

**RESOLUTION NO. 17-871**

**A RESOLUTION OF THE CITY OF BRADENTON BEACH, FLORIDA, AMENDING RESOLUTION 17-868, AUTHORIZING THE MAYOR OF THE CITY OF BRADENTON BEACH TO EXECUTE A LETTER OF SUPPORT AND WRITTEN REQUEST TO MANATEE COUNTY FOR AN INTERGOVERNMENTAL PROJECT IN ACCORDANCE WITH MANATEE COUNTY RESOLUTION NUMBER 14-119; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**THE CITY COMMISSION OF THE CITY OF BRADENTON BEACH, FLORIDA, DOES HEREBY RESOLVE AS FOLLOWS:**

**WHEREAS**, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions and render municipal services; and,

**WHEREAS**, Chapter 166, Florida Statutes, the “Municipal Home Rule Powers Act,” implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances and resolutions in furtherance thereof; and,

**WHEREAS**, Manatee County owns and operates its Coquina Beach Park Facility and Manatee Park Facility (collectively, the “Facilities”) on Anna Maria Island, and has awarded Franchise License Agreements (collectively, the “Concession Contracts”) for the operation of food, beverage and beach shop concessions at the Facilities to United Park Services, Inc.; and

**WHEREAS**, from time to time, the County receives revenue payments pursuant to the Concession Contracts, and the Board of County Commissions (“Board”) has exercised its budgetary discretion to allocate revenues paid to the County under the Concession Contracts net of the baseline amount of \$233,520 (such net revenues to be hereinafter referred to as “Surplus Concession Revenues”) to the funding of public projects that benefit Anna Maria Island; and the Island Mayors would like the amount not to exceed \$15,000.00; and

**WHEREAS**, the Board will authorize the use of the Surplus Concession Revenues to fund public capital projects, community planning studies or other consultant reports, and other one-time projects that serve a valid public purpose and benefit the

entire Anna Maria Island where the Cities of Anna Maria, Bradenton Beach and Holmes Beach (each an Island City”, and collectively, the “Island Cities”) state support in a jointly executed letter to the Board and make a written request to the Board for a public project; and

**WHEREAS**, the City of Bradenton Beach wishes to submit a request to the Board for a public project; and

**WHEREAS**, the City Commission of the City of Bradenton Beach has independently determined that the adoption of this Resolution is for a proper municipal purpose and protects the public health, safety and welfare.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF BRADENTON BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. Findings of Fact.** The WHEREAS clauses set forth above are adopted herein as findings of fact.

**Section 2. Intergovernmental Project.**

- A. The Written Request for an Intergovernmental Project as required under Manatee County Resolution 14-119, Section 1(b)(ii) is attached hereto and incorporated herein as Exhibit A.

**Section 3. Joint Letter of Support.**

- B. The Joint Letter of Support as required under Manatee County Resolution 14-119, Section 1(b)(ii) is attached hereto and incorporated herein as Exhibit B.

**Section 4. Point of Contact.** The City of Bradenton Beach shall be responsible to collect all signed and executed copies of this Resolution and Exhibits thereto, and to submit all documentation required by the Board in a timely fashion. Furthermore, the City of Bradenton Beach shall be responsible to timely provide copies of any and all correspondence related to this Resolution to the Island City Clerks and to apprise the Island Cities of any County meetings regarding the Intergovernmental Project.

**Section 5. Severability.** If any word, clause, sentence, paragraph, section or part thereof contained in this Resolution is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of the Resolution.


**Section 6. Repeal.** All Resolutions or parts of Resolutions in conflict herewith shall be and the same are hereby repealed.

**Section 7. Effective Date.** This Resolution shall become effective immediately upon adoption.

**Section 8. Counterparts.** This Resolution, together with Exhibits A and B may be executed in counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same Request and Letter of Support. Delivery of an executed counterpart of this Resolution or its Exhibits thereto by facsimile shall be equally as effective as delivery of a manually executed counterpart of this Resolution.

**PASSED AND DULY ADOPTED** with a quorum present and voting this 6<sup>th</sup> day of April, 2017.

**CITY OF BRADENTON BEACH, FLORIDA, BY AND THROUGH THE CITY COMMISSION OF THE CITY OF BRADENTON BEACH.**

BY:  DATED: May 5, 2017  
WILLIAM SHEARON, MAYOR

ATTEST:   
CITY CLERK/DEPUTY CITY CLERK

Exhibit A

Request for use of Surplus Concession Revenue Funding of Project

Pursuant Manatee County Resolution 14-119, the City of Bradenton Beach requests consideration by Manatee County for the following Intergovernmental Project.

