

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR WORKSHOP  
MARCH 25, 2010 - 2:00 P.M.**

**Present:** Mayor George Spoll, Vice Mayor Jim Brown, Commrs. David Brenner, Gene Jaleski, Lynn Larson, Hal Lenobel, Robert Siekmann

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

**CALL TO ORDER**

The Regular Workshop of the Longboat Key Town Commission was called to order at 2:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

**PLEDGE OF ALLEGIANCE**

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

**COMMITTEE REPORTS AND COMMUNICATIONS**

1. Manatee County Special Liaison Report

A. Citizens Academy

Commr. Siekmann noted his attendance and commended the Town Manager's office and Town Staff for the Citizens' Academy and supported the continuation of the program in the future.

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

3. Other Reports

A. Organizations

Vice Mayor Brown noted attendance at the Metropolitan Planning Organization meeting earlier this week and noted discussions relating to the traffic delays and impacts of the traffic circle on St. Armands Key.

4. Sarasota Bay Estuary Program – Mark Alderson Executive Director – Gulf Guardian Award for Seagrass Recovery

Mr. Mark Alderson, Director of the Sarasota Bay Estuary Program, noted that the Estuary Program had received the 2009 Award, gave a video presentation on the improvements to Sarasota Bay, and presented the Town of Longboat Key with an award for their contributions to the Sarasota Bay Estuary Program.

3. Other Reports - Continued

B. Town Commission

Mayor Spoll noted the attendance of former Mayor Lee Rothenberg and Commr. Siekmann noted the attendance of former Mayor Jeremy Whatmough.

**PUBLIC TO BE HEARD**

5. Opportunity for Public to Address Town Commission

A. Organizations

Ms. Ingrid McClellan, with Keep Manatee Beautiful, invited the Town of Longboat Key to become a member and participate in the Tree City U.S.A. Program. Commr. Siekmann suggested that the program be further discussed during Agenda Item 18.

**CONSENT ITEMS FOR CONSIDERATION**

6. Proposed Ordinance 2010-14, Repealing Ordinance 2009-24 Regarding Potable Water Sub-Element of the Town's Comprehensive Plan

The Town Commission adopted Ordinance 2009-24 amending the Comprehensive Plan to enact a 10-year potable water supply plan as required by Florida Statutes. The Florida Department of Community Affairs (FDCA) requires Comprehensive Plan amendments enacting water supply plans to be proposed to FDCA in the same manner as typical Plan amendments. Thus, Ordinance 2010-14 will repeal the original work plan ordinance and the water supply plan will be proposed through Resolution 2010-12. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2010-14 to the April 15, 2010 Special Meeting for first reading.

7. Proposed Resolution 2010-12, Authorizing Transmission of a Proposed Comprehensive Plan Amendment Supporting a 10-Year Potable Water Supply Plan to the Florida Department of Community Affairs (FDCA)

Proposed Resolution 2010-12 provides for transmittal the proposed Comprehensive Plan Amendment enacting a 10-year potable water supply plan to the Department of Community Affairs (FDCA) for their Objections, Recommendations and Comments (ORC) Report. Recommended Action: Approval of the Consent Agenda will forward Resolution 2010-12 to the April 15, 2010 Special Meeting for formal action.

8. Proposed Resolution 2010-13, Providing for the Continuance of the Citizen Tax Oversight Committee

Proposed Resolution 2010-13, provides for continuance of the Citizen Tax Oversight Committee in accordance with provisions of Sarasota County Ordinance 2007-087 as it relates to the Sarasota County Infrastructure Surtax. The purpose of the Committee is to conduct an annual review of the expenditures made by the Town of Longboat Key from the Sales Tax proceeds to ensure that expenditures have been made in accordance with the Infrastructure Sales Tax (IST) project lists. Recommended Action: Approval of the Consent Agenda will forward Resolution 2010-13 to the April 5, 2010 Regular Meeting for formal action.

9. Proposed Resolution 2010-14, Adopting the Manatee County Local Mitigation Strategy (LMS)

The Town of Longboat Key participates in both Sarasota and Manatee County Local Mitigation Strategy Work Groups. The focus of the LMS is to reduce risks associated with all types of disaster events. Resolution 2010-14 adopts the current version of the Manatee County LMS and will enable the Town to be eligible for post disaster mitigation grant funds. Recommended Action: Approval of the Consent Agenda will forward Resolution 2010-14 to the April 5, 2010 Regular Meeting for formal action.

