

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - May 22, 2018

May 22, 2018 - Regular Meeting
Agenda Item #44

Approved in Open Session 5/22/18,
Manatee County
Board of County Commissioners

Subject

1:30 P.M. TIME CERTAIN - Joint Request for Use of Surplus Concession Funds

Briefings

None

Contact and/or Presenter Information

Dan M.Schlandt, Deputy County Administrator, 745-3732

Action Requested

Authorization for the County Administrator to develop Interlocal Agreements with the Cities of Anna Maria, Bradenton Beach, and Holmes Beach to reimburse them for costs for certain projects as described in Exhibit A of the Joint Request for Use of Surplus Concession Funds. , and for the County Administrator to develop a non-profit funding agreement with the Center of Anna Maria Island, 7-0.

Enabling/Regulating Authority

Resolution No. 14-119

Background Discussion

On September 23, 2014, the Board of County Commissioners approved Resolution R-14-119 which established guidelines for a grant program that would allow Anna Maria Island communities to collectively apply for funding for projects that would provide island-wide benefits. Funding for the program would come from additional revenues generated from the concession agreement for county island beaches since the selection of the new vendor for concessions.

County staff has tracked those additional revenues less any approved expenses since the inception of the program. It is estimated that as of the end of this fiscal year the available unspent balance will be approximately \$1 million.

In accordance with the provisions of R-14-119, the Cities of Anna Maria, Bradenton Beach, and Holmes Beach have submitted a list of requested projects to utilize the excess concession revenues (see Exhibit A). Total requested project funding is \$923,520. Many of these project amounts are requested as matching funds as part of larger overall project amounts (see Exhibit A for match information by project).

The Cities have also jointly requested funding of \$100,000 for priority capital items including exercise equipment, roof repair, plumbing, and field improvements for the Anna Maria Island Community Center.

Attached are Resolutions approved by each of the Anna Maria Island cities and a Joint Letter of Support signed by each Mayor as required by County Resolution R-14-119.

R-14-119 requires that funding for these projects be memorialized through an Interlocal Agreement on a reimbursement basis.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

County Attorney's Office assistance will be requested for development of Interlocal Agreements.

Reviewing Attorney

Palmer

Instructions to Board Records

None **Distributed to D. Schlandt, 5/24/18, RT**

Cost and Funds Source Account Number and Name

Excess Concession Revenues

Amount and Frequency of Recurring Costs

N/A

Attachment: [Joint Request.pdf](#)

Attachment: [Exhibit A - Island Wide Projects List.pdf](#)

Attachment: [Anna Maria Island Community Center - Capital Funding Request.pdf](#)

Attachment: [Resolution R-14-119.pdf](#)

Attachment: [Beach Concessions Fees Reconciliation as of 03.31.18.pdf](#)

May 22, 2018 - Regular Meeting
Agenda Item #4

Subject

1:30 P.M. - ITEM #44 - Joint Request for Use of Surplus Concession Funds

Briefings

None

Contact and/or Presenter Information

Action Requested

Enabling/Regulating Authority

Background Discussion

See Item 44 for supporting materials.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

Cost and Funds Source Account Number and Name

Amount and Frequency of Recurring Costs

MEMORANDUM



To: Ed Hunzeker, County Administrator
From: Diane Vollmer, Agenda Coordinator
Date: May 21, 2018
Subject: **Agenda Update for Meeting of May 22, 2018**

THIS MEMO AND THE CHANGES INDICATED BELOW ARE REFLECTED IN THE ELECTRONIC AGENDA (E-AGENDA)

CHANGES TO CONSENT AGENDA

FINANCIAL MANAGEMENT

22. **Non-Exclusive Interlocal Agreement Relating to the Funding and Financing of Qualifying Improvements by PACE Programs (Green Corridor)** – Exhibit A has been added to the Agreement as referenced on page one of the Agreement.
23. **Request for Offer No. 18-TA002674DW Property and Casualty Insurance Agent of Record** – Exhibit A has been added to the Agreement as referenced on page four of the Agreement.

