

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COUNTY ADMINISTRATION BUILDING, HONORABLE PATRICIA M. GLASS CHAMBERS  
1112 Manatee Avenue West  
Bradenton, Florida  
October 11, 2022**

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

**Present were:**

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

**Also present were:**

Dr. Scott L. Hopes, County Administrator  
William Clague, County Attorney  
Vicki Tessmer, Board Records Supervisor, Clerk of the Circuit Court

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

**INVOCATION**



The Invocation was delivered by Pastor Randy Bezet, Bayside Community Church.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Rusty Russell, WWII Navy Veteran.

**AGENDA** 

Revised Agenda 1 with Update Memorandum (dated 10/11/22)

BC20221011DOC001

BC20221011DOC002



- Item 29 – Approval of the 2023 Medical, Dental and Retiree Premium Cost Sharing
- Item 42 – Resolution R-22-116 and execution of a Utility Work by Highway Contractor Agreement with Florida Department of Transportation – deferred BC20221011DOC003
- Item 44 – Surplus Equipment - Asset R 62411 removed
- Item 49 - Resolution R0-22-172 Resolution R-22-172, regarding the Infrastructure Sales Tax to amend the project scope and rationale in the Transportation - Major Road Improvements Category; and Adoption of Budget Amendment Resolution B-23-013; The cover sheet, Resolution R-22-172 and Budget Amendment Resolution B-23-013 were revised

**CONSENT AGENDA – ITEMS PULLED BY COMMISSIONERS**

Item 18 pulled by Commissioner Whitmore






Item 28 pulled by Commissioner Bellamy

**AWARDS**


1.  August Employee of the Month was presented to Kevin Leonard, Information Technology Supervisor. BC20221011DOC004
2.  September Employee of the Month was presented to Chris Latham, Senior Fleet Maintenance Technician, Public Works. BC20221011DOC005

**PROCLAMATIONS**

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


3.  Case Management Week, October 9-15, 2022, accepted by Kathleen Cowen, Manatee Children's Coalition and Nathan Sky, Department of Health. Certificates of Recognition were presented to the following individuals, who have served Manatee County: Lidia Casanova, Kevin Ciferno, Deborah Sirianni-Dicola, Von Dowling, Robin Graham, Jonathan Grimmer, Christopher Joseph, Vielka Joseph, Lorraine Ortiz, Tonya Scavella, Nicole Velazquez, Curtiss Walker, and Patrice Womack, Case Workers with the Manatee Children's Coalition. BC20221011DOC006
4.  Red Ribbon Week, October 23-31, 2022, was accepted by Dr. Linda Thompson, Drug Free Manatee. BC20221011DOC007
5.  Manufacturing Awareness Month, October 2022, was accepted by Rob Harris Executive Director, and Aaron Lane, VP of Operations, Air Products. BC20221011DOC008
6.  Operation Green Light, declaring October through Veterans Day, November 11, 2022, as a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service, was accepted by Lee Washington, Community and Veteran's Services Director, Renee Medina, Community and Veteran's Services. BC20221011DOC009
7.  Veterans Day, November 11, 2022, was accepted by Lee Washington, Community and Veteran's Services Director, Renee Medina, Community and Veteran's Services. BC20221011DOC010


**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)**


 Manual Portilla and Dirk Eubank, FEMA, assigned to Manatee County, introduced themselves and relayed efforts being made to help Manatee County in the wake of Hurricane Ian. They provided contact information.

Discussion ensued regarding thanking FEMA for all they have done to help residents after the storm. BC20221011DOC011

**CITIZEN COMMENTS** (Future Agenda Items Only)

 Glen Gibellina submitted a letter and read it into the record regarding current land policies associated with density bonuses. BC20221011DOC012

 Chris Johnson, Suncoast Partnership to End Homelessness, spoke to an initiative allowing landlords to offer incentives to lower barriers that keep people from being able to rent. If landlords participate in the collaborative, they will receive cash bonuses. Information can be found on their website: [www.suncoastpartner.org](http://www.suncoastpartner.org).

 Michael Barfield, asked the Board to protect natural species including oak trees and potted bougainvillea.

There being no further citizen comments, Chairman Van Ostenbridge closed citizen comments.

Discussion ensued regarding opening up rental units to people who would normally not be able to rent due to background checks, density bonuses, Commissioners do not get a chance


to talk outside of meeting, anything that will help people find housing is worth a try, Commissioners are allowed to give opinions, and the Suncoast Collaborative is using their federal funding to help people.

