

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COUNTY ADMINISTRATIVE CENTER
1112 Manatee Avenue West
Bradenton, Florida
November 7, 2017**

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

Present were:

Betsy Benac, Chairman
Robin DiSabatino, First Vice-Chairman, attended by telephone
Charles B. Smith, Second Vice-Chairman
Vanessa Baugh
Stephen R. Jonsson, Third Vice-Chairman
Carol Whitmore
Priscilla Whisenant Trace


Also present were:

Ed Hunzeker, County Administrator
Mitchell O. Palmer, County Attorney
Angelina Colonnese, Clerk of the Circuit Court
Robin Toth, Deputy Clerk, Clerk of the Circuit Court




Chairman Benac called the meeting to order at 9:03 a.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

1.  The Invocation was delivered by Pastor Todd Poppel, First Baptist Church of Palmetto, followed by the Presentation of Colors and Pledge of Allegiance by American Legion Post 24.
BC20171107DOC001-002

AGENDA, UPDATE MEMORANDUM AND ANNOUNCEMENTS

BC20171107DOC003

-  Item 18, Resolution R-17-125, regarding Ballot Question for School Board Millage – Budget Resolution B-18-017 was modified and replaced to update the description within that resolution.
- Item 27, FY18 Budget Amendment Resolutions – Budget Resolution B-18-010 was updated and replaced to correct the department name for Item 8.
- Item 43, Bonds – Logue Road Borrow Pit Bonding – The fourth, fifth, and six bullet points in the requested action were updated to read:
 - Accept and Authorize the County Administrator to Execute Agreement in Conjunction with Surety Bond(s) as Security Insuring Compliance with Site Reclamation, Haul Route Restoration and Bridge Repair;
 - Accept and Authorize the County Administrator to Execute Surety Bond 3300573, issued through FCCI Insurance Co., in the amount of \$129,780.30; and
 - Accept and Authorize the County Administrator to Execute Surety Bond 3300574, issued through FCCI Insurance Co., in the amount of \$92,250
- Item 46, Florida Department of Transportation Construction Agreements for Utility Relocations – Water, Sewer, and IT Communications/School Board at SR 93 (I-75) and S.R. 70 – The requested action was updated to add:
 - Adoption of Resolution R-17-139 (and delete execution of the Escrow Agreements, per update memorandum from the County Attorney); and
 - Execution of the Three Party Escrow Agreements between the Florida Department of Transportation, Manatee County, and the Florida Department of Financial Services, Division of Treasury.

- Item 61, Video Event Records – The requested action was updated to read: “Authorization for the County Administrator to execute the Drivecam Trial Agreement and the Drivecam Program Price Quote – Government Trial for a period of four months at no cost to the County.”
- Item 64, Florida Department of Transportation Update on Central Manatee Network Alternatives Analysis (CMNAA) Project – The slide presentation was updated to include minor edits.

Time Certain:

3. Item 64, Florida Department of Transportation Update on Central Manatee Network Alternatives Analysis Project – 10:30 a.m.

CONSENT AGENDA

 Commissioner Requests:


- Item 18 – Pulled by Commissioner Baugh
- Item 22 – Pulled by Commissioner Whitmore


(Continued to later in the meeting)


18. ADMINISTRATOR/BALLOT QUESTION/SCHOOL BOARD MILLAGE


 Ed Hunzeker, County Administrator, introduced the request by the School Board:


- Adoption of Resolution R-17-125, authorizing the placement of the proposed referendum for a levy of one mill of ad valorem property tax by the School Board on the ballot in a special election; and
- Adopt Budget Resolution B-18-017, amending the annual budget for Manatee County, Florida, for Fiscal Year 2017-2018


 Mitchell O. Palmer, County Attorney, advised that the request to place this question on the ballot in a special election on March 13, 2018, is in accordance with Florida Statute and must run through the County Commission by the adoption of a resolution.


 Charles Kennedy, School Board Chairman, requested the County Commission support the will of the School Board to ask the electors for authority to levy an additional millage of property tax. The School Board wishes to hold the election on March 13, 2018.


 Discussion ensued regarding citizen concerns with the timing of placing the question on a ballot in March rather than waiting until August 26, 2018, a referendum in March will cost the school Board \$300,000, questions and concerns with the County borrowing \$4 million from the School Board for the Fort Hamer Road extension, there are approximately 48,000 students enrolled in Manatee County schools, the \$4 million is a short-term loan to expedite the construction of the road which will provide access to the new school in North County; this is a process that the County Commission cannot stop, the request is a ministerial act, by adopting Resolution R-17-125, the Commission is not endorsing an increase in the School Board’s millage rate, and it is a gamble to have the question on the ballot in March.

 Mr. Kennedy stated that if approved in March, the additional millage would be included in the TRIM Notice that will go out before August. If the election was delayed until August, the funds would not be available until the 2020 school year. This referendum would be for operational funds and the \$4 million is for a capital project. The funds from the additional millage would be used to extend the school days and make teacher/staff pay competitive. The School Board’s resolution will spell out exactly how the funds will be used.

 A motion was made by Commissioner Trace, to adopt Resolution R-17-125, authorizing the placement of the proposed referendum for a levy of one mill of ad valorem property tax by the School Board on the ballot in a special election; and adoption of Budget Resolution B-18-017, amending the annual budget for Manatee County, Florida, for Fiscal Year 2017-2018. The motion was seconded by Commissioner Smith.


 William Clague, Assistant County Attorney, stated several Florida Statutes (F.S.) allow the School Board to pursue funds; however, they must go through this process to raise salaries [F.S. 1011.73(2)]. The School Board will bear the cost of the election. He spoke with the School Board Attorney, and the School Board responded by letter (in agenda packet).

 Commissioner Baugh commented.

 Mr. Palmer emphasized that by adopting this Resolution, the Board of County Commissioners is not endorsing an increase in the School Board's millage rate. The County views this as a mere, ministerial act.


 Chairman Benac noted that the motion includes adoption of Budget Resolution B-18-017.

 Glen Gibellina stated this is a School Board decision.


 Ken Piper spoke in opposition to the request.

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





 Commissioner DiSabatino commented.

