



**LIBRARY ADVISORY COMMITTEE MEETING
CITY OF ST. PETE BEACH**

155 Corey Avenue
St. Pete Beach, FL 33706

Thursday, June 17, 2021
2:00 PM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Changes to the Agenda -
2. Audience Comments - **Comments shall be limited to 3 minutes per person**
3. Approval of Minutes
 - a. **March 18, 2021**
4. Action Items
 - a. **Election of Officers 2021-22**
5. Discussion Items
 - a. **Sunshine Law and Public Records Presentation**
 - b. **Board Roles & Responsibilities**
 - c. **Programming**
6. Adjournment

APPEAL: In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which

the appeal is to be based.

AMERICANS WITH DISABILITIES ACT (ADA): In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

**The public is cordially invited to attend this meeting.
All agenda material is available for review at City Hall or www.stpetebeach.org.**

DRAFT LIBRARY ADVISORY COMMITTEE MINUTES
March 18, 2021 - 2:00 P.M.

PRESENT: Judy Cohan, Chair
Steve Traiman, Vice Chair
Bill Thompson, Member
Wendy Holmes Boring, Member
Kathleen Kennedy, Member

STAFF PRESENT: Vincent Tenaglia, Assistant City Manager
Betcinda Kettells, Library Director
Ginny Keeter-Bodkin, Deputy City Clerk

Chair Cohan called the meeting to order at 2:00 PM.

1. **Changes to the Agenda** - There were no changes to the agenda.
2. **Audience Comments** - There were no audience comments.
3. **Approval of Minutes**
 - a. Approval of the 12/10/20 minutes

Vice Chair Traiman moved to approve the December 20, 2020 minutes as presented; the motion was seconded by Member Holmes Boring and passed unanimously by a voice vote.

4. **Discussion Items**

a. **Renovation/finishing touches** – Ms. Kettells reported that the interior of the library is nearly finished; there are just a few shelves to go up in the perimeter area. There is still some work being completed in the alleyway. Feedback has been positive.

b. **Parking Lot Reconstruction** – The reconstruction is well underway. Ms. Kettells reported that the job is not just surfacing and painting, but work is also being done for drainage and underground infrastructure. The palm tree was saved. There will be 42 parking spaces, a few more than the 39 required. Work will be completed before April 9th.

c. **Ribbon Cutting/Grand Re-opening** – Ms. Kettells and staff are coordinating with Parks and Recreation Director Jennifer McMahon and the Gulf Beaches Chamber of Commerce for a weeklong celebration, beginning on April 26th with the ribbon-cutting at 9:30 AM. Over 150 have been invited. The following day will be ‘Kid’s Day’ and Wednesday, Thursday and Friday will highlight the different Districts of the City. Saturday, May 1st will be a ‘Bookend Celebration’ from 10:00 AM until noon. ‘Touch a Firetruck’ will be there for kids and mimosas and live entertainment for adults.

d. **Programming** – The Mayor’s Open Office returns on Monday, March 22nd – the first in the new building. Other programs will gradually return with movies for seniors and kid’s story times. Activities will resume slowly and safely, gauging the comfort level of the patrons.

There has been a positive write-up in The Gabber and other articles coming in the Paradise News and the Beach Beacon.

Mr. Tenaglia briefly reported that the construction went smoothly. He expressed appreciation to the donors of many years, The Friends of the Library, Hennessy Construction (which managed the project so well), PPLC, Chuck Flynt for the temporary Library arrangement, and Ms. Kettells and her team for all of their work before, during and after the transition.

6. **Adjournment** – Next meeting 06/17/2021

Member Holmes Boring moved to adjourn; the motion was seconded by Member Thompson and the meeting was adjourned at 2:15 PM.

These minutes are scheduled for approval at the June 17, 2021 Library Advisory Committee meeting.

OPEN GOVERNMENT OVERVIEW: January 2020

Patricia R. Gleason

Special Counsel for Open Government

Attorney General Ashley Moody



SUNSHINE LAW

- Florida's Government in the Sunshine Law provides a right of access to governmental proceedings at both the state and local levels. In the absence of statutory exemption, it applies to any gathering of two or more members of the same board to discuss some matter which will foreseeably come before that board for action.

