

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR MEETING  
April 4, 2016 - 7:00 P.M.**

**Present:** Mayor Jack Duncan, Vice Mayor Terry Gans, Commrs. Jack Daly, Armando Linde, Irwin Pastor, Phill Younger, Ed 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 April 4, 2016, Regular Meeting to order at 7:00 p.m., at Town Hall Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Vice Mayor Gans 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. Public Works**

Mr. Calvin LeBuffe, Kavanagh Court, Sarasota, commented on storm events that will impact the Town due to lack of dredging of New Pass and opined on the causes of Red Tide.

**B. Public Works**

Mr. Mark Zintel, Cedar Street, commented on a proposed mid-block crosswalk between North Shore and Broadway on Gulf of Mexico Drive.

Commr. Younger noted previous discussions relating to sidewalks on the North end of Longboat Key and the design process for placement of a crosswalk. Mayor Duncan noted the intent for speed and traffic flow studies to be accomplished by the Florida Department of Transportation (FDOT).

**C. Public Works**

Mr. Larry Grossman, St. Judes Drive North, commented on the cost estimates for utilities undergrounding, the lighting component, the Florida Department of Transportation recommendations for North end crosswalks, and the proposed Town Center project.

Vice Mayor Gans commented on the funding of the lighting project prior to development of the lighting component.

**APPROVAL OF MINUTES**

**2. March 7, 2016 Regular Meeting; March 21, 2016 Statutory Meeting; and March 23, 2016 Regular Workshop Meeting Minutes**

Town Attorney Maggie Mooney-Portale commented on the proposed amendments to Chapter 100 relating to turtle protection and noted the agenda reflected an Ordinance number was a “placeholder” for an Ordinance that may be drafted in the future.

**There was consensus to approve the Minutes of the meetings 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. Daly provided an update on the Barrier Islands Traffic Mitigation Study as discussed at the Metropolitan Planning Organization's (MPO) recent meeting, noting that the Florida Department of Transportation (FDOT) agreed to fund 80% of the cost for the study with the balance anticipated to be funded by the MPO.

1. Opportunity for Public to Address Town Commission - Continued

D. Public Works

Mr. Samir Ragheb, Bayside Drive, commented on the public dock usage and lack of restroom facilities.

Commr. Younger suggested review of costs for portable sanitation facilities in the area.

**There was consensus for Staff to review the issue.**

E. Police Department

Mr. Andrew Vac, Gulf of Mexico Drive, thanked the Police Department for their assistance with a recent event.

**CLOSING AND ACTION ON CONSENT AGENDA**

7. Requesting Ratification and Consent for Designation of Jim Linn, Lewis Longman & Walker as Special Counsel to Provide Legal Counsel to the Town in Pension Matters Associated with Collective Bargaining Negotiations

The Town Attorney is requesting ratification and consent to the engagement of Jim Linn, Lewis Longman & Walker as Special Counsel on pension matters associated with collective bargaining negotiations with both Police and Fire bargaining units. This item was considered at the March 23, 2016, Regular Workshop Meeting and forwarded to the April 4, 2016, Regular Meeting Consent Agenda for formal action. Recommended Action: Approval of the Consent Agenda will confirm designation of Jim Linn, Lewis Longman & Walker as Special Counsel for Pension and Collective Bargaining Matters.

8. Requesting Consent for Designation of Ronald J. Cohen as Assistant Town Attorney to Provide Legal Counsel to the Town's Consolidated Retirement System Board of Trustees

The Town Attorney is requesting designation of Ronald J. Cohen as Assistant Town Attorney. A Request for Proposals (RFP) resulted in three firms responding, with the Selection Committee recommendation of Mr. Ronald J. Cohen forwarded to the Town Manager for approval. Mr. Cohen will provide legal counsel for the Town's Consolidated Retirement System Board of Trustees. This item was considered at the March 23, 2016,

**CLOSING AND ACTION ON CONSENT AGENDA** - Continued

**8. Requesting Consent for Designation of Ronald J. Cohen as Assistant Town Attorney to Provide Legal Counsel to the Town's Consolidated Retirement System Board of Trustees** - Continued

Regular Workshop Meeting and forwarded to the April 4, 2016, Regular Meeting Consent Agenda for formal action. Recommended Action: Approval of the Consent Agenda will confirm designation of Ronald J. Cohen as Assistant Town Attorney for Consolidated Retirement System Board of Trustees.

**9. Request to Change Time of May 16, 2016, Regular Workshop Meeting to 2:00 PM and to Change Date of May 16, 2016 Budget Workshop to May 18, 2016 at 9:00 AM**

Due to an opportunity to attend the Manatee County Attorney's Office Local Government Law Seminar on May 16, 2016, from 8:30 a.m. to 12:30 p.m., the Town Commission directed staff to adjust the time of the May 16, 2016, Regular Workshop Meeting to 2:00 p.m. Additionally, the May 16, 2016, Special Workshop (Budget) will be rescheduled to Wednesday, May 18, 2016, at 9:00 a.m. This item was considered at the March 23, 2016, Regular Workshop Meeting and forwarded to the April 4, 2016, Regular Meeting Consent Agenda for formal action. Recommended Action: Approval of the Consent Agenda will authorize the changes to the Regular Workshop Meeting and Special Workshop Meeting (Budget).

