

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COUNTY ADMINISTRATION BUILDING, HONORABLE PATRICIA M. GLASS CHAMBERS  
1112 Manatee Avenue West  
Bradenton, Florida  
January 9, 2024**


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

Present were:


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

Also present were:

Charlie Bishop, County Administrator  
William Clague, County Attorney  
Robin Toth, Deputy Clerk, Clerk of the Circuit Court

 Chairman Rahn called the meeting to order at 9:00 a.m.

**INVOCATION**

 The Invocation was led by Pastor Randy Wilkins, Gulf Coast Church.

**PLEDGE OF ALLEGIANCE**

 The Pledge of Allegiance was led by Renée Medina, Coast Guard Veteran.

**AGENDA**

Revised Agenda 1 and Update Memorandum (dated 1/8/24)

BC20240109DOC001

BC20240109DOC002


- Item 5, Adoption and Presentation of Proclamation designating January 21-27, 2024, as National Certified Registered Nurse Anesthetists' Week -Updated to include photographs
- Citizen Comments - Written Correspondence was received from Glen Gibellina on various topics
- Item 8 (new), Adoption of Resolution R-24-028, supporting Florida Department of Transportation to light the Bob Graham Sunshine Skyway Bridge in recognition of World Cholangiocarcinoma Awareness Day - Added to the Agenda
- Item 13 (former Item 12), Adoption of Budget Amendment Resolution B-24-027, and Budget Amendment Resolution B-24-040 for Infrastructure Sales Tax - Updated with revised Budget Amendment Resolution B-24-027
- Item 15 (former Item 14), Authorization to Issue a Purchase Order for Commercial Dog Kennels -Updated to include written correspondence
- Item 16 (former Item 15), Execution of Agreement 23-R081706CD for Investment Grade Energy Performance Audit for Guaranteed Energy, Water, and Wastewater Performance Savings Contract for Lena Road Landfill Methane Gas - Updated with written correspondence from Jeff Stander, Ameresco
- Item 34 (new), Adoption of Resolution R-24-021, declaring certain County-owned property located at 500 15th Street West, Bradenton, Florida, 34205, as surplus and authorizing its sale - District 3 - Added to the Agenda
- Item 40 (former Item 38), Adoption of Resolution R-24-001 authorizing issuance of a Certificate of Public Convenience and Necessity (COPCN) for Advanced Life Support - Non-Transport - Cedar Hammock Fire Rescue - Updated to reflect no County Attorney Review on the cover sheet

- Item 41 (former Item 39), Adoption of Resolution R-24-008, authorizing issuance of a Certificate of Public Convenience and Necessity (COPCN) for Advanced Life Support – Air Transport – Florida Health Sciences Center, Inc., dba Tampa General Hospital – Updated to reflect no County Attorney Review on the cover sheet and corrected COPCN


Public Works

- Item 51 (former Item 49), Authorization to Install Interim Temporary Speed Humps in NW Bradenton (River Boulevard and 88th Street Court NW) – Updated with written correspondence from Glen Gibellina
- Item 65 (former Item 63), Approval of Roadway Lighting Policy and Presentation of a Light-Up Manatee Program Update – Updated with a revised title and action requested:
  - ~~Approval of Adoption of Resolution R-24-018, establishing the County’s Roadway Lighting Policy; and Update Presentation of a on the Light-Up Manatee Program Update;~~ and
  - ~~Approval~~ Adoption of Resolution R-24-018, establishing the county’s Roadway Lighting Policy
- Item 69 (former Item 67), American Library Association (ALA) ties within County Libraries – Updated to include written correspondence




**CONSENT AGENDA – ITEMS PULLED BY COMMISSIONERS**

 There were no items pulled.

**PLAQUE AWARD – COMMISSIONER VAN OSTENBRIDGE**


 Chairman Rahn honored Commissioner Van Ostenbridge with a plaque for serving two years as County Commission Chairman.


**AWARDS/PRESENTATIONS**


1.  A Heroism Award was presented to David Saldivar, Code Enforcement Officer II. BC20240109DOC003
2.  A Retirement Award was presented to Wendy “Che” Barnett, Redevelopment Coordinator, honoring nine years of service to Manatee County. BC20240109DOC004
3.  Danny Alfonso, Fair Manager, invited everyone to attend the 2024 Manatee County Fair – January 11-21, 2024. This year will mark the Fair’s 108th Anniversary with the theme, Fun is in the Air at the Manatee County Fair. BC20240109DOC005

4. **VETERANS CONNECTION DISCUSSION**


 Lee dePalo, Community and Veterans Services Director, utilized a slide presentation to give an overview and update on the Veterans Services Division.


 Renee Medina, Veterans Services Officer, continued with slides to address core pillars, staffing, veterans living in Manatee County, core benefits, other services provided, Veteran Connections Initiative, career support, and homeless support.

 Sarah Brown, Veterans Services Deputy Director, addressed support services for Veterans.

 Discussion ensued regarding marketing efforts, HUD vouchers, job opportunities, current Transit handy bus service and plans to expand services, on-call Transit services for Veterans, working with other community partners for transport services to VA-specific care facilities, expanding transport to private care services, and Veterans encouraged to find out what services they qualify for. BC20240109DOC006


**PROCLAMATION**

5.  Proclamation designating January 21-27, 2024, as National Certified Registered Nurse Anesthetists' Week, was accepted by Dr. Michelle Canale, Florida Association of Student Nurse Anesthetists.

