

**MICROFILMING INFORMATION SHEET**

**TO:** LASON  
**FROM:** Town of Longboat Key  
Town Clerk Department  
501 Bay Isles Road  
Longboat Key, FL 34228

**DATE:** 04-01-2003

**SUBJECT:** Microfilming

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04-02-1998 TCSW

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## Town of Longboat Key Town Commission

Town Hall  
501 Bay Isles Road  
Longboat Key, FL 34228

(941) 316-1999  
(FAX) 316-1942  
INFOLINE: 361-6411

### - AGENDA -

#### SPECIAL WORKSHOP MEETING

9:00 AM

APRIL 2, 1998

#### 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.

#### Call to Order

Notice is hereby given that the Mayor of Longboat Key has called a Special Workshop Meeting on Thursday, April 2, 1998 in the Commission Chambers located at 501 Bay Isles Road, Longboat Key, Florida. **The workshop will commence in the Public Works Breakroom, located at 600 General Harris Street for a fact-finding tour and then in the Commission Chambers for the purpose of discussing the following items:**

1. Town Facilities Issues Report
2. Canal Dredging Report

#### Public to be Heard

#### Town Attorney Comments

#### Town Manager Comments

#### Town Commission Comments

#### Press to be Heard

#### Adjournment

If any person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, a record of the proceedings will be needed. For such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.  
/dhs

Raymond W. Metz, Mayor; Kennedy Legler, Vice-Mayor  
John R. Redgrave, District 2; Robert J. Farber, District 3; Hal Lenobel, District 4;  
Jim Patterson, At Large; Charles Loiselle, At Large

98-05

**MINUTES OF THE SPECIAL WORKSHOP OF THE LONGBOAT KEY TOWN COMMISSION,  
APRIL 2, 1998, 9:00 AM**

**Present:** Mayor Lenobel, Vice-Mayor Redgrave, Commissioners Patterson Johnson, Haglund, Metz, Legler

**Also Present:** Town Manager St. Denis, Town Attorney Persson, Planning, Zoning, and Building Director Black, Finance Director Sullivan, Town Clerk Arends, Deputy Clerk-Minutes Dunay-Mixon

**Call to Order**

The Special Workshop of the Longboat Key Town Commission was called to order at 9:00 AM in the Public Works Breakroom, 600 General Harris Street, for a fact-finding tour, and then in the Town Commission Chambers, Town Hall, 501 Bay Isles Road, Longboat Key, Florida.

**3. Chief Kintz Commendation**

Officer Hancock read a letter outlining the off-duty actions of Police Chief Kintz who participated in the apprehension of strong-armed robbery suspects in Bradenton. Mr. St. Denis advised a letter of commendation would be written honoring Chief Kintz.

**Items for Consideration of the Town Commission**

**1. Town Facilities Issues Report**

Town Manager St. Denis, Town Commissioners, and members of the public participated in a fact-finding tour through the Public Works office building and warehouse, Planning, Zoning, and Building (PZB) office building, and the Police Department concerning conditions of the facilities.

Marty Black, Planning, Zoning, and Building Director, distributed copies of the Ardaman & Associates summary report on the Public Works and PZB facilities. He pointed out the deterioration of the facilities.

Mr. St. Denis advised it was important to see the conditions; he noted the existing problems with Town facilities, which were identified beginning in 1990. He stated a policy decision was necessary to determine the level of improvement the Town Commission wished to explore.

Mr. St. Denis explained his desire for survivable structures; Town office buildings including the police station needed to be above base flood elevation; he noted previous reports concerning Town facilities did not address the survivability issue. He pointed out the possible results of a direct-hit storm; Town employees would not dig out the island nor perform assessments; other communities would provide assistance.

SPECIAL WORKSHOP (CONT.)

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Mr. St. Denis advised it would be necessary to organize the clean-up process; permits would be issued and a building department would have to be set up. He reported if structures were destroyed it would be necessary to obtain the records which reflected the imposed restrictions and conditions.

Commissioner Patterson commented this situation had been discussed annually. He suggested prioritizing the issues and addressing them in the following order: 1) legal issues; 2) operational efficiency of the Town; 3) flooding; however, the flooding issue should not drive the Facilities Master Plan.

