BC MB 18-19/1

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COUNTY ADMINISTRATIVE CENTER
1112 Manatee Avenue West
Bradenton, Florida
MARCH 26, 2019

Present were:

Stephen R. Jonsson, Chairman
Betsy Benac, First Vice–Chairman
Misty Servia, Second Vice-Chairman
Carol Whitmore, Third Vice-Chairman
Vanessa Baugh
Reggie Bellamy
Priscilla Whisenant Trace

Also present were:

Ed Hunzeker, County Administrator
Mitchell O. Palmer, County Attorney
Vicki Tessmer, Board Records Supervisor, Clerk of the Circuit Court
Amy N. Beck, Board Clerk, Clerk of the Circuit Court

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

INVOCATION AND PLEDGE OF ALLEGIANCE
The Invocation was delivered by Pastor Paul McLaughlin, Bible Baptist Church of Bradenton, followed by the Pledge of Allegiance.

AGENDA ANNOUNCEMENT

Time Certain:
2. Item 50 - 11:00 a.m. -Florida Department of Transportation Update on the Three River Bridge Studies
3. Item 57 - 1:30 p.m. -Mote Marine Laboratory Science Education Aquarium

59. Agenda Update Memorandum

- Item 30 – FY19 Budget Amendment Resolutions: Resolution B-19-066 was updated and replaced to add wording to the description
- Item 31 - Budget Submission Date for Certain Constitutional Officers – Resolution R-19-025 was updated and replaced to correct a scrivener’s error in Section 2, Budget Contents
- Item 32 – Change Order 2 to Agreement 17-0071OV – Force Main 1D Rehabilitation: Location map was added to this agenda item
- Item 36 – Supervisor Of Elections -Help America Vote Act (HAVA) Grant Award: Exhibit D was added to the Memorandum of Agreement attached to this agenda item
- Item 48 – Project Neptune EDI Revised: Deferred
- Item 58 – Confirmation of Acting County Administrator: Request for Confirmation of Karen Stewart, County Economic Development Official, as Action Deputy County Administrator, effective March 26, 2019.

CONSENT AGENDA

Commissioner Requests:

Item 39 – Concessionaire License Agreement for Mobile Food Truck Vendors: Pulled for separate action

PROCLAMATIONS
A motion was made by Commissioner Baugh seconded by Commissioner Benac and carried 7-0 to adopt the following Proclamations:

4. Public Health Week - April 1 - 7, 2019, accepted by Dr. Jennifer Bencie, Health Officer, Florida Department of Health in Manatee County, and the Health Department’s senior leadership team

5. Crime Victims' Rights Week - April 7 - 13, 2019, accepted by Susie Brown, Manatee Sheriff’s Office Victim Advocate Unit, and the Crime Victims' Rights Council

6. Boys & Girls Clubs Week - April 8 - 12, 2019, accepted by representatives of the Boys and Girls Clubs of Manatee County

7. Boys & Girls Clubs of Manatee County Youth of the Year accepted by Aries Cooper.

8. Child Abuse Prevention Month - April 2019 accepted by representatives of Manatee Children Services and the Florida Department of Children and Families

9. National County Government Month - April 2019 accepted by Nick Azzara, Information Outreach Manager

10. Water Conservation Month - April 2019 accepted by Ingrida Barkauskaite, Michael Hager, and Katie Gilmore, Utilities Department, and Dennis Ragosta, Southwest Florida Water Management District.

12. **CITIZEN COMMENTS** (Consideration of Future Agenda Items)

Charles Smith expressed concern regarding the following: the Lincoln Park football field and pool; Canal Road; and the East Bradenton Pool facility. He asked that the Board move forward with these projects and also commented on Statutes that prohibit Board members from serving on boards that receive funding from the County.

Rodney Jones spoke on Lincoln Park and asked that project move forward.

Betty Sailes Rhodes, expressed her concerns regarding the Lincoln Park renovations being delayed and the tunnel under U.S. 41.

Discussion ensued on having the County Administrator provide briefings on Lincoln Park, clarification for Commissioners serving on various boards, providing the best pool for Lincoln Park, East Bradenton pool project, transition of two Commissioners, the tunnel is a Florida Department of Transportation project, and crafting a master plan for Lincoln Park.

Cheri Coryea, Acting County Administrator, provided a brief update on the progress of Lincoln Park football fields and Request for Proposal (RFP) on pool designs will be published this week, updates regarding Canal Road will be provided as well as a status report on the East Bradenton Pool.

Discussion ensued on the usage of football fields at Lincoln Park, round-about construction at Canal Road, and the challenges from the infrastructure sales tax. There being no further citizen comments, Chairman Jonsson closed Citizen Comments.

