AGENDA
BRADENTON CITY COUNCIL MEETING
8:30 a.m. Wednesday, August 14, 2024
CITY HALL COUNCIL CHAMBERS - 101 OLD MAIN STREET

1. INVOCATION & PLEDGE

Pastor Phil Dodson with Bayside Community Church

(The City does not endorse the religious beliefs of any speaker.)

2. MEETING CALLED TO ORDER

3. PROCLAMATIONS

a) Legislative: Manatee County Habitat for Humanity 30th Anniversary Celebration Year
Manatee County Habitat for Humanity 30th Anniversary Celebration Year Proclamation

4. PRESENTATIONS

a) Public Works & Utilities: LECOM/VOTA Mobility Study

5. CITIZEN COMMENTS

Citizen comment will be accepted during the Citizen Comment portion of the meeting on any non-agenda item, agenda item, future agenda item or topic of relevance to the City. Comments will be accepted on the public hearings at the appropriate time.

6. CONSENT AGENDA

a) City Administration: 2025 Participation Request and Renewal - Florida Recovery Obligation Calculation (F-ROC) Program
2025 F-ROC Participation Request and Renewal Form
b) City Administration: Resolution 24-63 - Policy & Procedures for the Taking, Recording, Maintenance, and Archival of Meeting Minutes
Resolution 24-63
c) Clerk: Minutes from the May 22, 2024 City Council Meeting
5-22-2024 City Council Meeting Minutes
d) Clerk: Minutes from the June 12, 2024 City Council Meeting
6-12-2024 City Council Meeting Minutes
e) Clerk: Minutes from the August 2, 2024 City Council Emergency Meeting
8-2-2024 City Council Emergency Meeting Minutes
f) Event Review Committee: BAM! Bradenton Art and Music

BAM! Application and Site Plan

g) Event Review Committee: Paws in Motion Walk-a-thon and Festival
Paws in Motion Walk-a-thon and Festival Application and Site Plan

h) Event Review Committee: September 11th Tribute to Heroes Memorial
September 11th Tribute to Heroes Memorial Application and Site Plan

i) Finance: Budget Adjustment BA24-11
Budget Adjustment BA24-11

j) Legislative: Resolution 24-68 - Architectural Review Board Reappointment
Resolution 24-68

k) Public Works & Utilities: Adopt a Road Agreement with Keep Manatee Beautiful for 17th Street West from 9th Street West to Highway 301
Adopt a Road Agreement with Keep Manatee Beautiful

l) Public Works & Utilities: Adopt a Road Agreement with Keep Manatee Beautiful for 27th Street East from 26th Avenue East to State Road 64
Adopt a Road Agreement with Keep Manatee Beautiful

m) Public Works & Utilities: Cordova Lakes Paving Expenditure
Invoice for Gator Grading & Paving

n) Public Works & Utilities: Clarifier 4 Construction Engineering Inspection Expenditure Approval
Work Order to ASRus for Clarifier 4

o) Purchasing: Final Contract Extension of IFB #20-01RW with Superior Asphalt, Inc.
Final Contract Extension of Contract for IFB #20-01RW

p) Purchasing: Final Contract Extension of IFB #20-01RW with Woodruff & Sons, Inc.
Final Contract Extension of Contract for IFB #20-01RW

q) Planning & Community Development: Resolution 24-43 - Decision denying Special Use Permit No. SU.24.1738; to operate a medical clinic at 914 14th Street West, 918 14th Street West, and 920 14th Street Court West
Resolution 24-43

7. BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

a) Planning & Community Development: ORDINANCE 4040 - SECOND READING AND PUBLIC HEARING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 40-FOOT WIDE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ADAMS ANEX TO BRAIDENTOWN SUBDIVISION, RECORDED IN BOOK 1, PAGE 158, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance 4040

Application - Ordinance 4040, Case RV.24.1517
Staff Report - Ordinance 4040, Case RV.24.1517
Presentation - Ord. 4040, Ord. 4041, Ord. 4042 and Ord. 4046

b) Planning & Community Development: ORDINANCE 4041 - SECOND READING AND PUBLIC HEARING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 60-FOOT WIDE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ROESCH'S SUBDIVISION, RECORDED IN BOOK 1, PAGE 142, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 2ND STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 1ST STREET; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.
Ordinance 4041
Application - Ordinance 4041, Case RV.24.1518
Staff Report - Ordinance 4041, Case RV.24.1518

c) Planning & Community Development: ORDINANCE 4042 - SECOND READING AND PUBLIC HEARING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 15-FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF ROESCH'S SUBDIVISION, RECORDED IN BOOK 1, PAGE 142, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.
Ordinance 4042
Application - Ordinance 4042, Case RV.24.1519
Staff Report - Ordinance 4042, Case RV.24.1519

d) Planning & Community Development: ORDINANCE 4046 - SECOND READING AND PUBLIC HEARING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING AN 8-FOOT WIDE PORTION OF 8TH AVENUE WEST (SOUTH STREET) AS SHOWN ON THE PLAT OF BLACK BEAR PARK SUBDIVISION, RECORDED IN BOOK 1, PAGE 283, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance 4046

Application - Ordinance 4046, Case RV.24.1687

Staff Report - Ordinance 4046, Case RV.24.1687

e) Planning & Community Development: ORDINANCE 4048 - SECOND READING AND PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PLATTED 20-FOOT ALLEY AS SHOWN ON THE RESUBDIVISION OF LOTS 1, 2, 3, 4, 5, & 6, TURNER'S PLAT OF BRADENTOWN, RECORDED IN PLAT BOOK 1, PAGE 184, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, GENERALLY LOCATED NORTH OF 3RD AVENUE WEST, EAST OF 12TH STREET WEST, AND WEST OF 10TH STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance 4048

Application - Ordinance 4048, Case RV.24.2186

Staff Report - Ordinance 4048, Case RV.24.2186

Presentation - Ordinance 4048, Case RV.24.2186

f) Police: ORDINANCE 4047 - SECOND READING AND PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 6, RELATED TO ALCOHOLIC BEVERAGES; AMENDING SECTION 6-1 TO ADD DEFINITIONS; AMENDING SECTION 6-2 TO PROHIBIT ALCOHOLIC BEVERAGES FROM BEING SOLD, CONSUMED, OR SERVED, OR PERMITTED TO BE SERVED OR CONSUMED IN ANY ESTABLISHMENT BETWEEN THE HOURS OF 12:00 A.M. AND 7:30 A.M.; PROVIDING FOR EXEMPTIONS; PROVIDING FOR ANY ESTABLISHMENT LICENSED UNDER THE STATE BEVERAGE LAWS THAT DESIRES TO REMAIN OPEN FOR THE PURPOSE OF SALE, SERVICE, OR CONSUMPTION BETWEEN THE HOURS OF 12:00 A.M. AND 2:30 A.M. TO APPLY FOR AN AFTER MIDNIGHT PERMIT; ADDING PROVISIONS FOR THE APPLICATION REQUIREMENTS AND FEE; PROVIDING FOR REGULATIONS RELATING TO THE AFTER MIDNIGHT PERMIT; PROVIDING FOR CONDITIONS TO BE IMPOSED ON THE AFTER MIDNIGHT PERMIT; PROVIDING FOR SUSPENSION AND REVOCATION OF THE AFTER MIDNIGHT PERMIT; PROVIDING FOR THE APPOINTMENT OF A HEARING OFFICER TO RULE ON SUSPENSION AND REVOCATION OF AFTER MIDNIGHT PERMITS; PROVIDING FOR ENFORCEMENT; AMENDING CHAPTER 6, TO ADD A NEW SECTION 6-7 ESTABLISHING EVIDENCE OF PROSECUTION OF VIOLATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance 4047

Business Impact Estimate

g) Legal: ORDINANCE 4049 - SECOND READING AND PUBLIC HEARING AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 70, ARTICLE III, SECTION 70-86 OF THE CITY'S CODE OF ORDINANCES TO ADD DEFINITIONS; AMENDING CHAPTER 70, ARTICLE III, SECTION 70-92 OF THE CITY'S CODE OF ORDINANCES, TO ADD NEW SECTIONS 70-92(D), 70-92(E), 70-92(F), 70-92(G), 70-92(H), and 70-92(I); REQUIRING PRIVATE LATERALS AND PRIVATE WASTEWATER COLLECTION AND TRANSMISSION SYSTEMS TO BE MAINTAINED BY THE PROPERTY OWNER IN GOOD WORKING ORDER; REQUIRING PRIVATE LATERAL AND PRIVATE WASTEWATER COLLECTION AND TRANSMISSION SYSTEM INSPECTIONS UPON CERTAIN OCCURRENCES; PROVIDING INSPECTION REQUIREMENTS; REQUIRING THE PROPERTY OWNER TO REPLACE OR REHABILITATE DEFECTIVE PRIVATE LATERALS; REQUIRING THE OWNER OR OPERATOR OF A PRIVATE WASTEWATER COLLECTION AND TRANSMISSION SYSTEM TO REPAIR OR REHABILITATE SUCH SYSTEMS TO ABATE EXCESSIVE INFLOW AND INFILTRATION; PROVIDING FOR ENFORCEMENT MECHANISMS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance 4049

8. NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

a) Public Works & Utilities: Water Treatment Plant Emergency Repair Expenditure
Invoice from Woodruff & Sons, Inc.
Photo of the Emergency Repair

9. UNFINISHED BUSINESS

a) City Administration: Resolution 24-64 - 2024-2025 Community Block Development Grant Annual Action Plan
Resolution 24-64 with Action Plan
Application for Federal Assistance

10. COUNCIL REPORTS

11. DEPARTMENT HEAD REPORTS

12. ADJOURN

RULES OF PROCEDURE FOR AGENDA AND PUBLIC APPEARANCES BEFORE

CITY COUNCIL

Please place all cell phones on silent!

PRIOR TO COUNCIL MEETING: Appointments on the agenda, all items from Department Directors and other interested parties must be submitted before 12:00 p.m. on the Wednesday preceding the Council meeting. Anyone wishing to be placed on the agenda must contact Tamara Melton, City Clerk, at City Hall by phone 941-932-9463 or email: tamara.melton@bradentonfl.gov and give their name, business name (if applicable), whether they are resident taxpayers of the City and their business before Council. Appearances before Council will be authorized by the Mayor or Councilperson in charge of the meeting. NOTE: The Mayor may ask a city department to look into an issue prior to the meeting to see if the issue can be resolved. If the Mayor or Councilperson in charge of the meeting feels the request is justified, they will instruct the City Clerk as to its placement on the agenda.

Non-Discrimination Statement: The City of Bradenton prohibits discrimination in all of its services, programs or activities on the basis of race, color, age, disability, sex, national origin, religion, genetic information or marital status. Persons with a disability needing a reasonable accommodation to participate in, or who require assistance or an alternative means for communication of program information such as Braille, large print, etc., should contact as soon as possible, but at least 48 hours in advance:

City of Bradenton
ADA/Title VI Coordinator
101 Old Main Street
Bradenton, FL 34205
ADACoordinator@cityofbradenton.com
941-932-9400
TTY: 7-1-1 or 1-800-955-8771

La ciudad de Bradenton proveera servicio de interprete a las personas quienes su primer lenguage no es el ingles. Si necesita estos servicios, usted o su representante puede comunicar al ADA/Title VI Coordinator, 101 Old Main Street, Bradenton, FL 34205. Tambien puede llamar al (941) 932-9470 o enviar correo electronico a ADACoordinator@cityofbradenton.com

AT COUNCIL MEETING:

Citizen comment will be accepted during the Citizen Comment portion of the meeting on any non-agenda item, agenda item, future agenda item or topic of relevance to the City. Citizen comment related to any public hearing item shall be provided during the duly noticed public hearing in order to maintain an accurate record of the proceedings. All citizen comments related to quasi-judicial items are required to be under oath and such comments will be invited to be presented

during the duly noticed public hearing for such items.

If an individual (or agent) wishes to address the City Council, they should complete a comment card available at the back of the Chamber and submit such card to the City Clerk.

At the appropriate time during the meeting, the Mayor will call speakers to come forward. After being recognized by the Mayor, the individual should come to the podium and, for the public record, state their name and address, and then provide any relevant comments or testimony related to the item they wish to address. In the case of an agent, they shall identify themselves and the party they represent. The speaker should then proceed to state their position or present their information.

An individual appearance for citizen comment will be limited to three (3) minutes unless additional time is permitted by the Mayor or consensus of the Council. Additional time will be allowed (up to 10 minutes at the discretion of the Mayor or consensus of the Council) for public hearing items if the speaker is officially representing a group of five or more people, provided that written authorization is provided that the person is authorized to speak on behalf of the group.

Note: If handouts are being distributed, please provide a minimum of ten (10) copies to the City Clerk. If you wish to display a drawing or rendering, contact Tamara Melton, as indicated above, prior to the meeting. Any submissions commented on, photographs, letters, renderings, etc. will be kept by the City Clerk for the official record.

PURSUANT TO FLORIDA STATUTE 286.0105: If an individual decides to appeal any decision made by the board, council, agency, or commission at this meeting, such individual will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

PLEDGE OF PUBLIC CONDUCT We, the Mayor, City Council and Employees of the City of Bradenton, agree to: *Establish a process to promote positive interaction among ourselves and the citizens of Bradenton in a positive and non-threatening environment. *Encourage visible, involved and active participation among all. *Promote improved communication through active listening, providing feedback and honest expression of ideas. *Utilize consensus for decision making. *We realize that though we may disagree, we will be respectful of each other. *We will direct all comments to the issues and will avoid personal attacks.

AGENDA ITEM NO. 3.a

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CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Kelly Thomas, Legislative

ITEM TYPE: Proclamation

AGENDA SECTION: PROCLAMATIONS

SUBJECT: Manatee County Habitat for Humanity 30th Anniversary Celebration Year

SUGGESTED ACTION: Reading

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
A proclamation honoring the 30th anniversary of Manatee County Habitat for Humanity.

ATTACHMENTS:
Manatee County Habitat for Humanity 30th Anniversary Celebration Year Proclamation

City of Bradenton
Office of the Mayor

Proclamation

By virtue of the authority vested in me as Mayor of the City of Bradenton, I do hereby issue this proclamation honoring

Manatee County Habitat for Humanity
30th Anniversary Celebration Year
August 2024-August 2025

Whereas, Manatee County Habitat for Humanity has been a cornerstone in the community, providing affordable homeownership opportunities for low-income families since its founding in August 1994; and

Whereas, Manatee County Habitat for Humanity through partnerships with homeowners, volunteers and donors, not only builds houses, but builds homes, relationships and neighborhoods where families in our local communities are offered a better life; where children are safe; where property values increase and crime is reduced; and where dreams of home ownership can become a reality; and

Whereas, Manatee County Habitat for Humanity's affordable homeownership program features zero percent 30-year mortgages, sustainable building practices and comprehensive homeowner education; and

Whereas, since its founding Manatee County Habitat for Humanity has built 155 homes and currently has over 70 future home sites acquired and is committed to building a minimum of 10 homes annually to serve more families in need; and

Whereas, Manatee County Habitat for Humanity has set an ambitious fundraising goal of three million dollars in 30 months and seeks community support through donations and volunteer efforts to build 30 homes in 30 months.

Now, Therefore Be It Resolved that, I, Gene Brown, as Mayor of the City of Bradenton, Florida, do hereby proclaim ***August 2024-August 2025*** as ***Manatee County Habitat for Humanity 30th Anniversary Celebration Year,*** and encourage all citizens to recognize and support this vital organization's efforts.

Gene Brown
Mayor
August 14, 2024

AGENDA ITEM NO. 4.a

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CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Tamara Melton, Public Works & Utilities

ITEM TYPE: Presentation

AGENDA SECTION: PRESENTATIONS

SUBJECT: LECOM/VOTA Mobility Study

SUGGESTED ACTION: N/A

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

ATTACHMENTS:

AGENDA ITEM NO. 6.a

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Corey Fortin, City Administration

ITEM TYPE: Agreement

AGENDA SECTION: CONSENT AGENDA

SUBJECT: 2025 Participation Request and Renewal - Florida Recovery Obligation Calculation (F-ROC) Program

SUGGESTED ACTION: Approve the 2025 Participant Request and Renewal Form for Florida Recovery Obligation Calculation (F-ROC) Program.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
The City of Bradenton has chosen to participate in the Florida Recovery Obligation Calculation (F-ROC) Program. F-ROC is a Florida Division of Emergency Management program that standardizes, streamlines, and simplifies the Public Assistance Process. This results in a more expedient recovery of funds and reduces the risk of funding denials or "claw backs".

This Agreement is the 2025 renewal of our participation in that program.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
N/A

SUGGESTED MOTION:
Motion to approve the 2025 Participation Request and Renewal Form for the Florida Recovery Obligation Calculation (F-ROC) Program and authorize execution

by the Mayor.

ATTACHMENTS:
2025 F-ROC Participation Request and Renewal Form

2025 PARTICIPATION REQUEST AND RENEWAL FORM
FLORIDA RECOVERY OBLIGATION CALCULATION (F-ROC) PROGRAM

City of Bradenton (hereinafter referred to as the "Applicant"), requests to opt-in/renew its participation in the Florida Recovery Obligation Calculation ("F-ROC") program. The F-ROC program is an initiative, sponsored by the Florida Division of Emergency Management ("Division"), that assists Applicants in identifying risk in their organization and develops a clear action plan that will abate those risks, while standardizing and streamlining the Public Assistance process.

Applicant's name:	City of Bradenton
Applicant's FEIN:	59-6000283
Applicant's Address:	101 Old Main Street, Bradenton FL 34205

(1) DEFINITIONS

1. Disaster Readiness Assessment ("DRA"): The DRA is a questionnaire completed prior to a disaster that evaluates the Applicant's risk of de-obligations in the Public Assistance ("PA") program.
2. Post Disaster Questionnaire (PDQ): The PDQ is completed after each federally declared event to gather Applicant specific information regarding training and utilization of forms.
3. Expedited Projects: Applicants may submit Expedited Projects to FEMA if they have an immediate need for funding to continue life-saving emergency protective measures. If approved, the Applicant will be awarded 50% of the federal portion of the FEMA-confirmed project cost based on initial documentation.
4. Obligated: FEMA obligates funding once a project meets the Stafford Act eligibility requirements.
5. De-obligated: FEMA de-obligates funding if previously obligated costs have been determined to be ineligible under the PA program.
6. Emergency Management Accreditation Program (EMAP): A voluntary "standards, assessment, and accreditation" process for disaster preparedness programs.

(2) CONTACT

Applicant Point of Contact:	Rebecca Desch
Telephone:	(941) 932-9625
Email:	rebecca.desch@bradentonfl.gov

Division Point of Contact:	Recovery Bureau
Telephone:	(850) 815-4400
Email:	F-ROC@em.myflorida.com

a. In the event that different representatives or addresses are designated by either party after submittal of this Form, a notice of the name, telephone, and email of the new representative will be provided to the other party in writing via letter or electronic email.

(3) TERMS AND CONDITIONS

Upon the Applicant submitting, via electronic mail to F-ROC@em.myflorida.com, this Form for the F-ROC program, completing the mandatory Opt-In training course, and submitting the mandatory Disaster Readiness Assessment, the Applicant will receive the minimum/baseline score of 10% for work completed projects and work to be completed projects.

a. Pursuant to this Form, the opt-in/renewal will be for one (1) year and will only cover large, non-expedited, Category A (Debris Removal) and Category B (Emergency Protective Measures) projects. Annual renewal of this Form will begin in June of the year in which the Form is set to expire.

b. To complete the participation process and receive the 10% baseline, the Applicant must:
   i. Complete the Opt-In training course with a score of 100%;
   ii. Submit the signed Participation Opt-in and Renewal Form; and
   iii. Submit the 2025 DRA.

c. If an Applicant wishes to increase their score, they can do so by completing the optional items listed below:
   i. Complete the recommended abatement activities following submittal and review of the DRA.
   ii. Complete the Post Disaster Questionnaire (“PDQ”).
   iii. Utilize the Division’s standardized F-ROC forms.
   iv. Training (excluding the Opt-in and Leadership courses).

d. This Form will not apply to any Expedited Projects.

e. The deadline to opt-in or renew participation in the 2025 term of the F-ROC program, is August 31, 2024.

f. The implementation of the F-ROC program does not guarantee funding for Applicants. Funding will remain contingent upon obligation by FEMA and the Applicant will be liable for repayment (See (7) REPAYMENTS) upon de-obligation by FEMA of any disbursed funds. Any de-obligation of funding is within FEMA's sole discretion and the Division shall not be liable for FEMA's exercise of its discretion.

g. If the Applicant seeks to "opt-out" of F-ROC, the Applicant must make a request to that effect in writing to the Division, on their letter head and duly signed by an authorized representative of the Applicant.

h. The deadline to complete the 2025 DRA, pursuant to this Form, is October 31, 2024.

i. The deadline to complete any abatement activities shall be March 31st of the calendar year after this Form has been executed.

j. The Applicant shall have sixty (60) days from the date their County is designated under the disaster declaration to complete the applicable PDQ. The PDQ must be completed in order to access additional points and increase the locked-in score. If the Applicant requests an extension on completing the PDQ, such an extension request must be made prior to the obligation of funds for it to impact the Applicant's score and therefore, reflect upon the obligation attaching thereto.

k. The Applicant and the Division will identify the key Points of Contact (POC) respectively.

l. The Division reserves the right to remove an Applicant from the program. Furthermore, if the Division has reason to believe that the Applicant is engaged in fraud, waste, abuse, or noncompliance of State and/or Federal laws, the Division may impose a one (1) year prohibition upon the Applicant from participation in the program.

m. The Applicant's failure to complete the criteria set forth in this Form shall result in a default to the traditional method of disbursing obligated Public Assistance funds; Meaning, the Division will consider failure to complete the requirements as the Applicant voluntarily "opting-out" of the program.

n. Opt-in/participation renewal duration shall be one (1) year with annual "opt-in" renewals.

(4) PERIOD OF PERFORMANCE

This Form survives and remains in effect after termination, for the herein referenced State and Federal audit requirements and the referenced required records retention periods. Work may only be performed during the timeframes established and approved by the State and/or FEMA for each Category of Work type.

(5) FUNDING

a. Participation in the F-ROC program does not guarantee funding and is dependent upon FEMA's obligation.

b. By signing and returning this Form for F-ROC, Applicants have the potential to receive a score up to 80%. This score is made up of three components:

   1. 10% Baseline score for signing and returning this Form. Applicants will receive the baseline score upon submittal of the 2025 DRA.
   2. Up to a 50% score for completing the DRA and applicable abatement activities.
   3. Up to a 20% score for completing the PDQ.

c. Applicants who have received EMAP accreditation will receive an additional 5%.

d. Scores related to any activities completed as a result of this form shall be applied to any Presidentially declared events from July 1, 2025, through June 30, 2026 (this period shall be the relevant period for Disaster Readiness Assessment [DRA]).

e. The Applicant may choose to receive a lesser score than the score earned through the completion of the above components on a one-time basis per disaster. The Applicant must make a request to that effect in writing to the Division, on their letter head and duly signed by an authorized representative of the Applicant. Such a request must be made prior to the obligation of funds for it to impact the Applicant's score and therefore, reflect upon the obligation attaching thereto.

f. The Applicant's score directly corresponds to the percent of the eligible obligated amount that will be disbursed to the Applicant upon obligation of the Public Assistance project. After validation of all supporting documentation is complete, the Applicant will receive the remainder of the validated, obligated amount.

g. If the Applicant has any open receivables with the Division, those receivables must be satisfied before any disbursements are made through the F-ROC program.

(6) PAYMENT

a. The payment method used by the Division is either a Cost Reimbursement or an Advance Payment. Advance Payments are governed by Chapter 216, Florida Statutes. Documentation to support the F-ROC payment must be provided to the Division within 90 days of the disbursement of funds via a Request for Reimbursement in FloridaPA.org. The Division, in its sole discretion, may release funds during or after the term of this form, subject to the availability of funds.

b. The Division's Grant Manager, as required by section 215.971(2)(c), Florida Statutes, shall reconcile and verify all funds received against all funds expended during the agreement period and

produce a final reconciliation report. The final report must identify any funds paid in excess of the expenditures incurred by the Applicant.

(7) REPAYMENTS

a. Refunds or repayments of obligated funds may be paid to the Division via offset with another obligated Public Assistance project, check, or a payment plan, as approved by the Department of Financial Services.

b. All refund or repayments due to the Division under this Agreement are to be made payable to the order of "Florida Division of Emergency Management" and must include the invoice number and the applicable Disaster and Project number(s) that are the subject of the invoice, and be mailed directly to the following address:

Florida Division of Emergency Management Cashier
2555 Shumard Oak Boulevard
Tallahassee FL 32399-2100

For the purposes of execution and opt-in/renewal, this Form shall terminate upon the expiration date of June 30, 2025, unless the Applicant renews annually. The Division reserves the right to remove an Applicant from the program. The Division and Applicant agree that all records will be maintained until the conclusion of all applicable record retention periods.