 Mr. Palmer read the Action Requested on the agenda memorandum, and the motion carried 5-2, with Commissioners Baugh and DiSabatino voting nay. BC20171107DOC004

INTRODUCTION


4.  Charlie Hunsicker, Parks and Natural Resources Director, introduced Crystal Snodgrass, Extension Director/Parks and Natural Resources Agricultural and Extension Division Manager. BC20171107DOC005

AWARDS AND PRESENTATIONS

5.  October Employee of the Month Award - Deborah Creamer, Housing and Community Development Specialist, Redevelopment and Economic Opportunity BC20171107DOC006
6.  TEAM Awards - Vincent Bland (Public Works), Steve Bell (Public Safety/Animal Services), and Tonia Carlton (Public Safety/Animal Services), for their combined efforts in rescuing a distraught dog from a drainage canal. BC20171107DOC007
7.  The Bullard Corporation Lifesaving Award - Manatee County Search and Rescue members, for their assistance in locating a missing autistic child using a Bullard thermal imager. BC20171107DOC008
8.  Water-Wise Landscaping Award - Michelle Atkinson, Agricultural and Extension Services, and Olga Wolanin, Water Division Compliance Superintendent, presented awards to Patsi Ugarte, Ugarte and Associates, and Cathy Slusser, on behalf of the Clerk's office. BC20171107DOC009

(Commissioner DiSabatino briefly disconnected from the meeting by telephone.)

PROCLAMATIONS

 A motion was made by Commissioner Baugh, seconded by Commissioner Trace and carried 6-0, with Commissioner DiSabatino absent, to approve the following Proclamations:


(Commissioner DiSabatino rejoined the meeting by telephone)

9. Veterans Day – November 11, 2017, accepted by Lee Washington, Veterans Services Officer, and Carl Hunsinger, Manatee County Veterans Council Chairman. Mr. Hunsinger briefed the Board on Veterans Day events and presented the Veteran, Auxiliary and Civilian of the Year Awards to Bryan Jacobs, Mary Silcox, and Charles Clapsaddle. BC20171107DOC010


10.  Children’s Guardian Fund Day – November 17, 2017, accepted by Carol Belmont and Nancy Sanders, Children’s Guardian Fund Board members. BC20171107DOC011


11.  Farm City Week – November 7-18, 2017, s accepted by Ralph Garrison, Manatee County Farm Bureau, and Crystal Snodgrass, Agriculture and Extension Services Manager. BC20171107DOC012

12.  Hunger and Homelessness Awareness Week – November 11-19, 2017, accepted by Margie Dawson and Sarah Colandro, Turning Points BC20171107DOC013

13.  Adoption Awareness Month – November 2017, accepted by Katrina Bellemare, Kelly Bedford, and other members of Parenting Matters. BC20171107DOC014

64. **PUBLIC WORKS/CENTRAL MANATEE NETWORK ALTERNATIVES ANALYSIS (CMNAA)**
PROJECT UPDATE

 Sage Kamiya, Deputy Director, Traffic Management, stated that in 2012, there were two major projects on the Sarasota-Manatee Metropolitan Planning Organization’s list of projects; the Manatee River Bridge Feasibility Study for a new bridge and the U.S. 301 Corridor Study Analysis. Upon review of associated costs to conduct a Project Development and Environment (PD&E) Study, the Florida Department of Transportation (FDOT) and Federal Highway Administration recommended a Central Manatee Network Alternatives Analysis (CMNAA) Study be conducted.


 Lawrence Massey, FDOT, utilized a slide presentation on the CMNAA Study, Phases II and III, which encompasses approximately 13 square miles, with primary focus on the downtown areas of Bradenton and Palmetto. The Study area was expanded to evaluate regional traffic attributing to downtown traffic congestion.

Brent Lacey, FDOT consultant, addressed Goals and Objectives for the CMNAA with the ultimate goal of enhanced mobility for all users, public engagement, a range of potential solutions to consider all modes of transportation, adjacent land uses and the connecting street network to accommodate both local and regional traffic.


Gregory Moore, FDOT consultant, spoke about the data collection process, capacity and congestion issues stating the greatest congestion concerns are U.S. 301/U.S. 41, Manatee Avenue/6th Avenue, Business 41 and major intersections. He reviewed long-term alternatives to provide multi-modal congestion relief, short-term alternatives for transportation impacts within the CMNAA, and downtown circulation improvements.

(Depart Commissioner Whitmore)

Mr. Moore continued with slides of Current Daily Traffic Distribution with Green and Desoto Bridges as Origin, Anticipated Regional Growth, Daily Traffic Demand trips across the Manatee River, Meeting Regional North/South Travel Needs, Addressing Regional Demand on 9th Street East, 9th Street East Corridor/Challenges north of 6th Avenue, 15th Street East and 27th Street East Corridor challenges, Regional Through Traffic on 9th Street East between U.S. 301 and Manatee Avenue, 15th Street East or 27th Street East, various intersections with elevated throughways, Future 2040 Daily Traffic Demand trips across the Manatee River, 2040 P.M. Travel Times northbound, Tier 1 Alternatives Evaluation, Timeline to Bridge Construction, Safety, Example Safety Recommendations, Transit Recommendations Downtown Bradenton Transfer Station Center Alternatives, Pedestrian and Bicycle Recommendations, Corridor Fact Sheets, Project Identification, CMNAA Implementation Plan, Addressing Congestion in Downtown, Improving Downtown Circulation, Time Travel Savings, One Way Pair Reversal, and New Direction for Downtown and Travel Time Savings.

 Discussion ensued regarding the four lanes going south on 3rd Avenue, 118 feet of right-of-way is needed on 27th Street East due to additional traffic coming off the interstate, options for a new bridge will be explored in Phase III, consideration of an elevated toll way for the new bridge, a PD&E program to study the U.S. 41/301/Desoto Bridge corridor, potential solutions for the U.S. 301 interchange, how to connect to the U.S. 41/U.S. 19 interchange, the most viable connection alternatives, anticipated construction date, partnering with the City on local city streets, upcoming December 12th meeting at the Baptist Church in downtown Bradenton is open to the public, FDOT plans to hold meetings in Bradenton and Palmetto, lifespan of the Desoto Bridge, existing Desoto Bridge would be replaced and the elevated overpass would become the new Desoto Bridge, negative impacts of a new overpass bridge, how the new overpass bridge would function as an interchange, focus of an elevated throughway is to convey regional traffic, effects to area businesses due to traffic congestion and people avoiding this area, and the Tier 1 Alternatives Evaluation.


Mr. Massey stated the issues will be taken into consideration and the Study will be modified.

 Katherine Edwards suggested that an elevated rail system be considered.

(Enter Commissioner Whitmore)

City of Bradenton Councilman Gene Brown commented on short-term solutions and the need to move forward.

 Michael Gallen, Manatee Chamber of Commerce, commented on community involvement.

 Glen Gibellina spoke about the need for public input and possible impacts to the North county pool.

