



***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**

**(941) 316-1999**

**[WWW.LONGBOATKEY.ORG](http://WWW.LONGBOATKEY.ORG)**

### **- AGENDA - REGULAR MEETING**

**7:00 PM**

**April 7, 2014**

#### **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 and Pledge of Allegiance**

#### **Proclamations and Special Presentations**

#### **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.

**Morris Kertzer, Juan Anasco Drive – requested reconsideration of Hedge Ordinance. If no action by December he will remedy issue himself.**

**Invited Mayor Brown to view hedges**

#### **Approval of Minutes**

**2. January 17, 2014, School Board Convocation Joint Meeting; February 3, 2014, Special Workshop Meeting; February 3, 2014, Regular Meeting; February 18, 2014, Regular Workshop Meeting; February 20, 2014, Attorney-Client Special Meeting Minutes**

**Approved as submitted**

**Tirsh – obtain signatures, post/distribute as required.**

#### **Committee Reports and Communications**

##### **3. ULI Implementation Advisory Committee Update**

**Nick Lepp, Project Manager with Renaissance Planning Group, Project team for Manatee Co Complete Streets Study was guest speaker /// next meeting May 1, guest will be Phil Smith, David W. Johnston Associates Landscape Architects, Sarasota**

**TM advised that a professional facilitator will be brought in for future meetings**

**Jules Rauch – Sleepy Lagoon Subdivision comments on ULI Study & Implementation – SLHOA opposes use of taxpayer funds to promote implementation of Town Center concept**

#### **Ordinances - First Reading**

##### **4. Ordinance 2014-15, Establishing Fees for Lien Search Services**

**Jim Brown, Mayor; Jack Duncan, Vice-Mayor;  
Lynn Larson, District 1; Terry Gans, District 3;  
Pat Zunz, District 5; Phill Younger, At-Large; Irwin Pastor, At-Large**

The Town Clerk and Finance Director receive numerous requests for lien searches on properties located within the Town's municipal boundaries. In an effort to establish a procedure to accommodate these requests staff developed a system and recommended fee structure for Commission consideration at their March 17, 2014 Regular Workshop Meeting. Ordinance 2014-15 establishes a fee structure for lien searches that is consistent with other governmental agencies and is placed on the April 7, 2014 Regular Meeting for first reading and discussion. Recommended Action: Pending first reading and discussion, forward Ordinance 2014-15 to the May 5, 2014 Regular Meeting for second reading and public hearing.

**Ordinance 2014-15 forwarded to May 5, 2014 Regular Meeting for second reading and public hearing.**

**Susan – place on May 5, 2014 Regular Meeting for second reading and public hearing**

**Trish – place required advertising**

<b>Ordinances - Second Reading and Public Hearing</b>
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**5. Ordinance 2014-06, Comprehensive Plan Amendment, Annual Capital Improvements Element (CIE) Update**

At their January 21, 2014 Regular Meeting, the Planning & Zoning (P&Z) Board recommended Town Commission approval and forwarded Ordinance 2014-06 to the February 18, 2014 Regular Workshop for Commission consideration. Ordinance 2014-06 provides for adoption of the required annual update to the five-year schedule of Capital Improvements Elements of the Town of Longboat Key Comprehensive Plan. Ordinance 2014-06 was forwarded from the March 3, 2014 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2014-06.

**Ordinance 2014-06 adopted**

**Trish – obtain signatures, post and distribute as required**

**Alaina – take appropriate action per Ordinance 2014-06**

**6. Ordinance 2014-07, Amending Chapter 158, Special Exception Expirations**

At their January 21, 2014 Regular Meeting, the Planning & Zoning (P&Z) Board recommended Town Commission approval and forwarded Ordinance 2014-07 to the February 18, 2014 Regular Workshop for Commission consideration. Ordinance 2014-07 amends Chapter 158 to modify the expiration date for special exception uses. Ordinance 2014-07 was forwarded from the March 3, 2014 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2014-07.

**Ordinance 2014-07 adopted**

**Trish – obtain signatures, post and distribute as required**

**Alaina – take appropriate action per Ordinance 2014-07**

**7. Ordinance 2014-09, Amending the Fiscal Year (FY) 2013-2014 Budget to Eliminate Infrastructure Surtax Funds from General Fund**

Following an internal audit of the Infrastructure Surtax Fund, the Finance Director recommends a change in accounting practice to reduce revenue and expenditures within the General Fund and create appropriations within the Infrastructure Surtax Fund. Ordinance 2014-09 will amend the FY 2013-2014 Budget to eliminate Infrastructure Surtax Funds from the General Fund. Ordinance 2014-09 was forwarded from the March 3, 2014 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2014-09.

**Ordinance 2014-09 adopted**

**Trish – obtain signatures, post and distribute as required**

**Sue – Amend FY 2013-14 Budget as provided for in Ord 2014-09**

**8. Ordinance 2014-10, Amending the Fiscal Year (FY) 2013-2014 Budget in the Amount of \$296,000 for Expenses Related to The Colony and Other Professional Services**

The Planning, Zoning, and Building Department is requesting additional funding for contracted services relating to expenses associated with the Building Code enforcement pertaining to The Colony property and additional departmental funding for contracted building inspection services and staff training to secure additional licensing for current staffing. Ordinance 2014-10 will amend the FY 2013-2014 Budget to provide

for an appropriation from the Building Fund, unappropriated fund balance. Ordinance 2014-10 was forwarded from the March 3, 2014 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2014-10.