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

There being no citizen comments, Chairman Jonsson closed Citizen Comments.
49. **CONSENT AGENDA MOTION**
A motion was made by Commissioner Trace, seconded by Commissioner Servia, and carried 7-0 to approve the Consent Agenda, with the changes noted in the Agenda Update Memorandum, with the deletion of Item 39 (separate action) and Item 48 (deferred).

14. **CLERK'S CONSENT AGENDA**

A. **MINUTES**
   - Approved the Minutes of October 9, 2018 and March 12, 2019

B. **REFUNDS**
   - 1. TWC at Artisan Lakes, LLC – Overpayment, $6,574

C. **CONTRACTS**
   - Accepted the following contracts per Chapter 2-26 of the Manatee County Code and pursuant to the Purchasing Division’s Administrative Standards and Procedures Manual
     - 2. Agreement with McKim & Creed, Inc., for Utility Locating Services

D. **REPORTS**
   - Accepted the following Reports:
     - 1. Filing of Intergovernmental Cooperative Agreement for the Sarasota/Manatee Airport and the Town of Longboat Key - A Contract and By-Laws for Public Risk Management of Florida Health Trust and Affidavit

E. **BONDS**
   - Accepted the following Bonds:
     - 1. Bridgewater Phase III
       - Released Agreement for Public Subdivision Improvements securing water and wastewater improvements; and
       - Released and returned Letter of Credit (Defect) FGAC-15247, and any amendments, $32,771
     - 2. Creekwood Townhomes
       - Released Agreement for Public Subdivision Improvements securing water and wastewater improvements; and
       - Released and returned Surety Bond (Defect) 0174009, and any associated riders, $54,279.
     - 3. Fiddler’s Creek
       - Accepted Amendment 1 to Letter of Credit (Defect) 2015-9, dated February 9, 2019, in conjunction with the Agreement for Public Subdivision Improvements with Public Improvements previously approved, expires August 9, 2019, $63,061
     - 4. Harmony at Lakewood Ranch, Phase II, Subphase C, Units 1, 2, 3, and 4, Unit 1 only
       - Released and returned Surety Bond (Performance) SUR0050007 and any associated riders with Unit 1 in the Agreement for Private Subdivision with Public Improvements, $578,686;
       - Accepted and executed Surety Bond (Defect) 0222832, securing Section 1.5 "Maintenance, Defects" of the Agreement for Private Subdivision with Public Improvements accepted by the Board of County Commissioners on September 11, 2018, securing potable water and sanitary sewer improvement, $41,752; and
       - Accepted and executed Bill of Sale
5. River’s Reach Phase 1-C  
   • Released Agreement for Public Subdivision Improvements securing water and wastewater improvements; and  
   • Released and returned Surety Bond (Defect) CS3037138 and any associated riders, $19,687.  

6. Riverwind at Stewart Grove  
   • Released Agreement for Public Subdivision Improvements securing water and wastewater improvements; and  
   • Released and returned Surety Bond (Defect) CS3037281, and any associated riders, $72,289.  

7. Savanna at Lakewood Ranch, Phase III, Subphase A, B & D – Subphase A only  
   • Released and returned Surety Bond (Performance) 59BSBHS3796, and any associated riders in conjunction with the performance portion of the Agreement for Private Subdivision with Public Improvements, $437,680;  
   • Accepted and executed Surety Bond (Defect) 59BSBHS3796-A, securing Section 1.5 “Maintenance/Defects” of the Agreement for Private Subdivision with Public Improvements accepted by the Board of County Commissioners on September 25, 2018, securing Subphase A potable water and sanitary sewer improvements, $31,803; and  
   • Accepted and Executed Bill of Sale  

8. Silverleaf, Phase III-A, III-B,III-C  
   • Accepted and executed Surety Bond (Performance) US00088426SU19A, in conjunction with Agreement for Private Subdivision Improvements, approved by the Board of County Commissioners on March 20, 2018, $118,853.  

15. COUNTY ATTORNEY/FLOOD INSURANCE  
   Approved the renewal of ten flood insurance policies for a total cost of $109,026 and to authorize the County Attorney, or his designee, to execute all related documents  

16. COUNTY ATTORNEY/LAWSUIT  
   Approved settlement of property damage claim of Brian Rosen for vehicle property damage in the amount of $30,353.10  

17. COUNTY ATTORNEY/DEFERRED COMPENSATION  
   Executed Waiver of Conflict of Interest for Matters Regarding the Manatee County Government 457(b) Deferred Compensation Plan, in the form submitted into the record by the County Attorney  

18. BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/CYPRESS GLEN PHASE IV  
   • Executed and authorized recording of Final Subdivision Plat;  
   • Authorized Recording of Declaration of Covenants, Conditions and Restrictions for Cypress Glen at River Wilderness, Phase IV;  
   • Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Private Improvements from West Coast Partners, LLC;  
   • Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Public Improvements from West Coast Partners, LLC;  
   • Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Cypress Glen at River Wilderness, Phase IV, Surety Bond 3301321, $581,348.69;  
   • Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Cypress Glen at River Wilderness, Phase IV, Surety Bond 3301322, $51,360.92;
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• Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Cypress Glen at River Wilderness, Phase IV, Surety Bond 3301324, $57,720;
• Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Cypress Glen at River Wilderness, Phase IV, Surety Bond 3301325, $186,582.50; and
• Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Cypress Glen at River, Surety Bond 3301323, $633,628.84

19. BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/POINCIANA PHASE IA
• Executed and authorized recording of Final Subdivision Plat;
• Authorized recording of the Declaration of Covenants, Conditions and Restrictions for Poinciana;
• Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Private Improvements from Neal Communities of Southwest Florida, LLC;
• Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Public Improvements from Neal Communities of Southwest Florida, LLC;
• Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Poinciana, Surety Bond US00088428SU19A XL, $1,481,171.24;
• Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Poinciana, Surety Bond US00088427SU19A XL, $388,980.41; and
• Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Poinciana, Surety Bond No. US00088429SU19A XL, $887,417.70

20. BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/WILLOW BEND PHASE IA
• Executed and authorized recording Final Subdivision Plat;
• Recorded the Declaration of Covenants, Conditions and Restrictions for Willow Bend Home Owner's Association of Manatee County, Inc.;
• Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Public Improvements from CWES XV LLC;
• Authorized the County Administrator to accept and execute Irrevocable Letter of Credit 70003691 for Required Public Improvements, Willow Bend Phase IA, $58,233.63; and
• Authorized the County Administrator to accept and execute Irrevocable Letter of Credit 70003692 for Required Public Improvements, Willow Bend Phase IA, $58,338.80.

21. BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT
Reduced the fines for case CE2016080038, Maraba LLC, to $2,500 plus $40 in recording fees, as previously recommended by the Special Magistrate on February 27, 2019, subject to the following conditions:
• The reduced fine shall be paid within 90 days or revert to the original fine amount of $115,200;
• Recording fees shall be paid which total $40; and
• Building and Development Services Department Director is authorized to sign Satisfactions of Liens if the reduced fines are paid
22. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**
Reduced the fines for case CE200709509293, Ellen Wittmeyer, to $700 plus $20 in recording fees, as previously recommended by the Special Magistrate on February 27, 2019, subject to the following conditions:
- The reduced fine shall be paid within 90 days or will revert to the original fine amount of $5,500;
- Recording fees shall be paid which total $20; and
- Building and Development Services Department Director is authorized to sign satisfactions of liens if the reduced fines are paid

23. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**
Reduced the fines for case CE2017020948, Watermark Capital FL LLC to $500.00 plus $28.50 in recording fees, as previously recommended by the Special Magistrate on February 27, 2019, subject to the following conditions:
- The reduced fine shall be paid within 90 days or will revert to the original fine amount of $10,000;
- Recording fees shall be paid which total $28.50; and
- Building and Development Services Department Director is authorized to sign satisfactions of liens if the reduced fines are paid

24. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**
Reduced the fines for case CE2017080267, Watermark Capital FL LLC to $500 plus $28.50 in recording fees, as previously recommended by the Special Magistrate on February 27, 2019, subject to the following conditions:
- The reduced fine shall be paid within 90 days or will revert to the original fine amount of $10,000;
- Recording fees shall be paid which total $28.50; and
- Building and Development Services Department Director is authorized to sign satisfactions of liens if the reduced fines are paid

25. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**
Reduced the fines for case CE2017070328, Watermark Capital FL LLC, to $0 plus $0 recording fees, as previously recommended by the Special Magistrate on February 27, 2019, subject to the following conditions:
- The reduced fine shall be paid within 90 days or will revert to the original fine amount of $10,000.
- Recording fees shall be paid which total $28.50.
- Building and Development Services Department Director is authorized to sign satisfactions of liens if the reduced fines are paid.

26. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**
Reduced the fines for case CE2009120107, James Sterling Cooper, to $0 and $0 recording fees, as previously recommended by the Special Magistrate on February 27, 2019
- Authorized the Building and Development Services Department Director to sign satisfactions of liens

27. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**
Reduced the fines for case CE2006040531, Mark Frazier, to $0 plus $0 recording fees, as previously recommended by the Special Magistrate on February 27, 2019
- Authorized the Building and Development Services Department Director to sign satisfactions of liens.
28. **COVENTION AND VISITORS BUREAU/AGREEMENT**
   Authorized the County Administrator to execute Amended and Restated Reimbursement Agreement with Keep Manatee Beautiful for the 2019 Earth Day event

29. **COVENTION AND VISITORS BUREAU/AGREEMENT**
   Authorized the County Administrator to execute Amendment One to Interlocal Agreement with the City of Bradenton Beach for the Bridge Street Pier floating dock project

