

BOARD OF COUNTY COMMISSIONERS

Vanessa Baugh, District 5 - Chairperson
George W. Kruse, At Large - First Vice Chair
Kevin Van Ostenbridge, District 3 – Second Vice Chair
Reggie Bellamy, District 2 – Third Vice Chair
James Satcher, District 1
Misty Servia, District 4
Carol Whitmore, At Large



MANATEE COUNTY, FLORIDA

Dr. Scott Hopes, County Administrator
William E. Clague, County Attorney

Manatee County Administration Building
Honorable Patricia M. Glass Chambers, First Floor
1112 Manatee Avenue West, Bradenton
8:30 AM - September 14, 2021

SEE ATTACHED AGENDA UPDATE MEMORANDUM

Board of County Commissioners
Revised Agenda and Notice of Public Meeting
September 14, 2021 - Regular Meeting

This meeting can be viewed live on www.mymanatee.org/mga and on Manatee Government Access (MGA) Spectrum channel 644, Verizon channel 30, and Comcast channel 20.

Written comments can be submitted at www.mymanatee.org/comment by **Friday, September 10, at 2 p.m.** Be sure to include your name and submit your remarks by the meeting deadline. Commissioners may not receive your comments before the meeting if the form is submitted after the deadline.

During the meeting, comments may be delivered in person in the Honorable Patricia M. Glass Chambers at the Manatee County Administration Building, 1112 Manatee Avenue West, Bradenton.

Also during the meeting, the public can offer comments by phone by dialing 1-888-788-0099 or 1-877-853-5247. Enter Meeting ID Number **835 0228 2091** (followed by #).

Dial-in Instructions:

- Dial one of the zoom numbers and enter the Meeting ID number: **835 0228 2091** (followed by #)
- There are no participant IDs, please press (#)
- You will be placed into the call on mute
- (*) 9 to raise hand
- (*) 6 to unmute

A. CALL TO ORDER

B. INVOCATION (The Commission does not endorse the religious beliefs of any speaker.)

C. VETERAN-LED PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Donald L. Courtney, Chief Warrant Officer 4 (Retired), U.S. Army

D. MOMENT OF SILENCE FOR U.S. SERVICE MEMBERS KILLED IN KABUL AIRPORT ATTACK

E. ANNOUNCEMENTS

9:15 a.m. Time Certain – Item No. 54 followed by Item No. 55:

54. Ordinance 21-35 Dissolving the Myakka City Fire Control District and Transferring its Powers to the East Manatee Fire Rescue District

55. Interlocal Agreement regarding the merger of the Myakka City Fire Control District and the East Manatee Fire Rescue District

Updates to Agenda

F. REQUESTS BY COMMISSIONERS (Items to be pulled from Consent Agenda)

G. AWARDS/PRESENTATIONS/PROCLAMATIONS

Awards

1. Presentation of Certificate of Recognition to Alicia Vernon
2. Presentation of the September Employee of the Month Award to George Earnest

Proclamations (Motion required to adopt proclamations)

3. Adoption and Presentation of Proclamation Designating September 10, 2021, as Virginia Maddox Day in Manatee County in Commemoration of her 100th Birthday
4. Adoption and Presentation of Proclamation Recognizing the 75th Anniversary of the Boys and Girls Clubs of Manatee County
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6. Adoption of Proclamation Designating September 28, 2021, as Women in Leadership Day at the State College of Florida, Manatee-Sarasota in Manatee County