Discussion continued that numerous public meetings have been held since 2012, more meetings are anticipated, and the effects of previous overpasses in the Palmetto area.

 Janette Eubanks Kelly also commented on the need for public input.

Mr. Massey stated FDOT will look into scheduling a public meeting at the Bradenton Area Convention Center.


There being no further public comment, Chairman Benac closed public comment.
(Depart Commissioner Baugh)


Discussion occurred regarding diversity and convenient meeting locations, small group meetings, and communicate with Commissioner Smith on organizing more neighborhood meetings in his district.

BC20171107DOC015

RECESS/RECONVENE: 12:20 P.M. – 1:32 P.M. All Commissioners were present.


14. **CITIZENS COMMENTS** (Future Agenda Items)


 Barbara Elliott requested the Board appoint a charter government committee to allow voters to decide on the type of government they want.


 Matt Trammell, Environmental Solutions, asked that the former Piney Point facility be designated a Debris Designation Management Site (DDMS) for vegetative materials being removed from the Florida Keys (Monroe County) as a result of Hurricane Irma.

(Further comments later in the meeting)

 Jeffrey Barath, HRK Holdings, commented on a debris designation management site.

 Katherine Edwards suggested the Board schedule a work session on water resources and supply.

 Amy Royall, Entre Nous, spoke about the establishment of Entre Nous and the upcoming 40th Annual Tour of Homes event to raise funds for scholarships and community projects.

 Rickie Davis, RAMM Recycling Services, Inc., spoke about the positive impacts of locating a debris designation management site in Manatee County.

(Further comments later in the meeting)


 Glen Gibellina commented on public comment cards, solar energy, affordable housing, RAM (Remote Area Medical), and litigation regarding Aqua by the Bay development.

Discussion ensued that the debris designation management site is not a good idea, there has been no request from Monroe County asking for Manatee County's assistance, the Port Authority does not wish to be involved, need to ask the State (DEP) to take care of this, previous requests for permits on the HRK property, and the County's involvement in RAMM.


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

BC20171107DOC016

CONSENT AGENDA MOTION (Continued)

 A motion was made by Commissioner Trace and seconded by Commissioner Jonsson, to approve the Consent Agenda, with the changes noted in the Agenda Update Memorandum, and with the deletion of Items 18 and 22 (separate actions).

15. **CITIZEN COMMENTS** (Consent Agenda Items Only)

 Katherine Edwards commented on Item 16 (minutes of 9/18/17), Item 27, specifically, the cost of lifeguard stands, the cost of the SWAT driveway, the Public Safety communications upgrade; and Items 44 and 45.

Discussion occurred regarding the cost of materials used for lifeguard stands, provide a report to Commissioners regarding the \$250,000 cost for the driveway, budgeted amounts are being set aside for these projects, the costs are estimates, the vast majority of the

projects would be awarded to the lowest responsive bidder through a bid process, and the engineering design and procurement process will dictate the cost.

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

BC20171107DOC017

Vote - Consent Agenda

The motion to approve the Consent Agenda, with the changes noted, carried 7-0.

16. **CLERK’S CONSENT AGENDA**

BC20171107DOC018

A. MINUTES

Approved the Minutes, June 20, July 25, August 8, and September 18 (corrective), 2017

B. REFUNDS:

Approved:

- 1. Pulte Home Corporation – Water Facility Investment Fees, \$457 BC20171107DOC019
- 2. Utility Customer 171646-105313 – Billing Adjustment, \$1,798.92 BC20171107DOC020
- 3. Utility Customer 259643-34657 – Billing Adjustment, \$719.27 BC20171107DOC021
- 4. Utility Customer 215229-77279 – Billing Adjustment, \$1,253.05 BC20171107DOC022

C. CONTRACTS

Accepted the following contracts per Chapter 2-26 of the Manatee County Code and pursuant to Purchasing Division’s Administrative Standards and Procedures Manual:

- 1. Construction Agreement with Traffic Control Devices, Inc., for the installation of the Advanced Traffic Management System, S.R. 70 Adaptive Signal Control Project, \$267,190 BC20171107DOC023
- 2. Administrative Contract Adjustment with DeJonge Excavating Contractors, Inc., for Force Main Repairs at LS 41A, increase \$2,530, adjusted total \$264,890.55 BC20171107DOC024
- 3. Construction Agreement with Gilliam Construction LLC, for 26th Street East Sidewalk Project, \$250,062.67 BC20171107DOC025
- 4. Administrative Contract Adjustment with Woodruff & Sons, Inc., for 63rd Street East (Braden River Road) Water Main Loop, increasing the contract amount by \$3,606.12, from \$281,130.18 to \$284,736.30 BC20171107DOC026
- 5. Agreement with Woodruff & Sons, Inc., for Rowlett Elementary School Sidewalk (30th Avenue East), Phase VII, 9th Street East to 15th Street East, \$880,364.06 BC20171107DOC027

D. REPORTS

Accepted the following:

- 1. Harbourage at Braden River Community Development District – Resolution 2017-08 designating dates, times and location of meetings BC20171107DOC028
- 2. West Coast Inland Navigation District – Budget Summary, Meeting Schedule, Adopted Millage and District Guide Map BC20171107DOC029

E. SHERIFF BOND

Accepted the list of four additional employees and deletion of eight employees from the Sheriff’s Public Employee Bond BC20171107DOC030

F. BONDS

- 1. Artisan Lakes Esplanade, Phase I, Subphases A, B, C and D – Accepted Surety Bond Verification Certificate SYU1128391 (9/6/17), in conjunction with Agreement Warranting Required Improvement securing paving, water and wastewater improvement, \$381,462.09 BC20171107DOC031
- 2. Bridgewater Phase III – Accepted Letter of Credit FGAC-15247 Amendment 2 (8/23/17) in conjunction with the Agreement for Public Subdivision Improvements securing water and sewer utility improvements, \$32,771 BC20171107DOC032

