

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COUNTY ADMINISTRATION BUILDING, HONORABLE PATRICIA M. GLASS CHAMBERS  
1112 Manatee Avenue West  
Bradenton, Florida  
August 27, 2024**

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

Present were:

Mike Rahn, Chairman, District 4  
Amanda Ballard, First Vice-Chairman, District 2  
Ray Turner, Second Vice-Chairman, District 5  
Jason Bearden, District 6  
George Kruse, District 7  
Kevin Van Ostenbridge, District 3 (entered during meeting)

District 1 seat is vacant.

Present were:

Charlie Bishop, County Administrator  
Pamela D'Agostino, County Attorney  
Vicki Tessmer, Deputy Clerk, Clerk of the Circuit Court



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

### **INVOCATION**



The Invocation was led by Pastor Benjamin Bruce, Harbor Life Church.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Robert Burke, Army Captain, and Persian Gulf War Veteran.

### **AGENDA**

BC20240824DOC001



Agenda Update Memorandum 1 (8/23/24)

BC20240824DOC002

- Port Authority - The agenda for the Port Authority was added
- Item 3, Presentation by Tampa Bay Regional Planning Council (TBRPC), Updated with a PowerPoint presentation.
- Item 46 (Add-On), Adoption and Presentation of Proclamation Designating September 2024, as "National Preparedness Month" in Manatee County - Added to Agenda
- Citizen Comments (Future Agenda Items) - Written correspondence submitted by Diana Adams.
- Item 47 (Add-On), Approval of Final Plat and Associated Documents for Del Webb Catalina at Lakewood Ranch, Phase I - Added to Agenda
- Item 6, Approval of a new American Rescue Plan Project - Staffing for the Business Service Manager position - Written correspondence submitted by Glen Gibellina
- Item 16, Execution of Agreement 24-R083943ED - Janitorial Services - Deleted from Agenda
- Item 48 (Add-On), Authorization to submit a FDEP grant to complete a Resiliency Adaptation Plan - Added to Agenda
- Item 49 (Add-On), Execution of Addendum Number One to Contract for Sale and Purchase of Surplus Property between Manatee County and Sheriff Masry, for Property located at 11106 Winding Stream Way, Bradenton - Added to Agenda
- Item 39, Authorization for Staff and County Attorney to Make Attestation Regarding Real Estate for a Grant Request - Updated in strikethrough/underline format) revising the agenda item including the:

BC20240824DOC003



- ~~Title - Authorization for Staff and County Attorney to Make Attestation Regarding Real Estate for a Grant Request Declaration Regarding Not Using Power of Eminent Domain and Authorization for the Chief Utilities Engineer and the County Attorney to Execute a Certificate of Eminent Domain and Attorney Verification on Behalf of the County for a Grant Request; and~~
  - ~~Action Requested - Authorize staff and County Attorney to execute real estate attestations regarding a 0.25 acre project site for Master Lift Station No. 5 located at 4000 Gulf Drive Motion to declare that the County will not use its power of eminent domain to acquire title to any land comprising the 0.25 acre project site for the Master Lift Station No. 5 Electrical Room Upgrade and authorization for the Chief Utilities Engineer and the County Attorney to execute a Certificate of Eminent Domain and Attorney Verification on behalf of the County for an Economic Development Administration grant application regarding same.~~
  - Item 43, Adoption of Ordinance 24-82 amending Article II of Chapter 2-13 of Manatee County Code of Ordinances relating to disaster Emergency Management Powers - Updated with Affidavit of Publishing
  - Item 50 (Add-On), Discussion and Request for Ratification of Existing Contracts for Legal Services and Request for Authorization to Approve and Execute Future Contracts for Legal Services - Added to Agenda
  - Item 51 (Add-On), Discussion about Parking Garage Design Work - Added to Agenda
  - Item 52 (Add-On), Discussion about the Status of Historical Sites transfer - Added to Agenda
  - Item 53 (Add-On), Discussion about Social Media Commenting - Added to Agenda
- Agenda Update Memorandum 1 (8/26/24) BC20240824DOC004
- Citizen Comments (Future Agenda Items) - Written correspondence submitted
  - Item 41, Execution of LDA-23-02, Local Development Agreement for SM Ranch and Adoption of Budget Amendment Resolution B-24-109 - Continued to September 10, 2024
  - Item 42, Execution of LDA-24-01, Local Development Agreement for Newport Isles - Updated to include revised LDA-24-01, Local Development Agreement for Newport Isles, correcting scrivener’s errors on Page 6
  - Item 52 Add-On), Discussion about the Status of Historical Sites transfer - Updated to include written correspondence

**REQUESTS BY COMMISSIONERS**


There were no items pulled from the Consent Agenda.

**RECESS/RECONVENE:** 9:02 a.m. – 9:18 a.m. The Board of County Commissioners recessed for the purpose of holding a Port Authority meeting. The County Commission reconvened with all Commissioners present.

