



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)

June 1, 2020 - 1:00 PM

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".

Call to Order

Roll Call

Pledge of Allegiance

Approval of Virtual Meeting Protocols and Process

Public to be Heard *

1. 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.

* Virtual public participation instructions provided as in attachment to this agenda.

Reports

2. COVID-19 Update

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

Recommended Action: None, informational only.

Resolution and Public Hearing *

3. Resolution 2020-12, FY20 Budget Amendment and Public Hearing for Miscellaneous Grant Fund
Resolution 2020-12 provides for amendment of the Miscellaneous Grants Fund as a result of a \$5,000 Sarasota Marine Safety Foundation Grant to improve boating safety in Sarasota County waters.
Recommended Action: Pass Resolution 2020-12.
4. Resolution 2020-11, Authorizing General Obligation Beach Bonds, Not to Exceed \$34,500,000 for Cost of Capital Improvement Projects Associated with the Comprehensive Beach Management Plan

On March 17, 2020 the Town's electors voted to authorize a \$34,500,000 borrow for the beach projects as outlined in the 5-year Capital Improvements Project, and Comprehensive Beach Management Plan. Resolution 2020-11 was prepared by the Town's Bond Counsel, and Financial Advisors to formally authorize issuance of the General Obligation Bond. Recommended Action: Pass Resolution 2020-11.

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.

5. Approval of Minutes

May 4, 2020 Regular Meeting Minutes. Recommended Action: Approve Minutes

6. Cancellation of July Regular Workshop Meeting, and August Meetings

The Town Charter authorizes the Commission to cancel the July Regular Workshop Meeting and August Meetings. The Commission has traditionally canceled these meetings. Recommended Action: Cancel July Regular Workshop Meeting, and August Meetings

Ordinances – Second Reading and Public Hearing

7. Ordinance 2020-03, Amending Chapter 158, Zoning Code, Article V, Supplemental Standards, and Section 158,100, Off-Street Parking

Ordinance 2020-03, was forwarded from the March 2, 2020 Regular Meeting following first reading and public hearing. The Ordinance provides for an increase in the minimum number of required off-street parking spaces for restaurant parking based on total indoor floor area and delineated outdoor dining area. Recommended Action: Adopt Ordinance 2020-03.

8. Ordinance 2020-04, Amending Chapter 158.095, Zoning Code, Accessory Use or Structure, Swimming Pools

Ordinance 2020-04, was forwarded from the March 2, 2020 Regular Meeting following first reading and public hearing. The Ordinance codifies a simplified reformatting of the requirements for Swimming Pools in the form of a user-friendly table. Recommended Action: Adopt Ordinance 2020-04.

New Business

9. Project Update on Redundant Subaqueous Wastewater Forcemain

Town staff will update the Commission on efforts to advance planning, and acquire permits, for the redundant subaqueous wastewater forcemain. Recommended Action: None, informational only.

10. Consideration of Appointments to the Planning & Zoning Board, Zoning Board of Adjustment, and Citizens' Tax Oversight Committee

Due to health advisories and precautions related to the COVID-19 pandemic, a Meet & Greet for an open seat, and a term expiration, on the Planning & Zoning (P&Z) Board was postponed. There are also open seats on the Zoning Board of Adjustment and Citizens' Tax Oversight Committee. Staff is seeking Commission direction regarding the Board and Committee appointments. Recommended Action: make appointments/reappointments, and/or provide direction to Manager.

Town Commission Comments

Town Attorney Comments

Town Manager Comments

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.

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 10:00 a.m. on Monday, June 1, 2020, 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 forty-eight (48) hours in advance of this proceeding. If you are hearing impaired, please call 941-316-8719.

Virtual Meeting Protocols and Process

The June 1, 2020, Town Commission meeting will be conducted virtually with limited staff in attendance in the Commission Chamber at Town Hall.

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 June 1, 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 **June 1, 2020, 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 Friday, May 29, 2020, at 12:00 p.m. (noon) until 10:00 a.m. on June 1, 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 June 1, 2020**, to be placed on a participant list. You may access the Request to Speak form by visiting www.longboatkey.org. You must fill out and submit all required information on the form no later than **no later than 10:00 a.m. on June 1, 2020**, to participate during the public comment and/or public hearing items on the agenda. The on-line form will be available from Friday, May 29, 2020, at 12:00 p.m. (noon) until 10:00 a.m. on June 1, 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 June 1, 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.

June 1, 2020
Regular Meeting

Agenda Item #1

**No material provided for this
agenda item**

M E M O R A N D U M

TO: Town Commission
FROM: Tom Harmer, Town Manager
REPORT DATE: May 27, 2020
MEETING DATE: June 1, 2020
SUBJECT: COVID-19 Report

Recommended Action

Provide direction to Manager regarding the June 15, 2020 Regular Workshop Meeting.

Background

As the Commission is aware, the Town continues to respond to the COVID-19 pandemic. We monitor and respond to Executive Orders from the Governor's Office and in accordance with our Interlocal Agreement with Sarasota and Manatee Counties, we coordinate our response with Sarasota County Emergency Management. I have tasked Fire Chief Dezzi with coordinating the Town's response to COVID-19. He and I continue to closely collaborate on all actions regarding the Town's response.

I remain committed to providing daily updates to the Commission as well as to the public through various means, including our daily website updates. We have enforced the Governor's Orders, as well as the Town's Emergency Orders. The Governor's Executive Order 20-60 continues to allow Local Government Public Meetings to be held in a virtual format.

On May 18, 2020 the Governor issued Executive Order EO-123, announcing that Florida is at a Full Phase 1 Recovery status. This Order expanded the authorized occupancy rates for certain businesses to 50% during Phase 1. It opens up the ability for professional sports to operate within the State, and allows amusement parks and vacation rental facilities to submit plans to the State to facilitate their re-openings. In response, both Sarasota and Manatee County's submitted vacation rental plans to the State that were subsequently approved. In accordance with our Interlocal Agreement the Town falls under the Sarasota County plan which allows vacation rental properties to re-open with certain restrictions. Those restrictions include prohibiting certain travelers to reserve a rental based on the rate of COVID-19 positive cases in the State they are coming from (700 per 100,000 people). It also prohibits International travelers from booking vacation rentals in Florida.

As you are aware, on May 8, 2020 we re-opened our Tennis Center operations to members with restricted play and times. On May 15, we extended hours of operation, and added tennis lessons for existing members, with staff continuing to monitor conditions, and tennis play guidelines per CDC.

