

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR MEETING  
NOVEMBER 3, 2014 - 7:00 P.M.**

**Present:** Mayor Jim Brown, Vice Mayor Jack Duncan, Commrs. Terry Gans, Lynn Larson, Irwin Pastor, Phill Younger, Pat Zunz

**Also Present:** Town Manager Dave Bullock, Town Attorney Maggie Mooney-Portale, Town Clerk Trish Granger

**CALL TO ORDER**

**Mayor Brown called the November 3, 2014, Regular Meeting to order at 7:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida, and Commr. Zunz led the Pledge of Allegiance.**

**PROCLAMATIONS AND SPECIAL PRESENTATIONS**

**A. Town Commission**

Town Manager Dave Bullock confirmed that the consideration of the referendum questions for utility undergrounding was scheduled for second reading and public hearing at a Special Meeting set for November 12, 2014, noted Charter and Code provisions to allow for the scheduling of special meetings, and requested consideration to schedule the Special Meeting at 1:00 p.m. to provide a time certain for citizens to attend and participate in the public hearing process, followed by the Regular Workshop Meeting.

**Commr. Larson moved to approve the scheduling of the November 12, 2014, Special Meeting at 1:00 p.m. time certain, changing the Regular Workshop Meeting time to immediately follow the Special Meeting. The motion, seconded by Commr. Zunz, carried unanimously by voice vote.**

**B. Organizations**

**Following comments by Mayor Brown, there was consensus to permit Ms. Donna Dunio the opportunity to make a presentation on Aging in Paradise.**

Ms. Dunio gave a presentation on the Aging in Paradise Resource Center and programs offered.

**PUBLIC TO BE HEARD**

**1. Opportunity for Public to Address Town Commission**

**A. Public Works**

Mr. Bob Appel, Gulf of Mexico Drive, commended the Commission and Town staff on their efforts in proceeding with the groins on the North end of Longboat Key.

**B. Public Works**

Mr. David Brenner, Gulf of Mexico Drive, commented on the proposed undergrounding of utilities throughout the Town.

Minutes in draft form and are not official until approved by the Town Commission.

### **APPROVAL OF MINUTES**

2. October 6, 2014 Joint Meeting with Sarasota Board of County Commission; October 6, 2014 Regular Meeting; October 20, 2014 Joint Meeting with Planning and Zoning Board; October 20, 2014 Regular Workshop; and October 20, 2014 Special Meeting Minutes.

**There was consensus to approve the Minutes as submitted.**

### **COMMITTEE REPORTS AND COMMUNICATIONS**

#### 3. Manatee County Special Liaison Report

##### A. School Board/Organizations

Commr. Zunz noted attendance at the Grade Level Reading Coalition meeting and reviewed the issues discussed.

##### B. Organizations

Commr. Zunz noted attendance at the Manatee County Economic Development Corporation annual meeting.

4. Sarasota County Special Liaison Report - No items were presented.

#### 5. ManaSota League of Cities Report (MSLC)

##### A. Organizations

Vice Mayor Duncan noted the upcoming meeting of the MSLC and advised that the Legislative Priorities would be established for presentation to the Legislative Delegation for both Manatee and Sarasota counties.

#### 6. Other Reports

##### A. Organizations

Commr. Younger noted attendance at the Metropolitan Planning Organization (MPO) meeting and reviewed the issues discussed.

Upon inquiry, Town Manager Dave Bullock advised that the Florida Department of Transportation (FDOT) was scheduled to appear at the Commission's Regular Workshop Meeting in December.

##### B. Public Works

Mayor Brown noted the Open House held at the Bayfront Park Recreation Center relating to proposed improvements.

### **CONSENT AGENDA**

#### 7. Confirmation of Continued Support of Longboat Key Kiwanis Club Gourmet Lawn Party

At the November 4, 2013, Regular Meeting the Town Commission reaffirmed the Town's support of this annual charitable fund raising event. The Town has traditionally assisted the Longboat Key Kiwanis Club organizers by providing limited staffing of Public Works employees for the delivery and set-up of tents and small generators. This item was considered and forwarded from the October 20, 2014, Regular Workshop Meeting Consent Agenda for the Commission to confirm their continued support. Recommended Action: Approval of the Consent Agenda confirms the Town Commission's support of the Kiwanis Club Gourmet Lawn Party.

