

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COUNTY ADMINISTRATION BUILDING, HONORABLE PATRICIA M. GLASS CHAMBERS  
1112 Manatee Avenue West  
Bradenton, Florida  
September 10, 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 the meeting)

District 1 seat is vacant.

Present were:

Charlie Bishop, County Administrator  
Pamela D'Agostino, 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 Mark Gibbens, Mill Creek Baptist Church.

### **PLEDGE OF ALLEGIANCE**



The Pledge of Allegiance was led by Charles Harmon Cook, U.S. Army Reserves Medical Services Corps Veteran.

### **AGENDA**

Revised Agenda Update and Agenda Update Memorandum (dated 9/9/24)

BC20240910DOC001

BC20240910DOC002

- Item 40, Storm Recovery Resources – Added to Agenda
- Item 41, Manatee County Summer 2024 Intern Program Project Presentation by Katelyn Bryant, Public Works Department – Added to Agenda
- Item 42, Adult Education and Family Literacy Week Proclamation – Added to Agenda
- Citizen Comments - Written Correspondence was submitted
- Item 43, Approval of Revised 2024 Board of County Commissioners Meeting Schedule – Added to agenda to:
  - Cancel the Work Session dates of September 17, 2024, October 1, 2024, and October 15, 2024;
  - Update the work session on November 19, 2024, from a work session to the Swearing in Ceremony for the newly-elected County Commissioners; and
  - Change the start time for the regular meeting on October 8, 2024, from 9:00 a.m. to 1:30 p.m., accommodate the Port Authority Meeting at Port Manatee, which is set to begin at 9:00 a.m.
- Item 13, Authorize Financial Advisor to circulate a Request for Proposals (RFP) on the County's behalf to accomplish debt issuance for Advanced Metering Infrastructure (AMI) for the County's Public Utilities System – Continued to September 24, 2024 BC20240910DOC003
- Item 14, Authorize Financial Advisor to circulate a Request for Proposals (RFP) on the County's behalf to accomplish a debt issuance for refunding the Public Utilities Revenue Refunding and Improvement Bonds, Series 2015, and to accomplish debt issuance for General Government for related capital projects


- This agenda item was updated with revised language (in strikethrough/underline format) for the Title and Action Requested, and Background Discussion (see revised cover sheet): Authorize Financial Advisor to circulate a Request for Services Proposals (RFP) on the County's behalf to accomplish a debt issuance for refunding the Public Utilities Revenue Refunding and Improvement Bonds, Series 2015 ~~and to accomplish debt issuance for General Government for related capital projects~~
- Item 16, Execution of Agreement between Manatee County and Solutions to Avoid Red Tide, Inc. (S.T.A.R.T.) to provide funding for Red Tide Education and Research
  - This agenda item was updated with revised language (in strikethrough/underline format) for the Background Discussion: Manatee County has been providing funding to Solutions to Avoid Red Tide, Inc. (S.T.A.R.T.) continuously on an annual basis. As approved in the ~~FY2023~~ FY2024 Adopted Budget, \$9,500 will be used for education outreach and public informational materials which will include web hosting services for S.T.A.R.T, clams for seeding as part of clam restoration efforts in Manatee County, S.T.A.R.T. brochures, pond flyers, performing Public Service Information announcements, presentations to governmental officials, various special events and projects
- Item 31, Adoption of Resolution R-24-169, authorizing Public Works Director to execute a Maintenance Agreement with State of Florida Department of Transportation (FDOT), for the Upper Manatee River Road Project (from S.R. 64 to 10th Avenue East)
  - This agenda item was moved from Property Management to Public Works, and the Action Requested and Resolution R-24-169 were updated to reflect signature by the Chairperson instead of Public Works Director
    - Action Requested - Adoption of Resolution R-24-169 to authorize the ~~Public Works Director~~ Chairperson or his designee to take necessary actions to enter into a Maintenance Agreement with FDOT for the Upper Manatee River Road Project (from S.R. 64 to 10th Avenue East), which is within the FDOT Right-of-Way
    - Resolution R-24-169 - A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, APPROVING A MAINTENANCE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF THE UPPER MANATEE RIVER ROAD FROM S.R. 64 TO 10TH AVENUE EAST AND AFFIRMING AUTHORIZATION FOR THE ~~PUBLIC WORKS DIRECTOR~~ CHAIRPERSON TO EXECUTE THE AGREEMENT ON ITS BEHALF; MAKING RELATED FINDINGS; AND PROVIDING AN EFFECTIVE DATE
- Item 45, Execution of the Amended and Restated Reimbursement Agreement with Manatee Land Investors LLC for Transportation and Utilities Improvements - Added to Agenda
- Item 37, Authorization to Write-off Bad Debts of the Utilities Department for FY 23 (Q2-Q4) & FY 24
  - This agenda item was revised (in strikethrough/underline format) including the Title and Action Requested:
  - Title - Authorization to Write-off Bad Debts of the Utilities Department for ~~FY 23 (Q2-Q4) & FY 24~~
  - Action Requested - Authorization to write-off bad debts of the Utilities Department not to exceed ~~\$100,402.03~~ \$720,177.78 in Fund 401 (Potable Water/Wastewater), and \$36,295.94 ~~299,115.62~~ in Fund 480 (Solid Waste)
- Item 39, Execution of LDA-23-02, Local Development Agreement for SM Ranch - PLN2306-0507 - Quasi-Judicial - Rachel Layton, AICP, Planning Division Manager/Impact Fee Administrator; and Adoption of Budget Amendment Resolution B-24-109
  - This agenda item was continued to September 26, 2024 (Public hearing opened later in the meeting for public comment) BC20240910DOC004
- Item 44, Social Media Policy to Allow Public Comments - Added to Agenda  
Update Email (dated 9/10/24) BC20240910DOC005

