

**BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COUNTY ADMINISTRATION BUILDING; HONORABLE PATRICIA M. GLASS CHAMBERS
1112 Manatee Avenue West
Bradenton, Florida
July 27, 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:

Dr. Scott L. Hopes, Acting County Administrator
William E. Clague, County Attorney
Robin Toth, Deputy Clerk, Clerk of the Circuit Court



Chairman Baugh called the meeting to order at 8:32 a.m.

INVOCATION AND PLEDGE OF ALLEGIANCE



The Invocation was delivered by Gary Crawford, Galatians 6:2, Inc., followed by the Pledge of Allegiance led by Gill Ruderman, Colonel, U.S. Army.

REVISED AGENDA 

BC20210727DOC001

Agenda Update Memorandum

BC20210727DOC002

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

- Citizen Comments (Consideration of Future Agenda Items)
- Item 73, Resolution R-21-017, vacating a portion of 69th Street East, Bradenton
- Item 74, Resolution R-21-095, vacating Lot M and portions of Lot L of the C.B. Norton's Subdivision

Changes to the Consent Agenda



- Item 12, Approval of Final Plat and Associated Documents for Tallevast Commerce Center – The Notice to Buyers was replaced with a Notice to Purchaser
- Item 47, Execution and Recording of Permanent Utilities Easement Agreement from Home Depot USA, Inc., for property located at 2350 Cortez Road, Bradenton, Florida – District 2 – The County Attorney's response to CAO Matter 2020-0309 was added to this item
- Item 60, Adoption of Resolution R-21-126, Approving the Modified Meander Alignment for Moccasin Wallow Road (U.S. 41 to Gillet Drive) – This item was updated per the recommendation of the County Attorney's Office as follows:
 - The requested action was updated to read: I move to adopt Resolution R-21-126, approving the Modified Meander Alignment for Moccasin Wallow Road, from U.S. 41 to Gillet Drive.
 - The Background Discussion section was updated as outlined in the revised agenda
 - The attachments were updated to include:
 - Revised Resolution R-21-126 with Exhibit A
 - A modified Meander Alignment Aerial
 - The Moccasin Wallow Road Alternative Alignment Report (Document to be provided in a separate email)

- The CIP Project Sheet
- The Recommendation Memo from the County Engineer
- Item 76 – Adoption of Resolution R-21-117, adopting the FY 2021/2022 U.S. Housing and Urban Development (HUD) Annual Action Plan to allocate Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and Emergency Solutions Grant (ESG) Funds – The Non-State Certification Forms attached to this agenda item were replaced with updated forms received from HUD


CONSENT AGENDA – ITEMS PULLED BY COMMISSIONERS 

Items 54, 55, 56, 57 and 58 (Reclamation Bonds) – by Commissioner Kruse
Item 29 – by Commissioner Satcher
Item 14 – Commissioner Van Ostenbridge

AWARDS


1.  Employee of the Month Award was presented to Patricia Adams, Transit Operator, Public Works. BC20210727DOC003
2.  A Retirement Award was presented to Stephanie Moreland, Principal Planner, Building and Development Services, honoring her 35 years of service. BC20210727DOC004


PROCLAMATION


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


3. Pretrial, Probation and Parole Supervision Week, July 18-24, 2021, was accepted by Jennifer Burgh, Probation Services Manager, and a State Probation representative. BC20210727DOC005


COMMISSIONER AGENDA ITEM/RESOLUTION


 Commissioner Servia spoke of the many protests of the Cuban people and the need for basic needs. She presented and recommended adoption of Resolution R-21-141, supporting peaceful protests for democracy and liberty in Cuba.

 A motion was made by Commissioner Servia, to adopt Resolution R-21-141. The motion was seconded by Commissioner Bellamy.

 Carol Felts thanked Commissioner Servia for the Resolution and urged everyone to exercise their American rights.

 Carlos Beruff thanked the Board for adopting Resolution R-21-141.


 April Barnwell spoke of the challenges in the Cuban nation.


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

 Commissioner Satcher commented.


 The motion carried 7-0. BC20210727DOC006


CITIZEN COMMENTS (Future Agenda Items) 

 Fred Booth distributed a packet summarizing a request by homeowners in Rosedale Subdivision for Board consideration regarding the future extension of 44th Avenue East, as well as the extension of Lena Road, from S.R. 64 to S.R. 70, and requested either a four-way stop, a traffic light or a roundabout.


 Tracy Pratt, Chairman of Manatee County Democratic Party, urged the Board to drop the abortion ban initiative by Commissioner Satcher and emphasized that the County Commission does not have authority nor responsibility to pursue abortion restrictions in Manatee County.


 Martin Hyde, candidate for Florida Congressional District 16, read excerpts from a letter written to a citizen by Dr. Scott L. Hopes, County Administrator.

 Pamela Gordon, Florida Interfaith Coalition for Reproductive Health and Justice, read a letter requesting the proposed abortion restriction be dropped.

 Carolina Montes Zamora spoke in opposition to an abortion ban.


 Terri Hartmann opposed an abortion ban.

 Valentina Dellavolpe opposed the proposed abortion ban at six weeks and stated citizens have the right to life, liberty and happiness.

 Kaitlynn Danehy-Samitz, Women's Voices of Southwest Florida, urged the Board to drop the abortion ban initiative by Commissioner Satcher (Texas Bill 8 aka Heartbeat Bill) presented at a previous Board work session (6/9/21), and stated the official petition to ban this effort exceeds 1,000 signatures.


 Shannon Kever opposed Commissioner Satcher's abortion ban proposal.

 Liv Coleman voiced concern about using tax dollars to support an abortion ban.

 Chairman Baugh continued citizen comments on future agenda items to later in the meeting.

BC20210727DOC007

CITIZEN COMMENTS (Consent Agenda Items) 


 Tim Ritchie, President of March Against Mosaic and Charlotte County citizen, commented on Item 34, phosphate mining and Piney Point.

 Carol Felts concurred with comments by Mr. Ritchie.

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

BC20210727DOC008

CONSENT AGENDA MOTION

 A motion was made by Commissioner Whitmore, seconded by Commissioner Van Ostenbridge, and carried 7-0, to approve the Consent Agenda, with the changes incorporated in the Agenda Update Memorandum, and with the deletion of Items 14, 29, 54, 55, 56, 57 and 58 (separate actions).

4. **CLERKS CONSENT AGENDA** BC20210727DOC009
- A. **WARRANT LISTING**
Accepted the Warrant (Check) Listing for the Months of May and June, as issued by the Finance Department BC20210727DOC010
BC20210727DOC011
- B. **MINUTES**
Approved the Minutes of July 27, and December 8, 2020, and May 11, 25, and 26, 2021
- C. **CONTRACTS**
Accepted the following Contracts per Chapter 2-26 of the Manatee County Code and pursuant to Purchasing Division’s Administrative Standards and Procedures Manual:
1. Guaranteed Maximum Price Addendum 1 to Agreement 20-TA003361SAM for Construction Management at Risk Services with Atlas Building Company of Florida LLC, for Lakewood Ranch Park Tennis Courts, \$497,353 BC20210727DOC012
 2. Agreement 21-R076619SB with Fitch and Associates LLC, for Emergency Medical Services Master Plan, rates specified in Exhibit B BC20210727DOC013
 3. Amendment 5 to Agreement 18-R069731GL with Gator Grading and Paving LLC, for construction of ADA compliant bus stop landing pads, walkways, sidewalks, shelter pads and bench pads, extending the agreement for the period December 20, 2021 - December 9, 2022 BC20210727DOC014
- D. **REPORTS**
Accepted:
1. Copperstone Community Development District (CDD) 1 – Annual Financial Report for FY ended September 30, 2020 BC20210727DOC015
 2. Eagle Pointe CDD – Annual Financial Audit Report for FY ended September 30, 2020 BC20210727DOC016
 3. Eagle Pointe CDD – Proposed FY 21/22 Budget BC20210727DOC017
 4. Greyhawk Landing CDD – Annual Financial Audit Report for FY ended September 30, 2020 BC20210727DOC018
 5. Heritage Harbour South CDD – Proposed FY 21/22 Budget BC20210727DOC019
 6. Peace River Manasota Regional Water Supply Authority – Comprehensive Annual Financial Report for FY ended September 30, 2020 BC20210727DOC020
 7. Prosperity Lakes CDD – Proposed FY 21/22 Budget BC20210727DOC021
 8. Summer Woods CDD – Annual Financial Audit Report for FY ended September 30, 2020 BC20210727DOC022
 9. Tara CDD 1 – Proposed FY 21/22 Budget BC20210727DOC023
 10. Trevesta CDD – Proposed FY 21/22 Budget BC20210727DOC024
 11. Waterlefe CDD – Proposed FY 21/22 Budget BC20210727DOC025
 12. Waterlefe CDD – Annual Financial Audit Report for FY ended September 30, 2020 BC20210727DOC026
 13. Waters Edge CDD – Proposed FY 21/22 Budget BC20210727DOC027
 14. Willow Walk CDD – Annual Financial Audit Report for FY ended September 30, 2020 BC20210727DOC028
- E. **BONDS**
Accepted:
1. Artisan Lakes Esplanade, Phase V, Subphases A2, A4 and A5
 - Released and returned Surety Bond PB0301047344 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$133,051.95;
 - Released and returned Surety Bond PB0301047343 and any associated riders in conjunction with the performance portion of the Agreement for

- Public Improvements for Private Subdivision, \$575,291.56;
 - Released and returned Surety Bond PB0301047350 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$190,802.39;
 - Released and returned Surety Bond PB0301047349 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$931,341.31;
 - Released and returned Surety Bond PB0301047353 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$97,110.99;
 - Released and returned Surety Bond PB0301047352 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$444,605.54;
 - Accepted and executed Surety Bond (Defect) CMS0343573 securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on February 9, 2021, securing water and wastewater improvements, \$8,701.84;
 - Accepted and executed Surety Bond (Defect) CMS0343574 securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on February 9, 2021, securing water and wastewater improvements, \$13,408.96;
 - Accepted and executed Surety Bond (Defect) CMS0344725 securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on February 9, 2021, securing water and wastewater improvements, \$5,984.75; and
 - Accepted and executed Bills of Sale BC20210727DOC029
2. Del Webb at Bayview, Phase IA
- Released and returned Surety Bond (Performance) ES00007761 and any amendments associated with the letter in conjunction with the Agreement for Private Subdivision Improvements, \$2,481,659.51;
 - Released and returned Surety Bond (Performance) ES00007758 and any amendments associated with the letter in conjunction with the Agreement for Private Subdivision Improvements, \$1,971,804.55;
 - Accepted and executed Surety Bond (Defect) 59BSBIP3126 securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on February 9, 2021, securing water, wastewater, offsite and reclaim improvements, \$185,944.25; and
 - Accepted and executed Bill of Sale BC20210727DOC030
3. Del Webb, Phase V, Subphases B and C
- Released and returned Surety Bond (Performance) ES00005843 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$529,647.95;
 - Released and returned Surety Bond (Performance) ES00005841 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$1,182,918.77;
 - Released and returned Surety Bond (Performance) ES00005840 and any associated riders in conjunction with the performance portion of the