7. Confirmation of Continued Support of Longboat Key Kiwanis Club Gourmet Lawn Party  
**There was consensus to approve the Consent Agenda in accordance with Staff's report and recommendation.**

**ORDINANCES - FIRST READING AND PUBLIC HEARING**

8. Ordinance 2014-22, Rezoning of 5810 Gulf of Mexico Drive from Single-Family Low-Medium Density Mixed Residential District (R-3SF) to Open Space-Conservation (OS-C), and 4110 Gulf of Mexico Drive from Limited Commercial (C-1) to Open Space-Active (OS-A)

The Town-owned property at 5810 Gulf of Mexico Drive (GMD) is designated as Open Space-Conservation in the Future Land Use Map (FLUM) and the Town-owned property at 4110 GMD is designated Open Space-Active in the FLUM. Ordinance 2014-22 provides for re-zoning the properties to be consistent with the FLUM designation. At their September 16, 2014, Regular Meeting the Planning & Zoning (P&Z) Board recommended approval of the rezoning of 5810 and 4110 GMD. This item is placed on the November 3, 2014, Regular Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2014-22 to the December 1, 2014, Regular Meeting for second reading, public hearing and adoption.

Town Clerk Trish Granger placed Ordinance 2014-22 on record for first reading and public hearing by title only.

**Commr. Zunz moved to pass Ordinance 2014-22 on first reading and public hearing and to forward to the December 1, 2014, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Larson.**

**Mayor Brown opened the public hearing.**

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on the rezoning of the two Town-owned properties.

Ms. Patricia Knudson, Spanish Drive South, commented on Ordinance 2014-22. Ms. Ray and Town Manager Bullock responded to inquiry on the maintenance of the Town owned property.

**As no others wished to speak, Mayor Brown closed the public hearing.**

**The motion carried by a 7-0 roll call vote, as follows: Zunz, aye; Larson, aye; Younger, aye; Pastor, aye; Duncan, aye; Gans, aye; Brown, aye.**

9. Ordinance 2014-35, Amending the Fiscal Year (FY) 2013-2014 Building Fund Budget to Increase the Reimbursement Rate to the General Fund for Direct and Indirect Costs Related to Building Fund Activities

The Finance Department has recalculated the indirect cost allocation of Building Department overhead costs contained within the General Fund operating departments, resulting in an increase in the annual transfer from the Building Department to the General Fund. Ordinance 2014-35 provides for a budget amendment to increase the reimbursement rate to the General Fund for Building Fund activities. This item was considered at the October 20, 2014, Regular Workshop Meeting and forwarded to the November 3, 2014, Regular Meeting for first reading and public hearing. Recommended

9. Ordinance 2014-35, Amending the FY 2013-2014 Building Fund Budget to Increase the Reimbursement Rate to the General Fund for Direct and Indirect Costs Related to Building Fund Activities - Continued

Action: Pending first reading, public hearing, and discussion, forward Ordinance 2014-35 to the December 1, 2014, Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2014-35 on record for first reading and public hearing by title only.

**Commr. Pastor moved to pass Ordinance 2014-35 on first reading and public hearing and to forward to the December 1, 2014, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Younger.**

**Mayor Brown opened the public hearing.**

Town Manager Dave Bullock provided an overview of the Budget amendment. Commr. Larson inquired, and Town Manager Bullock commented on the pro-ration of expenses if a new financial module is purchased.

**As no one wished to speak, Mayor Brown closed the public hearing.**

**The motion carried by a 7-0 roll call vote, as follows: Pastor, aye; Younger, aye; Gans, aye; Duncan, aye; Brown, aye; Larson, aye; Zunz, aye.**

10. Ordinance 2014-36, Amending the Fiscal Year (FY) 2013-2014 Budget for Tennis Center in the Amount of \$ \$30,112 from General Services' Red Tide Contingency

Tennis Center expenditures exceeded budgeted appropriations by \$86,676 of which \$56,564 are covered by additional Tennis Center revenues. The remaining shortfall of \$30,112 is recommended to be covered by a transfer from General Services' Red Tide Contingency. This transfer does not affect the fund balance in the General Fund. Ordinance 2014-36, amends the FY 2013-2014 Budget for the Tennis Center and was considered at the October 20, 2014, Regular Workshop Meeting and forwarded to the November 3, 2014, Regular Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2014-36 to the December 1, 2014, Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2014-36 on record for first reading and public hearing by title only.

