

**MINUTES
LONGBOAT KEY TOWN COMMISSION
JOINT WORKSHOP
WITH THE PLANNING AND ZONING BOARD
NOVEMBER 9, 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, Leonard Garner, Stephen Madva, Kenneth Schneier, George Symanski

Also: Town Manager Dave Bullock; Town Attorney Maggie Mooney-Portale; Planning
Present: Zoning and Building Department Director Alaina Ray; Maika Arnold, Planner; Steve Schield, Planner; PZB Office Manager, Donna Chipman

CALL TO ORDER

Mayor Duncan called the November 9, 2015, Joint Workshop with the Planning and Zoning Board to order at 9:01 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 the Options for Conforming Properties that are Currently Non-Conforming for Density

Alaina Ray, Planning, Zoning & Building Director, discussed the following:

- Direction received from September 21, 2015, Town Commission/P&Z Board Joint Workshop was to explore options that did not involve a Town-initiated referendum, but allowed owner-initiated referendum to increase density
- Explore a potential for a 'pool' of multi-family units, similar to the existing tourism pool
- Once the Land Development Code was revised, properties that were non-conforming for density would have opportunity to become conforming through a Comprehensive Plan, Future Land Use, and Rezoning changes
- Currently residential properties built with six units per acre or more cannot seek additional density (tourism properties, or properties zoned residential but legally used for tourism, built with more than six du/a can request units from the tourism pool if they meet specific site plan criteria)
- There is currently no zoning category available that would allow more than six units per acre
- Whether a condominium association could go through the redevelopment process themselves versus hiring a professional to do it for them

- The basic policy question was, “Does the Town wish to provide a mechanism for property owners to request additional density as a financial incentive to redevelop aging, non-conforming properties?”

Mayor Duncan commented this was one vehicle that helps to incentivize the process; it might be restricted to number of units, but the owner might sell all the units prior to construction; think the incentive element was important, but cannot think of any other incentives for redevelopment that the Town could offer those various units that want to improve their facilities; it is a very important issue and the Town should not allow it to ‘slip away’

P&Z Board Chair Brown noted they had to understand that they were not going to create a new set of guidelines/rules, and everyone will be coming to Town Hall requesting redevelopment. This may take 20-30 years. There were sites that were not developable, but as the economy changes, then developers or owners will look at their site differently. If there is a property on Longboat Key that was built prior to 1992, when Hurricane Andrew wiped out South Florida, it resulted in a dramatic change to the building codes. The older properties were going to continue to decline in value, because people coming in the future will not look at a place that did not have the expected amenities. The Town was attempting to put a mechanism in place for homeowners to do something in the future.

Ken Schneier commented that examples would be very helpful to understand the problem. Mr. Symanski asked if there was a process where the property was reviewed by the P&Z Board and they would decide what number of units would be appropriate. Ms. Ray discussed that the referendum itself did not grant density; it was an approval by the voters to allow the applicant to file a request to the Town for approval of density. At that point, the applicant would request a change in the Future Land Use and Zoning. She continued with discussing the process they would need to follow within the Town.

Maggie Mooney-Portale, Town Attorney, believed with the processes that were being proposed at this time, and the changes being suggested, the Board needed to take into consideration they could only ask for something that the Comprehensive Plan and the Zoning Code permitted. Discussion continued with the referendum process and Florida Statutes. Commr. Larson pointed out that the Aria development had requested less density than allowed. Mayor Duncan commented the only point he was making was the developer was able to sell units up front, and as a result, were able to create a working capital. P&Z Vice Chair Bishop noted that the discussion was not for current developments, but the ability for aging buildings to be able to make the first request. There would also be criteria in place that would provide limitations that protect development plans in terms of how they move forward.

Commr. Zunz commented that she had reviewed her notes from the Planning & Zoning Board training session, and they had discussed the responsibility of planning. She believed the idea that each developer, or owner, would have to go through a referendum process, which was at the discretion of someone else, was not the way to set up this process.

Mr. Garner discussed that some of the older buildings had a number of issues that were economic, and he believed that was the focus of the legislation that was created. He asked if the Town was going to allow someone with 15 units per acre to demolish and rebuild to current Town Code; they might cover more ground, or the same ground, but they would still be at 15 units per acre. He asked how they would depart from the current Town Code requirement of six units per acre.

Discussion ensued on:

- Whether providing incentives for redevelopment on the island was still the goal (there was consensus to provide incentives for redevelopment) (methodology for incentivizing is a priority)
- The options provided at the hearing did not assign additional density to a property
- Whether want to discuss and provide a pool of additional units

Ms. Ray continued with her presentation:

- All solutions provided were viable and legal options
- Two options provide a methodology to ask for additional density
- Options are not an either/or; you could implement all three options
- Will need to provide documentation/certification of what existed and as-built conditions to have in the Town's records

The following options were discussed:

Option 1 – Planned Unit Developments

- creates two new PUD districts, specifically for the purpose of promoting and allowing redevelopment that would allow property owners to seek rezoning to a density higher than six du/a
 - Residential Opportunity Planned Unit Development (RO-PUD)
 - Tourism Opportunity Planned Unit Development (TO-PUD)
- these two districts would afford an opportunity to take properties that existed with higher densities to move into these districts
- PUDs are beneficial to the Town Code
- provided flexibility for buildings and more open space
- whether the PUD districts had to be one broad area or 'float' (as long as it complied with the Comprehensive Plan, which would have the provisions to allow it)
- the goal was to provide a better development through the PUD process than the Town Code would provide; never used to circumvent the Town Code
- whether if an owner asked for a PUD and was denied, do they stay within the district they currently were in (it was noted they would remain in their current district)
- they could request again, but would have to submit a substantially different plan than what was originally submitted; the application should come under one unified

owner, not individual owners within a condominium (the association would have to request)

- addressed the concern of having multiple referendums as a result; however, it would be happening over a long period of time
- should be a size limitation; it could be based on a number of factors
- will have to deal with properties that have more than six units per acre; some of the smaller properties that have a higher density will have to determine whether want something more appropriate at the same density or phase them out; may want to leave them as non-conforming and allow them to redevelop under another Town Code
- PUD District regulations
- suggestion to staff to include language that allowed 'phased redevelopment'
- there was a lot of criteria that would need to be reviewed
- a need to revisit the Town's allowed heights and whether they were appropriate
- the parameters of the PUD would tie into the vision for the island

Mr. Schneier questioned what would be the general vision for 1-2 acre properties. Ms. Ray responded if the Board wished to provide additional flexibility for the smaller properties, if they included the size limitation for the planned unit development, and if it limited it to 2 acres or more. If the Board wished to provide flexibility for those properties that were under that to be able to redevelop to their existing density, then they could look at removing the cubic content requirement, and provide flexibility with setbacks, open space, and height.

