

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COUNTY ADMINISTRATION BUILDING; HONORABLE PATRICIA M. GLASS CHAMBERS
1112 Manatee Avenue West
Bradenton, Florida
March 23, 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:

Karen Stewart, Acting County Administrator
William Clague, County Attorney
Robin Toth, Deputy Clerk, Clerk of the Circuit Court

 Chairman Baugh called the meeting to order at 9:04 a.m.

INVOCATION AND PLEDGE OF ALLEGIANCE 

The Invocation was delivered by Shiraz Hassan, Islamic Society of Sarasota and Bradenton, followed by the Pledge of Allegiance.

AGENDA

Revised Agenda 1 with Update Memorandum (dated 3/19/21)

BC20210323DOC001

BC20210323DOC002

- Item 3, Citizen Comments (Consideration for Future Agenda Items)
- Item 19, Execution of Amendment 2 to Agreement 19-TA003044CD for Design-Build Agreement for Manatee County East County New Library
- Item 31, Execution and Recording of County Deed from Manatee County to Kevin P. Devine and Kathryn E. Devine for a drainage easement located at 11484 52nd Court East, Parrish – The second to last bullet point in the Background Discussion section was updated to provide clarification
- Item 34, Execution of Contract for Sale and Purchase with Lakewood Ranch Commerce Park Owners Association, Inc., for property located near 44th Avenue East – The Contract was updated and replaced to include a corrected Parcel Sketch (Pages 14, 23 and 34)
- Item 42, Appointment of three residents to the Infrastructure Sales Tax Citizens Oversight Committee:
 - The Background Discussion section was updated to correct the list of applicants;
 - Citizens Oversight Committee Roster was added
- Item 47, Presentation of Redevelopment and Economic Development Annual Reports – Slide 17 in the PowerPoint presentation was updated and replaced to clarify the economic development process. Additional adjustments were made, with no substantial changes to content, for ADA compliance
- Item 49, 2:00 p.m., Time Certain – Presentation of Candidates for the Position of Acting County Administrator – Request for Board direction to Human Resources on desired next steps towards identifying an Acting County Administrator
- Item 50, Update on Tallahassee trip

Revised Agenda 2 with Update Memorandum (dated 3/22/21)

BC20210323DOC003

- Item 31, Executing and Recording of County Deed from Manatee County to Kevin P. Devine and Kathryn E. Devine for a drainage easement located at 11484 52nd Court East, Parrish –

The second page of Exhibit A to the County Deed, which was inadvertently included, has been removed

- Item 38, Execution of Alternative Wastewater Connection Agreement for Rye Crossings with Linda M. Hirsch for the Developer to Connect Rye Crossings to the Manatee County Wastewater System via means of an Alternative Connection – The agreement, executed by Ms. Hirsch and containing Exhibits A and B, was attached to this item. Exhibits C and D, which were not a part of this agreement, were removed
- Item 48, Updates on CARES Act Strategies, the Emergency Rental Assistance Program, and Coronavirus Local Strategies involved with Testing, Local Data, Statistics, and Vaccine Distribution; Extension of Local State of Emergency – The following presentations were added to this item:
 - American Rescue Plan 2021 – Coronavirus State and Local Recovery Fund;
 - On-going Response to the COVID-19 Pandemic
- Item 49, 2:00 p.m., Time Certain – Presentation of Candidates for the Position of Acting County Administrator – A Form Resolution and Contract for Scott Hopes as Acting Administrator (provided by Commissioner Van Ostenbridge), was added to this agenda item
- Item 50, Update on Tallahassee trip – Commissioner Servia’s notes were added to this item
- Item 51, Direction to County Administrator to set aside 200 COVID-19 vaccines for Manatee Sheriff’s Office Deputies or Corrections Officers, who wish to receive a vaccine – Commissioner Van Ostenbridge


Time Certain:


- Item 48, 11:00 a.m. – Updates on CARES Act Strategies, the Emergency Rental Assistance Program, and Coronavirus Local Strategies involved with Testing, Local Data, Statistics, and Vaccine Distribution; Extension of Local State of Emergency
- Item 1, 1:30 p.m. – Retirement Award to Mark Simpson, Utilities Deputy Director
- Item 2, 1:30 p.m. – Proclamation designating March 8, 2021, as International Women’s Day and March 2021, as Women’s History Month in Manatee County

CONSENT AGENDA


 There were no Consent Agenda items pulled by Commissioners.

3. CITIZEN COMMENTS (Consideration for Future Agenda Items)


 Pam Freni, Shelter Manatee, asked the Board why they are not honoring their promise to build a new, east county animal shelter.


 Brenda Miller, Mote Ranch Homeowners Association, asked the Board to address the speeding problem on Honore Avenue.


 Kristina Skepton requested Chairman Vanessa Baugh step down as Chairman.

 Eugene Rose spoke about the pop-up vaccine event held earlier this year in Lakewood Ranch and asked that Commissioner Baugh be removed from Chairman.


 Chris Gilbert commented on the lack of accountability on the dais.


 Dawn Kitterman submitted correspondence addressed to Commissioner Kruse, urging the Board to hold Chairman Baugh accountable for her decision to have the pop-up vaccine site in Lakewood Ranch.


 Glen Gibellina submitted correspondence on the need for homeless veteran housing.

 By telephone, Carol Felts commented on land development changes in District 5.


 By telephone, Chris Johnson, Suncoast Partnership to End Homelessness, thanked the Board and staff on the distribution of CARES funding.

 By telephone, Corey Holmes addressed the need for sidewalks in District 2, attacks between Commissioners, and the need to work together to get projects completed.

 By telephone, Tina Shook spoke about unproductive communication between Commissioners and actions by Chairman Baugh regarding the pop-up vaccine site.


 By telephone, David Daniels agreed with previous speakers on the pop-up vaccine site.

There being no further citizen comments, Chairman Baugh closed Citizen Comments.

 Discussion ensued that Building and Development Services is looking to make changes, Board must unify to address homeless veterans and services, communicate with the coalitions, Lincoln Pool, the vaccine pool incident needs to be addressed, and only the Governor can remove the Chairman from office.

BC20210323DOC004

4. **CITIZEN COMMENTS** (Consent Agenda Items Only)

 Glen Gibellina submitted correspondence on surplus property, commented on Agenda Item 8, and the price of affordable housing at the Oakwood Apartment housing project,

There being no further citizen comments, Chairman Baugh closed Citizens Comments.

BC20210323DOC005

CONSENT AGENDA MOTION

 A motion was made by Commissioner Servia, to approve the Consent Agenda, with the changes incorporated in the Agenda Update Memorandums. The motion was seconded by Commissioner Bellamy.

William Clague, County Attorney, responded to comments by Mr. Gibellina regarding Item 8.

Joy Leggett-Murphy, Property Acquisition, also responded to comments by Mr. Gibellina regarding surplus properties.

The motion to approve the Consent Agenda carried 7-0.

5. **CLERK'S CONSENT AGENDA**

BC20210323DOC006

A. **WARRANT LISTING**

Accepted Warrant (Check) Listing for the Month of February 2021, issued by the Finance Department

BC20210323DOC007

B. **MINUTES**

Approved the Minutes of October 13 and November 10, 2020, and February 18, 2021

C. **REFUNDS**

1. Christian Dempster - Permitting Fees, \$1,919

BC20210323DOC008

2. KB Home Tampa LLC - Educational Impact Fee, \$6,127

BC20210323DOC009

D. **REPORTS**

Accepted:

1. North River Improvement Steward District - District Fee Invoice and Update Form

BC20210323DOC010

2. Required Communications regarding the Manatee County Audit of the 2020

financial statements from Carr Riggs and Ingram LLC

BC20210323DOC011

E. **BONDS**

1. Esplanade, Phase VII

- Released Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements securing wastewater, potable water and surveying improvements, \$7,270.72; and
- Released and returned Surety Bond (Defect) SU1147535, \$7,270.72

BC20210323DOC012

2. Lakewood National Golf Club, Phase IJ

- Released and returned Letter of Credit (Performance) FGAC-19160 and any associated riders in conjunction with performance portion of Agreement for Public Improvements for Private Subdivision, \$417,169.74;
- Released and returned Letter of Credit (Performance) FGAC-19155 and any associated riders in conjunction with performance portion of Agreement for Public Improvements for Private Subdivision, \$690,123.66;
- Accepted and executed Letter of Credit (Performance) FGAC-19346 securing Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on May 21, 2019, securing final lift of asphalt improvements, \$27,294.93;
- Accepted and executed Letter of Credit (Defect) FGAC-20485 securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on May 21, 2019, securing sanitary sewer and water improvements, \$23,369.98; and

