

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR WORKSHOP MEETING  
APRIL 28, 2011 - 1:00 P.M.**

**Present:** Mayor Jim Brown, Vice Mayor David Brenner, Commrs. Jack Duncan, Lynn Larson, Hal Lenobel, Phillip Younger

**Also Present:** Town Manager Bruce St. Denis, Town Attorney David Persson, Town Clerk Trish Granger

**Absent:** Commr. Pat Zunz

**CALL TO ORDER**

The Regular Workshop Meeting of the Longboat Key Town Commission was called to order at 1:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

**PLEDGE OF ALLEGIANCE**

Mayor Brown requested and Vice Mayor Brenner led the Pledge of Allegiance.

**COMMITTEE REPORTS AND COMMUNICATIONS**

1. Manatee County Special Liaison Report

**Mayor Brown noted that Commr. Zunz is the Manatee County liaison, noted she was not in attendance, and that no report would be provided.**

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

3. Other Reports

A. Organizations

Vice Mayor Brenner commented on items discussed at the following meetings:

- Manatee County Tourist Development Council (TDC)
- Sarasota County TDC
- Sarasota County Visitors Bureau
- Manatee County Economic Development Corporation (EDC)
- Sarasota County EDC.

B. Organizations

Vice Mayor Brenner noted a meeting held relating to health care on Longboat Key advising he was a panelist at the meeting.

4. Proclamation - Water Conservation Month, April 2011

Mayor Brown read and presented the Water Conservation Month Proclamation to Public Works Engineer Anne Ross. Ms. Ross commended the citizens of Longboat Key on their conservation efforts.

5. Proclamation - National Public Works Week, May 15-21, 2011

Mayor Brown read and presented the National Public Works Week Proclamation to Public Works Director Juan Florensa. Mayor Brown commented on the repairs accomplished by the Public Works Department on recent sewer line issues.

Mr. Florensa noted that the non-managerial employees vote each year for a Public Works Employee of the Year and announce that Mr. Brad (Doc) Walter was selected by his co-workers to receive the award this year.

Mr. Walter thanked his co-workers, management, and the Town for the award and the opportunity to serve the Town's citizens.

**PUBLIC TO BE HEARD**

6. Opportunity for Public to Address Town Commission

A. Public Works/Police Department

Mr. Samir Ragheb, Bayside Drive, commented on the hours of operation for the beaches/beach accesses/parks and requested consideration to enact restrictions on bay water access and use similar to the protections provided on the beach side of Longboat Key. Mayor Brown advised that the matter would be taken under consideration.

**CONSENT AGENDA ITEMS**

7. Proposed Ordinance 2011-09, Amending Chapter 92, Beaches, Parks and Public Places and Section 33.18, Schedule of Violations and Fines

The Town Attorney and Police Chief are recommending an update and amendment to Chapter 92, Parks; and Chapter 33, Section 33.18, General Regulations, Schedule of Violations. Ordinance 2011-09 provides for streamlining regulations related to standards for the use of Town beaches, parks and public places, and fines imposed for violations. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2011-09 to the May 2, 2009 Regular Meeting for first reading.

8. Proposed Ordinance 2011-12, Amending Chapter 34, Employment Policies, Firefighters' Retirement System Pension Mortality Table

At the February 23, 2011 Firefighters' Retirement System Board of Trustees meeting the Board voted to forward proposed Ordinance 2011-12 to the April 28, 2011 Regular Workshop Meeting for consideration. Ordinance 2011-12 amends Chapter 34, Section 34.43 by updating the pension mortality table. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2011-12 to the May 2, 2011, Regular Meeting for first reading.

9. Proposed Ordinance 2011-18, Amending Chapter 34, Employment Policies, General Employees' Retirement System Pension Mortality Table

At the February 23, 2011 General Employees' Retirement System Board of Trustees meeting the Board voted to forward proposed Ordinance 2011-18 to the April 28, 2011 Regular Workshop Meeting for consideration. Ordinance 2011-18 amends Chapter 34, Section 34.73 by updating the pension mortality table. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2011-18 to the May 2, 2011, Regular Meeting for first reading.

**CONSENT AGENDA ITEMS** - Continued

**10. Proposed Ordinance 2011-19, Amending Chapter 34, Employment Policies, Police Officers' Retirement System Pension Mortality Table**

At the February 23, 2011 Police Officers' Retirement System Board of Trustees meeting the Board voted to forward proposed Ordinance 2011-19 to the April 28, 2011 Regular Workshop Meeting for consideration.

