

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COUNTY ADMINISTRATIVE CENTER  
1112 Manatee Avenue West  
Bradenton, Florida  
AUGUST 7, 2018**

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

Present were:


Priscilla Whisenant Trace, Chairman  
Robin DiSabatino, First Vice-Chairman – enter during meeting  
Carol Whitmore, Second Vice-Chairman  
Charles B. Smith, Third Vice-Chairman  
Betsy Benac  
Vanessa Baugh – enter during meeting  
Stephen R. Jonsson

Also present were:

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

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

**INVOCATION AND PLEDGE OF ALLEGIANCE**

1.  The Invocation was delivered by Joy Schtakleff, Grace Bible Church, followed by the Pledge of Allegiance

**HISTORIC COURTHOUSE**

Angelina “Angel” Colonnese, Clerk of the Circuit Court, thanked Property Management for their efforts during the tenting of the Historic Courthouse this past weekend.


**AGENDA ANNOUNCEMENTS**

36. Update BC20180807DOC001  
BC20180807DOC002  
Item 19 – Resolution R-18-133 – The Resolution was updated and replaced to clarify various statements in the Whereas clauses  
Item 31 – P25 Regional Public Safety Radio System; The presentation attached to this item was updated and replaced and additional public comment letters were attached  
Item 35 – Proclamation – Request to “Adopt Proclamation designating August 18, 2018 as Bradenton Alumnae Chapter of Delta Sigma Sorority Incorporated Day


Time Certain:

2. Item 33 – 9:30 a.m., Solutions to Avoid Red Tide (START) Oyster Program
3. Item 34 – 9:45 a.m., Palmetto Trials Network Plan BUILD Grant Application
4. Item 31 – 1:30 p.m., P25 Regional Pubic Safety Radio System

**AWARDS AND PRESENTATIONS**


5.  Employee of the Month: LeeRoy Santos, Traffic Sign Technician III, Public Works BC20180807DOC003  
  
Chad Butzow, Public Works Interim Director, stated the repairs to the parking lot are complete at Cortez Plaza.

35. **PROCLAMATIONS**


 Motion was made by Commissioner Benac, seconded by Commissioner Jonsson and carried 5-0, with Commissioners DiSabatino and Baugh absent, to adopt the Proclamation designation August 18, 2018, as Bradenton Alumnae Chapter of Delta Sigma Theta Sorority Incorporated Day which was accepted by Kathie Marsh. BC20180807DOC004

(Enter Commissioners Baugh and DiSabatino)

6. **CITIZEN COMMENTS** (Consideration for Future Agenda Items)

 Rosalie Reinhart, thanked Commissioners Smith and DiSabatino for helping her and her brother find housing in Robin’s Apartments; however, they are now being evicted. She expressed concerns with Robin’s Apartments, and asked for the Commissioners’ help in finding housing. BC20180807DOC005

 Mike Meehan submitted the Statement of Revenues and discussed the budget and the balance sheet. BC20180807DOC006

 Discussion ensued regarding the need to help families get off the street, Mr. Meehan should meet with Jan Brewer, Financial Management, is preparing a written report to alleviate budget concerns.

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

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

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

**CONSENT AGENDA**

There were no Commissioner Requests.

26. **CONSENT AGENDA MOTION**

Motion was made by Commissioner DiSabatino, seconded by Commissioner Smith and carried 7-0 to approve the Consent Agenda with changes provided in the Agenda Update Memorandum regarding Item 19.