- Accepted and executed Bill of Sale

BC20210323DOC013

3. Lakewood National Golf Club, Phase IIK

- Released and returned Letter of Credit (Performance) FGAC-20026, and any associated riders in conjunction with performance portion of Agreement for Public Improvements for Private Subdivision, \$632,742.50;
- Released and returned Letter of Credit (Performance) FGAC-20029, and any associated riders in conjunction with the performance portion of Agreement for Public Improvements for Private Subdivision, \$1,120,171;
- Accepted and executed Letter of Credit FGAC-20378 securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on May 5, 2020, securing sanitary sewer and water improvements, \$43,625.50; and

- Accepted and executed Bill of Sale

BC20210323DOC014

4. Southern Oaks, Phase II

- Released Agreement for Public Subdivision with Public Improvements securing final lift of asphalt improvements, \$59,686.25; and
- Released and returned Surety Bond (Performance) 016213616 and any associated riders, \$59,686.25

BC20210323DOC015

5. Tallevast Commerce Center

- Accepted and executed Surety Bond (Defect) K40575492 securing Section 1.5 Maintenance, Defects of Agreement for Public Improvements securing streets, storm water, sanitary sewer, and water distribution improvements, \$133,419.45;
- Accepted and executed surety Bond (Performance) K40575534 securing Private Improvements, securing final lift of asphalt improvements, \$71,680.44; and
- Accepted and executed Bill of Sale

BC20210323DOC016

F. **SHERIFF BOND**

Accepted the list of three additional employees and deletion of 11 employees from the

Sheriff's Public Employee Bond

BC20210323DOC017

6. **COUNTY ATTORNEY/LAWSUIT/SETTLEMENT**

Rejected Plaintiff's offer of settlement to Manatee County in the amount of \$165,000, in the case of Betty Hill v. Manatee County, Case 2019-CA-1290

BC20210323DOC018

7. **COUNTY ATTORNEY/LAWSUIT/SETTLEMENT**

Allowed Plaintiff's Proposal for settlement in the amount of \$200,000, to Rick Wells, in his capacity as Sheriff of Manatee County, to expire and take no action regarding the Proposal for Settlement, in the matter of Diane Johnston v. Rick Wells, Case 2020-CA-4432

BC20210323DOC019

8. **COUNTY ATTORNEY/LAWSUIT/SETTLEMENT**

Approved settlement in the matter of Adris Humphrey v. Manatee County, OJCC Case 10-011280 EGB, date of accident August 5, 2009; C/SA Claim A2270162

BC20210323DOC020

9. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/CRESSWIND PHASE II, SUBPHASES A, B AND C**

- Authorized execution and recording of Final Subdivision Plat;
- Authorized recording of First Amendment and First Supplemental Declaration to Community Declaration for Cresswind Lakewood Ranch;
- Accepted, executed and authorized recording of Mortgagee's Joinder in and Ratification of Subdivision Plat and all Dedications and Reservations Thereon for Cresswind, Phase II, Subphases A, B and C;
- Authorized the County Administrator, or designee, to accept, execute and record Agreement for Private Subdivision with Public Improvements for Cresswind, Phases IIA, IIB and IIC;
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Cresswind, Phases IIA, IIB, and IIC, Surety Bond LICX1202911, \$274,563.12;
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Cresswind, Phases IIA, IIB and IIC, Surety Bond LICX1202910, \$873,392.98;
- Authorized the County Administrator, or designee, to accept, execute and record Agreement for Private Subdivision with Private Improvements for Cresswind, Phases IIA, IIB and IIC;
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Private Improvements, Cresswind, Phases IIA, IIB and IIC, Surety Bond LICX1202915, \$236,152.07;
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Cresswind, Phases IIA, IIB and IIC, Surety Bond LICX1202912, for \$91,045;
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Cresswind, Phases IIA, IIB and IIC, Surety Bond LICX1202916, for \$32,341.14;
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Cresswind, Phases IIA, IIB and IIC, Surety Bond LICX1202917, \$115,552.72;
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Cresswind, Phases IIA, IIB and IIC, Surety Bond LICX1202913, \$168,477.92;
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Cresswind, Phases IIA, IIB and IIC, Surety Bond LICX1202918, \$1,294,452.20;

- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Cresswind, Phases IIA, IIB and IIC, Surety Bond LICX1202914, \$341,021.98; and
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Cresswind, Phases IIA, IIB and IIC, Surety Bond LICX1202919, \$86,146.32

BC20210323DOC021

10. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/LAKE CLUB PHASE IV, SUBPHASE B-2 AKA GENOA**

- Authorized execution and recording of Final Subdivision Plat;
- Authorized recording of Supplemental Declaration for Lake Club;
- Authorized the County Administrator, or designee, to accept, execute and record Agreement for Private Subdivision with Public Improvements for Lake Club, Phase IV, Subphase B-2 aka Genoa;
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Lake Club Phase IV, Subphase B-2 aka Genoa, Surety Bond LICX1197639, \$867,237.74;
- Authorized the County Administrator, or designee, to accept, execute and record Agreement for Private Subdivision with Private Improvements for Lake Club, Phase IV, Subphase B-2 aka Genoa; and
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Lake Club, Phase IV, Subphase B-2 aka Genoa, Surety Bond LICX1197640, \$1,628,812.12

BC20210323DOC022

11. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/SUMMERHOUSE**

- Authorized execution and recording of Final Subdivision Plat;
- Authorized the County Administrator, or designee, to accept, execute and record Agreement for Private Commercial Subdivision with Private Improvements for Summerhouse;
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Summerhouse, Surety Bond LICX1202952, \$7,931.16; and
- Authorized the County Administrator, or designee, to accept and execute Surety Bond for Performance of Required Improvements, Summerhouse, Surety Bond LICX1202953, \$360,797.09

BC20210323DOC023

12. **FINANCIAL MANAGEMENT/BUDGET AMENDMENT RESOLUTION**

Adopted Budget Amendment Resolution B-21-056

BC20210323DOC024

13. **FINANCIAL MANAGEMENT/AGREEMENT/9TH AVENUE NORTHWEST**

- Authorized to award Agreement 20-TA003483CD, for Professional Transportation Engineering Services for 9th Avenue Northwest Project, from 71st Street Northwest to 99th Street Northwest, to Kimley-Horn and Associates, Inc., in the not-to-exceed amount of \$1,177,159; and
- Authorized the Procurement Official, or designee, to execute Agreement 20-TA003483CD

BC20210323DOC025

14. **FINANCIAL MANAGEMENT/AGREEMENT/STATE ROAD (S.R.) 70**

- Authorized to award Agreement 21-R076446CD, for S.R. 70 at Post Boulevard Temporary Signal to MSB Services LLC, for a total cost of \$299,999, based on a construction completion time of 120 calendar days; and
- Authorized the Procurement Official, or designee, to execute Agreement and accept and date the Public Construction Bond

