

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COUNTY ADMINISTRATIVE CENTER
1112 Manatee Avenue West
Bradenton, Florida
July 23, 2019**

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

Present were:

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

Also present were:

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



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

INVOCATION AND PLEDGE OF ALLEGIANCE

1. The Invocation was delivered by Chaplain Tony Ledbetter, Grace Bible Church, followed by the Pledge of Allegiance.

AGENDA ANNOUNCEMENTS 

69. Agenda Update Memorandum

BC20190723DOC001

BC20190723DOC002

- Item 22 – Final Plat – Silverleaf, Phase IV – The requested action was updated to include: “Accept, execute, and record Joinder and Consent of the Silverleaf Community Development District to (I) The Plat for Silverleaf, Phase IV, and (II) The Supplemental Declaration of Covenants, Conditions and Restrictions for Silverleaf to Add Silverleaf, Phase IV, And to All Dedications, Easements, and Reservations Thereon”
- Item 35 – 2019 Suncoast Campaign for Grade-Level Reading – Agreement for Charitable Services with the Patterson Foundation – Deferred to August 6, 2019
- Item 54 – Ratification of Collection Bargaining Agreement between Manatee County and the International Association of EMT’s and Paramedics, Local R5-747 – The last page of the agreement was updated and replaced to include the expiration date in Article Thirty – Effective Date and Term

BC20190723DOC003

Time Certain:



2. Item 68 – 10:00 a.m., Adoption of Resolution R-19-084, Designation of the Little Manatee River as part of the Wild and Scenic Rivers System
3. Item 63 – 11:00 a.m., Port Authority Meeting

Cheri Coryea, County Administrator, announced that this is the first County Commission Meeting offering live, closed captioning for the hearing impaired.





CONSENT AGENDA

No Items were pulled by Commissioners.


AWARDS AND PRESENTATIONS

- 4.  July Employee of the Month – Mark Regis, District Chief, Public Safety BC20190723DOC004
- 5.  Certificate of Recognition was presented to Daniel West, Manatee County Fair Manager, in honor of his induction into the Florida Federation of Fairs Hall of Fame. BC20190723DOC005

PROCLAMATIONS

-  A motion was made by Commissioner Trace, seconded by Commissioner Baugh, and carried 7-0, to adopt the following Proclamations:
- 6.  Opioid Use Disorder Awareness Month – July 2019, was accepted by Alfred James, Drug Court Director BC20190723DOC006
- 7.  Recognition of Smokey Bear’s 75th Birthday/Wildlife Prevention, accepted by Mike Keegan, and Smokey Bear, Florida Forest Service BC20190723DOC007
- 8.  World Ranger Day – July 31, 2019, was accepted by Charlie Hunsicker, Parks and Natural Resources Director, Mike Elswick, Resource Management Division Manager, Aedan Stockdale, Volunteer Education Program Manager and members of the National Park Service, Florida Park Service, and the County’s Natural Resource Management Division. BC20190723DOC008

9. **CITIZEN COMMENTS** (Future Agenda Items)


 Timothy Parris spoke about issues with a property he purchased at 2924 13th Street Court East. According to permitting records he obtained, there was no final inspection, but a Certificate of Occupancy was issued.

There being no further citizen comment, Chairman Jonsson closed Citizen Comments.

Cheri Coryea, County Administrator, advised Mr. Parris that staff would contact him to obtain additional information and determine what can be done. BC20190723DOC009

(Additional Citizen Comments on Future Agenda Items were taken later in the meeting)


PANHANDLING


 Ryan Bray (read Florida Statute 316.2045[1], Obstruction of public streets, highways and roads), Brian Orlando, Jill Rocklein, Kevin VanOstenbridge and Kathleen Dupont expressed concerns with panhandling throughout the County, the aggressiveness of some of the panhandlers, and the safety of citizens, who are being threatened. BC20190723DOC010


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

Discussion was held on the need to look for opportunities to help panhandlers who want and need help, keeping citizens, businesses and tourists safe is a priority, Centerstone and Turning Points offer assistance, some panhandlers reject assistance and offers to work, ask the County Attorney to research this matter and look into what other counties are doing on this issue, also ask the County Attorney to look into Sarasota County’s regulations, Daytona Beach ordinance, recognizing First Amendment rights, a work session is needed on this issue, focus on panhandlers who are aggressive, the most aggressive ordinance is needed, a strategic team approach with law enforcement is needed, deputies should monitor key sites where panhandlers solicit, and enforcement capability is needed.

Motion


 A motion was made by Commissioner Baugh, to have the County Attorney look into ways to be able to enforce this terrible issue that we are having. The motion was seconded by Commissioner Bellamy.

 Mitchell O. Palmer, County Attorney, stated that legislation must be defensible in the court of law. He suggested that a study is needed dealing with the secondary effects of panhandling (littering within rights-of-way, safety). One of the important features of being able to defend such regulations when challenged in court, is that the local government has undertaken an effective study on the second-hand effects of the prohibited activity.


 Kate Zamboni, Assistant County Attorney, commented on the City of Daytona's recently-adopted panhandling ordinance. She also spoke about the defensibility of Manatee County's current ordinance (18-12), stating that additional data would be necessary to support the imposition of stricter regulations and that First Amendment rights are involved. She recommended the current ordinance be more strictly enforced while any additional data is gathered to determine if a change in the ordinance is needed.


The Clerk read the motion.


Amendment

 Commissioner Baugh amended the motion to have the County Attorney's office look at other counties in the State of Florida, at ordinances they might have regarding this situation.

Commissioner Baugh requested the County Administrator add this topic to the agenda for the July 30 Council of Governments Meeting, because it is a discussion that needs to include the Cities of Bradenton and Palmetto and the Island municipalities. She also asked that representatives from the Sheriff's office, Bradenton Police Department and Palmetto Police Department attend to offer input.


 Point of Order: Commissioner Whitmore stated the seconder to the motion needs to agree to the amendment.


 Commissioner Bellamy agreed to the amendment.

 Commissioner Baugh stated that if, in fact, the County Attorney's office returns to the Board indicating that it is almost impossible to be able to enforce it, then this Board needs to go to the State.

Commissioner Trace stated she would like the Board to begin the study at the same time.


Amendment


 Commissioner Baugh amended the motion to also include a study being done. Commissioner Bellamy agreed.

 Mr. Palmer requested clarification if it is the Board's instruction for his office to undertake a secondary-effect study, as he does not believe his office is equipped to do that.

 Discussion continued that the study would be the responsibility of the staff that is best


able to conduct the study, purpose of the study, permits should be required in order to panhandle, Manatee County's media channel should address this matter, a public safety announcement should be made, Public Safety Council and Council of Government is a starting point in addressing this matter, action is necessary, involve law enforcement at a greater level, enforce current laws, what has been reported and past records on this issue, the ability to put more regulatory authority into the County's current ordinance, look into secondary impacts caused by the activity, and the specific activity requires documentation to support a stronger ordinance.

 Mr. Palmer stated that, at this point in time, he is unsure as to what the study would entail. He referenced Manatee County's adult entertainment ordinance and stated it is a defensible ordinance that has been upheld by the highest court in the land due to an extensive study regarding the secondary effects of adult entertainment establishments. A stricter panhandling ordinance is very similar by regulating conduct that is otherwise protected by the First Amendment of the United States Constitution.

