

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR WORKSHOP
OCTOBER 15, 2009 - 2:00 P.M.**

Present: Vice Mayor Robert Siekmann, Comms. Jim Brown, Gene Jaleski, Hal Lenobel, Peter O'Connor, George Spoll

Absent: Mayor Lee Rothenberg

Also Present: Town Manager Bruce St. Denis, Town Attorney David Persson, Attorney Kelly Martinson (arrived @ 3:45 p.m.) Deputy Town Clerk Jo Ann Mixon

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Regular Workshop Meeting of the Longboat Key Town Commission was called to order at 2:00 p.m., in the Town Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida. Commr. Lenobel led the Pledge of Allegiance.

COMMITTEE REPORTS AND COMMUNICATIONS

1. Manatee County Special Liaison Report

A. Longboat Key Dredging Project – North End

Vice Mayor Siekmann discussed Manatee County Commr. McClash's objections to the Longboat Key north end project.

B. Jewfish Key Dredging Project

Vice Mayor Siekmann announced the dredging project connected to Jewfish Key had been approved: approximately 10,000 cubic yards of sand would be dredged from the Intercoastal Waterway.

C. Sarasota County Council of Governments Meeting

Vice Mayor Siekmann discussed the Sarasota County School Board's Referendum regarding the continuance of the one-cent sales tax for the school system.

D. Jewfish Key – Name Change

Vice Mayor Siekmann pointed out documentation from the Westcoast Inland Navigational District (WCIND) referred to Jewfish Key as Goliath Grouper Key. Discussion ensued regarding whether an official name change occurred. **This issue was referred to staff to research whether an official name change took place.**

2. Sarasota County Special Liaison Report

A. Offshore Drilling – Gulf of Mexico

Commr. Brown reported on his visit to the Sarasota County Commission Meeting regarding objections to the proposed offshore drilling, and noted the requested language change was approved by the Sarasota County Commission.

2. Sarasota County Special Liaison Report - Continued

B. Mote Marine Policy Institute Symposium

Commr. Brown reported on the Mote Marine symposium attended regarding sea level rising and advised policy development was necessary. Discussion ensued.

3. Other Reports

A. United States Navy - Birthday

Commr. O'Connor reported October 13, 2009 was the birthday of the United State Navy.

B. Intercoastal Waterway - Speed Limits

Town Manager Bruce St. Denis advised a letter was received from Manatee County Commr. Gwen Brown regarding speed limits on the Intercoastal Waterway, and advised the County's efforts would work in conjunction with Longboat Key.

C. Roundabouts

Public Works Director Juan Florensa reported the Town hired the consulting firm of Florida Transportation and Engineering (FTE) to work for the Town regarding the City of Sarasota's Bayfront Activity Project, reviewed FTE's expertise and advised a scope of work was developed. Discussion ensued regarding the efforts of FTE and the reporting process.

Town Manager Bruce St. Denis requested direction on forwarding information to the Florida Department of Transportation (FDOT) and the City of Sarasota, under the Mayor's signature as they were reviewed and the reports developed. Discussion ensued.

D. Employee Service Awards

Bradley Sicard, Public Works – 10 Years of Service

Donald Barth, Public Works – 25 Years of Service

Public Works Director Juan Florensa introduced Mr. Bradley Sicard (Service Worker 2 – Utility Division) and Mr. Donald Barth (Service Worker 2 – Streets Division) reviewed the employees' duties and responsibilities, and recognized them for their work efforts.

4. Representative Bill Galvano – Legislative Update

State Representative Bill Galvano thanked the Longboat Key Commission and residents for their efforts and for bringing forth issues concerning Longboat Key. He provided a legislative update on the following issues:

- budget cuts of 6 billion dollars (2009 budget)
- gaming contract – Seminole Indians /State of Florida
- tourism industries
- offshore oil drilling
- economic development
- 2.6 billion dollar shortfall (looking for guidance and leadership)

Discussion was held with respect to the manner in which proposed legislation combines different issues, the Gulf of Mexico proposed oil drilling, and identified budget shortfalls.

PUBLIC TO BE HEARD

5. Opportunity for Public to Address Town Commission – No items were presented.

CONSENT ITEMS

6. Ordinance 2009-23, Capital Improvement Element – Comprehensive Plan Amendment

The State of Florida requires annual updates to the Capital Improvements Element of the Town's Comprehensive Plan. Ordinance 2009-23 provides for adoption and transmittal of the Town's annual update. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2009-23 to the November 2, 2009, Regular Meeting for first reading and public hearing.