Ms. Ray continued with her presentation of Option 1 noting:

- Property owner would initiate referendum to request additional density
- If referendum approved, the owner would seek a change in their Future Land Use category into one of the defined categories that already existed in the Comprehensive Plan (one of the Opportunity Areas)
- PUD proposal must be for redevelopment of the property; what are the objectives
- Develop PUD criteria based on defined redevelopment objectives
- Once rezoned, the property would be conforming for density and could redevelop according to the approved PUD criteria and density
- Reviewed Pros and Cons for creating a PUD (PowerPoint Slide 12)
- Have had several suggestions for the Colony Beach property, but none fit within the Town Code; would be a good example for redevelopment through a PUD

Option 2 – Multi-Family Unit 'Pool'

- Town creates new PUDs, as described in Option 1
- Town initiates referendum for a 'pool' of multi-family units
- If referendum approved, the Town could adopt regulations governing the distribution of the units in the 'pool'
- Property owner would seek a change to the Future Land Use (FLU) category (PowerPoint Slide 14)

- Reviewed Pros and Cons for Multi-Family Unit 'Pool' (PowerPoint Slide 15)
- What guidelines would the Town use to determine that the higher density parcel would be treated differently than a lower density; the owner that wishes to demolish and rebuild what was existing, but wants to go through the PUD process, would be afforded the flexibility under the PUD process to create something that maybe the Town Code did not foresee
- Questioned why the Hilton was still non-conforming when they went through the process for the additional units; they were still a non-conforming property because their zoning district still only allowed six dwelling units per acre; the units were legal, but the property itself, because there was no zoning category that it could fit into under the current Town Code, was non-conforming because of its current zoning category designation
- If a property was non-conforming does it impact their obtaining insurance or funding; being non-conforming could impact
- Appeared in Option 2 that the cost burden was placed on the Town; the cost of the referendum would be the Town's burden
- Should take the words 'cubic volume' out of the Town Code

Commr. Zunz discussed the financial concerns for non-conforming properties; why do they have to wait to 'opt in'; why could they not be placed into the PUD. Ms. Ray responded that would be a Town-initiated process; each property had to be reviewed individually and draft their own development parameters.

Option 3 – Special Purpose Zoning Districts – No Additional Density

- Town revises Comprehensive Plan to add a Special Purpose Future Land Use category that allows Special Purpose Zoning Districts
- Creates new Special Purpose Zoning Districts to conform and limit density to existing nonconforming built density, specifically for those properties
 - Tourism Special Purpose Zoning District
 - Residential Special Purpose Zoning District
- Properties would need Comprehensive Plan and FLU changes into a new Special Purpose Category
- Properties would require rezoning into a Special Purpose Zoning District
- Two options for rezoning properties
 - Town-initiated
 - Owner-initiated
- Should treat each property on their individual concerns; Option 1 would address
- Whether using the PUD process would resolve the impediments of financing and other elements with being non-conforming because the property would become conforming with a PUD; need to keep in mind that a PUD would be tied into a redevelopment
- The Town needed to decide whether they wished to create the PUD for redevelopment only; the proposal for a straight zoning district would not have to be redeveloped, but would be more restrictive than a PUD
- Whether this could be stage one before someone decides to go into a PUD or for someone that did not qualify for a PUD

- As part of the criteria for the zoning district, the 'cubic volume' language would go away
- If changes were done in connection with the regular Town election, then the costs were already worked in
- Discussed the difference between this and 'spot zoning'
- How does Option 3 provide an incentive for redevelopment; unknown if this option would provide a financial incentive – it did not provide for additional density; it would allow the property to become conforming without applying for a PUD
- Whether could include part of Option 3 in Option 1; they were two separate processes- Option 3 did not require a referendum
- discussed the idea of phasing it so there could be all three with some phasing mechanism.
- With regard to Option 2 and the 'pool,' if the Town moved forward, they would need a referendum; if it was not approved, they still had Option 1 to fall back on
- That the tourism pool created years ago was created to replace lost units, and this pool was not created to replace lost units – it was additional units
- Concern voiced with increasing density, but also recognized that if the Town went with Option 2, it would be put to a referendum vote by the public, and they were not necessarily uncomfortable with that option

Commr. Zunz noted they were talking about a small number of units – Options 2 and 3 gave the Town control, and she favored those options. Mayor Duncan favored all three options. Option 1 gave the Commission more latitude to determine exactly how many of those units they would want to give up, because they had some control over it, because the PUD was undefined; the Town had control over making sure that all the elements they wanted to see were there, and would also have more control over the density element.

Comm. Daly agreed with the Mayor and Commr. Zunz with respect to the pool of units as without it there was "disincentive." He noted if it was determined the number of units was not sufficient, then it could be increased with another referendum. He pointed out the current process takes time and asked if the Town should be looking at something immediate to eliminate that restriction. Ms. Ray explained an ordinance has been prepared to address that, and with removing some of the restrictive language, it could move forward now so if there was a storm, the issues could be addressed immediately until such time a process was put in place.

Discussion ensued on the various options:

- Combining Options 1-3, if they fit together, would provide an owner who was thinking of redeveloping the 'menu' up-front to make a choice
- The Town had to be sure to have language in place that allowed for a limited or controlled redevelopment
- Concern with Option 2 as Option 1 still provided the incentive, but made it more difficult
- Belief that Option 2 would limit the number of referendums

- Under Option 3, the Town might want to consider having a Town-initiated process for a certain amount of time, and if someone submitted within that timeframe, it would be under the Town, but after that it would be on their own request
- would have to set a time limit on it requiring that they would have to opt in by a certain date
- That the Town was responsible for creating criteria that was specific
- Belief that Option 2 should be part of Option 1

Mayor Duncan asked if anyone had another option that has not been discussed that they would like to place on the table for discussion. None were noted.

There was consensus to move forward with Options 1-3 combined together.

Ms. Ray explained that Option 2, by default, meant they were doing Option 1. The difference was yes they would ask for a pool, but if the pool was denied by the voters, or they ran out of units, Option 1 was something that individual property owners could come forward and do on their own.

There was consensus to move forward with Town-initiated action for Option 3.

Ms. Ray noted that regardless of direction, staff would move forward with the documentation process so staff can document and certify what currently existed. She pointed out the importance of completing that in light of the fact they were sitting on a barrier island.

