



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

www.longboatkey.org

Ken Schneier, Mayor; Mike Haycock, Vice Mayor; Sherry Dominick, District 1
George Spoll, District 2; Jack Daly, District 4;
Ed Zunz, District 5; and B.J. Bishop, At-Large

AGENDA

REGULAR MEETING (Virtual)

October 5, 2020 – 1:00 PM

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. 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.
- Audience members wishing to speak must be recognized by the Chair.
- Speaking without being recognized will be considered as "Out of Order."

5. Approval of Virtual Meeting Protocols and Process

6. Public to be Heard

Opportunity for Public to Address Town Commission

- A. At each meeting, the Town Commission sets aside time for the public to address issues not on the agenda.
- B. All other agenda items except public hearings.

7. Reports

- A. Committee Reports
- B. COVID-19 Update

The Town Manager will brief Commissioners on the Town's response to the COVID-19 pandemic.

Recommended Action: None, informational only.

C. Resolution 2020-28, Ratifying and Confirming All Actions Taken by the Town Commission, Boards, and Committees During Virtual Meetings During COVID-19 Pandemic Response

By passing Resolution 2020-28, the Commission will ratify and confirm all actions taken by Town Commission, Boards, and Committees during virtual meetings, workshops, quasi-judicial hearings, and public hearings from April 2020 through present.

Recommended Action: Pass Resolution 2020-28.

8. Consent Agenda

The purpose of the Consent Agenda is to expedite those items on an agenda that appear to be of a routine nature. Any item on the Consent Agenda can be removed from the Consent Agenda and placed on the Regular Meeting Agenda by any member of the Town Commission without having to make a motion, receive a second, or submit to a vote. Otherwise, all items on the consent Agenda are voted upon in their totality by one action (motion, second and vote) and are not subject to discussion. A vote in the affirmative on the Consent Agenda is a vote of confirmation to the action noted in each item.

A. Approval of Minutes

September 14, 2020 Special Meeting (Budget) Minutes.

Recommended Action: Approve Minutes

B. Consolidated Retirement System Investment Policy Statement Adoption

The Chair of the Town's Consolidated Retirement System Board of Trustees has forwarded a revised Investment Policy Statement (IPS) for the fund for Commission review and approval. Pending approval, the IPS will have an effective date of October 30, 2020.

Recommended Action: Adopt Consolidated Retirement System Investment Policy Statement.

C. Resolution 2020-23, State of Florida Local Government Funding, Request for Beach Management Funding Assistance Program

To qualify for the State of Florida Beach Management Funding Assistance Program each project application must be filed with a resolution by the governing body. Resolution 2020-23 will accompany the FDEP Beach Management Funding Assistance Program FY 2021/2022 Local Government Funding Request Beach Projects Application. Typically project costs are reimbursed at a 26.94% rate.

Recommended Action: Pass Resolution 2020-23.

9. Ordinances – First Reading

A. Ordinance 2020-15, Amending Chapter 93, Vessels, Waterways and Water Activities

Ordinance 2020-15 amends Chapter 93 to bring the Town Code into compliance with recently adopted regulations governing vessel anchoring and mooring in Florida Statutes Chapters 327 and 328; which pre-empted much of the vessel anchoring and mooring regulations to the State.

Recommended Action: Forward Ordinance 2020-15 to the November 2, 2020 Regular Meeting for second reading and public hearing.

B. Ordinance 2020-11, Master Water and Wastewater Bond

The Town Commission will consider Ordinance 2020-11, which establishes a base document for future borrowings and authorizes the issuance of \$3,100,000 Wastewater Refunding Revenue Notes to refinance the State Revolving Fund (SRF) loan agreements. This item was forwarded for first reading from the September 29, 2020 Regular Workshop Meeting.

Recommended Action: Forward Ordinance 2020-11 to the November 2, 2020 Regular Meeting for second reading and public hearing.

10. Ordinances – Second Reading and Public Hearing

A. Ordinance 2020-05, Privately Initiated Zoning Text Amendment, Amending Zoning Code Section 158.098, Height and Daylight Plane Regulations

The Town received a privately initiated text amendment request from a property owner seeking approval for lightning protection systems to be included as an exception to height and daylight plane regulations in the Town Code. At their September 14, 2020 Regular Meeting the Commission continued the public hearing of Ordinance 2020-05 to the October 5, 2020 Regular Meeting.

