

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
JOINT WORKSHOP  
WITH THE PLANNING AND ZONING BOARD  
SEPTEMBER 21, 2015 - 9:00 A.M.**

**Present:** Town Commission

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

Planning & Zoning (P&Z) Board Members

Andrew Aitken, B.J. Bishop, James Brown, Stephen Madva, Kenneth Schneier, George Symanski

**Absent:** Leonard Garner (P&Z)

**Also:** Town Manager Dave Bullock, Town Attorney Maggie Mooney-Portale, Planning  
**Present:** Zoning and Building Department Director Alaina Ray, Deputy Town Clerk Jo Ann Mixon

**CALL TO ORDER**

**Mayor Duncan called the September 21, 2015, Joint Workshop with the Planning and Zoning Board to order at 9:00 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.

**DISCUSSION ITEMS**

2. Discussion Regarding Proposed Ordinance 2015-11 Regarding Non-Conforming Density

Staff will provide information regarding proposed Ordinance 2015-11 that addresses issues related to properties which are non-conforming for density.

Planning, Zoning, and Building (PZB) Department Director Alaina Ray recapped the history (1984 to 2014) regarding nonconforming density, reviewed the existing code, provided guidelines for implementing objectives, and gave an overview of the staff report for proposed Ordinance 2015-11. Discussions were held on the following topics/issues:

- existing Town Code setbacks
- potential new units (multi-family 314/ tourism 96 units)
- Planned Unit Development (PUDS)
- accurate data (number of condominium units)
- percentage (56%) of properties that would gain units if proposals were approved
- duplexes and triplexes unaccounted
- potential referendums to increase density
- Ordinance 2007-49 (modification to Town's density)
- establish new zoning identifiers

2. Discussion Regarding Proposed Ordinance 2015-11 Regarding Non-Conforming Density - Continued

- conforming overage (RCO residential conforming overage/TCO tourism overage)
- review on a case-by-case basis
- tourism districts
- condominium comparison economics
- tourism units data concerns
- property appraisal data utilized for unit counts.

**RECESS:** 10:05 a.m. – 10:25 a.m.

University of Florida Associate Research Professor Resilient Communities Initiative Representative Jerry Murphy gave a PowerPoint presentation highlighting the following:

- proposed Ordinance 2015-11
- policy consideration (legislative vs. quasi-judicial changes to zoning code)
- referendum language limitations
- rezoning properties to conform (density).

**Mayor Duncan inquired and there was consensus to maintain density.**

Discussions were held on the following topics/issues:

- quasi-judicial process addressing individual properties
- referendum process to increase density
- establish a pool of available units
- incentive for modernization and redevelopment
- conforming versus nonconforming designation on properties.

Town Attorney Maggie Mooney-Portale referenced the Town Code referendum process and discussion was held on whether an earlier ordinance was self-executing. Discussions continued on the following topics/issues:

- legislative approach
- rebuild to the current levels verses current number of units with modifications
- cubic volume restrictions
- comprehensive plan, land usage, and referendum procedure
- 1984 zoning districts and use
- allowing current use on nonconforming properties (legislative process)
- creating incentives for nonconforming property redevelopment (legislative process)
- creating new zoning districts with restrictions
- the Burt Harris Act (cannot take away what currently exists)
- staff's proposal (fair and reasonable)
- policy issue regarding zoning districts (legislative process).

2. Discussion Regarding Proposed Ordinance 2015-11 Regarding Non-Conforming Density - Continued

PZB Director Ray reviewed the following objectives:

- revise Comprehensive Plan and Town to conform existing lawful density
- enhance opportunities and incentives to modernize aging properties
- reduce financial uncertainty for sale and/or redevelopment of nonconforming properties.

Discussions were held on the following topics/issues:

- staff's proposed (creates framework)
- unit pool referendum regarding available units
- education process regarding nonconforming properties
- opt in process Town-wide versus individual approach
- incentives without variances
- condominium law
- allowing current uses (legislative process)
- creating a zoning district for nonconforming property
- creating a multi-family unit pool
- opt in process (property owner must take action) create a new land use map
- property improvements/future property sales and property values.

**Subsequent to comments, there was consensus to direct staff to explore a multi-family pool option, create new zoning districts and allow properties to be moved into the districts if the owners opt-in, and to hold another joint meeting.**

Town Attorney Mooney-Portale advised the sunshine laws apply to the joint body, and no discussion regarding the issues should be held between members of the Town Commission and Planning & Zoning Board.

**ADJOURNMENT**

**Mayor Duncan adjourned the September 21, 2015, Town Commission Joint Meeting with the Planning & Zoning Board at 12:17 p.m.**

\_\_\_\_\_  
Jo Ann Mixon, Deputy Town Clerk

\_\_\_\_\_  
Jack G. Duncan, 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  
SEPTEMBER 21, 2015 - 1:00 P.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/PLEDGE OF ALLEGIANCE**

**Mayor Duncan called the September 21, 2015, Regular Workshop to order at 1:00 p.m., in the Town Hall Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Commr. Larson led the Pledge of Allegiance.**

Mayor Duncan noted the Town's Civility Policy and read the Pledge of Conduct.

23. Other Business:

A. Town Commission

**Commr. Larson requested and there was consensus to advance consideration of Item 22 on the agenda following the Consent Agenda.**

**PUBLIC TO BE HEARD**

1. Opportunity for Public to Address Town Commission

A. Organizations

Ms. Carol Erker, President of the Rotary Club of Longboat Key, commented on recent donations from community organizations and advised that the Rotary Club of Longboat Key was donating \$10,170.00 towards enhancements to Bayfront Park's planned dog park.

Individual comments followed thanking Ms. Erker for the donation from the Rotary Club.

**COMMITTEE REPORTS AND COMMUNICATIONS**

2. Manatee County Special Liaison Report

A. Organizations

Commr. Zunz noted attendance at the Manatee County Economic Development Corporation (EDC) meeting and noted the issues discussed.

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

4. ManaSota League of Cities Liaison Report

A. Organizations

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

Commr. Larson noted attendance at the Manasota League of Cities meeting and reviewed the issues discussed. Mayor Duncan commented on the difficulty relating to the legislative session and development of priorities.

#### 5. Other Reports

##### B. Organizations

Commr. Larson noted the Sarasota Bay Estuary Program Policy Board would be holding their next meeting at Longboat Key in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

##### C. Organizations

Commr. Daly noted attendance and reviewed issues discussed at the Metropolitan Planning Organizations meeting.

##### A. Organizations

Longboat Key Chamber of Commerce President Gail Loefgren provided an update regarding the plans being developed to celebrate the Town's 60<sup>th</sup> Anniversary.

Ms. Loefgren noted the Committee members and provided an overview of the 60<sup>th</sup> Anniversary Event planned for November 14, 2015, and the additional concert series planned. Following a review of anticipated expenses, Ms. Loefgren requested support and a contribution from the Town to help fund the event.

Mayor Duncan noted discussions with the Chamber representatives regarding the event and supported funding. Discussions were held on the following topics/issues:

- estimated costs
- reimbursement process
- consideration and request for additional information
- funding requests denied for other organizations in the past
- estimated number of participants.

Upon inquiry, Town Attorney Maggie Mooney-Portale commented on the use of public funds to support the event.

**There was majority consensus for Ms. Loefgren to provide additional information to the Commission at the next available meeting.**

#### 6. Citation Presentation to Lloyd Hine and Curtis Vandermolen

Mayor Duncan noted that the presentations to Mr. Hine and Mr. Vandermolen had been postponed.

### **CONSENT AGENDA**

#### 7. Consideration of Medical Director's Contract Renewal (See item later this meeting.) :

Dr. Steven Newman has served as the Town's Medical Director for 31 years and has supervised and accepted direct responsibility for the medical performance of all Town EMTs and Paramedics. Dr. Newman's contract is up for renewal effective October 1, 2015. A contract term of 3 years is proposed with a COLA in years 2 and/or 3 which will

be equal to that, if any, provided to Town employees. Recommended Action: Approval of the Consent Agenda will forward renewal of Medical Director's Contract to the September 28, 2015 Special Meeting for formal action.

**CONSENT AGENDA**- Continued

**8. Request for Temporary Closure of Bay Isles Road for Rotary Club Veterans' Day Parade**

The Longboat Key Rotary Club requests the temporary closure of Bay Isles Road for approximately 1 hour on November 11, 2015 to hold a Veterans' Day Parade. A public forums permit has been approved for the event conditioned upon this approval. Recommended Action: Approval of the Consent Agenda will forward this request to October 5, 2015, Regular Meeting Consent Agenda for formal action.

**9. Proposed 2016 Town Commission Meeting Schedule**

Each year the Town Commission establishes their annual meeting schedule for the upcoming calendar year. The proposed 2016 Town Commission Meeting Schedule is being forwarded for consideration at the September 21, 2015 Regular Workshop Meeting. Recommended Action: Approval of the Consent Agenda will forward the 2016 Town Commission Meeting Schedule to the October 5, 2015, Regular Meeting Consent Agenda for formal action.

**10. Proposed Resolution 2015-22, Adopting the Manatee County Local Mitigation Strategy (LMS)**

The Town of Longboat Key participates in both Sarasota and Manatee County Local Mitigation Strategy Work Groups. The focus of the LMS is to reduce risks associated with all types of disaster events. The Town passed Resolution 99-13 on October 4, 1999, formally adopting the original LMS and remains active in the program. Resolution 2015-22 is for the formal adoption of the most currently revised and FEMA approved version of the Manatee County LMS. This will enable the Town to be eligible for post disaster mitigation grant funds. Recommended Action: Approval of the Consent Agenda will forward Resolution 2015-22 to the October 5, 2015, Regular Meeting for formal action.