- Agreement for Public Improvements for Private Subdivision, \$429,839.74;
- Released and returned Surety Bond (Performance) ES00005849 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$892,876.70;
- Accepted and executed Surety Bond (Defect) 30130790 securing Section 1.5 Maintenance, Defects of the Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on August 11, 2020, for Phase V Subphases B and C securing potable water and sanitary sewer, \$75,195.18; and
- Accepted and executed Bill of Sale BC20210727DOC031
- 4. Indigo, Phase II
 - Released Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements securing wastewater, potable water, and irrigation improvements, \$14,649.61; and
 - Released and returned Surety Bond (Defect) CS3037143 and any associated riders, \$14,649.61 BC20210727DOC032
- 5. Indigo, Phase VIII-B
 - Released and returned Surety Bond (Performance) US00094897SU19A and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$173,743.77;
 - Accepted and executed Surety Bond (Defect) CS3250218 securing Section 1.5 Maintenance, Defects of the Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on May 19, 2020, for Phase VIII-B securing surveying, potable water and sanitary sewer improvements, \$12,807.98; and
 - Accepted and executed Bill of Sale BC20210727DOC033
- 6. Lakewood Ranch Town Center, Phase II, Lot 26
 - Released Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvement securing water and wastewater improvements, \$7,658; and
 - Released and returned Surety Bond (Defect) 1055275 and any associated riders, \$7,658 BC20210727DOC034
- 7. Logue Road Borrow Pit
 - Release Site Reclamation, Haul Route Restoration, and Bridge Repair Surety Agreement securing improvements in the amounts \$129,780.30 and \$92,250;
 - Released and returned Surety Bond (Performance) 3300573 and any associated amendments, \$129,780.30; and
 - Released and returned Surety Bond (Performance) 3300574 and any associated amendments, \$92,250 BC20210727DOC035
- 8. Lorraine Lakes, Phases IA, IB-1 and IB-2
 - Released and returned Letter of Credit (Performance) FGAC-19472 and any associated amendments in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, \$1,573,733.92;
 - Released and returned Letter of Credit (Performance) FGAC-19511 and any associated amendments in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, \$3,879,875.63;
 - Released and returned Letter of Credit (Performance) FGAC-19475 and any associated amendments in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements,

- \$475,894.06;
 - Released and returned Letter of Credit (Performance) FGAC-19473 and any associated amendments in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, \$977,014.87;
 - Released and returned Letter of Credit (Performance) FGAC-19477 and any associated amendments in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, \$426,519.93;
 - Released and returned Letter of Credit (Performance) FGAC-19496 and any associated amendments in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, \$1,131,989.89;
 - Accepted and executed Letter of Credit (Defect) FGAC-20506 securing Section 1.5 Maintenance, Defects of the Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on February 11, 2020, securing sanitary sewer, water distribution and miscellaneous improvements, \$116,978.56;
 - Accepted and executed Letter of Credit (Defect) FGAC-20507 securing Section 1.5 Maintenance, Defects of the Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on February 11, 2020, securing sanitary sewer, water distribution and miscellaneous improvements, \$34,332.62;
 - Accepted and executed Letter of Credit (Defect) FGAC-20509 securing Section 1.5 Maintenance, Defects of the Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on February 11, 2020, securing sanitary sewer, water distribution and miscellaneous improvements, \$30,212.80; and
 - Accepted and executed Bill of Sale BC20210727DOC036
9. Morgan's Glen, Phase IA
- Released and returned Surety Bond (Performance) CS3249782 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Public Subdivision, \$1,716,743.74;
 - Released and returned Surety Bond (Performance) CS3249781 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Public Subdivision, \$1,179,183.15;
 - Accepted and executed Surety Bond (Defect) CS3250206 securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on January 12, 2021, for Phase IA securing general earthwork, sanitary sewer, potable water and reclaimed water improvements, \$145,037.02; and
 - Accepted and executed Bill of Sale BC20210727DOC037
10. Morgan's Glen Townhomes, Phase IIIA
- Released and returned Surety Bond (Performance) CS3249820 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Public Subdivision, \$583,673.87;
 - Released and returned Surety Bond (Performance) CS3249821 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Public Subdivision, \$810,796.04;

- Accepted and executed Surety Bond (Defect) CS3804516 securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners January 12, 2021, for Phase IA securing general earthwork, sanitary sewer, potable water and reclaimed water improvements, \$55,160.05; and
- Accepted and executed Bill of Sale BC20210727DOC038
- 11. Park East at Azario, Phases IA and IB
 - Released and returned Surety Bond (Performance) LICX1134700 and any associated riders in conjunction with the performance section of the Agreement for Public Improvements for Private Subdivision, \$1,402,824.48;
 - Released and returned Surety Bond (Performance) LICX1134701 and any associated riders in conjunction with the performance section of the Agreement for Public Improvements for Private Subdivision, \$2,105,056.32;
 - Released and returned Surety Bond (Performance) LICX1134702 and any associated riders in conjunction with the performance section of the Agreement for Public Improvements for Private Subdivision, \$752,398.08;
 - Released and returned Surety Bond (Performance) LICX1134704 and any associated riders in conjunction with the performance section of the Agreement for Public Improvements for Private Subdivision, \$1,550,887.47;
 - Accepted and executed Surety Bond (Defect) LICX1134712, securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on February 23, 2021, for Phases 1A and 1B securing wastewater, water and surveying improvements, \$115,966.96;
 - Accepted and executed Surety Bond (Defect) LICX1134713, securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on February 23, 2021, for Phases 1A and 1B securing wastewater, water and surveying improvements, \$64,000.07; and
 - Accepted and executed Bill of Sale BC20210727DOC039
- 12. Polo Run, Phase IIE-2
 - Released and returned Letter of Credit (Performance) FGAC-21255 and any associated amendments in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, \$219,555.70;
 - Released and returned Letter of Credit (Performance) FGAC-19205 and any associated amendments in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, \$523,349.45; and
 - Accepted and executed Letter of Credit (Defect) FGAC-20330, securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on July 23, 2019, for Phases 1A and 1B securing potable water and sanitary sewer improvements, \$15,677.30 BC20210727DOC040
- 13. Sapphire Pointe, Phases IB and IC
 - Released and returned Surety Bond (Performance) 59BSBIJ2479 and any associated amendments in conjunction with the performance portion of the Agreement for Public Improvements, \$1,044,135.26;
 - Released and returned Surety Bond (Performance) 59BSBIJ2478 and any

associated amendments in conjunction with the performance portion of the Agreement for Public Improvements, \$1,951,237.18;

- Accepted and executed Surety Bond (Defect) 59BSBIP3144, securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on October 13, 2020, securing offsite improvements, sewage and potable water improvements, \$74,880.97;
- Accepted and executed Surety Bond (Defect) 59BSBIP3145, securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on October 13, 2020, securing offsite improvements, sewage and potable water improvements, \$30,974; and
- Accepted and executed Bill of Sale BC20210727DOC041

14. Summerwoods, Phase IIA

- Released and returned Surety Bond (Performance) 61352002757 and any associated amendments in conjunction with the performance portion of the Agreement for Public Improvements, \$1,187,026.10;
- Released and returned Surety Bond (Performance) 6135002496 and any associated amendments in conjunction with the performance portion of the Agreement for Public Improvements, \$1,976,887.90; and
- Accepted and executed Surety Bond (Defect) LICX1203114, securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on November 10, 2020, securing earthwork, roadway, sanitary sewer, potable water and reclaimed water improvements, \$91,309.70

BC20210727DOC042

15. The Heights, Phase II Subphase B

- Released and returned Surety Bond (Performance) SU1169898 and any associated amendments in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$503,535.18;
- Released and returned Surety Bond (Performance) SU1169900 and any associated amendments in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$1,246,694.02;
- Accepted and executed Surety Bond (Defect) SU1169972, securing Section 1.5 Maintenance, Defects of the Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on January 12, 2021, for Subphase B securing wastewater and potable water, \$37,436; and
- Accepted and executed Bill of Sale BC20210727DOC043

F. **SHERIFF BOND**

Accepted the list of 11 additional employees and deletion of 26 employees from the Sheriff's Public Employee Bond

BC20210727DOC044

G. **SCRIVENERS ERROR**

Executed Corrected Ordinance 20-46, adding paragraph (7) A restricted vehicle may be parked in a driveway temporarily for the purpose of cleaning, loading and unloading materials in preparation for a trip or after returning from a trip, for up to forty-eight (48) hours provided that such parking shall not exceed two (2) occurrences in any thirty-day (30) period. Each occurrence shall not exceed three (3) days

BC20210727DOC045

H. **STATE OF EMERGENCY**

Accepted Declarations of State of Emergency by the County Administrator on behalf of

Manatee County relative to Tropical Storm/Hurricane Elsa BC20210727DOC046

5. **COUNTY ADMINISTRATOR/2021 SUMMER RECESS AGENDA** BC20210727DOC047

Accepted the actions taken on behalf of the Board of County Commissioners by the County Administrator, or designee, during the period of June 21 through July 23, 2021, pursuant to Resolution R-20-124:

CLERKS CONSENT - SUMMER RECESS AGENDA

1. Approved Clerk’s Consent Agenda dated July 9, 2021 (6/21-23/21) BC20210727DOC048

Refunds

1. Blue Water Wash LLC – Development Fees, \$5,750 BC20210727DOC049

2. Catherine Cole – Health Benefits, \$1,479.74 BC20210727DOC050

3. Genesis Planning and Development – Pre-Application, \$1,000 BC20210727DOC051

4. Hillward Henderson, PA – Administrative Appeal, \$6,500 BC20210727DOC052

5. Jadro LLC – Final Site Plan, \$2,125 BC20210727DOC053

6. Lennar Homes LLC – Transportation Impact Fees, \$507,200 BC20210727DOC054

7. Neal Communities LLC, Attn: Elise Sturgeon Permitting – Impact Fees, \$15,460 BC20210727DOC055

8. Timothy Nowak – Health Benefits, \$2,096.92 BC20210727DOC056

9. Oak City South – Temporary Use Meter, \$8,082.09 BC20210727DOC057

10. Park Square Enterprises LLC – Transportation Impact Fees, \$60,313 BC20210727DOC058

11. Andres Ramirez – Billing Adjustment, \$5,787.03 BC20210727DOC059

12. Brittany Rice – Summer Camp, \$813 BC20210727DOC060

13. Linda A. Rojack – Certified Lot Split, \$2,000 BC20210727DOC061

14. Deja Rowe – Summer Camp, \$672 BC20210727DOC062

15. John F. Roth – Billing Adjustment, \$1,058.26 BC20210727DOC063

2. Approved Clerk’s Consent Agenda dated July 15, 2021 BC20210727DOC064

Refunds

1. Tiffany White – Summer Camp, \$1,834 BC20210727DOC065

Financial Management

3. Authorized to award a Purchase Order to Ten-8 Fire Equipment, Inc., for five Braun Express Ford E350 Ambulances, in the not-to-exceed amount of \$956,095, utilizing the Florida Sheriff’s Association Contract FSA20-VEF14.01 BC20210727DOC066