 A motion was made by Commissioner Satcher, seconded by Commissioner Turner and carried 6-0, with Commissioner Ballard absent, to adopt the Proclamation. BC20240109DOC007

(Enter Commissioner Ballard)


**WEATHER REPORT – PREDICTED HEAVY RAINS**


 Jodie Fiske, Public Safety Director, reported sustained winds are moving into Manatee County at 25-40mph, and the worst weather will be from 2:00-7:00 p.m. Coastal areas and beaches are dangerous at this time, and red alert flags are posted. There is potential for tornados, and citizens are urged to follow weather alerts. Anticipated rainfall is 1 to 1-1/2 inches, but may not be the main concern as much as coastal inundation. She cautioned against driving into standing water. There are no plans to shut down at this time. The County does not have a Declaration of Emergency, but staff is ready to take action.


**CONSENT AGENDA – ITEMS PULLED BY COMMISSIONERS** (cont'd)

Chairman Rahn noted Commissioner Van Ostenbridge pulled Consent Agenda Item 44.


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

 Glen Gibellina distributed information and spoke about social media identification, impact fees, homeless veterans, and ongoing lack of veterans housing.

 Ken Piper displayed exhibits and requested a future agenda item or work session regarding Aqua by the Bay development and the construction of gabion walls to hold back fill from Sarasota Bay.


 Joe McClash requested staff comment on the details of what the County permitted regarding the gabion walls for the Long Bar Pointe East multi-family project (aka Aqua by the Bay). The gabion wall is positioned on the wetland and required buffering is needed for the Long Bar Pointe project to address sea level rise. He requested a work session in the next few months to listen to experts on this matter and requested the stakeholders, Tampa Bay Estuary Program and Charlotte Estuary Program be included in the decision-making process.


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


 Discussion ensued regarding a 20-foot buffer, the County can reconsider approval and further dialogue is necessary. BC20240109DOC008


**CONSENT AGENDA**


**CITIZEN COMMENTS** (Consent Agenda Only)


 Glen Gibellina submitted information and spoke on Items 49 and 55.


 Justin Surratt, Ameresco, Inc., spoke on Item 16 and supported the County partnering with the most qualified contractor for the Lena Road Landfill Methane Gas Performance Audit.


 Sheila Burkholder, Ameresco, Inc., spoke regarding Item 16 and distributed information on Ameresco projects.


 Jeff Stander, Ameresco, Inc., referred to his letter stating the project (Item 16) will cost \$50 million, the economic driver is not a tax credit, a contract has been provided, and the audit agreement has a price exceeding one million dollars. He urged the Board to investigate the other bidders.


 Darrick Hatch, Ameresco, Inc., spoke on Item 16 and requested reconsideration of previous Board action (12/12/23).

 Sam Troyer, Ameresco, Inc., commented on Item 16 and requested reconsideration of previous Board action (12/12/23).


 Chuck McGinnis, Johnson Controls, thanked the Board for considering Johnson Controls for the Lena Road Landfill Methane Gas project (Item 16).

 Tom Lyons, Johnson Controls, spoke on the Investment Tax Credit (ITC) and noted it would be high risk for the County to not move forward.


 Thomas Martin, Ameresco, Inc., requested the Board reconsider Ameresco to operate the Lena Road Landfill Methane Gas plant.


 Mark Gough, Johnson Controls, commented on Item 16.

**Motion - Approve Consent Agenda**

 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 Memorandum, and the deletion of Item 44 (separate action).

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

 Evan Pilachowski, Deputy County Administrator, commented on Item 16, stating there is a difference between the proposals. The requested action is for an energy audit to determine a viable way to deliver the project.

 The motion to approve the Consent Agenda carried 7-0. BC20240109DOC009

6. **CLERK'S CONSENT CALENDAR** BC20240109DOC010

A. **WARRANT LISTING**  
Accepted Warrant (Check) Listing for the Month of November 2023, issued by Finance Department BC20240109DOC011

B. **MINUTES**  
Approved Minutes of August 8 and November 14, 2023

C. **REFUNDS**  
Approved:  
1. LMSRQ LLC - Law Enforcement Impact Fees, \$10,240 BC20240109DOC012  
2. LMSRQ LLC - Law Enforcement Impact Fees, \$10,240 BC20240109DOC013  
3. LMSRQ LLC - Law Enforcement Impact Fees, \$6,864 BC20240109DOC014  
4. McClure Properties, Ltd. - Transportation Impact Fees, \$66,893 BC20240109DOC015

D. **REPORTS**  
Accepted:  
1. Housing Finance Authority of Manatee County, Florida - Resolution R-23-04, adopting the FY 23/24 Budget (document accepted 1/23/24)

2. Trevesta Community Development District (CDD) – Adopted Budget for FY 23/24 (document accepted 1/23/24)

E. **BONDS**

Accepted:

1. Hillwood, Phase I
  - Released and returned Surety Bond (Performance) GM223565, and any associated riders in conjunction with performance portion of Agreement for Public Improvements for Public Subdivision, \$4,762,294.15;
  - Accepted and executed Surety Bond (Defect) GM231852, securing Section 1.5 Maintenance, Defects of Agreement for Public Subdivision Improvements accepted by Board of County Commissioners April 11, 2023, securing public infrastructure improvements, \$307,560.96; and
  - Accepted and executed Bill of Sale BC20240109DOC016
2. Jackson Crossing, Phase II
  - Released and returned Surety Bond (Performance) 47SUR300214010486, and any associated riders in conjunction with performance portion of Agreement for Public Improvements for Public Subdivision, \$3,751,785.18;
  - Released and returned Surety Bond (Performance) 47SUR300214010484, and any associated riders in conjunction with performance portion of Agreement for Public Improvements for Public Subdivision, \$698,500.40;
  - Accepted and executed Surety Bond (Defect) 47SUR30021401401734, securing Section 1.5 Maintenance, Defects of Agreement for Public Subdivision Improvements accepted by Board of County Commissioners February 16, 2023, securing infrastructure improvements, \$197,847.36; and
  - Accepted and executed Bill of Sale BC20240109DOC017
3. Lakewood National Golf Club
  - Released Agreement in conjunction with Letter of Credit (Attachment A) as Defect Security Warranting Required Improvements securing sanitary sewer and potable water improvements, \$32,522.50 and \$22,365.10;
  - Released and returned Letter of Credit (Defect) FGAC-19329 and any associated riders, \$32,522.50; and
  - Released and returned Letter of Credit (Defect) FGAC-20174 and any associated riders, \$22,365.10 BC20240109DOC018
4. Moss Creek, Phase I
  - Released Agreement in conjunction with Surety Bonds (Attachment A) as Defect Security Warranting Required Improvements securing public infrastructure improvements, \$88,416.54; and
  - Released and returned Surety Bond (Defect) K1751486 and any associated riders, \$88,416.54 BC20240109DOC019
5. Nalanda Estates
  - Released Agreement in conjunction with Letter of Credit (Attachment A) as Defect Security Warranting Required Improvements securing road, parking, sanitary sewer and potable water improvements, \$79,546.35; and
  - Released and returned Letter of Credit (Defect) 90555301 and any associated riders, \$79,546.35 BC20240109DOC020
6. North River Ranch, Phase IV-A
  - Released and returned Surety Bond (Performance) GM220455 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$8,347,855.10;
  - Executed Surety Bond (Defect) 5073416, securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Public Improvements accepted by Board of County Commissioners September 13, 2022, securing public infrastructure improvements, \$222,672.18;

- Executed Surety Bond (Defect) 5073417, securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Public Improvements accepted by Board of County Commissioners September 13, 2022, securing public infrastructure improvements, \$419,470.53; and
- Accepted and executed Bill of Sale BC20240109DOC021
- 7. Silverstone North, Phase IIC and IID
  - Accepted and executed Surety Bond (Defect) 9435531 securing final lift of asphalt in conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements, \$7,379.10; and
  - Accepted and executed Surety Bond (Defect) 9435532 securing final lift of asphalt in conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements, \$6,1787.15 BC20240109DOC022
- 8. Windwater, Phase IB
  - Released and returned Surety Bond (Performance) SUR0074093, and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$694,774.73;
  - Released and returned Surety Bond (Performance) SUR0074095, and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$1,120,185.37;
  - Executed Surety Bond (Defect) US00132323U23A, securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Public Improvements accepted by Board of County Commissioners June 16, 2022, securing public infrastructure improvements, \$65,446.01; and
  - Accepted and executed Bill of Sale BC20240109DOC023

F. **PARTIAL RELEASE OF SPECIAL IMPROVEMENT LIEN**

Approved the following Partial Release of Special Improvement Lien:

Project 3138 - 47th Avenue East Sewer Project, Myron Martin, Cathy Martin and Martin Family Revocable Trust BC20240109DOC024

G. **SCRIVENER'S ERROR**

Executed:

1. Corrective Ordinance 23-95, University Park Recreation District, adding correct location map BC20240109DOC025
2. Corrective Resolution R-23-218, correcting the Temporary Building Fee Schedule, regarding the fee on a per-square-foot basis BC20240109DOC026

H. **RESOLUTION**

Adopted Resolution R-24-014, authorizing Chairman and First Vice-Chairman to sign checks BC20240109DOC027

7. **COUNTY ADMINISTRATOR/RESOLUTION**

Adopted Resolution R-24-016, authorizing Manatee County Commissioners to participate in a joint meeting with Council of Governments on February 6, 2024, at 4:00 p.m., at Bradenton Area Convention Center BC20240109DOC028

8. **COUNTY ADMINISTRATOR/RESOLUTION**

Adopted Resolution R-24-028, supporting Florida Department of Transportation to light Bob Graham Sunshine Skyway Bridge in recognition of World Cholangiocarcinoma Awareness Day BC20240109DOC029

9. **COUNTY ADMINISTRATOR/BOARD OF COUNTY COMMISSIONER MEETING SCHEDULE**

Approved Revised 2024 Board of County Commissioners Meeting Schedule BC20240109DOC030

10. **COUNTY ATTORNEY/SETTLEMENT AGREEMENT**

Approved (and execution of) Mutual Release and Settlement Agreement to settle suit in Florida Sheriff's Youth Ranches, Inc., v. Manatee County, for \$375,000 payment to Plaintiff BC20240109DOC031

