

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COUNTY ADMINISTRATIVE CENTER  
1112 Manatee Avenue West  
Bradenton, Florida  
August 25, 2015**

Present were Commissioners:

Betsy Benac, Chairman  
Vanessa Baugh, First Vice-Chairman  
John R. Chappie, Second Vice-Chairman  
Charles B. Smith, Third Vice-Chairman  
Robin DiSabatino  
Carol Whitmore

Absent was:


Lawrence E. Bustle, Jr.

Also present were:

Ed Hunzeker, County Administrator  
Mitchell O. Palmer, County Attorney  
Angelina M. Colonnese, Clerk Ad Interim of the Circuit Court  
Vicki Tessmer, Board Records Supervisor, Clerk of Circuit Court

Chairman Benac called the meeting to order at 9:02 a.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

1.  The Invocation was delivered by Rev. Brian Bagley-Bonner, Faith United Church of Christ followed by the Pledge of Allegiance.

**AGENDA ANNOUNCEMENTS**

BC20150825DOC001

 Agenda Update Memorandum


- Item 54 – Resolution R-15-126 – Deferred BC20150825DOC002
- Item 59 – FPL Facilities Relocation Agreement - Added to the Consent Agenda
- Item 60 – Manatee County Rural Health Services – Added to the Commissioner Agenda

Time Certain:

2. Item 52 – Designation of the Manatee County Historical Courtroom and Courthouse Grounds as “The R.B. Chips Shore Historical Courtroom” – 9:00 a.m.
3. Item 56 – Representative Boyd, End of Session Report – 9:30 a.m.
4. Item 57 – Tampa Bay Area Regional Transportation Authority (TBARTA), Regional Transportation Master Plan Update – 10:00 a.m.
5. Item 58 – Coquina South Boat Ramp/Bayside Park – 1:30 p.m.

**ADVERTISED PUBLIC HEARING**


**52. ATTORNEY/RESOLUTION**

 A motion was made by Commissioner DiSabatino, seconded by Commissioner Chappie, and carried 6-0, with Commissioner Bustle absent, to adopt Resolution R-15-137, renaming the Historic Courtroom and Courthouse Grounds as “The R.B. Chips Shore Historical Courtroom” and “The R.B. Chips Shore Historical Courthouse Grounds.”

Chairman Benac presented the Resolution to the Shore Family.

Carol Shore, Cindy Shore and Elizabeth Shore expressed their gratitude.


Mitchell O. Palmer, County Attorney, read the Resolution into the record.

 Judge Lee E. Haworth, Acting Chief Circuit Judge, Ross Russo, and William Wheeler spoke of their work and experiences with Mr. Shore.

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

BC20150825DOC003

**AWARDS/PRESENTATIONS**

6.  A Retirement Award was presented to Bruce MacLeod, Water/Wastewater Plant Superintendent, Utilities Department.

BC20150825DOC004

56. **ADMINISTRATOR/REPORT**


 Nicholas Azzara, Information Outreach Coordinator, introduced Representative Jim Boyd.

Representative Jim Boyd provided the Board with an overview of the 2015 legislative session, projects approved during the session, and projects to be discussed in the 2016 session.

Chairman Benac presented Representative Boyd with an award for being a local hero and championing the legislation for the utility lien bill.

BC20150825DOC005

**PROCLAMATIONS**

 A motion was made by Commissioner Baugh, seconded by Commissioner Chappie and carried 6-0, with Commissioner Bustle absent, to adopt the following Proclamations:

7. Judge Lee E. Haworth Day – August 25, 2015, accepted by Judge Lee E. Haworth


BC20150825DOC006

8. Hurricane Katrina Memorial Day – August 29, 2015

BC20150825DOC007


9. Attendance Awareness Month – September 2015, accepted by Dr. Diana Greene, Superintendent, School Board of Manatee County, Marilyn Howard, Manatee Community Foundation, and Philip Brown and Bronwyn Beightol, United Way of Manatee County.


Discussion ensued regarding efforts to increase attendance, appreciation for Dr. Greene's efforts with the Manatee County School District, partnership with the community, and how to maintain successful schools.

 Dr. Greene commented on the teaching of social studies in the classroom.