**10. Authorization for Manager to Execute Longboat Key Library Second Amendment to Lease**

The current Longboat Key Library lease expires June 15, 2016. Town staff is recommending a five-year extension with a provision for termination with one year's notice by either party. The Lease Agreement with the Longboat Library was placed on the March 23, 2016, Regular Workshop Meeting for consideration and forwarded to the April 4, 2016, Regular Meeting Consent Agenda for formal action. Recommended Action: Approval of the Consent Agenda will authorize Manager to execute lease agreement.

**11. Commission Appointments to Committees Named in Town Code and to Outside Agencies**

Each year following the General Municipal Election the Town Commission considers appointments of its members to committees named in the Town Code or as required by outside agencies. At the March 23, 2016 Regular Workshop Meeting there was consensus for appointments to be placed on the April 4, 2016 Regular Meeting Consent Agenda for formal action. Recommended Action: Approval of the Consent Agenda will approve Commission appointments to committees and outside agencies.

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

**ORDINANCES - FIRST READING**

**12. Ordinance 2016-14, Franchise Agreement with Peoples Gas System, A Division of Tampa Electric Company (TECO)**

The Town's 30-year franchise agreement with Peoples Gas System expired on December 2, 2015. Ordinance 2016-14 incorporates the franchise agreement and provides for renewal, with a provision of a 2% increase in the franchise fee. This item was considered at the March 23, 2016, Regular Workshop Meeting and forwarded to the April 4, 2016, Regular Meeting for first reading.

12. Ordinance 2016-14, Franchise Agreement with Peoples Gas System, A Division of TECO - Continued

Recommended Action: Pending first reading and discussion, forward Ordinance 2016-14 to the May 2, 2016, Regular Meeting for second reading, public hearing, and discussion.

Town Clerk Trish Granger placed Ordinance 2016-14 on record for first reading by title only.

**Commr. Pastor moved to pass Ordinance 2016-14 on first reading and to forward to the May 2, 2016, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Linde.**

Town Manager Dave Bullock provided an overview of Ordinance 2016-14 and the franchise agreement.

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

**ORDINANCES - SECOND READING AND PUBLIC HEARING**

13. Ordinance 2016-06, Amending Chapter 57, Rights-of-Way Use; Establishing a New Chapter 58, Undergrounding of Utilities; and Amending Chapter 98, Trees

Anticipated implementation of the voter approved Gulf of Mexico Drive and Neighborhood Utility Undergrounding Projects prompts amendments to Town Code Chapters 57 and 98, and creation of a new Code Chapter 58 to establish regulations for underground utilities on Longboat Key. Ordinance 2016-06 provides for the appropriate revisions and additions to the Code for compliance and regulatory issues. First reading and discussion was held at the February 1, 2016, Regular Meeting and forwarded to the April 4, 2016, Regular Meeting for second reading, public hearing and discussion. Recommended Action: Pending second hearing, public hearing, and discussion, adopt Ordinance 2016-06.

Town Clerk Trish Granger placed Ordinance 2016-06 on record for second reading and public hearing by title only.

**Commr. Pastor moved to adopt Ordinance 2016-06 on second reading and public hearing. The motion was seconded by Vice Mayor Gans.**

**Mayor Duncan opened the public hearing.**

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on Ordinance 2016-06. Discussions were held on the timeframe for property owners to connect to available facilities (three months after written notice).

**Subsequent to discussion, Commr. Younger moved to table the item to allow the Town Attorney the opportunity to draft language. (No second was audible.)**

13. Ordinance 2016-06, Amending Chapter 57, Rights-of-Way Use; Establishing a New Chapter 58, Undergrounding of Utilities; and Amending Chapter 98, Trees - Continued  
Commr. Younger suggested that language be included that would provide a level of protection for a homeowner if they cannot get the installation scheduled through no fault of their own.

Discussion ensued relating to the timeframe for connection to utilities by a homeowner.

**Following comments by Town Attorney Maggie Mooney-Portale, Commr. Younger moved and there was consensus to table action on Ordinance 2016-06 to be considered later this meeting pending proposed language amendments.**

(See item later this meeting.)

14. Ordinance 2016-11, Providing for Referendum for Properties Located at 6990, 6960, 6920, 6916, and 6910 Gulf of Mexico Drive and 6931, 6927, and 6919 Palm Drive

At the December 14, 2015, Regular Workshop Meeting the Town Commission heard a request for referendum from Floridays' representative Mr. James Brearley seeking density increase of certain properties located on Gulf of Mexico Drive and Palm Drive. Staff was directed to work with Mr. Brearley to develop Ordinance language to set forth the full text of the proposed referendum for consideration. First reading was held at the March 7, 2016 Regular Meeting and was forwarded to the April 4, 2016, Regular Meeting for second reading, public hearing and discussion. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2016-11.