10. Proposed Resolution 2010-15, Reallocating Phase II Infrastructure Surtax Project Amounts to Increase the Public Safety Functional Category

Based on a service level enhancement recommended by the Fire Chief the Town Manager is recommending an increase to the original Phase II Infrastructure Surtax to increase the Public Safety Functional Category by \$74,000.

This allocation increase provides for the purchase of equipment and tools for the Fire/Rescue Department to equip and make a third apparatus available for structure fires. Recommended Action: Approval of the Consent Agenda will forward Resolution 2010-15 to the May 3, 2010 Regular Meeting for formal action.

11. Proposed Ordinance 2010-15, Budget Transfer in the Amount of \$74,000 for Equipment for New Fire Apparatus

Proposed Ordinance 2010-15, provides for a budget transfer in the amount of \$74,000 for funding to equip the new Longboat Key Fire/Rescue apparatus that was purchased through proceeds from the Sarasota County Infrastructure Surtax funds. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2010-15 to the April 5, 2010 Regular Meeting for first reading.

**Commr. Siekmann requested removal of Items 10 and 11 from the Consent Agenda for discussion.**

**Mayor Spoll noted the items would be considered at the end of the scheduled agenda items.**

**Following comments, Mayor Spoll noted consensus to approve Consent Items 6 through 9 in accordance with Staff's reports and recommendations.**

**DISCUSSION ITEMS**

12. Beach Issues Update

The Town Manager and Tom Campbell will present an update regarding beach issues to the Town Commission. At the conclusion of the beach discussion the Town Manager will be seeking direction regarding elements of the Town's upcoming beach renourishment that will include decisions regarding sand selection for the 2011-2012 beach project. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis noted the attendance and introduced Mr. Tom Campbell, President of Coastal Planning and Engineering (CP&E), Inc.

12. Beach Issues Update - Continued

Mr. Campbell gave a PowerPoint of the 2009 Annual Beach Survey and Analysis. Discussions were held throughout the presentation on the following topics/issues:

- explanation of the phrase "seaward of design"
- intent to keep the beach at approximately 130 feet wide
- consideration of the height and width of the beach during design stages.

Mr. Beau Suthard of CP&E continued the presentation and discussed the status of the North end erosion.

Commr. Brenner inquired and discussion ensued with Mr. Suthard, Mr. Douglas Mann, with CP&E, and Town Manager St. Denis on the following Project Status items:

- North End Breakwaters Design/Application and North Shore Road Seawall Extension relating to project parameters and timeframe
- intent of seawall extension to protect the roadway

- North End JCP for interim/emergency renourishment
- North Shore Road Seawall Extension
- process if the groin system does not provide relief.

Dr. Murf Klauber, 1620 Gulf of Mexico Drive, commented on the utilization of a Makepeace groin, the costs associated with the placement of groins, and the services provided by CP&E.

Mr. Robert Appel, 7085 Gulf of Mexico Drive, inquired and Town Manager St. Denis commented on the type of sand to be utilized.

Mr. Mann commented on the permitting process and monitoring time frame.

Mr. Appel further commented on Gulf Side Drive. Discussion ensued with Town Manager St. Denis.

Mayor Spoll inquired and Mr. Mann commented on the breakwater design and the sand options.

Discussion ensued with Town Manager St. Denis, Mr. Mann, and Mr. Appel on the following topics/issues:

- direction received and the Periwinkle Dune Restoration
- options to review a vegetation program and costs due to the success in the Bayport area
- groin/seawall consideration for the North end area.

#### 12. Beach Issues Update - Continued

Mr. Richard Wood, 7135 Gulf of Mexico Drive, commented on the options for a seawall in the North end area.

Mr. John Sandford, 6701 Gulf of Mexico Drive, commented on the options for a seawall.

Discussion continued on the State's permitting process and restrictions on shoreline/coastal armoring and the project parameters, sand placement, and project timeframes.

Ms. Arlene Scarlett, 806 Bayport Way, inquired as to the impact of the coastal tides and impact to sand movement. Town Manager St. Denis reviewed the coastal forces pertaining to beach and sand movement.