CHANGES TO REGULAR AGENDA

ADMINISTRATOR

44. **Joint Request for Use of Surplus Concession Funds** – The requested action was updated to include “...and for the County Administrator to develop a non-profit funding agreement with the Center of Anna Maria Island.”

PARKS AND NATURAL RESOURCES

45. **BUILD (Better Utilizing Investments to Leverage Development) Grant Application for the Sun Recreational Trail** – Budget Resolution B-18-074 was amended and replaced to update the Description in the resolution.
46. **West Coast Inland Navigation District (WCIND) Applications** – A spreadsheet depicting funding projections for WCIND and the Florida Boater Improvement Program was added to this item in the electronic agenda.

PUBLIC SAFETY

48. **Award of Certificate of Public Convenience and Necessity Renewal to Ambitrans Medical Transport, Inc.** – To be considered with the *Consent Agenda*. This request is for the renewal of a previously approved Certificate and was inadvertently included under the Regular Agenda.

ADDITIONS TO AWARDS/PRESENTATIONS/PROCLAMATIONS

AWARDS

52. **Tampa Bay Regional Planning Council's Herman Goldner Award for Regional Leadership** – Presentation of award to Ed Hunzeker, County Administrator.

County Administrator's Office
1112 Manatee Avenue West, Bradenton, FL 34205
Phone number: (941) 745-3717

EXHIBIT "A"

Surplus Beach Concession Funds Request: Island Wide Projects Listing

Bike Safety Improvements: Off main road arterial routing (Multi-Use Path, Sharrows, Route and Direction Signage, Safety and Routing Information Maps/Brochures)	
HB – Neighborhood Routing • Bike/Pedestrian Path Improvements City-wide	50% match (\$110,550)
BB – Neighborhood Routing • Gulf Drive - 26 th Street – Avenue C • Avenue C Corridor – Sharrows, signage and sidewalk improvements at 22 nd Street and 26 th Street Connections • Avenue C @ Gulf Drive - Pedestrian Directional Signage • Katie Pierola Park – Transit and Pedestrian Access Improvements from Cross-Walk to Beach • Bike/Pedestrian Path Improvements City-wide	50% match (\$290,040)

Pedestrian Safety Improvements: Crosswalk signage/lightings; Crossing prohibition signage/controls	
HB – 13 Locations • 72 nd @ Marina and Palm Drive • Key Royale Drive @ Marina Drive • 76 th @ Marina Drive • Marina Drive @ 56 th and 54 th • Holmes Blvd @ 56 th • Gulf Drive @ mid-block 55 th and 54 th • Gulf Drive @ Holmes Blvd, 45 th , 39 th and 6 th Avenue	50% Match (\$56,740)
BB – 2 Locations • 26 th Street North @ Gulf Drive • 22 nd Street North to Katie Pierola Park Crossing	50% Match (\$8,190)

Bike Racks/Amenities: Park areas; Info stations	
HB – Key Locations	(\$25,000)

Anna Maria Pier Rebuild	
• Recreational on pier features • Rebuild features • Access/Parking Improvements	33% Match (\$333,000)

Holmes Beach Dog Park Improvements	
• Reconfiguration • Facility Enhancements	50% Match (\$25,000)
Holmes Beach Skateboard Park Improvements	
• Perimeter Barrier Replacement • Skate Park Elements (Banks, Quarters, Half Pipes) • Accommodate basic and intermediate level skill activities	50% Match (\$40,000)

EXHIBIT "A"

Surplus Beach Concession Funds Request: Island Wide Projects Listing

Holmes Beach – Grassy Point Area Wetland Exploration Kayak Launch Facility	
<ul style="list-style-type: none"> • ROW construction for access • Parking facilities • Launch facility 	50% Match (\$35,000)
Total Funds Requested By Cities = \$923,520 - broken down by jurisdiction as follows:	
<ul style="list-style-type: none"> • City of Anna Maria • City of Holmes Beach • City of Bradenton Beach 	\$333,000 \$292,290 \$298,230

