

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COUNTY ADMINISTRATION BUILDING, HONORABLE PATRICIA M. GLASS CHAMBERS  
1112 Manatee Avenue West  
Bradenton, Florida  
December 14, 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, entered later in the meeting  
Carol Whitmore

Also present were:

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

Chairman Baugh called the meeting to order at 8:30 a.m.

**INVOCATION**

 The Invocation was delivered by Pastor Jeff Holton, West Bradenton Baptist Church, Southside Campus. (The Pledge of Allegiance was led later in the meeting)

**AGENDA** 

- Revised Agenda 1 with Update Memorandum (12/10/21) BC20211214DOC001  
BC20211214DOC002
- Citizen Comments (Consideration for Future Agenda Items - Written comments submitted through the online Public Comment form were added), and
- Item 61, Resolution R-21-189, Redistricting the County into Commissioner Districts of Contiguous Territory as Nearly Equal in Population as Practicable - Written comments submitted through the online Public Comment form were added
- Item 3, Clerks Consent Agenda Investment Policy - This item is deferred; no action is required BC20211214DOC003
- Item 4, Resolution R-21-040, Manatee County Impact Fee Administrative Procedures Manual Update - The final version (clean copy) of the manual, inadvertently omitted from the agenda item, was attached
- Item 12, Budget Amendment Resolution B-22-031 and Budget Amendment Resolution for Infrastructure Sales Tax B-22-035 - Resolution B-22-031 was updated to remove Item 15 relative to the CDBG Grant Fund and to renumber Item 22 (Supervisor of Elections, General Fund) to Item 15
- Item 23, Interlocal Agreement regarding American Rescue Plan (ARP) Funding between Manatee County and Manatee County Sheriff's Office - This Item is deferred; no action is required BC20211214DOC004
- Item 29, Authorization to Advertise Notice of Public Hearing for Adoption of Ordinance 22-08, relating to Acquisition, Protection and Management of Environmental Lands on January 11, 2022 - The proposed Ordinance and Notice of Public Hearing were updated and replaced to reflect new Ordinance number 22-08 (formerly 21-45), and to better capture the motion passed on October 27, 2021, specifically that the Board liaison to the Environmental Lands Management and Acquisition Committee (ELMAC) will serve as ELMAC Chairman
- Item 46, Resolution R-21-185, to Approve the Alignment of 27th Street East Functional Improvement - This item is **deferred**; no action is required BC20211214DOC005

- Item 49, Utility Reimbursement Agreement between Manatee County and Benderson Development Company LLC, for the Reroute of a Sanitary Sewer Main, Budget Resolution B-22-036 – The Budget Resolution, inadvertently omitted from the agenda item, has been attached

Changes to Regular Agenda

Administrator

- Item 61, Resolution R-21-189, Redistricting the County into Commissioner Districts of Contiguous Territory as Nearly Equal in Population as Practicable – The Resolution and agenda item were updated to reflect action taken at the December 7 Special Meeting to prepare Plan B2 for adoption by resolution at the December 14 regular meeting

Public Safety

- Item 64, Bishop SPCA Asset Transfer and Easement Agreement:
  - The requested action was updated to include execution of the agreements; and
  - A PowerPoint presentation was added

Addition to Regular Agenda

Financial Management

- Item 71, Amendment 1 to Agreement 18-R068859AJ, for Correctional Health Care Services – Request for Authorization for the Procurement Official, or designee, to execute Amendment 1 to Agreement 18-R062259AJ (correct Agreement number should be 18-R068859AJ) for Correctional Health Care Services with NaphCare, Inc., for a period of 180 days beginning January 1, 2022, and ending June 30, 2022

**Revised Agenda 2 with Update Memorandum (12/13/21)**

BC20211214DOC006

Public Comments

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

- Item 29, Authorized to advertise Notice of Public Hearing for Adoption of Ordinance 22-08 (formerly 21-45) relating to Acquisition, Protection and Management of Environmental Lands on January 11, 2022, and
- Item 61, Resolution R-21-189, Redistricting the County into Commissioner Districts of Contiguous Territory as Nearly Equal in Population as Practicable – An email from Carol Felts and town hall comment cards submitted by Commissioner Servia were added

Changes to Regular Agenda

County Administrator

- Item 59, Confirmation of appointment of Courtney De Pol as Director of Building and Development Services – Courtney De Pol’s resume was added to this item
- Item 60, Confirmation of appointment of Andrew “Drew” T. Richardson as Director of Information Technology Services – This item was updated to indicate the selection of Andrew “Drew” T. Richardson as Director
- Item 61, Resolution R-21-189, Redistricting the County into Commissioner Districts of Contiguous Territory as Nearly Equal in Population as Practicable – An email from Carol Felts and Town Hall comment cards submitted by Commissioner Servia were added to this item

Public Safety

- Item 64, Bishop SPCA Asset Transfer and Easement Agreement – Final drafts of the agreements were attached to this agenda item

Financial Management


- Item 71, Amendment 1 to Agreement 18-R0688859AJ, for Correctional Health Care Services – The unsigned copy of the amendment was replaced with the copy signed by NaphCare



There was discussion regarding changes and updates to the agenda at the last minute, general policy of getting agendas published in advance, agendas should be living documents in real time, there is no reason to wait until 5:00 p.m. the night before the meeting to add agenda items, there needs to be a cut-off date, and new/additional items should be put on a separate section of the agenda.

(Enter Commissioner Satcher)

**VETERAN-LED PLEDGE OF ALLEGIANCE**

 The Pledge of Allegiance was led by Douglas James Schofield, Jr., Captain/O3E (Retired) U.S. Marine Corps.












**AWARDS/PRESENTATIONS/PROCLAMATIONS** 


1. A motion was made by Commissioner Whitmore, seconded by Commissioner Servia and carried 7-0, to adopt a Proclamation designating December 14, 2021, as Patricia Adams Day in Manatee County and presenting the 2021 Employee of the Year Award. BC20211214DOC007


**CONSENT AGENDA** 

Item 28 - Pulled by Commissioner Whitmore  
Item 29 - Pulled by Commissioner Kruse

**CITIZEN COMMENTS** (Consideration for Future Agenda Items)

-  Belinda Richey commented on the accomplishments of the County Commission for 2021.
  -  Maureen Merrigan, Longboat Key Commissioner, thanked the Board for continued support of beach renourishment and funding opportunities.
  -  Shannon Keever thanked Commissioners Bellamy, Servia and Whitmore for opposing the abortion ban in Manatee County.
  -  Mike Meehan commented about Reserves for environmental lands, another millage cut, a water/sewer billing holiday, additional citizen comment time, more emphasis on spending for human needs, sidewalks and bike lanes on Riverview Boulevard, 59th Street West and municipal broadband.
  -  Chris Johnson, Suncoast Partnership to End Homelessness, referred to the April 2017 Report from Florida Housing Coalition Report, and thanked the Sheriff for assigning Deputy Jewitt as Homeless Outreach Officer.
  -  Matthew Musselman, resident of Silver Lake Subdivision, explained Taylor Morrison constructed a six-foot-high fence on top of a four-foot-high berm between Silver Lake and The Heights Subdivisions, creating a ten-foot-high wall obstructing view.
  -  Glen Gibellina stated the new \$20 million Lakewood Ranch Library does not have solar, live video streaming of advisory committee meetings, affordable housing, and submitted information on industrial uses in his community causing negative impacts.
  -  Tina Shope spoke about the events of Manatee County Government in 2021.
  -  Diana Adams spoke about a severe noise disturbance from commercial property and sexual harassment by staff in her home.
  -  Sara Parker read the Civility Pledge and requested free contraceptives and non-denominational birthing centers.
  -  By telephone, Andra Griffin requested an update on the removal of red-light cameras and commented about employee conduct, sexual harassment, and bullying.
- There being no further citizen comments, Chairman Baugh closed Citizen Comments.

 Discussion ensued that no laws are being broken from the noise disturbance near Ms. Adams' property, reason for Police presence at Board meetings and a metal detector at the entrance of Chambers, allegations by Ms. Adams, and the process to address the complaints.

 Chairman Baugh asked Dr. Hopes to look into concerns by Mr. Musselman and Mr. Gibellina, and investigate sexual harassment allegations by Ms. Adams, the County Attorney's office should brief the Board on this situation, how citizen's complaints against employees are addressed, Gallagher consulting firm is being engaged to conduct an assessment of the Human Resources Department and make recommendations to address citizen's complaints, and a firm has been engaged to do a search for a new Human Resources Director.


Dr. Scott Hopes, County Administrator, stated a work session is scheduled to discuss the citizen complaint process.

BC20211214DOC008

### ANNOUNCEMENTS


- Item 59, 1:00 p.m. – Confirmation of Appointment of Director of Building and Development Services Department, followed by Item 60., Confirmation of Appointment of Director of Information Technology Services Department
- Item 66, 1:30 p.m. – FY 21 Infrastructure Sales Tax Oversight Committee Annual Report
- Item 63, 2:00 p.m. – Letters of Engagement with Carr, Riggs and Ingram LLC, for Auditing, Evaluation and Compliance Services; followed by Item 69, Discussion of Financial/Budget Concerns
- Item 61, 2:30 p.m. – Adoption of Resolution R-21-189, Redistricting the County into Commissioner Districts of Contiguous Territory as Nearly Equal in Population as Practicable
- Item 64, 3:30 p.m. – Acceptance of Bishop SPCA Asset Transfer and Easement Agreement
- Item 71, 4:30 p.m. – Execution of Amendment 1 to Agreement 18-R068859AJ, for Correctional Health Care Services; followed by Item 67, Discussion of Public Safety Benefits, Revenues/Costs and Efficiencies of the Red-Light Camera Program Now and Our Approach for the Future

### CITIZEN COMMENTS (Consent Agenda Items Only)


 Glen Gibellina stated marginalized areas including Rubonia and areas of Palmetto are not on the neighborhood enhancement grant projects recipients list (Item 24). He asked the County to reach out to these areas to make them aware of grant funding opportunities. He also commented on Item 45.

