

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR MEETING
OCTOBER 5, 2015 - 7:00 P.M.**

Present: Mayor Jack Duncan, Vice Mayor Terry Gans, Commrs. Jack Daly, Lynn Larson, Irwin Pastor, Phill Younger, Pat Zunz

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

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Duncan called the October 5, 2015, Regular Meeting to order at 7:00 p.m., in the Town Hall Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Vice Mayor Gans led the Pledge of Allegiance.

Mayor Duncan noted and read the Pledge of Public Conduct.

20. Other Business

Mayor Duncan requested and there was consensus to advance consideration of Items 16 and 18 following action on the Consent Agenda.

PUBLIC TO BE HEARD

1. Opportunity for Public to Address Town Commission

A. Legislation

Mr. Larry Grossman, St. Judes Drive North, requested support for legislation banning the use of plastic bags.

MINUTES APPROVAL

2. September 9 2015 Regular Meeting; September 15, 2015 Joint Planning Officials Training Session Minutes

There was consensus to approve the Minutes as submitted.

COMMITTEE REPORTS AND COMMUNICATIONS

3. Manatee County Special Liaison Report - No items were presented.

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

5. ManaSota League of Cities Report - No items were presented.

6. Other Reports

A. Organizations

Commr. Larson commented on the Sarasota Bay Estuary Program, reviewed recently discussed administrative issues within the organization, and action by the Southwest Florida Water Management District.

Mayor Duncan requested that Commr. Larson keep the Commission informed on the matter.

6. Other Reports - Continued

B. Organizations

Commr. Daly commented on action of the Metropolitan Planning Organization (MPO) and provided an update on the evaluation of traffic issues and the Florida Department of Transportation's (FDOT) involvement in the study. Individual comments followed.

CONSENT AGENDA

7. Request for Temporary Closure of Bay Isles Road for Rotary Club Veterans' Day Parade

The Longboat Key Rotary Club requests the temporary closure of Bay Isles Road for approximately 2 hours on November 11, 2015, to hold a Veterans' Day Parade. A public forums permit has been approved for the event conditioned upon this approval. Recommended Action: Approval of the Consent Agenda will authorize temporary closure of Bay Isles Road on November 11, 2015, from 2:00 – 4:00 p.m.

8. 2016 Town Commission Meeting Schedule

Each year the Town Commission establishes their annual meeting schedule for the upcoming calendar year. The 2016 Town Commission Meeting Schedule was forwarded from the September 21, 2015, Regular Workshop Meeting Consent Agenda. Recommended Action: Approval of the Consent Agenda adopt the 2016 Town Commission Meeting Schedule.

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

16. Resolution 2015-24, Consideration of Funding Request from Longboat Key Chamber of Commerce for Town's 60th Anniversary Celebration

At the September 21, 2015, Regular Workshop Meeting, Longboat Key Chamber of Commerce President Gail Loefgren reported on event planning to celebrate the Town's 60th Anniversary on November 14, 2015. The event will be held at Bayfront Park Recreation Center facility and grounds. The Commission forwarded this item to the October 5, 2015, Regular Meeting to review additional information and consider the event funding request. Recommended Action: Pending discussion, provide direction to Manager.

Town Clerk Trish Granger placed Resolution 2015-24 on record by title only.

Following comments by Town Manager Dave Bullock, Longboat Key Chamber of Commerce President Gail Loefgren provided an overview of the proposed 60th Anniversary Celebration. Discussions were held on the following topics/issues:

- determination to end grant funding for organizations
- utilization of taxpayer's funds
- specific use of funds for celebration of Town's milestone anniversary
- public event for Longboat Key residents.

Commr. Zunz moved to adopt Resolution 2015-24. The motion, seconded by Commr. Larson, carried by a 5-2 roll call vote, as follows: Zunz, aye; Larson, aye; Younger, no; Gans, no; Duncan, aye; Pastor, aye; Daly, aye.

