

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR WORKSHOP  
MARCH 23, 2015 - 1:00 P.M.**

**Present:** Mayor Jack Duncan, Vice Mayor Terry Gans, Commrs. Jack Daly, 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/PLEDGE OF ALLEGIANCE**

**Mayor Duncan called the March 23, 2015, Regular Workshop to order at 1:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida, and Commr. Larson led the Pledge of Allegiance.**

Mayor Duncan commented on the recent election, welcomed Commr. Daly to the Commission, congratulated Commrs. Gans and Younger on their re-elections, and noted a seating rearrangement to better facilitate the meeting.

**PUBLIC TO BE HEARD**

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

**A. Public Works**

Ms. Rosemary Dilgard, Marbury Lane, commented on the lack of a proposed crosswalk in the Sleepy Lagoon area and requested that the Commission include consideration of this area when designating crosswalks on Gulf of Mexico Drive.

**B. Police Department/Code Enforcement**

Ms. Ann Roth, Lands End Drive, commented on the noise pollution that emits from the sandbar off of Jewfish Key, noted the quick response from the Police Department when reported, and requested stronger enforcement of the noise ordinance in the area.

Town Manager Dave Bullock commented on the existing noise ordinance and advised that Staff can bring forward amendments that may improve the enforcement measures.

Police Chief Pete Cumming noted the enforcement efforts, advised that there is a case pending in Court, and reviewed the challenges faced by the Police Department's officers regarding the issue.

Discussions were held with Police Chief Cumming and Town Manager Bullock on the following topics/issues:

- statements made and issues faced
- possible reduction of sand in the area
- enforcement of no alcoholic beverages on Greer Island (Beer Can Island)
- jurisdictional issues/creating a conservation area relating to noise pollution.

**PUBLIC TO BE HEARD** - Continued

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

**B. Police Department/Code Enforcement** - Continued

**There was consensus to direct Staff to review current regulations for enhancement of enforcement opportunities.**

**COMMITTEE REPORTS AND COMMUNICATIONS**

**2. Manatee County Special Liaison Report** - No items were presented.

**3. Sarasota County Special Liaison Report** - No items were presented.

**4. Manasota League of Cities Report**

**A. Legislation**

Mayor Duncan reviewed the filing and status of various legislative bills (EDTS3-2015/HB7067; SB850; and SB896).

**5. Other Reports**

**A. Organizations**

Commr. Larson noted a request for a citizen appointment to the Sarasota Bay Estuary Program's Citizens' Advisory Board and advised that she opposed the appointment due to action of the citizen that applied which caused delays in Longboat Key's efforts to protect residential property on the North end.

**B. Organizations**

Commr. Younger noted attendance of the MPO, reviewed the issues discussed relating to the sidewalk on the North end of Longboat Key and a left-turn only lane on Gulf of Mexico Drive, and commented on the efforts of the Town Manager on traffic issues.

Town Manager Dave Bullock noted meetings with local governmental agencies and requested Commission consensus to endorse correspondence to the surrounding governmental agencies requesting support of the Town's request to the Florida Department of Transportation (FDOT) on the in-season congestion from the barrier islands to the mainland to assist with short-term, mid-term, and long-term improvements addressing the traffic issues. Individual comments followed.

**There was consensus to authorize the Town Manager to prepare and forward correspondence on the traffic issues faced by residents.**

Commr. Zunz requested a copy of the correspondence to provide to the Bradenton Economic Development Corporation later this week. Mayor Duncan suggested that all Commissioners provide a copy to the Boards/Committees that they represent the Town on.

**C. Organizations**

Vice Mayor Gans noted attendance at the Sarasota County Tourist Development Council meeting and reviewed the issues discussed and the appropriation of funds.