 Commissioner Baugh stated she is not willing to go months into studying this issue. The main thing is to get the County Attorney's office to research other counties, to discuss this issue in the July 30 Council of Governments meeting, and to address this issue for our citizens as soon as possible.


The Clerk read the amended motion.

Amendment


 Commissioner Baugh amended the motion to exclude the study and also put a time period of 60 days on this to come back to the Board. Commissioner Bellamy agreed.

The Clerk read the amended motion.

Amendment

 Commissioner Baugh amended the motion to insert the word panhandling and remove the word "terrible." Commissioner Bellamy agreed.

The Clerk read the amended motion.


 Commissioner Baugh **restated** the last amendment to remove the words "terrible issue" and insert the word panhandling. Commissioner Bellamy agreed.

Brief discussion occurred as to whether a permit process exists for firefighters (roadside fundraising), as this may be a start for the County to potentially enhance the enforcement capability and the criteria for the permit process.

The motion, as amended, carried 7 to 0.

BC20190723DOC011

68. **COMMISSIONER AGENDA**
LITTLE MANATEE RIVER – WILD AND SCENIC RIVERS SYSTEM

 Commissioner Trace presented a request by Hillsborough County for Manatee County to support Federal designation of the Little Manatee River as a scenic river, and to address the effects on Manatee County.

Mitchell O. Palmer, County Attorney, stated his office is neutral on this subject, and was simply instructed to research this matter and to craft a proposed resolution.



Kate Zamboni, Assistant County Attorney, presented Resolution R-19-084, and stated it would be a formal expression in support of Federal designation of the Little Manatee River in Hillsborough and Manatee Counties as a component or potential component of the Wild and Scenic Rivers System. She highlighted portions of the Wild and Scenic Rivers Act and addressed the definition of free flowing, as defined by the Act. The definition in Florida Statute provides that the existence of low dams, diversion works or other minor structures at the time a river is proposed for inclusion in the System, shall not automatically bar its consideration.

While Resolution R-19-084 supports the designation of the Little Manatee River, including appropriate tributaries, as a component or a potential component of the Wild and Scenic Rivers System, Ms. Zamboni stated it was her understanding that Congressman Buchanan's legislation would not include the South Fork tributary, which traverses through Manatee County. There may be tributaries in Hillsborough County that are included, but the portion of the Little Manatee River, located in Manatee County, would not include South Fork.

(Commission Baugh was absent for a portion of the discussion)

Discussion ensued regarding exclusion of South Fork, the effects on property along the Little Manatee River, Lake Parrish is used as a cooling pond for the Florida Power and Light facility, what are the implications of this request, the Board has not been advised of the goals of the individuals advocating this designation, creation/cost of a Comprehensive River Management Plan, there is a requirement to have a complete survey done of the Little Manatee River boundaries, who bears the cost of the survey and the Comprehensive River Management Plan, additional Federal funding could be available if this designation were in place, the need to protect the Little Manatee River in its free-flowing condition and its outstandingly remarkable values for the benefit and enjoyment of present and future generations, support the Federal designation, but bring this issue back if Hillsborough County is not in agreement, there are four property owners along the portion of the Little Manatee River in Manatee County and they need to be informed before action is taken, more information is needed, and defer this request one month.




Ms. Zamboni spoke about any existing impoundments on the River; if the River is found to be eligible notwithstanding an existing impoundment, that impoundment is essentially grandfathered and would not be removed, and the River would be accepted into this system in its current state. However, once included in the Wild and Scenic River System, other Federally-assisted impoundments would be prohibited including hydroelectric dams or other rip-rap that would require chlorofluorocarbon permitting; the study and Comprehensive River Management Plan would be funded by the Federal government, only to the extent there is Federal property, would the study mandate changes to the way the land is managed. If it is not Federal property, but privately held, the Board would retain complete control and authority of changes that could affect the land owners.





Ed Sherwood, Executive Director, Tampa Bay National Estuary Program (TBNEP), stated this issue was addressed in the May TBNEP meeting. The goal is to elevate the River's status as a region and to protect, restore and better manage the natural resources.

Discussion ensued that water quality is the most important issue in the State of Florida, it remains unclear as to what the Federal designation would actually do to protect water quality


and the Little Manatee River, is another impoundment causing the need for this designation, how this designation effects property owners, why is this designation to the Little Manatee River necessary at this time, the driving force of the Comprehensive River Management Plan is to bring the community together to better manage the System and solidify the total vision of what the community wants the Little Manatee River to be in the future, restoration plans for the Hillsborough County portion of the Little Manatee River are already in place, and answers will be in the Comprehensive River Management Plan.

 Forest Turbiville, Director, Hillsborough County Conservation and Environmental Lands Management, distributed an aerial map depicting the Little Manatee River Watershed, noting that a majority of the River is within Hillsborough County. He suggested including language in Resolution R-19-084 to exclude the South Fork tributary.


 Ed Helvinson, Hillsborough County Senior Assistant County Attorney, stated that Congressman Buchanan has asked for unanimous support from both counties in order to move forward with the Federal designation request.

 Commissioner Baugh stated the four property owners along Manatee County's portion of the Little Manatee River need to be informed and be given the opportunity to respond to this issue. She requested this matter be deferred one month in order to receive more information. She also voiced concern as to why other counties that have had this opportunity have not taken advantage of it, and that the Federal designation must benefit both Hillsborough and Manatee Counties.


Motion

 A motion was made by Commissioner Baugh, to defer this topic for 30 days so that it gives us a chance to do some research, with the property owners involved, and to be able to look into this more thoroughly. The motion was seconded by Commissioner Servia.

Amendment

 Commissioner Servia amended the motion to also notify the property owners in writing that are affected by this.

There was discussion to remove the South Fork tributary from the Resolution, which would result in four affected property owners one of which is Florida Power and Light, language in the Resolution is too broad, clarify that the Board is not looking for additional regulation, the intent is for the protection of land, add language that the County does not seek to add additional regulation, the need to get a recommendation from staff, and communication from Congressman Buchanan will be brought back to the Board.

 Mitchell O. Palmer, County Attorney, stated the day may come when the Board may want to regulate setbacks in this particular area. He cautioned the Board on this matter.

 Lindsay Cross, Florida Conservation Voters, spoke in support of Resolution R-19-084.


 Charles Jones spoke about the number of Manatees in the Manatee River.

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


The motion, as amended, carried 7 to 0.

RECESS/RECONVENE: 11:25 a.m. – 11:47 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.

9. **CITIZEN COMMENTS** (Future Agenda Items continued)

 Joan Muschamp signed up to speak about the East County Library, but was not present.

The County Administrator noted that other residents, who were at the meeting to speak on the East County Library, had to leave, but would be sent further information.


 Cynthia Kahn (submitted written comments), Glenda Anthony and Richard Matheson spoke about fraud and misrepresentations in the marketing for retail sales of puppies at Petland, puppy mills and Sarasota County’s ordinance prohibiting the retail sales of puppies.

Mike Meehan signed up to speak, but was not present.

