

**0 MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COUNTY ADMINISTRATION BUILDING, HONORABLE PATRICIA M. GLASS CHAMBERS
1112 Manatee Avenue West
Bradenton, Florida
October 10, 2023**

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

Present were:

Kevin Van Ostenbridge, Chairman
Mike Rahn, First Vice-Chairman
Amanda Ballard, Second Vice-Chairman
Jason Bearden, Third Vice-Chairman
George Kruse
James A. Satcher, III
Ray Turner

Also present were:

Charlie Bishop, 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 9:00 a.m.

INVOCATION

The Invocation was led by Pastor Caleb Suttle, Bible Baptist Church of Bradenton.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Retired Sergeant James White, U.S. Marine Corps.

AGENDA

BC20231010DOC001



Agenda Update Memorandum 1 (dated 10/05/23)

BC20231010DOC002

- Item 46 – Adoption of Resolution R-23-088 to convey county-owned property located at 4410 66th Street West, Bradenton 34210, for Affordable Veterans Housing Development to Stephen Siller Tunnel to Towers Foundation, Inc., a New York not-for-profit corporation; and Execution of Land Use Restriction Agreement and Conveyance Deed – Updated to include new attachments.

Agenda Update Memorandum 2 (dated 10/06/23)

BC20231010DOC003

- Item 2 – Presentation of October Employee of the Month Award to Quantana Acevedo – Added to the Agenda
- Citizen Comments (Future Agenda items) – Written correspondence received from Diana Adams and Mike Adams
- Item 11 – (former Item 10) – Execution of Temporary Lease Agreement between Manatee County/Bradenton Area Convention Center and GDAWG Ventures, LLC – Updated with revised motion: Approval and Authorization for the ~~County Administrator~~ Chairman to execute a month-to-month Lease Agreement between Manatee County /Bradenton Area Convention Center and GDAWG Ventures, LLC, for temporary use of land for parking during the renovation of the Bradenton Area Convention Center.
- Item 19 - (former Item 18) – Adoption of Budget Amendment Resolution B-24-007 - Updated to include a revised Budget Amendment Resolution
- Item 23 - Execution of Agreement No. 23-TA0045826CD for Professional Transportation Engineering Services for Lorraine Road Project (from south of 59th Circle/Avenue East to S.R. 64 Roundabout) – Added to the Agenda
- Item 48 (former Item 46) - Adoption of Resolution R-23-088 to convey county-owned property located at 4410 66th Street West, Bradenton, for Affordable Veterans Housing Development

to Stephen Siller Tunnel to Towers Foundation, Inc., a New York not-for-profit corporation; and Execution of Land Use Restriction Agreement and Conveyance Deed (Continuation from August 8, 2023) - Further updated to include written correspondence

Agenda Update Memorandum 3 (dated 10/09/23)



BC20231010DOC004

- Item 36, Adoption of Resolution R-23-172, authorizing Manatee County Emergency Medical Services to participate in the Florida Coordinated Opioid Recovery (CORE) Program, and authorization to execute the Annual Agreement - Deferred BC20231010DOC005
- Item 48, Adoption of Resolution R-23-088 to convey county-owned property located at 4410 66th Street West, Bradenton 34210, for Affordable Veterans Housing Development to Stephen Siller Tunnel to Towers Foundation, Inc., a New York not-for-profit corporation; and Execution of Land Use Restriction Agreement and Conveyance Deed - District 4 (Continuation from August 8, 2023) - Additionally updated to include the final draft of the Land Use Restriction Agreement (redline and clean versions)
- Item 55, County Organization Chart - Overview of Roles and Responsibilities - Updated with a revised Organizational Chart

CONSENT AGENDA - ITEMS PULLED BY COMMISSIONERS

There were no items pulled.

AWARDS



1.  Team Award to Josephine Musgrave and Sailyn Marchena, Custodians, Property Management. BC20231010DOC006
2.  October Employee of the Month Award - Quantana Acevedo, County Administration, Agenda Coordinator. BC20231010DOC007


PROCLAMATIONS

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

3.  Brandon Carnes Day - October 10, 2023, accepted by Brandon Carnes. BC20231010DOC008
4.  Manufacturing Awareness Month - October 2023, accepted by Board Members of Manufacturing Association, Aaron Laine, R&B Automation and Kathy Alder, Chris Craft. BC20231010DOC009
5.  Red Ribbon Week - October 23-31, 2023, accepted by Natalie Novak, Drug Free Manatee. BC20231010DOC010
6.  Suncoast Digital Inclusion Month - October 2023, accepted by Lexa Carr, Patterson Foundation. BC20231010DOC011
7.  Toastmasters Day - October 22, 2023, accepted by Lorretta Merrill, Manatee County. BC20231010DOC012


CITIZEN COMMENTS (Future Agenda Items Only)


-  Karl Hunsinger, President, Manasota Veterans, spoke in support of a future veterans park.
-  David Wiegand, Lakewood Ranch, Country Club East, supported a roundabout on Lorraine Road and Players Drive and submitted documentation. BC20231010DOC013

 David Goldheim supported a roundabout at the intersection of Lorraine Road and Players Drive.

