

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
BRADENTON AREA CONVENTION CENTER
One Haben Boulevard
Palmetto, Florida
MAY 19, 2020**

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

Present were:

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

Also present were:

Cheri Coryea, County Administrator
Mitchell O. Palmer, County Attorney
Angelina Colonnese, Clerk of the Circuit Court
Vicki Tessmer, Board Records Supervisor, Clerk of the Circuit Court

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

INVOCATION AND PLEDGE OF ALLEGIANCE

1. The Invocation was delivered by Pastor Steve Gibson, First Church of the Nazarene, followed by the Pledge of Allegiance

RECESS/RECONVENE: 9:04 a.m. – 9:08 a.m. The County Commission meeting recessed for the purpose of holding a Port Authority meeting. The County Commission meeting convened with all Commissioners present.

AGENDA

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| | BC20200519DOC001 |
|  Agenda Update Memorandum | BC20200519DOC002 |
| Items 6 and 7 – Public Comments, Public Comment form was added to the agenda | |
| Item 26 – Purchase Agreement and County Deed with Florida Department of Transportation:
Deferred to June 16 | BC20200519DOC003 |
| Item 27 – Purchase Agreement and County Deed with Florida Department of Transportation:
Deferred to June 16 | BC20200519DOC004 |
| Item 29 – Sidewalk Easement: Requested action updated to Accept and record Permanent Sidewalk Easement and accept and record Affidavit of Ownership and Encumbrances from Kathie J Geartz and Kent W. Geartz; background discussion updated, Page 1 of the Certification of Trust (which is part of the Permanent Sidewalk Easement) was updated and replaced; and the Affidavit of Ownership and Encumbrances was added | |
| Item 37 – Sovereignty Submerged Lands easement for River Club Boulevard Bridge across the Braden River: Background Discussion updated (see memo) | |
| Item 54 – Ordinance 20-20 Speed Limits: Public comments added to agenda item | |
| Item 55: Coronavirus (COVID-19) Emergency: Requested action updated to “Authorize the County Administrator to transmit a written request and safety plan to the Department of Business and Professional Regulations for the reopening of Vacation Rentals in Manatee County, per Executive Order 20-123; background discussion added; and the following added to the agenda: | |
| <ul style="list-style-type: none">• Governor’s Executive Order 20-123; | |

- The Plan for Florida’s Recovery (Full Phase I Outline)
- Letter to Department of Business and Professional Regulations
- Ongoing issues related to COVID-19 (May 19, 2020 presentation)
- Week 4 Re-opening Strategies Report; and
- Public comments added to the agenda

Item 58 – Report on Financial COVID Updates: PowerPoint added to agenda

Item 59 – Economic Recovery Framework in Response to COVID-19: County Attorney response memo regarding incentives added to agenda

Time Certain

2. Item 50 – 9:00 a.m. Port Authority Meeting
Item 55 – 10:30 a.m. Coronavirus (COVID-19) Emergency

COMMISSIONER REQUESTS

 Item 42 – Authorization to advertise to set a public hearing for No Parking Ordinance 20-28 pulled by Commissioner Servia for separate action

PROCLAMATIONS

 A motion was made by Commissioner Baugh, seconded by Commissioner Servia and carried 7-0, to adopt the following proclamations:

3. Memorial Day – May 25, 2020, accepted by Commissioner Bellamy and John Barnott, Building and Development Services Director on behalf of Veterans Services BC20200519DOC005
4. Emergency Medical Services Week – May 17-23, 2020 accepted by Jacob Saur and James Crutchfield Emergency Medical Services (EMS) Chief and EMS staff BC20200519DOC006
5. Code Enforcement Officers’ Appreciation Week – June 1-5, 2020 accepted by Jeff Bowman, Code Enforcement Chief and Code Enforcement Officers BC20200519DOC007
6. **CITIZEN COMMENTS** (Future Agenda Items) BC20200519DOC008

 Laura Alcover questioned regulations pertaining to the need for a prescription for massage therapy.

 Cheri Coryea, County Administrator, stated staff will contact the Department of Professional and Business Regulation to get answers. She clarified that the County has not initiated additional regulations regarding massage therapy.

 Discussion ensued regarding massage therapists working in salons and requested clarification.

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

John Osborne, Deputy County Administrator, announced that members of the audience are allowed to call in via Zoom.

CONSENT AGENDA

7. **CITIZEN COMMENTS** (Consent Agenda Items)

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

47. **CONSENT AGENDA MOTION**

 A motion was made by Commissioner Trace, seconded by Commissioner Bellamy, and carried 7-0, to approve the consent agenda, with the changes noted in the Agenda Update Memorandum with the deletion of Items 26 and 27 (deferred to June 16) and Item 42 (pulled for separate action)

8. **CLERKS CONSENT AGENDA**
WARRANT LISTING

BC20200519DOC009

Accepted the Warrant (Check) Listing for the month of April 2020, as issued by the Finance Department BC20200519DOC010

B. **MINUTES**

Approved the Minutes of May 5 and 7, 2020

C. **REFUNDS**

Approve the following Refunds:

- 1. Audio Workshop; c/o Mario P. DeSario – Building Fee, \$1,000 BC20200519DOC011
- 2. 2405 AVE A LLC – Utility Billing Adjustment, \$2,115.24 BC20200519DOC012

D. **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

- 1. Amendment 5 to Agreement 16-0759CP with Fourtune 4, Inc., dba Environmental Assessments and Consulting, for Professional Environmental Engineering Services, extending the agreement for one year (7/15/2020-7/14/2021) BC20200519DOC013
- 2. Amendment 4 to Agreement 15-0909JE with HDR Engineering, Inc., for Professional Transportation Engineering Services, adding an additional rate fee schedule to the existing subconsultant, American Government Services, Corp., pursuant to the rates in Attachment A BC20200519DOC014
- 3. Administrative Contract Adjustment 1 to Agreement 19-TA003054AJ for boiler room piping replacement with Florida Boiler Sales and Service, adding 31 calendar days extending the completion date to May 29, 2020 BC20200519DOC015

E. **REPORTS**

Accepted the following Reports:

- 1. Harrison Ranch Community Development District – Annual Financial Report for year ended September 30, 2019 BC20200519DOC016
- 2. Peace River Manasota Regional Water Supply Authority – Comprehensive Annual Financial Report for Fiscal Year ended September 30, 2019 BC20200519DOC017
- 3. University Park Recreation District – Proposed FY2021 Budget BC20200519DOC018

