

## M E M O R A N D U M

**TO:** Town Commission

**FROM:** Tom Harmer, Town Manager

**REPORT DATE:** November 25, 2019

**MEETING DATE:** December 2, 2019

**SUBJECT:** Ordinance 2019-17, Amendment to Chapter 92, Parks, Public Beaches, and Public Beach Accesses; Amending Ordinance 2014-29; Amending the Town of Longboat Key Code of Ordinances Section 92.62 Geographic Boundary of Bayside District

### **Recommended Action**

Adopt Ordinance 2019-17.

### **Background**

In 1992, Ordinances 92-24 and 92-26 were enacted which enabled the Town to levy a millage dedicated to beach nourishment. Based upon the findings and recommendations provided for within a study performed in 2014, the Town Commission adopted Ordinance 2014-29 for the purpose of sunsetting the previously established Districts A and B at a date no later than October 1, 2021, and established two (2) new dependent special districts within the jurisdictional boundaries of the Town known as the Longboat Key Gulfside District (Gulfside District) and Longboat Key Bayside District (Bayside District).

Pursuant to the adoption of Ordinance 2014-29, the Town requested that the two new beach districts be established into the County Property Appraiser's systems in anticipation of the upcoming bond referenda and first-time levy of ad valorem taxes by the Gulfside and Bayside Districts. The Manatee County Property Appraisers Office sought clarification from the Town on whether certain real properties located on islands within the Town's municipal boundaries and within Sarasota Bay lie included within the Bayside District. The legal description nor did the map highlight or include the tax exempt conservation area islands known as Sister Keys. Under their interpretation, this would result in ten parcels ending up in their own district.

Ordinance 2019-17, addresses the question raised by the Manatee County Property Appraiser's office regarding the Bayside District, and amends the geographic boundary description text and map provided for in Ordinance 2014-29 (as codified in Section 92.62 of the Town Code) to clarify that all of the islands within the Town's municipal boundaries, including but not limited to Jewfish Key and Sister Keys, are deemed to lie within the Bayside District as follows:

### *Old Language:*

Section 92.62, Geographic Boundary of Bayside District. The geographic boundary for the Bayside District shall include and incorporate all real properties generally located on the easterly side of Gulf of Mexico Drive that are located between Gulf of Mexico Drive and Sarasota Bay, all of which are located within the municipal boundaries of the town. A

map identifying all of the parcels located within the Bayside District, is provided in the appendix of this chapter and is hereby incorporated by reference as Exhibit 2. Ordinance 2019-17, provides the agreed upon language between the Town and the Manatee County Property Appraiser.

*New Language:*

Section 92.62, Geographic Boundary of Bayside District. The geographic boundary for the Bayside District shall include and incorporate all real properties generally located on the easterly side of Gulf of Mexico Drive that are located between Gulf of Mexico Drive and Sarasota Bay, **and all real properties located within Sarasota Bay, including but not limited to Jewfish Key and Sister Keys**, all of which are located within the municipal boundaries of the town. A map identifying all of the parcels located within the Bayside District, is provided in the appendix of this chapter and is hereby incorporated by reference as Exhibit 2.

The Town Commission considered Ordinance 2019-17 at first reading at their November 20, 2019 Special Meeting and voted (7-0) to forward the Ordinance to their December 2, 2019 Regular Meeting for 2<sup>nd</sup> Reading and Final Public Hearing.

**Staff Recommendation**

Adopt Ordinance 2019-17.

**Attachments**

- A. Ordinance 2019-17 (Available in Town Clerk's Office)

**End of Agenda Item**