4. Executed Amendment 1 to Agreement 19-R072398JE, for Repair and Maintenance Services for 9-1-1 VESTA System with Motorola Solutions, Inc. BC20210727DOC067

5. Executed Change Order 1 to Agreement 19-TA003069AJ, End-of-Service Life Force Main Replacements Harris-McBurney Company, adding an additional \$22,050, for a revised, not-to-exceed total amount of \$1,340,347.01; and adding an additional 90 calendar days to the project schedule BC20210727DOC068

6. Executed Change Order 1 to Agreement 19-TA003131AJ, San Remo Shores Water Main Replacement Project with Harris-McBurney Company, adding an additional 66 calendar days to the project schedule BC20210727DOC069

7. Executed Change Order 1 to Agreement 20-TA003249AJ, Satellite Lift Station R&R 2018 Group 3 with CEC Motor and Utility Services LLC, adding an additional \$55,259.93 and an additional 180 calendar days to the project schedule BC20210727DOC070

8. Executed Change Order 3 to Work Assignment 7 for Agreement 16-2334CD, with Carollo Engineers, Inc., Lake Manatee Water Treatment Plant Supervisory Control and Data Acquisition (SCADA) System Replacement Project , \$74,566.44, for a revised, not-to-exceed amount of \$905,979.67 BC20210727DOC071

Human Resources

9. Executed of First Amendment to Interlocal Agreement for Personnel Services and Assignments with the Florida Statewide Guardian Ad Litem Office BC20210727DOC072

10. Approved and Executed revised VOYA Financial 457 Adoption Agreement-Restatement,

to include a Roth option, no longer allow Special Catchup, and allow small balance terminated distribution BC20210727DOC073

Neighborhood Services

- 11. Approved FY 21 Neighborhood Enhancement Grant with North Oaks Estates Community Association, Inc., for Community Beautification; Authorized the County Administrator, or designee, to Approve and Execute a Reimbursement Agreement BC20210727DOC074
- 12. Approved FY 21 Neighborhood Enhancement Grant with Foster Creek Homeowners Association, Inc., for Community Lighting Improvements and Authorized the County Administrator, or designee, to Approve and Execute a Reimbursement Agreement BC20210727DOC075

Public Works

- 13. Adopted Resolution R-21-129, Approving and Authorizing Execution of the Three-Party Escrow Agreement with Florida Department of Transportation and the Florida Department of Financial Services associated with the Locally Funded Agreement for the Intersection Improvements at U.S. 301 and Erie Road, Ellenton BC20210727DOC076

6. **COUNTY ADMINISTRATOR/RESOLUTION**

Adopted Resolution R-21-127, authorizing the Manatee County Commissioners to participate in a joint meeting with the Council of Governments on August 3, 2021 BC20210727DOC077

7. **COUNTY ADMINISTRATOR/APPOINTMENT**

Confirmed appointment of Jan Brewer as Deputy County Administrator and Chief Financial Officer BC20210727DOC078

8. **COUNTY ADMINISTRATOR/PERIOD OF LOCAL EMERGENCY**

Ratified Memoranda extending the Period of Local Emergency relative to COVID-19, as authorized in Resolution R-20-045 BC20210727DOC079

9. **COUNTY ATTORNEY/LAWSUIT**

Authorized the County Attorney to waive the County’s claim for fees and costs in exchange for Plaintiff Betty Hill, dismissing her appeal, in the matter of Betty Hill v. Manatee County, Case 2019-CA-1290 BC20210727DOC080

10. **COUNTY ATTORNEY/LAWSUIT**

Approved to allow Plaintiff’s June 30, 2021, Proposal for Settlement for \$200,000 to Manatee County to expire and to take no action regarding the Proposal for Settlement in the matter of Travis Ray Yokeum v. Manatee County, Case 2020-CA-003314 BC20210727DOC081

11. **COUNTY ATTORNEY/RESOLUTION**

Adopted Resolution R-21-084, authorizing Manatee County to join with the State of Florida and other Local Governmental Units as a participant in the Florida Unified Plan for the Allocation and Use of Opioid Settlement Proceeds and authorizing the County Administrator, or his designee, to execute the Memorandum of Understanding, attached to R-21-084 as Exhibit 1, and all other appropriate documents required for receipt and administration of the settlement funds BC20210727DOC082

12. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/TALLEVAST COMMERCE CENTER**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of Declaration of Covenants, Conditions, Restrictions and Easements for Tallevast Commerce Center, located in Manatee County, and for Tallevast Commerce Centers Owners’ Association, Inc.;
- Authorized recording of Notice to Purchaser – Tallevast Commerce Center by Swift

Holdings LLC

- Authorized recording of Right of Entry for Compliance with Manatee County Land Development Code for Tallevast Commerce Center by Swift Holdings LLC; and
 - Accepted, executed and authorized recording of Mortgagee's Joinder in and Ratification of the Subdivision Plat and All Dedications and Reservations Thereon for Tallevast Commerce Center by Sabal Palm Bank
- BC20210727DOC083

13. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT/UNSAFE STRUCTURE**

Authorized staff to secure the property located at 2212 Bayshore Gardens Parkway, Code Enforcement Case CE2105-0145 (Parcel I.D. 622800002)

BC20210727DOC084

15. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**

Reduced the fines for Case CE2012020154, Thomas E. Fenton, to \$100, plus \$40 in recording fees, as previously recommended by the Special Magistrate (5/26/21), subject to the following conditions:

- The reduced fines shall be paid within 90 days, or will revert to the original fine amount of \$126,615;
 - Recording fees shall be paid, which total \$40; and
 - Building and Development Services Department Director is authorized to sign Satisfaction of Lien if the reduced fine is paid
- BC20210727DOC085

16. **CONVENTION AND VISITORS BUREAU/GRANT/AGREEMENTS**

- Authorized the Convention and Visitors Bureau Director to execute three (3) Grant Agreements with Florida Sports Foundation, for the American Cornhole Organization Worlds Championship Season 16 (\$4,871), ECNL National Playoffs (\$47,500), and the U.S. Youth Soccer National Championships (\$30,567); and
 - Adopted Budget Resolution B-21-096, amending the annual budget for Manatee County for FY 21
- BC20210727DOC086

17. **FINANCIAL MANAGEMENT/BUDGET RESOLUTION**

Adopted Budget Amendment Resolution B-21-095 and Budget Amendment Resolution for Infrastructure Sales Tax B-21-101

BC20210727DOC087

18. **FINANCIAL MANAGEMENT/AGREEMENT**

- Authorized to award Agreement 21-R076911SAM, Washington Park Preserve, Phase IIA to Waterfront Property Services LLC, dba Gator Dredging LLC, for a total, not-to-exceed amount of \$279,133.84, based on a construction completion time of 120 calendar days; and
 - Authorized the Procurement Official, or designee, to execute the Agreement and accept and date the Public Construction Bond
- BC20210727DOC088

19. **FINANCIAL MANAGEMENT/BID AWARD/INVITATION FOR BID CONSTRUCTION (IFBC)**

- Authorized to award IFBC 21-TA003651DJ, Holmes Boulevard Force Main Replacement, to the lowest responsive/responsible bidder, Spectrum Underground, Inc., for \$3,492,035.25, based on a construction completion time of 240 calendar days;
 - Authorized the Procurement Official, or designee, to execute the Agreement and accept and date the Public Construction Bond; and
 - Adopted Budget Resolution R-21-097, amending the annual budget for FY 21
- BC20210727DOC089

20. **FINANCIAL MANAGEMENT/BID AWARD/INVITATION FOR BID CONSTRUCTION**

- Authorized to award IFBC 21-TA003665CD, Ellenton Gillette Functional Improvements Project, to the lowest responsive/responsible bidder, Woodruff and Sons, Inc., for a

not-to-exceed amount of \$6,556,461.12, based on a construction time frame of 640 calendar days;

- Authorized the Procurement Official, or designee, to execute the Agreement and accept and date the Public Construction Bond; and
- Adopted Budget Resolution B-21-103, amending the annual budget for FY 21

BC20210727DOC090

21. **FINANCIAL MANAGEMENT/BID AWARD/INVITATION FOR BID CONSTRUCTION**

- Authorized to award IFBC 21-TA003699JH, Sewer Screening System for Detention Center, to the lowest responsive/responsible bidder, Boromei Construction, Inc., for a total, not-to-exceed cost of \$841,500, based on a construction completion time of 240 calendar days;
- Authorized the Procurement Official, or designee, to execute the Agreement and accept and date the Public Construction Bond; and
- Adopted Budget Resolution B-21-105, amending the annual budget for FY 21

BC20210727DOC091

22. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized the Procurement Official, or designee, to execute Amendment 1 to Piggyback Blanket Purchase Order Agreement T2020299 (Agreement T2020299) with Motorola Solutions, Inc., for Public Safety Communication Equipment and Services

BC20210727DOC092

23. **FINANCIAL MANAGEMENT/CHANGE ORDER**

Authorized the Procurement Official, or designee, to execute Change Order 2 to Work Assignment 1 for Agreement 15-0909JE, with Hardesty and Hanover LLC, for 27th Street East Roadway, Intersection, Sidewalk and Drainage Improvements, from 26th Avenue East to 38th Avenue East, and for Mockingbird Hill/Samoset Canal Improvements at 27th Street East and 34th Avenue East project, for an additional \$333,091.10, for a revised, not-to-exceed total of \$1,209,904.08

BC20210727DOC093

24. **FINANCIAL MANAGEMENT/CHANGE ORDER**

Authorized the Procurement Official, or designee, to execute Change Order 3 to Agreement 17-0101DC, Parrish Village Force Main and Master Lift Station, with Woodruff and Sons, Inc., adding an additional 39 calendar days to the construction schedule and an additional \$170,058.32 to the contract amount

BC20210727DOC094

25. **NEIGHBORHOOD SERVICES/LIBRARY MEETING ROOM POLICY**

Adopted and executed revised Manatee County Library's Meeting Room Policy (reviewed and approved by the Library Board of Trustees 6/25/21)

BC20210727DOC095

26. **NEIGHBORHOOD SERVICES/RESOLUTION/GRANT/EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE**

- Adopted Resolution R-21-118, authorizing the submission and acceptance of the Federal FY 21 Edward Byrne Memorial Justice Assistance Grant from the Bureau of Justice Assistance in the amount of \$113,910; designating the Public Safety Coordinating Council as the Grant Advisory Board; authorizing the Chairperson, the County Administrator, or the Deputy County Administrator to execute all necessary documents related to the grant submission and acceptance; and authorizing the Neighborhood Services Department Director, or her designee, to execute all appropriate document and agreements in connection with the grant functions; and
- Authorized the Chairperson to execute the Certifications and Assurances by the Chief Executive of the Applicant Government form as required by the Bureau of Justice Assistance