**AWARDS AND PRESENTATIONS**

1.  Employee of the Month presented to Mary Oquendo, Recycling Coordinator, Utilities Department. BC20240824DOC005
2.  TEAM Award presented to Sonia Shuhart, Shannon Shanks, Christopher Ridge, Brianna Spuck, and Hunter Gregg, Community Health Team, Public Safety Department. BC20240824DOC006

**TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC)/REPORT**


 Commissioner Turner introduced Wren Krahl and Cara Woods Serra of the TBRPC.

Cara Woods Serra, TBRPC, Director of Resiliency, used a slide presentation to review the role of TBRPC, member counties, focus areas, Government Liaison Program, planning support and technical services, recent highlights, and Project Phoenix.

 Discussion ensued regarding thanking TBRPC for all they do for the area. BC20240824DOC007


**PROCLAMATIONS**


A motion was made by Commissioner Ballard, seconded by Commissioner Bearden, and carried 6-0, to approve the following Proclamations.


4.  Proclamation designating September 11, 2024, as Tribute to Hero's Day accepted by Chief Billy Smith and other Fire Chiefs. BC20240824DOC008


46.  Proclamation designating September 2024, as National Preparedness Month accepted by Matthew Myers, Deputy Director, Public Safety and Public Safety staff. BC20240824DOC009


**CITIZEN COMMENTS** (Future Agenda Items Only) BC20240824DOC010

 Dena Sabou submitted a time line regarding the animal shelter, and the need to complete the buildings. BC20240824DOC011


 Joyce Jordan requested air conditioners be installed at the outside kennels at the animal shelter.


 David Dean submitted documentation and addressed recent flooding. BC20240824DOC012

 Matthew Sauchinitz addressed recent flooding and displayed photographs. BC20240824DOC013

 John Kampmann submitted a letter and aerials to address flooding on Carolina Street. BC20240824DOC014

 Barbara Ficklin discussed flooding on Waterline Road and the need for remediation.

 Sierra Nelson addressed flooding in the Parrish area, and the effects it has on their property and livestock due to development.

 Dalton Nelson spoke regarding flooding near Gamble Creek and the need to correct failures in stormwater systems and infrastructure.


 Garry Floyd expressed concern with flooding in Parrish and near Gamble Creek.

(Citizen Comments, Future Agenda Items, continued to later in the meeting)


Bryan Parnell, Deputy County Administrator, noted they have reached out to citizens regarding the time line for the animal shelters.

Cary Knight, Property Management Director, explained any permanent building (kennels) must be built to hurricane standards. Permitting with Southwest Florida Water Management District, will take place in October, and construction documents should be available in January 2025, with construction beginning in February 2025.

Charlie Bishop, County Administrator, noted the original plan had the shelter on Lena Road, but was moved to Bishop Animal Shelter, which delayed the process.

 Evan Pilachowski, Deputy County Administrator, addressed flooding and noted the dam is not a flood control structure, but serves as a flow-through water supply reservoir. A third-


party analysis is going to be completed, and this is a valuable step to learn the effects from the dam and flooding. The Braden River has Evers Reservoir, but the water released from the dam, would not have impacted the Braden River. There have been two major repairs to the dam with Phase II being functionally complete. There is no reason the dam cannot serve Manatee County for years to come.

 Charlie Hunsicker, Natural Resources Director, explained there were 17 inches of rain during the storm. There have been flooding events throughout the County. The systems were no designed for a 17-inch rainfall event, along with swelling of the River. There is an effect by developments, and those developments are responsible for their stormwater retention. They are searching for the causes.

**RECESS/RECONVENE:** 10:30 a.m. - 10:50 a.m. All Commissioners were present.

**CONSENT AGENDA**

**CITIZEN COMMENTS** (Consent Agenda Only)

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

A motion was made by Commissioner Turner, seconded by Commissioner Ballard, and carried 6-0, to approve the Consent Agenda, with the changes incorporated in the Agenda Update Memorandum.

5. **CLERK’S CONSENT AGENDA**

BC20240824DOC015

A. **WARRANT LISTING**

Accepted Warrant (Check) Listing for the Month of July 2024, issued by the Finance Department

BC20240824DOC016

B. **MINUTES**

Approved the Minutes of July 30 and August 2 and 8, 2024

C. **REFUNDS**

Approved the following Refunds:

- 1. WRA Engineering – Pre-Application Fee, \$1,500

BC20240824DOC017

D. **REPORTS**

Accepted the following Reports:

- 1. Mandarin Grove Community Development District (CDD) - Proposed FY24/25 Budget

