

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
BRADENTON AREA CONVENTION CENTER, LONGBOAT KEY ROOM
One Haben Boulevard
Palmetto, Florida
JANUARY 26, 2021**

Meeting video link: <https://www.youtube.com/channel/UCULgjuGhS-qV966RU2Z7AtA>

Present were:

Vanessa Baugh, Chairman
George Kruse, First Vice-Chairman
Kevin Van Ostenbridge, Second Vice-Chairman
Reggie Bellamy, Third Vice-Chairman
Misty Servia
James A. Satcher III
Carol Whitmore

Also present were:

Cheri Coryea, County Administrator
William Clague, Chief Assistant County Attorney
Vicki Tessmer, Board Records Supervisor, Clerk of the Circuit Court

Chairman Baugh called the meeting to order at 9:01 a.m.

AGENDA


BC20210126DOC001

INVOCATION AND PLEDGE OF ALLEGIANCE

1. The Invocation was delivered by Pastor Guy Glass, Bethany Baptist Church, followed by the Pledge of Allegiance.


RECESS/RECONVENE: 9:04 a.m. – 9:23 a.m. The County Commission meeting recessed for the purpose of holding a Port Authority meeting. The County Commission meeting convened with all Commissioners present.

4. **TREE CITY USA COMMUNITY**

 Charlie Hunsicker displayed a flag, plaque, and stickers that recognizes Manatee County's 12 years as a Tree City USA. He noted 1.4 million trees have been planted in Manatee County.


BC20210126DOC002

PROCLAMATIONS

5.  A motion was made by Commissioner Whitmore, seconded by Commissioner Van Ostenbridge, and carried 7-0, to adopt the Proclamation designating January 16 and January 30-February 7, 2021, as Gulf Coast Games for Life Week in Manatee County, accepted by Charlie Hunsicker, Parks and Natural Resources Director.

BC20210126DOC003

PLEDGE OF PUBLIC CONDUCT


 Chairman Baugh read the Pledge of Public Conduct, and noted there should be no interruptions, once the Chairman recognizes a Commissioner to speak.

AGENDA ANNOUNCEMENTS


Time Certain


2. Item 43 – 9:00 a.m. Port Authority Meeting
49. Item 48 – 9:30 a.m. Discussion of process for future Commissioner meetings
3. Item 44 - 11:00 a.m. Updates on CARES Act Strategies, Emergency Rental Assistance Program, and Coronavirus Local Strategies involved with testing, local data, statistics and vaccine


distribution and extension of the Local State of Emergency

50.  Agenda Update Memorandum BC20210126DOC004
Item 6 – Citizen Comments, a written comment submitted through the online public comment form was added
Item 44 – Updates on CARES ACT, the requested action was updated to add a “Motion to adopt Resolution R-21-019 approving guidelines for the U.S. Department of Treasury Emergency Rental Assistance Grant Program” and the following documents were added:
- Resolution R-21-019;
 - The CARES Act Phase 3 Extension/Emergency Rental Assistance presentation; and
 - The On-going response to COVID-19 presentation
- Item 48 – Commissioner Agenda, Commissioner Baugh, Discussion of process for Commissioner meetings, added to the agenda

6. **CITIZEN COMMENTS** (Future Agenda Items) BC20210126DOC005

 Deb Peters, Nathan Levinson (submitted photos) and Pam Freni commented on the County’s animal shelter and the need for a new, relocated shelter.


 Andra Griffin spoke about the January 19 work session and suggested topics for future work sessions and ways to move the County forward.


 Glen Gibellina commented on subsidizing affordable housing through building permit fees.


 Carol Felts spoke about public comments during Board meetings, meeting/agenda notifications, and a zoning/building moratorium.


There being no further public comment, Chairman Baugh closed public comment.

48. **PROCESS FOR COMMISSIONER MEETINGS**

 Cheri Coryea, County Administrator, addressed a meeting held on January 22, 2021, between Commissioners Whitmore and Kruse and reviewed the advertising for this type of meeting.

 Commissioner Van Ostenbridge explained how he received notice of the January 22, 2021, meeting that morning, and noted he attended the meeting. He commented that meetings must be open to the public, he was entitled to attend the meeting, he spoke when addressed, and the meeting was recorded. He repeated the comments he made at the meeting to ensure he is clear from any Sunshine Law violations. He expressed concern that the County Attorney was not present, and requested the audio of the meeting be posted on the County’s YouTube page.

 Ms. Coryea responded to questions and explained how the meeting came about, communication to other Commissioners, the standard process for noticing meetings, access to the County Administration Building during business hours (8:00 a.m. to 5:00 p.m.), access to the Manatee Room, and why the County Attorney was not present at the meeting.


 William Clague, Chief Assistant County Attorney, addressed Government in the Sunshine Laws, and the manner in which the Board members can meet. He listened to the recording and noted that all participants complied with Sunshine Laws. He reviewed statutory requirements for recoding meetings. The type of meeting held on January 22, 2021, is rare, and there is no protocol as to how this type of meeting is to be handled. He is willing to provide an appropriate motion for setting protocol.

Chairman Baugh stated this type of meeting should be discouraged.


 Commissioner Van Ostenbridge requested a representative from the County Attorney's office to attend all meetings with more than one Commissioner present and any meeting held using County assets, would require each County Commissioner to be notified and have the ability to attend.