Mayor Duncan requested that staff develop specifics for each option for the next meeting.

ADJOURNMENT

Mayor Duncan adjourned the November 9, 2015, Town Commission Joint Meeting with the Planning & Zoning Board at 11:36 a.m.

Donna Chipman, PZB Office Mgr.

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
DECEMBER 7, 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 December 7, 2015, Regular Meeting to order at 7:00 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 and read the Pledge of Public Conduct.

PUBLIC TO BE HEARD

1. Opportunity for Public to Address Town Commission

A. Public Works

Ms. Madilyn Spoll, Harbourside Drive, commented on the commencement of improvements to Bayfront Park Recreation Center.

APPROVAL OF MINUTES

2. November 2, 2015 Regular Meeting; November 9, 2015 Regular Workshop Meeting; and November 9, 2015 Special Meeting Minutes

There was consensus to approve the Minutes, as submitted.

COMMITTEE REPORTS AND COMMUNICATIONS

3. Manatee County Special Liaison Report

A. Organizations

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

B. Government Agencies

Commr. Zunz noted that the Manatee Board of County Commission adopted new impact fees on construction.

A. Organizations - Continued

Mayor Duncan inquired and Commr. Zunz commented on consideration by the EDC of the traffic issues on the barrier islands.

Commr. Pastor noted that the Sarasota EDC does not have the traffic issue on their strategic plan.

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

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

6. Other Reports

B. Town Commission

Commr. Younger commented on the March 2016 Election and moved to add an item to the agenda relating to Commission districting. The motion was seconded by Commr. Larson.

Following comments, Commr. Younger moved a substitute motion to add a discussion on districting to the next workshop agenda. The substitute motion, seconded by Commr. Larson, carried unanimously on voice vote.

C. Organizations

Vice Mayor Gans noted a recent meeting of the Sarasota County Tourist Development Council (TDC) noting endorsement for a Florida Department of Transportation (FDOT) Barrier Island Traffic Study.

A. Certificates of Recognition for the Town's 60th Anniversary

Mayor Duncan read and commented on the Certificates of Recognition from Manatee and Sarasota Counties presented for the Town's 60th Anniversary.

CONSENT AGENDA

7. Amended Interlocal Agreement with Sarasota County to Provide for Collection and Use of Mobility Fees

Sarasota County has adopted Ordinance 2015-051, providing for collection and use of mobility fees which goes into effect on January 1, 2016. The mobility fees collected can only be spent on multi-modal improvements within the district in which they are collected. In order to opt-in, the Town must enter into an amended Interlocal Agreement with Sarasota County regarding collection of mobility fees prior to the effective date of the Mobility Fee Ordinance. The Interlocal Agreement was approved by the Town Commission at the November 2, 2015, Regular Meeting and forwarded to the Sarasota County Commission for formal action. The Interlocal Agreement was amended to correct an error in the document and approved by the Sarasota County Board of County Commissioners. The amended Interlocal Agreement is placed on the December 7, 2015, Regular Meeting for ratification by the Town Commission. Recommended Action: Approval of the consent agenda will authorize Mayor to execute Interlocal Agreement with Sarasota County for collection and use of mobility fees.

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

ORDINANCES - FIRST READING

8. Ordinance 2015-29, Pass-Through of Manatee County Utility Rate Increase

On November 18, 2014, the Manatee County Board of County Commissioners passed R-14-155 authorizing a wholesale water and wastewater rate increase effective January 1, 2016. Town Commission policy has been to pass through Manatee County rate increases to the Town's utility ratepayers. Staff has prepared Ordinance 2015-29 which provides for the pass-through to become effective corresponding with the Manatee County effective date. Recommended Action: Pending first reading and discussion, forward to January 4, 2016, Regular Meeting for second reading and public hearing.

8. Ordinance 2015-29, Pass-Through of Manatee County Utility Rate Increase - Continued

Town Clerk Trish Granger placed Ordinance 2015-29 on record by title only.

Commr. Zunz moved to pass Ordinance 2015-29 on first reading and to forward to the January 4, 2016, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Pastor.

Following comments by Town Manager Dave Bullock, Commr. Zunz noted that the Town has one of the lowest rates in the area. Commr. Larson noted the lack of a cost of living increase for social security recipients and the increased cost of Medicare coverage.

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

ORDINANCES - SECOND READING AND PUBLIC HEARING

9. Ordinance 2015-19, Establishing the Dates for the 2016 General Municipal Election 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. 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. Ordinance 2015-19 provides for the Town's General Municipal Election dates. First reading was held at the November 2, 2015, Regular Meeting and was forwarded to the December 7, 2015, Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2015-19.

Town Clerk Trish Granger placed Ordinance 2015-19 on record by title only.

Commr. Larson moved to adopt Ordinance 2015-19 on second reading and public hearing. The motion was seconded by Vice Mayor Gans.

Following comments by Town Manager Dave Bullock, Town Clerk Granger presented an overview of Ordinance 2015-19. Discussions were held on the following topics/issues:

- lack of early voting available on Longboat Key
- ability to promote absentee/mail ballots.

Town Clerk Granger confirmed she would contact the Supervisor of Elections offices to request consideration to obtain early voting on-site and report back to the Commission.

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

10. 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. Following first reading, public hearing and discussion, Ordinance 2015-20 was forwarded to the State for review and comment, and is now before the Town Commission for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2015-20.

Town Clerk Trish Granger placed Ordinance 2015-20 on record by title only.

Commr. Pastor moved to adopt Ordinance 2015-20 on second reading and public hearing. The motion was seconded by Commr. Zunz.

Mayor Duncan opened the public hearing.

Planning, Zoning, and Building Department Director Alaina Ray presented an overview of Ordinance 2015-20 noting that Section 1.2.11 was incorporated into the document.

As no one wished to be heard, Mayor Duncan closed the public hearing.

Following comments, 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 2015-30, Providing for Funding of Capital Improvements and Essential Services Through Imposition of Special Assessments

Ordinance 2015-30 was presented for Commission consideration and first reading at the November 9, 2015, Regular Workshop and Special Meeting. The Ordinance provides for the framework for funding capital improvements and essential services through imposition of special assessments. This item was forwarded to the December 7, 2015, Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2015-30.

Town Clerk Trish Granger placed Ordinance 2015-30 on record by title only.

Commr. Pastor moved to adopt Ordinance 2015-30 on second reading and public hearing. The motion was seconded by Vice Mayor Gans.

