

**MINUTES
LONGBOAT KEY TOWN COMMISSION
SPECIAL MEETING
APRIL 15, 2013**

Present: Mayor Jim Brown, Vice Mayor David Brenner, Commrs. Jack Duncan, Terry Gans, Lynn Larson, Phill Younger, Pat Zunz

Also Present: Town Manager Dave Bullock, Assistant Town Attorney Maggie Mooney-Portale, Town Clerk Trish Granger

CALL TO ORDER

Mayor Brown called the Special Meeting to order at 2:30 p.m. in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

ORDINANCES – SECOND READING AND PUBLIC HEARING

1. Ordinance 2013-11, Amending the FY 2012-13 Budget to Provide Funds for a 3% Wage Increase for General Employees Not Included in Ordinance 2013-09 and Employees Represented By the Police Benevolent Association (PBA)

At the April 1, 2013 Regular Meeting the Town Commission passed Ordinance 2013-11 on first reading and public hearing and adopted Ordinance 2013-09 which amended the Fiscal Year 2012-13 Budget to provide a wage increase to non-represented general employees and for increases included in the ratified IAFF contract. Ordinance 2013-11 provides for a similar wage increase to the remainder of the General Employees group, as well as employees covered by the PBA contract which were not included in Ordinance 2013-09. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2013-11.

Town Clerk Trish Granger placed Ordinance 2013-11 on record for second reading and public hearing by title only.

Commr. Larson moved to adopt Ordinance 2013-11. The motion was seconded by Commr. Duncan.

Mayor Brown opened the public hearing. As no one wished to speak, the public hearing was closed.

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

2. Ordinance 2013-12, Amending Chapter 34, Section 34.45, Composition of Firefighters' Retirement System Board of Trustees

Ordinance 2013-12 provides for a change to the composition of the current Firefighters' Retirement System Board of Trustees. The Commission held first reading of Ordinance 2013-12 at the April 1, 2013 Regular Meeting and forwarded to the April 15, 2013 Special Meeting for second reading, and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2013-12.

2. Ordinance 2013-12, Amending Chapter 34, Section 34.45, Composition of Firefighters' Retirement System Board of Trustees - Continued

Town Clerk Trish Granger placed Ordinance 2013-12 on record for second reading and public hearing by title only.

Commr. Gans moved to adopt Ordinance 2013-12. The motion was seconded by Commr. Zunz.

Mayor Brown opened the public hearing. As no one wished to speak, the public hearing was closed.

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

RESOLUTIONS

3. Resolution 2013-14, Commission Policy Regarding Electronic Meeting Attendance and Participation

At the April 1, 2013 Regular Meeting staff was asked to investigate options for Commissioners to participate in meetings when they were unable to attend in person. The Town Attorney recommended the Commission adopt a policy for meeting attendance and participation via electronic means. Resolution 2013-14 was forwarded from the April 15, 2013 Regular Workshop Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2013-14.

Town Clerk Trish Granger placed Resolution 2013-14 on record by title only.

Town Manager Dave Bullock advised that the modification to the Resolution as discussed at the April 15, 2013, Regular Workshop Meeting had been incorporated to exclude meetings outlined in Florida Statutes Chapter 447.

Commr. Younger moved to pass Resolution 2013-14, as amended. The motion was seconded by Commr. Duncan.

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

NEW BUSINESS

4. Appointments to Firefighters' Retirement System Board of Trustees

Ordinance 2013-12 provides for a change in the composition of Firefighters' Retirement System Board of Trustees. The Commission will consider appointment of 5 members, which includes the Chair and Vice-Chair at the April 15, 2013 Special Meeting. The Town Manager will appoint the remaining two members. Recommended Action: Pending discussion, appoint members to Firefighters' Retirement System Board of Trustees.

Following comments by Mayor Brown on the procedure for appointments, Town Clerk Trish Granger proceeded with a roll call vote, for Seat 1, Chair, as follows:

4. Appointments to Firefighters' Retirement System Board of Trustees - Continued

**Commr. Younger cast a ballot for Mr. Armando Linde.
Commr. Larson cast a ballot for Mr. Armando Linde.
Vice Mayor Brenner cast a ballot for Mr. Gerald Feder.
Mayor Brown cast a ballot for Mr. Gerald Feder.
Commr. Duncan cast a ballot for Mr. Gerald Feder.
Commr. Zunz cast a ballot for Mr. Armando Linde.
Commr. Gans cast a ballot for Mr. Gerald Feder.**

Mr. Gerald Feder was appointed to Seat 1 and to serve as Chair for a term to expire on May 14, 2014.