**11. Proposed Resolution 2015-23, Adopting the 2015 Floodplain Management Plan**

As part of the Community Rating System (CRS) recertification cycle associated with the National Flood Insurance Program (NFIP), the Town must update its Floodplain Management Plan via resolution. At the direction of the Town Manager, a committee was formed to update the Floodplain Management Plan. The Committee is recommending Town Commission approval of the updated 2015 Floodplain Management Plan and has developed proposed Resolution 2015-23 per CRS requirements. Recommended Action: Approval of the Consent Agenda will forward Resolution 2015-23 to the October 5, 2015, Regular Meeting for discussion and formal action.

**Mayor Duncan requested that Item 7 be pulled for discussion later this meeting.**

**There was consensus to approve Consent Agenda Items 8 through 11 in accordance with Staff's reports and recommendations.**

**DISCUSSION ITEMS**

**22. Undergrounding Referendum 2 and Future Public Input Discussion**

At the September 9, 2015, Regular Meeting the Town Commission discussed funding methodologies related to undergrounding neighborhoods and side streets. There was consensus the Commission will be developing a funding methodology and seeking

additional public input on a neighborhood and side street referendum if the GMD (Gulf of Mexico Drive) Referendum should pass. Town staff was directed to remove the assessment estimates for properties associated with Referendum 2 from the website. Recommended Action: Pending discussion, provide direction to Manager.

22. Undergrounding Referendum 2 and Future Public Input Discussion - Continued

Town Manager Dave Bullock commented on previous Commission direction on September 9, 2015, requested formal action on the consensus taken, and advised that it would be included on a future agenda.

Discussion ensued on the following topics/issues:

- clarification on the request to include on a future agenda
- options to include information on the Town's website relating to Referendum 2
- discussion on process if Referendum 1 for GMD does not pass
- issues raised at first public meeting on Referendum 1 (GMD).

**There was majority consensus to include the issue on a Regular or Special Meeting for formal action.**

**There was majority consensus to postpone discussions on alternative scenarios if Referendum 1 does not pass.**

12. Update on Beach Projects

Dr. Al Browder, P.E., Olsen Associates, Inc., will provide an update for the Town Commission on beach projects and beach performance. Recommended Action: None, informational only.

Following comments by Town Manager Dave Bullock, Dr. Browder with Olsen Associates, Inc., gave a PowerPoint presentation on beach projects and beach performance. Discussions were held on the following topics/issues:

- comparison of conditions in North Shore Road/North End areas
- sand loss/intent on the placement of permeable structures
- difference between the Islander groins and the North Shore Road/North End structures
- sand loss versus sand movement between structures
- options to install baffles in the North End structures.

**Commr. Younger requested consideration for consensus to instruct staff to add baffles to the North Shore Road/North End equal to the number installed in the Islander groins.**

Discussion were held on the following topics/issues:

- difference in locations and types of structures
- purpose of structures
- types of available structures
- intent of structures to slow down erosion

- estimated costs to add baffles to the North Shore/North End structures
- process to require placement by engineer/contracting firms
- previous costs for adjustments to the groins at the Islander
- decision reached on the construction of the groins relating to baffles.

#### 12. Update on Beach Projects - Continued

Public Works Director Juan Florensa commented on project costs, the history on the construction and modifications to the Islander groins, and the project parameters of the North Shore Road/North End groin project. Discussion ensued on the following topics/issues:

- timeframe for modifications made to Islander groins
- depth coverage versus gap coverage
- expectations on the sand placement/retainage of sand
- options to monitor the sand movement activity
- impact of groins on sand in front of property owners on North End.

**There was consensus to not add baffles at the current time.**

Upon inquiry, Dr. Browder commented on the processes and the movement of sand and options to monitor.

Mr. Florensa noted the annual shoreline monitoring requirements of the permit issued and advised that the next monitoring report was May of 2016.

Individual comments followed.

**RECESS:** 2:56 p.m. – 3:10 p.m.

#### 12. Update on Beach Projects - Continued

Dr. Browder continued the presentation on the beach update. Discussions were held on the following topics/issues:

- estimated material retention in the area of 6633 Gulf of Mexico Drive seawall/Gulfside Road
- alternative types of structures that may be considered to retain sand.

#### 13. Proposed Interlocal Agreement with Sarasota County for Bayfront Park Development

The Town of Longboat Key and Sarasota County Commissions have approved a concept plan for expansion and improvements of Bayfront Park. An Interlocal Agreement is required to formalize the relationship between the Town and County regarding operations, maintenance, and use of the portion of Bayfront Park to be developed on County-owned land. Recommended Action: Pending discussion, forward to the October 5, 2015, Special Meeting between Longboat Key and Sarasota County Commissions.

#### 14. Proposed Joint Project Agreement with Sarasota County for Expansion and Development of Bayfront Park

The Town of Longboat Key and Sarasota County Commissions have approved a concept plan for expansion and improvements of Bayfront Park as discussed in the item above. A

Joint Project Agreement is required to set forth the respective obligations and responsibilities of the Town and County for design, engineering and construction of the Sarasota County-owned portion of Bayfront Park. Recommended Action: Pending discussion, forward to the October 5, 2015, Special Meeting between Longboat Key and Sarasota County Commissions.

13. Proposed Interlocal Agreement with Sarasota County for Bayfront Park Development - Continued

14. Proposed Joint Project Agreement with Sarasota County for Expansion and Development of Bayfront Park - Continued

Mayor Duncan noted that Items 13 and 14 were related and would be discussed jointly.

Following comments, Town Manager Dave Bullock advised that the County had notified Staff this date that the Bayfront Park agreements will not be completed by the October 5, 2015, Joint Meeting.

Assistant Town Manager Anne Ross gave a PowerPoint presentation on the Interlocal and Joint Project Agreements with Sarasota County. Discussions were held on the following topics/issues:

- handicap parking for beach access
- time line for "shovel ready."

**There was consensus to forward the Interlocal and Joint Project Agreements to the October 5, 2015, Special Meeting with Sarasota County Commissions for formal consideration.**

15. Proposed Interlocal Agreement with Sarasota County for Dispatch Consolidation:

The Town of Longboat Key and Sarasota County staffs are working toward consolidation of dispatch services for Law Enforcement, Fire, Emergency Medical Services and related communications services. In order to proceed, an Interlocal Agreement is required to define the respective obligations and responsibilities, costs, and scope of services. Recommended Action: Pending discussion, forward to the October 5, 2015, Special Meeting between Longboat Key and Sarasota County Commissions for formal action.

Following comments by Town Manager Dave Bullock, Assistant Town Manager Anne Ross gave a PowerPoint presentation on the Interlocal Agreement with Sarasota County. Commr. Zunz advised that she can fully participate in the formal action by the Commission.

Upon inquiry, Town Manager Bullock advised of the municipal agencies that are participating in the dispatch consolidation.

**There was majority consensus to forward the Interlocal Agreement to the October 5, 2015, Joint Meeting with the Sarasota County Commission for formal consideration.**

(Note: Commr. Daly left the meeting at 4:00 p.m.)

16. Subaqueous Wastewater Forcemain Condition Assessment Report

At the March 23, 2015 Regular Workshop Meeting the Commission directed staff to move forward with an assessment/evaluation of the existing subaqueous wastewater forcemain. Greeley and Hansen was selected through our procurement process as the contractor for this project and has submitted a proposal which includes a budget, scope of work, and schedule. Recommended Action: Pending discussion, provide direction to Manager.

16. Subaqueous Wastewater Forcemain Condition Assessment Report - Continued

Following comments by Town Manager Dave Bullock, Public Works Director Juan Florensa gave an overview on the assessment process. Discussions were held on the pipe size and SmartBall size.

Upon inquiry, Town Manager Bullock commented on the accounts established for the funding of the subaqueous wastewater forcemain. Individual comments followed.

**There was consensus to move forward with a contract for the project.**

17. Proposed Ordinance 2015-20, Comprehensive Plan Amendment, Existing Infrastructure Element Results Neutral Revisions

At their June 16, 2015 Regular Meeting the Planning & Zoning (P&Z) Board reviewed Ordinance 2015-20 and recommended approval with minor revisions to wording. The "results neutral" crosswalk of the various elements of the Comprehensive Plan creates a more user-friendly Comprehensive Plan that is easier to read, understand, and apply. The crosswalk assures that the existing goals, objectives, and policies in the Comprehensive Plan that remain essential to the Town are preserved, while any extraneous content is eliminated. It also delineates strategies for successfully implementing the goals, objectives, and policies. Through the crosswalk effort, the existing goals, objectives, and policies of the Potable Water, Solid Waste, and Wastewater elements of the Plan have been converted into the framework for the new Comprehensive Plan. Recommended Action: Pending discussion, forward Ordinance 2015-20 to the October 5, 2015, Regular Meeting for first reading and public hearing.

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on Ordinance 2015-20.

Upon inquiry, Ms. Ray advised that the amendments to the Comprehensive Plan will be considered in phases.

**There was consensus to forward to Ordinance 2015-20 to the October 5, 2015, Regular Meeting for first reading and public hearing.**

18. Proposed Ordinance 2015-24 Amending the FY 2014-2015 Park & Recreation Capital Project Fund Budget to Use Unappropriated Fund Balance for Expenses Related to Bayfront Park Design Services

A budget amendment is required to continue design work on Bayfront Park currently underway by Wannemacher Jensen Architects, Inc. The Town Manager requests a transfer from Unappropriated Fund Balance in the amount of \$53,745. Proposed Ordinance 2015-24 is placed on the September 21, 2015 Regular Workshop Meeting for Commission consideration. Recommended Action: Pending discussion, forward Ordinance 2015-24 to the October 5, 2015, Regular Meeting for first reading and public hearing.

Town Manager Dave Bullock advised that Items 18 through 21 were intertwined and the Staff presentation was developed in that manner and the items would be discussed together.