BC20150825DOC008


57. **ADMINISTRATOR/REPORT**

 Ray Chiamonte, Executive Director of TBARTA, used a slide presentation to review the master plan including priorities, future priorities, 2040 regional projects, longer range needs, vanpool program, carpool ride-matching, School Commute Program, emergency ride home, a regional fare payment system, and the OneBusAway expansion.

 Discussion ensued regarding back-to-school traffic, all Counties have similar issues, Tampa International Airport, and veterans needs for transportation.


BC20150825DOC009


**CONSENT AGENDA**

 **Commissioner Requests** (Items to be pulled from the Consent Agenda)

- Item 42, Ordinance 15-30, Countywide Speed Limits (separate action)
- Item 43, Golf Cart Use on County Roads, Crossings, and Sidewalks (separate action)

**CITIZEN COMMENTS** (Consent Agenda Items)

 Glen Gibellina commented on Items 14, 18, and 36 BC20150825DOC010

 Jeff Bowman, Code Enforcement Chief, responded to questions regarding the vacant property registration, stating there are approximately 1,000 properties registered at this time.

Discussion ensued regarding needing more information on vacant, bank-owned properties, and the goal of Code Enforcement is compliance.

**CLERK OF CIRCUIT COURT** BC20150825DOC011

- A. **MINUTES**  
Approved the Minutes of July 28, 2015
- B. **BOND**  
Accepted the list of 12 additional employees and deletion of 15 employees for the Sheriff's Public Employee Bond BC20150825DOC012
- C. **REFUNDS/UTILITIES**  
Approved the following refunds for Utility Department Customers:
  - 1. Utilities Customer 250306-21374 - Billing, \$2,937.12 BC20150825DOC013
  - 2. Utilities Customer 219982-67021 - Pool Repair, \$2019.50 BC20150825DOC014
  - 3. Utilities Customer 71160-71182 - Sewer Line, \$2,624.04 BC20150825DOC015
- D. **CONTRACTS**  
Accepted ACA 2 (Final) to Contract with S.L. Williams Consulting Corp., for Suburban Waterline Replacement Project, Phase 2, providing for the final line item, with no changed to the contract total of \$2,174,131.63. BC20150825DOC016
- E. **FINANCIAL REPORTS**  
Accepted the Audits, Financial Report and Budgets for the following:
  - 1. Aqua One Community Development District (CDD) - FY 2014/15 Budget BC20150825DOC017
  - 2. Buckhead Trails CDD - FY 14/15 Budget BC20150825DOC018
  - 3. Copperstone CDD - FY 2015/16 Budget BC20150825DOC019
  - 4. Greyhawk Landing CDD - FY 2015/16 Budget BC20150825DOC020
  - 5. Harrison Ranch CDD - FY 2015/16 Budget BC20150825DOC021
  - 6. Palms of Terra Ceia CDD - FY 2015/16 Budget BC20150825DOC022
  - 7. Village of Glen Creek CDD - FY 2015/16 Budget BC20150825DOC023
  - 8. Wildcat Preserve CDD - FY 2014/15 Budget BC20150825DOC024
  - 9. Woodland Hammock CDD - FY 2016 Budget BC20150825DOC025

11. **ATTORNEY/EXCESS LIABILITY AND WORKERS' COMPENSATION INSURANCE RENEWAL**  
Approved the purchase of Excess Liability and Excess Workers' Compensation insurance in an amount not to exceed \$467,750, plus Terrorism fees of \$4,600, for a total premium of \$472,350; which is Option 1 of the attached proposal from First Florida Insurance Brokers, and approved the County Attorney or his designee to execute all required documents BC20150825DOC026

12. **BUILDING AND DEVELOPMENT SERVICES/FLORIDA PLANNING AND ZONING ASSOCIATION**  
Approved payment for membership in the Florida Planning and Zoning Association for the seven Manatee County Planning Commission members, for a total amount of \$364 BC20150825DOC027

13. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**

Reduced the fines for CE2011100074 to \$10,000 (as previously recommended by the Special Magistrate on 7/22/15), subject to the following conditions:

1. The reduced fines shall be paid within 90 days, or will revert back to the original fine amount of \$125,350;
2. Recording fees need to be collected, which total \$20; and,
3. Building and Development Services Department Director authorized to sign satisfactions of liens if the reduced fines are paid

BC20150825DOC028

14. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**

Reduced the fines for CE2008030601 to \$5,000 (as previously recommended by the Special Magistrate on 7/22/15), subject to the following conditions:

1. The reduced fines shall be paid within 90 days, or will revert back to the original fine amount of \$153,325;
2. Recording fees need to be collected, which total \$20; and,
3. Building and Development Department Director authorized to sign satisfactions of liens if the reduced fines are paid

BC20150825DOC029

15. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/OK WILLOW WALK, PHASE IA**

- Executed and authorized recording of Final Subdivision Plat;
- Accepted, executed, and authorized recording of Mortgagee's Joinder In And Ratification of Subdivision Plat and All Dedications and Reservations Thereon from Maronda Homes, Inc., of Florida;
- Accepted, executed, and authorized recording of Mortgagee's Joinder In And Ratification of Subdivision Plat and All Dedications and Reservations Thereon from D.R. Horton, Inc.;
- Accepted, executed and authorized recording of Maintenance Agreement for Right-of-Way Island from Willow Walk Community Association, Inc.;
- Accepted and authorized recording of Conservation Easement from OK Willow Walk LLC;
- Accepted and authorized recording of Permanent Utilities Easement from OK Willow Walk LLC;
- Accepted and authorized recording of Affidavit of Ownership and Encumbrances from OK Willow Walk LLC;
- Authorized recording of Declaration of Covenants, Conditions and Restrictions for Willow Walk;
- Authorized County Administrator to accept, execute and authorize recording of Agreement for Public Improvements from OK Willow Walk LLC, and to accept, execute and authorize recording of Surety Bond for Performance of Required Improvements, Bond 1118351 from Lexon Insurance Company; and,
- Authorized County Administrator to accept, execute and authorize recording of Agreement for Private Subdivision Improvements from OK Willow Walk LLC, and to accept, execute and authorize recording of Surety Bond for Performance of Required Private Improvements, Bond 1118352 from Lexon Insurance Company

BC20150825DOC030

16. **COMMUNITY SERVICES/GRANT/HOME CARE FOR THE ELDERLY**

Executed Amendment 3 to Agreement HCE-14/15-MAN with the Senior Connection Center, Inc., for the Home Care for the Elderly Program, increasing case management funds by \$178, adopted a new Budget Summary; and, adopted Budget Resolution B-15-077, amending the FY 2014/2015 annual budget

BC20150825DOC031

17. **COMMUNITY SERVICES/WRITE-OFF UNCOLLECTIBLE STOPPED PAYMENT CHECK**  
Authorized Community Services Department to remove uncollectible account for a stop payment placed on a check of \$123 for a Community Care for the Elderly Client Co-Pay fee and the Clerk's \$30 fee for a total of \$153, in accordance with generally accepted accounting principles BC20150825DOC032
  
18. **CONVENTION AND VISITOR'S BUREAU/RESOLUTION**  
Adopted Resolution R-15-106, policies and rates for the Operation of the Bradenton Area Convention Center and the Powel Crosley Estate BC20150825DOC033
  
19. **CONVENTION AND VISITOR'S BUREAU/LICENSE AGREEMENT**  
Executed License Agreement 15-241 with Florida West Coast Symphony dba Sarasota Orchestra – Sarasota Orchestra Friends, for the musical morning to be held at the Crosley Estate on November 12, 2015 BC20150825DOC034
  
20. **CONVENTION AND VISITORS BUREAU/REIMBURSEMENT AGREEMENT**  
Authorized County Administrator to execute Reimbursement Agreement with Realize Bradenton for an Arts & Prosperity Economic Survey BC20150825DOC035
  
21. **CONVENTION AND VISITOR'S BUREAU/REIMBURSEMENT AGREEMENT**  
Authorized the County Administrator to execute Reimbursement Agreement with United Community Centers, Inc., dba Rubonia Community Center/13th Avenue Dream Center for sponsorship of the 2015 Gulf Coast Rhythm & Ribs Music Fest (RibFest) in an amount not to exceed \$8,500; and, authorized Convention and Visitors Bureau to expend up to \$1,500 to hire a third party research firm to conduct an economic impact study on the Ribfest BC20150825DOC036
  
22. **CONVENTION AND VISITOR'S BUREAU/REIMBURSEMENT AGREEMENT**  
Authorized the County Administrator to execute Reimbursement Agreement with South Florida Museum and Bishop Planetarium Inc., for capital improvements to the Museum BC20150825DOC037
  