**RECESS:** 3:30 p.m. - 3:40 p.m.

Mr. Campbell continued the presentation on beach nourishment, sand types (grain) and impact of coastal tides/storms on the various types of sand. (Town Manager St. Denis passed sand samples through the audience and to the Town Commissioners during the presentation.) Discussions were held with Mr. Campbell and Town Manager St. Denis on the following topics/issues:

- necessity to select sand grain to provide accurate estimate of bonding requirements
- clarification of the "coarse below" terminology
- optional sand blends to be considered
- type of sand used for the Lido Beach renourishment project

- CP&E preferred sand type
- Commission preference and anticipated costs
- mixing various grain/color from different borrow sites and permitting considerations
- previous type of sand on Longboat beaches (fine white sand before renourishment)
- referendum requirements/process for consideration of sand preference by residents
- sand effectiveness based on coarseness of sand.

**There was majority consensus to not utilize the dark sand under a coarse layer.**

Mr. Campbell reviewed the proposed sand choice options, as follows:

- define less white sand borrow areas with grain size of 0.25 mm
- define white sand borrow areas with grain size 0.18mm
- option for a blend of 0.18 and 0.25 mm sand
- explore both white and "less" white borrow areas at extra cost to keep options open.

12. Beach Issues Update - Continued

Subsequent to additional discussion, Town Manager St. Denis advised that if sand was utilized from two borrow sites (0.18mm mix with 0.25mm sand) the costs associated with the project would have to be recalculated.

**Following discussion and clarification on the utilization of the 0.18 mm white sand with hot spot treatments of less white sand of 0.25 mm, there was majority consensus to review the anticipated costs for the option requested.**

**There was consensus to consider an updated report with anticipated costs at the April 5, 2010, Regular Meeting.**

Ms. Barbara Wood, 7135 Gulf of Mexico Drive, inquired as to sand placement on Greer Island and the previous referendum questions. Town Manager St. Denis reviewed the project parameters and discussed the referendum issues experienced, the sand being used for the North end at the current time, and options to utilize dredging material from the Pass.

**Commr. Siekmann requested a copy of the list of options considered this date with the additional preferred option added.**

13. Christ Church Request for Waiver of Fees for Construction of New Church Facility

The Town Commission received a request for consideration of a waiver of certain fees related to the construction of the new Christ Church facility, 6400 Gulf of Mexico Drive. This item is placed on the March 25, 2010 Regular Workshop Meeting for Commission discussion. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis noted receipt of the request from Mr. Burton Borgelt and reviewed the statutory restrictions on waiving building department fees advising that there was authority for the Commission to waive the fire fee and zoning fees of approximately \$20,000.00.

Mr. Burton Borgelt, Elder/Building Committee Chairman, commented on the request and supported the waiver of zoning fees.

**Following discussion, there was majority consensus to waive the fees that are permitted by Florida Statutes.**

14. Consideration of Term Limits Charter Amendment

The Town Attorney has requested the Commission to direct that a Charter amendment be drafted to clarify what is meant by "three consecutive terms" to be placed on the ballot at a future election. The goal is to provide certainty as to how term limits would apply to partial terms. Recommended Action: Pending discussion, provide direction to Manager.

Town Attorney David Persson commented on the provisions and interpretations on term limits for placement on the March 2011 ballot.

Following comments, Town Attorney Persson noted options to write a Charter Amendment and discussion ensued.

Subsequent to comments, Town Attorney Persson advised that he could develop a policy until such time a Charter Amendment is placed before the voters in March 2011.

Discussion ensued on other issues to consider and options to appoint a Charter Review Committee.

**Mayor Spoll noted consensus to schedule a discussion on a future agenda to convene a Charter Review Committee.**

15. Proposed Resolution 2010-16, Budget Transfer to Fund Pension Study

The Town Manager has authorized a comprehensive study of the Town's pension plans to analyze the costs to the Town of pension alternatives going forward. In addition to costing out plan options the Town's financial advisor will provide an analysis of the investment and credit markets to determine financial feasibility and timing of any recommended change. Resolution 2010-16 is provided in the event the Commission elects to move forward with funding the pension study. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis commented on pension alternatives and supported an analysis of the pension options.

Discussion ensued on the utilization of PFM (Public Financial Management, Inc.).

Mr. Brandon Desch, Longboat Key Firefighter, noted an upcoming presentation by the Florida Public Pension Trustees Association (FPPTA) and invited Commissioners to attend the seminar.

Following comments on the proposed costs and scope of services, Town Manager St. Denis requested clarification on the suggestion to develop a RFP for an outside firm for the service.

**Subsequent to discussion on utilization of a RFP and time frame for consideration, there was majority consensus to utilize the PFM team.**

Mayor Spoll commented on a recent Wall Street Journal article and requested it be distributed to the Commissioners.