18. Proposed Ordinance 2015-24 - Continued

19. Proposed Ordinance 2015-25, Amending the FY 2014-2015 Land Acquisition Fund Budget to Use Unappropriated Fund Balance for Expenses Related to Fund Activities:

The Town Manager requests a transfer from Unappropriated Fund Balance in the amount of \$5,334 to cover investment expenses, a permit fee, and additional expenses associated with the land purchase at 592 Bay Isles Road. Proposed Ordinance 2015-25 is placed on the September 21, 2015 Regular Workshop Meeting for Commission consideration. Recommended Action: Pending discussion, forward Ordinance 2015-25 to the October 5, 2015, Regular Meeting for first reading and public hearing.

20. Proposed Ordinance 2015-26, Amending the FY 2014-2015 Beach Capital Project Fund Budget to Use Unappropriated Fund Balance for Expenses Related to the Beach Capital Project Fund

Transfers of appropriations between funds, the use of unallocated fund balances or other revenue sources amend the budget and require approval by the Town Commission by Ordinance. Unanticipated expenditures related to the Beach Capital Projects Fund for increased costs of memberships, protected species monitoring, and permits require a budget transfer of \$21,750 from the Unappropriated Fund Balance to the Beach Capital Projects Fund. Recommended Action: Pending discussion, forward Ordinance 2015-26 to the October 5, 2015, Regular Meeting for first reading and public hearing.

21. Proposed Ordinance 2015-28, Amending the FY 2014-2015 Tennis Special Revenue Fund Budget to True Up Revenues and Expenses of the Fund

The Town Charter requires that all line items in the budget shall be trued up at year end for any variances with the adopted budget. The final results of the Tennis Center operations will not be known until November after the fiscal year end closes. Final transfer amounts will be incorporated into Ordinance 2015-28 and brought to you at the November 2, 2015 Regular Meeting. Proposed Ordinance 2015-28 is placed on the September 21, 2015 Regular Workshop Meeting in order to meet requirements of a workshop and two public hearings. Recommended Action: Pending discussion, forward Ordinance 2015-28 to the October 5, 2015, Regular Meeting for first reading and public hearing.

Finance Director Sue Smith gave a PowerPoint presentation on the budget amendments. Discussions were held on the following topics/issues:

- property taxes on land purchased
- permit fees paid by Town
- cost of beach monitoring
- auditor's recommendation relating to budgetary control.

**There was consensus to forward consideration of budgetary changes to the Finance Committee for discussion.**

**There was consensus to forward the Ordinances outlined in Items 18 through 21 to the October 5, 2015, Regular Meeting for first readings and public hearings.**

7. Consideration of Medical Director's Contract Renewal - Continued

Dr. Steven Newman has served as the Town's Medical Director for 31 years and has supervised and accepted direct responsibility for the medical performance of all Town EMTs and Paramedics. Dr. Newman's contract is up for renewal effective October 1, 2015. A contract term of 3 years is proposed with a COLA in years 2 and/or 3 which will be equal to

7. Consideration of Medical Director's Contract Renewal - Continued

that, if any, provided to Town employees. Recommended Action: Approval of the Consent Agenda will forward renewal of Medical Director's Contract to the September 28, 2015 Special Meeting for formal action.

Mayor Duncan commented on the proposed contract advising that he was not in agreement with including a cost of living adjustment (COLA) in the contract. Fire Chief Paul Dezzi commented on the contract terms and Town Manager Dave Bullock advised that Staff can negotiate the terms of the contracts.

**There was consensus to forward the contract to the September 28, 2015, Special Meeting for formal action.**

**TOWN COMMISSION COMMENTS**

A. Organizations

Commr. Larson commented on the Kiwanis Club donation for the Bayfront Park and noted the Kiwanis Club Lawn Party was scheduled for December 5, 2015.

B. Town Commission

Mayor Duncan commented on the Pledge of Public Comment and Civility Code and requested consideration to add the following language to the Pledge of Conduct:

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

**Following individual comments, there was majority consensus to incorporate the proposed language on future agendas.**

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

**TOWN ATTORNEY COMMENTS**

A. Town Commission

Town Attorney Maggie Mooney-Portale noted items that will be brought forward for Commission consideration over the next several months.

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

**ADJOURNMENT**

**Mayor Duncan adjourned the September 21, 2015, Regular Workshop at 5:05 p.m.**

---

Trish Granger, Town Clerk

---

Jack G. Duncan, Mayor

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

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

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

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
SPECIAL MEETING  
SEPTEMBER 28, 2015 - 5:01 P.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

(Note: Commr. Daly arrived at 5:11 p.m.)

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Duncan called the September 28, 2015, Special Meeting to order at 5:03 p.m., in the Town Hall Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Commr. Younger led the Pledge of Allegiance.

Mayor Duncan noted and read the Pledge of Public Conduct.

**PUBLIC TO BE HEARD**

1. Opportunity for Public to Address Town Commission - No items were presented.

**ORDINANCES – SECOND READING AND PUBLIC HEARING**

2. Ordinance 2015-22, Adopting Millage Rates for the Town of Longboat Key (Town) for Fiscal Year (FY) Beginning October 1, 2015 and Ending September 30, 2016 (2015-2016)

Fiscal Year 2015-2016 operating millage rates for the Town of Longboat Key were established pursuant to first reading, public hearing, and discussion at the September 9, 2015, Regular Meeting held at 7:00 p.m. and forwarded to the September 28, 2015, Special Meeting for formal action.

3. Ordinance 2015-23, Adopting a Budget for the Town of Longboat Key (town) for the Fiscal Year (FY) Beginning October 1, 2015 and Ending September 30, 2016 (2015-2016)

Following first reading, public hearing, and discussion at the September 9, 2015, Regular Meeting the Town Commission and Town Manager forwarded proposed millages (Ordinance 2015-22) and a proposed budget (Ordinance 2015-23) to be adopted for Fiscal Year 2015-2016. In accordance with State law, three separate motions are required. Discussion of the millage rates and the budget must be heard in the following format:

- a. Discussion of rolled-back millage rate
- b. Ordinance 2015-22:  
**Motion** on approval of millage rates for the Beach Erosion Control Districts  
**Motion** on adoption of millage rate for Town
- c. Ordinance 2015-23:  
**Motion** on Town's Budget

Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2015-22 and Ordinance 2015-23.

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

**Mayor Duncan commented on the process for consideration of the Town's Fiscal Year 2015-2016 millage rates and budget and opened the public hearings for second reading.**

**2. Ordinance 2015-22, Adopting Millage Rates for the Town for FY 2015-2016 - Continued**

**3. Ordinance 2015-23, Adopting a Budget for the Town for FY 2015-2016 - Continued**

Town Clerk Trish Granger placed Ordinance 2015-22 on record for second reading and public hearing by title only.

Town Manager Dave Bullock provided an overview of the budget process and Finance Director Sue Smith gave a PowerPoint presentation on Ordinance 2015-22 and Ordinance 2015-23 and advised of the rolled-back rate change.

**Mayor Duncan recessed the Longboat Key Town Commission and convened as the Longboat Key Beach Erosion Control District A Governing Body.**

Following comments by Town Manager Bullock, Mr. Gene Jaleski, Cedar Street, commented on the millage levied on the Beach Erosion Control Districts.

**Commr. Pastor moved to recommend approval of levying 0.8328 mill ad valorem tax on all real and personal property within the Longboat Key Beach Erosion Control District A to pay the principal and interest on general obligation beach bonds for fiscal year beginning October 1, 2015 and ending September 30, 2016. The motion, seconded by Vice Mayor Gans, carried by a 7-0 roll call vote, as follows: Pastor, aye; Gans, aye; Zunz, aye; Younger, aye; Larson, aye; Daly, aye; Duncan, aye.**

Mayor Duncan noted that live video streaming was not available this date.

**Mayor Duncan adjourned the Longboat Key Beach Erosion Control District A Governing Body, and convened as the Longboat Key Beach Erosion Control District B Governing Body.**

**Following comments on the millage levy by Town Manager Bullock, Commr. Pastor moved to recommend approval of levying 0.2082 mill ad valorem tax on all real and personal property within the Longboat Key Beach Erosion Control District B to reimburse District A for payment of the principal and interest on general obligation beach bonds for fiscal year beginning October 1, 2015 and ending September 30, 2016. The motion, seconded by Commr. Zunz, carried by a 7-0 roll call vote, as follows: Pastor, aye; Zunz, aye; Duncan, aye; Gans, aye; Younger, aye; Larson, aye; Daly, aye.**

**Mayor Duncan adjourned the Longboat Key Beach Erosion Control District B Governing Body, and reconvened the Longboat Key Town Commission.**

**Subsequent to comments, Commr. Pastor moved accept the recommendations of the Longboat Key Beach Erosion Control Districts A and B to levy 0.8328 mill ad valorem tax within the Longboat Key Beach Erosion Control District A and a levy**

**of 0.2082 mill ad valorem tax within the Longboat Key Beach Erosion Control District B for Fiscal Year beginning October 1, 2015 and ending September 30, 2016. The motion, seconded by Vice Mayor Gans, carried by a 7-0 roll call vote, as follows: Pastor, aye; Gans, aye; Larson, aye; Daly, aye; Zunz, aye; Duncan, aye; Younger, aye.**

2. Ordinance 2015-22, Adopting Millage Rates for the Town for FY 2015-2016 - Continued

3. Ordinance 2015-23, Adopting a Budget for the Town for FY 2015-2016 - Continued  
**As no one wished to speak, Mayor Duncan closed the public hearing on Ordinance 2015-22.**

**Following comments, Commr. Younger moved to adopt Ordinance 2015-22 on second reading and public hearing levying ad valorem tax of 2.1300 mills for general operating purposes for the Town of Longboat Key and 0.0576 mills for general obligation facility improvement bonds and 0.8328 mills for the Longboat Key Beach Erosion Control District A and 0.2082 mills for the Longboat Key Beach Erosion Control District B, for a total millage rate for Beach District A of 3.0204 and 2.3958 for Beach District B for the fiscal year beginning October 1, 2015 and ending September 30, 2016. The motion, seconded by Commr. Pastor, carried by a 6-1 roll call vote, as follows: Younger, aye; Pastor, aye; Gans, aye; Duncan, aye; Larson, aye; Daly, aye; Zunz, no.**

Mayor Duncan commented on Ordinance 2015-23 reflecting the budget for the Town of Longboat Key for Fiscal Year 2015-2016.