IN WITNESS WHEREOF, the Applicant hereto has executed this Form.

Applicant: City of Bradenton

By: _____ (Signature)

Name: Gene Brown

Title: Mayor

Date: _____

ATTACHMENT A: APPLICANT POINTS OF CONTACT

F-ROC SMART GRANTS CONTACTS

	Name	Email Address
Authorized Agent*	Rebecca Desch	rebecca.desch@bradentonfl.gov
Alternate**	Corey Fortin	corey.fortin@bradentonfl.gov
Alternate		
Alternate		
Alternate		
Alternate		
Alternate		

**All Applicants must identify an Authorized Agent. The Authorized Agent is the only person who can submit the DRA.*
***An alternate can do all tasks within the system with the exception of submitting the DRA.*

F-ROC COMMUNICATIONS DISTRIBUTION LIST

Name	Email Address
Rebecca Desch	rebecca.desch@bradentonfl.gov
Corey Fortin	corey.fortin@bradentonfl.gov

This list will be for anyone you would like to receive F-ROC communications and updates.

AGENDA ITEM NO. 6.b

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Corey Fortin, City Administration

ITEM TYPE: Resolution

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Resolution 24-63 - Policy & Procedures for the Taking, Recording, Maintenance, and Archival of Meeting Minutes

SUGGESTED ACTION: Approve Resolution 24-63

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Section 286.011(1) F.S. requires that all meetings of any board or commission of a municipal corporation, at which official acts are to be taken are open to the public; and Section 286.011(2) F.S. requires that minutes of a meeting of any such board or commission shall be promptly recorded and shall be open to public inspection.

This Policy memorializes the procedures to be followed by City staff in the taking, recording, maintenance and archival of the minutes of all meetings of the Bradenton City Council as well as all volunteer Citizen Advisory Boards.

FINANCIAL IMPACT:
None

ATTORNEY REVIEW/RECOMMENDATION:
Approved

SUGGESTED MOTION:
Motion to approve and adopt Resolution 24-63.

ATTACHMENTS:
Resolution 24-63

CITY OF BRADENTON
RESOLUTION NUMBER 24-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, MEMORIALIZING THE PURPOSE, POLICY AND PROCEDURES GOVERNING THE MAINTENANCE OF OFFICIAL MEETING MINUTES OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 286.011(1) F.S. requires that all meetings of any board or commission of a municipal corporation, at which official acts are to be taken are open to the public; and

WHEREAS, Section 286.011(2) F.S. requires that minutes of a meeting of any such board or commission shall be promptly recorded and shall be open to public inspection; and

WHEREAS, Subpart A, Section 18 of the Code of Ordinances of the City of Bradenton assigns to the City Clerk the duty to keep and maintain the official records of the City and to keep full and correct minutes of all meetings of the City Council and all acts or doings thereof; and

WHEREAS, the City Council of the City of Bradenton desires to establish a policy in order to memorialize the procedures to be followed in the taking, recording, maintenance and archival of the minutes of all meetings of the Bradenton City Council as well as all volunteer Citizen Advisory Boards;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA:

1. The City of Bradenton hereby adopts the Policy & Procedures for the Taking, Recording, Maintenance and Archival of Meeting Minutes;
2. Said Policy consists of 3 pages and is attached to and a part of this Resolution;
3. This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING ON THIS 14th DAY OF August, 2024.

4827687v1

ATTEST:

_____

Tamara Melton
CITY CLERK

_____

Gene Brown
MAYOR

APPROVED AS TO FORM:

_____

Scott Rudacille
CITY ATTORNEY

4827687v1

POLICY & PROCEDURES FOR THE TAKING, RECORDING, MAINTENANCE, AND ARCHIVAL OF MEETING MINUTES

Approved by City Council – Resolution 24-63 dated August 14, 2024

PURPOSE: The purpose of this policy is to establish a uniform policy and procedures governing the taking, recording, maintenance and archival of meeting minutes of the Bradenton City Council ("Council") and all Citizen Advisory Boards ("Board") and to provide guidance to all personnel regarding best practices.

OVERVIEW: Section 286.011, Florida Statutes, requires that all meetings of any board or commission of a municipal corporation, at which official acts are to be taken and are open to the public; and further requires that minutes of any such board or commission be promptly recorded and shall be open to the public for inspection.

AUTHORITY: Authority has been granted by Council to enforce this Policy's administration as it relates to the City's procedures to be followed in the taking, recording, maintenance and archival of all meeting minutes.

PROCEDURES:

For Council meetings, the City Clerk is responsible for taking the meeting minutes. For Board meetings, the minutes will be taken by the City staff member outlined in the Code of Ordinances or governing board policy.

During a meeting, the person responsible for taking meeting minutes will use the Digital Court Player (DCR) system to make an audio recording of the meeting. The audio recording is made in order to verify any actions that may come into question at a later date. The recording is a verbatim record of the meeting.

The person responsible for taking minutes will transcribe the recording from the DCR system into a summary of the meeting. The purpose of the meeting minutes is to maintain an accurate, clear, and concise record of the events that took place during the meeting. Meeting minutes are **not** a verbatim transcript of what was said by the members, but rather a summarized record of what took place. The essential elements of meeting minutes include:

- Type of meeting (regular or special)
- Name of the Board
- Date, time, and location of the meeting
- The precise time the meeting begins
- Names and titles of Board members present
- Names and subject matter of all public participants
- All motions made and the disposition (vote of each member)
- A list of required actions and responsibilities

- Time of adjournment

Meeting minutes shall include the full name and title, if applicable, of those participating in the meeting including, Council or Board members, City staff, City Attorney, applicants, and their counsel or representative, and those providing public comment. The use of slang, jargon or informal words is not permitted.

Pursuant to Section 112.3143, Florida Statutes, all public officers are prohibited from voting on any measure which would inure to his or her benefit or the benefit of a relative or business associate. The statute also requires that any time a council member refrains from voting on a matter due to a conflict, he or she must disclose the nature of the conflict in the public record using the COE Form 8b, provide the form to the person responsible for the meeting minutes, and this form must be included in the official minutes. Any disclosure of a conflict shall be reflected in the meeting minutes.

Once a draft of the meeting minutes is complete, they shall be reviewed by the City Clerk or Chair of Board for review and approval and shall then be placed on the agenda for the next scheduled Council or Board meeting for approval. Once meeting minutes have been approved as published, the date the minutes were approved should be included in the document.

All meeting minutes are required to be kept permanently. Therefore, proper archival in a central location for all meeting minutes is essential for historical record keeping. This will also aid in more accurate and timely responses to public records requests relative to official records on file with the City.

As of the date of this Policy, the person responsible for taking, recording, maintenance and archival of meeting minutes for each meeting **must** be sure to save a copy the audio recording in DCR and the final approved minutes in Laserfiche as the central repository for ALL meeting minutes. In the “City Clerk” folder there is a folder entitled “Meeting Minutes” which contains sub-folders for each Board. City Council Meeting Minutes will continue to be stored in Laserfiche under City Clerk/City Council Minutes.

It is extremely important when importing the Minutes into Laserfiche, that the file is properly tagged and OCR’d so that it contains searchable text. This will allow the document to be found in the future using key words.

- Choose the folder in which the document will be saved
- Choose file > Import
- Find the document you wish to import
- Start on the “General” tab
- Choose appropriate parent folder from drop down menu

- Make sure all three boxes are checked (generate searchable test, index all pages, generate laserfiche pages)
- Next choose “Fields” tab
- Choose appropriate template from drop down menu
- Choose appropriate type from drop down menu
- Enter the date approved and/or finalized
- Choose appropriate status from drop down menu
- Include a brief statement on the topic
- Under “Tags” tab check the reviewed box
- Click “OK”

The City has implemented the process of using Granicus – Peak Agenda software (“Peak”) for preparation of agendas and posting of minutes to the City’s website. Once the minutes are approved by the Board, the person responsible for taking the minutes shall upload the document in PDF format through Peak platform to the City’s website.

AGENDA ITEM NO. 6.c

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Tamara Melton, Clerk

ITEM TYPE: Minutes

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Minutes from the May 22, 2024 City Council Meeting

SUGGESTED ACTION: Approval

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Minutes from the May 22, 2024 City Council meeting.

SUGGESTED MOTION:
Motion to approve the minutes from the May 22, 2024 City Council meeting.

ATTACHMENTS:
5-22-2024 City Council Meeting Minutes

CITY OF BRADENTON

CITY COUNCIL MEETING MINUTES

May 22, 2024
8:30 A.M.

The City of Bradenton City Council met in the City Hall Council Chamber, 101 Old Main Street, Bradenton, Florida, at 8:30 a.m. on Wednesday, May 22, 2024.

Present: Mayor Gene Brown; Councilwoman Ward I Jayne Kocher; Vice Mayor Ward II Marianne Barnebey; Councilman Ward III Josh Cramer; Councilwoman Ward IV Lisa Gonzalez Moore; and Councilwoman Ward V Pam Coachman.

City Officials: Rob Perry, City Administrator; Lance Williams, Chief Operating Officer; Joe Wiesman, Assistant Police Chief; Tim Geer, Fire Chief; Robin Singer, Planning and Community Development Director; Nilsa Taylor, Administrative Services Director; Karen Lanke, IT Director; Tamara Melton, City Clerk; and Scott Rudacille, City Attorney.

The pre-meeting invocation was led by Pastor Andy Hoffman with Bethel Church Bradenton.

(The City does not endorse the religious beliefs of any speaker.)

Mayor Brown called the meeting to order at 8:31 a.m.

PROCLAMATIONS:

Legislative: Code Enforcement Officers' Appreciation Week

Volker Reiss, Community Services & Code Compliance Manager, accepted the proclamation and gave recognition of training certificates within the group.

In turn, Council thanked Code Enforcement staff and recognized the importance of their training and commitment.

Legislative: Public Works Week

Ed and Susan Flowers, 2518 9th Avenue West, expressed their sincere thanks to a specific road crew that helped their elderly mother with dementia. Their mother wandered away from the home and was found by a City road crew who called for help and then returned her home.

Irvin Lee, Director of Public Works & Utilities, accepted the proclamation and appreciated the words spoken by Mr. and Mrs. Flowers. He applauded the entire department for being unsung heroes and their dedication. Lance Williams, Chief Operating Officer, thanked the department as a whole for their professionalism and hard work.

In turn, Councilmembers recognized how crucial their roles were in the operations of the City.

PRESENTATIONS:

Fire: Fire Department Employee Recognition

Tim Greer, Fire Chief, presented a plaque to Battalion Chief David Foxall and spoke about his many achievements during his career with the Bradenton Fire Department.

Battalion Chief Foxall spoke about his 30-year career and how thankful he was for working for the City and he let his crew know how appreciated they were.

In turn, Councilmembers commented on the Battalion Chief Foxall's integrity, professionalism, and leadership ability.

CITIZEN COMMENTS: None.

CONSENT AGENDA:

a) Administrative Services: Resolution 24-34 - Ellis Enterprises Bid Approval for State Housing Initiatives Partnership (SHIP) Housing Rehab Project
b) Administrative Services: Resolution 24-36 - Ellis Enterprises Bid Approval for State Housing Initiatives Partnership (SHIP) Housing Rehab Project
c) Administrative Services: Resolution 24-37 - Pinnacle Group Bid Approval for State Housing Initiatives Partnership (SHIP) Housing Rehab Project
d) City Administration: Resolution 24-44 - Revised Information Security Policy Guidelines and Agreement
e) City Administration: Resolution 24-45 - Revised Telework/Telecommute Program Policy and Procedures
f) Clerk: Minutes from the April 10, 2024 City Council Meeting
g) Clerk: Minutes from the May 8, 2024 City Council Meeting
h) Community Redevelopment Agency: Revised Public Art Loan and Display Agreement
i) Event Review Committee: Bishop Museum Celestial Affair Gala (Road Closure Only)
j) Event Review Committee: Bradenton Alive 4th of July Celebration
k) Event Review Committee: Law Enforcement Torch Run for Special Olympics
l) Event Review Committee: Music in the Park

MOTION TO APPROVE THE CONSENT AGENDA was made by Councilwoman Gonzalez Moore and seconded by Councilwoman Coachman. The motion passed 5-0.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS:

Tamara Melton, City Clerk, administered the oath to anyone that wished to speak during the following public hearings.

Planning & Community Development: Quasi-Judicial: RESOLUTION 24-20 - CONTINUATION OF PUBLIC HEARING

CONTINUATION OF PUBLIC HEARING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, GRANTING SPECIAL USE PERMIT NO. SU.24.0223 TO PERMIT AN INDOOR AMUSEMENT CENTER AND LOUNGE AT 412 12TH STREET WEST, BRADENTON, FLORIDA (PARCEL ID 3319300004), IN THE T5 TRANSECT ZONING DISTRICT AND MORE PARTICULARLY DESCRIBED HEREIN; MAKING FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Greg DeLong, Assistant Planning and Community Development Director, explained that since the previous continuation on the matter, the Agent Authorization Forms were corrected and stipulation 10 was added. He said the applicants agreed to the following stipulations:

1. Age limited to 21 and older after 8:00 p.m. daily, with signage on the front door depicting the regulation. After 8:00 p.m., patrons would be checked at the front door and wristbands given to those 21 and older.
2. Alcohol sales shall be limited to beer and wine only, no liquor sales. Receipts from alcohol sales shall not exceed 49% of the gross revenue.
3. Games shall be limited to pinball and video games with no simulated gambling machines.
4. No interior access to the adjoining same floor properties.
5. Front window will not be obscured with means that would block views into the establishment.
6. Signage and advertising shall not cover more than 1/3 of the total window area.
7. Work with the Community Development Agency (CRA) on Crime Prevention Through Environmental Design (CPTED) funding and with the Police Department on CPTED principles and safety strategies.
8. The Indoor Amusement Center use shall be the primary use of the property and encompass a majority of the floor area of the property.
9. The use shall close between the hours of 2:00 a.m. and 6:00 a.m.
10. Should the business close for a period of 30 days or longer, Special Use Permit (Resolution 24-20, Case SU.24.0223) shall become null and void. The 30-day closure requirement may be waived by City Council for good cause upon request by the applicant.

Councilwomen Barnebey was not comfortable with stipulation 9 regarding the operating hours. She requested changing the closing hours to 10:00 p.m. to 8:00 a.m. Councilman Cramer disagreed and asked for a compromise for the business to close at 12:00 a.m., instead of 10:00 p.m.

Rob Perry, City Administrator, spoke on recent events downtown and community safety.

Edgardo Pantoja, 1237 Riverscape Street, Applicant, felt business would be lost by changing the hours, but would agree to the revised stipulation.

The public hearing was opened. Those that wished to speak were invited to the podium and no one came. The public hearing was closed.

MOTION TO APPROVE RESOLUTION 24-20 WITH THE REVISION OF STIPULATION NUMBER NINE TO REFLECT THAT THE BUSINESS WOULD BE CLOSED BETWEEN THE HOURS OF MIDNIGHT AND 6:00 A.M. was made by Councilman Cramer and seconded by Councilwoman Coachman. The motion passed 4-1. Vice Mayor Barnebey voted no.

Planning & Community Development: Quasi-Judicial: RESOLUTION 24-28 - PUBLIC HEARING

A RESOLUTION OF THE CITY OF BRADENTON, FLORIDA, GRANTING SPECIAL USE PERMIT NO. SU.24.0894 TO PERMIT A DISTILLERY/BREWERY FOR PROPERTY LOCATED AT 1008 4TH AVENUE WEST, BRADENTON, FLORIDA (PARCEL ID 3291400004), IN THE T6 URBAN CORE TRANSECT ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Greg DeLong, Assistant Planning and Community Development Director, explained that the applicant submitted a Special Use application requesting approval to allow onsite distilling and brewing at the property located at 1008 4th Avenue West, otherwise known as the future location of Good Liquid

Distillery and Taproom Downtown. According to the submitted application materials, he continued, Good Liquids' business model was to produce craft beer and spirits with the offering of modern American food. Mr. DeLong explained the taproom would only serve beer and spirits produced by Good Liquid, but in order to operate the business under this model, two business licenses are required and those were a Brewer's Manufacturing License and a Distiller' License.

Staff Report:

> *"Based on Staff's findings in response to the review criteria established for a Special Use permit, Staff recommends Approval of Resolution 24-28; Case SU.24.0894, with the following conditions:*
>
> > *1. Onsite distilling equipment shall not produce batches in excess of 6-gallons or the equivalent of thirty (30) 750 mL bottles.*
> > *2. Onsite brewing equipment shall not produce batches in excess of 45-gallons.*
> > *3. Fire sprinkler system shall be designed for the storage of flammable liquids.*
> > *4. Still Room shall be upgraded to meet fire ratings.*
> > *5. Ventilation shall be upgraded to meet codes for flammable operations.*
> > *6. Any expansion and/or increase in production of onsite distilling/brewing shall require Special Use approval prior to commencement of said expansion and/or increase.*
>
> *The Planning Commission met on April 17, 2024, and recommended Approval of Resolution 24-28, Case SU.24.0894 with the aforementioned conditions (vote 5-0).*

Mr. Perry voiced parking concerns. Mayor Brown said he was not concerned with parking as the restaurant would be located in an urban area and patrons could utilize public parking throughout the downtown area.

Margaret Tusing, Senior Planner with ZNS Engineering and representative for the applicant, explained the proposed hours of operation were Monday through Thursday from 11:00 a.m. to 10:00 p.m.; Friday and Saturday 11:00 a.m. to 11:00 p.m.; and Sunday 11:00 a.m. to 9:00 pm. Ms. Tusing said the applicant agreed with all of the stipulations proposed by the City.

As it related to parking, the applicant, Ron Allen, explained that the patrons could utilize the parking garage above the restaurant or the public parking garage across the street.

The public hearing was opened. Those that wished to speak were invited to the podium and no one came. The public hearing was closed.

MOTION TO APPROVE RESOLUTION 24-28, CASE NUMBER SU.24.0894 AS PRESENTED was made by Councilwoman Kocher and seconded by Vice Mayor Barnebey. The motion passed 5-0.

Planning & Community Development: Quasi-Judicial: RESOLUTION 24-29 - PUBLIC HEARING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, GRANTING SPECIAL USE PERMIT NO. SU.24.0895 TO PERMIT A SIDEWALK CAFE WITH ALCOHOLIC BEVERAGE SALES FOR PROPERTY LOCATED AT 1008 4TH AVENUE WEST, BRADENTON, FLORIDA (PARCEL ID 3291400004), IN THE T6 URBAN CORE TRANSECT ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. DeLong explained that the owners of Good Liquid was requesting a sidewalk café with the sale of alcoholic beverages. He added the café would meet all Americans with Disabilities Act (ADA) requirements.

Staff Report:

> "*Based on staff's findings in response to the review criteria established for a Special Use permit, staff recommends approval of Resolution 24-29; Case SU.24.0985, with the following stipulations:*
>
> *1. An Indemnification Agreement shall be provided by the owner along with proof of liability insurance.*
> *2. Curb and sidewalk shall be extended to remove the existing curb cut with said extensions matching in style, color and pattern.*
> *3. Installation of bollards planters or along 4th Avenue West, with the planters or bollards approved by Bradenton Public Works.*
> *4. Bollards or planters and any plant material shall be properly maintained by the owner, with any damaged bollards or planters and dead/dying plant materials being removed and replaced.*
> *5. Any necessary right-of-way permits shall be obtained by the owner from Bradenton Public Works.*
> *6. Clear pedestrian access on the public sidewalk of no less than 5' shall be maintained at all times in a way that neither seating, tables, planters or umbrellas affect the ingress/egress of travel, the safety or pedestrian and traffic circulation.*
> *7. All seating, tables, and umbrellas shall be removed from the sidewalk and placed out of public view when the business is closed, or when an authorized agent of the city makes such request.*
> *8. The owner shall obtain all State licenses permitting the sale of alcohol as part of the sidewalk café.*
> *9. The sidewalk shall be cleaned at the end of every day. Any type of cleaning solution shall be approved by the Bradenton Public Works.*
> *10.The maximum number of tables allowed at the sidewalk café shall be five (5), and the maximum number of chairs to be twenty (20).*
>
> *The Planning Commission met on April 17, 2024, and recommended approval of Resolution 24-29, Case SU.24.0895 with the aforementioned conditions (vote 5-0)."*

Councilwomen Barnebey questioned whether bollards would be installed and if they would be permanent or removable. Mr. Allen spoke about stipulation 4. He made Council aware that he had been working with Community Redevelopment Agency (CRA) about grant assistance to install planters or bollards.

The public hearing was opened. Those that wished to speak were invited to the podium and no one came. The public hearing was closed.

MOTION TO APPROVE RESOLUTION 24-29, CASE NUMBER SU.24.0895 AS PRESENTED was made by Councilwoman Coachman and seconded by Councilman Cramer. The motion passed 5-0.

Planning & Community Development: Quasi-Judicial: RESOLUTION 24-30 - PUBLIC HEARING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, GRANTING SPECIAL USE PERMIT NO. SU.24.0887 TO PERMIT A MAXIMUM OF 10,190 SQUARE FEET OF PRIVATE SCHOOL USE LOCATED AT 817 MANATEE AVENUE WEST, BRADENTON, FLORIDA (PARCEL ID 3260500059 AND 3262300001), 805 MANATEE AVENUE WEST, BRADENTON, FLORIDA (PARCEL ID 3262000007), 520 8TH STREET WEST, BRADENTON, FLORIDA (PARCEL ID 3263800009), 814 6TH AVENUE WEST, BRADENTON, FLORIDA (PARCEL ID 3263500005), AND 9TH STREET WEST, BRADENTON, FLORIDA (PARCEL ID 32612000059) IN THE T6, URBAN CORE ZONING DISTRICT AND MORE PARTICULARLY DESCRIBED HEREIN; MAKING FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Monica Friedl, City Planner, explained the applicants requested permission to allow for a change of use to allow for an accelerated learning, academic high school at 817 Manatee Avenue West. She said the primary entrance would be on the southeast corner of property with a shared dumpster with the other businesses. Ms. Friedl noted the applicant proposed changes to stipulation b, in which to allow enrollment of students that are middle school age or older.

Staff Report:

> *"Based on staff's findings in response to the review criteria established for a Special Use permit, staff recommends Approval of Resolution 24-30, Case Number SU.24.0887, with the following conditions:*
>
> > *a. The maximum enrollment of the private school shall not exceed 180 students at any one session.*
> > *b. The private school shall be limited to enrollment of student's high school age or older.*
> > *c. A minimum of eighteen (18) on-site parking spaces shall be provided for the private school during all hours of operation of the school.*
>
> *On April 17, 2024, Planning Commission met and recommended approval with the noted stipulations of Resolution 24-30, Case SU.24.0887 (vote 5-1)."*

Councilwomen Coachman questioned whether students would be allowed to drive to the location and Councilwomen Moore was concerned with a car rider line due to heavy traffic congestion and the limited parking in the area.

Councilwomen Barnebey questioned whether selling or serving alcohol within 300' of the building would be an issue for future tenants nearby.

Kyle Grimes, Attorney with Grimes Hawkins Gladfelter & Galvano, P.L., explained the approval would only restrict establishments that incur 51% of sales in alcohol. Attorney Grimes said he spoke with City staff and the owners of Nine20 Manatee apartments and the planned use was for a restaurant that would not exceed 49% of alcohol sales.

Attorney Grimes explained approvals from the Manatee County School Board were received and added the school would service students that have the need for academic flexibility. As it related to the location, he said the centralized location was important because public transportation was the most common means of transportation.

Bill LeClair, 817 Manatee Avenue West, Regional Director with Accelerated Learning Solutions, explained the school would cater to students on the verge of dropping out and that the school would provide smaller learning environments.

Bill Galvano, Attorney with Grimes Hawkins Gladfelter & Galvano, P.L., explained the not-for-profit school was not a behavioral institute and that the student base would be voluntary.

The public hearing was opened. Those that wished to speak were invited to the podium and no one came. The public hearing was closed.

MOTION TO APPROVE RESOLUTION 24-30 WITH THE STATED CONDITIONS was made by Councilwoman Kocher and seconded by Councilwoman Coachman. The motion passed 4-1. Councilwoman Gonzalez Moore voted no.