 Ken Piper, Infrastructure Sales Tax (IST) Oversight Committee member, addressed Item 12. He clarified Committee duties, asked Commissioners to accept input from Committee members, and have a Commissioner on the Committee. He also commented on Items 2 and 27, the purchase of ambulances (Item 17).

 By telephone, Alice Miller, President of League of Women Voters, commented on Item 27.

 By telephone, Andra Griffin requested more information on Item 17, and agreed with Mr. Gibellina on Items 24 and 45.

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

 Discussion ensued regarding community services enhancement grants, more Emergency Medical Services (EMS) are needed, fire trucks do not transport patients, matching grants are required to purchase environmental lands, make sure the County is utilizing the proper eminent domain process with appraisals, duplication of ambulance and fire district services, the County is taking advantage of every grant opportunity to make improvements in District 2, and continuous discrimination about Lakewood Ranch.

**ADDITIONAL CONSENT AGENDA ITEM PULLED**

 Commissioner Whitmore also pulled Item 27 from the Consent Agenda.

**CONSENT AGENDA MOTION** 

A motion was made by Commissioner Servia, seconded by Commissioner Van Ostenbridge and carried 7-0, to approve the Consent Agenda, with the changes incorporated in the Agenda Update Memorandums, with the deletion of Items 27, 28 and 29 (separate action).

**2. CLERK’S CONSENT AGENDA**

BC20211214DOC09

**A. WARRANT LISTING**

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

BC20211214DOC10

**B. MINUTES**

Approved the Minutes of September 14 and October 26, 2021

**C. REFUNDS**

Approved:

- 1. Bohler Engineering FL LLC – Pre-Application Conference, \$1,500 BC20211214DOC11
- 2. David Weekley Homes – Impact Fees, \$15,460 BC20211214DOC12
- 3. Morris Engineering and Consulting LLC – Site Plan Changes, \$1,500 BC20211214DOC13
- 4. NVR, Inc., dba Ryan Homes – Impact Fees, \$2,297 BC20211214DOC14
- 5. Unicoat Industrial Roofing Corporation – Pre-application Conference \$1,500 BC20211214DOC15
- 6. Winslow Permits – Pre-Application Conference, \$1,500 BC20211214DOC16
- 7. Norman Zulauf – Pre-Application Conference, \$1,500 BC20211214DOC17

**D. BONDS**

Accepted:

- 1. Copperlefe
  - Released Agreement in Conjunction with Letter of Credit (Attachment A) as Defect Security Warranting Required Improvements securing roadway, sewer, water, and reclaimed improvements, \$99,964.95; and
  - Released and returned Letter of Credit (Defect) FGAC-17312, and any associated riders, \$99,964.95 BC20211214DOC18
- 2. Country Club East, Subphase YY, Unit 1 – Longcliffe, Unit 2 – Hawkstone, Unit 3 and 4 – Eaglecliffe
  - Released Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvement securing potable water and sanitary sewer improvements, \$97,513.23; and
  - Released and returned Surety Bond (Defect) 9156886, and any associated riders, \$97,513.23 BC20211214DOC19
- 3. Del Webb Phase V, Subphase D
  - Released and returned Surety Bond (Performance) 0238769, Agreement for Public Improvements for Private Subdivision, \$444,555.93;
  - Released and returned Surety Bond (Performance) 0238768, Agreement for Public Improvements for Private Subdivision, \$585,343.04

- Accepted and executed Surety Bond (Defect) 30143047, securing Section 1.5 “Maintenance, Defects” of the Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on June 8, 2021, for Phase V, Subphase D, securing potable water and sanitary sewer, \$31,548.11; and
- 4. Lakewood National Golf Club Phase I, Subphase C
  - Accepted and executed Bill of Sale BC20211214DOC020
  - Released Agreement in Conjunction with Letter of Credit (Attachment A) as Defect Security Warranting Required Improvements securing sewer and potable water improvements in the amount of \$27,881.70; and
  - Released and returned Letter of Credit (Defect) FGAC-17311, and any associated riders, \$27,881.70 BC20211214DOC021
- 5. Riverside Preserve, Phase II
  - Released and returned Surety Bond (Performance) 1085584 and any associated riders in conjunction with performance portion of Agreement for Private Subdivision with Public Improvements, \$239,782.47;
  - Released and returned Surety Bond (Performance) 1085583 and any associated riders in conjunction with performance portion of Agreement for Private Subdivision with Public Improvements, \$454,160.53;
  - Accepted and executed Surety Bond (Defect) 1085581 securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Public Improvements, accepted by the Board of County Commissioners on March 9, 2021, securing sewer and water improvements, \$15,527.41; and
- 6. Soleil, Phase II-B
  - Accepted and executed Bill of Sale BC20211214DOC022
  - Released Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements securing sewer and potable water improvements, \$8,573.14; and
  - Released and returned Surety Bond (Defect) 9265542 and any associated riders, \$8,573.14 BC20211214DOC023
- 7. Summerwoods, Phase IC
  - Released and returned Surety Bond (Performance) LICZX1192113, and any associated riders in conjunction with performance portion of Agreement for Public Improvements, \$986,842.68;
  - Released and returned Surety Bond (Performance) LICZX1192111, and any associated riders in conjunction with performance portion of Agreement for Public Improvements, \$729,833;
  - Accepted and executed Surety Bond (Defect) LICX1193699 securing Section 1.5 Maintenance, Defects of Agreement for Public Subdivision accepted by the Board of County Commissioners on February 25, 2020, public and private improvements, \$71,500.98; and
- 8. White Eagle Boulevard to Malachite Drive to 44th Avenue East
  - Accepted and executed Bill of Sale BC20211214DOC024
  - Released Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements securing roadway and pavement, potable water, sanitary sewer for White Eagle Boulevard, from Malachite Drive to 44th Avenue East (fka Pope Road, Ph II North), \$136,415.90; and
  - Released and returned Surety Bond (Defect) SU1139468 and any associated riders, \$136,415.90 BC20211214DOC025

**E. CONTRACT**

Accepted the following Contract per Chapter 2-26 of Manatee County Code and pursuant to Purchasing Division's Administrative Standards and Procedures Manual: Contract Agreement for Stipulated Sum 21-TA003798JH with Harris-McBurney Company, for Medalist Road Watermain Replacement, \$343,174.53 BC20211214DOC026

**4. COUNTY ADMINISTRATOR**

Adopted Resolution R-21-040, adopting a Manatee County Impact Fee Administrative Procedures Manual Update BC20211214DOC027

**5. COUNTY ATTORNEY/ELECTRONIC LEGAL NOTICES**

Amended and restated the Board's July 27, 2021, motion regarding legal notices, to direct the County Attorney and County Administrator to prepare, schedule and advertise items necessary, to allow for use of internet-only legal notices to the extent authorized by law after January 1, 2022 BC20211214DOC028

**6. COUNTY ATTORNEY/LAWSUIT SETTLEMENT**

Authorized the County's Attorney's Office to negotiate a settlement of this matter for an amount between \$50,000 and \$75,000, in the case of Gilda Monk v. Manatee County Sheriff, Case 2020-CA-0370 BC20211214DOC029

**7. COUNTY ATTORNEY/LAWSUIT SETTLEMENT**

Approved a Proposal for Settlement to Plaintiff, Gilda Monk, in the amount of \$50,000, in the case of Gilda Monk v. Manatee County Sheriff, Case 2020-CA-3770 BC20211214DOC030

**8. COUNTY ATTORNEY/OPIOID SETTLEMENTS**

Authorized Manatee County Attorney William E. Clague, to sign two Florida Participation Agreements and any and all ancillary documents consistent with, or in furtherance thereof, binding Manatee County to the terms of both Participation Agreements with AmerisourceBergen, Cardinal Health and McKesson (collectively Distributors), and Janssen/Johnson & Johnson (collectively Settling Defendants), and receive the County's share of Opioid settlement proceeds (approved by R-21-084, 7/27/21) BC20211214DOC031

**9. BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/AVIARY AT RUTLAND RANCH, PHASE IIA AND IIB**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording Supplemental Declaration to Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Aviary at Rutland Ranch;
- Authorized recording of Maintenance Agreement for Right-of-Way Improvements for the Aviary at Rutland Ranch;
- Authorized the County Administrator to accept, execute and record Agreement for Public Subdivision with Public Improvements for Aviary at Rutland Ranch, Phase IIA and IIB from Aviary Development Group, Inc.;
- Authorized the County Administrator to accept and execute Letter of Credit as Security Guaranteeing Completion of Required Improvements, Aviary at Rutland Ranch, Phase IIA and IIB, Irrevocable Credit 11082021B, \$4,323,352.48;
- Authorized the County Administrator to accept and execute Letter of Credit as Security Guaranteeing Completion of Required Improvements, Aviary at Rutland Ranch, Phase IIA and IIB, Irrevocable Credit 11082021C, \$2,802,119.84;
- Authorized the County Administrator to accept, execute and record Agreement for Public Subdivision with Private Improvements for Aviary at Rutland Ranch, Phase IIA and IIB, from Aviary Development Group, Inc.; and

- Authorized the County Administrator to accept and execute Letter of Credit as Security Guaranteeing Completion of Required Improvements, Aviary at Rutland Ranch, Phase IIA and IIB, Irrevocable Credit 11082021A, \$503,457.60 BC20211214DOC032

10. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/MANATEE LAST MILE**

- Executed and authorized recording of Final Subdivision Plat;
- Accepted, executed and authorized recording of Mortgagee's Joinder in and Ratification of Subdivision Plat and All Dedications and Reservations Thereon, for Manatee Last Mile by UMB Bank;
- Authorized the County Administrator to accept, execute and record Agreement for Public Development (Non-Subdivision), Manatee Last Mile from Manatee County Property Owner LLC;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Manatee Last Mile, Surety Bond 107468303, \$1,838,737.73;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Manatee Last Mile, Surety Bond 107468304, \$1,634,881.04; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Manatee Last Mile, Surety Bond 107468302, \$145,028.81 BC20211214DOC033

11. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/SOLERA AT LAKEWOOD RANCH, PHASE II**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of Second Supplement and Third Amendment to Declaration of Covenants, Conditions and Restrictions of Solera;
- Authorized the County Administrator to accept, execute and record Agreement for Public Subdivision with Public Improvements, Solera at Lakewood Ranch, Phase II, Subphases A, B, C and D, from SFTEN LLC;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Solera at Lakewood Ranch, Phase II, Surety Bond SU1175725, \$2,831,179.90;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Solera at Lakewood Ranch, Phase II, Surety Bond SU1175727, \$55,510.33;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Solera at Lakewood Ranch, Phase II, Surety Bond SU1175736, \$46,496.13;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Solera at Lakewood Ranch, Phase II, Surety Bond SU1175729, \$3,662,472.70;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Solera at Lakewood Ranch, Phase II, Surety Bond SU1175730, \$138,797.75;
- Authorized the County Administrator to accept, execute and record Agreement for Public Subdivision with Private Improvements, Solera at Lakewood Ranch, Phase II, Subphases A, B, C and D, from SFTEN LLC;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Solera at Lakewood Ranch, Phase II, Surety Bond SU1175724, \$1,489,380.67;



- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Solera at Lakewood Ranch, Phase II, Surety Bond SU1175726, \$249,842.32;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Solera at Lakewood Ranch, Phase II, Surety Bond SU1175732, \$91,630.50;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Solera at Lakewood Ranch, Phase II, Surety Bond SU1175728, \$436,135.38; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Solera at Lakewood Ranch, Phase II, Surety Bond SU1175731, \$483,958.28

BC20211214DOC034

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

Adopted Budget Amendment Resolution B-22-031 and Budget Amendment Resolution B-22-035 for Infrastructure Sales Tax

BC20211214DOC035

13. **FINANCIAL MANAGEMENT/BLANKET PURCHASE ORDER AGREEMENT**

Authorized allocation of additional funding to Blanket Purchase Order Agreement P1801359, Electrical, Lighting and Related Supplies and Services, with Graybar Electric Company, Inc., in accordance with the Board of County Commissioner-approved departmental budget

BC20211214DOC036

14. **FINANCIAL MANAGEMENT/BLANKET PURCHASE ORDER AGREEMENT**

Authorized allocation of additional funding to Blanket Purchase Order Agreement P1900914, Tires, Tubes and Services with McGee Commercial Tire and Services, in accordance with the Board of County Commissioner-approved departmental budget

BC20211214DOC037

15. **FINANCIAL MANAGEMENT/INVITATION FOR BID/EMS MEDICAL SUPPLIES**

- Authorized to award IFB 21-R077463JH, EMS Medical Supplies to lowest responsive and responsible bidder, Agni Enterprises LLC, Bound Tree Medical LLC, Henry Schein, Inc., Nashville Medical and EMS Products, Inc., Life-Assist, Inc., and Quadmed, Inc.; and
- Authorized the Procurement Official, or designee, to issue Blanket Purchase Order Agreements for EMS Medical Supplies on an as-required basis

BC20211214DOC038

16. **FINANCIAL MANAGEMENT/INVITATION FOR BID/LIST STATION 12-A FORCE MAIN REPLACEMENT AND EXTENSION**

- Authorized to award IFB 21-TA003719DJ, Lift Station 14-A Force Main Replacement and Extension, to lowest responsive and responsible bidder, Cobb Site Development, Inc., for \$3,172,614.27, based on a construction completion time of 300 calendar days; and
- Authorized the Procurement Official, or designee, to execute Agreement and accept and date the Public Construction Bond

BC20211214DOC039

17. **FINANCIAL MANAGEMENT/PURCHASE ORDER/AMBULANCES**

Authorized to award Purchase Order to Ten-8 Fire Equipment, Inc., for six Braun Chief XL Ford F550 Ambulances, in the not-to-exceed amount of \$1,780,530, utilizing Florida Sheriff's Association Contract FSA20-VEF14.01

BC20211214DOC040

18. **FINANCIAL MANAGEMENT/AGREEMENT/CORROSION AND ORDER CONTROL SERVICES**

Authorized to rescind aggregate, not-to-exceed amount for Agreement 18-TA002693AJ, Corrosion and Order Control Services, with Premier Magnesia LLC, and Evoqua Water Technologies LLC

BC20211214DOC041

19. **FINANCIAL MANAGEMENT/AGREEMENT/SOCIAL MEDIA MANAGEMENT**  
Authorized the Procurement Official, or designee, to execute Amendment 3 to Agreement 18-R069802MG, Social Media Management, extending Agreement for one year (11/28/21-11/27/22), and incorporates a revised Exhibit B – Fee Rate Schedule BC20211214DOC042
20. **FINANCIAL MANAGEMENT/AGREEMENT/VIDEO AND CARD ACCESS SYSTEMS UPGRADE**  
Authorized the Procurement Official, or designee, to execute Amendment 3 to Agreement 20-R073241JE, Video and Card Access Systems Upgrade, rescinding aggregate, not-to-exceed amount and incorporates Attachment A – SSA 2021-2022 Fee Schedule into the Agreement BC20211214DOC043
21. **FINANCIAL MANAGEMENT/CHANGE ORDER/SAN REMO SHORES WATERMAIN REPLACEMENT**
- Authorized the Procurement Official, or designee, to execute Change Order 2 to Agreement 19-TA003131AJ, San Remo Shores Watermain Replacement project with Harris-McBurney Company, adding an additional 323 calendar days to construction schedule and an additional amount of \$241,963.72; and
  - Adopted Budget Resolution B-22-038, amending the annual budget for FY 22 BC20211214DOC044
22. **FINANCIAL MANAGEMENT/CHANGE ORDER/SATELLITE LIFT STATION R AND R 2018 GROUP 3**  
Authorized County Administrator, or designee, to execute Change Order 2 to Agreement 20-TA003249AJ, Satellite Lift Station R and R 2018 Group 3, with CEC Motor and Utility Services LLC, authorizing an additional \$41,815.33, for a revised total, not-to-exceed \$1,027,711.11 BC20211214DOC045
24. **NEIGHBORHOOD SERVICES/NEIGHBORHOOD ENHANCEMENT GRANT/BRIDGEWATER AT LAKEWOOD RANCH**
- Approved six FY 20/22 Neighborhood Enhancement Grant Projects:
    - Forest Creek – Neighborhood Signage Replacement – up to \$10,000;
    - Copperstone – Entryway and Path Improvements – up to \$10,000;
    - River Club – Removal of Invasive Species – up to \$10,000;
    - River Isles – Refurbish Community Garden – up to \$8,200;
    - Palma Sola – Community Landscaping – up to \$1,000;
    - Central Park – Removal of Invasive Species – up to \$6,000;
  - Authorized the County Administrator, or designee, to approve and execute reimbursement agreements for these projects funded through FY 21/22 Neighborhood Enhancement Grant Program; and
  - Approved corrected FY 21/22 Neighborhood Enhancement Grant project funding amount for Bridgewater at Lakewood Ranch, up to \$10,000 BC20211214DOC046
25. **NEIGHBORHOOD SERVICES/AGREEMENT/ALZHEIMER’S DISEASE INITIATIVE**
- Executed Amendment 002 to ADI-21/22-MAN Agreement with Senior Connection Center, Inc., for the Alzheimer’s Disease Initiative Program, increasing funding amount by \$116,953, allowing for provision of additional service types, and adoption of a new Budget Summary reflecting these changes; and
  - Adopted Budget Resolution B-22-032, amending the annual budget for FY 22 BC20211214DOC047
26. **NEIGHBORHOOD SERVICES/AGREEMENT/COMMUNITY CARE FOR THE ELDERLY**
- Executed Amendment 002 to CCE-21/22-MAN Agreement with Senior Connection Center, Inc., for the Community Care for the Elderly Program, increasing funding amount by \$99,380; and adoption of new Budget Summary reflecting this change; and
  - Adopted the Budget Resolution B-22-033, amending the annual budget for FY 22 BC20211214DOC048

30. **PARKS AND NATURAL RESOURCES/LICENSE AGREEMENT/MANATEE COUNTY YOUTH ROWING, INC.**  
Executed Second Amendment to License Agreement (12/13/16) with Manatee County Youth Rowing, Inc., reflecting the new aspect, i.e. folding Suncoast Aquatic Nature Center Associates, Inc., (SANCA) responsibilities into License Agreement BC20211214DOC049
31. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepting and authorized recording of Conservation Easement for Mitigation Rowe Ventures LLC, for property located at 16410 CR 675, Parrish), required with final site plan requirements for Aviary at Rutland Ranch residential development; and
  - Authorized recording of Affidavit of Ownership and Encumbrances from John Falkner, Rowe Ventures LLC BC20211214DOC050
32. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utility Easement from 301 Corporate Center LLC (including Consent and Joinder from Valley National Bank), for property located at 5803 24th Street East, Bradenton, required as a condition of final site plan approval for two, new 104,000-square-foot warehouse buildings on the property; and
  - Authorized recording of Affidavit of Ownership and Encumbrances from Stephen Racine, Manager of 301 Corporate Center LLC BC20211214DOC051
33. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utilities Easement from Marco A. Gonzales, Aleksandra Gonzales and Manual Castillo Toscano (including Consent and Joinder from Mortgage Electronic Registration Systems, Inc.), for property located at 512 64th Avenue East, Bradenton, required to replace/relocate the water main from the rear of the parcels along 64th Avenue East to the front; and
  - Authorized recording of Affidavit of Ownership and Encumbrances from Marco A. Gonzales, Aleksandra Gonzales and Manual Castillo Toscano BC20211214DOC052
34. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utility Easement from Park Acres Estates Association, Inc., for property located at 4620 5th Street West, Bradenton, required for water meters and to connect to the new water main; and
  - Authorized recording of Affidavit of Ownership and Encumbrances from Park Acres Estates Association, Inc. BC20211214DOC053
35. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utilities Easement from True Storage Bradenton LLC, Bourne Acquisition LLC and 2527 LLC, for property located at 512 Cortez Road, Bradenton;
  - Accepted and authorized recording of Permanent Ingress/Egress Access Easement from True Storage Bradenton LLC, Bourne Acquisition LLC and 2527 LLC, for property located at the center of the parcel;
  - Accepted and authorizing recording of Cross Access Easement from True Storage Bradenton LLC, Bourne Acquisition LLC and 2527 LLC, for property located east of the access easements; and
  - Authorizing recording of Affidavit of Ownership and Encumbrances from True Storage Bradenton LLC, Bourne Acquisition LLC and 2527 LLC
- Conveyance of the Easements are required in accordance with final site plan requirements for a commercial development. The recording of the Easements is also required for True Storage Bradenton LLC, Bourne Acquisition LLC and 2527 LLC, to receive Certificate of Occupancy BC20211214DOC054