BC20210323DOC026

15. **FINANCIAL MANAGEMENT/INVITATION FOR BID CONSTRUCTION (IFBC)/STORMWATER DISCHARGE MAINTENANCE SYSTEM**
- Authorized to award IFBC 21-TA003589SAM, for the Stormwater Discharge Maintenance Program – Lake Brendan Silt Basin, to the lowest responsive and responsible bidder, Energy Resources, Inc., for a total, not-to-exceed amount of \$783,200, based on a construction time of 180 calendar days; and
 - Authorized the Procurement Official, or designee, to execute Agreement and accept and date the Public Construction Bond BC20210323DOC027
16. **FINANCIAL MANAGEMENT/INVITATION FOR BID CONSTRUCTION/INSTALLATION OF FORCEMAIN AT 41ST AVENUE/I-75**
- Authorized to award IFBC 212-TA003584DJ, Installation of Force Main at 41st Avenue East and I-75, to the lowest responsive and responsible bidder, Woodruff and Sons, Inc., for a total, not-to-exceed cost of \$985,010.76, based on a construction completion time of 120 days;
 - Authorized the Procurement Official, or designee, to execute Agreement and accept and date the Public Construction Bond; and
 - Adopted Budget Resolution B-21-060, amending the annual budget for Fiscal Year (FY) 21 (This budget amendment adjusts the FY 21-25 Capital Improvement Program [CIP]) BC20210323DOC028
17. **FINANCIAL MANAGEMENT/AGREEMENT/PROFESSIONAL TRANSPORTATION ENGINEERING SERVICES**
- Authorized to **rescind** the individual aggregate, not-to-exceed amounts for Agreement 15-0909JE, for Professional Transportation Engineering Services, with the following five firms: AECOM Technical Services, Inc., Cardno, Inc., Hardesty and Hanover LLC, HDR Engineering, Inc., and Kisinger Campo and Associates, Corp. BC20210323DOC029
18. **FINANCIAL MANAGEMENT/AGREEMENT/TEMPORARY EMPLOYMENT SERVICES**
- Authorized to **rescind** the aggregate, not-to-exceed amounts for Agreement 15-1815JR, for Temporary Employment Services on an as-needed basis, with the following four firms: Ad-Vance Personnel Services, Inc. dba Ad-Vance Talent Solutions, Express Employment Professionals, JMI Staffing Solutions, Inc., and Trident Technical Solutions LLC, dba Ardent Eagle Solutions BC20210323DOC030
19. **FINANCIAL MANAGEMENT/AGREEMENT/EAST COUNTY NEW LIBRARY**
- Authorized the Procurement Official, or designee, to execute Amendment 2 to Design-Build Agreement 19-TA003044CD, for Manatee County East County New Library, in the amount of \$20,000, for a revised, not-to-exceed amount of \$1,122,100, for design and pre-construction services, and for development of a guaranteed maximum price (GMP) and schedule for construction BC20210323DOC031
20. **FINANCIAL MANAGEMENT/CHANGE ORDER/SOUTHEAST WATER RECLAMATION FACILITY (SEWRF) RETURN ACTIVATED SLUDGE (RAS)/WASTE ACTIVATED SLUDGE (WAS) UPGRADE AND PLANT DRAIN PUMP STATION (PDPS) PROJECT**
- Authorized the Procurement Official, or designee, to execute Change Order 1 to Agreement 19-TA003062AJ, SEWRF RAS/WAS Upgrade and PDPS Project with Pool and Kent Company of Florida, adding an additional 80 calendar days to the construction schedule, changing the final completion date to March 26, 2021, with no addition costs incurred BC20210323DOC032
21. **FINANCIAL MANAGEMENT /CHANGE ORDER/MOCCASIN WALLOW ROAD**
- Authorized the Procurement Official, or designee, to execute Change Order 4 to Work Assignment 1 for Agreement 15-0909JE with Cardno, Inc., for the Moccasin Wallow Road (from U.S. 41 to Gillette Drive) project in the amount of \$138,626.75, for a revised total, not-to-exceed amount of \$3,174,817.95 BC20210323DOC033

22. **NEIGHBORHOOD SERVICES/RESOLUTION**
- Adopted Resolution R-21-042, authorizing acceptance and execution of Agreement EH-2021-MAN from Senior Connection Center, Inc., for the Emergency Home Energy Assistance for the Elderly Program, in the amount of \$62,507 (E-agenda memorandum shows funding amount of \$62,507; fully-executed Agreement shows \$62,506.95), for the time period April 1, 2021, to October 15, 2021; and
 - Adopted Budget Resolution B-21-059, amending the annual budget for FY21 BC20210323DOC034
23. **NEIGHBORHOOD SERVICES/GRANT/ROSEDALE MASTER HOMEOWNERS' ASSOCIATION**
- Approved FY 21 Neighborhood Enhancement Grant for Rosedale Master Homeowners 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 FY21 Neighborhood Enhancement Grant Program BC20210323DOC035
24. **NEIGHBORHOOD SERVICES/GRANT/ALZHEIMER'S DISEASE INITIATIVE**
- Executed Amendment 001 to ADI-20/21-MAN Agreement with Senior Connection Center, Inc., for the Alzheimer's Disease Initiative Program, increasing funding amount by \$55,118, and an adopted new Budget Summary reflecting this change; and
 - Adopted Budget Resolution B-21-057, amending the annual budget for FY21 BC20210323DOC036
25. **NEIGHBORHOOD SERVICES/GRANT/COMMUNITY CARE FOR THE ELDERLY**
- Executed Amendment 001 to CCE-20/21-MAN Agreement with Senior Connection Center, Inc., for the Community Care for the Elderly Program, increasing funding amount by \$82,596, and an adopted new Budget Summary reflecting this change; and
 - Adopted Budget Resolution B-21-026, amending the annual budget for FY21 BC20210323DOC037
26. **NEIGHBORHOOD SERVICES/GRANT/HOME CARE FOR THE ELDERLY**
- Executed Amendment 001 to HCE-20/21-MAN Agreement with Senior Connection Center, Inc., for the Home Care for the Elderly Program, increasing funding amount by \$6,610.25, and revising the Budget Summary; and
 - Adopted Budget Resolution B-21-058, amending the annual budget for FY21 BC20210323DOC038
27. **PARKS AND NATURAL RESOURCES/AGREEMENT/NAVIGATIONAL ACCESS IMPROVEMENT AND ASSOCIATED ENVIRONMENTAL MITIGATION**
- Executed Access and Mitigation Agreement with City of Bradenton Beach, for the purpose of navigational access improvement and associated environmental mitigation BC20210323DOC039
28. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Warranty Deed from Lakewood Ranch Commerce Park Owners Association, Inc., to allow for rear access to a permitted, mitigated wetland landfill buffer area along Lakewood Ranch Boulevard; and
 - Authorized to record Affidavit of Ownership and Encumbrances from Lakewood Ranch Commerce Park Owners Association, Inc. BC20210323DOC040
29. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted recorded Warranty Deed from Timothy D. Bragg (includes Partial Release from Regions Bank and Rushmore Loan Management Services), for property located at 7000 Prospect Road, Sarasota, for 1,631 square feet of frontage abutting 36th Street East (Prospect Road), required for the 36th Street East (Prospect Road) - Whitfield Avenue Sidewalk Project BC20210323DOC041
30. **PROPERTY MANAGEMENT/RESOLUTION/STREET VACATION**
- Adopted Resolution R-21-016, declaring a public hearing on April 20, 2021, at 9:00 a.m., or soon thereafter, to vacate a portion of 69th Street East, identified as County Road on the Marineland Subdivision Plat BC20210323DOC042

31. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
Executed and authorized recording of County Deed to Kevin P. Devine and Kathryn E. Devine, Co-Trustees of the Kevin P. Devine Revocable Trust, dated August 30, 2006, for release of a portion of drainage easement, located on the east side of property at 11484 52nd Court East, Parrish BC20210323DOC043
32. **PROPERTY MANAGEMENT/CONTRACT FOR SALE AND PURCHASE**
Executed Contract for Sale and Purchase of a Permanent Drainage Easement with Lakewood Ranch Commerce Park LLC, for 1.897 acres of property located at 10307 Technology Terrace, needed for a proposed pond expansion for the 44th Avenue East Project (Project 6045662), from 44th Avenue Plaza East to Lakewood Ranch Boulevard (approved in FY 15), \$13,000 BC20210323DOC044
33. **PROPERTY MANAGEMENT/CONTRACT FOR SALE AND PURCHASE**
Executed Contract for Sale and Purchase of a Permanent Drainage Easement with Lakewood Ranch Commerce Park Owners Association, Inc., for 3.89 acres of property located near 44th Avenue East, needed for storm water for the 44th Avenue East Project (Project 6045662), from 44th Avenue Plaza East to Lakewood Ranch Boulevard (approved in FY 15), \$26,000 BC20210323DOC045
34. **PROPERTY MANAGEMENT/CONTRACT FOR SALE AND PURCHASE**
Executed Contract for Sale and Purchase with Lakewood Ranch Commerce Park Owners Association, Inc., for 17,121 square feet of right-of-way located near 44th Avenue East, required for the 44th Avenue East expansion Project (Project 6045662), from 44th Avenue Plaza East to Lakewood Ranch Boulevard (approved in FY 15), \$85,700 BC20210323DOC046
35. **PUBLIC WORKS/RESOLUTION/GRANT/TRANSIT**
Adopted Resolution R-21-021, authorizing execution, submission and acceptance of Annual Transit Grant Applications for Federal Transit Administration (FTA) Section 5307 Urbanized Area Formula Grant (\$4,125,739) and Section 5339 Bus and bus Facilities Grant Program (\$460,280), to support Transit-related capital and operating expenses BC20210323DOC047
36. **PUBLIC WORKS/RESOLUTION/2021 MANATEE COUNTY GOVERNMENT TITLE VI/NON-DISCRIMINATION ASSURANCE TO FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)**
 - Adopted Resolution R-21-035, authorizing the Public Works Director to execute the Title VI/Non-discrimination Assurance; and
 - Authorized the ADA/Title VI Coordinator to submit the signed Title VI/Non-Discrimination Assurance and Sub-Recipient Compliance Assessment Tool (SCAT) Form to Florida Department of Transportation (FDOT) District I, using the LAPIT software tool BC20210323DOC048
37. **PUBLIC WORKS/SURPLUS EQUIPMENT**
 - Authorized to classify 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 authorized to thereafter dispose of such property; and
 - Adopted Resolution R-21-043, authorizing donation to University of Florida BC20210323DOC049
38. **PUBLIC WORKS/AGREEMENT/ALTERNATIVE WASTEWATER CONNECTION/RYE CROSSING**
Executed Alternative Wastewater Connection Agreement for Rye Crossings with Linda M. Hirsch, Trustee of the Hirsch Family Trust u/a/d October 21, 2005 (whose address is 700 Monterey Boulevard Northeast, St. Petersburg), for the Developer to connect his project, Rye Crossing, to the Manatee County Wastewater System via means of an alternative connection BC20210323DOC050
39. **PUBLIC WORKS/AGREEMENT/DRAINAGE PIPE REPLACEMENT**
Executed Mutual Release and Hold Harmless Agreement with Timothy E. Hayden and Cindy L. Petrat-Hayden, for property located at 6924 26th Street West, for the unauthorized use and occupation of the Hayden property, in order to remedy a 65-year-old drainage pipe located

between 6920 and 6924 26th Street West that is failing and in need of replacement