### **CONSENT AGENDA**

#### **6. Proposed Ordinance 2015-13, Providing for Pass-Through of Manatee County Rate Increase**

On November 18, 2014, the Manatee County Board of County Commissions enacted Resolution R-14-154 which authorized two consecutive yearly wholesale water and wastewater rate increases. Town Commission policy direction has been to pass-through Manatee County rate changes to the Town's utility ratepayers, per Town Code. The first Manatee County rate increase was effective on January 1, 2015, with the second effective on January 1, 2016. Proposed Ordinance 2015-13 formalizes the utility rate increase pass-through and is placed on the March 23, 2015, Regular Workshop Meeting for Commission consideration. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2015-13 to the April 6, 2015, Regular Meeting for first reading.

#### **7. Proposed Resolution 2015-03, Written Notice of Intent to Withdraw from Public Risk Management of Florida (PRM) Pool**

The Town purchases its liability, auto, and property (LAP) insurances through a risk management and self-insurance association called Public Risk Management of Florida (PRM). The Town is currently reviewing all insurance policies through an independent risk manager. This Resolution allows us to timely withdraw from the PRM pool in the event the Town seeks and receives a better quote or better coverage for LAP insurance for FY 2015-2016. Recommended Action: Approval of the Consent Agenda will forward Resolution 2015-03 to the April 6, 2015, Regular Meeting for formal action.

#### **8. Annual Review of Current Ad Hoc Committees**

Pursuant to Resolution 2000-05, the Town Commission shall review the list of ad hoc committees at either a special workshop, or the first regular workshop, following the annual General Municipal Election each March for determination of which ad hoc committees shall be continued. If no formal action is taken to continue the committee, the committee automatically sunsets. Committees for review and consideration are the Finance Committee, Community Center Advisory Committee and the ULI Implementation Advisory Committee. Recommended Action: Approval of the Consent Agenda will forward Resolutions for reconstituting Ad Hoc Committees to the April 6, 2015, Regular Meeting for formal action.

#### **9. Consideration of Letter of Support for Sarasota County Primary Care Partnership**

The Town of Longboat Key Commission is being asked to support continuation of the current public/private partnership between the Sarasota County Department of Health (DOH) and the Community Health Centers of North Port. This partnership serves more than 30,000 citizens per year at three health centers in Sarasota County. There is concern that the Florida Department of Health will require Sarasota-DOH to reduce its participation and/or withdraw from providing primary care services in the community. The loss of this partnership would have a significant impact on Sarasota County and its citizens. Recommended Action: Approval of the Consent Agenda will authorize a letter of support to be send under the Mayor's signature.

**There was consensus to approve the Consent Agenda in accordance with Staff's report and recommendations.**

## **DISCUSSION ITEMS**

### **10. Roundabout Options for Intersection at Gulf of Mexico Drive and Broadway, and Gulf of Mexico Drive and Longboat Club Road**

Based on ongoing efforts for improvements to Gulf of Mexico Drive (GMD), the Town engaged the professional services of Michael Wallwork, P.E. of Alternate Street Designs, PA, to develop concept designs for potential roundabouts at the intersections of GMD and Broadway, and GMD and Longboat Club Road. These concept designs will be presented for Commission consideration at the March 23, 2015, Regular Workshop Meeting. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Dave Bullock and Planning, Zoning, and Building Department Director Alaina Ray, Mr. Michael Wallwork gave a PowerPoint presentation on the roundabout options for the intersection at Gulf of Mexico Drive (GMD) and Broadway and GMD and Longboat Club Road. Discussions were held with Mr. Wallwork and Town Manager Bullock on the following topics/issues:

- exiting Longboat Club Road for northbound travel
- cost of signalization needs versus roundabout maintenance costs
- speed limits in the area around roundabouts (current speed versus estimated roundabout speed)
- conferences that may be held at the Longboat Key Club and impacts that may affect the traffic flow
- pedestrian access at/in the roundabouts and impact to traffic flow.

Mr. Bob Goodman, Sands Point Road, commented on the presentation relating to a roundabout at the South access to Longboat Club Road and the impact that may result at the North access on Longboat Club Road.