Nancy Haas, submitted pages from the Capital Improvement Plan, opposed a roundabout at the intersection of Lorraine Road and Players Drive citing fiscal responsibility.

BC20231010DOC014

 Joe McClash asked that the Board rescind Ordinance 23-66 regarding wetland buffers.


 Jeff Schilinger opposed a roundabout at the intersection of Lorraine Road and Players Drive citing fiscal responsibility.

Glen Gibellina submitted information and addressed policies including parking, renewable energy, homelessness, County property, and misinformation.


BC20231010DOC015

Brice Claypool, displayed photographs, and addressed the need for protecting the waterways in Manatee, and protecting wetland buffers and asked that Ordinance 23-66 be rescinded.

BC20231010DOC016

 Mark Himmelriche, spoke in support of veterans housing.


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

 Discussion ensued regarding a meeting on November 14, and the County is addressing housing for homeless families.

CONSENT AGENDA

CITIZEN COMMENTS (Consent Agenda Only)

A motion was made by Commissioner Kruse and seconded by Commissioner Ballard to approve the Consent Agenda, with the changes incorporated in the Agenda Update Memorandums.

 Sean Philips, addressed Item 38, and encouraged installing speed humps on 26th Avenue West between 43rd Street and 51st Street West.

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

 The motion carried 7-0.

8. CLERK'S CONSENT AGENDA

BC20231010DOC017

A. MINUTES

Approved the Minutes of May 24, June 8, and December 13, 2022, and August 22 and 24, September 2, 12 (Regular and Budget), and 19 (Work Session and Budget), 2023

B. REFUNDS

Approved the following Refunds:

1. Richard A. Bolduc – Billing Adjustment, \$4,608.83 BC20231010DOC018
2. McClure Properties, Ltd. – Impact Fees for Transportation Northeast District, \$66,210 BC20231010DOC019
3. TM BTR of Florida LLC – Application Fee, \$2,000 BC20231010DOC020

C. REPORTS

Accepted the following Reports

1. Aqua One Community Development District (CDD) – FY23/24 Annual Meeting Schedule BC20231010DOC021
2. Copperstone CDD – Final Adopted FY23/24 Budget BC20231010DOC022

3. Copperstone CDD - FY23/24 Annual Meeting Schedule BC20231010DOC023
4. Cross Creek CDD - FY23/24 Annual Meeting Schedule BC20231010DOC024
5. Eagle Pointe CDD - Final Adopted FY23/24 Budget BC20231010DOC025
6. Harborage at Braden River CDD - Resolution 2023-07 setting the FY23/24 Annual Meeting Schedule BC20231010DOC026
7. Legends Bay CDD - FY23/24 Annual Meeting Schedule BC20231010DOC027
8. Manatee County Mosquito Control District - Resolution setting Meeting Dates for FY23/24; Resolution adopting Millage for FY23/24; Resolution adopting Budget for FY23/24; Certified Budget for FY23/24; and Map BC20231010DOC028
9. North River Ranch Improvement Stewardship District - FY23/24 Annual Meeting Schedule BC20231010DOC029
10. Palma Sola Trace CDD - Resolution 2023-08 setting the FY23/24 Annual Meeting Schedule BC20231010DOC030
11. Palma Sola Trace CDD - Final Adopted FY23/24 Budget BC20231010DOC031
12. Prosperity Lakes CDD - Resolution 2023-04 setting the FY23/24 Annual Meeting Schedule BC20231010DOC032
13. Prosperity Lakes CDD - Final Adopted FY23/24 Budget BC20231010DOC033
14. Silverleaf CDD - FY23/24 Annual Meeting Schedule BC20231010DOC034
15. West Coast Inland Navigation District (WCIND)- FY23/24 Budget Summary; FY23/24 Public Meeting Schedule; Resolution 2022-09 and 2022-10 adopting the millage rate of 0.0394 and the FY23-24 Budget; and the WCIND Guide Map BC20231010DOC035

D. BONDS

Accept the following Bonds:

1. Avalon Woods Phase I
 - Released and returned Surety Bond (Performance) 800161505 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements, \$2,158,917.87;
 - Accepted and executed Surety Bond (Defect) 800161506 securing Section 1.5 "Maintenance, Defects" of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on November 29, 2022 securing public infrastructure improvements, \$339,825.51; and
 - Accepted and executed Bill of Sale BC20231010DOC036
2. Oasis at Lakewood Ranch
 - Released Agreement in Conjunction with Surety Bond (Attachment "A") as Defect Security Warranting Required Improvements securing public infrastructure improvements, \$10,003.18; and
 - Released and Returned Surety Bond (Defect) 7901041026 and any associated riders, \$10,003.18 BC20231010DOC037
3. Piney Point Haul Route
 - Released Agreement in Conjunction with Letter of Credit Insuring Compliance with Haul Route Restoration securing major earth moving, \$271,260; and
 - Released and returned Letter of Credit (Performance) 90099042637 and any associated riders, \$271,260 BC20231010DOC038
4. Polo Run Phase IIC
 - Released Agreement in Conjunction with Letter of Credit (Attachment "A") as Defect Security Warranting Required Improvements securing potable water and sanitary sewer improvements, \$24,202.20; and
 - Released and returned Letter of Credit (Defect) FGAC-20140 and any associated riders, \$24,202.20 BC20231010DOC039
5. Willow Walk Phase IC