7. Ordinance 2009-24, 10-Year Water Supply Plan – Comprehensive Plan Amendment

The State of Florida requires the Town to maintain a 10-year water supply plan documenting our ability to meet existing and future development needs. The plan requires an update to the Infrastructure Element of the Town's Comprehensive Plan, the supporting data and analysis, and the Capital Improvements Element. Ordinance 2009-24 provides the adoption and transmittal of the Town's updated plan. Recommended Action: Approval of the Consent Agenda will forward Ordinance 2009-24 to the November 2, 2009, Regular Meeting for first reading and public hearing.

8. Proposed Resolution 2009-45, Reallocating Phase II Infrastructure Surtax Funding

Proposed Resolution 2009-45, reallocates a portion of the surplus Sarasota County Phase II Infrastructure Surtax funds by increasing the Public Safety Functional category. The purpose of the reallocation is to utilize a portion of the surplus fund balance for the purchase of a fire truck (pumper) for the Longboat Key Fire Rescue Department. Recommended Action: Approval of the Consent Agenda will forward Resolution 2009-45 to the November 2, 2009, Regular Meeting for formal action.

9. Update Regarding Election Schedule for 2010 Town of Longboat Key Municipal Election

At the September 24, 2009 Regular Workshop Meeting the Town Clerk provided an outline of the 2010 Town of Longboat Key Municipal Election calendar. This update is a follow-up to that election schedule report. Recommended Action: None informational only.

10. Proposed 2010 Town Commission Meeting Calendar

The proposed Town Commission meeting calendar for 2010 is being forwarded for consideration. Recommended Action: Approval of the Consent Agenda will forward this item to the November 2, 2009 Regular Meeting consent Agenda for formal action.

There was consensus to approve the Consent Agenda, consisting of Items 6-10 and to forward Ordinance 2009-23, Ordinance 2009-24, Resolution 2009-45, and the 2010 Town Commission Meeting Calendar to the November 2, 2009 Regular Meeting for formal action.

DISCUSSION ITEMS

11. Unfunded Pension Liability Update – Background

At the October 5, 2009 Regular Meeting the Commission requested the Town Manager and Finance Director to present background information regarding the Town's unfunded pension liability at the October 15, 2009 Regular Workshop Meeting. Recommended Action: Pending discussion, provide direction to Manager.

11. Unfunded Pension Liability Update – Background - Continued

Town Manager Bruce St. Denis provided background information on the Longboat Key Retirement System plans and discussed historical decisions by past Town Commissions.

Discussion ensued with respect to the following:

- defined benefit plans (focusing on Police Officers' and Firefighters' Plans)
- Florida Statutes Chapters 175 and 185 monies
- funding new benefits and allocation of monies
- stock market flexes and funding requirements
- required Emergency Medical Technician (EMT) certifications
- previous Union negotiations and benefit changes

Foster & Foster Inc, Actuary Doug Lozen discussed the following issues:

- recruitment and retention of employees/plan members
- unfunded liability and long-term funding requirements
- mortality and turnover assumption changes
- asset method change due to compliance standards
- benefit changes and investment losses since 2002
- plan refinancing
- impact to plan membership
- funding method (30-year funding period)

Discussion was held with respect to the following:

- plan losses between 1998 and 2002
- investment returns
- long-term projections for payment of the unfunded liability
- Florida Retirement System (FRS) benefit comparison
- employee age at hire and retirement

Mr. Lozen reviewed the Firefighters' Retirement System plan and discussed the following:

- benefits promised and existing unfunded liability
- early retirement option offered to eligible employees in 2008 and 2009
- normal and early retirement age options for Firefighters' plan members
- plan performance
- statutory requirements regarding received State monies

Discussion was held regarding the following:

- early retirement offers to employees made in 2008 and 2009
- early versus normal retirement options and benefits
- benefit enhancements and funding monies from the State of Florida

11. Unfunded Pension Liability Update – Background - Continued

Mr. Lozen commented on the General Employees' Retirement System plan with the following issues discussed:

- plan losses since 2002
- methodology plan changes and savings to the Town of Longboat Key

Town Manager St. Denis advised a Special Meeting would be scheduled (December 2009) to further discuss this issue.

Mr. Thomas Jones, 3235 Gulf of Mexico Drive, suggested the Town Commission investigate the closure of the existing plans in favor of a State operated defined benefit or contribution plan.

