



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; Maureen Merrigan, Vice Mayor;

Sherry Dominick, District 1; Penny Gold, District 2;

Debra Williams, District 4; Mike Haycock, At-Large;

and B.J. Bishop, At-Large

AGENDA REGULAR MEETING September 12, 2022 - 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. 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.

4. Reports

Committee Reports

5. New Business

A. Consideration of the Appointment of the Next Town Manager and Town Manager Contract

At the July 1, 2022 Regular Meeting the Town Commission requested the Town Manager and Town Attorney to begin a targeted search for individuals qualified to fill the Town Manager's position upon his December 10, 2022 retirement. A qualified individual was identified and has met individually with all seven Commissions. A negotiated contract between the Town and Mr. Howard N. Tipton is placed on the September 12, 2022 Regular Meeting for Commission consideration.

Recommended Action: Approve the appointment of the next Town Manager and approve a Town Manager Contract with Howard N. Tipton.

B. Amendment to Consolidated Retirement System Investment Policy

At their August 17, 2022, Quarterly Meeting the Consolidated Retirement System Board of Trustees voted to lower the Assumed Rate of Return (ARR) from 7% to 6.75% after analyzing performance during their last three quarterly meetings. This change requires Commission action to amend the Consolidated Retirement System Investment Policy. The Chair of the Board will be present at the September 12, 2022, Regular Meeting to address the Commission and answer questions.

Recommended Action: Approve Amendment to Consolidated Retirement System Investment Policy.

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.

A. Approval of Minutes

July 1, 2022, Regular Meeting Minutes.

Recommended Action: Approve Minutes.

B. Interlocal Agreement with Manatee County for Broadway Street and Gulf of Mexico Drive Roundabout Design

On January 11, 2022, Manatee County Commissioners approved transfers from reserves in the Transportation Trust Fund for the SR789 at Broadway Roundabout Project. The Interlocal Agreement with Manatee County states they shall fund and reimburse the Town 50% of the design costs, or \$150,000, whichever is less.

Recommended Action: Authorize the Town Manager to execute the Interlocal Agreement with Manatee County.

C. Interlocal Agreement with Manatee County for Community Development Block Grant (CDBG) Program

On July 29, 2022, we were notified by Manatee County staff of a required amendment to our existing Interlocal Agreement for the CDBG program which was executed in 2019 and automatically renews unless terminated by written notice from either party. Manatee County indicated the amendment to our current Interlocal Agreement was required by the Department of Housing and Urban Development (HUD) prior to August 26, 2022. The Town Attorney and Manager considered options to timely address this deadline, and the ultimate approval of the Town Commission. The Interlocal Agreement is placed on this agenda for Commission ratification of the Town Manager's signature on the Interlocal Agreement.

Recommended Action: Ratify the Interlocal Agreement with Manatee County for Community Development Block Grant (CDBG) Program

7. Ordinance – First Reading

A. Ordinance 2022-12 Amending Chapter 33, Code Enforcement

Ordinance 2022-12 removes references to the former Code Enforcement Board, and adds clarifying provisions related to the Special Magistrate in the Town's Code Enforcement process and adding new categories of citation enforcement.

Recommended Action: Forward Ordinance 2022-12 to the October 3, 2022, Regular Meeting for second reading and public hearing.

- B. Ordinance 2022-20, Amending Chapter 92, Parks, Public Beaches, Public Beach & Bay Accesses, and Public Places, No Smoking

Effective July 1, 2022, Florida Statutes were amended to provide local governments the power to prohibit smoking in public places. At their July 1, 2022, Regular Meeting, the Commission directed staff to develop an ordinance to prohibit smoking in the Town's parks, public places, public beaches, and beach and bay accesses for their consideration at the September 12, 2022, Regular Meeting.

Recommended Action: Forward Ordinance 2022-20 to the October 3, 2022, Regular Meeting for second reading and public hearing.

8. Resolutions and Public Hearing

- A. Resolution 2022-11, Providing for Certification of the Annual Assessment Roll for Gulf of Mexico Drive (GMD) Utility Undergrounding Project

The Town is required to pass a resolution each year that certifies the annual assessment roll for compliance with administrative provisions for the GMD Utility Undergrounding Project assessment roll. Resolution 2022-11 must be passed prior to September 15, 2022.

Recommended Action: Pass Resolution 2022-11.

- B. Resolution 2022-12, Providing for Certification of the Annual Assessment Roll for Neighborhood Utility Undergrounding Project

The Town is required to pass a resolution each year that certifies the annual assessment roll for compliance with administrative provisions for the Neighborhood Utility Undergrounding project assessment roll. Resolution 2022-12 must be passed prior to September 15, 2022.

Recommended Action: Pass Resolution 2022-12.

- C. Resolution 2022-20 Establishing Fees for Building Permit & Fire Fees, and Recertification & Video Inspections

The Town's existing Building Permit & Fire Fees Resolution provides for an annual opportunity each October 1, for the Commission to adjust fees charged for building permits and fire fees. Staff has evaluated the revenues and expenses related to these fees and are recommending several fee reductions and three new fees to recognize specific categories: pool barriers, electric charging systems, and review of structural assessments. Local contractors have been notified of these proposals with no negative feedback.

Recommended Action: Pass Resolution 2022-20.

- D. Resolution 2022-22, Amending the FY22 Budget in the Amount of \$1,827,114 for Appropriations of American Rescue Plan Act (ARPA) Funds

In September 2021, the Town was awarded one half of its eligible funding through ARPA, with the other half awarded on August 15, 2022. The Commission determined to utilize this funding for two eligible Town projects that are top-ranked long-term issues: Subaqueous Force Main and Sea Level Rise/Stormwater Management Control projects. Previous action allocated the first payment to the Subaqueous Force Main project. Resolution 2022-22 provides for a budget amendment to transfer the second and final payment to the Streets Fund for Stormwater Management Projects.

Recommended Action: Pass Resolution 2022-22.

9. Town Commission Comments

10. Town Attorney Comments

11. Town Manager Comments

12. Adjournment

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.