

**MINUTES
LONGBOAT KEY TOWN COMMISSION
REGULAR WORKSHOP
JANUARY 24, 2022**

Present: Mayor Ken Schneider, Vice Mayor Mike Haycock, Commissioners Sherry Dominick, Penny Gold, Maureen Merrigan, Debra Williams

Participating by

Remote Access: Commissioner B.J. Bishop

Also Present: Town Manager Tom Harmer, Town Attorney Maggie Mooney,
Town Clerk Trish Shinkle

1. Call to Order and Pledge of Allegiance

Mayor Schneider called the January 24, 2022, Regular Workshop, to order at 1:00 p.m. in the Town Commission Chamber, Town Hall, 501 Bay Isles Road, Longboat Key, Florida. Commissioner Merrigan led the Pledge of Allegiance.

2. Pledge of Public Conduct

Mayor Schneider noted the Town's Civility Code and read the Pledge of Public Conduct.

Mayor Schneider noted that Commissioner Bishop would be participating via Zoom technology in accordance with Resolution 2021-15.

3. Public to be Heard

Opportunity for Public to Address Town Commission

No items were presented.

7. Town Attorney Comments

Uninterrupted Public Beach Access Update

Mayor Schneider noted a request to advance discussion of the uninterrupted public beach access item and no objection was stated.

Town Attorney Maggie Mooney discussed the on-going issues relating to the beach access on the North end of Longboat Key advising that the property owner is not interested in granting an easement across their property. Town Manager Tom Harmer noted Staff's efforts to secure easements from abutting homeowners to provide access.

The following individuals commented on the issue:

- Ms. Lillian Sands, Gulf of Mexico Drive
- Ms. Cyndi Seaman, Gulf of Mexico Drive
- Ms. Laurel Phillips, Norton Street
- Mr. Mark Preininger, Gulfside Road (Half-Moon property owner)
- Ms. Alicia Lewis, Attorney for Ohana property owner (Berlin, Patten, et al)
- Mr. Victor Levine, Gulf of Mexico Drive.

Following comments by Town Attorney Mooney on Florida laws and private property rights and Town Manager Harmer, discussions were held on the following topics/issues:

- options for extending beach nourishment boundaries
- permit restrictions for placing sand on private property
- engineering options in the area (additional groins)
- Town's responsibility for maintenance on the public side of the Erosion Control Line (ECL)/property owners' obligation to maintain upland of the ECL

- review of previous renourishment efforts and tidal impacts for past several years
- options available to maintain sand in front of erosion areas and/or groin structures in area
- consideration to provide public information on property rights
- options for Federal or State funding for groin construction
- evaluation of North end groins
- liability issues for property owners/statutory coverage
- negotiations with property owners
- options for action other than legal action
- discussions with the property owner
- scientific information on effectiveness of groins to retain sand
- option for Town to secure an appraisal for the property access.

There was consensus to: direct staff to discontinue easement negotiations, continue to seek shorter term walk-around options on neighboring properties, review renourishment options and cost for groin structures within the area; and to provide a summary/information sheet for the public to stay informed of past actions/status.

4. Reports

A. Committee Reports

1. Organizations

Commissioner Gold noted attendance at the Sarasota County Tourism Development Council (TDC) meeting and the Economic Development Corporation (EDC) of Sarasota County meeting and noted the issues reviewed/discussed.

2. Organizations

Commissioner Gold noted the Florida League of Cities (FLC) "Local Voices, Local Choices" Neighborhood Meeting held at Town Hall (501 Bay Isles Road) on January 13, 2022, relating to the protection of home rule and citizen participation. (See item later this meeting.)

3. Organizations

Vice Mayor Haycock noted attendance at the "All Clams on Deck" program kick-off on January 15, 2022, at the Mar Vista Restaurant and discussed the importance of the issues effecting Sarasota Bay. (See item later this meeting.)

4. Organizations

Vice Mayor Haycock noted attendance at the Metropolitan Planning Organization (MPO) meeting and reviewed the issues discussed. Discussions were held on projects included in future work plans. (See item later this meeting.)

3. Organizations - Continued

Upon inquiry, Vice Mayor Haycock noted that he anticipated receiving information on the grant to the City of Sarasota for water quality improvements at the next Sarasota Bay Estuary Program meeting.

4. Organizations - Continued

Upon inquiry, Vice Mayor Haycock advised that no public transportation improvements relating to Gulf of Mexico Drive was discussed.

2. Organizations - Continued

Commissioner Bishop thanked Commissioner Gold for chairing the FLC meeting and noted the importance of Commissioners and residents participating in legislative process.

Mayor Schneier suggested that Staff provide timely information to Commissioners to respond to the legislative alerts that may impact the Town.

5. Government Agencies

Mayor Schneier noted the January 11, 2022, City of Sarasota Workshop and reviewed the issues discussed and noted the upcoming City of Sarasota Commission meeting schedule.

6. Organizations

Mayor Schneier noted attendance at the Sarasota Council of Governments (COG) meeting and reviewed the issues discussed.

7. Government Agencies

Mayor Schneier noted that he and Commissioner Gold had attended the Sarasota County School Board Convocation meeting and reviewed the issues discussed.

Commissioner Bishop noted participation via Zoom and thanked the Mayor and Town Manager for providing information on the Town Center project to the group.

Mayor Schneier noted conversations with local homeowners' associations relating to opportunities that may become available at the Town Center.

