



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 (In-Person/Virtual)

November 2, 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. Ratification of Actions Taken at Virtual Meetings and Approval of Hybrid (In-Person/Hybrid) Meetings

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

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, and authorizing the incorporation of hybrid meetings.

Recommended Action: Pass Resolution 2020-28.

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. Introduction of Police Chief Kelli Smith
- C. COVID-19 Update

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

Recommended Action: None, informational only.

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 Regular Meeting; September 29, 2020 Regular Workshop Meeting; September 29, 2020 Special Meeting; September 30, 2020 Attorney-Client Meeting; and October 5, 2020 Regular Meeting Minutes.

Recommended Action: Approve Minutes.

B. Public Forum Permit Application Request for Waiver of Permit Fee

The Longboat Key Chamber of Commerce is requesting a Public Forum Permit Application fee waiver of \$100 for the November 28, 2020 Tree Lighting Ceremony at the Town Center Open Venue.

Recommended Action: Approve the request for Public Forum Permit fee waiver.

C. Memorandum of Understanding (MOU) for Tampa Bay Regional Resiliency Coalition

The Tampa Bay Resiliency Coalition is a regional collaboration formed to address sea level rise, climate resiliency and includes 29 local governments including Sarasota and Manatee Counties.

Recommended Action: Authorize Mayor to execute the MOU with Tampa Bay Resiliency Coalition.

D. 2021 Town Commission Meeting Schedule

Each year the Town Commission adopts their meeting schedule for the upcoming calendar year which includes all customary meetings, and required meetings that can be reasonably anticipated at this time. The schedule accommodates Town-observed holidays, religious observances, Florida Statutes advertising requirements for Budget adoption, and builds in Commission stated preferences regarding holidays and other conflicts.

Recommended Action: Adopt 2021 Town Commission Meeting Schedule.

- E. Interlocal Agreement with Manatee County for Beach Improvements and Maintenance Providing for Reimbursement for Actual Costs Up To \$2.69 Million

The Interlocal Agreement with Manatee County provides for reimbursement of up to \$2.69 million to the Town for actual costs incurred in the design, permitting, and construction of the North End Beach Maintenance Project.

Recommended Action: Authorize Manager to sign MOU with Manatee County.

9. Ordinances – First Reading

- A. Ordinance 2020-09, Amending Chapter 74, Parking Schedules, Providing for Residents' Parking Permit Program for Longbeach Village

Ordinance 2020-09, Amends Chapter 74, Parking Schedules, to add Schedule IV to establish a Residents' Only Parking Permit program for Longbeach Village. This item was forwarded to the November 2, 2020 Regular Meeting following discussion at the September 29, 2020 Regular Workshop Meeting.

Recommended Action: Forward to the December 7, 2020 Regular Meeting for second reading and public hearing.

- B. Ordinance 2020-20, Amending Chapter 33, Boards and Commissions, Expanding the Authority of the Special Magistrate to Hear Parking Related Appeals

Ordinance 2020-20 would add Chapter 72, (Stopping, Standing and Parking) and Chapter 74, (Parking Schedules) to be included among the Chapters the Special Magistrate would have authority and jurisdiction to consider appeals.

Recommended Action: Forward Ordinance 2020-20 to the December 7, 2020 Regular Meeting for second reading and public hearing.

- C. Ordinance 2020-19, Establishing the 2021 Election Dates

The Town Commission will consider Ordinance 2020-19, which provides for the dates of January 26, 2021 for a Preliminary Election (if required), and March 9, 2021 for the General Municipal Election. It also provides for early voting in accordance with State law, for ballot presentation, and advertising.

Recommended Action: Forward Ordinance 2020-19 to the December 7, 2020 Regular Meeting for second reading and public hearing.

10. Ordinances – Second Reading and Public Hearing

- 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. This item was forwarded from the October 5, 2020 Regular Meeting for second reading, public hearing and adoption.

Recommended Action: Adopt Ordinance 2020-15.

- B. Ordinance 2020-11, Master Water and Wastewater Bond for Future Borrowings, and Authorizing a Not to Exceed \$3.1 Million Revenue Refunding Note to Refinance the State Revolving Fund Loan

The Town Commission will consider Ordinance 2020-11, which establishes a base document for future borrowings and authorizes the issuance of \$3.1 million Wastewater Refunding Revenue Notes to refinance the State Revolving Fund (SRF) loan agreements. This item was forwarded from the October 5, 2020 Regular Meeting for second reading, public hearing and adoption.

Recommended Action: Adopt Ordinance 2020-11. Resolution and Public Hearing.

11. Resolutions and Public Hearing

- A. Resolution 2020-26, Supplementing Ordinance 2020-11, Authorizing Not to Exceed \$3.1 Million for Water and Wastewater Refunding Revenue Note

Resolution 2020-26 supplements Ordinance 2020-11, and authorizes the issuance of \$3.1 million Wastewater Refunding Revenue Note Series 2020 for the purpose of refinancing the State Revolving Fund (SRF) Loan Agreements. This authorizes the private negotiated sale of the Note to Truist Bank to refinance the SRF Loan Agreements.