- Released Agreement for Public Subdivision Improvements securing final lift of asphalt, \$70,281.90; and
 - Released and returned Surety Bond (Performance) 1151508 and any associated riders, \$70,281.90
- BC20231010DOC040

E. SOLID WASTE PERFORMANCE BONDS

Accepted the follow Performance Bonds for Waste Haulers:

1. Waste Management – Extension Certificate PB080004, \$5 million, valid October 1, 2023, through September 30, 2025
 2. Waste Pro – Performance Bond 800017428, \$5 million, valid October 1, 2023, through September 30, 2024
- BC20231010DOC041
BC20231010DOC042

9. CONVENTION AND VISITORS' BUREAU/AGREEMENT

Executed Amendment One to Interlocal Agreement with City of Bradenton Beach for the Bridge Street Pier Finger Docks Project

BC20231010DOC043

10. CONVENTION AND VISITORS' BUREAU/AGREEMENT

Executed Interlocal Agreement with the City of Anna Maria for the use of the Anna Maria Island Pier for the Water Taxi initiative

BC20231010DOC044

11. CONVENTION AND VISITORS' BUREAU/AGREEMENT

Executed Temporary Lease Agreement between Manatee County/Bradenton Area Convention Center and GDAWG Ventures LLC for temporary use of land for parking during the renovation of the Bradenton Area Convention Center

BC20231010DOC045

12. DEVELOPMENT SERVICES/SURETY BOND

Accepted the Annual Updated Reclamation Surety Bond Rider K06989123 for the Southeast Tract Mine in the increased amount of \$5,360,609

BC20231010DOC046

13. DEVELOPMENT SERVICES/SURETY BOND

Accepted the Annual Updated Reclamation Surety Bond Rider 29S107624 for the Wingate Creek Mine in the increased amount of \$10,078,317

BC20231010DOC047

14. DEVELOPMENT SERVICES/SURETY BOND

Accepted the Annual Updated Reclamation Surety Bond Rider for the 0218637 for the Wingate Creek Mine Duette Bridge Replacement in the increased amount of \$452,162.21

BC20231010DOC048

15. DEVELOPMENT SERVICES/SURETY BOND

Accepted the Annual Updated Reclamation Surety Bond Rider for the Wingate East Mine 9288595 for the Wingate East Mine in the increased amount of \$10,382,521

BC20231010DOC049

16. DEVELOPMENT SERVICES/FINAL PLAT/SALTMEADOWS, PHASE IIA

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of the Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Saltmeadows;
- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Public Improvements Saltmeadows, Phase IIA;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Saltmeadows, Phase IIA, Surety Bond US00131194SU23A, \$4,620,125.20;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Saltmeadows, Phase IIA, Surety Bond US00131195SU23A, \$249,568.80;
- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Private Improvements Saltmeadows, Phase IIA; and;

- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Saltmeadows, Phase IIA, Surety Bond US00131196SU23A, \$130768.961 BC20231010DOC050

17. DEVELOPMENT SERVICES/FINAL PLAT/STELLAR SUBDIVISION

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of the Declaration of Covenants for Lakewood Ranch Lorraine Residential;
- Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Private Improvements Stellar Lorraine Residential; and
- Authorized the County Administrator to accept and execute Letter of Credit for Performance of Required Private Improvements, Stellar Lorraine Residential, Letter of Credit 12338 \$91,107.6 BC20231010DOC051

18. DEVELOPMENT SERVICES/FINAL PLAT/SUMMERWOODS, PHASE IA

- Executed and authorized recording of Final Plat Summerwoods, Phase IA, Tract F-2;
- Authorized recording of the Twelfth Amendment to Community Declaration for Summerwoods; and
- Accepted, executed, and authorized recording of Mortgagee's Joinder In and Ratification of Subdivision Plat and All Dedications and Reservations Theron by NVR, Inc. BC20231010DOC052