Town Clerk Trish Granger placed Ordinance 2015-23 on record for second reading and public hearing by title only.

**Mayor Duncan noted the public hearing on Ordinance 2015-23. As no one wished to speak, the public hearing was closed.**

**Commr. Pastor moved to adopt Ordinance 2015-23 on second reading and public hearing, adopting a budget for the Town of Longboat Key, Erosion Control District A and Erosion Control District B, for the fiscal year beginning October 1, 2015, and ending September 30, 2016. The motion, seconded by Vice Mayor Gans, carried by a 6-1 roll call vote, as follows: Pastor, aye; Gans, aye; Duncan, aye; Zunz, no; Daly, aye; Larson, aye; Younger, aye.**

4. Ordinance 2015-27, Amending the FY 2014-2015 General Fund Budget to Appropriate an Additional \$1,268,000 Contribution to the Pension Trust Fund and Adjust Assignment of Fund Balance to Pensions

At the July 6, 2015, Budget Workshop, the Town Commission directed staff to prepare an Ordinance amending the Fiscal Year (FY) 2014-2015 Budget to place \$300,000 of the Fund Balance in the Pension Trust Fund. The Town Commission voted to increase the transfer to include the BP Oil settlement (Deepwater Horizon oil spill) of \$968,000.00. First reading and public hearing on Ordinance 2015-27 was held at the September 9, 2015, Regular Meeting and forwarded to the September 28, 2015, Special Meeting for

second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2015-27.

Town Clerk place Ordinance 2015-27 on record for second reading and public hearing by title only.

**4. Ordinance 2015-27, Amending the FY 2014-2015 General Fund Budget - Continued**  
**Commr. Larson moved to adopt Ordinance 2015-27. The motion was seconded by Commr. Pastor.**

**Mayor Duncan opened the public hearing.**

Mr. Larry Grossman, St. Judes Drive North, commented on Ordinance 2015-27.

Town Manager Dave Bullock noted previous presentations on Ordinance 2015-27.

**As no others wished to be heard, the public hearing was closed.**

**The motion carried by a 4-3 roll call vote, as follows: Larson, aye; Pastor, aye; Younger, aye; Zunz, no; Daly, no; Gans, no; Duncan, aye.**

### **DISCUSSION ITEMS**

#### **5. Discussion Regarding Undergrounding Referendum 2 and Future Public Input**

At the September 9, 2015, Regular Meeting, the Town Commission discussed inviting additional public input regarding Referendum 2 on a neighborhood/side street undergrounding project prior to developing methodologies. There was consensus that the framework and funding of a neighborhood/side street undergrounding project was undecided and needed further public input. Decisions on a second referendum will be postponed until the Gulf of Mexico Drive (GMD) Undergrounding Referendum 1 results are known. This item was further discussed at the September 21, 2015, Regular Workshop and forwarded to the September 28, 2015, Special Meeting for formal action. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock provided an overview of previous Commission action relating to the undergrounding of utilities and noted action required this date.

Mr. Gene Jaleski, Cedar Street, commented on public information for Referendum 2.

Upon inquiry, Town Attorney Maggie Mooney-Portale advised of the Town's ability to post and/or remove postings from the Town's website advising that the information is a public record and available through a records request for public records.

Mr. Larry Grossman, St. Judes Drive North, commented on the referendums.

**Following comments, Commr. Pastor moved to reverse the Commission's selection of a funding option for the undergrounding of the neighborhood/side streets for Referendum 2 and to delay the Commission's determination on this particular issue until after the November election and additional public input is received. The motion, seconded by Vice Mayor Gans, carried by a 5-2 roll call vote, as follows: Pastor, aye; Gans, aye; Younger, no; Larson, no; Daly, aye; Zunz, aye; Duncan, aye.**

#### **6. Consideration of Medical Director's Contract Renewal**

Dr. Steven Newman has served as the Town's Medical Director for 31 years and has supervised and accepted direct responsibility for the medical performance of all Town EMTs and Paramedics. Dr. Newman's contract is up for renewal effective October 1, 2015. The Commission directed staff to revise the contract to remove references to

COLA (Cost of Living Adjustment) in years 2 and 3 or move forward with a one year contract until further

6. Consideration of Medical Director's Contract Renewal - Continued

negotiations could be held. This item was forwarded from the September 21, 2015, 6. Regular Workshop for formal action. Recommended Action: Pending discussion, approve Medical Director Contract renewal.

Town Manager Dave Bullock provided background information on the Medical Director's contract renewal.

**Following comments, Commr. Pastor moved to approve the contract renewal for Medical Director Steven Newman as presented this date. The motion, seconded by Vice Mayor Gans, carried by a 6-1 roll call vote, as follows: Pastor, aye; Gans, aye; Duncan, aye; Younger, aye; Larson, no; Daly, aye; Zunz, aye.**

7. David Ramba Presentation on 2016 Legislative Session

Mr. David Ramba, of Ramba Consulting Group LLC, will be present at the September 28, 2015, Special Meeting to discuss legislative issues of interest to the Town that are likely to be addressed during the 2016 Legislative session. Recommended Action: None, informational only.

Following introductory comments by Town Attorney Maggie Mooney-Portale, Mr. David Ramba provided an overview of anticipated 2016 legislative issues. Mr. Ramba commented on the funding process for beach restoration projects.

Mayor Duncan thanked Mr. Ramba for his presentation.

8. Update on Colony Issues

The Town Attorney and Assistant Town Attorney will discuss the status of the Colony Bankruptcy and State Court proceedings. Recommended Action: None, informational only.

Assistant Town Attorney Kelly Fernandez provided an update on the status of the Colony bankruptcy and court proceedings. Discussions were held on the following topics/issues:

- appeal granted relating to sale of assets
- consideration of appeal by the District Court system
- funds being held by Trustee/distribution of funds.

Town Attorney Maggie Mooney-Portale commented on the interpretation of the court filings versus the "on-the-street" comments by interested parties. Following individual comments, Assistant Town Attorney Fernandez commented on the time frame for resolution of appeals.

9. Discussion Regarding State of Florida and Town Ethics Code

In 1990 the Town adopted a Code of Ethics (Town Code Chapter 39) which was last amended in 1999. The Florida Code of Ethics for Public Officers and Employees is found in Chapter 112, Part III, Florida Statutes. Many provisions are identical, some unique to the Town or, in some cases, conflict with State law. The Town Attorney will discuss her

concerns regarding the variations and conflicts between the State Statute and Town Code and seek Town Commission direction on amending the Town's Ethics Code. Recommended Action: Pending discussion, provide direction to Manager.

**9. Discussion Regarding State of Florida and Town Ethics Code- Continued**

Following comments by Town Attorney Maggie Mooney-Portale, Assistant Town Attorney Kelly Fernandez and Town Attorney Mooney-Portale provided an overview on the State versus the Town's Ethics Code. Discussions were held on the following topics/issues:

- option to amend the Town's Code to defer to Florida Statutes
- locally adopted procedures
- lack of enforcement by the Florida Commission on Ethics for locally adopted procedures.

**Commr. Younger moved to amend the Town Code to adopt the provisions of Florida Statutes relating to the Ethics Code. The motion was seconded by Commr. Larson.**

Discussion ensued on the options to adopt the State's Ethics Code and to review current Town Code requirements with possible incorporation into a revised Code.

**The motion failed by a 3-4 roll call vote, as follows: Younger, aye; Larson, aye; Pastor, no; Zunz, no; Daly, no; Gans, aye; Duncan, no.**

**Mayor Duncan moved to adopt the Florida statutory Ethics Code and to incorporate provisions of the Town Code following additional review. Subsequent to comments, the motion died for lack of a second.**

Discussion ensued on adoption of the statutory requirements, application of statutory requirements on elected officials, and options to schedule discussion of the issue during a Workshop meeting.

**Vice Mayor Gans moved to schedule discussion on the Ethics Code to a future workshop. The motion was seconded by Commr. Pastor.**

**Commr. Younger moved to adopt the State's Ethics Code. The motion was seconded by Commr. Larson.**

**Following comments, Vice Mayor Gans withdrew his motion.**

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

**Following comments by Commr. Pastor, Commr. Younger moved to schedule a Workshop discussion to consider supplementing the State's standards with any of the Town's current Ethics standards. The motion, seconded by Vice Mayor Gans, carried by a 5-2 roll call vote, as follows: Younger, no; Gans, aye; Duncan, aye; Pastor, aye; Zunz, no; Daly, aye; Larson, aye.**

Discussion ensued on the reversal of a vote.

10. Update on Sign Ordinance

A recent Supreme Court written opinion in the matter of *Clyde Reed, et al v. Town of Gilbert, Arizona* will be discussed by the Town Attorney. The ramifications of the Supreme Court opinion are that all local government sign codes should be reviewed and are likely to need some modifications to their regulations to comply with the Courts content neutral parameters. Accordingly, the Town's Code needs to be revised and re-examined to bring this section of the Code in line with the *Reed* decision. Recommended Action: Pending discussion, provide direction to Manager.

Town Attorney Maggie Mooney-Portale commented on the Supreme Court ruling in the Reed case and reviewed issues for consideration. Discussions were held on the following topics/issues:

- placement of signs on public versus private property
- option for entities to place on private property
- charitable organizations versus private for-profit entities.

