

MEMORANDUM



To: Ed Hunzeker, County Administrator
From: Diane Vollmer, Agenda Coordinator
Date: June 5, 2017
Subject: **Agenda Update for Meeting of June 6, 2017**

THIS MEMO AND THE CHANGES INDICATED BELOW ARE REFLECTED IN THE ELECTRONIC AGENDA (E-AGENDA)

CHANGES TO CONSENT AGENDA

CONVENTION AND VISITORS BUREAU

16. **Amendment One to Agreement with Suncoast Aquatic Nature Center Association, Inc.** – The Amendment was updated and replaced to correct a minor scrivener’s error.

FINANCIAL MANAGEMENT

18. **FY17 Budget Amendment Resolutions** – The Resolution was updated and replaced to correct the department name to Redevelopment & Economic Opportunity for Item No. 3.

PARKS AND NATURAL RESOURCES

23. **Florida Department of Environmental Protection Grant Agreement No. 17ME2 Passage Key Inlet Management Study** – *Deferred to June 20, 2017.*

County Administrator’s Office
1112 Manatee Avenue West, Bradenton, FL 34205
Phone number: (941) 745-3717

AMENDMENT ONE
to
**REIMBURSEMENT AGREEMENT FOR
PROMOTION OF
TOURISM**

**SUNCOAST AQUATIC
NATURE CENTER ASSOCIATION, INC.**

THIS AMENDMENT ONE (“Amendment”), is made and entered into as of June 6, 2017, by and between Suncoast Aquatic Nature Center Association, Inc., a Florida non-profit corporation (hereinafter, the “SANCA”) and Manatee County, a political subdivision of the State of Florida (hereinafter, the “County”).

W I T N E S S E T H

WHEREAS, the County levies and collects a tourist development tax pursuant to Section 125.0104, *Florida Statutes* (the “Act”), and has adopted a tourist development plan that authorizes the use of proceeds of the tourist development tax for, among other things, the promotion of tourism; and

WHEREAS, the County has established a Bradenton Area Convention and Visitors Bureau for Manatee County to promote travel and tourism to, and events in, the County, through among other things, the use of proceeds of the County’s tourist development tax in the manner contemplated in the Act; and

WHEREAS, the County and SANCA entered into a Reimbursement Agreement for Promotion of Tourism, dated as of June 7, 2014 (the “Agreement”), in order to implement the use of tourist development tax proceeds to support the marketing and promotion of tourism to the County, by reimbursing SANCA for the costs of such marketing and promotion, as set forth in the Agreement; and

WHEREAS, the County and SANCA wish to amend the Agreement as provided in this Amendment.

NOW, THEREFORE, the County and SANCA, in consideration of the mutual covenants hereinafter set forth, the sufficiency of which is hereby acknowledged, agree as follows:

1. AMENDMENT OF AGREEMENT. The Agreement is hereby amended as follows:

A. Amendment of Section 3.E.8, Performance Conditions (finish tower and boathouse): Section 3.E.8 of the Agreement is hereby amended as follows (underlined text added, strike-through text deleted):

8. SANCA shall raise capital dollars and complete construction of (a) the finish tower located at Nathan Benderson Park by July 31, 2017, and (b) the boathouse located at Nathan Benderson Park by ~~January~~December 31, 2017~~2020~~.

B. Amendment of Section 5.A, Duration and Termination (Duration): Section 5.A. of the Agreement is hereby amended as follows (underlined text added, strike-through text deleted):

A. Duration: The term of this Agreement shall commence on June 1, 2014, and shall remain in effect until ~~September 30, 2017~~January 31, 2021, for a total of ~~three (3)~~six (6) years, ~~three (3) and eight (8) months, with the option to renew for additional 3 years (2018-2020)~~. The effective terms of the Agreement will be based on a fiscal year of October 1 thru September 30 of each year. Either party may upon giving notice ninety (90) calendar days prior to the expiration of the term, elect to not renew this Agreement without cause for any reason. Last quarter payment (July, 2020 – September, 2020) will not be processed until proof is submitted to County that all conditions of this Agreement are met with respect to finish tower and boathouse completion.