- Item 33, Execution of the Amendment to the Interlocal Agreement regarding Law Enforcement Services – This agenda item was updated to correct the funding amount in Section 2.3 of the Interlocal Agreement to seven thousand eighty-three dollars and thirty-three cents (\$7,083.33)


**CONSENT AGENDA – ITEMS PULLED BY COMMISSIONERS**


 Item 6 – Pulled by Commissioner Van Ostenbridge later in the meeting


**AWARDS AND PRESENTATIONS**


1.  September Employee of the Month was presented to Ian McNair, IT Specialist, Information Technology Department. BC20240910DOC006

40. **STORM RECOVERY RESOURCES**


 Matt Myers, Chief of Emergency Management, presented slides on damage assessment to residential and business properties, for an estimated loss is \$56,258,095, Manatee County is Federally declared for Categories A-G, affected areas and debris, individual assistance with 2,863 registrations, Housing Assistance and Other Needs Assistance dollars, Disaster Recover Center and hours of operation at Lakewood Ranch Library, FEMA Assistance contact information. Small Business Recovery Center and hours of operation at Rocky Bluff Library, and Activate HOPE help online.

 Jodie Fiske, Public Safety Director, explained Activate HOPE assists citizens on their needs based on what their impacts were. A QR Code in the Lobby can be scanned, which will provide all contact information associated with Hurricane Debby.

 Casey Zempel, Communications Manager, stated the [www.mymanatee.org/storm](http://www.mymanatee.org/storm) site is updated with the latest information on storm recovery resources.


 Discussion ensued that if people would like to apply for individual assistance thru FEMA, deadline for applications to FEMA is five weeks for assistance on flood insurance, and Activate HOPE is another very good resource. BC20240910DOC007


41. **MANATEE COUNTY SUMMER 2024 INTERN PROGRAM PROJECT**


 Kate Barnett, Human Resources Director, utilized a slide presentation to highlight the Summer 2024 Intern Program, comprised of six departments hosting ten interns. She explained how interns were found. BC20240910DOC008


(Enter Commissioner Van Ostenbridge)

**PROCLAMATIONS**


 A motion was made by Commissioner Ballard, seconded by Commissioner Van Ostenbridge, and carried 6-0, to approve the following Proclamations:










2.  Proclamation designating September 2024, as Attendance Awareness Month was accepted by Karen Windon on behalf of The Suncoast Campaign for Grade-Level Reading, The Patterson Foundation. BC20240910DOC009

3.  Proclamation designating September 17-23, 2024, as Constitution Week was accepted by Manatee Chapter National Society Daughters of the American Revolution. BC20240910DO0010

- 4.  Proclamation designating September 2024, as National Deaf Awareness Month was accepted by Carmine DeMilio, Deputy Director, Property Management. BC20240910DOC011
  
- 42. Proclamation designating September 16-20, 2024, as Adult Education and Family Literacy Week was accepted by Sharon Bonney, Executive Officer, Coalition of Adult Basic Education.


Commissioner Bearden asked the County Administrator to reach out to this organization for assistance that is needed. BC20240910DOC012

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

-  Dena Sabou commented on the timeline of the animal shelter, air conditioners in the shelter are neglected, and animals must be housed in a more humane way.
  
-  Patricia Simmons stated the new Palmetto Marriott Resort has no handicap parking.
  
