

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR MEETING  
NOVEMBER 3, 2014 - 7:00 P.M.**

**Present:** Mayor Jim Brown, Vice Mayor Jack Duncan, Commrs. Terry Gans, Lynn Larson, Irwin Pastor, 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 November 3, 2014, Regular 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.**

**PROCLAMATIONS AND SPECIAL PRESENTATIONS**

**A. Town Commission**

Town Manager Dave Bullock confirmed that the consideration of the referendum questions for utility undergrounding was scheduled for second reading and public hearing at a Special Meeting set for November 12, 2014, noted Charter and Code provisions to allow for the scheduling of special meetings, and requested consideration to schedule the Special Meeting at 1:00 p.m. to provide a time certain for citizens to attend and participate in the public hearing process, followed by the Regular Workshop Meeting.

**Commr. Larson moved to approve the scheduling of the November 12, 2014, Special Meeting at 1:00 p.m. time certain, changing the Regular Workshop Meeting time to immediately follow the Special Meeting. The motion, seconded by Commr. Zunz, carried unanimously by voice vote.**

**B. Organizations**

**Following comments by Mayor Brown, there was consensus to permit Ms. Donna Dunio the opportunity to make a presentation on Aging in Paradise.**

Ms. Dunio gave a presentation on the Aging in Paradise Resource Center and programs offered.

**PUBLIC TO BE HEARD**

**1. Opportunity for Public to Address Town Commission**

**A. Public Works**

Mr. Bob Appel, Gulf of Mexico Drive, commended the Commission and Town staff on their efforts in proceeding with the groins on the North end of Longboat Key.

**B. Public Works**

Mr. David Brenner, Gulf of Mexico Drive, commented on the proposed undergrounding of utilities throughout the Town.

### **APPROVAL OF MINUTES**

2. October 6, 2014 Joint Meeting with Sarasota Board of County Commission; October 6, 2014 Regular Meeting; October 20, 2014 Joint Meeting with Planning and Zoning Board; October 20, 2014 Regular Workshop; and October 20, 2014 Special Meeting Minutes.

**There was consensus to approve the Minutes as submitted.**

### **COMMITTEE REPORTS AND COMMUNICATIONS**

#### 3. Manatee County Special Liaison Report

##### A. School Board/Organizations

Commr. Zunz noted attendance at the Grade Level Reading Coalition meeting and reviewed the issues discussed.

##### B. Organizations

Commr. Zunz noted attendance at the Manatee County Economic Development Corporation annual meeting.

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

#### 5. Manasota League of Cities Report (MSLC)

##### A. Organizations

Vice Mayor Duncan noted the upcoming meeting of the MSLC and advised that the Legislative Priorities would be established for presentation to the Legislative Delegation for both Manatee and Sarasota counties.

#### 6. Other Reports

##### A. Organizations

Commr. Younger noted attendance at the Metropolitan Planning Organization (MPO) meeting and reviewed the issues discussed.

Upon inquiry, Town Manager Dave Bullock advised that the Florida Department of Transportation (FDOT) was scheduled to appear at the Commission's Regular Workshop Meeting in December.

##### B. Public Works

Mayor Brown noted the Open House held at the Bayfront Park Recreation Center relating to proposed improvements.

### **CONSENT AGENDA**

#### 7. Confirmation of Continued Support of Longboat Key Kiwanis Club Gourmet Lawn Party

At the November 4, 2013, Regular Meeting the Town Commission reaffirmed the Town's support of this annual charitable fund raising event. The Town has traditionally assisted the Longboat Key Kiwanis Club organizers by providing limited staffing of Public Works employees for the delivery and set-up of tents and small generators. This item was considered and forwarded from the October 20, 2014, Regular Workshop Meeting Consent Agenda for the Commission to confirm their continued support. Recommended Action: Approval of the Consent Agenda confirms the Town Commission's support of the Kiwanis Club Gourmet Lawn Party.