2. ALL OTHER PROVISIONS UNAFFECTED. All provisions of the Agreement not expressly amended hereby shall remain unaffected by this Amendment, and in full force and effect as they are set forth in the Agreement.

3. VALIDITY. Each of the County and SANCA represents and warrants to the other its respective authority to enter into this Amendment.

4. SEVERABILITY. The provisions of this Amendment are declared by the parties hereto to be severable. In the event any term or provision of this Amendment shall be held invalid by a Court of competent jurisdiction, such invalid term or provision should not affect the validity of any term or provision hereof; and all such terms and provisions hereof shall be enforceable to the fullest extent permitted by law as if such invalid term or provision had never been part of this Amendment; provided, however, if any term or provision of this Amendment is held to be invalid due to the scope or extent here thereof, then, to the extent permitted by law, such term or provision shall be automatically deemed modified in order that it may be enforced to the maximum scope and extent permitted by law.

5. EFFECTIVE DATE. This Amendment shall take effect as of the date set forth above.

[signature page to follow]


WHEREFORE, the parties hereto have executed this Amendment as of the date and year first above written.

**MANATEE COUNTY, a political subdivision of
the State of Florida**

By: Board of County Commissioners

By: _____
Ed Hunzeker, County Administrator

**SUNCOAST AQUATIC NATURE CENTER
ASSOCIATION, INC., a Florida Non-Profit
Corporation**

By: 

President / CEO

RESOLUTION B-17-051
AMENDING THE ANNUAL BUDGET
FOR MANATEE COUNTY, FLORIDA
FOR FISCAL YEAR 2016-2017

WHEREAS, Florida Statutes 129.06, authorizes the Board of County Commissioners to amend its budget for the current fiscal year as follows:

- a) Appropriations for expenditures in any fund may be decreased and other appropriations in the same fund correspondingly increased, provided the total appropriations of the fund are not changed.
- b) Appropriations from reserves may be made to increase the appropriation for any particular expense in the same fund, or to create an appropriation in the fund for any lawful purpose.
- c) Unanticipated revenues, including increased receipts for enterprise or proprietary funds, may be appropriated for their intended purpose, and may be transferred between funds to properly account for the unanticipated revenue.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida that the 2016-2017 budget is hereby amended in accordance with FS 129.06 as described on the attached summary and specified in the budget adjustment batch files which are listed below:

Transfer of Funds			Unanticipated Revenue Appropriations		
Item No.	Batch ID No.	Reference No.	Item No.	Batch ID No.	Reference No.
1	CC51617A	BU17000269	3	SB52517A/B	BU17000279
2	JP51817A	BU17000270			
4	CR52217A	BU17000272			
5	CM52417A	BU17000278			

ADOPTED IN OPEN SESSION WITH A QUORUM PRESENT AND VOTING THIS _____ DAY OF _____, 2017.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: _____
Chairman

ATTEST: Angelina Colonnese
Clerk of the Circuit Court

By: _____
Deputy Clerk

- 5) Department: PUBLIC WORKS
Fund: TRANSPORTATION TRUST
Fund: TRANSIT SYSTEM
Description: Transfers \$180,316 from reserves in the Transportation Trust fund to the Transit fund for the following full-time positions: eight Transit Operators, eight Paratransit Operators and one Transit Attendant for the remainder of FY17 to create the Transit Division "Extra Board" as approved by the Board on May 23, 2017.

Batch ID: CM52417A

Reference: BU17000278

GENERAL FUND'S RESERVE FOR CONTINGENCY IS NOT AFFECTED BY THIS BUDGET AMENDMENT. The balance of the FY16-17 General Fund Reserve is \$501,729.