Commissioner Metz pointed out the Facilities Master Plan did not address the immediate needs of the North or South Fire Stations. Mr. St. Denis advised the items referred to by Fire Chief Howe could be discussed during budget meetings; some of the maintenance issues would be resolved immediately.

Commissioner Metz stated Scenarios A-F reflected estimates of \$2.9 million to \$4 million; he explained bond issues required a referendum question be presented to the registered voters. Mr. St. Denis advised the desire was to place the referendum question on the November 1998 ballot since a General Obligation (GO) Bond was required; the project could be funded over 20 years and would be affordable.

Mr. St. Denis advised there were serious noncompliance problems which existed that could not be addressed within the current facilities. He pointed out the scenarios were included in the agenda packet as background material; however, they were not recommendations; staff was recommending survivable structures.

Commissioner Metz inquired as to when staff recommendations would be presented to the Commission. Mr. St. Denis advised if authorization to proceed were given, staff recommendations would be available within a few months; the related cost to proceed was estimated at \$20,000; however, it was uncertain if architectural or engineering fees were included in the estimates.

Commissioner Metz inquired as to what was needed from the Commission to proceed. Mr. St. Denis advised several points of direction were needed: 1) concurrence to address the problem; 2) which facilities to address; 3) project funding. He reported staff recommended all facilities be addressed.

Commissioner Legler suggested authorizing the consulting aspect of the project; however, alternatives and construction phrases should be presented to the Commission after the consultant's study was completed. He stated it would be necessary to prepare and present an

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SPECIAL WORKSHOP (CONT.)

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educational project so Longboat Key registered voters were aware of the need for facility improvements.

Vice-Mayor Redgrave suggested the Commission authorize the Town Manager to proceed with hiring consultants; he asked that several construction scenarios be presented to the Commission.

Commissioner Haglund supported the consultant phase of the project; he stated improvements were needed; he suggested a detailed cost structure be prepared. Mr. St. Denis advised several scenarios would be presented to the Commission; however, Americans With Disabilities Act (ADA) requirements needed to be addressed.

Commissioner Johnson expressed concern with the Town's noncompliance with the ADA.

Mayor Lenobel asked for a total package proposal, as well as a proposal with phases. Mr. St. Denis reported based on current conditions it would be difficult to phase the project.

Commissioner Metz explained to stage the project over five years would not be productive and construction costs could increase.

Commissioner Patterson reminded the Commission the recent referendum was initiated by a group of citizens who were against renovations to Town facilities. He stated alternative options could solve the existing problems: 1) renovations; 2) relocation of departments; 3) new construction.

Commissioner Haglund pointed out legitimate opposition should be recognized and addressed; however, the community would support the issue if the Town were to involve citizens in obtaining input.

Rainer Josenhanss, 6669 Gulf of Mexico Drive, pointed out Commissioner Patterson's statement was not accurate; he explained the referendum was initiated because the then seated Town Commission and then Town Manager (Griff Roberts) were discussing a \$2.3 million facility and the topic of revenue bonds. He stated he was the activist who started the campaign and 78% of the registered voters supported the referendum. Mr. Josenhanss commented anything which was understandable and was needed would be supported.

Mr. St. Denis advised staff would proceed to work with consultants and develop scenarios based on priorities. He explained it would be difficult to establish the priorities without laying out the entire project. He asked for the option to bring back a scenario based on constructability rather than just priorities.

Commissioner Haglund stated the whole project should be presented; the priorities would be established after the entire package was

SPECIAL WORKSHOP (CONT.)

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examined and reviewed. Commissioner Metz agreed; the entire project should be presented to the Commission; the construction staging would dictate the priorities.

Commissioner Patterson asked that a timeline for the November 1998 referendum be established.

Betty Blair, 561 Putter Lane, expressed concern with the "hurry up" urgency of this matter; it would be difficult to obtain a positive referendum outcome in November 1998; most registered voters would be leaving Town shortly and not returning until October; therefore, it would be difficult to "sell" the people on the issue when a majority of the registered voters were not present.

Commissioner Metz pointed out Town government was actively operated on a year-round basis.

Commissioner Johnson expressed concern with conducting an educational and informational program when a large number of registered voters were out of Town.

Mr. Josenhanss urged the Commission to reconsider holding the referendum during November 1998.

Mr. St. Denis advised he wished to target a November 1998 referendum ballot question; however, the proposal would have to be reviewed and the deadline date may need to be changed to March 1999.

