

**MINUTES
LONGBOAT KEY TOWN COMMISSION
SPECIAL MEETING
NOVEMBER 12, 2014 - 1:00 P.M.**

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

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

Absent: Commr. Irwin Pastor

CALL TO ORDER

Mayor Brown called the November 12, 2014, Special Meeting to order at 1:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida.

PUBLIC TO BE HEARD

1. Opportunity for Public to Address Town Commission

A. Town Commission

Ms. Barbara Wood, Gulf of Mexico Drive, commented on remarks made at a previous meeting between Commissioners.

Vice Mayor Duncan commented on the statements and noted the comments were not meant to be derogatory.

ORDINANCES – SECOND READING AND PUBLIC HEARING

2. Ordinance 2014-33, Providing for Referendum for Underground Utilities Along Gulf of Mexico Drive (GMD)

The Town of Longboat Key has conducted a cost analysis associated with undergrounding utility lines and will seek voter approval by placing a referendum question on the March 10, 2015, General Municipal Election ballot. Ordinance 2014-33 provides for the referendum question regarding placing utility lines underground along Gulf of Mexico Drive at a cost not to exceed \$19 million. At the October 20, 2014, Regular Workshop Meeting the Town Commission considered Ordinance 2014-33 and forwarded it to the October 20, 2014, Special Meeting for first reading. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-33.

Mayor Brown noted that the Special Meeting was scheduled to accommodate the public at 1:00 p.m. in lieu of following the Regular Workshop Meeting at an unknown time and advised that the e-mails received on the issue were incorporated for the record.

Town Clerk Trish Granger placed Ordinance 2014-33 on record for second reading and public hearing by title only.

Commr. Gans moved to adopt Ordinance 2014-33. The motion was seconded by Commr. Larson.

2. Ordinance 2014-33, Providing for Referendum for Underground Utilities Along Gulf of Mexico Drive - Continued

Mayor Brown opened the public hearing.

Following comments by Town Manager Dave Bullock, Assistant Town Manager Anne Ross gave a PowerPoint presentation on Ordinance 2014-33. Upon inquiry, Ms. Ross explained the word "weatherhead" that was depicted on a slide in the presentation.

The following individuals commented on Ordinance 2014-33, with discussions held during speaker presentations:

Ms. B.J. Bishop, Buttonwood Drive
Ms. Madelyn Spoll, Harbourside Drive
Mr. Tom Aposporos, representing the Revitalization Task Force
Mr. Pete Rowan, Broadway
Ms. Bobbie Banan, Bayview Drive
Mr. Tom Freiwald, Spanish Drive North
Mr. Gene Jaleski, Cedar Street
Mr. Larry Grossman, St. Judes Drive North

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

Following individual Commissioner comments, Mr. Danny Brannon, with Brannon and Gillespie, LLC, commented on the anticipated placement/location of power poles on Gulf of Mexico Drive. Discussions were held with Town Manager Bullock, Mr. Brannon, and Town Clerk Trish Granger on the following topics/issues:

- location and method of Florida Power and Light's (FPL) current feeder lines to Longboat Key
- costs associated with undergrounding the lines within neighborhood
- location of overhead line between Spanish Main and Emerald Harbor
- estimated cost to underground the line between Spanish Main and Emerald Harbor
- option to postpone the neighborhood referendum process to a later date
- timing of issues and possible additional costs to separate the issues
- timeframe for the undergrounding project
- FPL schedule for hardening project
- design/redesign work that may be required if referendum date is postponed
- various election dates to place referendums on ballot.

Vice Mayor Duncan moved to postpone the referendum question to November 3, 2015. The motion was seconded by Commr. Zunz.

Subsequent to individual comments on the time frame for consideration, Town Attorney Maggie Mooney-Portale noted restrictions on re-establishing the referendum date from March 10, 2015, to November 3, 2015. Following comments, Town Attorney Mooney-Portale advised that the entire process would need to start over if the referendum date is changed due to advertising restrictions.