There being no further citizen comments, Chairman Jonsson closed Citizen Comments.

BC20190723DOC013


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

 Hunter Miller, Oceana, spoke in support of Item 40 (Resolution R-19-101, Offshore Drilling Activities).

There being no further citizen comments, Chairman Jonsson closed Citizen Comments.

BC20190723DOC014

62. **CONSENT AGENDA**

 A motion was made by Commissioner Servia, seconded by Commissioner Baugh and carried 7 to 0, to approve the Consent Agenda, with the changes noted in the Agenda Update Memorandum, and with the deletion of Item 35 (deferred).

11. **CLERK’S CONSENT AGENDA**

BC20190723DOC015

A. **WARRANTS**

Accepted the Warrant (Check) Listing for the month of June 2019, as issued by the Finance Department

BC20190723DOC016

B. **MINUTES**

Approved Minutes of February 7; May 7 and 30; and June 19 (Budget and CIP), 2019

C. **REFUNDS**

Approved:

- 1. Cavoli Engineering, Inc. – Pre-Application Fee, \$1,500 BC20190723DOC017
- 2. Central Christian Church of Bradenton – Permit Fees, \$2,375 BC20190723DOC018
- 3. Geartz Construction Co. – Permitting Fees, \$3,500 BC20190723DOC019
- 4. Nicole Hamer – Summer Camp, \$650 BC20190723DOC020
- 5. LTC Signature Homes LLC – Permit Fees, \$895 BC20190723DOC021
- 6. William Manfull – Affordable Housing Impact Fee, \$14,936 BC20190723DOC022
- 7. Florencio Cruz Mendoza – Pre-Application Fee, \$1,500 BC20190723DOC023
- 8. Meritage Homes of Florida, Inc. – Billing Adjustment, \$712.18 BC20190723DOC024
- 9. Prime Consultants – Billing Adjustment, \$626.46 BC20190723DOC025
- 10. S-H Sarasota Development Ventures LLC – Certified Lot Fee, \$1,400 BC20190723DOC026
- 11. Jake Yoder Construction – Permit Fees, \$838.25 BC20190723DOC027
- 12. Utility Customer 173392-45505 – Billing Adjustment, \$2,397.37 BC20190723DOC028
- 13. Utility Customer 145679-73007 – Billing Adjustment, \$5,892.34

BC20190723DOC029

D. **CONTRACTS**

Accepted the following Contracts per Chapter 2-26 of the Manatee County Code and pursuant to Purchasing Division’s Administrative Standards and Procedures Manual:

1. Agreement 19-R071191BLS with American Government Services Corporation, Barnes Walker Title, Inc., and Stewart Title Company for title search and related services, compensation as specified in Exhibits A and B BC20190723DOC030
2. Agreement 19-R07127GE with Ferguson Waterworks, Inc., for bagged concrete for an amount not to exceed \$250,000 BC20190723DOC031
3. Agreement 19-TA002974CD with Ajax Paving Industries of Florida LLC for intersection improvements for Cortez Road at 43rd Street West, \$390,194.59 BC20190723DOC032
4. Administrative Contract Adjustment 1 to Contract with Pospiech Contracting for Force Main 12A Replacement Project/34th Street West, rebase and resurface; increase of \$45,471.08, adjusted total, \$6,053,251.96; and 44 additional calendar days, for a final completion date of August 1, 2019 BC20190723DOC033
5. Administrative Contact Adjustment 1 to Agreement with Tampa Contracting Services, Inc., for Warner’s Bayou south parking lot improvements, for an additional 15 calendar days, for a final completion date of July 27, 2019 BC20190723DOC034

E. **REPORTS**

Accepted:

1. 2018 Tax Collector Errors and Insolvencies Report BC20190723DOC035
2. Aviary at Rutland Ranch Community Development District (CDD) – Resolution 2019-10 approving the proposed budget for FY 2019/2020 BC20190723DOC036
3. Greyhawk Landing CDD – Annual Financial Audit Report for FY ended September 30, 2018 BC20190723DOC037
4. North River Fire District – FY 2017/2018 Financial Audit BC20190723DOC038
5. Trevesta CDD – Annual Financial Audit Report for FY ended September 30, 2018 BC20190723DOC039

F. **SHERIFF BOND**

Accepted the list of nine additional employees and deletion of 13 employees from the Sheriff’s Public Employee Bond BC20190723DOC040

G. **BONDS**

Approved:

1. **Country Club East at Lakewood Ranch, Subphase VV, Unit 1 – Whittlebury**
 - Released Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements, securing potable water and sanitary sewer improvements; and
 - Released and Returned Surety Bond (Defect) 9214655, \$81,521.41 BC20190723DOC041
2. **Eagle Trace IB and IC**
 - Released Agreement for Public Subdivision Improvements, securing water and sanitary sewer improvements; and
 - Released and returned Surety Bond (Defect) SEIFSU0655146 and any associated riders, \$22,243.30 BC20190723DOC042

12. **ADMINISTRATOR/INTERLOCAL AGREEMENT/SCHOOL IMPACT FEES**

Executed Interlocal Agreement with the City of Palmetto and School Board of Manatee County, to allow the City to collect School Impact Fees for their jurisdiction and remit to the School Board BC20190723DOC043

13. **ADMINISTRATOR/LETTERS OF APPRECIATION/44TH AVENUE EAST EXTENSION**
Authorized the Chairman to sign letters of appreciation to Governor DeSantis, Senate President Galvano and Manatee County Delegation members, for their support of the 44th Avenue Extension Project in the FY 2019/2020 State Budget BC20190723DOC044
14. **ADMINISTRATOR/REFUND/TRANSPORTATION IMPACT FEES**
Approved to process a refund request to Mattamy Tampa/Sarasota LLC, for \$469,913.11, paid in error, due to a creditable contribution made by Mattamy Tampa/Sarasota LLC, to the County related to the transportation component of impact fees assessed on residences (96) in the Harmony Lakes Development and CA-18-05(T), approved on October 10, 2018 BC20190723DOC045
15. **ADMNISTRATOR/RESOLUTION/JOINT MEETING WITH COUNCIL OF GOVERNMENTS**
Adopted Resolution R-19-088, authorizing the Manatee County Commission to participate in a joint meeting with the Council of Governments on July 30, 2019, to discuss and plan matters of mutual interest BC20190723DOC046
16. **ADMINISTRATOR/SUMMER RECESS AGENDA**
Accepted the actions taken on behalf of the Board of County Commissioners by the County Administrator, or designee, during the period of June 24-July 19, 2019, pursuant to Resolution R-09-161:
- Approved FY 2018/2019 Neighborhood Enhancement Grant Cohort 2 Project for Rubonia, for a reimbursement total of \$2,324.45; and
 - Authorized the County Administrator, or designee, to approve and execute reimbursement agreements for these same projects funded through the FY 2018/2019 Neighborhood Enhancement Grant Program BC20190723DOC047
17. **ATTORNEY/PURCHASE AGREEMENT**
- Adopted Resolution R-19-097, authorizing conveyance of Parcel 110 land to the Florida Department of Transportation (FDOT), for the acquisition of real property identified as Parcel 110 (portion of former Parcel 105C, which has been relabeled to Parcel 110), related to the I-75 and U.S. 301 interchange project;
 - Considered and accepted purchase offer from FDOT in the amount of \$251,650;
 - Approved and executed Purchase Agreement with FDOT, for the acquisition of real property identified as Parcel 110 (portion of former Parcel 105C, which has been relabeled to Parcel 110), related to the I-75 and U.S. 301 interchange project, in the amount of \$251,650;
 - Approved and executed County Deed to FDOT for Parcel 110; and
 - Authorized the County Attorney, or his designee, to deliver the executed Purchase Agreement and County Deed, pursuant to and in accordance with the terms and conditions of the Purchase Agreement, and act as the County's agent in furtherance of closing this transaction BC20190723DOC048
18. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/COVE AT TWIN RIVERS (fka TWIN RIVERS, PHASE V-B1)**
- Executed and authorized recording of Final Subdivision Plat;
 - Authorized recording of the Community Declaration for Cove at Twin Rivers;
 - Authorized the County Administrator to accept, execute and record Agreement for Private Subdivision with Public Improvements from M/I Homes of Sarasota LLC;
 - Authorized the County Administrator to accept, execute and record Agreement for Private Subdivision with Private Improvements from M/I Homes of Sarasota LLC;
 - Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Cove at Twin Rivers (fka Twin Rivers,

