

Regular Workshop – September 21, 2015
Agenda Item 22

Agenda Item: Utility Undergrounding Project for Neighborhoods and Side Streets
Second Referendum Funding Framework

Presenter: Town Manager and Staff

Summary: During Town Manager comments at the September 9, 2015 Regular Meeting, the Town Commission discussed the framework and funding of the second utility undergrounding referendum for a neighborhood and side streets project. The Mayor asked for a consensus of the Town Commission on whether or not to move forward with framework and funding of the second referendum as decided on June 1, 2015 (Option 5B). By consensus, the Town Commission is undecided on the framework and funding for the second referendum. Should the first referendum pass, the Town Commission will seek public input as they develop a funding methodology. As the second referendum framework and funding was originally voted through a motion, the consensus taken should be formalized through a motion.

Attachments: 9-14-15 Memo, Assistant Town Manager to Commission;
June 1, 2015 Regular Meeting Minutes and
June 15, 2015 Special Meeting Minutes.

Recommended

Action: Pending discussion, formalize the status of the utility undergrounding project neighborhood and side streets second referendum framework and funding through a motion.

M E M O R A N D U M

Date: September 14, 2015

TO: Town Commission

FROM: Anne Ross, Assistant Town Manager

THROUGH: Dave Bullock, Town Manager

SUBJECT: Utility Undergrounding Project for Neighborhoods and Side Streets Second Referendum Funding Framework

The Town Commission has decided to present a two step bond referendum utility undergrounding project to the electors of the Town. The first referendum deals with undergrounding Gulf of Mexico Drive and is scheduled for November 3, 2015. A second referendum dealing with undergrounding neighborhoods and side streets will be considered if the first referendum passes.

At the June 1, 2015 Town Commission Regular Meeting the Town Commission voted to proceed with Options 5A and 5B for undergrounding referendums. During the June 15, 2015 Special Meeting Ordinance 2015-21 providing for the Gulf of Mexico Drive undergrounding project bond referendum passed on first reading. During the agenda item, the Town Commission did discuss the second referendum for the bond to underground neighborhoods and side streets although no action was taken. The meeting minutes for June 1, 2015 (pages 8 through 10) and June 15, 2015 (pages 1 and 2) are attached for your information.

During Town Manager comments at the September 9, 2015 Regular Meeting, the Town Commission once again discussed the framework and funding of the second referendum. The Mayor asked for a consensus of the Town Commission on whether or not to move forward with the second referendum framework and funding as decided on June 1, 2015 (Option 5B). By consensus, the Town Commission is undecided on the framework and funding for the second referendum. Should the first referendum pass, the Town Commission will seek public input as they develop a funding methodology.

As the second referendum framework and funding was originally voted through a motion, we respectfully request that the consensus taken on September 9, 2015 be formalized through a motion and roll call vote.

19. Fiber Optic Backbone – Telecommunications Opportunities - Continued

- competition with private vendors
- option for Town to provide fiber optic service
- existing Verizon fiber optic system on Gulf of Mexico Drive
- opportunity to install fiber optic for future use at lower cost during undergrounding project
- Verizon fiber optic versus proposed capacity of Town owned system
- types of public sector services available through a fiber optic system
- Distributed Antenna System (DAS) and “Tele-Health” benefits
- process to identify other direct benefits to the community.

Mr. George Spoll, Harbourside Drive, commented on fiber optic service.

Town Manager Bullock commented on interest of third party providers and Mr. Campbell noted options for the installation of fiber optic. Discussions were held on the number of required antennas to provide fiber optic service/improved cellular service throughout the Town.

Upon inquiry, Town Manager Bullock commented on the governmental services that would benefit from fiber optic service and the need for additional review to determine the full benefit to the public.

20. Utilities Undergrounding Update with Non Ad Valorem Assessment Report

At the February 17, 2015, Regular Workshop Meeting the Town Commission was provided an updated cost analysis and funding options report associated with undergrounding utilities. Staff was directed to proceed with conducting a parcel-by-parcel non ad valorem assessment study to provide additional funding options for consideration. This item is placed on the June 1, 2015, Regular Meeting for Commission consideration and policy direction. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock noted distribution of a revised Staff report and noted attendance of the consultants assisting the Town. Assistant Town Manager Anne Ross gave a PowerPoint presentation on the Undergrounding Project and introduced Ms. Tara Hollis, Certified Public Accountant with Willdan Financial Services. Ms. Hollis reviewed the assessment methodology development process. Discussions were held with Assistant Town Manager Ross, Ms. Hollis, and Mr. Danny Brannon, with Brannon and Gillespie, LLC, on the opinion included relating to earlier restoration of services with an underground system in place following a storm event.

RECESS: 9:49 p.m. – 10:00 p.m.

Discussions continued on the following topics/issues:

- measurement of benefit by an Equivalent Benefit Unit (EBU) process based on property size
- available detailed breakdown by property
- election schedule and project options for mail ballot versus on-site
- public hearing schedule if required.