BC20210727DOC096

27. **NEIGHBORHOOD SERVICES/RESOLUTION/GRANT/STATE AID TO PUBLIC LIBRARY**
- Adopted Resolution R-21-128, authorizing the acceptance of additional State Aid to Public Library grant funds; and
 - Adopted Budget Resolution B-21-104, amending the annual budget for FY 21
- BC20210727DOC097
28. **NEIGHBORHOOD SERVICES/SUNCOAST WORKFORCE BOARD ANNUAL BUDGET**
Approved the annual budget for Suncoast Workforce Board, Inc., dba CareerSource Suncoast annual budget for Program Year 21/22
- BC20210727DOC098
30. **NEIGHBORHOOD SERVICES/NON-PROFIT AGREEMENT/COMMUNITY CARE FOR THE ELDERLY**
Executed State FY 21/22 non-profit funding agreement with Meals on Wheels Plus of Manatee, Inc., to provide the service of Adult Daycare for the Community Care for the Elderly grant funded program, for the time period July 1, 2021, through June 30, 2022, in an amount not to exceed \$10,000
- BC20210727DOC099
31. **NEIGHBORHOOD SERVICES/NONPROFIT AGREEMENT/HOME DELIVERED MEALS**
Executed State FY 21/22 non-profit funding agreement with Meals on Wheels of Manatee, Inc., to provide the service of Home Delivered Meals for the State-funded Community Care for the Elderly Program, for the time period July 1, 2021, through June 30, 2022, in an amount not to exceed \$80,000
- BC20210727DOC100
32. **PARKS AND NATURAL RESOURCES/AGREEMENT/ANNA MARIA ISLAND COQUINA BEACH GROINS FEASIBILITY STUDY**
Executed Amendment 1 to Agreement 19ME1 with Florida Department of Environmental Protection (FDEP), for the Anna Maria Island Coquina Beach Groins Feasibility Study, extending the contract date from December 31, 2021 to March 31, 2022
- BC20210727DOC101
33. **PARKS AND NATURAL RESOURCES/AGREEMENT/ANNA MARIA ISLAND BEACH – HURRICANE IRMA RECOVERY PROJECT**
Executed Amendment 1 to Agreement 19ME2 with FDEP, for the Anna Maria Island Beach – Hurricane Irma Recovery Project, extending the contract date from December 31, 2021, to December 31, 2022
- BC20210727DOC102
34. **PARKS AND NATURAL RESOURCES/INTERLOCAL AGREEMENT**
Executed Tampa Bay Estuary Program Amended and Restated Interlocal Agreement (amending and restating the prior Interlocal Agreement of 2/27/98 in its entirety), to reflect the Policy Board’s approval of the 2018 population update and to change the funding contributions from each member according to Schedules 1 and 2 in Exhibit A
- BC20210727DOC103
35. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utility Easement from Bradenton Pearl LLC (includes Consent and Joinder from American Fidelity Assurance Company), for property located at 7259 North Tamiami Trail, along the southeastern portion of the parcel encompassing 25 feet needed for the property owners to receive Certificate of Occupancy; and
 - Authorized recording of Affidavit of Ownership/Encumbrances from Bradenton Pearl LLC
- BC20210727DOC104
36. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
Accepted and authorized recording of Permanent Utility Easement from C & D Properties of AMI LLC (includes Consent and Joinder from Hancock Whitney Bank), for property located at

101 67th Street, Holmes Beach, in the northwest corner of the property along 67th Street, approximately 97.50 square feet, required with their final site plan for a water main extension
BC20210727DOC105

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

- Accepted and authorized recording of Warranty Deed from Dick Road-Blend-All Hotel Development, Inc., Walden Avenue-Blend-All Hotel Development, Inc., and WR-I Associates, Ltd. (includes Consent, Joinder and Subordination from Frontier Florida LLC), the land is part of a right-of-way dedication for widening the intersection at University Parkway and Cooper Creek Boulevard;
 - Authorized recording of Affidavit of Ownership and Encumbrances from Stephen C. Scalione, as Secretary and Treasurer of Dick Road-Blend-All Hotel Development, Inc., and Walden Avenue-Blend-All Hotel Development, Inc., and Manager of WR-I Associates, Ltd.;
 - Accepted and authorized recording of Warranty Deed from 93 FLRPT LLC; and
 - Authorized recording of Affidavit of Ownership/Encumbrances from Stephen C. Scalione, as Manager of 93 FLRPT LLC
- BC20210727DOC106

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

Accepted recorded, Corrective Warranty Deed from Bayside Lake RV LLC, for property located at 6200 Bayshore Road, Palmetto, to correct the original Warranty Deed (recorded 12/1/20), which contained a closure error in the legal description and sketch
BC20210727DOC107

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

Accepted recorded, Corrective Warranty Deed from Corner Properties of St. Pete, Inc., for Parcel 141 of the Moccasin Wallow Road – U.S. 41 to Gateway Boulevard Expansion Project, to correct the original Warranty Deed (recorded 11/30/20), which contained a scrivener’s error in the legal description and sketch
BC20210727DOC108

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

- Accepted recorded Warranty Deed from Gary Curtis Hornsby, for Parcels 132A, 132B, 132.03 and 132.11/Moccasin Wallow Road – U.S. 41 to Gateway Boulevard;
 - Accepted recorded Temporary Construction Easement from Gary Curtis Hornsby; and
 - Accepted recorded Permanent Drainage Easement from Gary Curtis Hornsby
- BC20210727DOC109

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

Accepted recorded Permanent Drainage Easement from Elston Brown and Judith Brown aka Juliet Brown (includes Joinder and Consent from Suncoast Credit Union fka Suncoast Schools Federal Credit Union), for property located at 3016 8th Avenue East, Palmetto, for a 5,743 square-foot-easement needed for the construction of a stormwater drainage system
BC20210727DOC110

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

- Accepted recorded Permanent Utilities Easement from Hide-Away Storage SR 70 LLC (includes Consent and Joinder from Northern Trust Company), for property located at 4660 53rd Avenue East, in accordance with final site plan requirements for a commercial development; and
 - Accepted recorded Affidavit of Ownership/Encumbrances from Steve Wilson
- BC20210727DOC111

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

- Accepted recorded Permanent Utilities Easement from Palmwood Foods LLC (includes Consent and Joinder from First Citrus Bank), for property located at 5020 14th Street West, for 14.3 square feet located on the east side of the property, in accordance with final site plan requirements for a commercial development; and
- Accepted recorded Affidavit of Ownership/Encumbrances from Britt Smallwood

BC20210727DOC112

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

Accepted recorded Quit Claim Deed from Manatee County Mosquito Control District, for property located at the corner of 17th Street East and 28th Avenue East, Palmetto, for a small corner consisting of 27 square feet required for the 17th Street East at 28th Avenue East Road Improvement Project

BC20210727DOC113

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

- Accepted recorded Warranty Deed from Lakewood Ranch Commerce Park Owners Association, Inc., for property located near 44th Avenue East, for stormwater for the project; and
- Accepted recorded Permanent Drainage Easement from Lakewood Ranch Commerce Park Owners Association, Inc.

BC20210727DOC114

46. **PROPERTY MANAGEMENT/VACATION**

Adopted Resolution R-21-080, declaring a public hearing on August 24, 2021, at 9:00 a.m., for the vacation of a platted utility easement located at 5203 Harbor Road, Bradenton, between Lot 9 and Lot 10, Block 10, of the Harbor Hills Subdivision, as recorded in Plat Book 3, Page 2, of the Public Records of Manatee County

BC20210727DOC115

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

- Executed and authorized recording of Permanent Utilities Easement Agreement from Home Depot U.S.A., Inc., for property located at 2350 Cortez Road, for a 2,395-square-foot area needed to replace a force main originally installed in the 1970s, to be placed under the Force Main-Lift Station 33A and Lift Station 36A FM Replacements Capital Improvement Plan Project; and
- Authorized recording of Affidavit of Ownership/Encumbrances from Susan Russo, Assistant General Counsel on behalf of Home Depot U.S.A. Inc.

BC20210727DOC116

48. **PROPERTY MANAGEMENT/CONTRACT FOR SALE AND PURCHASE**

Executed Contract for Sale and Purchase with Tropical Family Holdings LLC, for property located at 3820 36th Avenue East, Palmetto, for Ellenton Gillette Road – Mendoza Road (37th Street East) Intersection Improvements (this agreement is for total compensation for the partial acquisition, eliminating additional costs for litigation fees or expert fees associated with this fee simple acquisition)

BC20210727DOC117

49. **PROPERTY MANAGEMENT/SUBORDINATION AGREEMENTS**

Executed Subordination of Utility Interests for Temporary Easements Agreements with Florida Department of Transportation (FDOT), for (1) Parcel 730.3 (aka Parcel 730) and (2) Parcel 821.2 (aka Parcel 821)/FDOT Financial Project 433592-1-52-01 (FPID 4335921), located along the U.S. 41 (SR 45) Pedestrian Corridor

BC20210727DOC118

50. **PROPERTY MANAGEMENT/SUBORDINATION AGREEMENTS**

Executed Subordination of Utility Interests for Temporary Easements Agreements with FDOT for (1) Parcel 732.4 (aka Parcel 732) and (2) Parcel 823.3 (aka Parcel 823)/FDOT Financial Project 433592-1-52-01 (FPID 4335921), located along the U.S. 41 (SR 45) Pedestrian Corridor

BC20210727DOC119

51. **PROPERTY MANAGEMENT/SUBORDINATION AGREEMENT**

Executed Subordination of County Utility Interests Agreement with FDOT for Parcel 818.2 (aka Parcel 818)/FDOT Financial Project 433592-1-52-01 (FPID 4335921), located along the U.S. 41 (SR 45) Pedestrian Corridor