F. **BONDS**

Accepted the following Bonds:

- 1. Artisan Lakes Parcel J, Phase II-A Only
 - Released and returned Surety Bond SU1164239 (Performance) and any associated riders, in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$304,027.99
 - Accepted and executed Surety Bond SU1164267 (Defect) securing Section 1.5 “Maintenance, Defects” of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on August 6, 2-19 for Parcel J, Phase II-A, securing water and wastewater improvement; \$23,386.77; and
 - Accepted and executed Bill of Sale BC20200519DOC019
- 2. Canoe Creek Phase II – Jim Davis Road

- Accepted and executed Agreement in Conjunction with Surety Bond (Attachment “A”) as Defect Security Warranting Required Improvements securing roadways and pavement improvements;
 - Accepted and executed Surety Bond CS3249612 (Defect), \$54,363.94; and
 - Accepted and executed Bill of Sale BC20200519DOC020
3. Grand Oak Preserve fka The Ponds
- Released and returned Letter of Credit 723083582-L004 (Defect) and any associated amendments in conjunction with Agreement for Public Subdivision Improvements, \$484,615.38; and
 - Accepted Letter of Credit 723083582-L003 (Defect) in conjunction with Agreement for Public Subdivision Improvements, \$194,986.42 BC20200519DOC021
4. Lakewood National Golf Club – Uihlein Road
- Released and returned Letter of Credit FGAC-1353 (Performance) and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$3,535,109.25;
 - Accepted and executed Letter of Credit FGAC-18500 (Defect) securing Section 1.5 “Maintenance, Defects” of the Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on December 13, 2016, securing drainage, roadway (four lanes pavement) sewer and potable water, \$228,252.67; and
 - Accepted and executed Bill of Sale BC20200519DOC022
5. The Heights Phase I, Subphase IB
- Released and returned Surety Bond SU1156144 (Performance) and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$1,049,253.36;
 - Released and returned Surety Bond SU1156142 (Performance) and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$2,609,846.82;
 - Accepted and executed Surety Bond SU1164272 (Defect) securing Section 1.5 “Maintenance, Defects” of the Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on May 21, 2019 for Subphase IB securing paving, wastewater, potable water and surveying, \$127,544.82; and
 - Accepted and executed Bill of Sale BC20200519DOC023
6. White Eagle Boulevard, Phase III
- Accepted and executed Agreement for Public Improvements securing roadways, pavement, water and sewer improvement;
 - Accepted and executed Surety Bond 1064782 (Defect), \$424,203.52; and
 - Accepted and executed Bill of Sale BC20200519DOC024
7. Willow Walk, Phase IIC
- Released and returned Surety Bond LICX1177837 (Performance) and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements, \$395,423.60;
 - Accepted and executed Surety Bond LICX1192110 (Defect) securing Section 1.5 “Maintenance, Defects” of the Agreement for Public Subdivision with Public Improvement accepted by the Board of County Commissioners on February 25, 2020, securing sanitary sewer, potable water and fire distribution system, and offsite roadway improvements, \$30,417.20; and

- Accepted and executed Bill of Sale BC20200519DOC025
- 8. Willow Walk, Phase IIF and IIG
 - Released and returned Surety Bond LICX1177725 (Performance) and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements, \$3,433,354.21;
 - Accepted and executed Surety Bond LICX1193578 (Defect) securing Section 1.5 “Maintenance, Defects” of the Agreement for Public Subdivision with Public Improvement accepted by the Board of County Commissioners on December 10, 2019 securing pavement, drainage seed and sod, potable water and sanitary sewer improvements; \$154,755.15 and
 - Accepted and executed Bill of Sale BC20200519DOC026
- H. **SHERIFF BOND**
Accepted the list of eight additional employees and the deletion of nine employees from the Sheriff’s Public Employee Bond BC20200519DOC027
- 9. **COUNTY ATTORNEY/LAWSUIT**
Allowed Plaintiff’s Proposal for Settlement to Manatee County in the amount of \$90,000 to expire, and to take no action regarding the Proposal for Settlement for Jeremy Geiger v. Manatee County Case 2019-CA-2769 BC20200519DOC028
- 10. **COUNTY ATTORNEY/LAWSUIT**
 - Authorized payment of \$2,500,000 from the County’s self-insurance fund to settle all claims and causes of action against Manatee County in the matter of Patricia Hannah, as plenary legal guardian of Darryl Vaughn Hanna, Jr., an individual v. Armor Correctional Health Services, Inc., et al., United States Middle District Case 19-CV-596;
 - Authorized the Clerk of Court to accept reimbursement of excess insurance policy proceeds of \$2,000,000 from the excess insurance carrier for deposit into the County’s self-insurance fund; and
 - Authorized the County Attorney, or his designee, to execute all necessary documentation BC20200519DOC029
- 11. **COUNTY ATTORNEY/LAWSUIT**
Approved tender and payment of Manatee County’s \$500,000 self-insured retention limit to attempt to settle all claims and causes of action against Manatee County in the matter of Patricia Hannah, as plenary legal guardian of Darryl Vaughn Hanna, Jr., an individual v. Armor Correctional Health Services, Inc., et al., United States Middle District Case 2019-CV-596, in response to Plaintiff’s recent settlement demands BC20200519DOC030
- 12. **COUNTY ATTORNEY/INSURANCE**
Renewed purchase of Boiler & Machinery insurance coverage in the amount of \$54,206, Crime insurance coverage in the amount of \$5,472 and Railroad General Liability insurance coverage in the amount of \$29,992 for a total cost of \$89,670, and to allow the County Attorney, or his designee, to execute all related documents BC20200519DOC031
- 13. **COUNTY ATTORNEY/INSURANCE**
Renewed excess property and terrorism insurance policies in an amount not to exceed \$3,451,874 (inclusive of term premium and all Federal/State mandated fees) as shown in the attached proposal from First Florida Insurance Brokers, and to approve the County Attorney, or his designee, to execute all related required documents BC20200519DOC032
- 14. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/AZARIO, ESPLANDAE PHASE II, SUBPHASES A, B AND P**
 - Executed and authorized recording of Final Subdivision Plat;