- Phase V-B1), Surety Bond 1075034, \$542,485.74;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Cove at Twin Rivers (fka Twin Rivers, Phase V-B1), Surety Bond 1075037, \$810,599.87;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Cove at Twin Rivers (fka Twin Rivers, Phase V-B1), Surety Bond 1075035, \$90,911.34; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Cove at Twin Rivers (fka Twin Rivers, Phase V-B1), Surety Bond 1075036\$43,420.10

BC20190723DOC049

19. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/DEL WEBB, PHASE IV, SUBPHASES 4A AND 4B**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of the Amendment to Declaration of Covenants, Conditions and Restrictions for Del Webb at 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 from Lakewood Ranch Stewardship District;
- Authorized the County Administrator to accept, execute and record Agreement for Private Subdivision with Public Improvements from Pulte Home Company LLC;
- Authorized the County Administrator to accept, execute and record Agreement for Private Subdivision with Private Improvements from Pulte Home Company LLC;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Del Webb, Phase IV (Subphase 4A), Surety Bond ES00001945\$794,359.48;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Del Webb, Phase IV (Subphase 4B), Surety Bond ES00001944, \$253,209.45;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Del Webb, Phase IV (Subphase 4A), Surety Bond ES00003020, \$1,251,246.56;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Del Webb, Phase IV (Subphase 4A), Surety Bond ES00003021, \$106,262;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Del Webb, Phase IV (Subphase 4B), Surety Bond ES00001942, \$299,931;
- Authorized the County Administrator to accept and execute Surety Bond for Performance for Required Public Improvements, Del Webb, Phase IV (Subphase 4B), Surety Bond ES00003018, \$40,508;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Del Webb, Phase IV (Subphases 4A & 4B), Surety Bond ES00001943, \$369,879.90; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Public Improvements, Del Webb, Phase IV (Subphases 4A & 4B), Surety Bond ES00003019, \$28,346.50

BC20190723DOC050

20. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/OAK TRAIL, PHASE II**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of Community Declaration for Oak Trail;
- Accepted, executed and authorized recording of Mortgagee's Joinder In and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from Lawrence Chan;
- Accepted, executed and authorized recording of Mortgagee's Joinder In and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from Rodney L. Blower and Phyllis M. Blower; and
- Accepted, executed and authorized recording of Mortgagee's Joinder In and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from Quest IRA, Inc., FBO William Randall Cline IRA 1795811 (20 percent) BC20190723DOC051

21. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/POLO RUN, PHASE IIC, IID AND IIE**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of Supplemental Declaration and Amendment to the Declaration of Covenants, Conditions and Restrictions for Polo Run;
- Authorized the County Administrator to accept, execute and record Agreement for Private Subdivision with Public Improvements for Polo Run, Phases IIC, IID and IIE from Lennar Homes LLC;
- Authorized the County Administrator to accept, execute and record Agreement for Private Subdivision with Private Improvements for Polo Run, Phase IIC, IID and IIE from Lennar Homes LLC;
- Authorized the County Administrator to accept Performance Securities for Performance of Required Public Improvements, Letter of Credit FGAC-19198 (Phase IIC), \$365,488.20;
- Authorized the County Administrator to accept Performance Securities for Performance of Required Public Improvements, Letter of Credit FGAC-19202 (Phase IID), \$311,591.80;
- Authorized the County Administrator to accept Performance Securities for Performance of Required Public Improvements, Letter of Credit FGAC-19199 (Phase IIE), \$380,494.40;
- Authorized the County Administrator to accept Surety Bond for Performance of Required Private Improvements, Letter of Credit FGAC-19204 (Phase IIC), , \$455,018.46;
- Authorized the County Administrator to accept Surety Bond for Performance of Required Private Improvements, Letter of Credit FGAC-19203 (Phase IIC), \$35,210.83;
- Authorized the County Administrator to accept Surety Bond for Performance of Required Private Improvements, Letter of Credit FGAC-19206 (Phase IID), \$489,695.51;
- Authorized the County Administrator to accept Surety Bond for Performance of Required Private Improvements, Letter of Credit FGAC-19201 (Phase IID), \$42,814.85;
- Authorized the County Administrator to accept Surety Bond for Performance of Required Private Improvements, Letter of Credit FGAC-19205 (Phase IIE), \$939,983.66;
- Authorized the County Administrator to accept Surety Bond for Performance of Required Private Improvements, Letter of Credit FGAC-19200 (Phase IIE), \$76,677.58; and
- Authorized the County Administrator to accept Surety Bond for Performance of Required Private Improvements, Letter of Credit FGAC-19213 (Phase IID), \$209,672.92

BC20190723DOC052

22. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/SILVERLEAF, PHASE IV**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of Supplemental Declaration of Covenants, Conditions and Restrictions for Silverleaf to Add Silverleaf Phase IV;
- Authorized the County Administrator to accept, execute and record Agreement for Private Subdivision With Public Improvements for Silverleaf, Phase IV from Neal Communities of Southwest Florida LLC;
- Authorized the County Administrator to accept, execute and record Agreement for Private Subdivision with Private Improvements for Silverleaf, Phase IV from Neal Communities of Southwest Florida LLC;
- Authorized the County Administrator to accept and execute Performance Securities for Performance of Required Public Improvements, Surety Bond US00088431SU19A (Phase IV-A), \$895,519.17;
- Authorized the County Administrator to accept and execute Performance Securities for Performance of Required Public Improvements, Surety Bond US00088441SU19A (Phase IV-B), \$781,691.04;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Surety Bond US00088432SU19A (Phase IV-A), \$2,479,211.77;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Surety Bond US00088433SU19A (Phase IV-A), \$429,031.85;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Surety Bond US00088430SU19A (Phase IV-A), \$130,530.08; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Private Improvements, Surety Bond US00088440SU19A (Phase IV-B), \$2,070,511.72