Town Clerk Trish Granger placed Ordinance 2016-11 on record for second reading and public hearing by title only.

**Commr. Daly moved to adopt Ordinance 2016-11 on second reading and public hearing. The motion was seconded by Commr. Linde.**

**Mayor Duncan opened the public hearing.**

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on Ordinance 2016-11.

Mr. James Brearley, representing Floridays Development Co., commented on Ordinance 2016-11 and the public outreach accomplished and provided an overview of the proposed development. Discussions were held on the following topics/issues:

- anticipated building setback from Gulf of Mexico Drive
- percentage of property to be used for parking
- construction of a "boutique" hotel/use of tourism units for low-end facilities.

The following individuals commented on Ordinance 2016-11:

Mr. John Pezowicz, Longboat Court  
Mr. Pete Pezowicz, Longboat Court  
Mr. Mark Zintel, Cedar Street

14. Ordinance 2016-11, Providing for Referendum for Properties Located at 6990, 6960, 6920, 6916, and 6910 Gulf of Mexico Drive and 6931, 6927, and 6919 Palm Drive - Continued

Mr. Pete Rowan, Broadway Street  
Mr. Glenn Peterson, Gulf of Mexico Drive  
Mr. Craig Walters, Hibiscus Way  
Ms. Georgia Walters, Hibiscus Way  
Mr. Gene Krasnou, Gulf of Mexico Drive  
Ms. Edwina Nelon, Bayou Hammock Road  
Mr. Joe Iannello, Bayview Drive  
Mr. John Summers, Emerald Harbor Drive  
Ms. Corinne Silver Ragheb, Bayside Drive  
Mr. Samir Ragheb, Bayside Drive.

**RECESS:** 8:47 p.m. - 9:00 p.m.

The following individuals commented on Ordinance 2016-11:

Mr. Larry Grossman, St. Judes Drive North  
Mr. George Spoll, Harbourside Drive  
Ms. Pat Zunz, Lands End Drive.

Commr. Younger and discussion ensued on proposed revisions to the referendum language.

**Commr. Younger moved to modify the referendum language, as follows.**

May the Town allow contiguous properties located at 6990, 6960, 6920, 6916, and 6910 Gulf of Mexico Drive and 6931, 6927, and 6919 Palm Drive (collectively totaling approximately about 2.62 acres of land combined), currently zoned as C-2, C-3, or O-1 districts with no density, to increase density to T-6 tourism use (which allows a maximum of allowing six [6] units per acre), and thereby become becoming eligible to apply for tourism pool units, with a potential of forty-seven (47) units per acre?

**The motion failed for lack of a second.**

Individual comments followed on requested Commission action, needed improvements on the North end of the island, requirement for applicant to send mail out with information prior to the election date, and traffic impacts relating to new development.

Mr. Samir Ragheb, Bayside Drive, commented on the statements made by the public.

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

**Following comments on the motion on the floor to adopt Ordinance 2016-11, the motion carried by a 6-1 roll call vote, as follows: Daly, aye; Linde, aye; Pastor, aye; Zunz, aye; Younger, no; Gans, aye; Duncan, aye.**

15. Ordinance 2016-13, Amending Chapter 158, Zoning Code, Status of Nonconformities

At their January 19, 2016, Regular Meeting the Planning & Zoning (P&Z) Board recommended approval of proposed Ordinance 2016-13, with amendments. The Ordinance amends Zoning Code Section 158.138, Status of nonconformities, regarding extensions of nonconformities and the requirements regarding surety bonds or other security for properties granted extensions by the Town Commission. First reading and public hearing was held at the March 7, 2016, Regular Meeting and was forwarded to the April 4, 2016, Regular Meeting for second reading, public hearing, and discussion. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2016-13.

Town Clerk Trish Granger placed Ordinance 2016-13 on record for second reading and public hearing by title only.

**Commr. Pastor moved to adopt Ordinance 2016-13 on second reading and public hearing. The motion was seconded by Commr. Daly.**

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on Ordinance 2016-13.

**Mayor Duncan opened the public hearing.**

Discussions were held on the following topics/issues:

- determination of "total value of property"
- allowable extension for continuance
- added discretion for Town Commission to provide for an extension
- consideration and conditions on individual properties.

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

**Following comments, the motion carried by a 5-2 roll call vote, as follows: Pastor, aye; Daly, aye; Younger, aye; Gans, aye; Linde, no; Duncan, aye; Zunz, no.**

13. Ordinance 2016-06, Amending Chapter 57, Rights-of-Way Use; Establishing a New Chapter 58, Undergrounding of Utilities; and Amending Chapter 98, Trees - Continued

**Following comments by Town Attorney Maggie Mooney-Portale, Mayor Duncan removed Ordinance 2016-06 from the table.**

Town Attorney Maggie Mooney-Portale provided the following language for consideration, modifying Section 58.06 (additional language shown as double underline):

**58.06 - Time limitation on connection.**

Within three (3) months after written notice is given by the town or by the applicable utility provider that service is available from underground utility facilities, all owners of property where service is available from such facilities shall connect to the underground facilities. Notwithstanding the foregoing, the property owner shall not be responsible for delays caused by the utility provider.

