

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR MEETING
MAY 6, 2019**

Present: Mayor George Spoll, Vice Mayor Ed Zunz, Commissioners Randy Clair, Jack Daly, Mike Haycock, Irwin Pastor, Ken Schaefer

Also Present: Town Manager Tom Harmer, Town Attorney Maggie Mooney, Town Clerk Trish Shinkle

Call to Order/Pledge of Allegiance

Mayor Spoll called the May 6, 2019, Regular Meeting to order in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida, at 1:00 p.m. Vice Mayor Zunz led the Pledge of Allegiance.

Mayor Spoll noted the Town's Civility Policy and read the Pledge of Public Conduct.

Public to be Heard

1. Opportunity for Public to Address Town Commission

A. Police Department

Mr. Michael Drake, Longboat Drive South, commented on the 9-1-1 dispatch services and problems.

Approval of Minutes

2. February 4, 2019, Regular Meeting; March 4, 2019, Regular Meeting; March 19, 2019, Statutory Meeting; March 19, 2019, Regular Workshop Meeting; and April 15, 2019, Goals & Objectives Special Workshop Meeting Minutes.

Mayor Spoll noted confirmation that the February 4, 2019, Regular Minutes were correct as submitted for approval on April 1, 2019.

There was consensus to approve the Minutes, as submitted.

Committee Reports

3. Manatee County Special Liaison Report

A. Organizations

Vice Mayor Zunz noted attendance at the Community Resilience Workshop hosted by Manatee County, in partnership with the Tampa Bay Regional Planning Council (TBRPC) relating to sea level rise and flooding concerns on April 30, 2019.

4. Sarasota County Special Liaison Report

No items were presented.

5. Other Reports

A. Organizations

Commissioner Daly noted attendance at the Barrier Island Transportation Study (BITS) meeting and reviewed the issues discussed.

Consent Agenda

6. Request for Authorization to Execute Uniform Collection Agreement with Manatee County for Longboat Key Special Assessments

On March 28, 2016, the Town entered an agreement with Manatee County's Property Appraiser and Tax Collector for collection of certain non-ad valorem special assessments. Due to procedural changes within the Tax Collector's Office, a new agreement for the 2019 tax year is required. The agreement has been standardized for use by all municipalities and non-ad valorem districts. There are no changes in appraiser or collection costs, the agreement contains provisions for automatic renewals, and can be used for collection of any future non-ad valorem assessments. Recommended Action: Authorize the Manager to execute the Interlocal Agreement with the Manatee County Tax Collector and Property Appraiser.

7. Resolution 2019-07, Australian Pine Removal Program

As a result of impacts related to Hurricane Irma, the Town Commission reinstated the Australian Pine Removal Program through Resolution 2017-26. The Resolution established an incentive/reimbursement program through which property owners could request reimbursement for eligible Australian Pine removals. To increase effectiveness of the program, staff recommends increasing the reimbursement rate for removals, as well as the number of allowable incentives for a single property owner/entity from three (3) to five (5). Recommended Action: Pass Resolution 2019-07.

8. Resolution 2019-06, Providing for the Longboat Key Town Commission's Participation in a Special Joint Meeting with the Sarasota City Commission

The Town of Longboat Key and the City of Sarasota have scheduled a Joint Meeting to occur on June 13, 2019 at 3:00 PM. The meeting will be held at the Temple Beth Israel Social Hall, 567 Bay Isles Road, Longboat Key. Florida Statutes, Section 166.0213, allows the governing body of a municipality to hold joint meetings to receive, discuss, and act upon matters of mutual interest with the governing body of another municipality at such time and place as shall be prescribed by ordinance or resolution. Recommended Action: Pass Resolution 2019-06.

Commissioner Schneier requested that Item 6 be pulled from the Consent Agenda and moved to approve Items 7 and 8 in accordance with Staff's recommended action. The motion, seconded by Commissioner Pastor, carried by a 7-0 roll call vote, as follows: Schneier, aye; Pastor, aye; Zunz, aye; Daly, aye; Spoll, aye; Haycock, aye; Clair, aye.

Ordinances – First Reading

9. Ordinance 2019-03, Amending Chapter 71, Traffic Rules; and Chapter 74, Parking Schedule

At their April 15, 2019, Regular Workshop Meeting, the Town Commission directed staff to develop Ordinance 2019-03, to amend the Town's traffic rules and parking schedule. The amendments were crafted based on Longbeach Village residents' concerns with increased traffic and on-street parking along Broadway and side streets with adjacency to the two restaurants. Town staff worked with residents, and restaurants, to identify solutions to address parking issues. Recommended Action: Forward Ordinance 2019-03 to the June 3, 2019, Regular Meeting for second reading and public hearing.

9. Ordinance 2019-03, Amending Chapter 71, Traffic Rules; and Chapter 74, Parking Schedule - Continued

Town Clerk Trish Shinkle placed Ordinance 2019-03 on record for first reading by title only.

Commissioner Haycock moved to pass Ordinance 2019-03 on first reading and to forward to the June 3, 2019, Regular Meeting for second reading and public hearing. The motion was seconded by Vice Mayor Zunz.

Following comments from Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons gave a PowerPoint presentation on Ordinance 2019-03, noting an incorrect map was included in the packet. Discussions were held on the following topics/issues:

- overnight and valet parking outside of Longbeach Village
- Town-wide recommendation to restrict overnight and valet parking
- ability to restrict parking on public streets in certain areas
- time established to remove vehicles for overnight parking (11 p.m.)
- valet parking restrictions.

Commissioner Schneier requested that the language “Public parking spaces in any Town right-of-way or on any Town-owned property shall not” be replaced with “No Town right-of-way or other Town owned property shall” in Schedule III, outlined in Section 5 of the Ordinance. Town Attorney Maggie Mooney advised that she had no objection to the language modification.

Discussions were held on the conditions to issue a special event permit or concessionaire agreement. Upon inquiry, Mr. Parsons confirmed that the Longbeach Village residents are advocating for a resident-only parking permit, noted Staff recommendations to implement the Commission directed modifications, with follow-up for potential consideration of a resident-only parking permit program or other incremental changes to be evaluated as impacts of the parking regulation changes are assessed.

Following comments, Mr. Parsons advised that he will research whether alleys are identified in the parking schedules.

Commissioner Clair moved to amend Section 4, Schedule II(C), of Ordinance 2019-03 to delete the phrase “No person shall park a vehicle on any of the Town’s following streets” and substitute the phrase “No person shall park a vehicle on any of the streets located in the Longbeach Village area.” Subsequent to clarification, the motion, seconded by Vice Mayor Zunz, carried by a 7-0 roll call vote, as follows: Clair, aye; Zunz, aye; Spoll, aye; Daly, aye; Haycock, aye; Schneier, aye; Pastor, aye.