Motion

A motion was made by Commissioner Van Ostenbridge to direct the County Attorney's Office to draft a resolution establishing protocols for meetings between Commissioners to discuss business of the County outside meetings of the full Board, or other established Boards on which they serve, to include a requirement for other Commissioners to be invited to attend and for attendance by an attorney from the County Attorney's Office. The motion was seconded by Commissioner Satcher.


 Commissioner Whitmore explained why she called the meeting and apologized to Commissioner Kruse. She took steps to ensure the meeting was legal and referenced topics discussed on January 22.


(Depart Commissioner Bellamy during discussion)

 Commissioner Satcher expressed his disappointment with the situation and concern regarding being listed as absent in the minutes.


(Note: Commissioners not present at the January 22, 2021, meeting were removed from the minutes)

 Commissioner Servia stated special meetings should be the exception and not the rule. The Board should focus on the business of the County, and also addressed public comment call-ins during Commission meetings.


 Commissioner Van Ostenbridge clarified that the door to the Manatee Room was closed, and requested confirmation (via security footage) that a key fob was not required to enter the room. He feels the bare minimum of legality was used to hold this meeting.

 Mr. Clague stated all Commissioners need to abide by the Civility Pledge, and he does not see that there has been any violation of the Pledge.

RECESS/RECONVENE: 10:47 a.m. – 10:55 a.m. All Commissioners were present except Commissioner Bellamy.


 Chairman Baugh stressed the importance of being here for the citizens of Manatee County and to have their trust and the need for Commissioners to show each other respect.


 Discussion ensued regarding setting a process for meetings like the one on January 22.


 Rodney Jones, Andra Griffin, Glen Gibellina, Dawn Kitterman, Corrie Holmes, and Michelle


Martin expressed concerns regarding the January 22, meeting.


 There being no further public comments, Chairman Baugh closed public comment.

 Ms. Coryea acknowledged the doors to the building are opened automatically from a timer.

 Commissioner Whitmore apologized for upsetting Commissioners, and did not intend to mislead anyone. She requested a work session regarding affordable housing.

 Mr. Clague read the motion into the record. He clarified that he advised Commissioner Whitmore that other Commissioners not involved in meeting have the right to attend, but they should not speak, unless they have been recognized to avoid any potential Sunshine Law violations.


 The motion carried 6-0, with Commissioner Bellamy absent.

 Commissioner Kruse provided a statement apologizing to the people of Manatee County about the meeting on January 22, that the meeting was legal, but had poor optics. He stated he had an extramarital affair and accused Commissioner Whitmore of actively spreading this information, and it was her intention to use this information to manipulate votes on this Board. He will always vote in the best interest of the County and felt it is necessary to get this out before there is doubt about anything. He stated this meeting was not intended to look good and there is a toxic culture in County Government.


A motion was made by Commissioner Kruse and seconded by Commissioner Baugh to notice the termination of the County Administrator in accordance with her contract and for the Board to determine whether current actions deem this is with or without cause.


RECESS/RECONVENE: 11:38 a.m. – 11:48 a.m. All Commissioners present except Commissioner Bellamy.


Chairman Baugh announced a break for lunch.

 Mr. Clague advised there is a motion on the floor, and that everyone should have a chance to speak to the motion after the break.


RECESS/RECONVENE: 11:49 a.m. – 1:04 p.m. All Commissioners present.


 Discussion ensued regarding events leading up to the motion.


 Commissioner Bellamy addressed that he was not present during the discussion, and asked for a briefing of what happened while he was out.


 Mr. Clague recapped the previous events and read the suggested motion into the record: I move to direct the County Attorney to provide the County Administrator with 15 days-notice of a public meeting to consider terminating the County Administrator.

Commissioner Kruse and Chairman Baugh agreed to the motion as read by Mr. Clague.


 Discussion continued regarding when all the issues with the Board will stop, concerned that in the midst of a pandemic, Commissioners want to make a decision like this, the more pressing issue is to vaccinate residents, especially minorities, it is important to not take things personally or make assumptions, this decision will be a disruption of business to the entire County structure, there are not enough employees to continue the work of the County, all employment contracts should have a beginning and an end, Commissioners should have confidence in the County Administrator, and one person does not keep the County running.

 Commissioner Van Ostenbridge stated this issue should not be rushed, and he feels the motion is the citizen's business. More open government will take place due to actions earlier today. He commended Public Safety on issuing vaccines and stated the biggest issue is supply. The Board is divided, and he feels it is important to have a new County Administrator, and he called for Ms. Coryea's resignation for her to keep her severance package.


 Discussion took place that the County Administrator is doing what her boss's ask her to do, do not believe there was ill intent, but this does need to be addressed, directives cannot come from one Commissioner, and the timeline for the Lena Road property purchase.

 Mr. Clague explained that after the Board directed Ms. Coryea to close on the Lena Road property, she moved forward with that direction. He responded to a question that the County Administrator takes direction from the Board as a whole.


Motion - Call the Question, Carried

 A motion to call the question was made by Commissioner Kruse, seconded by Commissioner Van Ostenbridge, and carried 4 to 3, with Commissioners Bellamy, Servia and Whitmore voting nay.

 Andra Griffin, Betty Sales Rhodes, Corey Holmes, Glen Gibellina, and Carol Felts commented on the motion.

 Chairman Baugh responded to Citizen concerns and explained an interim County Administrator would be appointed.

There being no further public comment, Chairman Baugh closed public comment.