**Commr. Larson moved to permit a banner on public property for one week by any organization that has been in place for more than one year. Following comments, the motion died for lack of a second.**

**Commr. Larson moved to allow banners to be placed for one week time on public property. The motion died for lack of a second.**

**Commr. Pastor moved to continue the current policy. Following comments, the motion died for lack of second.**

**Following comments by Town Attorney Mooney-Portale, Vice Mayor Gans moved to prohibit signs on public property. The motion, seconded by Commr. Younger, carried by a 4-3 roll call vote, as follows: Gans, aye; Younger, aye; Zunz, aye; Pastor, no; Daly, no; Larson, no; Duncan, aye.**

**Following comments, Commr. Larson moved to allow banners on public property for a period of 7 days and to direct the Town Attorney to draft revisions to the existing sign code. The motion was seconded by Commr. Pastor.**

Discussion ensued on the following topics/issues:

- superseding previous motion/intent of the motion
- sign code models being developed throughout the country
- impact on local charitable organizations if unable to post event signs
- ramifications of allowing signs from any organization
- length of time to allow signage on public property.

**Commr. Larson moved to amend the motion to require advanced submission of 60 days for placement of a banner. The motion was seconded by Commr. Pastor.**

**Subsequent to comments by Town Attorney Mooney-Portale, Commr. Larson withdrew her motion.**

10. Update on Sign Ordinance - Continued

Discussion ensued on the required action, national review of the issue, and the recommendation to postpone amendments at the current time to the sign code.

Town Manager Dave Bullock reviewed the current process and noted that all review, with exception of the sign content, would be required to meet current criteria.

**Subsequent to comments, Commr. Younger moved to reconsider the motion to prohibit banners on public property. The motion, seconded by Commr. Larson, carried by a 6-1 roll call vote, as follows: Younger, aye; Larson, aye; Gans, no; Duncan, aye; Pastor, aye; Zunz, aye; Daly, aye.**

**The motion to prohibit banners on public property failed by a 5-2 roll call vote, as follows: Gans, aye; Younger, no; Larson, no; Daly, no; Zunz, aye; Pastor, no; Duncan, no.**

**Commr. Larson withdrew the motion to allow signs on public property for a period of 7 days.**

Discussion ensued on the following topics/issues:

- process utilized to consider topic
- revisions necessary to comply with ruling
- current code provisions.

**Following comments by Town Attorney Mooney-Portale, Commr. Larson moved to direct staff to draft amendments to the Sign Code to remove content based provisions relating to signage on public property. The motion was seconded by Commr. Younger.**

**Following individual comments and clarification on pending special event sign permits, the motion carried by a 7-0 roll call vote, as follows: Larson, aye; Younger, aye; Gans, aye; Duncan, aye; Pastor, aye; Zunz, aye; Daly, aye.**

**ADJOURNMENT**

**Mayor Duncan adjourned the September 28, 2015, Special Meeting at 7:45 p.m.**

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

\_\_\_\_\_  
Jack G. Duncan, Mayor

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

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

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
JOINT SPECIAL MEETING WITH  
SARASOTA COUNTY COMMISSION  
OCTOBER 5, 2015 - 1:30 P.M.**

**LONGBOAT KEY**

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

**Absent:** Pat Zunz

**Also Present:** Town Manager Dave Bullock, Town Attorney Maggie Mooney-Portale, Deputy Town Clerk Jo Ann Mixon

**SARASOTA BOARD OF COUNTY COMMISSION**

**Present:** Chair Carolyn J. Mason, Vice Chair Alan Maio, Commrs. Paul Caragiulo, Charles D. Hines, Christine Robinson

**Also Present:** County Administrator Tom Harmer, County Attorney Steven DeMarsh, Deputy Clerks Cheryl Dexter and Moana Pele

**CALL TO ORDER**

Chair Mason called the Joint Meeting to order at 1:30 p.m. in the Sarasota County Administration Center, 1660 Ringling Boulevard, 3<sup>rd</sup> Floor Think Tank, Sarasota, Florida, and Sarasota County Commr. Robinson led the Pledge of Allegiance.

Mayor Duncan introduced the Town Commission and thanked Sarasota County for their assistance with Bayfront Park.

**1. OPEN TO THE PUBLIC** - No items were presented.

**2. JOINT DISCUSSION ITEMS**

**A. Update on Longboat Key Beach Projects**

Following comments by Town Manager Dave Bullock, staff gave a PowerPoint presentation providing an update on Longboat Key beach projects. Discussions were held on the following topics/issues:

- New Pass Dredging and Mid-Key Beach Fill projects
- projected timeframe.

**B. Update on Bayfront Park and the Bayfront Park Addition**

Following comments by Town Manager Dave Bullock and Sarasota County Parks and Recreation Director Carolyn Brown, Longboat Key Assistant Town Manager Anne Ross gave a PowerPoint presentation and an update on the Bayfront Park Recreation Center Concept Plan. Discussions were held on the following topics/issues:

- playground relocation

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

## **2. JOINT DISCUSSION ITEMS**

### **B. Update on Bayfront Park and the Bayfront Park Addition – Continued**

- restroom facility relocation
- design team
- construction manager sealed bids
- funding (\$2 million pledge from Sarasota County)
- grants (West Coast Inland Navigation District/ Longboat Key Garden Club/Kiwanis Club/ Rotary Club)
- joint Bayfront Park project Interlocal Agreement
- beach vehicle access (amendment to the project)
- permanent beach access with handicap access ramp
- procurement of a Construction Project Manager.

### **C. Update on Longboat Key Planning and Undergrounding Initiatives**

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation and an update on Longboat Key planning and undergrounding initiatives. Discussions were held on the following topics/issues:

- Comprehensive Plan and Land Development Code
- mobility fee district (under consideration)
- new development in the Sarasota County portion of Longboat Key
- Town Center (Ringling College Cultural Center, Medical Center, Library, specialty retail)
- Gulf of Mexico Drive (GMD) Undergrounding Project
- referendum November 3, 2015 (undergrounding).

### **D. Update on the 800-MHz Public Safety Communications System Project**

Sarasota County Administrator Tom Harmer introduced Sarasota County Emergency Services Director Rich Collins. Mr. Collins provided a PowerPoint presentation on the Suncoast Regional Communications Network. Discussions were held on the following topics/issues:

- vendor selection (unofficial) Airbus DS Communications
- current status and future project milestones
- anticipated completion date August 1, 2017.

### **E. Interlocal Agreement/Contracts**

To approve an interlocal agreement between the Town and the Sarasota County Sheriff's Office and Sarasota Board of County Commissioners for law enforcement dispatch services and related communications services.

Following comments by Town Manager Dave Bullock and Sarasota County Emergency Services Director Rich Collins, Assistant Town Manager Anne Ross gave a PowerPoint presentation on the status of the Police Dispatch consolidation with Sarasota County Sheriff's Office noting an interlocal agreement had been drafted for consideration. Discussions were held on the following topics/issues:

**2. JOINT DISCUSSION ITEMS**

**E. Interlocal Agreement/Contracts– Continued**

- partnership between Manatee County, Sarasota County, and Longboat Key
- consolidation process and status
- Interlocal Agreement (timeline/use of Sarasota County radios).

**Sarasota County Commr. Robinson moved to approve the Interlocal Agreement between Sarasota County, Town of Longboat Key, and Sarasota County Sheriff’s Office for law enforcement dispatch services and related communication services. The motion, seconded by Commr. Hines, carried unanimously on a voice vote.**

**Commr. Pastor moved to approve the Interlocal Agreement between Sarasota County, Town of Longboat Key, and Sarasota County Sheriff’s Office for law enforcement dispatch services and related communication services. The motion, seconded by Commr. Younger, passed unanimously on a roll call vote as follows: Pastor, aye; Younger, aye; Duncan, aye; Gans, aye; Larson, aye; Daly, aye.**

**Town Manager Bullock was directed to write a letter to Manatee County and express thanks for the cooperation and effort regarding this issue.**

**3. OPEN TO THE PUBLIC** - No items were presented.

**4. OTHER BUSINESS** - No items were presented

**ADJOURNMENT**

**Sarasota County Chair Mason adjourned the October 5, 2015, Joint Meeting at 2:23 p.m.**

\_\_\_\_\_  
Jo Ann Mixon, Deputy Town Clerk

\_\_\_\_\_  
Jack G. Duncan, Mayor

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

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

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
SPECIAL WORKSHOP MEETING  
OCTOBER 5, 2015 - 6:45 P.M.**

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

**Also**

**Present:** Town Manager Dave Bullock, Town Clerk Trish Granger

**CALL TO ORDER**

**Mayor Duncan called the Special Workshop Meeting to Order at 6:45 p.m. in the Commission Chamber located at 501 Bay Isles Road, Longboat Key, Florida.**

**1. Meet and Greet with Citizens Interested in Serving on the Town of Longboat Key Consolidated Retirement System Board of Trustees**

Due to term expirations, the Town Clerk's office advertised for interested citizens to serve on the Consolidated Retirement System Board of Trustees. In addition to advertising in both the Longboat Key Observer and the Longboat Key News, current members were contacted to determine their interest in seeking reappointment. The Commission established a procedure to hold a Special Workshop to provide the opportunity for the Town Commissioners to meet the applicants prior to making formal appointments.

Following opening remarks by Mayor Duncan and notation that Mr. Lou Levy was not able to attend, Mr. Joe Fabrizio provided background information on his credentials and identified an interest in appointment to the Consolidated Retirement System (CRS) Board of Trustees.

Mayor Duncan thanked Mr. Fabrizio for volunteering to serve on the CRS Board of Trustees and advised that appointments would be made at the Regular Meeting later this date.