16. Budget Discussion

The Town Manager and Finance Director will provide the status of several items in the FY 2010-2011 preliminary budget and identify variances in actual revenues compared to the FY 2009-2010 Budget. This information will provide a framework for discussion of the FY 2010-2011 preliminary budget process. Recommended Action: Pending discussion, provide direction to Manager.

Finance Director Tom Kelley provided an overview of the current status of revenue collection and interest earnings, noting that revenues were down from the projected collections with an estimated short-fall of \$213,000 for the Fiscal Year.

Upon inquiry, Mr. Kelley commented on the types of services included in the communications tax. Discussions were held on the following topics/issues:

- estimated shortfall / data being utilized (through the end of February 2010)
- sales tax estimates (latest report two months old)
- options to utilize reserves to offset deficits in anticipated revenue
- State funding for pension contributions.

Town Manager Bruce St. Denis advised this was a preliminary discussion and further information would be presented at the April 15, 2010, Regular Workshop meeting. Discussions were held with Town Manager St. Denis and Mr. Kelley on the following topics/issues:

- options to recapture / offset the revenues loss
- review of departmental expenditures to offset any losses
- Utility rate study in process
- lower project costs submitted in responses to Requests For Proposal (RFP) issued
- status of the Building Department rate study.

**Commr. Siekmann requested that a budget timeline be developed and distributed to Commissioners.**

Town Manager St. Denis noted the current anticipated distribution and review schedule for the Fiscal Year 2010-2011 budget.

**RECESS:** 5:07 p.m. - 5:20 p.m.

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

Each year at this time the Town Commission considers appointments of its members to committees named in the Town Code or as required by outside agencies. A list of last year's appointments is provided for review and consideration for appointment or reappointment. Recommended Action: Pending discussion, forward Commissioner appointments to the April 5, 2010 Regular Meeting Consent Agenda for formal action.

17. Commission Appointments to Committees - Continued

The Commission reviewed and discussed the committee and agency responsibilities and appointments were made as follows:

<b>Committee/Agency</b>	<b>Appointee Information</b>	<b>2010 Appointment</b>
Investment Advisory Committee	Three or more members of Town Commission	Mayor Spoll Commr. Brenner Commr. Jaleski
<b>Outside Agencies</b>		
Coalition of Barrier Island Elected Officials	Mayor	Mayor Spoll Vice Mayor Brown
Manatee County Council of Governments	Mayor	Mayor Spoll Vice Mayor Brown
Sarasota County Council of Governments	Mayor	Mayor Spoll Vice Mayor Brown
Special Liaison to Manatee County	Any Commr.	Commr. Siekmann Commr. Jaleski
Special Liaison to Sarasota County	Any Commr.	Vice Mayor Brown Alternate: Commr. Larson
ManaSota League of Cities	Any Commr.	Commr. Siekmann Commr. Larson
Metropolitan Planning Organization	Any Commr.	Vice Mayor Brown All Other Commrs.
Sarasota Co. Tourism & Economic Development Board (TEDB) *This is a Sarasota County Advisory Board.	Any Commr.	Commr. Brenner
Economic Development Corporation of Sarasota County (EDC). *This is a private sector Board.	Any Commr.	Commr. Brenner
Manatee County Tourist Development Council (TDC)	Any Commr.	Commr. Brenner
Water Alliance Board	Any Commr.	Commr. Larson
Island Transportation Planning Organization (ITPO)	Honorary - LBK not part of the Interlocal Agreement	N/A

17. Commission Appointments to Committees - Continued

<b>Outside Agencies</b>	<b>Appointee Information</b>	<b>2010 Appointment</b>
Sarasota Bay Estuary Program Board of Directors	Any Commr.	Commr. Larson Vice Mayor Brown
Criminal Justice Commission City-County Corrections Work Group	Any Commr.	Commr. Lenobel
West Coast Inland Navigation District (WCIND)	Any Commr.	Commr. Siekmann Commr. Jaleski
Complete Count Committee 2010 Census	Any Commr.	Commr. Siekmann
<b>Florida League of Cities Legislative Councils</b>	<b>Appointee Information</b>	<b>2010 Appointment</b>
Voting Delegate	Any Commr.	Mayor Spoll Vice Mayor Brown

18. Request by the Planning & Zoning (P&Z) Board To Establish a Tree Code Subcommittee

The P&Z Board submitted a request of the Town Commission to create a joint subcommittee to include three P&Z Board members and two Commissioners to explore the issues of the Town's Tree Code. The P&Z Board selected Patricia Zunz as the P&Z Board's liaison, with Allen Hixon and Phineas Alpers also participating. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Commr. Siekmann, Planning and Zoning Board Chair B.J. Webb commented on the importance of establishing a Tree Code Subcommittee and opined that it should require limited meetings.

