



# MINUTES

**Monday, April 15, 2013**

**FORT MYERS BEACH TOWN COUNCIL  
TOWN HALL – COUNCIL CHAMBERS  
2523 ESTERO BOULEVARD  
FORT MYERS BEACH, FLORIDA 33931**

## **I. CALL TO ORDER**

Mayor Mandel called to order the April 15, 2013 Regular Meeting of the Town Council at 6:30 p.m. Present along with Mayor Mandel: Vice Mayor Kosinski and Council Members Andre, List, and Raymond. Also Present: Town Manager Stewart, Town Attorney Miller, Finance Director Wicks, Public Works Director Lewis, Community Development Director Fluegel, Parks & Recreation Director Evans, and Town Clerk Mayher.

## **II. INVOCATION – Rev. Critser, First Baptist Church of Fort Myers Beach**

## **III. PLEDGE OF ALLEGIANCE**

## **IV. APPROVAL OF FINAL AGENDA**

Mayor Mandel announced there was a request to pull Administrative Agenda Item B, *Matanzas Pass Preserve Request for Funding*, and Item C, *Bond Attorney Presentation*; and added that the Bond Attorney would return on May 6<sup>th</sup> to give Council the presentation.

Town Manager Stewart noted that Administrative Agenda Items B and C were being asked to be rescheduled to May 6<sup>th</sup> by the requestor and the presenter [respectively].

Mayor Mandel requested to add an item to the Agenda, *Appointments to the Marine Resources Task Force and BORCAB*, as a ‘walk-on’ item.

Consensus approved the Agenda with the amendments as requested.

## **V. PUBLIC COMMENT**

Mayor Mandel noted Public Comment was a time for the public to discuss Consent Agenda Items and issues not already on the agenda.

Public Comment opened.

None.

Public Comment closed.

## **VI. IMAGE OF FORT MYERS BEACH**

Council Member Andre reported the Friends of the Matanzas Pass Preserve held “*Visions of the Future*” this past weekend; and noted that the original founding board members were honored and surprised to learn that a trail had been named after each original board member.

Council Member Raymond pointed out that there were many ‘for rent’ and ‘for sale’ signs on Estero Boulevard; and questioned if action could be taken to reduce the signage. He also expressed his concerns about the number of garbage cans placed on Estero Boulevard on Sundays which was too early for their location’s collection day.

Vice Mayor Kosinski reported he attended the Student Scholarship Awards for the Fort Myers Beach Art Association on Sunday. He announced the First Place Winner was Sara Johnson, Second Place Winner was Ellison Holmes, and the Third Place Winner was Brittany Seabert. He added that the Art Association extended their appreciation at the event to the Town for their donation to the Association.

Mayor Mandel complimented CRAB for conducting an excellent Beach Leadership Conference this year; and noted that two of the Leadership graduates would be considered for appointment to two of the Town committees later in the Agenda. He thanked the Town’s Environmental Scientist, Keith Laakkonen, and the volunteers who installed the migratory bird nesting signage on the beach. He announced and described two upcoming events to be held in the Town - ‘Rocking on the Beach’ and the ‘Fort Myers Beach Film Festival’.

Discussion ensued concerning the ‘Taste of the Beach’ event to be held this Saturday.

## **VII. LOCAL ACHIEVEMENTS AND RECOGNITIONS**

Mayor Mandel reported he and the Town Manager attended an awards breakfast for ‘VOICE’; and noted the well-attended sand sculpting event.

Town Manager Stewart acknowledged Diamond Head and all of the people involved with the ‘Relay for Life’ event held this past weekend.