We are planning to re-open our public beach access parking areas effective June 1, 2020 and will be closely monitoring the beaches to ensure compliance with social distancing. We are not prepared to open any of the closed amenities in Bayfront Park at this time.

One of the items that I want to discuss today is our Town Commission Meeting schedule for the next month.

One of the pending issues to be scheduled for Commission discussion is Longbeach Village Parking. Your last discussion was at the February 18, 2020 Regular Workshop Meeting. At that meeting Town staff and the Town Attorney were asked to provide some additional information. From the February 18, 2020 Regular Workshop Meeting Minutes, I captured that Commission direction:

"Following comments, there was consensus to direct staff to evaluate the legality of resident parking only, and to inventory actual use of existing spaces."

“There was consensus to evaluate legality to require employees to park off site. There was consensus to seek feedback from the Village residents on the utilization of speed tables.”

The Commission planned to continue the discussion at the March 23, 2020 Regular Workshop Meeting, which was cancelled due to the difficulty in conducting a discussion with significant public interest in a virtual meeting format, with CDC social distancing requirements. Because that meeting was cancelled, the staff and Town Attorney’s report was distributed to the Commission via e-mail.

Residents of the Village have requested that this item be heard before your Summer recess. We believe there are some challenges with holding a meeting with significant public participation. In our discussions with a representative from the neighborhood, they have indicated they can minimize the number of speakers from the Village since the meeting will be in a virtual format.

The Commission has a couple of options. We can wait until after recess and schedule the discussion for September although it is not clear what the status of the emergency will be at that time, and whether we will be meeting with our more traditional format with public participation. Another option, is that we could schedule the Village parking discussion as a single item for the June 15, 2020 Regular Workshop Meeting utilizing a virtual meeting format. All non-budget workshops have been canceled during the pandemic so that meeting would only be held if the Commission requested. We could also schedule the discussion for the July 1, 2020 Regular Meeting, but that meeting already has a number of other important issues on the agenda.

I have discussed the June 11, 2020 Joint Meeting with the City of Sarasota with their City Manager. Due to the current constraints related to the COVID-19 emergency and virtual meetings, we agree that the meeting is not practical. They have asked that we reschedule that meeting to the September/October timeframe.

Our next budget workshop is June 15, 2020 at 9:00 am, and will be a virtual meeting. We are also planning for the July 1, 2020 Regular Meeting in a virtual meeting format. This would be your last meeting before Summer recess. Hopefully, we can resume our traditional in-person meetings at the September 14, 2020 Regular Meeting.

On this meeting’s Consent Agenda you will be considering action to cancel the July Workshop and August Meetings, as part of the traditional annual Summer recess.

Remaining Schedule of Town Commission Meetings Prior to Recess:

- June 1 at 1 pm - Town Commission Regular Meeting (Virtual)
- June 15 at 9 am - Special Workshop Meeting for FY21 Budget (Virtual)
- June 15 at 1 pm - Town Commission Regular Workshop Meeting (Tentative) (Virtual)
- July 1 at 1 pm - Town Commission Regular Meeting (Virtual)

We are anticipating a State transition to Phase 2 of the Recovery Plan and will coordinate messaging those directives with Sarasota County, and respond to them as appropriate for our community. We are also coordinating with both counties and local municipalities on their plans to restore services, as we continue to develop our own plans to restore certain services and amenities within the Town. We believe it is critical to carefully consider which actions to take, and align those based on data and input from public health officials.

As we continue to move into the re-opening phase, monitoring of test results becomes critical to evaluate the impact of those actions, and the on-going risk to our residents.

At the June 1, 2020 Regular Meeting I will update to the Commission on the current status of COVID-19 as it relates to Longboat Key. Chief Dezzi and I will be available for Commission questions.

Staff Recommendation

Provide direction to Manager regarding the June 15, 2020 Regular Workshop Meeting.

End of Agenda Item

M E M O R A N D U M

TO: Tom Harmer, Town Manager

FROM: Sue Smith, Finance Director
Peter Cumming, Police Chief

REPORT DATE: March 5, 2020

MEETING DATE: June 1, 2020

SUBJECT: Resolution 2020-12, Providing for FY20 Budget Amendment in the Amount of \$5,000 in the Miscellaneous Grant Fund for a Marine Safety Foundation Grant

Recommended Action
Pass Resolution 2020-12.

Background
The Town established a Miscellaneous Grants Fund in the FY18 Budget to segregate various grants that are restricted for a specific use from the General Fund activities.

The Police Department received the generous contribution of \$5,000 from The Sarasota Marine Safety Foundation to improve boating safety in Sarasota County waters.

Article V, Section 9 (d), of the Town Charter, requires Town Commission approval for budget amendments which require the use of Fund Balance or when an amendment would increase the Fund Budget in total.

Resolution 2020-12 provides for the amendment of the Miscellaneous Grants Fund adopted budget by increasing both the Fund’s budgeted expenditures and revenues by \$5,000 for the use of the Sarasota Marine Safety Foundation grant as shown below:

Increase to Budget:

Revenues:

113-20-19-337.9001-SRQ-MSF	\$5,000
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Expenditures:

113-20-19-549.4902-SRQ-MSF	\$5,000
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Proposed Resolution 2020-12, is being presented at your June 1, 2020 Virtual Regular Meeting for formal action.

Staff Recommendation
Pass Resolution 2020-12.

Attachments
Resolution 2020-12.

RESOLUTION 2020-12

A RESOLUTION AMENDING THE MISCELLANEOUS GRANTS FUND BUDGET OF THE TOWN OF LONGBOAT KEY, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; APPROPRIATING FUNDS FOR A GRANT AWARDED TO THE POLICE DEPARTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town established a Miscellaneous Grants Fund in the FY2018 budget to segregate various grants that are restricted for a specific use from General Fund activities; and

WHEREAS, the Police Department in the Town of Longboat Key received a generous contribution from the Sarasota Marine Safety Foundation to improve boating safety in Sarasota County waters; and

WHEREAS, Article V, Section 9 (d), of the Town Charter, requires Town Commission approval for budget amendments which require the use of Fund Balance or when an amendment would increase the fund budget in total; and

NOW, THEREFORE, be it resolved by the Town Commission of the Town of Longboat Key, Florida, that:

SECTION 1. The above Whereas clauses are true and correct and are hereby ratified, confirmed and fully incorporated by reference.