Ordinance 2011-19 amends Chapter 34, Section 34.13 by updating the pension mortality table. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2011-19 to the May 2, 2011, Regular Meeting for first reading.

**11. Proposed Ordinance 2011-20, Amending Chapter 34, Employment Policies, Elimination of Deferred Retirement Option Plan (DROP) Participant Voting Rights**

At the February 23, 2011 Firefighters' Retirement System Board of Trustees meeting, the Board voted to forward proposed Ordinance 2011-20 to the April 28, 2011 Regular Workshop Meeting for consideration. Ordinance 2011-20 amends Chapter 34, Section 34.45, eliminating a DROP participant's voting rights in elections for the Firefighters' Retirement System Board of Trustees. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2011-20 to the May 2, 2011, Regular Meeting for first reading.

**12. Proposed Ordinance 2011-22, Amending Chapter 34, Employment Policies, Incorporating Police Officers' Contract Changes**

At the February 23, 2011 Police Officers' Retirement System Board of Trustees meeting, the Board forwarded proposed Ordinance 2011-22 for Commission consideration. Proposed Ordinance 2011-22 amends Chapter 34, Section 34.40 to incorporate amendments as a result of the ratified Collective Bargaining Agreement (CBA) between the Town and the Southwest Florida Police Benevolent Association. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2011-22 to the May 2, 2011 Regular Meeting for first reading.

**13. Organizational Review Update**

This item is placed on the April 28, 2011 Regular Workshop Meeting to provide an update to the Town Commission on action taken and/or progress made regarding operational review recommendations. A placeholder for future updates will be placed on the Regular Workshop Meeting Consent Agenda as an informational item. Recommended Action: None, informational only.

**14. Review of Current Ad Hoc Committees**

In accordance with Resolution 2000-05 the Town Commission conducts an annual review of current ad hoc committees and makes a determination regarding their continuation. There are no such committees at this time. Recommended Action: None, informational only.

Town Manager Bruce St. Denis commented on Consent Agenda Items 8, 9, and 10 relating to the Ordinances to amend the Mortality Tables in the Town's Pension Plans and advised that all attorneys are now in agreement with the language provided for in the three Ordinances and noted that the Town Commission has received the revised Ordinances.

**Mayor Brown noted consensus to close and approve the Consent Agenda Items 7 through 14 in accordance with Staff reports and recommendations.**

### **DISCUSSION ITEMS**

#### **15. Public Works Department Presentation**

At the February 17, 2011 Regular Workshop Meeting the Town Commission asked for each of the Town's department directors to provide a departmental overview at an upcoming workshop meeting. Public Works Director Juan Florensa will present a brief overview of the Public Works Department operations, budget and services provided to citizens. Recommended Action: None, informational only.

Public Works Director Juan Florensa noted the Commission's request for departmental presentations prior to consideration of the Fiscal Year 2011-2012 Budget. Mr. Florensa gave a PowerPoint presentation on the services and budget for the Public Works Department. Discussions were held on the following topics/issues:

- CRS (Community Rating System) rating and impact on insurance ratings and insurance costs
- turtle and shore bird monitoring costs
- funding for payment of monitoring costs required by permits
- primary water supply with Manatee County/inter-connect with City of Sarasota
- Longboat Pass Water Main Design relating to location of lines
- vulnerability on placement of water lines
- miles of piping/miles of rehabilitated lines/percentage of sewer lines rehabilitated
- outsourcing of landscaping services for the Tennis Center
- responsibility for testing backflow devices/funding costs for initial inspection (included in utility rates)/State law requiring annual inspections.

Subsequent to comments, Town Manager St. Denis discussed the following topics/issues:

- future purchasing audit will incorporate purchasing procedures
- intent of utilizing current auditing firm to perform the audit
- options to review alternative methods for future reviews
- timeframe for completion of the CAFR (Comprehensive Annual Financial Report)
- purpose of performing procedures audit.

Upon inquiry, Mr. Florensa commented on Commr. Younger's request relating to the possible extension of a sidewalk and noted that the costs would be approximately \$60,000. Discussion ensued on the existing conditions in the area for the placement of a sidewalk and inclusion in the preliminary 2011-2012 Budget for additional discussion.

