

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
SPECIAL MEETING  
SEPTEMBER 23, 2013 - 5:01 P.M.**

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

**Also:** Town Manager Dave Bullock, Town Attorney Maggie Mooney-Portale

**Present:** Town Clerk Trish Granger

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**Mayor Brown called the September 23, 2013, meeting to order at 7:00 p.m. in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida and Commr. Zunz led the Pledge of Allegiance.**

**7. Other Business**

**Vice Mayor Brenner moved to advance consideration of Item 6 prior to the public hearings. Following comments, the motion, seconded by Commr. Younger, carried unanimously by voice vote.**

**NEW BUSINESS**

**6. Appointment to the Sarasota County Public School Facility Citizens' Oversight Committee**

A vacancy exists on the Sarasota County Public School Facility Citizens' Oversight Committee for Facility Planning for a Longboat Key representative. Advertisements for citizens interested in serving were placed in the Longboat Key Observer and Longboat Key News and the Town Clerk's Office has received one application seeking appointment to this seat from a qualified resident. This item is placed on the September 23, 2013 Special Meeting Agenda for formal action. Recommended Action: Pending discussion, formalize the appointment to the Committee.

**Following comments by Mayor Brown, Commr. Younger moved to appoint Ms. Ronda Manasse to serve as the Longboat Key representative on the Sarasota County Public School Facility Citizens' Oversight Committee for Facility Planning. The motion, seconded by Commr. Larson, carried by a 7-0 roll call vote, as follows: Younger, aye; Larson, aye; Brenner, aye; Brown, aye; Duncan, aye; Zunz, aye; Gans, aye.**

Mayor Brown thanked Ms. Manasse for attending and seeking appointment as Longboat Key's representative.

**ORDINANCES – FIRST READING**

**1. Ordinance 2013-29, Temporary Extension of the Collection Franchise Agreement with Waste Management**

The Town's current franchise agreement with Waste Management expires on December 13, 2013. The Town intends to put solid waste and recycling franchise collection agreement through a competitive procurement process in September. In order to ensure adequate time to bid, go through the selection process, and negotiate a contract, staff recommends a short extension to the current agreement of no longer than six months.

Recommended Action: Pending first reading and discussion, forward Ordinance 2013-29 to the October 7, 2013 Regular Meeting for second reading and public hearing.

1. Ordinance 2013-29, Temporary Extension of the Collection Franchise Agreement with Waste Management - Continued

Town Clerk Trish Granger placed Ordinance 2013-29 on record for first reading by title only.

**Commr. Gans moved to pass Ordinance 2013-29 on first reading and to forward to the October 7, 2013, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Zunz.**

Town Manager Dave Bullock provided an overview of Ordinance 2013-29, advising that the intent of the Ordinance was to temporarily extend the current expiration date of the Waste Management franchise agreement for no longer than six months. Upon inquiry, Town Manager Bullock confirmed that the Town had received inquiries from various entities on the upcoming bid process.

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

**ORDINANCES – SECOND READING AND PUBLIC HEARING**

2. Ordinance 2013-16, Amending Chapter 34, Employment Policies (General)

Ordinance 2013-16, amending Chapter 34, Employment Policies provides for consistency with newly adopted Internal Revenue Code (IRC) and Treasury Department regulations. Ordinance 2013-16 must be adopted by September 30, 2013 for the Plan to comply with all required applicable IRC changes and updates. Ordinance 2013-16 is housekeeping in nature and does not substantively modify the General Employees' Retirement System or provisions of the Plan. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2013-16.

Town Clerk Trish Granger placed Ordinance 2013-16 on record for second reading and public hearing by title only.

**Commr. Duncan moved to adopt Ordinance 2013-16. The motion was seconded by Commr. Younger.**

Town Manager Dave Bullock provided an overview of Ordinance 2013-16, advising that the intent of the Ordinance was to maintain compliance with adopted IRC and Treasury Department Regulations.

**Mayor Brown opened the public hearing.**

Mr. Philip Tyson advised that he had submitted a "Request to be Heard" form. Mayor Brown noted that the form reflected the request on agenda Items 4 and 5 relating to the Town's millage and budget.

Commr. Larson inquired, and Town Clerk Granger advised that effective October 1, 2013, all agendas will include an opportunity for the public to be heard in compliance with new legislation.

2. Ordinance 2013-16, Amending Chapter 34, Employment Policies - Continued

**As no one wished to speak on Ordinance 2013-16, the public hearing was closed.**

Following inquiry, Town Manager Bullock commented on the interest rates and actuarial assumption rate included in the Ordinance, and Town Clerk Granger commented on the modification of the actuarial assumption rate based on action taken by the General Employees' Retirement System Board of Trustees in May 2013.

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

3. Ordinance 2013-17, Amending Chapter 34, Employment Policies (Police)

Ordinance 2013-17, amending Chapter 34, Employment Policies provides for consistency with newly adopted Internal Revenue Code (IRC) and Treasury Department regulations. Ordinance 2013-17 must be adopted by September 30, 2013 for the Plan to comply with all required applicable IRC changes and updates. Ordinance 2013-17 is housekeeping in nature and does not substantively modify the Police Officers' Retirement System or provisions of the Plan. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2013-17.

Town Clerk Trish Granger placed Ordinance 2013-17 on record for second reading and public hearing by title only.

**Commr. Gans moved to adopt Ordinance 2013-17. The motion was seconded by Commr. Younger.**

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

Town Manager Dave Bullock advised that the intent of the Ordinance was to maintain compliance with adopted IRC and Treasury Department Regulations.