-  Joyce Jordan displayed a photo of temperatures in the animal services facility. Staffing continues to be an issue and there are not enough volunteers.
  
-  Dean Matt stated the University Park Recreation District meetings are not being held in accordance with Florida Statutes.
  
-  Christopher Whittaker questioned why the mechanical gates at Lake Manatee Dam did not function during Hurricane Debby and asked when they will be repaired; why development is still occurring in flood-prone areas, and commented about the 50-foot wetland buffer policy.
  
-  Dalton Nelson questioned why the County is using outdated development plans, why stormwater drainage ditches are not kept cleared, and requested a temporary moratorium on all new development until the flooding problem is resolved.
  
-  Dan Cohn, Sunshine Puppies, distributed information, addressed misleading attacks by the media about his facility, and encouraged Commissioners to take an unscheduled tour.
  
-  Matt Bower asked the Board to restore the 50-foot wetland buffer. The County is seeking \$250,000 of attorney fees from the lawsuit on wetland policy with former Commissioner Joe McClash, there is no reason to spend tax dollars, and he requested the lawsuit be dismissed.
  
-  Keith Green thanked Manatee County and the City of Bradenton for their involvement in yesterday's 911 Memorial Ceremony.

By telephone, Charlene Kow requested the ability to review last minute agenda items.


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

 There was discussion regarding the Palmetto Marriott Resort in is within City of Palmetto's jurisdiction and the County does not have authority to intervene, very sad conditions at the animal shelter, new kennels at the jail, Commissioner Kruse has no intention to collect the \$250,000 from Joe McClash, and Commissioner Turner opined the money should be collected as court costs and taxpayer dollars are involved. BC20240910DOC013


LAWSUIT SETTLEMENT – JOE MCCLASH

Motion – Reverse the \$250,000 McClash Lawsuit Settlement Fee (50-foot Wetland Buffer)


 A motion was made by Commissioner Bearden, to reverse the \$250,000 in attorney's fees for Joe McClash. The motion was seconded by Commissioner Kruse.

 Pam D'Agostino, County Attorney, stated the County Attorney's office is pursuing attorney's fees; however, no actual fee amount has been set, because that must be approved in Court. The Board can instruct the County Attorney's office if they do not want to pursue attorney's fees, and an amount does not need to be set.


Motion Rephrased


 Ms. D'Agostino rephrased the motion to direct the County Attorney not to pursue legal fees in this matter.


Commissioners Bearden and Kruse agreed to the rephrased motion.


 Discussion continued this action will set a bad precedence for the County to be held hostage by frivolous lawsuits, ability to collect attorney fees from citizens makes it difficult for citizens to have a voice, Commissioner Ballard is not ready to ask the County Attorney's office today to not collect the fees and will not vote for the motion, Commissioner Kruse stated this lawsuit was done in good faith, Mr. McClash represented himself, citizens agree with Mr. McClash, the County should have used inside counsel, and the Board will not weaponize outside, third-party counsel.


Subsequent Motion – Defer Any Future Expenditures


 If the motion on the floor fails, Commissioner Kruse made a subsequent motion to defer any future expenditures that we have, or Mr. McClash has until after November 19. There being no second, the motion died.

 Discussion ensued the County is steward of tax dollars and a frivolous lawsuit was filed against the County, the lawsuit cost taxpayers \$250,000, give the County Attorney the chance to recoup taxpayer money, and it is the County's responsibility to collect those dollars.


 Ms. D'Agostino clarified the procedural status of the case. It is the decision of the Board to instruct the County Attorney not to pursue attorney's fees in this case, or recommend an appropriate settlement amount.

 Chairman Rahn stated he did not want to limit the County Attorney's office to aggressively defend the County in every case, regardless of the case and the ability to do their job.

 Commissioner Van Ostenbridge stated a decision does not need to be made today. The Board could allow the County Attorney's process to run its course and ultimately, the Board could accept or decline a settlement at a later date.

 Ms. D'Agostino stated the hearing is scheduled for October 15. The Board is not required to make a decision today.


Motion - Failed – Reverse \$250,000 Lawsuit Settlement Fee

 The motion failed 2 to 4, with Commissioners Ballard, Rahn, Turner, and Van Ostenbridge voting nay.

Motion – Reverse 50-foot Wetland Buffer


 A motion was made by Commissioner Bearden, to reverse the policy to go back to the 50-foot buffer. The motion was seconded by Commissioner Kruse.


Motion Revised – 50-foot Wetland Buffer


 The County Attorney advised this is not something the Board can do overnight. She recommended the motion be revised to instruct staff to bring back an appropriate amendment to the Land Development Code to modify the buffer.


