



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

## **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

May 4, 2015

### **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**

### **Public to be Heard**

#### **1. 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**

2. March 16, 2015 Statutory Meeting; March 23, 2015 Regular Workshop Meeting; April 6, 2015 Regular Meeting; April 20, 2015 Goals & Objectives Special Workshop Meeting; April 20, 2015 Regular Workshop Meeting Minutes

### **Committee Reports and Communications**

3. Manatee County Special Liaison Report
4. Sarasota County Special Liaison Report
5. Manasota League of Cities Report
6. Other Reports

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

#### **7. Amendment to Town Attorney Contract**

At the April 20, 2015, Regular Workshop Meeting the Town Commission considered an amendment to the Town Attorney contract. The item was forwarded to the May 4, 2015, Regular Meeting for formal action. Recommended Action: Approval of the Consent Agenda will authorize the Mayor to execute the Town Attorney Contract Amendment.

#### **8. Cancellation of July Workshop and August Meetings**

As provided for in Article II, Section 13 of the Town Charter, the Town Commission will consider the possible cancellation of the July and August Regular Workshop Meetings and the August Regular Meeting. Recommended Action: Approval of the Consent Agenda will provide the formal action necessary to cancel the July and August meetings.

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**

#### 9. Ordinance 2015-16, Amending Town Code Chapter 33, Boards and Commissions

At the April 20, 2015 Regular Workshop Meeting the Commission directed staff to prepare an Ordinance to reduce the number of Planning & Zoning (P&Z) Board members to seven (7) and to develop a process for appointment of the seven member Board. The Town Manager will outline a process that will accomplish this in a timeframe to have the newly seated Board meet with the Town Commission at the May 19, 2015 Joint Meeting between the Town Commission and the P&Z Board. Recommended Action: Pending first reading and discussion, forward to the May 18, 2015 Special Meeting at 1:00 PM for second reading and public hearing.

#### 10. Ordinance 2015-17, Amending the Town Code for Compliance With State Law Relating to Mangrove Regulation

Florida Statutes sets forth a comprehensive regulatory program regarding alteration and trimming of mangroves within the State of Florida. This regulatory program is administered by the Florida Department of Environmental Protection (FDEP). At the April 20, 2015 Regular Workshop Meeting the Town Attorney recommended the Commission consider amending provisions of the Town Code to remove provisions that conflict with State Statutes. The sections that are proposed to be amended are contained in Chapters 98, 104, and 151. Recommended Action: Pending first reading and discussion, forward Ordinance 2015-17 to the June 1, 2015 Regular Meeting for second reading and public hearing.

### **Ordinances - First Reading and Public Hearing**

#### 11. Ordinance 2015-10, Comprehensive Plan Amendments, Future Land Use Element

At their March 17, 2015, Regular Meeting the Planning & Zoning Board recommended approval of Ordinance 2015-10 with revisions to a 'Whereas' clause. This Comprehensive Plan amendment modifies future land use categories into more general groupings focused on opportunity areas identified throughout the Town. The Ordinance was considered at and forwarded from the April 20, 2015 Regular Workshop Meeting for first reading, public hearing, and discussion. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2015-10 to Florida State Department of Economic Opportunity for review and comment.

#### 12. Ordinance 2015-15, Amending the FY 2014-2015 Budget in the Amount of \$100,000 to Provide for Canal Survey and Feasibility Study

The Town Commission directed staff to evaluate canal conditions, depths, the need for dredging, and to also identify funding options to include a hybrid approach of special districts, and/or the use of ad valorem funds. To fully develop these evaluations and options staff needs to procure professional services for this study. Ordinance 2015-15 provides for funding in the amount of \$100,000 and was forwarded from the April 20, 2015, Regular Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2015-15 to the June 1, 2015 Regular Meeting for second reading and public hearing.

### **Ordinances - Second Reading and Public Hearing**

#### 13. Ordinance 2015-03, Comprehensive Plan, Capital Improvements Element (CIE) Update

The Planning & Zoning (P&Z) Board considered Ordinance 2015-03 at their February 17, 2015, Regular Meeting and forwarded it to the March 23, 2015, Regular Workshop Meeting for Commission consideration. The Town Commission amended Ordinance 2015-03 to provide for a project for turn lanes at Country Club Shores in Table 1. First reading was held at the April 6, 2015 Regular Meeting and

Ordinance 2015-03 was forwarded to the May 4, 2015 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2015-03.

**14. Ordinance 2015-08, Moore's Stone Crab Restaurant, 800 Broadway Street, Comprehensive Plan Amendment**

At their April 6, 2015, Regular Meeting the Town Commission held first reading and public hearing of Ordinance 2015-08 and forwarded the item to the May 4, 2015, Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2015-08.

**15. Ordinance 2015-09, Moore's Stone Crab Restaurant, 800 Broadway Street, Rezoning Application (Quasi-Judicial)**

At their April 6, 2015, Regular Meeting the Town Commission held first reading and public hearing of Ordinance 2015-09 and forwarded the item to the May 4, 2015, Regular Meeting for second reading, public hearing, and discussion. Recommended Action: The Commission will base their decision on competent, substantial testimony provided at this meeting.