Upon inquiry, Town Manager Bullock noted the issues to be considered (purchase of right of way, structure of roundabouts, continued investigations of options) and reviewed the future steps to be taken (Florida Department of Transportation {FDOT} consideration/funding).

**Following individual comments, there was consensus for Staff to proceed with the investigations of options/funding/FDOT discussions for proposed roundabouts including consideration of the North entrance of Longboat Club Road.**

### **11. Dispatch Service Options**

Sarasota and Manatee Counties are in the process of improving their 911 call-taking, dispatch operations, and radio systems. Emerging technology also requires the Town to make some changes to our current dispatch system. Town staff will describe the Town's current situation, present options available with Sarasota County and Manatee County, review service levels, costs, technology, and employee impacts. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock reviewed the participation and consideration on the consolidation of dispatch services with the Counties. Assistant Town Manager Anne Ross gave a PowerPoint presentation on dispatch service options.

**RECESS:** 2:30 p.m. – 2:40 p.m.

11. Dispatch Service Options - Continued

Commr. Zunz noted that her son was recently hired as a dispatcher for the Town and based on the advice of the Town Attorney, she would be requesting an opinion from the Florida Division of Ethics (FDE) on her participation in the decision. Town Attorney Maggie Mooney-Portale noted that prior to final consideration of the consolidation options, a ruling from the FDE on participation by Commr. Zunz should be available.

Assistant Town Manager Ross continued the presentation and discussions were held throughout the presentation on the following topics/issues:

- process for in-progress calls
- CAD (Computer Aided Dispatch) systems/upgrades intended in the future to provide to our Police staff
- level of staffing/proposed hours for Sarasota versus Manatee County services
- future services anticipated/options/timeframe to terminate interlocal agreement
- record keeping systems
- computer upgrading requirements
- costs incurred for overtime for Police Officers currently staffing dispatch services
- Sarasota County with 12-hour staffing versus 24-hour staffing costs
- consideration of safety and well-being issues for the community
- emergency versus non-emergency determination to an individual/resident.

Police Chief Pete Cumming reviewed his recommendation to retain dispatch services and responded to inquiries relating to the dispatchers' knowledge and location of residences/businesses and the additional level of communication if services are consolidated.

Fire Chief Paul Dezzi reviewed his recommendation to consolidate dispatch services and responded to inquiries relating to technological improvements that may be achieved through consolidation.

Town Manager Bullock reviewed considerations and recommendation. Discussions were held on the following topic/issues:

- one size fits all model (transfer of Fire and/or option to retain Police dispatching)
- staffing options of Police Department for a 24-hour per day operation.

The following individuals commented on dispatch service options:

Mr. James Curtis, Harbourside Drive  
Ms. Anne Arsenault, Gulf Of Mexico Drive  
Mr. George Muller, Sands Point Road  
Ms. B.J. Bishop, Buttonwood Drive

Discussions were held on the following topics/issues:

- difficulties in existing systems in the transfer of calls between Counties
- option of the Town to own/establish a Longboat Key Emergency Operations Center (EOC)
- timeline for determination for consolidation of services.

11. Dispatch Service Options - Continued

Manatee County Information Technology Department Director Paul Alexander and Sarasota County Emergency Services Director Rich Collins commented on consideration of a regional aspect for emergency services versus individual EOC facilities.

Discussion ensued on the following topics/issues:

- efforts of Manatee and Sarasota Counties in seeking a regional approach to public safety
- options to staff the Police Department 24-hours per day
- efficiencies that could be gained
- level of service issues
- impact on the License Plate Recognition (LPR) system
- operational issues.

Upon inquiry, Town Attorney Mooney-Portale recommended that Commr. Zunz refrain from participation at the current time.

**Mayor Duncan requested and there was majority consensus on moving forward with the Sarasota County option with additional review of staffing the Police Station for a 24-hour/7-day per week schedule.**

Individual comments followed.