11. Ordinance 2015-30, Providing for Funding of Capital Improvements and Essential Services Through Imposition of Special Assessments - Continued

Mayor Duncan opened the public hearing.

Town Manager Dave Bullock presented an overview of Ordinance 2015-30. Commr. Zunz inquired and Town Manager Bullock and Town Attorney Maggie Mooney-Portale noted of no known previous non-ad valorem assessments by the Town.

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

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

RESOLUTIONS

12. Resolution 2015-30, Providing for an Initial Assessment for Gulf of Mexico Drive (GMD) Utility Undergrounding Project

Resolution 2015-30 approves an apportionment methodology for the GMD Project based on Equivalent Benefit Units (EBUs) and describes how the assessment roll will be maintained. It also includes an initial prepayment option for property owners who wish to prepay the assessments prior to issuance of bonds. Recommended Action: Pending discussion, pass Resolution 2015-30.

Town Clerk Trish Granger placed Resolution 2015-30 on record by title only.

Commr. Pastor moved to pass Resolution 2015-30. The motion was seconded by Vice Mayor Gans.

Town Manager Dave Bullock commented on Resolution 2015-30 and Attorney Chris Roe provided an overview of the assessment Resolution.

The following individuals commented on Resolution 2015-30:

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

Town Manager Bullock noted an amendment in the notice and footnotes on the bottom of the notice (Exhibit B). Attorney Roe commented on the development of methodology and the validation process.

Mr. Ed Zunz, Lands End Drive, commented on Resolution 2015-30.

Town Manager Bullock noted the development of the methodology was outlined in the Resolution. Town Attorney Maggie Mooney-Portale commented on the review and lack of written opinions for assessment methodology proposed by the Town's citizenry.

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

13. Resolution 2015-31, Electing to Use Uniform Method of Collecting Non Ad Valorem Assessments

Resolution 2015-31 expresses the Town's intention to use the tax bill collection method for the undergrounding assessments, commencing with the tax bill mailed in November 2016. The Resolution does not impose any assessments or obligate the Town to impose assessments. Resolution 2015-31 simply provides a mechanism to collect any future imposed assessments by use of the tax bill. Recommended Action: Pending discussion, pass Resolution 2015-31.

Town Clerk Trish Granger placed Resolution 2015-31 on record by title only.

Commr. Larson moved to pass Resolution 2015-31. The motion was seconded by Commr. Pastor.

Town Manager Dave Bullock noted the intent of the Resolution providing notice as required by law.

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

RECESS: 8:14 p.m. - 8:24 p.m.

NEW BUSINESS

14. Neighborhood Undergrounding

The Town Manager and consultants will present updated information as requested by the Town Commission at the November 9, 2015, Regular Workshop Meeting and at the Special Meeting which followed. Mr. Danny Brannon, Brannon & Gillespie, LLC; Attorney Duane Draper, and Attorney Chris Roe, Bryant, Miller & Olive; and Ms. Tara Hollis, Willdan Financial Services, will attend the December 7, 2015, Regular Meeting to assist with the presentation and answer any questions. Recommended Action: Pending discussion, provide direction to Manager.

Following comments, Town Manager Dave Bullock and Mr. Danny Brannon, Brannon & Gillespie, LLC, gave a PowerPoint presentation relating to the neighborhood undergrounding options. Discussions were held on the following topics/issues:

- clarification of the General Benefit Assessment of \$513.35
- proposed annual costs
- installation of fiber optics in undergrounded areas
- anticipated costs/number of parcels undergrounded without fiber optic lines
- neighborhood project versus fiber optic in areas already underground
- demand to Florida Power and Light Company (FPL) to update service lines
- FPL historically would not run fiber optic
- current fiber optic provider in Longboat/benefits for the Town to install Town owned lines
- undetermined ability to provide up-to-date fiber optic service if Town provided
- current uses for moving/providing medical information on patients between facilities

14. Neighborhood Undergrounding - Continued

- estimated (unverified) cost per parcel for fiber optic installation in areas currently undergrounded
- adding fiber to areas not currently included in the undergrounding projects.

Commr. Larson moved to include the installation of dark cable/fiber to the currently undergrounded neighborhoods. The motion, seconded by Commr. Pastor, carried by a 7-0 roll call vote, as follows: Larson, aye; Pastor, aye; Zunz, aye; Daly, aye; Younger, aye; Gans, aye; Duncan, aye.

Town Manager Bullock advised that the figures for the installation of dark fiber would be developed and provided to the Commission for their information.

Discussions were held on the parcel count utilized for properties currently undergrounded and a proposed 81.5%/18.5% assessment split between properties.

The following individuals commented on the Neighborhood Undergrounding Project:

Mr. Larry Grossman, St. Judes Drive North
Mr. Ed Zunz, Lands End

Following comments, Commr. Pastor moved to proceed with the 81.5%/18.5% funding mechanism presented this date. The motion was seconded by Commr. Larson. Subsequent to comments, the motion carried by a 6-1 roll call vote, as follows: Pastor, aye; Larson, aye; Younger, aye; Gans, aye; Zunz, no; Daly, aye; Duncan, aye.

Mayor Duncan noted direction to the Town Manager to develop and present for consideration at the December 14, 2015, Special Meeting, a draft Ordinance outlining the 81.5%/18.5% funding mechanism to fund the undergrounding of power lines in all currently non-undergrounded neighborhoods and to run fiber optic conduit cable capability down all streets throughout Longboat Key including those streets where power lines are already currently underground.

Discussion ensued on the cost allocation for additional dark fiber in the undergrounded areas and the associated costs for those areas.

Commr. Younger moved to include an assessment of 18.5% from those areas without current undergrounding for the installation of dark fiber in the undergrounded areas. The motion died for lack of second.

Commr. Larson inquired and Town Manager Bullock confirmed the following:

- the neighborhoods currently overhead will be paying 100% of dark fiber costs
- the current undergrounded areas will be paying for the loop
- the currently undergrounded areas will be paying for 100% of their dark fiber costs.

14. Neighborhood Undergrounding - Continued

Following individual comments, Town Attorney Mooney-Portale advised it was unnecessary to re-motion and/or revote on the direction provided this date.

15. Amendment to Town Manager Contract

At the November 9, 2015 Regular Workshop Meeting the Commission held discussion regarding the Town Manager's annual performance evaluation. The Commission directed the Town Attorney to draft a Contract Amendment for consideration at the December 7, 2015 Regular Meeting. The contract amendment provides for 15 days additional vacation per year. Recommended Action: Pending discussion, authorize Mayor to execute Contract Amendment.