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

Accepted and authorized recording of Temporary Construction Easement from Hawthorne South LLC, for property located at 7061 Prospect Road, Sarasota, for the 36th Street East (Prospect Road) Whitfield Avenue Sidewalk Project BC20211214DOC055

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

- Accepted and authorized recording of Warranty Deed from Circle K Stores, Inc., for property located at 2925 1st Street East, Bradenton, for dedication of right-of-way on the south side of the property along 30th Avenue East to Manatee County in accordance with final site plan requirements for a commercial development; and
- Authorized recording of Affidavit of Ownership and Encumbrances from Lisa Geyer, Vice-President of Operations of Circle K Stores, Inc. BC20211214DOC056

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

- Accepted recorded Permanent Utilities Easement from Bradenton CC LLC, for property located at 3630 Manatee Avenue West, Bradenton; and
- Accepted recorded Permanent Sidewalk Easement from Bradenton CC LLC, for property located on the west side of the property, west of 36th Street West, required in accordance with final site plan requirements for a commercial development BC20211214DOC057

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

- Accepted recorded Permanent Utilities Easement from ABC Properties LTD, for property located at 11720 S.R. 64 East, Bradenton, required with final site plan requirements for a commercial development and to receive Certificate of Occupancy; and
- Accepted recorded Affidavit of Limited Partnership, Ownership and Encumbrances from Charles Bailes, III, President of ABC Liquors, Inc. BC20212114DOC058

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

- Accepted recorded Permanent Utilities Easement from Dick Road-Blend-All Hotel Development, Inc., Walden Avenue-Blend-All Hotel Development, Inc., and WR-I Associates, LTD by BG The Village LLC, for property located at 7978 Cooper Creek Boulevard, University Park, required with final site plan requirements for a commercial development and to receive Certificate of Occupancy; and
- Accepted recorded 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 as Manager of WR-I Associates, LTD, by BG The Village LLC BC20211214DOC059

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

- Accepted recorded Permanent Utilities Easement from GH & G Flamingo LLC (including Consent and Joinder from South State Bank, N.A., and Fifth Third Bank, National Association), for property located at 5942 14th Street West, Bradenton, required with final site plan requirements for a commercial development and to receive Certificate of Occupancy; and
- Accepted recorded Affidavit of Ownership and Encumbrances from Daniel S. Howe as Manager of GH & G Flamingo LLC BC20211214DOC060

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

Accepted recorded Permanent Utilities Easement from LN Properties CV LLC, for property located at 11521 State Road 70 East, Bradenton, required with final site plan approval for a water meter

BC20211214DOC061

43. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**  
Accepted recorded Warranty Deed from Heritage Harbour Market Place Community Development District, for property located along Port Harbour Parkway, Bradenton, pursuant to Section B(5) Transportation Conditions of the Kay Road Extension in DRI Ordinance 00-19 (fka Ordinance 99-43) Development of Regional Impact 24, Heritage South and Zoning Ordinance PDMU-98-08(Z)(G) dated March 21, 2000 BC20211214DOC062
44. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Executed and authorized recording of Notice of Termination of a Permanent Utilities Easement (Official Records Book 1608, Paged 4823) for an area known as Creekside Preserve, located near Erie Road and U.S. Highway 301, in order to obtain a new easement for relocation of sewer lines;
  - Accepted and authorized recording of a new Permanent Utilities Easement from Creekside Preserve Homeowners Association, Inc., for sewer; and
  - Authorizing recording of Affidavit of Ownership and Encumbrances from Chris Bernard BC20211214DOC063
45. **PROPERTY MANAGEMENT/CONTRACT FOR SALE AND PURCHASE**  
Executed Contract for Sale and Purchase with Gladys Guzman, for Fee Simple Acquisition of property located at 9610 36th Avenue East, Palmetto (Parcel 161) required as part of the Moccasin Wallow Road, U.S. 41 to Gateway Boulevard widening CIP Project 6092560, \$70,000 BC20211214DOC064
47. **PUBLIC WORKS/RESOLUTION/GRANT/FEDERAL TRANSIT ADMINISTRATION (FTA)**  
Adopted Resolution R-21-191 authorizing execution and submittal of Capital and Operating Assistance Grant Applications to Florida Department of Transportation for FY 22 Federal Transit Administration (FTA) Section 5310 funding; Public Works Director to execute grant funding documents for FTA Section 5310 Capital and/or Operating Assistance approved funding; and Transit Division Manager to submit documentation required in connection with the grant application or subsequent agreements BC20211214DOC065
48. **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, authorization to thereafter dispose of such property BC20211214DOC066
49. **PUBLIC WORKS/UTILITIES REIMBURSEMENT AGREEMENT**
- Executed Utility Reimbursement Agreement with Benderson Development Company LLC (Developer), for the reroute of a 24-inch sanitary sewer main; and
  - Adopted Budget Resolution B-22-036, amending the annual budget for FY 22 BC20211214DOC067
50. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/2021 INCENTIVE REVIEW AND REPORT**  
Accepted Affordable Housing Advisory Committee 2021 Incentive Review and Recommendation Report BC20211214DOC068
51. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/SUBORDINATION AGREEMENT/TERRACES AT PERIDIA APARTMENTS**  
Approved and authorized execution of Subordination Agreement with Terraces Riverside LLC and Terraces RAF LLC, to allow the refinancing with Keybank National Association for Terraces at Peridia Apartments to preserve housing affordability restrictions BC20211214DOC069
52. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/LAND USE RESTRICTION AGREEMENT**  
Executed Land Use Restriction Agreement for Project Developer Homeownership Incentive Program with Manatee Ventures, Inc., for Cottages at Avignon Village Subdivision, for property located at 1210 33rd Street East, Palmetto BC20211214DOC070

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

Authorized the County Administrator to execute two Utility Reimbursement Agreements (one for on-site improvements and one for off-site improvements) with Manatee County Habitat for Humanity, Inc., for Poling Gardens development, located at the eastern terminus of 32nd Avenue East, total reimbursement of infrastructure costs for both on- and off-site to not exceed \$400,000

BC20211214DOC071

54. **UTILITIES/SERVICE FEE WAIVER**

Authorized to waive a total of \$568.60 in service fees assessed to utility customer accounts for returned bank items


BC20211214DOC072

55. **UTILITIES/AGREEMENT/AQUA ONE COMMUNITY DEVELOPMENT DISTRICT**

- Authorized the County Administrator to execute Agreement with Aqua One Community Development District, for Sale and Transfer of Potable Water and Wastewater Facilities regarding Aqua Lagoon;
- Authorized the Chairperson to execute Agreement with Aqua One Community Development District, for Assignment of Rights to Use Easements;
- Accepted Warranty Deed from Cargor Partners VIII-Long Bar Point LLP; and
- Accepted Bill of Sale from Aqua One Community Development District


BC20211214DOC073


(End Consent Agenda)

**ADVERTISED PUBLIC HEARINGS** (Presentations upon Request) 

56. **ORDINANCE 21-48, CODDINGTON COMMUNITY DEVELOPMENT DISTRICT**

A duly advertised public hearing was held to consider adoption of proposed Ordinance 21-48, to establish the Coddington Community Development District (CDD).

 Jaime Elbert, Planner II, reviewed the request.

 A motion was made by Commissioner Servia and seconded by Commissioner Van Ostenbridge, to adopt Ordinance 21-48, to establish the Coddington Community Development District.


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


 The motion carried 7-0.


BC20211214DOC074

57. **PUBLIC WORKS/RESOLUTION**

A duly advertised public hearing was held to consider adoption of Resolution R-21-177, declaring an intent to place road paving, sanitary sewer, street lighting, reclaimed water, sidewalks and landscape beautification projects on the tax bills as non-ad valorem assessments commencing in 2022.


 Kaleena Otero, Assessment Coordinator, stated these projects were initiated by citizens in the area where the improvements were requested.


 A motion was made by Commissioner Whitmore and seconded by Commissioner Van Ostenbridge, to adopt Resolution R-21-177.

 Ken Piper questioned if the County can levy assessments in the County at any time.

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

 Chairman Baugh stated Manatee County cannot arbitrarily assess citizens.

 The motion carried 7-0.

 William Clague, County Attorney, advised that Florida Statute requires specific notice on the assessment process. BC20211214DOC075


**RECESS/RECONVENE:** 10:22 a.m. – 10:34 a.m. All Commissioners were present.

**ADVERTISED PUBLIC HEARINGS** (Presentations Scheduled)


58. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/2020/21 HOUSING AND URBAN DEVELOPMENT (HUD) CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)**

A duly advertised public hearing was held to receive public comment on the Draft 2020/2021 Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER).


 Denise Thomas, Community Development Division Manager, utilized a slide presentation to address the purpose of the CAPER, accomplishments as of September 30, 2021, and total allocations for 20/21.


 Jennifer Yost, Community Development Project Manager, continued with slides to address barriers in 2021 as a result of COVID-19 Impacts and release of CARES Act funding, public service accomplishments, affordable housing assistance, down payment assistance, homeowner rehabilitation, COVID-19 Homeless Outreach activities, and hygiene stations for COVID-19. The CAPER was released to the public for a 15-day comment period beginning November 29, 2021, and is due to HUD no later than December 20, 2021.


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


 A motion was made by Commissioner Whitmore, to approve the recommended motion to authorize staff to finalize the 2020/2021 HUD CAPER, and submit it to HUD. The motion was seconded by Commissioner Servia and carried 7-0. BC20211214DOC076

62. **COUNTY ATTORNEY/EVALUATION OF THE COUNTY ADMINISTRATOR**


 William Clague, County Attorney, stated that in accordance with the County Administrator's Employment Contract (5/25/21), Dr. Hopes submitted a self-evaluation of his job performance to the Board by email on October 3, 2021. Five of the seven Commissioners completed written evaluations forms provided by the County Administrator. Two Commissioners met with Dr. Hopes separately. Chairman Baugh asked him to collect the evaluations and present them to the Board in the same manner as the evaluation of the Executive Director of the Port Authority.