Discussion ensued on inclusion of the alleys and street names in the Ordinance.

The following individuals commented on Ordinance 2019-03:

- Ms. Priscilla Von Ahnen, Cedar Street
- Mr. Benny Parrish, Hughes Street
- Mr. Michael Drake, Longboat Drive South
- Ms. Carol Weiss, Broadway
- Ms. Becky Parrish, Hughes Street
- Ms. Cindy Fischer, Linley Street

9. Ordinance 2019-03, Amending Chapter 71, Traffic Rules; and Chapter 74, Parking Schedule - Continued

Discussions were held on the following topics/issues:

- outside seating for individuals waiting to be seated
- option to postpone the public hearing to address concerns raised
- inclusion of a 3-day restriction on parking declaring them abandoned
- review of existing regulations relating to seating
- Quick Point Nature Preserve and Overlook Park.

Commissioner Clair moved to table consideration of Ordinance 2019-03 to the June 3, 2019, Regular Meeting. Following comments, the motion died for lack of second.

Mr. Parsons reviewed the items Staff would be modifying prior to the second reading on June 3, 2019.

The motion to pass Ordinance 2019-03, as amended, and forward to the June 3, 2019, Regular Meeting carried by a 7-0 roll call vote, as follows: Haycock, aye; Zunz, aye; Clair, aye; Pastor, aye; Schneier, aye; Daly, aye; Spoll, aye.

RECESS: 2:19 p.m. - 2:30 p.m.

Resolution and Public Hearing

10. Resolution 2019-05, Solid Waste Franchise Agreement, Annual Service Rate Adjustment

The Town's Solid Waste Franchise Agreement (Ordinance 2014-21) provides for annual adjustments to the collection fee components using the Consumer Price Indexes and a formula provided for in the Agreement. Such adjustments are effective beginning July 1, 2017, and calculated annually thereafter through the terms of the Agreement. Resolution 2019-05 provides for the July 1, 2019 annual service rate adjustment. This item is placed on the May 6, 2019 Regular Meeting for public hearing and formal action. Recommended Action. Pass Resolution 2019-05.

Town Clerk Trish Shinkle placed Resolution 2019-05 on record for public hearing by title only.

Commissioner Pastor moved to pass Resolution 2019-05. The motion was seconded by Commissioner Schneier.

Mayor Spoll opened the public hearing.

Town Manager Tom Harmer provided an overview of Resolution 2019-05.

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

The motion carried by a 7-0 roll call vote, as follows: Pastor, aye; Schneier, aye; Spoll, aye; Haycock, aye; Clair, aye; Daly, aye; Zunz, aye.

New Business

11. FY19 Budget – Midyear Update

As of March 31, 2019, we have completed the first six months of the current fiscal year (FY19). The Manager has met with staff to review the status of the FY19 Budget as of March 31, 2019. The Finance Director and Town Manager will provide a financial overview of the

11. FY19 Budget - Midyear Update - Continued

FY19 Budget at the Town Commission's May 6, 2019, Regular Meeting. Recommended Update: None, informational only.

Town Manager Tom Harmer and Finance Director Sue Smith gave a PowerPoint presentation on the midyear Budget update. Upon inquiry, Ms. Smith confirmed that the FEMA (Federal Emergency Management Agency) reimbursements went into the Beach Fund.

Town Manager Harmer noted the upcoming budget workshops and public hearing schedules for adoption of the FY20 budget and Ms. Smith advised that she would report back on the impact to the ad valorem tax revenue as a result of the Colony demolition and noted that the Town had received a \$50,000.00 payment on the outstanding utility account and have not charged off the balance due.

12. Canal Dredging Project Update

Town Staff will present an update on the Town's canal dredging project to include the current scope of work, the status of project permitting, the canal dredging project budget, anticipated grant funding, public requests regarding residential canals, and next steps. Recommended Action: None, informational only.

Following comments by Town Manager Tom Harmer, Public Works Director Isaac Brownman introduced new Staff member Charles Mopps, Project Manager.

Public Works Project Manager James Linkogle gave a PowerPoint presentation providing an update on the Canal Dredging Project. Discussions were held with Mr. Linkogle, Mr. Brownman, Finance Director Sue Smith, and Mr. Mopps on the following topics/issues:

- seagrass mitigation (2:1 ratio)
- budget pressures
- process for planting seagrass for mitigation
- lack of budgeting for mitigation costs
- third-party peer review
- option to reduce mitigation requirements
- follow-up with Manatee County for funding opportunities
- option to permit Canal 1A separate from the remaining Project
- estimated total budget for the Project
- previous allocation of general funds for dredging projects
- improvements to Greer Island and options for funding
- option to not move sand from Greer Island
- time frame for groin project versus canal project
- length of time permit would be valid.

Mr. Brownman noted the options staff will be reviewing relating to the Canal Dredging Project.

13. Longboat Key Arts, Culture & Education Center Project Update and Next Steps for Outdoor Venue

Town Staff will present an update on the Arts, Culture, and Education (ACE) Center Project and review the status of permitting, wetlands mitigation, and site preparation related to the outdoor venue. Recommended Action: None, informational only.

13. Longboat Key Arts, Culture & Education Center Project Update and Next Steps for Outdoor Venue - Continued

Following comments by Town Manager Tom Harmer, individual Commissioner comments followed.

RECESS: 4:33 p.m. - 4:45 p.m.

Town Manager Harmer reviewed previous action taken on the property and the anticipated improvements for the outdoor venue, and Public Works Director Isaac Brownman provided an overview of the proposed work for the outdoor venue.

The following individuals commented on the ACE Project. Discussions were held during speaker comments.

- Ms. Anne Arseno, Gulf of Mexico Drive
- Mr. Tom Freiwald, Spanish Drive North
- Mr. Steve Reid, Longboat Key News.

14. Agenda Topics for Joint Meeting of City of Sarasota and Town of Longboat Key Commissions

The Town Commission is scheduled to meet with the City of Sarasota Commission on June 13, 2019, at 3:00 p.m. at Temple Beth Israel Social Hall, 567 Bay Isles Road, Longboat Key. The Town Manager will seek input from the Commission regarding suggested items or any other topics they may wish to discuss with the City of Sarasota Commissioners at this Joint Meeting. Recommended Action: Provide input regarding proposed agenda items.

Town Manager Tom Harmer commented on the proposed topics for the Joint Meeting with the City of Sarasota. Discussions were held on the following topics/issues:

- subsidizing pedestrian monitors/traffic coordinators on St. Armands Circle
- requests by the Town
- Bay project in the City
- pedestrian accommodations
- future transportation modes.

Following individual comments, Town Manager Harmer noted the four agenda items to be considered.