**RECESS/RECONVENE:** 10:14 a.m. – 10:24 a.m. All Commissioners were present


**CONSENT AGENDA MOTION**

A motion was made by Commissioner Bellamy and seconded by Commissioner Satcher to approve the Consent Agenda, with the changes incorporated in the Agenda Update Memorandum, with deletion of Items 18 and 28 (pulled for separate action), Item 42 (deferred to a later meeting), and the changes made by Dr. Hopes at the beginning of the meeting.

**CITIZEN COMMENTS** (Consent Agenda Items)

 Glen Gibellina spoke to the Mosaic bonds, Items 37, 38, and 39, and the negative side of phosphate mining. BC20221011DOC013

There being no further citizen comments, Chairman Van Ostenbridge closed citizen comments.

 Discussion ensued regarding Mosaic has had permission to mine since the 1960s.

The motion carried 7-0.

8. **CLERK'S CONSENT AGENDA**

BC20221011DOC014

A. **REFUNDS**

Approved the following Refunds:

1. NAP L46 LLC – Utility Water Facility Investment Fee, \$20,838.53 BC20221011DOC015
2. PAGD 06 LLC – Billing Adjustment, \$787.63 BC20221011DOC016
3. Gerald Young – Medical Premiums, \$1,837.14 BC20221011DOC017

B. **BONDS**

Accepted the following Bonds:

1. Azario Esplanade, Phase IV
  - Released and returned Surety Bond (Performance) SUR0071416 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$684,558.10;
  - Released and returned Surety Bond (Performance) SUR0071417 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$1,955,670.55;
  - Accepted and executed Surety Bond (Defect) SUR0071416-M securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on November 16, 2021, securing wastewater and water improvements, \$49,196.73; and
  - Accepted and executed Bill of Sale BC20221011DOC018
2. Bella Lago, Phase IIB
  - Released and returned Surety Bond (Performance) SUR0068974 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$3,068,259.35;

- Released and returned Surety Bond (Performance) SUR0068975 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$252,219.50;
- Accepted and executed Surety Bond (Defect) SUR0072507 securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on October 7, 2021, for Subphase IIB securing roadway, sanitary sewer, drainage, and water improvements, \$131,559.58; and
- Accepted and executed Bill of Sale BC20221011DOC019
- 3. Bourneside Boulevard North, Phase II
  - Accepted and executed Agreement for Public Improvements securing streets, drainage, and potable water improvements;
  - Accepted and executed Surety Bond (Defect) 1087107, \$395,681.18; and
  - Accepted and executed Bill of Sale BC20221011DOC020
- 4. Lakewood National Golf Club, Phase IIF
  - Accepted and Executed Bill of Sale in conjunction with Section 1.5 Maintenance, Defects of the Agreement for Private Subdivision with Public Improvements accepted by the Board of County Commissioners on March 22, 2022, securing sanitary sewer and water improvements BC20221011DOC021
- 5. Sapphire Point, Phase IIIB
  - Released and returned Surety Bond (Performance) 59BSBIU1789 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements, \$436,672.60;
  - Released and returned Surety Bond (Performance) 59BSBIU1786 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements, \$1,104,133.59;
  - Accepted and executed Surety Bond (Defect) 0242317 securing Section 1.5 Maintenance, Defects of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on May 5, 2022, securing sewage collection system and water distribution system improvements, \$29,863; and
  - Accepted and executed Bill of Sale BC20221011DOC022
- 6. Silverleaf Phase III, Subphase B
  - Released Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements, securing reclaimed water, potable water and wastewater improvements, \$14,610.10; and
    - Released and returned Surety Bond (Defect) US00083252SU18A, and any associated riders, \$14,610.10 BC20221011DOC023
- 7. The Heights, Phase II, Subphase A
  - Released and returned Surety Bond (Performance) SU1170046 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$679,482.77;
  - Released and returned Surety Bond (Performance) SU1170045 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$1,632,187.49;
  - Accepted and executed Surety Bond (Defect) SU1170046M securing Section 1.5 Maintenance, Defects of the Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on August 24, 2021, for Subphase A securing wastewater and water, \$47,917.44; and