**Commr. Younger moved to pass Ordinance 2014-36 on first reading and public hearing and to forward to the December 1, 2014, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Pastor.**

**Mayor Brown opened the public hearing.**

Town Manager Dave Bullock provided an overview of Ordinance 2014-36 and advised that a motion to amend Ordinance 2014-36 was required as the amounts had been modified following the Workshop Meeting presentation.

10. Ordinance 2014-36, Amending the FY 2013-2014 Budget for Tennis Center in the Amount of \$ \$30,112 from General Services' Red Tide Contingency - Continued

Upon inquiry, Finance Director Sue Smith advised that no funds had been expended for Red Tide clean-up and Town Manager Bullock noted the process for allocating funds for Red Tide clean-up.

**Commr. Younger moved to amend Ordinance 2014-36 revising the amount of the Budget Amendment to reflect \$30,112.00. The motion, seconded by Commr. Pastor, carried by a 7-0 roll call vote, as follows: Younger, aye; Pastor, aye; Larson, aye; Zunz, aye; Duncan, aye; Gans, aye, Brown, aye.**

**As no one wished to speak, Mayor Brown closed the public hearing.**

**The motion to pass Ordinance 2014-36, as amended, and to forward to the December 1, 2014, Regular Meeting for second reading and public hearing carried by a 7-0 roll call vote, as follows: Younger, aye; Pastor, aye; Zunz, aye; Gans, aye; Larson, aye; Duncan, aye; Brown, aye.**

**ORDINANCES - SECOND READING AND PUBLIC HEARING**

11. Ordinance 2014-29, Establishing Gulfside Beach District A and Bayside Beach District B, Amending Chapter 92, Parks, Public Beaches, and Public Beach Accesses

The Town's Comprehensive Plan identifies the important objectives for maintaining a healthy beach. Staff, the Town Attorney, and Town's consultants have developed a fiscally responsible, long-term, beach management plan which includes establishment of special taxing districts for future beach maintenance project funding. Detailed information regarding this plan and the resulting Ordinance 2014-29 was presented at the September 15, 2014, Regular Workshop, was forwarded to the October 6, 2014, Regular Meeting for first reading, and following first reading was forwarded to the November 3, 2014, Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-29.

Town Clerk Trish Granger placed Ordinance 2014-29 on record for second reading and public hearing by title only.

**Commr. Zunz moved to adopt Ordinance 2014-29. The motion was seconded by Commr. Younger.**

**Mayor Brown opened the public hearing.**

Town Manager Dave Bullock noted previous consideration of the Ordinance on September 15, 2014, and October 6, 2014, advised that the presentation of those hearings are incorporated into the record, and confirmed the agenda packets include full disclosure of the proposal.

**As no one wished to speak, Mayor Brown closed the public hearing.**

**The motion carried by a 7-0 roll call vote, as follows: Zunz, aye; Younger, aye; Duncan, aye; Gans, aye; Pastor, aye; Brown, aye; Larson, aye.**

12. Ordinance 2014-31, Amending Chapter 74, Parking Schedules – Longbeach Village Parking

At the April 21, 2014, Regular Workshop Meeting discussion was held regarding parking issues in Longbeach Village. As a result of discussion held by Commission and recommendations proposed by Village residents, staff was directed to develop recommendations to address the parking issues to a future workshop meeting. Ordinance 2014-31 provides for amendments to Town Code, Chapter 74 to address concerns raised by residents and was presented for Commission consideration at the September 15, 2014, Regular Workshop, was forwarded to the October 6, 2014, Regular Meeting for first reading, and following first reading was forwarded to the November 3, 2014, Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-31.

Town Clerk Trish Granger placed Ordinance 2014-31 on record for second reading and public hearing by title only.

**Commr. Zunz moved to adopt Ordinance 2014-31. The motion was seconded by Commr. Younger.**

**Mayor Brown opened the public hearing.**

Following comments, Town Manager Dave Bullock and Public Works Director Juan Florensa gave a PowerPoint presentation on Ordinance 2014-31. Discussions were held on the previous and anticipated future discussions of parking issues in the Longbeach Village area and an option for restricted parking on one side of all streets in the area.

Upon inquiry, Mr. Michael Drake, Longboat Drive South, commented on the option to consider no parking on one side of each street in the Longbeach Village area.

Town Attorney Maggie Mooney-Portale noted that amendments to Ordinances during a public hearing process cannot be a substantive change after the advertising was accomplished and reviewed the issues to be considered.

Mr. Drake noted that the residents are in favor of the restrictions presented this date and that the residents will monitor the situation and report back.