**16. Ordinance 2015-12 Amending Chapter 110, Alcohol Beverages, Hours of Sale**

At the March 23, 2015, Regular Meeting the Town Commission considered Ordinance 2015-12 which amends Town Code Chapter 110.01(A)(7) to more closely align with regulations in neighboring municipalities and Sarasota County. First reading of Ordinance 2015-12 was held at the April 6, 2015, Regular Meeting and was forwarded for second reading and public hearing at the May 4, 2015, Regular Meeting. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2015-12.

**17. Ordinance 2015-13, Providing for Pass-Through of Manatee County Rate Increase**

On November 18, 2014, the Manatee County Board of County Commissions enacted Resolution R-14-154 which authorized two consecutive yearly wholesale water and wastewater rate increases. Town Commission policy direction, per Town Code provisions, has been to pass-through Manatee County rate changes to the Town's utility ratepayers. The first Manatee County rate increase was effective on January 1, 2015, with the second effective on January 1, 2016. Ordinance 2015-13 formalizes the utility rate increase pass-through and was placed on the April 4, 2015, Regular Meeting for first reading. The item was forwarded to the May 4, 2015, Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2015-13.

<b>Resolutions</b>
--------------------

**18. Resolution 2015-08, Solid Waste Franchise Agreement, Annual Service Rate Adjustment**

The Town's Solid Waste Franchise Agreement (Ordinance 2014-21) provides for annual adjustments to the collection fee components using the Consumer Price Indexes and a formula provided for in the Agreement. Such adjustments are effective beginning July 1, 2015, and calculated annually thereafter through the term of the Agreement. Resolution 2015-08 provides for the July 1, 2015, annual service rate adjustment. Recommended Action: Pending discussion, pass Resolution 2015-08.

**19. Resolution 2015-09, Budget Transfer in the Amount of \$25,000 from Commission Contingency to Police, Wages/Overtime**

Due to vacancies in Police Dispatch, the Police Department has cross-trained Officers to perform dispatch functions in an overtime capacity. The Finance Department anticipates that another \$25,000 will be required to provide funding for Dispatch operations through the end of FY 2014-2015. Resolution 2015-09 was forwarded from the April 20, 2015, Regular Workshop Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2015-09.

## 20. Resolution 2015-10, Providing for Emergency Authorization for Town Manager

Hurricane season occurs during a time when many of our residents, including Commissioners, are away. Proposed Resolution 2015-10 provides methods to obtain a quorum or gives the Town Manager authority to expend funds and take emergency action in the event a quorum of the Commission is not available. Resolution 2015-10 was forwarded from the April 20, 2015 Regular Workshop Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2015-10.

## 21. Resolution 2015-11, Amending Resolution 2015-03, Written Notice of Intent to Withdraw from Public Risk Management of Florida (PRM) Pool

At the April 6, 2015 Regular Meeting the Town Commission passed Resolution 2015-03 which provided notice to PRM of the Town's intent to seek competitive quotes for liability, auto and property (LAP) insurances. Although it was clear in the Town Manager's memorandum, the words "health insurance" were incorrectly included in the Resolution language as part of the services in which the Town would seek competitive quotes. Resolution 2015-11 amends Resolution 2015-03 to clarify the Town's intent. Recommended Action: Pending discussion, pass Resolution 2015-11.

<b>New Business</b>
---------------------

## 22. Consideration of Memorandum of Understanding Between Sarasota County Property Appraiser and Town of Longboat Key Taxing District for Homestead Exemption Fraud Reduction

Based on his research on methods to uncover homestead tax exemption fraud, Sarasota County Property Appraiser Bill Furst has proposed an interlocal agreement between Sarasota County taxing authorities and Tax Management Associates (TMA). TMA specializes in assisting governments in identifying and investigating potential fraudulent homestead exemptions, and recovers ad valorem property tax revenue that would otherwise be unbilled and uncollected. The Memorandum of Understanding between the Sarasota County Property Appraiser and the Town of Longboat Key was discussed at the March 23, 2015 Regular Workshop Meeting for Commission consideration and forwarded to the May 4, 2015 Regular Meeting Consent Agenda for formal action. Recommended Action: Approval of the Consent Agenda will authorize entering the Memorandum of Understanding with the Sarasota County Property Appraiser.

## 23. Appointments to Town Boards and Committees

Appointments for the expiring or open seats on Town Boards and Committees (Code Enforcement Board and Zoning Board of Adjustment) will be considered at the May 4, 2015 Regular Meeting. Recommended Action: Pending discussion, appoint members to Town Boards and Committees.

<b>Town Commission Comments</b>
---------------------------------

<b>Town Attorney Comments</b>
-------------------------------

<b>Town Manager Comments</b>
------------------------------

<b>Press to be Heard</b>
--------------------------

<b>Adjournment</b>
--------------------

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.