30. **FINANCIAL MANAGEMENT/BUDGET AMENDMENT**
    Adopted Budget Amendment Resolution B-19-066

31. **FINANCIAL MANAGEMENT/RESOLUTION**
    Adopted Resolution R-19-025 which provides for:
    - Establishing May 1, 2019, as the due date for the FY 2019-2020 budget requests from the Clerk of The Circuit Court, the Sheriff, and the Supervisor of Elections; and
    - Provision for a complete budget submission highlighting all revenues and expenses within the year of budget submission for the offices of the Sheriff, the Clerk of the Circuit Court, the Supervisor of Elections, the Property Appraiser, the Court Administration, the State Attorney, the Public Defender, and the Guardian Ad Litem

32. **FINANCIAL MANAGEMENT/AGREEMENT**
    Authorized the County Administrator or designee to execute Change Order 2 to Agreement 17-00710V Force Main 1 Rehabilitation with Metro Service Equipment, Inc., increasing the contract sum by $1,288,274.97 for a new total of $5,583,544.97 and adding an additional 365 calendar days to the construction schedule; and adopted Budget Resolution B-19-067 amending the annual budget for Manatee County, FL, for fiscal year 2019

33. **FINANCIAL MANAGEMENT/RESOLUTION**
    Adopted Resolution R-19-037 authorizing the Chairman to sign the First Revised Attachment A and Second Revised Attachment A - Modification to Federally-Funded Sub award and Grant Agreement 4337DRFLP00000001/Z0770 to receive Disaster Relief Funding from the Federal Emergency Management Agency (FEMA) and the State of Florida, Division of Emergency Management

34. **FINANCIAL MANAGEMENT/RESOLUTION**
    Adopted Resolution R-19-021 authorizing a short-term loan not to exceed $1,211,996 from the Infrastructure Transportation Capital Projects fund (Fund 850) to the Infrastructure Sales Tax Public Safety and Law Enforcement Capital Projects fund (Fund 851); and adopted Budget Resolution B-19-058 adjusting the FY19-23 CIP amending the annual budget for Manatee County, FL, for fiscal year 2019

35. **FINANCIAL MANAGEMENT/AGREEMENT**
    Authorized awarding a two year agreement for Billing Services with Southwest Direct, Inc., for a total not to exceed amount of $550,000 and authorized the County Administrator, or designee, to execute the Agreement

36. **FINANCIAL MANAGEMENT/SUPERVISOR OF ELECTIONS**
    Authorized the Chairman to execute Certificate of Matching Fund (Attachment E of MOA 2018-2019-0003, included in the required documentation package for this agenda item) obligating Manatee County to provide the required 15 percent local match of $5,080 for the grant of $33,864
37. **NEIGHBORHOOD SERVICES/GRANTS**
Authorized to submit an application in partnership with Sarasota County and the Central Florida Behavioral Health Network, should identified match-funding permit and Sarasota County Government agree, to submit a co-application to the Substance Abuse and Mental Health Services Administration (SAMHSA) to procure funds from the "Expansion and Sustainability of the Comprehensive Community Mental Health Services for Children with Serious Emotional Disturbance"

38. **NEIGHBORHOOD SERVICES/TRAVEL EXPENSES**
Authorized Kimberly Kutch, Florida Department of Children and Families Representative on the Manatee County Children's Services Advisory Board, to represent the Children's Services Advisory Board in a panel discussion on April 2, 2019, at Vero Beach, Florida, relative to the development of Children's Services Councils in the state of Florida; the travel includes authorization by the Chairman to reimburse Ms. Kutch for allowable expenses related to the travel to include meals, lodging, and mileage reimbursement

40. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
Accepted and authorized recording of Permanent Drainage Easement from Charles Lorenzo Miller to Manatee County for property located at 1420 72nd Street East, Palmetto

41. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utilities Easement from the School Board of Manatee County for property located at Harvey Elementary School, 8610 115th Avenue East, Parrish, Florida 34219; and
- Authorized recording of Affidavit of Ownership and Encumbrances from Dave Miner, Chairperson of the School Board of Manatee County

42. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utilities Easement from Professional Resource Development, Inc., to Manatee County for property with the following; and
- Authorized recording of Affidavit of Ownership and Encumbrances from Jonathan Brumleve, as President of Professional Resource Development, Inc.

43. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
Accepted and authorized recording of Temporary Nonexclusive Construction Easement from Townhouses in the Cay Association, Inc., for property located at 10125 Manatee Avenue West

44. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Warranty Deed from the Lakewood Ranch Stewardship District for 117th Street East Right-of-Way;
- Authorized recording of Affidavit of Ownership and Encumbrances from Rex E. Jensen;
- Accepted and authorized recording Permanent Utility Easement from SMR Northwest Land LLC; and
- Authorized recording of Affidavit of Ownership and Encumbrances from Rex E. Jensen

45. **PUBLIC SAFETY/AGREEMENT**
Executed the Interlocal Agreement between Manatee County and Manatee County Hazardous Materials Team Fire Districts: North River Fire District; Southern Manatee Fire Rescue District; West Manatee Fire and Rescue District; East Manatee Fire Rescue District; Parrish Fire District; Cedar Hammock Fire Control District; Duette Fire and Rescue District; Trailer Estates Fire Control District and the Myakka City Fire Control District
46. **PUBLIC WORKS/SURPLUS EQUIPMENT/RESOLUTION**
Authorized to classify property which is uneconomical to upgrade or repair as surplus per Florida Statute 274.05 to enable appropriate and authorized disposition of said property and authorization to thereafter dispose of such property; and adopted Resolution, R-19-035, authorizing donation to United Community Centers

47. **PUBLIC WORKS/SURPLUS VEHICLES**
Authorized to classify vehicles which are uneconomical to operate as surplus per Florida Statute 274.05 to enable appropriate and authorized disposition of said property and authorization to thereafter dispose of such property

(End Consent Agenda)

**ADVERTIZED PUBLIC HEARINGS** (Presentation upon Request)

50. **FINANCIAL MANAGEMENT/TRANSPORTATION INFRASTRUCTURE SALES TAX**
A duly advertised public hearing was scheduled, but not opened, to consider adoption of a Resolution regarding the Transportation Infrastructure Sales Tax, but will be re-advertised.

Jan Brewer, Director of Finance, stated there was no action requested, the item will be re-advertised for a public hearing and an update to the Board will be provided at a later date.

51. **PUBLIC WORKS/RESOLUTION**
A duly advertised public hearing was held to consider adoption of proposed Resolution R-19-026 to approve construction of a special assessment road project on 17th Street East.

Kaleena Otero, Public Works Senior Assessment Coordinator, provided the Board with a brief recap on the special assessment road project on 17th Street East.

A motion was made by Commissioner Whitmore and seconded by Commissioner Trace to adopt Resolution R-19-026.

There being no public comment, Chairman Jonsson closed the public hearing.

The motion carried 7-0.

**ADVERTISED PUBLIC HEARINGS** (Presentation Scheduled)

52. **FINANCIAL MANAGEMENT/RESOLUTION**
A duly advertised public hearing was held to consider adoption of proposed Resolution R-19-033 authorizing extension of Outstanding Revenue Refunding and Improvement Note, Series 2018.

Jan Brewer, Finance Director, provided a brief summary of the Outstanding Revenue Refunding and Improvement Bond. In 2016, a bond was issued for a $36 million line of credit to aid the 44th Avenue Extension. Due to land acquisition delays, staff is asking the Board to extend the credit line for an additional six months until October 2019.

Discussion ensued that this is the last extension allowed under this line of credit, and staff plans to come back within three months with a strategy to move forward.

A motion was made by Commissioner Trace and seconded by Commissioner Baugh to adopt the following:
Adopted Resolution No. R-19-033 providing for a six month maturity extension to October 13, 2019 on the Revenue and Refunding Note, Series 2018 (the "2018 Note") held by Bank of America, N.A. which the 2018 Note was issued on April 2, 2018, for the 44th Avenue Transportation Project; and

Authorized the preparation and execution of documents with the summary of terms and conditions included in the agenda, as per the recommendation of Public Resources Advisory Group (PRAG), the County's Financial Advisor, and the County's legal and professional staff.

There being no public comment, Chairman Jonsson closed the public hearing.

The motion carried 7-0.

Discussion ensued regarding 44th Avenue extension being funded by impact fees from South East County residents, Lakewood Ranch area is a large tax base for Manatee County, final extension allowed for the credit line, and a timeline for a strategic approach.

Cheri Coryea, Acting County Administrator, asked the Board to confirm Karen Stewart, Economic Development Division Manager, as the Acting Deputy County Administrator. Ms. Stewart has been employed by the County since 2008 and will assist the Acting County Administrator with project leadership tasks.

Discussion ensued regarding Ms. Stewart being a prime choice, her history with Manatee County, the roles of the Deputy County Administrator, and her first-hand experience of Manatee's economic cycles.

Ms. Coryea stated the main responsibility for an Acting Deputy County Administrator is project management, negotiations, research, and would identify unusual cases. The role would focus on internal assignments such as Human Resources, organizational structure, and County operations.

A motion was made by Commissioner Whitmore and seconded by Commissioner Bellamy to confirm Karen Stewart, County Economic Development Official, as Acting Deputy County Administrator effective March 26, 2019.

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

The motion carried 7-0.