23. **FINANCIAL MANAGEMENT/AMENDMENT**  
Authorized the County Administrator, or his designee, to execute Amendment 1 to Professional Services Agreement with Hansen Banner LLC, entitled, "Statement of Work: Banner 4.4 Upgrade"; and, executed Amendment 2 to Professional Services Agreement with ABB Enterprise Software Inc., entitled, "Statement of Work: Service Suite 9.3 Pre-Configured Workforce Management System", for a combined time and materials amount estimated at \$851,911, exclusive of travel and other expenses BC20150825DOC038
  
24. **FINANCIAL MANAGEMENT/AMENDMENT**  
Authorized the County Administrator, or his designee, to execute Amendment 5 to the Agreement for Professional Consulting Advertising Agency Services with Aqua Marketing and Communications, Inc., extending the agreement for one year, commencing July 1, 2015, and terminating June 30, 2016, for a total not to exceed amount of \$538,250 BC20150825DOC039
  
25. **FINANCIAL MANAGEMENT/CHANGE ORDER**  
Authorized the County Administrator, or his designee, to execute Change Order 1 to Work Assignment 3, pursuant to Contract 12-1032BG with URS Corporation in the amount of \$3,633,103, for a revised total amount of \$4,168,198; adopted Resolution R-15-149 and Budget Amendment B-15-081, for an Interfund Loan from the Transportation Trust Fund (Fund 101) to the Highway Capital Projects Fund (Fund 304) for \$4,200,000, and the Local Option Four Cent Capital Projects Fund (Fund 319) for \$4,000,000 for the advancement of funds for cost related to two, 44th Avenue projects: 44th Avenue East – 30th Street East-45th

Street East project, and 44th Avenue East - 45th Street-44th Avenue Plaza East project, in an amount not to exceed \$8,200,000 BC20150825DOC040

26. **FINANCIAL MANAGEMENT/RESOLUTION**

Adopted proposed Resolution R-15-103, providing for distribution of proceeds of the County's Five and Six-Cent Local Option Fuel Tax BC20150825DOC041

27. **FINANCIAL MANAGEMENT/RESOLUTION**

Adopted Budget Amendment Resolution B-15-076 BC20150825DOC042

28. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized the award of IFB 15-1519-DS, Manatee Agricultural Reuse Supply Management Improvements to the lowest, responsive, and responsible bidder, TLC Diversified, Inc., for a total of \$2,977,700, with 540 calendar days for completion; and, authorized the County Administrator, or designee, to execute the Agreement and accept and date the public construction bond BC20150825DOC043

29. **FINANCIAL MANAGEMENT/RESOLUTION**

Adopted Resolution R-15-119, expressing the County's intent to issue debt obligations to finance all or a portion of certain Transportation projects, and establishes the County's intent to reimburse certain capital expenditures with proceeds from tax exempt financing BC20150825DOC044

30. **FINANCIAL MANAGEMENT/LETTER/TAX ROLL EXTENSION**

Executed letter to Ken Burton, Jr., Tax Collector, confirming approval to extend the tax roll prior to completion of the 2015 Value Adjustment Board hearings BC20150825DOC045

31. **NEIGHBORHOOD SERVICES/DONATION**

Authorized the Board to accept a \$60,000 donation from Therese Zeh to be used for the Rocky Bluff branch of the Manatee Public Library System, and, adopted Budget Resolution B-15-079 reallocating the donated funds to align revenue and expenditures BC20150825DOC046

32. **NEIGHBORHOOD SERVICES/RESOLUTION**

Adopted Resolution R-15-146, finding that Project Altima is approved for an Economic Development Incentive Grant BC20150825DOC047

33. **NEIGHBORHOOD SERVICES/RESOLUTION**

Adopted Resolution R-15-148, finding that Project Terrain be approved for an Economic Development Incentive Grant BC20150825DOC048

34. **NEIGHBORHOOD SERVICES/RESOLUTION**

Adopted Resolution R-15-141, authorizing the submission and acceptance of a State Aid to Libraries Grant; authorized Chairman to execute a State Aid to Library Grant Agreement with the Florida Department of State, Division of Library and Information Services, under the State Aid to Public Library Program for the period October 1, 2015 to September 30, 2016; and, adopted Budget Resolution B-15-078, reallocating the grant funds to align revenue and expenditures BC20150825DOC049