B. Zoning Board of Adjustment – Annual Advisory Board Update

Following comments by Town Manager Tom Harmer, Ms. Gayle Barthold, Chair of the Zoning Board of Adjustment (ZBA), noted the members present and presented an annual advisory board update. Upon inquiry, Ms. Barthold noted that the duties of the ZBA are narrowly construed reviewing petitions while applying the Code and noted that she did not expect any changes to the Board's composition.

Mayor Schneier and Commissioner Bishop thanked Ms. Barthold for her continued service on the Board.

RECESS: 2:30 p.m. - 2:40 p.m.

5. Discussion Items

A. Town Center Project Update

Town staff will provide an update on the Town Center Outdoor Venue Phase 2 construction initiation and also activation of the site with events scheduled through 2022 season. They will also provide background on current discussions regarding future community facilities on site as part of the Phase 3 development of the Town Center. Staff will seek input and direction on next steps. Recommended Action: Provide direction to Manager.

Following comments by Town Manager Tom Harmer, Public Works Director Isaac Brownman gave a PowerPoint presentation.

Mayor Schneier summarized the items/direction to be considered as follows:

- confirm to staff to continue work on Phase 2

- provide direction to continue discussions on the library, and with the School Board and The Education Center for southern site A
- consider the advancement of discussions of a black box theater.

Discussions were held on the following topics/issues:

- improvements to be included in the Phase 2 construction
- estimated timing of Phase 2 construction (May-June 2022)
- fundraising efforts for various phases
- events scheduled/Community participation/partnerships
- condition of building housing the current Longboat Key Library
- donations being made to the Longboat Key Foundation for future projects
- 2019 bid versus current costs/bid solicitation requirements
- Phase 3 proposed improvements/future parking areas
- Phase 2 and Stage construction simultaneously
- walkover bridge to Tennis Center/location of restrooms
- base bid package with alternates outlined
- proposed parking areas/utilization of dedicated Publix property
- review of parking areas during event application process
- bathroom locations
- review of the Temple Beth Israel Education Center offerings relating to separation of church and state.

Mr. Tom Aposporos, Anna Maria, commented on the Town Center development. Discussion ensued with Mr. Aposporos on a proposed black-box theater on the Town Center property.

The following individuals commented on the Town Center development:

- Dr. Jim Whitman, Norton Street
- Mr. Jim Brown, Harbourside Drive.

Following individual comments on proposed uses on the site, there was consensus to confirm direction to Staff to continue forward with Phase 2; to continue discussions with current parties (Sarasota County, Temple Beth Israel, Sarasota County School Board, Paradise Center) relating to the next phase improvements; and to address the development of a brochure/concept plan identifying uses for a multi-purpose room.

There was consensus to not proceed with a stand-alone black-box theater building.

B. Review of Town-Owned Property

Town staff has created and maintains a list of Town-owned properties, including the distinction of what rights the Town has and what the land can be used for. This includes fee simple ownership, easements, and any restrictions associated with them. Currently the Town does not own land deemed to be categorized as "surplus." Recommended Action: None, informational only.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons gave a PowerPoint presentation. Discussions were held on the following topics/issues:

- number of beach accesses owned by Town
- use of easements/Magnolia Road and/or Jackson Way for parks

- dedication of use/easement when platted
- options for extending use.

C. Comprehensive Plan Update – Framework & Process

Following the November 15, 2021, Regular Workshop Meeting, the Town sent notice to the Florida Department of Economic Opportunity (DEO) of the Town's intent to update its Comprehensive Plan. Staff will brief the Commission on the framework and process planned to develop proposed amendments to the Comprehensive Plan, similar to that used in the recent Zoning Code update. Recommended Action: None, informational only.

Following comments by Town Manager Tom Harmer, Planning, Zoning, and Building Department Director Allen Parsons gave a PowerPoint presentation on the proposed process for the Comprehensive Plan update. Discussions were held on the following topics/issues:

- statutorily required amendments due in November 2022
- Planning and Zoning (P&Z) Board member education
- impact on sea level rise/resiliency projects
- reports by the Chair of the P&Z Board.

6. Town Commission Comments

No items were presented.

7. Town Attorney Comments

Uninterrupted Public Beach Access Update.

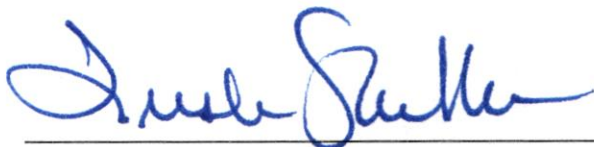
Note: This item was discussed earlier this meeting.

8. Town Manager Comments

Town Manager Tom Harmer commented on the Citizen Survey.

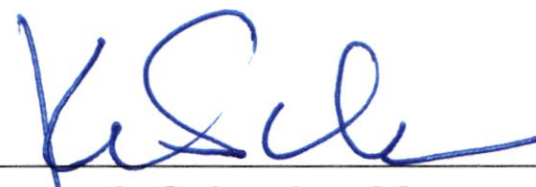
9. Adjournment:

Mayor Schneier noted the Special Meeting would begin shortly and adjourned the January 24, 2022, Regular Workshop at 5:01 p.m.



Trish Shinkle, Town Clerk

Minutes Approved: 3/7/2022



Kenneth Schneier, Mayor