Additional Funds Requested By all three Cities on behalf of Anna Maria Island Community Center = \$100,000- broken down by jurisdiction as follows:	
<ul style="list-style-type: none"> • City of Anna Maria • City of Holmes Beach • City of Bradenton Beach 	\$33,333.33 \$33,333.33 \$33,333.34



City of Anna Maria
 P.O. Box 779
 Anna Maria FL 34216



City of Bradenton Beach
 107 Gulf Drive N
 Bradenton Beach FL 34217



City of Holmes Beach
 5801 Marina Dr
 Holmes Beach FL 34217

April 25, 2018

Subject: Joint Letter of Support for Anna Maria Island Intergovernmental Projects

Manatee County Board of County Commissioners
 Attn: Ms. Priscilla Trace, Chairman
 P.O. Box 1000
 Bradenton, FL 34206,

Dear Members of the Manatee County Commission:

We, the undersigned Mayors representing the Cities of Bradenton Beach, Holmes Beach and Anna Maria, Florida, wish to state our support for the attached listing of Intergovernmental Capital Public Projects proposed by the Cities of Anna Maria, Bradenton Beach, and Holmes Beach that benefit the Anna Maria Island and the reimbursement funding of the projects to the levels indicated using Surplus Concession Revenues under the provisions of Manatee County Resolution 14-119.

We look forward to working with the County on these Intergovernmental Projects.

Sincerely,

DAN MURPHY, Mayor
 City of Anna Maria

JOHN CHAPPIE, Mayor
 City of Bradenton Beach

BOB JOHNSON Mayor
 City of Holmes Beach

RESOLUTION NO. R17-732

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ANNA MARIA, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF SUPPORT AND WRITTEN REQUEST TO MANATEE COUNTY FOR AN INTERGOVERNMENTAL PROJECT IN ACCORDANCE WITH MANATEE COUNTY RESOLUTION NUMBER 14-119; PROVIDING FOR FINDINGS OF FACT; AND PROVIDING FOR SEVERABILITY, VARIOUS ADMINISTRATIVE DETAILS, AND AN EFFECTIVE DATE.

WHEREAS, from time to time, Manatee County receives revenue payments pursuant to the Concession Contracts, and the Board of County Commissioners ("Board") has exercised its budgetary discretion to allocate revenues paid to the County under the Concession Contracts net of the baseline amount of \$333,000 (such net revenues to be hereinafter referred to as "Surplus Concession Revenues") to the funding of public projects that benefit Anna Maria Island; and

WHEREAS, on September 23rd, 2014, Manatee County Commission passed Resolution 14-119 establishing guidelines for the use of surplus concession revenue; and

WHEREAS, subject to the provisions of Resolution 14-119, Surplus Concession Revenues shall be used to fund public capital projects, community planning studies or other consultant reports, and other one-time projects that serve a valid public purpose and benefit the entire Anna Maria Island ("Project"); and

WHEREAS, subject to the provisions of Resolution 14-119, a Project may be undertaken by one or more of the City of Anna Maria, the City of Bradenton Beach or the City of Holmes Beach (each an "Island City", and collectively, the "Island Cities"); and

WHEREAS, subject to the provisions of Resolution 14-119, an Intergovernmental Project shall benefit the entire Anna Maria Island (notwithstanding that it may be undertaken by a single Island City), which shall be evidenced by a letter jointly executed by the mayors of each of the Island Cities, stating their support for the funding of the Intergovernmental Project; and

WHEREAS, the City of ANNA MARIA wishes to submit a joint request to the Board for a public project; and

WHEREAS, the City Commission of the City of ANNA MARIA has independently determined that the adoption of this Resolution is for a proper municipal purpose and the Intergovernmental Project provides many benefits to the public including protecting the public health, safety and welfare of the public while encouraging multi-modal transportation alternatives.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ANNA MARIA, FLORIDA, AS FOLLOWS:

Section 1. Findings of Fact. The WHEREAS clauses set forth above are adopted herein as findings of fact.