William Webster, Environmental Lands Management and Acquisition Advisory Committee (ELMAC) Chairman, stated the Advisory Committee requested the Commissioners contact the Trust for Public Land for assistance in securing funding to acquire and preserve additional undeveloped lands for the purpose of creating green spaces and water conservation. Manatee County has not designated land solely for conservation. The population in the area is growing and therefore property supply is diminishing. If Manatee County does not have dedicated funding for acquiring land for conservation, the County will not qualify for grant funding from Florida Forever in the future.
Discussion ensued on completing a needs analysis, ELMAC meetings, quality of life challenges within the Community, importance of open spaces, engaging the public, referendum on the ballot in 2020, importance of Manatee’s Preserves, red tide impacting the Gulf, millage assignments, and matching available trust programs for land conservation.

Charlie Hunsicker, Parks and Natural Resources Director, stated the Trust for Public Land has set up funding for public polling to discover land conservation needs. County funds for expenditures would not be necessary if land conservation is presented on the ballot for voters in 2020. Surrounding Counties have dedicated funding sources for land acquisition for conservation purposes.

A motion was made by Commissioner Trace and seconded by Commissioner Benac to execute a letter to The Trust for Public Land requesting technical advice and assistance to develop and sustain reliable, ongoing sources of funding for land conservation.

Chairman Jonsson opened public comment.

Marsha Wilke expressed support to execute the letter to the Trust for Public Land and spoke on the importance of open spaces due to the growing population.

Christine Johnson, Conservation Foundation of the Gulf Coast President, encouraged the Board to move forward in working with the Trust for Public Land and commented on the benefits of open space in the community.

Steve Moore, spoke of an experience at Jigg’s landing and placed emphasis on the importance of ecotourism businesses within Manatee County.

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

The motion Carried 7-0

56. PUBLIC WORKS/THREE BRIDGE STUDIES (11:00 A.M. TIME CERTAIN)

Jennifer Marshall, Florida Department of Transportation (FDOT) Project Manager, used a slide presentation to address the Bradenton-Palmetto Connector, Central Manatee Network Area Analysis (CMNAA), and the Desoto Bridge Replacement projects that focus on traffic congestion. FDOT has crafted 11 possible alternatives for the Central Manatee Alignment. The Project Development and Environment (PD&E) study will address capacity concerns in the Bradenton/Palmetto area and bring the existing Desoto Bridge up to current standards. It has been determined the Desoto Bridge will be replaced regardless of the Study’s outcome due to the bridge nearing the end of its service life. The Bradenton-Palmetto Connector study will be published in FY 2020 and the project will commence May 2020. Phase one is an Alternative Corridor Evaluation (ACE) which created the alternative alignments from the Central Manatee Study and will recommend various options to transition into the PD&E study phase. Phase two is the PD&E Study that will detail the evaluation of the alignments recommended from ACE and will chose one alternative for the design phase. The project schedule is to advertise for a Consultant in November 2019, select a Consultant in February 2020, and execute a study contract in May 2020.
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Discussion ensued as to who makes the final decision on the alternatives, if Board input is considered for the decision, time line for the PD&E study, and past communication issues between the County and FDOT.

Mrs. Marshall stated the Office of Environmental Management will make the final decision. ACE Phase one process will take up to 18 to 24 months. If environmental concerns are raised, this could potentially delay phase two by 36 or more months. The PD&E study will have a portion dedicated to County communication and documentation.

Discussion continued regarding FDOT conducting town hall meetings, how the County can help FDOT with communication to the public, creative solutions to public engagement, Metropolitan Planning Organization did not openly express or vote for a preference on a particular alternative, challenges of additional capacity in an urbanized area, and using social media to enhance getting information to the public.

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

COUNTY ADMINISTRATOR/FEDERAL LEGISLATIVE TOPICS

Charlie Hunsicker, Parks and Natural Resources Director, highlighted topics to be discussed with legislators during the Commissioners’ visit to Washington DC. He also recommended the inclusion of American with Disabilities Act (ADA) requirements for public information on websites and looking for ways in which the rule can better define the obligations and meet the full intention of the Act.

Discussion ensued on different topics needing Congressional focus, infrastructure issues on the National level, funding for the increase of the gas tax, and if there can be a cap on gas taxes.

Motion was made by Commissioner Trace and seconded by Commissioner Whitmore to approve the Federal Legislative topics, including the ADA website requirements to be discussed during the Washington D.C. visit April 9-12, 2019.

There being no public comments, Chairman Jonsson closed public comment.

The motion carried 7-0.

PARKS AND NATURAL RESOURCES/ MOBILE FOOD TRUCK VENDORS

Discussion ensued on if the County should charge fees to mobile food trucks parking on County property, if there are assessed fees for private businesses on Manatee County property, and if there have ever been agreements with food trucks in the past.