BC20210323DOC051

40. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/RESOLUTION/GRANT**

Adopted Resolution R-21-038, finding that Project Essence is approved for an Economic Development Incentive Grant (Projects Essence intends to locate a Manufacturing and R and D [Aquaculture] facility in Manatee County, within the Port Manatee Improvement District and is projected to generate \$10,000,000 in capital investment and create 51 jobs over five years)

BC20210323DOC052


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

Approved and authorized execution of Subordination Agreement with 6720 Oakwood Holdings LLC, for the benefit of Northmarq Capital LLC, for Oakwood Apartments LLC, to allow for the sale of the development to 6720 Oakwood Holdings LLC, and to preserve affordability restrictions

BC20210312DOC053


(End Consent Agenda)

42. **FINANCIAL MANAGEMENT/INFRASTRUCTURE SALES TAX CITIZENS OVERSIGHT COMMITTEE**

 Jan Brewer, Financial Management Director, utilized a power point presentation to give a brief overview of the powers and duties of the Infrastructure Sales Tax Citizens Oversight Committee. She requested the appointment of three Manatee County residents living in the unincorporated area to the Infrastructure Sales Tax Citizens Oversight Committee, each to serve a term of two years. Seven of the ten applicants meet the qualifications of Resolution R-18-130, Section 5.(A). Taura Denis seeks reappointment.

Nomination – Resident Seat 1

Taura Denis – Commissioner Servia

 A motion was made by Commissioner Whitmore, to close nominations and appoint Taura Dennis to Resident Seat 1. The motion was seconded by Commissioner Kruse and carried 6-1, with Commissioner Van Ostenbridge voting nay.

Nomination – Resident Seat 2

Kristy Zinna – Commissioner Bellamy

 A motion was made by Commissioner Whitmore, to close nominations and appoint Kristy Zinna to Resident Seat 2. The motion was seconded by Commissioner Kruse and carried 7-0.

Nominations/Votes – Resident Seat 3

Mary Anne Servian – Commissioners Whitmore

Andra Griffin – Commissioners Van Ostenbridge, Satcher and Baugh

Angela Romero – Commissioners Servia

Brian Spletzer – Commissioners Kruse and Bellamy, Van Ostenbridge

By a count of three votes, Andra Griffin was appointed to Seat 3.

William Clague, County Attorney, stated that in accordance with Florida Statute, the appointment must be by majority vote of the Board.


 By majority vote of the Board, Brian Spletzer was appointed to Seat 3. BC20210323DOC054

ADVERTISED PUBLIC HEARINGS (Presentations upon Request)

43. **COUNTY ADMINISTRATOR/LOCAL DEVELOPMENT AGREEMENT/SUMMERWOODS**


A duly advertised public hearing was held to consider approval and execution of Second

Amended and Restated Local Development Agreement LDA-09-04(R5) for Summerwoods with VK Summerwoods LLC.

 Nicole Knapp, Impact Fee Administrator, stated this is the second of two, required public hearings. The Amended and Restated Local Development Agreement include terms related to concurrency requirements, other transportation improvements around the perimeter of the site, and impact fee credit eligible transportation improvements.


She submitted the first four pages of the revised staff report, pointing out the only changes are everywhere it is mentioned that this is the first of two public hearings; it should say the second of two public hearings. The remaining staff report has not changed. BC20210323DOC055

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

 A motion was made by Commissioner Whitmore, to approve and authorize execution of LDA-09-04(R5), Second Amended and Restated Local Development Agreement for Summerwoods. The motion was seconded by Commissioner Servia and carried 7-0. BC20210323DOC056

44. **COUNTY ADMINISTRATOR/ORDINANCE/AMENDMENT/NO PARKING**

A duly advertised public hearing was held to consider adoption of Ordinance 21-16, amending Section 2-22-24 of the Manatee County Code, concerning No Stopping, Standing and parking designations; providing for codifications; providing for severability; and, providing for an effective date.

 Aaron Burkett, Traffic Operations Division Manager, outlined several proposed revisions to Manatee County Code 2-22-24. Signs are posted properly at the Holly Avenue location; this is just maintenance of the Ordinance.

1. Restrict parking in the right-of-way within all County-maintained, reduced speed school zones. It is staff’s opinion this restriction will improve safety for drivers and pedestrians. This restriction would apply to all existing and future reduced speed zones on County Maintained roadways. A qualified enforcement area would consist of an appropriately signed and marked reduced speed school zone located on a county-maintained road, within unincorporated areas of the County;
2. Add six, site-specific locations:
No Stopping, Standing or Parking Anytime:
 - Fort Hamer Road – From Fort Hamer Road Bridge to a point north 1,000 feet;
 - Center Road – From Terra Ceia Road to a point north 250 feet (east side of road only);
 - Center Road – From Terra Ceia Road to a point north 140 feet (west side of road only);
 - 49th Avenue East – From Moccasin Wallow Road to 92nd Street East;
 - 57th Avenue Drive East – To a point 100 feet west of 15th Street East (north side of road);
 - 57th Avenue Drive East – To a point 325 feet west of 15th Street East (south side of road); and
3. Correct scrivener’s errors in the way one of the restrictions is listed for Holly Avenue

There was discussion regarding public safety issues in school areas, the six locations were requested by the Sheriff and Code Enforcement, the information was shared with School District staff and they are in favor, staff to communicate with School District, Sheriff and Code Enforcement during transition prior to enforcement, the County should be proactive, Commissioner Kruse disagrees with the Fort Hamer Road/Boat Ramp location, County is not providing adequate parking, the public has not been noticed on this issue, there is a past

request to stagger school parking times, some schools have parking restrictions but many do not, schools could stagger class dismissal times, Mr. Burkett suggested the Board delay this step until June so staff can work with the School District on a solution and return to the Board, ask principals to share information with parents, if the County identifies this as a safety issue the County cannot overlook liability, County wants to relocate the parking in front of a home in Terra Ceia.



Holly Avenue is located off Whitfield Avenue, on the west side of U.S. 41. Holly Avenue is currently listed twice in the Code (Section 2-22-24), under the No Stopping, Standing or Parking Any Time section, and under the No Stopping, Standing, or Parking section, from 6:00 a.m. to 2:00 a.m., on Friday, Saturday and Sunday. According to existing posted signs, Holly Avenue should be listed under the No Stopping, Standing, or Parking section, from 6:00 a.m. to 2:00 a.m., in Ordinance 21-16. There is also an error in the time restriction of 6:00 a.m. Ordinance 21-16 corrects the time error to read 6:00 p.m., on Page 23.

Commissioner Van Ostenbridge stated he does not support government taking away citizen's rights and privileges, does not support parking at the schools, does not support Fort Hamer Road, but supports the revisions to Center Road, 57th Avenue Drive East and the scriveners' error on Holly Avenue. There may be other locations where citizens can park and no-idling signs could be added.

Commissioner Servia spoke in support of 57th Avenue Drive East, as there are used car dealerships in this area, one which does not have enough room on site for their business, and cars are parked on both sides of the street. Public streets cannot be used for this business. There is room to stack up at school drop-off loops, but there is not enough time with working parents. Parents must know the rules, be notified when the rules change, and make sure there is never an access issue with law enforcement or public safety.

She also questioned if there is any place to park boat trailers at Fort Hamer boat ramp, as the Sheriff is experiencing safety issues and people want to get in their boats. Code Enforcement indicated this occurs several times a year during the busiest weekends and certain times of the month, but there are only one or two boat ramps on this side of the County.

Mr. Burkett stated some overflow parking has been allowed on the west side of the bridge on Fort Hamer Road, south of the parking lot in the grass area.

Clarke Davis, Deputy Director, Traffic Management, recommended Fort Hamer Road be pulled for further examination. It is very likely the parking on the side of Fort Hamer southbound blocks the visibility of vehicles pulling out. It may be a matter of restricting parking very close to the intersection. Staff needs to look at the site triangles and allow parking on the balance of the road. Commissioner Servia agreed this may solve the problem.