H. CITIZEN COMMENTS (Consideration for Future Agenda Items - 30 Minute Time Limit)

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Citizen Comments

I. CITIZEN COMMENTS (Consent Agenda Items Only)

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J. CONSENT AGENDA

Clerk of Circuit Court

7. Approval of the Clerk's Consent Agenda dated September 14, 2021

Administrator

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Attorney

9. Adoption of Resolution R-21-155 Authorizing Commencement and Prosecution of Eminent Domain Proceedings to Acquire Property for Moccasin Wallow Road – U.S 41 to Gateway Boulevard **D'Agostino**
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37. Adoption of Resolution R-21-150 Authorizing the Conveyance of Right-of-Way to Florida Department of Transportation and Execution of County Deed Conveying Right-of-Way to Florida Department of Transportation for the Realignment of State Road 62 at US 301 North in Parrish, Florida 34219 in District 1
38. Authorization to Terminate a License Agreement between Florida Sheriffs Youth Ranches, Inc, and Manatee County for property located at 751 Rye Wilderness Trail, Parrish, Florida 34219; District 1 - TO BE DEFERRED TO OCTOBER 26, 2021 **Nicodemi**
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58. Execution of Subordination of County Utility Interests to subordinate the County's Utility Interests to the Florida Department of Transportation (FDOT) for Parcel 503.1 (also known as Parcel 503), located along U.S. 41 N. - U.S. 301 - Bradenton Area Convention Center (BACC) Hotel (District 2)

Public Safety

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- 47. Adoption of Resolution R-21-135 Approving the Termination of a 1979 Champion Home Communities Reclaimed Water Agreement **Warren**
- 48. Authorization to Write Off Bad Debts of the Utilities Department
- 49. Execution of Annual U.S. Geological Survey Joint Funding Agreement, FY 2021-2022, for Data Collection at Three Stations: Manatee River near Myakka Head, Little Manatee River at Duette, and Manatee River at Rye Bridge

K. APPROVAL OF CONSENT AGENDA

Motion to Approve the Consent Agenda

L. ADVISORY BOARD APPOINTMENTS

Neighborhood Services

- 50. Appointment of Six Applicants to the Children's Services Advisory Board - TO BE DEFERRED TO SEPTEMBER 28, 2021

Redevelopment and Economic Opportunity

- 51. Appointment of One Member to Seat 8 of the Affordable Housing Advisory Committee; Adoption of Resolution R-21-151

M. PORT AUTHORITY

N. ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)

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Public Safety (9:15 A.M. TIME CERTAIN)

55. Execution of Interlocal Agreement regarding the Merger of the Myakka City Fire Control District and the East Manatee Fire Rescue District of Manatee County **Clague**

Financial Management

56. Authorize the Financial Advisor to distribute a request for proposals from banks to accomplish the best financing option using a credit line which will fund the design and construction of several projects already identified and approved during the Adoption of Capital Improvement Plan 2022-2026.

P. REPORTS

Q. COMMISSIONER AGENDA

Commissioner Satcher

59. Approval of letter to the Florida Attorney General in favor of a county ordinance creating a “safe haven” for the unborn in Manatee County, Florida and direct the County Attorney to request a formal advisory opinion from the Florida Attorney General addressing whether the County is preempted under Florida law from adopting an ordinance regulating abortion.

R. CITIZEN COMMENTS (Continuation of Consideration for Future Agenda Items, if needed)

S. COUNTY ATTORNEY COMMENTS

T. COUNTY ADMINISTRATOR COMMENTS

U. COMMISSIONER COMMENTS

V. ADJOURN

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to, participation in, employment with, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act (ADA), or assistance with accessing any of these documents, should contact Carmine DeMilio at (941) 792-8784 Ext. 8203 or carmine.demilio@mymanatee.org.

The Board of County Commissioners of Manatee County and the Manatee County Port Authority may elect not to convene, if no business is scheduled; however, each reserves the right to take action on any matter during its meeting, including items not set forth within this agenda. The Chair of each governing body at his/her option may take business out of order if he/she determines that such a change in the schedule will expedite the business of the governing body.

All public comment on quasi-judicial agenda items is required to be under oath and must occur at a duly noticed public hearing. The Citizens' Comments portion of the agenda is not an advertised public hearing, and no comments on quasi-judicial agenda items are authorized during the Citizens' Comments portion of the agenda.

PUBLIC NOTICE: According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners (or the other entities that are meeting) with respect to any matter considered at said public hearing/meeting will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.



MEMORANDUM

To: Dr. Scott Hopes, County Administrator

From: Diane Vollmer, Agenda Coordinator

Date: September 13, 2021

Subject: **Agenda Update for Meeting of September 14, 2021**

This memo and the changes indicated below are reflected in the electronic agenda.

