

**MINUTES  
LONGBOAT KEY TOWN COMMISSION  
REGULAR MEETING  
JULY 5, 2016 - 7:00 P.M.**

**Present:** Mayor Jack Duncan, Vice Mayor Terry Gans, Commrs. Jack Daly, Armando Linde, Irwin Pastor, Phill Younger, Ed 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 July 5, 2016, Regular Meeting to order at 7:02 p.m., in the Town Hall Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Commr. Pastor led the Pledge of Allegiance.**

13. Other Business

A. Presentations

Mayor Duncan introduced City of Bradenton Beach Mayor Bill Shearon, City of Anna Maria Mayor Dan Murphy, and City of Holmes Beach Mayor Bob Johnson and commented on their efforts relating to joint planning.

The Mayors jointly presented Town Manager Dave Bullock with the Barrier Islands Community Award for his efforts and noted that he was the first recipient of the award.

**Mayor Duncan recessed the July 5, 2016, Regular Meeting at 7:11 p.m., to reconvene the July 5, 2016, Special Meeting from earlier this date.**

**RECESS:** 7:11 p.m. – 8:16 p.m.

**Mayor Duncan reconvened the July 5, 2016, Regular Meeting at 8:16 p.m.**

13. Other Business - Continued

B. Town Commission

Mayor Duncan acknowledged the passing of former Mayor Ron Johnson and requested a moment of silence.

C. Town Commission

Mayor Duncan noted that due to travel restrictions placed by Commr. Daly's physician, he would be participating via telephone conference.

**There was consensus to authorize participation by Commr. Daly via telephone conference.**

**PUBLIC TO BE HEARD**

1. Opportunity for Public to Address Town Commission - No items presented.

### **APPROVAL OF MINUTES**

2. June 3, 2016 Special Workshop Meeting (Undergrounding); June 6, 2016 Special Meeting (Undergrounding), June 6, 2016 Regular Meeting; June 20, 2016 Special Workshop Meeting (Budget) Minutes

**Commr. Zunz requested that the June 20, 2016, Special Workshop minutes reflect his request for a workshop discussion regarding the Town Center, without objection.**

**There was consensus to approve the Minutes, as amended.**

### **COMMITTEE REPORTS AND COMMUNICATIONS**

#### **3. Manatee County Special Liaison Report**

##### A. Organizations

Commr. Zunz noted attendance at the Manatee County Economic Development Corporation and reviewed the issues discussed

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

#### **5. ManaSota League of Cities Report**

Commr. Pastor noted the Candidate Forum on July 19, 2016, advised he would not be able to attend, and inquired as to attendance by other Commissioners.

Commr. Zunz advised that he would attend.

#### **6. Other Reports – Consolidated Retirement System Board Update**

Consolidated Retirement System Board of Trustees Chair Steve Branham gave a PowerPoint presentation. Discussions were held on the estimated rate of return and the short/long range plan for reducing the contribution debt.

### **ORDINANCES - SECOND READING AND PUBLIC HEARING**

#### **7. Ordinance 2016-12, Amending Chapter 158, Zoning Code Relating to Personal Wireless Services**

The adoption of Chapter 58, which provides for utility undergrounding, necessitates minor revisions to Chapter 158, Personal Wireless Service Facility regulations, for consistency with new terminology. The Town Commission held first reading and public hearing of Ordinance 2016-12 at their June 6, 2016 Regular Meeting and forwarded the item to the July 5, 2016 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2016-12.

Town Clerk Trish Granger placed Ordinance 2016-12 on record for second reading and public hearing.

**Commr. Pastor moved to adopt Ordinance 2016-12. The motion was seconded by Commr. Linde**

**Mayor Duncan opened the public hearing.**

7. Ordinance 2016-12, Amending Chapter 158, Zoning Code Relating to Personal Wireless Services - Continued

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on Ordinance 2016-12.

**Mayor Duncan closed the public hearing.**

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

8. Ordinance 2016-19, Annual Update to the Town Comprehensive Plan Capital Improvements Element

The State Legislature requires an annual review and update to the Capital Improvements Element, and that any modifications must be adopted by Ordinance. The Town Commission held first reading and public hearing of Ordinance 2016-19 at their June 6, 2016 Regular Meeting and forwarded the item to the July 5, 2016 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2016-19.

Town Clerk Trish Granger placed Ordinance 2016-19 on record for second reading and public hearing by title only.

**Vice Mayor Gans moved to adopt Ordinance 2016-19. The motion was seconded by Commr. Linde**

**Mayor Duncan opened the public hearing.**

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on Ordinance 2016-19.

**Mayor Duncan closed the public hearing.**

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

9. Ordinance 2016-22, Amending Chapter 34, Providing an Election for Refund of Accumulated Contributions or Actuarial Present Value of Frozen Accrued Benefit

Ordinance 2016-22 amends Town Code Section 34, pertaining to pension cash out provisions to provide employees with greater than ten years of service a one-time election to exit the frozen Defined Benefit Pension Plan and take a lump sum cash payment. This Ordinance was considered and forwarded from the June 20, 2016 Special Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2016-22.