Commissioner Satcher stated he did not feel safe with the traffic pattern at Virgil Mill Elementary School, but does not support creating additional liability/regulations. The County and School District should take responsibility to provide a safe parking plan. He concurred with comments regarding Fort Hamer Boat Ramp and agreed the County should provide parking (even if temporary) in the grass area.


Motion to Table





A motion was made by Commissioner Satcher, to adopt 57th Avenue Drive East and Center Road, and table discussion on the other locations to come back. The motion was seconded by Commissioner Van Ostenbridge.

 Commissioner Van Ostenbridge addressed Center Road and 57th Avenue Drive East, and stated his original comment tied the no-idling to 57th Avenue Drive East and Center Road. He clarified that the no-idling suggestion applies only to Center Road.


 Commissioner Whitmore asked to amend the motion for staff to ask School principals and law enforcement on the source of complaints of safety issues and that both entities come together to develop a plan for the County to enforce and apply it at schools that have issues.


 Commissioner Satcher stated the intent of the motion was to table the school parking and standing issue and for the motion to stand as is, with the understanding that staff could come back to the Board.


 Commissioner Whitmore agreed with Commissioner Satcher and asked that staff communicate with the schools that have issues and let the principals and law enforcement work out a plan with County involvement.


 Due to concern, Mr. Davis stated the proposed parking restrictions in school zones would be removed to allow staff to work with School representatives on the best approach. The scriveners' error on Holly Avenue would be included. Fort Hamer Road would be removed for staff to review the extent of the no parking zone and focus on safety, keep Center Road, but introduce no idling in the sections where parking is still allowed, unsure as to whether 49th Avenue East is to remain, and 57th Avenue Drive East is to remain as is.


Motion to Table Restated


 Commissioner Satcher restated his motion for 57th Avenue Drive East and Center Road to be included and approved, and everything else to be tabled. The wise thing would be to bring each of the other locations to the Board separately. Commissioner Van Ostenbridge, as seconder to the motion, agreed.


 Commissioner Bellamy stated the no parking/no standing needs to be looked at from the perspective of School administration trying to assure parents of safety and security during the course of the day. There could be potential risk if people are allowed to park or stand in front of a school.


 Commissioner Servia asked Commissioner Satcher if he would consider including in the motion, the scriveners' error for Holly Avenue, because it was not included. Commissioner Satcher agreed, and the seconder to the motion agreed.


 William Clague, County Attorney, stated he would offer a revised motion at the appropriate time.


 As to the school concerns by Commissioner Bellamy, Commissioner Van Ostenbridge stated the motion on the floor is to table the school issues.

 Commissioner Bellamy stated a posted, no parking/no standing sign is enforceable; however, if there is no sign, it is not enforceable.


 Commissioner Van Ostenbridge stated he would want to hear from the School Board first.


 Commissioner Kruse commented why the school issues are being tabled at this time.

 Mr. Davis stated staff would work with the School District to formulate a consistent approach and come back to the Board.

 Glen Gibellina submitted a diagram and offered solutions.

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


 William Clague, County Attorney, requested clarification from staff about the scrivener's error; specifically, the page it is on, so the motion is accurate and reflects the correction.


 Mr. Burkett stated staff provided an updated Exhibit A to Ordinance 21-16, showing Holly Avenue stricken on Page 18, under Section 2-22-24 - Stopping, Standing and Parking in County rights-of-way. It is also shown on Page 23 under the No Stopping, Standing or Parking from 6:00 p.m. to 2:00 a.m. A duplicate reference to Holly Avenue for the same location was deleted. The location listed under the No Stopping, Standing and Parking at Any Time on Page 18 was deleted, and, the location listed under the No Stopping, Standing or Parking from 6:00 p.m. to 2:00 a.m., on Friday, Saturday and Sunday on Page 23 is correct and remains in the Ordinance.


Mr. Davis stated the Board selected certain items to remain in the ordinance and defer others.

Staff requested adoption of Ordinance 21-16, deleting the duplicate entry for Holly Avenue in Municipal Code, Section 2-22-24.

Motion Reworded

 Mr. Clague reworded the motion: I move to adopt Ordinance 21-16, in the form entered into the record by staff, with the following changes of removing the areas on Fort Hamer and Moccasin Wallow Road, and removing underlined paragraph (c) in the text of the Ordinance (regarding the School Board).

 Commissioner Satcher so moved the motion worded by Mr. Clague. Commissioner Van Ostenbridge, as seconder, agreed.

 Upon question, Mr. Clague stated both 57th Avenue Drive East and Center Road remain in the Ordinance.

 The motion carried 7-0.

BC20210323DOC057

RECESS/RECONVENE: 10:56 a.m. - 11:07 a.m. All Commissioners were present.


48. COUNTY ADMINISTRATOR/UPDATES ON CARES ACT STRATEGIES/EMERGENCY RENTAL ASSISTANCE PROGRAM/CORONAVIRUS LOCAL STRATEGIES INVOLVED WITH TESTING, LOCAL DATA, STATISTICS, AND VACCINE DISTRIBUTION/EXTENSION OF LOCAL STATE OF EMERGENCY


Jacob Saur, Public Safety Director, utilized a slide presentation and stated all the data is based off the most recent information from Florida Department of Health and reported directly to Public Safety from local hospitals. There are 33,140 reported Manatee County residents that have tested positive for COVID-19, which includes 630 confirmed fatalities; this is an increase of 1,143 new cases and 16 deaths since March 9. Manatee County Emergency Operations Center remains at a Level 2 Activation and under a Local State of Emergency.


He continued with slides of positive cases by date, daily and seven-day average percent positivity, COVID-19 Positive in local hospitals, Manatee County continues to be at a partial activation of Stage 2, Governor's Executive Order 21-67 adds persons 50 years of age and older to receive the vaccine, vaccine workgroup vaccine distribution by date, weekly vaccine operations at county points of distribution, transition to the new vaccine pool system has gone smoothly, uptick in new registrations due to lowering age restrictions, vaccination planning and expansion going forward, registration has opened up to ages 18 and older, success in reaching and vaccinating this age group last week and the Federal Retail Pharmacy Program. To date, a total of 104,260 Manatee County Residents are vaccinated.

Discussion ensued regarding spoiled vaccine doses at Lakewood Ranch mobile clinic, both Manatee County's pods are managed and the County draws up vaccines as they come in, those under 18 are vaccinated if they are vulnerable, large outbreak in Holmes Beach City hall, Bennett Park site, all vaccine records are documented as soon as possible, hospitals are receiving allotments of doses, the State has discussed physicians getting doses to determine the best vaccine, Pfizer cannot be stored at a physician's office, physician offices will be able to administer vaccines once a stable supply chain is found, the Centers for Disease Control has published new guidelines for those that have been vaccinated, groups where masks are not required, test sites, how many in the 60s group that need the vaccine, roughly 30-32,000 remain in the vaccine pool, those 65 and older have been offered an appointment unless they opt out, at what point does Manatee County move to a first come/first serve basis, vaccine pool is moving quickly, Public Safety site vaccinates 1,300-1,400 daily and State vaccine pods.


Discussion continued that County and FDOH employees are assisting in the vaccine process, staff has enough people in the vaccine pool to fully schedule, the State is doing up to 28 vaccines every 15 minutes, Public Safety staff is doing 220-250 vaccines per hour, average number of daily positive results, positivity rate is lower and one-half of the people are being tested, how many vaccines are currently on hand in the County, weekly allotments, approximately 32,000 people are currently in the vaccine pool, Manatee County should move quickly to a first come/first serve basis, and Governor DeSantis extended the State of Emergency for 90 days and it is not up for renewal.

 Commissioner Van Ostenbridge agreed to complete the 32,000 in the vaccine pool and then transition with Sarasota County to the first-come/first-serve basis system.


 Commissioner Satcher was told the emergency rooms were full and people were experiencing side effects after receiving the vaccine.


 Commissioner Kruse stated he toured two very busy emergency rooms last week that were full to capacity.

Karen Stewart, Acting County Administrator, continued with a CARES extension update, \$296,000 was approved for personal protective equipment (PPE) with \$210,000 still available, 256 applications received for small business grants, rental assistance program and mortgage assistance support, additional time for people to submit required information, new protocols, and an unprecedented number of telephone calls made to 211.

 She continued with slides on the American Rescue Plan (ARP) 2021, ARP Direct Federal Aid to States, Florida received the fourth largest allocation, counties receive a direct Federal allocation based on share of population, every municipality in Manatee County is receiving an allocation, ways the County can use the Funds, deadline to expend funds is December 31, 2024, additional funds of Interest from Florida Institute of County Government, identify

projects and the next steps, and the next report to the Board is April 5.