- Authorized recording of Supplemental Declaration to the Declaration of Covenants, Conditions, Restrictions, and Easements for Esplanade at Azario Lakewood Ranch;
- Accepted, executed, and authorized recording of Mortgagee's Joinder in and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from Schroeder-Manatee Ranch, Inc.;
- Accepted, executed, and authorized recording of Consent to Subdivision Plat and All Dedications and Reservations Thereon;
- Authorized County Administrator to accept, execute, and record Agreement For Private Subdivision With Private Improvements for Azario, Esplanade, Phase II, Subphases A, B & P, from Taylor Morrison of Florida, Inc.;
- Authorized County Administrator to accept and execute Surety Bond For Performance of Required Private Improvements, Azario, Esplanade, Phase II (Subphase A), Surety Bond SU1164283, \$26,489.45;
- Authorized County Administrator to accept and execute Surety Bond For Performance of Required Private Improvements, Azario, Esplanade, Phase II (Subphase B), Surety Bond . SU1164286, \$29,170.70; and
- Authorized County Administrator to accept and execute Surety Bond For Performance of Required Private Improvements, Azario, Esplanade, Phase II (Subphase P), Surety Bond SU1164284, \$10,709.40

BC20200519DOC033

15. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/AZARIO, ESPLANDAE PHASE II, SUBPHASES C- P**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of Supplemental Declaration to the Declaration of Covenants, Conditions, Restrictions, and Easements for Esplanade at Azario Lakewood Ranch;
- Accepted, executed, and authorized recording of Mortgagee's Joinder in and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from SMR Northeast, LLC;
- Accepted, executed, and authorized recording of Consent to Subdivision Plat and All Dedications and Reservations Thereon from Lakewood Ranch Stewardship District;
- Authorized the County Administrator to accept, execute, and record Agreement For Private Subdivision With Public Improvements for Esplanade at Azario Lakewood Ranch;
- Authorized the County Administrator to accept, execute, and record Agreement For Private Subdivision With Private Improvements for Esplanade at Azario Lakewood Ranch;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase C, Surety Bond SU1164293 \$266,128.59;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase D, Surety Bond SU1164294, \$142,062.57;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase E, Surety Bond SU1164301, \$147,974.65;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase F, Surety Bond SU1164302, \$132,421.58;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase G, Surety Bond SU1164299, \$124,661.53;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase H, Surety Bond SU1164312, \$147,268.17;

- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase I, Surety Bond SU1164305, \$133,560.62;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase K, Surety Bond SU1164314 \$107,405.89;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase L, Surety Bond SU1164317, \$158,362.17;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase M, Surety Bond SU1164323, \$218,766.73;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase N, Surety Bond SU1164326, \$296,842.52;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase O, Surety Bond SU1165914, \$65,454.03;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase J, Surety Bond SU1164308, \$96,896.94;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase E, Surety Bond SU1164298, \$244,699.73;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase D, Surety Bond SU1164288, \$21,191.30;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase L, Surety Bond SU1164315, \$24,651.90;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase L, Surety Bond SU1164316, \$350,296.47;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase M, Surety Bond SU1164321, \$22,363.90;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase M, Surety Bond SU1164322, \$300,951.50;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase N, Surety Bond SU1164324, \$23,036.00;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase N, Surety Bond SU1164325, \$329,454.07;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase O, Surety Bond SU1165913, \$167,086.04;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase O, Surety Bond SU1165912, \$14,784.90;
- Authorized the County Administrator to accept and execute Surety Bond for Performance

- of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase E, Surety Bond SU1165917, \$1,635.21;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase F, Surety Bond SU1165916, \$7,865.78;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase G, Surety Bond SU1165918, \$15,033.20;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase H, Surety Bond SU1165919, \$11,790.74;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase H, Surety Bond SU1164310, \$348,456.80;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase I, Surety Bond SU1164303, \$20,647.90;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase I, Surety Bond SU1164304, \$308,258.83;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase J, Surety Bond SU1164306, \$16,450.85;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase J, Surety Bond SU1164307, \$211,837.38;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase K, Surety Bond SU1164311, \$15,421.25;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase K, Surety Bond SU1164313, \$193,055.84;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase H, Surety Bond SU1164309, \$21,877.70;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase C, Surety Bond SU1164287, \$38,294.10;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase C, Surety Bond SU1164291 \$500,383.18;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase E, Surety Bond SU1164289, \$17,316;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase F, Surety Bond SU1164295, \$21,005.40;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase F, Surety Bond SU1164300, \$318,839.25;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M,

- N, O- Subphase G, Surety Bond SU1164296, \$18,981.95;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase G, Surety Bond SU1164297, \$225,294.17;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase I, Surety Bond SU1165920, \$10,149.23;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase J, Surety Bond SU1165921, \$7,937.74;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase O, Surety Bond SU1165925, \$1,799.85;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase L, Surety Bond SU1165923, \$15,158.59;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase K, Surety Bond SU1165922, \$7,121.92;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase M: Private Landscape, Surety Bond SU1165924, \$9,540.64;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Azario, Esplanade, Phases C, D, E, F, G, H, I, J, K, L, M, N, O- Subphase D, Surety Bond SU1164292, \$276,043.73

BC20200519DOC034

16. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/INDIGO HASE VIII, SUBPHASES 8A, 8B, AND 8C**

- Executed and authorized recording Final Subdivision Plat;
- Authorized recording of the Supplemental Declaration of Covenants, Conditions and Restrictions for Indigo Phase VIII Subphases 8A 8B and 8C;
- Accepted and authorized recording of Joiner and Consent of Lakewood Ranch Stewardship District to: (I) Indigo Phase VIII Subphases 8A, 8B & 8C Plat, and (II) The Supplemental Declaration of Covenants, Conditions and Restrictions for Indigo to add Indigo Phase VIII Subphases 8A, 8B & 8C, and to all dedications, easements and reservations;
- Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Public Improvements Indigo Phase VIII Subphases 8A, 8B and 8C from Neal Communities of Southwest Florida LLC;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Indigo Phase VIII Subphases 8A, 8B and 8C, Surety Bond US00094894SU19A, \$1,035,258.51;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Indigo Phase VIII Subphases 8A, 8B and 8C, Surety Bond US00094897SU19A, \$173,743.77;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Indigo Phase VIII Subphases 8A, 8B and 8C, Surety Bond US00094900SU19A, \$204,675.58;
- Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Private Improvements Indigo Phase VIII Subphases 8A, 8B and 8C from Neal Communities of Southwest Florida LLC.;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Indigo Phase VIII Subphases 8A, 8B and 8C Bond