19. FINANCIAL MANAGEMENT/BUDGET AMENDMENT

Adopted Budget Amendment Resolution B-24-007 BC20231010DOC053

20. FINANCIAL MANAGEMENT/BUDGET AMENDMENT

Adopted Budget Amendment Resolution B-23-159 BC20231010DOC054

21. FINANCIAL MANAGEMENT/RESOLUTIONS

- Adopted Resolution R-23-152 authorizing the issuance of the Limited General Obligation G.O.) Bonds, Series 2023 (Conservation and Parks Projects);
- Adopted Resolution R-23-153 authorizing the reimbursement of certain Capital Expenditure relating to the Limited G.O. Projects incurred or to be incurred prior to the closing of the Limited G.O. Bonds; and
- Approved and executed of Disclosure Counsel Retainer Agreement by the County Attorney with the law firm of Nabors, Giblin & Nickerson, P.A. BC20231010DOC055

22. FINANCIAL MANAGEMENT/AGREEMENT

- Authorized the Financial Advisor to accept proposals from the County's underwriting pool through a Mini-Request for Proposal (RFP) for General Government debt issuance; Adopted R-23-163, authorizing the reimbursement of certain Capital Expenditures;
- Approved and Executed of Disclosure Counsel Retainer Agreement BC20231010DOC056

23. FINANCIAL MANAGEMENT/AGREEMENT

Authorized the Purchasing Official, or designee, to execute Agreement 23-TA004826CD for Professional Transportation Engineering Services for Lorraine Road Project (from south of 59th Circle/Avenue East to S.R. 64 Roundabout) with Stantec Consulting Services, Inc., in the not-to-exceed amount of \$2,802,050 BC20231010DOC057

24. FINANCIAL MANAGEMENT/AGREEMENT

Authorized the Purchasing Official, or designee, to execute Change Order 1 to Agreement 22-TA004264JH authorizing an additional 76 calendar days to the construction schedule to complete Woods of Whitfield Subdivision Stormwater Pipe Rehabilitation BC20231010DOC058

25. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized the Purchasing Official, or designee, to execute Change Order 2 to Agreement 21-TA003596CD for Professional Utility Engineering Design Services for Cortez Road and Manatee Avenue West Bridge Replacement Projects with Kimley-Horn & Associates, Inc. in the amount of \$26,746.50, for a revised not-to-exceed agreement amount of \$1,395,090.44

BC20231010DOC059

26. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized the Purchasing Official, or designee, to execute Change Order 3 to Work Assignment 31 of Agreement 15-0909JE with HDR Engineering, Inc., for the 44th Avenue Extension-from 44th Plaza East to Lakewood Ranch Boulevard Project in the amount of \$2,536,271.53, for a revised not-to-exceed amount of \$5,670,688.11

BC20231010DOC060

27. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized the Purchasing Official, or designee, to execute the Guaranteed Maximum Price (GMP) Addendum to Agreement 23-TA004452LP, Construction Management at Risk Services for GT Bray Pump House, with Halfacre Construction Company in the not-to-exceed amount of \$2,625,954.54 with a construction schedule of 293 calendar days and accept and date the public construction bond

BC20231010DOC061

28. **HUMAN RESOURCES/HEALTH BENEFITS**

Approved the 2024 Medical, Dental, Vision and Retiree Premium Costs Sharing for the self-funded and fully insured employer sponsored benefits for Calendar Year 2024

BC20231010DOC062

29. **PROPERTY MANAGEMENT/EASEMENT**

- Accepted and authorized recording of Conservation Easement for Mitigation Purposes from Brunswick Lane Investors, LLC, for property located at 13006 Bayberry Way, Parrish; and
- Authorized recording of Affidavit of Ownership and Encumbrances from Edward W. Couch, III

BC20231010DOC063

30. **PROPERTY MANAGEMENT/EASEMENT**

- Accepted and Recorded Permanent Utilities Easement from Parrish Fire District for property located at 3804 North Rye Road, Parrish; and
- Authorized recording of Affidavit of Ownership and Encumbrances from Edward G. Chitty

BC20231010DOC064

31. **PROPERTY MANAGEMENT/RESOLUTION**

Adopted Resolution R-23-166, declaring a public hearing on November 14, 2023, to vacate a portion of a platted right-of-way known as 237th Street East, located in Myakka City

BC20231010DOC065

32. **PROPERTY MANAGEMENT/RESOLUTION**

Adopted Resolution R-23-171, declaring a portion of County-owned land located at 25th Avenue East, at U.S. 301 North, Ellenton, Florida 34222, as surplus property and authorizing its sale

BC20231010DOC066

33. **PUBLIC SAFETY/RESOLUTION**

Adopted Resolution R-23-133, authorizing the issuance of a Certificate of Public Convenience and Necessity (COPCN) for Advanced Life Support - Non-Transport - North River Fire District

BC20231010DOC067

34. **PUBLIC SAFETY/RESOLUTION**

Adopted Resolution R-23-134, authorizing the issuance of a Certificate of Public Convenience and Necessity (COPCN) for Advanced Life Support - Non-Transport - Southern Manatee Fire and Rescue District

BC20231010DOC068

35. **PUBLIC SAFETY/RESOLUTION**

Adopted Resolution R-23-135, authorizing the issuance of a Certificate of Public Convenience and Necessity (COPCN) for Advanced Life Support - Non-Transport – West Manatee Fire and Rescue District