7. Confirmation of Continued Support of Longboat Key Kiwanis Club Gourmet Lawn Party  
**There was consensus to approve the Consent Agenda in accordance with Staff's report and recommendation.**

**ORDINANCES - FIRST READING AND PUBLIC HEARING**

8. Ordinance 2014-22, Rezoning of 5810 Gulf of Mexico Drive from Single-Family Low-Medium Density Mixed Residential District (R-3SF) to Open Space-Conservation (OS-C), and 4110 Gulf of Mexico Drive from Limited Commercial (C-1) to Open Space-Active (OS-A)

The Town-owned property at 5810 Gulf of Mexico Drive (GMD) is designated as Open Space-Conservation in the Future Land Use Map (FLUM) and the Town-owned property at 4110 GMD is designated Open Space-Active in the FLUM. Ordinance 2014-22 provides for re-zoning the properties to be consistent with the FLUM designation. At their September 16, 2014, Regular Meeting the Planning & Zoning (P&Z) Board recommended approval of the rezoning of 5810 and 4110 GMD. This item is placed on the November 3, 2014, Regular Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2014-22 to the December 1, 2014, Regular Meeting for second reading, public hearing and adoption.

Town Clerk Trish Granger placed Ordinance 2014-22 on record for first reading and public hearing by title only.

**Commr. Zunz moved to pass Ordinance 2014-22 on first reading and public hearing and to forward to the December 1, 2014, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Larson.**

**Mayor Brown opened the public hearing.**

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on the rezoning of the two Town-owned properties.

Ms. Patricia Knudson, Spanish Drive South, commented on Ordinance 2014-22. Ms. Ray and Town Manager Bullock responded to inquiry on the maintenance of the Town owned property.

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

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

9. Ordinance 2014-35, Amending the Fiscal Year (FY) 2013-2014 Building Fund Budget to Increase the Reimbursement Rate to the General Fund for Direct and Indirect Costs Related to Building Fund Activities

The Finance Department has recalculated the indirect cost allocation of Building Department overhead costs contained within the General Fund operating departments, resulting in an increase in the annual transfer from the Building Department to the General Fund. Ordinance 2014-35 provides for a budget amendment to increase the reimbursement rate to the General Fund for Building Fund activities. This item was considered at the October 20, 2014, Regular Workshop Meeting and forwarded to the November 3, 2014, Regular Meeting for first reading and public hearing. Recommended

9. Ordinance 2014-35, Amending the FY 2013-2014 Building Fund Budget to Increase the Reimbursement Rate to the General Fund for Direct and Indirect Costs Related to Building Fund Activities - Continued

Action: Pending first reading, public hearing, and discussion, forward Ordinance 2014-35 to the December 1, 2014, Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2014-35 on record for first reading and public hearing by title only.

**Commr. Pastor moved to pass Ordinance 2014-35 on first reading and public hearing and to forward to the December 1, 2014, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Younger.**

**Mayor Brown opened the public hearing.**

Town Manager Dave Bullock provided an overview of the Budget amendment. Commr. Larson inquired, and Town Manager Bullock commented on the pro-ration of expenses if a new financial module is purchased.

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

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

10. Ordinance 2014-36, Amending the Fiscal Year (FY) 2013-2014 Budget for Tennis Center in the Amount of \$ \$30,112 from General Services' Red Tide Contingency

Tennis Center expenditures exceeded budgeted appropriations by \$86,676 of which \$56,564 are covered by additional Tennis Center revenues. The remaining shortfall of \$30,112 is recommended to be covered by a transfer from General Services' Red Tide Contingency. This transfer does not affect the fund balance in the General Fund. Ordinance 2014-36, amends the FY 2013-2014 Budget for the Tennis Center and was considered at the October 20, 2014, Regular Workshop Meeting and forwarded to the November 3, 2014, Regular Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2014-36 to the December 1, 2014, Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2014-36 on record for first reading and public hearing by title only.

**Commr. Younger moved to pass Ordinance 2014-36 on first reading and public hearing and to forward to the December 1, 2014, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Pastor.**

**Mayor Brown opened the public hearing.**

Town Manager Dave Bullock provided an overview of Ordinance 2014-36 and advised that a motion to amend Ordinance 2014-36 was required as the amounts had been modified following the Workshop Meeting presentation.

