Goals & Objectives; April 21, 2014 Regular Workshop Meeting; and April 21, 2014 Special Meeting Minutes

Committee Reports and Communications

Closing and Action on Consent Agenda

4. Commission Appointments to Committees Named in Town Code and to Outside Agencies

Each year following the General Municipal Election the Town Commission considers appointments of its members to committees named in the Town Code or as required by outside agencies. At the April 21, 2014 Regular Workshop Meeting there was consensus for appointments to be placed on the May 5, 2014 Regular Meeting Consent Agenda for formal action. Recommended Action: Approval of the Consent Agenda will approve Commission appointments to committees and outside agencies.

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.

Jim Brown, Mayor; Jack Duncan, Vice-Mayor;
Lynn Larson, District 1; Terry Gans, District 3;
Pat Zunz, District 5; Phill Younger, At-Large; Irwin Pastor, At-Large

Ordinances - First Reading and Public Hearing**5. Ordinance 2014-08, Amending Chapter 158, Establishing Procedures for Zoning Board of Adjustment (ZBA) Petitions to be Heard**

At the February 18, 2014 Regular Workshop Meeting the Town Commission considered Ordinance 2014-08, amending Chapter 158, Zoning Code, 158.026, Zoning Board of Adjustment to provide a method for petitions to be heard in the event a quorum cannot be reached, to reduce the number of members from seven to five and to update the provision regarding serving concurrently on other Town boards. Ordinance 2014-08 is placed on the May 5, 2014 Regular Meeting for first reading and public hearing. Recommended Action: Pending first reading and discussion, forward Ordinance 2014-08 to the June 2, 2014 Regular Meeting for second reading and public hearing.

6. Ordinance 2014-14, Amending Chapter 158, Site Plan Approval Authority

At their April 15, 2014 Regular Meeting the Planning & Zoning (P&Z) Board considered proposed Ordinance 2014-14, amending Chapter 158.099 and Section 158.02. The amendments would place final site plan approval authority with the P&Z Board. Town Commission consideration of Ordinance 2014-14 was held at the April 21, 2014 Regular Workshop Meeting and was forwarded to the May 5, 2014 Regular Meeting for first reading, public hearing, and discussion. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2014-14 to the June 2, 2014 Regular Meeting for second reading and public hearing.

Ordinances - Second Reading and Public Hearing**7. Ordinance 2014-12, Budget Transfer in the Amount of \$100,000 for Revisions to Beach District Ordinances**

At the April 7, 2014 Regular Meeting the Town Commission considered Ordinance 2014-12, Budget Transfer in the Amount of \$250,000 from the Beach Fund to Provide for Legal Costs for Administrative Hearing and Revisions to the Beach District Ordinances. The Commission approved the transfer of \$150,000 for Administrative Hearing costs but continued the public hearing and discussion of the \$100,000 for Beach District Ordinances to the May 5, 2014 Regular Meeting. Staff has placed second reading and public hearing of the budget transfer of \$100,000 for Beach District Ordinance revisions on the May 5, 2014 Regular Meeting. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-12.

8. Ordinance 2014-13, Florida Power & Light (FPL) Franchise Agreement

The 30-year Franchise Agreement between the Town of Longboat Key and Florida Power & Light (FPL) will expire on May 29, 2014. For the past several months representatives of the Town and FPL have been negotiating a new Franchise Agreement which was considered by the Town Commission at their March 17, 2014 Regular Workshop Meeting with first reading at the April 21, 2014 Special Meeting. Ordinance 2014-13 provides for adoption of the Franchise Agreement and is placed of the May 5, 2014 Regular Meeting for second reading, public hearing, and discussion. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-13.

9. Ordinance 2014-15, Establishing Fees for Lien Search Services

The Town Clerk and Finance Director receive numerous requests for lien searches on properties located within the Town's municipal boundaries. In an effort to establish a procedure to accommodate these requests staff developed a system and recommended fee structure for Commission consideration at their March 17, 2014 Regular Workshop Meeting. Ordinance 2014-15 establishes a fee structure for lien searches that is consistent with other governmental agencies. First reading and discussion was held at the April 7, 2014 Regular Meeting with the Ordinance forwarded to the May 5, 2014 Regular Meeting for second reading, public hearing, and discussion. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2014-15.