 He summarized the scores and incorporated the written comments. April 1 is the one-year anniversary and Dr. Hopes' contract expires June 1, 2022, unless the Board decides to extend it. Dr. Hopes' contract does not specify for another evaluation at the one-year anniversary, and it would be up to the Board to decide this. He read Section 3 of the Contract, which states the Board will review and appraise the job performance of the Administrator on or before November 1, 2021, and thereafter at intervals deemed appropriate by the Board.


 Discussion ensued it was assumed all Board members had to complete a written evaluation form, the contract required written evaluations, keep the annual, self-evaluation and Board evaluation, favor of an annual contract that automatically renews at the end of the year for an additional year if there are no Board comments, a one-year contract minimizes the cost to tax payers, Dr. Hopes should resume weekly meetings with Commissioners, greater delegation is needed to Deputy Administrators, and Dr. Hopes acts as eighth Commissioner.

 Commissioner Baugh suggested the 2022 Chairman work with the County Attorney on a new contract to negotiate with Dr. Hopes and bring it back to the Board. His first contract was based on too much uncertainty at the time.

 Commissioner Bellamy stated he spoke with Dr. Hopes separately. He was disappointed the County Administrator search process committed to by Commissioners was not honored.


 Commissioner Whitmore stated Dr. Hopes should delegate to Deputy Administrators, and better communication is needed with Board members and employees. Bradenton City Manager has a higher salary than Dr. Hopes and Dr. Hopes' salary should be competitive.

 Commissioner Satcher state he spoke with Dr. Hopes.


 Commissioner Kruse believed the last version of this contract was voted on 5-2. The Board did not honor the County Administrator search process.

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


Motion

 A motion was made by Commissioner Whitmore, that we accept the evaluation presented and whomever the new Chairman is, to renegotiate and clean up the contract and bring it to the Board to approve. The motion was seconded by Chairman Baugh.

Motion Reworded by County Attorney

 Mr. Clague reworded the motion to I move to accept the evaluation as presented by the County Attorney and to authorize the next Chairperson to meet with Dr. Hopes and the County Attorney and bring back options for a revised contract for the County Administrator.

Commissioner Whitmore so moved the motion reworded by Mr. Clague, which was agreed upon by the seconder, Chairman Baugh, and it carried 7-0.


 Mr. Clague stated the written evaluations would be given to the County's record custodian.

 Dr. Hopes thanked the Board for their vote of confidence.

BC20211214DOC077


COMMISSIONER AGENDA 


68. REQUEST AND SCHEDULE A JOINT MEETING OF THE BOARD OF COUNTY COMMISSIONERS AND THE HOLMES BEACH CITY COMMISSION


 Commissioner Van Ostenbridge stated the joint meeting with the Town of Longboat Key (12/1/21) went well in improving the relationship the Longboat Key. He sent letters to County Commissioners, City of Holmes Beach Mayor and Commissioners requesting a joint





work session be held with both entities and asked them to submit agenda items to his Aide. Public beach access in Holmes Beach would be on the agenda.

 A motion was made by Commissioner Van Ostenbridge, that the Board approve the request for a joint work session with Holmes Beach City Commission and Board of County Commissioners on January 4 at 1:30 p.m. The motion was seconded by Commissioner Whitmore.

 There was discussion the Board needs to work on improving the relationship with Holmes Beach, the joint meeting with Longboat Key was productive, the Board should hold joint meetings with all of the municipalities in the upcoming year, and whether the January 4 date works for Holmes Beach officials.

 Dr. Hopes stated he would work with Commissioner Van Ostenbridge's Aide to assemble an agenda for the January 4 joint meeting. Staff is prepared to go out with an Invitation to Negotiate for the water taxi, and this would be an important topic on the agenda.

 By telephone, Matt Bower stated he communicated with the Holmes Beach Mayor about today's discussion. He relayed the Mayor's request that the work session occur sometime in February or March, in order to give Holmes Beach officials time to prepare.


 Commissioner Whitmore stated she emailed Holmes Beach Commissioners asking them to forward any items they wished to discuss.


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


 The motion carried 7-0.

BC20211214DOC078

29. **PARKS AND NATURAL RESOURCES/ORDINANCE 22-08/NOTICE OF PUBLIC HEARING**


 The action requested is authorization to advertise a Notice of Public Hearing on January 11, 2022, for adoption of Ordinance 22-08 (formerly 21-45), related to the Acquisition, Protection and Management of Environmental Lands.


 Commissioner Kruse pulled this item because he was getting emails questioning why a Commissioner was being designated Chairman of the Environmental Land Management and Acquisition Committee (ELMAC), when they were not even an ELMAC member. Board discussion and action (10/27/21) was about a liaison to ELMAC. He referred to Ordinance 22-08, Exhibit A, Section 2-25-55.(c)(1), in which the underlined added sentence reads, "The committee chairman shall be the board liaison elected by the board." However, the Agenda Update Memorandum (12/10/21) states, "The proposed Ordinance and the Notice of Public Hearing were updated and replaced to reflect the new ordinance number, 22-08 (formerly 21-45) and to better capture the motion passed on October 27, 2021, specifically that the Board liaison to the Environmental Land Management and Acquisition Committee (ELMAC) will serve as the ELMAC Chairman."

 Commissioner Kruse watched the October 27, 2021, meeting and the word Chairman was not mentioned. Commissioner Satcher specifically stated he wanted to be a Board liaison. At no point in time did Commissioner Satcher say he wanted to be a voting member of ELMAC, or ELMAC Chairman, but to be more involved and report the activities of the ELMAC back to the Board. The language on the Agenda Update Memo is factually incorrect because it is not


even remotely close to the motion that was passed. Commissioner Satcher stated he also watched the meeting.

 Commissioner Whitmore stated a Commissioner should not be a voting member on ELMAC. The recently appointed ELMAC Chairman is Scott Tussing.

 Dr. Hopes spoke of Board action in a previous work session to create a liaison for ELMAC. Discussion on expectations by Board members evolved into the department moving ahead of the Board. Another work session on the role and makeup of ELMAC members should be held.

 Discussion ensued that ELMAC is an advisory board-, membership consists of citizens educated and qualified in environmental preservation, this would be an excellent opportunity for Commissioner Satcher to engage in ELMAC discussion as a non-voting member, and he would have a seat at the table.


#### Motion to Table

 Following discussion, a motion was made by Commissioner Kruse, to table this matter for further discussion. The motion was seconded by Commissioner Whitmore.


 Commissioner Baugh explained that Commissioner Satcher could be part of ELMAC discussions and be a very intricate part of the Committee, but not vote on ELMAC matters.


 Commissioner Whitmore offered to serve if Commissioner Satcher declined.


 Charlie Hunsicker, Parks and Natural Resources Director, stated there are 15 members on ELMAC.

 Commissioner Satcher stated that having a voting member would be a good decision and he was willing to entertain that as a compromise.


#### Motion Withdrawn


 Commissioner Kruse withdrew his motion to table. The seconder agreed.


 Based on the discussion, Dr. Hopes stated that, rather than table the matter, the Board could amend the motion in accordance with this discussion, and direct staff to change the language so that the Board is authorizing the public notice of a public hearing on an ordinance to add a liaison to ELMAC.


 Mr. Clague stated the action requested is authorization to advertise a notice of public hearing. He gave the Board legally available options for a motion and asked the Board to be specific in the motion if they want to approve the item and direct staff to change the ordinance.


#### Motion


 A motion was made by Commissioner Servia, for authorization to advertise a Notice of Public Hearing for adoption of the ordinance, asking staff to revise the language to create a liaison, non-voting member from the Board of County Commissioners to the ELMAC Committee. The motion was seconded by Commissioner Whitmore.


 Carol Felts suggested a Commissioner serve as a liaison on every citizen advisory board, as well as a staff liaison.

 Sarah Parker stated a County Commissioner should not be a voting member on a citizen advisory committee.

 Ken Piper stated Commissioner Satcher would be the best person to serve on the ELMAC as a voting member, in light of all the development in District 1.

 By telephone, Mary Lynn Parker applauded having a Board member on ELMAC.

 By telephone, Charlene Gehl stated the liaison should not be a voting member or serve as Chairman.

 By telephone, Dawn Kitterman hoped the Board would keep ELMAC as an advisory Board.

 Chairman Baugh emphasized that the ELMAC committee makes recommendations on \$50 million dollars of taxpayer funds.


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

BC20211214DOC079

27. **PARKS AND NATURAL RESOURCES/RESOLUTION/ENVIRONMENT LANDS MANAGEMENT AND ACQUISITION COMMITTEE**

The action requested is to adopt Resolution R-21-182, appointing the Environmental Lands Management and Acquisition Committee (ELMAC) for Implementation of the Conservation and Parks Projects Resolution R-20-105, and creating a Board Liaison to ELMAC.

Motion

 A motion was made by Commissioner Whitmore to approve Item 27. The motion was seconded by Commissioner Kruse.

 By telephone, Mary Lynn Parker recommended approval.


(Depart Commissioner Servia)

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


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

BC20211214DOC080


28. **PARKS AND NATURAL RESOURCES/AGREEMENT/KINGFISH BOAT RAMP PROJECT**

 Commissioner Whitmore stated she asked to meet with staff, because she does not like the Kingfish Boat Ramp plans. She copied Commissioner Van Ostenbridge regarding her concerns of taking down Australian Pines. She would approve this item, but not the project.

(Enter Commissioner Servia)

 A motion was made by Commissioner Whitmore, and seconded by Commissioner Van Ostenbridge, to approve and execute the Gulf Consortium Subrecipient Agreement 2100301810.01, pursuant to the Restore Act Spill Impact Component and the State of Florida State Expenditure Plan in the amount of \$4,500,000, for the Kingfish Boat Ramp Project.


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

 The motion carried 7-0.