8. **CLERK’S CONSENT AGENDA**

BC20180807DOC007

A. **WARRANTS**

Accepted the warrants for the month of July 2018, as issued by the Finance Department BC20180807DOC008

B. **MINUTES**

Approved the Minutes of December 7, 2017, and May 24 and June 12, 2018

C. **REFUNDS:**

Approved the following refunds:

- 1. Jason E. Coates - Billing Error, \$1,000 BC20180807DOC009
- 2. Andre G. Hobson - Utility Facility Investment Fee - \$4,541 BC20180807DOC010
- 3. Lennar Homes, Inc - Utility Facility Investment Fee - \$5,297 BC20180807DOC011
- 4. Rinehart Homes, Baker - Affordable Housing Impact Fees, \$4,997 BC20180807DOC012
- 5. Rinehart Homes, Blood - Affordable Housing Impact Fees, \$4,997 BC20180807DOC013
- 6. Rinehart Homes, Dawes - Affordable Housing Impact Fees, \$4,997 BC20180807DOC014
- 7. Rinehart Homes, Frank - Affordable Housing Impact Fees, \$4,997 BC20180807DOC015
- 8. Rinehart Homes, Green - Affordable Housing Impact Fees, \$4,997 BC20180807DOC016

- 9. Rinehart Homes, Hernandez - Affordable Housing Impact Fees, \$4,997 BC20180807DOC017
- 10. Rinehart Homes, Holmes - Affordable Housing Impact Fees, \$4,997 BC20180807DOC018
- 11. Rinehart Homes, Mercado/Rodriguez - Affordable Housing Impact Fees, \$4,997 BC20180807DOC019
- 12. Rinehart Homes, Ortiz/Figueroa - Affordable Housing Impact Fees, \$4,997 BC20180807DOC020
- 13. Rinehart Homes, Regina - Affordable Housing Impact Fees, \$4,997 BC20180807DOC021
- 14. Rinehart Homes, Rincon - Affordable Housing Impact Fees, \$4,997 BC20180807DOC022
- 15. Suresh Singh - Refund Retiree Premium, \$1,328.90 BC20180807DOC023
- 16. Utility Customer 65435-65369, Billing Adjustment, \$2,176.42 BC20180807DOC024

**D. SHERIFF BONDS**

Accepted the list of 32 additional employees and the deletion of seven employees from the Sheriff's Public Employee Bond BC20180807DOC025

**E. REPORTS**

Accepted the following financial Reports:

- 1. Second Quarter 2018 Grant Amendments/Donations/Gifts BC20180807DOC026
- 2. Trailer Estates Fire Control District - Account Name Correction BC20180807DOC027

**9. ATTORNEY/LAWSUIT**

Motion to approve the settlement of the entire claim for \$65,000, inclusive of attorney fees plus \$100 for a general release, and to authorize the County Attorney or his designee to execute all documentation necessary to effect the settlement in the workers' compensation matter of Larry Schoonover v. Manatee County Sheriff's Office BC20180807DOC028

**10. BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/PALISADES, PHASE 1**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of Declaration of Covenants, Conditions, and Restrictions of Palisades;
- Accepted, executed, and authorized recording Joinder of Mortgagee from D.R. Horton, Inc
- Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Private Improvements from Palisades, Phase I;
- Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Public Improvements from Palisades, Phase I;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Palisades, Phase I, Surety Bond No. 016076842 Liberty Mutual Insurance Company for \$687,419.20;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Palisades, Phase I, Surety Bond No. 016076841 Liberty Mutual Insurance Company for \$156,021.06; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Palisades, Phase I, Surety Bond No. 016076843 Liberty Mutual Insurance FOR \$2,514,484.70 BC20180807DOC029

**11. BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/SILVERSTONE SOUTH FKA WILLOW HAMMOCK, PHASE IC&II**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of Supplement and First Amendment to Declaration of Covenants, Conditions, and Restrictions of Willow Hammock;