35. **PARKS AND NATURAL RESOURCES/RESOLUTION**

Adopted Resolution R-15-144, amending R-14-173 and providing for changes of Recreation Membership, Daily Guest Pass, and Swim Lesson Fees, and clarification of the Rain Check Policy BC20150825DOC050

36. **PROPERTY MANAGEMENT/CONTRACT**  
Executed Contract for Sale and Purchase for a Warranty Deed from Christopher Brady and Norma J. Brady, as Trustees of the Brady Trust, for property located at 4501 Bedford Court East  
BC20150825DOC051
37. **PROPERTY MANAGEMENT/CONTRACT**  
Executed Contract for Sale and Purchase for a Warranty Deed from David J. Simpson and Nancy J. Simpson, for property located at 4513 Bedford Court East, Bradenton  
BC20150825DOC052
38. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utilities Easement from FELD Entertainment, Inc.;
  - Accepted and authorized recording of Permanent Utilities Easement from FELD Entertainment, Inc.;
  - Accepted and authorized recording of Permanent Utilities Easement from FELD Entertainment, Inc.;
  - Authorized recording of Joinder and Consent from Bank of America, N.A.;
  - Authorized recording of Affidavit of Ownership and Encumbrances from FELD Entertainment, Inc.; and,
  - Executed and authorized recording of Subordination of Utility Interests and Agreement for Reimbursement for Additional Facility Relocations between Manatee County and Florida Power & Light Company  
BC20150825DOC053
39. **PUBLIC WORKS/BONDS**  
Accepted Surety Bond Rider 6307933, in the increased amount of \$8,737,707 with Mosaic Fertilizer  
BC20150825DOC054
40. **PUBLIC WORKS/BONDS**  
Accepted Surety Bond Rider 09079662, in the increased amount of \$2,456,764 with Mosaic Fertilizer  
BC20150825DOC055
41. **PUBLIC WORKS/ASSESSMENTS**  
Adopted Resolution R-15-142, providing for the certification of non-ad valorem assessments pursuant to the Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments for annual special assessment payments due with the payment of 2015 ad valorem taxes  
BC20150825DOC056
44. **PUBLIC WORKS/TRAFFIC**  
Authorized the installation of a multi-way stop at the intersection of Whitfield Avenue and Tuttle Avenue  
BC20150825DOC057
45. **PUBLIC WORKS/SURPLUS EQUIPMENT**
- Authorized classification of 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 authorized to thereafter dispose of such property;
  - Adopted Resolution R-15-134, authorizing donation to Bradenton Police Department;
  - Adopted Resolution R-15-135, authorizing donation to Parrish Fire District; and,
  - Adopted Resolution R-15-136, authorizing donation to Reliable Business Solutions  
BC20150825DOC058

59. **PUBLIC WORKS/AGREEMENT**


Approved for County Engineer to sign and execute the Florida Power and Light Facilities Relocation Agreement (FPL - Transmission), for the relocation of two, FPL transmission poles  
BC20150825DOC059

**CONSENT MOTION**


A motion was made by Commissioner DiSabatino, seconded by Commissioner Smith, and carried 6-0, with Commissioner Bustle absent, to approve the Consent Agenda as recommended and amended with the deletion of Items 42 and 43 (separate action).


**CITIZENS' COMMENTS**


BC20150825DOC060


 Glen Gibellina commented on property adjacent to Kinnan Elementary, County-owned property, the budget, economic development grants, vanpool, transit, lease for Manatee County Bar Association, and family court.


 Lori Gurley updated the Board regarding the Free Padi social media page.

 Barbara Hines, Manasota-88, requested an ordinance for paid lobbyists to register, approvals for industrial areas, Piney Point, the County Attorney, Padi, the dog, and issues in Rubonia.


 Morris Goff commented on community needs in Rubonia and thanked County staff for beginning work in the area. He requested that Roderick Brooks and Derrick Randal be recognized by the Board for their endeavors in assisting children with trips to Washington D.C.


 Laureen Smith commented on the status of the Animal Services Advisory Board and the Animal Network social media page.


 Wendy Smith discussed the proposed legislation regarding dangerous dogs.

 William Wheeler discussed agenda procedures, parked vehicles blocking sidewalks, and a future agenda item to teach citizens how government works.