**PUBLIC TO BE HEARD**

**2. Opportunity for Public to Address Town Commission - No items were presented.**

**ADJOURNMENT**

**Mayor Duncan adjourned the October 5, 2015, Special Workshop at 6:52 p.m.**

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

\_\_\_\_\_  
Jack G. Duncan, Mayor

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

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

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR MEETING  
OCTOBER 5, 2015 - 7:00 P.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/PLEDGE OF ALLEGIANCE**

**Mayor Duncan called the October 5, 2015, Regular Meeting to order at 7:00 p.m., in the Town Hall Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Vice Mayor Gans led the Pledge of Allegiance.**

Mayor Duncan noted and read the Pledge of Public Conduct.

20. Other Business

**Mayor Duncan requested and there was consensus to advance consideration of Items 16 and 18 following action on the Consent Agenda.**

**PUBLIC TO BE HEARD**

1. Opportunity for Public to Address Town Commission

A. Legislation

Mr. Larry Grossman, St. Judes Drive North, requested support for legislation banning the use of plastic bags.

**MINUTES APPROVAL**

2. September 9 2015 Regular Meeting; September 15, 2015 Joint Planning Officials Training Session Minutes

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

**COMMITTEE REPORTS AND COMMUNICATIONS**

3. Manatee County Special Liaison Report - No items were presented.

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

5. ManaSota League of Cities Report - No items were presented.

6. Other Reports

A. Organizations

Commr. Larson commented on the Sarasota Bay Estuary Program, reviewed recently discussed administrative issues within the organization, and action by the Southwest Florida Water Management District.

Mayor Duncan requested that Commr. Larson keep the Commission informed on the matter.

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

6. Other Reports - Continued

B. Organizations

Commr. Daly commented on action of the Metropolitan Planning Organization (MPO) and provided an update on the evaluation of traffic issues and the Florida Department of Transportation's (FDOT) involvement in the study. Individual comments followed.

**CONSENT AGENDA**

7. Request for Temporary Closure of Bay Isles Road for Rotary Club Veterans' Day Parade

The Longboat Key Rotary Club requests the temporary closure of Bay Isles Road for approximately 2 hours on November 11, 2015, to hold a Veterans' Day Parade. A public forums permit has been approved for the event conditioned upon this approval. Recommended Action: Approval of the Consent Agenda will authorize temporary closure of Bay Isles Road on November 11, 2015, from 2:00 – 4:00 p.m.

8. 2016 Town Commission Meeting Schedule

Each year the Town Commission establishes their annual meeting schedule for the upcoming calendar year. The 2016 Town Commission Meeting Schedule was forwarded from the September 21, 2015, Regular Workshop Meeting Consent Agenda. Recommended Action: Approval of the Consent Agenda adopt the 2016 Town Commission Meeting Schedule.

**There was consensus to approve the Consent Agenda in accordance with Staff's reports and recommendations.**

16. Resolution 2015-24, Consideration of Funding Request from Longboat Key Chamber of Commerce for Town's 60th Anniversary Celebration

At the September 21, 2015, Regular Workshop Meeting, Longboat Key Chamber of Commerce President Gail Loefgren reported on event planning to celebrate the Town's 60<sup>th</sup> Anniversary on November 14, 2015. The event will be held at Bayfront Park Recreation Center facility and grounds. The Commission forwarded this item to the October 5, 2015, Regular Meeting to review additional information and consider the event funding request. Recommended Action: Pending discussion, provide direction to Manager.

Town Clerk Trish Granger placed Resolution 2015-24 on record by title only.

Following comments by Town Manager Dave Bullock, Longboat Key Chamber of Commerce President Gail Loefgren provided an overview of the proposed 60<sup>th</sup> Anniversary Celebration. Discussions were held on the following topics/issues:

- determination to end grant funding for organizations
- utilization of taxpayer's funds
- specific use of funds for celebration of Town's milestone anniversary
- public event for Longboat Key residents.

**Commr. Zunz moved to adopt Resolution 2015-24. The motion, seconded by Commr. Larson, carried by a 5-2 roll call vote, as follows: Zunz, aye; Larson, aye; Younger, no; Gans, no; Duncan, aye; Pastor, aye; Daly, aye.**

18. Appointments to Consolidated Retirement System Board of Trustees

Ordinance 2014-26 created one retirement plan, one nine-member Board of Trustees, and one consolidated retirement fund, for all three plans, and became effective October 1, 2014. Five Trustees were appointed by the Town Commission, which included appointment of the Chair and Vice-Chair; one member each was elected by the Firefighters', General Employees', and Police Officers' employee groups; and the Town Manager appointed a designee. Two of the nine seats are up for appointment/re-appointment and are placed on the October 5, 2015, Regular Meeting for Commission consideration. Recommended Action: Pending discussion, appoint members to Town of Longboat Key Consolidated Retirement System Board of Trustees

**Following comments by Mayor Duncan and Town Clerk Trish Granger, Commr. Zunz moved to appoint Mr. Lou Levy to Seat 4 and Mr. Joe Fabrizio to Seat 5, on the Consolidated Retirement System Board of Trustees for a term effective until September 30, 2018. The motion, seconded by Commr. Younger, carried by a 7-0 roll call vote, as follows: Zunz, aye; Younger, aye; Larson, aye; Daly, aye; Pastor, aye; Gans, aye; Zunz, aye.**

Town Clerk Granger advised that the applicants would receive information relating to their appointments.

**ORDINANCES - FIRST READING AND PUBLIC HEARING**

9. Ordinance 2015-20, Comprehensive Plan Amendment, Existing Infrastructure Element Results Neutral Revisions

At their June 16, 2015, Regular Meeting the Planning & Zoning (P&Z) Board forwarded Ordinance 2015-20 to the September 21, 2015, Regular Workshop Meeting which was reviewed and forwarded to the October 5, 2015, Regular Meeting for first reading and public hearing. The "results neutral" crosswalk of the various elements of the Comprehensive Plan creates a more user-friendly Comprehensive Plan that is easier to read, understand, and apply. The crosswalk assures that the existing goals, objectives, and policies in the Comprehensive Plan that remain essential to the Town are preserved, while any extraneous content is eliminated. It also delineates strategies for successfully implementing the goals, objectives, and policies. Through the crosswalk effort, the existing goals, objectives, and policies of the Potable Water, Solid Waste, and Wastewater elements of the Plan have been converted into the framework for the new Comprehensive Plan. Recommended Action: Pending first reading, public hearing, and discussion, forward to the State for review and comment, followed by the second reading and public hearing by the Town Commission.

Town Clerk Trish Granger placed Ordinance 2015-20 on record for first reading and public hearing by title only.

**Commr. Zunz moved to pass Ordinance 2015-20 and to forward to the State for review and comment. The motion was seconded by Commr. Pastor.**

**Mayor Duncan opened the public hearing.**

9. Ordinance 2015-20, Comprehensive Plan Amendment, Existing Infrastructure Element Results Neutral Revisions - Continued

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on Ordinance 2015-20.

**Following comments by Mayor Duncan, and as no one wished to speak, the public hearing was closed.**

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

10. Ordinance 2015-24 Amending the FY 2014-2015 Park & Recreation Capital Project Fund Budget to Use Unappropriated Fund Balance for Expenses Related to Bayfront Park Design Services

A budget amendment is required to continue design work on Bayfront Park currently underway by Wannemacher Jensen Architects, Inc. The Town Manager requests a transfer from Unappropriated Fund Balance in the amount of \$53,745. Ordinance 2015-24 was forwarded from the September 21, 2015, Regular Workshop Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2015-24 to the November 2, 2015, Regular Meeting for second reading, and public hearing.

Town Clerk Trish Granger placed Ordinance 2015-24 on record for first reading and public hearing by title only.

**Commr. Pastor moved to pass Ordinance 2015-24 and to forward to the November 2, 2015, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Zunz.**

**Mayor Duncan opened the public hearing.**

Following comments by Town Manager Dave Bullock on combining Items 10 through 13, Town Attorney Maggie Mooney-Portale advised of the process to reaffirm the testimony of the presenters for each item.

Finance Director Sue Smith gave a PowerPoint presentation on Ordinances 2015-24, 2015-25, 2015-26, and 2015-28.

**Following clarification on the process for consideration of Agenda Items 10 through 13, and as no one wished to speak, Mayor Duncan closed the public hearing.**

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

11. Ordinance 2015-25, Amending the FY 2014-2015 Land Acquisition Fund Budget to Use Unappropriated Fund Balance for Expenses Related to Fund Activities

The Town Manager requests a transfer from Unappropriated Fund Balance in the amount of \$5,334 to cover investment expenses, a permit fee, and additional expenses associated with the land purchase at 592 Bay Isles Road. Ordinance 2015-25 was forwarded from the September 21, 2015, Regular Workshop Meeting for Commission consideration. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2015-25 to the November 2, 2015, Regular Meeting for second reading, and public hearing.

Town Clerk Trish Granger placed Ordinance 2015-25 on record for first reading and public hearing by title only.

**Commr. Zunz moved to pass Ordinance 2015-25 and to forward to the November 2, 2015, Regular Meeting for second reading and public hearing. The motion was seconded by Vice Mayor Gans.**

**Mayor Duncan opened the public hearing.**

Following comments, Finance Director Sue Smith affirmed her testimony relating to Ordinance 2015-25.

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

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

12. Ordinance 2015-26, Amending the FY 2014-2015 Beach Capital Project Fund Budget to Use Unappropriated Fund Balance for Expenses Related to the Beach Capital Project Fund

Transfers of appropriations between funds, the use of unallocated fund balances or other revenue sources amend the budget and require approval by the Town Commission by Ordinance. Unanticipated expenditures related to the Beach Capital Projects Fund for increased costs of memberships, protected species monitoring, and permits require a budget transfer of \$21,750 from the Unappropriated Fund Balance to the Beach Capital Projects Fund. Ordinance 2015-26 was forwarded from the September 21, 2015, Regular Workshop Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2015-26 to the November 2, 2015, Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2015-26 on record for first reading and public hearing by title only.