11. **COMMUNITY AND VETERANS' SERVICES**

- Approved Updated Manatee County Public Library System Circulation Policy BC20240109DOC032
12. **CONVENTION AND VISITORS' BUREAU**  
Executed Amendment One to the Water Ferry Fee Schedule within the Operating Agreement with Gulf Coast Water Taxi LLC BC20240109DOC033
13. **FINANCIAL MANAGEMENT/BUDGET AMENDMENTS**  
Adopted Budget Resolution B-24-027 and Budget Amendment Resolution B-24-040, for Infrastructure Sales Tax BC20240109DOC034
14. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized Purchasing Official, or designee, to allocate additional departmental budgeted funding of \$539,571.45 to Agreement 22-R080060BB with Whitlock Consulting Group LLC, for Utility Customer Information System (CIS) Technology Consulting Services BC20240109DOC035
15. **FINANCIAL MANAGEMENT/PURCHASE ORDER**  
Authorized Purchasing Official, or designee, to Issue Purchase Order to Horizon Structures LLC, for two, fully-equipped dog kennels at Manatee County Jail, \$346,160 BC20240109DOC036
16. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized Purchasing Official, or designee, to execute Agreement 23-R081706CD for Investment Grade Energy Performance Audit for Guaranteed Energy, Water and Wastewater Performance Savings Contract for Lena Road Landfill Methane Gas with Johnson Controls, Inc., in the not-to-exceed amount of \$1,086,024 BC20240109DOC037
17. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized Purchasing Official, or designee, to execute Agreement 23-R083329CD for Investment Grade Energy Performance Audit for Guaranteed Energy, Water, and Wastewater Performance Savings Contract for Advanced Metering Infrastructure with Johnson Controls, Inc., in the not-to-exceed amount of \$1,358,293 BC20240109DOC038
18. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized Purchasing Official, or designee, to execute Amendment 3 to Agreement 18-R067950BLS for Lift Station Landscape Maintenance Services with Brightview Landscape Services, Inc. (renewing agreement 1/1/24-12/31/26; incorporates Exhibit B.01 Fee Rate Schedule) BC20240109DOC039
19. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized Purchasing Official, or designee, to execute Change Order 1 to Agreement 22-TA004318DJ with Harris-McBurney Company, for Southwest Water Reclamation Facility Stormwater System Rehabilitation, authorizing 93 additional calendar days to construction schedule (revised completion date 3/11/24) BC20240109DOC040
20. **FINANCIAL MANAGEMENT/AGREEMENT**
- Authorized Purchasing Official, or designee, to execute Change Order 1 to Agreement 23-R081325CD for Professional Project Development and Environmental (PD&E) Study for Fort Hamer Road Expansion Project with Kimley-Horn & Associates, Inc. in the amount of \$934,062.16, for revised not-to-exceed amount of \$2,133,741.16; and
  - Adopted Budget Resolution B-24-039, amending annual budget for Fiscal Year (FY) 24 (This budget amendment adjusts the FY 24-28 CIP) BC20240109DOC041
21. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized Purchasing Official, or designee, to execute Change Order 2 to Design Build Amendment for Agreement 22-TA004053CD, Piney Point Deep Injection Well Pretreatment

Facility with Westra Construction Corp. and McKim & Creed, Inc., providing 231 additional calendar days to construction schedule at no additional cost (new completion date 4/2/24)  
BC20240109DOC042

22. **FINANCIAL MANAGEMENT/CHANGE ORDER**

Authorized Purchasing Official, or designee, to execute Change Order 2 to Guaranteed Maximum Price (GMP) Addendum to Agreement 23-TA004574CD with Woodruff & Sons, Inc., for Construction Management at Risk Services for Erie Road Project (U.S. 301 to U.S. 301 South-North, Phase II), for an additional \$58,719.62 to relocate a sewer line not in the as-built location, revised not-to-exceed amount of \$8,912,281.93; no additional time added  
BC20240109DOC043

23. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized Purchasing Official, or designee, to execute Change Order 3 to Agreement 19-TA003162CD, 44th Avenue East Extension Project (45th Street East to I-75) with Woodruff & Sons, Inc., providing 131 additional calendar days to construction schedule at no additional cost (new completion date 3/14/24)  
BC20240109DOC044

24. **FINANCIAL MANAGEMENT/AGREEMENT**

- Authorized Purchasing Official, or designee, to execute GMP Addendum to Agreement 23-TA004619ED, Construction Management at Risk Services, 3333 Lena Road Tank Replacement with McIntyre Elwell & Strammer General Contractors, Inc., not-to-exceed amount of \$683,677, with a construction schedule of 90 calendar days; and
- Accepted and dated Public Construction Bond  
BC20240109DOC045

25. **FINANCIAL MANAGEMENT/AGREEMENT**

- Authorized Purchasing Official, or designee, to execute GMP Addendum 2 to Agreement 22-R079612SAM, Construction Management at Risk Services for Bradenton Area Convention Center Expansion with Manhattan Construction Company, in the not-to-exceed amount of \$25,850,000, revised total not to exceed \$44,729,942.45, with a construction schedule of 651 calendar days from Notice to Proceed; and
- Accepted and dated Public Construction Bond  
BC20240109DOC046

26. **FINANCIAL MANAGEMENT/AGREEMENT**

- Authorized Purchasing Official, or designee, to execute GMP Addendum 4 to Agreement 22-R078920SAM, Construction Management at Risk Services for 44th Avenue East (I-75 to Lakewood Ranch Boulevard and East Lake Expansion project); with SEMA Construction, Inc., in the not-to-exceed amount of \$76,868,534.96 with a construction schedule of 900 calendar days;
- Accepted and dated Public Construction Bond; and
- Adopted Budget Amendment Resolution B-24-038, amending annual budget for FY 24 (This budget amendment adjusts the FY 24-28 CIP)  
BC20240109DOC047

27. **NATURAL RESOURCES/GRANT**

- Accepted Florida Fish and Wildlife Conservation Commission Gopher Tortoise Habitat Management Assistance Funding BA44A6 in Rye Preserve, \$15,000; and
- Adopted Budget Amendment Resolution B-24-036, amending annual budget for FY 24  
BC20240109DOC048