 Laura Felsetti commented on Animal Services and Padi, the dog.


 Philip Brown, President of United Way, stated he is proud that Manatee County is his home and complimented the Board on its leadership role in the community.

 Discussion ensued regarding the court case regarding legislation for dangerous dogs, the Free Padi social media page, issues in Rubonia, the Animal Network, the Animal Services Advisory Board, reports from Florida Department of Environmental Protection regarding Piney Point, Tourist Development funds are given to Sarasota County, and MeowTown.


 Mitchell O. Palmer, County Attorney, stated Resolution R-00-080 established the Animal Services Advisory Board, and confirmed there is no lawsuit against Padi.



42. **PUBLIC WORKS/ORDINANCE/SPEED LIMITS**

 Discussion ensued regarding the ordinance, the purpose of a public hearing and opportunity for public to speak, and the possibility of a second, public hearing.

Ron Schulhofer, Public Works Director, stated the professional recommendations in the ordinance could be changed by the Board.


 Ed Hunzeker, County Administrator, noted any change to the speed limits must be done in a meeting in which the Board can vote.

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

A motion was made by Commissioner Chappie, seconded by Commissioner DiSabatino, and carried 6-0, with Commissioner Bustle absent, to advertise and set a public hearing on September 22, 2015, to consider adoption of Ordinance 15-30, amending Section 2-22-7 of the Manatee County Code instituting and creating additional speed limit zones to include Golf Course Road, Chin Road, Lockwood Ridge Road, Lorraine Road, Lakewood Ranch Boulevard, University Parkway, Whitfield Avenue, 63rd Avenue East, Honore Avenue, 75th Street West, El Conquistador Parkway, 28th Avenue East, providing for codification; providing for severability; and providing for an effective date.

BC20150825DOC061

43. **PUBLIC WORKS/ORDINANCE/GOLF CARTS**

 Discussion ensued regarding efforts with the community to write the ordinance.

 William Wheeler questioned the definition of a golf carts.


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

A motion was made by Commissioner Whitmore, seconded by Commissioner Chappie, and carried 6-0, with Commissioner Bustle absent, to advertise and set a public hearing on September 22, 2015, to consider the adoption of Ordinance 15-34 and Ordinance 14-36, amending Section 2-22-9 and creating Section 2-22-9.5 of the Manatee County Code of Ordinances, respectively, relating to the designation of certain county roads, crossings, and sidewalks permitting the operation of golf carts.

BC20150825DOC062


**RECESS: 12:18 P.M. – 1:30 P.M.** Commissioner Bustle absent

58. **PARKS AND NATURAL RESOURCES/REPORT/COQUINA SOUTH BOAT RAMP**

 Charlie Hunsicker, Parks and Natural Resources Director, used a slide presentation and introduced proposed changes for the Coquina South Boat Ramp.


Alan Lai Hipp, Environmental Program Manager, continued the slide presentation and described issues at the Coquina South Boat Ramp and Bayside Park including limited space due to park amenities that have been added over time, commercial mullet season and illegal parking on berms, close proximity for a variety of uses including commercial loading docks, personal watercraft, swimmers, and commercial vessels as well as recreational boating. Proposed actions include closing portions of the access road along Gulf Drive, reconfiguring and defining trailer parking, removal of Australian Pines, removal of grills and the pavilion adjacent to the “beach” and physical parking barriers to be used to keep vehicles off dunes and landscape areas. Possible tow-away zones could be established and the bayside “beach”


could be closed. Mr. Lai Hipp reviewed the conceptual parking plan. The south end of the beach is marked as a no entry area and would be extended to the boat ramp.


 Mayor Jack Clark, City of Bradenton Beach, endorsed the project, and cited health and safety issues.


 Chief Sam Speciale, City of Bradenton Beach Police Department, endorsed the project.

Captain Joe Westerman, Marine Rescue, explained the current regulations for no swimming or wade fishing on the south end of Coquina Beach.


 Bob Smith, Public Safety Director, supported the proposed changes.


 Discussion ensued regarding moving the pavilion and picnic tables to the other side of the beach, parades, reconfiguring the area, no access to the west side, notify the public, no entry into the water along the south end, the access road can be opened for special events, public safety aspect of having a “no entry into the water zone”, educating the public, jet ski use and crowd control, access road would be a walkable trail, difference in designated use, launch from the boat ramp, but no vessels on the beach, landscape plans, no effects to the environment, and notify the public.