US00094895KS1U9A, \$2,286,975.57;

- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Indigo Phase VIII Subphases 8A, 8B and 8C Surety Bond US00094896S1U9A, \$89,037.98;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Indigo Phase VIII Subphases 8A, 8B and 8C Surety Bond US00094899SU19A, \$1,820,043.42;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Indigo Phase VIII Subphases 8A, 8B and 8C Surety Bond US00094898SU19A, \$48,057.30;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Indigo Phase VIII Subphases 8A, 8B and 8C, Surety Bond US00094901SU19A, \$1,058,726.52; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Indigo Phase VIII Subphases 8A, 8B and 8C, Surety Bond US00094902SU19A, \$36,907.65

BC20200519DOC035

17. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/WOODLEAF**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of the Supplemental Declaration to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Woodleaf Hammock;
- Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Public Improvements, Woodleaf Hammock Phase II from HBT at Woodleaf Hammock LLC;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Woodleaf Hammock Phase II, Surety Bond No. 285062997 issued through Liberty Mutual Insurance Company for \$334,383.40;
- Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Private Improvements, Woodleaf Hammock Phase II from HBT at Woodleaf Hammock LLC;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Woodleaf Hammock Phase II, Surety Bond 285062998, \$1,114,472.78;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Woodleaf Hammock Phase II, Surety Bond 285062999, \$36,400;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Woodleaf Hammock Phase II, Surety Bond 285063000, \$72,671.30; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Woodleaf Hammock Phase II, Surety Bond 285063037, \$67,100.80

BC20200519DOC036

18. **CONVENTION AND VISITORS BUREAU/RESOLUTION**

Adopted Resolution R-20-080 which allows the Director of the Convention and Visitors Bureau to offer full refunds or transfers of deposits for cancelled/rescheduled events at Convention Center, Crosley Estate, and Premier Sports Campus and extend in-kind sponsorship agreements to effectively serve our customers during the COVID - 19 crisis, and allow this approval authority until the end of our current fiscal year

BC20200519DOC037

19. **FINANCIAL MANAGEMENT/BUDGET AMENDMENT**

Adopted Budget Amendment Resolution B-20-063

BC20200519DOC038

20. **FINANCIAL MANAGEMENT/RESOLUTION**
Adopted Resolution R-20-075 requesting sales taxpayer account information from the Department of Revenue BC20200519DOC039
21. **FINANCIAL MANAGEMENT/CONTRACT**
Authorized the Procurement Official, or designee, to execute Amendment 3 for Agreement 18-TA002693AJ with Premier Magnesia LLC and Evoqua Water Technologies, LLC, for corrosion and odor control services for Utilities for a revised combined annual contract total not-to-exceed amount of \$4,500,000 BC20200519DOC040
22. **FINANCIAL MANAGEMENT/CONTRACT**
Authorized the Procurement Official, or designee, to execute Amendment 5 for Agreement 16-1444EC for Professional Website Development, Management, Editorial and Maintenance Services with Fahlgren, Inc., dba Fahlgren Mortine, to incorporate additional services due to the outbreak of COVID-19 to include an additional \$56,000 for search engine marketing and paid research for an additional eight (8) months for the Bradenton Area Convention and Visitors Bureau BC20200519DOC041
23. **FINANCIAL MANAGEMENT/CONTRACT**
Authorized the Procurement Official, or designee, to execute Change Order 3 to Work Assignment 1 for Agreement 15-0909JE with Cardno, Inc., for the Moccasin Wallow Road (from US 41 to Gillette Drive) project in the amount of \$965,430.04 for a revised total not-to-exceed amount of \$3,036,191.20 BC20200519DOC042
24. **FINANCIAL MANAGEMENT/CONTRACT**
- Authorized the Procurement Official, or designee, to execute the Guaranteed Maximum Price (GMP) Addendum to Agreement 20-TA003175SAM, Construction Management at Risk Services for Robinson Preserve Expansion – Phase II, with Atlas Building Company of Florida LLC in the not-to-exceed amount of \$1,228,804 with a construction schedule of 150 calendar days, and authorization to date the Public Construction Bond; and
 - Adopted Budget Resolution B-20-067 amending the annual budget for fiscal year 2020. This budget amendment adjusts the FY20-24 CIP BC20200519DOC043
25. **NEIGHBORHOOD SERVICES/RESOLUTION**
Adopted Resolution R-20-062 authorizing the submission and acceptance of a FY2020 Coronavirus Emergency Supplemental Grant from the U.S. Department of Justice (DOJ), Bureau of Justice Assistance (BJA) in the amount of \$350,894 over a two (2) year time period; authorizing the Chairperson, the County Administrator, or the Deputy County Administrator to execute all necessary documents related to the grant submission and acceptance; and authorizing the Neighborhood Services Department Director or her designee to execute all appropriate documents and agreements required in connection with grant functions BC20200519DOC044
28. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
Accepted and authorized recording of Permanent Utility Easement from The Oasis at Lakewood Ranch LLC (Includes Consent and Joinder from M&T Bank), for property located at 14640 Westbrook Circle BC20200519DOC045
29. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utility Easement from Kathie J. Geartz and Kent W. Geartz (Includes Certification of Trust from the Revocable Living Trust dated 1/2/1996 and amended 1/16/20), for property located at 814 49th Street East, Palmetto