Recommended Action: Adopt Ordinance 2020-05.

B. Ordinance 2020-02, Amending Chapter 94, Fire Prevention Code

Ordinance 2020-02 provides a re-write and replacement of Chapter 94, Fire Prevention Code. It contains updated language, definitions, other required updates, and a more intuitive document for ease of use. The Town Commission held first reading at the September 14, 2020 Regular Meeting and forwarded for second reading, public hearing, and adoption at the October 5, 2020 Regular Meeting.

Recommended Action: Adopt Ordinance 2020-02.

C. Ordinance 2020-12, Amending Section 72, Parking, Fines

Ordinance 2020-12 provides for increased fines for illegal parking, and updated processes for hearing appeals. The Town Commission held first reading at the September 14, 2020 Regular Meeting and forwarded for second reading, public hearing, and adoption at the October 5, 2020 Regular Meeting.

Recommended Action: Adopt Ordinance 2020-12.

11. Resolution and Public Hearing

A. Resolution 2020-21, Amending Building Permit and Fire Fees

Resolution 2020-21 provides for updating building permit and fire fees to provide an equitable level of cost recovery for the Town to provide these services. Staff reached out to 2,200 local contractors to advise of the proposed update to building permit and fire fees with no expressions of concern or other feedback.

Recommended Action: Pass Resolution 2020-21.

- B. Resolution 2020-24, Supplemental Resolution, Beach Bonds, Authorizing the Issuance of Not-To-Exceed \$22,000,000 General Obligation Bonds

Resolution 2020-24 supplements Resolution 2020-11 (Master Bond Resolution passed on June 1, 2020) and authorizes the issuance of up to \$22 million in general obligation bonds through a competitive bid sale.

Recommended Action: Pass Resolution 2020-24.

12. New Business

- A. Town Attorney Annual Evaluation

The Town Attorney's Contract provides for an annual review and job performance evaluation by the Town Commission. This item is placed on the October 5, 2020 Regular Meeting for Commission discussion.

Recommended Action: None.

- B. Town Manager Annual Evaluation

The Town Manager's employment agreement calls for a review and job performance evaluation by the Town Commission at least once annually. This item is placed on the October 5, 2020 Regular Meeting for Commission consideration.

Recommended Action: None.

13. Town Commission Comments

14. Town Attorney Comments

15. Town Manager Comments

16. Adjournment

Pursuant to the Governor's Executive Order 20-246, the October 5, 2020, meeting will be held virtually. The Town Commission will be utilizing Communications Media Technology (CMT), specifically Zoom, to conduct the meeting for the protection of our residents, employees, and visitors.

Please be advised that the Florida Governor's Office has declared a State of Emergency due to the Coronavirus (COVID-19) pandemic. As reported by the Center for Disease Control and World Health Organization, COVID-19 can spread from person-to-person through small droplets from the nose or mouth, including when an individual coughs or sneezes. These droplets may land on objects and surfaces. Other people may contract COVID-19 by touching these objects or surfaces, then touching their eyes, nose or mouth. Therefore, merely cleaning facilities, while extremely important and vital in this crisis, may not be enough to stop the spread of this virus.

While it is necessary to hold the above referenced meeting of the Town Commission despite the current public health emergency, the Town Commission fully encourages public participation in a safe and efficient manner. Toward that end, anyone [wishing to listen to the meeting can do so](#) at <https://www.longboatkey.org/town-government/commission-meetings-live>. Additionally, the public can submit comments on agenda items to the Town Clerk in advance at tshinkle@longboatkey.org. Please submit comments on agenda items to the Town Clerk no later than Monday, October 5, 2020, at 10:00

am, to facilitate the Town Commission's consideration of such questions and comments during the meeting. Additionally, you may sign up to participate and speak via CMT. Please see attached instructions for participation information.

No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, Fla. Stat.).

In accordance with the Americans with Disabilities Act and Section 286.26, F.S., persons needing a special accommodation to participate in this proceeding should contact the Town Clerk's office at 941-316-1999 seventy-two (72) hours in advance of this proceeding. If you are hearing impaired, please call 941-316-8719.