Following individual comments on the additional days and anticipated scheduling of those days, Commr. Larson moved to approve the Town Manager's Contract Amendment providing for 15 additional vacation days. The motion, seconded by Commr. Pastor, carried by a 6-1 roll call vote, as follows: Larson, aye; Pastor, aye; Daly, aye; Younger, no; Zunz, aye; Gans, aye; Duncan, aye.

TOWN COMMISSION COMMENTS

A. Public Works

Mayor Duncan commented on the clean-up of the red tide in the commercial areas and requested that the issue be scheduled on a future Workshop agenda, without objection.

B. Tennis Center

Commr. Younger noted the end of an annual tennis tournament at the Tennis Center noting a record number of participants, advised that it was handled by the Friends of Tennis, and noted the benefit to the Town in showcasing Longboat Key.

Commr. Larson suggested additional marketing/advertising of the event in future years to ensure adequate local coverage.

TOWN ATTORNEY COMMENTS

A. Advisory Boards/Code Enforcement Board

Town Attorney Maggie Mooney-Portale noted the previously scheduled training session for the Code Enforcement Board has been moved to their January 11, 2016 Regular Meeting.

B. Ordinances

Town Attorney Maggie Mooney-Portale advised that Staff will be providing an update on the review of the noise/sound regulations requested by the Commission at an upcoming meeting.

A. Advisory Boards/Code Enforcement Board – Continued

Commr. Younger commented on the training for the Code Enforcement Board and the processes being utilized to prosecute the cases.

TOWN ATTORNEY COMMENTS - Continued

B. Ordinances – Continued

Mayor Duncan commented on previous Commission direction and authorization to purchase equipment and Town Attorney Mooney-Portale advised that Staff will be seeking additional Commission consensus on the process to proceed.

Upon inquiry, Town Attorney Mooney-Portale confirmed that the City of Sarasota does utilize decibel levels in their Code of Ordinances.

A. Advisory Boards/Code Enforcement Board – Continued

Commr. Younger requested that the structure of the Code Enforcement Board and the process be discussed at a future Workshop.

Mayor Duncan advised that he had been made aware of an enterprise that may be placing advertisements on the sides of boat and noted concern that the issue may become a future code enforcement concern.

TOWN MANAGER COMMENTS

A. Emergency Management

Town Manager Dave Bullock provided an update on the dispatch consolidation efforts.

B. Public Works

Town Manager Dave Bullock provided an update on the removal of peafowl from the area of the Village.

Commr. Zunz noted a meeting regarding the removal with the trapper engaged to perform the service.

C. Public Works

Town Manager Dave Bullock advised that he and Staff held a conference call relating to the Beach permitting and noted that additional measures will be required relating to turtle nesting.

PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Mayor Duncan adjourned the December 7, 2015, Regular Meeting at 10:03 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.

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR WORKSHOP
DECEMBER 14, 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 December 14, 2015, Regular Workshop to order at 1:00 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 the Civility Policy and read the Pledge of Public Conduct.

PUBLIC TO BE HEARD

1. Opportunity for Public to Address Town Commission

A. Police Department/Code Enforcement

Mr. Mark Zintel, Cedar Street, commented on lack of Code Enforcement relating to short term rentals in the R-6 Zoning District and also commented the park in Longbeach Village with individuals leaving personal property (vessels) on public land.

B. Public Works

Mr. Michael Drake, Longboat Drive South, commented on the pedestrian crosswalk locations and requested consideration for installation of an additional crosswalk in the area of Broadway Street.

Discussion ensued on the location of crosswalks, roundabouts, and sidewalks in the Broadway Street area.

Commr. Larson requested consideration to draft correspondence requesting the support of the Manatee County Commission and the Florida Legislature in obtaining a roundabout in the Broadway Street area.

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

A. Legislation

Commr. Larson noted the ManaSota League of Cities had transmitted their legislative priorities to the Florida Legislature.

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

5. Other Reports

A. Organizations

Commr. Daly noted attendance at the Metropolitan Planning Organization (MPO) meeting held earlier this date and reviewed the issues discussed.

Mayor Duncan commended Commr. Daly for his efforts.

B. Legislation

Mayor Duncan noted and discussed proposed legislation to be considered in Tallahassee in the upcoming session.

6. Presentations - Manatee County and Sarasota County School Superintendents – Dr. Diana Greene and Lori White

Mayor Duncan welcomed Dr. Diana Greene and Ms. Lori White from the Manatee and Sarasota County School Boards. Sarasota County School Superintendent Lori White gave a PowerPoint presentation on the Sarasota County School District. Discussions were held on the following topics/issues:

- funding for new schools
- impact fees
- per capita funding/revenue sources
- number of Longboat Key students in the Sarasota County School District.

Manatee County School Superintendent Dr. Diana Greene gave a PowerPoint presentation on the Manatee County school system. Discussions were held on the following topics/issues:

- Early Learning initiative
- Driver's Education classes
- impact of Lake Flores development on school system
- information share of students in Longboat zip code
- providing meals to students/correlation to student achievement
- school choice in selection of district schools.

Mayor Duncan thanked Dr. Greene and Ms. White for their presentations.

17. Other Business

A. Personnel

Mayor Duncan noted the absence of Susan Phillips, Assistant to Town Manager.

CONSENT ITEMS

7. Authorization for Town Manager to Execute Amendment #1 to Florida Department of Environmental Protection (FDEP), Beach Management Funding Assistance Program Grant Agreement No. 14ME2, Longboat Key Beach Nourishment

The Town and FDEP entered into Agreement No. 14ME2 on December 15, 2014, that provides cost sharing for beach management program projects. Amendment 1 to this agreement increases the amount of funding for our beach program by \$1,829,974. Recommended action: Approval of the Consent Agenda will forward this item to the January 4, 2016, Regular Meeting Consent Agenda for formal action.

CONSENT ITEMS - Continued

8. Proposed Resolution 2016-02, Supporting the ManaSota League of Cities 2016 Legislative Priorities

At the November 12, 2015, ManaSota League of Cities Meeting, a request was forwarded for each member City to adopt a Resolution expressing support for the 2016 ManaSota League of Cities Legislative Priorities with the intent of forwarding those Resolutions to the Florida Legislature. Recommended Action: Approval of the Consent Agenda will forward Resolution 2016-02 to the January 4, 2016, Regular Meeting for formal action

9. Proposed Interlocal Agreement with Leon County Sheriff's Office for IT Support Services

IT Director Jason Keen proposes renewal of an interlocal agreement with Leon County Sheriff's Office which expires on December 31, 2015. The interlocal agreement provides for continuation of services for access to FDLE data and services until such time the Dispatch Consolidation with Sarasota County is complete. Recommended Action: Approval of the Consent Agenda will forward the Interlocal Agreement with Leon County Sheriff's Department to the December 14, 2015, Special Meeting for formal action.