- 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. (Delaware) Corporation;
- Accepted, executed, and authorized recording of Mortgagee's Joinder in and Ratification of Subdivision Plat and all Dedications and Reservations Thereon from TREZ CAPITAL (2018) NOMINEE, LP;
- Accepted, executed, and authorized recording of Joinder and Consent of Willow Hammock Community Development District to Silverstone South fka: Willow Hammock, Phase IC & II Plat and to all Dedications, Easements and Reservations Theron from Willow Hammock Community Development District;
- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Private Improvements from Silverstone South f/k/a Willow Hammock, Phase IC & II;
- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Public Improvements from Silverstone South f/k/a Willow Hammock, Phase IC & II;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Silverstone South f/k/a Willow Hammock, Phase IC & II, Surety Bond No. 2281394 Great American Insurance Company for \$569,143.58;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Silverstone South f/k/a Willow Hammock, Phase IC & II, Surety Bond No. 2281393 Great American Insurance Company for \$2,105,570.35; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Silverstone South f/k/a Willow Hammock, Phase IC & II, Surety Bond No. 2281397 Great American Insurance Company for \$488,893.44.

BC20180807DOC030

12. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/ WILLOW WALK NORTH**

- Executed and recording of Final Subdivision Plat;
- Authorized recording of Declaration of Covenants, Conditions, and Restrictions of Willow Walk North;
- Authorized recording Fourth Amendment to Declaration of Covenants, Conditions, and Restrictions for Willow Walk;
- Authorized recording of Supplemental Declaration of Covenants, Conditions, and Restrictions for Willow Walk (Willow Walk - Phase IIA-IIB-IID);
- Authorized recording of Joinder and Consent of Owner of Mortgage from Willow Walk Community Development District;
- Authorized recording of Joinder, Consent and Subordination of Mortgagee from Maronda Homes, Inc. of Florida;
- Accepted, executed, and authorized recording of Joinder in and Ratification of Subdivision Plat and all Dedications and Reservations Theron from Willow Walk Community Development District;
- Authorized recording of Mortgagee's Joinder in and Ratification of Subdivision Plat and all Dedications and Reservations Theron from Maronda Homes, Inc. of Florida;
- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Private Improvements from Willow Walk, PHII A B & D;
- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Public Improvements from Willow Walk, PHII A B & D;
- Authorized the County Administrator to accept and execute Surety Bond for

Performance of Required Public Improvements, Willow Walk PHII A B & D, Surety Bond 1155166 Lexon Insurance Company for \$1,866,110.93;

- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Willow Walk PHII A B & D, Surety Bond 1155167 Lexon Insurance Company for \$78,350.33;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Willow Walk PHII A B & D, Surety Bond 1155165 Lexon Insurance Company for \$2,278,534.20; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Willow Walk PHII A B & D, Surety Bond 1156529 Lexon Insurance Company

BC20180807DOC031

13. **FINANCIAL MANAGEMENT/BUDGET AMENDMENT**

Adopted Budget Amendment Resolution B-18-093

BC20180807DOC032

14. **FINANCIAL MANAGEMENT/AGREEMENT**

Executed Amendments to Agreement 17-0885MS for Architectural/Engineering (A/E) Consulting Services with the following eight firms: CPH, Inc; Fawley Bryant Architects, Inc.; Fleischman and Garcia Architects and Planners AIA, PA; GLE Associates, Inc.; Hall Architects, PA; Stantec Consulting Services, Inc.; Sweet Sparkman Architects, Inc.; and Ugarte & Associates, Inc.

BC20180807DOC033

15. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized the County Administrator or designee to execute Change Order No. 3 to Agreement 17-0688OV, Manatee County Central Jail Security Equipment Upgrades, with Stanley Convergent Security Solutions, Inc., adding 58 calendar days to the contract time for a revised project time of 470 days, with no additional cost incurred

BC20180807DOC034

16. **NEIGHBORHOOD SERVICES/DONATION**

Adopted Resolution R-18-132 authorizing the acceptance of beneficiary funds from the Trust of Lois J. Flagg for use by the Manatee County Central Library, and authorizing the execution of documents related to the Trust Funds; and adopted Budget Amendment Resolution B-18-097 amending the annual budget for FY18

