

MEMORANDUM

Date: May 11, 2015

TO: Town Commission
Planning & Zoning Board

FROM: Dave Bullock, Town Manager

SUBJECT: Process for Planning & Zoning (P&Z) Board Appointments

At the April 20, 2015, Regular Workshop Meeting, the Town Commission directed Staff to proceed, as expeditiously as possible, to forward an ordinance (Ordinance 2015-16) to sunset the existing nine (9) member Planning & Zoning (P&Z) Board and establish a newly constituted Board with seven (7) members.

After reviewing legal advertising requirements, and considering available meeting opportunities, the following process and schedule was established:

1. May 4, 2015, Regular Meeting at 7 p.m. – Town Commission’s first reading of Ordinance 2015-16, modifying the composition and term of the entire P&Z Board, and establishing term limits.
2. May 11, 2015, at 12:00 p.m. - Application deadline for persons interested in seeking consideration to serve on the P&Z Board.
3. May 12, 2015, by close of business - Materials for the May 19, 2015, Joint Meeting between the Town Commission and P&Z Board will be published and available to all Town Commissioners and P&Z Board applicants. Applicants for the P&Z Board are encouraged to obtain and review these materials.
4. May 18, 2015, Special Workshop Meeting at 11:00 a.m. (time certain) - The Town Commission will hold a Special Workshop Meeting for “Meet & Greet” for P&Z Board Applicants following the May 18, 2015, Special Workshop Meeting on the FY2016 Budget.
5. May 18, 2015, Special Meeting at 1:00 p.m. (time certain) - The Town Commission will hold a Special Meeting to certify the May 12, 2015, Referendum election results. The second reading and public hearing of Ordinance 2015-16 will occur, followed by the appointment of P&Z Board members. If Ordinance 2015-16 passes, the Town Commission will select seven (7) P&Z Board members. If Ordinance 2015-16 fails, then the Town Commission will select four (4) P&Z Board members to fill the open seats.

6. May 19, 2015, Joint Town Commission and P&Z Board Special Workshop Meeting at 9:00 a.m. - Town Commission and P&Z Board members will meet to discuss ongoing policies relating to Comprehensive Plan and Land Development Code revisions. All newly appointed P&Z Board members will be expected to attend the Joint Town Commission/P&Z Board Special Workshop Meeting. Materials for the workshop will be provided in hard copy and available on the Town's website seven (7) days in advance of this meeting.

Ordinance 2015-16 was drafted and considered by the Town Commission at the May 4, 2015, Regular Meeting. There were three expiring terms and one vacancy on the P&Z Board previously scheduled for appointment at the May 4, 2015, Regular Meeting and these appointments were deferred in accordance with the schedule prepared by Staff.

Ordinance 2015-16 was amended by the Town Commission during the first reading relating to term limits and discussion on the process for selection of individuals. The Town Attorney has prepared language to accomplish the Commission direction provided which are highlighted in yellow on the attached Ordinance for Commission consideration.

Ordinance 2015-16 was forwarded to the May 18, 2015, Special Meeting for second reading, public hearing, and discussion.

Please don't hesitate to contact me if you have any questions.

ORDINANCE 2015-16

AN ORDINANCE AMENDING CHAPTER 33, BOARDS AND COMMISSIONS, OF THE CODE OF ORDINANCES OF THE TOWN OF LONGBOAT KEY, FLORIDA; AMENDING SECTION 33.20, CREATION, MEMBERS; AMENDING SECTION 33.23, MEETINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article II, Section 20 of the Town Charter, the Town Commission shall establish by ordinance the duties, responsibilities, and terms of certain advisory board including the Town's Planning and Zoning Board ("Board"); and

WHEREAS, at a Town Commission workshop held on April 20, 2015, the Town Commission evaluated the membership composition of the Board and has determined it is in the best interest of the Town to reduce the number of members of the Board from nine to seven members and to establish term limits relating to member service on the Board; and

WHEREAS, the Town Commission desires to amend its Code of Ordinances to incorporate the membership and term limit changes provided for herein; and

WHEREAS, the Town Commission of the Town of Longboat Key finds that the reduction in members of the Board is in the best interest of the health, safety, and welfare of the citizens of Longboat Key.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The Whereas clauses above are ratified and confirmed as true and correct.

SECTION 2. Chapter 33, Section 33.20 *Creation; members*, is hereby amended as follows:

(A) There is hereby created a planning and zoning board for the town, which shall consist of seven (7) ~~nine~~ members appointed by the town commission. The board shall elect a chairman annually from among its members. All members must be registered voters and residents of the Town of Longboat Key. All members must attend a sunshine and public records law class within three months of their appointment. No member shall be an elected official or employee of the town. A person appointed to this board may not serve concurrently on any of the following town boards: code enforcement board, ~~ethics commission~~, consolidated retirement system board of trustees, or zoning board of adjustment.

(B) Initial appointments to the seven (7) member board shall be as follows: two (2) members shall have a one-year term, two (2) members shall have a two-year term, and

three (3) members shall have a three-year term. ~~Thereafter, all members~~ ~~Members shall be appointed for a period of three years.~~ The town commission shall select the initial seven (7) board members utilizing the Commission policy for appointment of members to advisory boards outlined in Resolution 04-17, and shall assign the initial board member seats for a one-year, two-year, or three-year term utilizing an impartial, random selection process. Thereafter, all seat appointments for the board shall be for a three-year term. The terms of appointment shall expire on the second Wednesday of May of the year in which the term is set to expire. Any member who fails to attend three (3) consecutive scheduled and called regular meetings shall automatically forfeit his appointment, and the town commission shall promptly fill the vacancy. Vacancies shall be filled by appointment for unexpired terms only.

(C) No board member shall serve more than a maximum of ~~two (2)~~ three (3) consecutive terms or a maximum of 10 ½ consecutive years, or a total of six (6) years as a member of the planning and zoning board without an interval of one (1) year out of office. After a one-year period of non-membership on the planning and zoning board, a person will again become eligible for re-appointment by the town commission. Board members who serve a partial term for a period greater than one (1) year and six (6) months, shall have that partial term counted towards the term limits. Notwithstanding the foregoing, term limits shall be prospective in application and shall be calculated after the effective date of Ordinance 2015-16.

SECTION 3. Chapter 33, Section 33.23 *Meetings*; Subsection (B) is hereby amended as follows:

(B) A quorum for any meeting of the board shall be ~~five~~ four (4) of the members. When less than a quorum is present at any meeting which has been duly called, those present may adjourn or recess the meeting to a future date to be specified in the motion of adjournment or recess.

SECTION 4. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 5. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 6. This Ordinance shall take effect upon second reading in accordance with Law and the Charter of the Town of Longboat Key.

Passed on the first reading the 4th day of May, 2015.

Adopted on second reading and public hearing the _____ day of _____, 2015.

ATTEST:

Jack G. Duncan, Mayor

Trish Granger, Town Clerk



End of Agenda Item