



Agenda

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## BOARD OF COUNTY COMMISSIONERS

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



## MANATEE COUNTY, FLORIDA

Lee Washington, Acting 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. - May 23, 2023

# Board of County Commissioners Agenda and Notice of Public Meeting Tuesday, May 23, 2023 - 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>) by **Friday, May 19, 2023, 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. 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)). *The request form displays upcoming meetings 24 hours before the meeting date and will close 5 minutes prior to the meeting start time.*

### A. CALL TO ORDER

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

Invocation led by Pastor Randy Bezet, Bayside Community Church

### C. PLEDGE OF ALLEGIANCE

### D. ANNOUNCEMENTS

9:00 a.m. - Time Certain for Port Authority

9:15 a.m. - Time Certain for Item 48, Acceptance of Donation from the Bradenton Kiwanis Club

2:00 p.m. - Time Certain for Item 41, Ordinance 23-59, Tourist Development Plan

Updates to the Agenda

### E. 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.

**F. AWARDS/PRESENTATIONS/PROCLAMATIONS****Proclamations (Motion required to adopt proclamations)**

1. Adoption and Presentation of Proclamation Designating May 29, 2023, as "Memorial Day" in Manatee County.
2. Adoption and Presentation of Proclamation Designating May 2023 as "Motorcycle Safety Awareness Month" in Manatee County.

**G. 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.

**H. 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.

**I. CONSENT AGENDA****Clerk of Circuit Court**

3. Approval of the Clerk's Consent Agenda dated May 23, 2023

**Administrator**

4. Approval of the Revised 2023 Board of County Commissioners Meeting Schedule

**Attorney**

5. Adoption of Resolution R-23-024, regarding Canal Road (16th Avenue East) – Segment 1 (U.S. 301 to 17th Street East); Finding Public Purpose and Necessity; Authorizing Acquisition of Property; Delegating Authority; and Authorizing Commencement of Eminent Domain Proceedings and Utilization of Chapters 73 and 74, Florida Statutes **D'Agostino**
6. Approval of the Settlement Agreement and General Release with Mathew Hamilton in the amount of \$80,000.00; and authorize the Chair or Vice-Chair to execute the Settlement Agreement and General Release and all related documents presented by the County Attorney's Office and to authorize execution of same. **Warren**
7. Motion to allow Plaintiff's Proposal for Settlement to Defendant, Manatee County, in the amount of \$159,000.00 to expire, and take no action regarding the Proposal for Settlement in James Guy v. Manatee County, et al.; Case No.: 2021-CA-4101 **Polk**

**Community and Veterans Services**

8. Approval of the FY2022-2023 Neighborhood Enhancement Grant Project

**Development Services**

9. Approval and Execution of Amended Land Use Restriction Agreement (LURA) for Whitfield Estates, LLC, for the project known as Whitfield Preserve Affordable Housing Development located at 7207 12th Street East, Sarasota, FL 34243 – District 4

10. Approval of Final Plat and Associated Documents for Cedar Mill fka Lakewood Gardens - District 5
11. Approval of Final Plat and Associated Documents for Mandarin Grove Plat - District 1
12. Approval of Final Plat and Associated Documents for Saltmeadows, Phases IB & IC (PLN2208-0043) - District 1
13. Determination of Consistency with the Manatee County Comprehensive Plan SMR Taylor Ranch Elementary School Site - Charles Andrews, CNU-A, AICP, Principal Planner, District 5 **Schenk**
14. Determination of Consistency with the Manatee County Comprehensive Plan MTC Police Academy Remote Site - Charles Andrews, CNU-A, AICP, Principal Planner - District 1 **Schenk**
15. Determination of Consistency with the Manatee County Comprehensive Plan Rye Ranch Elementary School Site - Charles Andrews, CNU-A, AICP, Principal Planner - District 1 **Schenk**

### **Financial Management**

16. Adoption of Budget Amendment Resolution B-23-105; and Budget Amendment Resolution B-23-111 for Infrastructure Sales Tax
17. Authorization to Allocate Additional Departmental Budgeted Funding to Piggyback Agreement No. 23-R081070SB for Water and Wastewater Treatment Chemical Aluminum Sulfate
18. Authorization to Allocate Additional Departmental Budgeted Funding to Blanket Purchase Order Agreement No. P2020462 for Information Technology (IT) Professional Services
19. Execution of Change Order No. 1 to Agreement No. P2300518 for Professional Land Acquisition Services for Lena Road Project (from S.R. 64 South to 44th Avenue East)
20. Execution of Change Order No. 2 to Work Assignment No. 1 to Agreement No. 20-R074548BLS with Ceres Environmental Services, Inc., for Debris Management Services and Emergency Response Management and Recovery Services
21. Execution of Change Order No. 2 to Work Assignment No. 1 to Agreement No. 20-R074548BLS with Phillips and Jordan, Inc., for Debris Management Services and Emergency Response Management and Recovery Services
22. Execution of Change Order No. 3 to Agreement No. 21-TA003651DJ For Holmes Boulevard Force Main Replacement - District 3
23. Execution of Change Order No. 5 to Agreement No. 19-TA002970CD, Lake Manatee Water Treatment Plant Filter Upgrade
24. Execution of Paymentus Master Services Agreement for Electronic Billing and Payment Services **Nicodemi**