BC20210727DOC120

52. **PROPERTY MANAGEMENT/SUBORDINATION AGREEMENT**
Executed Subordination of County Utility Interests Agreement with FDOT for Parcel 820.2 (aka Parcel 820)/FDOT Financial Project 433592-1-52-01 (FPID 4335921), located along the U.S. 41 (SR 45) Pedestrian Corridor
BC20210727DOC121
53. **PROPERTY MANAGEMENT/SUBORDINATION AGREEMENT**
Executed Subordination of County Utility Interests Agreement with FDOT for Parcel 808.3 (aka Parcel 808)/FDOT Financial Project 433592-1-52-01 (FPID 4335921), located along the U.S. 41 (SR 45) Pedestrian Corridor
BC20210727DOC122
59. **PUBLIC WORKS/RESOLUTION/PUBLIC WORKS STANDARDS MANUAL**
Adopted Resolution R-21-112, updating the Public Works Standards Manual by adoption of the Standards Update and Revisions Procedures Manual (Exhibit A) and the Approved Products Review Procedures Manual (Exhibit B)
BC20210727DOC123
60. **PUBLIC WORKS/RESOLUTION/MOCCASIN WALLOW ROAD MODIFIED MEANDER ALIGNMENT**
Adopted Resolution R-21-126, approving the Modified Meander Alignment for the construction of Moccasin Wallow Road, from U.S. 41 to Gillet Drive, as a six-lane facility
BC20210727DOC124
61. **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-21-130, authorizing donation to Children’s Guardian Fund
BC20210727DOC125
62. **PUBLIC WORKS/SURPLUS VEHICLES**
Authorized to classify vehicles, which are uneconomical to operate as surplus, per Florida Statute 274.05, to enable appropriate and authorized disposition of said property, and authorized to thereafter dispose of such property
BC20210727DOC126
63. **PUBLIC WORKS/TRANSIT OPERATING POSITIONS**
Authorized to create eight, additional Public Works/Transit Division operating positions for the Route 99 Peak Period Service Enhancement
BC20210727DOC127
64. **PUBLIC WORKS/ASSESSMENT/MEMPHIS STREET LIGHT MUNICIPAL SERVICE BENEFIT UNIT**
- Authorized to set a public hearing for August 24, 2021, at 9:00 a.m., or soon thereafter as possible, to adopt the special assessment roll and place the assessments on the 2021 tax bills for the Memphis Street Light Municipal Service Benefit Unit (MSBU); and
 - Approved mass mailing, notifying property owners of the upcoming public hearing
BC20210727DOC128
65. **PUBLIC WORKS/IMPACT FEE CREDIT AND REIMBURSEMENT AGREEMENT/FORT HAMER ROAD EXTENSION**
- Authorized execution of the Second Amendment to Impact Fee Credit and Reimbursement Agreement for Fort Hamer Road Extension, with Parrish Holding LLC, and NP Land Partners LLC; and
 - Adopted Budget Resolution B-21-102, amending the annual budget for FY 21
BC20210727DOC129
66. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/GRANT/PROJECT BALDWIN**
Adopted Resolution R-21-120, finding that Project Baldwin is approved for an Economic Development Incentive Grant
BC20210727DOC130

67. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/2021-2024 LOCAL HOUSING ASSISTANCE PLAN**

Adopted Resolution R-21-122, amending Resolution R-21-059, providing for revisions to Manatee County's FY 2021-2024 Local Housing Assistance Plan for the State Housing Initiative Partnership (SHIP) Program

BC20210727DOC131

68. **UTILITIES/SERVICE FEE WAIVER**

Authorized to waive a total of \$505 in service fees assessed to utility customer accounts for returned bank items

BC20210727DOC132

(End Consent Agenda)


RECESS/RECONVENE: 10:10 a.m. – 10:21 a.m. All Commissioners were present.

69. **CONVENTION AND VISITORS BUREAU/TOURIST DEVELOPMENT COUNCIL**

 Elliott Falcione, Executive Director, Convention and Visitors Bureau, requested the appointment of four (4) Hoteliers to the Tourist Development Council (TDC). The terms expire June 30, 2025, and four TDC members (Ed Chiles, Eric Cairns, Jiten Patel and Rahul Patel) see re-appointment.

Nominations – Seat 1

Ed Chiles – by Commissioner Servia

 A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Kruse and carried 7-0, to close nominations.


 By unanimous vote, Ed Chiles was appointed to Seat 1.

Nominations – Seat 2

Eric Cairns – by Commissioner Whitmore

Rahul Patel – by Commissioner Satcher

Michael Wilcox – by Commissioner Van Ostenbridge

 Speaking as TDC Chairman, Commissioner Servia endorsed all four individuals currently holding the position of hotelier on the TDC (Ed Chiles, Eric Cairns, Jiten Patel and Rahul Patel) and recommended they continue to serve.

 William Clague, County Attorney, advised the Board of the nomination process.

 Commissioner Satcher withdrew his nomination for Rahul Patel for Seat 2.

By majority vote, Eric Cairns was appointed to Seat 2.

Nominations – Seat 3

Rahul Patel – by Commissioner Bellamy

A motion was made by Commissioner Whitmore, seconded by Commissioner Bellamy, and carried 7-0, to close nominations.

By majority vote, Rahul Patel was appointed to Seat 3.

Nominations – Seat 4

Jiten Patel – by Commissioner Servia

Michael Wilcox – by Commissioner Van Ostenbridge

A motion was made by Commissioner Whitmore, seconded by Commissioner Van Ostenbridge and carried 7-0, to close nominations.

By majority vote, Jiten Patel was appointed to Seat 4.



Commissioner Satcher suggested the TDC be expanded to include two additional hoteliers.

BC20210727DOC133

70. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/AFFORDABLE HOUSING ADVISORY COMMITTEE**



The floor was opened for the appointment of five Affordable Housing Advisory Committee (AHAC) Members for vacant Seats 1,3,5,9 and 10, as required by Florida Statutes and Ordinance 08-44. Also requested was adoption of Resolution R-21-119, appointing selected members to Seats 1,3,5,9 and 10. Seven vacant seats (Seats 1, 3, 5, 8, 9, 10 and 11) were advertised; however, applications were only received for Seats 1, 3, 5, 9 and 10.

Nominations – Seat 1

Mark Verngroff – Commissioner Servia

A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Servia and carried 7-0, to close nominations and appoint Mark Verngroff to Seat 1.

Nominations – Seat 3

Steve Rinehart – by Commissioner Servia

Steve Rinehart was appointed to Seat 3 by unanimous vote.

Nominations – Seat 5

Commissioner Kruse stated that Seat 11 is vacant with no applicants. Both applicants for Seat 5 are fully qualified, and both represent a position that could easily fill Seat 11.



A motion was made by Commissioner Kruse, to nominate Glen Gibellina for Seat 5 and simultaneously request to move Shannon Glasgow to Seat 11. The motion was seconded by Commissioner Van Ostenbridge and carried 7-0.



By unanimous vote, Glen Gibellina was appointed to Seat 5.



By unanimous vote, Shannon Glasgow was appointed to Seat 11.

Nominations – Seat 9


Keith Green – by Commissioner Van Ostenbridge

Leslie Harrell – by Commissioner Servia

Keith Green was appointed to Seat 9 by majority vote.

Nominations – Seat 10

Mark Dunlop


 A motion was made by Commissioner Kruse, seconded by Commissioner Servia and carried 7-0, to close nominations and appoint Mark Dunlop to Seat 10 (and to adopt Resolution R-21-119).

BC20210727DOC134

ADVERTISED PUBLIC HEARINGS (Presentations Upon request) 


71. **FINANCIAL MANAGEMENT/RESOLUTION/INFRASTRUCTURE SALES TAX**

A duly-advertised public hearing was held to consider adoption of proposed Resolution R-21-116, regarding the Infrastructure Sales Tax (IST), approving changes to the Project and Equipment List by removing and adding Projects in the Parks and Community Facilities Category, and to adopt Budget Resolution B-21-099.

 Jan Brewer, Deputy County Administrator and Chief Financial Officer, utilized a slide presentation to provide an overview of the projects being removed and added. The net draw from the IST Credit Line will be \$694,504, bringing the total draw to date to \$16,080,526.

 There was brief discussion on the lines of credit.

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

 A motion was made by Commissioner Kruse, seconded by Commissioner Bellamy and carried 7-0, to adopt Resolution R-21-116 – Approval of changes to the Project and Equipment List, and to adopt Budget Resolution B-21-099.


BC20210727DOC135


72. **ORDINANCE 21-33, SOUTHWEST COUNTY IMPROVEMENT TRUST FUND (SWTIF)/TAX INCREMENT ALLOCATION**


A duly-advertised public hearing was held to consider adoption of proposed Ordinance 21-33, for the Southwest TIF changing the tax increment to 25 percent of increment revenues.


Jan Brewer, Deputy County Administrator and Chief Financial Officer, stated Ordinance 14-28 established the Southwest County Improvement Trust Fund (SWTIF) that created Tax Increment Revenues to be used for redevelopment activities in the southwest area of the County. Activities include redevelopment, infrastructure improvements (streets, utilities, sidewalks, lighting, parks, playgrounds and building rehabilitation), small business and corridor economic development.

Ordinance 14-28 established that 50 percent of Tax Increment Revenues beyond the base year (2014) would be deposited into the SWTIF to be used for SWTIF purposes. For Fiscal Year 2022, action is requested to reduce the tax increment allocation to 25 percent, still allowing \$4.5 million to go into the SWTIF Account. The Account would continue to be monitored and discussed during the annual budget process. SWTIF Reserves are currently at \$22.6 million to entice quality companies to develop in the SWTIF.

 Discussion ensued that money should not be removed from the SWTIF until some of the improvements promised in District 4 are done, it is reasonable to scale back the percentage of revenues going into the SWTIF, cannot dedicate this money to projects outside of District 4, priorities may need to be re-organized, look at overall Reserves, defer this item to August 10 for more information, if funds are moved this account would still contain more than \$27 million at the end of year, projects for which the SWTIF money is being spent today, provide information to Commissioners on where the funds would go, and this is general revenue that is allocated to a restrictive fund.

 Dr. Scott L. Hopes, County Administrator, stated Ordinance 21-33 will reduce the amount of additional reserves in this account to balance the budget and include priorities presented to the Board. The recommendation is to put the funds into the General Fund where it can be spent in the SWTIF geographic area, Districts 2, 3 and 4 without restrictions.

 He further reminded the Board on the time spent to establish priorities both in capital improvements and funding other areas to present a very aggressive Capital Improvement Plan to accelerate needed projects. Budget recommendations for FY 22/23 are aligned with the Board's priorities, but more importantly, with the ability to get projects done. The request would redirect \$5 million of additional reserves from the overgrown SWTIF account that does not have the capacity to be spent in the next fiscal year. If the Board chooses to proceed with this request, staff would return to the Board on July 29 to recommend cuts to other areas in the budget to make up for the \$5 million deficit that would be created. He cautioned the Board of micro-managing a complex budget that aligns with their priorities.


 Commissioner Servia stated she would be in favor of loaning the funds for other improvements, but to not use those funds to fast-forward other projects outside of District 4.

Motion – Continue


 A motion was made by Commissioner Kruse to defer this to August 10, for more information. The motion was seconded by Commissioner Servia.


The County Attorney stated this was an advertised public hearing and rephrased the motion to continue this item to August 10, at 9:00 a.m., or soon thereafter as may be heard.


Further discussion occurred that this is a two-year budget, clarification that additional reserves in the SWTIF account is being reduced one time in order to balance the budget and accomplish the priority projects, reserves in this account will continue to accumulate, there will still be substantial reserves in this account at the end of the fiscal year, and is there a way to move other dollars around in the budget.

 Ms. Brewer shared details on the SWTIF account balance, if the \$5 million was moved.

Following discussion, the motion to continue the public hearing was withdrawn.