Commissioner Bearden so moved the motion as revised. The motion was seconded by Commissioner Kruse.

Motion Clarified – 50-foot Wetland Buffer

 Ms. D’Agostino clarified the motion to instruct County Administration to bring back the appropriate amendment to the Code to put the buffer back to what it used to be.


 Denise Greer, Deputy Director, Development Services, explained what was changed in the Land Development Code was to match the Southwest Florida Water Management District (SWFWMD) buffer requirement. Staff could offer more information before the Board proceeds with that language. The change on flood requirements was made in the Comprehensive Plan, but not in the Land Development Code.

 Chairman Rahn recommended this topic be discussed in a workshop with staff, citizens, landowners, and the development industry before formal action is taken.

 Commissioner Kruse agreed with the motion clarified by the County Attorney.


Motion – Revert the Comprehensive Plan Amendment (50-foot Wetland Buffer)


 Camilo Soto, Assistant County Attorney, stated the intent of the Board would be to direct staff to revert the Comprehensive Plan Amendment to the way it was prior to its adoption.

 Upon question by Commissioner Van Ostenbridge to the County Attorney, if this exposes the County to litigation, Ms. D’Agostino stated she was not prepared to answer that question.


Motion – Explore Amendment to the Comprehensive Plan


 Mr. Soto suggested to direct staff to explore an Amendment to the Comprehensive Plan, reverting the relevant Comprehensive Plan section to the way it was prior to action taken.


 There was brief discussion the motion is not reality, the Land Development Code has not been changed, and, only the Comprehensive Plan has been changed so this is not an appropriate motion.


 Rachel Layton, Development Services, suggested that instead of the Land Development Code, that the motion read Comprehensive Plan, with the remaining motion unchanged.

Motion Reworded – Reverse 50-foot Wetland Buffer

 Commissioner Bearden reworded his motion to direct staff to bring back the appropriate amendment to the Comprehensive Plan to put the buffer back the way it used to be. Commissioner Kruse agreed.


 Matt Bower stated the issue is straightened out with this particular motion. As to the previous item regarding the McClash lawsuit, he stated that Mr. McClash did not lose the lawsuit; Mr. McClash dismissed the lawsuit, because it became too much of a financial liability.


 By telephone, Charlene Kow commented about the motion regarding the 50-foot wetland buffer and the McClash lawsuit.

 By telephone, Mark VanDeRee, Waterline Road Preservation Group, agreed with the motion to revert back to the original 50-foot wetland buffer. The McClash lawsuit was to appeal a land use decision that was developer backed to prevent citizens from challenging a land use decision.

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

Vote – Motion Reworded by Commission Bearden

 The motion reworded by Commissioner Bearden, and seconded by Commissioner Kruse, carried 6-0.

 There being no public comment on the motion that failed, Chairman Rahn closed public comment.

Mr. Bower emphasized Mr. McClash was not suing the County for money; he invested his own time and money to achieve the action taken today.


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

RECESS/RECONVENE: 11:07 a.m. – 11:21 a.m. All Commissioners were present.

CONSENT AGENDA


Consent Agenda – Items Pulled By Commissioners

(Continued from earlier in the meeting)

 Item 6 – Pulled by Commissioner Van Ostenbridge

Citizen Comments (Consent Agenda Only)

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

 A motion was made by Commissioner Van Ostenbridge and seconded by Commissioner Ballard, to approve the Consent Agenda, with the changes incorporated in the Agenda Update Memorandum, with deletion of Item 6 (separate action). The motion carried 6-0.

5. CLERK’S CONSENT CALENDAR

BC20240910DOC014

A. **MINUTES**

Approved the Minutes of August 13, 15, and 22, 2024

B. **REFUNDS**

Approved:

- 1. Pope Golf LLC – Billing Adjustment, \$3,792.81 BC20240910DOC015
- 2. CC 301 Manatee Business Center LLC – Impacts Fees Reimbursement, \$305,913.13 BC20240910DOC016
- 3. Habitat for Humanity – Impact Fees Reimbursement, \$74,260 BC20240910DOC017
- 4. Robin S. Birney – Billing Adjustment, \$1,916.94 BC20240910DOC018
- 5. Homes by West Bay LLC – Sewer Facility Investment Fees, \$5,593 BC20240910DOC019



6. Island Village – Billing Adjustment, \$7,114.08 BC20240910DOC020

**C. REPORTS**

Accepted:

- 1. Waterlefe Community Development District (CDD) – Proposed FY24/25 Budget BC20240910DOC021
- 2. Housing Finance Authority – Proposed FY24/25 Budget BC20240910DOC022
- 3. Harrison Ranch CDD – Proposed FY24/25 Budget BC20240910DOC023

**D. BONDS**

Accepted:

- 1. Waste Management Inc. of Florida
  - Bond PB080004 extended from October 1, 2023, to September 30, 2025, subject to all other provisions, conditions and limitations of said bond, upon the express condition that Surety's liability during the original term of said bond, and during any extended term shall not be cumulative and shall in no event exceed the amount of \$5,000,000 BC20240910DOC024
- 2. Waste Pro of Florida, Inc.
  - Bond 800017428 in the sum of \$5,000,000, extended from October 1, 2024, to October 1, 2025, regardless of the number of extensions for addition terms and number of premiums, which shall be payable or paid, the liability of the Surety hereunder shall not be cumulative from year to year nor period to period BC20240910DOC025
- 3. Rye Crossing
  - Accepted and executed Surety Bond (Defect) 3403625, in Conjunction with Surety Bonds (Attachment A) as Defect Security Warranting Required Improvements securing earthwork, potable water, paving, and miscellaneous improvements, \$104,979 BC20240910DOC026
- 4. Rye Wilderness, Phases IV-B & IV-C
  - Released Agreement in Conjunction with Surety Bonds (Attachment A) as Defect Security Warranting Required Improvements securing public infrastructure improvements, \$39,231.40;
  - Released Agreement in Conjunction with Surety Bonds (Attachment A) as Defect Security Warranting Required Improvements securing public infrastructure improvements, \$91,688.05;
  - Released Agreement in Conjunction with Surety Bonds (Attachment A) as Defect Security Warranting Required Improvements securing public infrastructure improvements, \$47,597.80;
  - Released and returned Surety Bond (Defect) 1001059029 and any associated riders, \$39,231.40;
  - Released and returned Surety Bond (Defect) SNN4006903 and any associated riders, \$91,688.05; and
  - Released and returned Surety Bond (Defect) 016213632 and any associated riders, \$47,597.80 BC20240910DOC027
- 5. Buckhead Trails, Phase III
  - Released and returned Surety Bond (Performance) 800151532 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$8,248,755.80;
  - Released and returned Surety Bond (Performance) 800151534 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$558,229;
  - Accepted and executed Surety Bond (Defect) 59BSBJF1483, securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Public Improvements, accepted by Board of County Commissioners April 4, 2024, securing public infrastructure improvements, \$373,912.24;



- 6. Accepted and Executed Bill of Sale BC20240910DOC028  
Buckhead Trails, Phase IA
  - Released and returned Surety Bond (Performance) 21BSBJB4539 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$3,433,069.22;
  - Released and returned Surety Bond (Performance) 21BSBJB4540 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$378,596.95;
  - Accepted and executed Surety Bond (Defect) 21BSBJE6382, securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Public Improvements, accepted by Board of County Commissioners May 2, 2024, securing public infrastructure improvements, \$157,597.57;
- 7. Accepted and Executed Bill of Sale BC20240910DOC029  
Buckhead Trails, Phase IB
  - Released and returned Surety Bond (Performance) 30208620 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$2,364,489.95;
  - Released and returned Surety Bond (Performance) 0848399 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$228,739.25;
  - Accepted and executed Surety Bond (Defect) 59BSBJF1485, securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Public Improvements, accepted by Board of County Commissioners April 4, 2024, securing public infrastructure improvements, \$117,365.34;
- 8. Accepted and Executed Bill of Sale BC20240910DOC030  
Buckhead Trails, Phase IIA
  - Released and returned Surety Bond (Performance) 21BSBJB4543 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$6,360,550.44;
  - Released and returned Surety Bond (Performance) 21BSBJB4545 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$621,446.67;
  - Accepted and executed Surety Bond (Defect) 21BSBJE6385, securing Section 1.5 Maintenance, Defects of Agreement for Private Subdivision with Public Improvements, accepted by Board of County Commissioners April 4, 2024, securing public infrastructure improvements, \$345,132.16;
- 9. Accepted and Executed Bill of Sale BC20240910DOC031  
Buckhead Trails, Phase IIA (Bending Creek Trail)
  - Released and returned Surety Bond (Performance) 5370878 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$4,840,207; and
  - Release and returned Surety Bond (Performance) 5370877 and any associated riders in conjunction with performance portion of Agreement for Public Subdivision, \$659,199.58 BC20240910DOC032
- 10. Willow Walk, Phase IB
  - Released Agreement in Conjunction with Surety Bonds (Attachment A) as Defect Security Warranting Required Improvements securing public infrastructure improvements, \$60,852.19; and
  - Released and returned Surety Bond (Performance) 1164831 and any associated riders, \$60,852.19 BC20240910DOC033

