

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR WORKSHOP MEETING
OCTOBER 21, 2010 - 1:00 P.M.**

Present: Mayor George Spoll, Vice Mayor Jim Brown, Commrs. David Brenner, Lynn Larson, Hal Lenobel, Robert Siekmann, Phillip Younger

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

CALL TO ORDER

Mayor Spoll called the meeting to order at 1:00 p.m. and noted that the Town Attorney David Persson will be arriving later this meeting and advised of the reordering of agenda items.

PLEDGE OF ALLEGIANCE

Mayor Spoll requested and Commr. Lenobel led the Pledge of Allegiance.

23. Other Business

Town Manager Bruce St. Denis requested consideration to add an agenda item pertaining to the Florida Department of Community Affairs (FDCA) determination on the filing by the Islandside Property Owners Coalition (IPOC), LLC on the adoption of Ordinance 2010-16 by the Town Commission.

Following comments, there was consensus to add a discussion item at the end of the published agenda. (See Item later this meeting.)

COMMITTEE REPORTS AND COMMUNICATIONS

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

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

3. Other Reports

A. Organizations

Commr. Brenner noted attendance at two Economic Development Corporation (EDC) meetings over the past two weeks and reviewed the issues discussed.

B. Organizations

Mayor Spoll noted attendance at the St. Armands Working Group Meeting and advised of the agreement reached to have the small stop signs at the pedestrian crosswalks removed to enhance traffic flow, improvements planned for the roadway to Lido Beach, and parking issues to be resolved.

C. Town Administration

Mayor Spoll noted the scheduled Citizens' Academy of Government in January 2011 and encouraged citizen participation in the program.

COMMITTEE REPORTS AND COMMUNICATIONS - Continued

4. Employee Service Award – Don Waldroup, 20 Years of Service

Mayor Spoll noted and presented an Employee Service Award to Mr. Don Waldroup for 20 years of service in the Public Works Department. Public Works Director Juan Florensa commented on Mr. Waldroup's service to the Town and advised that he received the Public Works Department Employee of the Year Award approximately six months ago.

Mr. Waldroup commented on his service with the Town.

3. Other Reports - Continued

D. Fire Department

Town Manager Bruce St. Denis noted that Deputy Chief Sandy Drake, who was recently promoted, was in attendance at the meeting.

PUBLIC TO BE HEARD

5. Opportunity for Public to Address Town Commission

A. Public Works/Signs

Ms. Jane Boehme, Neptune Avenue, commented on the wayfinding signs and requested consideration to allow signage for Longboat Key service organizations such as the Rotary Club and the Kiwanis Club.

Following individual comments on options to place signage near the Town's two entryways, Public Works Director Juan Florensa advised that Staff will review options for placement of the additional signs.

CONSENT AGENDA

6. Proposed Ordinance 2010-18, Providing for a Referendum Question for a Charter Amendment Regarding Term Limits as Applied to Partial Terms

At the April 15, 2010, Regular Workshop Meeting there was consensus for the Town Attorney to revise the draft ordinance to place a Referendum question on the March 2011 General Municipal Election ballot addressing term limits as applied to partial terms. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2010-18 to the November 1, 2010 Regular Meeting for first reading.

7. Proposed Ordinance 2010-30, Comprehensive Plan Amendment for 10-Year Potable Water Supply Work Plan

Ordinance 2010-30 provides for a Comprehensive Plan Amendment that revises the infrastructure element of the Town's Comprehensive Plan in support of a 10-year potable water supply plan. Recommended Action: Approval of the Consent Agenda will forward this item to the November 1, 2010 Regular Meeting for first reading and public hearing.

8. Proposed Ordinance 2010-35, Annual Capital Improvements Element (CIE) Comprehensive Plan Amendment

Ordinance 2010-35 adopts an amendment to the Comprehensive Plan, updates the Capital Improvements Element, and provides for transmittal of the 2010 CIE Annual Update. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2010-35 to a Special Workshop Meeting scheduled for 6:45 PM on November 1, 2010.

CONSENT AGENDA - Continued

9. Proposed Ordinance 2010-36, Elections, Providing for a Referendum Question for a Charter Amendment Regarding Preliminary Elections on the March 2011 Ballot

The Town Clerk and Town Attorney have drafted proposed Ordinance 2010-36 to place a Charter referendum on the March 2011 General Election ballot pertaining to the requirement for a Preliminary Election. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2010-36 to the November 1, 2010 Regular Meeting for first reading.

