

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
SPECIAL MEETING  
NOVEMBER 13, 2013 – 4:52 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 David Persson,  
**Present:** Town Clerk Trish Granger

**CALL TO ORDER**

**Mayor Brown called the November 13, 2013, Special Meeting to order at 4:52 p.m. in the Town Hall Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.**

**PUBLIC TO BE HEARD**

**1. Opportunity for Public to Address Town Commission - No items were presented.**

At each meeting the Town Commission sets aside a time for the public to address issues that are not on the agenda.

**ORDINANCE – SECOND READING AND PUBLIC HEARING**

**2. Ordinance 2013-30, Amending the FY 2012-2013 Budget to Provide Funds for an Assistant Town Manager and for Paid Accrued Vacation and Medical for Employees that Retired or Entered Deferred Retirement Option Program (DROP)**

The Town Commission held first reading and public hearing for adoption of the Fiscal Year (FY) 2013-2014 Recommended Budget at the September 3, 2013 Regular Meeting. During discussion the Town Manager advised that a budget amendment for the FY 2012-2013 Adopted Budget would be required to provide funds for the Assistant Town Manager position and for paid accrued vacation and medical costs associated with employees that retired or entered the DROP. First reading and public hearing of Ordinance 2013-30 was held on October 7, 2013 and forwarded to the November 13, 2013 Special Meeting for second reading, public hearing and adoption. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2013-30.

**Town Clerk Trish Granger placed Ordinance 2013-30 on record for second reading and public hearing by title only.**

**Commr. Zunz moved to adopt Ordinance 2013-30. The motion was seconded by Commr. Gans.**

**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: Zunz, aye; Gans, aye; Younger, aye; Larson, aye; Brenner, aye; Brown, aye; Duncan, aye.**

## **RESOLUTIONS**

### **3. Resolution 2013-37, Establishing Police Officers' Defined Contribution Plan through ICMA-RC**

Through collective bargaining the Town will be freezing the current Chapter 185 pension plan for police officers and enrolling all current and future police officers in a defined contribution retirement plan. Resolution 2013-37 authorizes establishment of the Police Officers' Defined Contribution Plan through ICMA-RC and was forwarded from the November 13, 2013 Regular Workshop Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2013-37.

**Town Clerk Trish Granger placed Resolution 2013-37 on record by title only.**

**Commr. Younger moved to pass Resolution 2013-37. The motion, seconded by Commr. Zunz, carried by a 7-0 roll call vote, as follows: Younger, aye; Zunz, aye; Duncan, aye; Gans, aye; Larson, aye; Brown, aye; Brenner, aye.**

## **NEW BUSINESS**

### **4. Authorization for Mayor to Execute Sovereignty Submerged Lands Easement 41558 for the Town's Subaqueous Water Main**

Authorization for the execution of Florida Department of Environmental Protection Easement 41558, Permit Exemption 41-0316192-001, is a requirement of the permit application process for the subaqueous water main crossing at Longboat Pass. This project is part of the on-going rehabilitation and renovation of the Town's water distribution system. Recommended Action: Pending discussion, authorize Mayor to execute Sovereignty Submerged Lands Easement 41588.

**Following comments, 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; Larson, aye; Brenner, aye; Brown, aye; Gans, aye; Younger, aye.**

### **5. Ratification of Peter Kasdan, Police Officers' Retirement System Board of Trustees**

The term of office for the Police Officers' Retirement System Board of Trustees, At-Large member expired on October 31, 2013. Pursuant to the operating rules of the retirement plan, upon selection of the At-Large member, the Town Commission shall, as a ministerial duty, ratify the appointment of the member to the Board of Trustees as its fifth Trustee. Rabbi Peter Kasdan's appointment is being presented to the Commission for ratification at their November 13, 2013 Special Meeting. Recommended Action: Pending discussion, ratify Rabbi Peter Kasdan as the Police Officers' Retirement System Board of Trustee At-Large member.

**Commr. Larson moved to ratify the appointment of Rabbi Peter Kasdan as the Trustee At-Large member on the Police Officers' Retirement System Board of Trustees. The motion, seconded by Commr. Gans, carried by a 7-0 roll call vote, as follows: Larson, aye; Gans, aye; Younger, aye; Brown, aye; Brenner, aye; Duncan, aye; Zunz, aye.**

## **6. OTHER BUSINESS**

### **A. Budgets**

Town Manager Dave Bullock noted that the Finance Department had prepared a breakdown of the tax allocation for taxes remitted to Sarasota and Manatee Counties.

### **B. Litigation**

Town Attorney David Persson reviewed the status of the Bankruptcy hearings and filings relating to The Colony Property and noted the creditors will have to vote on the proposed reorganization, advising that the Town is a creditor named in the proceedings relating to the restaurant and laundry operations (water and sewer services).

Town Attorney Persson noted the numerous entities under the Colony umbrella and the various bankruptcy filings by the entities advising that the monies due is a portion of the total amount due to the Town.

Town Manager Dave Bullock recommended that the Town accept the amount of \$5,900.00 due to the town in this proceeding.

**Following discussion on the remaining amounts due to the Town, there was consensus to authorize the Town Manager to vote on a proposed reorganization proposal as a creditor on behalf of the Town.**

## **ADJOURNMENT**

**Mayor Brown adjourned the November 13, 2013, Special Meeting at 5:07 p.m.**

Minutes Approved: 01-06-2014