



Agenda

Switch to Accessible View

## BOARD OF COUNTY COMMISSIONERS

Kevin Van Ostenbridge, District 3 - Chairperson  
 James Satcher, District 1 - First Vice Chair  
 George W. Kruse, At Large - Second Vice Chair  
 Amanda Ballard, District 2  
 Michael Rahn, District 4  
 Vanessa Baugh, District 5  
 Jason Bearden, At Large



## MANATEE COUNTY, FLORIDA

Dr. Scott Hopes, County Administrator  
 William E. Clague, County Attorney

Manatee County Administration Building  
 Honorable Patricia M. Glass Chambers, First Floor  
 1112 Manatee Avenue West, Bradenton  
 9:00 A.M. - November 29, 2022

# Board of County Commissioners Agenda and Notice of Public Meeting Tuesday, November 29, 2022 - Regular Meeting

This meeting can be viewed live on [www.mymanatee.org/mga](http://www.mymanatee.org/mga) (<http://www.mymanatee.org/mga>) and on Manatee Government Access (MGA) Spectrum channel 644, Verizon channel 30, and Comcast channel 20.

Written comments can be submitted at [www.mymanatee.org/comment](http://www.mymanatee.org/comment) (<http://www.mymanatee.org/comment%20>) by **November 28, 2022, at 2:00 p.m.** Be sure to include your name and submit your remarks by the meeting deadline. Commissioners may not receive your comments before the meeting if the form is submitted after the deadline.

During the meeting, comments may be delivered in person in the Honorable Patricia M. Glass Chambers at the Manatee County Administration Building, 1112 Manatee Avenue West, Bradenton. Members of the public can request to speak 24 hours before the meeting date. To sign in to speak prior to the meeting go to: [Public Speaker Sign-Up Form](https://www.mymanatee.org/government/board_of_county_commissioners/bcc_meetings_and_agendas/public_speaker_sign_up) ([https://www.mymanatee.org/government/board\\_of\\_county\\_commissioners/bcc\\_meetings\\_and\\_agendas/public\\_speaker\\_sign\\_up](https://www.mymanatee.org/government/board_of_county_commissioners/bcc_meetings_and_agendas/public_speaker_sign_up))

Also, during the meeting, the public can offer comments on non-quasi-judicial items only via phone by dialing 1-888-788-0099 or 1-877-853-5247. Enter Meeting ID Number: **823 6001 1844** (followed by #).

### Dial-in Instructions:

- Dial one of the zoom numbers and enter the Meeting ID number: **823 6001 1844** (followed by #)
- There are no participant IDs, please press (#)
- You will be placed into the call on mute
- (\*) 9 to raise hand
- (\*) 6 to unmute

## A. CALL TO ORDER

## B. INVOCATION (The Commission does not endorse the religious beliefs of any speaker.)

Invocation led by Pastor Tammie Isidore, Faith United Methodist Church

## C. PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by George Eugene Staudt

## D. REQUESTS BY COMMISSIONERS (Items to be pulled from Consent Agenda)

Items removed from the Consent Agenda will be taken up for discussion and vote following the approval of the Consent Agenda.

## **E. AWARDS/PRESENTATIONS/PROCLAMATIONS**

### **Presentations**

1. Presentation of the November Employee of the Month Award to Susan Hunt

### **Proclamations (Motion required to adopt proclamations)**

2. Adoption and Presentation of Proclamation Designating the First weekend in December 2022 as Entre Nous Weekend in Manatee County

## **F. CITIZEN COMMENTS (Consideration for Future Agenda Items - 30 Minute Time Limit)**

Each person will be limited to three (3) minutes. If the thirty (30) minute time period has been exhausted, the Board will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.

## **G. CITIZEN COMMENTS (Consent Agenda Items Only)**

Each person wishing to speak to Consent Agenda items will be limited to three (3) minutes per item; provided, however, that each person will be limited to speaking for a total of ten (10) minutes regardless of the number of items being discussed.

## **H. CONSENT AGENDA**

### **Clerk of Circuit Court**

3. Approval of the Clerk's Consent Agenda dated November 29, 2022

### **Administrator**

4. Acceptance of Actions Taken during the Period of November 4 through November 28, 2022, pursuant to Resolution R-20-124
5. Adoption of Resolution R-22-212, authorizing the Manatee County Commissioners to participate in a joint meeting with the Council of Governments on November 29, 2022
6. Execution of Facilities Usage Agreement Future High School site at Rangeland and Post, Lakewood Ranch (2022)  
**Clague**
7. Execution of Transportation Reimbursement Agreement with JDNJD2 Enterprises, LLC **Polk**

### **Attorney**

8. Motion to Approve Settlement Agreement with Tanya Shaw **Warren**
9. Motion to Reject Plaintiff's settlement offer for \$35,000.00 to Manatee County and to take no action regarding the settlement offer on the matter of John Skorupski v. Rick Wells, et al., U.S. Middle District Case No.: 8:22-cv-00627  
**DeCarlo**