BC20190723DOC053

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

Reduced the fines for CE2005120054, Maria Vasquez, to \$700, plus \$20 in recording fees (as previously recommended by the Special Magistrate on 6/26/19), subject to the following conditions:

- The reduced fines shall be paid within 90 days, or will revert to the original fine amount of \$287,495;
- Recording fees shall be paid, which total \$20; and
- Building and Development Services Department Director is authorized to sign Satisfaction of Liens if the reduced fines are paid

BC20190723DOC054

24. **CONVENTION AND VISITORS BUREAU/GRANT AGREEMENTS**

Authorized the Convention and Visitors Bureau Director to execute Grant Agreements with Florida Sports Foundation, Inc., for \$24,100, of grant funding for:

- Chargers Soccer Club Tampa Bay Labor Day Tournament (9/1-2/19) at Premier Sports Campus, \$9,100;
- CONCACAF U15 Boys Championship (8/3-16/19) at IMG Academy, \$15,000; and
- Adopted Budget Resolution B-19-091

BC20190723DOC055

25. **FINANCIAL MANAGEMENT/BUDGET RESOLUTION**

Adopted Budget Amendment Resolution B-19-090

BC20190723DOC056

26. **FINANCIAL MANAGEMENT/PIGGYBACK AGREEMENT**
Authorized the County Administrator, or designee, to execute Piggyback Agreement for Mobile Integrated Health Services Subscription Based Software, utilizing the Palm Beach County Contract 18-037/LL with HealthCall LLC, (6/15/18 – 6/20/20), with three, 12-month options to renew, in the annual, not-to-exceed amount of \$50,000 BC20190723DOC057
27. **FINANCIAL MANAGEMENT/AGREEMENT/CONSULTING SERVICES**
Authorized the County Administrator, or designee, to execute a three-year Agreement 19-R071885JE, for Governmental Relations Consulting Services with Jocelyn Hong & Associates LLC, for a three-year term, with an additional two-year option to renew, for an annual, not-to-exceed amount of \$240,000 BC20190723DOC058
28. **FINANCIAL MANAGEMENT/AGREEMENT/COMMUNITY CARE FOR THE ELDERLY**
Authorized the County Administrator, or designee, to execute Amendments to Agreement 17-0244FL (3/10/17; renewing agreement 7/1/19-6/30/20, with no renewal options remaining), for a combined total, not-to-exceed amount of \$1,800,000:
- Fourth Amendment to Agreement with Tidewell Home Health LLC, dba Approved Home Health, for Alzheimer’s Disease Initiative Respite Services;
 - Fifth Amendment to Agreement with Tidewell Home Health LLC, dba Approved Home Health, for Homemaker Services;
 - Fifth Amendment to Agreement with Tidewell Home Health LLC, dba Approved Home Health, for Personal Care Services;
 - Fifth Amendment to Agreement with Tidewell Home Health LLC, dba Approved Home Health, for Respite Services;
 - Fourth Amendment to Agreement with Care of America Corp., dba Assisting Hands Gulf Coast, for Respite Services;
 - Fifth Amendment to Agreement with Care of America Corp., dba Assisting Hands Gulf Coast, for Personal Care Services;
 - Fifth Amendment to Agreement with Care of America Corp., dba Assisting Hands, Gulf Coast, for Homemaker Services;
 - Fifth Amendment to Agreement with Care of America Corp., dba Assisting Hands Gulf Coast, for Alzheimer’s Disease Initiative Respite Services;
 - Fourth Amendment to Agreement with Right Intentions, Inc., dba Home Instead Senior Care, for Alzheimer’s Disease Initiative Respite Services;
 - Fifth Amendment to Agreement with Right Intentions, Inc., dba Home Instead Senior Care, for Homemaker Services;
 - Fifth Amendment to Agreement with Right Intentions, Inc., dba Home Instead Senior Care, for Personal Care Services;
 - Fifth Amendment to Agreement with Right Intentions, Inc., dba Home Instead Senior Care, for Respite Services;
 - Fourth Amendment to Agreement with AM & FM Enterprise, Inc., dba Allean Loving Care, for Homemaker Services; and
 - Fifth Amendment to Agreement with ADT LLC, for Emergency Alert Response Services BC20190723DOC059
29. **FINANCIAL MANAGEMENT/CHANGE ORDER**
Authorized the County Administrator, or designee, to execute Change Order 1 to Work Assignment MC-12 for Agreement 17-0523JE, with McKim & Creed, Inc., for Southwest Waster Reclamation Facility Chlorine Contact Chamber Rehab and Recharge Well Pump Station, in the amount of \$94,075, for a revised, Work Assignment, not-to-exceed amount of \$909,135 BC20190723DOC060

- 30. **FINANCIAL MANAGEMENT/CHANGE ORDER**
Authorized the County Administrator, or designee, to execute Change Order 1 to Work Assignment 20, for Agreement 12-1032BG with HDR Engineering, Inc., for Project 6045662: 44th Avenue East (44th Avenue Plaza East to Lakewood Ranch Boulevard), in the amount of \$243,665.10, for a revised, not-to-exceed amount of \$1,715,373.27 BC20190723DOC061

- 31. **FINANCIAL MANAGEMENT/CHANGE ORDER**
Authorized the County Administrator, or designee, to execute Change Order 1 to Work Assignment 1, for Agreement 15-0909JE, with Cardno, Inc., for the Moccasin Wallow Road project (U.S. 41 to Gillette Drive), in the amount of \$1,359,660.21, for a revised, not-to-exceed amount of \$2,034,609.66 BC20190723DOC062

- 32. **NEIGHBORHOOD SERVICES/NON-PROFIT FUNDING AGREEMENT**
Executed FY 2019/2020 non-profit funding Agreement with Meals on Wheels Plus of Manatee, Inc., to provide the service of Adult Daycare for the Community Care for the Elderly Program (7/1/19-6/30/20), in an amount not to exceed \$18,500 BC20190723DOC063

- 33. **NEIGHBORHOOD SERVICES/NON-PROFIT FUNDING AGREEMENT**
Executed FY 2019/2020 non-profit funding Agreement with Meals on Wheels Plus of Manatee, Inc., to provide the service of Home-Delivered Meals for the Community Care for the Elderly Program (7/1/19-6/30/20), in an amount not to exceed \$71,000 BC20190723DOC064

- 34. **NEIGHBORHOOD SERVICES/NON-PROFIT FUNDING AGREEMENT**
Approved Suncoast Workforce Board Incorporated dba CareerSource Suncoast annual Budget for Program Year 2019/2020 BC20190723DOC065

- 36. **PARKS AND NATURAL RESOURCES/LETTER**
Executed letter to West Coast Inland Navigation District (WCIND), enabling WCIND to use Manatee County Navigational Improvement Funds for additional completed work associated with the Highland Shores navigational channel dredging improvement project BC20190723DOC066

- 37. **PARKS AND NATURAL RESOURCES/LICENSE AGREEMENT/MANATEE BEACH CONCESSIONS**
Approved the Amended and Restated Franchise License with United Park Services, Inc., for Concessions at County facilities at Manatee Beach; and authorized the County Administrator, or designee, to execute same BC20190723DOC067