- Accepted and executed Bill of Sale BC20221011DOC024
- 8. Twin Rivers, Phase IV-C, Subphase A
  - Released Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements, securing roadway, sewer, force main, water and reclaimed water improvements, \$17,787.60;
  - Released and returned Cashier's Check 5006800261 in conjunction with the above referenced agreement, \$17,787.60 BC20221011DOC025

**C. REPORTS**

Accepted the following reports:

1. Heritage Harbour South Community Development District (CDD) – FY 22/23 Meeting Schedule BC20221011DOC026
2. Housing Finance Authority of Manatee County – Resolution 22-07 adopting the FY 22/23 Budget BC20221011DOC027
3. Manatee County Mosquito Control District – Resolutions adopting meeting dates for FY 22/23, Millage for FY 22/23, and Budget for FY 22/23, the Certified Budget for FY 22/23, and the map BC20221011DOC028
4. Palma Sola Trace CDD – Final Approved FY 22/23 Budget BC20221011DOC029
5. Southern Manatee Fire and Rescue District – Resolution 2022-06 adopting the FY 22/23 Budget, and the schedule of regular meetings for 22/23 BC20221011DOC030
6. West Coast Inland Navigation District – FY 22/23 Budget Summary, FY 22/23 public meeting schedule, Resolutions 2022-07 and 2022-08 adopting the millage rate of 0.0394 and the FY 22/23 Budget, and the District Guide Map BC20221011DOC031

**9. COUNTY ADMINISTRATOR/EMERSON POINT**

County Attorney directed to draft a resolution for the renaming of Pavilion 1 at Preserve, to John "JP" McDonald Memorial Pavilion BC20221011DOC032

**10. COUNTY ATTORNEY/PROPOSAL FOR SETTLEMENT**

Approved to allow Plaintiff's September 14, 2022, 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 Deanna Matthews v. Manatee County, Case 2020-CA-47101 BC20221011DOC033

**11. COUNTY ATTORNEY/PROPOSAL FOR SETTLEMENT**

Approved to allow Plaintiff's Proposal for Settlement in the amount of \$50,000 to defendant, Manatee County, to expire and take no action regarding the Proposal for Settlement in the matter of Judith Kline v. Manatee County, Case 2021-CA-0428 BC20221011DOC034

**12. COUNTY ATTORNEY/PROPOSAL FOR SETTLEMENT**

Approved to allow Plaintiff's September 14, 2022, 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 Kesha Taylor v. Manatee County, Case 2021-CA-1194 BC20221011DOC035

**13. COUNTY ATTORNEY/PROPOSAL FOR SETTLEMENT**

- Approved to allow Plaintiff's Proposal for Settlement in the amount of \$95,000 to Manatee County to expire and take no action regarding the Proposal for Settlement; and
- Approved to allow Manatee County to file a Proposal for Settlement directed to Plaintiff up to \$50,000 in the matter of Pamela Johnson v. Manatee County, Case 2020-CA-4705 BC20221011DOC036