Section 2. Intergovernmental Project. The Written Request for an Intergovernmental Project as required under Manatee County Resolution 14-119, Section 1 (b)(ii) is attached hereto and incorporated herein as Exhibit A..

Section 3. Joint Letter of Support. The Joint Letter of Support as required under Manatee County Resolution 14-119, Section 1(b)(ii) is attached hereto and incorporated herein as Exhibit B.

Section 4. Single Point of Contact. The City of Holmes Beach shall be responsible to collect all signed and executed copies of this Resolution and Exhibits thereto, and to submit all documentation required by the Board in a timely fashion. Furthermore, the City of Holmes Beach shall be responsible to timely provide copies of any and all correspondence related to this Resolution to the Island City Clerks and to apprise the Island Cities of any County meetings regarding the Intergovernmental Project.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause or phrase in this resolution is held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions thereof.

Section 6. Effective Date. This Resolution shall be effective upon adoption by the City Commission and approval by the Mayor in accordance with the Charter of the City of Anna Maria.

Section 7. Counterparts. This Resolution, together with Exhibits A and B may be executed in counterparts, each of which shall be deemed an original, and all of which of taken together shall constitute one and the same Request and Letter of Support. Delivery of an executed counterpart of this Resolution or its exhibits thereto by facsimile shall be equally as effective as delivery of a manually executed counterpart of this Resolution.

PASSED AND ADOPTED, by the City Commission of the City of Anna Maria, Florida, in regular session assembled, this 30 day of November, 2017.

Doug Copeland, Commissioner
Nancy Yetter, Commissioner
Brian Seymour, Commissioner
Carol Carter, Commissioner
Dale Woodland, Commissioner



Doug Copeland, Chairman

I hereby approve this Resolution:



Dan Murphy, Mayor

12-01-2017, 2017

ATTEST:


LeAnne Addy, City Clerk

Approved as to form and legality for
the use and reliance of the City of
Anna Maria only


Gretchen R. H. "Becky" Vose
City Attorney

**CITY OF BRADENTON BEACH, FLORIDA,
RESOLUTION NO. 18-889
"Joint Request for Use of Surplus Concession Funds"**

A RESOLUTION OF THE CITY OF BRADENTON BEACH, FLORIDA, AUTHORIZING THE MAYOR OF THE CITY OF BRADENTON BEACH TO EXECUTE A LETTER OF SUPPORT AND WRITTEN REQUEST TO MANATEE COUNTY FOR AN INTERGOVERNMENTAL PROJECT IN ACCORDANCE WITH MANATEE COUNTY RESOLUTION NUMBER 14-119; PROVIDING FOR FINDINGS OF FACT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions and render municipal services; and,

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances and resolutions in furtherance thereof; and,

WHEREAS, from time to time, the County receives revenue payments pursuant to the Concession Contracts, and the Board of County Commissioners ("Board") has exercised its budgetary discretion to allocate revenues paid to the County under the Concession Contracts net of the baseline amount of \$233,520 (such net revenues to be hereinafter referred to as "Surplus Concession Revenues") to the funding of public projects that benefit Anna Maria Island; and

WHEREAS, on September 23rd, 2014, Manatee County Commission passed Resolution 14-119 establishing guidelines for the use of surplus concession revenue; and

WHEREAS, Subject to the provisions of Resolution 14-119, Surplus Concession Revenues shall be used to fund public capital projects, community planning studies or other consultant reports, and other one-time projects that serve a valid public purpose and benefit the entire Anna Maria Island ("Project"); and

WHEREAS, Subject to the provisions of Resolution 14-119, A Project may be undertaken by one or more of the City of Anna Maria, the City of Bradenton Beach or the City of Holmes Beach (each an "Island City", and collectively, the "Island Cities"); and

WHEREAS, Subject to the provisions of Resolution 14-119, An Intergovernmental Project shall benefit the entire Anna Maria Island (notwithstanding that it may be undertaken by a single Island City), which shall be evidenced by a letter jointly executed by the mayors of each of the Island Cities, stating their support for the funding of the Intergovernmental Project; and

WHEREAS, the City of Holmes Beach wishes to submit a joint request to the Board for a public project; and

WHEREAS, the City Commission of the City of Bradenton Beach has independently determined that the adoption of this Resolution is for a proper municipal purpose and the Intergovernmental Project provides many benefits to the public including protecting the public health, safety and welfare of the public while encouraging multi-modal transportation alternatives.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Bradenton Beach, Florida, as follows:

Section 1. Findings of Fact. The WHEREAS clauses set forth above are adopted herein as findings of fact.