 Following discussion Mr. Clague responded to questions that he was unaware the meeting was scheduled on the calendar, and he does not know the details as to how the meeting was conducted. He may not have been clear with Commissioner Whitmore regarding notifying the other Commissioners of the meeting. He did not have direct conversation with the County Administrator regarding the meeting.

Motion - Carried


 The motion carried 4-0 with Commissioners Bellamy, Servia, and Whitmore voting nay.

BC20210126DOC006


44. ADMINISTRATOR/CARES ACT FUNDING/CORONAVIRUS (COVID-19) UPDATE

 Jacob Saur, Public Safety Director, used a slide presentation to provide an update on COVID-19 including Manatee County statistics for positive cases, deaths, hospitalizations, vaccine distribution, actions by the Governor's office, and success with vaccine distribution. He played a video regarding the vaccine distribution site.


(Depart Commissioner Satcher and Chairman Baugh, First Vice Chairman Kruse presiding)

 Discussion ensued regarding the distribution of vaccines by the State, the State is focusing on the second dose as well, Manatee is still under a State of Emergency by the Governor, how do health care workers sign up to volunteer to give vaccines, Manatee County Area Transit is being used to provide transportation to residents who do not drive, there has only been one reaction to the vaccines in Manatee County, getting minorities vaccinated, ask Governor to add high risk people to his order for vaccine distribution, and names are not being removed from the pool.


(Enter Chairman Baugh during discussion, Chairman Baugh presiding)


 Mr. Saur explained the Incident Management Team through the State is running the vaccination site at a local Church. He encouraged all eligible citizens to sign up for the pool, and explained transportation will be provided if they need a ride. Long Term Care facilities should be fully vaccinated by February 1, and the hospitals have expended their vaccines

Motion


 A motion was made by Commissioner Bellamy for the County to form a letter to the Governor regarding what can be done to vaccinate high-risk individuals. The motion was seconded by Commissioner Servia.


(Enter Commissioner Satcher)


 Discussion continued regarding the number of people who have pre-existing conditions, how to determine who is high-risk, categorize four or five areas of high risk, need to start a public/private privatization of the vaccine, the vaccine pool does not tract a person's race or ethnicity, inoculating people throughout the County, and contact Hospital administrators.


 Betty Sales Rhodes commented on the low percentage of the minority population that has been vaccinated.

 Andra Griffin requested the County's state of emergency be rescinded.


 Joe Hendricks questioned if the national production act will be enacted, and why the production is so slow.

 Sally Welch stated high risk conditions are listed on the Center for Disease Control website.

 Michelle Martin commented on PCR tests and asked that the procedure for testing be reset. She asked for a broader campaign surrounding the vaccine.

 Laura Hoffman expressed concern regarding PCR test accuracies and stated there should be more rapid testing.


 Dawn Kitterman addressed other citizen comments and misinformation being given.
(Depart Commissioner Van Ostenbridge during Citizen comments)


 There being no further public comment, Chairman Baugh closed public comment.

Motion - Carried


The motion carried 5-1 with Commissioner Satcher voting nay and Commissioner Van

Ostenbridge absent.

 Commissioner Bellamy will bring the letter back to the Board.

 Mr. Saur responded to statements regarding rapid testing, noting various areas throughout the County offering rapid tests.

(Enter Commissioner Van Ostenbridge)

 Karen Stewart, Deputy County Administrator, used a slide presentation to provide an update on CARES Act strategies and the emergency rental assistance program. Items discussed include expenditures for CARES Act must be incurred due to COVID-19, the CARES Dashboard, process for extending CARES funding to June 30, 2021, Phase 3-extended funding and spending plans, Neighborly Software, a Mortgage Assistance Program will be initiated, and there will be a separate program for rental assistance, a round will be open for food distribution, non-profit agreements with more than 95 amendments, funding for community health and wellbeing, and Blake Hospital has chosen to not participate.

Motion

A motion was made by Commissioner Van Ostenbridge and seconded by Commissioner Whitmore to opt into the CARES Act extension through June 30, 2021, approve strategies presented by staff and allow the County Administrator to make adjustments from time to time to meet unexpected needs based on the availability of funds.

 There being no public comment, Chairman Baugh closed public comment.

Discussion ensued that there is money set aside for mortgage assistance from federal taxes.

The motion carried 7-0.

Ms. Stewart continued the slides to present the Emergency Rental Assistance (ERA) programs. Funds are being provided by the federal government, and she reviewed what the funds cover. She continued the slides to review the requirements for the ERA, income requirements, priorities given to those who were unemployed, area median income, steps prior to launch, non-profits can assist with utility payments, and outreach and education.

Motion

A motion was made by Commissioner Servia and seconded by Commissioner Bellamy to adopt Resolution R-21-019 approving the guidelines and form of award letter for the Emergency Rental Assistance Program and allow the County Administrator to make adjustments from time to time to meet unexpected needs and based on availability of funds.


There being no public comment, Chairman Baugh closed public comment.

The motion carried 7-0.
(Depart Commissioner Whitmore)

BC20210126DOC007

CONSENT AGENDA

7. **Citizen Comments** (Consent Agenda Items)

 Glen Gibellina commented on items 9 and 35 requesting numbers regarding renewable energy and for the Mosaic Bond.

39. **CONSENT AGENDA/MOTION**

A motion was made by Commissioner Kruse, seconded by Commissioner Servia, and carried 6-0, with Commissioner Whitmore absent, to approve the Consent Agenda.

