



This meeting will be live-streamed via the Town's website.

Town of Longboat Key Town Commission

Town Hall, 501 Bay Isles Road

Longboat Key, FL 34228

www.longboatkey.org

Ken Schneier, Mayor; Maureen Merrigan, Vice Mayor;

Sherry Dominick, District 1; Penny Gold, District 2;

Debra Williams, District 4; Mike Haycock, At-Large;

and B.J. Bishop, At-Large

AGENDA REGULAR MEETING March 6, 2023 - 1:00 PM

1. Call to Order and Pledge of Allegiance

2. Pledge of Public Conduct

- We may disagree, but we will be respectful of one another.
- We will direct all comments to issues.
- We will avoid personal attacks.
- Audience members wishing to speak must be recognized by the Chair.
- Speaking without being recognized will be considered as "Out of Order."

3. Public to be Heard

Opportunity for Public to Address Town Commission

At each meeting, the Town Commission sets aside time for the public to address issues not on the agenda.

4. Reports

- A. Committee Reports
- B. Proclamation – Flood Awareness Week – March 6-12, 2023

5. Consent Agenda

The purpose of the Consent Agenda is to expedite formal action on agenda items that are routine in nature. Any item on the Consent Agenda can be removed from the Consent Agenda and placed on the Regular Meeting Agenda by any member of the Commission without a motion, a second, or a vote. Otherwise, all items on the Consent Agenda are voted upon in their totality by one action (motion, second, and vote) and are not subject to discussion. A vote in the affirmative on the Consent Agenda provides the formal action noted for each item.

A. Approval of Minutes

January 9, 2023 Regular Meeting; January 20, 2023 Convocation of Governments for Sarasota County School Board; January 23, 2023 Regular Workshop Meeting; February 6, 2023 Regular Meeting Minutes.

Recommended Action: Approve Minutes.

B. Tolling Agreement with Long Bar Pointe LLC for Alleged Claims Associated with June 2020 Wastewater Line Leak

The Town's wastewater pipeline has an easement running through the Long Bar Pointe, LLC, real property on the Manatee County side of Sarasota Bay. Long Bar Pointe has alleged unspecified damages to its property interests arising out of the Town's June 2020 wastewater pipeline leak and emergency repair work. The Town's legal counsel and staff have been working with Long Bar Pointe representatives on numerous matters, and have been requested by the property owner to enter into a Tolling Agreement to avoid litigation and continue the cooperative relationship. A Tolling Agreement extends the applicable statute of limitations period for Long Bar Pointe to bring its alleged damage claim against the Town.

Recommended Action: Approve and authorize the Town Manager to execute the Tolling Agreement with Long Bar Pointe LLC.

C. Temporary Access Agreement with Long Bar Pointe LLC for Pipeline Lining Project

The Town is in the process of relining the existing wastewater pipeline with the last segment requiring access to the Long Bar Pointe property. The Town's existing recorded wastewater pipeline easement does not provide an adequate access area to complete the relining project. The Town and Long Bar Pointe LLC negotiated a Temporary Access Agreement to provide a license for temporary access over a delineated "Access Road" to complete the project.

Recommended Action: Approve and authorize the Manager to execute the Temporary Access Agreement with Long Bar Pointe LLC.

6. Ordinances – Second Reading & Public Hearing

A. Ordinance 2022-13, Establishing Chapter 115, Residential Rental Registration Requirements and Program

At the January 23, 2023, Regular Workshop Meeting, the Commission considered a staff recommendation which streamlined the previously proposed rental registry program. Regulations include provisions to ensure vacation rentals (those of less than 6 months) are compliant with existing State and Town regulations. The program provides proactive measures to address negative impacts related to vacation rentals in residential neighborhoods. This item was forwarded from the February 6, 2023, Regular Meeting for second reading and public hearing.

Recommended Action: Adopt Ordinance 2022-13.

B. Ordinance 2022-21, Amending and Replacing Chapter 104, Property Maintenance Code

The Town's Property Maintenance Code was last updated in 2012 and has guided the property maintenance minimum standards and Code Enforcement process since that time. Town staff is recommending adoption of the 2021 International Property Maintenance Code, by reference, with amendments to reflect unique provisions specific to the Town. The Commission considered this at their November 14, 2022, and January 23, 2023, Regular Workshop Meetings and forwarded from the February 6, 2023, Regular Meeting for second reading and public hearing.