Vice Mayor Brown commented on his previous service on a Tree Code Subcommittee and supported the re-establishment of the Subcommittee with Commissioner participation.

**Following comments, there was consensus to appoint Vice Mayor Brown and Commr. Larson to the Tree Code Subcommittee.**

**Commr. Siekmann requested consideration to review the requirements of becoming a "Tree City" and there was consensus to request the Subcommittee's review.**

Commr. Brenner suggested that the Tree Subcommittee establish a Mission Statement to present to the Town Commission. Individual comments followed.

10. Proposed Resolution 2010-15, Reallocating Phase II Infrastructure Surtax Project Amounts to Increase the Public Safety Functional Category - Continued

Based on a service level enhancement recommended by the Fire Chief the Town Manager is recommending an increase to the original Phase II Infrastructure Surtax to increase the Public Safety Functional Category by \$74,000. This allocation increase provides for the purchase of equipment and tools for the Fire/Rescue Department to equip and make a third apparatus available for structure fires. Recommended Action: Approval of the Consent Agenda will forward Resolution 2010-15 to the May 3, 2010 Regular Meeting for formal action.

11. Proposed Ordinance 2010-15, Budget Transfer in the Amount of \$74,000 for Equipment for New Fire Apparatus - Continued

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Commr. Siekmann noted the importance of the action to increase service to the Town's citizens.

Fire Chief Rich Dickerson noted support of the items and provided historical data regarding the issues, equipment response, and staffing.

Town Manager Bruce St. Denis requested consideration to retain the \$74,000 increase to provide for mobile data systems in the vehicles which would increase response efficiencies to the citizens.

**Following comments, there was consensus to forward Resolution 2010-15 and Ordinance 2010-15 to the April 5, 2010, Regular Meeting for formal action.**

Fire Chief Dickerson introduced Deputy Chief Paul Dezzi.

**TOWN COMMISSION COMMENTS**

A. Proclamations

Commr. Siekmann noted a request for a Proclamation to be issued honoring the service of Father Edward Pick to the community.

**There was consensus to issue the Proclamation as requested.**

B. Town Commission

Commr. Siekmann commented on the new seating arrangement on the dais and supported the change. Individual comments followed.

**TOWN COMMISSION COMMENTS** - Continued

C. Town Commission Schedule

Commr. Brenner suggested that if a detailed discussion item is required on specific issues that consideration for a Special Workshop be scheduled in lieu of adding the item to a full agenda.

Town Manager Bruce St. Denis commented on the agenda schedule and the reasoning behind placing the sand selection item on the Workshop agenda.

D. Town Commission

Mayor Spoll commented on the process for appointment of citizens to the Town's Boards and Committees and suggested that a meeting be held in late April to provide the opportunity to meet the applicants interested in serving.

**There was consensus to schedule a Special Meeting (Meet and Greet) in late April to meet the applicants.**

**TOWN ATTORNEY COMMENTS**

A. Town Commission Schedule

Town Attorney David Persson noted a request has been sent to the Town Commissioners to determine availability for upcoming public hearings on the Longboat Key Club Outline Development Plan Amendment application.

**TOWN MANAGER COMMENTS**

A. Town Commission

Town Manager Bruce St. Denis inquired as to preference on the agenda delivery for the April 5, 2010, Regular Meeting.

**Following comments, there was consensus to have the agenda delivered on Monday, in advance of the regular schedule of Wednesday for the meeting.**

B. Town Commission

Town Manager Bruce St. Denis encouraged Commissioners to maintain an open communication line with his office and invited them to stop in when they might be in Town Hall for various other business.

C. Organizations

Town Manager Bruce St. Denis commented on the upcoming Pension Seminar by the Florida Public Pension Trustees Association (FPPTA) and noted anticipated guests at the seminar.

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

**ADJOURNMENT**

**Mayor Spoll adjourned the March 25, 2010, Regular Workshop Meeting at 5:53 p.m.**

s/s/ Trish Granger  
Trish Granger, Town Clerk

/s/ George Spoll  
George Spoll, Mayor

Minutes Approved: 09/13/2010