3. Copperlefe – Released and return Surety Bond and any riders associated with the Surety, in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, Letter of Credit FGAD-17067, \$1,399,570.71; and accepted and executed Addendum in conjunction with Section 1.5 “Maintenance Defects_ of the Agreement for Private Subdivision with Public Improvements accepted by the Board of County Commissioners (4/25/17) securing roadway, sewer, water and reclaimed improvement, Letter of Credit FGAD-17312, \$99,964.95 and accepted and executed Bill of Sale BC20171107DOC033
4. Crossing Creek Phase II-A – Released Agreement in Conjunction with Surety Bond as Defect Security Warranting Required Improvement securing roadwork, storm, sanitary, water and reclaimed water improvement, \$46,511.40; and authorization to release and return Surety Bond 0172672 and any associated riders, \$46,411.40 BC20171107DOC034
5. Cypress Pond Estates – Released Agreement and Cash Bond/Cashier’s Check/Certificate of Deposit as Defect Security Warranting Required Improvements securing the public final lift of asphalt improvements, and release and return Cashier’s Check 001001472 in conjunction with the previously referenced Agreement, \$5,000 BC20171107DOC035
6. Del Tierra, Phase III – Released Surety Bond SNN4003755 and any riders associated with the Surety, in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, \$1,089,595; accept and execute two Surety Bonds securing Section 1.5 “Maintenance, Defects” of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners (4/26/16), Surety Bond SNN4006924 Subphase A and B, \$74,925.90; Surety Bond SNN4006933 Subphase C, \$25,248.80; and accept and execute Bill of Sale BC20171107DOC036
7. Greyhawk Landing West Phase IV-B – Released and Return Surety Bond 285052712 and any riders associated with the Surety in conjunction with the performance portion of the Agreement for Public Subdivision with Public Improvements, \$477,656.77; accept and execute addendum in conjunction with Section 1.5 “Maintenance, Defect” of the Agreement for Private Subdivision with Public Improvements accepted by the Board of County Commissioners (6/7/16) securing sanitary sewer, water distribution, irrigation, water distribution and miscellaneous improvements, Surety Bond 285055468, \$40,446.11; and accept and execute Bill of Sale BC20171107DOC037
8. Greyhawk Landing West, Phase V-A – Released and return Surety Bond 285053924 and any riders associated with the Surety in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, \$507,679.90; accept and execute Surety Bond 25056369 in conjunction with Section 1.5 “Maintenance, Defect” of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners (1/5/17) securing sanitary sewer, water distribution, irrigation water distribution and miscellaneous improvements, \$43,883.80; and accept and execute Bill of Sale BC20171107DOC038
9. Harrison Ranch, Phase II A-3 – Accepted Surety Bond Verification Certificate 59BSBGW4166 in conjunction with the Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements securing street construction, drainage, sewer, water, reclaimed water improvement, \$169,929.17 BC20171107DOC039
10. Heritage Harbour, Subphase G, Unit 1-A, Part 2 – Accepted Amendment 3 to Letter of Credit FGAC-14241 in conjunction with the Agreement for Public

- Subdivision Improvements securing water and wastewater improvement,
\$32,155.05 BC20171107DOC040
11. Heritage Harbour, Subphase J, Unit 4-A – Accepted Amendment 2 to Letter of Credit FGAC-15230 in conjunction with the Agreement for Public Subdivision Improvements securing water and wastewater improvements, \$23,111.49 BC20171107DOC041
 12. Heritage Harbour, Subphase J, Unit 2 – Released Agreement Warranting Required Improvement securing the water and wastewater improvements; and release and return Letter of Credit FGAC-14032 and any associated amendments \$125,033.01 BC20171107DOC042
 13. Magnolia Point II – Released and return Surety Bond CS9826540 and any associated Riders in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, \$287m644.65; accept and execute Surety Bond CS9826763 in conjunction with Section 1.5 “Maintenance, Defects” of the Agreement for Public Subdivision with Public Improvements Magnolia Point II accepted by the Board of County Commissioners (10/25/16) securing roadways and pavement (Lockwood Ridge Road), potable water, and sanitary sewer improvements, \$28,640.89; and accept, execute and record Bill of Sale. BC20171107DOC043
 14. Oakleaf Hammock, Phase IV-A – Released Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements securing potable water and wastewater improvements; and release and return Surety Bond 0178440, \$16,848.69 BC20171107DOC044
 15. Oakleaf Hammock, Phase IV-B – Released Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements, securing potable water and wastewater improvements; and release and return Surety Bond 8881729-M and any associated riders, \$32,732.40 BC20171107DOC045
 16. Polo Run, Phase I-A and 1-B, Subphase I-A – Released and return Letter of Credit FGAC-17008 and any associated amendments in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, \$1,526,606.45; accept Letter of Credit FGAC-17338 securing Section 1.5 “Maintenance, Defects” of the Agreement for Private Subdivision with Public Improvements accepted by the Board of County Commissioners (9/13/16) securing potable water and sanitary sewer improvements, \$114,541.27 BC20171107DOC046
 17. Townhomes at Regatta Point (aka Heritage harbor, Parcel 17) – Accepted Amendment 2 to Letter of Credit FGAC-15251 in conjunction with Agreement for Public Subdivision Improvements securing potable water and sanitary sewer improvements, \$9,528.16 BC20171107DOC047
 18. Waste Hauler Bonds:
 - Waste Pro of Florida, Inc. – Continuation Certificate for Performance Bond CMS0270853, \$5 million BC20171107DOC048
 - Waste Management – Extension Certificate for Performance Bond PB08-0005, \$10 million BC20171107DOC049
17. **ADMINISTRATOR/2020 CENSUS LOCAL UPDATE OF CENSUS ADDRESSES OPERATION**
- Executed the 2020 Census Local Update of Census Addresses Operation (LUCA) registration form; and
 - Authorized the County Administrator or designee, to sign subsequent documents related to the County’s participation in the LUCA for the 2020 Decennial Census and submit the same to the U.S. Census Bureau BC20171107DOC050