10. Ordinance 2014-36, Amending the FY 2013-2014 Budget for Tennis Center in the Amount of \$ \$30,112 from General Services' Red Tide Contingency - Continued

Upon inquiry, Finance Director Sue Smith advised that no funds had been expended for Red Tide clean-up and Town Manager Bullock noted the process for allocating funds for Red Tide clean-up.

**Commr. Younger moved to amend Ordinance 2014-36 revising the amount of the Budget Amendment to reflect \$30,112.00. The motion, seconded by Commr. Pastor, carried by a 7-0 roll call vote, as follows: Younger, aye; Pastor, aye; Larson, aye; Zunz, aye; Duncan, aye; Gans, aye, Brown, aye.**

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

**The motion to pass Ordinance 2014-36, as amended, and to forward to the December 1, 2014, Regular Meeting for second reading and public hearing carried by a 7-0 roll call vote, as follows: Younger, aye; Pastor, aye; Zunz, aye; Gans, aye; Larson, aye; Duncan, aye; Brown, aye.**

**ORDINANCES - SECOND READING AND PUBLIC HEARING**

11. Ordinance 2014-29, Establishing Gulfside Beach District A and Bayside Beach District B, Amending Chapter 92, Parks, Public Beaches, and Public Beach Accesses

The Town's Comprehensive Plan identifies the important objectives for maintaining a healthy beach. Staff, the Town Attorney, and Town's consultants have developed a fiscally responsible, long-term, beach management plan which includes establishment of special taxing districts for future beach maintenance project funding. Detailed information regarding this plan and the resulting Ordinance 2014-29 was presented at the September 15, 2014, Regular Workshop, was forwarded to the October 6, 2014, Regular Meeting for first reading, and following first reading was forwarded to the November 3, 2014, Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-29.

Town Clerk Trish Granger placed Ordinance 2014-29 on record for second reading and public hearing by title only.

**Commr. Zunz moved to adopt Ordinance 2014-29. The motion was seconded by Commr. Younger.**

**Mayor Brown opened the public hearing.**

Town Manager Dave Bullock noted previous consideration of the Ordinance on September 15, 2014, and October 6, 2014, advised that the presentation of those hearings are incorporated into the record, and confirmed the agenda packets include full disclosure of the proposal.

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

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

12. Ordinance 2014-31, Amending Chapter 74, Parking Schedules – Longbeach Village Parking

At the April 21, 2014, Regular Workshop Meeting discussion was held regarding parking issues in Longbeach Village. As a result of discussion held by Commission and recommendations proposed by Village residents, staff was directed to develop recommendations to address the parking issues to a future workshop meeting. Ordinance 2014-31 provides for amendments to Town Code, Chapter 74 to address concerns raised by residents and was presented for Commission consideration at the September 15, 2014, Regular Workshop, was forwarded to the October 6, 2014, Regular Meeting for first reading, and following first reading was forwarded to the November 3, 2014, Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-31.

Town Clerk Trish Granger placed Ordinance 2014-31 on record for second reading and public hearing by title only.

**Commr. Zunz moved to adopt Ordinance 2014-31. The motion was seconded by Commr. Younger.**

**Mayor Brown opened the public hearing.**

Following comments, Town Manager Dave Bullock and Public Works Director Juan Florensa gave a PowerPoint presentation on Ordinance 2014-31. Discussions were held on the previous and anticipated future discussions of parking issues in the Longbeach Village area and an option for restricted parking on one side of all streets in the area.

Upon inquiry, Mr. Michael Drake, Longboat Drive South, commented on the option to consider no parking on one side of each street in the Longbeach Village area.

Town Attorney Maggie Mooney-Portale noted that amendments to Ordinances during a public hearing process cannot be a substantive change after the advertising was accomplished and reviewed the issues to be considered.

Mr. Drake noted that the residents are in favor of the restrictions presented this date and that the residents will monitor the situation and report back.

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

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

Commr. Younger inquired as to the process to create further parking restrictions to limit parking to one side on each street within the Longbeach Village and Mr. Drake commented on the residents consideration of further restrictions.

Individual comments followed.