 Further discussion occurred regarding a clause in the Act that any municipality or government cannot lower their taxes this year, time to look at the County's library of contractors and consultants, the Governor does not want to supplant things the government already pays for, two, longstanding issues could be accomplished to provide sewer in old Parrish that want to connect at U.S. 301 and those near Port Manatee, gas tax reductions need to be watched, make sure Manatee County infrastructure is top priority and the County is shovel ready.

 Michelle Martin stated Dr. Anthony Fauci, Director of the National Institute of Allergy and Infectious Diseases, agreed the vaccine was not approved by the Food and Drug Administration, there are no long-term studies, we are all test subjects with this vaccine, and she urged the public to study this for themselves.

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


Motion


 A motion was made by Commissioner Whitmore, to extend the State of Emergency for another week. The motion was seconded by Commissioner Servia and carried 6-0, with Commissioner Kruse absent.

BC20210323DOC058

RECESS/RECONVENE: 12:12 p.m. – 1:30 p.m. All Commissioners were present.


AWARD


1.  A Retirement Award was presented to Mark Simpson, Utilities Deputy Director, honoring 38 years of service.

 Katie Gilmore, Water Division Manager, thanked Mr. Simpson for serving Manatee County. Kevin Morris, formerly with Peace River Water Authority Board, will fill Mr. Simpson's position.

BC20210323DOC059


PROCLAMATION


 A motion was made by Commissioner Whitmore, seconded by Commissioner Van Ostenbridge and carried 7-0, to adopt the following Proclamation:

2.  International Women's Day, March 8, 2021, and the month of March 2021, as Women's History Month in Manatee County, was accepted by Hannah Pierce, student at Florida State University and Intern with Manatee County.


BC20210323DOC060


49. **HUMAN RESOURCES/POSITION OF ACTING COUNTY ADMINISTRATOR**

 Kim Stroud, Human Resources Director, stated Human Resources was directed (3/4/21) to advertise the position of Acting County Administrator for a period of one week. The position was posted March 5 on social media sites including LinkedIn, Facebook and a variety of public sector organizations. The advertisement closed March 12, and 30 applications were distributed to Board Members as they were received. Board members each agreed to submit up to three candidates in order of preference, and to coordinate with Ms. Stroud if they wished to speak with any of the applicants prior to this meeting.

 Ms. Stroud received information from five Commissioners that included the names of six candidates with ranking: Dr. Scott Hopes, Joseph Napoli, Sharon Ann Eberman, Christopher Rose, Hector Rivera, Sr., and Leonard Sossamon. Commissioner Van Ostenbridge submitted a


Form Resolution and Contract for Dr. Scott Hopes as Acting County Administrator (attached to Agenda Update Memorandum dated 3/22/21). She asked the Board to provide direction on what is needed from Human Resources toward the decision of Acting County Administrator.

 William Clague, County Attorney, stated the Board directed him to draft language placing constraints on the ability of the Acting County Administrator to fire department directors and the Deputy Administrator. The drafted language was included in a red-line resolution with the Agenda Update Memorandum (dated 3/22/21). Upon discussion with Ms. Stroud, it was decided this was the best approach to require whomever is selected, assuming the Board uses this language, to go through the County's disciplinary policy in order to let someone go, rather than what is normally done with at-will employees. It is an attempt to draw balance and place constraints on that decision where they have to go through a disciplinary policy and practice first. The Acting Administrator will not be able to replace department directors at will, because they want someone else. It also means that people cannot be removed from their position, because they did what the prior Administrator or prior Board told them to do. That is not a disciplinary action, but a policy level decision. Those are the constraints encompassed by the drafted language, assuming the Board were to incorporate that language in the final resolution and agreement.

 Commissioner Van Ostenbridge stated Dr. Hopes' resume stands apart from the others, as he is the most qualified applicant, the only applicant to engage in this process and has attended recent meetings. Dr. Hopes met with every member of the Board, key department heads, and spoke with the County Attorney. Dr. Hopes has established relationships at County and State levels, and is the only applicant that has been approved by the voters countywide in a non-partisan election in Manatee County.


Motion – Appoint Dr. Hopes


 A motion was made by Commissioner Van Ostenbridge, to appoint Dr. Scott Hopes the Acting County Administrator for Manatee County.


 Mr. Clague stated a red-line resolution in the Agenda Update Memorandum reflects changes by Dr. Hopes to the Form Resolution and language Mr. Clague referenced earlier in the meeting. The Board could move to adopt Resolution R-21-048, which is also the same resolution number if the Board were to extend the appointment of Karen Stewart as Acting County Administrator.

Mr. Clague distributed an alternative version of Resolution R-21-048, reflecting suggested changes by Dr. Hopes.


Motion Clarified – Adopt Resolution R-21-048


 By request of Commissioner Van Ostenbridge, Mr. Clague recited the following motion: I move to adopt Resolution R-21-048, appointing Dr. Scott Hopes as Acting County Administrator.


 Commissioner Van Ostenbridge moved the motion recited by Mr. Clague. The motion was seconded by Commissioner Satcher.


 Commissioner Whitmore stated Commissioners were given an assignment to bring three candidates to the Board, and the selected candidates were to be vetted. The process previously agreed to by the Board has not been followed. It is inaccurate to say there were no other qualified candidates, as her three candidates were well qualified in county government. She has not received any positive comments about Dr. Hopes. She would not support the

selection of Dr. Hopes, and preferred someone who was knowledgeable of County Government and not the School Board. The process has been usurped and it is unfair to the citizens of Manatee County.


 Commissioner Bellamy had asked Dr. Hopes if he was promised the job, because the search process approved by the Board was not followed. The non-partisan election for Dr. Hopes was for a School Board member and not a County Administrator. He would not support Dr. Hopes as Acting County Administrator.


 Commissioner Servia asked the Board to honor the search process and get public input. She asked Dr. Hopes to explain how he would transition from governance to administration and if he is a part of any litigation.


 Ms. Stroud stated she provided the Board a spreadsheet about the 30 candidates (with agenda packet). Of the five Commissioners who each presented three candidates, Scott Hopes received a rank of one from four Commissioners, Joseph Napoli received a rank of one from one Commissioner and a rank of two from two Commissioners. Sharon Ann Eberman received a rank of three from one Commissioner, Christopher Rose received a rank of two from one Commissioner, Hector Rivera, Sr., received a rank of three from one Commissioner, and Leonard Sossamon received a rank of three from one Commissioner.


 Commissioner Kruse stated three candidates were ranked number three, and Scott Hopes and Joseph Napoli were ranked number one. Mr. Napoli was rated number one by Commissioner Whitmore so that someone else could be vetted.


 Commissioner Whitmore expressed concern of making the right decision without going through the vetting process. She urged the Board to be transparent in this process.

 Commissioner Baugh stated she was one of the Commissioners that did not submit the names of any candidates, because she misunderstood the task from the County Attorney. She would not vote for Dr. Hopes or anyone as permanent County Administrator at this time, but believed he would do a good job as Interim, which would give the Board time to move toward an in-depth search to fill the permanent position.

 Commissioner Kruse stated he reviewed the 30 applications and chose three candidates. Mr. Napoli was vetted, but Dr. Hopes appeared to be the best candidate.


 Commissioner Bellamy reminded the Board Dr. Hopes stated publicly he did not want the permanent position of County Administrator, but only wanted to serve as Interim until a permanent County Administrator was found. He suggested the Board revisit Dr. Hopes' comments, with the intent that if he is made Interim, that he does not have the ability to apply for the permanent position.


 Commissioner Whitmore state Mr. Napoli and has managed the same size government as Manatee County. She was told Dr. Hopes wanted the permanent position, but stated the Board should still interview the top two candidates.


 Commissioner Servia stated the Board is moving too fast and the search process should be followed. The salary on the red-line version of the contract from Dr. Hopes was \$210,000, but the Board was told that a salary of \$186,000 for Mr. Hines was too high. The Board


should discuss salary and benefits. She asked that Dr. Hopes answer her questions before a vote is taken.


Commissioner Van Ostenbridge requested the Board take public comment and then vote.


 Commissioner Whitmore questioned the \$210,000 salary proffered by Dr. Hopes without ever serving as a County Administrator and without being vetted. She would not support the motion if the process was not done correctly.

 As to how the \$210,000 salary was determined, Commissioner Van Ostenbridge stated he arrived at \$210,000 following discussion with Dr. Hopes. The Board could vote yes or no, or the motion could be amended.


 Rodney Jones stated the Board would make a big mistake by appointing Dr. Hopes. No one knows his performance, he has not been vetted, he was under investigation by the FBI for corruption, and the School Board could not account for lost revenues under his leadership. He has applied for four jobs since being elected to the School Board.