15. Appointments to Town Boards and Committees

Appointment for the expiring or open seats on Town Boards and Committees (Planning & Zoning Board (P&Z), Code Enforcement Board (CEB), Zoning Board of Adjustment (ZBA), Citizens Tax Oversight Committee (CTOC), and the Sarasota County Bicycle Pedestrian Trail Advisory Committee,) will be considered at the May 6, 2019, Regular Meeting. Recommended Action: Appoint members to Town Boards and Committees.

Following comments by Town Clerk Trish Shinkle on the process for appointments, Commissioner Schneier moved to appoint Mr. David Lapovsky to serve a three year term on the Planning and Zoning Board effective through May 8, 2022. The motion, seconded by Commissioner Haycock, carried by a 6-1 roll call vote, as follows: Schneier, aye; Haycock, aye; Daly, aye; Pastor, no; Clair, aye; Zunz, aye; Spoll, aye.

Town Clerk Shinkle noted one vacancy on the Zoning Board of Adjustment.

15. Appointments to Town Boards and Committees - Continued

Commissioner Daly moved to appoint Mr. Kevin Magnus to serve a three year term on the Zoning Board of Adjustment effective through May 8, 2022. The motion, seconded by Commissioner Pastor, carried by a 7-0 roll call vote, as follows: Daly, aye; Pastor, aye; Zunz, aye; Schneier, aye; Haycock, aye; Spoll, aye; Clair, aye.

Following comments, Commissioner Pastor moved to appoint Mr. Gary Ehlers and Mr. Jack Wilson to the Code Enforcement Board. The motion, seconded by Commissioner Daly, carried by a 7-0 roll call vote, as follows: Pastor, aye; Daly, aye; Clair, aye; Zunz, aye; Haycock, aye; Schneier, aye; Spoll, aye.

Town Clerk Shinkle advised that members of the Zoning Board of Adjustment could serve concurrently on the Citizens Tax Oversight Committee.

Commissioner Pastor moved to appoint Mr. Kevin Magnus to the Citizens Tax Oversight Committee. The motion, seconded by Commissioner Schneier, carried by a 7-0 roll call vote, as follows: Pastor, aye; Schneier, aye; Daly, aye; Spoll, aye; Zunz, aye; Clair, aye; Haycock, aye.

Town Clerk Shinkle advised that the Longboat Key representative's term on the Sarasota County Bicycle Pedestrian Trail Advisory Committee had expired and Mr. Tom Saunders was seeking appointment to the Committee. Town Clerk Shinkle noted that the Town would forward Mr. Saunders information to Sarasota County and advised that the Sarasota Board of County Commissioners would make the formal appointment.

There was consensus to recommend Mr. Tom Saunders as the Town of Longboat Key representative on the Sarasota County Bicycle Pedestrian Advisory Committee.

6. Request for Authorization to Execute Uniform Collection Agreement with Manatee County for Longboat Key Special Assessments - Continued

On March 28, 2016, the Town entered an agreement with Manatee County's Property Appraiser and Tax Collector for collection of certain non-ad valorem special assessments. Due to procedural changes within the Tax Collector's Office, a new agreement for the 2019 tax year is required. The agreement has been standardized for use by all municipalities and non-ad valorem districts. There are no changes in appraiser or collection costs, the agreement contains provisions for automatic renewals, and can be used for collection of any future non-ad valorem assessments. Recommended Action: Authorize the Manager to execute the Interlocal Agreement with the Manatee County Tax Collector.

Commissioner Schneier inquired and Town Manager Tom Harmer and Town Attorney Maggie Mooney noted statutory restrictions on rates charged by property appraisers and tax collectors, and rates charged by the Counties. Finance Director Sue Smith advised that there was no impact of prepayments on the rates charged.

Commissioner Schneier moved to authorize the Town Manager to execute the Interlocal Agreement with the Manatee County Property Appraiser and the Manatee County Tax Collector. The motion, seconded by Commissioner Pastor, carried by a 7-0 roll call vote, as follows: Schneier, aye; Pastor, aye; Zunz, aye; Clair, aye; Haycock, aye; Daly, aye; Spoll, aye.

Town Commission Comments

No items were presented.

Town Manager Comments

A. Government Agencies

Town Manager Tom Harmer noted the upcoming Sarasota County Water Quality Summit on June 5, 2019, at Riverview High School Auditorium, from 1 p.m. to 6 p.m., advising that Staff has an opportunity to have a table outlining the Town's policies that are in place.

B. Government Agencies

Town Manager Tom Harmer noted a request from the Sarasota County Library Services to place a library kiosk in a Town facility.

C. Town Commission

Town Manager Tom Harmer noted the upcoming Commission meeting schedule.

Upon inquiry, Town Manager Harmer noted that Staff was working on providing information to Longboat Key residents relating to the PACE (Property Assessed Clean Energy) Program.

B. Government Agencies - Continued

Town Manager Harmer inquired, and there was consensus to place a Sarasota County library kiosk in a Town facility.

Town Attorney Comments

A. Town Commission

Town Attorney Maggie Mooney inquired, and there was consensus that the Town Attorney did not have to attend the Budget Workshop on May 20, 2019.

B. Town Commission

Upon inquiry, Town Attorney Maggie Mooney and Town Manager Tom Harmer commented on the process for a Commissioner to have an item placed on an agenda. Discussion ensued.

Following comments, Commissioner Haycock requested that a discussion regarding the Town Center property be placed on the Workshop Agenda. Town Manager Harmer noted the items on the May Workshop Agenda and requested flexibility for placement of the item on a future agenda.

There was consensus for the Town Manager to place a discussion item relating to the Town Center property and outdoor venue on a future agenda, to include a walking tour of the property.

Adjournment

Mayor Spoll adjourned the May 6, 2019, Regular Meeting at 6:00 p.m.

Trish Shinkle, Town Clerk

George L. Spoll, Mayor

Note: Minutes in draft form and not official until approved by the Commission.

Minutes Approved: _____

**MINUTES
SPECIAL WORKSHOP
MAY 20, 2019**

Present: Mayor George Spoll, Vice Mayor Ed Zunz, Commissioners Randy Clair, Jack Daly, Mike Haycock, Irwin Pastor, Ken Schneier

Also Present: Town Manager Tom Harmer, Town Attorney Maggie Mooney, Town Clerk Trish Shinkle

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Vice Mayor Zunz called the Special Workshop to order at 9:02 a.m. in Town Hall, Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Commissioner Daly led the Pledge of Allegiance.

PUBLIC TO BE HEARD

1. *Opportunity for Public to Address Town Commission*

No items were presented.

DISCUSSION ITEMS

2. *Discussion for FY 2019-2020 Budget and FY 2020-2024 Capital Improvement Plan (CIP)*

The Town Manager will provide an update on the current year Budget, preliminary look at the 2019-2020 Budget and FY 2020-2024 Five Year Capital improvement Plan currently under development. Recommended Action: provide direction to Manager.