10. Information Regarding Manatee County Proposal for Countywide Film Permit Application

At the August 3, 2010 Manatee County Council of Governments Meeting discussion was held proposing implementation of a countywide film permitting process for Manatee County. Since Longboat Key lies within two counties staff recommends the Town retain control for permitting within the Town but cooperate with each County's efforts to the degree possible as provided for in Section 113 of the Town Code. Recommended Action: None, informational only.

11. Proposed 2011 Town Commission Meeting Calendar

The proposed Town Commission Meeting Calendar for 2011 is being forwarded for consideration. Recommended Action: Approval of the Consent Agenda will forward this item to the November 1, 2010 Regular Meeting Consent Agenda for formal action.

12. Proposed Ordinance 2010-37, Amending Chapter 34.44 Membership

At the July 10, 2006 Regular Meeting the Town Commission adopted Ordinance 2006-06 allowing At-Will employees the option of entering into a defined contribution plan in lieu of the current defined benefit plan. Chapter 34.44 was not amended because the Fire Chief at the time did not wish to participate in the defined contribution plan. The newly hired Fire Chief has expressed his interest in the defined contribution plan in lieu of the defined benefit Fire Pension Plan. Proposed Ordinance 2010-37 amends Chapter 34.44 to provide for that option. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2010-37 to the November 1, 2010 Regular Meeting for first reading.

Commr. Siekmann requested that Item 11 be removed for discussion.

Commr. Brenner inquired on Item 10, Countywide Film Permit Application, and Town Manager Bruce St. Denis advised that the Town will work with each County (Sarasota and Manatee) to facilitate filming opportunities and recommended retaining the Town's current procedures. Commr. Larson requested that the application process be reviewed to streamline procedures with the Counties.

Planning, Zoning, and Building Department Director Monica Simpson commented on the current County processes and the existing Town Code requirements and suggested that Longboat Key's requirements be retained.

There was consensus to approve Consent Agenda Items 6 through 10 and Item 12 in accordance with the Staff reports and recommendations.

11. Proposed 2011 Town Commission Meeting Calendar

The proposed Town Commission Meeting Calendar for 2011 is being forwarded for consideration. Recommended Action: Approval of the Consent Agenda will forward this item to the November 1, 2010 Regular Meeting Consent Agenda for formal action.

11. Proposed 2011 Town Commission Meeting Calendar - Continued

Commr. Siekmann commented on the National Hurricane Conference in April 2011, the conflict with the Regular Workshop date, the time frame for preparing for the May Regular Meeting, and the September meeting schedule.

There was consensus to hold the April workshop on April 28, 2011, and to approve the remainder of the calendar as submitted.

DISCUSSION ITEMS

13. Request from Longboat Key Garden Club Regarding Butterfly Garden Bricks

At the September 13, 2010 Regular Meeting the Longboat Key Garden Club President requested permission to replace existing bricks in the Butterfly Garden with engraved bricks. This item is placed on the October 21, 2010 Regular Workshop Meeting for Commission consideration. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Bruce St. Denis, Assistant to the Town Manager Susan Phillips noted review by the Town Attorney's Office and the Town Commission's authority to approve the request.

Ms. Jackie Salvino, President of the Garden Club, supported approval and noted that the approximate cost of a sponsorship brick.

Subsequent to individual comments, there was consensus to approve the request.

20. Longboat Key Trolley Update

This item is placed on the October 21, 2010 Regular Workshop Meeting in the event updated information regarding the Longboat Key Trolley (Route 18) is available. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis commented on the current status on the review for continued funding for Transit Route 18 (Trolley), noted the joint meeting scheduled with both Sarasota and Manatee County Commissions on November 2, 2010, and the anticipated action of Manatee and Sarasota officials.

Discussions were held on the following topics/issues:

- options to forego the loop of Ken Thompson Parkway and Bay Isles Road
- anticipated route to be provided by Manatee County to Coquina Beach
- funding requirements to continue Manatee service to Longboat Key (\$285,000 with a half-hour headway)
- options to reduce service hours
- request to obtain an anticipated cost to extend the Sarasota County service
- consideration of Longboat Key to fund the service
- factors considered in determining route service/cost per rider service
- alternatives to modify the routes to offset costs
- types of vehicles utilized (full-sized bus versus a mini-bus) on less traveled routes
- election day conflict for joint meeting
- impact to residents and employees if service route is discontinued.