SECTION 2. The Miscellaneous Grants Fund budget of the Town of Longboat Key for the fiscal year beginning October 1, 2019, and ending September 30, 2020, as adopted pursuant to Resolution 2019-09, is hereby amended to appropriate Five Thousand Dollars and 00/100 (\$5,000.00) for the Sarasota Marine Safety Foundation grant as shown below:

113-20-19-337.9001-SRQ-MSF	<u>\$5,000.00</u>
Total Revenue	\$5,000.00
113-20-19-549.4902-SRQ-MSF	<u>\$5,000.00</u>
Total Expenditures	\$5,000.00

SECTION 3. If any section, subsection, sentence, clause, or provision of this Resolution is held invalid, the remainder of the Resolution shall not be affected.

SECTION 4. This Resolution shall become effective immediately upon adoption.

Adopted at a meeting of the Town Commission of Longboat Key, Florida the _____ day of _____, 2020.

Ken Schneier, Mayor

ATTEST:

Trish Shinkle, Town Clerk

End of Agenda Item

M E M O R A N D U M

TO: Tom Harmer, Town Manager

FROM: Sue Smith, Finance Director

REPORT DATE: May 21, 2020

MEETING DATE: June 1, 2020

SUBJECT: Resolution 2020-11, Authorizing General Obligation Bonds, not to exceed \$34,500,000, for purpose of financing the cost of design, acquisition, construction, installation of beach structures, sand renourishment and maintenance capital projects associated with the Comprehensive Beach Management Plan

Recommended Action:
Pass Resolution 2020-11.

Background:

The Town Commission approved a five-year Capital Improvement Plan for the Beach Capital Fund during the FY20 Budget adoption process. Since January 2019, the Commission was presented updates to the Comprehensive Beach Management Plan during four separate public Commission meetings. Town staff and Dr. Al Browder from Olsen & Associates presented and discussed the Plan document along with three potential construction/nourishment scenarios at the October 1, 2019 Regular Meeting. The Commission unanimously approved the Comprehensive Beach Management Plan at that meeting.

The tax impact on a \$34,500,000 borrow was reviewed with the Commission and the bonding authorization of \$34,500,000, maturing not later than 8 years, was set at the November 4, 2019 Regular Meeting for purpose of financing the cost of design, acquisition, construction, installation of beach structures, sand renourishment and maintenance capital projects associated with the Comprehensive Beach Management Plan (the "Project").

On December 2, 2019, Ordinance 2019-13 was adopted, authorizing a Gulfside and Bayside District Referendum to authorize the Issuance of General Obligation Bonds/Notes with the Gulfside paying for 80% and the Bayside paying 20% of the sum of the combined mill rates.

At a referendum held on March 17, 2020, the Town's electors voted to authorize the Town's borrowing of up to \$34,500,000. The Gulfside District passed by the majority of voters with 737 in favor, and 147 opposed. The Bayside District passed by the majority of voters with 1,222 in favor, and 479 opposed.

Attached is a copy of the Authorizing Bond Resolution 2020-11 for the project as prepared by our Bond Counsel and reviewed by the Finance Director, Financial Advisors, Town Attorney and Town Clerk. Resolution 2020-11 authorizes the issuance of general obligation bonds and/or notes in an amount not to exceed the voter approved borrow of \$34,500,000 and provides authorizations for the designated Town Officials (Mayor, Town Manager, Town Attorney, Town Clerk and Finance Director) to take all necessary acts to execute and deliver the documents necessary to issue bonds. This Resolution also authorizes the Town's Bond Counsel and Town Attorney to institute a bond validation proceeding (litigation) which is estimated to take three to four months.

A Supplemental Bond Authorization will be presented prior to the actual issuance of any bonds. The actual amount of the borrow will be determined at that time. We expect to have estimated mill rate impacts ready as part of the FY21 Budget process and debt issuance is expected to take place during FY21 and possibly by the end of calendar year 2020.

Representative from the Town's Bond Counsel and Financial Advisor offices will be available at the June 1, 2020, Virtual Regular Meeting to discuss the Resolution and answer questions the Town Commission may have.

Staff Recommendation

Pass Resolution 2020-11.

Attachments:

Resolution 2020-11 (Available in Town Clerk's Office)

End of Agenda Item

**MINUTES
LONGBOAT KEY TOWN COMMISSION
VIRTUAL REGULAR MEETING
MAY 4, 2020**

Present: Mayor Ken Schneier

Participating by

Remote Access: Vice Mayor Mike Haycock, Commissioners B.J. Bishop, Jack Daly, Sherry Dominick, George Spoll, Ed Zunz

Also Present: Town Manager Tom Harmer, Town Clerk Trish Shinkle. Information Technology Director Jason Keen, Deputy Town Clerk Savannah Schield

Also Participating by

Remote Access: Town Attorney Maggie Mooney

Call to Order, Roll Call, and Pledge of Allegiance

Mayor Schneier called the May 4, 2020, Virtual Regular Meeting to order at 1:00 p.m. in the Town Commission Chamber, Town Hall, 501 Bay Isles Road, Longboat Key, Florida. Mayor Schneier advised that the following Commissioners were in attendance through remote access: Haycock, Bishop, Daly, Dominick, and Zunz and advised that a quorum of six were in attendance.

Mayor Schneier noted the Town's Civility Policy and read the Pledge of Public Conduct.

Mayor Schneier noted Executive Order Nos. 20-69 (March 20, 2020) and 20-112 issued by Governor Ron DeSantis and effective on May 4, 2020, providing for the continuation of holding remote meetings utilizing media communication technology.

Mayor Schneier advised of an attendance roll call by the Town Clerk, noted a quorum, and led the Pledge of Allegiance.

Mayor Schneier advised that Commissioner Spoll was absent due to a medical issue.

Approval of Virtual Meeting Protocols and Process

Following the Pledge of Allegiance, Town Manager Tom Harmer reviewed the procedures and the protocols for the virtual meeting.

Mayor Schneier requested and Commissioner Bishop moved to accept the virtual meeting protocols and approve the developed process. The motion, seconded by Commissioner Dominick, carried by a 6-0 roll call vote, as follows: Bishop, aye; Dominick, aye; Schneier, aye; Haycock, aye; Daly, aye; Zunz, aye.

Public to be Heard*

1. Opportunity for Public to Address Town Commission

A. Public Comment - to address issues not on the agenda.

No items were presented.

B. Public Comment - all other agenda items except public hearings.

No items were presented.

*Virtual public participation instructions were provided as in attachment to the agenda.

Reports

2. COVID-19 Report

The Town Manager will brief Commissioners on the Town's response to the COVID-19 pandemic. Recommended Action: None, informational only.