**RECESS:** 4:40 p.m. - 4:52 p.m.

12. Inflow and Infiltration (I&I) Study Results

The Town Commission requested a staff update on the recent I&I study as well as an update on slip-lining, and lift station rehabilitation. Longboat Key resident, Lenny Landau will give a summary of his I&I analysis of the Town's wastewater collection system. Following Mr. Landau's presentation, staff and consultant will give results of I&I study performed in 2014. Recommended Action: None, informational only.

Following comments by Town Manager Dave Bullock and comments relating to agenda items to be considered, Mr. Lenny Landau gave a PowerPoint presentation on his analysis on the Town's water and wastewater system. Discussions were held with Mr. Landau and Public Works Director Juan Florensa on the following topics/issues:

- tracking of complaints when resident is away/bill goes up or doesn't drop
- wastewater line (forcemain) replacement
- option for evaluation of forcemain.

Upon inquiry, Town Manager Dave Bullock reviewed the forcemain replacement project. Discussions were held on the following topics/issues:

- location of existing and proposed stormwater (forcemain) lines
- options for evaluation of existing stormwater line

12. Inflow and Infiltration (I&I) Study Results - Continued

- placement of landside forcemain and capping before construction begins on the private property
- route assessment/length of time on the easement
- evaluation of existing underwater line.

Following comments by Mr. Eric Peters, P.E., Program Management Operations Manager of Carollo Engineers, Inc., discussions were held on the following topics/issues:

- performing a risk assessment of the existing forcemain
- options to build new line and repair existing line to provide back-up to new line
- funding options
- assessment of technologies available to do risk analysis on existing line.

**There was majority consensus to proceed with Phase IA of the design build contract.**

Mr. Peters reviewed the areas with the proposed line routes outlined.

**There was consensus to move forward with the assessment/evaluation of the existing line.**

**Commr. Zunz suggested, and following clarification of Commission direction to Staff, there was consensus that additional discussion of the sliplining and infiltration issues be scheduled for a future workshop. Mayor Duncan requested that Staff work with Mr. Landau on the issues raised.**

**RECESS:** 6:39 p.m. - 6:49 p.m.

13. Consideration of Memorandum of Understanding Between Sarasota County Property Appraiser and Town of Longboat Key Taxing District for Homestead Exemption Fraud Reduction

Based on his research on methods to uncover homestead tax exemption fraud, Sarasota County Property Appraiser Bill Furst has proposed an interlocal agreement between Sarasota County taxing authorities and Tax Management Associates (TMA). TMA specializes in assisting governments in identifying and investigating potential fraudulent homestead exemptions, and recovers ad valorem property tax revenue that would otherwise be unbilled and uncollected. A Memorandum of Understanding (MOU) between the Sarasota County Property Appraiser and the Town of Longboat Key is placed on the March 23, 2015, Regular Workshop Meeting for Commission consideration. Recommended Action: Pending discussion, forward to the April 6, 2015, Regular Meeting Consent Agenda for formal action.

Following comments by Town Manager Dave Bullock, Commr. Larson requested additional information about the company hired by the Property Appraiser's office. Town Attorney Maggie Mooney-Portale advised that the contract was between the Property Appraiser and the vendor.

13. Consideration of Memorandum of Understanding Between Sarasota County Property Appraiser and Town of Longboat Key Taxing District for Homestead Exemption Fraud Reduction - Continued

**There was majority consensus to forward the MOU to the April 6, 2015, Regular Meeting Consent Agenda for formal action, and to direct Staff to provide information on the vendor selected by the Property Appraiser's office.**

14. Proposed Resolution 2015-04, Providing for Modifications to the Road Impact Fee Interlocal Agreement Between Sarasota County and the Town of Longboat Key

The Road Impact Fee Interlocal Agreement between the Town and Sarasota County provides for the establishment, collection, use, and reporting, of certain road impact fees collected by the County within the Longboat Key District. Currently the funds are designated for eligible improvements at the intersection of U.S. 41 and Gulfstream unless the County is notified otherwise by Resolution of the Town. Proposed Resolution 2015-04 provides for modifications to the Road Impact Fee Interlocal Agreement to designate turn lanes on Gulf of Mexico Drive (S.R. 789) as the highest priority project for use of impact fees collected within the Town of Longboat Key. Recommended Action: Pending discussion, provide direction to Manager.