21. Legislative Priorities

Each year the Town establishes legislative priorities for submittal to the Sarasota County Legislative Delegation, Manatee County Legislative Delegation, and the ManaSota League of Cities. The Town Manager will seek Commission direction regarding issues to be brought forward for consideration during this legislative session. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis advised of the Legislative Priorities previously supported by the Town Commission and reviewed two proposed legislative priorities for consideration to include on this year's list. Town Manager St. Denis reviewed the suggested support for legislation to revise the composition of the Board of Trustees for the Retirement/Pension Boards.

Town Clerk Trish Granger reviewed Town Code requirements for newspaper advertising and noted that a code change could be accomplished to remove those requirements if directed by the Commission and commented on defeated State Legislation pertaining to required newspaper advertising and the associated costs to the Town.

Town Manager St. Denis noted options to support funding priorities for local Beach funding/grants.

Discussions were held on the following topics/issues:

- ManaSota League of Cities legislative priorities and presentation to the Legislative Delegation for both Sarasota and Manatee Counties
- delegation/representation of the ManaSota League of Cities in Tallahassee to lobby the areas legislative representatives
- options for Town Commission member or Town Staff to meet with legislative representatives
- issues to be considered by the ManaSota League of Cities
- format to present the issues to the Legislative Delegation
- intent to maintain a list of major priorities to alleviate a long list of non-critical items.

19. Proposed Refunding of the General Obligation Bonds, Series 1999

Mayor Spoll noted the option to consider Item 19 or to present Commission Comments at this time. Subsequent to comments, there was consensus to approve a request for public comment on Item 16 regarding the Beach Nourishment Project.

16. Discussion Regarding 2011-2012 Beach Nourishment Project

Mr. Jeremy Whatmough, Gulf of Mexico Drive, inquired as to the schedule for consideration of Item 16.

Town Manager Bruce St. Denis noted the consideration and intent in review of Item 16 later this date.

TOWN COMMISSION COMMENTS

A. Organizations

Commr. Siekmann inquired and Town Manager Bruce St. Denis commented on the upcoming Triathlon sponsored by the Longboat Key, Lido Key, and St. Armands Key (LLSA) Chamber of Commerce and issues to be considered with the current Gulf of Mexico Drive roadway project.

Town Manager Bruce St. Denis advised that the Triathlon will be held on Sunday, October 24, 2010.

(Note: Town Attorney David Persson arrived at 1:55 p.m. and Assistant Town Attorney Kelly Martinson departed from the meeting.)

22. Bayfront Park Recreation Center Project Discussion

Commissioner Younger requested an opportunity to discuss any recent developments related to the Bayfront Park Recreation Center Project. This item is placed on the October 21, 2010 Regular Meeting for Commission consideration and discussion. Recommended Action: Pending discussion, provide direction to Manager.

Following comments from Town Manager Bruce St. Denis, Town Attorney David Persson suggested that the Memorandum of Understanding (MOU) be formalized through the development of an Interlocal Agreement (ILA) with Sarasota County on the development of the Bayfront Park/Albritton Property.

Subsequent to comments, Town Manager St. Denis advised that the items could be presented at the November Workshop Meeting.

Town Attorney Persson advised that the items outlined in his correspondence dated April 28, 2009, remain in effect. Discussions were held on the following topics/issues:

- proposed ILA in lieu of a MOU
- intent of the ILA/impact on the development of the property.

There was consensus to develop an Interlocal Agreement between the Town and Sarasota County for the development of the property.

14. Proposed Resolution 2010-28, Bayfront Park Recreation Center, 4052 Gulf of Mexico Drive, Comprehensive Plan Amendment

At their September 21, 2010 Regular Meeting the Planning & Zoning (P&Z) Board recommended approval of Resolution 2010-28. The Resolution provides for transmittal of proposed changes to the Town's Comprehensive Plan related to the Future Land Use Map as well as authorized land uses of those parcels proposed for the Bayfront Park Recreation Center redevelopment to the Department of Community Affairs (DCA) and other regulatory agencies. Recommended Action: Pending discussion, forward Resolution 2010-28 to the November 1, 2010, Regular Meeting for public hearing and formal action.

14. Proposed Resolution 2010-28, Bayfront Park Recreation Center, 4052 Gulf of Mexico Drive, Comprehensive Plan Amendment - Continued

Planning, Zoning, and Building Department Planner Ric Hartman presented an overview of Staff's report and draft Resolution 2010-28, a Comprehensive Plan Amendment for the Bayfront Park Recreation Center Redevelopment. Discussions were held on the following topics/issues:

- consideration of the Comprehensive Plan Amendment as a small scale amendment (under 10 acres)
- language included in the Comprehensive Plan Amendment to be forwarded to the Florida Department of Community Affairs (FDCA).