1. A letter of support by the cities of Bradenton Beach, Holmes Beach, and Anna Maria for the Intergovernmental Project requested by City of Bradenton Beach and which benefits all of Anna Maria Island is attached.
2. Particulars of the Intergovernmental Project:
  - a. Location: This Fitness Trail Intergovernmental Project is wholly located on public property owned and controlled by Manatee County known as Coquina Beach and within the municipal limits of the City of Bradenton Beach.
  - b. Nature of the Project: Recreation and Fitness
  - c. Project Details: Acquisition and installation of permanent outdoor fitness equipment to be placed along a "fitness trail" at Coquina Beach at the discretion of Manatee County.
3. Statement of the Reasons why the Intergovernmental Project serves a valid public purpose and benefits the entire Anna Maria Island:

The proposed Fitness Trail Intergovernmental Project is located on Public Land and its intended use is for recreational and public health purposes. Fitness equipment within public park areas is commonplace and serves a valid public purpose. This project would be open to the use of all residents and visitors on Anna Maria Island.

4. Detailed description of the matching funds to be provided by the Island City or Island Cities undertaking the Intergovernmental Project:

Due to the limited costs associated with the Proposed Intergovernmental Project, the Island Mayors would like the amount not to exceed (\$15,000) and the location being wholly within the public lands owned and controlled by Manatee County, the Island Cities are proposing that no matching funds be used by the Island Cities for this Project. Rather, the Island Cities are requesting that the Fitness Trail Intergovernmental Project be entirely funded through the use of Surplus Concession Revenue Funds referenced in Manatee County Resolution 14-119.

EXHIBIT A

Letter of Transmittal

May 5, 2017

Subject: Fitness Trail Intergovernmental Project

Manatee County Board of County Commissioners  
Attn: Ms. Betsy Benac Chairman  
P.O. Box 1000  
Bradenton, FL 34206,

Dear Ms. Benac and Members of the Manatee County Commission:

In Accordance with County Resolution 14-119, the City of Bradenton Beach requests consideration for the establishment of the Fitness Trail Intergovernmental Project for the Coquina Beach Park area.

Attached is a project request and description along with a letter of support by the cities of Bradenton Beach, Holmes Beach, and Anna Maria .

Sincerely,

A handwritten signature in black ink, appearing to read "William Shearon". The signature is fluid and cursive, with a large initial "W" and a long, sweeping underline.

WILLIAM SHEARON, Mayor  
City of Bradenton Beach

EXHIBIT B

MAY 4, 2017

Subject: Joint Letter of Support for an Intergovernmental Project

Manatee County Board of County Commissioners  
Attn: Ms. Betsy Benac Chairman  
P.O. Box 1000  
Bradenton, FL 34206,

Dear Ms. Benac and Members of the Manatee County Commission:

We, the undersigned Mayors representing the Cities of Bradenton Beach, Holmes Beach and Anna Maria, Florida, wish to state our support for the funding of the Fitness Trail Intergovernmental Project proposed by the City of Bradenton Beach for the Coquina Beach Park area.

We look forward to working with the County on this Intergovernmental Project.

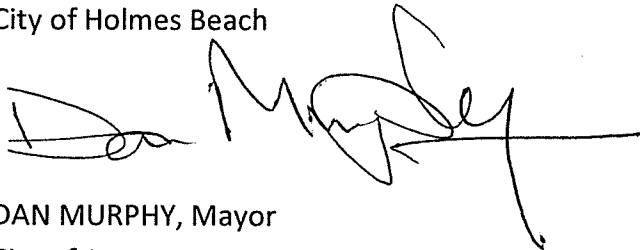
Sincerely,



WILLIAM SHEARON, Mayor  
City of Bradenton Beach

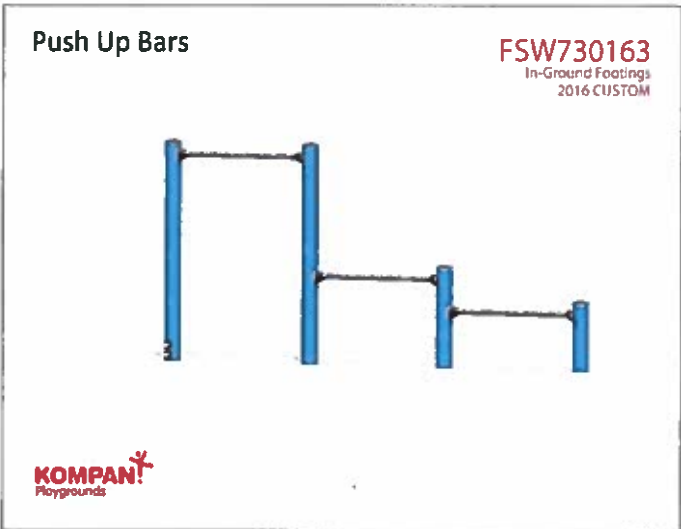


BOB JOHNSON Mayor  
City of Holmes Beach



DAN MURPHY, Mayor  
City of Anna Maria

# Tan & Blue Colors



# Coquina Beach Trail Fitness Equipment



- Station 1: 17' x 17'4"
- Station 2: 19'6" x 13'9"
- Station 3: 17'1" x 17'5"
- Station 4: 21'5" x 14'5"