13. Ordinance 2016-06, Amending Chapter 57, Rights-of-Way Use; Establishing a New Chapter 58, Undergrounding of Utilities; and Amending Chapter 98, Trees - Continued  
**Mayor Duncan reopened the public hearing. As no one wished to be heard, Mayor Duncan closed the public hearing.**

**Commr. Younger moved to amend Ordinance 2016-06 incorporating the language in Section 58.06 as provided by the Town Attorney. The motion, seconded by Commr. Zunz, carried by a 7-0 roll call vote, as follows: Younger, aye; Zunz, aye; Pastor, aye; Duncan, aye; Gans, aye; Linde, aye; Daly, aye.**

**Vice Mayor Gans moved to adopt Ordinance 2016-06, as amended. The motion, seconded by Commr. Pastor, carried by a 7-0 roll call vote, as follows: Gans, aye; Pastor, aye; Zunz, aye; Daly, aye; Linde, aye; Younger, aye; Duncan aye.**

### **RESOLUTIONS**

#### 16. Resolution 2016-09, Providing for Continuation of Finance Committee

Pursuant to Resolution 2000-05, the Town Commission shall review the list of ad hoc committees at a meeting following the General Municipal Election for determination of which ad hoc committees shall be continued. At the March 23, 2016 Regular Workshop Meeting there was consensus for continuation of the Finance Committee. Resolution 2016-09 provides for continuation of the Finance Committee and is placed on the April 4, 2016 Regular Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2016-09.

Town Clerk Trish Granger placed Resolution 2016-09 on record by title only.

**Commr. Pastor moved to pass Resolution 2016-09. The motion was seconded by Commr. Younger.**

Town Manager Dave Bullock provided an overview of Resolution 2016-09.

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

#### 17. Resolution 2016-10, Providing for Sunsetting of Community Center Advisory Committee

Pursuant to Resolution 2000-05, the Town Commission shall review the list of ad hoc committees at a meeting following the General Municipal Election for determination of which ad hoc committees shall be continued. At the March 23, 2016 Regular Workshop Meeting there was consensus for sunsetting the Community Center Advisory Committee. Resolution 2016-10 provides for sunsetting the Community Center Advisory Committee and is placed on the April 4, 2016 Regular Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2016-10.

Town Manager Dave Bullock provided an overview of Resolution 2016-10.

17. Resolution 2016-10, Providing for Sunsetting of Community Center Advisory Committee- Continued

**Subsequent to comments, there was majority consensus to sunset the Community Center Advisory Committee.**

Town Clerk Trish Granger placed Resolution 2016-10 to sunset the Community Center Advisory Committee on record by title only.

**Vice Mayor Gans moved to pass Resolution 2016-10, sunsetting the Community Center Advisory Committee. The motion, seconded by Commr. Younger, carried by a 7-0 roll call vote, as follows: Gans, aye; Younger, aye; Linde, aye; Daly, aye; Zunz, aye; Pastor, aye; Duncan, aye.**

**TOWN COMMISSION COMMENTS**

A. Town Commission

Vice Mayor Gans commented on the community service provided by Ms. Sydelle Pittas and inquired as to the appropriateness of recognizing her service in a public manner.

Individual comments followed.

B. State Agencies

Mayor Duncan requested and there was consensus to schedule a Workshop discussion regarding the reduction of the speed limit to 35-miles per hour on Gulf of Mexico Drive from the Longboat Pass Bridge to Broadway.

**Following individual comments on pedestrian safety concerns, Mayor Duncan moved to forward correspondence to the Florida Department of Transportation strongly recommending a reduction in the speed limit from 45-miles per hour to 35-miles per hour from the Longboat Pass Bridge to Broadway. The motion, seconded by Commr. Younger, carried by a 7-0 roll call vote, as follows: Duncan, aye; Younger, aye; Linde, aye; Daly, aye; Zunz, aye; Pastor, aye; Gans, aye.**

**TOWN ATTORNEY COMMENTS**

A. Litigation

Town Attorney Maggie Mooney-Portale noted that Judge Curley issued an order and validated the bonds for Gulf of Mexico Drive and congratulated the Commission for their efforts.

**TOWN MANAGER COMMENTS**

A. Town Manager

Town Manager Dave Bullock provided an update on the status of the following projects:

- Undergrounding discussions scheduled
- Beach nourishment/Sand haul project
- Manatee County Ethics and Public Records Seminar
- Pedestrian Safety Course

**PRESS TO BE HEARD**

**A. Public Works**

Mr. Steve Reid, owner of the Longboat Key News, inquired and discussion ensued on pedestrian safety and the Town's request to the Florida Department of Transportation (FDOT). Town Manager Dave Bullock commented on the proposed sidewalk on the North end of Longboat Key. Discussion ensued.