Town Manager Tom Harmer noted the process for consideration, commented on the meeting schedule for May 20, 2019, noting the 1:00 p.m. Regular Workshop, wished Fire Chief Paul Dezzi a happy birthday, and gave a PowerPoint presentation on the Fiscal Year 2019-2020 (FY20) Proposed Budget. Discussions were held with Town Manager Harmer, Fire Chief Paul Dezzi, Finance Director Sue Smith, Public Works Director Isaac Brownman, Support Services Director Carolyn Brown, and Police Chief Pete Cumming on the following topics/issues:

- disposal process for existing fire trucks (trade-in or auction)
- year of existing fire truck (2002)
- use of Infrastructure Surtax funding
- value of new fire truck and ambulance
- transferring of equipment on the old vehicles to the new vehicles
- establishment of a "sinking fund" for future vehicle purchases
- FEMA (Federal Emergency Management Agency) lack of reimbursement after last year's hurricane to the Panhandle area
- option to increase reserve level to plan for a catastrophic event
- FEMA reimbursement for costs associated with funding if required
- FEMA determination relating to reimbursement for sand loss during Hurricane Irma
- FEMA policy change versus a change in engineering reports submitted
- Sea Level Rise funding/grant application to Florida Department of Environmental Protection (FDEP)
- estimated taxable value increase of 2.5%

2. *Discussion for FY 2019-2020 Budget and FY 2020-2024 CIP - Continued*

- growth rate/renovation rate
- history on the expenditures during economic crisis beginning in FY2009
- increased fund revenue/interest income
- use of Fund Balance/excess Fund Balance/strategy for use of Fund Balance
- fuel source for current generator/amount of fuel capacity
- purchasing process (competitive bid process)
- tennis court resurfacing
- Tennis Center operating expense
- Sarasota Infrastructure Surtax/determination of distribution of tax collected
- determination of population
- Inter-local agreement for collection and distribution of funding.

RECESS: 10:28 a.m. - 10:40 a.m.

Discussions continued on the following topics/issues:

- Forensic Cyanoacrylate Fuming chamber
- potential funding for canal dredging
- option to establish Canal Dredging Districts for on-going maintenance
- base for sea-grass survey
- option to establish sinking fund for canal dredging
- fencing on south side of Bayfront Park on Sarasota County portion
- impact of electric and alternative vehicles on gas tax revenue
- maintenance reimbursements in the Road and Bridge Fund
- request for State funding for improvements to Gulf of Mexico Drive
- required State studies for installation of roundabouts/cost of studies
- Town funding versus State funding
- anticipated costs for a roundabout/participation by property owner
- proportionate share from property owner for development if impact to traffic flow is identified
- process for State funding
- options for the Town to fund the roundabouts
- lack of Town ownership of right-of-way
- discussions with FDOT (Florida Department of Transportation) representatives relating to the Town's Street projects
- center turn lane for Country Club Shores
- Federal funding options/"shovel" ready projects
- consideration for a roundabout at Ken Thompson Parkway
- rain water infiltration in waste water collection system during substantial rain event
- public and main line focus for rehabilitation projects
- reimbursement from Comcast for water main damage
- preliminary work for a redundant waste water subaqueous line
- conservative approach to debt funding
- time frame for additional consideration/discussion of beach renourishment/funding

2. *Discussion for FY 2019-2020 Budget and FY 2020-2024 CIP - Continued*

- costs for sand search, design, consulting, and monitoring protected species
- beach renourishment costs/beach millage options
- sand reversal/quality and type of sand
- U.S. Army Corps of Engineers (USACE) reimbursement portion/participation
- action plan for consideration by the Commission
- establishing time line for reimbursement from USACE
- North-end groin project
- One County option/impact on funding.

Town Manager Harmer summarized the next steps in the budget process, distributed a document explaining revenue sources and calculation formulas, and reviewed issues to be addressed.

ADJOURNMENT

Mayor Spoll noted the Commission's Regular Workshop would begin at 1:00 p.m. this date and adjourned the May 20, 2019, Special Workshop at 12:10 p.m.

Trish Shinkle, Town Clerk

George L. Spoll, Mayor

Minutes Approved: _____

Note: Minutes in draft form and not official until approved by the Commission.

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR WORKSHOP
MAY 20, 2019**

Present: Mayor George Spoll, Vice Mayor Ed Zunz, Commissioners Randy Clair, Jack Daly, Mike Haycock, Irwin Pastor, Ken Schneier

Also Present: Town Manager Tom Harmer, Assistant Town Attorney David Jackson, Deputy Town Clerk Savannah Schield

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Spoll called the May 20, 2019, Regular Workshop to order in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida, at 1:00 p.m. Commissioner Haycock led the Pledge of Allegiance.

Mayor Spoll noted the Town's Civility Policy and read the Pledge of Public Conduct.

PUBLIC TO BE HEARD

1. *Opportunity for Public to Address Town Commission*
 - A. *Planning, Zoning, and Building*

Mr. Brian Feeney, Broadway Street, commented on the Petition of Street Vacation at 800 Broadway Street.

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. *Other Reports*

- A. *Transportation*

Commissioner Daly noted a discussion with Florida Department of Transportation (FDOT) regarding the Steering Committee and Barrier Island Traffic Study (BITS) recommendations.

5. *Sarasota County Economic Development Corporation (EDC)*

Executive Director Mark Huey gave a PowerPoint Presentation on an overview of the EDC, current projects, and the diversification challenge in the County. Discussion ensued on Opportunity Zones.

6. *Proclamation – National Public Works Week, May 19-25, 2019*

Mayor Spoll presented a National Public Works Week Proclamation recognizing the week of May 19-25, 2019, as National Public Works Week.

Public Works Director Isaac Brownman thanked the commission for the recognition.

DISCUSSION ITEMS

7. *Pickleball Courts Feasibility Study Update*

Town staff will discuss findings of the pickleball court feasibility study regarding recommended siting and estimated costs at the May 20, 2019, Regular Workshop Meeting. Recommended Action: None, informational only.

7. Pickleball Courts Feasibility Study Update - Continued

Following comments by Town Manager Tom Harmer, Support Services Director Carolyn Brown gave a PowerPoint presentation on the Pickleball Courts Feasibility Study updates. Discussions were held on the following topics/issues:

- alternative pickleball court locations
- available parking
- fencing for courts
- funding for the project
- using a reservation system
- operating costs.

Mr. Sadler James, Harbourside Drive, commented on the Pickleball Courts Feasibility Study.

There was consensus to forward the item to a Regular Meeting.

8. Discussion Regarding Building Permit and Fire Fee Study

Town Staff and Consultants, BerryDunn have conducted a Building Permit and Fire Fee Study and will present their findings and recommendations to the Town Commission. Resolution 2019-03, provides for and establishes a fee structure. Recommended Action: Forward Resolution 2019-03 to the June 3, 2019 Regular Meeting for public hearing and formal action.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons, and BerryDunn consultants Fred Turnier and Ani Saldaña gave a PowerPoint presentation on the Building Permit and Fire Fee Study overview and update.