BC20211214DOC081


**RECESS/RECONVENE:** 12:19 p.m. – 1:00 p.m. All Commissioners were present.

**PUBLIC INFORMATION OFFICER**

 Dr. Scott Hopes, County Administrator, introduced Bill Logan, as the County’s Information Outreach Officer.

59. **COUNTY ADMINISTRATOR/CONFIRMATION OF BUILDING AND DEVELOPMENT SERVICES DEPARTMENT DIRECTOR**

 Dr. Scott Hopes, County Administrator, requested confirmation on the appointment of Courtney Z. De Pol, as Director of Building and Development Services Department, effective January 3, 2022.

 By Zoom, Courtney De Pol, greeted the Board. She and the new Building Official would start on January 3.

 A motion was made by Commissioner Servia, to confirm appointment of Courtney Z. De Pol as Director of the Building and Development Services Department, effective January 3, 2022. The motion was seconded by Chairman Baugh.

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

 The motion carried 7-0.

BC20211214DOC082

60. **COUNTY ADMINISTRATOR/CONFIRMATION OF INFORMATION TECHNOLOGY SERVICES DEPARTMENT DIRECTOR**

Dr. Scott Hopes, County Administrator, requested confirmation on the appointment of Andrew “Drew” T. Richardson, as Director of Information Technology Services, effective January 3, 2022.

 A motion was made by Commissioner Servia, to confirm the appointment of Andrew “Drew” T. Richardson as Director of Information Technology Services.

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

 The motion was seconded by Commissioner Bellamy and carried 7-0.

BC202112214DOC083


65. **COUNTY ADMINISTRATOR/DASHBOARD REPORT**


Dr. Scott Hopes, County Administrator, presented the Dashboard Report for December 2021. The report is available on the County web site and is provided for information only. No Board action is required.

BC20211214DOC084


**RECESS/RECONVENE:** 1:24 p.m. – 1:30 p.m. All Commissioners were present.


66. **INFRASTRUCTURE SALES TAX OVERSIGHT COMMITTEE ANNUAL REPORT FOR FY 21**


 Jan Brewer, Deputy County Administrator/Chief Financial Officer, utilized a slide presentation on the Infrastructure Sales Tax Oversight Committee and stated the FY21 Annual Report is attached to the agenda packet.

 Kristy Zinna, Incoming Committee Chairman, thanked the Board for the appointment and establishment of the Committee.

Motion – Accept Submission of FY 21 Annual Report

 A motion was made by Commissioner Van Ostenbridge and seconded by Commissioner Whitmore, to accept the submission to the Board of County Commissioners, the FY 21 Annual Report of the Infrastructure Sales Tax Oversight Committee.

 Ken Piper signed up to speak, but was not present.


 Kathy Wooley, Committee member, thanked Ms. Zinna for Chairing the Committee.

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

Brief discussion occurred on the abusive actions of Committee member, Ken Piper, and working in compliance with Committee rules and procedures.


(Gavel to First Vice-Chairman Kruse; presiding)

Motion – Remove Ken Piper from the Committee


 A motion was made by Chairman Baugh, to remove Ken Piper from the Infrastructure Sales Tax Oversight Committee. The motion was seconded by Commissioner Van Ostenbridge.

Commissioner Van Ostenbridge suggested amending the motion to direct the Chair to send a letter to this individual.


Motion Rephrased

 Chairman Baugh rephrased her motion to send Ken Piper a letter. The seconder agreed.

Motion Further Rephrased by the County Attorney

 Mr. Clague rephrased the motion for a letter indicating that Mr. Piper must desist his abusive behavior toward our staff and members of the community, or expect to be removed from the Advisory Board.


 Chairman Baugh agreed to the motion rephrased by Mr. Clague. The seconder agreed.

 By telephone, Glen Gibellina suggested advisory committee meetings be recorded.


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

The motion carried 7-0.


Motion – Accept the Report


 A motion was made by Commissioner Whitmore, to accept the Report. The motion was seconded by Commissioner Servia.


There being no further public, Commissioner Kruse closed public comment.


 Commissioner Van Ostenbridge explained why he was not in support of Mr. Gibellina's suggestion.

Motion – Allow Ken Piper to Speak

 Mr. Piper returned to the meeting. Commissioner Whitmore moved to allow Mr. Piper three minutes to speak. The motion was seconded by Commissioner Bellamy.

 William Clague, County Attorney, suggested the Board proceed with the meeting and respectively asked Commissioner Whitmore to withdraw her motion.


 Commissioner Whitmore withdrew her motion.

 The motion to accept the FY 21 Report carried 7-0.


BC20211214DOC085

(Gavel returned to Chairman Baugh; presiding)

63. LETTERS OF ENGAGEMENT WITH CARR, RIGGS AND INGRAM LLC FOR AUDITING, EVALUATION, AND COMPLIANCE SERVICES

 Jan Brewer, Deputy County Administrator and Chief Financial Officer, recommended authorization for the Chairperson to execute five Letters of Engagement with Carr, Riggs and Ingram LLC, for Auditing, Evaluation and Compliance Services:

- Auditing Services, which includes Financial Statements;
- Examination of compliance with Florida Statutes for the Emergency Communication Number E911 System Fund and Investments of Public Funds of the Board;
- Agreed upon procedures for evaluation of the State of Florida Storage Tank Financial Test;
- Agreed upon procedures for evaluation of the Statement of County-Funded Court-related functions; and
- Agreed upon procedures for evaluation of the State of Florida Solid Waste Facility Financial Test


 Commissioner Servia moved approval of the Engagement Letters as recommended by staff. The motion was seconded by Commissioner Kruse.


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


 The motion carried 7-0.

BC20211214DOC086


69. DISCUSSION OF FINANCIAL/BUDGET CONCERNS


 Commissioner Whitmore spoke with Tim Gruters, Carr, Rigg and Ingram LLC, about budget concerns of the County dipping into the 20 percent Reserves, reducing Stabilization to \$1 million dollars, and upcoming discussion about a new jail medical contract.


 Tim Gruters, Carr, Rigg and Igram LLC, stated Florida Statute sets the minimum required Reserves at ten percent. Riggs would inquire with management if the minimum went below the ten percent limit.


 Discussion ensued the next crisis has not revealed itself, concern of the pace at which the County is spending and changing course when millions of dollars are involved, choices are going to have to be made because the costs are rising too drastically, reason the Board took action to give the Sheriff an additional \$800,000 for radios, the Board has not yet committed to use the enterprise fund for the \$800,000, the money could be given over a period of time, the Sheriff's carry forward of \$8 million in encumbrances, but does not have authority to spend it without Board approval, clarity requested on the \$8 million and the radios, Sheriff's second helicopter, more information is needed from the Sheriff, State Law requires ten


percent minimum Reserves, County's resolution sets minimum Reserves at 20 percent, Reserves belong to the tax payers, the Board needs to make decisions on priorities, and an interlocal agreement with the Sheriff could be brought back in January.

 Following discussion, Commissioner Whitmore moved to draft an ordinance that Commissioners cannot dip into the 20 percent Reserves unless a declared state of emergency, or a major failure of equipment triggering an emergency, or Commission meeting at a next advertised regular meeting with the issue-stated options, solutions, and a super majority vote.

 Commissioner Van Ostenbridge disagreed with the State of Emergency or major failure of equipment, but agreed to super majority vote to use Reserves. He supported minimum Reserves at ten percent.

 Commissioner Whitmore re-read her motion. The motion was seconded by Commissioner Servia.

 Commissioner Kruse did not agree with a super majority vote to dip below 20 percent.

 Commissioner Whitmore agreed with a majority vote to dip below 20 percent. The seconder agreed.


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


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

BC20211214DOC087


**RECESS/RECONVENE:** 2:34 p.m. – 2:46 p.m. All Commissioners were present.


61. **RESOLUTION R-21-189, REDISTRICTING THE COUNTY INTO COMMISSIONER DISTRICTS OF CONTIGUOUS TERRITORY AS NEARLY EQUAL IN POPULATION AS PRACTICABLE**


 Dr. Scott Hopes, County Administrator, stated the action requested is to adopt Resolution R-21-189, Redistricting the County into Commissioner Districts of contiguous territory as nearly equal in population as practicable.


 William Clague, County Attorney, stated Resolution R-21-189 reflects Board action to approve Map B2 (12/7/21). The map exhibits to the Resolution were prepared by Mr. Guthrie. John Guthrie, Consultant with GeoIntel, was available by telephone for questions.


 Commissioner Whitmore submitted a collection of emails received by Board members on this issue. She read and submitted an email from Mark Brown.

 Commissioner Whitmore voiced issues with Map B2, as it does not create a rural or coastal district. She does not recall holding a location for a Commissioner to live in the future. There is a difference between the coastal line and rural. As far as the urban core, by Federal Law, the minority district must be kept together as much as possible. She spoke in support of Map A1 and asked the Board to consider Map A1 at the last meeting of the year on December 16.

 Commissioner Bellamy initially supported Map A1, is against Map B1, and he created an alternative Map C1, but it was not considered. This was a sophisticated strategy to shift district lines and dilute the minority district. He would not support Map B2.


 Commissioner Kruse stated the Board initially discussed opinions on rural and coastal districts, but they were just opinions. The benchmark has been matched, the lines are clean, compact and contiguous and the minority has been honored for District 2. Internal and external counsel advised that Map B2 is legally defensible.


 Commissioner Servia held four town hall meetings, asked people to write down which map they preferred, and indicate if they preferred a different map. A consultant was hired with tax dollars to assist the Board and provide a map. Most of her constituents supported the consultant's Map B2. Beyond being legally defensible, she questioned if the maps were also morally and ethically correct. She supported the consultant's Map B2.

 Commissioner Van Ostenbridge stated the Board was told they would be sued regardless of the action taken. He spoke in support of Map B2, it creates a district encompassing a vast majority of the coastline, it creates a rural district, provides the agricultural community with an advocate on the Board, it does not gerrymander, and it keeps the minority district intact.


 Dr. Hopes stated the Consultant was hired to provide expertise to the Commission to assist in the redistricting process, and the Resolution with attachment is complex.