- Accepted and authorized recording of Affidavit of Ownership and Encumbrances from Kathie J. Geartz and Kent W. Geartz BC20200519DOC046
- 30. **PROPERTY MANAGEMENT/RESOLUTION**
Adopted Resolution R-20-048 declaring parcel located at 2501 6th Avenue East, Palmetto, as surplus property and authorizing its sale BC20200519DOC047
- 31. **PROPERTY MANAGEMENT/RESOLUTION**
Adopted Resolution R-20-049 declaring parcel located at 1920 10th Avenue Drive East, as surplus property and authorizing its sale BC20200519DOC048
- 32. **PROPERTY MANAGEMENT/RESOLUTION**
Adopted Resolution R-20-073 declaring a public hearing on June 16, 2020, at 9:00am vacating a portion of platted right-of-way in Pomello Park, also known as 225th Street East BC20200519DOC049
- 33. **PROPERTY MANAGEMENT/RESOLUTION**
Adopted Resolution R-20-074 declaring a public hearing on June 16, 2020, at 9:00am for vacating right-of-way, Second Street, Alleyways at Blocks C and D, and the right-of-way of Sarasota Road in the A.L. Davis Subdivision plat BC20200519DOC050
- 34. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
 - Executed Agreement with the Manatee County Port Authority Related to the Washington Park Project; and
 - Executed a Temporary Construction Easement for the Washington Park Project for the transfer of dredge material BC20200519DOC051
- 35. **PROPERTY MANAGEMENT/CONTRACT**
Executed Contact for Sale and Purchase with Nathan J. Taylor for the purpose of Functional Improvements on Erie Road in the amount of \$65,504, for property located at 5590 Erie Road, Parrish BC20200519DOC052
- 36. **PROPERTY MANAGEMENT/CONTRACT**
Executed Contract for Sale and Purchase with N.J.T. LLC for the purpose of Erie Road Functional Improvement Project in the amount of \$58,504, for property located at 5390 Erie Road, Parrish BC20200519DOC053
- 37. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
Executed Sovereignty Submerged Lands Easement with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (hereinafter, TIITF) for River Club Boulevard Bridge across the Braden River BC20200519DOC054
- 38. **PUBLIC SAFETY/AGREEMENT**
Executed the Motorola Call Transcript Pre-Release Evaluation License Agreement between Manatee County and Motorola Solutions, Inc., to improve the process and management of 9-1-1 calls BC20200519DOC055
- 39. **PUBLIC WORKS/RESOLUTION**
Adopted Resolution R-20-060 to authorize the Chair to execute the update to the Florida Department of Transportation (FDOT) Highway Lighting Maintenance and Compensation Agreement with Florida Department (FDOT) for FY 2020/2021 BC20200519DOC056

40. **PUBLIC WORKS/RESOLUTION**

Adopted Resolution R-20-070 authorizing the Chairperson to sign the State Fiscal Year 2020/21 Trip and Equipment Grant Application Form and Standard Assurances with the Florida Commission for the Transportation Disadvantaged (FCTD) for the period July 1, 2020, through June 30, 2021. The grant application is for a total amount of \$831,202 including local matching funds BC20200519DOC057

41. **PUBLIC WORKS/RESOLUTION**

- Approved FDOT Construction Agreement for Utility Relocations - water, sewer at S.R.93 (I-75) and U.S. 301 and authorized the Chairperson to execute the Agreements;
- Adopted Resolutions R-20-071 and R-20-072 for the FDOT Utility Work Agreements, FDIP 201032-5-56-01 and FPID 201032-5-56-02; and
- Adopted Budget Resolution B-20-066 amending the annual budget for Manatee County for Fiscal Year 2020. This budget amendment adjusts the FY20-24 CIP BC20200519DOC058

43. **PUBLIC WORKS/SET PUBLIC HEARING**

Authorized to set the first Public Hearing on June 16, 2020, at 9:00 a.m. or as soon thereafter to consider creating a Street Lighting Municipal Service Benefit Unit (MSBU) for Memphis BC20200519DOC059

44. **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 BC20200519DOC060

45. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/CERTIFICATIIONS**

- Executed HUD CDBG-CV and ESG-CV Certification forms for submission with the Substantial Amendment to the U.S. Department of Housing and Urban Development for the Community Planning and Development (CPD); and
- Authorized the Chairman to sign any additional documentation from the U.S. Department of Housing and Urban Development necessary to implement the Federal CDBG, HOME, ESG, CDBG-CV, and ESG-CV program activities as approved and adopted by the Board of County Commissioners in Resolution R-20-063 BC20200519DOC061

46. **UTILITIES/SERVICE FEES**

Waived a total of \$533.91 in service fees that were assessed to utility customer accounts for returned bank items BC20200519DOC062

(End Consent Agenda)

48.  **ADMINISTRATOR/VALUE ADJUSTMENT BOARD**

Commissioners Trace, Servia, and Whitmore volunteered to serve on the Value Adjustment Board (VAB).

Commissioner Trace was designated as the Chairman and Commissioner Whitmore as the alternate.

Nominations – Citizen Member
Peter DeAngelis – by Commissioner Trace

A motion was made by Commissioner Bellamy, seconded by Commissioner Trace, and carried 7-0, to close nominations. Mr. DeAngelis was appointed as the Citizen member of the VAB. BC20200519DOC063

49. **REDEVELOPMENT ECONOMIC OPPORTUNITY/AFFORDABLE HOUSING ADVISORY COMMITTEE**

 Cheri Coryea, County Administrator, explained the requirement for the seats on this Board are generated toward specific areas. Seat 8 is for a citizen activist serving on the local planning agency. That seat can be brought back at a future date.

Seat 1

 Nominations/Seat 1

Glen Gibellina – by Commissioner Servia

A motion was made by Commissioner Trace, seconded by Commissioner Bellamy, and carried 5-2, with Chairman Benac and Commissioner Jonsson voting nay, to close nominations. Glen Gibellina was appointed to serve on Seat 1.

Seat 2

A motion was made by Commissioner Whitmore, seconded by Commissioner Trace, and carried 7-0, to appoint Sandra Suite to Seat 2.

Seat 3

A motion was made by Commissioner Trace, seconded by Commissioner Servia, and carried 7-0, to appoint Steve Rinehart to Seat 3.

Seat 4

A motion was made by Commissioner Whitmore, seconded by Commissioner Trace, and carried 7-0, to appoint Erin Bodie to Seat 4.

Seat 1

A motion was made by Commissioner Baugh, seconded by Commissioner Servia, and carried 7-0, to appoint Frank Conorozzo to Seat 1.

Seat 5

A motion was made by Commissioner Whitmore, seconded by Commissioner Servia and carried 5-2, with Chairman Benac and Commissioner Jonsson voting nay to appoint Glen Gibellina to Seat 5.

Seat 6

A motion was made by Commissioner Whitmore, seconded by Commissioner Servia, and carried 7-0, to appoint Vallerie Guillory to Seat 6.