Mr. Hunsicker clarified there have not been previous agreements with food trucks and the County. This is the County’s first attempt to control parking locations and the length of time food trucks are on Manatee County property. The focus is to gage the success rate of the food trucks by 12 months or sooner before implementing a fee. Staff needs to accumulate more details of interested businesses before charging fees.

Discussion continued regarding producing a reasonable fee schedule before 12 months, County pays for concession stands run by the sports leagues, for-profit and not-for profit to supply concessions, updating the Board on the results of the agreement, what could be an
appropriate fee charged currently until further monitoring is done, concerns with selling food out of vehicles, and costs incurred by the County to build concessions and bathrooms.

Mitchell O. Palmer, County Attorney, stated the agreement can be utilized at all parks and preserves. As the program matures successfully, the County may enter into a competitive negotiation process.

A Motion was made by Commissioner Trace and seconded by Commissioner Servia to authorize the use of Concessionaire License Agreement for Mobile Food Truck Vendors at various County Parks, and adoption of Resolution R-19-029 authorizing the Director of Parks and Natural Resources, or his/her designee, to execute the individual Concessionaire License Agreements for Mobile Food Truck Vendors and giving the Parks and Natural Resources Director up to one year to come back to the Board.

There being no public comment, Chairman Jonsson closed public comments.

The motion carried 6-1 with Commissioner Whitmore voting nay. BC20190326DOC065

RECESS/RECONVENE 12:05 P.M to-1:30P.M. All Commissioners were present.

57. MOTE MARINE LABORATORY SCIENCE EDUCATION AQUARIUM (MOTE SEA) (1:30 P.M. TIME CERTAIN)

Dr. Michael P. Crosby, Mote Marine Laboratory and Aquarium President, spoke of his appreciation for the ongoing partnership between Manatee County and Mote Marine. Mote Marine’s goal is to educate visitors and the community on Florida’s coastal environment. Mote Marine has grown from a single small building to six buildings with a staff of 200 employees. Mote Marine’s education program has developed a working relationship with the Manatee County School Board (MCSB) by providing free visits for students to the aquarium. This school year, over 3000 MCSB students were provided free visits to the aquarium. The vision for Mote Marine is to expand the infrastructure to accommodate an international science program to attract attention across the world. The enhanced Mote Marine Science Education Aquarium (SEA), will be developed on 12 acres within Nathan Benderson Park. Mote Marine Laboratory and Aquarium, is seeking a financial commitment of $15 million dollars from Manatee County to contribute for the total $130 million of construction related expenses.

Discussion ensued on the amount of funding requested, Mote Marine/Manatee County strong economic history, educational opportunities from Mote SEA, being held accountable to the tax payers, the value and effects of Mote Marine on Manatee and Sarasota County, possible meetings with MCSB, and if any formal agreement with Sarasota County has taken place.

Dr. Crosby stated there has not been a meeting with the MCSB but Mote is attempting to schedule with them. Mote is actively involving science teachers, so the facilities can be crafted beneficially for the students. Mote Marine has finalized a land use agreement with Sarasota County, but is not starting construction until they have full funding. Mote Marine has placed a financial commitment request with Sarasota County for $20 million, and has acquired over $30 million dollars and supply contributions from other organizations. The $130 million expenditures will span over a four year timeframe, and the full amount is not required immediately.
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Discussion ensued on Mote Marine being nonprofit, Sarasota County generates higher revenue than Manatee County, availability of general funds for this project, and if Tourist Development Tax (TDT) could be used for funding.

Motion
A motion was made by Commissioner Trace and seconded by Commissioner Bellamy for staff to look at possible ways to find the money.

Discussion ensued on the challenges of funding the request, if the State is offering funding, the Board should amend the motion to include the Chair writing a letter of support for Mote Marine to the State, and if the State requires commitments from Sarasota and Manatee before offering funding.

William Clague, Chief Assistant County Attorney, clarified that Florida Statute restricts capital improvements to only be used within the County. TDT can be used for aquariums and attractions across county lines if it is economically beneficial to Manatee County. The difficulty facing the request is the amount of $15 million.

Discussion continued on what Mote Marine means to the Community, Mote Marine is an educational organization, if County staff is prepared to handle a joint-County task, creative ways for the partnership, Board will be supportive of efforts with Legislation, the large sum for the financial commitments cannot be achieved, letters to representatives from Manatee and Sarasota to support Mote Marine, watching how the project progresses over time, has funding be requested from the City of Sarasota, and TDT cannot be used for capital improvements.

Dr. Crosby clarified the State prefers commitments from Sarasota and Manatee before becoming involved.