10. Proposed Eminent Domain Settlement; Manatee County v. Steven D. Hauser, Jr., et. al., Case No. 2020 CA 4422; Parcel 26; Fort Hamer Road Extension Road Improvement Project (U.S. Hwy 301 North to Erie Road) **D'Agostino**

### **Community and Veterans Services**

11. Execution of Amendment 006 to the Emergency Home Energy Assistance for the Elderly Program Agreement EH-21/23-MAN; and Adoption of Budget Amendment Resolution B-22-144
12. Execution of FY22/23 Children's Services Funding Agreement with Sarasota County and the Florida Department of Health in Sarasota County for the Systems Advocate Program **Nicodemi**

### **Development Services**

13. Approval and Execution of Assignment and Assumption Agreement for the Designated Brownfield Site - Carr Landing, located at 5420 10th Lane East, Bradenton 34203; and authorize the County Administrator to assign staff to the Brownfield Advisory Committee.
14. Approval of Final Plat and Associated Documents for Avalon Woods at Lakewood Ranch Phase 1 PLN2203-0054
15. Approval of Final Plat and Associated Documents for Del Webb at Bayview Phase III
16. Approval of Final Plat and Associated Documents for River Wilderness, Phase III, Subphase G-3
17. Execution of Letter to the Legislative Delegation regarding the Creation of the East River Ranch Stewardship District  
**Clague**

### **Financial Management**

18. Adoption of Budget Amendment Resolution B-22-153

### **Property Management**

19. Acceptance and Recording of a Conservation Easement for Mitigation Purposes from Bradenton Parcel 25, LLC for Property Located at 8510 Heritage Green Way, Bradenton, Florida 34212 - District 5
20. Acceptance and Recording of Conservation Easement for Mitigation Purposes from Rive Isle Associates LLC for Property Located at Rio Vista Terrace, Parrish Florida 34219 - District 1
21. Acceptance and Recording of a Permanent Drainage Easement from BW Real Estate Holdings, LLC, for property located at 2200 Frog Echo Road, Palmetto, Florida 34221 - District 1
22. Acceptance and Recording of a Permanent Utilities Easement and Permanent Pedestrian Easement from Big Boyz Toys Storage, LLC for the property located at 3312 26th Avenue East, Bradenton, Florida 34208 - District 2
23. Acceptance and Recording of a Permanent Utilities Easement from Atlas Organics CU12, LLC for property located at 3306 Whitfield Avenue, Sarasota, Florida 34243 - District 4
24. Acceptance and Recording of a Permanent Utilities Easements from BC Lakewood, LLC and JK Investments of LWR, LLC for property located at 15205/15209 Garnet Trail, Bradenton, Florida - District 5
25. Acceptance and Recording of a Permanent Utilities Easement from CBH Properties Bradenton LLC, for the property located at 11930 State Road 64 East, Bradenton, Florida 34212 - in District 5

26. Acceptance and Recording of a Permanent Utilities Easement from Savanna at Lakewood Ranch Homeowners' Association, Inc. for property located at Florida Rosemary Drive, Bradenton, Florida 34211 - District 5
27. Acceptance and Recording of a Permanent Utilities Easement from Taylor Morrison of Florida, Inc. for the property located at 3385 Alba Court, Lakewood Ranch, Florida 34211 - District 5
28. Acceptance and Recording of a Permanent Utilities Easement from Tuff Holdings, LLC., for property located at 1860 Whitfield Avenue, Sarasota, Florida, 34243 - District 4
29. Acceptance and Recording of a Temporary Construction Easement from Half Price Joe LLC for a property located at 2904 16th Avenue East, Palmetto, Florida 34221 / Canal Road – US 301-US 41, CIP Project Number 6094360 - District 1
30. Acceptance of Trustee's Deed from Harris Loyd Glasgow, as Trustee of the Harris Glasgow Revocable Living Trust, UA Dated February 21, 2002, for property located at 7904 41st Avenue East and 8010 41st Avenue East, Bradenton, Florida 34211 - District 5
31. Acceptance of Warranty Deed and Temporary Construction Easement from Hayden Shaw for property located at 3881 Tallevast Road, Sarasota, Florida 34243 - District 4
32. Acceptance of Warranty Deed from JBCC Manatee, LLC., for property located at 4311 Manatee Avenue West, Bradenton, Florida 34209 - District 3
33. Acceptance of Warranty Deed from Patricia A. Rhodes, for property located at 11947 and 11953 Erie Road, Parrish, Florida 34219 - District 1
34. Adoption of Resolution R-22-183, declaring a public hearing on January 10, 2023, to vacate a Portion of a Platted Alley within the Plat of Palmetto Grove and Garden Company Subdivision, located at 3511 16th Avenue East, Palmetto, Florida 34221-District 2 **D'Agostino**
35. Adoption of Resolution R-22-204, declaring Parcel located at 1209 72nd Street Court East, Palmetto, Florida 34221 as Surplus Property and Authorizing its Sale - District 3
36. Adoption of Resolution R-22-205, declaring parcel located at 1011 71st Street East, Palmetto, Florida 34221 As Surplus Property and Authorizing Its Sale - District 3
37. Execution of Contract for Sale and Purchase for a Permanent Easement from VM Pronto LLC for Property located at 4506 9th Street West, Bradenton, Florida 34207 / Tangelo Park Water Main Replacement, CIP Project 6030272 - District 4
38. Execution of Contract for Sale and Purchase for a Temporary Easement for Parcel 706 from Yvon Joseph and Angela LaRose Mack for property located at 3220 27th St E, Bradenton, Florida 34208/27th St East Functional Improvements from 38th Avenue East to 26th Avenue East, CIP Project Number 6096560 - District 2
39. Execution of Contract for Sale and Purchase from J Belotti Investments, LTD. for property located at 108 6th Street South, Bradenton Beach, Florida 34217 - District 3
40. Execution of Contract for Sale and Purchase from Hawk Curiosity Creek, LLC for Property located at 5460 Buckeye Road, Palmetto, Florida 34221 - District 1
41. Execution and Recording of a Temporary Construction Easement Agreement between Manatee Walk LLC and Manatee County, for Parcel 1 located at 5310 45th Street East, Lockwood Ridge Road at Shopping Center Entrance Phase 2, CIP Project Number 6099860 - District 4