#### **16. Planning, Zoning, and Building (PZB) Department Presentation**

At the February 17, 2011 Regular Workshop Meeting the Town Commission asked for each of the Town's department directors to provide a departmental overview at an upcoming workshop meeting. PZB Director Monica Simpson will present a brief overview of the PZB Department operations, budget and services provided to citizens. Recommended Action: None, informational only.

16. Planning, Zoning, and Building (PZB) Department Presentation - Continued

Planning, Zoning, and Building (PZB) Department Director Monica Simpson gave a PowerPoint presentation on the services and budget for the PZB Department. Discussions were held on the following topics/issues:

- fee schedule for Fire Department
- past layoff and procedures within the office
- notification to contractors on insurance requirements
- sign permit expiration notices/consideration of establishing procedure
- determination of future fines and fees (Code Enforcement violations)
- signs/zoning code violations driven by complaints received
- permit inspections.

**RECESS:** 2:32 p.m. - 2:47 p.m.

17. Discussion Regarding Peafowl Issues

At the March 24, 2011 Regular Workshop Meeting several residents expressed concerns with the growing population of peafowl in the Longbeach Village neighborhood. Commissioner Younger requested that this item be forwarded to the April 28, 2011 Regular Workshop for additional discussion. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis advised that previous agenda materials were included in the agenda packets for reference

Commr. Younger noted concerns expressed at a past meeting relating to the peafowl population in the Longbeach neighborhood.

Mr. Samir Ragheb, Bayside Drive, commented on the peacock issue and the time expended by Staff and the Commission on the issue.

Mr. Michael Drake, Longboat Drive South, commented on the amount of peacocks removed to date and the expenditures to date. Upon inquiry, Mr. Drake commented on the removal and suggested that the twelve males be retained.

Mr. Ragheb commented on violations of other Ordinances by Village residents.

Mr. James Braha, Fox Street, commented on the removal of the peacocks and advised that he has selected a removal company.

Mayor Brown commented on the complaints received from other residents and Mr. Drake commented on the removal of females and retaining males only. Upon inquiry, Town Manager St. Denis noted that a funding transfer would be accomplished if the Commission elected to continue with the previous decision to reimburse the Village Association.

Discussion ensued on the following topics/issues:

17. Discussion Regarding Peafowl Issues - Continued

- Commission position to not be in the animal control business
- monetary contributions made
- options to provide funding for an additional six months only
- anticipated removal costs
- amending the Code to remove the peacock requirements.

Mr. Drake requested reconsideration on a six-month time limit for removal.

18. Discussion Regarding Request from Longboat Library

At the February 21, 2011 Regular Workshop Meeting representatives of the Longboat Library Board requested Commission consideration to assist with some of the Library's operational and maintenance needs. Town staff was directed to work with the Library to identify costs and feasibility and to report to the Commission at the April 28, 2011 Regular Workshop Meeting. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis commented on the request from the Library and advised of the following:

- the land belongs to the Town/the building belongs to the Library
- insurance cannot be provided under the Town's insurance as the Library is not a public entity
- costs for grounds maintenance
- phone service through the Florida Department of Management Services
- expansion of wi-fi services by the Library to provide additional revenue source.

Upon inquiry, discussion ensued on options for the Library to transfer ownership of the library building to the Town with a lease-back to the Library, and option to provide funding to the Library for the costs, savings gained through the phone service, and options for the Library to provide proposals for Town consideration.

**There was consensus for the Library Staff to provide options for Town Commission consideration.**

19. Federal Funding Options for Beach Nourishment

During discussions held in the Fall regarding the upcoming Town beach project the Town Commission requested Town staff to investigate the feasibility of seeking Federal funds for Town beach projects. The Town Manager and Beau Suthard of Coastal Planning & Engineering will present information regarding Federal funding options available to the Town for future beach nourishment projects. Recommended Action: Pending discussion, provide direction to Manager.

19. Federal Funding Options for Beach Nourishment - Continued

Coastal Planning and Engineering (CP&E) Director/Marine Geophysicist Beau Suthard gave a PowerPoint presentation on Federal funding options, noting restrictions and requirements to obtain Federal funding.

Individual comments followed on options to pursue Federal funding, application and appropriation process, and utilization of Federal lobbyist.

20. Discussion Regarding Town Commission Goals & Objectives

At the April 11, 2011 Town Commission Goals & Objectives Workshop Meeting civic organizations, churches, homeowners' associations, and residents were invited to propose goals and objectives for Commission consideration. The Commission will discuss the comments provided at the Workshop and prioritize goals for the upcoming fiscal year. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis noted the comments received at the Goals and Objectives meeting have been sorted by Section/Strategy.