19. **ATTORNEY/SETTLEMENT**
Approved settlement in the matter of Catherine Brigandi v. Manatee County, Case 2015 CA 2570, for a payment by the County of \$37,500 BC20171107DOC051
20. **ATTORNEY/CONTRACT**
- Authorized consideration and acceptance of offer to purchase from Timothy P. Kenney and Dorothy C. Kenney, in the amount of \$332,440; and
 - Executed Contract for Sale and Purchase for property located at 4420 52nd Street East (Parcel 121) for the purpose of the 44th Avenue East Road Improvement Project, from 45th Street East to 44th Avenue Plaza East, in the amount of \$332,440 BC20171107DOC052
21. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT/EDWARD ROBINSON**
Reduced the fine for Code Enforcement Case CE2011050273 to \$1,000 (as previously recommended by the Special Magistrate on 9/27/17), subject to the following conditions:
- The reduced fines shall be paid within 90 days, or will revert back to the original fine amount of \$14,150;
 - Recording fees need to be collected, which total \$20; and
 - Building and Development Services Department Director is authorized to sign satisfactions of liens if the reduced fines are paid BC20171107DOC053
23. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT/ELIZABETH J. FRIESS**
Reduced the fines for Code Enforcement Case CE2015050347 to \$1,000 (as previously recommended by the Special Magistrate on 9/27/17), subject to the following conditions:
- The reduced fines shall be paid within 90 days, or will revert back to the original fine amount of \$129,600;
 - Recording fees need to be collected, which total \$80; and
 - Building and Development Services Department Director is authorized to sign satisfactions of liens if the reduced fines are paid BC20171107DOC054
24. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT/BETTY ANN WAITERS**
Reduced the fines for Code Enforcement Case CE2001050311 to \$150 (as previously recommended by the Special Magistrate on 9/27/17), subject to the following conditions:
- The reduced fines shall be paid within 90 days, or will revert back to the original fine amount of \$1,500;
 - Recording fees need to be collected, which total \$28; and
 - Building and Development Services Department Director is authorized to sign satisfactions of liens if the reduced fines are paid BC20171107DOC055
25. **CONVENTION AND VISITORS BUREAU/UNCOLLECTIBLE ACCOUNTS WRITE-OFF**
Approved to write off uncollectible accounts for accounting purposes in the amount of \$250, for the Convention and Visitors Bureau BC20171107DOC056
26. **FINANCIAL MANAGEMENT/BUDGET AMENDMENT RESOLUTION**
Adopted Budget Amendment Resolution B-17-077 BC20171107DOC057
27. **FINANCIAL MANAGEMENT/BUDGET AMENDMENT RESOLUTION**
Adopted Budget Amendment Resolution B-18-010 BC20171107DOC058
28. **FINANCIAL MANAGEMENT/AGREEMENT**
Authorized the County Administrator, or his designee, to execute Amendment 1 to Agreement 17-0741WB, with Ambulance Medical Billing, Inc., for Emergency Medical Services

billing (with a cost of 18 percent of all funds collected for dates of services prior to 9/1/17; and \$3,000 programming set-up fee), with an effective date of December 1, 2017

BC20171107DOC059

29. **FINANCIAL MANAGEMENT/INVITATION FOR BID**

- Awarded Invitation for Bid (IFB) 17-1733LV, Sunny Shores Mobile Home Park Resurfacing Project, to the lowest, responsive and responsible bidder, Gator Grading & Paving LLC, for a total of \$1,059,185.95, with 90 calendar days for completion; and
- Authorized the County Administrator, or his designee, to execute the Agreement and accept and date the Performance and Payment bonds

BC20171107DOC060

30. **NEIGHBORHOOD SERVICES/FY 2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT**

- Executed Certificate of Participation on behalf of the Manatee County Board of County Commissioners with the Florida Department of Law Enforcement (FDLE) for Manatee County to serve as coordinating unit of government for FY 2017 Edward Byrne Memorial Justice Assistance Program; and
- Executed letter to FDLE, approving the allocation of grant funds to Manatee County Drug Court, Manatee County Probation and City of Bradenton Police

BC20171107DOC061

31. **NEIGHBORHOOD SERVICES/NON-PROFIT AGENCY AGREEMENTS**

- Executed the Results First Children's Services Agreement with the Early Learning Coalition of Manatee County, Inc., for Early Care and Education Assistance and Childcare subsidies in the amount of \$2,260,143, for the time period October 1, 2017-September 30, 2018; and
- Authorized the County Administrator, or his designee, to execute Results First Non-Profit Agency funding agreements, for services and amounts approved in the County 2017/18 annual budget, within the established guidelines of the County Administrator's authority

BC20171107DOC062

32. **PROPERTY MANAGEMENT/CONTRACT**

Executed Contract for Sale and Purchase with Bong Thi Nguyen and Tay Van Nguyen, for property located at 3501 61st Street East, Palmetto (Parcel 1), for the purpose of the Ellenton Gillette Road Functional Improvement Project at U.S. 301 to Moccasin Wallow Road, in the amount of \$40,000

BC20171107DOC063

33. **PROPERTY MANAGEMENT/CONTRACT**

Executed Contract for Sale and Purchase with Three Angels, Inc., for property located at 3515 U.S. Highway 301 North, Ellenton (Parcel 3), for the purpose of the Ellenton Gillette Road Functional Improvement Project at U.S. 301 at Ellenton Gillette Road, in the amount of \$132,169

BC20171107DOC064

34. **PROPERTY MANAGEMENT/CONTRACT**

Executed Contract for Sale and Purchase with Patricia McClain and Kenneth McClain, for property located at 11731 69th Street East, Parrish (5.3-acre parcel), the purpose of the Fort Hamer Extension at U.S. 301 North to Erie Road Alignment, in the amount of \$380,000

BC20171107DOC065

35. **PROPERTY MANAGEMENT/CONTRACT**

Executed Contract for Sale and Purchase with Timothy Joseph Kenney and Kristyne Rose Kosenkov, for property located at 4423 51st Street East, Bradenton (Parcel 120), for the purpose of the 44th Avenue East Road Improvement Project, from 45th Street East to 44th Avenue Plaza East, in the amount of \$297,470