Public Comments

Written comments submitted through the online Public Comment form were added to:

- Citizen Comments (Consideration for Future Agenda Items)

Changes to Consent Agenda

BUILDING AND DEVELOPMENT SERVICES

Item 12 - Final Plat and Associated Documents for Summerwoods-Phases IIIA & IVA

The requested action was updated to include: "Acceptance, Execution, and Recording of the Mortgagee's Joinder from Western Alliance Bank."

PROPERTY MANAGEMENT

Item 30 - Permanent Utilities Easement and Permanent Sidewalk Easement from 63 Manatee, LLC for property located at 1515 63rd Avenue East, Bradenton FL, 34203, in District 4.

This item was deleted from the agenda.

Item 37 - Resolution R-21-150 Authorizing the Conveyance of Right-of-Way and County Deed Conveying Right-of-Way to Florida Department of Transportation for the Realignment of State Road 62 at US 301 North in Parrish, Florida 34219 in District 1

The requested action was updated to read:

- Adopt Resolution R-21-150; and
- Execute County Deed to State of Florida Department of Transportation

Item 38 - Notice of Termination of a License Agreement between Florida Sheriffs Youth Ranches, Inc, and Manatee County for property located at 751 Rye Wilderness Trail, Parrish, Florida 34219; District 1

This item is being deferred to the October 26 meeting.

PUBLIC WORKS

Item 42 - Adoption of Resolution No. 21-110 Approving a Limited Access Agreement and Release of Claims Form for the Bradenton Beach Gravity Sewer Replacement Project

A location map was added to this agenda item.

Changes to Advisory Board Appointments

NEIGHBORHOOD SERVICES

Item 50 - Appointment of Six Applicants to the Children's Services Advisory Board

This item is being deferred to the September 28 meeting.

Additions to Consent Agenda

ADMINISTRATOR

Item 57 - Letter of Non-opposition for Skyway Bridge 10K Charity Run Sponsored by the Armed Forces Families Foundation

Requested Action: "Authorization for the Chairperson to execute a letter of non-opposition to the Florida Department of Transportation (FDOT) for a proposed 10k charity run across the Skyway Bridge on March 6, 2022, sponsored by the Armed Forces Families Foundation."

PROPERTY MANAGEMENT

Item 58 - Subordination of County Utility Interests to subordinate the County's Utility Interests to the Florida Department of Transportation (FDOT) for Parcel 503.1 (also known as Parcel 503), located along U.S. 41 N. - U.S. 301

Requested Action: "Execute Subordination of County Utility Interests for Parcel 503.3 (also known as Parcel 503)"

Addition to Commissioner Agenda

Item 59 - Approval of letter to the Florida Attorney General in favor of a county ordinance creating a "safe haven" for the unborn in Manatee County, Florida and direct the County Attorney to request a formal advisory opinion from the Florida Attorney General addressing whether the County is preempted under Florida law from adopting an ordinance regulating abortion

Requested Action: "I move to approve the letter to the Florida Attorney General in the form submitted into the record, and to direct the County Attorney to request a formal advisory opinion from the Florida Attorney General addressing whether the County is preempted under Florida law from adopting an ordinance regulating abortion."

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V. ADJOURN

UPDATED/REVISED

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to, participation in, employment with, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act (ADA), or assistance with accessing any of these documents, should contact Carmine DeMilio at (941) 792-8784 Ext. 8203 or carmine.demilio@mymanatee.org.

The Board of County Commissioners of Manatee County and the Manatee County Port Authority may elect not to convene, if no business is scheduled; however, each reserves the right to take action on any matter during its meeting, including items not set forth within this agenda. The Chair of each governing body at his/her option may take business out of order if he/she determines that such a change in the schedule will expedite the business of the governing body.

All public comment on quasi-judicial agenda items is required to be under oath and must occur at a duly noticed public hearing. The Citizens' Comments portion of the agenda is not an advertised public hearing, and no comments on quasi-judicial agenda items are authorized during the Citizens' Comments portion of the agenda.

PUBLIC NOTICE: According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners (or the other entities that are meeting) with respect to any matter considered at said public hearing/meeting will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.