

**MINUTES
LONGBOAT KEY TOWN COMMISSION
SPECIAL MEETING
JANUARY 31, 2014 - 3:30 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

Mayor Brown called the Special Meeting to order at 3:30 p.m. in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

1. Public Comment - No items were presented.

2. Consideration of Land Acquisition at 6541 Gulf of Mexico Drive, Longboat Key, Florida:
The Town Manager will discuss a proposal for land acquisition at 6541 Gulf of Mexico Drive, Longboat Key. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock noted that Staff identified the property proceeding to foreclosure at 6541 Gulf of Mexico Drive (GMD), reviewed Staff's due diligence to research the public benefit in a possible acquisition and funding review, and the process required for a governmental agency to purchase private land. Town Manager Bullock gave a PowerPoint presentation on the possible acquisition of the property. Discussions were held with Town Manager Bullock, Attorney Michael Hankin, and Public Works Director Juan Florensa on the following topics/issues:

- ownership of property East of the home identified as 6541 GMD
- easement ownership/conveyance of easement in a transfer of ownership/status of easement if residential property no longer exists
- estimated savings in sand placement versus loss of tax revenue to Longboat Key of approximately \$1,800 per year
- mitigation area/renourishment history (hot spot determination)
- extent of sand placement in previous nourishment (2005-2006).

Planning, Zoning, and Building (PZB) Director Alaina Ray continued the PowerPoint presentation providing existing zoning designation for the property. Discussions were held with Ms. Ray, Town Manager Bullock, and Town Attorney Maggie Mooney-Portale on the following topics/issues:

- State designation of the Erosion Control Line (ECL)
- lack of inquiries directed to the PZB Department regarding existing restrictions in redevelopment of the property
- bidding process on foreclosure properties
- required setbacks from the ECL.

2. Consideration of Land Acquisition at 6541 Gulf of Mexico Drive, Longboat Key, Florida
- Continued

Town Manager Bullock continued with the PowerPoint presentation and discussions were held with Town Manager Bullock and Attorney Hankin on the following topics/issues:

- Federal Tax liens that may exist on the property
- minimum starting bid of \$100 on foreclosure sales
- lack of response from lending institution to determine bid maximum
- estimated value of existing structure/current rental activity
- anticipated cost of removing structure/sea wall.

Town Manager Bullock reviewed Staff's recommendations relating to the land acquisition and process to be followed.

Mr. Larry Grossman, St. Judes Drive North, commented on the proposed purchase and inquired as to the foreclosure bidding process.

Attorney Hankin noted the limited time frame for bid submittal and the system process to increase the Town's bid in increments against other bidders and governmental exemptions for various taxes (documentary stamp taxes).

Mr. Steve Reid, Longboat Key News, inquired and Town Manager Bullock reviewed the engineering determination on anticipated savings in the future placement of sand and/or erosion rates.

Town Attorney Mooney-Portale reviewed the action required by the Town this date and future actions to be considered at the February 3, 2014, Regular Meeting.

Following comments by Commr. Younger, discussions were held with Town Manager Bullock and Attorney Hankin on the following topics/issues:

- erosion on south side of the "Yonkers" property
- zoning restrictions for reconstruction on property
- lack of value of property if existing structure is removed
- efforts to engage lender/legal representative on record for the property
- action required this date.

Commr. Larson moved to pursue the land acquisition of the property located at 6541 Gulfside Road. The motion was seconded by Commr. Zunz.

Subsequent to individual comments, Commr. Larson requested that Ms. Ray provide information on demolition costs, without objection.

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

Commr. Larson moved to forward the issue to the February 3, 2014, Regular Meeting for formal action. The motion was seconded by Commr. Zunz.

2. Consideration of Land Acquisition at 6541 Gulf of Mexico Drive, Longboat Key, Florida
- Continued

Following comments, the motion carried by a 6-1 roll call vote, as follows: Larson, aye; Zunz, aye; Duncan, aye; Brown, aye; Younger, aye; Gans, aye; Brenner, aye.

Individual comments followed.

3. Other Business

A. Town Commission

Town Attorney Maggie Mooney-Portale requested consideration to schedule an Attorney-Client session in regards to the Colony litigation on the cash bond challenge and noted possible dates for consideration.

Town Manager Dave Bullock advised that the meeting date and time would be coordinated with the Commissioners' individual schedule.

ADJOURNMENT

Mayor Brown noted a Special Workshop on Monday, February 3, 2014, at 6:00 p.m. to meet the individuals who have submitted applications to be appointed to the Police Officers' Retirement System Board of Trustees.

Mayor Brown adjourned the January 31, 2014, Special Meeting at 5:03 p.m.

Minutes Approved: 03-03-2014