Town Manager Tom Harmer provided an update on the Town's response to the COVID-19 pandemic and an overview of the Sarasota and Manatee County statistics.

Mr. Chuck Henry, Florida Department of Health Public Health Official for Sarasota County, commented on the Town and Longboat Key citizen's response in following the CDC (Center for Disease Control) guidelines resulting in a low percent of positive cases, increased testing for the area, encouraged residents to continue following the guidelines, and reviewed the antibody testing that is taking place. Discussions were held on the following topics/issues:

- steps being taken on the elder facilities in Sarasota and Manatee Counties with the high mortality rates
- actions being taken by Sarasota and Manatee Counties in reopening facilities
- increased risk with counties opening recreational facilities/overflow onto Longboat
- importance of wearing masks in public where social distancing is difficult
- percentage of deaths/downward trend on positive cases/at risk population
- reopening of the Town's Tennis Center/health testing options
- number of testing accomplished/percentage of positive testing
- options for conducting a test site on Longboat Key.

Resolution and Public Hearing*

3. Resolution 2020-09, Solid Waste Franchise Agreement, Annual Service Rate Adjustment

The Town's Solid Waste Franchise Agreement with Waste Management, Inc. provides for an annual adjustment of the collection fee per a formula set within the Agreement. The 2020 calculated fee adjustment is a total monthly unit cost increase from \$15.24 to \$15.85 and is established in Resolution 2020-09. Recommended Action: Pass Resolution 2020-09.

Town Clerk Trish Shinkle place Resolution 2020-09 on record by title only.

Commissioner Bishop moved to pass Resolution 2020-09. The motion was seconded by Commissioner Dominick.

Mayor Schneier opened the public hearing.

Town Manager Tom Harmer provided an overview of the annual adjustment of collection fees under the Solid Waste Franchise agreement.

Upon inquiry, Town Manager Harmer commented on the option to add or modify services during the contract renewal period. Individual comments followed.

Public Works Director Isaac Brownman commented on the increase in tipping fees for yard waste.

Following comments from Town Attorney Maggie Mooney, Mayor Schneier advised that no requests to speak had been received.

Mayor Schneier closed the public hearing.

3. Resolution 2020-09, Solid Waste Franchise Agreement, Annual Service Rate Adjustment

The motion carried by a 6-0 roll call vote, as follows: Bishop, aye; Dominick, aye; Zunz, aye; Daly, aye; Haycock, aye; Schneier, aye.

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 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.

4. Approval of Minutes

March 23, 2020, Statutory Meeting; April 6, 2020, Regular Meeting Minutes. Recommended Action: Approve Minutes

5. Resolution 2020-10, Authorization to Execute Florida Department of Transportation (FDOT) Agreement ASH09 for Gulf of Mexico Drive (GMD) Highway Lighting Maintenance Resolution 2020-10, is required by FDOT to continue the Town's established practice of maintenance of street lighting along GMD, provides for compensation to the Town, and other State requirements. Recommended Action: Pass Resolution 2020-10.

Vice Mayor Haycock moved to approve the Consent Agenda items 4 and 5 in accordance with Staff's report and confirming the recommended action. The motion, seconded by Commissioner Dominick carried by a 6-0 roll call vote, as follows: Haycock, aye; Dominick, aye; Daly, aye; Zunz, aye; Schneier, aye; Bishop, aye.

New Business

6. Outdoor Venue and Future Town Center Update

Staff will update the Commission on the current construction of the Phase 1 outdoor venue improvements, present summary results from public outreach, and next steps for developing Phase 2. Gary Hoyt, of Hoyt Architects will participate by virtual connection to present an overall concept plan for the property. Recommended Action: Approve concept plan and proceed with planning for Phase 2 of the outdoor venue.

Public Works Director Isaac Brownman, Mr. Gary Hoyt (via Zoom), and Mr. Chris Gallagher (via Zoom) gave a PowerPoint presentation on the construction progress and the overall concept plan for the property. Discussions were held on the following topics/issues:

- project budget
- balance in Land Acquisition fund
- timeframe for completion
- parking requirements/availability of neighboring sites
- stormwater retention area/consideration of water feature
- ditch behind stormwater retention area
- estimated costs for proposed Hoyt plan
- items included in the Phase 2 planning
- incremental costs to maintain site/increase in operational budget.

6. Outdoor Venue and Future Town Center Update

Subsequent to comments, Commissioner Bishop moved to approve the Concept Plan and to proceed with the planning for Phase 2 of the outdoor venue. The motion, seconded by Commissioner Daly carried by a 6-0 roll call vote, as follows: Bishop, aye; Daly, aye; Zunz, aye; Schneier, aye; Dominick, aye; Haycock, aye.

RECESS: 3:13 p.m. - 3:23 p.m.

Approval of Virtual Meeting Protocols and Process

Mayor Schneier requested that Commissioners wishing to speak utilize the "hand raise" on the Zoom platform.

7. Fourth Amendment to Lease with Longboat Library, Inc.

The Longboat Library Lease expires on June 15, 2021, and has a requirement for a 1-year notice of changes or termination. The Fourth Amendment to the Longboat Library Lease provides for extending the term of the agreement for 3 years and adds a 90-day notice option for transition to Sarasota County Library services. Recommended Action: Approve Fourth Amendment to Longboat Library, Inc., Lease and authorize the Town Manager to execute the Agreement.

Town Manager Tom Harmer thanked Ms. Mary Baker, Longboat Library, on her participation in the process for establishment of a future library in the Town Center and commented on the proposed amendment to the current lease with revisions made this date. Support Services Director Carolyn Brown displayed proposed revisions to the fourth amendment to the Longboat Library lease.

Commissioner Bishop moved to approve the fourth amendment to the Longboat Library lease, as amended. The motion, seconded by Commissioner Dominick, carried by a 6-0 roll call vote, as follows: Bishop, aye; Dominick, aye; Schneier, aye; Haycock, aye; Zunz, aye; Daly, aye.

8. FY20 Budget Midyear Update

As of March 31, 2020, we have completed the first six months of FY20. The Town Manager and Finance Director will provide an update on year to date accomplishments and a financial overview of the FY20 Budget at the May 4, 2020, Regular Meeting.

Recommended Action: None, informational only.

Town Manager Tom Harmer and Finance Director Susan Smith (participating telephonically) gave a PowerPoint presentation on the midyear Fiscal Year 2020 budget.