14. **COMMUNITY AND VETERANS SERVICES/LIBRARY COLLECTION DEVELOPMENT POLICY**  
Approved revised Manatee County Libraries' Collection Development Policy to take effect immediately BC20221011DOC037
15. **COMMUNITY AND VETERANS SERVICES/INTERLOCAL AGREEMENTS**  
Executed Interlocal Agreements (2) with Manatee County Sheriff, for the Community Policing Initiative and Pride Park Security BC20221011DOC038
16. **CONVENTION AND VISITORS BUREAU/AGREEMENT**  
Authorized the County Administrator to execute Amendment Two to Reimbursement Agreement with City of Bradenton, for reimbursement of expenditures up to \$200,000 for the 2023 Bradenton Area RiverFest Regatta (All funds involved are tourism taxes, not ad valorem taxes) BC20221011DOC039
17. **DEVELOPMENT SERVICES/RESOLUTION**
  - Adopted Resolution R-22-182, re-appointing Richard Pierro to the Housing Finance Authority; and
  - Executed Certificate of Membership for the Housing Finance Authority BC20221011DOC040
19. **FINANCIAL MANAGEMENT/AMBULANCES**  
Authorized to award a Purchase Order to Ten-8 Fire Equipment, Inc., for six (6) Braun Chief XL Ford F550 Ambulances in the not-to-exceed amount of \$2,197,266, utilizing Florida Sheriff's Association Contract FSA20-VEF14.01 BC20221011DOC041
20. **FINANCIAL MANAGEMENT/MANHOLD INFLOW DISHES**  
Authorized to award a Purchase Order to USSI, LLC, for the purchase of Thermoplastic Polyolefin (TPO) Inflow Defender Max Manhole Inflow Dishes, for a total not-to-exceed amount of \$278,705 BC20221011DOC042
21. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized the Purchasing Official, or designee, to execute Amendment 1 for Blue Septic Tank Services, Inc., and DeJonge Excavating Contractors, Inc., and Amendment 2 for Envirowaste Services Group, Inc., to Agreement 19-R07054CD for Water and Wastewater Pumping and Hauling Services BC20221011DOC043
22. **FINANCIAL MANAGEMENT/CHANGE ORDER**  
Authorized the Purchasing Official, or designee, to execute Change Order 1 to Agreement 21-TA003699JH, with Boromei Construction, Inc., authorizing an additional 103 calendar days to the schedule for the Sewer System for the Detention Center, due to equipment and material delivery delays, or a new construction completion date of December 9, 2022 BC20221011DOC044
23. **FINANCIAL MANAGEMENT/CHANGE ORDER**  
Authorized the Purchasing Official, or designee, to execute Change Order 2 to Work Assignment MC-12 for Agreement 17-0523JE with McKim and Creed, Inc., for the Southwest Water Reclamation Facility (SWWRF) Chlorine Contact Chamber Rehab and Recharge Well Pump Station project, in the amount of \$119,988, for a revised Work Assignment not-to-exceed amount of \$1,029,123 BC20221011DOC045
24. **FINANCIAL MANAGEMENT/CHANGE ORDERS/MANATEE DAM**
  - Authorized the Purchasing Official, or designee, to execute Change Order 7 to Work Assignment 54 for Agreement 11-1569BG with Carollo Engineers, Inc., for Lake

Manatee Dam Phase II Repairs project, in the amount of \$80,514.45, for a revised not-to-exceed amount of \$4,030,731.45; and

- Authorized the Purchasing Official, or designee, to execute Change Order 8 to Work Assignment 54 for Agreement 11-1569BG with Carollo Engineers, Inc., for Lake Manatee Dam Phase II Repairs project, in the amount of \$1,170,008.40, for a revised not-to exceed amount of \$5,200,739.85

BC20221011DOC046

25. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized the Purchasing Official, or designee, to execute Design-Build Agreement 22-TA003995CD, Design-Build Services for Southwest Water Reclamation Facility Second Cloth Media Filter with PCL Construction, Inc., in the not-to-exceed amount of \$876,150, for design and pre-construction services and for the development of a Guaranteed Maximum Price (GMP) and schedule for construction

BC20221011DOC047

26. **FINANCIAL MANAGEMENT/AGREEMENT**

- Authorized the Purchasing Official, or designee, to execute the Guaranteed Maximum Price (GMP) Addendum to Agreement 22-R079009RP, Construction Management at Risk Services for 53rd Avenue West Rebase and Resurface Project, with The A.D. Morgan Corporation, in the not-to-exceed amount of \$3,511,219.28, with a construction schedule of 90 calendar days;
- Accepted and authorizing dating of the Public Construction Bond; and
- Adopted Budget Resolution B-23-009, amending the annual budget for Fiscal Year (FY) 23 (This budget amendment adjusts the FY 23-27 CIP)

BC20221011DOC048

27. **FINANCIAL MANAGEMENT/PIGGYBACK AGREEMENT**

- Authorized the Purchasing Official, or designee, to execute Piggyback Agreement 22-N004655JE for Highly Adaptive Cybersecurity with Sylint Group, Inc., utilizing General Services Administration (GSA) Contract 47QTCA22D006K; and
- Adopted Budget Resolution B-23-018

BC20221011DOC049

29. **HUMAN RESOURCES/2023 MEDICAL, DENTAL AND RETIREE PREMIUM COST SHARING**

Approved 2023 Medical, Dental and Retiree premium cost sharing for the self-funded and fully-insured employer sponsored benefits, Exhibits A and B

BC20221011DOC050

30. **NATURAL RESOURCES/RESOLUTION**

- Accepted American Rescue Plan Cooperative Agreement 02D25722, to enhance monitoring of Particulate Matter 2.5 (PM2.5) or other National Ambient Air Quality Standards (NAAQS) pollutants in and near communities with environmental justice concerns, who face disproportionate exposure to these pollutants and health risks, which are also associated with increased vulnerability to COVID-19; and
- Adopted Budget Amendment Resolution B-23-017, adjusting the FY 23 annual budget