Town Clerk Trish Granger placed Ordinance 2016-22 on record for second reading and public hearing by title only.

9. Ordinance 2016-22, Amending Chapter 34, Providing an Election for Refund of Accumulated Contributions or Actuarial Present Value of Frozen Accrued Benefit

Commr. Pastor moved to adopt Ordinance 2016-22. The motion was seconded by Vice Mayor Gans.

**Mayor Duncan opened the public hearing.**

Following comments by Town Manager Dave Bullock, Finance Director Sue Smith gave a PowerPoint presentation on Ordinance 2016-22. Discussions were held with Town Manager Bullock, Finance Director Smith, Foster and Foster Representative Doug Lozen, and Consolidated Retirement System Board of Trustees Chairman Steve Branham on the following topics/issues:

- notice of proposal to plan members
- actuarial equivalent rate
- shifting of risk factor from Town to employee
- impact of lump sum payment on plans
- Town's desire to remove itself from the pension business
- average rate of return over past 5-10 years
- expectation of higher liability based on revised mortality tables
- monetary impact on the pension fund for increased mortality estimates.

**Mayor Duncan closed the public hearing.**

**The motion carried by a 6-1 roll call vote, as follows: Pastor, aye; Gans, aye; Duncan, aye; Zunz, aye; Younger, no; Linde, aye; Daly, aye.**

**NEW BUSINESS**

10. U.S. Army Corps of Engineers (USACE) Update

Staff is working with the USACE to determine if the Town is eligible to participate in the USACE Hurricane and Storm Damage Prevention Program. If the Corps' budget request to include the Town in a Federal Feasibility Cost Sharing Agreement is approved, the Town would be required to contribute a 50% match to fund the study. The Manager will update the Commission on participation requirements to participate in the USACE program. This item is placed on the July 5, 2016 Regular Meeting for Commission discussion. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Dave Bullock commented on the Town's participation in the USACE Hurricane and Storm Damage Prevention Program. Discussions were held on the following topics/issues:

- investment in the future for sand renourishment
- option to schedule workshop to discuss future required action to ensure cost sharing agreements
- innovative options to obtain sand.

11. Mote Scientific Foundation Property, 5630 Gulf of Mexico Drive

The Town was recently contacted concerning a C-1 zoned, 2.44 acre parcel located at 5630 Gulf of Mexico Drive, which is being offered for sale to the Town for use as open space, park, or other appropriate Town use. The parcel is currently owned by a private family foundation established by William R. Mote (not affiliated with Mote Marine). This item is placed on the July 5, 2016 Regular Meeting for Commission consideration. Recommended Action: Pending discussion, provide direction to Manager.

Following comments by Town Manager Dave Bullock, Planning, Zoning, and Building Department Director Alaina Ray gave a PowerPoint presentation on the property. Discussions were held on the level of service.

**There was consensus to not pursue the offer.**

12. Setting of Maximum Millage Rate

In accordance with Florida Statutes the Town must establish a proposed maximum millage rate by July so that it can be included in the Notice of Proposed Property Taxes mailed in August by each County. Although it can be reduced in later budget hearings, these millage rates cannot be increased. Based on Town Commission direction from the June 20, 2016 and June 27, 2016 Special Workshop Meetings the proposed tentative maximum millage rates will be presented for Commission consideration at the July 5, 2016 Regular Meeting. Recommended Action: Set Maximum Millage Rates and forward ordinances to adopt millage rates and budget based on these tentative rates to September 12, 2016 Regular Meeting for first reading and public hearing.

Following comments by Town Manager Dave Bullock, Finance Department Budget Analyst Sandi Henley and Finance Director Sue Smith gave a PowerPoint presentation on the proposed budget. Town Manager Bullock noted his recommendation relating to the millage rate and reviewed the debt service and erosion control district millage rates.

**Subsequent to discussion, there was majority consensus to set the base millage rate at 2.1144 mills, without debt service and erosion control districts.**

**Commr. Younger moved to set the tentative maximum millage rates of 2.9390 mills for District A and 2.3616 mills for District B, and directed Staff to draft the appropriate ordinances to adopt the millage rates and the budget to be considered on September 12, 2016, based on the rates stated herein. The motion, seconded by Commr. Zunz, carried by a 7-0 roll call vote, as follows: Younger, aye; Zunz, aye; Linde, aye; Pastor, aye; Daly, aye; Gans, aye; Duncan, aye.**

Town Manager Bullock provided an overview of the timeline for consideration.

**TOWN COMMISSION COMMENTS:** No items were presented.

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

**TOWN MANAGER COMMENTS**

**A. Public Works**

Town Manager Dave Bullock noted discussions with Sarasota and Manatee County Transit services relating to alternatives to the fixed route schedule.

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

**ADJOURNMENT**

**Mayor Duncan adjourned the July 5, 2016, Regular Meeting at 10:15 p.m.**

Minutes Approved: 10-04-2016