There was consensus to forward Resolution 2010-28 to the November 1, 2010, Regular Meeting for public hearing and formal action.

15. Proposed Ordinance 2010-23, Amending Chapter 98, Tree Code

At their September 21, 2010 Regular Meeting the Planning & Zoning (P&Z) Board forwarded Ordinance 2010-23 to the Commission for consideration. The P&Z Board recommends approval of the ordinance which provides for amendments to Chapter 98, Tree Code. Recommended Action: Pending discussion, forward Ordinance 2010-23 to the November 1, 2010 Regular Meeting for first reading.

Planning, Zoning, and Building Department Planner Steve Schield presented an overview of proposed Ordinance 2010-23, amending Chapter 98, Tree Code, advised that an additional amendment was supported by the Planning and Zoning (P&Z) Board and reviewed the documentation forwarded to the Town Commission on October 20, 2010. Discussions were held with Mr. Schield and Town Attorney David Persson on the following topics/issues:

- lack of State standards
- enforceability of recommendations for trimming a palm tree in lieu of any established State standards
- existing publications provided by the American National Standards Institute (ANSI) standards for trimming purposes
- options to change the language to refer to "illustration purposes only"
- options to place Exhibit A in Section 98.06, Public Education.

There was consensus to modify Exhibit A in Section 98.06 for illustrative purposes.

Discussions were held with Mr. Schield and Town Attorney Persson on the following topics/issues:

- number of tree permits issued by the Town per month
- application of Tree Code to multi-family versus single family residences
- previous Commission action relating to single family residences
- distinction between building codes between multi-family and single family dwellings.

15. Proposed Ordinance 2010-23, Amending Chapter 98, Tree Code - Continued

There was consensus to forward Ordinance 2010-23, as amended, to the November 1, 2010, Regular Meeting for first reading.

RECESS: 2:27 p.m. - 2:40 p.m.

16. Discussion Regarding 2011-2012 Beach Nourishment Project

Town staff is currently in the planning stage for the proposed 2011 referendum for funding the 2011-2012 beach renourishment project. The Town Manager and Finance Director will review the current status, outline funding options, and discuss the timeline for placing the referendum question on the March 2011 General Municipal Election ballot. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis noted the intent to discuss financing of the Beach Nourishment Project, requested that the Commissioners reserve November 16, 17, and 18, as possible dates to hold a Special Workshop on the issue, and presented an overview on the following items:

- time frame for the project
- process for determining cost estimates
- obtaining Port Dolphin funding
- intent to pursue State grant funds
- sand types to be utilized
- issues to be addressed at the North end/success of Islander Groin Project.

Finance Director Tom Kelley commented on the financing options and intent to issue bonds for the project and advised that Marissa Wortman, Senior Managing Consultant with Public Financial Management (PFM), Inc., was available by telephone. Discussions were held on the following topics/issues:

- proposed \$40 million bonding and impact on other bonding issues that may arise
- sale ability of bonds/citizen support
- current bond obligations
- estimate on termination liability for pension funds
- anticipated interest rate for a 30-year bond
- facility bonds interest rate
- current economic conditions/financing implications.

Town Manager St. Denis noted that additional discussion will be held at a Special Workshop in November and commented on the past support of the beach nourishment projects by the Town's voters. Discussions were held on the following topics/issues:

- procedural issues to be considered
- time frame of future issues to be considered by the Town's voters
- utilization of a firm from Ft. Lauderdale in lieu of a local firm to provide the service
- future consideration of the Beach Nourishment Project
- continued utilization of firms from past projects in lieu of bidding services

16. Discussion Regarding 2011-2012 Beach Nourishment Project - Continued

- time frame for placing item on ballot and impact of delay in proceeding
- importance of pursuing federal funding and other sources of funding
- options to engage a grant writer to pursue all available funding
- type of sand to be utilized for the project.

17. Proposed Resolution 2010-41, Providing for Intent of Longboat Key Beach Erosion Control District A to Reimburse the Town for Capital Expenditures for Beach Project

The Town will be expending certain costs associated with the 2011-2012 beach renourishment project that are deemed reimbursable governmental costs by the U.S. Department of the Treasury. Resolution 2010-41 establishes that it is intended for District A to reimburse those capital expenditures. Recommended Action: Pending discussion, forward Resolution 2010-41 to the November 1, 2010 Regular Meeting for formal action.