BC20180807DOC035

17. **NEIGHBORHOOD SERVICES/DONATION**

Accepted a \$5,000.00 gift to the Manatee County Library System from the Estate of Rita C. Chieppo, and authorized for the Interim Director of Neighborhood Services Department or designee to approve and sign all required documents related to the gift on behalf of the County; and adopted Budget Resolution B-18-095 amending the annual budget for FY18

BC20180807DOC036

18. **NEIGHBORHOOD SERVICES/GRANTS**

- Approved a FY 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) from the Bureau of Justice Assistance (BJA) in the amount of \$111,590 as recommended by the Public Safety Coordinating Council;
- Adopted Resolution R-18-131 authorizing the submission and acceptance of the FFY 2018 Edward Byrne Memorial Justice Assistance grant from the Bureau of Justice Assistance (BJA), designating the Public Safety Coordinating Council (PSCC) as the grant advisory board, authorizing the Chairman, the County Administrator, or the Deputy County Administrator to execute documents regarding grant submission and acceptance, and authorizing the Neighborhood Services Department Interim Director, or her designee to execute documents regarding grant administrative functions;
- Authorized the Chairman to sign two originals of Certification and Assurances by the

- Chief Executive of the Applicant Government form as required by BJA; and
- Authorized the County Attorney as Chief Legal Officer to sign two originals of the Local Government: FY 2018 Certification of Compliance with 8 U.S.C. §§ 1373 and 1644, and two originals of the Local Government: FY 2018 Certification Relating to 8 U.S.C. §§ 1226(a) and (c), 1231(a)(4), 1324(a), 1357(a) and 1366(1) and (3) as required by BJA

BC20180807DOC037

19. **PARKS AND NATURAL RESOURCES/NATIONAL PARKS SERVICE**

Adopted Resolution R-18-133 authorizing the Board of County Commissioners to encourage Congress to create resources to address deferred maintenance needs within the National Park Service

BC20180807DOC038

20. **PARKS AND NATURAL RESOURCES/GRANTS**

Accepted a \$2,000 grant award from the Sarasota Bay Estuary Program to help purchase mobile pop-up play equipment; and adoption of Budget Resolution B-18-099 amending the Annual Budget of Manatee County, FL, for FY 2018

BC20180807DOC039

21. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**

- Accepted and authorized recording of Permanent Utilities Easement from Bayside Pet Resort at Lakewood Ranch, LLC (Includes Consent and Joinder from Branch Banking and Trust Company; and
- Authorized recording of Affidavit of Ownership and Encumbrances from Robert L. Huff, as President of the Bayside Pet Resort at Lakewood Ranch, LLC

BC20180807DOC040

22. **PROPERTY MANAGEMENT/RESOLUTION**

Adopted Resolution R-18-120 declaring a public hearing on September 11, 2018 at 9:00 a.m. for vacating a portion of a plat within Pomello Park at 25th Street East

BC20180807DOC041

23. **PUBLIC WORKS/AGREEMENT**

Executed the extension and modification of the cooperative funding agreement, "Agreement between the Southwest Florida Water Management District and Manatee County for Mill Creek Watershed Management Plan", to provide for extended due date to June 30, 2019, and modification to the project schedule

BC20180807DOC042

24. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/AGREEMENT**

Executed the Land Use Restriction Agreement for Livable Manatee Homeownership Incentive Program between Manatee County and Rinehart Homes, LLC, for property located at 4004 11th Street East, Bradenton

BC20180807DOC043


25. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/AGREEMENT**


Executed the Land Use Restriction Agreement for Livable Manatee Homeownership Incentive Program between Manatee County and Rinehart Homes, LLC, for property located at 1138 42nd Terrace East, Bradenton

BC20180807DOC044

(End Consent Agenda)


33. **PARKS AND NATURAL RESOURCES/SOLUTIONS TO AVOID RED TIDE (START) OYSTER PROGRAM**

 Charlie Hunzicker, Parks and Natural Resources Director, spoke about the Gulf Coast Oyster Recycle and Renewal Program. Manatee County is joining five other counties along the coast to reintroduce oysters into the environment, which will work to improve water quality.