Mayor Lenobel stated the Commission should not obligate the project to a timeframe at this point.

Mr. St. Denis asked whether the Commission wished to construct survivable buildings to solve the facility problems. He pointed out the North Fire Station was a survivable building; it was constructed above base flood elevation and the windows were built to sustain strong winds. He explained the proposals would contain a nice looking facility; however, they would not be overdone for staff comfort.

Commissioner Haglund asked if some buildings had to be more survivable than others. Mr. St. Denis stated the Town Manager's office would function anywhere; however, the Town Clerk's Department would need access to historical documents and records.

Commissioner Johnson inquired as to when the Town Commission would be receiving an update on this issue. Mr. St Denis replied a discussion document would be available in eight weeks.

There was a consensus to authorize the Town Manager to proceed with hiring a consultant and report back to the Commission with scenarios.

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SPECIAL WORKSHOP (CONT.)

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4. Records Management

Mr. St. Denis advised staff would be directed to remove all non-active records to an off-site location; records which met the Florida Statutes for destruction should be destroyed. He reported digitizing records was an alternative method of recordkeeping the Town had explored. He stated scanned records could be easily reviewed from various computers and updating maps would be simplified. He noted this issue would be addressed during Fiscal Year 1998-99 Budget Meetings.

Commissioner Johnson suggested the Town consult with a records management firm to determine specific needs. Mr. St. Denis explained this process would be expensive; the preliminary report indicated \$700,000 would be needed to proceed with the program.

Vice-Mayor Redgrave suggested the Town Manager develop a records management proposal for the Commission; this problem was extensive. He stated records management was an ongoing process and should be listed as a line item in the budget.

A recess was called at 12:15 PM; the Special Workshop reconvened at 1:00 PM.

2. Canal Dredging Report

Cliff Truitt, 1600 Thompson Parkway, Sarasota, Beach Consultant, reported a study was performed in 1996 to determine if canal dredging were feasible. He advised 54 canals were reviewed; Coastal Planning and Engineering (CPE) was asked to make several assumptions while conducting the study: 1) navigable width of the canals; 2) permitting; 3) disposal of material; 4) budget. He stated CPE did not review the entrance into the Dry Dock Marina or the opening into a condominium marina area at the north end of the Key.

Dr. Truitt explained St. Judes Drive and Tarawitt Drive were included in the study. He stated eight canals were not recommended for dredging; CPE did not recommend St. Judes Drive or Tarawitt Drive be dredged; there were concerns about the narrow width of the existing canals and the impact to the existing seawalls.

Dr. Truitt reported CPE performed a center-line survey of the channel to develop characterization and noted the existing condition of each canal. He advised a majority of the canals met the depth assumption of -5.4 feet (five feet below mean low water).

Dr. Truitt pointed out the liability issue was reviewed; if the Town were to sponsor the dredging project damage could occur to seawalls and bulkheads. He explained seawall design information was not available and most of the seawalls were built 30 years ago.

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SPECIAL WORKSHOP (CONT.)

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Dr. Truitt explained the liability issue could be addressed by obtaining individual releases from property owners or rolling the additional insurance cost into the property owners portion of the cost. He recommended the Commission proceed with the entire project in a series of phases; the estimated timeline was 18 months to obtain permits and deal with the liability issues. He noted based on the original cost estimates the project would cost \$1.2 million.

Commissioner Metz inquired as to the number of canal-side property owners on Longboat Key. Mr. St. Denis advised the cost estimates were preliminary; the project should be estimated at \$2 million. He reported there were approximately 972 canal-side property owners.

Commissioner Haglund asked whether it were feasible to determine the condition of the seawalls and the related liability prior to dredging.

Dr. Truitt reported CPE performed an observational review of the seawalls; measurements and surveys were not completed. He explained the approach was to design a channel within a canal; the setback would be away from the sides of the bulkheads so there would be no impact to existing seawalls. He advised it was not in the Town's best interest to perform a detailed study of the seawalls; the Town could be exposed to greater liability by attempting to characterize the structural condition of private property.

Commissioner Haglund inquired as to the reason why eight canals were not recommended for dredging. Dr. Truitt replied the canals were narrow and the assumed cross-section would not fit into the canal.