8. **CLERKS CONSENT AGENDA**

BC20210126DOC008

A. **MINUTES**

Approve the Minutes of December 1, 2020, and January 6, 2021

B. **REFUNDS**

Approve the following Refunds:

- 1. Jonesing for the Beach LLC – Billing Adjustment, \$1,566.43 BC20210126DOC009
- 2. Mattamy Tampa/Sarasota LLC – Transportation Impact Fees, \$120,590 BC20210126DOC010
- 3. Medallion Home – Transportation Impact Fees, \$65,125 BC20210126DOC011
- 4. Chris Romeo – Retiree Premium, \$1,276.08 BC20210126DOC012

C. **CONTRACTS**

Accept the following Contracts per Chapter 2-26 of the Manatee County Code and pursuant to the Purchasing Division’s Administrative Standards and Procedures Manual

- 1. Construction Agreement 21-R075588AJ with Waterfront Property Services LLC dba Gator Dredging, for stormwater discharge maintenance program in Trailer Estates, \$88,996 BC20210126DOC013
- 2. Construction Agreement 21-R075589AJ with Waterfront Property Services LLC dba Gator Dredging, for stormwater discharge maintenance program at Shaws Aztec Cove, \$48,180 BC20210126DOC014

D. **INSURANCE CERTIFICATES**

Accept the following Certificates:

- 1. Waste Management Holdings, Inc., and All Affiliated Related and Subsidiary Companies including Waste Management of Manatee County – Certificate of Liability BC20210126DOC015
- 2. Waste Pro USA, Inc., and its Subsidiaries – Certificate of Liability Insurance BC20210126DOC016

E. **BONDS**

Accept the following Bonds:

- 1. Heron Creek, Phase II
 - Released Agreement in Conjunction with Letter of Credit (Attachment “A”) as Defect Security Warranting Required Improvements securing roadway, drainage, sewer, and water collection improvements, \$71,163.83; and
 - Released and Returned Letter of Credit (Defect) 335, and any associated riders, \$71,163.83 BC20210126DOC017
- 2. Watercolor Place I
 - Accepted and executed Agreement for Public Improvements securing water distribution system, sanitary sewer system, paving, and stormwater improvements;
 - Accepted and executed Surety Bond (Defect) CS2161179, \$69,686.18;
 - Accepted and executed Surety Bond (Defect) CS2161178, \$215,858.75; and
 - Accepted and executed Bill of Sale BC20210126DOC018

- F. **SHERIFF BOND**
Accept the list of eight additional employees and the deletion of ten employees from the Sheriff's Public Employee Bond BC20210126DOC019
9. **ADMINISTRATOR/ENERGY POLICY**
Adopted the Board of County Commissioners Administrative Policy F.7 Manatee County Government Energy Policy BC20210126DOC020
10. **ADMINISTRATOR/RESOLUTION**
Adopted Resolution R-21-025 authorizing the Manatee County Commissioners to participate in a joint meeting with the Council of Governments on February 2, 2021, to discuss and plan matters of mutual interest BC20210126DOC021
11. **ADMINISTRATOR/LETTER**
Executed a letter of support for the Sarasota Manatee Community Remembrance Project to bring a monument to Newtown to recognize and remember the victims of lynching in Manatee and Sarasota Counties BC20210126DOC022
12. **BUILDING AND DEVELOPMENT SERVICES/ FINAL PLAT/MALLORY PARK PHASE II, SUBPHASE A REPLAT**
 - Executed and authorized recording of Final Subdivision Plat;
 - Authorized recording of the Amendment to the Declaration of Covenants, Conditions and Restrictions for Mallory Park;
 - Accepted, executed, and authorized recording of Consent to Subdivision Plat and All Dedications and Reservations Thereon from Lakewood Ranch Stewardship District;
 - Authorized the County Administrator to Accept, Execute, and Record Agreement for Private Subdivision with Public Improvements for Mallory Park, Phase II, Subphase A Replat;
 - Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Mallory Park, Phase II, Subphase A, Surety Bond 268014356, \$23,400;
 - Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Private Improvements for Mallory Park, Phase II, Subphase A Replat; and
 - Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Mallory Park, Phase II, Subphase A, Surety Bond 268014357, \$100,761.38 BC20210126DOC023
13. **CONVENTION AND VISITORS BUREAU/AGREEMENT**
Authorized the Convention and Visitors Bureau Director, or designee, to execute Addendum 1 to License Agreement 20-224 with Manatee Education Television Consortium (METV) to allow use of the convention center at no charge which does not conform with Rate Resolution 19-003 BC20210126DOC024
14. **FINANCIAL MANAGEMENT/BUDGET AMENDMENT RESOLUTION**
Adopted Budget Amendment Resolution B-21-042 BC20210126DOC025
15. **FINANCIAL MANAGEMENT/AGREEMENT**
Approved annual Agreement total not-to-exceed amount of One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000) for the IHS Non-Exclusive License Agreement, with Indigent Healthcare Solutions, Ltd., for the remaining life of the Agreement BC20210126DOC026

16. **FINANCIAL MANAGEMENT/AGREEMENT**

- Authorized awarding IFBC 21-TA003519DJ – Portosueno Park South Seawall Replacement, to the lowest responsive and responsible bidder, Duncan Seawall, Dock and Boat Lift, LLC, for a total not-to-exceed amount of \$587,343.54, based on a construction completion time of 300 days; and
- Authorized the Procurement Official, or designee, to execute the Agreement and accept and date the Public Construction Bond

BC20210126DOC027

17. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized increasing the not-to-exceed amount for Agreement 17-0523JE - Utility Architecture/Engineering Services by an additional \$5,000,000, for a revised aggregate not-to-exceed total of \$20,000,000, to be allocated as needed with the following seven (7) firms: Ayres Associates; Black & Veatch Corporation; Brown and Caldwell; Jacobs Engineering Group, Inc.; HDR Engineering, Inc.; Kimley-Horn and Associates, Inc.; and McKim and Creed, Inc.