**ADJOURNMENT**

**Mayor Duncan adjourned the April 4, 2016, Regular Meeting at 10:58 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  
GOALS AND OBJECTIVES SPECIAL WORKSHOP  
APRIL 18, 2016 - 10:00 A.M.**

**Present:** Mayor Jack Duncan, Vice Mayor Terry Gans, Commrs. Jack Daly, Armando Linde, Irwin Pastor, Phill Younger, Ed Zunz,

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

CALL TO ORDER/PLEDGE OF ALLEGIANCE

**Mayor Duncan called the Goals and Objectives Special Workshop to order at 10:00 a.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Mayor Duncan requested and Commr. Pastor led the Pledge of Allegiance.**

1. MAYOR'S INTRODUCTION

Mayor Duncan welcomed the meeting participants, explained the process for the meeting, and thanked the representatives for their participation and for providing their written comments in advance of the meeting.

2. CIVIC ORGANIZATIONS, CHURCHES, AND ASSOCIATIONS

A. Attendance Confirmed - Written Comments Submitted

1. Federation of Longboat Key Condominiums

Federation of Longboat Key Condominiums Representative Roger Goldstein commented on the following topics/issues:

- invited Commission to attend Federation of Condominiums meetings
- traffic
- cellular service (dark fiber)
- development of a Town Center with cultural and medical facilities
- development of Bayfront Park
- continuation of the Trolley Service
- residential and commercial balance.

2. Longboat Key Garden Club

Longboat Key Garden Club Representative Susan Phillips commented on the following topics/issues:

- utility undergrounding
- redevelopment of Bayfront Park Recreation Center
- beautification of Gulf of Mexico Drive
- development of a cultural arts and education facility
- Bicentennial Park landscaping improvements along Gulf of Mexico Drive.

3. Longbeach Village Association

Longbeach Village Association Representative Michael Drake commented on the following topics/issues:

2. CIVIC ORGANIZATIONS, CHURCHES, AND ASSOCIATIONS - Continued

A. Attendance Confirmed - Written Comments Submitted - Continued

3. Longbeach Village Association - Continued

- cooperative relationship between association and Town (schedule meetings)
- parking in the Village area
- individuals storing personal property on Town property
- Broadway Street beautification
- pedestrian crosswalk at Broadway Street and Gulf of Mexico Drive
- rain water collection (Palm Drive and Longboat Drive North/South)
- Stone Crab Bayou and Savarese Bayou connection
- installation of a donated bench at Bayside Drive in the Bayfront area
- review the location of stop signs.

Town Manager Dave Bullock noted that staff could install the bench and that additional discussion on street lighting will take place when the Town Commission reviews the Neighborhood Undergrounding project.

4. Longboat Key Education Center

Longboat Key Education Center Representative Susan Goldfarb commented on the following topics/issues:

- development of a Longboat Key Cultural Center
- Ringling College of Art and Design (Longboat Key development)
- Longboat Key Education Center (lifelong learning).

5. Sleepy Lagoon Homeowners Association

Sleepy Lagoon Homeowners Association Representative June McGroary commented on the following topics/issues:

- development at the north end of the Key (proposed hotel)
- crosswalk (south side of the church)
- installation of a gazebo or arbor at 6399 Gulfside Road (beach access)
- handicap parking spaces at 6399 Gulfside Road beach access
- installation of trees/bushes in front of the Public Works Building
- Edlee Road beach access restored to the owners of Sleepy Lagoon.

Town Manager Dave Bullock noted staff could assist with the handicapped parking space issue at beach accesses.

6. Longboat Key Turtle Watch

Longboat Key Turtle Watch Representative Tim Thurman commented on the following topics/issues:

- protection and conservation of natural environment
- review/update to Town Code Chapter 100.

2. CIVIC ORGANIZATIONS, CHURCHES, AND ASSOCIATIONS - Continued  
B. Attendance Confirmed - Written Comments Not Submitted

1. Country Club Shores Units 1 and 2

Country Club Shores Units 1 and 2 Representative Gary Coffin commented and Town Manager Dave Bullock discussed the following topics/issues:

- New Pass dredging
- boating
- scheduling a meeting with the Town Manager.

Discussion was held on the dredging of the New Pass channel and beach erosion and examining solutions to the issue.

2. Country Club Shores Unit 3

Country Club Shores Unit 3 Representative Edward Jewett commented on the following topics/issues:

- beach renourishment and sand retention
- center turn lane along Gulf of Mexico Drive (GMD)
- continuous sidewalks along GMD.

3. Country Club Shores Unit 4 - No items were presented.

4. Emerald Harbor Homeowners Association - No items were presented.

5. Longboat Key Chamber of Commerce

Longboat Key Chamber of Commerce Representative Tammy Halsted commented on the following topics/issues:

- enact and support policies that promote and enhance Longboat Key
- streamline and clarify the Town's regulatory and permitting processes
- beautification of Gulf of Mexico Drive
- redevelopment of commercial and tourism parcels
- protection and conservation of natural environment
- Island Mobility Study (traffic)
- use of tourism dollars.

6. Longboat Key Estates

Longboat Key Estates Representative Hazel Steskal commented on canal dredging.