- 38. **PARKS AND NATURAL RESOURCES/LICENSE AGREEMENT**
Approved Second Amendment to the Amended and Restated Franchise License Agreement with United Park Services, Inc., for Concessions at County facilities at Coquina Beach; and authorized the County Administrator, or designee, to execute same BC20190723DOC068

- 39. **PARKS AND NATURAL RESOURCES/ROBINSON PRESERVE TREE TRUST FUND**
Authorized Parks and Natural Resources Department to acquire monies from the Tree Trust Fund in the amount of \$136,600, for the purchase and installation of trees and irrigation at the Robinson Preserve Expansion property; and adopted Budget Resolution B-19-093, amending the annual budget for FY 2018/2019 BC20190723DOC069

- 40. **PARKS AND NATURAL RESOURCES/OFFSHORE DRILLING ACTIVITIES**
Adopted Resolution R-19-101, expressing opposition to offshore drilling activities, including seismic air gun blasting BC20190723DOC070

41. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
Accepted recorded Corrective Special Warranty Deed from The American National Red Cross, a not-for-profit Federal Corporation, directly chartered by the United States Congress 36 USC300101-30011, for property located at 10311 Malachite Drive, noting that the notary acknowledgement did not indicate if the Grantor was personally known to the Notary, or if the Grantor had provided identification to verify the identity of the Grantor BC20190723DOC071
42. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Drainage Easement from Southern Manatee and Fire Rescue District, for property located at 5228 45th Street East, necessary to construct and maintain the storm water system; and
 - Authorized recording of Affidavit of Ownership and Encumbrances from Charles A. Durant, Chairperson of Southern Manatee Fire and Rescue District BC20190723DOC072
43. **PROPERTY MANAGEMENT/CONTRACT FOR SALE AND PURCHASE**
- Executed Contract for Sale and Purchase with Saint Mary Missionary Baptist Church of Parrish, Inc., for property located at 11755 and 11801 Erie Road, Parrish, for the purpose of the Fort Hamer Extension Project and Erie Road Functional Improvements, from 69th Street East to U.S. 301, in the amount of \$725,000; and
 - Executed License Agreement with Saint Mary Missionary Baptist Church of Parrish, Inc. BC20190723DOC073
44. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
Executed and authorized recording of Easement to Florida Power and Light Company, for property located at Perico Preserve, 11700 Manatee Avenue West, necessary to remove the overhead power lines and install underground conduit BC20190723DOC074
45. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Authorized the County Administrator to execute the Agreement for Sale and Transfer of Water and Wastewater Facilities regarding Lake Club Homeowners' Association, Inc., ratifying the actions taken on December 13, 2016, water and sewer utility turnover (Lake Club Phase I, Phase II and Phase II, Unit 2);
 - Accepted and authorized recording of Permanent Utility Easement from SD TLC Holdings LLC (includes Consent and Joinder from Wells Fargo Bank);
 - Authorized recording of Affidavit of Ownership and Encumbrances from Brian K. Stock;
 - Accepted and authorized recording of Permanent Utility Easement from Lakewood Ranch Stewardship District;
 - Authorized recording of Affidavit of Ownership and Encumbrances from Rex E. Jensen;
 - Accepted and authorized recording of Permanent Utility Easement from Lake Club Homeowners Association, Inc.; and
 - Authorized recording of Affidavit of Ownership and Encumbrances from Monaca Onstad BC20190723DOC075
46. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
Executed and authorized recording of Permanent Utilities Easement given by Manatee County to Florida Power and Light, for property located at 4409 19th Street Court East, to provide additional rights to cover the private utilities currently running through the 46-foot easement area BC20190723DOC076
47. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utilities Easement from TJA Management LLC, for property located at 10807 State Road 64 East, for 197 square feet needed to access the water meter for maintenance; and

- Authorized recording of Affidavit of Ownership and Encumbrances from Terry Tsfatinos, Manager of TJA Management LLC BC20190723DOC077

48. **PROPERTY MANAGEMENT/STREET VACATION**

Adopted Resolution R-19-091, declaring a public hearing on August 20, 2019, at 9:00 a.m., for vacating a 50-foot right-of-way within the Wellons Ranch Estates No. 1 Plat

BC20190723DOC078

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

Accepted Trustee's Deed from Mary L. Hamner, individually, and as Trustee of the Mary L. Hamner Trust dated December 16, 2014, for property located at 5202 Erie Road, Parrish, for partial acquisition of 10,063 square feet required for right-of-way improvements at Erie Road, at U.S. 301 to 69th Street East (North-South)

BC20190723DOC079

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

Accepted Trustee's Deed from Letha A. Willis, a married woman, individually and as Trustee of the Willis Revocable Trust under Trust Agreement dated June 1, 2012, as restated on November 17, 2015, as amended, and Billy R. Willis, her husband, for property located at 4906 Erie Road, Parrish, for partial acquisition of 7,510 square feet required for right-of-way improvements at Erie Road at U.S. 301 to 69th Street East (North-South)

BC20190723DOC080

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

Accepted Warranty Deed from Roy J. Giles and Terry J. Giles aka Teri J. Giles, for property located at 4902 Erie Road, Parrish, for partial acquisition of 3,516 square feet required for right-of-way improvements at Erie Road at U.S. 301 to 69th Street East (North-South)

BC20190723DOC081

52. **PUBLIC SAFETY/GRANT/EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND AGREEMENT**

- Adopted Resolution R-19-095, accepting a grant award from the State of Florida, Division of Emergency Management, (7/1/19-6/30/20), in the amount of \$105,806;
- Authorized the Chairman, or in their absence, the Vice-Chairman, to execute all related documents; and
- Adopted Budget Resolution B-19-095, amending the annual budget for FY 2019/2020

BC20190723DOC082

53. **PUBLIC SAFETY/MUTUAL NON-DISCLOSURE AGREEMENT**

Executed Mutual, Non-Disclosure Agreement with Motorola Solutions, Inc., allowing Motorola and the Emergency Call Center to enter into user feedback group sessions for emergency call handling, and protecting confidential information shared during the sessions

BC20190723DOC083

54. **PUBLIC SAFETY/AGREEMENT/EMERGENCY MEDICAL SERVICES**

Ratified and authorized the County Administrator to execute the Collective Bargaining Agreement between Manatee County and the International Association of EMT's and Paramedics, a Division of the National Association of Government Employees, Local R5-747

BC20190723DOC084

55. **PUBLIC WORKS/AGREEMENTS/FLORIDA DEPARTMENT OF TRANSPORTATION**

- Approved Florida Department of Transportation (FDOT) Construction Agreements for construction or a roundabout at the intersection of State Road 64 and Greyhawk Boulevard;
- Executes (1) FDOT Utility Work Agreement FPID 196022-7-56-01 (Water and Sewer, \$864,111.73); (2) FDOT Utility Work Agreement FPID 196022-7-56-02 (It Communication/School Board, \$38,067.65), and (3) Tri-Party Escrow Agreements for Project 196022-7-56-01 and Project 196022-7-56-02; and
- Adopted Resolutions R-19-099 (Project 7-56-01) and R-19-100 (Project 7-56-02)