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

4. Ordinance 2013-22, Adopting Millage Rates for the Town of Longboat Key for Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014 (FY2013-2014)

Fiscal Year 2013-14 operating millage rates for the Town of Longboat Key will be established pending discussion at the September 3, 2013 Regular Meeting scheduled for 7:00 PM. First reading, public hearing and discussion was held at the September 3, 2013 Regular Meeting and forwarded to the September 23, 2013 Special Meeting for formal action.

5. Ordinance 2013-23, Adopting a Budget for the Town of Longboat Key for the Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014 (FY2013-2014)

Following first reading, public hearing, and discussion at the September 3, 2013 Regular Meeting the Town Commission and Town Manager have forwarded proposed millages (Ordinance 2013-22) and a proposed budget (Ordinance 2013-23) to be adopted for Fiscal Year 2013-14. In accordance with State law, two separate motions are required. Discussion of the millage rates and the budget must be heard in the following format:

4. Ordinance 2013-22, Adopting Millage Rates for the FY2013-2014 - Continued  
5. Ordinance 2013-23, Adopting a Budget for the FY2013-2014 - Continued

- a. Discussion of rolled-back millage rate
- b. Item 4 - Ordinance 2013-22:  
**Motion** on adoption of millage rate for Town
- c. Item 5 - Ordinance 2013-23:  
**Motion** on Town's Budget

Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2013-22 and Ordinance 2013-23.

Town Clerk Trish Granger placed Ordinance 2013-22 on record for second reading and public hearing by title only.

Town Manager Dave Bullock provided an overview of the process to consider the Millage and Budget Ordinances and Finance Director Sue Smith gave a PowerPoint presentation announcing the rolled back rate and discussing the proposed millage rate, historical overview of the General Fund balance, and ad valorem rates from Fiscal Year 2004 forward. Discussions were held with Town Manager Bullock and Finance Director Smith on the following topics/issues:

- amount allocated to the Beach Fund
- time frame for collection of beach funding/storm damage
- costs/funding for infrastructure protection on North Shore Road
- tax rates proposed by surrounding entities
- tax rates of surrounding entities not including Fire/EMS services
- estimated millage rate of 10% over the rolled-back rate (2.03562 mills).

**Mayor Brown opened the public hearing.**

Mr. Philip Tyson, Hide Away Bay Lane, requested clarification on the rolled back rate.

Town Manager Dave Bullock noted the State's requirement to announce the rolled-back rate and the reviewed the process used to determine the rate.

Mr. Tyson commented on Ordinance 2013-22, the proposed millage rate. Discussions were held with Mr. Tyson on the issues considered by the Town Commission in developing the budget and consideration of the millage rate.

Discussion ensued on the cost/operating reductions achieved by Staff over the past several years, impacts of staff reductions, benefits awarded to employees, pension liabilities, and beach renourishment costs.

Mr. Tyson commented on the costs of pensions and the impact on municipal budgets.

Individual comments followed on the consideration of the budget and the unfunded liabilities that are included in the deliberations.

4. Ordinance 2013-22, Adopting Millage Rates for the FY2013-2014 - Continued

5. Ordinance 2013-23, Adopting a Budget for the FY2013-2014 - Continued

**As no others wished to be heard, Mayor Brown closed the public hearing.**

**Commr. Zunz moved to adopt Ordinance 2013-22 on second reading and public hearing levying ad valorem tax of 2.0760 mills for general revenue purposes and 0.0560 mills for general obligation debt service for Fiscal Year 2013-2014. The motion was seconded by Commr. Duncan.**

**Commr. Larson moved to amend the motion to set the ad valorem tax millage at 10% above the rolled back rate. The motion failed for lack of a second.**

**The main motion carried by a 6-1 roll call vote, as follows: Zunz, aye; Duncan, aye; Brown, aye; Brenner, aye; Larson, no; Younger, aye; Gans, aye.**

Town Clerk Trish Granger placed Ordinance 2013-23 on record for second reading and public hearing by title only.

Town Manager Dave Bullock provided an overview of Ordinance 2013-23, to adopt the Town's budget for Fiscal Year 2013-2014.

**Mayor Brown opened the public hearing. As no one wished to be heard, the public hearing was closed.**

Vice Mayor Brenner inquired as to including the anticipated ad valorem revenue increase into a reserve for pensions. Discussion ensued on the process required to reallocate money from fund to fund, the Urban Land Institute (ULI) process, and unanticipated costs to implement recommendations resulting from the ULI report.

**Vice Mayor Brenner moved to assign \$210,075.00 of general fund balance to the pension reserve for Fiscal Year ending September 30, 2014. The motion, seconded by Commr. Larson, carried by a 7-0 roll call vote, as follows: Brenner, aye; Larson, aye; Duncan, aye; Zunz, aye; Gans, aye; Younger, aye; Brown, aye.**

Vice Mayor Brenner inquired as to the future personnel expenses and the reduction in aggregate pension costs. Town Manager Bullock advised of his intent to work with the Pension Boards to address the costs. Discussion ensued on the proposal to continue to reduce the assumed rate of return for the pension funds.

**Commr. Zunz moved to adopt Ordinance 2013-23, as amended, adopting a Budget for the Fiscal Year 2013-2014. The motion, seconded by Commr. Gans, carried by a 7-0 roll call vote, as follows: Zunz, aye; Gans, aye; Larson, aye; Duncan, aye; Younger, aye; Brenner, aye; Brown, aye.**

#### **ADJOURNMENT**

**Mayor Brown adjourned the September 23, 2013, Regular Meeting at 6:22 p.m.**

Minutes Approved: 10-07-2013