Mr. St. Denis advised the approach was to limit the project to \$2 million; design and funding scenarios could be started; however, after the design was completed other issues would have to be addressed. He reported staff would address the issue of liability, spoil disposal, and canal ownership within the \$2 million budget.

Commissioner Patterson asked if canal dredging would be considered a one-time project. Mr. St. Denis replied yes; however, further maintenance dredging projects may be required.

Commissioner Patterson asked whether the mouth of the canals or the canals would be dredged. Dr. Truitt replied the dredging would be limited to the confines of the canals themselves.

Commissioner Legler stated the Town's Canal Dredging Survey results indicated that 67% of the canal property owners favored canal dredging; he noted half of the 67% indicated they would pay a portion of the related cost.

There was a consensus to proceed with a canal dredging project.

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SPECIAL WORKSHOP (CONT.)

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Mayor Lenobel inquired as to which canals would be dredged. Commissioner Haglund asked whether the project would be Town-wide or based on individual property owner approval. Commissioner Metz stated if the Town were to support canal dredging the project should be Town-wide. Commissioner Johnson agreed.

Commissioner Legler pointed out the Town should not be involved in dredging private canals unless the owners wished to pay 100% of the related cost. He expressed disagreement with a Town-wide project; canals should be dredged if a majority of the property owners agreed; canal property owners would be assessed with a percentage of the related cost.

Mr. St. Denis asked the Town Attorney to clarify the issue of private canals. Town Attorney Persson advised some of the private canals were intended to be private; however, some canals were private by happenstance. He explained the Marbury Lane area canals were not dedicated to the public nor were they referenced in the deeds; he pointed out the Tarawitt Drive area was complicated and the deeds reflected private ownership to the middle of the canal; therefore, permission would have to be obtained prior to canal dredging. He reported the vast majority of the canals had public easement access.

Mr. Persson reported some of the "canals" were actually natural waterways and the public had a right to dredge those areas without permission from property owners.

Mr. St. Denis advised some issues could be resolved easily; however, those issues which could not be resolved should be removed from the project. He pointed out the need for a policy decision on whether to proceed with the engineering work.

**There was a consensus to continue with a canal dredging program with some financial participation from the Town.**

Commissioner Haglund explained the term "some" should not be construed that the Town would pay a majority portion of the canal dredging costs. He pointed out a majority vote from the canal property owners should be obtained prior to dredging an individual canal.

Commissioner Legler suggested an assessment concept that required canal property owners to pay 70% of the canal dredging cost and non-canal property owners to pay 30%.

**There was a consensus to accept the concept of dividing the canal dredging cost between canal property owners and non-canal property owners.**

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SPECIAL WORKSHOP (CONT.)

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Commissioner Haglund stated he preferred to stay close to a 80%/20% split; however, identifying specific numbers was not necessary at this point; the canal property owners would pay the majority of the cost.

Mr. St. Denis advised a commitment was necessary; a number had to be identified so canal property owners could make a decision of whether to participate.

Commissioner Legler stated ad valorem taxes should not be increased to cover the project.

Mr. St. Denis reported staff would develop a preliminary report on how the split could be made; staff would work with the Town Attorney to clarify the canal ownership issues.

Frank Cullen, 739 St. Judes Drive South, stated liability may be a problem with seawalls; he stated dredging in the St. Judes canal was dangerous. He explained if the Town were to conduct a survey some of the canal property owners may indicate they were happy with the condition of their canal and dredging was not necessary. He pointed out canal dredging was not a tourist issue and the majority of the cost for the project should be paid by canal property owners who wished to have their canals dredged.

Bradford Saivetz, 580 Golf Links Lane, stated he was a professional engineer. He pointed out if the Town wished to coordinate canal enhancement that would be acceptable; however, if the Town were to become involved with canal dredging it would be disastrous. He explained canals were private and should remain private; it urged the Commission not to get involved with a canal dredging project.

Michael Lendrihas, 691 Tarawitt Drive, referred to Channel 18 (Tarawitt canal) and inquired as to why the Town was "dumping" stormwater into a private canal. Mr. Persson advised easements were obtained by the Town.

Mr. Lendrihas urged the Commission to proceed with the project: additional information and engineering was necessary. He explained the canal was 45-feet wide and was considered narrow; however, the canal property owners wished to proceed with canal dredging.