BC20171107DOC066

36. **PROPERTY MANAGEMENT/CONTRACT**
Executed Contract for Sale and Purchase with Remer J. Clayton and Iris M. Cordero, nka Iris M. Clayton, for property located at 4417 51st Street East, Bradenton (Parcel 116), for the purpose of the 44th Avenue East Road Improvement Project, from 45th Street East to 44th Avenue Plaza East), in the amount of \$291,100
BC20171107DOC067
37. **PROPERTY MANAGEMENT/CONTRACT**
Executed Contract for Sale and Purchase with Johnathan William Davison, for property located at 4412 51st Street East Bradenton (Parcel 115), for the purpose of the 44th Avenue East Road Improvement Project, from 45th Street East to 44th Avenue Plaza East, in the amount of \$242,130
BC20171107DOC068
38. **PROPERTY MANAGEMENT/CONTRACT**
Executed Contract for Sale and Purchase with Jason T. Cross and Jeffrey D. Taylor, for property located at 4305 62nd Street East, Bradenton (Parcel 136), for the purpose of the 44th Avenue East Road Improvement Project, from 45th Street East to 44th Avenue Plaza East, in the amount of \$414,218
BC20171107DOC069
39. **PROPERTY MANAGEMENT/CONTRACT**
Executed Contract for Sale and Purchase with Gary M. Knuckles and Dorothy S. Knuckles, for property located at 6301 44th Avenue East, Bradenton (Parcel 137), for the purpose of the 44th Avenue East Road Improvement Project, from 45th Street East to 44th Avenue Plaza East, in the amount of \$332,000
BC20171107DOC070
40. **PROPERTY MANAGEMENT/AGREEMENT/CSX TRANSPORTATION**
Executed First Amendment to Purchase Sale Agreement (6/20/17) with CSX Transportation, Inc., for property located on 36th Avenue East, Ellenton (Parcel 9, \$18,000), to modify the legal description and sketch (Exhibit A), to the Purchase Sale Agreement
BC20171107DOC071
41. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utilities Easement from Divosta Homes, L.P. (includes Consent from Lakewood Ranch Stewardship District); for the Mallory Park Amenity Center, located in Tract 200, Mallory Park, Phase I, Subphases A, C, and E, for access, operation and maintenance of the potable water main and water meter; and
 - Authorized recording of Affidavit of Ownership and Encumbrances from Michael Woolery, Director of Land Development of the South Florida Division of Divosta Home Holdings LLC, General Partner of Divosta Homes L.P.
BC20171107DOC072
42. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
Authorized execution and recording of Partial Release and Clarification of Land-Irrevocable License to Enter Real Property and Remove Abandoned Telecommunications Tower from Schroeder-Manatee Ranch, Inc., to correct the legal description and sketch of the License Agreement to define a new access route and fall zone in which to accomplish the removal of an abandoned telecommunications tower
BC20171107DOC073
43. **PUBLIC WORKS/BONDS/LOGUE ROAD BORROW PIT**
- Released Agreement in Conjunction with Surety Bond as Security Insuring Compliance with Site Reclamation, Haul Route Restoration and Bridge Repair;
 - Released and returned Surety Bond 3300309 issued through FCCI Insurance Co., in the amount of \$129,780.30;

- Released and returned Surety Bond 3300310 issued through FCCI Insurance Co., in the amount of \$92,250;
- Accepted and authorized the County Administrator to execute Agreement in Conjunction with Surety Bond as Security Insuring Compliance with Site Reclamation, Haul Route Restoration and Bridge Repair;
- Accepted and authorized the County Administrator to execute Surety Bond 3300573 issued through FCCI Insurance Co., in the amount of \$129,780.30; and
- Accepted and authorized the County Administrator to execute Surety Bond 3300574 issued through FCCI Insurance Co., in the amount of \$92,250 BC20171107DOC074

44. **PUBLIC WORKS/BONDS/SOUTHEAST TRACT**

Accepted Rider to Surety Bond K06989123 issued through Westchester Fire Insurance Company on behalf of Mosaic Fertilizer LLC, increasing the bond amount from \$4,010,764 to \$4,151,854, for the Southeast Tract BC20171107DOC075

45. **PUBLIC WORKS/BONDS/MOSAIC WINGATE CREEK MINE**

Accepted of Rider to Surety Bond 295107624, issued through Liberty Mutual Insurance Company on behalf of Mosaic Fertilizer LLC, decreasing the bond amount from \$8,813,120 to \$7,637,930 BC20171107DOC076

46. **PUBLIC WORKS/AGREEMENTS/FDOT**

- Approved Florida Department of Transportation Construction Agreements for Projects 201032-2-56-01 and 20132-2-56-02 for Utility Relocations – Water, Sewer and IT Communications/School Board at S.R. 93 (I-75) and S.R. 70;
- Executed the Agreements; and
- Adopted Resolution R-17-139 BC20171107DOC077

47. **PUBLIC WORKS/AGREEMENT/FPL**

Executed Florida Power and Light Easement Agreement for roadway and sanitary sewer improvements for the road crossing at Willow Walk, Phase I, PDR-14-04(P)/17-S-18(P) BCC20171107DOC078

48. **PUBLIC WORKS/COLLECTION OF NON-AD VALOREM ASSESSMENTS**

Authorized to set the annual public hearing on December 12, 2017, at 9:00 a.m., or as soon thereafter, to consider adoption of Resolution R-17-120, declaring intent to place road paving, sanitary sewer, street lighting, reclaimed water, sidewalks, canal dredging, and landscape beautification projects on the tax bills as non-ad valorem assessments commencing in 2018 BC20171107DOC079

49. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/LAND USE RESTRICTION AGREEMENT**

Executed Land Use Restriction Agreement and Deed Restrictions for The Terraces of Peridia, PDR-15-27(Z)(P), for the Affordable Rental Housing Designation, and requiring that the developer maintain a minimum of 16 affordable units for 15 years BC20171107DOC080

50. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/RESOLUTION**

Adopted Resolution R-17-127, finding that Project Aspect be approved as a Qualified Targeted Industry and providing local financial support for the Qualified Targeted Industry Tax Refund Program business BC20171107DOC081

51. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/RESOLUTION**

Adopted Resolution R-17-130, finding that Project Skyway be approved for a customized Southwest District Economic Development Incentive Grant for Fiscal Years 2018-2019 BC20171107DOC082

52. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/RESOLUTION**

Adopted Resolution R-17-129, finding that Project Sunny be approved as a Qualified Targeted Industry and providing local financial support for the Qualified Targeted Industry Tax Refund Program business

BC20171107DOC083

(End Consent Agenda)

22. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT/HOWARD L. KEEVER, JR.**



Presented was a request for approval to reduce the fines for Code Enforcement Case CE2011060642 totaling \$156,625 to \$1,500 (as previously recommended by the Special Magistrate on 9/27/17), subject to the following conditions:

- The reduced fines shall be paid within 90 days, to will revert back to the original fine amount of \$156,62;
- Recording fees need to be collected, which total \$20; and
- Building and Development Services Department Director is authorized to sign satisfactions of liens if the reduced fines are paid

Discussion ensued that the property owner has owned the property for over 30 years, and the individual is not well and should not have to pay any fines.

Following discussion, a motion was made by Commissioner Whitmore and seconded by Commissioner Smith, to waive the fine of \$1,500.

Jeff Bowman, Code Enforcement Chief, stated that waiving the fines is within the Board's prerogative.

Discussion occurred regarding concern with setting precedence by not charging anything, and that a \$100 minimum fine was imposed.



John Barnott, Building and Development Services Director, stated it was his opinion that this action would not set precedence.

The motion carried 7-0.

BC20171107DOC084

PINEY POINT FACILITY (continued from earlier in the meeting)



Chairman Benac questioned if any Board member wished to put the Piney Point Facility matter on a future agenda.

Discussion was held regarding Piney Point becoming a landfill, against bringing organic debris from a tropical area to a sub-tropical area, Port Authority members were not brought in to the discussion, not making any arrangement with HRK Holdings, what can HRK Holdings do with the Piney Point site under the County's authority, and Manatee County does not own this site.