Town Commission Comments

A. Human Resources

Commissioner Bishop commented on the staff luncheon and inquired as to options for employees who were furloughed and Town Manager advised that all full-time employees had maintained their schedules and noted that the Tennis Center ended the season earlier than normal due to the pandemic.

B. Town Commission/Human Resources

Mayor Schneier encouraged residents to complete the 2020 census and commended the Police Department for their increased enforcement.

Town Attorney Comments

No items were presented.

Town Manager Comments

A. Organizations

Town Manager Tom Harmer commented on the Manatee County Tourist Development Council seeking an elected official for a voting seat and advised that Commissioner Zunz intended to apply.

Adjournment

Mayor Schneier adjourned the May 4, 2020, Virtual Regular Meeting at 4:10 p.m.

Trish Shinkle, Town Clerk

Kenneth Schneier, Mayor

Minutes Approved: _____

Note: Minutes in draft form and not official until approved by the Commission.

End of Agenda Item

M E M O R A N D U M

TO: Town Commission
FROM: Tom Harmer, Town Manager
REPORT DATE: May 18, 2020
MEETING DATE: June 1, 2020
SUBJECT: Commission Meeting Schedule for the Months of July and August 2020

Recommended Action

Cancel the July 13, 2020, Regular Workshop, and the August 2020 Regular and Regular Workshop Meetings.

Background

The Town Commission adopted the 2020 Town Commission meeting schedule on November 4, 2019. The meeting schedule included monthly Workshop Meetings, Joint Meetings, and Special Meetings. Due to the COVID-19 pandemic, the last meeting to be held in person was the Statutory Meeting that was held on March 23, 2020, and, thereafter, virtual public meetings have been held. Approval of the following amendments to the adopted meeting schedule is requested.

Pursuant to Article II, Section 13 of the Town Charter (attached), the Commission has the authority to cancel the July and August Regular Workshop Meetings and the August Regular Meeting. Traditionally, the Town Commission has canceled these meetings.

Staff Recommendation

Cancel the July 13, 2020, Regular Workshop, and the August 2020 Regular and Regular Workshop Meetings.

Attachment

Article II, Section 13, of the Longboat Key Town Charter

LONGBOAT KEY TOWN CHARTER

Article II. - Town Commission, Sec. 13. - Meetings.

- (a) Pursuant to Article II, Section 6, of this Charter following each general municipal election, the town commission shall meet at the usual place for holding the meeting of the legislative body of the town, at which time the newly elected commissioners shall assume the duties of office. Thereafter the town commission shall meet at such times as may be prescribed by ordinance or resolution, except that it shall meet regularly not less than once each month for a regular voting meeting and once each month for a regular non-voting workshop, except that the regular non-voting workshops in the months of July and August and the regular monthly voting meeting in the month of August may be cancelled by the commission if cancelled at least thirty (30) days prior to the day on which the meeting would normally be conducted.
- (b) All meetings of the town commission and of the committees thereof shall be public. Any citizen shall have access to the minutes and records thereof at all reasonable times. The commission shall determine its own rules and order of business and shall keep minutes of its proceedings.

End of Agenda Item

MEMORANDUM

TO: Tom Harmer, Town Manager

FROM: Allen Parsons, AICP,
Director, Planning, Zoning and Building Department

REPORT DATE: May 26, 2020

MEETING DATE: June 1, 2020

SUBJECT: Ordinance 2020-03, Amending Chapter 158, Zoning Code, Restaurant Parking Requirements

Recommended Action

Adopt Ordinance 2020-03.

Background

The Town Commission held first reading and public hearing of Ordinance 2020-03 at their March 2, 2020 Regular Meeting and forwarded it to June 1, 2020 Regular Meeting for second reading and public hearing. Ordinance 2020-03 follows Town Commission direction, following the elimination of Parking Waiver and Flexibility provisions in the Zoning Code's Commercial Revitalization Section that were considered at their October 1, 2019 Regular Meeting.

Restaurant Parking Existing Standards

The Zoning Code requires certain amounts of parking for uses differently, based upon the use of the property. Section 158.100(D) of the Zoning Code provides a Schedule of Off-Street Parking Requirements. Currently, a restaurant is required to provide "1 (parking space) per 4 seats based on maximum allowable capacity." The Town counts seats at tables and bars, based upon the definition of a restaurant. Section 158.144 defines a restaurant as, "*A business establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state, in individual servings, or in nondisposable containers, and where the customer consumes these foods while seated at tables or counters located within the building.*" The definition of a restaurant specifically states that the food is consumed at tables or counters located within the building, therefore, seats for parking are counted at tables and counters. Both the Town Commission and the P&Z Board expressed concerns over the potential for inadequate parking based on experience with new and existing restaurants located in a residential neighborhood. Among the concerns was that the existing Code language did not have additional parking requirements for parking generating activities such as restaurant staff or other patrons who may be at a restaurant, and not seated tables or bars.

Proposed Language

At their December 17, 2019 Regular Meeting, the Planning and Zoning (P&Z) Board held a workshop to discuss restaurant parking requirements, based upon Town Commission consensus to evaluate parking requirements. The P&Z Board provided consensus direction to consider revised language for restaurant parking based on building square footage, rather than the existing requirements based on patron seating. The P&Z Board evaluated parking requirements from surrounding and similar jurisdictions. Staff provided an example of the number of required parking spaces based upon related jurisdictions' parking criteria. The restaurant example used the following hypothetical criteria for comparison purposes: a 10,000 square foot restaurant with 150 seats.

A table comparing the existing and proposed Code language to surrounding and similar jurisdictions is available in the Town Clerk's Office (Note: Due to ADA requirements, this table cannot be reproduced in this version of the memorandum).

The P&Z Board provided direction to consider similar requirements as the City of Sanibel.

The P&Z Board held a second workshop discussion on January 23, 2020. Staff presented proposed Code language that was a hybrid from the City of Sanibel and the Town of Palm Beach. The P&Z Board ultimately reached consensus to consider a similar requirement based on a gross square footage ratio of 1 space per each 150 sq. ft. of floor area and outdoor dining area, similar to standards from the City of Sarasota. The Board's consensus was based upon an intent to require restaurants to provide more parking than the current standards, but not to be overly burdensome to future restaurants.

A table depicting the P&Z Board's direction, which has been incorporated into Ordinance 2020-03 is available in the Town Clerk's Office (Note: Due to ADA requirements, this table cannot be reproduced in this version of the memorandum).