Seat 7

Nomination:

Kenyatta Randall – by Commissioner Bellamy

A motion was made by Whitmore, seconded by Commissioner Trace, and carried 7-0, to close nominations. Kenyatta Randall was appointed to Seat 7.

Seat 8 -Vacant

 Geri Lopez, Redevelopment and Economic (REO) Opportunity Director reached out to members of the Planning Commission, and there was no response. There must be a minimum of eight seats filled to meet Statutory requirements.

Seat 9:

A motion was made by Commissioner Whitmore, seconded by Commissioner Servia, and carried 7-0, to appoint George Kruse to Seat 9.

Seat 10

A motion was made by Commissioner Servia, seconded by Commissioner Whitmore, and carried 7-0, to appoint Amy Farrington to Seat 10.

Seat 11

A motion was made by Commissioner Bellamy, seconded by Commissioner Trace, and carried 7-0, to appoint Charlie Kennedy to Seat 11.



Ms. Coryea explained that membership applications are kept on file for the various advisory Boards.

A motion was made by Commissioner Servia and seconded by Commissioner Jonsson to adopt Resolution R-20-068 confirming appointment of members of the Affordable Housing Advisory Committee.



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

The motion carried 7-0.

A motion was made by Commissioner Baugh and seconded by Commissioner Trace to appoint Commissioner Servia as the County Commission member to the Affordable Housing Advisory Committee.



Ms. Lopez explained staff follows State guidelines and must submit a report, which will be presented to the Board for approval, by December 2020. Monthly meetings will begin in June and take place on the third Monday, from 3:00 p.m. to 5:00 p.m. The County Attorney's office will be present for meetings.

BC20200519DOC064

ADVERTISED PUBLIC HEARINGS (Presentations upon request)

51. **PROPERTY MANAGEMENT/RESOLUTION**



A duly advertised public hearing was held to consider adoption of proposed Resolution R-20-024 vacating a portion of a plat within the Waterbury Grape Fruit Tracts located at 217th Street East.

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



A motion was made by Commissioner Whitmore , seconded by Commissioner Trace, and carried 7-0, to adopt Resolution R-20-024, vacating a portion of a plat within the Waterbury Grape Fruit Tracts located at 217th Street East.

BC20200519DOC065

52. **PROPERTY MANAGEMENT/RESOLUTION**



A duly advertised public hearing was held to consider adoption of proposed Resolution R-20-037, a Resolution Vacating a Portion of Jim Davis Road.



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

A motion was made by Commissioner Servia, seconded by Commissioner Baugh, and carried 7-0, to adopt Resolution R-20-037, vacating a portion of Jim Davis Road. BC20200519DOC066

53. **UTILITIES/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Ordinance 20-09 updating the Sewer Use Ordinance to incorporate Dental Amalgam Regulations.

 Discussion ensued to send a memorandum to the dental society, medical society, and hospitals regarding the updates.

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

A motion was made by Commissioner Whitmore, seconded by Commissioner Baugh, and carried 7-0, to adopt Ordinance 20-09. BC20200519DOC067

ADVERTISED PUBLIC HEARINGS (Presentations scheduled)

54. **PUBLIC WORKS/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Ordinance 20-20 amending Section 2-22-8 of the Manatee County Code; instituting and creating additional speed limit zones to include:

- Establish a 45 mph speed limit on 44th Avenue East from 15th Street East to 45th Street East;
- Establish a 40 mph speed limit on MJ Road from S.R. 70 to 1.85 miles south of S.R. 70;
- Establish a 50 mph speed limit on MJ Road from Clay Gully Road to 4 miles north of Clay Gully Road;
- Establish a 30 mph speed limit on Curtis Road from S.R. 70 to end;
- Establish a 30 mph speed limit on Taylor Road from Wauchula Road to end;
- Establish a 30 mph speed limit on Palm View Road from Bayshore Road to U.S. 41;
- Establish a 35 mph speed limit on Palm View Road from U.S. 41 to 36th Avenue East (Ellenton Gillette Road); and
- Establish a 25 mph speed limit on Palm View Road from 36th Avenue East (Ellenton Gillette Road) to end.

 Vischal Kakkad, Traffic Engineering Division Manager, used a slide presentation to review standards and guidelines used to determine speed limits including State guidelines set forth from FDOT, the Speed Zone Manual, engineering studies, standard limits if no speed limit is posted, County Ordinances, the purpose and objectives for traffic, engineering investigation for roadways, research shows lowering speed limits does not slow traffic and raising speed limits has little effect on speeds citing specific roadways (Honore Avenue and Chin Road), changing a speed limit has little effect on driver behavior and crashes, and changes in speed have a minimal effect on noise. Speed limits shall only be established on the basis of an engineering study. He continued the slides to address the changes proposed in the Ordinance.

Discussion ensued regarding documentation to support the changes, can revisit if citizens express concerns, and establish a 40 mph speed limit on 44th Avenue East due to noise complaints from nearby residents.

 Chad Butzow, Public Works Director, stated an increase to 40 mph would be justifiable on 44th Avenue East due to the environment being more residential in that area.

 Discussion continued regarding the speed limit on 45th Street East is 40 mph, and 45 mph on S.R. 70 in the area of 45th Street East, limited access to 44th Avenue East, a change in five mph will not create more noise, and need to move traffic efficiently through the community.

A motion was made by Commissioner Whitmore and seconded by Commissioner Trace, to adopt Ordinance 20-20.

 Leah Cole expressed appreciation for the changes to Palm View Road.

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

 The motion carried 6-1, with Commissioner Baugh voting nay. BC20200519DOC068

RECESS/RECONVENE: 11:01 a.m. – 11:16 a.m. All Commissioners present.

55. **COUNTY ADMINISTRATOR/CORONAVIRUS (COVID-19) EMERGENCY**

 Jacob Saur, Public Safety Director, reviewed Manatee County and Florida statistics. As testing has increased, the percent positive rate is now 8.1 percent for Manatee County, and the County is now below the target established by the Department of Health (DOH). Testing will continue in Manatee County by the Department of Health at various locations and by the State of Florida at the regional testing site at University Town Center (UTC) Mall. Short term goals include maintaining the testing. He requested a seven day extension of the State of Local Emergency. Mr. Saur also advised there has already been a named tropical storm and recommended everyone prepare for hurricane season.