There was consensus to approve Consent Agenda Items 7 through 9 in accordance with Staff reports and recommendations.

DISCUSSION ITEMS

10. Proposed Ordinance 2016-01, Establishing a Gulf of Mexico Drive Undergrounding Fund and Budget

On November 3, 2015, the Town's electors voted to authorize the Town's borrowing of up to \$25,250,000 for the undergrounding of utilities and street lighting along Gulf of Mexico Drive. Proposed Ordinance 2016-01 establishes a new capital fund and budget to account for all revenue sources and expenditures associated with this new capital project. Recommended Action: Pending discussion, forward Ordinance 2016-01 to the December 14, 2015, Special Meeting for first reading and public hearing.

Mayor Duncan noted that Items 10 through 12 were inter-related and that all speaker requests would be held until Staff provided an overview of the items.

Town Manager Dave Bullock provided an overview of Ordinance 2016-01.

Following comments, there was consensus to forward Ordinance 2016-01 to the December 14, 2015, Special Meeting, for first reading and public hearing.

11. Proposed Ordinance 2016-02, Provides Funding for Pre-Referendum Work for Utilities Undergrounding Project for Neighborhoods and Side Streets

Following approval of the referendum for undergrounding utilities along the Gulf of Mexico Drive corridor, the Town Commission directed staff to move forward with preparations for a second referendum question for undergrounding utilities within neighborhoods and on side streets. Proposed Ordinance 2016-02 provides for funding for the pre-referendum work relating to the second referendum. Recommended Action: Pending discussion, forward Ordinance 2016-02 to the December 14, 2015, Special Meeting for first reading and public hearing.

11. Proposed Ordinance 2016-02, Provides Funding for Pre-Referendum Work for Utilities Undergrounding Project for Neighborhoods and Side Streets - Continued
Town Manager Dave Bullock provided an overview of Ordinance 2016-02.

Mr. Michael Lendrihas inquired as to allowing public comments on the agenda items. Mayor Duncan advised that Items 10 through 12 were inter-related and that all public comment would be taken during consideration of Item 12 for the three items.

Following comments, there was consensus to forward Ordinance 2016-02 to the December 14, 2015, Special Meeting, for first reading and public hearing.

RECESS: 2:25 p.m. – 2:35 p.m.

12. Proposed Ordinance 2016-05, Providing for Referendum to Underground Utilities in Neighborhoods and Side Streets

Proposed Ordinance 2016-05 provides for a second referendum question and debt authorization relating to the Neighborhood and Side Streets Utility Undergrounding Project anticipated to be posed to the Town's electorate in March 2016. Recommended Action: Pending discussion, forward Ordinance 2016-05 to the December 14, 2015, Special Meeting for first reading.

Town Manager Dave Bullock gave a PowerPoint presentation on Ordinance 2016-05. Discussions were held with Town Manager Bullock, Mr. Danny Brannon of Brannon and Gillespie Associates, Ms. Tara Hollis of Wildan Financial Services, Attorney Duane Draper, and Attorney Chris Roe on the following topics/issues:

- calculation of assessments
- lines from mainland and associated costs
- identification of facilities that need to be looped
- change in standards/requirement for compliance with new standards
- providing copies of presentation to citizens
- determination of individual property costs
- impact on homestead property with statutory cap
- lack of statutory cap on non-ad valorem assessments
- lack of statutory remedy if assessment is not affordable.

The following individuals commented on Ordinance 2016-05:

Mr. Dan Whelen, Firehouse Court
Mr. Michael Drake, Longboat Drive South
Mr. Peter Walker, Longboat East
Mr. Joe Mazza, Poinsetta Avenue
Mr. Tom Freiwald, Spanish Drive North
Ms. Karen Feeney, Broadway Street
Margaret Watkins, Longboat Drive North
Mr. Pete Rowan, Broadway Street
Mr. Stephen Garrod, Russell Street

12. Proposed Ordinance 2016-05, Providing for Referendum to Underground Utilities in Neighborhoods and Side Streets - Continued

Attorney Draper commented on the assessment review and Attorney Roe noted provisions in Florida Statutes relating to assessments. Discussions were held on the following topics/issues:

- consideration of a “flat assessment” for public improvements
- statutory process for various infrastructure projects
- validation process
- option to establish taxing districts.

The following individuals commented on Ordinance 2016-05:

Ms. Madelene Stewart, Hughes Street
Mr. McCord Fraser, Longboat Dr. N.
Mr. Ken Fearing, El Centro
Mr. Thomas Skillman, Fox Street
Mr. Ed Zunz, Lands End Drive
Mr. Larry Grossman, St. Judes Drive N.

RECESS: 4:35 p.m. - 4:45 p.m.

The following individuals commented on Ordinance 2016-05:

Ms. Carla Rowan, Broadway Street
Mr. Mark Zintel, Cedar Street

Discussions were held on the following topics/issues:

- inclusion of districts versus town-wide
- cost impact if project is postponed
- previous Commission action/change in estimated costs
- attendance permitted of any individual during validation process
- Statutory requirements for the “benefit” test
- costs for utility services during construction
- assessment process/options to modify assessment amount
- deadline to provide Supervisor of Elections with ballot language by January 8, 2016
- public information schedule to be established
- site specific information/underground versus overhead criteria
- options to reconsider separate districts/opt-out.

Subsequent to discussion, there was consensus to not reconsider separate improvement districts.

Town Manager Bullock advised that the Ballot question had been revised removing numbers (i) and (ii) from the drafted Ordinance.

12. Proposed Ordinance 2016-05, Providing for Referendum to Underground Utilities in Neighborhoods and Side Streets - Continued

There was consensus to forward Ordinance 2016-05, as amended, to the December 14, 2015, Special Meeting, for first reading and public hearing.

13. Proposed Resolution 2016-01, Special Assessment Revenue Bonds (Gulf of Mexico Drive Undergrounding Project)

On November 3, 2015, the Town's electors voted to authorize the Town's borrowing of up to \$25,250,000 for the undergrounding of utilities relating to Gulf of Mexico Drive. A Master Bond Resolution is required to move forward with the Gulf of Mexico Drive Undergrounding Project. Proposed Resolution 2016-01 is presented to complete the requirement for the Master Bond Resolution and is presented for Commission consideration. Recommended Action: Pending discussion, forward Resolution 2016-01 to the December 14, 2015, Special Meeting for formal action.