Following comments, Vice Mayor Brenner suggested that a subcommittee be appointed to review the issues. Discussion ensued on the Longboat Library request and the Village Association request relating to improvements to the school bus stop.

**Subsequent to discussion, there was consensus to establish a subcommittee, with Vice Mayor Brenner and Commr. Younger serving to review and develop a list of action items.**

Town Manager St. Denis noted he would serve as the Management Liaison to the subcommittee.

21. Preliminary Budget Discussion

The Town's Finance Director will present the status of the current year's budget and preliminary budget information regarding the FY 2011-12 budgeting process. Recommended Action: Pending discussion, provide direction to Manager.

Finance Director Thomas Kelley commented on received and future revenues and anticipated increase in health insurance costs.

Town Manager St. Denis advised that he is contacting other entities in the PRM (Public Risk Management) Group to encourage that all entities consider all options to reduce costs.

Mr. Kelley commented on the cost for a vacation/sick payout and overtime costs. Discussion ensued on the following topics/issues:

- policy for a payout of vacation and sick leave and associated costs
- impact of unfunded liability for vacation/sick payout benefits

21. Preliminary Budget Discussion - Continued

- voting requirements for a millage change (roll-back rate versus millage rate increase)
- determination of roll-back rate
- quarterly reports
- timeframe for completion of the CAFR (Comprehensive Annual Financial Report).

**RECESS:** 4:20 p.m. - 4:35 p.m.

22. Discussion Regarding Lobbying Efforts to Promote Awareness of the Town's Legislative Issues

At the April 11, 2011 Town Commission Goals & Objectives Workshop the Commission discussed taking a more active approach toward lobbying elected officials in Tallahassee and Washington on legislative issues that impact the Town. This subject was forwarded to the April 28, 2011 Regular Workshop Meeting for Commission discussion and consideration. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis advised that a survey had been prepared with information on other governmental entities relating to lobbyist services.

Discussions were held on the following topics/issues:

- working with local representatives through Commission contacts
- utilization of Staff for long-term contacts with elected officials
- return on investment from funding pursued by lobbyists
- cost ratios based on population
- developing relationships with Manatee and Sarasota County efforts with direct contact to representatives
- options to invite representatives to Town on action taken.

**There was consensus to develop a list of representatives and schedule for future discussion.**

23. Discussion Regarding Plantings Within the Right-of-Way Along Gulf of Mexico Drive

Based on recent citizen correspondence, Commissioner Larson requested an agenda item for Commission discussion regarding plantings within the right-of-way along Gulf of Mexico Drive. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Bruce St. Denis, Commr. Larson suggested that there be ways to educate the public on toxic plants.

Public Works Director Juan Florensa advised that Public Works Staff would work on developing a brochure for public distribution, if requested. Following comments, Mr. Florensa advised that he had contacted the Sarasota County Extension Office and was directed to a publication on poisonous plants.

Individual comments followed.

**TOWN COMMISSION COMMENTS**

A. Organizations

Commr. Duncan noted attendance at the health care meeting relating to options for Longboat Key residents, noted that it was not apparent that individuals are aware of emergency services (Fire Department) available, and suggested that awareness of the existing services provided be promoted. Discussion ensued.

Commr. Larson suggested that funding come back from Sarasota Memorial Hospital based on the taxes paid by the Town's residents.

B. Public Works/Animal Control

Vice Mayor Brenner commented on previous discussions on animal control efforts, noted that Public Works has developed a brochure, and distributed copies to the Commissioners.

C. Public Works

Vice Mayor Brenner noted receipt of a call relating to a possible water main break and noted the timely response from on-call Public Works staff. Vice Mayor Brenner suggested that the Public Works staff uniform colors be reviewed.

D. Information Technology

Commr. Larson inquired, and Town Manager Bruce St. Denis commented on the use of iPads for Commission meeting documents.

**Subsequent to comments, there was consensus to schedule the utilization of i-Pads on the next Workshop Agenda for discussion.**

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

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

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

**ADJOURNMENT:**

**Mayor Brown adjourned the April 28, 2011, Regular Workshop Meeting at 5:03 p.m.**

/s/ Trish Granger  
Trish Granger, Town Clerk

/s/ James L. Brown  
James L. Brown, Mayor

Minutes Approved: 07/11/2011