Discussion ensued on the current building permit application process and the proposed fee cost changes. Mr. Parsons commented on the next steps to implement the fee schedule.

There was a majority consensus to forward Resolution 2019-03 to the June 3, 2019, Regular Meeting for public hearing and formal action.

RECESS: 2:44 p.m. - 2:56 p.m.

9. Utilities Undergrounding Project Update

At each Regular Workshop Meeting the Town Manager and staff will provide an update on various components of the Utility Undergrounding Project. Recommended Action: None, informational only.

Following comments by Town Manager Tom Harmer, Public Works Director Isaac Brownman gave a PowerPoint presentation on additional updates for the Utilities Undergrounding Project.

Following comments, Mr. Adam Seawall, President and CEO of Waterleaf International, gave a PowerPoint presentation on the Town's Comprehensive Fee Study. Discussions were held on the following topics/issues:

- effect on cell carriers
- required number of proposed poles

9. Utilities Undergrounding Project Update - Continued

- proposed heights of poles
- proposed styles of poles
- current number of poles on Gulf of Mexico Drive
- “small cell equipment” on poles
- Florida Power and Light (FPL) poles.

Mr. Sadler James, Harbourside Drive, commented on the pole heights and the maximum capability for the 4G network.

Public Works Director Brownman continued the presentation on the different pole types, heights, and styles.

There was consensus to approve the proposed pole height of 35 feet for the Gulf of Mexico Drive portion and 25 feet for the neighborhoods.

Following comments by Town Manager Harmer, Mr. Courtney Violette, Senior Vice President of Operations for Magellan Advisors, gave a PowerPoint presentation and overview on the Memorandum of Understanding (MOU) and terms of the contract. Discussion ensued on how the proposed services could affect residents.

Mr. Mark Porter, CDM Smith, gave a PowerPoint presentation on key budget highlights regarding the Undergrounding Utility Project. Individual comments followed.

TOWN COMMISSION COMMENTS

A. Florida League of Cities (FLC)

Commissioner Pastor recognized Commissioner Schneier for being a recipient of a 2019 FLC Home Rule Heroes Award for his continued advocacy efforts.

TOWN ATTORNEY COMMENTS

No items were presented.

TOWN MANAGER COMMENTS

A. Town Commission

Town Manager Tom Harmer commented on the Town Center tour scheduled for the June 3, 2019, Special Meeting.

There was consensus to start the June 3, 2019, Special Meeting, at 10:00 a.m.

ADJOURNMENT

Mayor Spoll adjourned the May 20, 2019, Regular Workshop at 5:08 p.m.

Savannah Schield, Deputy Town Clerk

George L. Spoll, Mayor

Minutes Approved: _____

Minutes in draft form and are not official until approved by the Town Commission.

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR MEETING
JUNE 3, 2019**

Present: Mayor George Spoll, Vice Mayor Ed Zunz, Commissioners Randy Clair, Jack Daly, Mike Haycock, Irwin Pastor, Ken Schneier

Also Present: Town Manager Tom Harmer, Town Attorney Maggie Mooney, Town Clerk Trish Shinkle

Call to Order/Pledge of Allegiance

Mayor Spoll called the May 6, 2019, Regular Meeting to order in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida, at 1:00 p.m. Vice Mayor Zunz led the Pledge of Allegiance.

Mayor Spoll noted the Town's Civility Policy and read the Pledge of Public Conduct.

Public to be Heard

1. Opportunity for Public to Address Town Commission

A. Planning, Zoning, and Building Department:

Mr. Brian Feeney, Broadway Street, commented on the petition for a street vacation on Broadway, lack of code enforcement (parking violations), weekend code enforcement process, seat count at Mar Vista, and anticipated hiring of 80 employees by the Shore Restaurant.

Approval of Minutes

2. April 1, 2019 Regular Meeting; April 8, 2019 Special Meeting; April 15, 2019 Regular Workshop Meeting; April 26, 2019 Special Workshop Meeting (Strategic Planning); and May 6, 2019 Special Workshop Meeting (Meet & Greet) Minutes

There was consensus to approve the Minutes, as submitted.

Committee Reports

3. Manatee County Special Liaison Report

A. Organizations

Vice Mayor Zunz noted attendance at the Bradenton Economic Development Corporation and reviewed the items discussed.

4. Sarasota County Special Liaison Report

No items were presented.

5. Other Reports

No items were presented.

6. Sarasota County Commission Board Chair, Charles Hines

Sarasota County Commission Chair Charles Hines noted the Water Quality Summit to be hosted by Sarasota County was scheduled on June 5, 2019, reviewed issues to be discussed at the summit, and provided an overview of the following items under consideration by the County Commission:

- request by Mote Marine for funding of their new facilities
- Barrier Island Transportation Study (BITS)

6. *Sarasota County Commission Board Chair, Charles Hines - Continued*

- City of Sarasota Bay project and establishment of a TIF (Tax Increment Financing) district
- library services
- public transit
- the Legacy Trail.

Commissioner Daly commented on the consideration of the BITS (Barrier Island Traffic Study) by the Metropolitan Planning Organization (MPO) and requested that the Sarasota County representatives on the MPO consider the balance between Longboat Key's concern of vehicular movement/traffic and the City of Sarasota's objective of pedestrian movement.

Consent Agenda

7. *Authorization to Execute Interlocal Agreement with Manatee County for Disbursement of Tourist Development Tax (TDT) Revenues*

Pursuant to a Manatee County Interlocal Agreement effective October 1, 1998, the Town of Longboat Key receives revenue from Tourist Development Taxes levied by the County, as provided for in Section 125.0104 (5) (a) 4, Florida Statutes and Article II of Chapter 2-29 of the Manatee County Code of Ordinances. The initial agreement was for a term of eleven (11) years and renewed in 2008 for an additional 10 years. The current contract expired on September 30, 2018. The County levies and collect a five percent (5%) tourist development tax, one percent (1%) of which is dedicated to pay the cost of beach nourishment. Recommended Action: Authorize the Mayor to execute an Interlocal Agreement between the Town of Longboat Key and Manatee County for the disbursement of Tourist Development Tax Revenues.

8. *50-Year Renewal of Sovereignty Submerged Land Easement with Florida Department of Environmental Protection (FDEP) for Islander Groins*

As a condition of the Town's renewal of a Joint Coastal Permit for the Islander Club Permeable Adjustable Groins, FDEP requires the execution of this easement providing the State's permission for placement of the Town's structures within the easement boundaries. The new easement will be for a period of 50 years. Recommended Action: Authorize the Mayor to execute the Easement Renewal and Modification to Reflect Modified Permit for the Islander PAG's.