## VIII. ADVISORY COMMITTEES ITEMS AND REPORTS

Miffie Greer, CRAB Chair, gave a report on the 2013 Beach Leadership Conference and noted highlights of the Conference such as but not limited to that there were 20-21 participants; presentations by Town Council and staff and others (i.e. LCSO, Interim County Manager, local author, etc.); and tours of various facilities and sites (i.e. elementary school, Town park, Matanzas Pass Preserve, library, Mound House, Newton House, etc.). She mentioned she had received positive feedback from the participants. She thanked and complimented Town Planning Coordinator, Josh Overmyer, for his assistance on both days of the Conference. She pointed out that all the members of CRAB attended the Conference for both days, and thanked the members for their participation. She believed the Conference remained within budget; and she thanked Town Council for their support and for speaking at the Conference.

Bruce Butcher, Chair of the Public Safety Committee, gave a report on the Committee's work and their recommended improvements to Estero Boulevard relative to public safety. He mentioned the Committee's concern with the limited scope that was presented by the County with regard to the improvement plan for Estero Boulevard (i.e. no mention of addressing traffic congestion, and the foot of Matanzas Pass Bridge); problems associated with traffic congestion and flow for both residents and visitors (i.e. traffic congestion from Crescent Street south), and how it negatively impacted drivers, pedestrians, and bicyclists; and proposed Estero Boulevard improvements with regard to bicycle paths and sidewalks. He discussed that the Committee would like to see the following four areas addressed in the proposed Estero Boulevard improvements:

1. Pedestrians – suggested the use of physical barriers to direct pedestrians and mark crosswalks [particularly in high density areas – Santini Plaza and Lani Kai]; and create criteria to develop a warrant study to determine other crosswalks that could justify a rapid rectangular flashing beacon. He reported the Bay Beach Condo Association has approached the Committee to request improvements to their crosswalk; and that the Committee recommended to Council that some type of flashing pedestrian light be installed as soon as practical.
2. Vehicles – Committee suggested using roundabouts as a way to improve traffic and reduce speed in areas such as Lenell, Fairview Isles, Bay Beach, and the base at Matanzas Pass. The Committee believed that left turns should not be allowed at the base of the Matanzas Bridge coming down to Crescent Avenue; and to design Estero Boulevard improvements with appropriate speed limits for each area.
3. Lighting – corridor needed a lighting plan that provided enhanced lighting at every crosswalk which exceeded today's minimum design standards; discussed new lighting technology available and lighting constraints due to other issues such as but not limited to turtle season.
4. Mass Transit – enhancing trolley service (i.e. express trolley service over the bridge).

Vice Mayor Kosinski explained that a semi-tractor trailer needed a 120' right-of-way to make a turn; how that requirement was a constraint when considering locations for a roundabout; and potential locations for roundabouts on the Island.

Discussion ensued regarding the dimension of a roundabout.

Council Member List discussed her views concerning traffic on the Island, and how the County expended funds to attract visitors to Fort Myers Beach but they lacked to fund the redesign of the Town's traffic patterns.

Bruce Butcher reviewed the Committee's recommended speed limits in certain areas along Estero Boulevard; satellite parking to encourage a pedestrian-friendly environment; bicycle paths and safety issues; the lack of bicycle paths in the core section of the proposed Estero Boulevard improvements; and other traffic and parking issues.

Mayor Mandel questioned if there was a method to ask the County for the illuminated signage at the crosswalks.

Town Manager Stewart reported that the Town currently had a commitment from the County to do the two crosswalks with illuminated signage which were currently being done; however, the Town could petition the County to ask them to install more of the illuminated crosswalks. He suggested the PSC make a recommendation for 2-3 additional locations for the illuminated signage.

Consensus agreed to request the PSC discuss and submit a recommendation for 2-3 additional locations for the illuminated signage.

Mayor Mandel suggested the PSC also make a recommendation concerning the lighting at crosswalks.

Town Manager Stewart reported the PSC along with the traffic engineers, in conjunction with FP&L, reviewed crosswalk lighting and were working on a plan.