 Shawn Mayo expressed concern regarding access being denied for launching personal watercraft, canoes and kayaks.

 Barbara Hines supported the plan and expressed concern of nesting birds in Australian pines.

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

 Mr. Hunsicker explained all vessels can be launched at the boat ramp. The Coquina North boat ramp is in the same area and a sand launch will be incorporated for kayaks and paddleboards, outside the dangerous current area. Staff will monitor nesting in the Australian Pines prior to removal. The properties will be posted within a week, but improvements will be completed over time.


 Mr. Lai Hipp explained the issues exist due to the currents.

 Mr. Hunsicker stated the beaching of jet skis and kayaks can occur along Coquina north.

Discussion ensued regarding allowed uses should be posted, personal responsibility is important with water sports, and restricting unsafe areas.

BC20150825DOC063

## PINEY POINT

 Charlie Hunsicker, Parks and Natural Resources Director, reported on the discharge of yellow water from Piney Point. Discharges have been regulated, permitted and monitored from the retention ponds servicing the property. Natural Resources Division pulled water samples and found it to be normal, stormwater runoff.

BC20150825DOC064


**ADVISORY BOARD APPOINTMENTS**

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

Nominations: Richard De Gennaro – by Commissioner Baugh  
Richard Wellenberger – by Commissioner Chappie

A motion was made by Commissioner DiSabatino, seconded by Commissioner Benac, and carried 6-0, with Commissioner Bustle absent to close nominations. Mr. De Gennaro was appointed by majority vote. BC20150825DOC065


48. **NEIGHBORHOOD SERVICES/LIBRARY BOARD OF TRUSTEES**

 A motion was made by Commissioner Smith, seconded by Commissioner Baugh, and carried 6-0, with Commissioner Bustle absent, to accept the Library Board of Trustee appointment of Brenda Booth by the City of Palmetto. BC20150825DOC066

**ADVERTISED PUBLIC HEARINGS**

49. **PROPERTY MANAGEMENT/RESOLUTION/LOUISIANA AVENUE**

A duly advertised public hearing was held to consider Resolution R-15-115, vacating a portion of unimproved platted right-of-way at Louisiana Avenue by applicant Blue Heaven Enterprises LLC.

 Maggie Daniell, Interim Property Acquisition Division Manager, explained there have been no objections regarding the vacations.

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

A motion was made by Commissioner DiSabatino, seconded by Commissioner Baugh and carried 6-0, with Commissioner Bustle absent, to adopt Resolution R-15-115. BC20150825DOC067

50. **PROPERTY MANAGEMENT/RESOLUTION/CAROLINA AVENUE**

A duly advertised public hearing was held to consider Resolution R-15-116, vacating a portion of unimproved platted right-of-way at Carolina Avenue by applicant, Blue Heaven Enterprises LLC.

 Discussion ensued regarding the hydroponic farm.

There being no public comment, Chairman Benac closed the public hearing

A motion was made by Commissioner DiSabatino, seconded by Commissioner Chappie, and carried 6-0, with Commissioner Bustle absent, to adopt Resolution R-15-116. BC20150825DOC068

51. **PUBLIC WORKS/ORDINANCE/NO PARKING**


A duly advertised public hearing was held to consider Ordinance 15-26, No Parking.

 There being no public comment Chairman Benac closed the public hearing.

A motion was made by Commissioner Baugh, seconded by Commissioner Smith, and carried 6-0, with Commissioner Bustle absent, to adopt Ordinance 15-26, readopting the entire section of Section 2-22-22 of the Manatee County Code. BC20150825DOC069

**REGULAR**


53. **ATTORNEY/EMINENT DOMAIN/44TH AVENUE EAST**

 Mitchell O. Palmer, County Attorney, explained the two-phase process of eminent domain. He recommended the settlement offer of \$35,000 from Defendant, El Rancho Village, Inc., be rejected. The property owner rejected an offer of \$10,000, and the case is set for trial in November.

Discussion ensued regarding the County use of the land for three years, easement was 530 square feet, road improvement project did not warrant the construction of a concrete wall, and settlement offers are likely to continue if this one is rejected.