Town Clerk Granger proceeded with a roll call vote, for Seat 2, Vice Chair, as follows:

**Commr. Larson cast a ballot for Ms. Shannon Gault.
Vice Mayor Brenner cast a ballot for Ms. Shannon Gault.
Mayor Brown cast a ballot for Ms. Shannon Gault.
Commr. Duncan cast a ballot for Mr. Armando Linde.
Commr. Zunz cast a ballot for Mr. Armando Linde.
Commr. Gans cast a ballot for Mr. Armando Linde.
Commr. Younger cast a ballot for Mr. Armando Linde.**

Mr. Armando Linde was appointed to Seat 2 and to serve as Vice Chair for a term to expire on May 14, 2014.

Town Clerk Granger proceeded with a roll call vote, for Seat 3, as follows:

**Vice Mayor Brenner cast a ballot for Ms. Shannon Gault.
Mayor Brown cast a ballot for Ms. Shannon Gault.
Commr. Duncan cast a ballot for Ms. Shannon Gault.
Commr. Zunz cast a ballot for Mr. James Pappas.
Commr. Gans cast a ballot for Ms. Shannon Gault.
Commr. Younger cast a ballot for Ms. Shannon Gault.
Commr. Larson cast a ballot for Ms. Shannon Gault.**

Ms. Shannon Gault was appointed to Seat 3 to serve a term to expire on May 14, 2014.

Town Clerk Granger proceeded with a roll call vote, for Seat 4, as follows:

**Mayor Brown cast a ballot for Mr. James Pappas.
Commr. Duncan cast a ballot for Mr. James Pappas.
Commr. Zunz cast a ballot for Mr. James Pappas.
Commr. Gans cast a ballot for Mr. James Pappas.
Commr. Younger cast a ballot for Mr. James Pappas.
Commr. Larson cast a ballot for Mr. James Pappas.
Vice Mayor Brenner cast a ballot for Ms. Tama Traberman.**

Mr. James Pappas was appointed to Seat 4 to serve a term to expire on May 14, 2014.

4. Appointments to Firefighters' Retirement System Board of Trustees - Continued
Town Clerk Granger proceeded with a roll call vote, for Seat 5, as follows:

Commr. Duncan cast a ballot for Mr. Lee Riley.
Commr. Zunz cast a ballot for Mr. Lee Riley.
Commr. Gans cast a ballot for Mr. Kenneth Gorman.
Commr. Younger cast a ballot for Mr. Lee Riley.
Commr. Larson cast a ballot for Mr. Lee Riley.
Vice Mayor Brenner cast a ballot for Mr. Kenneth Gorman.
Mayor Brown cast a ballot for Mr. Lee Riley.

Mr. Lee Riley was appointed to Seat 5 to serve a term to expire on May 14, 2014.

Town Clerk Granger advised that the appointed individuals would be formally notified.
(See Item 4 later this meeting.)

5. Authorization for Mayor to Execute Sovereignty Submerged Lands Easement between Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and Town

As a permit condition for the Town's 10-year Joint Coastal Permit, the Florida Department of Environmental Protection (FDEP) has requested the Mayor sign the proposed easement for use of six offshore borrow areas. Recommended Action: Pending discussion, authorize Mayor to execute Sovereignty Submerged Lands Easement.

Town Manager Dave Bullock presented an overview of the submerged lands easement that required execution by the Mayor.

Commr. Duncan moved to authorize the execution of the Sovereignty Submerged Lands Easement by the Mayor. The motion, seconded by Commr. Zunz, carried by a 7-0 roll call vote, as follows: Duncan, aye; Zunz, aye; Gans, aye; Younger, aye; Larson, aye; Brenner, aye; Brown, aye.

6. Request for Authorization to File Lawsuit Regarding BP Oil Spill

At the April 15, 2013 Regular Workshop Meeting the Town Attorney updated the Commission regarding the status of the BP Oil Spill Lawsuit. This item is placed on the April 15, 2013 Special Meeting to provide the Commission an opportunity to take formal action. Recommended Action: Pending discussion, provide direction to Town Attorney.

Assistant Town Attorney Maggie Mooney-Portale presented an overview of the deadline to file a lawsuit regarding the BP oil spill and requested Commission direction regarding authorization for the law firm of Motley Rice to proceed with a suit.

Commr. Younger moved to authorize execution of the authorization to file a lawsuit regarding the BP oil spill. The motion, seconded by Commr. Gans, carried by a 7-0 roll call vote, as follows: Younger, aye; Gans, aye; Duncan, aye; Brown, aye; Brenner, aye; Zunz, aye; Larson, aye.

4. Appointments to Firefighters' Retirement System Board of Trustees - Continued

Commr. Duncan requested that correspondence be forwarded to the applicants who were not selected noting appreciation for their interest in serving and to advising them that additional opportunities for volunteering will become available to serve on alternate Boards.

Town Manager Dave Bullock advised that the Town Clerk's office will forward the requested correspondence.

ADJOURNMENT

Mayor Brown adjourned the April 15, 2013, Special Meeting at 2:48 p.m.

Trish Granger

Trish Granger, Town Clerk

James L. Brown

James L. Brown, Mayor

Minutes Approved: 05/06/2013