20. Utilities Undergrounding Update with Non Ad Valorem Assessment Report- Continued Commr. Younger moved to proceed with Options 5A and 5B for undergrounding referendums, with a 30-year term. The motion was seconded by Vice Mayor Gans.

Subsequent to discussion, Town Attorney Maggie Mooney-Portale identified the process for establishing a project district and options to have an overlay district for the entire Town versus an overlay district for overhead parcel owners.

Following comments, the motion carried by a 6-0 roll call vote, with Commr. Zunz not present, as follows: Younger, aye; Gans, aye; Duncan, aye; Pastor, aye; Daly, aye; Larson, aye.

Following comments by Town Attorney Mooney-Portale, Town Manager Bullock advised that Staff would draft and present the enacting Ordinance for first reading on June 15, 2015, utilizing Options 5A and 5B with a 30-year term.

RECESS: 10:45 p.m. - 10:47 p.m.

21. Other Business

Mayor Duncan noted that Commr. Zunz left the meeting due to illness.

20. Utilities Undergrounding Update with Non Ad Valorem Assessment Report - Continued Following inquiring, Town Manager Bullock advised that Staff would prepare the referendum Ordinance for utility undergrounding of Gulf of Mexico Drive with a November 3, 2015, election date to be held on-site (Longboat Key precincts) and discussed the contingency percentage included in the funding discussed.

Attorney Duane Draper with Bryant Miller Olive, P.A. commented on the project cost, borrowing options, and funding inclusive of advertising costs. Discussions were held on the following topics/issues:

- November referendum date for Option 5A - Gulf of Mexico Drive Undergrounding Project only
- process to proceed with Option 5B - Neighborhood Undergrounding Project if the November referendum passes
- limitation on wording for ballot language
- time frame for establishment of a District for the Neighborhood Undergrounding Project
- parameters of the November referendum question (30-year debt including 20% contingency)
- utilization of non-ad valorem assessments/pledging of ad valorem assessments with non-ad valorem revenue.

Subsequent to comments, Commr. Larson moved to direct Staff to forward the appropriate Ordinance with parameters discussed to the June 1, 2015, Regular Meeting for first reading, providing for a referendum election on November 3, 2015, for the undergrounding of utilities on Gulf of Mexico Drive. The motion, seconded

by Commr. Younger, carried by a 6-0 roll call vote, as follows: Larson, aye; Younger, aye; Gans, aye; Duncan, aye; Pastor, aye; Daiy, aye.

Discussion ensued on the time frame for consideration and an all mail versus on-site vote.

TOWN COMMISSION COMMENTS

A. Utility Undergrounding

Commr. Pastor commended Staff's presentation on the Utilities Undergrounding Project. Individual comments followed.

TOWN ATTORNEY COMMENTS - No items were presented.

TOWN MANAGER COMMENTS

A. Government Agencies

Town Manager Dave Bullock noted that the Sarasota Board of County Commissioners would be considering the Town's Bayfront Park Recreation Center funding request at their meeting scheduled for June 3, 2015, advising that the meeting would be held at 1660 Ringling Boulevard, Sarasota, Florida, and encouraged Town Commissioner's attendance.

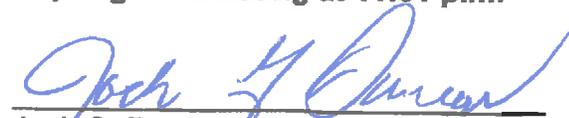
PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Mayor Duncan adjourned the June 1, 2015, Regular Meeting at 11:01 p.m.



Trish Granger, Town Clerk



Jack G. Duncan, Mayor

Minutes Approved: 7-6-15

**MINUTES
LONGBOAT KEY TOWN COMMISSION
SPECIAL MEETING
JUNE 15, 2015 - 11:00 A.M.**

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

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

CALL TO ORDER

Mayor Duncan called the June 30, 2015, Special Meeting to order at 11:51 a.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 - No items were presented.

ORDINANCES - FIRST READING

2. Ordinance 2015-21, Providing for Bond Referendum on November 3, 2015

Ordinance 2015-21 provides for a bond referendum regarding the issuance of bonds and/or notes by the Town in an amount not to exceed \$25,250,000 for undergrounding electrical, communications, and other utilities, and installation of street lighting, relating to Gulf of Mexico Drive to be held in conjunction with other General Municipal Elections on November 3, 2015. This item was placed on the June 15, 2015, Special Workshop Meeting for Commission consideration and forwarded to the June 15, 2015, Special Meeting for first reading. Recommended Action: Pending first reading and discussion, forward Ordinance 2015-21 to the June 29, 2015, Special Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2015-21 on record for first reading by title only.

Commr. Larson moved to pass Ordinance 2015-21 on first reading and to forward to the June 29, 2015, Special Meeting for second reading and public hearing. The motion was seconded by Commr. Younger.