Section 2. Intergovernmental Project. The Written Request for an Intergovernmental Project as required under Manatee County Resolution 14-119, Section 1 (b)(ii) is attached hereto and incorporated herein as Exhibit A.

Section 3. Joint Letter of Support. The Joint Letter of Support as required under Manatee County Resolution 14-119, Section 1(b)(ii) is attached hereto and incorporated herein as Exhibit B.

Section 4. Point of Contact. The City of Holmes Beach shall be responsible to collect all signed and executed copies of this Resolution and Exhibits thereto, and to submit all documentation required by the Board in a timely fashion. Furthermore, the City of Holmes Beach shall be responsible to timely provide copies of any and all correspondence related to this Resolution to the Island City Clerks and to apprise the Island Cities of any County meetings regarding the Intergovernmental Project.

Section 6. Effective Date. The effective date of this Resolution shall be April 19, 2018.


Section 7. Counterparts. This Resolution, together with Exhibits A and B may be executed in counterparts, each of which shall be deemed an original, and all of which of taken together shall constitute one and the same Request and Letter of Support. Delivery of an executed counterpart of this Resolution or its exhibits thereto by facsimile shall be equally as effective as delivery of a manually executed counterpart of this Resolution.

PASSED AND DULY ADOPTED, WITH A QUORUM PRESENT AND VOTING
THIS

19 day of April, 2018,

BY AND THROUGH THE CITY OF BRADENTON BEACH, FLORIDA, BY AND
THROUGH THE CITY COMMISSION OF THE CITY OF BRADENTON BEACH.

BY:



JOHN CHAPPIE, MAYOR

ATTEST:



TERRI SANCLEMENTE, CITY CLERK

C E R T I F I C A T E

I, Stacey Johnston, City Clerk, for the City of Holmes Beach, Florida, certify that the attached is an exact and true copy of Resolution 18-05. Said Resolution was adopted by the Holmes Beach City Commission at their Regular Commission Meeting held on April 24, 2018.

Signed and dated this 25th day of April, 2018 in the City of Holmes Beach, Florida.



Stacey Johnston, MMC, City Clerk
City of Holmes Beach, Florida
5801 Marina Dr
Holmes Beach, FL 34217

(SEAL)

**CITY OF HOLMES BEACH, FLORIDA,
RESOLUTION NO. 18-05
"Joint Request for Use of Surplus Concession Funds"**

A RESOLUTION OF THE CITY OF HOLMES BEACH, FLORIDA, REVISING RESOLUTION 18-03 BY AMENDING EXHIBIT "A", AUTHORIZING THE MAYOR OF THE CITY OF HOLMES BEACH TO EXECUTE A LETTER OF SUPPORT AND WRITTEN REQUEST TO MANATEE COUNTY FOR INTERGOVERNMENTAL PROJECTS IN ACCORDANCE WITH MANATEE COUNTY RESOLUTION NUMBER 14-119; PROVIDING FOR FINDINGS OF FACT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions and render municipal services; and,

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances and resolutions in furtherance thereof; and,

WHEREAS, from time to time, the County receives revenue payments pursuant to the Concession Contracts, and the Board of County Commissioners ("Board") has exercised its budgetary discretion to allocate revenues paid to the County under the Concession Contracts net of the baseline amount of \$233,520 (such net revenues to be hereinafter referred to as "Surplus Concession Revenues") to the funding of public projects that benefit Anna Maria Island; and