Planning & Community Development: Quasi-Judicial: ORDINANCE 4039 - SECOND READING AND PUBLIC HEARING - APPLICANT REQUESTED A CONTINUANCE

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR AN AMENDMENT TO THE CITY OF BRADENTON LAND USE ATLAS; CHANGING ZONING FROM UV (URBAN VILLAGE) TO R-4 (MOBILE HOME) FOR APPROXIMATELY 9.6 ACRES OF LAND GENERALLY LOCATED EAST OF 16TH STREET WEST, SOUTH OF 21ST AVENUE WEST, NORTH OF 26TH AVENUE WEST, WEST OF 14TH STREET WEST, AND MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Melton announced that the applicant requested a continuance after staff had noticed the public hearing. Scott Rudacille, City Attorney, recommended opening the public hearing in the event the public wished to provide input.

The public hearing was opened and those that wished to speak were invited forward. No one came and the public hearing was closed.

MOTION TO CONTINUE THE PUBLIC HEARING FOR ORDINANCE 4039 TO A DATE NOT CERTAIN AND FOR THE PUBLIC HEARING TO BE RE-ADVERTISED ONCE THE DATE IS DETERMINED was made by Councilman Cramer and seconded by Councilwoman Coachman. The motion passed 5-0.

Police: ORDINANCE 4043 - SECOND READING AND PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, RELATING TO ENFORCEMENT OF SCHOOL ZONE SPEED LIMITS; CREATING A NEW SECTION 50-82; AUTHORIZING THE PLACEMENT AND INSTALLATION OF SPEED DETECTION SYSTEMS ON ROADWAYS MAINTAINED AS SCHOOL ZONES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Captain Brian Thiers and Paul Driscoll, Legal Adviser, explained legislation was passed in 2023, which allowed for counties and municipalities to institute a program for school speed zone enforcement cameras via an ordinance passed by Council.

Councilwomen Moore was concerned with citations being issued by cameras and not live officers. Mr. Driscoll explained that the statute allows for a citation to be issue for speeds more than 11 miles per hour over the posted speed limit.

Councilman Cramer explained the camera system would record video of before and after the event allowing officers to make the decision on whether to issue citations.

The public hearing was opened and those that wished to speak were invited forward. No one came and the public hearing was closed.

MOTION TO APPROVE ORDINANCE 4043 was made by Councilman Cramer and seconded by Councilwoman Coachman. The motion passed 4-1. Councilwoman Gonzalez Moore voted no.

Legal: ORDINANCE 4045 - SECOND READING AND PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON ESTABLISHING A LOCAL PROVIDER PARTICIPATION FUND; AUTHORIZING IMPOSITION OF ANNUAL NON-AD VALOREM SPECIAL ASSESSMENTS TO BE LEVIED, COLLECTED, AND ENFORCED AGAINST REAL PROPERTY OWNED OR LEASED BY PRIVATE FOR-PROFIT AND NOT-FOR-PROFIT HOSPITALS TO FUND THE NON-FEDERAL SHARE OF MEDICAID AND MEDICAID MANAGED CARE PAYMENTS BENEFITTING HOSPITALS PROVIDING HEALTHCARE SERVICES TO MEDICAID, INDIGENT, AND UNINSURED MEMBERS OF THE CITY OF BRADENTON COMMUNITY; SPECIFYING THE PROCEDURE FOR ADOPTING THE ANNUAL NON-AD VALOREM SPECIAL ASSESSMENTS TO BE DEPOSITED INTO THE LOCAL PROVIDER PARTICIPATION FUND; SPECIFYING AUTHORIZED USES FOR THE FUND PROCEEDS; AND PROVIDING AN EFFECTIVE DATE.

Colleen Ernst, Executive Vice President with Adelanto Healthcare Ventures, LLC, explained that there are very few reimbursement programs in Florida that assist hospitals serving the economically disadvantaged population. She said the set amount allowable by the state of Florida is $.60 on the dollar for Medicaid reimbursement and only 1% for charity care for most providers. However, she continued, there are additional programs available from the federal government.

Ms. Ernst explained that in 2021, the state of Florida implemented a way to bring the federal dollars back to Florida without adding a new tax burden onto individual citizens or non-hospital businesses. She said the program was designed to include special assessments levied by local governments imposed on non-public hospitals only. By collecting dollars through a special assessment, she continued, this will unlock funding that is matched by the federal government at $.80 cents on the dollar instead of $.60 through the state of Florida. She concluded that this special assessment would offset costs to the hospitals serving the economically disadvantaged population.

Ms. Ernst explained that the hospital will tax itself, send the funds to the City who will act as a passthrough, and then send to the state for qualification.

Mr. Perry announced that he and Scott Rudacille, City Attorney, had multiple meetings to make sure that the technical aspects of the ordinance protects the City as well as other types of liability and considerations.

Councilwomen Moore asked about data from other jurisdictions and their success with the program. Ms. Ernst said all of the participating hospitals in all jurisdictions have shown success.

The public hearing was opened and those that wished to speak were invited forward. No one came and the public hearing was closed.

MOTION TO APPROVE ORDINANCE 4045 was made by Councilman Cramer and seconded by Councilwoman Kocher. The motion passed 5-0.

Legal: ORDINANCE 4034 - SECOND READING AND PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING PART 1, CHARTER AND RELATED LAWS, SUBPART B, RELATED LAWS, ARTICLE IV, POLICE OFFICERS' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA; AMENDING SECTION 6, BENEFIT AMOUNT AND ELIGIBILITY; AMENDING SECTION 8, DISABILITY; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Mr. Perry explained Ordinance 4034 would raise the contribution rate from two and a half to three percent on an annualized basis for the Police Officers' Retirement System. He concluded that the effects were actuarily studied and certified to be of no significant consequence on the solvency of the pension fund itself.

The public hearing was opened and those that wished to speak were invited forward. No one came and the public hearing was closed.

MOTION TO APPROVE ORDINANCE 4034 was made by Councilman Cramer and seconded by Vice Mayor Barnebey. The motion passed 5-0.

The meeting was recessed at 11:34 a.m. and reconvened at 11:40 a.m.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY, AND COUNCIL:

City Administration: Surplus Property Bid - 2104 12th Avenue West, Bradenton, FL

Corey Fortin, Policy, Planning, Procedures, and Real Estate Administrator explained that staff advertised a Notice of Property for Sale and Invitation to Offer Proposals for Purchase of Real Property on 10 parcels of property which City Council declared as surplus. She said the notice was advertised on DemandStar, in the Bradenton Herald, and on the City's website. The deadline for submission of bids, she continued, was on May 6, 2024.

Ms. Fortin explained there was one bid with a proposed purchase price of $162,500 that was received within the required timeframe. She explained the property was acquired by the City of Bradenton by settlement in an inverse condemnation and the total cost of the settlement was approximately $390,000.00.

Ms. Fortin announced the appraisal valued the property at $280,000.00, and acceptance of this bid would result in a net loss to the City of more than $227,500. Based on this, she continued, staff recommended rejecting the offer and engaging a real estate broker to explore the market and spearhead sales efforts to dispose of the property at a price more consistent with the appraised value.

Councilwomen Kocher recommended engaging residential realtor who was very familiar with the Ware's Creek area.

MOTION TO REJECT THE CURRENT OFFER OF $162,000 AND DIRECT STAFF TO ENGAGE A RESIDENTIAL REAL ESTATE BROKER TO ADVERTISE THE SALE WITH MULTIPLE LISTING SERVICE (MLS) AND TO EXPLORE MARKETING AND SALES EFFORTS TO DISPOSE OF THE PROPERTY AT A PRICE CONSISTENT WITH THE APPRAISED VALUE, AND THE SALE WOULD BE SUBJECT TO COUNCIL APPROVAL was made by Councilman Cramer and seconded by Councilwoman Kocher. The motion passed 5-0.

City Administration: Resolution 24-46 - Capital Improvement Non-Ad Valorem Revenue and Refunding Bonds, Series 2024

Mr. Perry explained the Capital Development Plan addressed Public Safety type of projects as a priority. Included in the plan, he continued, was to build a Police Station, Fire Station 2, and the Public Safety Operation Center (PSOC) forward operating platform.

Mr. Perry announced staff requested Julie Santa Maria, Director of PFM Financial Advisors LLC, review the City's funding reserves and budget.

Ms. Santa Maria presented information on the issuance of a $35,000,000 bond for the public safety construction projects as well as $4,100,000 to refinance the CRA Series 2011 Bonds for debt service savings. She said the City of Bradenton continues to have a very strong financial position and is rated among the highest rating categories.

Ms. Santa Maria explained the requested action was approve Resolution 24-46 authorizing the issuance of Capital Improvement Non-Ad Valorem Revenue and Refunding Bonds, Series 2024, up to $42,000,000. She added the attachments to Resolution 24-46 provided the legal details and financial covenants for the bonds as well as delegated authority to the Mayor and City Administrator to award the bonds if certain parameters are met.

MOTION TO APPROVE RESOLUTION 24-46 AUTHORIZING THE ISSUANCE OF CAPITAL IMPROVEMENT NON-AD VALOREM REVENUE AND REFUNDING BONDS, SERIES 2024, FOR AN AMOUNT NOT TO EXCEED $42,000,000 was made by Vice Mayor Barnebey and seconded by Councilman Cramer. The motion passed 5-0.

UNFINISHED BUSINESS:

City Administration: Agreement of Purchase and Sale between Tropicana Manufacturing Company, Inc. and the City of Bradenton

Mr. Perry explained the Purchase and Sale Agreement would authorize the purchase of two tracks of land totaling 32 acres on 9th Street East and 301 Boulevard at the purchase price of $5,250,000.

Mr. Perry announced the intended use for the property would be to relocate the Public Works Department to allow the City Park project to move forward in redeveloping the area around 9th Street West. He said the Purchase and Sale Agreement includes a 120-day diligence period for environmental studies.

Councilwomen Barnebey felt that the current Public Works Annex was outdated and not a usable space.

Councilwomen Gonzalez Moore requested that staff bring back any due diligence prior to the expiration of the inspection period and requested additional language be added to Section 6.2.

Scott Rudacille, City Attorney, noted Section 6.2. includes the option for the City to extend the inspection period by an additional 60 days and he would add language to clarify that the deposit would be returned to the purchaser if the contract was terminated during the extended inspection period.

Councilwomen Kocher inquired if the buyer would pay the cost for title. Mr. Rudacille explained those costs were not a part of negotiations, however, could be negotiated between parties.

MOTION TO APPROVE THE AGREEMENT OF PURCHASE & SALE BETWEEN TROPICANA MANUFACTURING COMPANY, INC. AND THE CITY OF BRADENTON WITH THE ADDITIONAL LANGUAGE ADDED UNDER SECTION 6.2. was made by Vice Mayor Barnebey and seconded by Councilwoman Kocher. The motion passed 5-0.

Change Order for Public Safety Operations Center (PSOC)

Lance Williams, Chief Operating Officer, requested a change order approval for the City's PSOC facility in the amount of $127,905.50. He explained that staff was still negotiating with the Construction Manager At Risk (CMAR), however, he was requesting approval for the full amount.

Councilwomen Moore felt some of the money should come out of the contingency fund.

Mayor Brown stressed the need for the project to move forward and said staff were doing their best to keep the cost for the extra items at a minimum.

Councilwomen Kocher asked if the increase in pricing was direct or if there was markup by the contractor. Mr. Williams confirmed there was a markup on all the estimated prices.

Councilwomen Moore reiterated her stance that the funds should come out of the contingency fund. She said that the City will not just say yes to rising prices just because projects were nearing completion.

MOTION TO AUTHORIZE STAFF TO PAY THE CONTRACTOR UP TO $127,905.50 FOR THE ADDITIONAL CHANGE ORDER ITEMS FOR THE PUBLIC SAFETY OPERATIONS CENTER was made by Councilwoman Coachman and seconded by Councilwoman Kocher. The motion passed 5-0.

COUNCIL REPORTS:

Councilwoman Ward V Pam Coachman: Councilwoman Coachman announced the refurbishment of Love Park was underway.

Councilwoman Ward I Jayne Kocher: Councilwoman Kocher wished everyone a happy and safe Memorial Day weekend and hoped all realize that our freedom was not free and to please celebrate and be grateful.

Vice Mayor and Councilwoman Ward II Marianne Barnebey: Vice Mayor Barnebey reminded everyone that school is coming to an end and more kids will be outside playing. She then congratulated all graduates from the class of 2024.

She echoed Councilwoman Kocher's sentiments about Memorial Day and said on May 27, 2024 at 3:00 p.m. thousands of people would participate by playing taps on their devices in remembrance.

Councilman Ward III Josh Cramer: Councilman Cramer also congratulated all graduates and announced he spoke to 4th grade classes about his service on City Council.

Councilwoman Ward IV Lisa Gonzalez Moore: Councilwoman Gonzalez Moore was pleased to announce that she attended the Tampa Bay Regional Planning Council.

Councilwoman Gonzalez Moore thanked Mr. Perry for organizing the tour for the Manasota League of Cities and was excited to share information about the City of Bradenton.

Mayor Brown was excited about events on Memorial Day, and said he was attending an event where he would be introducing the keynote speaker, Mayor Shirley Groover Bryant, Mayor of Palmetto, who was retiring.

Mayor Brown also thanked service members for their sacrifices and thanked staff for all their hard work.

Mr. Perry congratulated Fire Department Assistant Chief, Brian Canaday, for obtaining his Master's Degree from the University of Florida.

DEPARTMENT HEAD REPORTS: None.

Mayor Brown adjourned the meeting at 12:56 p.m.

NOTE: This is not a verbatim record. An audio recording of the meeting is available upon request.

AGENDA ITEM NO. 6.d

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Tamara Melton, Clerk

ITEM TYPE: Minutes

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Minutes from the June 12, 2024 City Council Meeting

SUGGESTED ACTION: Approval

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Minutes from the June 12, 2024 City Council Meeting

SUGGESTED MOTION:
Motion to approve the minutes from the June 12, 2024 City Council meeting.

ATTACHMENTS:
6-12-2024 City Council Meeting Minutes

CITY OF BRADENTON

CITY COUNCIL MEETING MINUTES

June 12, 2024
8:30 A.M.

The City of Bradenton City Council met in the City Hall Council Chamber, 101 Old Main Street, Bradenton, Florida, at 8:30 a.m. on Wednesday, June 12, 2024.

Present: Mayor Gene Brown; Councilwoman Ward I Jayne Kocher; Vice Mayor Ward II Marianne Barnebey; Councilwoman Ward IV Lisa Gonzalez Moore; and Councilwoman Ward V Pam Coachman.

City Officials: Rob Perry, City Administrator; Lance Williams, Chief Operating Officer; Tim Geer, Fire Chief; Robin Singer, Planning and Community Development Director; Nilsa Taylor, Administrative Services Director; Karen Lanke, IT Director; Tamara Melton, City Clerk; and Scott Rudacille, City Attorney.

Councilman Josh Cramer was excused.

The pre-meeting invocation was led by Vice Mayor Ward II Marianne Barnebey.

(The City does not endorse the religious beliefs of any speaker.)

Mayor Gene Brown called the meeting to order at 8:30 a.m.

PROCLAMATIONS:

Legislative: Charles Clapsaddle Month

Charles Clapsaddle, Station Manager with Manatee Educational Television (METV), accepted the proclamation. He introduced his colleagues and thanked the Councilmembers for their efficient, effective work and communication. He spoke about how well the board works together and how wonderful it was to work with City staff over the years.

In turn, Councilmembers expressed their appreciation for his dedication to the City and for the education and entertainment about Manatee County.

Legislative: World Elder Abuse Awareness Day

Detective Curulla and Officer McNeil with the Bradenton Police Department Elder Fraud Unit, thanked Council for the proclamation. They provided information about the history of elder fraud in the City and the State of Florida. They then explained how the department contacts the elderly to provide guidance and information about elder fraud.

Mayor Brown talked about a collaboration with Manatee County for this program and discussed the importance of education to the elderly. Councilmembers echoed sentiments about financial exploitations and how prolific this epidemic was.

PRESENTATIONS: None.

CITIZEN COMMENTS: None.

CONSENT AGENDA:

a) Administrative Services: Resolution 24-38 - Pinnacle Group Bid Approval for State Housing Initiatives Partnership (SHIP) Housing Rehab Project
b) Administrative Services: Resolution 24-40 - Pinnacle Group Bid Approval for State Housing Initiatives Partnership (SHIP) Housing Demolition/Reconstruction Project
c) City Administration: Resolution 24-24 - Policy and Procedures Governing Review and Approval of Installation and/or Modification of Telecommunication Towers and Equipment on City Elevated Water Tanks and Adjacent Areas and Lease Agreements for Equipment
d) City Administration: Resolution 24-55 - Revised Emergency Operations Implementation and Emergency Pay Policy and Procedures
e) City Administration: Interlocal Agreement (ILA) between the City of Bradenton and the Community Redevelopment Agency for Repayment
f) Event Review Committee: Mattison's Request for Parking Space Closure
g) Police: Interlocal Agreement (ILA) between the City of Bradenton and Manatee County for the County owned Administration Center Parking Garage located at 414 10th Street West, Bradenton, Florida 34205
h) Police: Forfeiture Funds Expense Request
i) Public Works & Utilities: Amendment to the Traffic Signal Maintenance and Compensation Agreement
j) Public Works & Utilities: Manatee Gardens Sidewalk Replacement Work Assignment Expenditure
k) Public Works & Utilities: River Isles Sidewalk Replacement Work Assignment Expenditure
l) Public Works & Utilities: State Highway Lighting Maintenance and Compensation Agreement Work Order
m) Public Works & Utilities: Wastewater Treatment Plant Clarifier 4 Construction Expenditure
n) Public Works & Utilities: Water Treatment Plant Sludge Lagoons Work Assignment Expenditure
o) Purchasing: PB-21-10KC Contract Extension with GML Coatings LLC
p) Purchasing: PB-22-036NT Second Contract Extension with Kemira Water Solutions, Inc.
q) Purchasing: RFP #22-031NT Second Contract Extension with Ceres Environmental Services, Inc.
r) Purchasing: RFP #22-031NT Second Contract Extension with DRC Emergency Services, LLC.

MOTION TO APPROVE THE CONSENT AGENDA EXCEPT FOR ITEMS M AND N was made by Vice Mayor Barnebey and seconded by Councilwoman Kocher. The motion passed 4-0. Councilman Cramer was excused.

As it related to Items m and n, Vice Mayor Barnebey discussed the issues at the Wastewater Treatment Plant and the importance of the modifications being done there. Rob Perry, City Administrator, agreed and explained the history of Item m and how the reclamation facility treats the water.

MOTION TO APPROVE CONSENT AGENDA ITEMS M AND N was made by Vice Mayor Barnebey and seconded by Councilwoman Coachman. The motion passed 4-0. Councilman Cramer was excused.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS:

Planning & Community Development: Quasi-Judicial: ORDINANCE 4040 - FIRST READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 40-FOOT WIDE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ADAMS ANEX TO BRAIDENTON SUBDIVISION, RECORDED IN BOOK 1, PAGE 158, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

The second reading and public hearing for was scheduled for July 24, 2024.

Planning & Community Development: Quasi-Judicial: ORDINANCE 4041 - FIRST READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 60-FOOT WIDE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ROESCH'S SUBDIVISION, RECORDED IN BOOK 1, PAGE 142, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 2ND STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 1ST STREET; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

The second reading and public hearing for was scheduled for July 24, 2024.

Planning & Community Development: Quasi-Judicial: ORDINANCE 4042 - FIRST READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 15-FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF ROESCH'S SUBDIVISION, RECORDED IN BOOK 1, PAGE 142, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

The second reading and public hearing for was scheduled for July 24, 2024.

Planning & Community Development: Quasi-Judicial: ORDINANCE 4046 - FIRST READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING AN 8-FOOT WIDE PORTION OF 8TH AVENUE WEST (SOUTH STREET) AS SHOWN ON THE PLAT OF BLACK BEAR PARK SUBDIVISION, RECORDED IN BOOK 1, PAGE 283, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

The second reading and public hearing for was scheduled for July 24, 2024.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY, AND COUNCIL:

Public Works & Utilities: Approval to Utilize the Continuing Services Contract with Applied Sciences for City Park Master Planning

Mr. Perry explained City Park concept and the potential redevelopment of the area. He said the City went through the CCNA selection process using the City's continuing services library to select Applied Sciences for the Master Plan development for the City Park site.

The meeting was recessed at 9:21 am and reconvened at 9:25 am

Mr. Perry asked for approval to select Applied Sciences for master planning and stormwater engineering for the City Park project.

MOTION TO UTILIZE THE APPLIED SCIENCES CONTINUING SERVICES CONTRACT AND APPROVE THE EXPENDITURE FOR DEVELOPMENT SERVICES FOR THE CITY PARK MASTER PLAN AND CITY PARK STORMWATER ENGINEERING was made by Councilwoman Coachman and seconded by Vice Mayor Barnebey. The motion passed 4-0. Councilman Cramer was excused.

Public Works & Utilities: Bradenton Police Headquarters Water Line Relocation and Stormwater Installation Work Assignment Expenditure

Mr. Perry explained the project would relocate the existing 24" water main at the proposed new Bradenton Police Department Headquarters site. Because the water main cannot be maintained underneath the proposed building, he continued, the main would need to be relocated and the storm water work would be installed at the same time.

MOTION TO APPROVE THE WORK ASSIGNMENT EXPENDITURE FOR WATER LINE RELOCATION AND STORMWATER INSTALLATION WORK AT THE NEW BRADENTON POLICE DEPARTMENT HEADQUARTERS, UTILIZING PIGGYBACK CONTRACT PB-23-007KC was made by Vice Mayor Barnebey and seconded by Councilwoman Coachman. The motion passed 4-0. Councilman Cramer was excused.

UNFINISHED BUSINESS: None.

COUNCIL REPORTS:

Councilwoman Ward I Jayne Kocher: Councilwoman Kocher urged the public to be safe because of the extreme heat and also to be patient for the City's Solid Waste staff working in those conditions.

Vice Mayor and Councilwoman Ward II Marianne Barnebey: Vice Mayor Barnebey was pleased that the ongoing project along Riverview Boulevard was coming to an end and asked residents for patience.

Vice Mayor Barnebey asked everyone to join in to sing Happy Birthday to the Mayor Brown.

Councilwoman Ward V Pam Coachman: Councilwoman Coachman wished everyone a Happy Father's Day and said there were several Juneteenth celebrations scheduled. She said Dr. Sharon Jefferson organized a celebration on June 22, 2024 from 2:00 p.m. until 7:00 p.m.

Councilwoman Coachman announced the Bradenton Nine Devils Tribute Night was scheduled for July 12, 2024 at LECOM field and was excited to throw the first pitch.

Councilwoman Ward IV Lisa Gonzalez Moore: Councilwoman Gonzalez Moore spoke about her excitement for the Elder Abuse Program and would like to schedule community outreach in the future.

Councilwoman Gonzalez Moore invited Alana Todd, Principal Environmental Planner with the Tampa Bay Regional Planning Council (TBRPC), to the podium. Ms. Todd announced the TBRPC would like to collaborate with the City on two different opportunities. She said one was to review stormwater projects and the second was identify grants to develop a Coastal Master Plan for the Tampa Bay region. She requested the City of Bradenton provide a letter of support for the project.

Councilwoman Gonzalez Moore also discussed the heat and conditions for Solid Waste staff. She said after speaking with Lance Williams, Chief Operating Officer, it was brought to her attention that at least eight staff members were having some sort of heat related illnesses.

Mayor Gene Brown: Mayor Brown thanked City staff for what they do every day and for their positiveness throughout the City.

Mayor Brown said the Tourist Development Council (TDC) would be meeting on June 17, 2024 to request a bigger boat for a water taxi. He was hopeful there would be additional landings at Holmes Beach and Coquina Beach.

Mayor Brown announced that prior to the July 3, 2024, Bradenton Marauders' game, there would be the Bradenton Baseball Mayor's Classic hot dog eating contest. He added there will be an event at Rossi Park on July 4, 2024 that would conclude with a fireworks display.

DEPARTMENT HEAD REPORTS: None.

Mayor Brown adjourned the meeting at 10:37 a.m.

NOTE: This is not a verbatim record. An audio recording of the meeting is available upon request.

AGENDA ITEM NO. 6.e

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Tamara Melton, Clerk

ITEM TYPE: Minutes

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Minutes from the August 2, 2024 City Council Emergency Meeting

SUGGESTED ACTION: Approval

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Minutes from the August 2, 2024 City Council emergency meeting.

SUGGESTED MOTION:
Motion to approve the minutes from the August 2, 2024 City Council emergency meeting.

ATTACHMENTS:
8-2-2024 City Council Emergency Meeting Minutes

CITY OF BRADENTON

CITY COUNCIL EMERGENCY MEETING MINUTES

August 2, 2024
10:00 A.M.