 Chairman Baugh questioned what the plan is, if there have been any new projects, because the SWTIF account continues to grow, and where SWTIF funds are being spent.

 Geri Lopez, Redevelopment and Economic Opportunity Director, suggested the Board hold a work session to discuss which projects they want to complete with excess SWTIF revenues.

 Glen Gibellina suggested the Board establish a citizen action committee to approach landowners in the marginalized areas about lots to build affordable housing with excess SWTIF revenues and advertise for minority developers.


 By telephone, Shane Wedel stated SWTIF Funds should remain in Districts 2, 3, and 4.

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

Motion – Adopt Ordinance 21-33

 A motion was made by Commissioner Whitmore, to approve the recommended motion to adopt Ordinance 21-33 for the Southwest TIF for Tax Increment allocation at 25 percent. The motion was seconded by Commissioner Van Ostenbridge.


Amendment

 Commissioner Servia requested the motion be amended to add the words “with the highlighted projects in Districts 2, 3, 4, as discussed at this meeting.” The motioner and seconder agreed.


The motion, as amended, carried 6-1, with Commissioner Kruse voting nay. BC20210727DOC136

14. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**

 Jeff Bowman, Code Enforcement Division Chief, reviewed the request.

 Clifton Martin, property owner, responded to questions regarding the delay in bringing the property into compliance.

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

 A motion was made by Commissioner Van Ostenbridge and seconded by Commissioner Bellamy, to reduce the fines for Case CE2017090463 (Clifton Martin) to \$1,000, plus \$28.50 in recording fees, as previously recommended by the Special Magistrate on June 23, 2021, subject to the following conditions:


- The reduced fines shall be paid within 90 days, or will revert to the original fine amount of \$10,000;
- Recording fees shall be paid, which total \$28.50; and
- Building and Development Services Department Director is authorized to sign Satisfaction of Lien if the reduced fine is paid.

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


 The motion carried 7-0.


BC20210727DOC137


29. **NEIGHBORHOOD SERVICES/CHILDREN’S SERVICES ADVISORY BOARD’S FY 21/22 INVESTMENT RECOMMENDATIONS**


 Kristi Hagen, Children’s Services Program Coordinator, stated that one of purposes outlined in the Children’s Services Ordinance (91-42, Section 2.D.) is to provide lawful authority for the grant of funds derived from a dedicated millage for the development and authorization of continuing programs for the prevention and treatment of Manatee County’s neglected, abused, or at-risk children, and to fund programs to serve economically disadvantaged children. She requested approval of the Children’s Services Advisory Board’s (CSAB) FY 21/22 Investment Recommendations as outlined in greater detail in the agenda memorandum.

Motion


 Commissioner Satcher moved to include funding to be preserved for the support of programs to assist women in need of pregnancy support services at SOLVE Maternity Homes and Care Net Pregnancy Centers in the amount of \$100,000. The motion was seconded by Commissioner Van Ostenbridge.

 Upon request, Dr. Scott Hopes, County Administrator, stated that with increased revenue projections from the Tax Collector, the County will have the funds that could be earmarked to meet the needs of teenage girls. The Board could exclude the amount at this time, but approve the motion to recognize the Board's interest in these two nonprofit organizations to participate in this funding source. This must be for children and teenagers 18 and under.


 Discussion ensued that funds have been provided to SOLVE in previous years through the general budget and other funding sources, two new programs did not receive funding; \$1.7 million is in the reserve fund, there may be a different budget source to provide pregnancy support services, information is needed on how many children are having children and the cost to support this program, Salvation Army should be included in the list of funded programs, funding for Drug Court, concern of allocating \$100,000 for a new program, and respect the process and recommendation of the CSAB.


 William Clague, County Attorney, advised that one of the purposes outlined in Ordinance 91-42 is to provide prenatal care programs where such programs will serve to reduce the problems of potentially at-risk children. He recommended the Board vote on the CSAB recommendations as presented. Separate action could be taken on Commissioner Satcher's effort.


Following discussion, the motion was withdrawn.


 Commissioner Van Ostenbridge requested a briefing with the Financial Management Director on the entire list of charitable organizations the County is funding before the Board finalizes the budget. He stated he had an issue with taxing a revenue and redistributing the money to charities that are a priority to an individual Commissioner. This is not only about at-risk children and at-risk teens, but also the unborn child.


Motion

 A motion was made by Commissioner Satcher, that a separate \$100,000 be set aside from the additional expected funds coming into this fund, for the purpose of funding a support program to assist women in need of pregnancy support services at SOLVE Maternity Homes and Care Net Pregnancy Centers. The motion was seconded by Chairman Baugh.

 Commissioner Whitmore reviewed the list of programs that have been vetted and have been out-come based (approximately \$11-\$12 million).

 Mr. Clague further advised that under Florida Law, Counties cannot give money directly to any corporation; it is considered aid of a private corporation. There is an exception for providing money to nonprofits to provide services that could otherwise be provided directly to the public. It is very common throughout the State to see local governments have programs like this where they provide those additional public services over and above their local government staffing abilities through nonprofits, and it works well. That is what the Board would be doing if money were to be set aside for another service that is not something that is not included or recommended by the CSAB. This would have to come back to the Board in the form of written agreements with controls required under case law, including the ability to audit and review financial records before the Board could distribute the money.


 Commissioner Servia stated she would not support the motion, because there is no mention of a child in the motion, and a recommendation should come from the CSAB.


 Commissioner Satcher stated this matter should not be controversial, as seven Commissioners previously discussed the need to provide assistance to pregnant women.


Motion – Call the Question


 A motion was made by Commissioner Van Ostenbridge, to call the question. The motion was seconded by Commissioner Kruse and carried 7-0.


The motion by Commissioner Satcher was read by the Clerk.


 Mr. Clague stated that based on this motion, the County Administrator would bring this back to Board in the form of written contracts before any funds could be spent.

 Debbie Tapp, CSAB Chair, clarified that this is an open process and faith-based programs can apply for funding.


 Betty Sales Rhodes stated there has been no mention of the unborn baby or children.

 Bryan Kerwin, SOLVE Maternity Homes, commended the work of the CSAB. He clarified the funding for SOLVE Maternity Homes was through the Choose Life License Plate Program.


 Andra Griffin spoke in support of Commissioner Satcher’s anti-abortion efforts and that every effort needs to be made to help pregnant women and unborn babies.

 Rodney Jones expressed concern on the funding process.

RECESS/RECONVENE: 12:22 p.m. – 12:28 p.m. All Commissioners were present except Commissioners Bellamy, Kruse and Whitmore.


 Glen Gibellina agreed there are not enough faith-based services applying for funding. He spoke in support of funding Drug Court.

(Enter Commissioners Bellamy and Kruse)


 Mark Dickson, Right to Life of East Texas, spoke in support of Commissioner Satcher’s pro-life efforts.

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

 The motion carried 5-1, with Commissioner Servia voting nay and Commissioner Whitmore absent.

 Commissioner Servia explained the reason for her nay vote was because the motion does not serve children, but pregnant women.

Motion – Children’s Services Advisory Board’s FY 21/22 Investment Recommendations

 A motion was made by Commissioner Servia, to approve the Children’s Services Advisory Board’s FY 21/22 Investment Recommendations. The motion was seconded by Commissioner Kruse.

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

The motion carried 6-0, with Commissioner Whitmore absent.
(Further comments later in the meeting)

BC20210727DOC138

RECESS/RECONVENE: 12:35 p.m. – 1:31 p.m. All Commissioners were present except Commissioner Whitmore.

PUBLIC WORKS/BONDS 

54. **WINGATE CREEK MINE**

Accepted Duette Bridge Replacement Surety Bond Rider 0218637, increasing the Bond amount from \$390,912 to \$401,466.62, with an effective date of May 12, 2021

BC202120727DOC139

55. **WINGATE CREEK MINE**

Accepted Reclamation Surety Bond Rider 29S107624, increasing the Bond amount from \$8,400,165 to \$8,650,978, with an effective date of May 12, 2021

BC20210727DOC140

56. **WINGATE EAST MINE**

Accepted Reclamation Surety Bond Rider 9288595, increasing the Bond amount from \$6,702,403 to \$7,988,534, with an effective date of May 12, 2021

BC20210727DOC141

57. **SOUTHEAST TRACT MINE**


Accepted Reclamation Surety Bond Rider K06989123, increasing the Bond amount from \$4,632,142 to \$4,759,678, with an effective date of May 12, 2021


BC20210727DOC142

58. **NEWPORT ISLES BORROW PIT (PHASE 2)**


Accepted Reclamation Surety Bond Amendment 106845696, increasing the Bond amount from \$83,565.69 to \$173,459, with the expiration date of February 1, 2023, remaining unchanged


BC20210727DOC143


 Charlie Hunsicker, Parks and Natural Resources Director, responded to questions regarding Items 54 through 58. The purpose of reclamation bonding is to give the public the assurance that the mining company will perform under the rules of procedure that they will complete reclamation parcel by parcel.

 Alissa Powers, Mining Section Manager, utilized a slide presentation to address the Phosphate Mining Code (Ordinance 04-39), Operating Permit process, Annual Administrative Progress Report and Annual Report Review, Surety Bond documents require Board approval, a Certified Bond Report with estimated reclamation unit costs per acre for various landforms specific to the southeast Tract for 2020/2021 and 2021/2022 broken down by activity, 13 current reclamation unit costs broken down into four categories, summary of reclamation bonding/liability for 2021/2022 at 110 percent (includes ten percent contingency), 2021/2022 Reclamation Bond Calculations, and a 2021/2022 Reclamation Liability Map of the GIS boundary areas.


(Enter Commissioner Whitmore)

 There was discussion that the percentage of bonding for reclamation costs should be at 200 percent, ten percent contingency is standard and included in Ordinance 04-39, but should also be much higher, is there negotiating flexibility on contingency, raise the percentage for future permits, provide individual briefings to Commissioners, Mosaic has vested rights for mines with current operating permits, how much land Mosaic has under active mining and how much land has been fully reclaimed.

 Commissioner Van Ostenbridge asked if the County Attorney could bring back an ordinance at the next meeting, requiring an increase by 100 percent in reclamation bonding liability for future permits.


 William Clague, County Attorney, advised that amending the Mining Ordinance must be done through the public hearing process. There is a question as to whether this could be applied to existing, permitted mines, because they may have vested rights under the current ordinance. The Land Development Code contains bonding requirements for improvements from Developers currently set at 130 percent. Mining is a very litigious matter and drafting an ordinance would take time. If a motion was made to increase the percentage of contingency, he suggested that no numerical percentage be put in the motion. The Board should examine bonding requirements with expert staff and bring back amendments to the phosphate ordinance if warranted.

Mr. Clague stated one motion could be made to approve Items 54 through 58 with the recommended motions set forth in the Consent Agenda.

 Tim Richey, Charlotte County resident and Founder of March against Mosaic, displayed aerial photographs of the Piney Point site.