Town Manager Dave Bullock provided an overview of the amendments to Ordinance 2015-21 considered and approved by consensus at the June 15, 2015, Special Workshop Meeting. Assistant Town Manager Anne Ross gave a PowerPoint presentation on Ordinance 2015-21. Discussions were held with Town Manager Bullock, Assistant Town Manager Ross, and Mr. Danny Brannon with Brannon and Gillespie, LLC, on the following topics/issues:

- language modifications to the referendum question (inclusion of reference to fiber optics)
- action requested on Ordinance 2015-21
- timeline for consideration of a second referendum.

2. Ordinance 2015-21, Providing for Bond Referendum on November 3, 2015 - Continued
Assistant Town Manager Ross advised that the discussions and comments raised at the June 15, 2015, Special Workshop Meeting were included in the first reading of the Ordinance by reference. Attorney Duane Draper, Miller Bryant Olive, P.A., commented on the revised language.

The following individuals commented on Ordinance 2015-21:

Mr. John Summers, Emerald Harbor Drive
Mr. Larry Grossman, St. Judes Drive North

Town Manager Bullock advised that the public outreach on the referendum would provide information on both the Gulf of Mexico Drive (GMD) and the Neighborhood Undergrounding Projects with a focus on GMD.

Commr. Zunz moved to postpone formal action on the Ordinance this date. The motion died for lack of a second.

The motion to pass Ordinance 2015-21 carried by a 6-1 roll call vote, as follows: Larson, aye; Younger, aye; Gans, aye; Duncan, aye; Pastor, aye; Zunz, no; Daly, aye.

RESOLUTIONS

3. Resolution 2015-15, Budget Transfer in the Amount of \$87,000 from General Services: Commission Contingency and General Services: Professional Services Accounts to General Services: Professional Services-Underground Utilities Project

Resolution 2015-15 amends the General Fund Budget to move unencumbered funds within the General Services Department for the continued consulting and legal costs associated with preparing for referendum on Utilities Undergrounding on Longboat Key. Should an undergrounding referendum pass and a project pursued, these planning expenditures will be reimbursed through the project bonding process. This item was forwarded from the June 15, 2015, Special Workshop Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2015-15.

Town Clerk Trish Granger placed Resolution 2015-15 on record by title only.

Commr. Pastor moved to pass Resolution 2015-15. The motion was seconded by Commr. Younger.

Town Manager Dave Bullock provided an overview on Resolution 2015-15.

Following comments, the motion carried by a 6-1 roll call vote, as follows: Pastor, aye; Younger, aye; Zunz, no; Daly, aye; Larson, aye; Gans, aye; Duncan, aye.

4. Resolution 2015-18, Providing for the Longboat Key Town Commission's Participation in a Special Joint Meeting with the Cities of Sarasota, North Port, and Venice

The City of Sarasota invited the Town Commission to participate in a Special Joint Meeting on July 1, 2015, with other Sarasota County cities. Florida Statutes, Section 166.0213, allows the governing body of a municipality to hold joint meetings to receive, discuss, and

4. Resolution 2015-18, Providing for the Longboat Key Town Commission's Participation in a Special Joint Meeting with the Cities of Sarasota, North Port, and Venice
- Continued

act upon matters of mutual interest with the governing body of another municipality at such time and place as shall be prescribed by ordinance or resolution. Resolution 2015-18 provides for such participation at the July 1, 2015, Special Joint Meeting. This item was forwarded from the June 15, 2015, Special Workshop Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2015-18.

Town Clerk Trish Granger placed Resolution 2015-18 on record by title only.

Commr. Pastor moved to pass Resolution 2015-18. The motion was seconded by Commr. Younger.

Town Manager Dave Bullock provided an overview of the proposed agenda items for the Joint Meeting. Upon inquiry, Town Manager Bullock advised that Sarasota County elected officials were not requested to attend, and Town Attorney Maggie Mooney-Portale advised that if the Resolution was adopted, it would be a formal meeting of the Commission and a quorum would be required.

Following comments by Mayor Duncan, Town Attorney Mooney-Portale inquired as to legal representation at the meeting. Town Manager Bullock advised that the majority of the issues were for informational purposes. Discussion ensued on the procedure for consideration of issues at the Joint Meeting.

The motion carried by a 6-1 roll call vote, as follows: Pastor, aye; Younger, no; Daly, aye; Gans, aye; Larson, aye; Duncan, aye; Zunz, aye.

ADJOURNMENT

Mayor Duncan advised that the Regular Workshop will start at 1:30 p.m. following a lunch recess. Commr. Zunz moved to adjourn the Special Meeting. The motion, seconded by Commr. Pastor, carried unanimously. Mayor Duncan adjourned the June 15, 2015, Special Meeting at 12:31 p.m.



Trish Granger, Town Clerk



Jack G. Duncan, Mayor

Minutes Approved: 7-6-15



End of Agenda Item