 Discussion ensued regarding the reliability of tests and lab results.

 Mr. Saur responded that certain tests were not compliant with FDA regulations and were returned to the State. Tests given in Manatee County have been reliable, and Labcorp and Quest laboratories are processing tests for Manatee County with no issues. The percent positive is important, because it shows that larger amounts of people are being tested, but the percentage of those tested, with positive results, is decreasing. A spike in positive cases would alert officials to any issues. Prior to getting out of the pandemic, there must be a vaccine that is readily available to the public. If the daily positive goes up, there is enough data to specify if there is a problem in a certain area.

Motion

A motion was made by Commissioner Trace and seconded by Commissioner Servia, to continue the State of Local Emergency for another seven days.

 Upon question, Mr. Saur responded that walk-up sights are being explored in certain areas.

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

Motion - Carried

 The motion carried 7-0.

 Ms. Coryea used a slide presentation to review Week 4 re-opening strategies, including following federal and State guidelines. The County website has updated information regarding COVID-19. The County continues to follow State benchmarks for re-opening, and Manatee County is closer to the State metric and has a downward trajectory for positive COVID-19 cases. Influenza type illnesses have decreased. At this time, antibody testing is not available through the State. The percent positive has decreased from 9.3 percent last week to 8.1 percent this week. Manatee County is in Phase I, and 25 percent of County staff are back to their work places. Phased implementation will continue in the weeks to come including re-opening tennis and pickleball courts as well as skate parks with limited hours. A library drive-thru will be implemented the first week of June, to allow staff to re-shelve and clean items that have been checked out. Staff is in communication with sports leagues regarding opening the fields to league play. Re-opening is a pronged approach including health metrics and staffing levels to support opening facilities.

 Ms. Coryea continued the slides and submitted a plan (to be submitted to Governor DeSantis) for reopening vacation rentals. The plan allows for a bi-weekly review and update, and for the County and cities to work together following the guidance of the Florida Department of Business and Professional Regulation (DBPR) and the CDC. Once the plan is approved it will be placed in the Comprehensive Emergency Management Plan. The effective date of the plan could be May 22, but could be extended to May 27.

 Elliot Falcione, Convention and Visitors Bureau (CVB) Director, stated the Tax Collector will help distribute the plan to vacation rentals registered with the County. Digital advertising for Manatee County will not occur in known COVID-19 hot spots.

 Discussion ensued that the Tourist Development Council reviewed the plan which can be modified, property managers need time to clean rentals, Holmes Beach is still restricting street parking, any complaints would go through the DBPR, effective date upon approval as opposed to an exact date, resources will be available in multiple languages, enforcing restrictions for rentals, vacation rentals are highly self-regulated, cities can still enforce their rental Ordinances and home rule, it is critical to get the vacation rentals re-opened, and local governments can enact regulations that are stricter than Sstate regulations.

Commissioner Servia referenced a text from Mayor John Chappie, regarding the definition of political subdivisions.

 Mitchell O. Palmer, County Attorney, clarified that Order 20-123 specifically calls out Counties to submit plans. Political Subdivisions include Counties, towns and cities, and other entities.

Motion

 A motion was made by Commissioner Trace and seconded by Commissioner Baugh, to authorize the County Administrator to transmit a written request and safety plan to the Department of Business and Professional Regulations for the reopening of vacation rentals in Manatee County per Executive Order 20-123, to go into effect upon approval from the State, and to change Item 2 under Guest Health concerns to include “and guests” after Employees.

 John Little, Amy Stanley, Adrian Johnson, Matt Urban, Mike Eichertz, Stephanie Gothorn, Nicole Kaleta, Kathy Aboti, and other vacation rental owners, expressed concern with the 24 hours between guest check-out and check-in, and the limit on the number of guests in each

rental to no more than 10 persons.

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

 Ms. Coryea stated the majority of the plan submitted indicates ample time to complete all CDC guidelines for cleaning and sanitizing, between guest check out and new guest check in.

Commissioner Trace amended the motion for Item 8 under Health and Safety of Guests to read: "Post signage or other notices regarding the cleaning practices that are completed prior to each guest stay including ample time between guest check-out and new guest check-in." Commissioner Baugh agreed to the amendment.

Anna Pohl, Convention and Visitors Bureau, stated the plan complies with the CDC guidelines.

 Mr. Palmer reiterated a local government has the ability to enact restrictions that are stricter than State law. Governor DeSantis stated that only County Governments are to submit plans regarding the re-opening of short-term vacation rentals.

Motion - Carried

Following a brief discussion, the motion carried 7-0.

BC20200519DOC069

(Further discussion later in the meeting)

RECESS/RECONVENE: 1:18 p.m. 1:53 p.m. All Commissioner present.

56. **PROPERTY MANAGEMENT/RESOLUTION**

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

Motion was made by Commissioner Trace, seconded by Commissioner Baugh, and carried 7-0, to schedule a public hearing to consider vacating certain roads and alleys shown on the plat of Crampton Re-Sub of Cortez Addition to Cortez, recorded in Plat Book 7, Page 11 of the Public Records of Manatee County, and to adopt Resolution R-20-060. BC20200519DOC070

55. **COUNTY ADMINISTRATOR/CORONAVIRUS (COVID-19) EMERGENCY** (Continued discussion from earlier in the meeting)

Commissioner Servia referenced an email regarding the City of Anna Maria and an order restricting vacation rentals.

 Mitchell O. Palmer, County Attorney, in response to comments regarding the Island cities, reiterated under no circumstances does the County Attorney's Office dispense legal advice to any other entity other than the Board of County Commissioners. His sense is that Mayor Murphy, City of Anna Maria, can issue his own order regarding vacation rentals. The Governor's Order assumes that local jurisdictions are ready to re-open. The Governor's order does not indicate that the County can supersede the Cities.

 Discussion ensued that the County did what they have been told to do; and request the County Attorney to research this.

42. **PUBLIC WORKS/SET PUBLIC HEARING**

 Arron Burkett, Traffic Operations Division Manager, Public works, reviewed the request by residents to restrict parking in three locations, between Sarasota Bay and U.S. 41. The action allows Public Works to advertise a public hearing. The three locations include:

- Whitfield Avenue – west of Westmoreland Drive;
- Gaines Avenue – west of Westmoreland Drive; and
- North Isle Drive – west of Westmoreland Drive.