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

Accepted recorded Permanent Utilities Easement from WWS 21.003 Silver Palms LLC (includes Consent and Joinder from Climate First Bank), for property located at 13825 State Road 70 East, in accordance with Final Site Plan requirements for construction of Woodie's Wash Shack  
BC20240109DOC049

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



- Accepted recorded Special Warranty Deed from Brian C. Forbes, Curtis Forbes and Desiree Forbes for Parcels 117 and 817, for property located at 1704 Lena Road, to facilitate proposed improvements to Lena Road; and
- Accepted recorded Permanent Easement from Brian C. Forbes, Curtis Forbes and Desiree Forbes BC20240109DOC050

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

- Accepted recorded Warranty Deed from American Pride Golf Cart Services LLC, for Parcels 108 and 808, for property located at 3208 81st Court East, to facilitate proposed improvements to Lena Road (Lena Road south of 44th Avenue East to Landfill Road); and
- Accepted recorded Permanent Easement from American Pride Golf Cart Services LLC BC20240109DOC051

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

Accepted recorded Warranty Deed from 2704 29th Ave E LLC, aka 2704 29th Avenue E LLC, for property located at 2703 29th Avenue East for 27th Street East functional improvements (38th Avenue to 26th Avenue East) BC20240109DOC052

32. **PROPERTY MANAGEMENT/AGREEMENT**

- Executed Lease Agreement between Manatee County and Porter Investment Holdings LLC, for leased premises comprised of 6,140 square feet of the 10,000-square-foot building at Whitney Plaza, 6810 Gulf of Mexico Drive, Longboat Key, for a Community Center, to be maintained by the School Board;
- Executed Interlocal Agreement with School Board of Manatee County, establishing mutual rights and obligations with respect to the Lease Agreement; and
- Adopted Budget Amendment Resolution B-24-048 amending annual budget for FY 24 BC20240109DOC053

33. **PROPERTY MANAGEMENT/INTERLOCAL AGREEMENT**

- Adopted Resolution R-24-013, authorizing the lease of County property to Palma Sola Botanical Park Foundation, a non-profit organization, for the purpose of promoting public or community interest and welfare; and
- Executed 25-year Lease Agreement with Palma Sola Botanical Park Foundation, Inc., for 2.06 acres located in the northeast corner of the property for expansion of Palma Sola Botanical Park, located at 1401 99th Street Northwest BC20240109DOC054

34. **PROPERTY MANAGEMENT/RESOLUTION/SURPLUS PROPERTY**

Adopted Resolution R-24-021, declaring certain County-owned property located at 500 15th Street West, Bradenton, as surplus and authorizing its sale BC20240109DOC055

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

Executed Contract for Sale and Purchase (Tract 408) with The Ridge at Crossing Creek Neighborhood Association, Inc., for property located at Creekwood Boulevard, for an east-bound, right-turn lane into Creekwood Boulevard from 44th Avenue East, \$10,327 BC20240109DOC056

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

Executed Contract for Sale and Purchase (Parcel 104) with The Roskamp Institute, Inc., for property located at 2040 Whitfield Avenue, Sarasota, (Whitfield Avenue East, 301 Boulevard to U.S. 301), to facilitate improvements to Whitfield Avenue, \$30,000 BC20240109DOC057

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

Executed Contract for Sale and Purchase (Parcels 134 and 834) with Pamela L. Delk, Individually and as Trustee of the Pamela L. Delk Trust dated April 11, 2022, for property located at 11108 Upper Manatee River Road (north of S.R. 64 to Fort Hamer Road), for widening and improvements to Upper Manatee River Road, \$115,000 BC20240109DOC058

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

- Authorized review of bid log and approved the sale of surplus real property to the highest bidder, A and J Advisors Ellenton LLC;
- Executed Contract for Sale and Purchase with A and J Advisors Ellenton LLC, for property located at 25th Avenue East at U.S. 301, Ellenton, \$30,000; and
- Executed County Deed conveying surplus property to A and J Advisors Ellenton LLC (to be held in escrow until closing) BC20240109DOC059

39. **PROPERTY MANAGEMENT/COUNTY UTILITY INTERESTS TO FLORIDA DEPARTMENT OF TRANSPORTATION**

- Executed Subordinations of County Utility Interests to Florida Department of Transportation (FDOT) for FDOT Parcels 114.7, 122.6 and 123.6; and
- Executed Utility Interests for Temporary Easements to FDOT for Parcels 708.6 and 709.6, for Project 414506-2, to improve traffic operational conditions along S.R. 70 Corridor, from Lorraine Road to County Road 675 BC20240109DOC060

40. **PUBLIC SAFETY/CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

- Adopted Resolution R-24-001, authorizing issuance of Certificate of Public Convenience and Necessity (COPCN) for Advanced Life Support - Non-Transport to Cedar Hammock Fire Rescue; and
- Authorized Public Safety Director to execute COPCN BC20240109DOC061

41. **PUBLIC SAFETY/CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

- Adopted Resolution R-24-008, authorizing issuance of Certificate of Public Convenience and Necessity (COPCN) for Advanced Life Support - Air Transport to Florida Health Sciences Center, Inc., dba Tampa General Hospital; and
- Authorized Public Safety Director to execute COPCN BC20240109DOC062

42. **PUBLIC SAFETY/RESOLUTION/GRANT**

- Adopted Resolution R-24-011, authorizing submission and acceptance of Emergency Medical Services (EMS) Grant from Florida Department of Health in the amount of \$41,138;
- Authorized EMS Chief to execute EMS County Grant Application; and
- Adopted Budget Amendment Resolution B-24-037, amending annual budget for FY 24 BC20240109DOC063