Town Manager Dave Bullock discussed the canal survey in process, noted the final report should come before the Commission within the next several months, and advised a dredging plan would be created.

7. Sarasota Bay Estuary - No items were presented.

8. Spanish Main Condominium Association - No items were presented.

2. CIVIC ORGANIZATIONS, CHURCHES, AND ASSOCIATIONS - Continued

B. Attendance Confirmed - Written Comments Not Submitted – Continued

9. Temple Beth Israel - No items were presented.

10. Longboat Key Library

Longboat Key Library Representative Hazel Steskal thanked the Commission for the five-year lease and discussed the Town Center development and possible relocation of the library.

C. Other Organizations in Attendance

1. The Atrium (Fairway Bay III)

The Atrium Condominium Representative Gabriel Rosica commented on beach erosion and the need for continual maintenance of the beach.

2. Kiwanis Club of Longboat Key

Longboat Key Kiwanis Club Representative Armando Linde commented on creating a location at the north and south entrances to Longboat Key where civic minded organizations would have their logo signs posted.

3. Rotary Club of Longboat Key

Longboat Key Rotary Club Representative Nancy Rozance announced their participation in the Great American Clean-Up (April 16-17, 2016) and noted the Manatee County Adopt a Highway Program was available for organizations who wished to participate.

D. Town Commission Discussion

Discussions were held on the following topics/issues:

- beautification of Gulf of Mexico Drive
- roundabout and crosswalks
- landscaping and turn lanes by Country Club Shores
- traffic (infrastructure and immediate change opportunities)
- Barrier Island of Elected Officials traffic study and development of a “Quick Fix” list
- Florida Department of Transportation (FDOT) project \$675,000 road improvement study
- Metropolitan Planning Organization (MPO) funding
- traffic study from the island communities to the mainland
- new construction in Sarasota and Manatee Counties adding to the traffic issues.

**There was consensus to continue discussions at a future workshop.**

Town Manager Dave Bullock reported staff could review the following items as part of staff’s ongoing work assignments:

- improving the landscaping at the Public Works Building on General Harris Street
- bench installation
- additional handicap parking spaces at beach accesses
- Longbeach Village drainage
- stop sign location review.

2. CIVIC ORGANIZATIONS, CHURCHES, AND ASSOCIATIONS - Continued

D. Town Commission Discussion - Continued

Town Manager Dave Bullock reported and provided an update on the following long-term projects:

- Town Cultural Center
- beach strategy
- sand source strategy
- current sand delivery (trucks)
- reviewing the 130-foot wide beach design to compare to surrounding communities
- seek permission to relocate sand upward on the beach
- beautification of Gulf of Mexico Drive (GMD) and surrounding area.

**There was consensus for staff to review the 130-foot wide beach design, compare to surrounding communities, and identify if the sand could be relocated upward on the beach.**

Town Manager Bullock advised that a policy discussion was needed on GMD beautification, possible road development, and self-formed citizen committees.

3. PUBLIC TO BE HEARD

A. Public Works/Planning, Zoning, and Building

Ms. Hazel Steskal requested traffic and local density issues be reviewed.

B. Organizations

Garden Club Representative Susan Phillips invited the Commission to join the organization for the annual awards (grants and scholarships) meeting and picnic on April 19, 2016, at Joan M. Durante Park.

ADJOURNMENT

**Mayor Duncan adjourned the April 18, 2016, Goals and Objectives Special Workshop at 11:55 AM.**

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

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

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

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

**MINUTES**  
**LONGBOAT KEY TOWN COMMISSION**  
**REGULAR WORKSHOP MEETING**  
**April 18, 2016 - 1:00 P.M.**

**Present:** Mayor Jack Duncan, Vice Mayor Terry Gans, Commrs. Jack Daly, Armando Linde, Irwin Pastor, Phill Younger, Ed 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 April 18, 2016, Regular Workshop to order at 1:00 p.m., at Town Hall Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Commr. Zunz 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 - 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.

**DISCUSSION ITEMS**

6. Presentation Regarding Proposed Amendments to Chapter 100, Marine Turtle Protection (Proposed Ordinance 2016-15)

At the March 23, 2016, Regular Workshop Meeting the Town Commission directed staff to provide additional information and data as it related to the specific causes of marine turtle disorientations, a comparison of ordinances of surrounding jurisdictions compared to the Town's current and proposed ordinance, additional historical data to illustrate trends in marine turtle nesting and disorientations, and the number of volunteers involved in marine turtle conservation efforts. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock provided an overview of the services provided by Mote Marine relating to the on-going beach nourishment project.