 Discussion ensued regarding people camping and cooking at the end of Whitfield along the shoreline, citizens use the public right-of-way for fishing, and post signs for no camping and no littering.

 Mitchell O. Palmer, County Attorney, noted this is a right-of-use ordinance and any activities taking place in a County right-of-way require a permit. There could be a subject specific ordinance prohibiting camping, etc., in the right-of-way.

 Discussion ensued regarding allowing access to the bay for fishing, but respecting adjacent property owners, most of undesirable activity takes place in the evening, the ordinance would prohibit parking between the hours of 10:00 p.m. to 6:00 a.m., maintain access to the Bay, and increase law enforcement patrols in the area.

Motion

 A motion was made by Commissioner Servia and seconded by Commissioner Bellamy, to authorize staff to advertise the proposed amendments to include proposed No Parking Ordinance 20-28 in accordance with Florida Statutes, or three (3) locations in Whitfield Estates.

 Clark Davis, Public Works Deputy Director, referenced restrictions in the Code regarding unlawful activities in the rights-of-way.

 Captain Schaffer, Manatee County Sheriff's Office, stated the no parking restrictions would give law enforcement the opportunity to approach a vehicle and begin a conversation with the occupants.

 Discussion ensued to change the start time to 11:00 p.m., do not want to over regulate, and this is unconstructed right-of-way that is not for the purpose of camping.

 Glen Gibellina expressed concern regarding needing more input from the entire neighborhood.

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

Motion - Carried

 Following a brief discussion, the motion carried 7-0.

BC20200519DOC071

57. **ADMINISTRATOR/DASHBOARD REPORT**

Cheri Coryea, County Administrator, presented the Dashboard Report for April 2020. The Report is provided for information only, and no Board action is required. BC20200519DOC072

59. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/COVID-19 RESPONSE**

 Ruth Buchanan, Economic Development (REO) Manager, used a slide presentation to provide an overview of Manatee County’s pre-COVID-19 economy, large business locations, key economic indicators during COVID-19, unemployment claims since March 1, a decline in gross domestic product, regional unemployment statistics, REO business recovery response, State and federal aid to respond to COVID-19 including Bridge Loans and the CARES Act, and what neighboring communities are doing to help citizens.

 Geri Lopez, REO Director, continued the slides to review CARES Act implementation, current challenges in Manatee County, economic recovery framework to gather data, identifying resources and develop action items, data gathering and intelligence including a County-wide business survey, outreach in collaboration with the various Chambers and of Commerce, focus on targeted industries, identifying additional federal and State resources, and County funds that could be used to assist with recovery.

 William Clague, Chief Assistant County Attorney, referenced a memorandum included in the agenda package. Florida law does not allow the County to assist private businesses in meeting current payrolls or maintaining existing jobs in response to the pandemic. The County can continue Economic Development Impact programs, continue job-creation commitments, and capital expansions in the current EDI program.

 Ms. Lopez continued the presentation and discussed the County’s desire to ensure an inclusive approach to reach all businesses. The focus should be on safety first to help businesses resume safe operations to comply with health guidelines and focus on business recovery with partners. The County itself can continue with a focus on local buying and local preference for hiring.

 Discussion ensued regarding implementing a business license to keep track of businesses, proceed with projects in the CIP, CDBG assistance, shovel ready projects, and too many business may not be able to reopen.

 Mr. Clague clarified if a business is closed and need funds to reopen, the County can help fund a reopening if there is an agreement, since that would be considered economic development.

 Discussion continued that this is different from the recession, because the service industry was effected, which kept the economy going before, the economy and the virus are tied together, leery to spend County reserves with hurricane season beginning June 1, helping to facilitate business, rather than providing grants, and helping businesses to comply with health and safety restrictions.

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Recess 4:00 p.m. – 4:12 p.m. All Commissioners present.

58. **FINANCIAL MANAGEMENT/COVID-19 UPDATES**

 Jan Brewer, Financial Management Director, reviewed the goals for today, to review highlights and go over the FY20 reserves.

 Cheri Coryea, County Administrator, used a slide presentation to review the current FY20 budget, and noted 97 percent of the ad valorem taxes have been collected. Ultimately Manatee County is on its own to deal with the impacts of COVID-19. There is a \$3 billion loss

in the State budget, but the general revenue is climbing slowly. Remaining funds from the CARES Act could trickle down to Counties that did not qualify for CARES Act funding. She continued to discuss the need to have the disaster fund and noted staff is moving CIP projects thru design and begin shovel ready projects. Priorities were established during the February 28 meet, pre-FY21 budget work session. There is a modified land use meeting schedule with budget public hearings set for September 14 and 21.

 Ms. Brewer continued the slides to report on the County’s budget reserves and stabilization funds, major fund revenues and expenditures, the financial impacts of COVID-19 and the FY21 budget schedule. She recommended the FY21 budget be presented to the Board June 26, with the Constitutional Officers review and the CIP review on the same date. The tentative millage rate will be presented on July 30, and a final budget work session will be held August 31 (if needed).

 Discussion ensued regarding being fortunate to have reserves, budget stabilization funds, and the disaster fund.

 Ms. Brewer responded that one of the best ways to stimulate an economy is to add construction projects. The infrastructure sales tax cannot be bonded, but opening a credit line to get projects to design could be an option. There are large CIP projects that are ready to begin and are funded. Keeping the local economy going will also keep property values stable.

 Discussion continued to start with shovel ready CIP projects, reserves can sustain the county through difficult times, real estate market is still strong, hopefully receive some federal funding, how do commitments effect the budget, needs to be rebalancing even on the State level, General funds are the most valuable, budget stabilization funds are also a reserve, and the federal government gives money to larger communities.

A motion was made by Commissioner Whitmore and seconded by Commissioner Baugh, to adopt the modified budget calendar with the deletion of the Council of Governments and the Florida Association of Counties Conference.

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

Following a brief discussion, the motion carried 7-0.

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COMMISSIONER COMMENTS:

Commissioner Servia

- Stated she will be conducting another mask and hand sanitizer giveaway, in collaboration with the City of Bradenton and Keenann Wooten at the 13th Avenue Dream Center on Friday May 22, from 9:00 a.m. to 10:30 a.m.

ADJOURN

There being no further business, Chairman Benac adjourned the meeting at 5:32 p.m.

Minutes Approved: _____