Town Manager Dave Bullock provided an overview of Resolution 2016-01 advising that the Resolution was to be forwarded to the January 4, 2016, Regular Meeting in lieu of the December 14, 2015, Special Meeting. Attorney Duane Draper provided an overview of the Master Bond Resolution and reviewed the process for approval.

There was consensus to forward Resolution 2016-01 to the December 14, 2015, Special Meeting for formal action. (See Item later this meeting.)

14. Proposed Resolution 2015-28, Providing for Funding for Peafowl Reduction in Longbeach Village

The Town Commission directed staff to undertake reduction of peafowl within the Longbeach Village area of Longboat Key. No funding was provided for peafowl removal within the FY 2015-2016 Budget. The Finance Director has prepared proposed Resolution 2015-28 to provide for a budget transfer from Town Commission Contingency to General Services to create a line item providing for payment of peafowl removal services. Recommended Action: Pending discussion, forward Resolution 2015-28 to the December 14, 2015, Special Meeting for formal action.

Town Manager Dave Bullock provided an overview of Resolution 2015-28 relating to removal of peafowl in the Village area.

Discussions were held on the removal of all the peacocks and restrictions on banning species.

There was majority consensus to not remove all the peacocks from the island.

13. Proposed Resolution 2016-01, Special Assessment Revenue Bonds (Gulf of Mexico Drive Undergrounding Project) – Continued

Following inquiry by Town Attorney Maggie Mooney-Portale, there was consensus to forward Resolution 2016-01 to the January 4, 2016, Regular Meeting, for formal action. (See Item earlier this meeting.)

14. Proposed Resolution 2015-28, Providing for Funding for Peafowl Reduction in Longbeach Village - Continued

Ms. Judith Chable, Longboat Court, commented on the removal of peacocks.

Following individual comments, there was consensus to forward Resolution 2015-28 to the December 14, 2015, Special Meeting for formal action.

15. Request for Referendum from Mr. James Brearly for Properties Located at 6920, 6916, and 6910 Gulf of Mexico Drive and 6931, 6927, and 6919 Palm Drive

Mr. James Brearly, representing Floridays Development Company has submitted a request for a referendum to allow the Town to consider conversion of properties to Tourism Use with a maximum density not to exceed 6 units per acre. Mr. Brearly requests that the Commission place the item before the electors and waive the requirement for signatures as provided for in the Town Charter. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray provided an overview of the property site under consideration. Discussions were held on the following topics/issues:

- process for approval if a referendum was successful
- referendum request withdrawn by Mr. Snyder
- impact on bank building/gas station properties.

Mr. James Brearly, representing Floridays Development Company provided an overview on the referendum request and supported approval.

Mr. Angus Rogers, CEO of Floridays Development Company, commented on the company's experience. Commr. Zunz inquired and Mr. Rogers confirmed that Floridays retains ownership of the property.

Discussions were held on the following topics/issues:

- referendum (petition) process
- needed improvements to North end gateway
- removing hurdles required in the petition process
- previous waivers for the Longboat Key Club on the petition process.

Mr. George Spoll, Harbourside Drive, commented on the request.

There was majority consensus to approve the request to waive the petition process for a voter referendum for the properties located at 6910, 6916, and 6920 Gulf of Mexico Drive and 6919, 6927, and 6931 Palm Drive .

There was consensus to direct staff and the Town Attorney to work with the applicant to draft a proposed Ordinance and referendum language and review for legal correctness in accordance with Article 7, Section 1-C, of the Town Charter.

15. Request for Referendum from Mr. James Brearley for Properties Located at 6920, 6916, and 6910 Gulf of Mexico Drive and 6931, 6927, and 6919 Palm Drive - Continued

There was consensus to direct the Town Clerk's office to contact the Supervisor of Elections offices to determine an available election date for a special referendum election.

There was consensus to forward the Ordinance, once drafted, to the next available Regular Meeting once legal sufficiency has been established for first reading.

16. Update on Dispatch Consolidation Process

The Fire Chief and Police Chief will provide a brief update on the Police and Emergency Services Dispatch Consolidation with Sarasota County. Recommended Action: None, informational only.

Following comments by Town Manager Dave Bullock, Fire Chief Paul Dezzi and Police Chief Pete Cumming gave a PowerPoint presentation updating the dispatch consolidation process.

Mayor Duncan requested that a demonstration be provided for the Town Commission.

17. Discussion of Commission Districts

At the December 7, 2015, Regular Meeting the Town Commission voted to place a discussion item regarding the topic of Commission Districts on the next Regular Workshop Meeting. Sections of the Town Charter and Code relevant to Commission Districts will be reviewed. Recommended Action: Pending discussion, forward to January 19, 2016, Regular Workshop for additional discussion.

Town Manager Dave Bullock noted that Staff had provided Charter and Code information relating to the Town Commission Districts.

Mayor Duncan requested and Commr. Younger commented on the established districts and requested consideration to modify the districts from three to five districts with four at-large districts. Discussions were held on the impact of majority seats being at-large and options to discuss the charter review process.

There was majority consensus to not forward the Commission District discussion to the January 19, 2016, Regular Workshop.

There was majority consensus to postpone discussion of Commission Districts until after the undergrounding projects were underway.

TOWN COMMISSION COMMENTS - No items were presented.

TOWN ATTORNEY COMMENTS - No items were presented.

TOWN MANAGER COMMENTS

A. Public Works

Town Manager Dave Bullock noted receipt and read correspondence from Ms. Debra Getzoff relating to the permit status for the New Pass project.

PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Mayor Duncan noted a Special Meeting immediately following the Regular Workshop and adjourned the December 14, 2015, Regular Workshop at 6:58 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
DECEMBER 14, 2015 - 7:06 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 December 14, 2015, Special Meeting to order at 7:06 p.m., in the Town Hall Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

Mayor Duncan noted the Pledge of Public Conduct.

PUBLIC TO BE HEARD - No items were presented.

1. Opportunity for Public to Address Town Commission

At each meeting the Town Commission sets aside a time for the public to address issues that are not on the agenda.