Mayor Duncan advised that the budget transfer amount had been amended and presented in the amount of \$29,750.

12. Ordinance 2015-26, Amending the FY 2014-2015 Beach Capital Project Fund Budget to Use Unappropriated Fund Balance for Expenses Related to the Beach Capital Project Fund - Continued

**Commr. Zunz moved to pass Ordinance 2015-26, as amended, and to forward to November 2, 2015, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Pastor.**

**Mayor Duncan opened the public hearing.**

Following comments on the amount of the budget transfer, Finance Director Sue Smith affirmed her testimony relating to Ordinance 2015-25.

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

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

13. Ordinance 2015-28, Amending the FY 2014-2015 Tennis Special Revenue Fund Budget to True Up Revenues and Expenses of the Fund

The Town Charter requires that all line items in the budget shall be trued up at year end for any variances with the adopted budget. The final results of the Tennis Center operations will not be known until November after the fiscal year end closes. Final transfer amounts will be incorporated into Ordinance 2015-28 and brought to you at the November 2, 2015, Regular Meeting. Ordinance 2015-28 was forwarded from the September 21, 2015, Regular Workshop Meeting for first reading and public hearing in order to meet requirements of a workshop and two public hearings. Recommended Action: Pending first reading, public hearing and discussion, forward Ordinance 2015-28 to the November 2, 2015, Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2015-28 on record for first reading and public hearing by title only.

**Commr. Younger moved to pass Ordinance 2015-28 and to forward to the November 2, 2015, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Zunz.**

**Mayor Duncan opened the public hearing.**

Following comments, Finance Director Sue Smith affirmed her testimony relating to Ordinance 2015-28.

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

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

## **RESOLUTIONS**

### **14. Resolution 2015-22, Adopting the Manatee County Local Mitigation Strategy (LMS)**

The Town of Longboat Key participates in both Sarasota and Manatee County Local Mitigation Strategy Work Groups. The focus of the LMS is to reduce risks associated with all types of disaster events. The Town passed Resolution 99-13 on October 4, 1999, formally adopting the original LMS and remains active in the program. Resolution 2015-22 is for the formal adoption of the most currently revised and FEMA approved version of the Manatee County LMS. This will enable the Town to be eligible for post disaster mitigation grant funds. Recommended Action: Pending discussion, pass Resolution 2015-22.

Town Clerk Trish Granger placed Resolution 2015-22 on record by title only.

**Commr. Zunz moved to adopt Resolution 2015-22. The motion was seconded by Vice Mayor Gans.**

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Planner Steve Schield provided an overview of Resolution 2015-22.

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

### **15. Resolution 2015-23, Adopting the 2015 Floodplain Management Plan**

As part of the Community Rating System (CRS) recertification cycle associated with the National Flood Insurance Program (NFIP), the Town must update its Floodplain Management Plan via resolution. At the direction of the Town Manager, a committee was formed to update the Floodplain Management Plan. The Committee is recommending Town Commission approval of the updated 2015 Floodplain Management Plan and has developed Resolution 2015-23 per CRS requirements. Recommended Action: Pending discussion, pass Resolution 2015-23.

Town Clerk Trish Granger placed Resolution 2015-23 on record by title only.

**Commr. Zunz moved to adopt Resolution 2015-23. The motion was seconded by Commr. Pastor.**

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Planner Steve Schield gave a PowerPoint presentation on Resolution 2015-23. Discussions were held on the following topics/issues:

- higher (6) versus lower (5) classification and preferred rating (lower)
- impact of factors to develop rating (open space, acquisition of repetitive loss properties)
- options to establish higher standards to lower rating
- financial analysis options
- flood insurance costs subsidized by non-coastal states
- identification of 82 properties on Longboat Key/notification to property owners
- public information provided annually.

15. Resolution 2015-23, Adopting the 2015 Floodplain Management Plan - Continued

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

**NEW BUSINESS**

17. Subaqueous Wastewater Forcemain Condition Assessment Report

At the March 23, 2015, Regular Workshop Meeting, the Commission directed staff to move forward with an assessment/evaluation of the existing subaqueous wastewater forcemain. Greely and Hansen was selected through our procurement process as the contractor for this project and has submitted a proposal which includes a budget, scope of work, and schedule. This item was considered at the September 21, 2015, Regular Workshop Meeting and forwarded to the October 5, 2015, Regular Meeting for formal action. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock gave an overview of the proposed contract with Greely and Hansen for the subaqueous wastewater forcemain. Discussions were held with Town Manager Bullock and Public Works Director Juan Florensa on the following topics/issues:

- notification of any issues identified immediately versus end of project
- anticipated time frame to receive a report
- determination on results of inspections/consideration of existing conditions
- technical evaluation and future development in area of pipe replacement.

**Commr. Pastor moved to approve the contract with Greely and Hansen. The motion, seconded by Commr. Zunz, carried by a 7-0 roll call vote, as follows: Pastor, aye; Zunz, aye; Duncan, aye; Daly, aye; Gans, aye; Larson, aye; Younger, aye.**

19. Authorization for Mayor to Execute Sovereignty Submerged Lands Easement No. 41744, New Pass and Gulf of Mexico for Beach Nourishment and Maintenance Dredging

Execution of this submerged lands easement is a requirement of the permit application process for the Town's upcoming beach nourishment and maintenance dredging project at New Pass. This item is placed on the October 5, 2015 Regular Meeting for Commission consideration and formal action. Recommended Action: Pending discussion, authorize Mayor to execute Sovereignty Submerged Lands Easement No. 41744.

**Following comments by Town Manager Dave Bullock, Commr. Larson moved to authorize execution of the Sovereignty Submerged Lands Easement No. 41744. The motion, seconded by Commr. Younger, carried by a 7-0 roll call vote, as follows: Larson, aye; Younger, aye; Gans, aye; Duncan, aye; Pastor, aye; Zunz, aye; Daly, aye.**

**TOWN COMMISSION COMMENTS**

A. Public Works

Mayor Duncan requested and Town Manager Dave Bullock and Public Works Director Juan Florensa provided an update on the traffic/transportation issues previously addressed by the Commission. Discussions were held on the following topics/issues:

- analysis in the area of Country Club Shores

**TOWN COMMISSION COMMENTS** - Continued

**A. Public Works** - Continued

- the North and South roundabouts
- cross-walks
- funding options for the roadway projects
- the impact of Florida Department of Transportation (FDOT) projects on Metropolitan Planning Organization (MPO) projects
- roundabout studies
- options to advance projects (funding sources).

**There was consensus to have Staff report back on options to advance transportation projects in an expeditious manner.**

**TOWN ATTORNEY COMMENTS**

**A. Town Attorney**

Town Attorney Maggie Mooney-Portale provided information regarding a training opportunity relating to the Sunshine Law scheduled for October 28, 2015.

**TOWN MANAGER COMMENTS**

**A. Town Commission**

Town Manager Dave Bullock advised that a Special Meeting will be held on November 9, 2015, at 1:00 p.m. in the Commission Chamber to certify the November 3, 2015, Referendum Election and the November 9, 2015, Regular Workshop Meeting will immediately follow the Special Meeting. Town Manager Bullock noted that staff is working on coordinating a Joint Meeting between the Town Commission and the Planning and Zoning Board.

**B. Government Agencies**

Town Manager Dave Bullock noted receipt of e-mail correspondence from the Sarasota County Administrator advising that the Sarasota Board of County Commissioners would be hearing a presentation from Pinellas County representatives on the Safe Harbor Shelter on October 13, 2015, and local elected officials were invited to attend.

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

**ADJOURNMENT**

**Following comments on the number of meetings held, Mayor Duncan adjourned the October 5, 2015, Regular Meeting at 9:01 p.m.**

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

\_\_\_\_\_  
Jack G. Duncan, Mayor

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

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR WORKSHOP MEETING  
OCTOBER 19, 2015 - 1:00 P.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/PLEDGE OF ALLEGIANCE**

**Mayor Duncan called the October 19, 2015, Regular Workshop to order at 1:00 p.m. in the Town Hall Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Commr. Pastor led the Pledge of Allegiance.**

Mayor Duncan noted the Town's Civility Policy and read the Pledge of Conduct.

**PUBLIC TO BE HEARD**

1. Opportunity for Public to Address Town Commission - No items were presented.

**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 - No items were presented.

5. Other Reports - No items were presented.

6. Sarasota County Property Appraiser Bill Furst

Following comments by Town Manager Dave Bullock, Mayor Duncan advised that the item will be considered following arrival of Mr. Furst. (See item later this meeting.)

**CONSENT ITEMS**

7. Confirmation of Continued Support of Longboat Key Kiwanis Club Gourmet Lawn Party  
At the November 3, 2014, 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 is placed on the Consent Agenda for the Commission to consider continuation of their annual support. Recommended Action: Approval of the Consent Agenda will forward this item to the November 2, 2015, Regular Meeting for formal action.

8. Review and Approval of Engagement of Special Counsel Pursuant to Town Charter Requirements

Charter requirements (Article VI, Section 2) provide for Town Commission approval for engagement of Assistant Town Attorneys. The Town Attorney is seeking authorization for (1) engagement of Charlie Bailey for Code Enforcement Board training, and (2)

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

engagement 8. Review and Approval of Engagement of Special Counsel Pursuant to Town Charter Requirements - Continued

of Bryant Miller & Olive to defend against a certain Elections law complaint. This item is placed on the October 19, 2015, Regular Workshop Meeting Consent Agenda for Commission consideration. Recommended Action: Approval of the Consent Agenda will forward this item to the November 2, 2015, Regular Meeting Consent Agenda for formal action.