BC20221011DOC051

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

- Accepted and authorized recording of Fee Simple from the School Board of Manatee County, for property located at 59th Avenue East and Lorraine Road, for right-of-way acquisition required for the proposed widening of Lorraine Road to include one bridge, four-lane roadways, a median, bike lanes, sidewalks and street lighting;
- Accepted and authorized recording of Temporary Construction Easement from School Board of Manatee County; and
- Authorized recording of Affidavit of Ownership and Encumbrances from Cynthia Saunders, Superintendent of School Board of Manatee County

BC20221011DOC052

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

- Accepted and authorized recording of Permanent Utilities Easement from Samuel Almodovar and Maria Almodovar, for property located at 816 64th Avenue East (100 feet on the northern boundary of the parcel), needed for a water meter and to connect to the new water main which includes a Joinder from Lakeview Loan Servicing LLC, by Flagstar Bank FSB, Attorney in Fact Under Limited Power of Attorney, which also includes a Joinder from Secretary of Housing and Urban Development; and
- Authorized recording of Affidavit of Ownership and Encumbrances from Samuel Almodovar and Maria Almodovar

BC20221011DOC053

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

- Accepted and authorized recording of Warranty Deed from Jen Tampa 2 LLC, for dedication of right-of-way (1.636 acres) located along the south side State Road 62, just east of U.S. 301, at the Crosswind Point Development in Parrish;
- Authorized recording of Affidavit of Ownership and Encumbrances from Matt O'Brien, Vice-President of Jen Tampa 2, LLC; and
- Authorized recording of Partial Release from Belleair Capital Group Parrish Plantation LLC

BC20221011DOC054

34. **PROPERTY MANAGEMENT/PLAT VACATION RESOLUTION**

Adopted Resolution R-22-124, declaring a public hearing on December 6, 2022, to vacate a portion of a plat subdividing land and certain streets, roads, or other appropriate property within the Rocky Bluff Shores Subdivision Plat, Ellenton

BC20221011DOC055

35. **PROPERTY MANAGEMENT/RESOLUTION**

- Adopted Resolution R-22-153, releasing a Conservation Easement; and
- Executed and authorized recording of Release of Conservation Easement (0.18 acre) for property located at 17th Street East, Palmetto, ahead of their planned development of the land

BC20221011DOC0056

36. **PUBLIC SAFETY/RESOLUTION/2022 MANATEE COUNTY COMPREHENSIVE EMERGENCY MANAGEMENT PLAN**

- Adopted Resolution R-22-159, adopting the 2022 Manatee County Comprehensive Emergency Management Plan; and
- Authorized execution of the Manatee County Board of County Commissioners Letter of Promulgation, as required by the Florida Division of Emergency Management

BC20221011DOC057

37. **PUBLIC WORKS/RECLAMATION BOND**

Accepted Reclamation Surety Bond Rider 9288595, for Wingate East Mine in the increased amount of \$10,095,498 from \$7,988,534, for the 22/23 Annual Report Period (effective 7/31/22)

BC20221011DOC058

38. **PUBLIC WORKS/RECLAMATION BOND**

Accepted Reclamation Surety Bond Rider K06989123, for Southeast Tract Mine in the increased amount of \$5,219,289 from \$4,759,678, for the 22/23 Annual Report Period (effective 7/31/22)

BC20221011DOC059

39. **PUBLIC WORKS/RECLAMATION BOND**

Accepted Reclamation Surety Bond Rider 29S107624 for Wingate Creek Mine in the increased amount of \$9,260,801 from \$8,650,978, for the 22/23 Annual Report Period (effective 7/31/22)

BC20221011DOC060

40. **PUBLIC WORKS/REPLACEMENT BOND**

Accepted Duette Bridge Replacement Surety Bond Rider 0218637 for Wingate Creek Mine in the increased amount of \$435,189.81 from \$401,466.62, for the Annual Report Period (effective 7/31/22)