18. Appointments to Consolidated Retirement System Board of Trustees

Ordinance 2014-26 created one retirement plan, one nine-member Board of Trustees, and one consolidated retirement fund, for all three plans, and became effective October 1, 2014. Five Trustees were appointed by the Town Commission, which included appointment of the Chair and Vice-Chair; one member each was elected by the Firefighters', General Employees', and Police Officers' employee groups; and the Town Manager appointed a designee. Two of the nine seats are up for appointment/re-appointment and are placed on the October 5, 2015, Regular Meeting for Commission consideration. Recommended Action: Pending discussion, appoint members to Town of Longboat Key Consolidated Retirement System Board of Trustees

Following comments by Mayor Duncan and Town Clerk Trish Granger, Commr. Zunz moved to appoint Mr. Lou Levy to Seat 4 and Mr. Joe Fabrizio to Seat 5, on the Consolidated Retirement System Board of Trustees for a term effective until September 30, 2018. The motion, seconded by Commr. Younger, carried by a 7-0 roll call vote, as follows: Zunz, aye; Younger, aye; Larson, aye; Daly, aye; Pastor, aye; Gans, aye; Zunz, aye.

Town Clerk Granger advised that the applicants would receive information relating to their appointments.

ORDINANCES - FIRST READING AND PUBLIC HEARING

9. Ordinance 2015-20, Comprehensive Plan Amendment, Existing Infrastructure Element Results Neutral Revisions

At their June 16, 2015, Regular Meeting the Planning & Zoning (P&Z) Board forwarded Ordinance 2015-20 to the September 21, 2015, Regular Workshop Meeting which was reviewed and forwarded to the October 5, 2015, Regular Meeting for first reading and public hearing. The "results neutral" crosswalk of the various elements of the Comprehensive Plan creates a more user-friendly Comprehensive Plan that is easier to read, understand, and apply. The crosswalk assures that the existing goals, objectives, and policies in the Comprehensive Plan that remain essential to the Town are preserved, while any extraneous content is eliminated. It also delineates strategies for successfully implementing the goals, objectives, and policies. Through the crosswalk effort, the existing goals, objectives, and policies of the Potable Water, Solid Waste, and Wastewater elements of the Plan have been converted into the framework for the new Comprehensive Plan. Recommended Action: Pending first reading, public hearing, and discussion, forward to the State for review and comment, followed by the second reading and public hearing by the Town Commission.

Town Clerk Trish Granger placed Ordinance 2015-20 on record for first reading and public hearing by title only.

Commr. Zunz moved to pass Ordinance 2015-20 and to forward to the State for review and comment. The motion was seconded by Commr. Pastor.

Mayor Duncan opened the public hearing.

9. Ordinance 2015-20, Comprehensive Plan Amendment, Existing Infrastructure Element Results Neutral Revisions - Continued

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on Ordinance 2015-20.

Following comments by Mayor Duncan, and 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; Pastor, aye; Duncan, aye; Gans, aye; Younger, aye; Larson, aye; Daly, aye.

10. Ordinance 2015-24 Amending the FY 2014-2015 Park & Recreation Capital Project Fund Budget to Use Unappropriated Fund Balance for Expenses Related to Bayfront Park Design Services

A budget amendment is required to continue design work on Bayfront Park currently underway by Wannemacher Jensen Architects, Inc. The Town Manager requests a transfer from Unappropriated Fund Balance in the amount of \$53,745. Ordinance 2015-24 was forwarded from the September 21, 2015, Regular Workshop Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2015-24 to the November 2, 2015, Regular Meeting for second reading, and public hearing.

Town Clerk Trish Granger placed Ordinance 2015-24 on record for first reading and public hearing by title only.

Commr. Pastor moved to pass Ordinance 2015-24 and to forward to the November 2, 2015, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Zunz.

Mayor Duncan opened the public hearing.

Following comments by Town Manager Dave Bullock on combining Items 10 through 13, Town Attorney Maggie Mooney-Portale advised of the process to reaffirm the testimony of the presenters for each item.

Finance Director Sue Smith gave a PowerPoint presentation on Ordinances 2015-24, 2015-25, 2015-26, and 2015-28.

Following clarification on the process for consideration of Agenda Items 10 through 13, and as no one wished to speak, Mayor Duncan closed the public hearing.

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

11. Ordinance 2015-25, Amending the FY 2014-2015 Land Acquisition Fund Budget to Use Unappropriated Fund Balance for Expenses Related to Fund Activities

The Town Manager requests a transfer from Unappropriated Fund Balance in the amount of \$5,334 to cover investment expenses, a permit fee, and additional expenses associated with the land purchase at 592 Bay Isles Road. Ordinance 2015-25 was forwarded from the September 21, 2015, Regular Workshop Meeting for Commission consideration. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2015-25 to the November 2, 2015, Regular Meeting for second reading, and public hearing.

Town Clerk Trish Granger placed Ordinance 2015-25 on record for first reading and public hearing by title only.