BC20210126DOC028

18. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized the Procurement Official, or designee, to execute Agreement 21-R075323JH for Sanitary Sewer, Stormwater, Line and Manhole Rehabilitation Services, to the lowest responsive and responsible bidders by group:

- Group 1: Hinterland Group, Inc., Shenandoah General Construction LLC, and GML Coatings, Inc.;
- Group 2: BLD Services LLC and Hinterland Group, Inc.;
- Group 3: GML Coatings LLC and Insituform Technologies LLC; and
- Group 4: BLD Services LLC and Insituform Technologies LLC

BC20210126DOC029

19. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorize the Procurement Official, or designee, to execute Agreement 21-TA003485SB for Alzheimer’s Disease Initiative (ADI) Respite, Community Care for the Elderly (CCE) Homemaker, Personal Care, and Respite Services to AM & FM Enterprise, Inc., DBA Allean’s Loving Care; Care for America Corp. DBA Assisting Hands Gulf Coast; Maxim Healthcare Services, Inc.; Right Intentions, Inc., DBA Home Instead Senior Care; Sunshine Health Care Services of Manatee LLC., DBA A Better Solution for an annual aggregate Agreement total not-to-exceed amount of \$2,500,000

BC20210126DOC030

20. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized the Procurement Official, or designee, to execute Amendment 1 to Agreement 19-TA003003CD for Professional Design Services for Manatee County Lincoln Park Pool with Kimley-Horn and Associates, Inc. providing an additional \$30,297 for a revised not-to-exceed amount of \$618,182

BC20210126DOC031

21. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized the Procurement Official, or designee, to execute Change Order 1 to Work Assignment 4 for Agreement 17-0523JE with Black and Veatch Corporation, for the Improvements at Master Lift Stations 27-A, 39-A, and Lakewood Ranch projects in the amount of \$124,485, for a revised not-to-exceed amount of \$652,332

BC20210126DOC032

22. **FINANCIAL MANAGEMENT/RESOLUTION**

Adopted Resolution R-21-013 adopting the Special Pay Plan according to Section 401 of the Internal Revenue Code; retaining Bencor, Inc., as the service provider for the County’s Special Pay Plan; approving the form of plan documents; providing for authority to execute plan documents; and providing an effective date

BC20210126DOC033

23. **NEIGHBORHOOD SERVICES/GRANTS**

- Approved the FY 2020-2021 Neighborhood Enhancement Grant for Peridia Property

- Owners Association for a reimbursement total of up to but not exceeding \$10,000; and
- Authorized the County Administrator, or designee, to approve and execute reimbursement agreements for these same projects funded through the FY 2020-2021 Neighborhood Enhancement Grant program

BC20210126DOC034

24. **NEIGHBORHOOD SERVICES/AGREEMENT**

Executed Amendment 3 to the FY 19/20 Emergency Home Energy Assistance for the Elderly Program (EHEAP) Agreement EH-19/20-MAN between Manatee County and Senior Connection Center, Inc., transferring funds from one line item to another and revising the Budget Summary

BC20210126DOC035

25. **PARKS AND NATURAL RESOURCES/GRANT/AGREEMENT**

Executed Florida Fish and Wildlife Conservation Commission (FWC) Grant Agreement FWC-20013 in the amount of \$60,000 for the Offshore Artificial Reef Project

BC20210126DOC036

26. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**

Accepted Deed from State of Florida, Department of Juvenile Justice for Improvements and Personal Property located at 14494 Harlee Road, Palmetto

BC20210126DOC037

27. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**

- Accepted previously recorded Permanent Utilities Easement from Saunders Family Limited Partnership (includes Consent and Joinder from Chin Road Land Condominium Owners Association, Inc.), for property located at 11295 U.S. 301 North, Parrish; and
- Accepted previously recorded Affidavit of Limited Partnership, Ownership and Encumbrances from Michael Saunders

BC20210126DOC038

28. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**

- Accepted previously recorded Warranty Deed from Moccasin Village LLC for Parcel 140 and Parcel 140.02 of the Moccasin Wallow Road - U.S. 41 to Gateway Boulevard Expansion Project, Capital Improvement Program (CIP), Project 6092560;
- Accepted previously recorded Permanent Right-of-Way Easement from Moccasin Village LLC; and
- Accepted previously recorded Affidavit of Ownership and Encumbrances from Moccasin Village LLC

BC20210126DOC039

29. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**

- Accepted previously recorded Warranty Deed from Corner Properties of St. Pete, Inc., for Parcel 141 of the Moccasin Wallow Road - U.S. 41 Gateway Boulevard Expansion Project - CIP Project 6092560;
- Accepted previously recorded Affidavit of Ownership and Encumbrances from Corner Properties of St. Pete, Inc.