Jean Webb, Public Works Department, reported to date that they had addressed all of the lighting issues presented to Council in October [2012] except for the Buccaneer crosswalk. She explained that the Town was constrained by the lighting fixtures permitted by FP&L (i.e. currently using 'cobra-head' light); and that staff had not found a fixture that would light to the minimum standard of a one foot candle with respect to the Buccaneer crosswalk. She added that staff was making headway with the other crosswalks; however, they still had to deal with turtle lighting. She noted the expense associated with utilizing non-FP&L lighting fixtures.

Mayor Mandel encouraged the PSC to continue to research LED or other types of lighting and to report back to the Council as soon as possible.

Council Member Raymond noted the need for attention to the downtown area as it pertained to public safety issues and crosswalks.

Discussion ensued regarding safety issues in the downtown area.

Recess at 7:15 p.m. – Reconvened at 7:25 p.m.

## IX. PRESENTATION

### A. Water Utility Rate Study – GAI Consultants, Inc.

Tara Hollis of GAI Consultants, Inc. utilized a PowerPoint presentation for the Water Utility Rate Study conducted on behalf of the Town by GAI Consultants. She discussed the following highlights of the Study:

- Purpose of the Rate Study
  - Provide for Revenue Sufficiency
  - Continue to Promote Resource Conservation
  - Provide for Just and Equitable Rates
  - Provide for the Proposed Capital Improvement Plan
  - Minimize Rate Shock
  - Retain Administrative Compatibility
  - Public Understanding
  - Purpose of the presentation was to demonstrate alternative water user rate structures with corresponding rates based on the March 4, 2013 Work Session; and to assist the Town in the selection of a fiscally prudent rate structure which was equitable to all classes of existing and future customers
- Elements of Rate Making
  - Fiscal Requirements
  - Rate Revenues
  - Other Sources of Income
  - Customer Characteristics
  - Future Needs (CIP)
  - Community Standards
  - Compliance with Florida Statutes
- What was done?
  - Customer Billing Frequency Analysis
  - Fiscal Requirements/Operating Analysis
    - Operating and Maintenance Expenses
    - Debt Service
    - Renewal & Replacement, Reserve Funds, and Transfers
    - Pay-as-you-go Capital
  - Capital Improvement Plan Analysis and Timing
  - Other Fiscal Needs and Revenue Analysis
  - Use of an Interactive Computer Model
- Capital Improvement Plan Analysis
  - Town's current 5-Year Current Improvement Plan was approximately \$20 million for FY 2013 through FY 2017
  - GAI with Town staff reviewed current CIP and developed a potential 7-Year Implementation Schedule – help minimize rate shock, provide opportunity to identify and pursue alternative sources of funding including State revolving fund loans, grants, etc., and help minimize the impact of the construction on the Island residents.
  - 5-Year versus 7-Year implementation

- Rate Structure Modifications
  - Adjustments to the dwelling unit equivalencies for multi-family customers (**rate equity**)
  - Adjustments to the meter equivalency factors for commercial/irrigation/non-residential customers (**rate equity**)
  - Adjustments to the gallonage allowances per block as well as the differential in the rate per block (**rate equity and water conservation**)
  - Adjustments to the amount of net fiscal requirements to be recovered through the base charge, administrative charge, and gallonage charges (**rate stability**)
- Base Charge Equivalencies – single-family, multi-family, and commercial, irrigation, non-residential

Mayor Mandel questioned the base charge as it pertained to Slide #9, Base Charge Equivalencies.

Tara Hollis explained how they intended to move more of the revenue requirements and that the Town needed to generate approximately \$4,000,000 for the first year.

Discussion ensued regarding the ‘base charge’.

Tara Hollis continued with her presentation and discussed the following highlights of the Study:

- Gallonage Blocks - single-family, multi-family, and commercial, irrigation, non-residential
- Scenarios Considered – 5-Year Implementation of Capital Improvement Plan (**Scenario #1**) and 7-Year Implementation of Capital Improvement Plan (**Scenario #2**)
- Significant Assumptions [of both scenarios]
  - Capital Recovery Charge to increase with annual across-the-board rate adjustments
  - FY 2015 Gallonage Rates include pass-through of the increase in the County Wholesale Rate of \$0.09 per thousand gallons
  - Customer growth set at 0% per year for the projection period
  - Annual fiscal requirements adjusted for inflation
  - Debt Service associated with the CIP assumed to be financed over a 20-year period at 3.0% interest

Discussion was held concerning the State Revolving Funds and coverage requirements, financing periods and timeframes, and bonding.