The City of Bradenton City Council met in the City Hall Council Chamber, 101 Old Main Street, Bradenton, Florida, at 10:00 a.m. on Friday, August 2, 2024.

Present: Mayor Gene Brown; Councilwoman Ward I Jayne Kocher; Vice Mayor Ward II Marianne Barnebey; Councilman Ward III Josh Cramer; Councilwoman Ward IV Lisa Gonzalez Moore; and Councilwoman Ward V Pam Coachman.

City Officials: Rob Perry, City Administrator; Lance Williams, Chief Operating Officer; Tim Geer, Fire Chief; Melanie Bevan, Police Chief; Nilsa Taylor, Administrative Services Director; Karen Lanke, IT Director; Tamara Melton, City Clerk; and Scott Rudacille, City Attorney.

(The City does not endorse the religious beliefs of any speaker.)

Mayor Gene Brown called the meeting to order at 10:00 a.m.

Rob Perry, City Administrator, provided an update on the weather event known as Invest 97L that was headed towards the Gulf of Mexico. He said according to the National Weather Service, the storm was expected to turn into a tropical storm and City staff have begun preparing for the storm.

Mr. Perry announced Manatee County Emergency Management began a Level 2 activation and City staff planned to hold a meeting on August 3, 2024 at 10:45 a.m. to begin a Level 2 activation as well.

EMERGENCY DECLARATION

a) Resolution 24-69 for Invest 97L

MOTION TO APPROVE RESOLUTION 24-69 was made by Councilman Cramer and seconded by Vice Mayor Barnebey. The motion passed 5-0.

Mayor Brown adjourned the meeting at 10:10 a.m.

NOTE: This is not a verbatim record. An audio recording of the meeting is available upon request.

AGENDA ITEM NO. 6.f

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Kelly Thomas, Event Review Committee

ITEM TYPE: Special Event

AGENDA SECTION: CONSENT AGENDA

SUBJECT: BAM! Bradenton Art and Music

SUGGESTED ACTION: Event Review Committee recommends approval with the following stipulations:
Compliance of all COB Special Event Standards
21 Port-o-Lets Onsite
6 BPD Extra Duty Officers Onsite (split shift)
3 COB Sanitation Staffers Onsite

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Realize Bradenton is requesting approval for their special event application, BAM! Bradenton Art & Music to be held April 5, 2025, at Riverwalk Park. The event will utilize the amphitheater, pavilion area, great lawn, volleyball courts, outdoor living room area and Tower Plaza. The event will run from 11 a.m.-8:30 p.m. with an expectation of up to 5,000 in attendance.

The event offers live music, strolling artists, interactive art, murals, vendor area, 2 beer gardens and street performers.

SUGGESTED MOTION:
Motion to approve the BAM! Bradenton Art and Music event with the recommended stipulations.

ATTACHMENTS:
BAM! Application and Site Plan

SPECIAL EVENT PERMIT APPLICATION

Application Information

Organization Name: Realize Bradenton

Date of Application: 4/18/24

Contact Name: Kristie Kindstrom

Contact Phone 1: 941-718-0114

Contact Email: kristie@realizebradenton.com

Contact Phone 2: _____

Address: 1015 Manatee Ave W.

City: Bradenton

State: FL

Zip: 34205

Event Information

Name of Event: BAM! Bradenton Art + Music

Event Date: 4/5/25

Purpose of Event: Community event to bring people together

Description of Event: Performing, visual, literary arts festival

Event Location: Riverwalk Areas

If the event is to be held on the Riverwalk, please check the area(s) to be used.

- ✓ Mosaic Amphitheater
- ✓ Pavilion Area
- ✓ Great Lawn
- Regatta Plaza
- ✓ Parking Lot Areas
- ✓ Tower Plaza
- Skate Park
- ✓ Outdoor Living Room
- Botanical Gardens
- ✓ Volleyball Courts
- Other (specify): _____

	Date	Day	Start Time	End Time	Anticipated Attendance
Setup	4/5/25	Saturday	8:00am	11:00am	
Event Day 1	4/5/25	Saturday	11:00am	8:30pm	5000
Event Day 2					
Event Day 3					
Break Down	4/5/25	Saturday	8:30pm	10:30pm	

Number of years event has been held: 0

Past Attendance: N/A

(03/2022)

Is there a fee to attend the event? (Yes) No Is the event open to the public? (Yes) No

Will any tents be used for the event? (Yes) No TBD

Tent Size	Number of Tents	Tent Location
Large		

Note: Tents must be weighted and stakes are prohibited. Tents larger than 10'x10' require an additional permit.

Will a stage be used for the event? (Yes) No Pavilion

Will the event require electricity? (Yes) No Type of electrical power: _____

Will a generator be used? Yes No Size of generator: _____

Will gas equipment be used? Yes No Type of fuel source: _____

Vendor Information

Will the event offer food? (Yes) No

Where will the food be prepared? Vendors + Food Trucks

Will cooking equipment be used? (Yes) No

Method/type of cooking equipment

Charcoal grills ✓Food trucks Fryers Propane grills Warmers/Sternos

Will there be alcohol at the event? (Yes) No

Note: Alcohol will require an additional permit.

Event Entertainment

Will the event feature entertainment? (Yes) No

Will amplified sound equipment be used? (Yes) No

Will musical entertainment be used? (Yes) No

Please describe any type of entertainment and sound equipment.

Live Music w/ soundsystem + lights on Pavilion and Amphitheater

Are fireworks planned? Yes (No) Note: Fireworks will require an additional permit.

Are live animals planned to be at the event? Yes (No)

Describe any additional event activities.

Live Art, Community Mural, Interactive Art, Live Music + Performances, Street Performers

(03/2022)

Event Housekeeping

CITY SERVICES REQUESTED

Electricity Needed? (Yes) No

Solid Waste Service? (Yes) No

Contact: Electrical Department (941) 465-4923 and/or Sanitation (941) 708-6342

TEMPORARY SANITARY/PORTABLE TOILETS

Will temporary sanitary facilities be provided? (Yes) No

Please indicate how many and location on required site plan. TBD

Event Security

NOTICE OF PUBLIC SAFETY NOTICE FOR SECURITY AND TRAFFIC CONTROL:

Bradenton Police Department security is required when alcoholic beverages are present, when closure of a public street is necessary, when large crowds are in attendance, or in any other situation as deemed necessary by the Bradenton Police Department. The number of personnel required is determined by the Bradenton Police Department and wages are payable by applicant.

Contact Bradenton Police Department Extra-Duty Employment Coordinator, Brenda Lovett, at 941-932-9317 or Brenda.Lovett@BradentonPD.com to discuss security requirements.

Street Closure

Is street closure requested? (Yes) No Note: Please complete the Street Closure Form.

Parking lot area only

Application Review

During the application review by the Event Review Committee, additional conditions may be imposed. This permit is valid only for the time indicated on this application. In the event that the applicant fails to fulfill the requirement(s) (as set forth in the permit) or fails to obtain proper authorization to proceed, if conditions have changed, or the expected outcomes, impacts, or conditions are substantially altered, then the permit will be voided immediately by authorized city personnel.

A non-refundable application fee of $25 shall be paid at the time of application. Rental fees and damage deposits will be paid following approval of the event request.

Please return application, rental contract, and site plan to Events at City of Bradenton, 101 Old Main Street, Bradenton, FL 34205 or via email to Events@bradentonFL.gov.

Rental Contract

All event organizers must read and sign the Rental Contract before the event permit is issued.

Levels of sound, music, and noise produced at the authorized event shall adhere to the city noise ordinance. If, at any time, a City of Bradenton law enforcement officer determines that this standard has been violated, said officer shall have the authority to require the event organizer, or any agent thereof, to take all necessary and appropriate actions to prevent further violations of this standard. If the event organizer or any agent thereof fails to obey the orders of the law enforcement officer, event organizer will be required to present any future events to City Council for review prior to approval.

The event organizer has been informed that all events at Riverwalk Park, including non-musical events, must be completely closed by 10:00 p.m. If any event wishes to continue past 10:00 p.m. Special City Council approval is required.

I, Kristie Kindstrom, applicant/event organizer for BAM (event), scheduled for (date&hours), 4/5/25, from 8am to 930am, hereby agrees to all conditions and regulations set forth in the event guide, application, and contract as adopted by City Council.

Hours
4/5/25
8-11am setup
11am-830 Event pm
830-1030 Breakdown

Kristie Kindstrom
Signature of Applicant/Event Organizer

Realize Bradenton
Organization

Kristie Kindstrom
Typed or Printed Name and Title

4/29/2024
Date

RELEASE AND WAIVER OF LIABILITY AND INDEMNITY

I, the undersigned, will indemnify, defend, and hold harmless the City of Bradenton, its agents, employees, officers, and any and all other associated, from and against any and all actions, in law or in equity, from liability or claims for damages, demands, or judgement to any person or property which may result now or in the future from the conduct of this event.

The undersigned agrees to abide by all Event Approval Standards set forth in the guide (see pages 7 to 9).

The undersigned has read and voluntarily signed the Release and Waiver of Liability and Indemnity Agreement, and further agrees that no oral representations, statements, or inducements apart from the foregoing written agreement have been made.

Kristie Kindstrom
Signature of Applicant/Event Organizer

Realize Bradenton
Organization

Kristie Kindstrom - Events Mgr.
Typed or Printed Name and Title

4/29/2024
Date

(03/2022)

CITY OF BRADENTON
SPECIAL EVENT REQUEST
FOR TEMPORARY CLOSING OF CITY STREET(S)

Name of Requestor: Kristie Kindstrom

Name of Organization: Realize Bradenton

Street Address: 1015 Manatee Ave. W

City: Bradenton State: FL Zip: 34205

Telephone: 941-718-0114 Email: Kristie@realizebradenton.com

Name of Event: _____

Start Date: 4/5/2025 End Date: 4/5/2025 Start Time: 8am End Time: 10:30pm

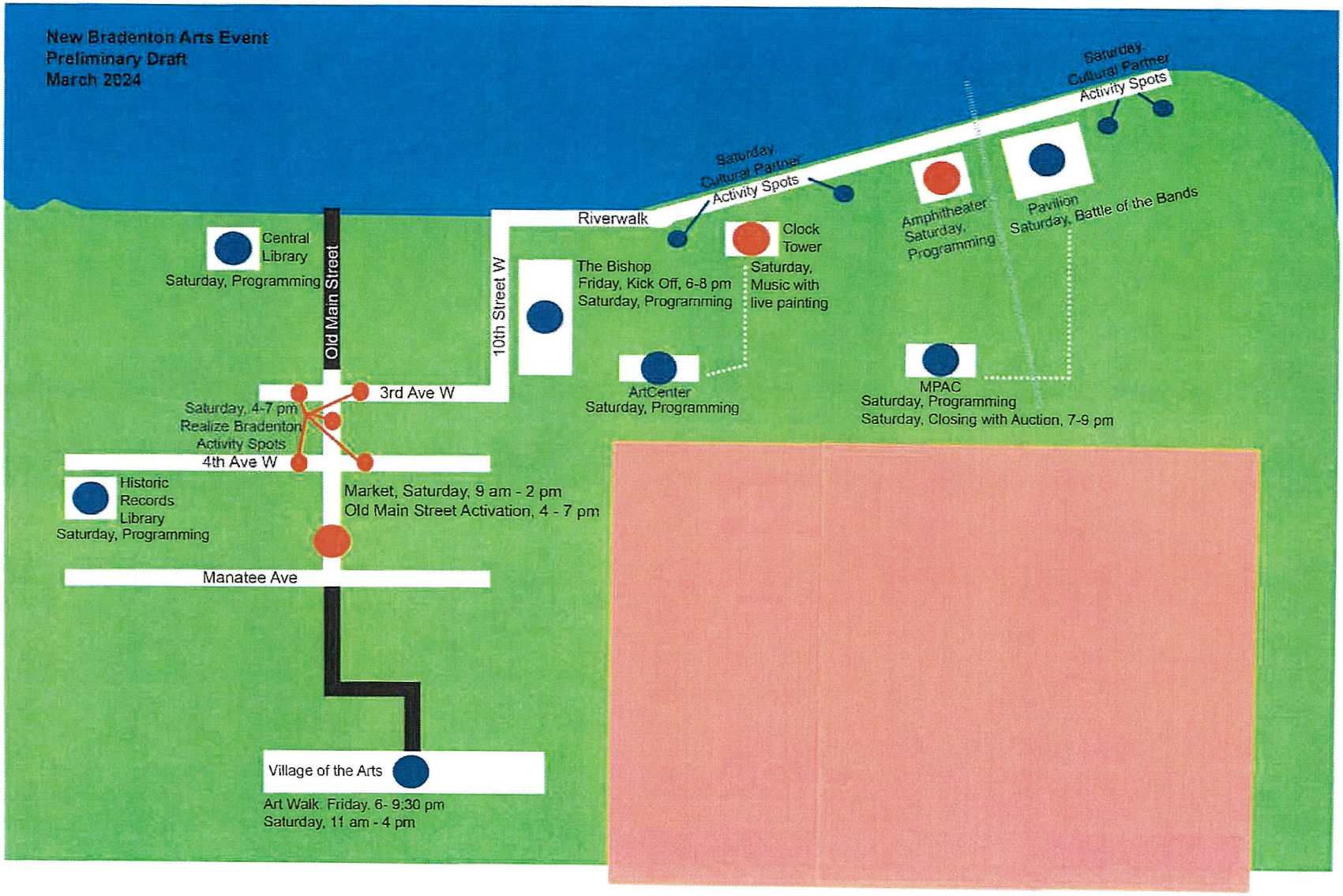
Proposed roads to close (specific locations, include map):

Rossi Park Parking Lot

Proposed detour route (include alternative road and map):

Additional notes and comments:

(03/2022)


New Bradenton Arts Event
Preliminary Draft
March 2024
Saturday, Cultural Partner Activity Spots
Riverwalk
Saturday, Cultural Partner Activity Spots
Amphitheater Saturday, Programming
Pavilion Saturday, Battle of the Bands
Central Library
Saturday, Programming
Old Main Street
10th Street W
Clock Tower
Saturday, Music with live painting
The Bishop
Friday, Kick Off, 6-8 pm
Saturday, Programming
3rd Ave W
ArtCenter
Saturday, Programming
MPAC
Saturday, Programming
Saturday, Closing with Auction, 7-9 pm
Saturday, 4-7 pm
Realize Bradenton Activity Spots
4th Ave W
Historic Records Library
Saturday, Programming
Market, Saturday, 9 am - 2 pm
Old Main Street Activation, 4 - 7 pm
Manatee Ave
Village of the Arts
Art Walk. Friday. 6- 9:30 pm
Saturday, 11 am - 4 pm

AGENDA ITEM NO. 6.g

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Kelly Thomas, Event Review Committee

ITEM TYPE: Special Event

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Paws in Motion Walk-a-thon and Festival

SUGGESTED ACTION: Event Review Committee recommends approval with the following stipulations:
Compliance of all COB Special Event Standards
1 BPD Extra Duty Officer Onsite
1 COB Sanitation Staffer Onsite

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Humane Society of Manatee County is requesting approval of their special event application for Paws in Motion Walk and Fest to be held 03/15/25 at Riverwalk Pavilion and parking area. The event will feature a 1-mile dog walk with dog related activities. There will be music, vendors and food trucks onsite. They have an expectation of 300 participants.

SUGGESTED MOTION:
Motion to approve the Paws in Motion Walk-a-thon and Festival with the recommended stipulations.

ATTACHMENTS:
Paws in Motion Walk-a-thon and Festival Application and Site Plan

SPECIAL EVENT PERMIT APPLICATION

Application Information

Organization Name: Humane Society of Manatee County Date of Application: 7/9/24

Contact Name: Samantha Harris Contact Phone 1: 941-747-8808 x315

Contact Email: events@humanemanatee.org Contact Phone 2: 941-757-7741

Address: 2515 14th St. West

City: Bradenton State: FL Zip: 34205

Event Information

Name of Event: Paws in Motion Walk-a-thon & Festival Event Date: 3/15/25

Purpose of Event: Fundraiser for HSMC's Animal Shelter

Description of Event: 1-mile walk along riverwalk, vendors, dog-related Activities

Event Location: Rossi Park/Splashpad

If the event is to be held on the Riverwalk, please check the area(s) to be used.

Mosaic Amphitheater	(Pavilion Area)	Great Lawn
Regatta Plaza	(Parking Lot Areas)	Tower Plaza
Skate Park	Outdoor Living Room	Botanical Gardens
Volleyball Courts	Other (specify):	

	Date	Day	Start Time	End Time	Anticipated Attendance
Setup	3/15/25	Saturday	8:30am	9:00am	50
Event Day 1	3/15/25	Saturday	9:00am	1:00pm	300
Event Day 2					
Event Day 3					
Break Down	3/15/25	Saturday	1:00pm	2:30pm	30

Number of years event has been held: 18 years Past Attendance: 200

(03/2022)

Is there a fee to attend the event? (Yes) No Is the event open to the public? (Yes) No

Will any tents be used for the event? (Yes) No

Tent Size	Number of Tents	Tent Location
10 x 10	50	lawn Area

Note: Tents must be weighted and stakes are prohibited. Tents larger than 10'x10' require an additional permit.

Will a stage be used for the event? Yes (No)

Will the event require electricity? (Yes) No Type of electrical power: outlets

Will a generator be used? Yes (No) Size of generator: _____

Will gas equipment be used? Yes (No) Type of fuel source: _____

Vendor Information

Will the event offer food? (Yes) No Pavilion Roundabout

Where will the food be prepared? Food trucks/lawn/Area

Will cooking equipment be used? (Yes) No

Method/type of cooking equipment

Charcoal grills (Food trucks) Fryers Propane grills (Warmers/Sternos)

Will there be alcohol at the event? Yes (No)

Note: Alcohol will require an additional permit.

Event Entertainment

Will the event feature entertainment? (Yes) No

Will amplified sound equipment be used? (Yes) No

Will musical entertainment be used? (Yes) No

Please describe any type of entertainment and sound equipment.

We will host a DJ who will bring their own speakers/microphone/music equipment.

Are fireworks planned? Yes (No) Note: Fireworks will require an additional permit.

Are live animals planned to be at the event? (Yes) No

Describe any additional event activities.

Raffles, dog contests, possibly a lure course.

(03/2022)

Event Housekeeping

CITY SERVICES REQUESTED

Electricity Needed? (Yes) No

Solid Waste Service? (Yes) No

Contact: Electrical Department (941) 465-4923 and/or Sanitation (941) 708-6342

TEMPORARY SANITARY/PORTABLE TOILETS

Will temporary sanitary facilities be provided? Yes (No) * unless deemed necessary

Please indicate how many and location on required site plan.

Event Security

NOTICE OF PUBLIC SAFETY NOTICE FOR SECURITY AND TRAFFIC CONTROL:

Bradenton Police Department security is required when alcoholic beverages are present, when closure of a public street is necessary, when large crowds are in attendance, or in any other situation as deemed necessary by the Bradenton Police Department. The number of personnel required is determined by the Bradenton Police Department and wages are payable by applicant.

Contact Bradenton Police Department Extra-Duty Employment Coordinator, Brenda Lovett, at 941-932-9317 or Brenda.Lovett@BradentonPD.com to discuss security requirements.

Street Closure

Is street closure requested? Yes (No) Note: Please complete the Street Closure Form.

Application Review

During the application review by the Event Review Committee, additional conditions may be imposed. This permit is valid only for the time indicated on this application. In the event that the applicant fails to fulfill the requirement(s) (as set forth in the permit) or fails to obtain proper authorization to proceed, if conditions have changed, or the expected outcomes, impacts, or conditions are substantially altered, then the permit will be voided immediately by authorized city personnel.

A non-refundable application fee of $25 shall be paid at the time of application. Rental fees and damage deposits will be paid following approval of the event request.

Please return application, rental contract, and site plan to Events at City of Bradenton, 101 Old Main Street, Bradenton, FL 34205 or via email to Events@bradentonFL.gov.

Rental Contract

All event organizers must read and sign the Rental Contract before the event permit is issued.

Levels of sound, music, and noise produced at the authorized event shall adhere to the city noise ordinance. If, at any time, a City of Bradenton law enforcement officer determines that this standard has been violated, said officer shall have the authority to require the event organizer, or any agent thereof, to take all necessary and appropriate actions to prevent further violations of this standard. If the event organizer or any agent thereof fails to obey the orders of the law enforcement officer, event organizer will be required to present any future events to City Council for review prior to approval.

The event organizer has been informed that all events at Riverwalk Park, including non-musical events, must be completely closed by 10:00 p.m. If any event wishes to continue past 10:00 p.m. Special City Council approval is required.

I, Samantha Harris, applicant/event organizer for Paws in Motion (event), scheduled for (date&hours), March 15, 2025, from 6:30am to 2:30pm, hereby agrees to all conditions and regulations set forth in the event guide, application, and contract as adopted by City Council.

Samantha Harris
Signature of Applicant/Event Organizer

Humane Society of Manatee County
Organization

Samantha Harris, Event Coordinator
Typed or Printed Name and Title

7/9/2024
Date

RELEASE AND WAIVER OF LIABILITY AND INDEMNITY

I, the undersigned, will indemnify, defend, and hold harmless the City of Bradenton, its agents, employees, officers, and any and all other associated, from and against any and all actions, in law or in equity, from liability or claims for damages, demands, or judgement to any person or property which may result now or in the future from the conduct of this event.

The undersigned agrees to abide by all Event Approval Standards set forth in the guide (see pages 7 to 9).

The undersigned has read and voluntarily signed the Release and Waiver of Liability and Indemnity Agreement, and further agrees that no oral representations, statements, or inducements apart from the foregoing written agreement have been made.

Samantha Harris
Signature of Applicant/Event Organizer

Humane Society of Manatee County
Organization

Samantha Harris, Event Coordinator
Typed or Printed Name and Title

7/9/2024
Date

(03/2022)

CITY OF BRADENTON
SPECIAL EVENT REQUEST
FOR TEMPORARY CLOSING OF CITY STREET(S)

Name of Requestor: _____

Name of Organization: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

Name of Event: _____

Start Date: _____ End Date: _____ Start Time: _____ End Time: _____

Proposed roads to close (specific locations, include map):

Proposed detour route (include alternative road and map):

Additional notes and comments:

(03/2022)


Walk Start / Finish
Check in
River Walk Water Park
Riverwalk Splash Park
more vendors
HSMC booths
Raffles
Vendors with tents/electricity
Potential Portable dog Park w/ fence (Not Staked)
DJ Booth (electricity)
Contests
Restrooms
More vendors
Food Trucks
Paws in Motion 3/15/25
Sign in
Layers
Google

AGENDA ITEM NO. 6.h

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Kelly Thomas, Event Review Committee

ITEM TYPE: Special Event

AGENDA SECTION: CONSENT AGENDA

SUBJECT: September 11th Tribute to Heroes Memorial

SUGGESTED ACTION: Event Review Committee recommends approval with compliance of all City of Bradenton Special Event Standards. No additional stipulations needed.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Manatee County Fire Chiefs Association is seeking approval for a special event application permit for their 9/11 Tribute to Heroes Memorial Service to be held on 09/11/24 at Riverwalk Pavilion and Emergency Services Responder Monument area. They have an expectation of 200 attendees. There will be an Honor Guard presentation, dove release and a 21-gun salute.

SUGGESTED MOTION:
Motion to approve the September 11th Tribute to Heroes Memorial event.

ATTACHMENTS:
September 11th Tribute to Heroes Memorial Application and Site Plan

SPECIAL EVENT PERMIT APPLICATION

Application Information

Organization Name: Manatee County Fire Chiefs Assoc.

Date of Application: 7/16/24

Contact Name: Chris Melser

Contact Phone 1: 941-290-9327

Contact Email: Chris.Melser@BradentonFL.gov

Contact Phone 2: 941-773-2769

Address:

City: Bradenton State: FL Zip: 34205

Event Information

Name of Event: September 11th Tribute to Hero's Memorial

Event Date: 9/11/24

Purpose of Event: Honor those fallen on 9/11 World Trade Center Attack

Description of Event: Honor Guard, speakers, dove release, flag ceramony, 21 gun salute.

Event Location: Great Lawn

If the event is to be held on the Riverwalk, please check the area(s) to be used.