**As no others wished to speak, Mayor Brown closed the public hearing.**

**The motion carried by a 7-0 roll call vote, as follows: Zunz, aye; Younger, aye; Pastor, aye; Gans, aye; Larson, aye; Duncan, aye; Brown, aye.**

Commr. Younger inquired as to the process to create further parking restrictions to limit parking to one side on each street within the Longbeach Village and Mr. Drake commented on the residents consideration of further restrictions.

Individual comments followed.

13. Ordinance 2014-32, Establishing the Dates for the Town's Preliminary and General Municipal Elections and Early Voting Schedule

The Town Charter establishes the Town's General Municipal Election for the third Tuesday in March with an option to align the Town's election with any other County administered election. Ordinance 2014-32 was drafted for Commission consideration to confirm the Preliminary, (if required), General Municipal, and early voting dates for 2015 Town elections. Ordinance 2014-32 was forwarded from the September 15, 2014, Regular Workshop, to the October 6, 2014, Regular Meeting for first reading, and following first reading was forwarded to the November 3, 2014, Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-32.

Town Clerk Trish Granger placed Ordinance 2014-32 on record for second reading and public hearing by title only.

**Commr. Larson moved to adopt Ordinance 2014-32. The motion was seconded by Commr. Pastor.**

**Mayor Brown opened the public hearing. As no one wished to speak, the public hearing was closed.**

**The motion carried by a 7-0 roll call vote, as follows: Larson, aye; Pastor, aye; Brown, aye; Duncan, aye; Gans, aye; Zunz, aye; Younger, aye.**

**RESOLUTIONS**

14. Resolution 2014-25, Amending the Investment Policy for the Town of Longboat Key

At their May 22, 2014, Investment Advisory Committee Meeting the Town's investment advisor and Committee developed a recommendation to amend the Investment Policy for the Town of Longboat Key. Steve Alexander, PFM Investment Advisor, attended the October 20, 2014, Regular Workshop Meeting with a presentation regarding the recommended changes to the Town's Investment Policy. The Town Commission forwarded Resolution 2014-25 to the November 3, 2014, Regular Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2014-25.

Town Clerk Trish Granger placed Resolution 2014-25 on record by title only.

**Commr. Younger moved to pass Resolution 2014-25. The motion was seconded by Commr. Pastor.**

**Following comments, the motion carried by a 7-0 roll call vote, as follows: Younger, aye; Pastor, aye; Larson, aye; Zunz, aye; Brown, aye; Gans, aye; Duncan, aye.**

15. Resolution 2014-30, Providing for Fiscal Year 2013-2014 Year End Budget Transfers

The Town Charter requires that sufficient budgets are available in each General Ledger account to cover expenditures charged to the account. Each year staff prepares the required budget transfer documentation to balance surplus accounts and those with shortfalls. Resolution 2014-30, provides a complete listing of recommended transfers for individual accounts, as well as the reason for surplus or shortfall, and was presented for Commission consideration at the October 20, 2014, Regular Workshop Meeting. Resolution 2014-30 was forwarded to the November 3, 2014, Regular Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2014-30.

15. Resolution 2014-30, Providing for FY 2013-2014 Year End Budget Transfers - Continued

Town Clerk Trish Granger placed Resolution 2014-30 on record by title only.

**Commr. Pastor moved to pass Resolution 2014-30. The motion was seconded by Commr. Younger.**

**Following comments by Town Manager Dave Bullock, the motion carried by a 7-0 roll call vote, as follows: Pastor, aye; Younger, aye; Duncan, aye; Brown, aye; Larson, aye; Zunz, aye; Gans, aye.**

**TOWN COMMISSION COMMENTS**

A. Public Works

Vice Mayor Duncan noted the meeting and discussions of the improvements for Bayfront Park Recreation Center and requested confirmation that a "footprint" of a future building was included on the proposed site plan.

Following inquiry by Town Manager Dave Bullock, discussion ensued on the improvements requested/anticipated for the property, proposed footprint of a future building, and the restrictions on the funding from Sarasota County for park improvements.

Town Manager Bullock noted that the summary of the comments will be presented with the designer's input and staff will present a final set of changes when bid documents are prepared.

**TOWN ATTORNEY COMMENTS** - No items were presented.

**TOWN MANAGER COMMENTS**

A. Public Works

Town Manager Dave Bullock noted that the Broadway Beach access will be closed during the time required for delivery of heavy equipment for the groin project.