 Corey Holmes complimented Dr. Hopes and his work on the School Board.


 Michael Neal spoke in favor of Dr. Hopes, but the public is hypercritical and not well served by this action. Dr. Hopes is a Manatee County resident and was appointed to the School Board by former Governor Rick Scott. He suggested the Board enter into a one-year contract with Dr. Hopes as Interim County Administrator and place constraints on his authority.


 Ken Piper stated Dr. Hopes is familiar with zero-based and outcome-based budgeting, he has experience with the School Board budget, which is larger than the County's budget, and been on both sides of government and would incorporate the priorities of Commissioners.


(Commissioner Kruse was absent for a portion of comments)


 By telephone, Carol Felts stated the Board invested time discussing how to proceed with this process. She agreed with Commissioner Bellamy that the Board has not thoroughly reviewed the contract presented and is not aware of the effects of hiring an individual from a troubled School Board.

 By telephone, Glen Gibellina opined that Dr. Hopes is able to fill the position, but did not agree with the salary. The search process has not been followed and the public should be involved in vetting the candidates. He noted Dr. Hopes commented in a previous meeting (2/23/21) that he would serve as Acting County Administrator with no contract and no salary.


 By telephone, Dawn Kitterman stated a background check has not been conducted on Dr. Hopes, nor has a background check been rolled over from his previous position. There are numerous questions continually raised regarding federal investigations. Commissioner Van Ostenbridge has strayed away from transparency, and some Commissioners do not have a conscience of proceeding with the process recently decided upon by the Board.


 By telephone, Joseph Smith stated the residents of Manatee County are frustrated with the Board moving in this direction.


 By telephone, Matt Bower stated he did not know much about Dr. Hopes, that Dr. Hopes should state on the record that he is not interested in the permanent position, the Board is not following the process they agreed upon, and the proposed salary is too high for a person that does not have County Government experience.


 By telephone, Cindy Spray stated she did not understand why this interim position was being so highly contested. Board members who do not support Dr. Hopes should reduce the proposed salary.


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

 Commissioner Whitmore reviewed the resumes of the candidates, a salary of \$210,000 is excessive as a new Administrator, and Dr. Hopes is being pushed through. The two top candidates should be interviewed and a background check should be done on Dr. Hopes.


 Commissioner Servia stated Dr. Hopes was her top choice, but she would not support the motion by Commissioner Van Ostenbridge. She asked the Board to slow down and honor the process before taking action.

 Commissioner Bellamy stated the Board should follow the process, but expressed concern that Dr. Hopes may be facing legal matters. He asked that whomever negotiates contracts for the County to identify the salary for the County Administrator.


 Chairman Baugh noted that she negotiated twice the contract for the Port Director, but that was only done by a vote of the Board.


 Mr. Clague stated that when one Commissioner serves in the position of negotiator, they only bring options to the Board for consideration and approval. It is ultimately the Board that makes the final decision.


Mr. Bellamy stated it was his understanding that a Commissioner does not come up with a bottom line salary and put it in a resolution.


 Upon question by Commissioner Van Ostenbridge to Mr. Clague as to whether there was anything illegal in the way in which he presented his recommendation, Mr. Clague responded that he did not see anything illegal. Mr. Clague stated past practice has been that the County Attorney participated in negotiation discussions, but that does not mean it is illegal that the County Attorney not participate.

Commissioner Kruse responded to comments from Carol Felts and agreed with Glen Gibellina on the lack of public involvement. He emphasized this position is an interim position with a 15-day termination clause and he would push for public input. The Board promised a process, and he did not understand why the process was stopped. Five of seven Commissioners ranked Dr. Hopes number one with one Commissioner in favor of someone else. He reviewed all 30 resumes and the applicant list was narrowed to two candidates. The salary should be negotiated in good faith and the process should have been voted on by the Board. Individual ZOOM calls with one person would waste too much time at this point. He suggested the Board conduct a rudimentary background check and take action next Tuesday. He would not support the motion on the floor.

 Commissioner Van Ostenbridge stated the School Board conducts background checks. This contract was voted on and approved by this Board and then he filled in certain blanks including the applicant's name and salary. He presented the resolution to the Board as an option and does not feel the Board is considering two candidates, but only one, which was ranked number one by five Commissioners. Delaying action prolongs the process and the County needs to move forward.

 Commissioner Kruse stated the options presented by Commissioner Van Ostenbridge are to approve or not approve his document. Commissioner Van Ostenbridge is trying to stop the process. The Board promised citizens due diligence, and he reiterated his request that the Board follow through with the process and take action next Tuesday.


 Commissioner Van Ostenbridge stated the process resulted in one candidate, and that he would be open to specific changes to the contract he presented.

 Upon question, Mr. Clague stated both he and Ms. Stroud received the document for Dr. Scott Hopes from Commissioner Van Ostenbridge by email on Sunday. Upon further question as to why Commissioners did not receive the document until yesterday evening, Mr. Clague stated he wanted all Commissioners to receive the document at the same time, so as not to create a sunshine law issue by circulating the document during briefings. Commissioners received the document first in the agenda update from the Agenda Coordinator and then by email from him shortly thereafter. The document was the form the County already approved, with some blanks filled in and additional language requested by Chairman Baugh at the last meeting.


(Further action following Recess)


RECESS/RECONVENE: 3:20 p.m. – 3:40 p.m. All Commissioners were present.

49. **HUMAN RESOURCES/POSITION OF ACTING COUNTY ADMINISTRATOR** (continued)


 Commissioner Satcher pointed out the process has been discussed, three candidates were presented and the Board keeps discussing the same people. He noted Dr. Hopes has attended every meeting and, at this point, it is obvious. If a non-resident of Manatee County were selected, this person would have to relocate and the Board pay relocation costs. Dr. Hopes is a county resident and has the business background Manatee County seeks. Five of seven Commissioners had Dr. Hopes as their top-ranked candidate. He urged the Board to take action and discouraged further public comment.


Dr. Hopes indicated from the audience that he had two background checks. He offered to respond to Commissioner Servia's questions if asked to do so by the Board.


 Chairman Baugh emphasized this is an interim position and not the permanent County Administrator position.


 Scott Hopes stated he was not under investigation by the FBI nor Florida Department of Law Enforcement, and those comments were rumor and incorrect. A prior public comment speaker, who spoke about this rumor was removed from School Board Chambers and arrested. He noted School Board members must undergo a Level 2 background check with fingerprinting. He is an assistant professor at the University of South Florida (USF), and USF performs annual background checks, education and employment.

Inasmuch as Dr. Hopes is currently an elected School Board member and is seeking a position of administration, Commissioner Servia questioned if he could successfully transition from policy maker to executing the Board's policy and do what the Board instructs him to do.


 Dr. Hopes expounded on his credentials, he was here to serve the public and is very comfortable with collaborating with Commissioners and transitioning, but assessed whether he could be successful as Interim County Administrator. He was asked to consider the interim position and did not apply until the County Commission made the position an application process. He would not be at this meeting today if he did not think he could bring the county's policies to successful implementation and the priorities of Commissioners to fruition. The reason why he asked each Commissioner their priorities was to determine if he could support and successfully implement them. He applied for this position to broaden his opportunity to further serve the citizens of Manatee County. His salary offer is at the mid-point of the County's own salary range for the Acting County Administrator position.

 Chairman Baugh stated the Board was fortunate to have someone willing to assume the position on an interim basis so they could focus on securing a permanent Administrator.


 Commissioner Van Ostenbridge stated the contract as presented, is the same form of contract previously approved by the Board.


 Karen Stewart, Acting County Administrator, responded to question regarding her salary and the Human Resources Director could provide this information to the Board.

Vote – Motion on the Floor

 The motion on the floor as read by Mr. Clague, failed 3-4, with Commissioners Bellamy, Kruse, Servia and Whitmore voting Nay.


Motion – Begin Re-negotiating Contract with Scott Hopes

 A motion was made by Commissioner Kruse, to direct Chairman Baugh and Kim Stroud, Human Resources Director, to begin re-negotiating the Contract with Dr. Scott Hopes and direct the Human Resources Director to schedule, as promptly as possible, Zoom calls with Mr. Napoli for any and all Commissioners that wish to have them prior to final discussion and approval of whomever it is for the Interim County Administrator position. The motion was seconded by Chairman Baugh.


 Commissioner Servia asked Commissioner Kruse if he would consider amending his motion to conduct a Zoom interview followed by negotiation of the contract, Commissioner Kruse stated he would not amend his motion.


Corey Holmes suggested Mr. Napoli be made candidate 2.