Mosaic Amphitheater	Pavilion Area	~~Great Lawn~~
Regatta Plaza	Parking Lot Areas	Tower Plaza
Skate Park	Outdoor Living Room	Botanical Gardens
Volleyball Courts	Other (specify): Emergency Responders Memorial	

	Date	Day	Start Time	End Time	Anticipated Attendance
Setup	9/10/24	Tuesday	Late afternoon Pending tent company	2 hours Tent only	Tent crew, city staff Event staff
Event Day 1	9/11/24	Wednesday	7-7:30AM set up	12pm	200
Event Day 2					
Event Day 3					
Break Down	9/11/24	Wednesday			

Number of years event has been held: 13

Past Attendance: 200

(03/2022)

Is there a fee to attend the event? Yes No Is the event open to the public? Yes No

Will any tents be used for the event? Yes No

Tent Size	Number of Tents	Tent Location
40 X 80	1	Great Lawn

Note: Tents must be weighted and stakes are prohibited. Tents larger than 10'x10' require an additional permit.

Will a stage be used for the event? Yes No

Will the event require electricity? Yes No Type of electrical power: Outlets on poles

Will a generator be used? Yes No Size of generator: _____

Will gas equipment be used? Yes No Type of fuel source: _____

Vendor Information

Will the event offer food? Yes No

Where will the food be prepared? _____

Will cooking equipment be used? Yes No

Method/type of cooking equipment

Charcoal grills Food trucks Fryers Propane grills Warmers/Sternos

Will there be alcohol at the event? Yes No

Note: Alcohol will require an additional permit.

Event Entertainment

Will the event feature entertainment? Yes No

Will amplified sound equipment be used? Yes No

Will musical entertainment be used? Yes No

Please describe any type of entertainment and sound equipment.

One or more speakers for voice amplification.

Are fireworks planned? Yes No Note: Fireworks will require an additional permit.

Are live animals planned to be at the event? Yes No

Describe any additional event activities.

Dove release and 21 gun salute.

(03/2022)

Event Housekeeping

CITY SERVICES REQUESTED

Electricity Needed? Yes No

Solid Waste Service? Yes No

Contact: Electrical Department (941) 465-4923 and/or Sanitation (941) 708-6342

TEMPORARY SANITARY/PORTABLE TOILETS

Will temporary sanitary facilities be provided? Yes No

Please indicate how many and location on required site plan.

Event Security

NOTICE OF PUBLIC SAFETY NOTICE FOR SECURITY AND TRAFFIC CONTROL:

Bradenton Police Department security is required when alcoholic beverages are present, when closure of a public street is necessary, when large crowds are in attendance, or in any other situation as deemed necessary by the Bradenton Police Department. The number of personnel required is determined by the Bradenton Police Department and wages are payable by applicant.

Contact Bradenton Police Department Extra-Duty Employment Coordinator, Brenda Lovett, at 941-932-9317 or Brenda.Lovett@BradentonPD.com to discuss security requirements.

Street Closure

Is street closure requested? Yes No Note: Please complete the Street Closure Form.

Application Review

During the application review by the Event Review Committee, additional conditions may be imposed. This permit is valid only for the time indicated on this application. In the event that the applicant fails to fulfill the requirement(s) (as set forth in the permit) or fails to obtain proper authorization to proceed, if conditions have changed, or the expected outcomes, impacts, or conditions are substantially altered, then the permit will be voided immediately by authorized city personnel.

A non-refundable application fee of $25 shall be paid at the time of application. Rental fees and damage deposits will be paid following approval of the event request.

Please return application, rental contract, and site plan to Events at City of Bradenton, 101 Old Main Street, Bradenton, FL 34205 or via email to Events@bradentonFL.gov.

Rental Contract

All event organizers must read and sign the Rental Contract before the event permit is issued.

Levels of sound, music, and noise produced at the authorized event shall adhere to the city noise ordinance. If, at any time, a City of Bradenton law enforcement officer determines that this standard has been violated, said officer shall have the authority to require the event organizer, or any agent thereof, to take all necessary and appropriate actions to prevent further violations of this standard. If the event organizer or any agent thereof fails to obey the orders of the law enforcement officer, event organizer will be required to present any future events to City Council for review prior to approval.

The event organizer has been informed that all events at Riverwalk Park, including non-musical events, must be completely closed by 10:00 p.m. If any event wishes to continue past 10:00 p.m. Special City Council approval is required.

I, Chris Melser, applicant/event organizer for 9/11 Memorial (event), scheduled for (date&hours), 9/11/24, from 7AM to 12PM, hereby agrees to all conditions and regulations set forth in the event guide, application, and contract as adopted by City Council.

Chris Melser
Signature of Applicant/Event Organizer

Manatee County Fire Chiefs Assoc. 9/11 Committee
Organization

Chris Melser Committee Member
Typed or Printed Name and Title

7/16/24
Date

RELEASE AND WAIVER OF LIABILITY AND INDEMNITY

I, the undersigned, will indemnify, defend, and hold harmless the City of Bradenton, its agents, employees, officers, and any and all other associated, from and against any and all actions, in law or in equity, from liability or claims for damages, demands, or judgement to any person or property which may result now or in the future from the conduct of this event.

The undersigned agrees to abide by all Event Approval Standards set forth in the guide (see pages 7 to 9).

The undersigned has read and voluntarily signed the Release and Waiver of Liability and Indemnity Agreement, and further agrees that no oral representations, statements, or inducements apart from the foregoing written agreement have been made.

Chris Melser
Signature of Applicant/Event Organizer

Manatee County Fire Chiefs Assoc. 9/11 Committee
Organization

Chris Melser Committee Member
Typed or Printed Name and Title

7/16/24
Date

(03/2022)

CITY OF BRADENTON
SPECIAL EVENT REQUEST
FOR TEMPORARY CLOSING OF CITY STREET(S)

Name of Requestor: _____

Name of Organization: _____

Street Address: _____

City: _____ State: _____ Zip: _____

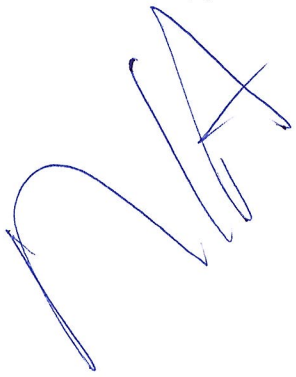
Telephone: _____ Email: _____

Name of Event: _____

Start Date: _____ End Date: _____ Start Time: _____ End Time:_____

Proposed roads to close (specific locations, include map):

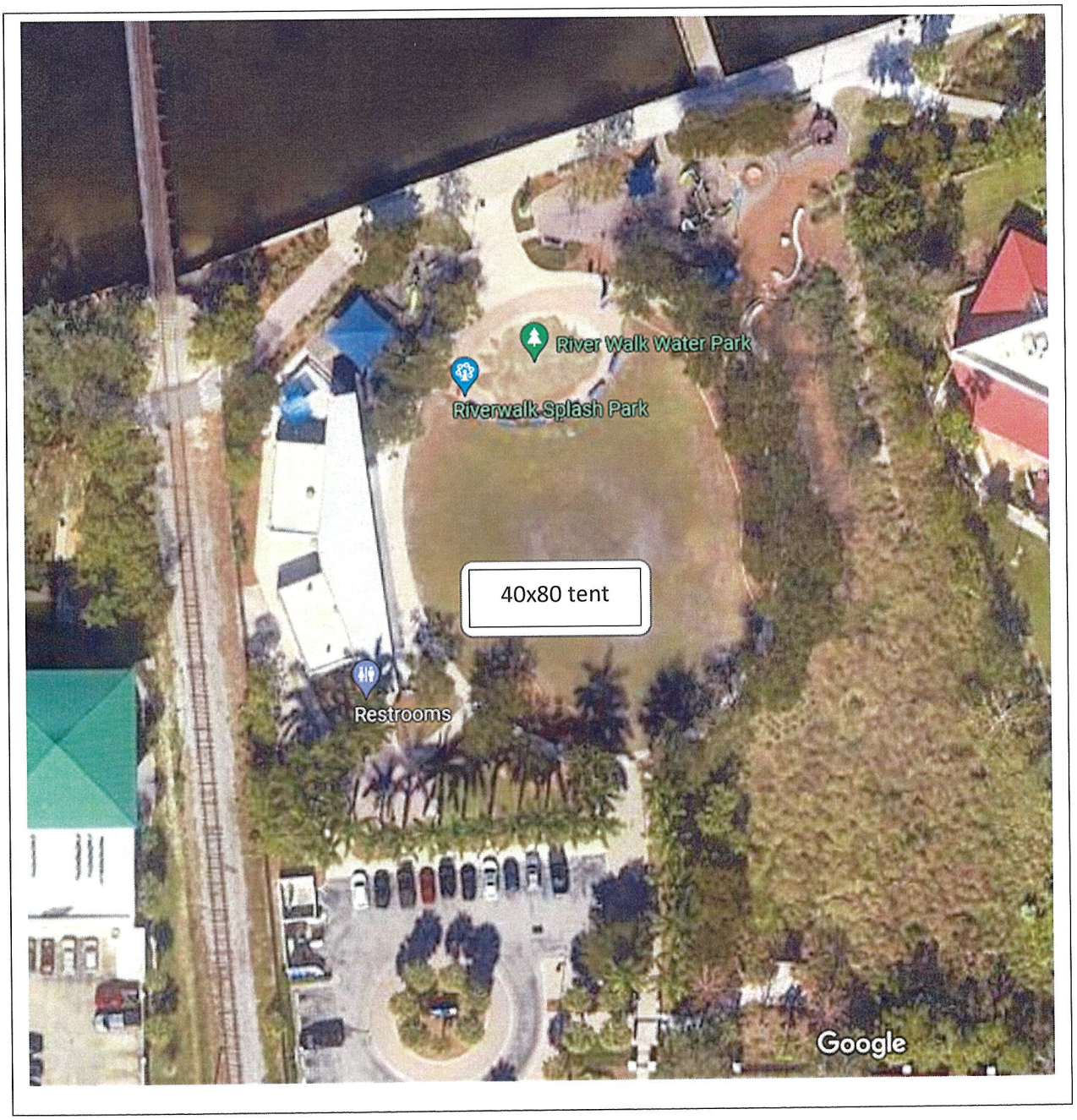
Proposed detour route (include alternative road and map):



Additional notes and comments:

(03/2022)

2024 Tribute to Heroes
9/11/24
Riverwalk Pavilion and Emergency Responders Monument Area



AGENDA ITEM NO. 6.i

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Linda Guth, Finance

ITEM TYPE: Budget Adjustment

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Budget Adjustment BA24-11

SUGGESTED ACTION: Approve Budget Adjustment BA24-11

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
To move grant revenue and expenses to the appropriate line items to work with the implementation of the Grant Master program in Munis.

FINANCIAL IMPACT:
None

SUGGESTED MOTION:
Motion to approve Budget Adjustment BA24-11.

ATTACHMENTS:
Budget Adjustment BA24-11

RESOLUTION NUMBER BA24-11

A RESOLUTION OF THE CITY OF BRADENTON, FLORIDA, AMENDING/ADJUSTING THE 2023-2024 ANNUAL BUDGET; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statute 166.241(4) allows a municipality to amend (change budget total) or adjust (move funds without changing budget total) its budget, as necessary, at any time within a fiscal year; and

WHEREAS, this Statute also indicates the budget shall be changed in the same manner as its original adoption which, in the City of Bradenton's case, is by resolution; and

WHEREAS, City policy dictates that all budget amendments, and any budget adjustments greater than $10,000 must have City Council approval, adjustments less than $10,000 require approval by the City Administrator; and

WHEREAS, the City's Finance Department requests to amend or adjust the budget at this time, in an amount greater than $10,000, for the purpose of midyear budget adjustments.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Bradenton, as follows:

1. The attached Budget Adjustment Form has been submitted by the above-named department, and reviewed and approved by City's Finance Department.
2. Upon Council approval, the Finance Department shall process the form adjusting the City's budget, and will maintain the original documents as required.
3. Per Florida Statute 166.241(5) this adjustment will be posted on the City's website.
4. This Resolution shall become effective immediately upon its adoption.

PASSED AND DULY ADOPTED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING ON THIS 14th DAY OF AUGUST 2024.

_____
Gene Brown, Mayor

ATTEST:

_____
Tamara Melton, City Clerk

APPROVED AS TO FORM:

_____
Scott Rudacille, City Attorney

City of Bradenton Budget Adjustment Form

1. Complete and sign this Budget Adjustment form. Adjustment number available from Clerk Department.
2. Attach supporting documentation.
3. Submit to Linda Guth in the Finance Department.

Budget adjustments MUST balance

Requested by: Linda Guth

For: Finance

Date: 7/26/2024

Budget Adjustment #: BA24-11

Amendments to the total budget, and/or adjustments over $10,000 in a single line item, require Resolution and Consent Agenda Memorandum for City Council approval.

Explanation for Adjustment: To move grant revenue and expenses to the appropriate line items to work with the implementation of the Grant Master program in Munis.

Please provide the account number and the line item description for each transaction.
For example: Account Number: 00151940 546200
Line item description: Equipment Repair & Maintenance in Electrical Maintenance Dept.

Account Number: 00104 331200 12101
Line item description: Bulletproof Vest Program

Increase (in $): Decrease (in $): 14,625.00

Account Number: 00152160 552300 12101
Line item description: Gear/Uniform supplies

Increase (in $): Decrease (in $): 14,625.00

Account Number: 00104 331200 Bpv24
Line item description: 2024 Bulletproof Vest Program

Increase (in $): 14,625.00 Decrease (in $):

Account Number: 00152160 552300 Bpv24
Line item description: Gear/Uniform supplies

Increase (in $): 14,625.00 Decrease (in $):

Account Number: 00152120 512000 Cop23
Line item description: Regular Salaries & Wages

Increase (in $): 78,884.00 Decrease (in $):

Account Number: 00152120 521000 Cop23
Line item description: City Fica Contribution

Increase (in $): 6,035.00 Decrease (in $):

Account Number: 00152120 522100 Cop23
Line item description: City Pension Contribution

Increase (in $): 16,258.00 Decrease (in $):

Account Number: 00152120 523000 Cop23
Line item description: City Health Insurance Contribution

Increase (in $): 20,424.00 Decrease (in $):

Account Number: 00152120 523100 Cop23
Line item description: City Life Insurance Contribution

Increase (in $): 7.00 Decrease (in $):

Account Number: 00152120 524000 Cop23
Line item description: Workers Compensation

Increase (in $): 3,392.00 Decrease (in $):

Account Number: 00103 331200 Cops
Line item description: Federal Grant-Cops

Increase (in $): 209,171.00 Decrease (in $):

Account Number: 00152120 512000 Cops
Line item description: Regular Salaries & Wages

Increase (in $): 19,483.00 Decrease (in $):

Account Number: 00152120 521000 Cops
Line item description: City Fica Contribution

Increase (in $): 1,490.00 Decrease (in $):

Account Number: 00152120 522100 Cops
Line item description: City Pension Contribution

Increase (in $): 5,659.00 Decrease (in $):

Account Number: 00152120 523000 Cops
Line item description: City Health Insurance Contribution

Increase (in $): 1,378.00 Decrease (in $):

Account Number: 00152120 523100 Cops
Line item description: City Life Insurance Contribution

Increase (in $): 2.00 Decrease (in $):

Account Number: 00152120 524000 Cops
Line item description: Workers Compensation

Increase (in $): 838.00 Decrease (in $):

Account Number: 00103 331200 DDkit
Line item description: Drug Detect Kit-Water Rescue Equip

Increase (in $): 46,364.00 Decrease (in $):

Account Number: 00152160 552300 DDkit
Line item description: Gear/Uniform supplies

Increase (in $): 14,364.00 Decrease (in $):

Account Number: 00152160 564000 DDkit
Line item description: Machinery & Equipment-Capital Outlay

Increase (in $): 32,000.00 Decrease (in $):

Account Number: 00152120 514000 Dui24
Line item description: Overtime

Increase (in $): 14,832.00 Decrease (in $):

Account Number: 00152120 521000 Dui24
Line item description: City Fica Contribution

Increase (in $): 1,134.00 Decrease (in $):

Account Number: 00152120 522100 Dui24
Line item description: City Pension Contribution

Increase (in $): 4,609.00 Decrease (in $):

Account Number: 00152120 524000 Dui24
Line item description: Workers Compensation

Increase (in $): 425.00 Decrease (in $):

Account Number: 00152160 583000 Dui24
Line item description: 2024 Drive Straight

Increase (in $): Decrease (in $): 21,000.00

Account Number: 00152150 512000 Fdl24
Line item description: Regular Salaries & Wages

Increase (in $): 26,216.00 Decrease (in $):

Account Number: 00152150 521000 Fdl24
Line item description: City Fica Contribution

Increase (in $): 2,005.00 Decrease (in $):

Account Number: 00152150 522100 Fdl24
Line item description: City Pension Contribution

Increase (in $): 12,845.00 Decrease (in $):

Account Number: 00152150 524000 Fdl24
Line item description: Workers Compensation

Increase (in $): 425.00 Decrease (in $):

Account Number: 00152160 540100 Fdl24
Line item description: Travel & Per Diem

Increase (in $): 3,317.00 Decrease (in $):

Account Number: 00152160 551100 Fdl24
Line item description: Equipment under 5,000

Increase (in $): 3,900.00 Decrease (in $):

Account Number: 00152160 552500 Fdl24
Line item description: Other Operating Supplies

Increase (in $): 10,025.00 Decrease (in $):

Account Number: 00152160 555000 Fdl24
Line item description: Education/Training

Increase (in $): 2,835.00 Decrease (in $):

Account Number: 00152160 583000 Fdl24
Line item description: 2024 Local Firearm Safety Training

Increase (in $): Decrease (in $): 61,568.00

Account Number: 00104 331200 Hid23
Line item description: 2023 High Intensity Drug Traffic

Increase (in $): 1,687.00 Decrease (in $):

Account Number: 00152150 514000 Hid23
Line item description: Overtime

Increase (in $): 31,113.00 Decrease (in $):

Account Number: 00152150 521000 Hid23
Line item description: City Fica Contribution

Increase (in $): 2,380.00 Decrease (in $):

Account Number: 00152150 522100 Hid23
Line item description: City Pension Contribution

Increase (in $): 8,055.00 Decrease (in $):

Account Number: 00152150 524000 Hid23
Line item description: Workers Compensation

Increase (in $): 894.00 Decrease (in $):

Account Number: 00152160 534000 Hid23
Line item description: Contractual Services

Increase (in $): 3,955.00 Decrease (in $):

Account Number: 00152160 541000 Hid23
Line item description: Communications Services

Increase (in $): 785.00 Decrease (in $):

Account Number: 00152160 544200 Hid23
Line item description: Rentals & Leases

Increase (in $): 8,505.00 Decrease (in $):

Account Number: 00152160 549600 Hid23
Line item description: Investigation

Increase (in $): 10,000.00 Decrease (in $):

Account Number: 00152160 551100 Hid23
Line item description: Equipment under 5,000

Increase (in $): 1,000.00 Decrease (in $):

Account Number: 00152160 583000 Hid23
Line item description: 2023 High Intensity Drug Traffic

Increase (in $): Decrease (in $): 50,000.00

Account Number: 00104 331200 Hid24
Line item description: 2024 High Intensity Drug Traffic

Increase (in $): 98,000.00 Decrease (in $):

Account Number: 00152150 514000 Hid24
Line item description: Overtime

Increase (in $): 37,095.00 Decrease (in $):

Account Number: 00152150 521000 Hid24
Line item description: City Fica Contribution

Increase (in $): 2,838.00 Decrease (in $):

Account Number: 00152150 522100 Hid24
Line item description: City Pension Contribution

Increase (in $): 9,603.00 Decrease (in $):

Account Number: 00152150 524000 Hid24
Line item description: Workers Compensation

Increase (in $): 1,064.00 Decrease (in $):

Account Number: 00152160 534000 Hid24
Line item description: Contractual Services

Increase (in $): 19,000.00 Decrease (in $):

Account Number: 00152160 541000 Hid24
Line item description: Communication Services

Increase (in $): 1,200.00 Decrease (in $):

Account Number: 00152160 544200 Hid24
Line item description: Rentals & Leases

Increase (in $): 16,200.00 Decrease (in $):

Account Number: 00152160 549600 Hid24
Line item description: Investigation

Increase (in $): 10,000.00 Decrease (in $):

Account Number: 00152160 551100 Hid24
Line item description: Equipment under 5,000

Increase (in $): 1,000.00 Decrease (in $):

Account Number: 00152160 583000 Hidt3
Line item description: Other Grants & Aid

Increase (in $): Decrease (in $): 15,000.00

Account Number: 00104 331200 Htraf
Line item description: Human Trafficing Task Force

Increase (in $): 30,869.00 Decrease (in $):

Account Number: 00152160 564000 Htraf
Line item description: Mach & Equipment-Capital Outlay

Increase (in $): 30,869.00 Decrease (in $):

Account Number: 00152160 583000 Htraf
Line item description: HumanTrafficing Task Force

Increase (in $): Decrease (in $): 31,619.00

Account Number: 00152120 514000 Hve24
Line item description: Overtime

Increase (in $): 12,718.00 Decrease (in $):

Account Number: 00152120 521000 Hve24
Line item description: City Fica Contribution

Increase (in $): 972.00 Decrease (in $):

Account Number: 00152120 522100 Hve24
Line item description: City Pension Contribution

Increase (in $): 3,291.00 Decrease (in $):

Account Number: 00152120 524000 Hve24
Line item description: Workers Compensation

Increase (in $): 364.00 Decrease (in $):

Account Number: 00152160 583000 Hve24
Line item description: 2024 High Visability Enforcement

Increase (in $): Decrease (in $): 17,345.00

Account Number: 00152160 564000 Jag24
Line item description: Mach & Equipment-Capital Outay

Increase (in $): 32,436.00 Decrease (in $):

Account Number: 00152160 583000 Jag24
Line item description: 2024 Justice Assistance Grant

Increase (in $): Decrease (in $): 32,436.00

Account Number: 00152120 514000 Spd24
Line item description: Overtime

Increase (in $): 10,800.00 Decrease (in $):

Account Number: 00152120 521000 Spd24
Line item description: City Fica Contribution

Increase (in $): 827.00 Decrease (in $):

Account Number: 00152120 522100 Spd24
Line item description: City Pension Contribution

Increase (in $): 3,060.00 Decrease (in $):

Account Number: 00152120 524000 Spd24
Line item description: Workers Compensation

Increase (in $): 313.00 Decrease (in $):

Account Number: 00152160 583000 Spd24
Line item description: 2024 Speed Kills

Increase (in $): Decrease (in $): 15,000.00

Account Number: 00152160 552200 Wcind
Line item description: Vehicle Fuel

Increase (in $): 10,186.00 Decrease (in $):

Account Number: 00152160 564000 Wcind
Line item description: Mach & Equipment-Capital Outlay

Increase (in $): 12,500.00 Decrease (in $):

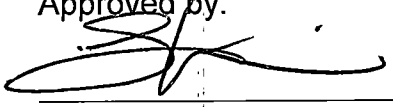
Account Number: 00152160 583000 Wcind
Line item description: West Coast Inland Nav District

Increase (in $): Decrease (in $): 22,686.00

Account Number: 00158100 599100
Line item description: Reserve for Contingencies

Increase (in $): 86,940.00 Decrease (in $):

Approved by:



Department Head / Manager

City Administrator

Approved by City Council: _____
(Date)

Posted by Accounting: _____
(Date)

AGENDA ITEM NO. 6.j

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Kelly Thomas, Legislative

ITEM TYPE: Resolution

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Resolution 24-68 - Architectural Review Board Reappointment

SUGGESTED ACTION: Approval

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
A resolution reappointing John Moody to the Architectural Review Board.

SUGGESTED MOTION:
Motion to approve Resolution 24-68.

ATTACHMENTS:
Resolution 24-68

RESOLUTION NUMBER 24-68

A RESOLUTION REAPPOINTING **JOHN MOODY** TO THE **ARCHITECTURAL REVIEW BOARD** FOR THE CITY OF BRADENTON, FLORIDA AND DEFINING HIS TERM.

WHEREAS, the City is desirous of appointing outstanding members of the community to this board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, THAT:

The Mayor does hereby appoint, and the City Council approves and confirms the appointment from this date hereof:

JOHN MOODY for a term to expire August 2027.

PASSED AND DULY ADOPTED, BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, with a quorum present and voting, this 14th day of August, 2024.