Motion – Adopt R-21-189


 A motion was made by Commissioner Van Ostenbridge, to adopt Resolution R-21-189, redistricting the County into Commissioner Districts of Contiguous Territory as Nearly Equal in Population as Practicable in Map B2. The motion was seconded by Commissioner Satcher.


 Tina Shope signed up to speak, but was not present.


 Sarah Parker questioned the use of the terms legally defensible and morally defensible.


 Billinda Richey opposed Map B2.

 Betty Sailes Rhodes stated the Consultant was involved in gerrymandering in the past.

 Nancy Hughes, Manatee County Democratic Party, submitted a petition of 300 signatures with more than five Republican-unaffiliated voters on the petition. She urged the Board to reject gerrymandered Map B2, and direct staff to prepare a new Resolution adopting the District boundaries laid out in Map A1 in time for an upcoming meeting.

 Alice Newlon, President of League of Women Voters of Manatee County, stated Map B2 barely maintains District 2 and eliminates representation from District 4. She requested the Board approve Map A1, as the Consultant indicated Map A1 is more legally defensible.


 Barbara Drake stated gerrymandered Map B2 reduces the minority district and urged the Board to adopt Map A created by the consultant.

 Sharon Denson spoke in favor of Map A1, which the consultant said was a fair and equitable distribution of population.


Dan Coppinger noted Commissioner Van Ostenbridge stated the attorney said Manatee County would be sued no matter what action was taken.




 For the record, Mr. Clague emphasized that he did not make that comment.


 Mr. Coppinger further commented that Map B2 would alienate the minority.


Robert McCaa spoke in support of Map A1, opposed Map B2 and submitted a petition of 46 signatures in favor of Map A1 to preserve District 2. Map B2 is gerrymandered, divides the coastal communities into four different districts and dilutes current minority representation.

 Suzie Copeland stated the Board did not consider the voters in favor of Map A1 to preserve District 2, and totally disregarded Commissioner Bellamy's Map C1. She submitted a letter from Manatee NAACP (12/10/21), to reject Map B2, approve Map A1, and that the Board would do what is right and just for the citizens of Manatee County.


 Frank McAndrews commented about foster care in Manatee County.


 Michael Fischer asked if the Board read all the correspondence on this matter.

 Charles Smith stated he did not support either of the maps, and that a Federal judge should draw the district boundary lines.


 Keith Green stated he was satisfied with Map B2.


 Shirley Pearson, Executive Director of Mount Carmel Community Resource Center, asked the Board to look at what they are doing to District 2.

 Ken Piper stated the people in District 2 are dissatisfied with the new boundary lines.

 Mark Vandry, District 1 resident, asked the Board to reject Map B2 and approve Map A1. The consultant drew the boundary lines at the 11th hour and Map B2 was presented. Map B2 does not make sense and Map C1 was not even considered. There was no district input for District 1. The eastern boundary on District 5 was Uhlein Road, but moved to the FDOT line on Bourneside Boulevard. Map B2 moves the boundary line to C.R. 675, and District 2 has been split.

 Reverend Joreatha Capers, Rogers Community United Methodist Church, spoke in support of Map A1, and asked for justice to be done.

 Carol Felts thanked the Board for posting her email to public comments on the agenda. She does not support Map A1 or B2, and that C.R. 675 should be a rural division.


 By telephone, Charlene Kow stated this process has resulted in a map that ignored public comment. Commissioner Bellamy's C1 Map was disregarded. Only Commissioners Bellamy and Servia held town meetings. What Charles Smith suggested may actually occur.

 By telephone, Tina Shope commended Commissioners' Bellamy and Servia for holding town meetings and asked why the other five Commissioners did not. She spoke in support of Map B2 and opposed Map A1.

Andrew White filled out a comment card, but the issue he wrote to speak on could not be taken at this time.

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

 Commissioner Whitmore referred to correspondence from Mark Brown regarding Map B2. Commissioner Whitmore reiterated her support of Map A1.

Motion – Call the Question 

A motion was made by Commissioner Whitmore, to call the question. The motion was seconded by Commissioner Van Ostenbridge and carried 6-1, with Commissioner Bellamy voting nay.


Vote – Adopt Resolution R-21-189

The motion to adopt R-21-189 carried 4-3, with Commissioners Bellamy, Servia and Whitmore voting nay.


BC20211214DOC088


RECESS/RECONVENE: 4:20 p.m. – 4:32 p.m. All Commissioners were present.


64. ACCEPTANCE OF BISHOP SPCA ASSET TRANSFER AND EASEMENT AGREEMENT


 Sarah Brown, Animal Services Division Chief, utilized a slide presentation with site map, to address the acceptance and execution of Asset Donation Agreement and Easement Agreement with Society for the Prevention of Cruelty to Animals (SPCA) of Manatee County, Florida, Inc., for the acquisition of the Bishop Animal Shelter-SPCA Facility. The Agreement includes the donation of 14.47 acres on the south parcel of the property and assets. Also included is the lift station, house, adoption facility, and the newly-built 24,000-square-foot intake facility. Execution of this document today will kick-off the 90-day timeframe to the closing.

 Joy Leggett-Murphy, Property Acquisition Division Manager, stated that staff has already done a preliminary title search and sees concerns about the due diligence period.


 Mr. Clague expressed appreciation for the work by Camilo Soto, Assistant County Attorney, and Mark Barnebey, P.A. Mr. Soto sent an email to the Board that some of the exhibits would come in after the due diligence period. He offered suggested language to tweak the motion: I move to approve and authorize the execution of the Asset Donate Agreement for Bishop Animal Shelter SPCA facility, and to authorize acceptance of exhibits consistent with the agreement.


 Commissioner Satcher moved the motion worded by Mr. Clague. The motion was seconded by Commissioner Servia.


 Commissioner Whitmore requested more specifics regarding the old building, the easement, access, signage, and if the facility goes below the 90 percent save rate.

 Ms. Brown highlighted the benefits of the donation and transfer of shelter assets, Future Operations Section 3.10 of the agreement and future plans, ability to maintain 90 percent or higher save rates, facility shall remain the Edward and Lillian Bishop Animal Shelter, Bishop Animal Shelter or Bishop Animal Care and Adoption Center, other intangible personal property (Logo, website social accounts registered to Bishop Animal, etc.), the County would be responsible to install and maintain memorial plaques at its expense in the reception area and isolation building honoring Edward and Lillian Bishop and Mary Park for their contributions, residents of the house on the north parcel will be informed of any events, any


violation of the agreement would execute the reverter clause in the contract deeding the SPCA back within 60 days and future plans. Staffing for the facility has not yet been determined.

 Jake Saur, Public Safety Director, stated the SPCA will build an easement and driveway for the northern property where Keith Pratt resides. Another home north of the new shelter will be owned by the County. Interim intake will be the new shelter and the medical and adoptions will be at the old shelter in Palmetto.

 Mark Barnebey, Blalock Walters, P.A., stated the property was divided up for different uses after time. This is a public/private partnership. As depicted on the site map, the current drive comes out to 59th Street West and an additional drive off 21st Avenue West. Ideally, both parties will build separate access points.

 By telephone, Glen Gibellina stated the existing house on the site could be converted into several affordable housing units.


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

 Commissioner Kruse stated the property is being bifurcated into a north and south parcel and the house on site is actually someone's residence.

The motion carried 7-0.


BC20211214DOC089

71. **AMENDMENT 12 TO AGREEMENT CORRECTIONAL HEALTH CARE SERVICES**

 Jake Erickson, Procurement Official, recommended authorization for the Procurement Official or designee, to execute Amendment 1 to Agreement 18-R068859AJ, for Correctional Health Care Services with NaphCare, Inc., for a 180-day extension to the Agreement, beginning January 1, 2022, and ending June 30, 2022, during which the County shall issue an Invitation to Negotiate for Inmate Care Services. Amendment 1 also revises the Scope of Services and incorporates a revised fee rate schedule.

 By telephone, Glen Gibellina commented.

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


 Commissioner Van Ostenbridge moved the recommended motion. The motion was seconded by Commissioner Servia and carried 7-0.


BC20211214DOC090


**COMMISSIONER AGENDA**


67. **DISCUSSION OF THE PUBLIC SAFETY BENEFITS, REVENUES/COSTS AND EFFICIENCIES OF THE RED-LIGHT CAMERA PROGRAM NOW AND OUR APPROACH FOR THE FUTURE**


Commissioner Servia added this item to the agenda due to Board discussions on this issue.


 Discussion ensued about cameras at specific locations, if red-light cameras are constitutional and if they improve safety at intersections, if the Sheriff supports the cameras, how much revenue is made from cameras and how the money is spent, how intersections are chosen, the City of Bradenton abandoned their red-light camera program due to a procedural problem, does Manatee County have the ability to adjust the cameras on the number of seconds needed to click a picture and how red-light hearings are held.

 Sheriff Rick Wells stated cameras were installed ten years ago, there are 14-15,000 people who still run red lights, crash data is consistent, a video is taken and not just a picture, and a deputy reviews the video, the Sheriff believes the cameras work and save lives but, they are controversial. Anything under 12mph does not get a ticket when turning right on red. There are seven intersections with 18 approaches. Eight red light cameras were recently added.


 Commissioner Whitmore spoke in support of red-light cameras, because they save lives. Manatee County fought hard to get the Mark Wandall Traffic Safety Act passed statewide. There are only 18 cameras in 800 square miles of Manatee County.


 Commissioner Van Ostenbridge questioned if right-turn violations could be eliminated, the manner in which Manatee County handles the tickets is up to the County, and there are options.


 Captain Stanley Shaffer was present for questions.


 Jake Saur, Public Safety Director, explained the breakdown of the \$158 red-light citation.


Lengthy discussion occurred on options to remove right-hand turns, do not treat the money as a revenue source for the County, use residual funds toward traffic safety education, opposed to government imposing into the private lives of citizens, the program is well intended, there is no difference in crashes at these intersections, running through a red light is different than a right-hand turn, do not renew the program when the contract is up, should the Board raise the speed to limit from 12mph to 15mph, the right turn on red at U.S. 41 and Bayshore Gardens Parkway is a conflict with pedestrians, the effects to Code Enforcement Budget, money from the Program is used to fund the infrastructure to make the program run, and the Sheriff's office plays a 90 percent part of the program.