SCOPE OF THE SUNSHINE LAW

- Board members may not engage in private discussions with each other about board business, either in person or by telephoning, emailing, texting or any other type of electronic communication (i.e Facebook, blogs).



SCOPE OF THE SUNSHINE LAW

- While an individual board member is not prohibited from discussing board business with staff or a nonboard member, these individuals may not be used as a liaison to communicate information between board members. For example, a board member cannot ask staff to poll the other board members to determine their views on a board issue.

SCOPE OF THE SUNSHINE LAW

There are three basic requirements:

1. Meetings of public boards or commissions must be open to the public
2. Reasonable notice of such meetings must be provided; and
3. Minutes of the meetings must be prepared and open to public inspection.

SCOPE OF THE SUNSHINE LAW

- The Sunshine Law applies to advisory boards created pursuant to law or ordinance or otherwise established by public agencies or officials.

SCOPE OF THE SUNSHINE LAW

- Staff meetings are not normally subject to the Sunshine Law.
- However, staff committees may be subject to the Sunshine Law if they are deemed to be part of the “decision making process” as opposed to traditional staff functions like factfinding or information gathering.

SCOPE OF THE SUNSHINE LAW

- Only the Legislature may create an exemption from the Sunshine Law (by a two-thirds vote). Exemptions are strictly construed.
- An exemption from the Public Records Law does not allow a board to close a meeting. Instead, a specific exemption from the Sunshine Law is required.

BOARD MEETINGS

- While boards may adopt reasonable rules and policies to ensure orderly conduct of meetings, the Sunshine law does not allow boards to ban nondisruptive videotaping, tape recording, or photography at public meetings.

BOARD MEETINGS

- Section 286.0114, F.S., provides, subject to listed exceptions, that boards must allow an opportunity for the public to be heard before the board takes official action on a proposition. The statute does not prohibit boards from “maintaining orderly conduct or proper decorum in a public meeting.”

PENALTIES

- Civil action
- Criminal penalties
- Suspension or removal from office

PUBLIC RECORDS LAW

- Florida's Public Records Act, Chapter 119, Florida Statutes, provides a right of access to records of state and local governments as well as to private entities acting on their behalf.
- If material falls within the definition of "public record" it must be disclosed to the public unless there is a statutory exemption.

THE TERM “PUBLIC RECORDS” MEANS:

- a) All “documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of the physical form, characteristics, or means of transmission” (**includes electronic communications like text messages, emails**).
- b) Made or received pursuant to law or ordinance or in connection with the transaction of official business
- c) By any agency [including a private entity acting ‘on behalf of’ a public agency]
- d) Which are used to perpetuate, communicate, or formalize knowledge.

PROVIDING PUBLIC RECORDS

- a) Public records cannot be withheld at the request of the sender
- b) A requestor is not required to show a “legitimate” or “noncommercial interest” as a condition of access
- c) A request cannot be denied because it is “overbroad”
- d) Unless authorized by another statute, an agency may not require that public records requests be in writing or require the requester to identify himself or herself

PROVIDING PUBLIC RECORDS

- The Public Records Act does not contain a specific time limit (such as 24 hours or 10 days).
- The Florida Supreme Court has stated that the only delay in producing records permitted under the statute is the reasonable time allowed the custodian to retrieve the record and redact those portions of the record the custodian asserts are exempt.

FEES

- Chapter 119 authorizes the custodian to charge a fee of up to 15 cents per one-sided copy for copies that are 14 inches by 8 1/2 inches or less. An additional 5 cents may be charged for two-sided copies. For other copies, the charge is the actual cost of duplication of the record. Actual cost of duplication means the cost of the material and supplies used to duplicate the record but does not include labor or overhead cost.

FEES

- In addition to the actual cost of duplication, an agency may impose a reasonable service charge for the actual cost of extensive labor and information technology required due to the large volume of a request.



RETENTION

- All public records must be retained in accordance with retention schedules approved by the Department of State
- Even exempt records must be retained

PENALTIES FOR NONCOMPLIANCE

- A. Criminal penalties
- B. Civil action
- C. Attorney's fees



ADDITIONAL RESOURCES

- Office of Attorney General Ashley Moody website:
<http://www.myfloridalegal.com>
- First Amendment Foundation website:
<http://www.floridafaf.org>