Police Department Code Enforcement Officer Chris Elbon provided an overview of proposed amendments to Chapter 100, Marine Turtle Protection. Discussions were held with Mr. Elbon, Mote Marine Senior Biologist Kristen Mazzarella, U.S. Fish and Wildlife Service Regional Sea Turtle Coordinator Anne Marie Lauritsen, and Florida Fish and Wildlife Conservation Commission Biologist Tonya Long on the following topics/issues:

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6. Presentation Regarding Proposed Amendments to Chapter 100, Marine Turtle Protection (Proposed Ordinance 2016-15) - Continued

- United States Fish and Wildlife Services (USFWS) and Florida Fish and Wildlife Conservation Commission (FFWCC)
- enforcement difficulties in identifying violators/process for removal of furniture on beach
- validity of statistics reflected in causes for disorientations/process for gathering data
- marine turtle population/number of hatchlings reaching the water
- determination on the number of disoriented hatchlings
- number of volunteers tracking/reporting data on Longboat Key versus other areas
- available reports by sections (established monuments)/geographic areas on Longboat Key.

**Following comments, there was consensus to discontinue the discussion of individual statistics.**

Discussions continued on the nesting areas (within 20 kilometer area) year to year and the estimated number of times a turtle returns to the nesting area during its' life cycle.

**RECESS:** 2:14 p.m. – 2:24 p.m.

Mr. Elbon noted the steps/process to proceed with the proposed Ordinance and the anticipated improvements to the program. Subsequent to comments on comparison of data, the following individuals commented on proposed amendments to Chapter 100:

- Ms. Tonya Long, with the FFWCC (submitted FWC Technical Report)
- Mr. Richard Ballerand, Gulf of Mexico Drive
- Ms. Kristen Mazzarella, Mote Marine
- Mr. Larry Grossman, St. Judes Drive North
- Ms. Ann Marie Lauritsen, with the USFWS.

Discussion ensued on the following topics/issues:

- financial impact to property owners (existing properties) to implement requirements outlined in the proposed amendments
- lack of similar data comparisons in reports presented
- balance of efforts to protect marine turtles versus property rights
- determination on “cumulatively illuminated” areas/definition and/or determination of area
- compliance outlined in the Ordinance that would be easily accomplished
- enforcement efforts of Sarasota County staff
- staffing needs to enforce provisions of proposed amendments
- process for documentation/issuance of violations
- lack of identification of specific lumen measurement.

6. Presentation Regarding Proposed Amendments to Chapter 100, Marine Turtle Protection (Proposed Ordinance 2016-15) - Continued

**There was consensus to not forward proposed Ordinance 2016-15 to first reading on May 2, 2016.**

Subsequent to individual comments, Town Manager Bullock noted the following direction to staff and confirmed further discussion at a future Workshop:

- balance between property owners' rights and turtle protection
- lighting (interior)
- specific measure of lumens identified/cumulative illumination
- option to modify language (one or more of the following)
- timing and/or effectiveness of ordinance (implementation date)
- analysis on number and nature of complaints filed/inclusion of Sarasota County's experience.

7. Presentation Regarding Sidewalk Extension from Broadway to Longboat Pass Bridge and Related Crosswalk

At the March 23, 2016, Regular Workshop Meeting L.K. Nandam and David Wheeler, Florida Department of Transportation (FDOT) presented information regarding a sidewalk extension from Broadway to Longboat Pass Bridge and related crosswalk. The Town Manager was asked to bring this item back for additional consideration by the Town Commission. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock commented on previous discussions relating to the sidewalk extension on the North end of Longboat Key. Discussions were held on the following topics/issues:

- option to move cross walk further south of North Shore Road
- reduced speed option coming over/to Longboat Pass bridge
- time frame for response from FDOT.

**There was consensus to request a 35-mile per hour speed limit to/from Longboat Pass bridge to North Shore Road.**

Discussion ensued on the existing crosswalks, safety concerns associated with them, and individual preference to remove newly installed crosswalks if FDOT will not reduce speed limits in the areas of crosswalks.

**There was consensus to request that FDOT change the color of lights on the crosswalk signs from yellow to red and review for improved compliance.**

**Following comments, there was majority consensus to request that FDOT remove all the existing crosswalks (setting aside previous consensus).**

**RECESS:** 4:17 p.m. – 4:27 p.m.

7. Presentation Regarding Sidewalk Extension from Broadway to Longboat Pass Bridge and Related Crosswalk - Continued

Commr. Pastor recommended that Country Club Shores be notified as to the Commissions' discussions. Individual comments followed.

Mr. Larry Grossman, St. Judes Drive North, commented on the utilization of crosswalks.

**Subsequent to comments, Mayor Duncan noted consensus to request a 35-mile per hour speed limit from the Longboat Pass bridge to Broadway and to eliminate all crosswalks as currently installed.**

**Following comments by Town Manager Bullock, there was consensus to schedule formal action at the next Regular Meeting (May 2, 2016) relating to the issues discussed.**

**Subsequent to additional discussion, there was consensus to request that FDOT continue with the construction of a sidewalk at the North end of the Town.**

8. Presentation Regarding Town Processes for Density Referendums, Comprehensive Plan Amendments, Rezoning, and Site Plans

The Town has recently received several requests for referendums regarding potential density increases. A presentation will be provided to explain the Density Referendum and Land Development processes. Recommended Action: None, informational only.