Commissioner Baugh stated she discussed this matter with Carlos Buqueras, Port Director, who recommended the County not become involved in this matter. She suggested the Board take this matter to Tallahassee and recommended the Department of Environmental Protection examine this site.



Chairman Benac responded to comments by Glen Gibellina made earlier in the meeting regarding RAMM Recycling.

54. **ADMINISTRATOR/SARASOTA/MANATEE METROPOLITAN PLANNING ORGANIZATION
CITIZEN ADVISORY COMMITTEE**

 A request was presented for the appointment of one citizen to a three-year term, representing an at-large seat on the Citizen Advisory Committee of the Sarasota/Manatee Metropolitan Planning Organization. Three individuals applied.

Nominations

Misty Servia – by Commissioners Baugh and DiSabatino


A motion as made by Commissioner DiSabatino, seconded by Commissioner Whitmore and carried 7-0, to close the nominations.

By majority vote, Misty Servia was appointed.

Commissioner DiSabatino stated one of the applicants, Richard Garrett, desires to serve as the Bicycle Coordinator.

BC20171107DOC085


55. **NEIGHBORHOOD SERVICES/HISTORICAL COMMISSION**

 A request was presented for the appointment of four individuals to the Manatee County Historical Commission, as recommended by the nominating committee of the Historical Commission. The committee recommended the following individuals: Matthew D. Woodside (Seat 4), Steven M. Vernon (Seat 7), John A. Stephens (Seat 9), and Jeffrey Downing (Seat 16).

A motion was made by Commissioner Trace, seconded by Commissioner Whitmore and carried 7-0, to appoint Matthew D. Woodside (Seat 4), Steven M. Vernon (Seat 7), John A. Stephens (Seat 9), and Jeffrey Downing (Seat 16).

BC20171107DOC086

56. **PUBLIC WORKS/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Ordinance 17-48, regulating Certain Right-of-Way Permit Applications.

Sia Mollanazar, Deputy Director Engineering Services, summarized the substantive revisions within Ordinance 17-48 as required by Florida Statute 337.401.


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

A motion was made by Commissioner Jonsson and seconded by Commissioner Trace, to adopt Ordinance 17-48. The motion carried 7-0.

BC20171107DOC087

57. **ADMINISTRATOR/2018 COUNTY COMMISSION MEETING SCHEDULE**

Ed Hunzeker, County Administrator, presented an amendment to the 2018 Board of County Commissioner Meeting Schedule. Building and Development Services staff determined the Board's January 4th meeting and the Planning Commission's January 11th meeting could be swapped. It was suggested the January 11th Board meeting begin at 9:30 a.m.

 A motion was made by Commissioner Whitmore and seconded by Commissioner DiSabatino, to reschedule the January 4th Land Use Meeting to January 11, 2018, at 9:30 a.m. (with the Planning Commission meeting being rescheduled to January 4th).


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

The Board discussed breaking early for lunch on January 11, 2018, to attend the Fair.


The motion carried 7-0.

BC20171107DOC088


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

 Jan Brewer, Financial Management Director, recommended adoption of Budget Resolution B-17-079, amending the annual budget for Fiscal Year 2017, for 2017 Hurricane Irma expenses.

Discussion ensued regarding Federal Emergency Management Agency (FEMA) appropriations, get the message out to the public that the County must follow FEMA guidelines to be reimbursed for debris pickup, debris pickup is being done systematically throughout the County, trees around the County that are still leaning, clean-up and/or reconstruction efforts are still underway for FY2018, a Preliminary Damage Assessment used to determine the first estimates of damage, more solid figures will be brought back, whether any checks have been received to date, FEMA offered alternative solutions, and contact legislators on this matter.

 A motion was made by Commissioner Trace and seconded by Commissioner DiSabatino, to adopt Budget Resolution B-17-079.

Further discussion occurred regarding make a public service announcement, and public information is available at www.mymanatee.org/utilities.


 Glen Gibellina opposed the placement of organic material in the landfill and suggested the tree branches be chipped and mulched.

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

The motion carried 7-0.


BV20071107DOC089


59. **FINANCIAL MANAGEMENT/AGREEMENT/PACE PROGRAM**

 Jan Brewer, Financial Management Director, recommendation adoption of Resolution R-17-131, and the request to enter into a Non-Exclusive Interlocal Agreement relating to the funding and financing of qualifying improvements by the Florida Property Assessed Clean Energy (PACE) Funding Agency, one of the four PACE providers in Florida.

Discussed was held regarding the other three companies are working through the language of the Interlocal Agreement with the County Attorney's office.

Conrad DiSantis, Florida PACE Funding Agency, commented on the PACE Funding Agency and the PACE Program, and supported the competition with the other providers. He has successfully negotiated the agreement and looks forward to the competition.

 Mike Antile, Renovate America, also speaking for Green Corridor Pace (Ygrene) and Florida Green Financial Authority (Renew Financial Group), stated they are optimistic about working with the County Attorney's office with regard to the Interlocal Agreements for the three remaining companies.


 Todd Josko, Renew Financial Group, commented on the County's concerns about being a part of the bond financing for this program and asked for the Board's help in moving forward with the negotiations for the remaining providers.

 Glen Gibellina spoke in support of the PACE Program and moving forward with the other three providers.

 Ken Piper urged the Board to proceed with caution.

Terry Stark signed up to speak, but was not present.

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


 Bill Clague, Assistant County Attorney, expressed concern with the County being involved in the financing and bond aspects of the companies. He is working with the attorneys for the other providers and is optimistic that agreements with the other companies can come forward.

Discussion ensued that this is a new endeavor for Manatee County, using licensed contractors, this program gives people an opportunity to finance improvements to their homes, every contractor used for the PACE Program has to be licensed and bonded, carry insurance and meet all requirements for being a contractor in Manatee County, the requirement for installers to be licensed is currently not in the Interlocal Agreement, PACE has very strict protocol to monitor and train contractors in the Program, the Interlocal Agreement can be amended to include a provision requiring licensure, the agreement includes the ability for the County to terminate without cause, concern of the County regulating the actions and activities of special districts, the Board wants as much competition as possible, and the County will not responsible for the bond aspects.

A motion was made by Commissioner Jonsson and seconded by Commissioner Baugh, to adopt Resolution R-17-131, authorizing PACE funding programs in unincorporated Manatee County and approving an Interlocal agreement with Florida PACE Funding Agency. The motion carried 7-0.