Commr. Zunz moved to pass Ordinance 2015-25 and to forward to the November 2, 2015, Regular Meeting for second reading and public hearing. The motion was seconded by Vice Mayor Gans.

Mayor Duncan opened the public hearing.

Following comments, Finance Director Sue Smith affirmed her testimony relating to Ordinance 2015-25.

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

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

12. Ordinance 2015-26, Amending the FY 2014-2015 Beach Capital Project Fund Budget to Use Unappropriated Fund Balance for Expenses Related to the Beach Capital Project Fund

Transfers of appropriations between funds, the use of unallocated fund balances or other revenue sources amend the budget and require approval by the Town Commission by Ordinance. Unanticipated expenditures related to the Beach Capital Projects Fund for increased costs of memberships, protected species monitoring, and permits require a budget transfer of \$21,750 from the Unappropriated Fund Balance to the Beach Capital Projects Fund. Ordinance 2015-26 was forwarded from the September 21, 2015, Regular Workshop Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing, and discussion, forward Ordinance 2015-26 to the November 2, 2015, Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2015-26 on record for first reading and public hearing by title only.

Mayor Duncan advised that the budget transfer amount had been amended and presented in the amount of \$29,750.

12. Ordinance 2015-26, Amending the FY 2014-2015 Beach Capital Project Fund Budget to Use Unappropriated Fund Balance for Expenses Related to the Beach Capital Project Fund - Continued

Commr. Zunz moved to pass Ordinance 2015-26, as amended, and to forward to November 2, 2015, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Pastor.

Mayor Duncan opened the public hearing.

Following comments on the amount of the budget transfer, Finance Director Sue Smith affirmed her testimony relating to Ordinance 2015-25.

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

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

13. Ordinance 2015-28, Amending the FY 2014-2015 Tennis Special Revenue Fund Budget to True Up Revenues and Expenses of the Fund

The Town Charter requires that all line items in the budget shall be trued up at year end for any variances with the adopted budget. The final results of the Tennis Center operations will not be known until November after the fiscal year end closes. Final transfer amounts will be incorporated into Ordinance 2015-28 and brought to you at the November 2, 2015, Regular Meeting. Ordinance 2015-28 was forwarded from the September 21, 2015, Regular Workshop Meeting for first reading and public hearing in order to meet requirements of a workshop and two public hearings. Recommended Action: Pending first reading, public hearing and discussion, forward Ordinance 2015-28 to the November 2, 2015, Regular Meeting for second reading and public hearing.

Town Clerk Trish Granger placed Ordinance 2015-28 on record for first reading and public hearing by title only.

Commr. Younger moved to pass Ordinance 2015-28 and to forward to the November 2, 2015, Regular Meeting for second reading and public hearing. The motion was seconded by Commr. Zunz.

Mayor Duncan opened the public hearing.

Following comments, Finance Director Sue Smith affirmed her testimony relating to Ordinance 2015-28.

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

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

RESOLUTIONS

14. Resolution 2015-22, Adopting the Manatee County Local Mitigation Strategy (LMS)

The Town of Longboat Key participates in both Sarasota and Manatee County Local Mitigation Strategy Work Groups. The focus of the LMS is to reduce risks associated with all types of disaster events. The Town passed Resolution 99-13 on October 4, 1999, formally adopting the original LMS and remains active in the program. Resolution 2015-22 is for the formal adoption of the most currently revised and FEMA approved version of the Manatee County LMS. This will enable the Town to be eligible for post disaster mitigation grant funds. Recommended Action: Pending discussion, pass Resolution 2015-22.

Town Clerk Trish Granger placed Resolution 2015-22 on record by title only.

Commr. Zunz moved to adopt Resolution 2015-22. The motion was seconded by Vice Mayor Gans.

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Planner Steve Schield provided an overview of Resolution 2015-22.

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

15. Resolution 2015-23, Adopting the 2015 Floodplain Management Plan

As part of the Community Rating System (CRS) recertification cycle associated with the National Flood Insurance Program (NFIP), the Town must update its Floodplain Management Plan via resolution. At the direction of the Town Manager, a committee was formed to update the Floodplain Management Plan. The Committee is recommending Town Commission approval of the updated 2015 Floodplain Management Plan and has developed Resolution 2015-23 per CRS requirements. Recommended Action: Pending discussion, pass Resolution 2015-23.

Town Clerk Trish Granger placed Resolution 2015-23 on record by title only.

Commr. Zunz moved to adopt Resolution 2015-23. The motion was seconded by Commr. Pastor.