BC20221011DOC061

41. **PUBLIC WORKS/2022 COMMUNITY TRANSPORTATION COORDINATION**

Executed FY 22/23 Community Transportation Contracts with the following agencies: Meals on Wheels Plus of Manatee, Inc., Easter Seals of Southwest Florida, Inc., and Westside Group Home (These agencies service as Coordinated Transportation Disadvantaged (TD), transportation providers in the local service area and work closely with Manatee County Area Transit [MCAT])

BC20221011DOC062

43. **PUBLIC WORKS/RESOLUTION/NON-AD VALOREM ASSESSMENTS**

Adopted Resolution R-22-180, providing for the Annual Certification of Non-Ad Valorem Assessments to the Uniform Method for levy, collection and enforcement of Non-Ad Valorem Assessments for annual special assessment payments due with the payment of the 2022 Ad Valorem taxes

BC20221011DOC063

44. **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

BC20221011DOC064

45. **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

BC20221011DOC065

46. **PUBLIC WORKS/REIMBURSEMENT AGREEMENT**

- Executed Reimbursement Agreement with Lennar Homes LLC, for Wastewater Improvements; and
- Adopted Budget Resolution B-23-010, amending the annual budget for FY 23 (This budget amendment adjusts the FY 23-27 CIP)

BC20221011DOC066

47. **UTILITIES/SERVICE FEE WAIVER**

Authorized to waive a total of \$310 in service fees that were assessed to Utility Customer accounts for returned bank items

BC20221011DOC067


48. **UTILITIES/TIME PAYMENT AGREEMENT**


Authorized execution and recording of Time Payment Agreement for one or more of the following Facility Investment, Connection and Line Fees for Melissa and Aaron Fitzsimmons (Agreement 1616)

BC20221011DOC068

(End Consent Agenda)

18. **FINANCIAL MANAGEMENT/BUDGET RESOLUTION**

 Discussion ensued regarding the public needing to be aware of money being used from a grant to pay for a private security company for the parks.

 Sheila McLean stated this fund is for additional outside security for parks Buffalo Creek, Lincoln Park Pool, GT Bray, Braden River Park, Palma Sola Park, Premier Sports, Blackstone Park, and Lakewood Ranch, that will include 40 hours per week. They are in a solicitation for

bids. In 2022, the intent to bond was brought before the Board, and bonds were issued in September 2022. This requires a budget amendment to bring the funds into accounting. Two lines of credit were paid off with the bond funds. There were 19 projects identified, and the inflationary factors were considered. These projects are being brought forward including Moccasin Wallow.

A motion was made by Commissioner Servia, and seconded by Commissioner Kruse to adopt Budget Amendment Resolution B-23-007.

There being no public comments, Chairman Van Ostenbridge closed public comments.

The motion carried 7-0.

BC20221011DOC069

28. **HUMAN RESOURCES/RESOLUTION/PERSONNEL POLICY, RULES AND PROCEDURES**



Discussion ensued regarding the rates of tuition for when an employee is on probation.



Jennifer Harden, Human Resources Director, stated the policy changes are being done in phases, and the next one will address the six month probationary period.

A motion was made by Commissioner Servia and seconded by Commissioner Bellamy to adopt Resolution R-22-168, amending the Personnel Policy, Rules and Procedures Manual, pertaining to Tuition Reimbursement and Premium Pay.



Joe Carnevale, Survey Technician, stated there are three schools in Florida that offer a path to Surveying Licensure, he is attending Everglades University, was denied for the past three years, and this is a good tool for the retention of staff and allowing staff to pursue their degrees.

There being no further public comment, Chairman Van Ostenbridge closed public comment.

The motion carried 7-0.

BC20221011DOC070

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

49. **FINANCIAL MANAGEMENT/INFRASTRUCTURE SALES TAX**



A duly advertised public hearing was held to consider adoption of Resolution R-22-172, regarding the Infrastructure Sales Tax, to amend the project scope and rationale in the Transportation – Major Road Improvements Category; and Adoption of Budget Amendment Resolution B-23-013.

A motion was made by Commissioner Kruse and seconded by Commissioner Bellamy, to adopt Resolution R-22-172, regarding the Infrastructure Sales Tax, to amend the project scope and rationale in the Transportation – Major Road Improvements Category; and adopt Budget Amendment Resolution B-23-013.


There being no public comment, Chairman Van Ostenbridge closed public comment.



The motion carried 7-0.

BC20221011DOC071

50. **PUBLIC WORKS/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of Ordinance 22-85, Engine Compression Release Braking on Lorraine Road.