 By telephone, Glen Gibellina stated Mosaic is a disaster.

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

 There was discussion regarding public conduct and lack of consistency during public comment and maintaining proper decorum during meetings.

Motion – Items 54, 55, 56, 57 and 58


 A motion was made by Commissioner Kruse, to approve Items 54 through 58, with the recommended motions set forth in the Consent Agenda. The motion was seconded by Commissioner Servia and carried 6-1, with Commissioner Satcher voting nay.


29. **NEIGHBORHOOD SERVICES/CHILDREN’S SERVICES ADVISORY BOARD** (continued)


 Commissioner Whitmore spoke in support of taking the money out of the General Fund for the Children’s Service Advisory Board Infrastructure Sales Tax item. BC20210727DOC138


ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)

73. **PROPERTY MANAGEMENT/RESOLUTION /STREET VACATION**


 A duly-advertised public hearing (continued from 4/20/21) was held to consider adoption of proposed resolution R-21-017, vacating a portion of 69th Street East, Bradenton.


 While displaying a description sketch (in agenda packet), Victoria Rosenbecker, Real Property Specialist, outlined the request to vacate ,a portion of 69th Street East identified as County Road on the Marineland plat. The area is approximately 2,800 square feet, covering the west 20 feet of 69th Street East, lying south of 68th Avenue East and ending at Braden River to the south. This is a partially improved, platted right-of-way that provides public access to Braden River, and a small area in the northwest corner of the area requested to be vacated is paved. The east 30 feet of this portion of 69th Street East would remain unaffected, as it is County-maintained right-of-way that contains a County-maintained drainage ditch that flows to the Braden River.


 Three conditional objections related to public access to water and drainage were received from staff. The applicant addressed these objections by conveying a drainage and access easement over the east eight feet of the area to be vacated. There were also three objections by County staff related to conflict with Comprehensive Policy 8.2.1.1, Policy 2.9.1, and Policy 2.9.1.7 to maintain public access to water, that could not be overcome by the applicant. Due to staff's objections, Property Management recommends against the vacation.


 Mark Barnebey, representing the applicant Sharon Keister, displayed an aerial map (in the staff report) and directional photographs to show the location of the area to be vacated. The property was dedicated to the County in 1949. The roadway was only built to the first 33 feet of the right-of-way south of the intersection. The remaining right-of-way south of the 33 feet of roadway has not been improved since 1949. This vacation will put the right-of-way back on the tax roll request and does not eliminate access to the Braden River, but will protect the applicant's property and dock from being accessed by the public.


The applicant has no objection to the County's request for an eight-foot access easement to continue to maintain the ditch that lies on the east side of 69th Street East.


 Joy Leggett-Murphy, Property Acquisition Manager, responded to questions regarding action taken on similar requests in the past.

 There was discussion that this request is similar to a previous right-of-way vacation of The Prado (public walkway along the bay front) in Palma Sola Park, why the subject right-of-way was originally platted to the water, how is the roadway currently used, could the public continue to access the water via the eight-foot easement, there are no facilities in this area for people to use this water, Florida water bodies are owned by everyone, protecting access to the water and reducing public access is of great concern, and the right-foot easement could be used as a bike path.

 Todd Boyle, County Surveyor, Chad Butzow, Public Works Director, and Lisa Wenzel, Planning Section Manager, explained staff's objections (outlined in the agenda packet).


 A motion was made by Commissioner Kruse, to adopt Resolution R-21-017, vacating a portion of 69th Street East. The motion was seconded by Commissioner Van Ostenbridge.


 Peggy Christ stated the right-of-way easement was reflected on her original property survey and she and her husband have maintained the right-of-way and drainage ditch for 32 years. The County has never maintained the drainage ditch, and the easement has never been used as a public access. She tried to vacate the area twice, but was told by the County that property close to the water could not be vacated.

 By telephone, Glen Gibellina spoke in opposition to the proposed vacation.

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


Ms. Leggett-Murphy displayed two pages of the Marineland plat.


 Mr. Barnebey assured that a fence would not be constructed to prevent access to the Braden River via the County's easement.


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

BC20210727DOC144


74. **PROPERTY MANAGEMENT/RESOLUTION/STREET VACATION**

 A duly-advertised public hearing was held to consider adoption of Resolution R-21-095, vacating Lot M and portions of Lot L of C.B. Norton’s Subdivision (Original Resolution R-21-046 was scheduled to be heard 5/25/21, but was continued due to a defect in advertisement)

 Chris Pickens, Real Property Specialist, displayed the staff report aerial map to summarize the request. The area to be vacated is approximately 4.93 acres.

 Gary Splittgaber, Applicant, requested the vacation of Lot M and portions of Lot L of the CB Norton’s Subdivision to return the property to acreage and eventually subdivide it into two separate parcels. He responded to questions as to why he chose to apply for a plat vacation rather than a subdivision re-plat.

Discussion ensued that there is an access problem, the applicant’s surveyor has come up with a preliminary re-plat to address access, both properties would use the same driveway to access the property, one property would be accessed to the right by the easement, the plan is to divide this property into two separate parcels, and the house to the south is part of what is considered a front yard which goes to Mr. Splittgaber’s driveway.


 By telephone, Patrick Ludwig expressed concern that the applicant’s plans to split the property into multiple parcels and the existing 35-foot access road would end up as a cul-de-sac with curb, gutter, lights, etc. The existing access is different from 5th Avenue East that connects to it. He also spoke of his plans to construct a wall and gate, but is concerned the County could potentially request the applicant to widen to road in the future.


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

A motion was made by Commissioner Whitmore, seconded by Commissioner Kruse and carried 7-0, to adopt Resolution R-21-095.


BC20210727DOC145

75. **PROPERTY MANAGEMENT/RESOLUTION/STREET VACATION**

 A duly-advertised public hearing was held to consider adoption of Resolution R-21-097, vacating a portion of platted right-of-way at 18900 State Road 64 East, as recorded in the plat of the Waterbury Grapefruit Tracts. (Original Resolution R-21-053 was scheduled to be heard 5/25/21, but was continued due to a defect in advertisement)

 Chris Pickens, Real Property Specialist, displayed the staff report aerial map to summarize the request. The area to be vacated is a 15-foot, unimproved platted right-of-way.

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

 A motion was made by Commissioner Servia, seconded by Commissioner Kruse and carried 7-0, to adopt Resolution R-21-097.

BC20210727DOC146

RECESS/RECONVENE: 3:18 p.m. – 3:30 p.m. All Commissioners were present except Commissioner Kruse.

ADVERTISED PUBLIC HEARINGS (Presentations scheduled)


76. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/RESOLUTION/U.S. HOUSING AND URBAN DEVELOPMENT (HUD) ANNUAL ACTION PLAN**

 A duly-advertised public hearing was held to consider adoption of Resolution R-21-117, adopting the FY 21/22 U.S. Housing and Urban Development (HUD) Annual Action Plan, to allocate Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and Emergency Solutions Grant (ESG) Funds.


Geri Lopez, Redevelopment and Economic Opportunity Director, reviewed the request.


(Enter Commissioner Kruse)

 Jennifer Yost, Community Development Project Manager, used a slide presentation and summarized the funding to be provided for various CDBG, HOME and ESG activities.

 By telephone, Glen Gibellina voiced concern of the administrative fees for the projects.


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


 Discussion occurred regarding the funding allocations, staff tries to allocate/use dollars for community development and not request funding from the General Fund, there is very little impact on the General Fund, because of the grant award funding, all of the programs are looked at collectively, this is only a one-year view, there is a \$10 million portfolio of projects being looked at, these are Federally-funded projects, and a work session would be scheduled to further discuss grants.

 A motion was made by Commissioner Servia, to adopt Resolution R-21-117, approving and authorizing submission to HUD the FY 21/22 HUD Annual Action Plan and de-appropriate and appropriate grant funds to align and realign revenues and expenditures for activities within said Plan. The motion was seconded by Commissioner Whitmore and carried 7-0.

BC20210727DOC147


77. **COUNTY ATTORNEY/RESOLUTION/RENAMING OF LINCOLN PARK**


 Commissioner Bellamy stated the County Commission took action (3/4/21) to direct the County Attorney's office to prepare a resolution requesting that the City of Palmetto rename Lincoln Park to the Coach Eddie Shannon Park and Aquatic Center. Resolution R-21-111 formalizing this request was presented for action by the Board.


 Commissioner Bellamy stated this is a great opportunity to honor a citizen and preserve the legacy of Coach Eddie Shannon.

 There was discussion regarding preserving history and the name Lincoln in Palmetto.

 Betty Sales Rhodes opposed the renaming of Lincoln Park.

 Henry Lawrence stated the renaming of Lincoln Park would be an injustice, because the greatest legacy of Coach Eddie Shannon was at Manatee Memorial High School.


 By telephone, Keenen Wooten spoke in opposition to the renaming of Lincoln Park.

 By telephone, Andra Griffin stated the name of Lincoln Park should not be changed.

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


(Depart Commissioner Satcher)

 Commissioner Baugh referred to an article published in the Sarasota Herald Tribune (3/23/21) <https://www.heraldtribune.com/story/sports/high-school/2021/03/23/coaching-legend-eddie-shannon-celebrates-99th-birthday-style/6966034002>, regarding the life history of Coach Eddie Shannon.

 Following further discussion, a motion was made by Commissioner Bellamy, to adopt Resolution R-21-111, requesting that the City of Palmetto rename Lincoln Park to the Coach Eddie Shannon Park and Aquatic Center. The motion was seconded by Commissioner Van Ostenbridge and carried 6-0, with Commissioner Satcher absent. BC20210727DOC148

(Enter Commissioner Satcher)


78. **FINANCIAL MANAGEMENT/RESOLUTION/PAYMENT IN LIEU OF TAXES**

 Jan Brewer, Deputy County Administrator and Chief Financial Officer, requested adoption of Resolution R-21-104, approving payments in lieu of taxes for certain property owned by the County's Utility System. The amount of payments in lieu of taxes to the General Fund from the Utilities System (Water and Sewer Operating Fund and Solid Waste Fund), will be \$3,340,167.

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


A motion was made by Commissioner Kruse, seconded by Commissioner Bellamy, and carried 7-0 , to adopt Resolution R-21-104, confirming authorization of the imposition and payment of the FY 20/21 payments in lieu of taxes upon certain property owned by the County's Utilities System, as previously approved and included in the adopted FY 20/21 budget. BC20210727DOC149


79. **COUNTY ADMINISTRATOR/DASHBOARD REPORT**


 Dr. Scott L. Hopes, County Administrator, presented the Dashboard Report for informational purposes. No Board action was requested. BC20210727DOC150


80. **NEIGHBORHOOD SERVICES/ANNUAL REPORT/CHILD WELFARE SYSTEMS ADVOCATE PROGRAM**


 Ava Ehde, Neighborhood Services Director, introduced Nathan Scott, Child Welfare Systems Advocate.


 Mr. Scott, utilized a PowerPoint to present the Child Welfare Systems Advocate Annual Report.