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Planner Steve Schield gave a PowerPoint presentation on Resolution 2015-23. Discussions were held on the following topics/issues:

- higher (6) versus lower (5) classification and preferred rating (lower)
- impact of factors to develop rating (open space, acquisition of repetitive loss properties)
- options to establish higher standards to lower rating
- financial analysis options
- flood insurance costs subsidized by non-coastal states
- identification of 82 properties on Longboat Key/notification to property owners
- public information provided annually.

15. Resolution 2015-23, Adopting the 2015 Floodplain Management Plan - Continued

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

NEW BUSINESS

17. Subaqueous Wastewater Forcemain Condition Assessment Report

At the March 23, 2015, Regular Workshop Meeting, the Commission directed staff to move forward with an assessment/evaluation of the existing subaqueous wastewater forcemain. Greely and Hansen was selected through our procurement process as the contractor for this project and has submitted a proposal which includes a budget, scope of work, and schedule. This item was considered at the September 21, 2015, Regular Workshop Meeting and forwarded to the October 5, 2015, Regular Meeting for formal action. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock gave an overview of the proposed contract with Greely and Hansen for the subaqueous wastewater forcemain. Discussions were held with Town Manager Bullock and Public Works Director Juan Florensa on the following topics/issues:

- notification of any issues identified immediately versus end of project
- anticipated time frame to receive a report
- determination on results of inspections/consideration of existing conditions
- technical evaluation and future development in area of pipe replacement.

Commr. Pastor moved to approve the contract with Greely and Hansen. The motion, seconded by Commr. Zunz, carried by a 7-0 roll call vote, as follows: Pastor, aye; Zunz, aye; Duncan, aye; Daly, aye; Gans, aye; Larson, aye; Younger, aye.

19. Authorization for Mayor to Execute Sovereignty Submerged Lands Easement No. 41744, New Pass and Gulf of Mexico for Beach Nourishment and Maintenance Dredging

Execution of this submerged lands easement is a requirement of the permit application process for the Town's upcoming beach nourishment and maintenance dredging project at New Pass. This item is placed on the October 5, 2015 Regular Meeting for Commission consideration and formal action. Recommended Action: Pending discussion, authorize Mayor to execute Sovereignty Submerged Lands Easement No. 41744.

Following comments by Town Manager Dave Bullock, Commr. Larson moved to authorize execution of the Sovereignty Submerged Lands Easement No. 41744. The motion, seconded by Commr. Younger, carried by a 7-0 roll call vote, as follows: Larson, aye; Younger, aye; Gans, aye; Duncan, aye; Pastor, aye; Zunz, aye; Daly, aye.

TOWN COMMISSION COMMENTS

A. Public Works

Mayor Duncan requested and Town Manager Dave Bullock and Public Works Director Juan Florensa provided an update on the traffic/transportation issues previously addressed by the Commission. Discussions were held on the following topics/issues:

- analysis in the area of Country Club Shores

TOWN COMMISSION COMMENTS - Continued

A. Public Works - Continued

- the North and South roundabouts
- cross-walks
- funding options for the roadway projects
- the impact of Florida Department of Transportation (FDOT) projects on Metropolitan Planning Organization (MPO) projects
- roundabout studies
- options to advance projects (funding sources).

There was consensus to have Staff report back on options to advance transportation projects in an expeditious manner.

TOWN ATTORNEY COMMENTS

A. Town Attorney

Town Attorney Maggie Mooney-Portale provided information regarding a training opportunity relating to the Sunshine Law scheduled for October 28, 2015.

TOWN MANAGER COMMENTS

A. Town Commission

Town Manager Dave Bullock advised that a Special Meeting will be held on November 9, 2015, at 1:00 p.m. in the Commission Chamber to certify the November 3, 2015, Referendum Election and the November 9, 2015, Regular Workshop Meeting will immediately follow the Special Meeting. Town Manager Bullock noted that staff is working on coordinating a Joint Meeting between the Town Commission and the Planning and Zoning Board.

B. Government Agencies

Town Manager Dave Bullock noted receipt of e-mail correspondence from the Sarasota County Administrator advising that the Sarasota Board of County Commissioners would be hearing a presentation from Pinellas County representatives on the Safe Harbor Shelter on October 13, 2015, and local elected officials were invited to attend.

PRESS TO BE HEARD - No items were presented.

ADJOURNMENT

Following comments on the number of meetings held, Mayor Duncan adjourned the October 5, 2015, Regular Meeting at 9:01 p.m.

Minutes Approved: 11-02-2015