7. **DEVELOPMENT SERVICES/REIMBURSEMENT AGREEMENT**  
Executed Reimbursement Agreement between Bradenton Area Economic Development Corporation and Manatee County for FY24/25 BC20240910DOC035
8. **DEVELOPMENT SERVICES/LAND USE RESTRICTION AGREEMENT**  
Executed Land Use Restriction Agreement (LURA) with Advanta IRA Services LLC (Steven Dutoit IRA 8003882/Owner) and William Manfull (Developer), for a Single-Family Affordable Housing Unit located at 2206 53rd Avenue East, Bradenton BC20240910DOC036
9. **DEVELOPMENT SERVICES/LAND USE RESTRICTION AGREEMENT**  
Executed LURA with Blue Azure LLC (William Manfull, Owner/Developer), for a Single-Family Affordable Unit located at 1211 30th Avenue West, Bradenton BC20240910DOC037
10. **DEVELOPMENT SERVICES/LAND USE RESTRICTION AGREEMENT**  
Executed LURA with Advanta IRA Services LLC (Steven Dutoit IRA 8003882/Owner), and William Manfull (Developer), for a Single-Family Affordable Housing Unit located at 5310 22nd Street Court East, Bradenton BC20240910DOC038
11. **DEVELOPMENT SERVICES/LAND USE RESTRICTION AGREEMENT**  
Executed LURA with Blue Azure LLC (William Manfull, Owner/Developer), for a Single-Family Affordable Unit located at 1227 30th Avenue West, Bradenton BC20240910DOC039
12. **FINANCIAL MANAGEMENT/BUDGET AMENDMENT RESOLUTION**  
Adopted Budget Amendment Resolution B-24-119 BC20240910DOC040
14. **FINANCIAL MANAGEMENT/REQUEST FOR SERVICES**  
Authorized Financial Advisor to circulate a Request for Proposals (RFP) on the County's behalf to accomplish a debt issuance for refunding Public Utilities Revenue Refunding and Improvement Bonds, Series 2015 BC20240910DOC041
15. **DEVELOPMENT SERVICES/REQUEST FOR SERVICES**  
Authorized Financial Advisor to circulate an RFP on the County's behalf to accomplish a debt issuance for General Government regarding Capital Projects BC20240910DOC042
16. **DEVELOPMENT SERVICES/AGREEMENT**  
Executed Agreement with Solutions to Avoid Red Tide, Inc. (S.T.A.R.T.), to provide funding for Red Tide Education and Research, in an amount not to exceed \$9,500 BC20240910DOC043
17. **DEVELOPMENT SERVICES/AGREEMENT**  
Authorized Purchasing Official, or designee, to execute Agreement 24-R084762TC for Right-of-Way Tree Trimming Services with: Brightview Landscape Services, Inc.; Mid Florida Tree Service, Inc.; Olive Branch Enterprises of FL, Inc.; Rick Richards, Inc.; and Spruce Point Partners LLC, dba Monster Tree of Sarasota BC20240910DOC044
18. **DEVELOPMENT SERVICES/AGREEMENT**  
Authorized Purchasing Official, or designee, to execute Change Order 2 to Agreement 22-TA004046RP, Bayshore Yacht Basin Relocation and Force Main Replacement, authorizing an additional 60 calendar days to construction schedule, which changes the final completion date from June 1, 2024, to July 31, 2024 BC20240910DOC045
19. **DEVELOPMENT SERVICES/AGREEMENT**
  - Authorized Purchasing Official, or designee, to execute GMP Addendum to Agreement 24-TA005332JK for Construction Management at Risk Services for 69th Street East and

Erie Road – Southbound Turn Lane with Woodruff and Sons, Inc., not-to-exceed amount of \$516,257.83;

- Accepted and dated Public Construction Bond; and
- Adopted Budget Resolution B-24-118, amending the annual budget for FY24

This budget amendment adjusts the FY24-28 CIP

BC20240910DOC046

20. **NATURAL RESOURCES/WRITE-OFF BAD DEBT**

Authorized Natural Resources Department to Write Off Bad Debt totaling \$169.10

BC20240910DOC047

21. **NATURAL RESOURCES/AGREEMENT/ANNA MARIA ISLAND BEACH NOURISHMENT**

Executed Amendment 2 to Florida Department of Environmental Protection (FDEP) Agreement 21ME1, Anna Maria Island Beach Renourishment (Non-Federal) Project, revising reimbursement period from January 1, 2026, to December 31, 2026; increase funding amount by \$225,000, to total \$3,752,550; and, revise Special Terms and Conditions as well as the Grant Work Plan