9. Proposed Ordinance 2015-19, Establishing the Dates for the 2016 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 and as such will be held on March 15, 2016, which coincides with the Presidential Primary. If required, a Preliminary Election would be scheduled on the last Tuesday in January (January 26). Town Code Chapter 36, Elections provides for early voting however, due to the Presidential Primary, the Supervisor of Elections Offices have indicated that Early Voting will be conducted at the mainland offices only. Proposed Ordinance 2015-19 provides for the Town's General Municipal Election dates, and is presented for Commission consideration at the October 19, 2015, Regular Workshop Meeting. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2015-19 to the November 2, 2015, Regular Meeting for first reading.

Town Attorney Maggie Mooney-Portale requested approval to include an additional engagement approval for Item 8 to defend against a second election case filed (Bryant Miller & Olive).

**There was consensus to approve the Consent Agenda, as amended, in accordance with Staff's reports and recommendations.**

**DISCUSSION ITEMS FOR CONSIDERATION OF THE TOWN COMMISSION**

10. Request for Concurrence for Consolidated Retirement System Board of Trustees Investment Policy Statement

Pursuant to Ordinance 2014-26, the Consolidated Retirement System (CRS) Board of Trustees have considered and forwarded their proposed Investment Policy Statement (IPS) for Commission consideration and concurrence. Pending Commission formal action at the November 2, 2015, Regular Meeting this IPS will become effective November 13, 2015. Recommended Action: Pending discussion, forward the Consolidated Retirement System Investment Policy Statement to the November 2, 2015, Regular Meeting for formal action.

Town Manager Dave Bullock advised that Mr. Steve Branham, Chair of the CRS Board of Trustees was participating via telephone and Mr. Branham provided an overview of the IPS. Discussions were held on the following topics/issues:

- investment vehicles to be utilized
- investment in Hedge funds and mortgage backed securities
- percentage reserved for Hedge funds/mortgage backed securities
- necessary Commission approval to change IPS
- inclusion of alternative asset classes
- options to have the CRS Board of Trustees revisit the alternative asset classes.

10. Request for Concurrence for Consolidated Retirement System Board of Trustees Investment Policy Statement - Continued

**Commr. Younger requested and there was not consensus to remove alternative asset classes.**

**There was consensus to forward the Consolidated Retirement System (CRS) Board of Trustees Investment Policy Statement to the November 2, 2015, Regular Meeting Consent Agenda for formal action.**

6. Sarasota County Property Appraiser Bill Furst - Continued

Following comments by Town Manager Dave Bullock, Sarasota County Property Appraiser Bill Furst and Mr. Brian Loughrey, Administrative Director, provided a PowerPoint presentation on the services of the Property Appraiser's office. Discussions were held on the following topics/issues:

- utilization of non-normal transaction (purchase of two homes subsequently demolished)
- Department of Revenue processes that are followed
- lack of "sale chasing" to increase values for a selected area
- utilization of construction costs/square footage costs
- effective versus active age based on permits pulled
- consideration of fluctuations due to improvements/sales
- Federal Emergency Management Agency (FEMA) restrictions on rebuilding/remodeling
- relative value of buildings versus the land
- ranges utilized in valuation
- existing provisions in the Town Code.

Mayor Duncan thanked Mr. Furst and Mr. Loughrey for their presentation.

11. Proposed Resolution 2015-25, General Fund Budget Transfers for Fiscal Year 2014-2015 Year End Reconciliation

Town Charter requires that sufficient budgets are available in each General Ledger account to cover eligible expenditures. The Town Manager has the authority to transfer up to \$10,000 within a department program, however the Town Commission must authorize, by resolution, transfers exceeding \$10,000 and transfers across departments. Proposed Resolution 2015-25 provides preliminary estimates of the necessary transfers within the General Fund for compliance with the Town Charter. Attachment A provides details for each required transfer. Recommended Action: Pending discussion, forward Resolution 2015-25 to the November 2, 2015 Regular Meeting for formal action.

12. Proposed Resolution 2015-26, Utility Fund Budget Transfers for Fiscal Year 2014-2015 Year End Reconciliation

Town Charter requires that sufficient budgets are available in each General Ledger account to cover eligible expenditures. The Town Manager has the authority to transfer up to \$10,000 within a department program, however the Town Commission must authorize, by resolution, transfers exceeding \$10,000 and transfers across departments. Proposed Resolution 2015-26 provides preliminary estimates of the necessary transfers within the Utility Fund for compliance with the Town Charter. Attachment A provides details for each

12. Proposed Resolution 2015-26, Utility Fund Budget Transfers for Fiscal Year 2014-2015 Year End Reconciliation - Continued  
required transfer. Recommended Action: Pending discussion, forward Resolution 2015-26 to the November 2, 2015 Regular Meeting for formal action.

Town Manager Dave Bullock advised that Items 11 and 12 would be considered jointly. Finance Director Sue Smith gave a PowerPoint presentation on the proposed budget transfers.

**There was consensus to forward Resolution 2015-25 to the November 2, 2015, Regular Meeting for formal action.**

**There was consensus to forward Resolution 2015-26 to the November 2, 2015, Regular Meeting for formal action.**

13. Succession Discussion

This item is placed on the October 19, 2015, Regular Workshop Meeting for Commission discussion purposes. Recommended Action: Pending discussion, provide direction to Manager.

Mayor Duncan opened the floor for Commission comments. Following individual Commissioner comments on succession planning and options to consider, Town Manager Dave Bullock advised of contract requirements for a minimum of a 90-day notice and reviewed issues to be considered by the Commission in selecting a future Town Manager.

Upon inquiry, Town Manager Bullock advised that it was his intent to fill the Assistant Town Manager position by year end. Individual comments followed.

**TOWN COMMISSION COMMENTS**

A. Town Commission

Commr. Zunz commented on presentations (informal community presentations) and suggested an "open mic" forum for the public comment portion of the Commission's agenda.

B. Public Works

Vice Mayor Gans commented on the future truck haul project and the proposed access locations.

C. Finance

Commr. Larson requested that the Town Attorney's office provide information on payments made for legal expenses defending suits filed by a Town resident.

**TOWN ATTORNEY COMMENTS**

A. Town Commission

Town Attorney Maggie Mooney-Portale noted a request to hold a Special Meeting at 3:00 p.m. this date.

**TOWN MANAGER COMMENTS**

**A. Government Agencies**

Town Manager Dave Bullock noted a Joint Meeting between Sarasota County and the City of Sarasota Commissioners relating to housing for the homeless on November 6, 2015. Upon inquiry, Town Manager Bullock advised that the Town Commission was being invited to attend as a member of the audience.

**B. Procurement**

Town Manager Dave Bullock noted that no responses were received on the Request for Proposal (RFP) for peafowl removal and advised that Staff would follow the Procurement Code to secure a vendor for peafowl removal.

**C. Public Works**

Town Manager Dave Bullock commented on the Sarasota County Mobility Fee Program and advised that he will be submitting an Interlocal Agreement at a later date relating to the program.

Upon inquiry, Town Manager Bullock commented on the status of the Interlocal Agreements with Sarasota County for Bayfront Park Recreation Center.

**PRESS TO BE HEARD**

**A. Finance**

Mr. Steve Reid, owner and editor of the Longboat Key News, inquired as to the intent of the request for the cost of attorney fees relating to cases filed against the Town.

**ADJOURNMENT**

**Mayor Duncan adjourned the October 19, 2015, Regular Workshop at 2:45 p.m.**

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

\_\_\_\_\_  
Jack G. Duncan, Mayor

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

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

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
SPECIAL MEETING  
ATTORNEY-CLIENT SESSION  
OCTOBER 19, 2015 - 3:00 P.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 Special Meeting to order at 3:00 p.m. in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.**

**1. Litigation**

The Commission will consider the Town's Legal Counsels' request for Town Commission direction relating to pending litigation in the matter of *Jaleski v. Town Commission of Longboat Key*, Case No. FEC 15-420, currently pending before the State of Florida's Election Commission.

Town Attorney Maggie Mooney-Portale introduced participants in the Attorney-Client Session, provided information on the limitations of items to be discussed, and addressed the scope of the meeting.

**Following comments, Vice Mayor Gans moved to grant the Town's Legal Counsels' request to hold an Attorney-Client Session pursuant to Section 286.011(8) Florida Statutes. The motion, seconded by Commr. Zunz, carried by a 7-0 roll call vote, as follows: Gans, aye; Zunz, aye; Pastor, aye; Duncan, aye; Younger, aye; Larson, aye; Daly, aye.**

Mayor Duncan noted the session would be limited to discussion of the item referenced by the Town Attorney and would be approximately one hour long, and advised that the following individuals would be in attendance:

Jack Duncan, Mayor  
Terry Gans, Vice Mayor  
Lynn Larson, Commissioner  
Phill Younger, Commissioner  
Pat Zunz, Commissioner  
Irwin Pastor, Commissioner  
Jack Daly, Commissioner  
Dave Bullock, Town Manager  
Maggie Mooney-Portale, Town Attorney  
Alan Zimmet, Esq. – Special Litigation Counsel (Bryant Miller Olive)  
Certified Court Reporter (Note: A transcript of the meeting will be made and will become available as a public record upon conclusion of the litigation.)

**Mayor Duncan recessed the Special Meeting at 3:06 p.m.**

1. Litigation - Continued

**RECESS: 3:06 p.m. - 4:01 p.m.**

**Mayor Duncan reconvened the Special Meeting at 4:01 p.m.**

2. Other Business

A. Town Commission

Commr. Larson requested discussion on the implementation of an ordinance to create a Neighborhood Watch Program. Town Manager Dave Bullock commented on process to establish a program and confirmed that Staff can include information on the next Workshop Agenda.

**ADJOURNMENT**

**Mayor Duncan adjourned the October 19, 2015, Special Meeting at 4:03 p.m.**

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

\_\_\_\_\_  
Jack G. Duncan, Mayor

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

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



**End of Agenda Item**