Discussion was held regarding the following:

- State funds and investment performance
- closure of the three existing retirement plans
- investigation into the Florida Retirement System (FRS) plans

Mr. Keith Tanner, Longboat Key Firefighter, stated Union negotiations were underway and pension benefits were a topic under discussion.

Mr. William Forcht, 1125 Gulf of Mexico Drive, questioned the assumptions identified in the plans regarding normal retirement, early retirement reductions, and salary.

Mr. Lozen identified the plan assumptions as follows:

- Police Officers' Retirement System - Normal Retirement
- age 60 or age 55 with 10 years of service or after 25 years of service
- 3.0% reduction per year for Early Retirement
- 6.0% salary increase assumption
- Firefighters' Retirement System - Normal Retirement
- age 60 or age 55 with 10 years of service or after 25 years of service
- 3.0% reduction per year for Early Retirement
- 6.0% salary increase assumption
- General Employees' Retirement System - Normal Retirement
- age 62 or age 55 with 30 years of service
- 3.0% reduction per year for Early Retirement
- 6.0% salary increase assumption

Town Manager St. Denis requested and consensus was reached to discuss Item 13 at this time.

13. Business Tax Receipts for Boat Slips

The Town Manager will make a recommendation to revise one category of the business tax receipts (BTR) to reduce the cost paid by individuals renting their boat slips. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis explained the BTR program contained categories identifying different types of business activities, and advised Boat Slip Rentals were added into the BTR program effective with Fiscal Year 2010, noting Boat Slip Rentals were placed in Category H at a tax of \$103.95.

Town Manager St. Denis stated an appeal was received regarding the assigned cost. He recommended Category H be reduced to \$33.60, effective October 1, 2009, and a refund be issued to those who paid the full amount of \$103.95.

There was consensus to formulate an ordinance to change Category H to \$33.60 with an effective date of October 1, 2009, and to refund overpayments. This issue was forwarded to the November 2, 2009 Regular Meeting for first reading.

12. Wholesale Wastewater Agreement Between the Town of Longboat Key and Manatee

The Town of Longboat Key and Manatee County wholesale wastewater services agreement expires on September 13, 2011. Consideration of a draft Wastewater Agreement has been placed on the October 15, 2009 Regular Workshop Meeting for Commission consideration. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis reviewed the terms of the proposed contract with Manatee County.

Discussion ensued with respect to the following items:

- water usage trends
- slip-lining pipelines and manholes
- usage limits (2.26 million gallons per day [MGD])
- water tides and related issues
- proposed construction projects and related water usage limits
- potable water and increased water usage

There was consensus to forward the contract to the November 2, 2009 Regular Meeting for formal action.

14. Discussion Regarding Quarterly Financial Reporting

At the September 14, 2009 Regular Meeting Vice-Mayor Siekmann requested the subject of quarterly financial reporting be placed on a future workshop meeting for discussion. A proposed template for this report will be presented for Commission consideration. Recommended Action: Pending discussion, provide direction to Manager.

Vice Mayor Siekmann requested a quarterly financial operational review and exception report.

14. Discussion Regarding Quarterly Financial Reporting - Continued

Finance Director Tom Kelley offered a template for consideration and identified issues that could be measured.

Discussion took place regarding the following items:

- creation of a quarterly financial summary report
- development of an financial exception report
- identifying spikes in projected cost (employee overtime / tennis center income)
- reviewing the City of North Port's website (reports available on-line)

There was consensus for staff to develop a quarterly financial report (October – December 2009) and present it to the Town Commission in January 2010.

Note: Town Attorney David Persson left the meeting at 3:45 p.m., and Attorney Kelly Martinson arrived at the dais at 3:45 p.m.

15. Board Appointment Process

At the October 5, 2009 Regular Meeting the Town Commission requested that the subject of the Town's Board appointment process be placed on the October 15, 2009 Regular Workshop Meeting for review and discussion. Recommended Action: Pending discussion, provide direction to Manager.

Town Manager Bruce St. Denis reported the item was before the Commission to discuss application and process issues.

Discussion was held regarding the following:

- having candidates introduce themselves to the Commission prior to the selection
- interviewing applicants and whether interviewing would be appropriate
- whether boards should have established qualifications
- forming a committee to establish qualifications for each board
- statutory qualification requirements for the Code Enforcement Board
- method to obtain qualified candidates

There was consensus not to take action on the process at this time.

RECESS: 4:18 p.m. - 5:04 p.m.