Recommended Action: Hold public hearing, pass Resolution 2020-26, and each Commissioner execute Certificate of Public Meetings, and No Conflict of Interest.

- B. Resolution 2020-29, Amending FY20 Budget in the Amount of \$88,500 for Water and Wastewater Operating Fund

Resolution 2020-29, provides for a FY20 Budget transfer as part of the annual year-end adjustments for costs associated with the sewer pipe leak in June 2020. Sufficient funds are available in the Water Department to cover these costs.

Recommended Action: Hold public hearing and pass Resolution 2020-29.

- C. Resolution 2020-25, Amending the FY20 Budget in the Amount of \$84,500 for COVID-19 Expenses

Resolution 2020-25, provides for a FY20 Budget transfer as part of the annual year-end adjustments to cover various unbudgeted expenses resulting from the declared State of Emergency issued in March 2020 by Governor DeSantis in response to the COVID-19 pandemic. Funds would be transferred from the General Fund Contingency to the Emergency Management Department Budget.

Recommended Action: Hold public hearing and pass Resolution 2020-25.

12. New Business

- A. Town of Longboat Key 2021 Legislative Priorities

Each year the Town Commission establishes a list of the Town's Legislative Priorities to present to the Sarasota County Legislative Delegation, the Manatee County Legislative Delegation, and the Manasota League of Cities.

Recommended Action: Establish 2021 Legislative Priorities.

- B. Historic Whitney Beach Cottage Placement on Town Center Property

The Town Manager will provide an update on the Historic Whitney Beach Cottage being considered for relocation to the Town Center. The Town Manager will also review a proposed lease agreement with the Longboat Key Historical Society in the event the Commission elects to move forward with authorizing the placement of the historic cottage on Town-owned property.

Recommended Action: Provide direction to Manager.

13. Town Commission Comments

14. Town Attorney Comments

15. Town Manager Comments

16. Adjournment

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. Those with weakened immune systems may want to avoid the Town Commission's meeting in order to avoid a potential exposure to the virus.

It is anticipated that a physical quorum of the Town Commission will gather in person for a Town Commission meeting and public hearing within the Town Commission Chambers at Town Hall, 501 Bay Isles Road, Longboat Key, Florida, and other members of the Town Commission may appear and utilize CMT, specifically Zoom, to participate in the public meeting and hearings. In the event a physical quorum of the Town Commission gathers at Town Hall for such meeting/hearings, then the public will also be permitted to attend the meeting/hearings in person. In person gatherings by the public at Town Hall shall be governed by applicable Gubernatorial Executive Orders in effect at the time, CDC and Health Department recommendations, Town Emergency Ordinance 2020-13, and the Town Manager's Emergency Executive Orders. The Town will require that all persons attending the public meeting/hearing within Town Hall observe and follow applicable CDC and Health Department guidelines on social distancing and public gathering size limitations. The public must also observe the face covering requirements set forth in Emergency Ordinance 2020-13 within Town Hall.

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](https://www.longboatkey.org/town-government/commission-meetings-live) 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, November 2, 2020, at 10:00 am, to facilitate the Town Commission's consideration of such questions and comments during the meeting.

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.

Hybrid Meeting Protocols and Process

The November 2, 2020, Town Commission meeting will be conducted both in person and virtually with limited seating for the public and limited staff in attendance in the Commission Chamber at Town Hall.

The Town encourages public participation in its public meetings and hearings and is providing multiple options for the public to participate in the proceedings in a manner that accommodates individual needs and health concerns. In-person gatherings by the public at Town Hall shall be governed by applicable Gubernatorial Executive Orders in effect at the time, CDC and Health Department recommendations, Town Emergency Ordinance 2020-13, and the Town Manager's Emergency Executive Orders. The Town will require that all persons attending the public meeting/hearings within Town Hall observe and follow applicable CDC and Health Department guidelines on social distancing and public gathering size limitations. The public must also observe the face covering requirements set forth in Emergency Ordinance 2020-13 within Town Hall. Seating is limited to a maximum of 50 people. Overflow seating will be available on a limited basis. Individuals may sign up to speak after completing the health screening upon entering.

In that regard, the Town is offering the public the option of participating in the Town's public meetings in person at Town Hall or virtually by following the login instructions below.

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 November 2, 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](https://www.longboatkey.org/town-government/commission-meetings-live) 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 **November 2, 2020, at 10:00 a.m.** at tshinkle@longboatkey.org, or 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 Thursday, October 29,

2020, at 10:00 a.m. until Monday, November 2, 2020, at 10:00 a.m. 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, November 2, 2020**, to be placed on a virtual 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, November 2, 2020**, to participate during the public comment and/or public hearing items on the agenda. The on-line form will be available from Thursday, October 29, 2020, at 10:00 a.m. until Monday, November 2, 2020, at 10:00 a.m. 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. Please indicate on the form whether you will be attending in person or through the virtual Zoom feature.

Zoom instructions:

For the November 2, 2020, meeting, please use the [meeting link](https://zoom.us/j/267390984) (<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.

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