Tara Hollis continued with her presentation and discussed the following highlights of the Study:

- Scenario 1 (5-Year Implementation of CIP): Rate Revenue Requirements – Adjusted Test Year 2014
- Scenario 1: Revenue Sufficiency Analysis
- Scenario 1: Customer Bill Comparison – FY 2014
- Scenario 1: Customer Impact – FY 2014
- Scenario 2 (7-Year Implementation of CIP): Rate Revenue Requirements – Adjusted Test Year 2014
- Scenario 2: Revenue Sufficiency Analysis
- Scenario 2: Customer Bill Comparison – FY 2014
- Scenario 2: Customer Impact – FY 2014

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- Other Items
  - Utility System Operations/Efficiencies – for the Town, as a water distribution system, Utility Operations would typically consist of: repairs and maintenance, facility operations and monitoring, water meter services, meter reading and customer billing and collections, customer service, performance reporting, regulatory sampling and reporting, and emergency services planning and reporting. The Town has an operations contract with Woodard & Curran to perform services (start date 1/1/11; 3-year term and may be extended for up to three additional one year periods; and first year cost not-to-exceed \$454,612); and this may be a potential area for system efficiency. Items to consider in the analysis would include cost to provide the services in-house versus contract operations; timing of bringing the services in-house including transitioning of services to minimize customer impacts, and condition and age of the system.
  - Miscellaneous Charges – meter installation fees, tap-in charges, meter change-out fees, premise visit, reconnection of service, plan review charges, fire service charges, customer deposits, account transfer fees, late payment charges, returned check fees, bank draft charges, meter tampering fees, and illegal water use.
  - Payment in Lieu of Taxes – municipally owned utilities are not normally subject to taxation by local, state or federal authorities; a municipal water utility may make payments in lieu of taxes (PILOT) to the municipality that owns the utility; the payments are typically calculated as though the utility was privately owned and subject to property taxes; PILOT payments are required by Statute in some states, however, this was not the case in Florida; in most instances, the majority of land that was owned by a municipal utility would include administrative offices, treatment plants and lift stations, however, this was not the case for the Town’s system as it was a water-only distribution system (with two pump stations) with the majority of the system asset value being located in the public rights-of-way.
  - Lee County Wholesale Rate – Current wholesale rate was between the Block 1 and Block 2 rate for County retail customers; typically the wholesale rates fall at or below the lowest retail block rate; level of wholesale rate can be impacted by peak demand, type of service, type of contract, percentage use of system assets; GAI would recommend a Comprehensive Cost of Service Rate Study by the County (if not already completed).
- Next Steps: Town to select rate structure scenario, completion of Rate Study Report, draft an ordinance/resolution, customers to be notified per Section 180.136 of the Florida statutes, and a public hearing to adopt the proposed rates.

Council Member Andre questioned the base rate for the 7-year scenario.

Tara Hollis explained that once the base rate was set in FY 2014 that it would only be changed in the last two years with the across-the-board increase.

Town Manager Stewart clarified that the Council would need to select either Scenario #1 or Scenario #2.

Mayor Mandel questioned what the time period was referring to in the title of a 7-Year or 5-Year Plan.

Ms. Hollis stated that referred to the construction period of the project.

Mayor Mandel noted the inconvenience factor of two extra years if the 7-Year Plan was selected over the 5-Year Plan; and he offered questions for consideration that related to where was the work occurring during the two extra years, and at what point did Estero Boulevard come into the project.

Vice Mayor Kosinski noted that with the exception of Estero Boulevard the project would be a 'moving' inconvenience from one neighborhood to another.