BC20240824DOC018

- 2. Prosperity Lakes CDD- Proposed FY24/25 Budget

BC20240824DOC019

- 3. Stonegate Preserve CDD- Proposed FY24/25 Budget

BC20240824DOC020

E. **SCRIVENER ERROR**

- Adopted corrected Budget Amendment B-24-098/9, approved by Board of County Commissioners July 30, 2024, correcting Reference Number BU25000611 to BU24000611
- Adopted corrected Resolution R-24-059 adopted March 12, 2024, with an incorrect amount of \$3,340,167 for the Water and Wastewater facilities. The correct amount should have been \$3,290,167

BC20240824DOC021

BC20240824DOC022

F. **BONDS**

Accepted the following Bonds:

- 1. Coastal Orthopedics

- Released and returned Surety Bond (Performance) 107412591 and any associated riders in conjunction with performance portion of Agreement for Private Subdivision, \$245,141.98;
- Released and returned Surety Bond (Performance) 107412593 and any associated riders in conjunction with performance portion of Agreement for Private Subdivision, \$2,385,047.28;

- Accepted and executed Surety Bond (Defect) 107412591-M, securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Public Improvements, accepted by Board of County Commissioners March 22, 2022, securing public infrastructure improvements, \$9,552.41; and
- Accepted and executed Bill of Sale BC20240824DOC023
- 2. North River Ranch, Phase IV-C1
  - Released and returned Surety Bond (Performance) GM230112 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$10,203,481.20;
  - Released and returned Surety Bond (Performance) GM230113 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$6,676,097.73;
  - Accepted and executed Surety Bond (Defect) GM235290, securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Public Improvements, accepted by Board of County Commissioners October 24, 2023, securing public infrastructure improvements, \$490,419.80;
  - Accepted and executed Surety Bond (Defect) GM235291, securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Public Improvements, accepted by Board of County Commissioners October 24, 2023, securing public infrastructure improvements, \$366,215.20; and
  - Accepted and executed Bill of Sale BC20240824DOC024
- 3. Rye Crossing, Phase I
  - Released and returned Surety Bond (Performance) US3000438 and any associated riders in conjunction with performance portion of Agreement for Private Subdivision for Private Improvements, \$935,414.15;
  - Accepted and executed Surety Bond (Performance) 2357566, securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Private Improvements, accepted by Board of County Commissioners March 8, 2022, securing private landscape improvements, \$3,835; and
  - Accepted and executed Surety Bond (Performance) 2357565, securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Private Improvements, accepted by Board of County Commissioners March 8, 2022, securing private landscape improvements, \$973,729.25 BC20240824DOC025
- 4. Summerwoods, Phase IIIB
  - Released and returned Surety Bond (Performance) 800150507 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision for Public Improvements, \$3,882,790.60;
  - Released and returned Surety Bond (Performance) 800150506 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision for Public Improvements, \$1,807,750.10;
  - Accepted and executed Surety Bond (Defect) 800166018, securing Section 1.5 Maintenance, Defects of Agreement for Public Subdivision with Public Improvements, accepted by Board of County Commissioners February 28, 2023, securing public infrastructure improvements, \$108,921.40; and
  - Accepted and executed Bill of Sale BC20240824DOC026
- 5. Summerwoods, Phase IVB
  - Released and returned Surety Bond (Performance) 800150501 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision for Public Improvements, \$7,132,552.70;
  - Released and returned Surety Bond (Performance) 800150503 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision for Public Improvements, \$977,406.82; and

- Accepted and executed Surety Bond (Defect) 800166019, securing Section 1.5 Maintenance, Defects of Agreement for Public Subdivision with Public Improvements, accepted by Board of County Commissioners February 28, 2023, securing public infrastructure improvements, \$71,520.70

BC20240824DOC027

6. **COUNTY ADMINISTRATOR/AMERICAN RESCUE PLAN**

Approved a new American Rescue Plan Project - Staffing for the Business Services Manager position, which has been created to provide Manatee County Administration and independent evaluation of County operations and internal systems to bring about continual, positive change and to provide stakeholders independent insight into effective internal controls, operational efficiency and work processes to reach and exceed organizational goals

BC20240824DOC028

7. **COUNTY ATTORNEY/RESOLUTION/LAWSUIT**

Adopted Resolution R-24-070, regarding 60th Avenue East, from Mendoza Road to 69th Street East (Segment 2); finding public purpose and necessity for the acquisition of certain land and interests; authorizing acquisition of the property; delegating certain authority; and authorizing commencement of eminent domain to take possession and title in advance of the entry of final judgment