43. **PUBLIC SAFETY/RESOLUTION**

Adopted Resolution R-24-017, adopting (and execution of) Florida Statewide Mutual Aid Agreement (SMAA) with Florida Division of Emergency Management, to provide reciprocal emergency aid and assistance of a disaster or emergency BC20240109DOC064

45. **PUBLIC SAFETY/RESOLUTION/GRANT AGREEMENT**

- Adopted Resolution R-24-005, approving FDOT State-Funded Grant Agreement for roadway design improvements to Fort Hamer Road, from north of Rive Isle Run to U.S. 301; and
- Chairman authorized to execute said Grant Agreement FPN: 452852-1-34-01 BC20240109DOC065

46. **PUBLIC WORKS/RESOLUTION/GRANT AGREEMENT**

- Adopted Resolution R-24-006, approving FDOT State-Funded Grant Agreement for roadway design improvements to Fort Hamer Road, from Upper Manatee River Road to north of Rive Isle Run; and
- Chairman authorized to execute said Grant Agreement FPN 452856-1-34-01 BC20240109DOC066

47. **PUBLIC WORKS/RESOLUTION/GRANT**

- Adopted Resolution R-24-007, consenting to and approving FDOT State-Funded Grant Agreement for construction of roadway improvements to Moccasin Wallow Road Segment 3; and
- Executed Agreement FPN-447300-3-54-01 BC20240109DOC067

48. **PUBLIC WORKS/RESOLUTION**

- Adopted Resolution R-24-009, approving Manatee Mitigation Bank Credit Purchase Agreement for wetland mitigation credits required for construction of Moccasin Wallow Road Segment 1, from 115th Street East to U.S. 301; and
- Executed Manatee Mitigation Bank Credit Purchase Agreement with MFLLC (executed by TerraBlue Environmental LLC) BC20240109DOC068

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

Adopted Resolution R-24-010, providing for Annual Certification of Non-Ad Valorem Assessments pursuant to the Uniform Method for levy, collection and enforcement of non-ad valorem assessments for annual special assessment payments due with payment of 2023 ad valorem taxes BC20240109DOC069

50. **PUBLIC WORKS/RESOLUTION**

Adopted Resolution R-24-022, approving the recommended alignment of Lena Road, from the north property line of 4705 Lena Road to the south property line of 8010 41st Avenue East BC20240109DOC070

51. **PUBLIC WORKS/TEMPORARY SPEED HUMPS**

- Public Works authorized to install three interim, temporary speed humps on Riverview Boulevard between 47th Street NW and 3rd Avenue NW; and
- Public Works authorized to install one interim, temporary speed hump on 88th Street Court NW between 21st Avenue NW and north terminus (Total cost of four, temporary speed humps [trial period] \$4,000) BC20240109DOC071

52. **PUBLIC WORKS/AGREEMENT**

Executed Funding Agreement with Sarasota County, for Mobility Breeze On-Demand Service for the Manatee County portion of the Town of Longboat Key (replacing Manatee County Area Transit [MCAT] current Longboat Key Shuttle Service (anticipated start date 1/27/24) BC20240109DOC072

53. **PUBLIC WORKS/SUBORDINATION OF COUNTY UTILITY INTERESTS AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION**

Executed Subordination of County Utility Interests Agreement with FDOT for 69th Street Convenient Store Perpetual Easement from Miller Enterprises of Manatee, Inc., for project-approved improvements BC20240109DOC073

54. **PUBLIC WORKS/AGREEMENT**

Executed Amendment 2 to Master Research Agreement C-23-023, Task Order 1 with Florida Atlantic University, extending period of performance to complete obligations under Florida Department of Emergency Management Grant, from December 31, 2023, to March 30, 2024, helping the County maintain its current rating and potentially improve community rating, which would provide lower interest rates of flood insurance premiums to County taxpayers BC20240109DOC074


55. **UTILITIES/LETTER**


Executed Letter to Peace River Regional Manasota Regional Water Supply Authority, transmitting water supply projections and future water supply needs from the Authority beginning in the year 2036 BC20240109DOC075

(End Consent Agenda)


RECESS/RECONVENE: 10:48 a.m. – 10:58 a.m. All Commissioners were present.

44. **PUBLIC SAFETY/AGREEMENT**


 Commissioner Van Ostenbridge pulled from the Consent Agenda, the Interlocal Agreement with the Sheriff for the Community Policing Initiative, because it raises the pay scale for off-duty officers from \$40-60 per hour, and there was no supporting documentation to justify the increase. He requested continuance for more information.

 Courtney DePol, Deputy County Administrator, explained the rates increased to \$50/hour effective January 1, 2023, but were not updated in the previous Interlocal Agreement, which expired September 30, 2023. This Interlocal Agreement reflects an increased rate to \$60 for off-duty deputies.


Commissioner Ballard commented on the rate and supported continuing this item.

 Commissioner Van Ostenbridge moved to continue Item 44. The motion was seconded by Commissioner Ballard.

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


 The motion carried 7-0.


BC20240109DOC076


 Chairman Rahn suggested working through the lunch recess due to the impending storm.

**PUBLIC HEARINGS** (Presentation upon Request)

56. **DEVELOPMENT SERVICES/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Ordinance 24-05, fka Ordinance 22-12, dissolution of Rye Ranch Community Development District (CDD).

 Jere Earlywine, Attorney representing the District, was present for questions. There being no public comment, Chairman Rahn closed public comment.


