



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

- AGENDA -
REGULAR MEETING

7:00 PM

December 5, 2016

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.
- Audience members wishing to speak must be recognized by the Chair.
- Speaking without being recognized will be considered as "Out of Order".

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.

Commission Addition to Agenda

Appointment to Fill Vacancy of District 2 Town Commission Seat Due to Resignation of Mayor Duncan

On December 1, 2016, Mayor Jack Duncan submitted a letter of resignation for the District 2 Commission Seat effective immediately. The Town Charter Article II, Section 8 provides options to fill the Commission vacancy. Section 10 provides for selection of Mayor and Vice-Mayor.

- Appointment of District 2 Commissioner and Administration of Oath of Office
- Selection of Mayor
- Selection of Vice Mayor, if necessary
- Administration of Oath(s) of Office

Approval of Minutes

2. September 12, 2016 Special Workshop Meeting; September 26, 2016 Regular Workshop Meeting; September 26, 2016 Special Meeting; October 4, 2016 Regular Meeting; October 17, 2016 Regular Workshop Meeting; and October 26, 2016 Joint Meeting with Sarasota County Commission 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

Jack Duncan, Mayor; Terry Gans, Vice-Mayor;
Armando Linde, District 1; Jack Daly, District 4; Ed Zunz, District 5;
Phill Younger, At-Large; Irwin Pastor, At-Large

Closing and Action on Consent Agenda**7. Certification of Special Referenda Election Results**

The Town Commission adopted Ordinance 2016-17 and Ordinance 2016-18, on June 6, 2016, each to allow placement of a referendum question on the November 8, 2016 General Election Ballot. Ordinance 2016-17 provided for the question for contiguous properties currently zoned with no density to increase density to R-6MX to allow a maximum of six units per acre (Failed: Against, 3,096 / In Favor, 2,023). Ordinance 2016-18, provided for the question for an increase in residential units from zero to a maximum of three residential units per acre (Failed: Against, 3,033 / In Favor, 1,989). In accordance with the Town Charter, Article II, Section 6, Canvass of returns; certification of election, the Town Clerk is required to forward the results of any election to the Town Commission following certification of the election by each Supervisor of Elections Office. The Town Commission is charged with canvassing the returns and declaring the result of the election for the record. Recommended Action: Approval of the Consent Agenda will fulfill the requirement for the certification of the November 8, 2016 General Election by the Town Commission.

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**8. Ordinance 2016-34, Amending Chapter 157, Subdivisions, Section 157.03, Definitions and Section 157.32, Lot Line Adjustments**

Chapter 157 of the Town's Land Development Code regulates the subdivision of land within the Town. Florida Statutes Chapter 177 regulates the subdivision of lands within local jurisdictional boundaries. Currently, the Town's existing subdivision regulations conflict with Florida Statutes. Ordinance 2016-34 was presented to the Town Commission at their November 14, 2016, Regular Workshop Meeting. The Planning & Zoning Board considered Ordinance 2016-34 at their November 15, 2016, Regular Meeting then forwarded a recommendation of approval to the Town Commission's December 5, 2016 Regular Meeting. Recommended Action: Pending first reading and discussion, forward to the January 9, 2017 Regular Meeting for second reading and public hearing.

Ordinances - Second Reading and Public Hearing**9. Ordinance 2016-26, Providing for Referendum from Mr. Charles Whittall, Unicorp National Developments, Inc., for Property Located at 1620 Gulf of Mexico Drive (The Colony Beach and Tennis Club)**

Mr. Charles Whittall, representing Unicorp National Developments, Inc., and The Colony Beach and Tennis Club Association, submitted a request for a referendum to allow the Town to consider an increase in density of 180 residential units, over and above the 237 existing tourism units on the property located at 1620 Gulf of Mexico Drive. The Town Commission conducted first reading of Ordinance 2016-26, to establish the referendum language, and forwarded the ordinance to their December 5, 2016, Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2016-26.