 Sandy Gilbert, START Chairman and CEO, submitted a packet of information and stated START began due to a massive Red Tide bloom in 1995. He reviewed resources available

through START and special events. START has had a role in creating clean water in Sarasota Bay, and there are several County initiated projects to help improve water quality in Manatee and Sarasota Counties. Shell fish restoration is an important component in keeping the water clean. He continued to discuss the benefits of clam seeding in Sarasota Bay and the Gulf Coast Oyster Recycle and Renewal Program. The Chiles Group collects the shells from oysters served at their restaurants which are then used to help start new oyster beds. Over 26,000 tons of oyster shells have been reused in the program. The live shells produce 23 percent more oysters. Waste Pro is helping to transport the shells to locations for replanting. There are seven more restaurants willing to participate in the program. START received a grant from the Manatee Fish and Game to help fund the program and they also plans on creating another oyster bed along the Bradenton Riverwalk.

Holly Eisemann, Realize Bradenton, commented on a Shoreline Shindig event in October to celebrate a partnership to provide the oyster bed wall along the Riverwalk.

 Discussion ensued regarding when red tide comes in shore, nutrients affect the red tide blooms, and the local bays are the healthiest they have been since the 1950. BC20180807DOC045


34. **PARKS AND NATURAL RESOURCES/PALMETTO TRAILS NETWORK PLAN/BUILD GRANT**

 Charlie Hunzicker, Parks and Natural Resources Director, used a slide presentation to discuss the BUILD Grant application for \$15 million. Goals of the grant are to help create safer pedestrian and bicycle pathways in Palmetto. He reviewed the major components of the trail, including the Historic Lincoln High School Tunnel under U.S. 41, key connections, the project budget, the schedule for improvements to occur over five years, and all parties involved. Mr. Hunzicker showed a short video about Lincoln Memorial High School and the tunnel.

Link to video: <https://www.youtube.com/watch?v=6Okli-FYeXY&feature=youtu.be>


Dr. Mack Sellers encouraged the improvements in Palmetto and stated how the trial will connect the entire community.

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

 Discussion ensued regarding the community support for the project, thankful for the work of Commissioners regarding this project, seeking further support from the State legislature and federal government, and this is a public safety issue. BC20180807DOC046

**RECESS/RECONVENE:** 10:31 a.m. - 10:37 a.m. All Commissioners present except Commissioner Smith

27. **CONVENTION AND VISITORS BUREAU/TOURIST DEVELOPMENT COUNCIL (TDC)**

 Elliot Falcione, Convention and Visitors Bureau Director, advised there are three openings for the TDC, one hotelier and two interested citizens.


NOMINATIONS: Hotelier (Expires 2021)  
Rahul Patel - by Commissioner DiSabatino  
Eric Cairns - by Commissioner Whitmore

Motion was made by Commissioner DiSabatino, seconded by Commissioner Whitmore and carried 6-0 with Commissioner Smith absent, to close nominations. Eric Carins was appointed by majority vote.

(Enter Commissioner Smith)

Nominations: Interested Citizens  
Vernon DeSear – by Commissioner Whitmore  
Jack Rynerson – by Commissioner Whitmore

Motion was made by Commissioner Whitmore, seconded by Commissioner Jonsson and carried 6-1 with Commissioner Smith voting nay, to close nominations. Vernon DeSear and Jack Rynerson were appointed by majority vote.