ATTEST:

_____
Tamara Melton
City Clerk

_____
Gene Brown
Mayor

APPROVED AS TO FORM:

_____
Scott Rudacille
City Attorney

John H. Moody
Resume
August 2021

Place of Birth: Plant City Florida
Age: 69
Education: Manatee Junior College
Furman University-Major Urban Studies
University of Virginia-Masters in Landscape Architecture
Employment: City of Bradenton Planner 1976-1980
John Moody and Associates 1985-Present
Semi-retired
Family:
All Bradenton Born-Wife: Cheryl Moody, artist
Sons: Will, Tye and Jarratt Moody
North Carolina and California Residents
Grand children: Rowan, Marla, Everett
Flynn and Huck
Passions: Music, Travel/Camping, Nature, Family

Address: 410 31st Street NW
Bradenton 34205
Cell: 941-713-6243

AGENDA ITEM NO. 6.k

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Tamara Melton, Public Works & Utilities

ITEM TYPE: Agreement

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Adopt a Road Agreement with Keep Manatee Beautiful for 17th Street West from 9th Street West to Highway 301

SUGGESTED ACTION: Approval

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
For many years, the City has worked with Keep Manatee Beautiful along with the Pirates and Marauders Baseball Club for beautification along certain City roads. This agreement will continue that tradition along 17th Street West from 9th Street West to Highway 301.

SUGGESTED MOTION:
Motion to approve the Adopt a Road Agreement with Keep Manatee Beautiful for 17th Street West from 9th Street West to Highway 301.

ATTACHMENTS:
Adopt a Road Agreement with Keep Manatee Beautiful

ADOPT A ROAD RESOLUTION

RESOLUTION of the ***Pirates and Marauders Baseball Club***

(group)

authorizing execution of the ADOPT-A-ROAD Agreement with the **City** of Bradenton Public Works Department.

WHEREAS, the Board of Directors of ***Pirates and Marauders Baseball Club***

(group)

has authority to enter into agreement with the **City** of Bradenton Public Works Department to undertake the project on **City** Road ***27th St E from 26th Ave E to SR 64.*** NOW THEREFORE, be it resolved by the Board of Directors that **Karena Ballard** (name of group's representative) is authorized to execute the agreement with the **City** of Bradenton Public Works Department.

DULY PASSED AND ADOPTED THIS (date) 7-9-24

BY: (sign) _____ TITLE: Fan + Community Engagement Coordinator

ATTEST: _____

Yvonne D Buffington
Comm.: HH 488377
Expires: Feb. 4, 2028
Notary Public - State of Florida

The foregoing instrument was acknowledged before me this 9th day of July, 2024 by Karena Ballard of Pirates + Marauders baseball club (corporation),

a Florida (state) corporation, on behalf of the corporation. He/she is personally known to me or has produced

Drivers License (type of identification)

as identification and did (did not) take an oath.
(Affix Seal/Stamp Here) NOTARY SIGNATURE: _____

PRINT NAME: Yvonne D Buffington
Notary Public and for the **City** and State last aforesaid
My Commission Expires: 2-4-2028

*Authorized signature must be attested by a Notary Public

Yvonne D Buffington
Comm.: HH 488377
Expires: Feb. 4, 2028
Notary Public - State of Florida

KEEP MANATEE BEAUTIFUL

ADOPT-A-ROAD

LITTER REMOVAL AGREEMENT

THIS AGREEMENT, made and entered into this __1__ day of__January____ ,_2024__ , by and between Keep Manatee Beautiful, Inc., hereinafter called KMB; the adopting group **Pirates and Marauders Baseball Club** hereinafter called GROUP; and the County of Bradenton, a political subdivision of **City of Bradenton**, Florida, hereinafter called CITY.

WITNESSETH

WHEREAS, is part of ***27th St E from 26th Ave E to SR 64,*** the road system in the **CITY.**

WHEREAS, the **CITY** has responsibility for operation and maintenance of the **CITY** road system.

WHEREAS, the legislature, through the Solid Waste Management Act of 1988 [F>S> 403.4131 (4) (b)], has encouraged the implementation of litter removal programs such as Adopt-A-Road.

WHEREAS, the **CITY** Council has authorized an Adopt-A-Road Roadside Debris/Litter program to be implemented by KMB.

WHEREAS, the GROUP is desirous of adopting ***27th St E from 26th Ave E to SR 64,*** for the purpose of debris/litter removal,

NOW THEREFORE, for the good and valuable consideration, the parties agree as follows:

A. KMB shall:

1) Provide **CITY**-wide coordination of the Adopt-A-Road Program.
2) Collect and evaluate program reports.
3) Provide official Adopt-A-Road program recognition for the **CITY** and participating volunteer groups.
4) Provide safety training and information to participating volunteer groups.
5) Review safety guidelines with the designee of the participating volunteer group.
6) Provide an official KMB "Adopt-A-Road Cleanup Form" for each cleanup activity.

B. The **CITY** shall:

1) Provide a permanent Adopt-A-Road sign at each adopted roadside section.

2) Provide plastic bags and safety equipment for use by the GROUP.

3) Remove collected debris from the adopted roadside section.
4) Remove certain litter under unusual circumstances, including but not limited to large, heavy or hazardous items.
5) Provide public awareness of the Adopt-A-Road Program through the Public Works Department.
6) Grant KMB and participating volunteer groups access to the area for roadside debris/litter removal purposes.
7) Authorize the Mayor, or his appointed designee, to enter into an Adopt-A-Road Agreement with participating volunteer groups.
8) Encourage law enforcement agencies to enforce the litter law.

C. GROUP shall:

1) Generally, adopt a minimum of one (1) mile section of right-of-way adjacent to the roadside for litter removal at least four (4) times per year.
2) Perform litter removal in strict accordance with **CITY** safety standards.
3) Review safety procedures and conduct pre-event safety briefings with volunteer participants.
4) Remove litter only during daylight hours, good weather, and non-peak traffic periods.
5) Contact KMB for the Public Works Department at least ten (10) days in advance to arrange an appropriate litter removal schedule.
6) Ensure that participants wear safety clothing and use appropriate safety devices

(1) at all times during the litter removal activity.

7) Not pick up litter at construction or maintenance sites, in tunnels, on medians, bridges or overpasses.
8) Not attempt to remove unusual, large, heavy or hazardous items; however, log item description and notify KMB at the earliest opportunity for other removal arrangements.

9) Complete and return to KMB an "Adopt-A-Road Cleanup Report Form" within five (5) days of each cleanup activity.
10) Restrict participants to twelve (12) years of age and older.
11) Provide at least one (1) adult supervisor for every five (5) participating youths between ages twelve (12) and fifteen (15).
12) Allow only such persons to participate as are determined by the GROUP to be sufficiently responsible and mature to safely participate in litter removal activities.
13) Not bring to observe the litter removal activities, persons that are not official participants without prior permission from KMB for each additional person for each removal event.

The GROUP covenants and agrees that it will indemnify and hold harmless the **CITY**, KMB, and any agencies and all their officers, agents and employees from any claim, loss damage, cost, charge or expense arising out of any act, action, neglect or omission by the GROUP during the performance of the Agreement, whether direct or indirect, and whether to any person or property to which the **CITY**, KMB, or said parties may be subject, except that neither GROUP, nor any of its members, shall be liable under this provision for damages arising out of injury or damage to persons or property directly caused or resulting from the sole negligence of the **CITY**, KMB, and its member agencies, any maintaining agencies, and all their officers, employees or agents, provided that such condition shall not constitute a waiver of CITY, KMB, any member agency or group's sovereign immunity.

This agreement shall remain in effect for a two (2) year period. The **CITY**, KMB or GROUP may terminate this agreement for any reason upon thirty (30) days written notice to the **CITY**, KMB or GROUP. KMB reserves the right to terminate this agreement for non-compliance with the stated terms.

IN WITNESS WHEREOF the parties hereto have caused these presents to be executed, the day and year first written above. They certify that they are familiar with the information contained in this agreement and that they possess the authority to execute this agreement.

GROUP: Pirates and Marauders Baseball Club DATE: 7/9/24

BY: X Karena Ballard TITLE: Fan & Community Engagement Coordinator

(Print Name)

ADDRESS: 1611 Ninth St W CITY: Bradenton, FL 34205

SIGNATURE: PHONE: 941 538 5171

ATTEST: DATE: 7-9-24

Notary Public

Yvonne D Buffington
Comm.: HH 488377
Expires: Feb. 4, 2028
Notary Public - State of Florida

CITY OF BRADENTON

BY: Gene Brown, Mayor DATE: 8/7/24

(Print Name)

SIGNATURE:

ATTEST: DATE:

Notary Public

KEEP MANATEE BEAUTIFUL, INC.

BY: Jennifer Hoffman DATE: 7-9-24

(Print Name)

SIGNATURE:

ATTEST: DATE: 7-9-24

Notary Public

Yvonne D Buffington
Comm.: HH 488377
Expires: Feb. 4, 2028
Notary Public - State of Florida

AGENDA ITEM NO. 6.I

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Tamara Melton, Public Works & Utilities

ITEM TYPE: Agreement

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Adopt a Road Agreement with Keep Manatee Beautiful for 27th Street East from 26th Avenue East to State Road 64

SUGGESTED ACTION: Approval

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
For many years, the City has worked with Keep Manatee Beautiful along with the Pirates and Marauders Baseball Club for beautification along certain City roads. This agreement will continue that tradition along 27th Street East from 26th Avenue East to State Road 64.

SUGGESTED MOTION:
Motion to approve the Adopt a Road Agreement with Keep Manatee Beautiful for 27th Street East from 26th Avenue East to State Road 64.

ATTACHMENTS:
Adopt a Road Agreement with Keep Manatee Beautiful

ADOPT A ROAD RESOLUTION

RESOLUTION of the ***Pirates and Marauders Baseball Club***

(group)

authorizing execution of the ADOPT-A-ROAD Agreement with the **City** of Bradenton Public Works Department.

WHEREAS, the Board of Directors of ***Pirates and Marauders Baseball Club***

(group)

has authority to enter into agreement with the **City** of Bradenton Public Works Department to undertake the project on **City** Road ***17TH St. W from 9th St. W to Hwy 301*** NOW THEREFORE, be it resolved by the Board of Directors that **Karena Ballard** (name of group's representative) is authorized to execute the agreement with the **City** of Bradenton Public Works Department.

DULY PASSED AND ADOPTED THIS (date) 1-9-24

BY: (sign) _____ TITLE: Fan + Community Engagement Coordinator

ATTEST: _____

Yvonne D Buffington
Comm.: HH 488377
Expires: Feb. 4, 2028
Notary Public - State of Florida

The foregoing instrument was acknowledged before me this 9th day of January, 20 24 by Karena Ballard of Pirates + Marauders baseball club (corporation)

a Florida corporation, on behalf of the corporation.
(state) He/she is personally known to me or has produced

Drivers License (type of identification)

as identification and did (did not) take an oath.
(Affix Seal/Stamp Here) NOTARY SIGNATURE: _____

PRINT NAME: Yvonne D Buffington
Notary Public and for the **City** and State last aforesaid
My Commission Expires: 2-4-2028

*Authorized signature must be attested by a Notary Public

Yvonne D Buffington
Comm.: HH 488377
Expires: Feb. 4, 2028
Notary Public - State of Florida

KEEP MANATEE BEAUTIFUL

ADOPT-A-ROAD

LITTER REMOVAL AGREEMENT

THIS AGREEMENT, made and entered into this ___1__ day of__January____ ,_2024__ , by and between Keep Manatee Beautiful, Inc., hereinafter called KMB; the adopting group _____ **Pirates and Marauders Baseball Club** _____ hereinafter called GROUP; and the County of Bradenton, a political subdivision of **City of Bradenton**, Florida, hereinafter called CITY.

WITNESSETH

WHEREAS, is part of ***17TH St. W from 9th St. W to Hwy 301,*** the road system in the **CITY**.

WHEREAS, the **CITY** has responsibility for operation and maintenance of the **CITY** road system.

WHEREAS, the legislature, through the Solid Waste Management Act of 1988 [F>S> 403.4131 (4) (b)], has encouraged the implementation of litter removal programs such as Adopt-A-Road.

WHEREAS, the **CITY** Council has authorized an Adopt-A-Road Roadside Debris/Litter program to be implemented by KMB.

WHEREAS, the GROUP is desirous of adopting ***17TH St. W from 9th St. W to Hwy 301,*** for the purpose of debris/litter removal,

NOW THEREFORE, for the good and valuable consideration, the parties agree as follows:

A. KMB shall:

1) Provide **CITY**-wide coordination of the Adopt-A-Road Program.
2) Collect and evaluate program reports.
3) Provide official Adopt-A-Road program recognition for the **CITY** and participating volunteer groups.
4) Provide safety training and information to participating volunteer groups.
5) Review safety guidelines with the designee of the participating volunteer group.
6) Provide an official KMB "Adopt-A-Road Cleanup Form" for each cleanup activity.

B. The **CITY** shall:

1) Provide a permanent Adopt-A-Road sign at each adopted roadside section.

2) Provide plastic bags and safety equipment for use by the GROUP.

3) Remove collected debris from the adopted roadside section.
4) Remove certain litter under unusual circumstances, including but not limited to large, heavy or hazardous items.
5) Provide public awareness of the Adopt-A-Road Program through the Public Works Department.
6) Grant KMB and participating volunteer groups access to the area for roadside debris/litter removal purposes.
7) Authorize the Mayor, or his appointed designee, to enter into an Adopt-A-Road Agreement with participating volunteer groups.
8) Encourage law enforcement agencies to enforce the litter law.

C. GROUP shall:

1) Generally, adopt a minimum of one (1) mile section of right-of-way adjacent to the roadside for litter removal at least four (4) times per year.
2) Perform litter removal in strict accordance with **CITY** safety standards.
3) Review safety procedures and conduct pre-event safety briefings with volunteer participants.
4) Remove litter only during daylight hours, good weather, and non-peak traffic periods.
5) Contact KMB for the Public Works Department at least ten (10) days in advance to arrange an appropriate litter removal schedule.
6) Ensure that participants wear safety clothing and use appropriate safety devices

(1) at all times during the litter removal activity.

7) Not pick up litter at construction or maintenance sites, in tunnels, on medians, bridges or overpasses.
8) Not attempt to remove unusual, large, heavy or hazardous items; however, log item description and notify KMB at the earliest opportunity for other removal arrangements.

9) Complete and return to KMB an "Adopt-A-Road Cleanup Report Form" within five (5) days of each cleanup activity.
10) Restrict participants to twelve (12) years of age and older.
11) Provide at least one (1) adult supervisor for every five (5) participating youths between ages twelve (12) and fifteen (15).
12) Allow only such persons to participate as are determined by the GROUP to be sufficiently responsible and mature to safely participate in litter removal activities.
13) Not bring to observe the litter removal activities, persons that are not official participants without prior permission from KMB for each additional person for each removal event.

The GROUP covenants and agrees that it will indemnify and hold harmless the **CITY**, KMB, and any agencies and all their officers, agents and employees from any claim, loss damage, cost, charge or expense arising out of any act, action, neglect or omission by the GROUP during the performance of the Agreement, whether direct or indirect, and whether to any person or property to which the **CITY**, KMB, or said parties may be subject, except that neither GROUP, nor any of its members, shall be liable under this provision for damages arising out of injury or damage to persons or property directly caused or resulting from the sole negligence of the **CITY**, KMB, and its member agencies, any maintaining agencies, and all their officers, employees or agents, provided that such condition shall not constitute a waiver of CITY, KMB, any member agency or group's sovereign immunity.

This agreement shall remain in effect for a two (2) year period. The **CITY**, KMB or GROUP may terminate this agreement for any reason upon thirty (30) days written notice to the **CITY**, KMB or GROUP. KMB reserves the right to terminate this agreement for non-compliance with the stated terms.

IN WITNESS WHEREOF the parties hereto have caused these presents to be executed, the day and year first written above. They certify that they are familiar with the information contained in this agreement and that they possess the authority to execute this agreement.

GROUP: **Pirates and Marauders Baseball Club** DATE: 7/9/24

BY: Karena Ballard TITLE: Fan + Community Engagement coordinator

(Print Name)

ADDRESS: 1611 9th st W CITY: Bradenton

SIGNATURE: PHONE: 941 705

ATTEST: Notary Public DATE: 7-9-24

Yvonne D Buffington
Comm.: HH 488377
Expires: Feb. 4, 2028
Notary Public - State of Florida

CITY OF BRADENTON

BY: Gene Brown, Mayor DATE: 8/7/24

(Print Name)

SIGNATURE:

ATTEST: DATE:

Notary Public

KEEP MANATEE BEAUTIFUL, INC.

BY: Jennifer Hoffman DATE: 7-9-24

(Print Name)

SIGNATURE:

ATTEST: DATE: 7-9-24

Notary Public

Yvonne D Buffington
Comm.: HH 488377
Expires: Feb. 4, 2028
Notary Public - State of Florida

AGENDA ITEM NO. 6.m

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Kim Clayback, Public Works & Utilities

ITEM TYPE: Contract

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Cordova Lakes Paving Expenditure

SUGGESTED ACTION: Council approval for the expenditure

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
PWU issued a work assignment for milling and resurfacing in Cordova Lakes in October 2023. Gator completed the work in May 2024. The total expenditure was $196,321.50 for approximately 3700 LF and associated pavement markings. The work assignment was authorized by ITB 20-01RW.

FINANCIAL IMPACT:
GL account 00154100-553200

ATTORNEY REVIEW/RECOMMENDATION:
NA

SUGGESTED MOTION:
Motion to approve the Cordova Lakes paving expenditure.

ATTACHMENTS:
Invoice for Gator Grading & Paving

Gator Grading and Paving LLC
2704 105th Street East
Palmetto, FL 34221

INVOICE

Phone: 941-751-3900
Fax: 941-751-3949

Invoice: 228013PA1
Invoice Date: 5/28/2024

Bill To:	Project Details:
City of Bradenton 101 Old Main Street Bradenton, FL 34205	COB Cordova Lakes Paving Various Streets Bradenton, Florida 34209

Payment Terms	Contract Number	Invoice Due Date
Net 30		6/27/2024

Description	Quantity	UOM	Unit Price	Bill Amount
Milling 0-2" 5001 or more SY	11,347.0000	SY	1.6500	18,722.55
Milling 0-2" 5001 or more SY (Surcharge)	11,347.0000	SY	2.7500	31,204.25
S-3 Asphalt Over 500 TONS	1,053.2000	TN	90.0000	94,788.00
S-3 Asphalt Over 500 TONS (Surcharge)	1,053.2000	TN	49.0000	51,606.80
Subtotal Amount				**196,321.60**
'T' Indicates a taxable line				
Total Invoice Amount Due				**196,321.60**

CUSTOMER: City of Bradenton
1411 9th Street West
Bradenton Fl 34205

Attention: Kim Clayback

PROJECT: Cordova Lakes

Pay Request 1

JOB #: 228013
5/1/2024
TO: 5/24/2024

ITEM #	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	CONTRACT AMOUNT	QUANTITIES PREV. PER.	AMOUNT PREV. PER.	QUANTITIES THIS PER.	AMOUNT THIS PER.	COMPLETE TO DATE	EARNED TO DATE
B16	Milling 0-2" 5001 or more SY	11,347.00	SY	$ 1.65	18,722.55			11,347.00	$18,722.55	11,347.000	$18,722.55
B16	Milling 0-2" 5001 or more SY (Surcharge)	11,347.00	SY	$ 2.75	31,204.25			11,347.00	$31,204.25	11,347.000	$31,204.25
B4	S-3 Asphalt Over 500 TONS	1,053.20	TN	$ 90.00	94,788.00			1,053.20	$94,788.00	1,053.200	$94,788.00
B4	S-3 Asphalt Over 500 TONS (Surcharge)	1,053.20	TN	$ 49.00	51,606.80			1,053.20	$51,606.80	1,053.200	$51,606.80
D03	12" Solid Paint		LF	$ 1.20	-					-	
D04	24" Solid Paint		LF	$ 1.55	-					-	
D21	12" Solid Thermo		LF	$ 3.10	-					-	
D22	24" Solid Thermo		LF	$ 6.20	-					-	
					-						

Contract Total: $196,321.60

Gator Grading & Paving LLC

COMPILED BY: Brian Martineau

ESTIMATE EARNED $196,321.60 $196,321.60

DATE: 24-May-24

$196,321.60

APPROVED FOR PAYMENT

BALANCE- LESS PREVIOUS BILLINGS $196,321.60

Thank You.

AMOUNT DUE THIS ESTIM/ **$196,321.60**

AGENDA ITEM NO. 6.n

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Kim Clayback, Public Works & Utilities

ITEM TYPE: Contract

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Clarifier 4 Construction Engineering Inspection Expenditure Approval

SUGGESTED ACTION: Council approval for the expenditure related to the NTP for the Clarifier 4 construction

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
The City contracted with ASRus to provide CEI oversight services for the construction of clarifier 4. This formalizes the expenditure of $344,000.00 for the services outlined in tasks 5, 6, and 7.2 in the attached NTP; the expense is approved and encumbered in the funding approval received in Fall 2024 for the City's SRF loan through the department of environmental protection. The other tasks included in the NTP were encumbered and paid for separately.

FINANCIAL IMPACT:
GL 40859000-563000-24518

ATTORNEY REVIEW/RECOMMENDATION:
NA

SUGGESTED MOTION:
Motion to approve the expenditure for CEI Services related to the construction of Clarifier 4.

ATTACHMENTS:

Work Order to ASRus for Clarifier 4

TELEPHONE:
941/708-6300

CITY OF BRADENTON
BRADENTON, FLORIDA

1411 9th STREET WEST
BRADENTON, FL 34205

January 3, 2024

Mr. Mark B. McNeal, P.G.
Chief Executive Officer,
ASRus, LLC
13329 North Armenia Avenue
Tampa, FL 33613
(mmcneal@asrus.net)

RE: Bradenton WWTF Modifications associated with Aquifer Recharge Facility (4th clarifier)
3rd Notice To Proceed to ASRus, LLC effective October 1, 2023
2nd Revision to Work Order No. 10 for Addition of Fourth Clarifier at Bradenton WWTP
Consultant team is ASRus, LLC with JonesEdmunds
City Project No. GL account number is 408 590 00 - 563 000 - WTRKP

Dear Mr. McNeal,

Please accept this letter as authorization for the referenced project. Total fee amount is $639,300.00 on a lump sum basis. Anticipated schedule includes project's construction completion in May 2025 followed by contract project closeout.

The fee amount is not be exceeded without prior written authorization from the City. Invoicing shall be monthly and contain narrative description of the work accomplished. Each numbered invoice shall contain a table that depicts the task and work description heading, the total dollar value of each task, the dollar value percentage completed of each task, the dollar value percentage remaining of each task, and any invoicing from all sub-consultants or sub-contractors utilized to complete the work.

We look forward to continuing to work with you and your team on this project.

Sincerely,

R. Dean Jones.
Acting Director Public Works & Utilities
/smh

Att. Revision no. 2 to City Work Order No. 10 to ASRus/JonesEdmunds Team (23pp)

Cc via email only:
Rob Perry, City Administrator Rob.Perry@bradentonFL.gov
Tom Friedrich, P.E., Jones Edmunds & Associates TFriedrich@jonesedmunds.com

CITY OF BRADENTON
Work Order No. 10 to ASRus, LLC in association with
Jones Edmunds & Associates, Inc.
For
Addition of Fourth Clarifier at Bradenton WWTP
Scope of Services and Fee Estimate

BACKGROUND

The City of Bradenton (City) requires a fourth clarifier at the Wastewater Treatment Plant (WWTP) to maximize production of reclaimed water for distribution and sale to public access reuse and discharge to the aquifer recharge well. In addition, the fourth clarifier will prevent the loss of the sludge blankets from the three (3) existing clarifiers during wet weather flow events when influent flows exceed 19 million gallons per day (MGD). The solids lost from the clarifiers during these events overload the filters and create extended backwash events, and the ability of the filters to produce high-level disinfected reclaimed water (TSS $\leq$ 5 mg/L) for public access reuse is not possible. During these events the filters must be bypassed for discharge to the City's outfall and the water is lost and unavailable for reuse. These non-compliance events occur primarily during the wet season (June through September) but can occur anytime of the year when tropical storms or large rainfall events create wet weather flows exceeding 19 MGD for the City's WWTP. In addition, the City has a project for the design and construction of a 10 MGD aquifer recharge (AR) well at the WWTP site to allow the recharge of excess reclaimed water that is not being sold for public access reuse. The AR well project will provide fresh water to the Southern Water Use Caution Area (SWUCA) and help mitigate saltwater intrusion into the Most Impacted Area (MIA) of the SWUCA. Without the installation of the fourth clarifier, the reliability of producing reclaimed water for public access reuse and aquifer recharge into the MIA is greatly reduced.

The intent is to demolish the abandoned 2 million gallon (MG) aerobic digester and construct the fourth clarifier with return activated sludge pumping in its current location. This scope of services outlines the design, permitting, bidding and construction phase services for this project. The design and permitting tasks of the project were initiated through a City work order (WO) no. 10 authorization to the ASRus/Jones Edmunds team (notice-to-proceed dated May 14, 2021).