Discussion continued on staff working with Sarasota to make this a regional project, if both Counties should take loans for funding, finding a form of commitment that is not monetary funding, Tourist Development Council (TDC) should consider this an opportunity, if the Board can make this decision to enhance tourism within the County, the State’s serious consideration of the Mote Marine proposals, State funding is most likely available after the project is complete and if the Board can use TDT act to promote tourism.

Mr. Clague clarified the TDT Act allows the County to promote attractions and requires the Board to produce findings that the funding did benefit tourism.

George Masserintany, Shultz Firm, expressed his gratitude to the Board for their support. He requested Mote Marine employees be allowed to work with the staff as to not overburden the County.

Discussion ensued on amending the motion to enthusiastically support Mote Marine in the letter to the State, not promising monetary commitment in the letter, and if the motion included finding $15 million.

Amended Motion
The motion was amended the work “some” to the motion and to express the Board enthusiastically supports Mote Marine. The motioner and seconder agreed to the amendment.
A motion was made by Commissioner Trace and seconded by Commissioner Bellamy to amend the motion for staff to look at possible ways to find some money and for the Chairman to write to the State Representatives that Manatee County enthusiastically supports Mote.

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

Motion Carried
The amended motion carried 7-0.

Mr. Clague, stated any use of TDT for this project will require an amendment to the tourist development plan with a majority vote plus-one to pass.

55. COUNTY ADMINISTRATOR/DASHBOARD REPORT FOR FEBRUARY 2019

Cheri Coryea, Acting County Administrator, stated staff is researching new formats for the dashboard report due to difficulty following the infrastructure sales tax.

COMMISSIONER COMMENTS

Commissioner Whitmore
- Commented on difficulties a resident has storing a Recreational Vehicle (RV) on his property

Discussion ensued regarding Code Enforcement (CE) allowing a RV to be stored in the front yard

COMMISSIONER COMMENTS resumed from earlier in the meeting

BACKFLOW PREVENTION DEVISE

Commissioner Whitmore received a complaint about the requirement for annual inspections of backflow prevention devices. She asked if staff can look into the possibility of allowing for inspections every two to five years.

Mitchell O. Palmer, County Attorney, clarified that backflow prevention devices require yearly inspections by County Ordinance.

Discussion continued on the salt environment being an issue, systems could be contaminated without yearly inspections, if this is a request or a code change, and staff has performed the backflow study before.

A motion was made by Commissioner Whitmore and seconded by Commissioner Baugh to have staff investigate what other areas are doing and to consider changing inspections to every other year.

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

The motion failed 2-5, with Commissioners Whitmore and Baugh voting in favor, and Commissioners Benac, Bellamy, Jonsson, Servia and Trace voting nay.

COMMISSIONER COMMENTS resumed from earlier in the meeting

Commissioner Bellamy
- Requested an update from staff on the East Bradenton Pool project
• Requested the Memphis area be considered for the next street lighting project, because the funds for the Samoset pilot project have not been exhausted

Mrs. Coryea stated a future update for the Samoset project is scheduled. The Board has not identified any additional lighting projects at the moment.

Commissioner Trace
• Commented on long range plans for central Parrish

Commissioner Jonsson
• Suggested each District Commissioner prioritize their Infrastructure Sales Tax wish list for an upcoming work session

Commissioner Benac
• Provided an update on the Metropolitan Planning Organization (MPO)/ Public Transportation Task Force presentation from March 25, 2019.
• Commented on two roundabouts being placed at the entrance of University of South Florida and Braden Avenue
• Commented on a request from millennial planners for involvement in long range planning

The County Administrator stated a detailed memo of all FDOT projects and their status will be provided.

Commissioner Servia
• Thanked the at-large Commissioners and staff for attending the District Four Town hall meeting
• Commented on the high numbers of panhandlers within the County and asked staff to research how Sarasota County addresses panhandling

The County Attorney noted that panhandling is regarded as a form of free speech unless there is a public safety concern.

Discussion ensued to ask the County Attorney to provide Commissioners with copies of the Manatee and Sarasota County ordinances.

• Commented on roosters becoming a public nuisance in the Pride Park area and if Animal Control is equipped to catch poultry

Discussion ensued on the County Ordinance allowing backyard chickens but excluding roosters, Code Enforcement not having the tools to enforce the rooster issue,

• Noted her request to the County Attorney to inform her if there is an issues with her sitting on the Board for the Housing Authority Committee

Discussion ensued that the County does not provide funding to the Housing Authority.

Commissioner Baugh
• Asked the County Administrator look into where the funding came from for the acquisition for the Braden River Preserve property
• Commented on requests for the Board to collaborate with the State on accelerating the roundabout project at S.R. 64 and Greyhawk (Pope Road)

Discussion resumed on Braden River preserve may have been funded from the Municipal Service Taxing Unit (MSTU).

**ADJOURN**

There being no further business, Chairman Jonsson adjourned the meeting at 3:25 p.m

Minutes Approved: __________________