**Public Safety**

42. Authorization to Write-Off Public Safety Department's Uncollectable Fees For Fiscal Year 2022

**Public Works**

43. Acceptance of Surety Bond Rider Adjustment for the Altman Tract Parcel #4 **Clague**
44. Execution of Impact Fee Credit Agreement with AMH Development, LLC for Cedar Mill Development Right-of-Way Dedication – District 5 **Hodges**
45. Execution of an Impact Fee Credit Agreement with Braden Pointe, LLC for Transportation Improvements – District 2 **Hodges**
46. Adoption of Resolution R-22-209, authorizing the Public Works Director, or designee, to execute the Public Transportation Grant Agreement (PTGA), Financial Project Number 410141-1-84-08
47. Execution of Reimbursement Agreement with William Ryan Homes Florida, Inc., for Wastewater Improvements at Imperial Lakes Residential Development – District 1 **Nicodemi**
48. Execution of Roadway Participation and Reimbursement Agreement with VK Summerwoods LLC for Roadway Improvements; and Adoption of Budget Amendment Resolution B-23-021 – District 1 **Clague**

**Utilities**

49. Authorization to Advertise and Set a Public Hearing to consider Water and Wastewater Rate Fees

**I. APPROVAL OF CONSENT AGENDA****J. ITEMS REMOVED FROM THE CONSENT AGENDA****K. ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)****Administrator**

50. Adoption of Resolution R-22-213, naming Pavilion 1 at the County's Emerson Point Preserve the "John "JP" McDonald Pavilion" **Clague**

**Utilities**

51. Adoption of Ordinance 22-109, regarding Public Utilities; amending Section 2-31-148 of the Manatee County Code of Ordinances to establish criteria for use of the County's Class I Deep Injection Wells **Nicodemi**

**L. ADVERTISED PUBLIC HEARINGS (Presentation Scheduled)****Public Works**

52. Adoption of Ordinance 22-98, amending Section 2-22-24 of the Manatee County Code concerning No Stopping, Standing and Parking Designations **Clague**

**M. REGULAR**

**Administrator**

53. Confirmation of Appointment of Deputy County Administrator
54. Confirmation of Chief Financial Officer and Financial Management Director

**Utilities**

55. Authorization for the Chairman to execute the License and Brine Disposal Agreement with Allied New Technologies 2, Inc. (aka ANT 2) *Nicodemi*

**N. COMMISSIONER REQUESTS FOR FUTURE WORK SESSION ITEMS****O. CITIZEN COMMENTS (Continuation of Consideration for Future Agenda Items, if needed)****P. COUNTY ATTORNEY COMMENTS****Q. COUNTY ADMINISTRATOR COMMENTS****R. COMMISSIONER AGENDA/COMMENTS****S. ADJOURN**

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to, participation in, employment with, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act (ADA), or assistance with accessing any of these documents, should contact Carmine DeMilio at (941) 792-8784 Ext. 8203 or [carmine.demilio@mymanatee.org](mailto:carmine.demilio@mymanatee.org).

The Board of County Commissioners of Manatee County and the Manatee County Port Authority may elect not to convene, if no business is scheduled; however, each reserves the right to take action on any matter during its meeting, including items not set forth within this agenda. The Chair of each governing body at his/her option may take business out of order if he/she determines that such a change in the schedule will expedite the business of the governing body.

All public comment on quasi-judicial agenda items is required to be under oath and must occur at a duly noticed public hearing. The Citizens' Comments portion of the agenda is not an advertised public hearing, and no comments on quasi-judicial agenda items are authorized during the Citizens' Comments portion of the agenda.

PUBLIC NOTICE: According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners (or the other entities that are meeting) with respect to any matter considered at said public hearing/meeting will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.