Resolutions**10. Resolution 2014-09, Authorization to Execute Florida Department of Transportation (FDOT) Agreement BDX69 with for Gulf of Mexico Drive (GMD) Rights-of-Way Mowing and Litter Collection**

Gulf of Mexico Drive right-of-way enhanced maintenance, including mowing and litter removal, is funded in part through an agreement with FDOT. Resolution 2014-09 provides for the execution of Agreement BDX69 for these services beginning June 1, 2014 for a period of three years with an option to renew for an additional three years. Recommended Action: Pending discussion, pass Resolution 2014-09.

11. Resolution 2014-15, Providing for Continuation of the Finance Committee

Pursuant to Resolution 2000-05, the Town Commission shall review the list of ad hoc committees at a meeting following the General Municipal Election for determination of which ad hoc committees shall be continued. At the April 21, 2014 Regular Workshop Meeting there was consensus for continuation of the Finance Committee. Resolution 2014-15 provides for continuation of the Finance Committee and is placed on the May 5, 2014 Regular Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2014-15.

12. Resolution 2014-16, Providing for Continuation of the Community Center Advisory Committee

Pursuant to Resolution 2000-05, the Town Commission shall review the list of ad hoc committees at a meeting following the General Municipal Election for determination of which ad hoc committees shall be continued. At the April 21, 2014 Regular Workshop Meeting there was consensus for continuation of the Finance Committee. Resolution 2014-16 provides for continuation of the Community Center Advisory Committee and is placed on the May 5, 2014 Regular Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2014-16.

13. Resolution 2014-17, Providing for Continuation of the Urban Land Institute (ULI) Implementation Advisory Committee

Pursuant to Resolution 2000-05, the Town Commission shall review the list of ad hoc committees at a meeting following the General Municipal Election for determination of which ad hoc committees shall be continued. At the April 21, 2014 Regular Workshop Meeting there was consensus for continuation of the Urban Land Institution (ULI) Implementation Advisory Committee. Resolution 2014-17 provides for continuation of the Urban Land Institution (ULI) Implementation Advisory Committee and is placed on the May 5, 2014 Regular Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2014-17.

New Business**14. Interlocal Agreement Between the Town of Longboat Key and West Coast Inland Navigation District (WCIND) for Longboat Pass Flood Shoal Sand Traps Project**

The Town Commission will consider an Interlocal Agreement between the Town of Longboat Key and WCIND for a sand placement project on the North end of Longboat Key. WCIND has contracted for placement of up to 100,000 cy of sand for \$828,105. WCIND has allocated \$500,000 for this project. The Town will make up the remaining contract cost of up to \$350,000. The Interlocal Agreement between the Town of Longboat Key and WCIND is placed on the May 5, 2014 Regular Meeting for formal action. Recommended Action: Pending discussion, approve Interlocal Agreement.

15. Appointments to Town Boards and Committees

Appointments for the expiring or open seats on Town Boards and Committees (Planning & Zoning Board, Code Enforcement Board, Zoning Board of Adjustment, Firefighters' Retirement System Board of Trustees, General Employees' Retirement System Board and Citizens' Tax Oversight Committee) will be considered at the May 5, 2014 Regular Meeting. Recommended Action: Pending discussion, appoint members to Town Boards and Committees.

16. Discussion Regarding Engagement of Special Counsel Relating to Colony Public Nuisance Hearings

The Town Attorney will seek Commission direction regarding engagement of Special Counsel relating to the upcoming Colony Public Nuisance Hearings scheduled for May 28, possibly extending through May 30. Recommended Action: Pending discussion, provide direction to Town Manager and Town Attorney.

17. Interlocal Agreement Between the Town of Longboat Key and Sarasota County Providing for Tourist Development Tax Disbursements to the Town of Longboat Key

On September 10, 2008 Sarasota County approved Tourist Tax Development allocation for the Town's collection of 1/3 of the 3% TDT Levy, which had been in effect for ten fiscal years (1998 – 2008), for continuation through fiscal year 2018. The allocation is required to be used for beach renourishment purposes as the County does not provide funding for the Town's beach renourishment activities. The Town Commission will consider an Interlocal Agreement providing for an additional disbursement of the Town's collection of 20% of the first additional 1% TDT Levy for beach maintenance, effective as of FY 2014. Recommended Action: Pending discussion, approve Interlocal Agreement.

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.