BC20210126DOC040

30. **PROPERTY MANAGEMENT/CONTRACT**

Executed Contract for Sale and Purchase for a Permanent Easement with DST Cortez LLC for the purpose of the Force Main-Lift Station 36A Replacement Project for the property located at 2300 Cortez Road West

BC20210126DOC041

31. **PROPERTY MANAGEMENT/CONTRACT**

Execution of Contract for Sale and Purchase with Carmen J. Pacheco and Jose F. Pacheco and Carmen A. Pacheco and Fernando A. Pacheco for property located at 3407 27th Street East
BC20210126DOC042

32. **PROPERTY MANAGEMENT/CONTRACT**

- Reviewed bid log and approved the sale of surplus land, Parcel ID 5291700002, to the highest and best bidders Gary Parks and Sharon Parks;'
 - Executed Contract for Sale and Purchase with Gary Parks and Sharon Parks; and
 - Executed County Deed conveying Parcel ID 5291700002 to Gary Parks and Sharon Parks
- BC20210126DOC043

33. **PUBLIC SAFETY/AGREEMENT**

Authorized the County Administrator to execute the Affiliation Agreement with the University of South Florida College of Behavioral and Community Sciences Social Worker Program to provide clinical experience for social worker interns through the Community Paramedicine Program
BC20210126DOC044

34. **PUBLIC SAFETY/AGREEMENT**

Executed Shared Space Agreement with East Manatee Fire Rescue for a three-year term that may be renewed for two additional one-year terms, for Ambulance 21 (University Parkway Corridor)
BC20210126DOC045

35. **PUBLIC WORKS/SURETY BOND RIDER**

Accepted Surety Bond KA2977 Rider, in the decreased amount of \$24,681,212 for the Four Corner Mine, Northeast Tract Jameson, Reclamation Bond Value Adjustment
BC20210126DOC046

36. **PUBLIC WORKS/SURPLUS PROPERTY**

Authorized classifying property which is uneconomical to upgrade or repair as surplus per Florida Statute 274.05 to enable appropriate and authorized disposition of said property and authorization to thereafter dispose of such property
BC20210126DOC047

37. **PUBLIC WORKS/FEE WAIVER**

Authorized waiving tipping fees at the Lena Road Landfill for acceptance of dredged sediments from the Lake Brendan Silt Basin for use as a cover material
BC20210126DOC048


38. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/AGREEMENT**

Approved and executed Subordination Agreement for La Mirada Gardens, Ltd., to allow for the reassignment of interests in the project preserve affordable housing
BC20210126DOC049

(End Consent Agenda)

40. **BUILDING AND DEVELOPMENT SERVICES/ADVISORY BOARD APPOINTMENTS**

Appointment of four applicants - three for two-year terms that began October 21, 2020, and one for a two-year term that expires January 25, 2022, for the Criminal Nuisance Abatement Board.

-  **Nominations - Two-year term**
- Bruce Stamm - by Commissioner Kruse
- Robert Price - by Commissioner Servia
- Roshunya Shavon Clark - by Commissioner Servia
- Eric Heydemann by Commissioner Servia
- Alex Dunlap - by Commissioner Bellamy

A motion was made by Commissioner Kruse, seconded by Commissioner Servia, and carried 6-0, with Commissioner Whitmore absent to close nominations. Bruce Stamm, Robert Price and Alex Dunlap were appointed by majority vote for two year terms that began on October 21, 2020.

Nominations – Term expiring January 25, 2022
Roshunya Shavon Clark – by Commissioner Servia

A motion was made by Commissioner Kruse, seconded by Commissioner and carried 6-0, with Commissioner Whitmore absent to close nominations. Roshunya Shavon Clark was appointed to the term expiring January 25, 2022.

BC20210126DOC050

(Enter Commissioner Whitmore)

41. **CONVENTION AND VISITORS BUREAU/ADVISORY BOARD APPOINTMENTS**


Appoint two individuals to the Tourist Development Council

 A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Servia and carried 7-0, to appoint Mayor Gene Brown as an Elected Official to the Tourist Development Board.

Nominations – Hotelier
Rahul Patel – by Commissioner Servia
Michael Wilcox – by Commissioner Van Ostenbridge
France Langan – by Commissioner Whitmore

A motion was made by Commissioner Kruse, seconded by Commissioner Servia, and carried 7-0 to close nominations. Rahul Patel was appointed by majority vote.

 Discussion ensued that the Tourist Development Council represents the entire County, there are other hoteliers from around of the County, and the effects of tourism in District 3.

 Elliot Falcione, Convention and Visitors Bureau Director, reviewed the membership of the Board.

BC20210126DOC051


42. **NEIGHBORHOOD SERVICES/ADVISORY BOARD APPOINTMENTS**

A motion was made by Commissioner Whitmore, seconded by Commissioner Servia, and carried 7-0 to appoint Judge Scott Brownell to the Children’s Services Advisory Board.


BC20210126DOC052


RECESS/RECONVENE: 3:37 p.m. – 3:49 p.m. All Commissioners present.


45. **BUILDING AND DEVELOPMENT SERVICES/RESOLUTION/FEE SCHEDULE**


 Tracy Trahan, Planning Section Manager, used a slide presentation to review a simplified fee schedule and discussed the history of the fees, resources to determine the fees, the current fee schedule, proposed fees schedule included in the agenda packet, application types including small scale, eliminating redundancy, standard addressing included, removed unnecessary items (administrative permits, photocopying), categories and headers for simplicity, most fees have been adjusted to follow recommendations of the fee study, efficiencies that allow for the fee reduction, popular fees for administrative review, public hearing fees, and fees to be removed.