Public Works Director Lewis reported that the costs GAI was looking at included Estero Boulevard; however, following the timing schedule she had developed, there were segments of Estero Boulevard done as the side roads were done. She pointed out that for the most part Estero Boulevard could be tied in when the side streets were done; and added that they could make the tie-in to the existing facilities and do the change over as the County did the improvements to Estero Boulevard.

Town Manager Stewart reviewed how the construction would be done in phases.

Mayor Mandel explained his belief that Council would have to factor into their decision the length of time and the impact to Estero Boulevard. He encouraged the analyst to keep in mind during the analysis *'what was the shortfall, whether it's the total dollars, whether it's the 5-Year or the 7-Year'*.

Tara Hollis reported the shortfall for the 5-Year was a little over \$400,000 in 2017 and a little over \$600,000 in 2018; and the shortfall for the 7-Year was approximately \$90,000 in 2017 and approximately \$374,000 in 2018.

Mayor Mandel suggested the person conducting the study should consider a scenario to hire the people from Woodard & Curran to work for the Town, but bring those people in immediately because if the savings was between \$100,000-200,000 a year it might offset the cost of the shortfall down the road.

Discussion ensued regarding whether to proceed with a 5-year or 7-year scenario; customer characteristics for residential versus commercial usage; and capacity, conservation, and usage.

Mayor Mandel noted to the Town Manager the need for him to contact the County regarding a Comprehensive Cost of Service Rate Study.

Tara Hollis reviewed the fundamentals of a typical cost of rate study.

Town Manager Stewart reported the submittal date for the water system rebuild providers' RFQ was closed out and that there were nine responses. He added that the Selection Advisory Committee would meet next week to review the RFQs, shortlist the responders, and prepare the item for the May 6<sup>th</sup> Council Agenda.

Public Comment opened.

No speakers.

Public Comment closed.

**MOTION:** Vice Mayor Kosinski moved to direct staff to prepare the necessary documents to implement the Rate Study based on Scenario #2, the 7-Year Plan; second by Council Member List.

**VOTE:** Motion approved, 5-0.

B. Walk-on Item: Appointments to MRTF and BORCAB

Town Clerk Mayher reported the Town received letters of interest from Bill Veach for appointment to MRTF and from Summer Stockton for BORCAB.

**MOTION:** Vice Mayor Kosinski moved to appoint Bill Veach to the MRTF and Summer Stockton to BORCAB; second by Council Member Andre.

**VOTE:** Motion approved, 5-0.

**X. APPROVAL OF MINUTES**

A. March 18, 2013 Town Council Meeting

B. March 18, 2013 Work Session

**MOTION:** Vice Mayor Kosinski moved to approve the minutes as presented; second by Council Member Andre.

Council Member Andre requested a correction on Page 11 of the March 18, 2013 Council Minutes: “Vice Mayor Kosinski moved to approve the Bay Oaks Corporate Fee Structure as presented; second by ~~Vice Mayor Kosinski~~ Council Member Andre”.

Motion Maker agreed to the correction.

**VOTE:** Motion approved, 5-0.

**XI. ADMINISTRATIVE AGENDA**

A. Donation of Portable Restrooms to Lee County Parks & Recreation for Crescent Beach Family Park

A request to authorize the Mayor to execute a letter offering to transfer ownership of two portable restrooms owned by the Town to Lee County Parks and Recreation for use at Crescent Beach Family Park and to execute a Bill of Sale for the two restrooms.

Town Manager Stewart reviewed how in 2010 the Town had purchased three portable restrooms for use at Town beach accesses and was reimbursed for the purchase with TDC funds; and offered a brief background on the placement of the portable restrooms and the loan of two smaller restrooms to the

County for use at Crescent Beach Family Park. He explained that the Town had discussions with the County regarding their use of the restrooms, as well as with the TDC. Staff was recommending that ownership of the two restrooms be transferred to Lee County Parks and Recreation for use at Crescent Beach Family Park, subject to the BOCC formally accepting the offer of transfer (draft letter and Bill of Sale was included in the packet). He reported that the TDC expressed to the Town that they would consider an application for a portable restroom at another location in the future; however, they would not guarantee funding.