BC20171107DOC090


60. **FINANCIAL MANAGEMENT/INTERFUND LOAN**

 Jan Brewer, Financial Management Director, presented Resolution R-17-128 and Budget Amendment B-18-016, to rescind Interfund Loan Resolution R-17-043 for \$3,751,583 from the General Fund, and authorize the Interfund Loan from Transportation Infrastructure Sales Tax to the Public Safety and Law Enforcement Capital Project fund for the Manatee Sheriff's Office Helicopter Project, for \$3,908,115, based upon actual revenue for FY17.

There is funding in the infrastructure sales tax, interest will be calculated, and reports will be provided.

Katherine Edwards commented on the cost of the Sheriff's helicopter and stated the Sheriff should bear the interest expense for the interfund loan.

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

 Ed Hunzeker, County Administrator, stated the request is to reverse a prior Board action, and the Sheriff's portion of the Infrastructure sales tax will bear the cost of the interest expense.

(Depart Chairman Benac; First Vice-Chairman DiSabatino presiding)

A motion was made by Commissioner Trace and seconded by Commissioner Baugh, to adopt Resolution R-17-128 and Budget Amendment B-18-016, to rescind Interfund Loan Resolution R-17-043 for \$3,751,583, and authorize the Interfund Loan from Transportation Infrastructure Sales Tax to the Public Safety and Law Enforcement Capital Project fund for the Manatee Sheriff's Office Helicopter Project for \$3,908,115, based upon actual revenue for FY17.


There was discussion to get an itemized list from the Sheriff on the details of the price of the helicopter.

(Enter Chairman Benac; presiding)

The motion carried 7-0.

BC20171107DOC091

61. **PUBLIC SAFETY/VIDEO EVENT RECORDERS**

 Paul DiCicco, EMS Chief, presented a request for the County Administrator to execute the Lytx, Inc., Drivecam Trial Agreement for a trial period of four months, at no cost to the County, for video/audio recording of accidents, erratic driving, dangerous driving habits, and abnormal operating circumstances.

There was discussion as to the price to the County after the trial period.

A motion was made by Commissioner Whitmore and seconded by Commissioner Trace, to authorize the County Administrator to execute the Drivecam Trial Agreement and the Drivecam Program Price Quote – Government Trial, for a period of four months, at no cost to the County.

Discussion ensued regarding why there is a trial basis.


 Katherine Edwards questioned the cost of the video recorders.

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

The motion carried 7-0.

BC20171107DOC092


62. **ADMINISTRATOR/DASHBOARD REPORT – SEPTEMBER 2017**

 Ed Hunzeker, County Administrator, presented the Dashboard Report for September 2017.


This report is provided for information only, and no action is required.

BC20171107DOC093

63. **ATTORNEY/ANNUAL REPORT**

 Mitchell O. Palmer, County Attorney, presented the 32nd Annual Report of the County Attorney's office.

Mr. Palmer summarized his introductory letter and the average conservative rates of the in-house lawyers. The County Attorney's approved budget for FY 2018 represents less than one-half of one percent of the overall 2018 County budget. He concluded that the County Attorney's office is committed to providing high quality, timely, unbiased, ethical and cost-effective advice and representation to the Board of County Commissioners and its various operating departments.


 Discussion occurred for Mr. Palmer to provide a report to the Board on how they can be pro-active in avoiding lawsuits against the County, the Risk Management Division is actively involved in safety programs, and a comparison of personnel in the Manatee County Attorney's office with other surrounding jurisdictions.

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

A motion was made by Commissioner DiSabatino and seconded by Commissioner Baugh, to approve and accept into the record, the 32nd Annual Report of the County Attorney's office. The motion carried 7-0.

BC20171107DOC094

COMMISSIONERS COMMENTS

 Commissioner Whitmore

- Commented on recent events she attended, including the Veterans Stand Down and a Police Athletic League event
- Spoke about correspondence received from State College of Florida, Manatee-Sarasota (10/31/17) regarding a force main break impacting the College on 60th Avenue West, between 26th Street West and 34th Street West and requested a report on the status of the project

BC20171107DOC095


 Commissioner Baugh

- Questioned the status of the Community Emergency Response Team (CERT) Program and asked the County Administrator to schedule this on a future agenda.


Discussion ensued that this is a volunteer program and there is no consensus by the Board to do something at this time.

Ed Hunzeker, County Administrator, stated that a report will be made to the Board on what staff is doing, and the Board can make then a determination.

AIRBNB ONLINE MARKETPLACE AND HOSPITALITY SERVICE

 Upon question by Commissioner Baugh as to the status of a report regarding Airbnb. Ed Hunzeker, County Administrator, stated there was a motion during the August 8th meeting for the County Administrator to schedule a work session on this subject. He will inquire as to the status of that work session during the Department Director meeting. Commissioner Baugh asked that Commissioners be informed of the status following that meeting. Mr. Hunzeker stated he would send Board members an email on the matter.

Mitchell O. Palmer, County Attorney, commented on reasons for the Tax Collector's refusal to enter into an agreement with Airbnb.

 Kate Zamboni, Assistant County Attorney, stated she is studying various options and hopes to bring something back to the Board in early 2018. Amendments to the Land Development Code will be required and to possibly create an accessory use called "home sharing."

Discussion occurred that this issue has not been tabled, Airbnb will not negotiate with government entities and wants anonymity of the homeowners, taxing authorities cannot tell them if their taxes have been paid and this creates auditing problems, short-term rentals is being examined, and a presentation was made to the Tourist Development Council.

Following discussion, a motion was made by Commissioner Smith, seconded by Commissioner Baugh and carried 7-0, to ask the Tax Collector to come to the Board to explain his position on Airbnb collection of short-term rental taxes.



Commissioner Smith

- Stated he will be attending Florida Association of Counties meetings in Sarasota next week
- Asked that the Board look into what other governments are doing with regard to Opioid litigation

Mitchell O. Palmer, County Attorney, commented on research his office has already done with respect to lawsuits against pharmaceuticals and that he will be ready to report to the Board soon.

- Received correspondence from a resident of Tropical Palms Mobile Home Park (George Staudt), on behalf of 17 veteran residents, indicating that they do not support putting the Confederate Monument in Veterans Park

BC20171107DOC096

Chairman Benac

- Reported on ongoing discussions about the possibility of moving the Confederate Memorial to Gamble Plantation. No decisions have been made at this time.

Discussion ensued to place the question of location for the monument on the ballot in 2018, and take the option of locating the monument at the Veterans Memorial Park off the table.

ADJOURN

There being no further business, Chairman Benac adjourned the meeting at 4:18 p.m.

Minutes Approved: _____