Virtual Meeting Protocols and Process

Pursuant to the Florida Governor's Executive Order 20-246, issued September 30, 2020, the October 5, 2020, Town Commission meeting will be conducted virtually for the protection of our residents, employees, and visitors. Limited staff will be in attendance in the Commission Chamber at Town Hall, 501 Bay Isles Road, Longboat Key, Florida. The Town Commission will be utilizing Communications Media Technology (CMT), specifically Zoom, as described below to conduct the meeting.

The Town encourages public participation in its virtual meetings. If you do not plan on participating in the meeting but only wish to view, please consider viewing the meeting via the Town's online streaming option as described in option #2 so that there can be more available bandwidth for individuals who wish to participate in the virtual meeting using the Zoom medium as described in option #4.

Please be advised that there is a 45 second delay due to closed captioning when the Town Commission meeting is viewed using the online option.

Further, should you encounter difficulties in viewing or participating in the meeting with the option you choose, please consider using an alternate form of participation from the options listed below.

To participate in the Town Commission virtual meeting on October 5, 2020, which begins at 1 p.m., you have the following options:

1. Listen to the meeting via phone:

You may listen to the audio only from your phone by dialing 1-646-558-8656 and when the meeting ID is requested, enter 267390984 and then press the # key.

2. Watch the meeting online, but not participate:

You may access the meeting by visiting <https://www.longboatkey.org/town-government/commission-meetings-live>. As noted above, there is a 45 second delay when viewing and streaming the meeting through this online option.

3. Watch the meeting online and provide public comment prior to the meeting:

Please follow all of the instructions provided for in #2 above. You may also provide written comments by e-mailing Town Clerk Trish Shinkle by **October 5, at 10:00 a.m.** at tshinkle@longboatkey.org, by regular mail at 501 Bay Isles Road, Longboat Key, FL, 34228, or submit the on-line form available on the Town's website (www.longboatkey.org). The on-line form will be available from Wednesday, September 30, 2020, at 5:00 p.m. until 10:00 a.m. on Monday, October 5, 2020. If you do not wish to speak during the meeting, you may request that your written comments be read into the record at the appropriate time. All other written comments received by the deadline will be distributed to the Commission and the appropriate staff prior to the start of the meeting. Time limits will be enforced so written comments that are read into the record must be limited to 3 minutes.

4. Watch the meeting and participate during the public comment and/or public hearing in the meeting using Zoom:

Request to Speak instructions:

To request to speak during the virtual meeting or public hearing, you must complete the Request to Speak form **no later than 10:00 a.m. on Monday, October 5, 2020**, to be placed on a participant list. You may access the Request to Speak form by visiting

www.longboatkey.org, select the “Agendas & Meetings” tab, and then select “Virtual Meeting Information” link. You must fill out and submit all required information on the form no later than **no later than 10:00 a.m. on Monday, October 5, 2020**, to participate during the public comment and/or public hearing items on the agenda. The on-line form will be available from Wednesday, September 30, 2020, at 5:00 p.m. until 10:00 a.m. on Monday, October 5, 2020. Except for the public hearing agenda item(s), all Public to be Heard comments will be taken at the beginning of the meeting for both Agenda and Non-Agenda items. If you are requesting to speak during the public hearing agenda item, please indicate that specific agenda item number on the Request to Speak form as your comments will be considered during the public hearing portion of the meeting when that public hearing item is considered by the Town Commission.

Zoom instructions:

For the October 5, 2020, meeting, please use the meeting link <https://zoom.us/j/267390984> to virtually attend and watch the meeting by computer, tablet, or smartphone. Those whom have pre-registered to speak, will be called upon and the Town’s 3-minute time limit will be enforced. If joining from a tablet or smartphone, you will need to download the free Zoom app from your device’s app store. If joining from a computer, your computer will automatically download and install (if needed) the Zoom program. If you currently have Zoom installed on your computer, tablet, or smartphone, you may join the meeting by entering the meeting ID 267390984. **In the event you encounter difficulties in participating with this option, an alternate option should be selected to continue participation.**

For additional information or assistance please contact one of the following staff members prior to the meeting:

1. For public comment questions: Trish Shinkle, Town Clerk, tshinkle@longboatkey.org or (941) 316-1999
2. For questions on connecting to the meeting: Jason Keen, Information Technology Director, jkeen@longboatkey.org or (941) 316-1999.