Town Manager Dave Bullock, Town Attorney Maggie Mooney-Portale, and Planning, Zoning, and Building Department Director Alaina Ray provided an overview of the processes for density referendums, Comprehensive Plan amendments, rezonings, and site plans. Discussions were held on the following topics/issues:

- Charter provisions relating to petition signatures
- discretionary ability of Commission to waive petition signature requirements.

The following individuals commented on the Town processes:

Mr. Larry Grossman, St. Judes Drive North  
Mr. George Spoll, Harbourside Drive.

9. Request for Referendum from Mr. Charles H. Ball, Esq., for Property Located at 4134 Gulf of Mexico Drive (Harbour Square)

Mr. Charles H. Ball, Esq., representing Mr. Oscar R. Parsons, Trustee and Owner of Harbour Square Office Complex located at 4134 Gulf of Mexico Drive, has submitted a request for a referendum to allow the Town to consider conversion of property to allow residential density not to exceed 3 units per acre. Mr. Ball 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.

Planning, Zoning, and Building Department Director Alaina Ray provided an overview of the request for referendum for property located at 4134 Gulf of Mexico Drive, known as Harbour Square. Discussions were held on the following topics/issues:

9. Request for Referendum from Mr. Charles H. Ball, Esq., for Property Located at 4134 Gulf of Mexico Drive (Harbour Square) - Continued

- maximum density prior to removal of non-conformance (accessory residential component)
- existing non-conforming residential until at Patti-Georges' Restaurant.

Attorney Robert Turffs, representing Mr. Oscar Parsons, commented on the request.

Upon inquiry, Ms. Ray noted the property, as well as Patti-Georges' Restaurant was originally conforming property and advised that the earliest ballot date would be November, 2016.

**Subsequent to comments, there was consensus to:**

- **approve the request to waive the petition process for a voter referendum to consider conversion of the property known as Harbour Square Office Complex located at 4134 Gulf of Mexico Drive to allow residential density not to exceed 3 units per acre;**
- **direct Staff and the Town Attorney to work with the applicant to draft a proposed Ordinance with referendum language in accordance with Article 7, Section 1-C, of the Town Charter;**
- **forward the Ordinance to the May 2, 2016, Regular Meeting for first reading;**
- **direct the Town Clerk's office to contact the Supervisor of Elections offices to determine the election date for a special referendum election.**

10. Proposed Ordinance 2016-17, Providing for Referendum for Certain Properties Located Along Gulf of Mexico Drive (Whitney Plaza)

Mr. Ryan Snyder, Esq., representative for Whitney Plaza, LLC., submitted a request for a referendum to be placed before the electors of the Town of Longboat Key to allow the Town to consider conversion of the property commonly known as Whitney Plaza, 6810 Gulf of Mexico Drive, to Residential Use with a maximum density not to exceed six (6) units per acre. Mr. Snyder 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.

Planning, Zoning, and Building Department Director Alaina Ray provided an overview of the request for referendum for property located at 6810 Gulf of Mexico Drive, known as Whitney Plaza. Upon inquiry, Ms. Ray noted the kayak launch reflected on the preliminary drawings would be for the private use of the residents on the property.

Attorney Patricia Pettruff, representing Mr. Snyder, commented on the request and proposed future development of the property.

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

**Subsequent to comments, there was consensus to:**

10. Proposed Ordinance 2016-17, Providing for Referendum for Certain Properties Located Along Gulf of Mexico Drive (Whitney Plaza) - Continued

- **approve the request to waive the petition process for a voter referendum to consider conversion of the property commonly known as Whitney Plaza, 6810 Gulf of Mexico Drive, to Residential Use with a maximum density not to exceed six (6) units per acre;**
- **forward the Ordinance to the May 2, 2016, Regular Meeting for first reading; and**
- **direct the Town Clerk's office to contact the Supervisor of Elections offices to determine the election date for a special referendum election.**

Mayor Duncan encouraged Floridays representatives to collaborate with the Whitney Plaza, LLC representatives relating to the development of the properties if the referendums are successful.

11. Proposed Ordinance 2016-16, Amending the FY 2015-2016 Adopted Budget and Establishing a Neighborhood Undergrounding Utilities Capital Project Fund and Budget

On March 15, 2016, the Town's electors voted to authorize the Town's borrowing of up to \$23,850,000 for the undergrounding of utilities and street lighting in neighborhoods and side streets. Proposed Ordinance 2016-16 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 2016-16 to the May 2, 2016 Regular Meeting for first reading and public hearing.

Town Manager Dave Bullock provided an overview of proposed Ordinance 2016-16.

**Subsequent to comments, there was consensus to forward Ordinance 2016-16 to the May 2, 2016, Regular meeting for first reading and public hearing.**

**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 Commission direction to research the cost of portable sanitary facilities and advised that the monthly rate was \$90 per unit.

B. Public Works

Town Manager Dave Bullock advised on the number of peafowl trapped and removed from the Village area and noted that capture/removal of additional peafowl will require the use of tranquilizers.

**There was consensus to authorize the use of tranquilizers to aid in the removal of additional peafowl.**

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

**ADJOURNMENT**

**Mayor Duncan adjourned the April 18, 2016, Regular Workshop at 5:40 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**