BC20240910DOC048

22. **NATURAL RESOURCES/AGREEMENT/ANNA MARIA ISLAND BEACH NOURISHMENT**

Executed Amendment 2 to FDEP Agreement 23ME2, Anna Maria Island Beach Nourishment Project, to increase funding by \$1,679,200, and extend expiration date of the Agreement to December 31, 2027

BC20240910DOC049

23. **NATURAL RESOURCES/AGREEMENT/ANNA MARIA ISLAND SHORE PROTECTION**

Executed Amendment 3 to FDEP Agreement 20ME1 Anna Maria Island Shore Protection Project, to increase funding by \$62,950, for a total funding amount of \$3,603,125, and extend the Agreement for a 12-month period, to September 30, 2026

BC20240910DOC050

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

Accepted and authorized recording of Permanent Utilities Easement from Swift Holdings LLC, for property located at 24th Court East, Sarasota, required to receive Certificate of Occupancy

BC20240910DOC051

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

Accepted and authorized recording of Permanent Utilities Easement from Ken Burton, Jr., Manatee County Tax Collector, for property located at 10705 Technology Terrace, Bradenton, to receive Certificate of Occupancy

BC20240910DOC052

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

Accepted and authorized recording of Special Warranty Deed from LF Manatee LLC, for property located on 75th Street West, Bradenton, as part of a future planned development

BC20240910DOC053

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

Accepted and authorized recording of Warranty Deed from KB Home Tampa LLC, for property located at 3111 Canberra Place, Palmetto, required to install a mast arm to create a signalized intersection at Ellenton Gillette Road – Mendoza Road (37th Street East)

BC20240910DOC054

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

Accepted recorded Warranty Deed from Edward C. Peterson, for property located at 611 Casabella Drive, Bradenton (Parcel 140), for proposed improvements to 75th Street West

BC20240910DOC055


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

Accepted recorded Warranty Deed from John E. Angelo and Keri Behrens Angelo, for property located at 5200 17th Street West, Palmetto, related to the purchase of Emerson Point Expansion property

BC20240910DOC056

- 30. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**  
Accepted Warranty Deed and Temporary Construction Easement from East Manatee Fire Rescue District, for property located at 26636 S.R. 70 East, Myakka City, to improve traffic operations at Verna Bethany Road at S.R. 70 BC20240910DOC057
  
- 32. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**  
Executed Corrective Subordination of Utility Easement Interest for Temporary Easement with FDOT for Parcel 732.4, to extend the termination date of the Subordination from December 31, 2024, to December 31, 2025 BC20240910DOC058
  
- 33. **PUBLIC SAFETY/INTERLOCAL AGREEMENT**  
Executed Amendment to Interlocal Agreement (3/12/24) regarding Law Enforcement Services for Greer Island, to increase funding to the Town of Longboat Key, from \$5,000 per month to \$7,083.33 per month BC20240910DOC059
  
- 31. **PUBLIC WORKS/RESOLUTION**  
Adopted Resolution R-24-169, authorizing the Chairman, or his designee, to take necessary actions to enter into a Maintenance Agreement with Florida Department of Transportation (FDOT) for Upper Manatee River Road Project (S.R. 64 to 10th Avenue East), which is within FDOT Right-of-Way BC20240910DOC060
  
- 34. **PUBLIC WORKS/SURPLUS EQUIPMENT**  
Authorized to classify equipment, 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 BC20240910DOC061
  
- 35. **PUBLIC WORKS/MAINTENANCE AGREEMENT**  
Executed Right-of-Way Maintenance Agreement with Artisan Lakes and Artisan Lakes East Community Development District for Artisan Lakes Parkway, providing for enhanced landscaping and improvements for the right-of-way to allow for continued enhanced maintenance (superseding Maintenance Agreement for Right-of-Way Island 9/4/14, and Maintenance Agreement for Right-of-Way Improvements 11/2/17) BC20240910DOC062
  
- 36. **PUBLIC WORKS/AGREEMENT**  
Executed Manatee Mitigation Bank Credit Purchase Agreement with TerraBlue Environmental LLC, for an additional 0.04 Federal-only forested Mitigation Bank Credits (\$8,000; based on \$200,000 per credit), from the Manatee Mitigation Bank for Lorraine Road Project, from S.R. 64 to 59th Avenue East located in the Manatee River Basin BC20240910DOC063
  