 Discussion ensued regarding thanking those who applied, and members receive training on Government in the Sunshine regulations. BC20180807DOC047

**ADVERTISED PUBLIC HEARING** (Presentations upon request)

28. **BUILDING AND DEVELOPMENT SERVICES/ORDINANCE/ARTISAN LAKE COMMUNITY DEVELOPMENT DISTRICT**

A public hearing was rescheduled to August 21, 2018, to consider adoption of proposed Ordinance 18-30, Amendment of Artisan Lakes CDD district boundary. There is no action necessary. BC20180807DOC048

29. **BUILDING AND DEVELOPMENT SERVICES/ORDINANCE/ARTISAN LAKE COMMUNITY DEVELOPMENT DISTRICT**


A duly advertised public hearing was opened and continued to consider adoption of proposed Ordinance 18-31, Artisan Lakes CDD Establishment.

Motion was made Commissioner Whitmore, seconded by Commissioner DiSabatino, and carried 7-0, to continue the public hearing for Ordinance 18-31 to August 21, 2018, at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administrative Building, 1st Floor Chambers. BC20180807DOC049

**ADVERTISED PUBLIC HEARING** (Presentation Scheduled)


30. **FINANCIAL MANAGEMENT RESOLUTION/INFRASTRUCTURE SALES TAX**

A duly advertised public hearing was held to consider adopting proposed Resolution R-18-130 amending Resolution 16-128, Infrastructure Sales Tax establishing guidelines for expenditure of proceeds of an infrastructure sales tax and providing for composition, terms of appointment and procedures of the Sales Tax.

 Jan Brewer, Financial Management Director, reviewed the request. Resolution R-16-128 established the guidelines for expenditure of proceeds of the infrastructure sales tax. This change allows for projects to be amended by the Board for cost changes (increases or decreases) through the budget amendment process.

Discussion ensued that this does not change the percentages recommended by the Citizens Budget Restructuring Committee, or how the proceeds should be divided, cost estimates provided for each project will be higher or lower than estimated when going through the procurement process, and any changes to project categories or percentages can only be made through the public hearing process as they were established through the ordinance.

(Depart Commissioner DiSabatino during discussion)


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




Motion was made by Commissioner Jonsson, seconded by Commissioner Whitmore and carried 6-0, with Commissioner DiSabatino absent, to adopt Resolution R-18-130 to amend Resolution R-16-128, Establishment of guidelines for expenditure of proceeds of an infrastructure sales tax and providing for composition, terms of appointment and procedures of the Sales Tax. BC20180807DOC050

(Enter Commissioner DiSabatino)

32. **NEIGHBORHOOD SERVICES/PEER 2 PEER**

 Joshua Barnett, Health Care Services Manager, introduced members of the Peer 2 Peer Program operated by First Step. This program is an evidence-based opioid treatment service. Manatee County has experienced a reduction in opioid overdoses. Funding helps to train coaches and provide a secure location to begin services.

Bob Piper, First Step, reported on the effectiveness of the program.

 Each of the Peer 2 Peer coaches introduced themselves.

Mr. Barnett stated the participants have gone through extensive background checks and a successful recovery process.

 Discussion ensued regarding the success rate of the program in other areas. BC20180807DOC051

**COMMISSIONER COMMENTS**

Commissioner DiSabatino


- Stated she is in contact with Harvey Vengroff regarding the Rineharts issues with Robin's Apartment (See Citizen Comments). She has also contacted John Barnott, Building and Development Services Director, regarding permits to for the ditch adjacent to that property.

Commissioner Whitmore

- Comments on red tide, the release of turtle hatchlings in the Gulf, and discussions she has had with Nathan "Toasty" Meschelle, Cortez Fisherman, who is willing to help pick up dead fish in the bays


**RECESS/RECONVENE** 11:20 a.m.- 1:30 p.m. All Commissioners present.


31. **INFORMATION TECHNOLOGY/P25 REGIONAL PUBLIC SAFETY RADIO SYSTEM**


 Paul Alexander, Information Technology Director, used a slide presentation to address the P25 Regional Public Safety Radio System and reviewed the project history, outlined the objectives of the P25 radio system, and displayed a map pointing out the radio coverage in the university corridor. Staff's recommendation would be to lift the stop work order and resume work at Kinnan Park to move the project forward. In response to questions he stated that no other location exists inside the geographical area that the Kinnan tower would serve.