**Following comments by Town Manager Dave Bullock, there was consensus to forward to the April 6, 2015, Regular Meeting for formal action.**

15. Proposed Ordinance 2015-03, Comprehensive Plan Amendment, Capital Improvements Element

At their February 17, 2015, Regular Meeting the Planning & Zoning Board recommended approval of proposed Ordinance 2015-03 as written. Proposed Ordinance 2015-03 provides for a Comprehensive Plan Amendment, Capital Improvements Element (CIE) and was forwarded for Town Commission consideration at their March 23, 2015, Regular Workshop Meeting. Recommended Action: Pending discussion, forward to April 6, 2015, Regular Meeting for first reading and public hearing.

Planning, Zoning, and Building Department Director Alaina Ray provided an overview of the proposed amendments to the Comprehensive Plan, CIE, requested consideration to add an additional item to the Mobility category to place turn lanes on Gulf of Mexico Drive in the Country Club Shores area, and commented on possible funding options. Individual comments followed on clarification of the percentage reflected on the attachments.

**Following comments by Commr. Zunz, there was consensus to schedule a workshop in the fall to review the delivery of services by the school system.**

**There was consensus to forward Ordinance 2015-03 to the April 6, 2015, Regular Meeting for first reading and public hearing.**

16. Proposed Ordinance 2015-12, Amending Chapter 110.01 (A)(7) Alcohol Sales

At the February 2, 2015, Regular Meeting, the Town Commission directed staff to bring forward an agenda item amending Chapter 110.01(A)(7) to more closely align with regulations in neighboring municipalities and Sarasota County. Proposed Ordinance 2015-12 is placed on the March 23, 2015, Regular Workshop Meeting for Commission consideration. Recommended Action: Pending discussion, forward to April 6, 2015, Regular Meeting for first reading.

Town Clerk Trish Granger gave a PowerPoint presentation on proposed Ordinance 2015-12 to amend Section 110.01(A)(7), Alcohol Sales, of the Town Code.

**Subsequent to comments, there was consensus to forward Ordinance 2015-12 to the April 6, 2015, Regular Meeting for first reading.**

17. Commission Appointments to Committees Named in Town Code and to Outside Agencies

Each year following the General Municipal Election the Town Commission considers appointments of its members to committees named in the Town Code or as required by outside agencies. A list of last year's appointments is provided for review and consideration for appointment or reappointment. This item is placed on the March 23, 2015, Regular Workshop Meeting for Commission nominations for appointment. Recommended Action: Pending discussion, forward to the April 6, 2015, Regular Meeting Consent Agenda for formal action.

Following consideration, there was consensus to forward the following appointments to the April 6, 2015, Regular Meeting for formal action:

<b>Committee/Agency</b>	<b>Appointee Information</b>	<b>2015 Appointments</b>
Investment Advisory Committee	Three or more members of Town Commission	Commr. Larson Commr. Pastor Commr. Younger
Finance Subcommittee	Three members of Town Commission/ Two citizens	Commr. Larson Commr. Pastor Commr. Younger
<b>Outside Agencies</b>		
Coalition of Barrier Island Elected Officials (BIEO)	Mayor	Mayor Duncan Alternate: Vice Mayor Gans
Manatee County Council of Governments	Mayor	Mayor Duncan Alternate: Vice Mayor Gans
Sarasota County Council of Governments	Mayor	Mayor Duncan Alternate: Vice Mayor Gans
Special Liaison to Manatee County	Any Commr.	Commr. Zunz Alternate: Vice Mayor Gans