Revision #1 (Developed March 2022 and authorized by City in May 2022)

The revision includes components requested by the City to be added to the Scope of Work in the Field Kickoff held 08/23/2021 and formally clarified in an email directed to the project team dated 01/10/2022. Email text dated January 2022 is included at end of document reference.

This WO revision includes the creation of sub tasks 3.1 and 3.2. Task 3.1 is the original scope of work for the 100% Design Submittal. Task 3.2 is the additional scope of work requested under this work order revision. Task 3.2 is the only addition/change in scope requested under this revision. The additional budget requested for Task 3.2 is $33,300 increasing the total project fee to $308,300. This change is reflected in the fee table under section Project Fees. Changes to the fee are shown in italicized text to highlight the fee changes under this revision. Note that Task 7 in the fee table has been broken into two sub tasks (7.1 and 7.2) to reflect the project management budget allocated for the administration of the preceding tasks, the overall budget for project management ($27,000) has not been revised.

Additionally, the project schedule has been modified from the original scope of work. Changes to the project schedule are indicated by a strike through of the original schedule, followed by the revised schedule.

Also, the project is not eligible for cooperative funding from the Southwest Florida Water Management District (SWFWMD). References to SWFWMD funding no longer apply as of April 1, 2022.

With Revision #1, one new task, 3.2, established for task fee amount of $33,000.00. Work Order No. 10 total fee amount is $308,300.00.

Revision #2 (Developed November 2023 and authorized January 2024)

The revision includes components requested by the City to be added to the Scope of Work since 2022 including, but not limited to:

1. *modifications to the structures in the Contract Drawings referred to as Sludge Drying Beds (design fees),*
2. *updates and modifications to the Contract Documents (design fees),*
3. *the re-bidding of the documents (design fees),*
4. *additional services provided beyond the scope of design (design fees),*
5. *In addition, the construction duration was extended to 18-months during the bidding process and separate funding was required for the construction, resulting in additional service during construction (construction fees).*

The second revision includes the creation of sub tasks 4.1 and 4.2 as well as the expansions of tasks 3.2, 5 and 6. Tasks 3.2, 4.2, 5, and 6 contain the only addition/change in scope requested under this revision. Email text from October 2023 through December 2023 is included at end of this document providing reference for the scope of services and fee adjustments.

Task 3.2 includes the modified task from the Revision #1, but also the design costs incurred for additional tasks to date. Additional budget for Task 3.2 is $90,000.00.

Task 4.1 is the original scope of work for the Bidding Services (was Task 4 and no change in task fee amount). Task 4.2 is the additional scope of work requested under this work order revision for redesign and re-bid services. Additional budget for Task 4.2 is $19,000.00.

Task 5 is for Construction Administration services and the scope adjustments are documented in the referenced 2023 email excerpt. Additional budget for Task 5 is $211,000.

Task 6 is for Contract Closeout services and includes the original scope, but reflects the additional construction requirements due to the expansion of the construction schedule, additional design components, shifting former City staff responsibility to Consultant responsibility, and addition of funding coordination items. Additional budget for Task 6 is $11,000.

Tasks 1, 2, and 7 scope of services and fees remains un-changed.

The combination of these increases the total project fee to $639,300. These changes are reflected in the fee table under section Project Fees. Changes to the fee are shown in italicized text in a separate column to highlight the fee changes under this revision.

Additionally, the project schedule has been modified from the original scope of work. Changes to the project schedule are indicated by italicized text in a separate column to highlight the changes under this revision.

SCOPE OF SERVICES

TASK 1 – 60% PRELIMINARY DESIGN REPORT, DRAWINGS AND TECHNICAL SPECIFICATIONS

ASRus and Jones Edmunds (ASRus Team) will provide the following preliminary engineering and design and services for the fourth clarifier and related equipment and appurtenances:

- Conduct a kickoff and site meeting with the City staff, the ASRus Team, and our structural (Wekiva) and electrical (EMI) subconsultants to discuss the basis of design for the fourth clarifier, splitter box, pipe routing including structural, electrical, instrumentation and SCADA needs.
- Conduct a site topographic survey around the area for construction of the fourth clarifier, the clarifier splitter box and existing three clarifiers. Obtain top of structures, walls, and weir elevations to establish hydraulic control points. The ASRus team will use available survey information from past projects and provide the City surveyor with a survey needs drawing to obtain required elevation and topographic data.
- Coordinate with our structural engineering subconsultant to review existing WWTP site geotechnical engineering reports and borings from the recent and past projects and confirm that sufficient information exists for design of the fourth clarifier. The findings will be discussed with the City. If an additional boring is recommended, the City will provide under their existing continuing geotechnical contract.
- Coordination meetings with City and equipment manufacturer regarding fourth clarifier, splitter box and return activated sludge (RAS) pump design and clarifier detailed equipment layout.
- Coordination meeting with City on the piping arrangement, operation, instrumentation and controls and SCADA monitoring of the fourth clarifier and RAS pump station.
- Prepare draft technical specification and performance requirements for fourth clarifier, slide gates, weirs, scum baffle and RAS pumping system. Provide structural and electrical technical specifications.
- Prepare 60% drawings for aerobic digester tank demolition, fourth clarifier, flow splitting/flow control details, clarifier influent and effluent piping, RAS piping and scum piping arrangements and detail sheets. A total of 15 sheets are planned for this work.
- Prepare 60% structural drawings for the clarifier design, walkways, miscellaneous metals, concrete pads, and related appurtenances. A total of 5 sheets are planned for this work.
- Prepare 60% electrical and I&C drawings for the fourth clarifier and RAS pumps. A total of 14 sheets are planned for this work.
- Prepare a Technical Memorandum (TM) summarizing the basis of design, opinion of probable construction costs and implementation schedule for review with the City and for submission to FDEP for permit modification.
- Conduct a review meeting with the City to obtain comments on the PER and 60% design documents.

Deliverables: 60% TM for Basis of Design, Design Drawings and Technical Specifications for the fourth clarifier. Meeting minutes from the site kickoff and 60% review meeting.

TASK 2 – PERMIT MODIFICATION SERVICES

The ASRus and Jones Edmunds Team will provide the following permitting assistance:

- Conduct a virtual pre-application meeting with FDEP SW District WW Permitting staff, City and the ASRus Team to discuss and confirm permit submittal package.
- Prepare an FDEP permit modification for addition of a fourth clarifier.
- Submit draft permit to City for review and submit permit to FDEP.
- Respond to up to two requests for additional information from FDEP.
- Review draft permit submittal from FDEP and provide comments.
- Submit drawings to City Building Department for permit approval (as required).

Deliverables: Provide the City with FDEP Permit Modification Application for signature; City Building Permit Package for submission and meeting minutes from the Pre-application meeting.

TASK 3 – 100% DESIGN SUBMITTAL

TASK 3.1 100% DESIGN SUBMITTAL

- Incorporate City review comments, FDEP comments and prepare the 100% drawings and technical specification documents.
- Prepare the EJCDC Front End Documents and draft advertisement.
- Perform a Final Quality Control review of the general construction contract documents package.
- Submit a draft of 100% Contract Documents (Drawings and Specifications) in support of the Advertisement and Bidding Phase Services to City for review.
- Address City comments and submit Final Contract Documents for advertisement and bidding.

TASK 3.2 100% DESIGN SUBMITTAL MODIFICATIONS

- *Additional items formally requested by the City (via email dated January 10th, 2022) to be incorporated into the design, generally including:*
    - *Modification of facility roadway including addition of ~200 linear feet and demolition as appropriate for the Clarifier footprint*
    - *Mechanical and Structural design of a new street sweeper offloading screening structure*
    - *Addition of Single-story Electrical Building (will be masonry or precast concrete)*
    - *Evaluating City's Requested Generator Capacities*

- *Dissolved Air Floatation building and equipment demolition*

- *These additional design components will include one additional submittal package for City comment prior to the Final Contract Documents for Advertisement and Bidding. This additional submittal for City review and comment will be coordinated alongside the FDEP Permit submittal.*

Deliverables: Provide the City with a draft 100% Contract Documents for final review and comment and set of Final Contract Documents for Advertisement and Bidding.

TASK 4 – BIDDING SERVICES

TASK 4.1 BIDDING SERVICES (in original authorization, Task 4 Bidding services)

The ASRus and Jones Edmunds Team will provide the following bidding services:

- Jones Edmunds will distribute Contract Documents and maintain a plan holders list of prospective bidders, and issue addendums to plan holders.
- Provide clarifications to the Bidders' written questions regarding the Bid Documents during the project Bid Phase. Jones Edmunds will prepare clarifications in writing as Addenda, submit to the City for review, and distribute an electronic copy to perspective bidders.
- Prepare up to three Addenda to the Contract Documents.
- Conduct one mandatory pre-bid meeting with prospective Bidders. Jones Edmunds will prepare an agenda and provide a meeting summary to the City for the meeting.
- Attend bid opening.
- Evaluate the Bidders' cost proposals, prepare bid tabulation, perform three reference checks of the apparent low bidder, and confirm the amount of the bid bond submitted.
- Provide a letter of recommendation and bid tabulation to the City in support of the contract award.

TASK 4.2 BIDDING SERVICES MODIFICATIONS

Additional items agreed to by the City will be incorporated into the design with additional services performed including:

- Jones Edmunds will modify, update, and distribute Re-Bid Contract Documents to the City, and issue addendums to the City for uploading to planholders via the DemandStar bidding website.
- Provide clarifications to the Bidders' written questions regarding the Bid Documents during the project Re-Bid Phase. Jones Edmunds will prepare clarifications in writing as Addenda, submit to the City for review, and distribute an electronic copy to the City for uploading to DemandStar.

- Prepare up to two Addenda to the Contract Documents, one of which includes modifications to the structure referred to in the Contract Documents as the Sludge Drying Bed.
    - Modifications to the design shall include, but not be limited to: meeting with City staff to discuss design adjustments, evaluation of electrical and hydraulic needs following modifications, coordination of subconsultant services including structural and electrical, and one draft design review meeting with City before issuing modified documents in final addendum.
- Conduct one non-mandatory pre-bid with prospective Bidders. Jones Edmunds will prepare an agenda and facilitate the meeting at a location of the City's hosting.
- Attend bid opening.
- Evaluate the Bidders' cost proposals, prepare bid tabulation, perform three reference checks of the apparent low bidder, and confirm the amount of the bid bond submitted.
- Provide a letter of recommendation and bid tabulation to the City in support of the Contract award upon SRF Funding award.

TASK 5 – CONSTRUCTION ADMINISTRATION

This task includes periodic site visits by project team members, such as the Project Manager/Construction Administrator and the Engineers or Record to coordinate activities, offset potential schedule/construction conflicts, track the project documentation required by the construction contract, and review work is in accordance with Contract Documents.

Construction administration includes work items necessary to document the project's performance. ASRus and Jones Edmunds Team will:

- Receive, log, review, and issue comments for up to 24 Requests for Information (RFIs) as requested by the City and/or the prime contractor.
- Generate and issue up to 12 Construction Field Orders (CFOs) as requested by the City.
- Generate and issue up to 8 Proposed Contract Modifications (PCMs) as requested by the City, review PCMs for conformance with the Contract Documents, and make recommendations.
- Generate and issue up to 4 Proposed Contract Change Orders (COs), review COs for conformance with the Contract Documents, and make recommendations.
- Prepare, log, and issue up to 2 Notices of Non-Compliance.
- Conduct one onsite pre-construction meeting and up to 19 monthly onsite Construction Progress Meetings. Prepare agenda, sign-in sheet, and meeting minutes. Distribute meeting minutes to the Contractor and the City.
- Receive, review, and file field correspondence. Coordinate construction activities and issues with the City assigned field representative.
- The Engineer will process up to 18 monthly Pay Applications. The Engineer will receive the Pay Applications from the Contractor, log and review them with the Resident Observer and the City's assigned field representative and recommend payment to the City.

- Provide engineering support and site visits by the Engineer of Record to review that construction generally complies with the Contract Documents and any required permit requirements. This scope includes up to two site visits each for mechanical, electrical, structural and instrumentation technical staff and office support.
- Maintain an Owner's file of project paperwork and provide the record file to the City at project completion.
- Assist with loan requirements including employee interviews, wage statement reviews, coordinate and assist with FDEP Instructions, and assist with construction document maintenance.

The ASRus Team will receive, log, review, and issue comments on project submittals and estimates approximately 60 submittals for the project. This Scope includes an initial review and one re-submittal review for each submittal.

The ASRus Team will provide resident observation on an as-needed basis during construction to monitor that construction is being completed in general accordance with the Contract Documents. This Scope includes site visits by the Contract Administrator during the full 18 months of site construction. Based on the nature of this construction project, The ASRus Team assumes that Contract Administrator will be on site for approximately 20% of the working days during the construction period. Jones Edmunds observation services will be used to supplement the full-time observation of the project by City personnel. Jones Edmunds will coordinate with the Contractor to determine their schedule for construction events that require observation. The estimate of Resident Observer's time is based on 8-hour days.

Deliverables: Provide the City Progress Meeting Minutes and recommendations for Pay Applications.

TASK 6 – CONTRACT CLOSEOUT

When the Contractor notifies the Engineer/City that the project is ready for start-up, the ASRus Team will begin contract closeout, which includes the following services:

- Provide Project Engineer(s) to attend two days of start-up services.
- Instrumentation and Controls acceptance testing and commissioning detailed in Specification 13401.
- Conduct a Substantial Completion site visit with the City and the Contractor and provide a Project Deficiency List (an initial list of items to be corrected or completed) to the Contractor and the City.
- Issue a Certificate of Substantial Completion to the City and the Contractor for signatures with the final deficiency list attached.
- Conduct a Final Completion site visit with the City and the Contractor and document any remaining deficiencies.

- Assist the City with preparing, reviewing, and executing final documentation required by the Contract Documents for Final Completion.
- Review the Contractor's mark-ups of the Construction Drawings and CAD-based Record Drawings. This Scope includes two reviews of the Record Drawings.

Deliverables: Provide the City with Record Documents of the Fourth Clarifier Project.

TASK 7 – PROJECT MANAGEMENT

The ASRus and Jones Edmunds Team will provide overall project management of the fourth clarifier design, permitting and construction services in the task descriptions stated above.

EXCLUSIONS AND CONDITIONS

The following items are exclusions and conditions specific to this Scope of Services. Excluded items may be provided as Additional Services at additional costs to the City.

- The estimated fees are based on Jones Edmunds understanding of the project needs. The ASRus Team will perform the tasks listed in this proposed Scope of Services on a lump sum per task basis. ASRus will notify the City if additional fees are required to complete the tasks assigned by the City that are not included in this Scope.
- FDEP Permit Fees for Minor Modification are the responsibility of the City.
- Site topographic and tank elevation and weir survey is responsibility of the City.
- As noted, additional geotechnical borings (if needed) will be the responsibility of the City.
- Funding tasks associated with disbursement requests, construction summary updates, and a portion of the construction document maintenance will be the responsibility of the City.
- All permits required during construction will be the responsibility of the Contractor.
- The costs included herein are for an 18-month construction contract time. If the Contractor is granted additional time to complete the project, a request will be made to the City for additional fee to continue providing the Construction Phase services covered under this contract for the extended time period.
- NPDES permitting for construction activities is the Contractor's responsibility and is excluded.

PROJECT SCHEDULE

Using the May 14, 2021 notice-to-proceed authorization of Work Order no. 10 to the ASRus/Jones Edmunds Team, the proposed schedule to complete Tasks #1-7 is as follows:

Activity	**Original NTP Date 05/14/2021**	**Original Completion By**	**March 2022 Updated NTP Date 05/14/2021**	**Revision 1 Completion By**	**Sep 2023 Updated NTP Date 05/14/2021**	**Revision 2 Completion By**
Preliminary engineering & survey (1) (task 1)	90 Days from NTP	08/12/2021	90 Days from NTP	08/12/2021	90 Days from NTP	08/12/2021
60% Design Submittal (task 1)	150 Days from NTP	10/11/2021	150 Days from NTP	10/11/2021	150 Days from NTP	10/11/2021
FDEP Permit Modification Submittal (task 2)	150 Days from NTP	10/11/2021	*330 Days from NTP*	*04/09/2022*	*330 Days from NTP*	*04/09/2022*
100% Design Submittal (tasks 3.1 and 3.2)	220 Days from NTP	12/20/2021	*450 Days from NTP*	*08/07/2022*	*450 Days from NTP*	*08/07/2022*
Bid Phase Services (tasks 4.1 and 4.2)	310 Days from NTP	03/20/2022	*540 Days from NTP*	*11/05/2022*	*810 Days from NTP*	*08/02/2023*
Construction Administration (task 5)	675 Days from NTP	03/20/2023	*860 Days from NTP*	*09/20/2023*	*1,460 Days from NTP*	*05/13/2025*
Contract Closeout / Project Management (tasks 6, 7.1, 7.2)	795 Days from NTP	07/18/2023	*980 Days from NTP*	*01/19/2024*	*1,460 Days from NTP*	*05/13/2025*

Note: (1) Schedule dependent on time required to receive final survey information and geotech reports. Ability to shorten survey and geotech will shorten overall schedule.

The Scope of Services is based on an 18-month construction contract per the awarded Bid Contract to Substantial Completion. Final Completion and Contract Closeout will be 30 days after Substantial Completion. It is understood that the time between award of a construction contract and the actual start of construction may vary.

PROJECT FEES

ASRus proposes to complete the work detailed above on a lump sum per task basis for a revised amount not to exceed **$639,300.00.**

TASK	MAY 2021 AMOUNT	MARCH 2022 ADDITIONAL	NOVEMBER 2023 ADDITIONAL	**TOTAL**
Task 1 – 60% Prel. Design Report, Drawings & Specs.	$ 98,000			$98,000.00
Task 2 – Permit Modification Services	$ 5,000			$5,000.00
Task 3.1 – 100% Design Submittal & Bid Documents	$ 30,000			$30,000.00
Task 3.2 – 100% Design Submittal Modifications	*0*	*$ 33,300*	*$ 90,000*	*$123,300.00*
Task 4.1 – Bidding Services	$ 20,000			*$20,000.00*
Task 4.2 – Bidding Services Modifications	*0*		*$ 19,000*	*$19,000.00*
Task 5 – Construction Administration	$ 81,000		*$ 211,000*	*$292,000.00*
Task 6 – Contract Closeout	$ 14,000		*$ 11,000*	*$25,000.00*
Task 7.1 Project Management Tasks 1-4	$ 13,000			$13,000.00
Task 7.2 Project Management Tasks 5-6	$ 14,000			$14,000.00
TOTAL	$275,000	$33,300	$331,000	**$639,300**

ASRus will invoice for services provided on a monthly basis with the invoicing broken down by task and will reflect the percent complete for each task. Included with the invoices will be a monthly progress report to provide an update to the City.

EXCERPT of City of Bradenton email dated Mon 1/10/2022 9:27 AM
3 pages total this EXCERPT

FROM: Susan Hochuli Susan.Hochuli@bradentonFL.gov

Additional COB input Post-Bradenton Clarifier 60% Design Review Meeting – Minutes

TO:
Sean Menard (SMenard@jonesedmunds.com)
Thomas W. Friedrich, PE, BCEE TFriedrich@jonesedmunds.com
Pete Larkin, PG (ASRus) plarkin@asrus.net
Pete Hoanshelt whoanshelt@emicfl.com
David Morris david@wekivaengineering.com

CC:
William Waitt william.waitt@cityofbradenton.com
Charles Tanner charles.tanner@cityofbradenton.com
Christopher Walters Chris.Walters@bradentonFL.gov
David Cronkhite David.Cronkhite@bradentonFL.gov

Hello ASRus/Jones Edmunds/EMI team –

Per the post-60% meeting feedback from Jim McLellan and Bill Waitt on our WRF Clarifier No. 4 Addition, the City offers the following direction/comments:

1. For measuring the RAS flow from clarifier no. 4, our preference is having a strap-on mag meter on the piping assembly at the RAS pump station rather than a separate stand-alone metering system. If an adjustment is needed in the RAS pump station piping to allow this strap-on mag meter approach, that is acceptable to the City. If not feasible, please advise Bill/Susan.
2. Additional Work requested by City – Aerobic Digester Stair/Walkway modification is not to be included with this project. This effort will be budgeted separately for the coming FY2023, and we would use any effort by the Jones Edmunds team to date to support this to-be-budgeted-FY2023-item available October 1, 2022.
3. The City prefers to FDEP-permit-modify once and accepts a delay in the September-2023 completion for clarifier no. 4 to accomplish one (1) FDEP domestic wastewater permit modification. The current FDEP domestic wastewater permit FL0021369 already includes the injection well facility as a planned disposal method. The Recharge Facility project includes the 3 wells; and the surface components, which clarifier no. 4 is one component. The remaining surface components, the pump station, additional structures, etc. are hopefully to a design stage where all the pieces can be provided for FDEP review and eventual permit-modification, permit no. FL0021369 through the FDEP Domestic

Wastewater staff. The FDEP Underground Injection Control staff have issued the construction/testing permit for the 3 wells.

4. Additional Work requested by City that remains as part of this scope includes: DAF demolition.
5. Additional Work requested by City that remains as part of this scope includes the new Electrical Building required.
6. Additional Work requested by City that remains as part of this scope includes the Generator Impact Evaluation that includes all on-site generators.
7. Additional Work requested by City that remains as part of this scope includes the South Roadway Design to accommodate clarifier no. 4 final footprint and other improvements.
8. Additional Work requested by City that remains as part of this scope includes the new Street Sweeper Off-Loading structure.
9. The existing Dewatering Pumps, located between out-of-service Digester no. 3 and Digesters no. 1 and 2, will remain in place.
10. The City confirms the larger foundation and pile design approach to the avoid uplift of clarifier no. 4 structure.
11. Per the meeting notes, it is identified that the existing MCC-3/Generator building, north of Aerobic Digester No. 1, is an electrical source for the Recharge Well project. Does this identification also include electrical for the injection well pump station, the injection well and the shallow monitoring well? How will I&C needs be met for the injection well pump station, the injection well, and the shallow monitoring well?
12. If a re-thinking is appropriate, consider options for different placement of the proposed electrical building for servicing clarifier no. 4 but the injection well, its nearby shallow monitoring well, and the other surface components such as the injection well new pump station. And perhaps the existing Sludge Dewatering Feed Pump VFDs and Panels. The proposed location of the new building, east side of clarifier no. 4, adjacent to the roadway that handles large-truck traveling may not be ideal. Additional options for where this new building is placed includes:
    a. if the clarifier no. 4 footprint shifts south it could be placed near the existing sludge dewatering pump above-ground station
    b. the grassed area north of existing solids handling building
    c. the grassed area south of chlorine contact chamber
13. Regarding the existing Sludge Dewatering Feed Pump VFDs and Panels, currently installed on the exterior wall of the out-of-service Digester no. 3. If the construction sequencing can be accomplished to relocate these VFDs/Panels only once into the new electrical building, the City approves of their relocation from outside to inside. If not, these VFDs/Panels remain outside, in their new re-location. The City will not pay for their relocation twice, once to be separated from Digester no. 3 demolition and once to be moved from the new outside location to inside the new building. Open to ideas on how to end up with these 2 VFDs/Panels inside, please share.
14. Replacement of the existing clarifier splitter gates with stainless steel gates to be incorporated into the modifications of the existing splitter box.
15. City has provided the Team with the additional survey points of the existing clarifier splitter box structure.
16. City has confirmed no additional historical Geotech data is available from their records to add to the Geotech history located by the JE team. City is comfortable to move forward

with the Geotech work and looks forward to the ASRus/JE request to use the Geotech task in Bradenton-to-ASRus Work Order No. 5.

17. City has provided the Team with the historical FPL billings for the WRF site.
18. City is awaiting feedback from ASRus/JE/EMI team on the required flood elevation to be met with this project, 100-year or 500-year or other year.

Thank you for reading this far.

Susan Hochuli, P.E.
Engineering Section, Public Works and Utilities Department, Public Works Annex, 1411 9th Street West, Bradenton, Florida 34205 Office 941-708-6300 x231
Please Note the updated email address Susan.Hochuli@bradentonFL.gov Capitalization provided for distinction only, not required.