Discussion ensued that there were no public meeting held for other tower locations, the February 2016 work session was the first time the Board heard about the Kinnan location, requests by the Board for public meetings to be held, challenges that would be incurred if the height of the tower were reduced and it was moved back on the parcel, setbacks and fall radius, potential for a lawsuit based on the process, public meetings should have been held when the sites were selected, locating the tower at the fire station would place it closer to houses, negative affect on adjacent property values, cost of the maintenance and support


agreement, expectant life span of the system is approximately 20 years, the current system is 25 to 30 years old and is obsolete, changes to the location within the Kinnan parcel, locating the tower on vacant land along Whitfield, what is the liability to Sarasota County if Manatee does not move forward with the project, approximately \$1.1 to \$1.4 million to move the tower location and an 18 to 24 month delay, what areas will not be covered if the tower is moved, line of site protection, survey of the property to see how far back the tower can be moved without losing its ability to function as it should, try to mitigate impacts to neighbors, moving the tower to the west encroaches into the Sarasota/Bradenton Airport approach, wetland mitigation costs, possibly locating the tower at Conservatory Park, Board direction to have a public meeting and come up with alternative locations, could the tower be moved into the wetland, and the system is needed, but where should it be located.


 Mr. Alexander stated public radio towers are excluded from the definitions for personal cell towers and only require administrative approval. Public hearings are not required for this process. He acknowledged the first time the Kinnan location was discussed was at the February 16, 2016 meeting. He stated the tower could not be approved in the northwest corner of the parcel, and if the height is reduced to 164 feet, coverage would be reduced.


 Discussion ensued that many schools have towers on their property, the fall radius is less than 50 feet, no public meetings were held in Manatee County regarding any of the locations, and Sarasota County held public meetings.


 Mr. Alexander displayed a photo of what the tower would look like. The tower will sit 87 feet from the north property line.


 Robert Wenzel, Planning Section Manager, displayed a survey of the property and addressed setbacks for fall down radius. If there is a design collapse, the tower will collapse within the parcel.


 Mitchell O. Palmer, County Attorney, stated there are no use restrictions connected to the deed for the property.

 Mr. Alexander addressed the location on Kinnan Park and why the original location was changed due to issues with the airport and wetlands. The tower base is 55- to 60-feet deep and there is a great amount of work that needs to be done to move the tower. He reiterated that no other location in the area will meet all the criteria, and staff followed the process for determining the location of and permitting the tower. The engineering firm was Kimley-Horne. Motorola has been a good partner since the acquisition occurred, and the maintenance agreement has a technology refresh in six or seven years. The greatest liability to continue the stop work order would be the cost to Public Safety. Sarasota County would be impacted and delaying construction would also create legacy system exposure. The current system is unsupported.


 Discussion ensued regarding other towers that are within 15 feet of homes, School Board can put up towers without approval, Public Safety is number one, line of sight, and how far back it can be moved without losing its ability to do what the tower is meant to do.

 Mr. Alexander displayed a second aerial of the entire area in the University corridor where the tower must be placed.

 Ed Hunzeker, County Administrator explained that staff and the vendor have looked at other sites, and this continues to be the best site. He apologized that a public meeting did not take place.

 The following citizens expressed concern regarding the location of the tower on the Kinnan parcel, questioned if there is another location and the process used to determine to current location: Tonda Cochran, Gretchen Marie Adrienne, Randy Tines, Margaret Vogler, Cheryl Stock, Lauren Spong, Marley Boss, Bryan Lowe, Monica Meyer, Dickey Green, David Holmes, Susan Johnson, Diane Adams, Jan Jones, Melton Little, Gary Lastoski, Buffy Smith, Gary Adams, Misty Servia, James Satcher, Laurie Galle, Joey Hodson and Brent Adams.