13. Ordinance 2014-32, Establishing the Dates for the Town's Preliminary and General Municipal Elections and Early Voting Schedule

The Town Charter establishes the Town's General Municipal Election for the third Tuesday in March with an option to align the Town's election with any other County administered election. Ordinance 2014-32 was drafted for Commission consideration to confirm the Preliminary, (if required), General Municipal, and early voting dates for 2015 Town elections. Ordinance 2014-32 was forwarded from the September 15, 2014, Regular Workshop, to the October 6, 2014, Regular Meeting for first reading, and following first reading was forwarded to the November 3, 2014, Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-32.

Town Clerk Trish Granger placed Ordinance 2014-32 on record for second reading and public hearing by title only.

**Commr. Larson moved to adopt Ordinance 2014-32. The motion was seconded by Commr. Pastor.**

**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; Pastor, aye; Brown, aye; Duncan, aye; Gans, aye; Zunz, aye; Younger, aye.**

**RESOLUTIONS**

14. Resolution 2014-25, Amending the Investment Policy for the Town of Longboat Key

At their May 22, 2014, Investment Advisory Committee Meeting the Town's investment advisor and Committee developed a recommendation to amend the Investment Policy for the Town of Longboat Key. Steve Alexander, PFM Investment Advisor, attended the October 20, 2014, Regular Workshop Meeting with a presentation regarding the recommended changes to the Town's Investment Policy. The Town Commission forwarded Resolution 2014-25 to the November 3, 2014, Regular Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2014-25.

Town Clerk Trish Granger placed Resolution 2014-25 on record by title only.

**Commr. Younger moved to pass Resolution 2014-25. The motion was seconded by Commr. Pastor.**

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

15. Resolution 2014-30, Providing for Fiscal Year 2013-2014 Year End Budget Transfers

The Town Charter requires that sufficient budgets are available in each General Ledger account to cover expenditures charged to the account. Each year staff prepares the required budget transfer documentation to balance surplus accounts and those with shortfalls. Resolution 2014-30, provides a complete listing of recommended transfers for individual accounts, as well as the reason for surplus or shortfall, and was presented for Commission consideration at the October 20, 2014, Regular Workshop Meeting. Resolution 2014-30 was forwarded to the November 3, 2014, Regular Meeting for formal action. Recommended Action: Pending discussion, pass Resolution 2014-30.

15. Resolution 2014-30, Providing for FY 2013-2014 Year End Budget Transfers - Continued

Town Clerk Trish Granger placed Resolution 2014-30 on record by title only.

**Commr. Pastor moved to pass Resolution 2014-30. The motion was seconded by Commr. Younger.**

**Following comments by Town Manager Dave Bullock, the motion carried by a 7-0 roll call vote, as follows: Pastor, aye; Younger, aye; Duncan, aye; Brown, aye; Larson, aye; Zunz, aye; Gans, aye.**

**TOWN COMMISSION COMMENTS**

A. Public Works

Vice Mayor Duncan noted the meeting and discussions of the improvements for Bayfront Park Recreation Center and requested confirmation that a "footprint" of a future building was included on the proposed site plan.

Following inquiry by Town Manager Dave Bullock, discussion ensued on the improvements requested/anticipated for the property, proposed footprint of a future building, and the restrictions on the funding from Sarasota County for park improvements.

Town Manager Bullock noted that the summary of the comments will be presented with the designer's input and staff will present a final set of changes when bid documents are prepared.

**TOWN ATTORNEY COMMENTS** - No items were presented.

**TOWN MANAGER COMMENTS**

A. Public Works

Town Manager Dave Bullock noted that the Broadway Beach access will be closed during the time required for delivery of heavy equipment for the groin project.

B. Public Works

Town Manager Dave Bullock noted the piping project at the North end of Longboat and advised that the Contractor has been given approval for evening construction to complete the project.

C. State Agencies

Town Manager Dave Bullock noted that the Florida Department of Transportation (FDOT) had made some repairs to the bridge and that it was functional and advised that FDOT has indicated that there was no connection with the Town's work on the North end that would have impacted the bridge.

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

**ADJOURNMENT**

**Mayor Brown adjourned the November 3, 2014, Regular Meeting at 8:51 p.m.**

Minutes Approved: 12/01/2014