9. *Cancellation of June 24, 2019, Special Meeting; July 15, 2019, Regular Workshop Meeting; & August Regular and Workshop Meetings*

Pursuant to Article II, Section 13 of the Town Charter (attached), the Commission has the authority to cancel the July and August Regular Workshop Meetings and the August Regular Meeting. The 2019 adopted Commission meeting schedule included a Special Meeting on June 24, 2019, in the event it was needed for pending zoning or budget issues prior to the Summer recess. This item is placed on the June 3, 2019, Regular Meeting Consent Agenda for Commission consideration. Traditionally, the Town Commission has canceled these meetings. Recommended Action: Approve cancellation of the referenced Special Meeting, Workshops and Regular Meeting.

10. *Request for Waiver of Public Forum Permit Fees and Bay Isles Road, Temporary Road Closure for July 4 Freedom Festival*

The Longboat Key Chamber of Commerce requests Commission authorization for temporary closure of Bay Isles Road from 9:00 AM through 11:00 AM for the annual Freedom Festival on July 4, 2019. Ordinance 2017-01, imposes a \$100 public forum permit

10. Request for Waiver of Public Forum Permit Fees and Bay Isles Road, Temporary Road Closure for July 4 Freedom Festival - Continued

application fee and reimbursement of associated fees which can be waived by the Town Commission for non-profit, civic organizations, or other public community events. The Chamber is also requesting, a waiver of the \$100 permit fee and event-related costs. This item is placed on the June 3, 2019, Regular Meeting Consent Agenda for Commission consideration and formal action. Recommended Action: Authorize the temporary closure of Bay Isles Road and waiver of public forum permit fees and related costs.

Commissioner Schneier moved to approve and ratify the recommended action on the Consent Agenda Items 7 through 10. The motion, seconded by Commissioner Pastor, carried by a 7-0 roll call vote, as follows: Schneier, aye; Pastor, aye; Zunz, aye; Daly, aye; Spoll, aye; Clair, aye; Haycock, aye.

Ordinances – First Reading and Public Hearing

11. Ordinance 2019-05, Amending Chapter 158, Zoning Code

At their May 21, 2019, Regular Meeting, the Planning & Zoning (P&Z) Board held discussion and public hearing on Ordinance 2019-05, amending Chapter 158, the Zoning Code, to provide updates for certain Sections of the Code. These are the next phase of amendments to the updated Zoning Code adopted at the April 1, 2019, Regular Meeting. Ordinance 2019-05 includes revisions for: Consideration of Separate Accessory Use Standards for Pickleball, Docks/Structures Over Water, Parking Standards for Multi-Use Projects, Parking Flexibility, and Parking Waivers. Recommended Action: Forward Ordinance 2019-05 to the July 1, 2019, Regular Meeting for second reading and public hearing.

Town Clerk Trish Shinkle placed Ordinance 2019-05 on record for first reading and public hearing by title only.

Commissioner Haycock moved to pass Ordinance 2019-05 and to forward to the July 1, 2019, Regular Meeting for second reading and public hearing. The motion was seconded by Commissioner Pastor.

Mayor Spoll opened the public hearing.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons and Planning, Zoning, and Building Department Planner Tate Taylor gave a PowerPoint presentation on Ordinance 2019-05. Discussions were held on the following topics/issues:

- noise emitted from pickleball play
- exemptions
- consistent wording (court versus courts)
- public versus private courts
- treating pickleball courts as open space (if it is impervious surface)
- options to create use as a Special Exception.

Town Attorney Maggie Mooney advised that, if Special Exception language is added, the published advertisement for this hearing may not be adequate for consideration in the current Ordinance.

11. Ordinance 2019-05, Amending Chapter 158, Zoning Code - Continued

Following comments by Town Manager Harmer, Mr. Parsons noted that the issue could be pulled from consideration with language developed for future consideration or that Staff could delete the set-back requirements.

Following comments, there was consensus to defer the pickleball issue back to Staff and/or the Planning and Zoning Board, if necessary.

Mr. Taylor continued the presentation on Ordinance 2019-05 relating to docks and mooring. Discussions were held on the following topics/issues:

- lack of regulation establishing the width of a navigable waterway
- options to create additional standards for different canal widths
- off-setting of docks across canals.

Following comments, there was consensus to defer the dock and mooring issue back to Staff and/or the Planning and Zoning Board, if necessary.

Mr. Parsons continued the presentation on Ordinance 2019-05. Discussions were held on the following topics/issues:

- parking requirements
- parking flexibility
- parking exceptions/waivers
- side yard setbacks.

Mr. Phillip Younger, Bayou Sound, commented on side yard setbacks.

Following comments, there was consensus to reduce the multiple uses for parking, to eliminate parking flexibility, to eliminate parking waivers, and no change to the side yard setbacks.

Mr. Parsons noted the request to hold a Daylight Plane Workshop in the Fall and confirmed the following amendments to Ordinance 2019-05:

- Section 2 - subsection 158.095(E) (1) and (2) will be removed
- Section 3 - subsection 158.099(A) (4) (a) will be removed
- Section 4 - subsection 158.100(G) will move forward
- Section 5 - subsection 158.100 (N) through (R) will move forward.

Town Attorney Maggie Mooney reviewed the items to be removed from the Ordinance and those items to be retained and forwarded for second reading.

Commissioners Haycock and Pastor accepted the modifications to the Ordinance and incorporated the changes into the motion.

Commissioner Schneier inquired and Town Attorney Mooney confirmed that the "Whereas" clauses associated with Sections 2 and 3 would be removed and that the title block for the Ordinance would also be amended before the second advertisement is placed.

The motion to pass Ordinance 2019-05, as amended, and to forward to the July 1, 2019, Regular Meeting for second reading and public hearing carried by a 7-0 roll call vote, as follows: Haycock, aye; Pastor, aye; Clair, aye; Schneier, aye; Daly, aye; Spoll, aye; Zunz, aye.

RECESS: 2:25 p.m. - 2:35 p.m.

12. Ordinance 2019-06, Comprehensive Plan Amendments to Establish Consistency with the Zoning Code (Adopted April 1, 2019)

In furtherance of the Town's efforts to address conforming and nonconforming redevelopments, staff has proposed a number of housekeeping-type amendments to the Comprehensive Plan to maintain consistency with the Zoning Code adopted on April 1, 2019. Ordinance 2019-06 amends policies 1.1.9, 1.1.10, 1.1.11, and Table 1 ("Land Use Densities and Intensities in the Town of Longboat Key") within the Future Land Use (FLU) Element. Recommended Action: Forward Ordinance 2019-06 to the September 9, 2019, Regular Meeting for second reading and public hearing, pending review by the State Department of Economic Opportunity.