Discussion ensued regarding the amount of time needed to revise the fees, and staff time is being covered in the revised fees.

 Ms. Trahan responded that staff reviewed the study recommendations from many different angles, and they looked at grouping particular application types. The fees are set and cannot be waived.

 John Barnott explained if an application comes in that does not meet the categories, the Director has the ability to adjust the fees, and if fees are out of line, the fee can be adjusted.

 Glen Gibellina commented on affordable housing payment, and requested a fee be implemented to provide funding for affordable housing.

 There being no further public comment, Chairman Baugh closed public comment.


A motion was made by Commissioner Servia and seconded by Commissioner Kruse to adopt Resolution R-21-023 approving the revised Development Review Fee Schedule.

Following a brief discussion, the motion carried 7-0.

BC20210126DOC053

46. **COUNTY ADMINISTRATOR/DASHBOARD REPORT**


The Dashboard Report for August 2020 was provided for information only, and no Board action is required.

 Cheri Coryea, County Administrator, explained there no action needed and the data provided on a monthly basis.


There being no public comment, Chairman Baugh closed public comment.

BC20210126DOC054


47. **PUBLIC WORKS/44TH AVENUE EAST**

 Clarke Davis, Deputy Director Traffic Management, used a slide presentation to address speed limits on 44th Avenue. The report, based on the study, presented to the Board recommended the speed limit remain at 45mph. It is also recommended that there may be an opportunity to install landscaping where the right-of-way stub-outs exist. There were some irrigation lines that were cut and staff has spoken with the contractor regarding repairs.

Discussion ensued regarding traffic noise from vehicles, the homes were there first and they need to consider the residents who live near the road, bring the speed limit down to 40mph, noise issues are at odd times, including cement trucks, vacate the rights-of-way at the stub-outs, buyers were notified in Homeowner's Association documents that a road would be built, cement trucks will make noise no matter what speed they are travelling, trust the engineers, ways to attenuate the noise, 44th Avenue East has been on the thoroughfare plan for years, and there are thousands of homes in the area.

 A motion was made by Commissioner Servia to have a staff bring back a report that talks in detail about reducing speed limit to 40mph and vacating rights-of-way in Wallingford (and other two subdivisions) that stub-out to 44th Avenue. The motion was seconded by Chairman Baugh.

 There being no public comment, Chairman Baugh closed public comment.

 The motion carried 5-2, with Commissioners Whitmore and Van Ostenbridge voting nay.

BC20210126DOC055

COMMISSIONER COMMENTS

Commissioner Bellamy

-  Addressed the Manatee County Port Authority supporting the Tampa Bay Buccaneers with a promotional message
- Thanked Jacob Saur, Public Safety Director, and his team for their efforts with

vaccinations

- Reported on discussions by the Public Safety Coordinating Council, including concerns with COVID-19 positive results and a potential outbreak at the jail; Justice Assistance Grants, and funding for Drug Court
- Commented on discussions from a recent Tampa Bay Area Regional Transit Authority (TBARTA) meeting

Discussion ensued regarding reviewing TBARTA and their fee during the next budget cycle and determine if it is beneficial to remain a member, and Commissioner Bellamy has asked the TBARTA Executive Director to make a presentation to the Board.

Commissioner Van Ostenbridge

- Spoke about improvements at G.T. Bray Park including renovations to tennis and pickle ball courts, soccer fields, little league areas, and the dive well.
- Hopes to be more productive and is looking forward to the budget discussions

Commissioner Satcher

- Stated one of his goals is better roads and sidewalks and keeping people safe
- Explained why he voted against sending a letter to Governor (Item 45) regarding vaccines for high-risk individuals

(Commissioner Comments continued to later in the meeting)

BAYSHORE HIGH SCHOOL CANCER CLUSER STUDY

Commissioner Servia referenced an email from Richard Smith regarding the State Health Department findings on the Bayshore High School Cancer Cluster Study, and she would like to ask the State Health Department to respond to the email.


A motion was made by Commissioner Servia and seconded by Commissioner Whitmore to formally send the email from Richard Smith to the State Health Department from the Board of County Commissioners asking for a response.

There being no public comment, Chairman Baugh closed public comment.

The motion carried 7-0.

BC20210126DOC056

SEABIRDS

 Commissioner Servia referenced an email regarding dangers to seabirds from fishhooks on the Sunshine Skyway fishing pier.

Chairman Baugh explained she also with Pinellas County and Tallahassee has to approve the Florida Fish and Wildlife Commission's involvement. She asked if Commissioner Servia would like to take the lead on this.


A motion was made by Commissioner Servia that following Commissioner Baugh's meeting, the Board should draft a letter to the appropriate State agencies to ask for their help with this problem (seabirds and fishhooks). The motion was seconded by Chairman Baugh.


There being no public comment, Chairman Baugh closed public comment.

The motion carried 7-0.