Following comments by Town Manager Bruce St. Denis, Finance Director Tom Kelley presented an overview of Resolution 2010-41 and Resolution 2010-42 (Item 18). Discussion ensued with Town Manager St. Denis and Mr. Kelley on the following topics/issues:

- intent of Resolution 2010-41 and Resolution 2010-42
- participation of Special District B voters.

There was consensus to move forward Resolution 2010-41 to the November 1, 2010 Regular Meeting for formal action.

18. Proposed Resolution 2010-42, Providing for the Town to Obtain Reimbursement from Longboat Key Beach Erosion Control District A for Capital Expenditures for Beach Project

The Town will be expending certain costs associated with the 2011-2012 beach renourishment project that are deemed reimbursable governmental costs by the U.S. Department of the Treasury. Resolution 2010-42 provides the appropriate documentation needed for that reimbursement to occur. Recommended Action: Pending discussion, forward Resolution 2010-42 to the November 1, 2010 Regular Meeting for formal action.

Following comments, there was consensus to forward Resolution 2010-42 to the November 1, 2010 Regular Meeting for formal action. (See Item 17 earlier this meeting.)

Upon inquiry, Town Attorney David Persson commented on the easements received from property owners to date.

Town Manager Bruce St. Denis commented on the time frame for the project and the impact of the Inlet Management Plan.

19. Proposed Refunding of the General Obligation Bonds, Series 1999

In 1999 the Town issued General Obligation Bonds to fund construction of the Town Hall, Police, and Public Works facilities. The final maturity date of those bonds is 2019. Staff has identified that refunding those bonds could generate present value savings of approximately \$256,000 over nine years. Recommended Action: Pending discussion, provide direction to Manager.

19. Proposed Refunding of the General Obligation Bonds, Series 1999

Following comments, there was consensus to proceed with the refunding of the General Obligation Bonds.

23. Other Business - Planning, Zoning, and Building Department - Continued

Town Attorney David Persson commented on the response from the Florida Department of Community Affairs (FDCA) on the ruling related to the filing by the Islandside Property Owners' Coalition (IPOC) pertaining to the Comprehensive Plan Amendment (Ordinance 2010-16) adopted by the Town Commission. Discussions were held on the appeal process and providing a legal analysis and recommendations to consider on proceeding with the case.

Mr. Jim Brown inquired, and Town Attorney Persson advised that the ruling was a matter of public record and a copy was available at Town Hall.

TOWN COMMISSION COMMENTS - Continued

B. Town Commission/Police Department

Commr. Siekmann commented on the following:

- attempt to utilize teleconferencing
Town Attorney David Persson suggested review of the "Skype" system;
Town Manager Bruce St. Denis advised that Staff would review the utilization of available technology;
- Police issues at the North end and concern of residents on recent burglaries
Individual comments followed on the option to utilize bicycle patrols and scheduling a Town Hall meeting with the Police Chief.

C. Planning, Zoning, and Building/Organizations/Town Commission

Commr. Brenner commented on the following:

- the ISO (Insurance Services Office) rating's impact on flood insurance costs
Town Manager Bruce St. Denis advised that one and two family properties had the decision reversed but that commercial properties had not yet been adjusted.
- status report on peacock removal in the Village
- **request to include a discussion item on a future agenda to provide an overview of the Code Enforcement process, without objection**
- 2011 Town Commission calendar pertaining to a Goal Setting Workshop versus review of the Vision Plan

D. Information Technology

Vice Mayor Brown commented on the status of review to utilize I-Pads for Commission agendas.

Following comments by Town Manager Bruce St. Denis, there was consensus to direct Staff to further review the issue and to report back at the November Regular Workshop.

TOWN COMMISSION COMMENTS - Continued

E. Governmental Entities/Information Technology

Mayor Spoll noted the improvements at Manatee County relating to electronic process for filing building plans and Town Manager St. Denis advised that Staff will report back on the issue for application to the Town.

F. Firefighters Retirement System Board of Trustees

Mayor Spoll commented on the draft letter to the Firefighters Retirement System Board of Trustees, advised that it has not been forwarded at the current time, and noted a second draft was being developed.

TOWN ATTORNEY COMMENTS - No items were presented.

TOWN MANAGER COMMENTS - No items were presented.

PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Mayor Spoll adjourned the October 21, 2010, Regular Workshop Meeting at 3:52 p.m.



Trish Granger, Town Clerk


George Spoll, Mayor

Minutes Approved: 12/6/10