Town Clerk Trish Shinkle placed Ordinance 2019-06 on record for first reading and public hearing by title only.

Mayor Spoll noted that Policy 1.1.11 was not noted on the agenda material. Upon inquiry, Planning, Zoning, and Building Department Director Allen Parsons advised that the Policy was included in the Ordinance.

Mayor Spoll noted the title recited by the Town Clerk was the correct version of the Ordinance.

Commissioner Daly moved to pass Ordinance 2019-06 as read by the Town Clerk and to forward to the September 9, 2019, Regular Meeting for second reading and public hearing. The motion was seconded by Vice Mayor Zunz.

Mayor Spoll opened the public hearing.

Following comments by Town Manager Tom Harmer, Mr. Parsons gave a PowerPoint presentation on Ordinance 2019-06.

Mayor Spoll inquired as to the inclusion of Policy 1.1.11. Mr. Parsons advised he would confirm inclusion prior to the second reading of the Ordinance.

Following conclusion of Mr. Parsons presentation, Town Attorney Maggie Mooney inquired and Mr. Parsons confirmed that properties in the TRC-3 and TRC-6 land use categories would be able to redevelop for their intended purposes in those zoning districts.

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

The motion carried by a 7-0 roll call vote, as follows: Daly, aye; Zunz, aye; Haycock, aye; Spoll, aye; Clair, aye; Pastor, aye; Schneier, aye.

Ordinances – Second Reading and Public Hearing

13. Ordinance 2019-03, Amending Chapter 71, Traffic Rules; and Chapter 74, Parking Schedule

Ordinance 2019-03, amends the Town's traffic rules and parking schedule. The amendments were crafted based on Longbeach Village residents' concerns with increased traffic and on-street parking along Broadway and side streets with adjacency to the two restaurants. Town staff worked with residents, and restaurants, to identify solutions to address parking issues. Recommended Action: Adopt Ordinance 2019-03.

Town Clerk Trish Shinkle placed Ordinance 2019-03 on record by title only.

13. Ordinance 2019-03, Amending Chapter 71, Traffic Rules; and Chapter 74, Parking Schedule - Continued

Commissioner Pastor moved to adopt Ordinance 2019-03. The motion was seconded by Commr. Schneier.

Mayor Spoll opened the public hearing.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons gave a PowerPoint presentation on Ordinance 2019-03. Discussions were held on the following topics/issues:

- existing alleyways throughout the Town
- overnight parking restrictions proposed (midnight to 5:00 a.m. versus 11:00 p.m. to 5:00 a.m.).

Following comments, Vice Mayor Zunz moved to amend Ordinance 2019-03 modifying the parking restrictions to reflect 11:00 p.m. The motion was seconded by Commr. Pastor.

Town Attorney Maggie Mooney noted the advertising reflected the time from midnight to five a.m.

Subsequent to discussion, there was consensus to amend the Ordinance to restrict parking from 11:00 p.m. to 5:00 a.m.

The following individuals commented on Ordinance 2019-03:

- Mr. Benny Parrish, Hughes Street
- Mr. Michael Drake, Longboat Drive South

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

The motion to adopt Ordinance 2019-03, as amended, carried by a 7-0 roll call vote, as follows: Pastor, aye; Schneier, aye; Haycock, aye; Daly, aye; Clair, aye; Zunz, aye; Spoll, aye.

Resolution and Public Hearing

14. Resolution 2019-03, Public Hearing for Establishing Building Permit and Fire Fees Rate Structure

Town Staff and consultants, BerryDunn, presented a Building Permit and Fire Fee Study to the Town Commission at their May 20, 2019, Regular Workshop Meeting. Resolution 2019-03 provides for and establishes a fee structure for building permits and fire fees and is placed for public hearing on the June 3, 2019, Regular Meeting. Recommended Action: Pass Resolution 2019-03.

Town Clerk Trish Shinkle place Resolution 2019-03 on record by title only for public hearing.

Commissioner Haycock moved to pass Resolution 2019-03. The motion was seconded by Commissioner Pastor.

Mayor Spoll opened the public hearing.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons gave a PowerPoint presentation on Resolution 2019-03.

14. Resolution 2019-03, Public Hearing for Establishing Building Permit and Fire Fees Rate Structure - Continued

Town Attorney Maggie Mooney recommended, in addition to the CPI (Consumer Price Index) adjustment for costs, the inclusion of an additional option to increase fees based on the annual percentage change in the department's budget for the recovery of actual costs.

Discussions were held on the following topics/issues:

- utilization of the CPI versus budget (direct) costs in any given period
- not charging full costs for some services
- annual versus a longer period of time to consider increases based on the CPI or direct costs
- language to provide for collection of past year CPI if not applied annually.

Following discussion, there was consensus to amend Section 4 by deleting the word "annual" from the third line.

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

The motion to pass Resolution 2019-03, as amended, carried by a 7-0 roll call vote, as follows: Haycock, aye; Pastor, aye; Daly, aye; Zunz, aye; Spoll, aye; Schneier, aye; Clair, aye.

New Business

15. Special Magistrate Appointment

At their June 4, 2018, Regular Meeting the Town Commission approved amendments to Chapter 33, Code Enforcement Board, including an option to replace the Code Enforcement Board with a Special Magistrate. The Commission directed staff to implement the option of having Code Enforcement cases heard by a Special Magistrate and a provision that would sunset the Code Enforcement Board by September 30, 2019. A Request for Proposals (RFP) resulted a response from Milan Brkich, who was deemed responsive and qualified by the Town Manager, Town Attorney, and Purchasing Manager to perform in this capacity for the Town. Recommended Action: Authorize the Manager to execute the contract for appointment of Milan Brkich as the Town Code Enforcement Special Magistrate.

Town Manager Tom Harmer noted attendance by Attorney Milan Brkich, provided an overview of previous Commission direction and Staff's procurement actions, and recommended the appointment of Attorney Brkich as the Code Enforcement Special Magistrate.

Commissioner Daly moved to appoint Attorney Brkich as the Code Enforcement Special Magistrate and to authorize the Town Manager to execute the contract. The motion was seconded by Commissioner Clair.

Discussions were held with Town Attorney Maggie Mooney on the following topics/issues:

- travel and per diem rates included in the hourly fee
- "directly adverse" terminology
- completion of the Public Entity Crimes Form.

Upon inquiry, Town Attorney Mooney advised that the Special Magistrate is selected and terminated by the Town Commission, and discussed the standardization of processes and forms and the relationship of the Special Magistrate with the Town Commission.

15. Special Magistrate Appointment - Continued

Town Manager Harmer noted that Staff will coordinate the process and forms and advised that he and Attorney Brkich have the ability to forward any concerns to the Town Commission.