16. Code Enforcement Staffing

The FY 2009-10 Adopted Budget includes funding for a proposed additional code enforcement officer. The Town Manager will discuss options available for staffing this position. Recommended Action: Pending discussion, provide direction to Manager.

16. Code Enforcement Staffing - Continued

Town Manager Bruce St. Denis reported five alternatives were identified regarding Code Enforcement Staffing option, and advised the position would not be filled until Town Commission direction has been provided.

Discussion ensued regarding the following:

- take no action at this time
- description of duties (list of duties identifying time periods/not a job description)
- estimate number of complaints received
- proposed options
 - hire a full-time or part-time code enforcement officer
 - hire a full-time contract code enforcement officer
 - hire a part-time code enforcement officer
 - hire a part-time contract code enforcement officer
 - share code enforcement personnel with other local government entities

Planning, Zoning, and Building Director Monica Simpson reported the current staffing level limits the Town to be more reactive than proactive as staff does not have the ability to drive the Key on a daily basis and identify violations, identified limitations during turtle nesting season and the Code Enforcement Officers' hours, and noted additional staff during turtle nesting season would be beneficial.

Discussion ensued regarding the following:

- hiring a code enforcement officer during turtle nesting season
- the level of code enforcement residents expect
- minor infractions not reported by residents
- quality of life issues and property values on Longboat Key

There was consensus to further discuss this issue at a future workshop and for staff to develop a list of duties.

TOWN COMMISSION COMMENTS

A. Building Department Fee Study

Commr. Spoll questioned the status of the Building Department Fee Study.

Town Manager Bruce St. Denis reported the company under contract with the Town was purchased by a large California company, advised a conference call was scheduled for Friday, October 6, 2009, and noted further updates would be provided.

B. Traffic Engineering Study

Commr. O'Connor discussed the Traffic Engineering Study contract scope. Town Manager Bruce St. Denis requested direction as to when and how information should be provided to Florida Department of Transportation (FDOT) and the City of Sarasota.

TOWN COMMISSION COMMENTS - Continued

B. Traffic Engineering Study - Continued

Discussion was held regarding the following:

- providing information to FDOT and the City of Sarasota as a single packet
- providing gathered information under the Mayor's signature
- pros and cons regarding when the information should be distributed
- public record and information availability
- monthly reports
- benefits connected with providing information in a timely manner

There was consensus to revisit this issue at the November 18, 2009 Regular Workshop.

C. Scheduling Special Meetings

Vice Mayor Siekmann questioned whether it were possible to hold special meetings prior to a regular workshop.

Discussion ensued regarding scheduling options and the Tiger Bay meetings changing to the first Thursday of each month (January 2010).

D. Jewfish Key – Name Change

Vice Mayor Siekmann inquired as to whether an official name change took place regarding Jewfish Key. Town Manager Bruce St. Denis reported staff would research this issue and report back to the Commission.

TOWN ATTORNEY COMMENTS - No items were presented.

TOWN MANAGER COMMENTS

A. Port Dolphin

Town Manager Bruce St. Denis reported on the Ross Database (Section 2) and the available sand within Borrow Area 9.

B. Tennis Center Project

Town Manager Bruce St. Denis reported efforts were underway to complete the Tennis Center project early (before the December 2, 2009 USTA tournament).

C. AC Pipe Project

Town Manager Bruce St. Denis reported on the one-year pipe replacement project (south end of the Key to Bay Isles Parkway), noting the project staging should begin December 2009.

TOWN MANAGER COMMENTS - Continued

D. Town Manager Annual Evaluation

Town Manager Bruce St. Denis advised evaluation forms would be distributed, and this item would be placed on the November 19, 2009 Regular Workshop for discussion.

E. Signs

Town Manager Bruce St. Denis reported on the status of the paperwork connected to stimulus monies regarding signs, reviewed the upcoming process and requested direction on whether this issue should go back to the Planning & Zoning Board for further consideration or directly to the Commission. Discussion ensued.

There was consensus for this issue to go directly to the Town Commission for consideration.

PRESS TO BE HEARD - No items were presented.

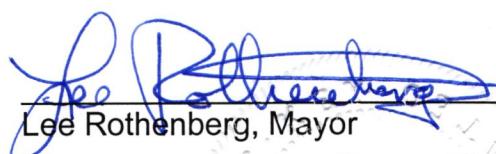
ADJOURNMENT

Vice Mayor Siekmann adjourned the October 15, 2009, Regular Workshop at 5:30 p.m.



Trish Granger, Town Clerk

Minutes Approved: 12/7/09



Lee Rothenberg, Mayor

