



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; Penny Gold, District 2;
Debra Williams, District 4; Maureen Merrigan, District 5;
and B.J. Bishop, At-Large

AGENDA

REGULAR MEETING (In-Person/Virtual)

May 3, 2021 – 1:00 PM

1. Call to Order and Pledge of Allegiance

2. 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."

3. Statement of Hybrid Meeting Protocols

4. Public to be Heard

Opportunity for Public to Address Town Commission

At each meeting, the Town Commission sets aside time for the public to address issues not on the agenda.

5. 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.

6. Consent Agenda

The purpose of the Consent Agenda is to expedite formal action on agenda items that are routine in 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 Commission without a motion, a second, or 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 provides the formal action noted for each item.

Approval of Minutes

March 22, 2021 Regular Workshop Meeting; April 5, 2021 Special Workshop Meeting (Meet & Greet); April 5, 2021 Regular Meeting; April 19, 2021 Special Workshop (Goals & Objectives) Meeting Minutes.

Recommended Action: Approve Minutes.

7. Resolution and Public Hearing

Resolution 2021-08, Amending the FY21 Budget, Amending the FY21 Water and Wastewater Operating Fund Budget and Capital Fund Budget

The FDEP and Town of Longboat Key entered into a Consent Order as a result of the force main leak in June 2020. Resolution 2021-08 provides for the necessary budget transfers to provide funding for costs associated with compliance with terms of the negotiated Consent Order and establishes the project budget accounting for the FY21 assessment of the existing pipe.

Recommended Action: Pass Resolution 2021-08.

8. Ordinances - First Reading

A. Ordinance 2021-01, Amending Chapter 100, Marine Turtle Protection

At the April 19, 2021 Regular Meeting the Town Commission reviewed and discussed proposed amendments to Chapter 100, and forwarded Ordinance 2021-01 to the May 3, 2021 Regular Meeting for first reading.

Recommended Action: Forward Ordinance 2021-01 to the June 7, 2021 Regular Meeting for second reading and public hearing.

B. Ordinance 2021-02, Amending Chapter 34.50, Firefighters' Retirement System, Disability

Florida Statutes Section 112.1816 mandates certain employer-funded cancer benefits for firefighters who are diagnosed with certain cancers and eligible to receive disability or death benefits. Ordinance 2021-02 was recommended for adoption by the Consolidated Retirement System Board of Trustees and placed for Commission consideration.

Recommended Action: Forward Ordinance 2021-02 to the June 7, 2021 Regular Meeting for second reading and public hearing.

C. Ordinance 2021-04, Renewal of Waste Management Franchise Agreement for Solid Waste and Recycling Collection

Ordinance 2021-04 provides for renewal of the Town's solid waste and recycling franchise agreement with Waste Management for another three-year term through June 30, 2024. The proposed renewal provides for an increase in recycling rates.

Recommended Action: Forward Ordinance 2021-04 to the June 7, 2021 Regular Meeting for second reading and public hearing.

9. Quasi-Judicial Public Hearing

Subdivision Replat: Collier-Walker Subdivision, Phase III

At their March 16, 2021 Regular Meeting the Planning & Zoning Board recommended approval of the Subdivision Replat application for 640 Neptune Avenue and Parcel ID 0005090059. The accompanying staff report also recommends approval. This public hearing for the Subdivision Replat application is scheduled for approval by the Town Commission at their May 3, 2021 Regular Meeting.

The Commission will base their decision on competent and substantial evidence submitted at the May 3, 2021 Regular Meeting.

10. Discussion Items

FY21 Mid-Year Update

As of March 31, 2021, we have completed the first six months of FY21. The Town Manager and Finance Director will provide an update on year to date accomplishments and a financial overview of the FY21 Budget at the May 3, 2021 Regular Meeting.

Recommended Action: None, informational only.

11. Town Commission Comments

12. Town Attorney Comments

Request for Appointment of Special Counsel for Right-of-Way Acquisition

Recommended Action: Authorize Town Attorney and Town Manager to execute engagement agreements for special counsel.

13. Town Manager Comments

14. 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 required 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. When 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 2021-03 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 2021-03 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](#) 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, May 3, 2021 at 10:00 a.m., 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 Town Commission's May 3, 2021, Regular Meeting at 1:00 p.m. 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 2021-03, and the Town Manager's 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 2021-03 within Town Hall. Seating is limited to a maximum of 50 people, which includes overflow seating outside the Commission Chamber. Individuals may sign up to speak after completing a health screening upon entering the building.

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/speak 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 Regular Meeting on May 3, 2021, at 1:00 p.m. in virtual format, 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 **May 3, 2021, 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, April 29, 2021, at 10:00 a.m. until Monday, May 3, 2021, 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, May 3, 2021**, 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 10:00 a.m. on Monday, May 3, 2021**, to participate during the public comment and/or public hearing items on the agenda. The on-line form will be available from Thursday, April 29, 2021, at 10:00 a.m. until Monday, May 3, 2021, at 10:00 a.m. All Public to be Heard comments will be taken at the beginning of the meeting for Non-Agenda items. If you are requesting to speak during consideration of an Agenda item, please indicate that specific agenda item number on the Request to Speak form as your comments will be considered during the portion of the meeting when that Agenda 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 May 3, 2021, 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.