B. Public Works

Town Manager Dave Bullock noted the piping project at the North end of Longboat and advised that the Contractor has been given approval for evening construction to complete the project.

C. State Agencies

Town Manager Dave Bullock noted that the Florida Department of Transportation (FDOT) had made some repairs to the bridge and that it was functional and advised that FDOT has indicated that there was no connection with the Town's work on the North end that would have impacted the bridge.

**PRESS TO BE HEARD** - No items were presented.

**ADJOURNMENT**

**Mayor Brown adjourned the November 3, 2014, Regular Meeting at 8:51 p.m.**

\_\_\_\_\_  
Trish Granger, Town Clerk

\_\_\_\_\_  
James L. Brown, Mayor

Minutes Approved: \_\_\_\_\_

Minutes in draft form and are not official until approved by the Town Commission.

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
SPECIAL MEETING  
NOVEMBER 12, 2014 - 1:00 P.M.**

**Present:** Mayor Jim Brown, Vice Mayor Jack Duncan, Comms. Terry Gans, Lynn Larson, Phill Younger, Pat Zunz

**Also Present:** Town Manager Dave Bullock, Town Attorney Maggie Mooney-Portale, Town Clerk Trish Granger

**Absent:** Commr. Irwin Pastor

**CALL TO ORDER**

**Mayor Brown called the November 12, 2014, Special Meeting to order at 1:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.**

**PUBLIC TO BE HEARD**

**1. Opportunity for Public to Address Town Commission**

**A. Town Commission**

Ms. Barbara Wood, Gulf of Mexico Drive, commented on remarks made at a previous meeting between Commissioners.

Vice Mayor Duncan commented on the statements and noted the comments were not meant to be derogatory.

**ORDINANCES – SECOND READING AND PUBLIC HEARING**

**2. Ordinance 2014-33, Providing for Referendum for Underground Utilities Along Gulf of Mexico Drive (GMD)**

The Town of Longboat Key has conducted a cost analysis associated with undergrounding utility lines and will seek voter approval by placing a referendum question on the March 10, 2015, General Municipal Election ballot. Ordinance 2014-33 provides for the referendum question regarding placing utility lines underground along Gulf of Mexico Drive at a cost not to exceed \$19 million. At the October 20, 2014, Regular Workshop Meeting the Town Commission considered Ordinance 2014-33 and forwarded it to the October 20, 2014, Special Meeting for first reading. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-33.

Mayor Brown noted that the Special Meeting was scheduled to accommodate the public at 1:00 p.m. in lieu of following the Regular Workshop Meeting at an unknown time and advised that the e-mails received on the issue were incorporated for the record.

Town Clerk Trish Granger placed Ordinance 2014-33 on record for second reading and public hearing by title only.

**Commr. Gans moved to adopt Ordinance 2014-33. The motion was seconded by Commr. Larson.**

Minutes in draft form and are not official until approved by the Town Commission.

2. Ordinance 2014-33, Providing for Referendum for Underground Utilities Along Gulf of Mexico Drive - Continued

**Mayor Brown opened the public hearing.**

Following comments by Town Manager Dave Bullock, Assistant Town Manager Anne Ross gave a PowerPoint presentation on Ordinance 2014-33. Upon inquiry, Ms. Ross explained the word "weatherhead" that was depicted on a slide in the presentation.

The following individuals commented on Ordinance 2014-33, with discussions held during speaker presentations:

Ms. B.J. Bishop, Buttonwood Drive  
Ms. Madelyn Spoll, Harbourside Drive  
Mr. Tom Aposporos, representing the Revitalization Task Force  
Mr. Pete Rowan, Broadway  
Ms. Bobbie Banan, Bayview Drive  
Mr. Tom Freiwald, Spanish Drive North  
Mr. Gene Jaleski, Cedar Street  
Mr. Larry Grossman, St. Judes Drive North

**As no others wished to speak, Mayor Brown closed the public hearing.**

Following individual Commissioner comments, Mr. Danny Brannon, with Brannon and Gillespie, LLC, commented on the anticipated placement/location of power poles on Gulf of Mexico Drive. Discussions were held with Town Manager Bullock, Mr. Brannon, and Town Clerk Trish Granger on the following topics/issues:

- location and method of Florida Power and Light's (FPL) current feeder lines to Longboat Key
- costs associated with undergrounding the lines within neighborhood
- location of overhead line between Spanish Main and Emerald Harbor
- estimated cost to underground the line between Spanish Main and Emerald Harbor
- option to postpone the neighborhood referendum process to a later date
- timing of issues and possible additional costs to separate the issues
- timeframe for the undergrounding project
- FPL schedule for hardening project
- design/redesign work that may be required if referendum date is postponed
- various election dates to place referendums on ballot.