The proposed language is intended to ensure that a restaurant accounts for all of the areas that may generate activity within a restaurant, including areas of the restaurant that are open to patrons and non-patron areas, along with delineated outdoor areas as applicable. The proposed requirements address limitations that are solely based on defined seating, as the square footage approach would require parking for all areas of the restaurant, inclusive of restaurant staff. The proposed language is straightforward, easy to interpret and enforce. The proposed language is intended not to be overly burdensome on small-scale restaurants, while addressing concerns that restaurant parking be provided for all areas of restaurant operations that generate parking demands.

At the Town Commission's March 2, 2020 Regular Meeting during first reading of Ordinance 2020-03, staff presented a comparison of required parking based upon the existing Code and the proposed Code. A table depicting the comparisons for various restaurants within the Town is available in the Town Clerk's Office (Note: Due to ADA requirements, this table cannot be reproduced in this version of the memorandum).

The P&Z Board held a public hearing on Ordinance 2020-03 on February 19, 2020 and recommended approval (7-0).

Staff Recommendation

Adopt Ordinance 2020-03.

Attachments

- A. Ordinance 2020-03 (Available in Town Clerk's Office)
- B. PowerPoint Presentation (Available in Town Clerk's Office)
- C. Planning & Zoning Board Meeting Minutes: December 17, 2019, January 23, 2020, February 19, 2020 (Available in Town Clerk's Office)

End of Agenda Item

MEMORANDUM

TO: Tom Harmer, Town Manager

FROM: Allen Parsons, AICP
Director, Planning, Zoning and Building Department

REPORT DATE: May 22, 2020

MEETING DATE: June 1, 2020

SUBJECT: Ordinance 2020-04, Amending Chapter 158.095, Zoning Code, Accessory Use or Structure, Swimming Pools

Recommended Action

Adopt Ordinance 2020-04.

Background

As part of the April 1, 2019, adoption of the updated Zoning Code, the Town Commission, Planning & Zoning (“P&Z”) Board, and staff identified additional items that were deemed to be more substantive issues to be addressed separately from the initial Zoning Code update.

At their September 17, 2019 Regular Meeting, the Planning & Zoning (“P&Z”) Board reviewed the second phase, or batch, of Zoning Code amendments in which the Swimming Pool Code provisions were included, as staff has received ongoing feedback from the public that the current Code language that address swimming pools can be difficult to understand. P&Z Board discussed how the Swimming Pool Section is overly complicated, and tried to identify a way to simplify the Section. The P&Z Board provided staff direction to consider redrafting the entire Swimming Pool Code provisions with an intent to simplify rather than attempt to modify existing Code provisions.

At the P&Z Board’s December 17, 2019 Regular Meeting, staff provided descriptions, background, and an alternative to the existing multi-paragraph text language into a simplified table that clarifies the Swimming Pool Standards to provide ease of use for the reader. The P&Z Board supported the simplified table approach and recommended that staff provide a further simplification of the table that would replace the current Code language describing the requirements for swimming pools. At the P&Z Board’s January 23, 2020 Regular Meeting, staff provided the requested edits to the table clarifying Swimming Pool Standards for discussion and consideration. The P&Z Board approved the proposed simplified table as presented and directed staff to prepare Ordinance 2020-04 with the recommended changes for consideration at the next P&Z Board Regular Meeting.

At their February 19, 2020 Regular Meeting the P&Z Board approved, Ordinance 2020-04 which incorporates the recommended changes that revise and replace the existing Swimming Pool language in Zoning Code Sec. 158.095(B).

The Town Commission held first reading and public hearing of Ordinance 2020-04 at their March 2, 2020 Regular Meeting and forwarded it to the April 6, 2020 Regular Meeting for second reading and public hearing. Since the April 6, 2020 Regular Meeting was canceled, the Ordinance was forwarded to the June 1, 2020 Regular Meeting. Pursuant to Town Commission direction at first reading, the simplified chart contained within Ordinance 2020-04 has been amended to clarify the required yard requirements (setback) for swimming pools.

Swimming Pool Background

During the Zoning Code rewrite process, staff identified a number of policies and Code Sections to revisit and revise. Staff initially sought to re-write and re-format the Swimming Pools Section to bring greater clarity to how the Section was worded to bring about better understanding of the requirements. As discussed, the Swimming Pools Section, and its provisions, is complicated, as it brings together several different sets of requirements; Required Yards (Setbacks), Lot Coverage (Building Coverage), and Non-Open Space Coverage all entwined into several paragraphs of text as shown below. At the direction of the P&Z Board, staff has codified a revised and simplified reformatting of the requirements for Swimming Pools in the form of a user-friendly table, which is provided below following the existing text that is currently in the Code.

Existing Code Language

Zoning Code Section 158.095 (B) currently states:

“(B) Swimming pools.

(1) Swimming pools, not to be enclosed by a structure other than fences or screening (Section 158.103) as required or permitted by the Town, may be constructed within the required yard areas, except the required street yard as prescribed by this Chapter. However, no part of the pool structure may protrude more than six inches above finished grade in the required yard (excluding Gulf side or Pass waterfront yards), and the pool walls shall be at least eight feet from the lot lines. No swimming pools shall be permitted within the required Gulf or required Pass waterfront yards unless:

(a) The swimming pool shall meet the requirements of the Florida Department of Environmental Protection; and

(b) The swimming pool location must be a minimum of 100 feet from the mean high-water line or erosion control line, whichever is more landward.

(c) Swimming pools shall be subject to the following setbacks as measured from the mean high-water line:

1. Bay waterfront yards. 20 feet.

2. Canal waterfront yards, except in the Special Canal Waterfront Yard Area as illustrated in Article XI, Appendices. 15 feet.

3. Canal waterfront yards in Special Canal Water Front Yard Area as illustrated in Article XI, Appendices. 10 feet.

(2) In determining the percentage of coverage of a lot by buildings, swimming pools and decks surrounding the pool shall not be counted in the computation if they are not more than six inches above finished grade. However, residential single-family buildings with a pool cage over a swimming pool and deck to surround the pool shall be permitted an additional five percent of allowable building coverage over the percentage otherwise permitted in the district. In addition, where a residential single-family building's swimming pool is more than six inches above finished grade and in conformance with Town regulations, an additional five percent of allowable building coverage over the percentage otherwise permitted in the district shall be permitted, whether or not there is a swimming pool cage over the swimming pool and surrounding deck. In any event, the non-pool cage area of the building may not exceed the building coverage otherwise permitted in the district. However, notwithstanding the above, existing single-family residential buildings with an existing legally nonconforming pool cage may apply for a Building Permit to replace the pool cage with a pool cage of the same dimensions or smaller. A larger pool cage may be permitted subject to conformance with other Town regulations, including total building coverage on the lot not exceeding five percent more than the percentage otherwise permitted in the district.”