 Vishal Kakkad, Traffic Engineering Division Manager, was available for questions.

Discussion ensued regarding getting a lot of these requests and have an overview of where this is occurring, and provide a map to commissioners.


A motion was made by Commissioner Baugh and seconded by Commissioner Servia, to adopt Ordinance 22-85.

There being no public comment, Chairman Van Ostenbridge closed public comment.


The motion carried 7-0.

BC20221011DOC072


51. **PUBLIC WORKS/ORDINANCE**

 Aaron Burkett, Traffic Operations Division Manager, referred to a map with requests to include Harlee Road which was requested by the Fire Department, due to semi-trucks parking in driveways, and Riverview Boulevard on the south side between 59th Street West and the bridge causing visual issues.


Discussion ensued regarding 59th Street near the Boat Ramp, this is on the incline of the bridge and the parked vehicles are on the road, and there is a parking lot on the other side of the bridge.

 Mr. Burkett continued to address the other locations on Peridia Boulevard near S.R. 70, and a section on the south side of 38th Avenue where there is traffic going in out of the businesses. Each of these were initiated by complaints from business and citizens. The people at the apartments are parking on the road instead of designated parking.

There being no public comment, Chairman Van Ostenbridge closed public comment.

 A motion was made by Commissioner Baugh, seconded by Chairman Van Ostenbridge, and carried 7-0, to authorize staff to advertise and set a public hearing on proposed changes to County Code 2-22-24 relating to stopping, standing and parking, as outlined within proposed No Parking Ordinance 22-98, in accordance with Florida Statutes. BC20221011DOC073

52. **COMMUNITY AND VETERANS SERVICES**

 Kristi Higgins, Community and Veteran's Services, requested the appointment of three individuals to serve on the Children's Services Advisory Board (CSAB) for three-year terms, effective October 11, 2022 through September 30, 2025, and the appointment of one individual to finish one year of a three-year term that has been vacated effective October 11, 2022 through September 30, 2023.

The additional vacant seat for a School Board representative is due to the resignation of the current representative. This partial term will expire September 30, 2023. The three-year term was started by Charles Kennedy, who is no longer sitting on the School Board; and therefore, does not qualify to hold this seat on the CSAB. Mr. Porch is a nurse practitioner not a physician.

There is an open seat for a Physician, but staff has yet to receive any applications for candidates to fill this role at this time. The Physician seat will be kept open until a qualified candidate applies for consideration.



Nominations – School Board (One applicant applied)

Gina Messenger by Commissioner Servia

A motion was made to close nominations by Commissioner Baugh and seconded by Commissioner Bellamy. The motion carried 7-0 and Gina Messenger was appointed as the School Board representative.

Nominations – Child Advocate

Janet Vestal by Commissioner Kruse

Joel Porch by Commissioner Satcher

A motion was made by Commissioner Baugh and seconded by Commissioner Bellamy to close nominations. The motion carried 7-0, and Janet Vestal was appointed by majority vote.

Nominations – Judge (One applicant applied)

Honorable Scott Brownell by Commissioner Bellamy

A motion was made by Commissioner Whitmore, seconded by Commissioner Bellamy, and carried 7-0, to appoint Honorable Scott Brownell to the Judge seat.

Nominations – Criminal Justice Representative (One applicant applied)

Constance Shingledecker – by Commissioner Kruse

A motion was made by Commissioner Whitmore, seconded by Commissioner Servia, and carried 7-0, to appoint Constance Shingledecker as the Criminal Justice Representative.

Motion - Applications



A motion was made by Commissioner Satcher and seconded by Commissioner Baugh to remove race from criteria for data collection for people applying for Advisory Board position.

There being no public comments, Chairman Van Ostenbridge closed public comment.

The motion carried 7-0.

BC20221011DOC074

53. **FINANCIAL MANAGEMENT/AGREEMENT**




The item was introduced by Dr. Scott Hopes.





Sheila McLean, Chief Financial Officer, stated Items 53 and 54 are related to Moccasin Wallow Road. She used a slide presentation, to review the section from U.S. 41 to Gateway Boulevard to discuss the total financial implications. The second section is from I-75 to 115th Avenue East and Section 3 is from U.S. 301 to 115th Avenue East. The funding will come from impact fees and infrastructure sales tax.