Discussion was held concerning the restroom maintenance which was currently performed by the County; removal of the Town's insignia on the subject restroom facilities; and the status of the evaluation process of other beach accesses for potential restroom.

Town Manager Stewart reported that the Town was notifying people of the consideration for potential restroom sites at beach accesses and asking for their feedback. He noted CRAB's work on determining potential sites for beach access restrooms. He stated he would ask Public Works to prepare a report for Council on possible beach access sites for the placement of portable restrooms.

Council Member List noted her reluctance to approve the transfer request.

Town Attorney Miller pointed out advantages of the transfer from a liability perspective since the restroom facilities were on County property and the maintenance was performed by the County.

Public Comment opened.

No speakers.

Public Comment closed.

**MOTION:** Vice Mayor Kosinski to authorize the Mayor to execute a letter offering to transfer ownership of two portable restrooms owned by the Town to Lee County Parks and Recreation for use at Crescent Beach Family Park and to execute a Bill of Sale for the two restrooms; second by Council Member Andre.

**VOTE:** Motion approved, 5-0.

**B. Matanzas Pass Preserve Request for Funding**

A request for a motion to approve Matanzas Pass Preserve request for \$25,000 in funding to support its Education and Resource Station Project.

Item pulled.

**C. Bond Attorney Presentation**

This presentation is to inform the Council of impending financing that may be required for the potable water system rebuild.

Item pulled.

## **XVI. PUBLIC COMMENT**

Public Comment opened.

No speakers.

Public Comment closed.

## **XVII. TOWN MANAGER'S ITEMS**

Town Manager Stewart reported the 're-entry passes' were going extremely well, and that they were extending the location at Santini Plaza for another Monday. He extended compliments to his Executive Assistant for taking on the 'tree sale' responsibility and for positioning the Town as a Tree City USA. He stated that the Town had received the Tree City USA recognition again this year. He noted every year that the Town supported the Horizon Council's Horizon Foundation which was created to support the function of the Lee County Economic Development Division; and that the Town had been asked to continue their support with a \$2,500 donation for 2013.

Council Member Raymond asked if the Horizon Council had supported any businesses on the Island.

Town Manager Stewart stated he would contact the Economic Development Office to determine if the Horizon Council had supported any businesses on the Island.

Discussion was held concerning the Horizon Council as it related to Fort Myers Beach.

Consensus agreed to authorize the Town Manager to process the payment to the Horizon Council as requested.

Keith Laakkonen, Environmental Scientist, gave an update on some of the Town's coastal management items:

- Staff met with the condo association at Leonardo Arms; DEP had issued the association a one year extension on their permit. He commented on the precedent the sandbags were creating for the Town. He reported he did an analysis of the shoreline at the subject property which had receded over 330 feet since 1998; and it was staff's opinion that an upland retaining wall or some type of permanent means or the creation of a dune would be a good investment by the association. He noted an upland retaining wall would require the applicant to pursue a variance. He stated he would continue to work with the association's engineer on the matter.
- Big Carlos Pass – the County has repositioned and added two new buoys.
- Matanzas Pass – staff has been working with the County and the Army Corps of Engineers on 'near shore placement'; and that the Army Corps of Engineers were the permit holder.

Mayor Mandel asked Environmental Scientist Laakkonen to keep the Council updated on the issue with the Army Corps of Engineers and thanked him for his work on obtaining the soundings that helped to get the buoys relocated.

Keith Laakkonen, Environmental Scientist, continued the update on some of the Town's coastal management items:

- Coast & Harbor Engineering had completed the field data collection work for the shoreline surveys, and depths for the Coastal Management Plan.