Vice Mayor Duncan withdrew his motion to amend Ordinance 2014-33.

2. Ordinance 2014-33, Providing for Referendum for Underground Utilities Along Gulf of Mexico Drive - Continued

Discussion ensued on the time frame for consideration of the referendum question relating to underground utilities along Gulf of Mexico Drive.

The motion to adopt Ordinance 2014-33 failed by a 2-4 roll call vote, as follows: Gans, aye; Larson, aye; Zunz, no; Younger, no; Duncan, no; Brown, no.

Following individual comments, Vice Mayor Duncan made a motion to move the referendum process for undergrounding utilities to a later date. The motion was seconded by Commr. Zunz.

Subsequent to comments, Vice Mayor Duncan restated the motion to move the referendum process forward to accommodate staff's need to provide additional information to the Commission on undergrounding utilities with a time certain for a referendum date no later than November 3, 2015. The restated motion was accepted by Commr. Zunz, as the second to the motion.

Following comments on advancing the referendum question to an earlier ballot, the motion carried by a 6-0 roll call vote, as follows: Duncan, aye; Zunz, aye; Gans, aye; Brown, aye; Larson, aye; Younger, aye.

RECESS: 3:15 p.m. - 3:27 p.m.

3. Ordinance 2014-34, Providing for Referendum for Underground Utilities Within Neighborhoods

The Town of Longboat Key has conducted research associated with undergrounding utility lines within neighborhoods and will seek voter approval by placing a referendum question on the March 10, 2015, General Municipal Election ballot. Ordinance 2014-34 provides for the referendum question regarding placing utility lines underground within neighborhoods at a cost not to exceed \$5 million. At the October 20, 2014, Regular Workshop Meeting the Town Commission considered Ordinance 2014-34 and forwarded it to the October 20, 2014, Special Meeting for first reading. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2014-34.

Town Clerk Trish Granger placed Ordinance 2014-34 on record for second reading and public hearing by title only.

Commr. Zunz moved to adopt Ordinance. 2014-34. The motion died for lack of a second.

Commr. Zunz made a motion to move the referendum process forward to accommodate staff's need to provide additional information to the Commission on undergrounding utilities with a time certain for a referendum date no later than November 3, 2015. The motion was seconded by Vice Mayor Duncan.

Discussion ensued on the following topics/issues:

3. Ordinance 2014-34, Providing for Referendum for Underground Utilities Within Neighborhoods - Continued

- option to restructure ordinance for consideration
- inclusion of an accurate bonding amount for neighborhood projects
- intent/clarification of the motion (drafting of a new ordinance addressing neighborhood issue)

Following comments, Commr. Zunz restated the motion to direct staff to draft a new Ordinance addressing the neighborhood undergrounding issue with adequate time to provide for a referendum question no later than November 3, 2015. The motion, seconded by Commr. Younger, carried by a 6-0 roll call vote, as follows: Zunz, aye; Younger, aye; Duncan, aye; Larson, aye; Gans, aye; Brown, aye.

Mayor Brown noted that due to a scheduling conflict, the Special Meeting was not being broadcast.

Town Manager Dave Bullock reviewed the staff direction to provide options for Commission consideration on financing options for neighborhood undergrounding with and without the Gulf of Mexico project prior to drafting an Ordinance and advised that a Budget Amendment would be required to provide for consultant fees for the detailed costs for the neighborhood evaluations.

Discussion ensued on the anticipated staff report/consultant evaluation to include all overhead/above ground options.

Upon inquiry, Mr. Danny Brannon, with Brannon and Gillespie, LLC, noted that in past projects historically the property owners provide easement agreements without cost to the governmental agency for the improvements and advised that all costs were inclusive of any required conversions to the meter can of the end user.

Commr. Gans inquired, and Town Clerk Granger advised that the meeting was being audio taped.

ADJOURNMENT

Mayor Brown adjourned the November 12, 2014, Special Meeting at 3:41 p.m.

Minutes Approved: 12/01/2014