Scott May, Deputy Director, Public Works, continued to discuss future plans, the contract is assigned to Prince Contracting, the installation of a temporary light at Bud Rhoden Road, and the time line with construction beginning around the first quarter of 2023. They are adding signals to the project.

 Chad Butzow, Public Works Director, stated the improvements will start soon, and Moccasin Wallow is being built as four lanes, but there is room to make it a six lane road when needed. The land has already been purchased for the six-lane design.

 Ms. McLean also noted the Florida Department of Transportation (FDOT) will assist with funding as well. They performed a study on impact fees as associated with the Capital Improvement Plan, and the projections are for five years. Balances in the cash accounts are considered as well as the impact fees. The balances are cyclical as funds are spent and earned. Manatee County is conservative, and they project revenues to come in lower. They do the best they can to project cost and try to come in higher. They reassess the cash balances each month, and impact fees change based on growth.

 Mr. Butzow noted in the State budget, there was a \$7.5 million allocation approved for Moccasin Wallow Road.

 Discussion ensued regarding being thankful to staff to improve the quality of life for residents.

 Mr. May continued to discuss the timelines, and efforts to get the bid for Segment two before the end of the County's current fiscal year.

Discussion ensued regarding building the road, turn signals will be installed when the project is finished, and costs for road construction will be going up.

 Dr. Hopes stated there will be a summary of all the efforts made by the Board.

There being no public comment for Items 53 and 54, Chairman Van Ostenbridge closed public comment.

A motion was made by Commissioner Baugh, seconded by Commissioner Bellamy, and carried 7-0, to authorize the Purchasing Official, or designee, to execute Agreement 22-TA004097CD, for Moccasin Wallow Road, from U.S. 41 to Gateway Boulevard, to the lowest responsive and responsible bidder, Prince Contracting LLC, for a not-to-exceed amount of \$49,472,101.80, based on a construction completion time of 650 calendar days, and authorization to accept and date the Public Construction Bond, and to adopt Budget Resolution B-23-012, amending the annual budget for Manatee County, for FY 2023 (This budget amendment adjusts the FY 23-27 CIP).

BC20221011DOC075

and  
54.

#### **FINANCIAL MANAGEMENT/AGREEMENT**

A motion was made by Commissioner Servia and seconded by Commissioner Whitmore , to authorize the Purchasing Official, or designee to execute Agreement 22-TA004135DJ, for Moccasin Wallow Road, I-75-301 Segment 1, from U.S. 301, to 115th Avenue East (Cooperstone Entrance), to the lowest responsive and responsible bidder, Gator Grading and Paving LLC, for a not-to-exceed amount of \$28,830,308.42, based on a construction time of 540 calendar days, and authorization to accept and date the Public Construction Bond and to adopt Budget Resolutions B-23-014 and B-23-015 (This budget amendment adjusts the FY 23-27 CIP). The motion carried 7-0.

BC20221011DOC076

**COMMISSIONER AGENDA/COMMENTS**

**55. UPDATES ON DISTRICT 4 TOPICS AND CONCERNS – COMMISSIONER SERVIA**

Announced there will be two classes on soil at the Plant Place on. U.S. 41. BC20221011DOC077

**56. OTHER MATTERS ABOUT COUNTY-RELATED ISSUES – COMMISSIONER WHITMORE**

Questioned the progress on the panels on the Judicial Center.



William Clague, County Attorney stated work is taking place.

BC20221011DOC078

**57. DISCUSSION OF FUTURE LANDFILL – COMMISSIONER WHITMORE**



Commissioner Whitmore requested a work session or a policy statement regarding the land fill and what direction the Board intends to go in.

BC20221011DOC079

**58. DISCUSSION OF CHANGING VETERANS HOMELESS HOUSING TO UTILITIES ON 66TH STREET WEST, FROM OLD JAIL LOCATION – COMMISSIONER WHITMORE**



Commissioner Whitmore requested an update, and noted funds were requested from the State. There are several homes going into the area, and there needs to be proper infrastructure. There should be a work session to also decide where the Utilities employees are going.

She also questioned if there is going to be a director assigned to the employees from the IFAS Extension Office.

Chairman Van Ostenbridge stated there will be work sessions on these topics.

Discussion ensued regarding the intention to move Utilities.

BC20221011DOC080

**ADJOURN**

There being no further business, Chairman Van Ostenbridge adjourned the meeting at 11:45 a.m.

Minutes Approved: March 28, 2023