The motion to appoint Attorney Brkich and authorize the Town Manager to execute the contract carried by a 7-0 roll call vote, as follows: Daly, aye; Clair, aye; Haycock, aye; Spoll, aye; Schneier, aye; Zunz, aye; Pastor, aye.

16. Discussion Regarding Execution of Master Services Agreement with Wilco Electrical, LLC for Utilities Undergrounding Project

Resultant from responses from the Request for Proposals (RFP) for the Towns Utilities Undergrounding Project, the Town selected Wilco Electrical, LLC with whom to develop a contract. Negotiations and design coordination have been in progress since late 2018 and have resulted in a Master Services Agreement for the Town Manager's signature. The Master Services Agreement will form the framework by which the construction project will progress and individual Work Assignment Task Orders for construction components will be authorized from the agreement. Recommended Action: Authorize the Town Manager to execute the contract with Wilco Electrical, LLC, to initiate the utilities undergrounding project.

Town Manager Tom Harmer noted past actions and advised that the Master Services Agreement has been reach with Wilco Electrical, LLC.

Upon inquiry, Public Works Director Isaac Brownman noted that the backbone fiber will be installed town wide with or without partners and commented on the mobilization fees.

Public Works Project Manager James Linkogle noted the permits have been issued and commented on the sequence of events to begin the project.

Town Manager Harmer noted that Staff will hold a community event on July 1, 2019, for the public to provide information on the project. Discussions were held with Mr. Brownman on the project schedule, installation of the conduit, and removal of poles.

Town Commission Comments

No items were presented.

Town Attorney Comments

17. Request for Authorization to Initiate Action Against Property Owner Violating the Town's Short Term Rental Ordinance

Town Attorney Maggie Mooney provided an overview of the request to initiate action against Equity Villa Fund, LP, and Equity Residences, LLC, and to authorize the law firm of Matthews Eastmoore to file the complaint and to represent the Town in the action. Discussion ensued on the following topics/issues:

- recovering costs for the litigation
- violation of State statutes/lack of corporate registration
- intent of litigation/declaratory action
- ownership of property/rental agent
- impact if court rules against Town.

Following comments, Vice Mayor Zunz moved to authorize the Town Manager and Town Attorney to engage the law firm of Matthews Eastmoore to serve as Special

17. Request for Authorization to Initiate Action Against Property Owner Violating the Town's Short Term Rental Ordinance - Continued

litigation counsel to the Town and to file a declaratory relief and injunctive relief and injunctive relief action against Equity Villa Fund, LP, and Equity Residences, LLC for violations of the Town's Zoning Code. The motion, seconded by Commissioner Schneier, carried by a 7-0 roll call vote, as follows: Zunz, aye; Schneier, aye; Haycock, aye; Daly, aye; Clair, aye; Pastor, aye; Spoll, aye.

Town Manager Comments

A. Budget

Town Manager Tom Harmer noted the Property Appraisers have issued the preliminary property values noting the combined increase of 3.21%.

B. Town Commission

Town Manager Tom Harmer noted the upcoming Joint Meeting with the Sarasota City Commission and the items to be considered and reviewed items to be included on the June Workshop agenda.

Individual comments followed on the dress code for the Joint Meeting.

Commissioner Clair inquired and Town Manager Harmer advised he will follow up on providing public information on the summer fertilizer restrictions.

Adjournment

Mayor Spoll adjourned the June 3, 2019, Regular Meeting at 4:43 p.m.

Trish Shinkle, Town Clerk

George L. Spoll, Mayor

Note: Minutes in draft form and not official until approved by the Commission.

Minutes Approved: _____

**MINUTES
LONGBOAT KEY TOWN COMMISSION
SPECIAL MEETING
JUNE 3, 2019 – 10:00 AM**

Present: Mayor George Spoll, Vice Mayor Ed Zunz, Commissioners Randy Clair, Jack Daly, Mike Haycock, Irwin Pastor, Ken Schneier

Also Present: Town Manager Tom Harmer, Town Attorney Maggie Mooney, Town Clerk Trish Shinkle, Deputy Town Clerk Savannah Schield

Call to Order/Pledge of Allegiance

Mayor Spoll called the June 3, 2019, Special Meeting to order at 10:00 a.m. in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida, and Commissioner Clair led the Pledge of Allegiance.

New Business

2. Longboat Key Town Center Project Update and Next Steps for Outdoor Venue

Town staff will present an update on the Town Center Project and review the status of permitting, wetlands mitigation, and site preparation related to the outdoor venue. The meeting will include a walking tour of the site at 555 Bay Isles Road (across the street from Town Hall). After the walking tour, the meeting will resume at Town Hall to continue discussion of the site. Recommended Action: None, informational only.

Town Manager Tom Harmer reviewed the process for the meeting, and Public Works Director Isaac Brownman gave a PowerPoint presentation on the Town Center outdoor venue and tour. Individual comments followed.

Town Attorney Maggie Mooney provided recommendations for the tour regarding The Sunshine Law.

Public to be Heard

1. Opportunity for Public to Address Town Commission

A. Public Works

Mr. Sadler James, Harbourside Drive, commented on potential pickleball court locations on the Town Center site.

B. Public Works

Mr. Tom Aposporos, Anna Maria, commented on temporary stages at the Town Center site.

RECESS: 10:48 a.m. – 11:00 a.m.

2. Longboat Key Town Center Project Update and Next Steps for Outdoor Venue - Continued

The Special Meeting was reconvened at the Town Center site at 11:00 a.m. Public Works Director Brownman gave a tour of the site.

New Business - Continued

2. Longboat Key Town Center Project Update and Next Steps for Outdoor Venue – Continued

The following individuals commented on the outdoor venue site during the tour:

- Mr. Sadler James, Harbourside Drive
- Mr. Phil Younger, Bayou Sound
- Mr. Tom Aposporos, Anna Maria
- Mr. Leonard Landau, Fair Oaks Lane
- Mr. Jim Brown, Harbourside Drive

RECESS: 11:28 a.m. – 11:40 a.m.

The Special Meeting was reconvened at 11:40 a.m. in the Town Commission Chamber. After comments by Town Manager Harmer, discussions were held on the following topics/issues:

- future event opportunities on the site
- condition and removal of trees on site
- budgeting for the project
- operating costs
- pickleball court locations
- proposed center amenities
- long term plans for site.

The following individuals commented on the Town Center outdoor venue site:

- Mr. Sadler James, Harbourside Drive
- Mr. Jim Brown, Harbourside Drive
- Mr. Leonard Landau, Fair Oaks Lane

Individual comments followed.

There was consensus to move forward with the proposed site plan.

Adjournment

Mayor Spoll adjourned the June 3, 2019, Special Meeting at 12:26 p.m.

Savannah Schield, Deputy Town Clerk

George L. Spoll, Mayor

Minutes Approved: _____

Note: Minutes in draft form and not official until approved by the Commission.

End of Agenda Item