BC20240824DOC029

8. **DEVELOPMENT SERVICES/FINAL PLAT/STONGATE PRESERVE, PHASES IB-1 AND IB-2**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized County Administrator to accept, execute, and record Agreement for Public Subdivision with Public Improvements Stonegate Preserve, Phase IB;
- Authorized County Administrator to accept and execute Letter of Credit for Performance of Required Improvements, Stonegate Preserve Phase IB-1, Letter of Credit FGAC-24424, \$1,468,972.18;
- Authorized County Administrator to accept and execute Letter of Credit for Performance of Required Improvements, Stonegate Preserve, Phase IB-1, Letter of Credit FGAC-24425, \$62,556.91;
- Authorized County Administrator to accept and execute Letter of Credit for Performance of Required Improvements, Stonegate Preserve, Phase IB-2, Letter of Credit FGAC-24426, \$4,944,506.45;
- Authorized County Administrator to accept and execute Letter of Credit for Performance of Required Improvements, Stonegate Preserve, Phase IB-2, Letter of Credit FGAC-24427, \$201,267.30;
- Authorized County Administrator to accept, execute, and record Agreement for Public Subdivision with Private Improvements Stonegate Preserve, Phase IB;
- Authorized County Administrator to accept and execute Letter of Credit for Performance of Required Improvements, Stonegate Preserve, Phase IB-1, Letter of Credit FGAC-24565, \$8,742.50; and
- Authorized County Administrator to accept and execute Letter of Credit for Performance of Required Improvements, Stonegate Preserve, Phase IB-2, Letter of Credit FGAC-24566, \$59,898.02

BC20240824DOC030

47. **DEVELOPMENT SERVICES/FINAL PLAT/DEL WEBB CATALINA AT LAKEWOOD RANCH, PHASE I**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording the Amendment to Declaration of Covenants, Conditions, and Restrictions for Del Webb Catalina;
- Accepted, executed, and authorized recording of the Consent to Subdivision Plat and All Dedications and reservations Theron;
- Authorized County Administrator to Accept, Execute, and Record Agreement for Private Subdivision with Public Improvements Del Webb Catalina at Lakewood Ranch, Phase I;

- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IA; Surety Bond ES00018951, \$6,569,587.96;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IB; Surety Bond ES00018949, \$4,040,941.87;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IC; Surety Bond ES00018947, \$4,101,258.83;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase ID; Surety Bond ES00015360, \$2,615,587.97;
- Authorizes County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IE; Surety Bond ES00018940, \$2,204,994.25;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase F; Surety Bond ES00018942, \$2,221,738.17;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IG; Surety Bond ES00018944, \$1,587,190.48;
- Authorized County Administrator to Accept, Execute, and Record Agreement for Private Subdivision with Private Improvements Del Webb Catalina at Lakewood Ranch, Phase I;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IA; Surety Bond ES00018952, \$237,777.80;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IA; Surety Bond 59BSBJG0523, \$590,099.90;
- Authorize County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IB; Surety Bond ES00018950, \$172,281.20;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IB; Surety Bond 59BSBJG0516, \$912,873;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IC; Surety Bond ES00018948, \$154,450.40;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IC; Surety Bond 59BSBJG0517, \$462,062.25;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase ID; Surety Bond ES00018946, \$79,605.50;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase ID; Surety Bond 59BSBJG0518, \$387,318.75;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IE; Surety Bond ES00018939, \$104,409.50;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IE; Surety Bond 59BSBJG0519, \$167,505;

- Authorizes County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IF; Surety Bond ES00018941, \$95,997.20;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IF; Surety Bond 59BSBJG0520, \$140,868;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IG; Surety Bond ES00018943, \$240,234.80;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IG; Surety Bond 59BSBJG0521, \$229,651.60;
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase IH; Surety Bond ES00018945, \$932,153.49; and
- Authorized County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Del Webb Catalina at Lakewood Ranch, Phase I; Surety Bond 59BSBJG0522, \$52,390

BC20240824DOC031

9. **DEVELOPMENT SERVICES/AGREEMENT**

Executed Interlocal Agreement between City of Palmetto, Manatee County, and School District of Manatee County relating to the collection of Educational Facilities Impact Fees

BC20240824DOC032

10. **DEVELOPMENT SERVICES/AGREEMENT**

Executed Interlocal Agreement between City of Bradenton, Manatee County and School District of Manatee County relating to collection of Educational Facilities Impact Fees

BC20240824DOC033

11. **DEVELOPMENT SERVICES/AGREEMENT**

Executed Interlocal Agreement between Town of Longboat Key, Manatee County, and School District of Manatee County relating to the collection of Educational Facilities Impact Fees

BC20240824DOC034

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

Adopted Budget Amendment Resolution B-24-111

BC20240824DOC035

13. **FINANCIAL MANAGEMENT/MATERIALS AND SERVICES**

Authorized Purchasing Official, or designee, to issue Purchase Order to Hudson Pump and Equipment for removal of an old pump and installation of a Xylem/Goulds Water Technology (TTO) Model 204EHC-3 pump and a Nidec/US Motor 500 hp, 4160-volt in the amount of \$315,039

BC20240824DOC036

14. **FINANCIAL MANAGEMENT/MATERIALS AND SERVICES**

Authorized Purchasing Official, or designee, to allocate additional departmental budgeted funding to Agreement 18-R069672AEJ for Pest Control Services, approximately \$150,000