**Vice Mayor Duncan moved to postpone the referendum question to November 3, 2015. The motion was seconded by Commr. Zunz.**

Subsequent to individual comments on the time frame for consideration, Town Attorney Maggie Mooney-Portale noted restrictions on re-establishing the referendum date from March 10, 2015, to November 3, 2015. Following comments, Town Attorney Mooney-Portale advised that the entire process would need to start over if the referendum date is changed due to advertising restrictions.

**Vice Mayor Duncan withdrew his motion to amend Ordinance 2014-33.**

Minutes in draft form and are not official until approved by the Town Commission.

2. Ordinance 2014-33, Providing for Referendum for Underground Utilities Along Gulf of Mexico Drive - Continued

Discussion ensued on the time frame for consideration of the referendum question relating to underground utilities along Gulf of Mexico Drive.

**The motion to adopt Ordinance 2014-33 failed by a 2-4 roll call vote, as follows: Gans, aye; Larson, aye; Zunz, no; Younger, no; Duncan, no; Brown, no.**

**Following individual comments, Vice Mayor Duncan made a motion to move the referendum process for undergrounding utilities to a later date. The motion was seconded by Commr. Zunz.**

**Subsequent to comments, Vice Mayor Duncan restated the motion to move the referendum process forward to accommodate staff's need to provide additional information to the Commission on undergrounding utilities with a time certain for a referendum date no later than November 3, 2015. The restated motion was accepted by Commr. Zunz, as the second to the motion.**

**Following comments on advancing the referendum question to an earlier ballot, the motion carried by a 6-0 roll call vote, as follows: Duncan, aye; Zunz, aye; Gans, aye; Brown, aye; Larson, aye; Younger, aye.**

**RECESS:** 3:15 p.m. - 3:27 p.m.

3. Ordinance 2014-34, Providing for Referendum for Underground Utilities Within Neighborhoods

The Town of Longboat Key has conducted research associated with undergrounding utility lines within neighborhoods and will seek voter approval by placing a referendum question on the March 10, 2015, General Municipal Election ballot. Ordinance 2014-34 provides for the referendum question regarding placing utility lines underground within neighborhoods at a cost not to exceed \$5 million. At the October 20, 2014, Regular Workshop Meeting the Town Commission considered Ordinance 2014-34 and forwarded it to the October 20, 2014, Special Meeting for first reading. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-34.

Town Clerk Trish Granger placed Ordinance 2014-34 on record for second reading and public hearing by title only.

**Commr. Zunz moved to adopt Ordinance. 2014-34. The motion died for lack of a second.**

**Commr. Zunz made a motion to move the referendum process forward to accommodate staff's need to provide additional information to the Commission on undergrounding utilities with a time certain for a referendum date no later than November 3, 2015. The motion was seconded by Vice Mayor Duncan.**

Discussion ensued on the following topics/issues:

3. Ordinance 2014-34, Providing for Referendum for Underground Utilities Within Neighborhoods - Continued

- option to restructure ordinance for consideration
- inclusion of an accurate bonding amount for neighborhood projects
- intent/clarification of the motion (drafting of a new ordinance addressing neighborhood issue)

**Following comments, Commr. Zunz restated the motion to direct staff to draft a new Ordinance addressing the neighborhood undergrounding issue with adequate time to provide for a referendum question no later than November 3, 2015. The motion, seconded by Commr. Younger, carried by a 6-0 roll call vote, as follows: Zunz, aye; Younger, aye; Duncan, aye; Larson, aye; Gans, aye; Brown, aye.**

Mayor Brown noted that due to a scheduling conflict, the Special Meeting was not being broadcast.

Town Manager Dave Bullock reviewed the staff direction to provide options for Commission consideration on financing options for neighborhood undergrounding with and without the Gulf of Mexico project prior to drafting an Ordinance and advised that a Budget Amendment would be required to provide for consultant fees for the detailed costs for the neighborhood evaluations.

Discussion ensued on the anticipated staff report/consultant evaluation to include all overhead/above ground options.