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


 Discussion ensued regarding the total costs, what will happen if the tower is moved to the wetlands, why was Conservatory Park not considered, costs and time for the delay, need to contact Sarasota, were smaller towers considered, and what timeframe is in the contract with Motorola.


### **Motion**


Motion was made by Commissioner DiSabatino to permanently stop the tower and move it to a different location. The motion was seconded by Commissioner Jonsson.


 Discussion continued regarding legal ramifications of the motion, was the property with a water tower on it on the south side of University Parkway considered, and what is the cost of smaller towers.

 Brian Gorski, Southern Manatee Fire Rescue Chief and Larry Luh, Assistant EMS Chief, commented on the need for the P25 system. Southern Manatee Fire and Rescue is willing to have a smaller tower on their property.

 Mr. Alexander explained the interlocal agreement states the towers need to be in each county and there is a need for an overlap if towers go out. He would need to speak with Motorola regarding repeaters, because the county purchased three new towers that are complete with all working equipment. The Kinnan tower is a hub tower. The cost to date is \$709,000 to return the property to its former state. A single tower outside the grid will not meet the performance criteria. Staff did not look at the property in Sarasota County that has a water tower on it. He discussed the RFP process for the P25 radio system.

 Discussion ensued regarding needing costs in writing, and were smaller towers considered.

 Mr. Palmer explained the County is protected by principals of sovereign immunity in any decision to not update infrastructure.

 John Barnott, Building and Development Services Director, stated there are several different requirements for notification of a public hearing, and the time from is 10 to 15 days day depending on the type of application.

### **Motion Call the Question**

Motion was made to by Commissioner DiSabatino, seconded by Commissioner Whitmore, and carried 7-0 to call the question.

**Motion Failed**

The motion failed 1-6, with Commissioner DiSabatino voting aye, and Chairman Trace and Commissioners Baugh, Benac, Jonsson, Smith and Whitmore voting nay.

**Motion**

A motion was made by Commissioner Baugh to continue the item to look at other locations and solutions including but not limited to having Motorola come to the meeting and answer any questions the Board may have. The motion was seconded by Commissioner Benac.

Discussion ensued regarding the current stop work order is for 120 days, and need to give staff specific instruction to extend the stop work order.

**Amendment**

Commissioners Baugh and Benac agreed to amend the motion to bring back no later than the first meeting in October.

**Amendment**

Commissioner Trace suggested amending the motion to look at the Sarasota location. Commissioners Baugh and Benac agreed to the amendment.

Discussion ensued to make sure the costs for other locations is included in alternatives (solutions), the idea to include Motorola in the process is to have them look at the state of technology, and should coverage percentage be in the motion.



Mr. Alexander stated it is a contractual item that Motorola will ensure that 95 percent plus of the University corridor is covered, and when a first responder is on a call.

**Motion to Call the Question**

Motion was made by Commissioner DiSabatino, seconded by Commissioner Whitmore, and carried 7-0, to call the question.

**Amended Motion - Carried**

The amended motion to continue item to no later than the first meeting in October to look at other locations (including the location in Sarasota) and solutions including but not limited to having Motorola come to the meeting and



Mr. Alexander stated staff will relook at scope, noted there will be a cost and schedule impacts, and staff will relook at the University Corridor.



Rich Collins, EMS Director for Sarasota County, reviewed the planning process Sarasota County had to go through regarding their sites for the P25 radio towers.

**Motion**

Motion was made by Commissioner Jonsson, seconded by Commissioner DiSabatino, and carried 7-0 to extend the stop work order to November 1, 2019, as necessary for the board to deliberate these issues.

BC20180807DOC052

**ADJOURN**

There being no further business, Chairman Trace adjourned the meeting at 4:52 pm.

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