BC20240824DOC037

15. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized Purchasing Official, or designee, to execute Agreement 24-TA005325JH for Satellite Lift Station R&R Upper Manatee River Road, 2024 Group 1 and Group 2 with DeJonge Excavating Contractors, Inc., not-to-exceed amount of \$4,048,229.53, based on a construction completion schedule of 695 calendar days; and accept and date Public Construction Bond

BC20240824DOC038

17. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized Purchasing Official, or designee, to execute Agreement 24-TA005220CD with the following nine (9) firms: Ajax Paving Industries of Florida LLC; Asphalt Paving Systems, Inc.; C-Squared Certified General Contractor, Inc.; Gator Grading & Paving LLC; Gilliam Construction



LLC; Oneco Concrete & Asphalt, Inc.; Pavement Technology, Inc.; Superior Asphalt, Inc.; and Woodruff & Sons, Inc. BC20240824DOC039

18. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized Purchasing Official, or designee, to execute Amendment 1 for Agreement 23-R080813SAM with HDR Architecture, Inc., authorizing an additional amount of \$28,290 for a revised not-to-exceed amount of \$527,915 BC20240824DOC40

19. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized Purchasing Official, or designee, to execute Change Order 1 to Agreement 23-TA004588LP for Whitfield Country Club Heights Watermain Replacement with C-Squared Certified Contractors, Inc. authorizing an additional 226 calendar days to construction schedule BC20240824DOC041

20. **FINANCIAL MANAGEMENT/AGREEMENT**

- Authorized Purchasing Official, or designee, to execute Change Order 1 to Agreement 23-TA004589CD for Professional Utility Engineering Design Services for Buffalo Creek Reverse Osmosis Water Treatment Plant Project with McKim & Creed, Inc. in the amount of \$1,226,244.59 for a revised not-to-exceed amount of \$1,535,581.79; and
- Adopted Budget Resolution B-24-112 amending the annual budget for Manatee County, FL, for Fiscal Year (FY) 2024. This budget amendment adjusts the FY24-28 CIP BC20240824DOC042

21. **FINANCIAL MANAGEMENT/AGREEMENT**

- Authorized Purchasing Official, or designee, to execute Change Order 2 to Agreement 22-TA004318DJ with Harris-McBurney Company, for Southwest Water Reclamation Facility Stormwater System Rehabilitation, authorizing an additional 180 calendar days to construction schedule and an additional \$52,368.20 to construction amount; and
- Adopted Budget Resolution B-24-113 amending the annual budget for Manatee County, FL, for FY 24. This budget amendment adjusts the FY24-28 CIP BC20240824DOC043

22. **FINANCIAL MANAGEMENT/AGREEMENT**

- Authorized Purchasing Official, or designee, to execute Change Order 5 to Work Assignment 59 to Agreement 16-2334CD with Carollo Engineering, Inc., for Construction Phase Services for Lake Manatee Water Treatment Plant Filter Upgrade project in the amount of \$994,526.00, for a revised not-to-exceed amount of \$6,078,411.00; and
- Adopted Budget Resolution B-24-115 amending the annual budget for Manatee County, FL, for FY 24. This budget amendment adjusts the FY24-28 CIP BC20240824DOC044

23. **FINANCIAL MANAGEMENT/AGREEMENT**

- Authorized Purchasing Official, or designee, to execute GMP Addendum to Agreement 24-TA005354JK, North Regional Water Reclamation Facility Maintenance Building, with Wharton Smith, Inc., in the not-to exceed amount of \$927,122.10 with construction schedule of 330 calendar days, authorization to accept and date Public Construction Bond; and
- Adopted Budget Resolution B-24-114 amending the annual budget for Manatee County, FL, for FY 24. This budget amendment adjusts the FY24-28 CIP BC20240824DOC045




24. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized Purchasing Official, or designee, to execute GMP Addendum 1 to Agreement 24-TA005391RB with Halfacre Construction Company, for Bates Street and Hopkins Drive West. Watermain Loop Project, \$ \$689,963.75 BC20240824DOC046


25. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized Purchasing Official, or designee, to execute Guaranteed Maximum Price (GMP) Addendum to Agreement 24-TA005174LP, Construction Management at Risk Services for 75th Street West Improvements, with Halfacre Construction Company, not-to-exceed amount of \$1,890,379.03, with construction schedule of 160 calendar days, and accept and date the Public Construction Bond BC20240824DOC047
26. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized Purchasing Official, or designee, to execute Guaranteed Maximum Price (GMP) Addendum 2 to Agreement 21-R077666CD - Construction Management at Risk Services for Southeast Water Reclamation Facility Capacity Improvements with PCL Construction, Inc. in the not-to-exceed amount of \$45,813,739, with construction schedule of 1028 calendar days BC20240824DOC048
27. **NATURAL RESOURCES/GRANTS**  
Executed Grant Agreement WRP06 by Natural Resources Director, or designee, with Florida Department of Environmental Protection in the amount of \$272,709 BC20240824DOC049
28. **NATURAL RESOURCES/RESOLUTION**  
Adopted Resolution R-24-146, updating the Natural Resources Fee Schedule BC20240824DOC050
29. **NATURAL RESOURCES/RESOLUTION**  
Adopted Resolution R-24-157, authorizing Natural Resources Department to file a Long-Range Beach Erosion Control Budget Plan with Florida Department of Environmental Protection BC20240824DOC051
48. **NATURAL RESOURCES/GRANT**
- Authorized the submittal of the FDEP Grant to complete a Resiliency Adaptation Plan; and
  - Authorized the Chairman, the County Administrator, Deputy County Administrator, the Director of Natural Resources, any of their designee, and the Senior Grants Manager to execute all necessary subsequent documents related to the grant submission and all relevant documents required for grant administration BC20240824DOC052
30. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**  
Accepted and authorized recording of Permanent Utilities Easement from Fortress Investors Management LLC, for property located at 10210 Spruce River Way, Parrish BC20240824DOC053
31. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**  
Accepted and authorized recording of Permanent Utilities Easement from HCA Health Services of Florida, Inc., for property located at 6215 14th Street West, Bradenton BC20240824DOC054
32. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**  
Accepted Special Warranty Deed for Parcel 100 from Suburban Propane L.P., for property located at 6991 15th Street East, Sarasota, Florida 34243 (Whitfield Avenue East from 301 Boulevard to U.S. 301) BC20240824DOC055
33. **PROPERTY MANAGEMENT/CONTRACT**  
Executed Contract for Sale and Purchase for Permanent Easement from Gerald Adams for property located at 703 and 711 59th Avenue East, Bradenton, for the purpose of drainage and utilities improvements at Meadors Subdivision and Pennsylvania Avenue area for Bowlees Creek watershed in the amount of \$19,000 BC20240824DOC056
34. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**  
Executed and authorized recording of Notice of Termination of Declaration of Access Easements between Manatee County and SRQ 300 LLC, for property located at 21st Street East, Sarasota BC20240824DOC057


- 49. **PROPERTY MANAGEMENT/CONTRACT**  
Executed Addendum One to Contract for Sale and Purchase of Surplus Property between Manatee County and Sheriff Masry, for property located at 11106 Winding Stream Way, Bradenton, changing Paragraph 10A from Magnolia Title to Proof Title LLC BC20240824DOC058
  
- 35. **PUBLIC SAFETY/APPLICATON**  
Authorized applying for funding from Florida Department of Health, Division of Emergency Preparedness and Community Support for Mobile Integrated Health Model Communities Project (MIH-MCP) BC20240824DOC059
  
- 36. **PUBLIC WORKS/RESOLUTION**  
Adopted Resolution R-24-165, authorizing the Public Works Director to take necessary actions to enter into a Construction Agreement with Florida Department of Transportation for 63rd Avenue East and U.S. 301 intersection BC20240824DOC060
  
- 37. **PUBLIC WORKS/SURPLUS VEHICLES**  
Authorized classifying 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 BC20240824DOC061
  
- 38. **PUBLIC WORKS/SURPLUS PROPERTY**  
Authorized classifying 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 BC20240824DOC062
  
- 39. **UTILITIES/EMIENT DOMAIN**  
Declared that the County will not use its power of eminent domain to acquire title to any land comprising the 0.25 acre project site for the Master Lift Station 5 Electrical Room Upgrade; and authorized Chief Utilities Engineer and County Attorney to execute a Certificate of Eminent Domain and Attorney Verification on behalf of the County for an Economic Development Administration grant application regarding same BC20240824DOC063
  
- 40. **UTILITIES/AGREEMENT**  
Executed Joint Funding Agreement with U.S. Geological Survey (U.S.G.S.) for data collection at three stations (Manatee River near Myakka Head, Little Manatee River at Duette, and Manatee River at Rye Bridge). This agreement is for the period October 1, 2024 to September 30, 2027, in the amount of \$57,290 from Manatee County BC20240824DOC064  
(End Consent Agenda)

**COMMISSIONER AGENDA**


- 52. **STATUS OF HISTORICAL SITES TRANSFER** – Commissioner Kruse
  -  Commissioner Kruse noted there is still no clear path for transferring the historical parks from the Clerk of the Circuit Court to the County, and the transfer needs to be complete by October 1. None of the funds have been allocated, and he recommended transferring the parks back to the Clerk of the Circuit Court.
  