Recommended Action: Adopt Ordinance 2022-21.

C. Ordinance 2023-02, Amending Permitted Uses in the Bay Isles Mixed Use Community (MUC-1) Zoning District to Incorporate the INS Zoning District Allowable Uses

Ordinance 2023-02 provides for a Zoning Text Amendment to expand the range of publicly-oriented uses planned for the Town Center Green, 600 Bay Isles Road, that lies within the larger Bay Isles Mixed Use Community (MUC-1) Zoning District. The Zoning Text Amendment incorporates the INS Zoning District uses which are consistent with the Comprehensive Plan and Future Land Use Policies. This item was forwarded from the February 6, 2023, Regular Meeting for second reading and public hearing.

Recommended Action: Adopt Ordinance 2023-02.

- D. Ordinance 2023-04, Amending Chapter 92, Parks, Public Beaches, Public Beach and Bay Accesses and Public Places to include Town Center Green, 600 Bay Isles Road

Ordinance 2023-04 amends Chapter 92 to include the new Town Center Green property in Section 92.02 which regulates hours of use, and Section 92.04 which regulates where pets are allowed or prohibited (other than certified animals utilized to assist persons with disabilities). The Town Center Green property is recommended to have allowances for pets to be permitted on leashes not longer than 8 feet. This item was forwarded from the February 6, 2023, Regular Meeting for second reading and public hearing.

Recommended Action: Adopt Ordinance 2023-04.

7. Ordinances – Quasi-judicial - Second Reading and Public Hearing

Ordinance 2023-03, Amending Bay Isles Planned Unit Development/Outline Development Plan (PUD/ODP) for Town Center Green, 600 Bay Isles Road

Ordinance 2023-03 provides for an amendment to the Bay Isles PUD to define allowable uses associated with the development of the Town Center Green. At their January 17, 2023, Regular Meeting, the Planning & Zoning Board considered Ordinance 2023-03 and recommended approval (6-0). This item was forwarded from the February 6, 2023, Regular Meeting for second reading and public hearing.

Recommended Action: Adopt Ordinance 2023-03.

8. Site Development Order – Quasi-judicial - Public Hearing

Site Development Plan Order 2023-01, Town Center Green, 600 Bay Isles Road

Site Development Plan Order 2023-01 depicts detailed site improvements such as construction of a pavilion, stage, and accessory structures. At their January 17, 2023, Regular Meeting, the Planning & Zoning Board considered Site Development Plan Order 2023-01 and recommended approval (6-0). This item was forwarded from the February 6, 2023, Regular Meeting for second reading and public hearing.

Recommended Action: Approve Site Development Plan Order 2023-01.

9. Resolution & Public Hearing

- A. Resolution 2023-04, Amending the FY23-FY27 Five Year Capital Plan; Amending the Sarasota County Infrastructure Surtax Fund (Phase 3) for Tennis Center Fencing

At the January 10, 2022, Regular Meeting the Town Commission approved a Tennis Center Fencing Replacement Project and funded the project at \$120,000. By the time the RFP was issued

prices had increased and bids were well over the budgeted amount so only fence sections on courts 7-10 were replaced as they were the most damaged. To finalize the project during Summer 2023, another \$80,000 is needed and can be funded through Unappropriated Fund Balance within the Sarasota County Infrastructure Surtax Fund.

Recommended Action: Pass Resolution 2023-04.

B. Resolution 2022-21, Establishing the Fee Schedule for the Rental Registry

Following adoption of Ordinance 2022-13 which establishes the Residential Rental Registry Requirements and Program, Resolution 2022-21 is placed on the March 6, 2023, Regular Meeting to establish a fee schedule for implementation of the Program.

Recommended Action: Pass Resolution 2022-21.

10. Town Commission Comments

11. Town Attorney Comments

12. Town Manager Comments

13. Adjournment

No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, Fla. Stat.).

In accordance with the Americans with Disabilities Act and Section 286.26, F.S., persons needing a special accommodation to participate in this proceeding should contact the Town Clerk's office at 941-316-1999 seventy-two (72) hours in advance of this proceeding. If you are hearing impaired, please call 941-316-8719.