10. Ordinance 2016-10, Comprehensive Plan Mobility Element

Ordinance 2016-10 converts the Town's Transportation Element of the Comprehensive Plan into a new Mobility Element, which addresses vehicular, pedestrian, and bicycle usage. The Town Commission held first reading and public hearing of Ordinance 2016-10 at their October 4, 2016 Regular Meeting. Ordinance 2016-10 was then forwarded to the Florida Department of Economic Opportunity for review and comment. Staff will provide information regarding comments received at the December 5, 2016 Regular Meeting. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2016-10.

11. Ordinance 2016-30, Moratorium on Cannabis Dispensaries and Treatment Centers

On November 8, 2016, Florida voters approved Amendment 2, which fully legalized the medical use of marijuana throughout the State for individuals with specified “debilitating” conditions. Approval of Amendment 2 authorizes cultivation, processing, distribution, and sale of marijuana and related activities by licensed “Medical Marijuana Treatment Centers”. Ordinance 2016-30 would impose a 12-month moratorium on the establishment of marijuana dispensing organizations and medical marijuana treatment centers within the jurisdiction of the Town. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2016-30.

12. Ordinance 2016-31, Establishing the Dates for the 2017 Preliminary and General Municipal Elections and the Early Voting Schedule

The Town’s Charter establishes the date for the Town’s General Election as the third Tuesday in March but provides an option to align the Town’s election dates with any other County administered election. The Sarasota County Supervisor of Election has established the Town’s election to coincide with the City of Sarasota’s March 14, 2017 General Election. In compliance with the Charter, the 2017 Preliminary Election, if required, would be January 31, 2017. Ordinance 2016-31 provides for the Town’s General Municipal Election dates, and was presented for first reading at the November 7, 2016 Regular Meeting. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2016-31.

13. Ordinance 2016-28, Beach General Obligation Debt Service Bond, Year End Budget Transfer

The Town Manager requests a budget transfer from unappropriated fund balance in the amount of \$47,085 to cover the interfund transfer to the Beach Capital Project Fund. The amount of the transfer is equal to the collections for the millage imposed in the prior fiscal year. An Ordinance is required by Town Charter to cover the overages in the budget. Ordinance 2016-28 provides for the necessary transfers and was placed on the October 17, 2016 Regular Workshop Meeting for Commission consideration. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2016-28.

14. Ordinance 2016-29, Beach Capital Fund, Year End Budget Transfer

The Town Manager requests a budget transfer from unappropriated fund balance in the amount of \$83,396 for the Beach Capital Project Fund to cover additional expenses associated with wages, memberships, travel, monitoring protected species, bond closing costs and legal expenses. An Ordinance is required by Town Charter to cover this transfer. Ordinance 2016-29 amends the FY 2015-2016 Beach Capital Fund Budget to provide for an appropriation from fund balance in the amount of \$83,396. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2016-29.

Public Hearing

15. Quasi-Judicial - Developer Agreement, Zota Beach Resort, 4711 Gulf of Mexico Drive

Oprock Longboat Fee, LLC, is in the process of expanding the hotel located at 4711 Gulf of Mexico Drive, formerly known as the Hilton. The development required improvements to public infrastructure and also requires a significant increase in water and wastewater capacity under the Manatee County Facility Investment Fee Ordinance. The Development Agreement established the fee required to be paid to the Town and the water and wastewater services the Town will provide, subject to the conditions contained within the Agreement. Recommended Action: The Town Commission will base their decision on competent and substantial evidence presented at this meeting.

Resolutions

16. Resolution 2016-24, Expressing Town Commission Support for Boca Raton Mayor Susan Haynie for Appointment to Constitution Revision Commission

At the November 14, 2016 Regular Meeting, Commissioner Pastor requested support for Boca Raton Mayor Susan Haynie’s appointment to the Constitution Revision Commission. There was consensus for the Town Clerk to prepare Resolution 2016-24 for Commission action expressing the Town’s support of Mayor Haynie for appointment. Recommended Action: Pending discussion, pass Resolution 2016-24.

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 941-316-8719