BC20231010DOC069

37. **PUBLIC SAFETY/AGREEMENT**

Executed Interlocal Agreement between Manatee County, Manatee County Sheriff's Office, and Sarasota County Sheriff's Office for Public Safety 9-1-1 Communications

BC20231010DOC070

38. **PUBLIC WORKS/SPEED HUMPS**

Authorized Public Works staff to install Speed Humps on 26th Avenue West between 43rd Street West and 51st Street West

BC20231010DOC071

39. **PUBLIC WORKS/AGREEMENT**

Executed Amendment 1 to Master Research Agreement C-23-023 Task Order 1 between Florida Atlantic University and Manatee County

BC20231010DOC072

40. **PUBLIC WORKS/AGREEMENT**

Executed the Indemnification Agreement between Manatee County, Manatee County Mosquito Control District, KB3 Group, LLC, Willis Smith Construction, Inc., and Woodruff & Sons, Inc.

BC20231010DOC073

41. **SPORTS AND LEISURE SERVICES/PUBLIC HEARING**

Authorized to advertise and set a public hearing for Ordinance 23-121 on November 14, 2023, to review and approve changes made to the Parks & Recreation Ordinance, Chapter 2-24 of the Manatee County Code

BC20231010DOC074

42. **SPORTS AND LEISURE SERVICES/AGREEMENT**

Executed Interlocal Agreement with the School Board of Manatee County of a Sublease for Joint Use of Portions of G.T. Bray Park

BC20231010DOC075

43. **UTILITIES/DEBTS**

Authorized to Write-off Bad Debts of the Utilities Department not to exceed \$241,902.04 for quarters 2, 3 and 4 in Fund 401 (Potable Water/Wastewater), and \$113,482.45 for quarters 2, 3 and 4 in Fund 480 (Solid Waste)

BC20231010DOC076

44. **UTILITIES/AGREEMENT**

Executed the Second Amendment to the Interlocal Agreement with Sarasota County for the Provision of Potable Water


BC20231010DOC077

(End Consent Agenda)

RECESS/RECONVENE: 10:25 a.m. – 10:35 a.m. All Commissioners were present.

PUBLIC HEARINGS (Presentation upon Request)

45. **COMMUNITY AND VETERANS SERVICES/ORDINANCE 23-105**

 A duly advertised public hearing was held to consider adoption of proposed Ordinance 23-105 relating to expansion of membership for the Library Advisory Board.

A motion was made by Commissioner Ballard and seconded by Commissioner Rahn to adopt Ordinance 23-105.

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

The motion carried 7-0.


BC20231010DOC078

46. **DEVELOPMENT SERVICES/LOCAL DEVELOPMENT AGREEMENT**

 A duly advertised public hearing was held to consider executing proposed LDA-13-02 Local Development Agreement (First Amendment to the Amended and Restated) for Amazon

There were no ex parte communications.


A motion was made by Commissioner Rahn and seconded by Commissioner Turner to execute LDA-13-02 First Amendment to the Amended and Restated Local Development Agreement for Amazon.

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

The motion carried 7-0.

BC20231010DOC079

47. **PUBLIC WORKS/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Ordinance 23-113, amending the No Parking Ordinance as set forth in Exhibit "A", to create a parking restriction on a section of 8th Avenue East, Palmetto.

A motion was made by Commissioner Ballard and seconded by Commissioner Satcher to adopt Ordinance 23-113.


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

The motion carried 7-0.

BC20231010DOC080


PUBLIC HEARINGS (Presentation scheduled)


48. **DEVELOPMENT SERVICES/RESOLUTION**


 A duly advertised public hearing was held to consider adoption of proposed Resolution R-23-088 to convey county-owned property located at 4410 66th Street West, Bradenton 34210, for Affordable Veterans Housing Development to Stephen Siller Tunnel to Towers Foundation, Inc., a New York not-for-profit corporation; and Execution of Land Use Restriction Agreement and Conveyance Deed.


Rowena Young-Gobi, introduced the item.


 Mark Barnebey, representing Towers to Towers, introduced Gavin Naples.


 Gavin Naples, Tunnels to Towers, used a slide presentation to provide a history of Tunnels to Towers, their 100 percent rating with charities, addressed issues surrounding the Local Development Agreement, proposed site plan, 120-177 units, female veterans will not be excluded, families will receive financial assistance for accommodations, disabled veterans will be accommodated, geographical need, management and oversight will be performed by Tunnels to Towers, and any third party will be under contract directly with Tunnels to Towers, supportive services, residences, comfort homes for older veterans, intake, screening, and safety, screening of veterans who have been dishonorably discharged, transportation for residents, veterans exiting the program, fully funded by the Tunnel to Towers Foundation, \$50,000 annual interest to the default provisions contained in the Land Use Restriction Agreement (LURA), project independent of government funding, Tunnel to Towers presence in Florida, Village in Houston, TX, commitment to eradicating homelessness amongst veterans, and they are ready to move into Manatee County.