Upon inquiry, Mr. Danny Brannon, with Brannon and Gillespie, LLC, noted that in past projects historically the property owners provide easement agreements without cost to the governmental agency for the improvements and advised that all costs were inclusive of any required conversions to the meter can of the end user.

Commr. Gans inquired, and Town Clerk Granger advised that the meeting was being audio taped.

**ADJOURNMENT**

**Mayor Brown adjourned the November 12, 2014, Special Meeting at 3:41 p.m.**

\_\_\_\_\_  
Trish Granger, Town Clerk

\_\_\_\_\_  
James L. Brown, Mayor

Minutes Approved: \_\_\_\_\_

Minutes in draft form and are not official until approved by the Town Commission.

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR WORKSHOP MEETING  
NOVEMBER 12, 2014 - 1:00 P.M.**

**Present:** Mayor Jim Brown, Vice Mayor Jack Duncan, Commrs. Terry Gans, Lynn Larson, Phill Younger, Pat Zunz

**Also Present:** Town Manager Dave Bullock, Town Attorney Maggie Mooney-Portale, Town Clerk Trish Granger

**Absent:** Commr. Irwin Pastor

**CALL TO ORDER**

**Mayor Brown called the November 12, 2014, Regular Workshop Meeting to order at 3:45 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida, and Commr. Gans led the Pledge of Allegiance.**

**PUBLIC TO BE HEARD**

**1. Opportunity for Public to Address Town Commission**

**A. Public Works**

Ms. Madelyn Spoll, Harbourside Drive, commented on Ordinance 2013-31 and the enactment of restricted parking on Bay Isles Road during the month of March (election) and requested Commission consideration to amend those restrictions.

Mayor Brown requested and Town Manager Dave Bullock advised that Staff will provide options on the parking restrictions during the month of March at a future meeting.

**B. Elections**

Attorney John Patterson noted submission of correspondence requesting the Town to hold a Special Election in May 2015. Upon inquiry, Town Clerk Trish Granger provided information on deadlines to hold a Special Election during various months in 2015.

Discussion ensued on project parameters, absentee voting options, clarification of request to waive petition process, and voter participation.

**Following comments, there was consensus to proceed with the request.**

**COMMITTEE REPORTS AND COMMUNICATIONS**

**2. Manatee County Special Liaison Report** - No items were presented.

**3. Sarasota County Special Liaison Report** - No items were presented.

**4. ManaSota League of Cities Report**

Vice Mayor Duncan advised of and reviewed the Legislative Priorities being established by the ManaSota League of Cities.

**5. Other Reports**

**A. Organizations/State Agencies**

Commr. Younger noted discussion regarding Gulf of Mexico Drive at a past Metropolitan Planning Organization meeting and advised that a Florida Department of Transportation (FDOT) Traffic Engineer had contacted him regarding the lack of a sidewalk on the North end (between Broadway and North Shore Road) of Longboat Key.

Minutes in draft form and are not official until approved by the Town Commission.

5. Other Reports - Continued

B. Organizations

Mayor Brown commended the Rotary Club of Longboat Key for organizing the first Veterans' Day Parade on Longboat Key.

Following comments, Commr. Younger thanked the Veterans for their service.

**CONSENT AGENDA**

**6. Florida Department of Environmental Protection (FDEP) Beach Management Funding Assistance Program Grant Agreement No. 14ME2**

The Florida Legislature allocates cost share funding for beach nourishment projects based upon annual Local Government Funding Requests submitted by the various entities throughout the State that have inlet or beach management programs. Agreement No. 14ME2 will provide \$601,918 of State monies for specific aspects of the Town's upcoming planned projects. Recommended action: Approval of the Consent Agenda will forward this item to the December 1, 2014 Regular Meeting Consent Agenda for consideration.

**There was consensus to approve Consent Agenda Item 6 in accordance with Staff's report and recommendation.**

**DISCUSSION ITEMS**

**7. Status Report on Emergency Dispatch Service Options**

Town staff will present information to the Town Commission regarding the status of the due diligence being conducted for Emergency Dispatch Service options for the Town of Longboat Key. This issue is still in the investigative and options analysis phase. Staff is not seeking Commission direction at this time. Recommended Action: None, informational only.

Town Manager Dave Bullock and Assistant Town Manager Anne Ross gave a PowerPoint presentation on the status of Emergency Dispatch Services. Discussions were held on the number of calls generated and the anticipated hardware/software requirements and costs.