### **Natural Resources**

25. Approval of the Tampa Bay Estuary Program Mini Grant in the amount of \$4,000; and Adoption of Budget Amendment Resolution B-23-110
26. Execution of FY 2023 Coastal and Heartland National Estuary Partnership (CHNEP) Funding Agreement

### **Property Management**

27. Acceptance and Recording of a Fee Simple Deed from School Board of Manatee County, for Moccasin Wallow Road Segment 1, 8610 115th Avenue East, Parrish, Florida 34219 - District 1 **D'Agostino**
28. Acceptance and Recording of a Permanent Utilities Easement and a Permanent Sidewalk Easement from Red Apple at LWR, LLC, for property located at 5550 White Eagle Boulevard, Lakewood Ranch, Florida 34211 - District 5
29. Acceptance and Recording of a Permanent Utilities Easement by Casa De Dios En Bradenton Inc., for property located at 4420 9th Street East, Bradenton, Florida 34203 - District 2.
30. Adoption of Resolution R-23-083, declaring a public hearing on July 25, 2203, to vacate a portion of platted right-of-way known as Hibernia within the Floriana Court Plat - District 2 **D'Agostino**
31. Execution of Contract for Sale and Purchase for Parcel 154 from Bret R. Osborn for property located at 6041 33rd Street East, Bradenton, Florida 34203 (63rd Avenue East - U.S. 301 to Tuttle Avenue) - District 4

### **Public Safety**

32. Approval of Reduction of Code Enforcement Fines for Susan Kirschner, Case Number CE2017110801
33. Approval of Reduction of Code Enforcement Fines for Susan Kirschner, Case Number 2018020054.

### **Public Works**

34. Adoption of Resolution R-23-087, authorizing permit only parking in designated parking spaces along Gulf Drive (6th Street South and 13th Street South) on Bradenton Beach for the South Bradenton Beach Gravity System Relocation Project **D'Agostino**
35. Authorization to Advertise and Set a Public Hearing to Consider Ordinance 23-85, pertaining to Speed Limit on 75th Street West from S.R. 64 to Cortez Road **Warren**
36. Authorization to Install a multi-way stop at the Intersection of Whitfield Avenue at Broughton Street
37. Execution of a Reimbursement Agreement with DCNIG FSB, LLC, for Wastewater Improvements; and Adoption of Budget Amendment Resolution B-23-114 – District 1 **Mitra**

### **Sports & Leisure Services**

38. Execution of Agreement for Charitable Services with the Patterson Foundation for the 2023 Suncoast Summer Reading Challenge

## **J. APPROVAL OF CONSENT AGENDA**

## **K. ITEMS REMOVED FROM THE CONSENT AGENDA**

## **L. PORT AUTHORITY**

The consent and regular agenda items for any Port Authority meeting are set forth in the Port Authority meeting agenda materials as supplied by Port Manatee staff prior to and at the commencement of the meeting of the Port Authority.

### **Port Authority Meeting Agenda for May 23, 2023**

## **M. ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)**

### **Financial Management**

39. Adoption of Resolution R-23-085, regarding the Infrastructure Sales Tax to add projects in the Transportation category; and Adoption of Budget Amendment Resolution B-23-112
40. Adoption of Resolution R-23-076, regarding the Infrastructure Sales Tax, to remove a project and amend seven project scopes in the Parks and Community facilities category; and Adoption of Budget Amendment Resolution B-23-106

## **N. ADVERTISED PUBLIC HEARINGS (Presentation Scheduled)**

### **Convention and Visitors Bureau**

41. Adoption of Ordinance 23-59, amending Section 2-29-21 of the Code of Laws of Manatee County, Florida, providing for a Tourist Development Plan pursuant to Section 125-0104(3)(l), Florida Statutes *Nicodemi*

## **O. REGULAR**

### **Adminstrator**

42. Confirmation of Appointment of the Director of the Public Safety Department

### **Community and Veterans Services**

43. Appointment of one (1) applicant to the Children's Services Advisory Board

### **Financial Management**

44. Approval of Administrative Procedure, authorizing the Implementation of Surcharges on Debit, Credit and Other Electronic Payments *Clague*
45. Approval of American Rescue Plan Changes and Establishment of the General Fund Government Services-Payroll FY24 for Generational Impact Projects

### **Property Management**

46. Execution of Contract for Sale and Purchase of Surplus Property between Manatee County and Redena Adams and Brandon Gibbs and Execution of County Deed for Property Located at 1209 72nd Street Court East, Palmetto, Florida 34221 - District 3
47. Execution of Contract for Sale and Purchase of Surplus Property between Manatee County and Horacio Cruz-Yanez and Anallely Olguin-Sanchez and Execution of County Deed for Property Located at 1011 71st Street East, Palmetto, Florida 34221 - District 3
48. Acceptance of Donation from the Bradenton Kiwanis Club for an all-inclusive ADA playground at Tom Bennett Park

### **Utilities**

49. Approval of Franchise Hauler Amendments

## **P. COMMISSIONER REQUESTS FOR FUTURE WORK SESSION ITEMS**

## **Q. CITIZEN COMMENTS (Continuation of Consideration for Future Agenda Items, if needed)**

## **R. COUNTY ATTORNEY COMMENTS**

**S. COUNTY ADMINISTRATOR COMMENTS****T. COMMISSIONER AGENDA/COMMENTS****U. 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.