 William Clague, County Attorney, noted the final set of changes were included in the agenda update including language addressing issues the Board asked for regarding density, and operations, and upfront right for approval for a third party operator. This is a business decision by the Board, as to whether or not the property will be conveyed to Tunnels to Towers.


 Discussion ensued regarding this has been going on for over a year, and the final update included additional language regarding the Boards approval of management organizations.,


 Mr. Naples explained if there is any question regarding the services provided, they are ready to respond. He hopes they can work in good faith with the Board, but noted it would be a hindrance for them to have to go the County for approval for any third-party contractors.


 Mr. Clague stated this would be only time management of property was addressed in the LURA. The Board should not have sole discretion on management.


 Mr. Barnebey noted there are times services need to be provided quickly, and this is concerning if they must go to the Board for approval.

 Discussion continued regarding moving this forward, unique situation, Tunnels to Towers is an impeccable organization, asking for flexibility to do what they do, trusting the right people, need to move forward, send a list of all providers and allow the Board to approve it, thanking all Veterans, making sure covering every veteran, make sure Manatee and Sarasota veterans can use the facility, homelessness is reaching families of veterans and would spouses be eligible to take advantage of facilities, Tunnels to Towers is not federally funded and they help all, disservice to veterans who received services from US Veterans, do not use veteran as pawns, Veteran Affairs claims handled improperly by certain organizations (Commissioner Bearden displayed photographs), and how much revenue does Tunnels to Towers expect to make from the project.

 Mr. Naples explained the intention for all their sites is to break even, and the rent is enough to cover the maintenance of the project, 30 percent of income is used for rents of 122 units. He responded family housing would be provided in Manatee County and could be with a private landlord. They work with families and give direct financial assistance and services to get them in appropriate housing. This is housing first, but there is no transitional housing.

 Darrel Vincent, US Vets stated the issues are addressed with wrap around services. They engage residents who are willing to get the services.

 Mr. Naples stated active drug users will be rehabilitated first, prior to moving into the project, and those individuals are referred to treatment facilities. If someone does not want to rehabilitate, they will not be admitted. They have an extensive intake program. If a veteran does not want services, they will not force them. The DD-214 is needed within 48 hours of admittance. There are alternative ways to validate the status of a veteran. If an individual is not a veteran, but they are claiming to be, they will not be provided services. They do not pull individuals in. There are 38,000 veterans in Manatee County, and the supportive services are most important.

 Mr. Vincent explained US Vets has been in existence for 30 years, but ensured that people have a right to choose how they live. The concerns expressed today are valid, but

they are silo concerns, homelessness is a human issue. It is their job, across the nation, to provide services to veterans. They promise veterans they do not have to face their problems alone. They have an impeccable reputation, and over 5,500 veterans are being housed, and they instill hope.



Discussion ensued regarding being sure the right entity is chosen, the organization is fast moving, and they will provide the most comprehensive services as possible, they have restricted the number of units to 122, there is a 50-year LURA, and they do not intend to build more units at this time, and get the best deal for taxpayers.



Mr. Barnebey explained a site plan must be presented to the Board.



Discussion continued to get as much in the contract as possible, and limit the number of units.

Motion

A motion was made by Commissioner Kruse and seconded by Commissioner Ballard to:

- Adopt Resolution R-23-088;
- Authorize the Chairman to execute a Land Use Restriction Agreement and Conveyance Deed from Manatee County to Stephen Siller Tunnel to Towers Foundation, Inc.; and
- Authorize the County Administrator to waive impact fees for the 11 moderate income level units that are not eligible for the Impact Fee Credits through Livable Manatee Incentive Program in the estimated amount of \$97,900.



Commissioner Satcher suggested amending the motion to include the property revert back to the County if people were housed who are from outside Manatee and Sarasota Counties.



Mr. Naples addressed the LURA, and everything else regarding this agreement. The proposal is based on what is the best for Manatee County, but if there are 65 chronically homeless veterans, there are others that need assistance. They never anticipated 500 units, but they would like the ability to provide what Manatee County needs. No one can predict the future, and there may be more individuals who need assistance.

Discussion ensued having 122 at the maximum.




Mr. Vincent stated he never encountered wanting to build less housing. There are many veterans living in relative's homes, who would like their own housing. There needs to be a mixture of housing. The more permanent housing available, the more who will not be homeless.




Discussion ensued regarding it is not in the best interest of the County to specify what services are provided, do not micromanage services, 122 units is a good number, there are hundreds of veterans in Manatee County who need assistance, there is a Manatee County preference in the LURA, they are here in Manatee County to take care of homeless veterans, veterans are helped through their national case management assistance, Manatee County is growing, and there could be a need for more units in the future, provide a list of providers, this serves the bigger need, and agree to Manatee and Sarasota residents only.



Mr. Naples stated the way the LURA was written before gave Tunnel to Towers the ability to change service providers if there are any issues.