**8. Proposed Ordinance 2014-30, Amending Chapters 70 and 72, Parking (Enforcement)**

A review of the Town Code related to towing and parking revealed a need to update Chapters 70 and 72 for compliance with Florida Statutes and consistency with current Town practices. The Town Attorney and Police Chief have developed proposed Ordinance 2014-30, which provides for parking enforcement, citations, towing, and consistency with other provisions of the Town Code. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Dave Bullock, Deputy Police Chief Frank Rubino gave a PowerPoint presentation on the proposed amendments to Chapters 70 and 72 of the Town Code. Discussions were held with Deputy Police Chief Rubino, Town Attorney Maggie Mooney-Portale, and Police Patrol Caption Chris Skinner on the following topics/issues:

- charges assessed by commercial towing business

8. Proposed Ordinance 2014-30, Amending Chapters 70 and 72, Parking (Enforcement) - Continued

- estimated number of towing events (excluding accidents)
- interaction between towing company representative and vehicle owner
- no cost incurred by Town for towing of vehicles
- historical number of tickets issued
- penalty if ticket is not paid/options for imposing additional fine if not paid on time.

**There was consensus to forward Ordinance 2014-30 to the December 1, 2014, Regular Meeting for first reading.**

**Commr. Younger requested that staff review options to add a late fee if the ticket is not paid timely, without objection.**

9. Interim Sand Placement Options

At the October 20, 2014 Regular Workshop Meeting, Olsen Associates Inc. (OAI) presented the Commission with a beach project update. Following the presentation the Commission asked that staff review current conditions of the South shoreline beaches, specifically Longboat Key Towers. Town staff will present an update regarding sand placement options for Commission consideration at the November 12, 2014 Regular Workshop Meeting. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock gave a PowerPoint presentation on interim sand placement options. Discussions were held with Town Manager Bullock and Dr. Al Browder with Olson Associates, Inc., on the following topics/issues:

- stability of areas where sand would be "borrowed" from
- identification of "sacrificial" sand and associated costs
- difficulty in obtaining a permit to utilize sand if Beach Management Plan was not in place
- determination of the area as an eroding area
- impact of Islander Club groins on an erosion process
- time requirement to obtain permitting approval to move sand from one area to another
- functioning within existing Beach Management Plan
- anticipated time frame for permitting of the New Pass Dredging Project
- alternatives by providing beach recreational areas to individuals in the erosion area.

**There was consensus to not move forward with options presented during current tourist season.**

Town Manager Bullock advised that Staff will meet with representatives.

**RECESS:** 5:40 p.m. - 5:45 p.m.

10. Annual Evaluation of Town Manager

A provision of the Town Manager's employment agreement provides for a review and job performance evaluation by the Town Commission at least once annually. The agreement also states that the Commission shall define the goals and objectives of the Town

10. Annual Evaluation of Town Manager

Manager at least annually. Recommended Action: Pending discussion, provide direction to Manager.

Individual comments were provided on the services provided by the Town Manager.

Town Manager Dave Bullock thanked the Commission for their comments.

11. Annual Evaluation of Town Attorney

The Town Attorney's contract provides for an annual evaluation which is scheduled for the November 12, 2014 Regular Workshop Meeting. The Town Commissioners have completed evaluations which were provided to the Town Attorney for review and consideration. Recommended Action: Pending discussion, provide direction to Town Attorney.

Individual comments were provided on the services provided by the Town Attorney.

Town Attorney Maggie Mooney-Portale thanked the Commission for their comments.

Mayor Brown requested that the Town Attorney's contract and expectations list be distributed to the Commission.

**TOWN COMMISSION COMMENTS** - No items were presented.

**TOWN ATTORNEY COMMENTS**

A. Litigation

Town Attorney Maggie Mooney-Portale noted a hearing on the Colony property this date and advised that Assistant Town Attorney Kelly Fernandez will provide an update on the proceedings as soon as possible.

**TOWN MANAGER COMMENTS**

A. Government Agencies

Town Manager Dave Bullock noted that a tentative date of February 17, 2015, has been provided to Manatee County to schedule a Joint Meeting with the Manatee Board of County Commission.

**PRESS TO BE HEARD** - No items were presented.

**ADJOURNMENT**

**Mayor Brown adjourned the November 12, 2014, Regular Workshop Meeting at 6:00 p.m.**

\_\_\_\_\_  
Trish Granger, Town Clerk

\_\_\_\_\_  
James L. Brown, Mayor

Minutes Approved: \_\_\_\_\_



**End of Agenda Item**