 Discussion ensued regarding the annual staff turnover rate, increase funding, schedule a work session on this subject, and consider advocating for more funding from the State through next year's Legislative platform.


 Henry Lawrence spoke about his involvement with Manatee Children Services and spoke with School Board Superintendent Cynthia Sanders about the plight of the kids. He learned that many of the families/foster parents are not preparing the child's mind to know that they could succeed. He suggested involving the School Board Liaison and Manatee Children's Services in a work session.

 Cindy Spray spoke of her involvement with two foster care programs and stated there are numerous organizations the Board may not be aware of. She suggested the Board invite these organizations to the work session.

 By telephone, Andra Griffin commended the work of staff; however, there is an issue with Manatee being the fourth largest County in the State of Florida of having children without homes. She also spoke about the psychological effects to children removed from homes and expressed concern on the amount of children being released.

 By telephone, Glen Gibellina spoke in favor of a work session, commented on the School Board's volunteer program, there should be a truant, officer and involve the Court system.

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


 There was discussion that the vast majority of incidences occur at school, and a request for more information about pediatric child abuse.


No action was requested.

BC20210727DOC151





CITIZEN COMMENTS (Future Agenda Items continued)

 By telephone, Glen Gibellina spoke about homelessness and a Florida Council on Homelessness report he previously provided to Commissioners.


 James Ace questioned (1) the procedures for an historic marker to be placed on 9th Avenue, between 9th Street West and 15 Street East, to commemorate the businesses that lined 9th Avenue from the 1940s through the 1980s; and (2) how much money Manatee County received under the American Rescue Plan Act enacted by President Biden (3/11/21), how much was spent, and how much was, or would be spent in the Black/African American community. Mr. Ace was advised that the appropriate staff would contact him.

April Barnwell, Jenny Cherry, Cathleen Strong, and John Fisher signed up to speak, but were not present.

 Michelle Martin asked the Board to bring back a resolution against any government agency that encourages COVID vaccines in children; and, that a resolution be brought back regarding the 400 people in solitary confinement because of what happened on January 6 in Washington, D.C. She also objected to flyers and other COVID protective measures still in the Administration Building.

 By telephone, Andra Griffin suggested a national search be conducted for a County Administrator and agreed with Ms. Martin's request for a resolution for the political prisoners.

 By telephone, Tina Shoak requested an explanation from Commissioner Baugh regarding a resolution she brought to the Board in November 2020 about the change in Chairmanship.

 There was discussion regarding the path taken by the Whitfield District and City of Bradenton to purchase a monument and the money the County received under the American Rescue Plan Act.

GENERAL COMMENTS BY COMMISSIONERS


Commissioner Bellamy 

- Noted that the Board did not stop certain citizens from speaking this afternoon after the three-minute time limit expired

Commissioner Whitmore 

- Stated she does not support conducting a national search for a County Administrator
- Many County staff are out of work sick with COVID and another County employee passed away this week. She asked that the COVID fliers be re-posted throughout the Administrative Building

(Depart Commissioner Bellamy)

 Dr. Hopes responded to general comments by Commissioners.

RECESS/RECONVENE: 5:54 p.m. - 6:12 p.m. All Commissioners were present except Commissioners Whitmore and Bellamy.

COMMISSIONERS' COMMENTS


Commissioner Van Ostenbridge 

- Spoke about his discussions with various entities on the potential of additional boat ramps in the County, including a new interchange at U.S. 301/I-75 in Ellenton. The interstate is elevated in this location and the on-ramps will also be elevated. The site plan is being looked at to determine if there is enough land underneath both roads to install a small boat ramp (20 spaces) with access to upper Manatee River
- Property Management staff is working on reinforcing the road underneath the opposite side of Fort Hamer Bridge, shelling the area and adding 20-30 spaces to the boat ramp
- Staff is working on a boat ramp to access the mouth of Palma Sola Bay near the Village of Cortez (Peninsula Bay)


(Further Commissioners' Comments later in the meeting)

(Enter Commissioner Whitmore)

NEW BOAT RAMP ALONG MANATEE RIVER

 Commissioner Van Ostenbridge stated he discussed with City of Bradenton Mayor Brown the idea of a boat ramp on the City of Bradenton side of the Manatee River, directly east of Manatee Memorial Hospital. It would become the largest boat launch in Commissioner Bellamy's district, and the potential for this site is good. The concept would be to bring in fill to create land for public access. Also discussed was putting in a living shoreline around the edge to create a marine environment.

 A motion was made by Commissioner Van Ostenbridge, to direct staff to begin the process of securing needed permits and interlocal agreements to build a boat launch on the Manatee Riverbed within the City limits of Bradenton directly east of Manatee Memorial Hospital. The motion was seconded by Commissioner Servia.

 City of Bradenton Mayor Brown spoke in favor of this opportunity with Manatee County.

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

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

COMMISSIONERS' COMMENTS (continued)

Commissioner Van Ostenbridge (continued)

- Provided an update on tide in District 3 and asked about the status of the canals in Anna Maria and Holmes Beach

(Enter Commissioner Bellamy)

The County Administrator stated it was his belief the Florida Department of Environmental Protection would reimburse the County for mitigation in the canals. The primary focus is the contract with the company to employ boats in the bay and offshore to net out the debris. A plan is being developed to assist with getting the canals cleaned up.



The County Attorney stated insurance and indemnification clauses could be built into any agreement with contractors that are chosen to do the work.

(Further Commissioners' Comments later in the meeting)

LEGAL NOTICES



Commissioner Van Ostenbridge stated that in this past Legislative Session, Senate Bill 402 was passed, which dropped the requirement that legal notices be advertised in printed newspapers. He commented on the amount of money being spent by the County to advertise legal notices in the Bradenton Herald, and suggested the County go entirely digital.



A motion was made by Commissioner Van Ostenbridge, that all paid advertisement notices paid by Manatee County Government go to the news outlet, Your Observer website until further notice. This would ensure greater and free accessibility to all residents. The motion was seconded by Commissioner Kruse.



William A. Clague, County Attorney, requested Commissioner Van Ostenbridge modify his motion to add the words, to the extent permitted by the applicable codes until such codes are changed.



Commissioner Van Ostenbridge amended the motion to add the wording by the County Attorney. Commissioner Kruse agreed.

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

Discussion occurred on the need for more information, not everyone has digital access, put the notices on the County's website, and a substantial savings for taxpayers.



Following discussion, a motion was made by Commissioner Satcher to call the question. The motion was seconded by Commissioner Kruse and carried 6-1, with Commissioner Whitmore voting nay.



The motion, as amended, carried 4-3, with Commissioners Bellamy, Servia and Whitmore voting nay.

COMMISSIONERS' COMMENTS (continued)

Commissioner Satcher


- Spoke about ongoing activities in District 1, including the installation of sidewalks, and a new soccer field at Buffalo Creek, etc.

Commissioner Bellamy


- Spoke about ongoing projects in District 2, including sidewalks on Second Avenue East

and Second Avenue West


- Announced the Washington Park groundbreaking on July 28
- Thanked the Board for supporting the action to rename Lincoln Park
- Commented on a diversity, equity and inclusion initiative and the need for a documented protocol and consistency with what will and will not be allowed from citizens speaking at the podium

Commissioner Kruse 

- Commented on citizen comment protocols
- Stated the County should find a way to help the Police Athletic League organization
- Commented on the contract for Bishop Animal Shelter and asked that it move forward

 Brief discussion occurred regarding possible use of Community Redevelopment Agency Grant Funds or Southwest Tax Increment Financing (SWTIF) Funds.

- Commented on the contract for Bishop Animal Shelter and asking that it move forward
- Requested an update on the Medieval Fairgrounds property
- Requested information on ways to help with red tide via rounding up herbicides, no mow zones, and getting Code Enforcement to help with cutting mangroves
- Requested information on the specifics of the red-light cameras contract, how quickly it can be cancelled and at what cost (contract expires October 2022)
- Stated the endless distractions on the dais are hindering County business

Chairman Baugh 

- Asked for the Board's patience with her when dealing with citizen comments that may be disrespectful, no foul language would be tolerated, the Board has Rules and Procedures, and Board members need to work together
- Thanked staff for the hard work done during the Board's summer recess
- Stated she looks forward to receiving a report from the County Administrator regarding the current COVID status
- Commented that the previous Sunshine violation allegations against her have been cleared and the commotion must stop


Commissioner Whitmore 

- Commented on correspondence received regarding the 35-mph speed limit on Lorraine Road and a suggestion to go to 40-mph. She requested discussion at a future meeting.
- Relayed discussions held at recent meetings of the Gulf Coast Consortium, an emergency housing committee, and the red tide forum sponsored by Suncoast Waterkeepers
- Stated the County needs to find a way to help people, who are unable to mow their lawns, pay their electric bills, etc.

(Further Commissioner Comments later in the meeting)

TO INFORM FAMILY FIRST (TIFF) PROGRAM/LETTER

Commissioner Whitmore asked if the Board would support the lighting of the Skyway Bridge in purple to support the TIFF (To Inform Families First) Program.

 A motion was made by Commissioner Whitmore, to authorize the Chairman to write a letter of support for the Skyway Bridge to be lit up in purple in support of the TIFF Program for the dates of October 22-23. The motion was seconded by Commissioner Servia and

carried 7-0.

BC20210727DOC152

COMMISSIONERS' COMMENTS (continued)


Commissioner Whitmore (continued)

- Congratulated Economic Development staff for their work on the Amazon project
- Advised that Adell Erozer, former Director of Turning Points, is now Director of the Bishop Parker Foundation
- Stated the Sheriff has started a new program, Operation Lifesaver, to identify repeat overdose victims that are at risk of fatal overdoses and provide medical help
- Noted there is a major lack of endocrinologists in Manatee County
- Commented on the Elder Gray Program and the County should stay out of the way of medical protocols

Commissioner Servia 

- Thanked staff for helping a constituent, who was upset about a drainage project going through his property
- Stated the County needs a proactive approach on stormwater improvements where none exist, to preserve the quality of Manatee County's Outstanding Florida Waters
- Commented on citizen comment protocols
- Spoke about partisan politics/conduct of standards
- Asked for the status of the Parks Master Plan and that it come to the Board soon

FOSTER CARE WORK SHOP

 A motion was made by Commissioner Van Ostenbridge, that we direct the County Administrator to prepare a workshop on foster care in Manatee County. The motion was seconded by Commissioner Whitmore.

Motion – Call the Question

A motion to call the question was made by Commissioner Van Ostenbridge, seconded by Commissioner Whitmore and carried 7-0.

There being no public comment, Chairman Baugh closed public comment

 The motion requesting a foster care workshop carried 7-0.

There was discussion for a program for babies and unwed mothers, personal values of Commissioners, and that everyone's position should be respected.

ADJOURN

There being no further business, Chairman Baugh adjourned the meeting at 7:25 p.m.

Minutes Approved: April 12, 2022