WHEREAS, on September 23rd, 2014, Manatee County Commission passed Resolution 14-119 establishing guidelines for the use of Surplus Concession Revenues; and

WHEREAS, subject to the provisions of Resolution 14-119, Surplus Concession Revenues shall be used to fund public capital projects, community planning studies or other consultant reports, and other one-time projects that serve a valid public purpose and benefit all of Anna Maria Island ("Intergovernmental Projects"); and

WHEREAS, s ubject to the provisions of Resolution 14-119, A project may be undertaken by one or more of the City of Anna Maria, the City of Bradenton Beach or the City of Holmes Beach (each an "Island City", and collectively, the "Island Cities"); and

WHEREAS, subject to the provisions of Resolution 14-119, An Intergovernmental Project shall benefit all of Anna Maria Island (notwithstanding that it may be undertaken by a single Island City), which shall be evidenced by a letter jointly executed by the mayors of each of the Island Cities, stating their respective cities' support for the funding of the Intergovernmental Project; and

WHEREAS, the City of Holmes Beach wishes to submit a joint request to the Board for Intergovernmental Projects; and

WHEREAS, the City Commission of the City of Holmes Beach has independently determined that the adoption of this Resolution is for a proper municipal purpose and the Intergovernmental Project provides many benefits to the public including protecting the public health, safety and welfare of the public while encouraging multi-modal transportation alternatives.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Holmes Beach, Florida, as follows:

Section 1. Findings of Fact. The WHEREAS clauses set forth above are adopted herein as findings of fact.

Section 2. Intergovernmental Project. The Written Request for an Intergovernmental Projects as required under Manatee County Resolution 14-119, Section 1 (b)(ii) is attached hereto and incorporated herein as Exhibit A.


Section 3. Joint Letter of Support. The Joint Letter of Support as required under Manatee County Resolution 14-119, Section 1(b)(ii) is attached hereto and incorporated herein as Exhibit B.

Section 4. Point of Contact. The City of Holmes Beach shall be responsible to collect all signed and executed copies of this Resolution and Exhibits thereto, and to submit all documentation required by Manatee County in a timely fashion. Furthermore, the City of Holmes Beach shall be responsible to timely provide copies of any and all correspondence related to this Resolution to the Island City Clerks and to apprise the Island Cities of any County meetings regarding the Intergovernmental Project.


Section 6. Effective Date. The effective date of this Resolution shall be 4-24 _____, 2018. This Resolution 18-05 supersedes and replaces Resolution 18-03.

Section 7. Counterparts. This Resolution, together with Exhibits A and B may be executed in counterparts, each of which shall be deemed an original, and all of which of taken together shall constitute one and the same Request and Letter of Support. Delivery of an executed counterpart of this Resolution or its exhibits thereto by facsimile shall be equally as effective as delivery of a manually executed counterpart of this Resolution.

PASSED AND DULY ADOPTED, WITH A QUORUM PRESENT AND VOTING
THIS 24th day of April, 2018, by the City Commission of the City of Holmes
Beach, Florida.



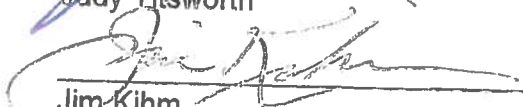
Patrick Morton



Carol Soustek



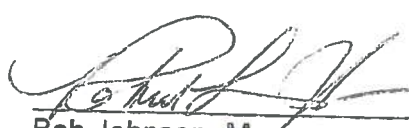
Judy Titsworth



Jim Kihm

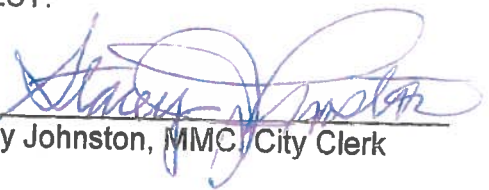


Rick Hurst

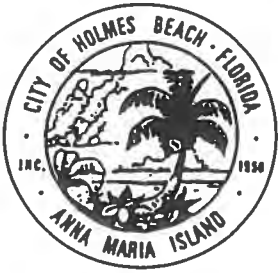


Bob Johnson, Mayor

ATTEST:



Stacey Johnston, MMC, City Clerk



City of Holmes Beach

BCC

5801 Marina Drive
941-708-5800

Holmes Beach, Florida 34217
Fax 941-708-5812

April 25, 2018

Subject: Letter of Transmittal - Joint Request for Use of Surplus Concession Funds

Manatee County Board of County Commissioners
Attn: Ms. Priscilla Trace, Chairman
P.O. Box 1000
Bradenton, FL 34206,

Dear Members of the Manatee County Commission:

In Accordance with County Resolution 14-119, the Cities of Anna Maria, Bradenton Beach, and Holmes Beach request consideration for Intergovernmental Projects.

Attached are:

- Resolutions from each of the cities of Anna Maria (Attachment 1), Bradenton Beach (Attachment 2), and Holmes Beach (Attachment 3) approving the Surplus Beach Concession Funds Request: Island Wide Projects
- The Island Wide Project Request Listing incorporated into each of the approved Resolutions (Attachment 4)
- A Letter of Joint support (Attachment 5)

Sincerely,

BOB JOHNSON, Mayor
City of Holmes Beach

379-8318

FEBRUARY 15, 2018

Mayors and Commissioners, here is a current list of the Capital Expenditures that the Center is currently in need of. As you know, we have finally turned the financial corner and we are planning for our future. We currently have no Debt. This will be an investment for our Island Community. The Concession money is not tax dollars and was set up years ago before many of you decided to serve. The purpose was to keep tourist dollars on the island and use them for our residents, we are trying to do that.

Priority Capital Expenditures

1. Exercise equipment	\$50,000
2. Manson Roofing Repair	\$ 9,871
3. Lapensee Plumbing for 2 new bathrooms	\$15,730
4. Field Maintenance	<u>\$25,000</u>
Total Immediate Need	\$100,601

Non-Priority Capital Expenditure which we will try to do a capital campaign

1. Bid from Welch Tennis Corp to rebuild, resurface, maintenance, fence, and screen 3 outdoor tennis and pickleball courts \$205,000
2. Because of the high use our athletic field we are currently investigating a conversion to turf which will decrease injuries and lower maintenance costs

Thank you for your consideration and please let me know if you have any questions that I can answer.

David Zaccagnino, The Center Chairman of the Board

RESOLUTION NO. 14-119

A RESOLUTION OF MANATEE COUNTY, FLORIDA, REGARDING PUBLIC FINANCE; ESTABLISHING GUIDELINES FOR THE USE OF SURPLUS CONCESSION REVENUES; PROVIDING FOR RESERVATION OF RIGHTS AND DISCRETION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the County owns and operates its Coquina Beach Park Facility and Manatee Beach Park Facility (collectively, the “Facilities”) on Anna Maria Island, and has awarded Franchise License Agreements (collectively, the “Concession Contracts”) for the operation of food, beverage and beach shop concessions at the Facilities to United Park Services, Inc.; and

WHEREAS, from time to time, the County receives revenue payments pursuant to the Concession Contracts, and the Board of County Commissioners (“Board”) has exercised its budgetary discretion to allocate revenues paid to the County under the Concession Contracts net of the baseline amount of \$233,520 (such net revenues to be hereinafter referred to as “Surplus Concession Revenues”) to the funding of public projects that benefit Anna Maria Island; and

WHEREAS, it is in the best interest of the public health, safety and welfare of the County to establish guidelines for the use and distribution of Surplus Concession Revenues as provided in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THAT:

SECTION 1. GUIDELINES FOR USE AND DISTRIBUTION OF SURPLUS CONCESSION REVENUES. The Board hereby establishes the following guidelines for the use and distribution of Surplus Concession Revenues.