  -  A motion was made Commissioner Van Ostenbridge and seconded by Commissioner Ballard, to rescind the previous decision to transfer the Historical sites to the County, and revert the operation, management and oversight back to the Clerk of the Circuit Court, along with the budgetary funds.
  
  -  Discussion ensued that the County does not own the property at Manatee Village Historical Park, liability, the role of the non-profits, buildings are in disrepair, Palmetto

Historical Park and the Agricultural Museum, are owned by the City of Palmetto and the Historical Society, costs to run parks are on tax payers, no interlocal agreements or memorandums of understanding, concern with costs and liabilities, Cortez Village site is owned by the County, there isn't another county in Florida where historical site are under the management of the Clerk, County resources to obtain grants, Property Management can maintain the properties, the citizens support the Clerk being the manager of the parks, perform an audit on the management of the parks, and the Clerk has managed the parks for 40 years.

 Pamela D'Agostino, County Attorney, requested time to research the parks and liability.

 Phaedra Dolan, Historical Resources Director, Clerk of the Circuit Court, noted the Clerk's Office maintains the liability insurance on the properties owned by the Historical Societies, and the County has liability on the properties owned by the County.

Carol Felts noted there are other items that are bigger than the parks, but appreciates the reversion back to the Clerk.

 Glen Gibellina noted the parks were managed by the Clerk for 40 years and supports the motion.


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

The motion carried 6-0.

BC20240824DOC065

51. **PARKING GARAGE DESIGN WORK** – Commissioner Kruse  
Commissioner Kruse noted design has not been completed and suggested tabling the items.

A motion was made by Commissioner Van Ostenbridge, and seconded by Commissioner Kruse to table any further expenditures on the parking garages at Premier Sports, the Convention Center, and the Island.

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


Jacob Erickson, Purchasing Official noted a Request for Qualification (RFQ) was released, and he recommended direction to end negotiations be added to the motion.

Commissioner Van Ostenbridge, motioner, amended the motion to suspend the RFQ. Commissioner Kruse as seconder agreed to the amendment.


The amended motion carried 6-0.


BC20240824DOC066


53. **SOCIAL MEDIA COMMENTING** – Commissioner Kruse

 Commissioner Kruse requested direction to turn on social media comments, for the time being until there is another way to communicate with citizens.

Discussion ensued that the social media posts are meant to be a place for delivering information, but not a place for comments, stopping comments was to protect staff, there is value to turning the comments on especially during an emergency event, important to have someone monitoring the comments, hide doxing and negative comments, and agree to turning comments back on.


 Pamela D'Agostino, County Attorney, stated there is a social media policy, and she recommended reviewing the procedure, prior to turning comments back on. There should be a policy in place regarding hiding and deleting comments, because they violate the policy. She requested an opportunity to review the policy created in 2019, but needs to take current law into consideration.

 A motion was made by Commissioner Ballard, and seconded by Commissioner Bearden to have the County Attorney look at the policy and bring it back a recommendation to the Board to turn social media commenting back on.

 Discussion ensued to bring back call-in public comment, and surrounding counties have comments on their posts.


Pamela D'Agostino, County Attorney recommended the motion read to direct the County Attorney in cooperation with County Administration to examine existing social media procedure and bring that or a new policy back to the Board to turn social media comments back on.


Commissioners Ballard and Bearden agreed to the clarified motion as presented by Ms. D'Agostino.


 Discussion ensued regarding surrounding counties have their social media comments on, and all commissioners have their own pages with comments on.

 Charlie Bishop, County Administrator, noted there is a meeting scheduled to discuss this.


Discussion continued regarding allowing staff to comment when needed, and ensure the policy allows for the deletion of doxing and negative comments.

 It was requested the County Attorney bring this item back at the next meeting.

 Chris Whittaker addressed fake accounts and pages that are active.

 Carol Felts stressed the importance of communication and what should be on social media pages.

 Glen Gibellina requested turning comments back on social media posts, and agreed disparaging remarks should be removed.

 Dalton Nelson stated names, addresses, and phone numbers are public record.

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

The motion carried 6-0.

A motion was made by Commissioner Ballard and seconded by Commissioner Kruse to reinstate call-in comments during Commissioner meetings.

 Glen Gibellina and Carol Felts supported bringing back call-in comments.

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

BC20240824DOC067

Following a brief discussion, the motion carried 6-0.

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

41. **DEVELOPMENT SERVICES/LOCAL DEVELOPMENT AGREEMENT**


A duly advertised public hearing was opened to consider execution of Local Development Agreement, LDA-23-02 for SM Ranch.

A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Bearden, and carried 6-0 to continue the public hearing for LDA-23-02, Local Development Agreement for SM Ranch, to September 10, 2024.

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


BC20240824DOC068

42. **DEVELOPMENT SERVICES/LOCAL DEVELOPMENT AGREEMENT**

 A duly advertised public hearing was held to consider execution of Local Development Agreement Execution of LDA-24-01, for Newport Isles.