BC20190723DOC085


56. **PUBLIC WORKS/AGREEMENT/TRAFFIC SIGNAL MAINTENANCE**
Executed Interlocal Agreement for Traffic Signal Maintenance and Compensation Agreement with the City of Holmes Beach (City shall reimburse County for all costs incurred for maintenance, repair and operation of City traffic signals and devices) BC20190723DOC086
57. **PUBLIC WORKS/SURPLUS EQUIPMENT**
- Authorized to classify property, which is uneconomical to upgrade or repair as surplus, per Florida Statute 274.05, to enable appropriate and authorized disposition of said property and authorized to thereafter dispose of such property;
 - Adopted Resolution R-19-093, authorizing donation to Children’s Guardian Fund; and
 - Adopted Resolution R-19-094, authorizing donation to United Community Centers
- BC20190723DOC087
58. **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 authorized to thereafter dispose of such property BC20190723DOC088
59. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/AGREEMENT**
Executed Land Use Restriction Agreement for the Livable Manatee Homeownership Incentive Program with ATMA4 LLC (Michael Gibbs, Owner) and William Manfull (Developer), for property located at 6603 5th Street West, Bradenton BC20190723DOC089
60. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/AGREEMENT**
Executed Land Use Restriction Agreement for the Livable Manatee Homeownership Incentive Program with ATMA4 LLC (Michael Gibbs, Owner) and William Manfull (Developer), for property located at 2014 3rd Drive East, Palmetto BC20190723DOC090
61. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/INTERLOCAL AGREEMENTS**
Approved Interlocal Agreements with Town of Longboat Key, City of Bradenton Beach, City of Holmes Beach and City of Anna Maria, for the Community Development Block Grant Program; and authorized the County Administrator to execute the agreements BC20190723DOC091

(End Consent Agenda)

RECESS/RECONVENE: 12:02 P.M. – 1:30 P.M. All Commissioners were present except Commissioner Whitmore.

ADVERTIZED PUBLIC HEARINGS (Presentations upon Request)

64. **PUBLIC WORKS/RESOLUTION/ROAD ASSESSMENT PROJECT/17TH STREET EAST**

 A duly advertised public hearing was held to consider approval and adoption of the Assessment Roll for Special Road Paving Assessment Project 5155160 on 17th Street East, and adoption of proposed Resolution R-19-081, confirming the Special Assessment Roll and imposing liens on 17th Street East.

 Kaleena Otero, Assessment Coordinator, summarized Resolution R-19-081.

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

A motion was made by Commissioner Baugh, seconded by Commissioner Bellamy and carried 6 to 0, with Commissioner Whitmore absent, to approve and adopt the Assessment Roll for Project 5155160 on 17th Street East.

(Enter Commissioner Whitmore)


A motion was made by Commissioner Baugh and seconded by Commissioner Trace, to adopt Resolution R-19-081, confirming the Special Assessment Roll and imposing liens on 17th Street East.


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


The motion carried 7 to 0.

BC20190723DOC092

65. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/CDBG ANNUAL ACTION PLAN**

 A duly advertised public hearing was held to consider adoption of proposed Resolution R-19-096, adopting the 2019/2020 Community Development Block Grant (CDBG) Annual Action Plan.

 Geri Lopez, Redevelopment and Economic Opportunity Director, stated the County received notification of funding allocation from the U.S. Department of Housing and Urban Development (HUD) for 15 CDBG/HOME/ESG proposed activities in the 2019/2020 Action Plan. Funding of \$1,873,924 is allocated for nine activities for Community Development Block Grant (CDBG), \$623,566 for four activities in the HOME Investment Partnership Program (HOME), and \$160,459 for two activities in the Emergency Solutions Grant (ESG) for the 2019/2020 Program year, as outlined in greater detail in the agenda memorandum.

 Bill O’Shea, Community Development Project Manager, responded to questions regarding fair housing and restrictions that HUD places on the funding.

Discussion ensued on how the CDBG Grant supports affordable housing, county programs that support affordable housing, there is project funding in the Plan for an affordable rental housing development, requirements for fair housing outreach and education are difficult to meet, Gulf Coast Legal Services is challenged on spending grant allocations in accordance with HUD restrictions, concern of Gulf Coast Legal Services losing unspent funds, if HUD restrictions can be modified, Gulf Coast Legal Services falls into the public services category that requires specific documentation, and solutions to help Gulf Coast Legal Services.


A motion was made by Commissioner Benac, to adopt Resolution R-19-096, approving the 2019/2020 Annual Action Plan for submission to HUD, and authorize the Chairman to sign all submission documents. The motion was seconded by Commissioner Servia.

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

The motion carried 7 to 0.

BC20190723DOC093

66. **ATTORNEY/PROPOSED EMINENT DOMAIN SETTLEMENT**

 Pamela D’Agostino, Assistant County Attorney, reviewed the request in the agenda memorandum, to consider Florida Department of Transportation’s (FDOT) proposed eminent domain settlement in the case of FDOT v. Andrade Trust, Case 2018 CA 401, Parcel 103.

FDOT is to undertake a project to improve the interchange at I-75 and U.S. 301, and Ms. D’Agostino displayed a County GIS aerial map. In order to complete the project, FDOT needed to acquire additional right-of-way, including a former restaurant known as Johnny Leverock’s Seafood House, located in the southwest quadrant of the interchange, at 5317 19th Street East, Ellenton (Parcel 103). Pre-suit negotiations with the property owner were

unsuccessful, and FDOT filed eminent domain action to proceed with acquisition. The County joined as a party in litigation, because the Leverock's property is currently encumbered by a conservation easement that was given to the County (2000), as part of the original site plan approval. The easement borders along the Manatee River, and its purpose was to protect a required, 30-foot wetland buffer associated with the mangrove fringe along the shoreline.

The County released a portion of the easement (2005) to correct an error in the original legal description. The easement currently encumbers approximately 0.35 acres of land. The County has no improvements within the easement area, which falls within Parcel 103, and the area is not needed for County purposes.

FDOT settled with the former restaurant owners and has asked the County to waive its apportionment claim for compensation relative to the value of the easement. FDOT has also requested the County execute a Release of Conservation Easement in exchange for FDOT paying any expert fees incurred by the County (County appraiser \$5,612.50). Upon the County's acceptance of the proposed settlement, all litigation relative to this eminent domain case will be concluded.

Ms. D'Agostino presented three settlement options for Board consideration:

Action Item 1: Consider and accept or reject the Florida Department of Transportation's proposed settlement in the referenced eminent domain proceeding;

Action Item 2: If accepted, (a) adopt Resolution R-19-072, (b) authorize the Chairperson to execute the Release of Conservation Easement, and (c) authorize the County Attorney, or his designee, to execute and deliver to the FDOT and to the court, the proposed Stipulated Final Judgment and all other associated paperwork; and

Action Item 3: If rejected, authorize the County Attorney, or his designee, to inform the FDOT of the rejection (and the County will proceed with litigation)

Discussion ensued regarding the difference between a buffer and a buffer with a conservation easement, wetland protection in the conservation easement area, the only remaining encumbrance is this conservation easement, and FDOT wants a clean title to the property.

A motion was made by Commissioner Trace, to adopt Resolution R-19-072. The motion was seconded by Commissioner Whitmore.