 Dr. Hopes stated the Unincorporated MSTU is offset by \$500,000 annually from this revenue. Code Enforcement is \$3.3 million annually.


 If the Board chooses to continue with the red-light cameras, Commissioner Servia requested any surplus revenues go back to improving safety at the intersections where the red-light cameras are located.


 Sheriff Wells stated there is a huge issue with any red-light running accident in that, if you do not have a witness that you ran a red light that caused an accident, a citation cannot be given.


 Commissioner Bellamy stated public safety is priority and he supports the Sheriff first. The Board should consider doing away with the right-turn on red, but keep it if it is a safety issue. He suggested extending the time of the yellow light and maintain the cameras, but has concern if this affects the revenue. He does not want to do away with the cameras immediately.


 Commissioner Van Ostenbridge stated Clarke Davis, Deputy Director Traffic Management, should be present to address the implications of extending the yellow lights, because there are domino-effect implications on major roadways that should be discussed. He thanked Sheriff Wells for coming in a non-biased way and explaining the facts to the Board. If Manatee County collects over \$400,000/month at seven intersections, the cameras need to stay because it is a fundraiser for the County.


Motion


 A motion was made by Commissioner Kruse and seconded by Commissioner Van Ostenbridge, to suspend ticketing of right-hand turns on red light cameras for a period of 120 days, to allow the Sheriff and Code Enforcement to bring back the matrix prior to us going on break for the summer, to determine whether or not we want to make that permanent.


 Dale Parker commented about the Lockwood Ridge Road/S.R. 70 intersection, and urged the Board to keep the cameras and make them part of traffic safety education.


 Melissa Wandall shared her husband died from a red-light running violator. She spoke in support of the Red-Light Safety Camera Program to increase traffic safety and the County should be doing more in a time when traffic fatalities are up. Effective enforcement will only be achieved by all agencies working together.


 Neil Spirtas urged the Board to keep the Red-Light Safety Camera Program and make it a better law because it is a quality-of-life issue.


 By telephone, Glen Gibellina asked what portion of the red-light camera revenue returns to Manatee County and to leave the cameras on for accident purposes suggested giving the funds to the Sheriff, and sending the violator a letter and questioned the data of death accidents versus right-hand-turn violators.

 By telephone, Charlene Gehl agreed with Commissioner Kruse on the right-hand turn compromise.

 By telephone Keenan Wooten stated he is a recipient of two red light tickets and only learned about the breakdown of the fine amount. He sent condolences to the families who lost family members. He agreed with Commissioner Van Ostenbridge to see program data.


 Commissioner Van Ostenbridge extended condolences to Ms. Wandall. He is open to a compromise and red-light violators are the problem, and commented on the \$400,000 of monthly revenue from right-hand turns. He spoke in support of the motion.


 Chairman Baugh stated the issue is that if you abide by the traffic laws, you will not get a ticket. However, right-turn tickets are a money maker and cars blatantly run the intersection. She spoke in support of the motion and that the red-light cameras are in the right locations.

 Commissioner Whitmore stated she and Chairman Baugh went to Tallahassee and was instrumental in changing the law; because it is a safety issue.

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


Commissioner Whitmore expressed willingness to try the suspension of tickets for 120 days.

 Commissioner Servia read a text message of support from Shane Waddell. She agreed with the Sheriff and Public safety and does not support the compromise motion.


 Captain Shaffer stated if someone does not stop prior to a right-hand turn, it will trigger a violation. Red-light cameras can be turned off, but the Board would have to select those

locations. The other major concern is that the Board is willing to take a chance on a person's life. The driver would not see a pedestrian coming. Currently the system dictates that a ticket will be issued.

Motion - Call the Question

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

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

 Commissioner Satcher stated there is an assumption all drivers are watching this meeting.

BC20211214DOC091


70. **ELECTION OF OFFICERS FOR THE 2022 CALENDAR YEAR** 

Nominations were made for County Commission, Port Authority and Tourist Development Council officers.

**County Commission Chairman - Kevin Van Ostenbridge** 

Nominations: Commissioner Van Ostenbridge - by Commissioner Whitmore

A motion was made by Commissioner Servia to close nominations. The motion was seconded by Commissioner Van Ostenbridge and carried 7-0, and Commissioner Van Ostenbridge was elected Chairman.

**First Vice-Chairman - James Satcher** 

Nominations:


Commissioner Kruse - by Commissioner Satcher

Commissioner Kruse declined the nomination.

Nominations continued:


Commissioner Satcher by Commissioner Kruse


Commissioner Whitmore by Commissioner Whitmore

 A motion was made by Commissioner Van Ostenbridge to close nominations. The motion was seconded by Commissioner Servia and by majority vote, Commissioner Satcher was elected First Vice-Chairman.

**Second Vice-Chairman - George Kruse** 

Nominations: Commissioner Kruse by Commissioner Van Ostenbridge

 A motion was made by Commissioner Servia to close nominations. The motion was seconded by Commissioner Baugh and carried 7-0, and Commissioner Kruse was elected Second Vice-Chairman.

**Third Vice-Chairman - Carol Whitmore** 


Nominations: Commissioner Whitmore by Commissioner Van Ostenbridge

A motion was made by Commissioner Whitmore to close nominations. The motion was seconded by Commissioner Kruse and carried 7-0, and Commissioner Whitmore was elected third Vice-Chairman.

**Port Authority Chairman – Reggie Bellamy** 

Nominations: Commissioner Bellamy by Commissioner Servia

A motion was made by Commissioner Whitmore to close nominations. The motion was seconded by Commissioner Servia and carried 7-0, and Commissioner Bellamy was elected Chairman of the Port Authority.

**First Vice-Chairman – George Kruse** 

Nominations: Commissioner Kruse by Commissioner Van Ostenbridge

A motion was made by Commissioner Van Ostenbridge to close nominations. The motion was seconded by Commissioner Bellamy and carried 7-0, and Commissioner Kruse was elected First Vice-Chairman of the Port Authority.

**Second Vice-Chairman – Misty Servia** 

Nominations: Commissioner Servia by Commissioner Whitmore

A motion was made by Commissioner Van Ostenbridge to close nominations. The motion was seconded by Commissioner Servia and carried 7-0, and Commissioner Servia was elected Second Vice-Chairman of the Port Authority.


**Third Vice-Chairman – James Satcher** 

Nominations: Commissioner Satcher by Commissioner Van Ostenbridge

A motion was made by Commissioner Whitmore to close nominations. The motion was seconded by Commissioner Servia and carried 7-0, and Commissioner Satcher was elected Third Vice-Chairman of the Port Authority.

**Tourist Development Council Chairman – Misty Servia** 

Nominations:  
Commissioner Kruse by Commissioner Van Ostenbridge  
Commissioner Servia by Commissioner Whitmore

 A motion was made by Commissioner Whitmore to close nominations. The motion was seconded by Commissioner Servia and carried 7-0, and Commissioner Servia was elected to serve as Tourist Development Council Chairman.

**Tourist Development Council (TDC) Alternate – Carol Whitmore** 


Nominations:  
Commissioner Whitmore by Commissioner Servia

A motion was made by Commissioner Whitmore to close nominations. The motion was seconded by Commissioner Servia and carried 7-0, and Commissioner Whitmore was elected as TDC Alternate.

**COMMISSIONER COMMENTS**

Commissioner Baugh 


- Announced she was elected as Chairman of the Metropolitan Planning Organization and Vice-Chairman of the Tampa Bay Regional Planning Council

Commissioner Whitmore 

- Attended a Florida Power and Light ceremony with Dr. Hopes to recognize the largest

solar battery field in the world

- Stated Lorraine Road, from Fruitville Road to S.R. 70 was four-laned and funded by Lakewood Ranch Community Development Districts and Stewardship Districts
- Stated Dr. Hopes would check on the requirements of the County Calendar and for reporting the County's financial reports to the public
- Met with City leaders regarding a 3,600-square-foot, County-owned property for transitional housing, and met with City of Bradenton Mayor Brown to look at property near the Red Barn for homeless housing
- Spoke with Dr. Hopes on the excessive charge for change of use permits
- Commented on House Bill 849 and Senate Bill 994, retail ban of puppies and kittens
- Relayed a comment by Larry Grossman on adding a Manatee to the County's logo

Commissioner Van Ostenbridge 

- Thanked Chairman Baugh for her service as 2021 Chairman
- Senator Boyd requested Board Commitment by formal vote on acquisition of Rattlesnake Key; this item is scheduled for the December 16 Land Use meeting
- Asked Dr. Hopes to expedite publishing the video of Manatee County's legislative platform for the public

Commissioner Bellamy 

- District 1 is hosting Congressman Buchanan to discuss Palmetto Trails options
- Thanked Chairman Baugh for her service as 2021 Chairman

Commissioner Servia 

- Noted Glen Gibellina suggested the Affordable Housing Acquisition Committee (AHAC) discuss inclusionary zoning or linkage fees for affordable housing, and AHAC supports partnering with Chamber of Commerce on housing challenges and retaining employees
- Scheduled a presentation to the Board on January 11 on homeless programs she observed in Pinellas County

 Commissioner Satcher

- Read a Christmas speech by the late President Ronald Reagan

 Chairman Baugh

- Stated Keith Green was appointed by AHAC as designated speaker on behalf of AHAC
- Noted Shawn Sullivan, Tampa Bay Regional Planning Council, will give a presentation on the perils of flooding at an upcoming meeting
- Announced Lakewood Ranch constructed Lorraine Road, from University Parkway to S.R. 70, but the portion between S.R. 70 and S.R. 64 is the County's responsibility
- The speed limit on the Sarasota side of Lorraine Road, from Fruitville Road to University Parkway, is 40 mph and the speed limit on the Manatee side is 35 mph. Area residents want the speed limit increased and this will be discussed in a future meeting
- Stated Dr. Hopes is the best County Administrator she has worked with
- Noted there are a lot of infrastructure projects to complete
- Plans to attend tomorrow's groundbreaking ceremony for Lakewood Ranch Library

ADJOURN

There being no further business, Chairman Baugh adjourned the meeting at 6:53 p.m.

Minutes Approved: September 12, 2023