17. Commission Appointments to Committees Named in Town Code and to Outside Agencies - Continued

Special Liaison to Sarasota County	Any Commr.	Commr. Pastor Alternate: Commr. Younger
ManaSota League of Cities	Any Commr.	Mayor Duncan transition to Commr. Larson Alternate: Commr. Pastor
Metropolitan Planning Organization	Any Commr.	Commr. Daly Alternate: All Other Commissioners
Economic Development Corporation of Sarasota County (EDC). (*Private Sector Brd)	Any Commr.	Commr. Pastor Alternate: Commr. Younger
Sarasota County Tourist Development Council (TDC)	Any Commr.	Vice Mayor Gans Alternate: Commr. Pastor
Economic Development Corporation of Manatee County (EDC)	Any Commr.	Commr. Zunz
Manatee County Tourist Development Council (TDC)	<b>Non-voting seat.</b>	Commr. Zunz
Water Alliance Board	Any Commr.	Commr. Younger
Sarasota Bay Estuary Program Board of Directors	Any Commr.	Commr. Larson Alternate: Commr. Zunz
Criminal Justice Commission City- County Corrections Work Group	Any Commr.	Commr. Younger
West Coast Inland Navigation District (WCIND)	Any Commr.	Mayor Duncan Alternate: Vice Mayor Gans

18. Urban Land Institute (ULI) Implementation Project Update

Planning, Zoning, and Building Director Alaina Ray will provide an update on implementation of the ULI recommendations that were presented to the Town Commission at their October 25, 2013, Special Meeting. Recommended Action: None, informational only.

Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint update on the ULI Implementation Project. Discussions were held on the following topics/issues:

- time of the Town Center Steering Committee meeting on March 26, 2015 (1 p.m.)
- corrected information on crosswalks
- updated costs on the Bayfront Park Concept Plan/review and recommendations from the County's Parks and Recreation staff members.

**Mayor Duncan requested that a printed copy of the presentation be provided to all Commissioners and the news publications.**

19. Request for Re-Engagement of Special Environmental Counsel Deborah Getzhoff

The Town Commission will consider re-engagement of Special Environmental Counsel Deborah Getzhoff to continue her efforts in permitting assistance and addressing environmental issues on an as needed basis. Recommended Action: Pending discussion, provide direction to Manager.

Town Attorney Maggie Mooney-Portale provided an overview of the request for re-engagement of Special Environmental Counsel Getzhoff.

**There was consensus to forward to the April 6, 2015, Regular Meeting for formal action.**

**TOWN COMMISSION COMMENTS**

A. Town Commission

Commr. Zunz requested that consideration be given to the number of items included on all agendas and for Staff to advise the Commission of issues that may take extended time.

**Following comments, there was majority consensus for Staff to provide information to the Commission on future agendas that may take extended consideration.**

B. Town Commission

Vice Mayor Gans suggested that discussion of the peacock issue recently raised be placed on a future agenda.

**TOWN ATTORNEY COMMENTS**

A. Town Commission:

Town Attorney Maggie Mooney-Portale advised that Manatee County Government would be providing an educational session which would fulfill the Commissioners obligation by statute to attend an annual Sunshine Law/Ethics Course, noting the date, time, and location of the training.

B. Litigation

Town Attorney Mooney-Portale advised that oral arguments relating to Advance Properties litigation would be heard on May 27, 2015.

**TOWN MANAGER COMMENTS**

A. Public Works

Town Manager Dave Bullock advised that correspondence relating to traffic issues would be distributed following the Mayor's signature.

B. Administration

Town Manager Dave Bullock commented on the success of the Community Open House held on March 21, 2015, and advised that there would be a shredding event at Town Hall on Wednesday, March 25, 2015.

C. Elections

Town Manager Dave Bullock commented on the schedule for the mail ballot election in May 2015.

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

**ADJOURNMENT**

**Mayor Duncan adjourned the March 23, 2015, Regular Workshop at 7:36 p.m.**

Minutes Approved: 05-04-15