- 45. **PUBLIC WORKS/AGREEMENT**  
Executed Amended and Restated Reimbursement Agreement with Manatee Land Investors LLC, for Transportation and Utilities Improvements related to Upper Manatee River Road Widening (repealing and replacing 5/14/24 Original Reimbursement Agreement) BC20240910DOC064
  
- 37. **UTILITIES/BAD DEBT WRITE-OFF**  
Authorized to write-off bad debts of the Utilities Department not to exceed \$720,177.78 in Fund 401 (Potable Water/Wastewater), and \$299,115.62 in Fund 480 (Solid Waste)  
(End Consent Agenda) BC20240910DOC065
  
- 6. **COUNTY ATTORNEY/LAWSUIT SETTLEMENT**  
Pam D'Agostino, County Attorney, recommended approval of proposed settlement with Florida Center for Government Accountability, Inc., in the lawsuit styled Florida Center for Government Accountability, Inc., v. Manatee County, Case 2022-CA-3276, for \$75,000, as

delineated in the attached Proposed Stipulation and Consent Final Judgement, and to authorize the County Attorney, or her designee, to take all action in furtherance of same.

 A motion was made by Commissioner Van Ostenbridge, and seconded by Commissioner Kruse, to approve the request as presented.

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

The motion carried 5-1, with Commissioner Bearden voting nay.


BC20240910DOC066

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

**38. DEVELOPMENT SERVICES/ORDINANCE/PORT MANATEE IMPROVEMENT DISTRICT** 

A duly-advertised public hearing was held to consider adoption of Ordinance 24-81, extending Port Manatee Improvement District for an additional Twenty-Five (25) Years.

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

 A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Ballard, and carried 6-0, to adopt Ordinance 24-81, Extending Port Manatee Improvement District for an additional 25 Years.

BC20240910DOC067

**ADVERTISED PUBLIC HEARINGS** (Presentations Scheduled)

**39. DEVELOPMENT SERVICES/LOCAL DEVELOPMENT AGREEMENT** 

A duly-advertised public hearing was opened to consider approval and execution of Local Development Agreement LDA-23-02, with Gamble Creek Associates LLC, and KH Woodland Preserve LLC, for SM Ranch, and to adopt Budget Amendment Resolution B-24-109.

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

 A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Kruse, and carried 6-0, to continue the public hearing for LDA-23-02 to September 26, 2024.


BC20240910DOC004


**44. SOCIAL MEDIA POLICY TO ALLOW PUBLIC COMMENTS** 


Pam D'Agostino, County Attorney, stated during the last meeting (8/27/24), the Board unanimously directed the County Attorney, in cooperation with County Administration, to examine the existing social media procedure and bring it back, or a new policy back before the Board, so that social media comments can be turned back on. During discussion in that meeting, the terms policy and procedure were used interchangeably. The document that was referenced was actually an administrative procedure that was first enacted in 2011 by County Administration. It was noted this Board has never had a Social Media Policy.

The County Attorney met with Administration (8/30/24), and it was agreed that both a policy and a procedure consistent with the policy needed to be prepared. The Board can turn on public comments before policy is adopted, but not without risk. Resolution R-24-183 was presented with attached Draft Social Media Policy for discussion. The Policy can be amended at the discretion of the Board.

Staff requested the policy become effective October 10, 2024, to ensure the appropriate services have been procured by the County to ensure compliance with the requirements to retain public records in accordance with Florida Law.

 Lacey Pritchard, Records and Information Management Manager, stated the County's existing contract with Marsh includes all text messaging on County cell phones; this service will be for piggy-back procurement on that contract. The new system is charged per social media account, staff is looking at reducing some X accounts, for an additional \$6,000/year.

 Staff has content specialists to monitor/oversee activity as part of their duties. Currently, one staff person monitors comments after hours, but a request may come back if additional resources are needed. Only Information Outreach has access to all County social media accounts, and everything will be overseen by Ms. Pritchard as Records Custodian.

 Doug Polk, Assistant County Attorney, stated staff is very specific on what constitutes a violation, so there is not much leeway by the content administrator.

 A motion was made by Commissioner Ballard, and seconded by Commissioner Kruse, to adopt Resolution R-24-183, adopting a Social Media Policy.

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

The motion carried 6-0.

BC20240910DOC068

**ADJOURN**

There being no further business, Chairman Rahn adjourned the meeting at 11:35 a.m.

Minutes Approved: December 10, 2024