 A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Ballard and carried 7-0, to adopt Ordinance 24-05.

BC20240109DOC077

57. **DEVELOPMENT SERVICES/LOCAL DEVELOPMENT AGREEMENT**


 A duly advertised public hearing was held to consider approval of Amended and Restated Local Development Agreement LDA-11-01, The Paddocks.

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


 A motion was made by Commissioner Turner, seconded by Commissioner Van Ostenbridge and carried 7-0, to authorize execution of LDA 11-01, Amended and Restated Local Development Agreement for The Paddocks.

BC20240109DOC078


58. **DEVELOPMENT SERVICES/LOCAL DEVELOPMENT AGREEMENT**

 A duly advertised public hearing was held to consider approval of Local Development Agreement LDA-23-03, Manatee Land Investors LLC (Watercolor Place).


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

 A motion was made by Commissioner Bearden, seconded by Commissioner Van Ostenbridge and carried 7-0, to authorize execution of LDA-23-03, Local Development Agreement for Manatee Land Investors LLC (Watercolor Place). BC20240109DOC079


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

 A duly advertised public hearing was held to consider adoption of Resolution R-24-015, regarding the Infrastructure Sales Tax to amend project scope in the Transportation Category, add three projects to Public Safety and Law Enforcement Categories, and adopt Budget Amendment Resolution B-24-041.


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

 A motion was made by Commissioner Van Ostenbridge and seconded by Commissioner Ballard, to adopt Resolution R-24-015, approving changes to the Project and Equipment List, and to adopt Budget Amendment Resolution B-24-01. The motion carried 7-0. BC20240109DOC080


60. **PROPERTY MANAGEMENT/RESOLUTION**

 A duly advertised public hearing was held to consider adoption was Resolution R-24-003, vacating a certain platted easement in the plat of The Fairways at Conquistador Subdivision, Unit II, located at 6106 45th Street West.


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

 A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Ballard and carried 7-0, to adopt Resolution R-24-003. BC20240109DOC081

61. **PROPERTY MANAGEMENT/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Ordinance 23-104, amending speed limit zones on White Eagle Boulevard, from S.R. 64 to S.R. 70 and 33rd Street East, from S.R. 70 to Whitfield Avenue.

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


 A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Bearden and carried 7-0, to adopt Ordinance 23-104, amending Section 2-22-8 of the Manatee County Code and the existing speed limit zones on White Eagle Boulevard, from S.R. 64 to Gatewood Drive, White Eagle Boulevard, from Gatewood Drive to S.R. 70, and 33rd Street East, from S.R. 70 to Whitfield Avenue. BC20240109DOC082

**PUBLIC HEARINGS** (Presentation scheduled)

62. **PUBLIC WORKS/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Ordinance 24-01, amending the No Parking Ordinance, as set forth in Exhibit A, to create a parking restriction on 55th Avenue Drive East, from 15th Street East to a point 600 feet east, Bradenton.


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

 A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Bearden and carried 7-0, to adopt Ordinance 24-01.


BC20240109DOC083


63. **COUNTY ADMINISTRATOR/APPOINTMENT OF UTILITIES DIRECTOR**

 Evan Pilachowski, Deputy County Administrator, requested confirmation on the appointment of Patrick Shea as Director of Utilities. He presented Jim Renneberg, Utilities, with the Manatee County Administration Coin for deep appreciation and hard work. Mr. Shea will start January 29, 2024.

 A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Kruse, to confirm Patrick Shea as Director of Utilities.


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


 The motion carried 7-0.

 Mr. Shea greeted the Board via ZOOM.


BC20240109DOC084

64. **PUBLIC WORKS/2024 STATE LEGISLATIVE PRIORITIES AND COUNTY'S 2024 METROPOLITAN PLANNING ORGANIZATION PROJECT PRIORITIES**

-  Clarke Davis, Deputy Director, Traffic Management, presented the two-part request:
1. Approval of amendment to Manatee County's 2024 State Legislative Priorities to add a funding request of \$10 million for 51st Street West, from El Conquistador Parkway to 53rd Avenue West, **and** a funding request of \$1.2 million for a new PD&E study for S.R. 64, from east of Lorraine Road to Verna Bethany Road (about a 7-1/2-mile road segment); and
  2. Approval of the County's 2024 Metropolitan Planning Organization Project Priorities, authorize the Chairman to execute Manatee County's 2024 Metropolitan Planning Organization Transportation Project Priorities and for staff to transmit said priorities.


 Brief discussion occurred regarding State participation, \$1.2 million funding for S.R. 64 would be paired with County or public/private partnership funding, Federal dollars may ultimately be involved, and additional funding sources would be invested into design.


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


 A motion was made by Commissioner Satcher, seconded by Commissioner Van Ostenbridge and carried 7-0, to approve the requests as presented.

BC20240109DOC085


65. **PUBLIC WORKS/ROADWAY LIGHTING POLICY AND PRESENTATION**

 Aaron Burkett, Traffic Operations Division Manager, requested adoption of Resolution R-24-018, establishing the County's Roadway Lighting Policy and utilized a slide presentation to recap the May 2023 presentation topics to develop the framework for policy and update the Board on a Light-Up Manatee Program.

 Clarke Davis, Deputy Director, Traffic Management, stated lighting can be a large capital and operating expense, and the Policy differentiates between local and major roads.

 Mr. Burkett continued with slides on forming policy, initial focus is priority Districts 2, 3 and 4, District 5-to be addressed shortly thereafter, staff focus is County roads with little or no lighting, Light-Up Manatee initiatives, Light- Up Manatee Website is continually updated


with information, night-time crash history data and crime statistics, bus stops, urbanized boundary locations, priority areas, and interactive neighborhood and thoroughfare maps.