 Mr. Barnebey stated to the extent this is legal.

Motion - Amended


 Mr. Clague suggest adding language “to the extent permitted by the law”, and modify Section 2.2 that the owners shall allow only residents of Manatee and Sarasota Counties.

Commissioners Kruse and Ballard agreed with the amendment regarding the counties.


Commissioner Kruse requested removing the provision in Section 2.8 regarding approval of the management company.

 Mr. Clague explained there is a specific performance in the Contract, and if the Party spends money on the property, and the County exercises the reverter clause, the County would be responsible to provide the services. There is a Specific performance provision, that can be exercised if there is a need. There are strong rights of enforcement with the LURA.

There were no ex parte communications.


 Mr. Naples stated the enforcement provision stated Tunnel to Towers will pay the County, if there is default, and they have built in the \$50,000 per year interest to pay the County back if they default.


 Mr. Clague clarified a Judge/Jury will determine if there is a default in the agreement.


 Camillo Soto, Assistant County Attorney, stated there is an attorney fee provision, and there would be a question as to the appraised value. There is not an attorney fee provision regarding the service provider. There is a General Provision in Section 7.6, that each party is responsible for their attorney fees.


RECESS/RECONVENE: 12:14 p.m. – 1:30 p.m. All Commissioners were present.


 Tal Siddique, used a slide presentation to request approval of the project.


 Bob Spencer warned against the project, expressing concern regarding maintenance, and what may happen to the project in later years.


 Kathleen Cramer, Turning Points, addressed a letter that went out to community members, that provided misinformation.


 Charles Wolfe stressed the importance of having affordable housing, and thanked Tunnels to Towers for what they do.

 Donna Lisle questioned continuous funding of the program, and it is her understanding the funding will not be by Manatee County.


 Vernita Fenzelle relayed her son’s story of needing housing and services offered by Veteran’s Affairs, and the need for housing and supportive services for veterans.


 Carl Hunsinger thanked the Board for all they do, and appreciated the Tunnels to Towers presentation and supported the project.

 Tim Mays spoke against letters that went out to citizens regarding misinformation about the project.


 Sue Mays spoke against letters that went out to citizens regarding misinformation about the project.

 Linda Sofrum addressed concerns with safety and the possibility of drug use by residents.


 Diane Schrier spoke in favor of the project.

 Sheila Ross addressed drug and alcohol use by the residents, and it is her belief that residents will not be allowed to use substances.


 Chris Cologne spoke in favor of Tunnel to Towers and the good work done by them. Any Tunnels to Towers facility, their local Board is affiliated with is very well cared for.


 Margaret Cosey expressed concern with language in the agreement including Florida Statute, that states the County and State must take care of 75 percent of the services and dishonorable discharge language.

 Janice Nemitz, Corey Wright, Larry Helbert, Diana Adams, support the project.


 Stan Cosey addressed the possible need for an easement due to the need for future right-of-way on Cortez Road.

Glen Gibellina submitted information and addressed misinformation given to the public, and supports the project.

 Matt Bower supports the project and questioned the source of the letter that went out to residents.

 Glen Wolters addressed the letter that went out to residents, appreciated the ability to attend the meeting, and supported the project.

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


 Discussion ensued that veterans deserve the highest amount of care possible, hope that Manatee County can be a model to the rest of the nation, and every Commissioner supports for veteran housing.

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

The amended motion carried 7-0.

BC20231010DOC081

49. **DEVELOPMENT SERVICES/RESOLUTION**

 A duly advertised public hearing was held to consider adoption of proposed Resolution R-23-173, to appoint a Board Member to the Housing Finance Authority of Manatee County, Florida.

Nominations

Hugh Miller by Commissioner Kruse.

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

A motion was made by Commissioner Rahn and seconded by Commissioner Ballard to adopt Resolution R-23-173; and authorize the Chairperson to sign the Certificate of Membership for the Housing Finance Authority appointment for a four (4) year term.

(Depart Commissioner Kruse)

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

The motion carried 6-0 with Commissioner Kruse absent.

BC20231010DOC082

(Enter Commissioner Kruse)

50. PROPERTY MANAGEMENT/RESOLUTION



Charles Meador, Property Acquisition Division Manager, presented the item and stated negotiations ended with University of South Florida for this property, which is why they are moving on with New College.



Discussion ensued regarding thanking staff.

A motion was made by Commissioner Rahn and seconded by Commissioner Bearden to adopt Resolution R-23-170, authorizing the Conveyance of Real Property by entering into a Donation Agreement with New College of Florida Board of Trustees.

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

The motion carried 7-0.

BC20231010DOC083

51. PUBLIC WORKS/RESOLUTION



A duly advertised public hearing was held to consider adoption of proposed Resolution R23-151, approving an Updated Recommended Alignment of Canal Road (16th Avenue East) Segment 1.



Chad Butzow, Public Works Director, stated Canal Road was previously approved, this is an extension and the property is needed to extend the limits of 17th Avenue.