- a. *Programs.* Subject to the provisions of this Resolution, Surplus Concession Revenues shall be used to fund public capital projects, community planning studies or other consultant reports, and other one-time projects that serve a valid public purpose and benefit the entire Anna Maria Island (“Project”). A Project may be undertaken:
 - (i) Directly by the County; or
 - (ii) By one or more of the City of Anna Maria, the City of Bradenton Beach or the City of Holmes Beach (each an “Island City”, and collectively, the “Island Cities”). Projects undertaken by one or more Island City (“Intergovernmental Projects”) shall be selected and funded in accordance with the criteria set forth in *paragraph b.*, below.

- b. *Intergovernmental Projects.* The Board shall select Intergovernmental Projects in accordance with the following criteria:
- (i) An Intergovernmental Project shall benefit the entire Anna Maria Island (notwithstanding that it may be undertaken by a single Island City), which shall be evidenced by a letter jointly executed by the mayors of each of the Island Cities, stating their support for the funding of the Intergovernmental Project;
 - (ii) Before considering an Intergovernmental Project, the Board shall receive a written request from the Island City or Island Cities which shall include: (1) the letter of support described in *subparagraph (i)*, above; (2) a description of the particulars of the Intergovernmental Project; (3) a statement of the reasons why the Intergovernmental Project meets the criteria set forth in this Resolution; and (4) a detailed description of the matching funds to be provided by the Island City or Island Cities undertaking the Intergovernmental Project;
 - (iii) An Intergovernmental Project shall constitute a “one-time” project, and shall not result in a transfer from an Island City or Island Cities to the County of funding responsibility for ongoing general governmental services; and
 - (iv) The funding of an Intergovernmental Project shall be memorialized in an interlocal agreement, pursuant to Section 163.01, *Florida Statutes*, between or among the County and the Island City or Island Cities undertaking the Intergovernmental Project. The interlocal agreement shall provide for the County’s funding of the Intergovernmental Project on a reimbursement basis, subject to (1) the County’s standards and practices for intergovernmental funding, and (2) the requirements of applicable law.

SECTION 2. RESRVATION OF RIGHTS AND DISCRETION. This Resolution sets forth guidelines to the Island Cities and the public as to how the Board intends to use Surplus Concession Revenues. The Board reserves its right and budgetary discretion to use Surplus Concession Revenues for any valid public purpose, and to refuse to fund any Intergovernmental Project for any reason. Surplus Concession Revenues are not reserved exclusively for the uses described in this Resolution. The funds and accounts maintained by the County and the Clerk to the Board of County Commissioners, and the Surplus Concession Revenues deposited therein, shall not constitute “trust funds” under any provision of law or decisional case law. This Resolution does not constitute a contract with any Island City or Island Cities, or any other party, for the use of Surplus Concession Revenues or relating to the other matters addressed in this Resolution.

SECTION 3. SEVERABILITY. If any section, sentence, clause, or other provision of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

ADOPTED WITH A QUORUM PRESENT AND VOTING THIS THE 23RD DAY OF SEPTEMBER, 2014.

**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**

By: *Larry Bristle*
Chairperson

**ATTEST: R.B. SHORE
Clerk of the Circuit Court**

By: *Rubin Liberty*
Deputy Clerk



Beach Concession Reserves and Revenues

R-14-119

	Year	Actual Revenue	Base	Amt over Base to Reserves	Estimated Actual Exp	Yearly Change to Reserves	Balance of Reserve
Actual	2010	233,520	233,520	(0)			
Actual	2011	369,607	233,520	136,087	(60,000) *	76,087	76,087
Actual	2012	393,036	233,520	159,516		159,516	235,603
Actual	2013	403,380	233,520	169,860		169,860	405,463
Actual	2014	430,052	233,520	196,532		196,532	601,995
Actual	2015	459,074	233,520	225,554	(131,500) **	94,054	696,049
Actual	2016	489,254	233,520	255,734	(60,000) ***	195,734	891,783
Actual	2017	518,044	233,520	284,524	(32,000) ****	252,524	1,144,307
YTD 03/31/18	2018	280,245	233,520	46,725	(238,700) *****	(191,975)	952,332
Estimated	2018	518,044	233,520	284,524	(223,700)	60,824	1,205,131