COMMISSIONER COMMENTS (Continued from earlier in the meeting)

 Commissioner Servia

-  Thanked Code Enforcement and the Building and Development Services Department staff for helping her set a meeting with the landlords in her district

-  Reported the Metropolitan Planning Organization meeting and commented on a sidewalk project for U.S. 41 that has been put on hold due to a County utility issues that needs to be resolved. She asked that it be resolved quickly so the project can be put back on the Florida Department of Transportation work program.
- Reported on a phone conference with the Florida Housing Coalition, that the County has to work with in order to get SHIP funds, and spoke with a representative for a non-profit, and he informed her of what was being done regarding affordable housing
- Commented on the timeframe for the Musgrave land acquisition
- Cautioned everyone to be cautious when hearing comments from people saying they represent a majority of the citizens
- Asked for a succession plan if the County Administrator is terminated, and is fearful of a loss of upper management and staff
- Encouraged Commissioners to stay out of elections and remain focused on County business

Commissioner Whitmore

- Reported on meetings she attended with Emergency Relief Manatee, Petland, and Wildlife, Inc.
- Commented on a letter from Southwest Florida Water Management District regarding total habitat restored

(Commissioner Comments continued to later in the meeting)

LIFT STATIONS

 Commissioner Whitmore inquired if Southwest Tax Increment Funding (TIF) funds can be used to maintain County lift stations and the Cortez Road medians from 59th Street West to the beaches.

A motion was made by Commissioner Whitmore and seconded by Commissioner Van Ostenbridge to bring back discussions about the use of Southwest TIF funds for Cortez Road from 59th Street to the beaches (send a letter to Florida Department of Transportation) and for staff to look at a plan to maintain lift stations throughout Manatee County as far as aesthetics.

There being no public comment, Chairman Baugh closed public comment.

The motion carried 7-0.

COMMISSIONER COMMENTS (Continued from earlier in the meeting)

Commissioner Whitmore

- Met with Lakewood Ranch regarding plans for future development
- Reported on a meeting of the Governmental Task Force
- Commented on Community Land Trusts and the County's surplus property and requested a work session regarding affordable housing


Discussion ensued regarding an affordable housing work session is scheduled in April, need to discuss zoning and surrounding uses, and identify properties that have a better chance for development.

- Spoke about the budget and various needs
- Requested another discussion regarding impact fees
- Asked if a Commissioner on the prevailing side would repeal Resolution R-20-191


Discussion ensued regarding not understanding the reason for the Resolution R-20-191.
(Commissioner Comments continued to later in the meeting)


PINEY POINT/LEGISLATIVE APPROPRIATIONS


Chairman Baugh stated requests to the legislators for appropriations of \$6 million (with a local match of \$6 million) must be filed by February 2 for cleaning the water stored at the Piney Point Reservoir.


 Charlie Hunsicker, Parks and Natural Resources Director, explained no action will be taken by the legislature if the requests are not filed by the deadline. He reviewed a document to be used as a place holder for the requested appropriations and outlined corrections to that document.

Nick Azzara explained the urgency regarding the Appropriations Committee.

 Mr. Hunsicker responded that there are different treatments, and they have not narrowed down a contractor. A feasibility study will be done to determine the desirable technology and the Board will make the final decision.


 Chairman Baugh spoke with HRK and they stated they will work with the Board.


 Discussion ensued regarding how many gallons a day the contractor can filter, Florida Department of Environmental Protection (DEP) will do whatever the Board decides, were will the County's \$6 million match come from, a specific line item has not been identified, the form can be amended to ask for less than the \$6 million, this is a placeholder, the request can be with withdrawn, and Representative Will Robinson's office was not aware of the date change.

 Cheri Coryea, County Administrator read a recommended motion to move forward with submitting the appropriations request to the House of Representatives and Senate of the State of Florida in relation to the Piney Point project.


Motion

The motion as read by Ms. Coryea was made by Commissioner Servia and seconded by Commissioner Kruse.

 Joe Hendricks stated if the State approves the appropriation, and the amount goes up, the State will cover the extra cost. If there is any concern, the county can decide to not pursue.

 Glen Gibellina expressed concern regarding the source of the funding.

There being no further public comment, Chairman Baugh closed public comment.

 Discussion continued regarding deep well injection, bills are proposed and deleted all the

time, it can be pulled out if the Board decides, it cannot be put into appropriations after the deadline, and this is a placeholder.

The motion carried 7-0.
(Depart Commissioner Whitmore)


BC20210126DOC057


COMMISSIONER COMMENTS (Continued from Earlier in the meeting)


Chairman Baugh

- Noted she will be attending committee meetings in Orlando and Tampa next week
- Commented on the timeframe and distribution of the agendas and suggested the Board receive the agenda a week in advance of meetings


Cheri Coryea, County Administrator, stated there would be no problem moving the publish date up.

 Discussion ensued that Commissioners have no issue with this, items are added less than 24 hours prior to the meeting, and it is difficult to make a decision that quickly, this would require moving the briefings up as well, there could be some push back regarding land use items, would like to know how Sarasota handles this, small staff for the amount of work, and need to look at agendas to ensure time sensitive items are not jeopardized.

 William Clague, Chief Assistant County Attorney, responded that briefings for land use meeting will need to be adjusted.

 Discussion continued regarding having one land use meeting for quasi-judicial and a separate meeting for legislative items, proclamations and awards could be done one morning a month and not have them on a regular agenda.

-  Commented on scheduling work sessions, and noted the Board needs to approve the work sessions to ensure they are accomplishing the Board's priorities

 Ms. Coryea explained the work session schedule can be included with the discussion at the February 2, 2021 work session.

LOCAL STATE OF EMERGENCY

A motion was made by Commissioner Servia and seconded by Commissioner Van Ostenbridge to extend the local state of emergency for an additional seven days.

There being no public comment, Chairman Baugh closed public comment.

The motion carried 6-0 with Commissioner Whitmore absent.

ADJOURN

There being no further business, Chairman Baugh adjourned the meeting at 6:06 p.m.

Minutes Approved: February 23, 2021