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

A motion was made by Commissioner Ballard, seconded by Commissioner Satcher, and carried 7-0 to adopt Resolution R-23-151, approving an Updated Recommended Alignment of Canal Road (16th Avenue East) Segment 1.

BC20231010DOC084

52. ADMINISTRATOR/APPOINTMENT/DEPUTY COUNTY ADMINISTRATOR

Charlie Bishop, County Administrator, spoke to Mr. Pilachowski's achievements.



Discussion ensued regarding Mr. Pilachowski being a great choice, Mr. Pilachowski is the best Utilities Director in the Country, and Utilities should be a department of its own.

Mr. Bishop explained this change allows Mr. Pilachowski to focus on bigger issues.

Discussion ensued regarding this is good decision, moving the cost of roads to Public Works.

There being no public comment for Items 52, 53, 54, 55, and 56, Chairman Van Ostenbridge closed public comment.

A motion was made by Commissioner Turner, seconded by Commissioner Bearden and carried 7-0, to confirm appointment of Evan Pilachowski as Deputy County Administrator.



Mr. Pilachowski stated he looks forward to facing any challenges and working with all the teams under him.

BC20231010DOC085

53. **ADMINISTRATOR/APPOINTMENT/CHIEF OF STAFF**

Charlie Bishop, County Administrator, stated he is looking forward to having his new team, and noted Mr. Butterfield has the experience needed to fill this role of Chief of Staff.

Mr. Butterfield thanked the Board for this opportunity.

A motion was made by Commissioner Bearden, seconded by Commissioner Satcher and carried 7-0 to confirm Appointment of Andrew “Andy” Butterfield as Chief of Staff.

BC20231010DOC086

54. **ADMINISTRATOR/APPOINTMENT/SPORTS & LEISURE**



Charlie Bishop, County Administrator, provided Molly White’s history and achievements.

Ms. White thanked the Board for the opportunity to serve Manatee County.

Discussion ensued regarding great work done on Governor Ron DeSantis Park, and Ms. White has provided fresh eyes on the department.

A motion was made by Commissioner Turner, seconded by Commissioner Ballard, and carried 7-0, to confirm appointment of Molly White as Director of Sports and Leisure. BC20231010DOC087

55. **ADMINISTRATOR/COUNTY ORGANIZATION CHART**



Charlie Bishop, County Administrator, displayed the Organizational Chart, and provided an overview of Roles and Responsibilities, the team under each Deputy County Administrator,



Discussion ensued regarding filling Director positions.

A motion was made by Commissioner Turner, seconded by Commissioner Ballard, and carried 7-0, to approve the Organizational Chart as presented.

BC20231010DOC088


56. **HURRICANE IDALIA**




Sheila McLean, Chief Financial Officer, and Charlie Bishop, County Administrator, utilized a slide presentation to review the response by County staff to Hurricane Idalia, and preparation responses from Financial Management, total costs incurred of \$1,516,094, and additional estimated costs of \$4,612,000. Category G is up to \$4.2 million dollars and the request is to get the maximum for beach renourishment.



Mike Elswick and Alissa Powers, Natural Resources, continued the slides and reviewed key activities, physical surveys of the beaches and coast, lessons learned, future opportunities to train staff, reopening the preserves, boat ramps, lifting swim advisories, working with agricultural growers, communication with the health department, and rapid post storm beach assessments with the Army Corp of Engineers.

 Carmine DiMilio, Interim Director, Property Management, continued the slides to review securing buildings, flooding at parks, loss of docks, streamline the process of reporting damage, roles and responsibility, reopening parks and beaches, and establish an internal damage assessment tool to streamline the recovery process, and better communication with staff. The Rose Park dock has not been repaired, but Mr. Bishop noted a non-profit may assist with funding.

Tom Gerstenberger, Public Works, continued the slides to address contingency planning, sand bag locations, evacuees transported by MCAT to shelters, fleet availability, GIS mapping websites prepared, calibration of rain and stream gauge stations, response by First-in-Teams, and lessons learned including better communication for road closures and additional call takers.

 Molly White, Sports and Leisure Director, continued the slides to address preparing and closing facilities, housed members of EMS, search and rescue and Beach Patrol, generators being installed at G.T. Bray, rapid response for facility re-opening, parks maintained, and growth and outreach.

 Evan Pilachowski, Deputy County Administrator, addressed water turnoff, and having triggers to turn off the system. Utilities communicated with the four Island cities and there has been positive feedback.

BC20231010DOC089

COMMISSIONER COMMENTS

57. Commissioner Ballard provided a recap of her visit to Helping Up Mission in Baltimore, and they will continue conversations on this issue.

CENTRAL WAREHOUSE

Mr. Bishop stated the central warehouse is closed due to a fire, but the fire is contained.

ADJOURN

There being no further business, Chairman Van Ostenbridge adjourned the meeting at 3:25 p.m.

Minutes Approved: December 12, 2023