Rachel Layton, Deputy Director, provided a brief description of the item.

There were no ex parte communications.

 Jane Zappery expressed concern regarding flooding in the area due to development.

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


Ms. Layton noted staff will reach out to the citizen.

 Charlie Bishop noted Code Enhancement will visit the site.

A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Bearden, and carried 6-0, to execute LDA-24-01, Local Development Agreement for Newport Isles.

BC20240824DOC069

43. **PUBLIC SAFETY/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Ordinance 24-82, amending Article II of Chapter 2-13 of the Manatee County Code of Ordinances relating to disaster Emergency Management Powers.

Matthew Myers, Public Safety Deputy Director, reviewed the ordinance.


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

A motion was made by Commissioner Turner, seconded by Commissioner Ballard, and carried 6-0 to, adopt Ordinance 24-82, amending Article II of Chapter 2-13 of the Manatee County Code of Ordinances relating to disaster Emergency Management Powers.

BC20240824DOC070

44. **COUNTY ADMINISTRATOR/METROPOLITAN PLANNING ORGANIZATION (MPO)**

 Ryan Brown, Deputy Director, Sarasota Manatee MPO, was available for questions.


 Nominations - Unincorporated Seat  
Keith Green by Commissioner Van Ostenbridge

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

A motion was made by Commission Van Ostenbridge and seconded by Commissioner Bearden to appoint Keith Green to the MPO. BC20240824DOC071

50. **COUNTY ATTORNEY/CONTRACT**

Pamela D’Agostino, County Attorney, explained there are 17 outside council contracts.

 A motion was made by Commissioner Ballard and seconded by Commissioner Van Ostenbridge to approve and ratify all current and existing contracts for services executed by the prior County Attorney and all those acting on their behalf nunc pro tunc.


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

The motion carried 6-0.

Ms. D’Agostino reviewed policy, and explained the need for this authorization the County Attorney Ordinance needs to be revised.

A motion was made by Commissioner Turner and seconded by Commissioner Kruse to authorize and delegate to the County Attorney the authority to approve and execute contracts for services deemed by the County Attorney as necessary to address the County’s legal needs including, but not limited to, contracts for special, conflict, or outside counsel, or law firms; contracts for expert witnesses or consultants; contracts for appraisal services, court reporter or transcription services; contracts for mediators or mediation services; and contracts for similar persons or firms.

Glen Gibellina expressed concern regarding the need for transparency and a limit to funds paid.


 Discussion ensued regarding there is a budget for outside services, and if the County Attorney needs more funds, she must request additional funding at a meeting.

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


 The motion carried 6-0. BC20240824DOC072

45. **NATURAL RESOURCES/BEACH PROGRAM**

 Charlie Hunsicker, Natural Resources Director, provided an update on beach renourishment projects.

 Thomas Pierro, Senior Project Manager and Principle Engineer, Coastal Professional Engineering, used a slide presentation to review comprehensive coastal services, critically eroded beaches in Florida, island wide coastal process, Longboat Pass, complex inlet process, engineering solutions to address erosion, series of nourishment events that occur over a period of time, sand has to be beach compatible, beach construction, Manatee’s program, 6.8 million cubic yards of sand since 1992 in Manatee County, three project locations on Anna Maria Island, sand source locations, Coquina Beach history, existing local structures, Coquina Beach stabilization project, remove deteriorated groins, and stabilization, mitigation reefs, breakwaters, Longboat pass jetty rehabilitation, mitigation artificial reef, new recreational

snorkel reef, Gulf Drive stabilization, impacts from Hurricane Idalia, central beach project assessment, and Coquina Beach impacts qualify for Federal Emergency Management Agency (FEMA) funds.

 Mr. Hunsicker continued the slides to review ongoing efforts by the State and FEMA, federal programs will provide 100 percent for damages caused by Hurricane Idalia, \$20 million in federal funding, docking issues at Anna Maria City Pier, and Wares Creek had flooding issues, and there was no flooding in residences after the Army Corp of Engineers fixed the issues. He noted the projects are fully funded. In the last three months, the Army Corp. studied the original documents from the 1990s, and found the allowances for the easements obtained, and they still meet requirements for public access.

BC20240824DOC073


**COMMISSIONER COMMENTS**

Commissioner Bearden

- Noted there is a Junior Commissioner program in other Counties and sought the Board's opinion on establishing this in Manatee County.


(Continued from earlier in the meeting)

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

 Glen Gibellina submitted comments and expressed concern regarding citizen comments on the Consent Agenda, and Sunshine Laws.

BC20240824DOC074

Charlie Morris expressed concern regarding flooding.

 Chris Whittaker submitted documentation and photographs of historic flooding on the Manatee River.

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

**ADJOURN**

There being no further business, Chairman Rahn adjourned the meeting at 12:39 p.m.

Minutes Approved: September 24, 2024