



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](http://www.longboatkey.org)

George Spoll, Mayor; Ed Zunz, Vice Mayor; Randy Clair, District 1; Ken Schneier, District 3; Jack Daly, District 4; Mike Haycock, At-Large; Irwin Pastor, At-Large

## **AGENDA**

### **REGULAR MEETING**

### **June 3, 2019 – 1:00 PM**

#### 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".

### **Call to Order and Pledge of Allegiance**

#### **Public to be Heard**

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

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

#### **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

#### **Committee Reports**

3. Manatee County Special Liaison Report
4. Sarasota County Special Liaison Report
5. Other Reports
6. Sarasota County Commission Board Chair, Charles Hines

#### **Consent Agenda**

The purpose of the Consent Agenda is to expedite those items on an agenda that appear to be of a routine nature. Any item on the Consent Agenda can be removed from the Consent Agenda and placed on the Regular Agenda by any member of the Town Commission without having to make a motion, receive a second, or submit to 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 is a vote of confirmation to the action noted in each item.

#### 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 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.

**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, 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.

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 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.

**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.

### **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.

### **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.

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

Resultant from responses from the Request for Proposals (FRP) for the Towns Utilities Undergrounding Project, the Town selected Wilco Electrical, LLC with whom 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: Town Manager to execute the contract with Wilco Electrical, LLC to initiate the utilities undergrounding project.

### **Town Commission Comments**

#### **Town Attorney Comments**

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

#### **Town Manager Comments**

#### **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 forty-eight (48) hours in advance of this proceeding. If you are hearing impaired, please call 941-316-8719.