**Motion**

A motion was made by Commissioner DiSabatino, to instruct the County Attorney to pay up to but not over \$35,000. The motion was seconded by Commissioner Whitmore.

 Discussion ensued regarding the authority of the County Attorney to negotiate up to \$20,000, concern this will extend to other issues, change the ordinance to establish a different maximum amount, and not supporting the motion.

**Motion - Died**

Commissioner Whitmore withdrew her second to the motion, and the motion died for lack of a second.

Discussion ensued to table this item, and the County has 30 days to accept or reject the offer per Statute.

**Motion - Died**

A motion was made by Commissioner DiSabatino, to have the County Attorney enter into negotiations to settle the matter. The motion died due to lack of a second.

**Motion - Carried**

A motion was made by Commissioner Chappie, seconded by Commissioner Baugh, and carried 5-1, with Commissioner DiSabatino voting nay and Commissioner Bustle absent, to reject a settlement offer of \$35,000 from Defendant, El Rancho Village, Inc., as regards to Parcel 731 in the eminent domain matter of Manatee County v. El Rancho Village, Inc., et al, Case 2011-CA-2445.

There was no public comment.

BC20150825DOC070

**COMMISSIONER AGENDA**

60. **MANATEE RURAL HEALTH SERVICES/LETTER**

A motion was made by Commissioner Whitmore, seconded by Commissioner Smith, and carried 6-0, with Commissioner Bustle absent, to authorize the Chairman to sign a Letter to Walter L. Presha, President/CEO Manatee Rural Health Services (MCRHS), in support of the MCRHS Section 330 grant application.

There was no public comment.

BC20150825DOC071

55. **ADMINISTRATOR/DASHBOARD REPORT**

 There were no comments regarding the Dashboard Report for July 2015. BC20150825DOC072

**COMMISSIONERS' COMMENTS**

Commissioner Whitmore


- Commented on three citizen groups formed in Parrish: The Parrish Art Guild, the Parrish Foundation and the Parrish Civic Association. Discussion ensued regarding having a community meeting.
- She will be meeting with Derrick Randall, Rod Brooks and Cheri Coryea to discuss issues in Rubonia
- Attended the Manatee Legislative Delegation meeting on August 24, 2015
- Reported there are approximately ten heroin overdoses per day in the emergency room
- Commented on the success of the India Festival
- She plans to attend the meeting of the Florida Association of Counties for the Gulf Coast Consortium discussion on the Deepwater Horizon Oil Spill
- Volunteers continue to deliver food to Carlyn Estates Mobile Home park
- The Kickoff for Making Strides Against Breast Cancer will be held at the Ritz Carlton
- Commented on her report of the Animal Coalition Meeting
- Announced the Humane Society will hold an open house on September 6, 2015
- Commented on the success of the Celebration of Pets event, which raised money for a rescue organization
- Canine Christmas will be held at Bishop Animal Shelter
- Volunteers are needed to trap Feral Cats
- Animal Services has over 140 cats that need to be adopted
- Commented on puppy mills
- Commented on the case of Padi, the dog

(Depart Commissioner Benac)


Mitchell O. Palmer, County Attorney, noted his office will advise the hearing officer that the County's desire is for Padi not to be euthanized. The Sarasota case will be brought to the Judge's attention in the declaratory judgment.

BC20150825DOC073


Commissioner Smith

-  Explained his absence from the August 6th land use meeting was due to emergency surgery
- Stated he is doing a personal assessment of each of the County Commission districts and commented on improvements in District 4
- He is attending Association meetings within his district
- He plans to attend the Florida Association of Counties conference

Commissioner Chappie

-  Commented on the 95th Anniversary Celebration for Women's Equity Luncheon
- Florida Department of Transportation PD&E presentation on August 27, 2015, for 15th Street East
- He plans to attend a presentation on August 26th regarding a proposal for the 34th Street sports complex
- Recommended that Roderick Brooks and Derrick Randal be recognized with a Proclamation

Commissioner Baugh

-  No comment

Commissioner DiSabatino

- Questioned the timeline for the Invitation to Negotiate for the Rubonia Community Center. Discussion ensued regarding Rubonia and community needs.

August 25, 2015

(Continued)

**ADJOURN**

There being no further business, Chairman Benac adjourned the meeting at 4:15 p.m.

Minutes Approved: \_\_\_\_\_