Based upon the motion on the floor, Mitchell O. Palmer, County Attorney, clarified that the motion would be to adopt Action Item 2 to (a) adopt Resolution R-19-072, (b) authorize the Chairperson to execute the Release of Conservation Easement, and (c) authorize the County Attorney, or his designee, to execute and deliver to the FDOT and to the court, the proposed Stipulated Final Judgment and all other associated paperwork.

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

The motion, as clarified, carried 7 to 0.

BC20190723DOC094

67. ADMINISTRATOR/DASHBOARD REPORT/JUNE 2019




Cheri Coryea, County Administrator, presented the Dashboard Report for June 2019.

The Report is provided for information only, and no Board action is required.

BC20190723DOC095

CANVASSING BOARD

 Commissioner Jonsson announced a request from Mike Bennett, Supervisor of Elections, for the Board to appoint a Commissioner, who will not be up for reelection in 2020, to the Canvassing Board.

Motion – Representative

A motion was made by Commissioner Trace and seconded by Commissioner Benac, to appoint Commissioner Bellamy, as the Canvassing Board Representative.

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

The motion carried 7 to 0.

Motion – Alternate

A motion was made by Commissioner Baugh and seconded by Commissioner Trace, to appoint Commissioner Whitmore as Alternate.

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

The motion carried 7 to 0.

COMMISSIONERS' COMMENTS 

Commissioner Whitmore

- Commented on Congressman Buchanan's tour of Robinson Preserve and his willingness to help with the blue green algae in the area
- Commented on a meeting she had regarding storm water quality, oyster restoration, and the red tide initiative. She suggested a work session be held on this topic
- Stated she met with local funeral directors regarding issues with unclaimed bodies and indigent burials. Staff will be working with them to develop a process
- Spoke about her tour of Port Manatee and saw the construction underway
- Spoke about Dr. Talley's 11-acre property on Morgan Johnson Road and the result of meetings regarding uses allowed on his property
- Asked Commissioner Baugh to give an update report on the Water Committee to which she was appointed to serve
- Commented about threats against Animal Services staff and the resignation of the County's veterinarian, and asked that the Commission continue to support staff
- Asked for the target date for the ordinance to ban retail sales of puppies and kittens
- Stated that people do not like the horses on Palma Sola causeway, this is in the City of Bradenton jurisdiction, and requested this subject be placed on the next agenda for discussion

The County Attorney stated that a discussion on the ban of the retail sales of puppies will come back to the Board in October.

Commissioner Bellamy

- Suggested that permits be required for roadside panhandling
- Thanked staff for moving forward on the Samoset lighting project
- Reiterated his request that the Memphis area be the next area for a lighting project, and questioned if Community Development Block Grant (CDBG) Funds could be used for this project

The County Administrator explained that CDBG funding cannot be used for the ongoing costs associated with the lighting; however, there has been an instance in the past, where an area has qualified for assistance with equipment/installation of poles and lights, and an application would be required.

- Emphasized the importance of the 2020 Census for Racially and Ethnically Concentrated Areas of Poverty (RECAP) zones
- Spoke about the initiatives the Public Safety Coordinating Council is undertaking, including re-entry, mental health and a suicide prevention awareness campaign
- Noted that he will be volunteering at the Animal Shelter to better understand issues encountered at the facility

Commissioner Trace

- Spoke about discussions at the City of Palmetto meeting (7/22/19) regarding positive communications between the County and the City, especially regarding the light at Canal Road and the Lincoln Park Pool
- Reported that the traffic signal at the intersection of Rutland Road and U.S. 301 should be up and functioning by the end of the year
- Spoke about signs in public rights-of-way that are ending up in Terra Ceia Bay

Mitchell O. Palmer, County Attorney, stated there are regulations in the Land Development Code that prohibit private signage in the rights-of-way.

Commissioner Trace asked that the County Attorney look to see if anyone has an ordinance that has bite into it; that we can do something about these people that are using our public rights-of-way to advertise.

Following discussion regarding Code Enforcement's active sign removal procedures, Commissioner Trace withdrew her request to the County Attorney.

The County Administrator stated she would speak with Code Enforcement and report back to the Board.

Commissioner Benac

- Spoke about a documentary on animal shelters and stated she would be in favor of revisiting the mandatory spay/neutering program

There was discussion regarding organizations that will help to fund spay/neutering.

- Relayed concerns by Meals on Wheels Plus regarding their loss of USDA funding and potential issues for the local food bank, and asked that staff look into this and report back to the Board

The County Administrator stated that a report will be brought back within 30 days.

- Announced the passing of Dick Wilford, former County Public Works and Utilities Director
- Commented on a Black Officers of Florida Program to teach youth to interact with police

Commissioner Bellamy stated he is looking into bringing the Know the Law program to the County.

Commissioner Servia

- Stated the Bradenton City Council will be discussing panhandling at their July 24th meeting
- Commented on the Cortez Road medians and asked for information on whether the County or the State is responsible for maintaining the medians

There was discussion that irrigation is not adequate, and there are no more funds available in the Tree Trust Fund.

- Suggested a work session be scheduled on the Land Development Code (LDC) to focus and prioritize amendments and to set the pace for regular amendments
- Addressed her recent Citizen's Coalition on Growth meeting during which a speaker from Shadybrook discussed their flood prevention plan. They have found that every flood policy issued includes a \$1,000 entitlement from the Florida Emergency Management Agency for preventative and proactive flood prevention.
- Requested an update on the status of the review of the sexually-oriented businesses ordinance

Discussion ensued that the County is responsible for the Cortez Road medians, and there is drip irrigation that has to be redone.

Commissioner Baugh

- Reported on State Water Board (Florida Association of Counties committee), meetings and the need to address blue green algae and the needs of the State as a whole. She suggested a work session to discuss how to tackle this and other water quality issues. She distributed a memorandum (7/16/19) from Thomas Gerstenberger, Stormwater Engineering Division Manager, providing a summary of the storm water meeting held May 22, 2019, with County staff and officials from the Southwest Florida Water Management District.

BC20190723DOC096


Discussion occurred regarding changes to the LDC may be required, stormwater standards, is there something more the County could be doing, needs to be a community discussion, the Water Board is establishing their priorities, guidelines within the Clean Water Act, and sea level rise.

Chairman Jonsson

- Stated that a work session on the Southwest Tax Increment Financing must be held, the funds continue to accrue, it may be time to expand the parameters on the funds and give the Board more flexibility to use the funds

There was discussion that the Board should plan for regular updates on the funds, strategic areas, and this will be brought back.

COUNTY ADMINISTRATOR

 Cheri Coryea, County Administrator, stated that along with the subject of the Cortez Road medians, the medians along 14th Street are also a problem, as they are in the 14th Street Community Redevelopment Area and were constructed with drought-resistant xeriscaping.

Ms. Coryea stated that a work session on Wastewater Treatment is scheduled for August 13th, and a work session on Stormwater is scheduled for September 17th.

COUNTY ATTORNEY



Mitchell O. Palmer, County Attorney, stated that a presentation on the retail pet sales ordinance will be made to the Board in October.

ADJOURN

There being no further business, Chairman Jonsson adjourned the meeting at 3:27 p.m.

Minutes Approved: _____