Proposed Alternative Simplified Table

The following table and requirements for Swimming Pools reflect longstanding design intents to minimize the addition of structures (pool cages and elevated pool decks) that contribute to reducing bulk of houses and preserving views. These intents are similar to the preservation of neighborhood canal and waterfront views addressed in the Town's "Canal View Preservation Zone", Section 158.094(C)(5) of the Zoning Code, which requires the preservation of view corridors along the canals in the Country Club Shores area of the Town. The table has been updated to address feedback received at the March 2, 2020 Town Commission during first reading and public hearing, to clarify applicable setback requirements.

The table reflects these distinctions by maintaining standards for swimming pools that, are less than or equal to 6 inches above finished grade and without a pool cage (the first pool type listed in the table below), which are treated quite differently in the Town. These pools are permitted to be constructed closer to side, rear and waterfront property lines, and are permitted to count toward the "non-open space" coverage requirements (typically a maximum of 50%) on a property, rather than toward lot (building) coverage (typically a maximum 30% + an 5% allowed for pools). The pool types therefore allow a larger pool to be constructed on a site. The other types of pools are limited to an additional 5 percent of building coverage on a property.

The table depicting the proposed changes is available in the Town Clerk's Office (Note: Due to ADA requirements, this table cannot be reproduced in this version of the memorandum).

The P&Z Board held a public hearing on Ordinance 2020-04 on February 19, 2020, and recommended approval (7-0).

Recommendation

Adopt Ordinance 2020-04.

Attachments

- A. Ordinance 2020-04 (Available in Town Clerk's Office)
- B. PowerPoint Presentation (Available in Town Clerk's Office)
- C. P&Z Board Meeting Minutes: December 17, 2019, January 23, 2020 and February 19, 2020 (Available in Town Clerk's Office)

End of Agenda Item

M E M O R A N D U M

TO: Tom Harmer, Town Manager
FROM: Isaac Brownman, Public Works Director
REPORT DATE: May 22, 2020
MEETING DATE: June 1, 2020
SUBJECT: Subaqueous Forcemain Environmental Permitting Project Update

Recommended Action

None, informational only.

Background

The Town of Longboat Key's wastewater collection system functions as a series of gravity collection points to lift stations (pumping stations) that pump effluent to a single point on the island known as Master Lift Station "D" on Gulf Bay Road. Master Lift Station "D" pumps all collected effluent from the Town to the Manatee County Southwest Regional Wastewater Reclamation Facility located at 5101 65th Street West, Bradenton. To get to that facility from Longboat Key, the effluent is pumped from Lift Station "D" through a four (4) mile long 20" forcemain to the Manatee County treatment facility; two miles of the forcemain are under Sarasota Bay and the other two miles traverse the mainland.

The four (4) mile long forcemain was installed in 1973 and has been operating since 1975. The Town embarked on a series of inspections to determine the condition of the pipe. Due to ongoing concerns of having a single point of failure and based on the age of the pipe, the Town engaged in the beginnings of a Design-Build project to replace the aging line and in 2015 had selected a Design-Build team. At that point and before executing the project, the Town decided to pursue further testing using SmartBall® technology, which is used in oil and gas pipeline inspections. That test, in addition to more dive testing, was completed in 2016 and resulting report indicated that the pipe was in better-than-expected condition with an estimated remaining life of at least 20-to-25 years. With that information, the Design-Build project was canceled.

In order to best plan and obtain permits for future forcemain construction, the Town budgeted funds during the FY20 budget process for preliminary design, permitting and alternatives analysis. A budget amount was established as part of the May 15, 2019 FY20 Budget workshop and subsequently adopted by the Town Commission within the 5-year capital plan.

Public Works has retained Carollo Engineers to begin conversations with State and Federal agencies about the possibility of adding a redundant forcemain within the same trench until the time comes to take the original forcemain out of service. Carollo and the Town initiated pre-application meetings with the Florida Department of Environmental Protection ("FDEP") and the U.S. Army Corps of Engineers ("USACOE"). The initial feedback from the FDEP was favorable while the USACOE feedback will depend upon the results of an alternatives analysis. Since both permits would be valid for five (5) years with the possibility to extend for an additional five (5) years, for a total of ten (10) years, Public Works staff believed it to be a prudent measure to proceed with environmental permitting to obtain the permits now, within a more favorable permitting environment, and plan for the ultimate design and construction of the redundant line in the latter 7 – 10 years of a CIP program.

Based on the project team's analysis and statements that "Sarasota Bay is a highly sensitive and protected waterbody," the major environmental consideration for the project will be seagrass

mitigation. The positive outlook is that open cutting the existing trench can minimize sea grass impacts since “large segments of the old trench never recovered seagrass” (Environmental Science Associates ESA).

The current project with Carollo Engineers is to determine the most permit-able, cost-effective solution to construct a redundant forcemain and obtain permits for same that will be good for ten (10) years.

General status and next steps:

- Pipeline survey data collection is complete.
- 2020 Southwest Florida Water Management District (“SWFWMD”) imagery and diver inspections will be performed to supplement survey data.
- A conceptual design, including alignment, depth, construction approach, mitigation approach, and cost, will be prepared for Town and permitting agency consideration.
- Permit document packages will be prepared for both FDEP and USACOE, and all requests for additional information will be addressed.
- Coordination with the public and local stakeholders
- Obtain permits

The anticipated schedule is outlined below:

- | | |
|---|-------------------------|
| ▪ Preliminary design plans and permit application | July/August 2020 |
| ▪ Public and Stakeholder Workshop | Fall 2020 – Spring 2021 |
| ▪ Final Permit Approval | May 31, 2021 |

Staff Recommendation

None, informational only.

Attachments

- A. PowerPoint Presentation (Available in Town Clerk’s Office)

End of Agenda Item

M E M O R A N D U M

TO: Town Commission

FROM: Tom Harmer, Town Manager

REPORT DATE: May 18, 2020

MEETING DATE: June 1, 2020

SUBJECT: Appointments to the Planning & Zoning Board, Zoning Board of Adjustment, and the Citizens Tax Oversight Committee

Recommended Action

Make appointments/reappointments, and/or provide direction to Manager.