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


 Commissioner Van Ostenbridge agreed with comments by Commissioners Kruse and Whitmore, and with Commissioner Whitmore to proceed with a vote for Dr. Hopes.


Vote – Begin Re-Negotiating Contract with Scott Hopes

 The motion carried 5-2, with Commissioners Bellamy and Servia voting nay.

 Commissioner Van Ostenbridge stated he would make himself available for a Zoom interview with Mr. Napoli.

Motion – Vote on Interim County Administrator


 A motion was made by Commissioner Van Ostenbridge, to vote on the Interim County Administrator at Thursday’s Land Use meeting (4/1/21). The motion was seconded by Commissioner Kruse.

 Carol Felts stated there were other candidate choices, but this is a big mistake, there must be plan and someone in the wings. The Board decided on a specific process that should be followed.

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


Inasmuch as there were no time-certain items scheduled for the April 1 meeting, the vote on the Interim County Administrator could be held at 9:00 a.m.


Motion – Amendment

 Commissioner Van Ostenbridge amended the motion for a special meeting on April 1, at 9:00 a.m., time certain, to vote on the Interim County Administrator. The motion was seconded by Commissioner Whitmore.

The motion carried 6-1, with Commissioner Bellamy voting nay.

Motion – Adopt Resolution R-21-048

 Mr. Clague pointed out that Resolution R-21-031, appointing Karen Stewart as Acting County Administrator, expires today. Resolution R-21-048 with the agenda packet should be amended to extend Ms. Stewart’s term as Acting County Administrator to April 20. He recommended adoption of Resolution R-21-048.

 A motion was made by Commissioner Whitmore, to adopt Resolution R-21-048, extending Karen Stewart’s term as Acting County Administrator. The motion was seconded by Commissioner Van Ostenbridge.

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

The motion carried 7-0.

BC20210323DOC0061

ADVERTISED PUBLIC HEARINGS (Presentations Scheduled) 

45. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/2019/20 HOUSING AND URBAN DEVELOPMENT (HUD) CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT**

A duly advertised public hearing was held to consider approval and submission of the 2019/2020 Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER) to the Department of Housing and Urban Development.

Geri Lopez, Redevelopment and Economic Opportunity Director, Denise Thomas, Community Development Division Manager, and Jennifer Yost, Community Development Project Manager, utilized a slide presentation to report on the CAPER and highlight accomplishments through various programs as of September 30, 2020.

A motion was made by Commissioner Whitmore, to authorize staff to finalize the 2019/2020 Consolidated Annual Performance and Evaluation Report (CAPER), and submit it to HUD. The motion was seconded by Commissioner Servia.

Glen Gibellina commented on the need for down payment assistance.

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

The motion carried 7-0.

BC20210323DOC062

46. **COUNTY ADMINISTRATOR/DASHBOARD REPORT - MARCH 2021**

Karen Stewart, Acting County Administrator, presented the Dashboard Report for March 2021. The Report is provided for information only, and no Board action is required. BC20210323DOC063

47. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/ANNUAL REPORT**

Geri Lopez, Redevelopment and Economic Opportunity Director, and Ruth Buchanan, Economic Development Manager, utilized a slide presentation to present the annual reports and accomplishments of the Redevelopment and Economic Development Programs, Economic Development trends, and opportunities for Manatee County in FY 20/21.

(Further action following Recess)

RECESS/RECONVENE: 5:45 p.m. - 5:53 p.m. All Commissioners were present.

Discussion occurred regarding the businesses along Cortez Road, medians are needed, redevelopment occurring in the Oneco Shopping Center, there is more blight in this area, timing of the Sarasota Trail Project (Legacy Trail), the need to focus attention on down payment assistance, and Manatee County's unemployment rate is at 4.4 percent.

No Board action was requested.

BC20210323DOC064

COMMISSIONER AGENDA

50. **UPDATE ON TALLAHASSEE TRIP** 

Commissioner Servia summarized her draft notes on discussions held during a recent trip by Commissioners to Tallahassee (attached to agenda memorandum). She expressed concern of Anthony Pedicini (political strategist) injecting himself in Manatee County business in Tallahassee without authorization, and pointed responsibility toward Chairman Baugh.


Motion - Remove Commissioner Baugh as Chairman


 A motion was made by Commissioner Servia, to remove Commissioner Baugh as Board Chairman. The motion was seconded by Commissioner Whitmore.


There was discussion that Mr. Pedicini set up two meetings that were very beneficial to Manatee County, the trip was very successful, whether the County's Lobbyist was asked to set up the meetings that Mr. Pedicini set up, and the need to focus on County business.


(Depart Commissioner Whitmore)


Motion - Call the Question

 Following discussion, Commissioner Van Ostenbridge called the question. The motion was seconded by Commissioner Satcher and carried 6-0, with Commissioner Whitmore absent.

 By telephone, Shane Wedel, urged the removal of Chairman Baugh as Board Chairman, due to her role in the Lakewood Ranch pop-up vaccine site incident.

 By telephone, Dawn Kitterman commented about Chairman Baugh’s involvement in the Lakewood Ranch pop-up vaccine site, the Tallahassee Trip, and the lack of respect among Commissioners.

 By telephone, Andra Griffin concurred with Dawn Kitterman.

 By telephone, Lydia Beljan stated that integrity without accountability is meaningless.

There being no further citizen comments, Chairman Baugh closed citizen comments.

Vote – Remove Commissioner Baugh as Chairman

The motion to remove Chairman Baugh as Chairman, failed 2-4, with Commissioners Kruse, Satcher, Van Ostenbridge and Baugh voting nay, and Commissioner Whitmore absent.


BC20210323DOC065


51. COMMISSIONER AGENDA – COVID-19 VACCINES

Commission Van Ostenbridge


Commissioner Van Ostenbridge requested the Board direct the County Administrator to have Public Safety Director Jake Saur pull 200 vaccines and deliver them to the Sheriff at the Port, so he can vaccinate his deputies and corrections officers.

The County Attorney stated he was uncertain as to whether the County has authority to give the vaccines to the Sheriff.

 Karen Stewart, Acting County Administrator, stated the vaccines at the Department of Health are under the Governor’s Order.

 There was discussion on how the County would go about ensuring that deputies and corrections officers are moved to the top of the vaccine list and not put them in the lottery system, why law enforcement are not called out as first responders, this is specifically called out in the Governor’s Order, desire for Sheriff personnel to be vaccinated as soon as possible, if the County could pull from Federal supply which does not fall under the Governor’s order, people currently registered in the vaccine pool are being called very quickly, and get the 200 vaccines from the Federal supply.

Motion

 Commissioner Van Ostenbridge restated his request in the form of a motion, for the Board to direct the County Administrator to find a lawful and appropriate means of vaccinating 200 Sheriff’s Office personnel, deputies and corrections officers, as soon as possible. The motion was seconded by Chairman Baugh.

 By telephone, Andra Griffin thanked Commissioner Van Ostenbridge for this action.

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


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

BC20210323DOC066

COMMISSIONER COMMENTS 

Commissioner Van Ostenbridge

- Suggested restrooms be included in the future improvements to Kingfish Boat Ramp
- Stated he plans to ask for improvements to the 26th Street West and Cortez Road intersection be added to the Capital Improvement Plan (CIP)

Commissioner Kruse 

- Suggested potential projects for American Rescue Plan (ARP) funds, including upgrades in fiber optics throughout the County, community land trusts, sewage connections (new downtown Parrish area) and the Port that is not fully connected, and sidewalks and greenways trails

Commissioner Satcher 


- Would like a Port Manatee boat ramp added to the CIP
- Commented on the success of the Parrish Heritage Day Festival
- Commented about sewer connection at Kingfish Boat ramp
- Spoke with Sheriff Wells regarding a program for additional security
- Relayed concerns from the Sheriff regarding the need for sidewalks in Parrish along Erie Road

Commissioner Baugh 


- Read an email from Nick Azzara, Information Outreach Manager, regarding a plan for redistributing doc stamp funds (Impact Fees, Senate Bill 750) BC20210323DOC067

Commissioner Bellamy 

- Stated he would reach out to the County's External Auditor (Shinn) to come to the Board to address concerns
- Stated the ARP could provide an opportunity to reach out to homeless veterans

Commissioner Servia 

- Commented on the great work being done at the food bank at the Senior Center
- Spoke with Carol Felts about an overlay district for property out east
- Referenced an email from a resident regarding a neighborhood cat that was euthanized at the request of someone in the neighborhood and asked if the Board could work with the Animal Services to investigate BC20210323DOC068

 Ms. Stewart stated she was aware of the email, and staff would communicate with Sarah Brown, Animal Services Division Chief, to find out more information.

ADJOURN

There being no further business, Chairman Baugh adjourned the meeting at 7:30 p.m.

Minutes Approved: August 22, 2023