Commissioner Patterson pointed out seawall slabs were interlocking and differed in height and thickness; he explained the related cost could be estimated at \$350 per foot; he noted some seawalls could have a 30° slant and remain standing.

Mr. St. Denis advised staff would proceed based on the Canal Dredging Survey (1996); he stated if the Commission were not confident with this information another look at the issue would be necessary;

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SPECIAL WORKSHOP (CONT.)

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however, if the Commission were confident in the information staff would proceed with engineering. He reported the next level of inquiry, related engineering work, was estimated at \$50,000.

Vice-Mayor Redgrave pointed out canal dredging was not budgeted; he inquired as to the funding source. Mr. St. Denis advised some contingency funds were available to proceed with the project; however, the \$50,000 would not include final plans.

**There was a consensus to support a \$50,000 expenditure for obtaining additional canal dredging information.**

Mr. St. Denis summarized the Town Commission would allow individual canal property owners to decide whether they wished to participate and individual canal property owners would pay the majority of the related cost for canal dredging. He advised staff would determine which canals, from a legal standpoint, would be easy to dredge and which canals were problematic.

Vice-Mayor Redgrave inquired as to the timeline for the project. Mr. St. Denis reported a timeline had not been established; however, a schedule would be forthcoming.

Mr. Lendrihas questioned whether specific canals would be excluded from the project. Mr. Persson advised if private ownership extended to the middle of the canal it would be necessary to obtain an easement; it could be difficult to dredge that type of a canal if all of the property owners did not agree.

Public to be HeardTown Attorney CommentsTown Manager Comments5. Beach Advisory Committee

Mr. St. Denis announced a position had become vacant on the Beach Advisory Committee (by election of Gordon Haglund to the Town Commission); it was filled by former Mayor Jim Brown.

6. Tourist Development Council (TDC) Presentation

Mr. St. Denis reported staff was working on the 4-16 presentation to the Sarasota County TDC; he advised the Commission needed to determine the approach to follow.

Commissioner Legler stated the Town had an \$18 million beach restoration program and the request was for "X" amount. Mr. St. Denis advised the Town could approach the issue by establishing a need for \$337,000 and explain what the funds would be used for.

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SPECIAL WORKSHOP (CONT.)

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Commissioner Haglund stated the issue was to educate the Sarasota County TDC on the Town's renourishment program; the presentation given to the Town by Dr. Truitt and CPE was based on a long-term management project as part of the infrastructure. He explained the Town should not ask for a percentage of a \$16 billion program; the Town should ask for their fair share of dedicated funds.

Mr. St. Denis advised Dr. Truitt would give a short presentation highlighting monitoring, future projects, and funding. He explained the benefits should be explained to the TDC.

Commissioner Patterson stated the general approach should be through beach infrastructure annual requirements; the Town should request a specific percentage from the TDC and staff should be available to answer questions. He suggested Commissioner Haglund start the presentation from a political approach followed by the Town Manager and Finance Director Sullivan.

Mr. Sullivan explained the \$150,000 was based on the existing allocation; however, the Town's desire was to obtain a third of the collected funds. He suggested as the TDC collected the revenues and the \$150,000 threshold was reached the remaining balance of the collected funds would go to the Town of Longboat Key. He noted funding would come from two sources.

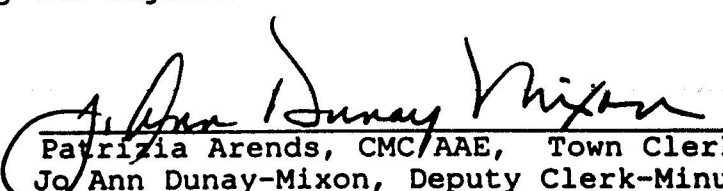
Mr. St. Denis advised he would bring back to the Commission a presentation approach for review.

Town Commission Comments7. Intermodal Surface Transportation Efficiency Act (ISTEA) Resolution

Vice-Mayor Redgrave stated the U.S. House of Representatives passed the Intermodal Surface Transportation Efficiency Act funding, so a Town resolution previously requested was not needed.

Press to be HeardAdjournment

The Special Workshop Meeting was adjourned at 2:40 PM.

  
Patrizia Arends, CMC/AE, Town Clerk  
Jo Ann Dunay-Mixon, Deputy Clerk-Minutes

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