Background

Due to term expirations and vacancies on the Planning & Zoning (P&Z) Board, the Zoning Board of Adjustment (ZBA), and the Citizens Tax Oversight Committee (CTOC), the Commission would have had to hold several individual Meet and Greets on June 1, 2020, providing an opportunity to meet the applicants who have applied for the seats.

Under the current public health advisory for COVID-19, the Meet and Greets were postponed. The formal appointments to the Board will be considered at the June 1, 2020 Regular Meeting.

The seats were advertised in both the Longboat Observer and the Longboat Key News.

The Planning & Zoning (P&Z) Board has one seat open for appointment for a partial term until May 12, 2021. The following individuals submitted applications for consideration:

- Mr. Christopher Carman, District 5 (also seeking reappointment to the CTOC and/or appointment to the ZBA)
- Mr. Gary Coffin, District 1
- Mr. Gary Ehlers, District 2 (previously served on Code Enforcement Board)
- Mr. Aaron Kleiner, District 4 (currently serves on ZBA and seeking reappointment to ZBA in not appointed to P&Z Board)
- Ms. Maryl Levine, District 2
- Ms. Margaret Nuzzo, District 2
- Mr. S. Jay Plager (Jay), District 1
- Mr. Jack Wilson, District 4 (also seeking appointment to ZBA, currently serves as representative for MPO CAC, and previously served on Code Enforcement Board).

The Zoning Board of Adjustment (ZBA) currently has two seats with term expirations. The following individuals submitted applications for consideration:

- Mr. Christopher Carman, District 5 (also seeking reappointment to the CTOC and/or appointment to the P&Z Board)
- Mr. Neal Colton, District 3 (seeking reappointment)
- Mr. Aaron Kleiner, District 4 (seeking reappointment to ZBA or appointment to P&Z Board)

- Mr. Jack Wilson, District 4 (also seeking appointment to P&Z Board, currently serves as Longboat Key representative on the MPO-CAC, and previously served on Code Enforcement Board).

The Citizen Tax Oversight Committee (CTOC) currently has one vacancy and three term expirations. CTOC members may serve on other appointed boards or committees as their main duty is to review and confirm expenditures are accurate in the use of the Infrastructure Surtax funds. The following individuals submitted applications for consideration:

- Mr. Christopher Carman, District 5 (also seeking appointment to the P&Z Board or the ZBA)
- Mr. Kenneth Gorman, District 2

Staff Recommendation

Make appointments/reappointments, and/or provide direction to Manager.

Attachments

- A. Membership Rosters
- B. Talent Bank Applications (Available in the Office of the Town Clerk)

Membership Roster

Planning & Zoning Board

Town Code Reference: 33.20 Creation; members

Governing Document: Ordinance 2015-16, adopted 05-18-15

The Planning & Zoning Board shall consist of seven members appointed by the Town Commission. All members must be registered voters and residents of the Town of Longboat Key. No member shall be an elected official or employee of the Town. All members must attend a sunshine and public records law class within three months of their appointment (Ord. 2010-09).

No Board member shall serve more than a maximum of three consecutive terms or a maximum of 10 ½ consecutive years. Board members who serve a partial term for a period greater than one year and six months, shall have that partial term counted towards the term limits. Notwithstanding the foregoing, term limits shall be prospective in application and shall be calculated after the effective date of Ordinance 2015-16.

After the initial terms are established, all terms of appointment shall be for a period of three years. The term of appointment shall expire on the second Wednesday of May of the year in which the term is set to expire. Vacancies shall be filled by appointments for the unexpired term.

Seat Number and Name	Appointment Date	Reappointment Date	Mid-Term Appointment	End of Term
Seat 1 Phillip Younger	04-17-2017	05-07-2018	04-17-2017	05-08-2021
Seat 2 Vacant				05-12-2021
Seat 3 Ken Marsh	09-15-2017	05-07-2018	09-15-2017	05-08-2021
Seat 4 Debra Williams	05-07-2018			05-08-2021
Seat 5 David Green	10-23-2018	04-06-2020		05-10-2023
Seat 6 David Lapovsky	05-08-2019			05-11-2022
Seat 7 Penny Gold	05-08-2019			05-08-2022

Membership Roster

Zoning Board of Adjustment

Town Code Reference: 158.026 Zoning Board of Adjustment

The ZBA shall consist of five members appointed by the Town Commission. All members must be registered voters and residents of the Town of Longboat Key. No member shall be an elected official or employee of the town. All members must attend a Sunshine and Public Records Law class within three months of their appointment. The board shall elect a chairman annually from among its members. The term of office shall be for three years and shall be staggered so that not more than three terms expire within any one year. All terms of office shall expire on the second Wednesday of May of the year in which the term is set to expire.

Seat Number and Name	Appointment Date	Reappointment Date	Mid-Term Appointment	End of Term
Seat 1 Kevin Magnus	05-06-2019			05-11-2022
Seat 2 Neal Colton	05-05-2018		05-05-2018	05-13-2020
Seat 3 Ann Roth	05-05-2014	05-07-2016	05-05-2014	05-08-2021
Seat 4 Aaron Kleiner	04-17-2017			05-13-2020
Seat 5 Gaele Barthold	05-04-2009	05-07-2018		05-12-2021

Membership Roster

CITIZENS' TAX OVERSIGHT COMMITTEE

Governing Document: Resolution 2010-13

This committee is tasked with:

- review the expenditures to ensure they are in accordance with the project list and any changes thereto
- note any changes made by the Town to the project list
- report the Committee's findings to the Town Commission no later than the May Regular Workshop Meeting of each year.

The Committee was established as the Blue Ribbon Committee in 1989. In 1999 the name of the Committee was changed to Citizens Tax Oversight Committee. This Committee was reestablished by Longboat Key Resolution 2010-13 on April 5, 2010. The Sarasota County Commissioners thru adoption of Sarasota County Ordinance 2007-87 continuing this Board through December 31, 2024. (4 year appointments)

Seat Number and Name	Appointment Date	Reappointment Date	End of Term
Seat 1 Christopher Carman	04-17-2017		05-06-2020
Seat 2 Michael Sherrow	04-17-2017		05-06-2020
Seat 3 Cheryl Loeffler	09-04-2012	05-02-2016	05-06-2020
Seat 4 Penelope Gold	07-09-2018		05-08-2022
Seat 5 Kevin Magnus	05-06-2019		05-09-2023
Seat 6 Leonard Garner	06-07-2010	05-07-2018	05-08-2022
Seat 7 Vacant			05-08-2022

End of Agenda Item