**Ordinance 2014-10 adopted**

**Trish – obtain signatures, post and distribute as required**

**Sue – Amend FY 2013-14 Budget as provided for in Ord 2014-10**

9. Ordinance 2014-11, Budget Transfer Amending the Fiscal Year (FY) 2013-2014 Budget in the Amount of \$300,000 from Utility Commission Contingency and Utility Unallocated Unrestricted Reserve Fund Balance for Rehabilitation of Lift Station E

Improvements to Lift Station E, which are part of the Public Works 5-year Capital Improvement Plan, were competitively bid in January 2014. The engineering design, construction, and engineering construction observation costs are higher than the available budget. Ordinance 2014-11 will amend the FY 2013-2014 Budget, transferring \$300,000 from the Utility Commission Contingency and the Utility Unallocated Unrestricted Reserve Fund Balance to the Lift Station E budget. Ordinance 2014-11 was forwarded from the March 3, 2014 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2014-11.

**Ordinance 2014-11 adopted**

**Trish – obtain signatures, post and distribute as required**

**Sue – Amend FY 2013-14 Budget as provided for in Ord 2014-11**

**Anne – Commissioner Larson requested a report updating where we are on Lift Station rehabilitation**

10. Ordinance 2014-12, Budget Transfer Amending the Fiscal Year (FY) 2013-2014 Budget in the Amount of \$250,000 from the Beach Fund to Provide for Legal Costs for Administrative Hearing and Revisions to the Beach District Ordinances

During the defense of a third party challenge associated with the North End Structures, additional funding for the legal services and expert testimony at the administrative hearings is required. Ordinance 2014-12 will amend the FY 2013-2014 Budget, transferring the required funding from the Beach Fund to provide for the associated costs for the administrative hearing. This amendment also provides funds for development of the beach district ordinances. Ordinance 2014-12 was forwarded from the March 3, 2014 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2014-12.

**Motion to amend Ordinance 2014-12 to approve \$150,000 and continue consideration of additional \$100,000 to May 5, 2014 Regular Meeting**

**Trish – obtain signatures, post and distribute as required**

**Sue – Amend FY 2013-14 as provided for in Ord 2014-12**

**Susan – place consideration of Budget Transfer for \$100,000 for Beach District Ordinances to the May 5, 2014 Regular Meeting**

<b>Resolutions</b>
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11. Resolution 2014-11, Re-Establishing the Erosion Control Line (ECL) at North End of Longboat Key

The Town has received a permit from the Florida Department of Environmental Protection to construct groins on the North end of Longboat Key. One of the permit conditions prior to construction is re-establishment of an erosion control line (ECL) in the area near the groins. Resolution 2014-11 confirms Town Commission support for re-establishing the ECL and was forwarded from the March 17, 2014 Regular Workshop Meeting for formal action. Following passage of the Resolution, a public workshop and hearing will be scheduled by the State and Town to receive comments from affected property owners and the public. Recommended Action: Pending discussion, pass Resolution 2014-11.

**Resolution 2014-11 passed**

**Trish – obtain signatures, post and distribute as required**

**Juan – Forward to Resolution 2014-11 to FDEP to begin Public Hearing Process**

TM advised that WCIND Board has allocated \$500,000 for the North end sand placement project and is awaiting a price for dredging the Longboat Pass sand traps and sand

placement. As soon as that information is received, an agenda item will be brought to the Commission to discuss the issue of allocating Town funds for the project

**TM / Juan - develop agenda material re WCIND sand placement to a future meeting pending WCIND determination of project costs..**

**Susan – place on agenda**

<b>New Business</b>
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**12. Appointment to Zoning Board of Adjustment (ZBA)**

At the February 18, 2014 Regular Workshop Meeting the Town Commission directed staff to prepare an Ordinance for Commission action reducing the number of ZBA members from seven (7) to five (5). There are currently 4 members appointed to the ZBA. The Town Commission will consider appointment of one additional member at their April 7, 2014 Regular Meeting. Recommended Action: Pending discussion, appoint member to Zoning Board of Adjustment.

**Consensus to appoint one member until formal action regarding Ordinance to reduce members from 7 to 5**

**Larry Linhart appointed to ZBA – will be removed from General Employees Retirement System Board of Trustees**

**Trish – administer Oath of Office and advertise for vacancy on GERSBT**

<b>Town Commission Comments</b>
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**Zunz – requested we place on upcoming workshop meeting an item to consider modification to Village Parking areas.**

**TM / Pete / Juan – develop agenda material for consideration**

**Susan – place on agenda**

<b>Town Attorney Comments</b>
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**None**

<b>Town Manager Comments</b>
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**2014-2015 Preliminary Budget**

**TM reviewed PowerPoint regarding the upcoming budget planning process**

**Legislative Update on our bill supporting the Town's referendum provisions**

<b>Press to be Heard</b>
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**None**

<b>Adjournment</b>
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**8:05 pm**