ORDINANCES – FIRST READING AND PUBLIC HEARING

2. Ordinance 2016-01, Establishing a Gulf of Mexico Drive Undergrounding Fund and Budget

On November 3, 2015, the Town's electors voted to authorize the Town's borrowing of up to \$25,250,000 for the undergrounding of utilities along Gulf of Mexico Drive. Ordinance 2016-01 establishes a new capital fund and budget to account for all revenue sources and expenditures associated with this new capital project. Ordinance 2016-01 was presented for Commission consideration at the December 14, 2015 Regular Workshop Meeting and forwarded to the December 14, 2015 Special Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing and discussion, forward Ordinance 2016-01 to the January 4, 2016 Regular Meeting for second reading, public hearing, and discussion.

Town Clerk Trish Granger placed Ordinance 2016-01 on record for first reading and public hearing by title only.

Commr. Larson moved to pass Ordinance 2016-01 on first reading and public hearing and to forward to the January 4, 2016, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Pastor.

Mayor Duncan opened the public hearing.

Town Manager Dave Bullock provided an overview of Ordinance 2016-01.

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

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

3. Ordinance 2016-02, Provides Funding for Pre-Referendum Work For Utilities Undergrounding Project for Neighborhoods and Side Streets

Following approval of the referendum for undergrounding utilities along the Gulf of Mexico Drive corridor, the Town Commission directed staff to move forward with preparations for a second referendum question for undergrounding utilities within neighborhoods and on side streets. Ordinance 2016-02 provides for funding for the pre-referendum work relating to the second referendum. Ordinance 2016-02 was presented for Commission consideration at the December 14, 2015, Regular Workshop Meeting and forwarded to the December 14, 2015, Special Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing and discussion, forward Ordinance 2016-02 to the January 4, 2016, Regular Meeting for second reading, public hearing, and discussion.

Town Clerk Trish Granger placed Ordinance 2016-02 on record for first reading and public hearing by title only.

Commr. Pastor moved to pass Ordinance 2016-02 on first reading and public hearing and to forward to the January 4, 2016, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Larson.

Mayor Duncan opened the public hearing.

Town Manager Dave Bullock provided an overview of Ordinance 2016-02.

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

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

4. Ordinance 2016-05, Providing for Referendum to Underground Utilities in Neighborhoods and Side Streets

Ordinance 2016-05 provides for the second referendum question and debt authorization relating to the Neighborhood and Side Streets Utility Undergrounding Project anticipated to be posed to the Town's electorate in March 2016. Ordinance 2016-05 was presented for Commission consideration at the December 14, 2015, Regular Workshop Meeting and forwarded to the December 14, 2015, Special Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2016-05 to the January 4, 2016, Regular Meeting for second reading, public hearing, and discussion.

Town Clerk Trish Granger placed Ordinance 2016-05 on record for first reading and public hearing by title only.

Commr. Pastor moved to pass Ordinance 2016-05 (as amended) and to forward to the January 4, 2016, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Larson.

4. Ordinance 2016-05, Providing for Referendum to Underground Utilities in Neighborhoods and Side Streets - Continued

Town Attorney Maggie Mooney-Portale noted for the record that Ordinance 2016-05 was amended at the Regular Workshop Meeting earlier this date by removing the (i) and (ii) type in the ballot question

Mayor Duncan opened the public hearing.

Town Manager Dave Bullock provided an overview of Ordinance 2016-05.

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

The motion to pass Ordinance 2016-05, as amended, and to forward to the January 4, 2016, Regular Meeting for second reading and public hearing carried by a 6-1 roll call vote, as follows: Pastor, aye; Larson, aye; Younger, aye; Gans, aye; Zunz, no; Duncan, aye; Daly, aye.

RESOLUTIONS

5. Resolution 2016-01, Gulf of Mexico Utility Undergrounding Bond Resolution

On November 3, 2015, the Town's electors voted to authorize the Town's borrowing of up to \$25,250,000 for the undergrounding of utilities and street lighting relating to Gulf of Mexico Drive. A Master Bond Resolution is required to move forward with the Gulf of Mexico Drive Undergrounding Project. Resolution 2016-01 was presented to complete the requirement for the Master Bond Resolution. This item was forwarded from the December 14, 2015, Regular Workshop Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2016-01.

Town Manager Dave Bullock noted that the Commission had reached consensus at the December 14, 2015, Regular Workshop to forward Resolution 2016-01 to the January 4, 2016, Regular Meeting for formal action .

6. Resolution 2015-28, Providing for Funding for Peafowl Removal in Longbeach Village

The Town Commission directed staff to undertake reduction of peafowl within the Longbeach Village area of Longboat Key. No funding was provided for peafowl removal within the FY 2015-2016 Budget. Resolution 2015-28 provides for a budget transfer from Town Commission Contingency to General Services to create a line item providing for payment of peafowl removal services. This item was forwarded from the December 14, 2015, Regular Workshop Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2015-28.

Town Clerk Trish Granger placed Resolution 2015-28 on record by title only.

Commr. Zunz moved to pass Resolution 2015-28. The motion was seconded by Commr. Pastor.

Town Manager Dave Bullock provided an overview of Resolution 2015-28.

Following individual comments on access to private property, Commr. Larson moved to include consideration of peacock removal on an agenda annually. The motion was seconded by Commr. Zunz.

The motion to pass Resolution 2015-28 carried by a 6-1 roll call vote, as follows: Zunz, aye; Pastor, aye; Duncan, aye; Daly, aye; Gans, aye; Younger, no; Larson, aye.

The motion to consider removal of peacocks on an annual basis carried by a 7-0 roll call vote, as follows: Larson, aye; Zunz, aye; Pastor, aye; Younger, aye; Gans, aye; Duncan, aye; Daly, aye.

NEW BUSINESS

7. Interlocal Agreement with Leon County Sheriff's Office for IT Support Services

IT (Information Technology) Director Jason Keen proposes renewal of an interlocal agreement with Leon County Sheriff's Office which expires on December 31, 2015. The interlocal agreement provides for continuation of services for access to FDLE data and services until such time the Dispatch Consolidation with Sarasota County is complete. Recommended Action: Pending discussion, authorize execution of interlocal agreement with Leon County Sheriff's Office for IT Support Services.

Town Manager Dave Bullock provided an overview of the Interlocal Agreement with Leon County.

Commr. Younger moved to authorize execution of the Interlocal Agreement with the Leon County Sheriff's Office for IT support services. The motion, seconded by Commr. Larson, carried by a 7-0 roll call vote, as follows: Younger, aye; Larson, aye; Daly, aye; Pastor, aye; Duncan, aye; Gans, aye; Zunz, aye.

ADJOURNMENT

Mayor Duncan adjourned the December 14, 2015, Special Meeting at 7:23 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