#### A. Mound House Update

Town Manager Stewart noted Request for Qualifications for the Mound House would be 'on the street' on this Friday.

Town Attorney Miller explained that the issue was being handled as a Request for Qualifications and not as a bid.

Council Member Raymond questioned the date associated with the dock/pier listed on the Mound House Report.

Town Manager Stewart explained the date offered was the best guess at this time because staff was trying to finish the 'value engineering' in order to bring it in within budget.

### **XVIII. TOWN ATTORNEY'S ITEMS**

Town Attorney Miller – no items or reports.

### **XIX. COUNCILMEMBER ITEMS AND REPORTS**

Council Member Raymond – asked if a Code Enforcement person could take about one hour on Monday mornings to check Estero Boulevard and some of the side streets to see the number of garbage cans placed out for collection too early, and to contact the appropriate party in order to get the cans removed. He recounted an experience he encountered on his street where the garbage cans were placed out on a Sunday.

Mayor Mandel reviewed a past discussion regarding code enforcement and having key issues addressed each month to evaluate enforcement.

Vice Mayor Kosinski – no items or reports.

Council Member Andre – no items or reports.

Council Member List – discussed how Council Member Raymond, in his capacity in the MPO, was the first person who got the Town 'on the map' and that he did a phenomenal job representing the Town on

the MPO. She noted that it had been discussed during Council Member Raymond's leave and agreed that if he wanted his position back on the MPO that he would be afforded the opportunity.

Discussion was held concerning the Town Council's representative on the MPO; and consensus agreed to discuss the matter again in June.

Council Member List – noted the upcoming Fort Myers Beach Film Festival event.

Mayor Mandel – reported that Lee County Commissioner Kiker held a meeting with the local mayors and it appeared there was agreement that improved communication with the County was needed; that he and the Town Manager held a conference call with the State DOT concerning traffic mitigation and that they all would meet together after the June MPO meeting; that the bond counsel would appear before Council in May; and that tomorrow he would speak before the BOCC regarding the Seafarer's property and remind them of their discussion at the BOCC and Council Joint Meeting. He added that on Wednesday this week he would speak before the TDC requesting support of the Town's Coastal Management Plan.

Town Attorney Miller reported she spoke with the County Attorney regarding the Town's request for support from the TDC for the Coastal Management Plan; and that the County Attorney suggested the language in the request be revised to demonstrate the objective of the study was to determine ways for the Town to avoid costly beach renourishment.

Mayor Mandel reported that he and the Town Manager would be going to Tallahassee to attend meetings scheduled by Mr. Keith Arnold. He added one of the issues they would be working on in Tallahassee was the Town's representation on the TDC.

## **XX. AGENDA MANGEMENT**

Town Manager Stewart offered the following update on Agenda Management and discussion was held:

- Town Hall Lease – May 20, 2013 Work Session
- Beach Raking – introduce ordinance May 6, 2013
- Mandatory Recycling for Business – May 20, 2013 Work Session
- Corporate Personhood – May 6, 2013 Work Session
- Parking (various aspects, no staff assistance necessary) – May 6, 2013 Work Session
- Code Enforcement – May 6, 2013 Work Session

Council Member Raymond asked the Town Attorney about the Town's ability to add language to the Short-Term Rental Ordinance.

Town Attorney Miller explained the Town could not add anything that would place restrictions on short-term rentals and not put the same restrictions on other types of rentals.

Council Member Raymond asked if could place registration on all types of rentals.

Town Attorney Miller responded in the affirmative. She noted the use of the IPMC with respect to enforcement of code issues.

**XXI. RECAP OF ACTION ITEMS**

No discussion.

**XXII. ADJOURNMENT**

Motion by Council Member Andre; second by Council Member List to adjourn. Meeting adjourned at 9:25 p.m.

Adopted \_\_\_\_\_ With/Without changes. Motion by \_\_\_\_\_

Vote: \_\_\_\_\_

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Michelle D. Mayher, Town Clerk

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