 Discussion ensued on adding Old Tampa Road to District 1.

 A motion was made by Commissioner Satcher and seconded by Commissioner Bearden, to adopt Resolution R-24-018, establishing the County’s Roadway Lighting Policy.

 Shannon Keever spoke in support of Resolution R-24-018.


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


 The motion carried 7-0.


BC20240109DOC086

**COMMISSIONER AGENDA**

**66. DISCUSSION OF COUNTY SUPPORT OF MANATEE COUNTY SEARCH AND RESCUE**


 Commissioner Kruse requested discussion on County support of Manatee County Search and Rescue, an all-volunteer nonprofit supporting critical emergency needs within the County at no cost to taxpayers. Search and Rescue is presently being displaced from one facility and in need of a permanent home base for equipment and volunteers. Parrish Fire District has helped store equipment to fill an immediate need.

 Commissioner Kruse questioned if the County has surplus space to give Search and Rescue for a permanent home base.


 Courtney DePol, Deputy County Administrator, stated staff is working with Fire and Rescue on finding under-cover storage. The possibility of entering into an agreement with Search and Rescue would be at the Board’s discretion. Search and Rescue does not receive funding from Manatee County, and it is unknown if Sarasota contributes to the organization. Staff would speak with Search and Rescue and report back to the Board.


BC202401409DOC087


**67. EXPANSION OF CITIZEN ADVISORY BOARDS**


 Commissioner Kruse stated Manatee County has 18 volunteer advisory boards, several of which are inactive. He requested the County Administrator and if applicable, the County Attorney, re-institute and form additional citizen advisory boards for the benefit of Manatee County residents. Four additional advisory boards were mentioned to the Administrator:


- Re-instituting the vacant Animal Welfare Advisory Board
- Waterways Advisory Board
- Disabled Persons Advisory Board
- Rural Communities Advisory Board


 William Clague, County Attorney, stated these are sunshine boards and staff is required to give notice and take minutes.


 Discussion ensued on existing advisory boards that do not meet, appoint Commissioners to existing boards, members serve on a voluntary basis, concern of staff burnout and expense to maintain new boards, and shift some responsibilities to existing boards.

 Charlie Bishop, County Administrator, stated an audit of advisory boards is underway and a report would be brought back to the Board.

 Pat Simmons emphasized the need for the Disabled Persons Advisory Board.

 Chairman Rahn suggested the County Administrator examine Sarasota County's process.

 Shannon Kever stated the reason citizens do not volunteer is because they feel they are not heard by Commissioners.


 Keith Green agreed with the audit to determine how to proceed.

BC20240109DOC088

(Depart Commissioner Bearden)


68. **MANATEE COUNTY CITIZENS ACADEMY**


 Commissioner Kruse suggested the County Administrator re-institute the Manatee County Citizens Academy.


 Lee dePalo, Community and Veterans Services Director, stated staff is designing an eight-week Neighborhood Ambassador Academy for 2024 to begin in August.


BC20240109DOC089


69. **AMERICAN LIBRARY ASSOCIATION (ALA) TIES WITHIN COUNTY LIBRARIES**


 Commissioner Satcher urged the County to separate from the American Library Association (ALA), due to Marxist-type liberal philosophy and ideology.


 Tammy Parrot, Library Services Manager, stated the County's ALA membership expires May 31. The current ALA President has expressed personal views rather than a professional, nonpartisan view, and staff does not agree with the path the organization is taking.

 Discussion ensued on ALA membership/benefits, County to maintain membership with Florida Association of Libraries and correspondence received urging separation from the ALA.

 Commissioner Van Ostenbridge stated he does not want staff to attend ALA conferences and supported Commissioner Satcher on County separation from the ALA.

 A motion was made by Commissioner Satcher and seconded by Commissioner Van Ostenbridge, to direct staff to not attend any ALA-hosted conferences, not renew our membership and withdraw immediately from the American Library Association until such time that we are assured that they are no longer pushing an agenda.


 Shannon Kever agreed with comments by Commissioner Kruse.

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

BC20240109DOC090

**STATE OF LOCAL EMERGENCY**

 Charlie Bishop, County Administrator, reported Governor DeSantis issued an executive order to include 49 counties under a State of Emergency from severe weather impact from the State of Florida. Though Manatee County is not included in the executive order at this time, Mr. Bishop requested Manatee County declare a State of Local Emergency for recovery purposes in the event the County experiences damage.

 A motion was made by Commissioner Van Ostenbridge and seconded by Commissioner Ballard, to declare a State of Local Emergency.



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



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

(Note: Resolution R-24-030 declaring State of Local Emergency adopted 1/23/24)

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

There were no further citizen comments.

**COMMISSIONER COMMENTS**

Commissioner Ballard

- Reminded everyone of the grand opening of Lakewood Ranch Library on January 12 and the Elwood Park Community Garden ribbon-cutting ceremony on January 13

Commissioner Van Ostenbridge

- Thanked Mr. Bishop and Carmine DeMilio for the median work on Manatee Avenue

Chairman Rahn

- The Welcome to Manatee County sign on U.S. 41 looks great

Commissioner Turner

- The Tampa Bay Regional Planning Council released notice of a resiliency summit if anyone wished to register to attend

**ADJOURN**

There being no further business, Chairman Rahn adjourned the meeting at 12:32 p.m.

Minutes Approved: February 13, 2024