Email thread from October 16, 2023 start and December 21, 2023 end
9 pages total this EXCERPT

Thu 12/21/2023 11:52 AM
Sean P. Menard, PE, CDT, ENV SP, Assoc. DBIA SMenard@jonesedmunds.com
[EXTERNAL] RE: RE: Bradenton Fourth Clarifier Revised Scope and Recharge Well SRF Service Estimate
Susan Hochuli <Susan.Hochuli@bradentonFL.gov>; Thomas W. Friedrich, PE, BCEE <TFriedrich@jonesedmunds.com>; Mark McNeal (mmcneal@asrus.net); Pete Larkin plarkin@asrus.net
Dean Jones <Dean.Jones@bradentonfl.gov>; WasteWater <WasteWater@bradentonfl.gov>

Good morning, Susan,

The Word Document and Excel Sheet titled, "Copy of TO10 Bradenton Fourth Clarifier Scope and Fee" were the two documents directly related to the Bradenton Clarifier Scope modified to include change order and construction services from ASRus and Jones Edmunds.

The third document (Excel sheet titled, "Copy of 2023.08.08_Cost Estimate_Bradenton_Clarifier_CA services") was Jones Edmunds' detailed breakout of Construction costs (modified as discussed with City related to SRF, etc. in 10/13/2023 meeting), and was intended as reference only.

The attachments and the email together serve as context for the adjustments.

We appreciate your coordination of this and look forward to seeing it proceed. Please let us know if there is any additional information we can provide.

Thank you,

Sean P. Menard, PE, CDT, ENV SP, Assoc. DBIA
Department Manager

p. 352.377.5821 | x. 1788 | c. 813.579.7797
JONESEDMUNDS.COM
730 NE Waldo Road, Gainesville, FL 32641

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From: Susan Hochuli <Susan.Hochuli@bradentonFL.gov>
Sent: Thursday, December 21, 2023 9:52 AM
To: Sean P. Menard, PE, CDT, ENV SP, Assoc. DBIA <SMenard@jonesedmunds.com>; Thomas W. Friedrich, PE, BCEE <TFriedrich@jonesedmunds.com>; Mark McNeal (mmcneal@asrus.net) <mmcneal@asrus.net>; Pete Larkin <plarkin@asrus.net>
Cc: Dean Jones <Dean.Jones@bradentonfl.gov>; WasteWater <WasteWater@bradentonfl.gov>
Subject: FW: RE: Bradenton Fourth Clarifier Revised Scope and Recharge Well SRF Service Estimate
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sean, Tom, Mark, Pete – confirming this November 22, 2023 email and its attachments are the documentation for authorizing (and increasing fees for services during construction by the JonesEdmunds portion of the ASRus team) by the City to the ASRus team for Bradenton Clarifier no. 4. Please advise if I'm off the path. If I am on the path, my next effort is to insure Dean has two (2) NTP letters to execute to ASRus team for both clarifier no. 4 and the recharge well drilling. (Pete at ASRus confirmed we have the correct fee proposal for their construction services during the recharge well drilling). Thank you. -susan

Susan Hochuli, P.E.
Engineering Section, Public Works and Utilities Department, Public Works Annex, 1411 9th Street West, Bradenton, Florida 34205 Office 941-708-6300 x231
Please Note the updated email address Susan.Hochuli@bradentonFL.gov Capitalization provided for distinction only, not required.

From: Sean P. Menard, PE, CDT, ENV SP, Assoc. DBIA <SMenard@jonesedmunds.com>
Sent: Wednesday, November 22, 2023 5:07 PM
To: Susan Hochuli <Susan.Hochuli@bradentonFL.gov>; Thomas W. Friedrich, PE, BCEE <TFriedrich@jonesedmunds.com>; Pete Larkin <plarkin@asrus.net>; Mark McNeal (mmcneal@asrus.net) <mmcneal@asrus.net>
Cc: Jim Mclellan <jim.mclellan@bradentonFL.gov>; Dean Jones <Dean.Jones@bradentonfl.gov>; Brian J. Icerman, PE <BIcerman@jonesedmunds.com>; John T. Hannah, PE <JHannah@JonesEdmunds.com>
Subject: [EXTERNAL] RE: Bradenton Fourth Clarifier Revised Scope and Recharge Well SRF Service Estimate
Importance: High

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good afternoon, Susan, Dean, and Jim,

Please find the attached, updated documents as well as the responses to each of the items from the below email.

1. Agreed, in addition to various adjustments to Scope, construction funding methods, etc. that had direct impact to schedule and fee.
2. All tasks have been rounded up or down to the nearest thousand for the 2023 request. The 2022 request had a value in the hundreds, but that was not modified.
3. I thought we had originally discussed that a detailed fee breakdown wasn't required for the design portion since so much of that was past, written-off or held charges. We have a detailed breakdown for our Construction Fees moving forward, which was provided and accounts for the majority of the CO. Since the example you provided has JE fees as LS per task, this was easier to make an attempt at, but please let us know if there are any concerns with the layout. If JE is required to provide an updated, detailed breakdown of past and present charges, that could be a significant effort and I do not believe is what was discussed on former calls and meetings.
4. There is no language that we necessarily feel strongly about, it was more to help define Construction Processes, etc. for the City or anyone else reviewing the proposal. Given the context of this mostly being a formality, we are fine with the language as it stands. If the City thinks there should be more detail in the event the Environmental Groups review, please let us know and we will replace or add to the language in the attached.
5. If I am understanding correctly, I have reduced Task 4.2, Bidding Services Modifications to <$20,000 (so it is less than the $20k value of original Task 4, Bidding Services) and have increased Task 3.2, 100% Design Submittal Modifications by that reduced amount. I assume no changed need to be made to descriptions since that is still accurate and the fees just shifted. If I misunderstood or am incorrect, please let me know.
6. My only comments on your summary are:
    a. ***Modified*** construction duration was 13 months, but I believe at the time the original Scope for the WO was written, it was believed that Construction Duration would be 12 Months to final completion. In reviewing the version form April 2021, the original scope calls out that only six months of site construction were anticipated for Resident Observation, but looking into the fee, no funds were budgeted for any RO.
    b. The 18 months of construction is assuming one site visit per week from project kickoff through final completion. It is anticipated that in the early weeks there may be no site visits, but as things pick up, we might have to be out spontaneously on days outside of our normal weekly visit. If it is preferred this is reduced to account for the early weeks without visits, we certainly can accommodate, but may need additional funds for additional visits at a later date.
    c. The short version is that the original construction scope was undersold, had less duration, had less scope of services, and had older rates. The updated scope was personally completed by our Construction Department Manager and for more of a breakout, including many items that were wrapped into a $2,300 "Engineering Support" or a $2,320 "Coordination and Meeting with Contractor" instead of being detailed.

I manually confirmed and just under a 3x increase works out to the average increase of each of the items below based on increased quantity, increased hours of efforts per quantity, and increased rates for each line item (from 2021 to 2023). The additional SRF task on top of that brings it closer to the 3x difference. It is best compared by:

i.	Original Scope	Updated Scope
ii.	40 Submittals	60 Submittal Reviews
iii.	Insignificant RFIs (Eng Support)	24 RFIs
iv.	4 Change Orders	4 Change Orders
v.	Insignificant CFOs (Eng Support)	12 CFOs
vi.	8 PCMs	8 PCMs
vii.	Insignificant NNCs (Eng Support)	2 NNCs
viii.	12 Pay Apps	18 Pay Apps
ix.	12 meetings, 3-5 virtual	19 Meetings, all onsite, and assumed extra hours for RO on impromptu calls/meetings throughout each week
x.	0 Months of RO	18 Months of RO
xi.	24 Hours for Substantial Completion Review	38 Hours for Substantial Completion Review
xii.	5 Hours for Final Completion Visit	20 Hours for Final Completion Visit
xiii.	Insignificant Hours for PAT (Coord Cont)	40 Hours for Performance Acceptance Test (PAT)
xiv.	37 Hours for Record Drawings	84 Hours for Record Drawings
xv.	Insignificant Hours for FDEP Forms (Coord Cont)	24 Hours for FDEP Forms
xvi.	No SRF Services	$17,410 worth of SRF Services

d. Text may be adjusted or removed, as the City sees fit, but responses of understanding are provided below:
   i. The original Scope referenced RO, but did not have any fee associated with it. My understanding was that the City was originally going to perform the full regular RO with JE only coming onsite for the significant items (progress meetings, substantial review, etc.). Now that we are performing one day of RO per week, that is a significant portion of the effort assumed by the City now being performed by Consultant.
   ii. The original Construction Scope was estimated before any design adjustments/addenda were coordinated (2021). This means the addition of ~200 LF of roadway design and demolition, mechanical and structural design of the street sweeper offloading structure, addition of electrical building, reviewing generator capacities, DAF building and equipment demolition were all added to Construction in addition to the more recent items of increased capacity street sweeper offloading structures, adding a

second offloading structure, etc. The SRF funding added to this also impacted Construction efforts.

iii. Agreed. Reference to Task 7 adjustment is removed.

In addition, we would appreciate the City's assistance with pushing this through. The below summarizes the approximate schedule to date as we understand it, but might be missing some calls/meetings in between the dates indicated:

- 06/29/2023 – ASRus delivered the Scope and Fee revision for WO 10 (primarily included Design Change Order, but no additional Construction)
- 07/05/2023 – City responded requesting detailed fee breakdown
- 07/11/2023 – JE met with City on Street Sweeper (Drying Bed) design. As part of that meeting, it was confirmed that a detailed fee breakdown would not be feasible/practical due to historic written off or held charges. City agreed general breakdown of fee by task would be acceptable and requested Jones Edmunds consider additional Construction Service Updates if they had not been.
- 07/2023 - ASRus called and notified Jones Edmunds that they had a call with the City and it was requested to adjust the format to break out the Construction Services into a new WO and handle the Design CO under the current WO #10.
- 08/10/2023 – ASRus delivered updated Scope and Fee revision for WO 10 updates and broken out Construction services.
- 08/16/2023 – ASRus updated that they spoke with City and there was going to be an internal meeting verifying the COs for approval.
- 08/18/2023 – ASRus inquired about status during Recharge Well meeting. It was indicated that the City had not reviewed the documents yet.
- 09/25/2023 – Jones Edmunds followed up directly asking about the status of the CO. No response was received.
- 09/29/2023 – Jones Edmunds followed up with different City personnel about the CO via phone. Documents were reforwarded for review.
- 10/05/2023 – City called indicating that the Design CO (~$109k) was approved and pushed through and the Construction portion would be reviewed next.
- 10/09/2023 – Email was received from original City personnel indicating the $109 should be good to approve, but inquiring about the Construction portion. Jones Edmunds provided responses.
- 10/10/2023 – City coordinated with ASRus and followed up in an email to Jones Edmunds requesting the design and construction COs be re-merged into WO #10 and a single amendment be requested for that. A meeting was scheduled to confirm intent/understanding.
- 10/13/2023 – Jones Edmunds, ASRus, and the City met, reviewed the Scope and Fee in detail, and covered expectations for approved CO.
- 10/13/2023 – Jones Edmunds provided updated Scope and Fee, re-merged and updated per meeting, to ASRus by end of day.
- 10/15/2023 – ASRus indicated they approved and asked JE to forward to the City.
- 10/16/2023 – Jones Edmunds provided updated CO documents to the City.
- 10/20/2023 – City responded requesting additional updates and explanation (see email below).

We have been essentially working this entire year without payment (I believe the last bill on this project was prepared 12/2022). It is due to our long history of service alongside the City of Bradenton that we have continued our work uninterrupted, maintaining Bid and Construction schedules. That being said, we would ***greatly*** appreciate anything that can be done to expedite the attached change order in order to begin issuing bills and payment related to the ongoing work. Over 25% of this requested change order is already accounted for and will be issued in the first bill.

Wishing you and your loved ones a Happy Thanksgiving and holiday weekend.

Thank you,

Sean P. Menard, PE, CDT, ENV SP, Assoc. DBIA
Department Manager

p. 352.377.5821 | x. 1788 | c. 813.579.7797
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From: Susan Hochuli <Susan.Hochuli@bradentonFL.gov>
Sent: Friday, October 20, 2023 1:33 PM
To: Sean P. Menard, PE, CDT, ENV SP, Assoc. DBIA <SMenard@jonesedmunds.com>; Thomas W. Friedrich, PE, BCEE <TFriedrich@jonesedmunds.com>; Pete Larkin <plarkin@asrus.net>; Mark McNeal (mmcneal@asrus.net) <mmcneal@asrus.net>
Cc: Jim Mclellan <jim.mclellan@bradentonFL.gov>; Dean Jones <Dean.Jones@bradentonfl.gov>
Subject: FW: Bradenton Fourth Clarifier Revised Scope and Recharge Well SRF Service Estimate
Importance: High

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Team, thank you for the updated scope and fee descriptions per our Teams meeting last Friday, the 13th. I've copied both Jim and Dean to keep them updated on my activity with these portions of the clarifier no. 4 project and the recharge well project.
Here are my comments related to clarifier no. 4, less the last one.

1. Overall, we go from $275k in May 2021 to $631k in September 2023. 28 months elapsed. Pandemic happened.
2. For Task 6, and any others with tens and hundreds, can these be rounded to the nearest thousands?
3. Will need an updated fee breakdown. I've attached the excel file from the initial WO 5 authorization.
4. If there is language from the August 2023 proposal that the Consultant team feels strongly should be included in the WO5 Revision #2, feel free to cut and paste. Keep in mind besides the City staff and the Consultant team, FDEP SRF staff will have this provided to them for their approval. We anticipate that action to be a formality. Also, the potential is there for the lawsuit Environmental Groups to request all clarifier no. 4 project information.
5. Task 4.2 will be hard to explain to non-engineers and other who wish to get into the weeds. The re-bid efforts task 4.2 amount is to be less than the $20k for the initial bidding effort, Task 4.1. Of the $53,800.00 requested in task 4.2, please separate out any additional design fees (your best guess) and either add to existing Task 3.2 or add to a new task 3.3, Additional Design Modifications. Administratively work order no. 5, revision #2, for the City it makes no difference on the selected choice.
6. For task 5, I'm writing through my understanding so correct me where I go off path.
    a. Original construction duration was 380 days (13 months); construction administration including CEI totaled $81,000. 40 submittals. Somewhere between 210 and 479 manhours.
    b. Current construction duration is 560 days (18 months) and construction administration, which also includes SRF loan requirement services and either 616 hours (per fee breakdown) for CEI or 576 hours (per August 8, 2023 proposal from JE/ASRus). 60 submittals.
    c. **Help me be able to justify the 3x increase in construction administration which includes CEI and approximately the agreed upon $17k for the SRF loan requirements that were not considered in the initial work order fee calculations.**
    d. This text was copied from the REVISION #2 (SEPTEMBER 2023) section. **Tasks 6 and 7 both include the original scope, but reflect the additional construction requirements due to the expansion of the construction schedule, additional design components, shifting former City staff responsibility to Consultant responsibility, and addition of funding coordination items.**
        i. What responsibility shifted from City to Consultant?
        ii. What additional design components translate into more construction phase services?
        iii. The proposed scope and fee revision #2 does not have any text or $ changes to Task 7 so this text will need deleting or updating.
7. Related to clarifier no.4 for scope and fee, ASRus has added $30k, time and material based, to their well drilling services during construction to address JE help to ASRus for SRF loan requirement services. The well drilling hydrogeological services are at approximately $573k. Fee breakdown is included.

If today is available, I'm at the WTP until 430pm today.

Work Order #10 Fourth Clarifier initial authorized May 2021 Limited tasks
Work Order #10 Fourth Clarifier, first revision prepared March 2022 Authorized May 2022 Limited tasks
Work Order #10 Fourth Clarifier, second revision prepared November 2023. Authorized January 2024. All tasks.

Susan Hochuli, P.E.
Engineering Section, Public Works and Utilities Department, Public Works Annex, 1411 9th Street West, Bradenton, Florida 34205 Office 941-708-6300 x231
Please Note the updated email address Susan.Hochuli@bradentonFL.gov Capitalization provided for distinction only, not required.
Mobile 941-290-9351

From: Sean P. Menard, PE, CDT, ENV SP, Assoc. DBIA <SMenard@jonesedmunds.com>
Sent: Monday, October 16, 2023 7:02 AM
To: Susan Hochuli <Susan.Hochuli@bradentonFL.gov>
Cc: Mark B. McNeal (mmcneal@asrus.net) <mmcneal@asrus.net>; Pete Larkin <plarkin@asrus.net>
Subject: [EXTERNAL] Bradenton Fourth Clarifier Revised Scope and Recharge Well SRF Service Estimate

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning, Susan,

I provided the updated Scope to ASRus Friday evening. Pete and Mark replied over the weekend asking me to forward directly to you and copy them. Please find my original message to them copy and pasted below as well as the two files attached.

As I noted in our call Friday, any assistance you can provide in helping this get executed would be appreciated. Please let me know if there are any changes that need to be made prior to it being sent on for approval on your end.

Good afternoon, Pete and Mark,

Per our conversation earlier today, please find the attached, revised scope of services for the Bradenton Fourth Clarifier Project.

This is notably different from any of the versions I had record of, but I believe Susan noted she supplied the final version on their end, so I saved a copy of that and modified per our conversation on this morning's meeting.

In addition, we reduced the scope of SRF services that the Consultant will be required to perform during Construction. Because of this, the $33,500 and $40,000 estimates that I provided

earlier have both been reduced. We integrated the SRF hours and description into the Construction Admin Task at Susan's request and the amount was reduced to $17,410 and we would request $23,000 for services during the Recharge Well. The reduced hours on our end were assuming we'd be using dual efforts for the SRF tasks while we were already onsite for RO, already reviewing Pay Applications and Submittals, etc. Naturally we won't be doing this on the well project, so I am assuming additional time/effort towards these across the 18-month duration.

The only item we might want to coordinate with Susan is whether it's best to go with the language in the attached to be most similar to what's been included to date, or if we should replace with some of the original detail we had in the Construction proposal attached that better defines expectations and extents. Please inquire with her on this unless you think it is clear the modified original is the best approach.

Please let me know if you have any comments or modifications and please let me know if there is any additional information I can provide.

Thank you,

Sean P. Menard, PE, CDT, ENV SP, Assoc. DBIA
Department Manager

JonesEdmunds
Integrity • Knowledge • Service

p. 352.377.5821 | x. 1788 | c. 813.579.7797
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730 NE Waldo Road, Gainesville, FL 32641

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AGENDA ITEM NO. 6.o

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Marcus Kerber, Purchasing

ITEM TYPE: Agreement

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Final Contract Extension of IFB #20-01RW with Superior Asphalt, Inc.

SUGGESTED ACTION: Approve the Agreement for Mayor's signature.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
The City and Contractor enter into a contract in response to IFB #20-01RW, whereby Contractor is to provide the City with miscellaneous road construction and materials services.

FINANCIAL IMPACT:
To be utilized and funded through the operating budget.

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed and edited by Attorney Rudacille.

SUGGESTED MOTION:
Motion to approve Extension IFB #20-01RW with Superior Asphalt.

ATTACHMENTS:
Final Contract Extension of Contract for IFB #20-01RW

Final Contract Extension of Contract for IFB #20-01RW between Superior Asphalt, Inc. and the City of Bradenton

This FINAL CONTRACT EXTENSION of Contract for IFB #20-01RW (the "Extension"), is made this 14th day of August 2024, between the CITY OF BRADENTON (hereafter referred to as "City"), a municipal corporation of the State of Florida located at 101 Old Main Street, Bradenton, Florida 34205, and SUPERIOR ASPHALT, INC., a Florida corporation (hereafter referred to as "Contractor"), with a principal office located at 4703 15th Street East, Oneco, Florida 34264.

WITNESSETH:

WHEREAS, the City and Contractor entered into a contract in response to IFB #20-01RW (the "Contract") on July 26, 2023, whereby Contractor was to provide the City with miscellaneous road construction and materials services, as more specifically described in Contractor's response to IFB #20-01RW;

WHEREAS, the term of the Contract ends on July 25, 2024; however, the Contract allows the option to renew for one (1) additional one (1) year period;

WHEREAS, the Parties desire to use the renewal option to extend the term of the Contract to July 25, 2025;

WHEREAS, the City and the Contractor desire that except as amended by the terms of this Extension, all other terms, covenants and conditions of the Contract, and the rights and obligations of the City and the Contractor, shall remain in full force and effect and are hereby ratified and affirmed.

NOW, THEREFORE, the City and the Contractor, for and in consideration of the provisions, mutual promises, covenants and conditions hereinafter set forth or recited, agree as follows:

1. **Recitals**. The recitals in the WHEREAS clauses are incorporated by reference and made a part of this Extension.

2. **Extension of the Term of the Contract.** The Contract is hereby extended to July 25, 2025.

3. **Affirmation**. Except as amended by the terms of this Extension, all other terms, covenants and conditions of the Contract, and the rights and obligations of the City and the Contractor thereunder, shall remain in full force and effect and are hereby ratified and affirmed.

4. **Counterparts**. This Extension may be executed in separate counterparts by the parties as may be deemed necessary and convenient, each of which, when so executed, shall be deemed an original, but all such counterparts shall constitute one and the same instrument. A party's original signature on the Extension hereto may be provided by facsimile or scanned and e-mailed and shall be effective upon transmission to the other party hereto.

IN WITNESS WHEREOF, the parties hereto accepted, made, and executed this Extension upon the terms and conditions above stated, this 14th day of August, 2024.

STEPHEN HILL
as SENIOR VICE PRESIDENT, of
Superior Asphalt, Inc.

AUGUST 6, 2024
Date

Gene Brown
Mayor, City of Bradenton

Date

Erin Jones
Erin Jones, NIGP-CPP, CPPB
Purchasing Manager, City of Bradenton

8/07/2024
Date

AGENDA ITEM NO. 6.p

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Marcus Kerber, Purchasing

ITEM TYPE: Agreement

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Final Contract Extension of IFB #20-01RW with Woodruff & Sons, Inc.

SUGGESTED ACTION: Approve the Agreement for Mayor's signature.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
The City and Contractor enter into a contract in response to IFB #20-01RW, whereby Contractor is to provide the City with miscellaneous road construction and materials services

FINANCIAL IMPACT:
To be utilized and funded through the operating budget.

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed and edited by Attorney Rudacille.

SUGGESTED MOTION:
Motion to approve Extension IFB-20-01RW with Woodruff & Sons.

ATTACHMENTS:
Final Contract Extension of Contract for IFB #20-01RW

Final Contract Extension of Contract for IFB #20-01RW between Woodruff & Sons, Inc. and the City of Bradenton

This FINAL CONTRACT EXTENSION of Contract for IFB #20-01RW (the "Extension"), is made this 14th day of August 2024, between the CITY OF BRADENTON (hereafter referred to as "City"), a municipal corporation of the State of Florida located at 101 Old Main Street, Bradenton, Florida 34205, and WOODRUFF & SONS, INC., an Indiana corporation (hereafter referred to as "Contractor"), with a principal office located at 6450 31st Street East, Bradenton, Florida 34203.

WITNESSETH:

WHEREAS, the City and Contractor entered into a contract in response to IFB #20-01RW (the "Contract") on July 26, 2023, whereby Contractor was to provide the City with miscellaneous road construction and materials services, as more specifically described in Contractor's response to IFB #20-01RW;

WHEREAS, the term of the Contract ends on July 25, 2024; however, the Contract allows the option to renew for one (1) additional one (1) year period;

WHEREAS, the Parties desire to use the renewal option to extend the term of the Contract to July 25, 2025;

WHEREAS, the City and the Contractor desire that except as amended by the terms of this Extension, all other terms, covenants and conditions of the Contract, and the rights and obligations of the City and the Contractor, shall remain in full force and effect and are hereby ratified and affirmed.

NOW, THEREFORE, the City and the Contractor, for and in consideration of the provisions, mutual promises, covenants and conditions hereinafter set forth or recited, agree as follows:

1. **Recitals**. The recitals in the WHEREAS clauses are incorporated by reference and made a part of this Extension.

2. **Extension of the Term of the Contract.** The Contract is hereby extended to July 25, 2025.

3. **Affirmation**. Except as amended by the terms of this Extension, all other terms, covenants and conditions of the Contract, and the rights and obligations of the City and the Contractor thereunder, shall remain in full force and effect and are hereby ratified and affirmed.

4. **Counterparts**. This Extension may be executed in separate counterparts by the parties as may be deemed necessary and convenient, each of which, when so executed, shall be deemed an original, but all such counterparts shall constitute one and the same instrument. A party's original signature on the Extension hereto may be provided by facsimile or scanned and e-mailed and shall be effective upon transmission to the other party hereto.

IN WITNESS WHEREOF, the parties hereto accepted, made, and executed this Extension upon the terms and conditions above stated, this 14th day of August, 2024.

Donald P. Woodruff — 07-31-24

Donald P. Woodruff — Date

as President, of
Woodruff & Sons, Inc.

Gene Brown — Date
Mayor, City of Bradenton

Erin Jones — 8/07/2024

Erin Jones, NIGP-CPP, CPPB — Date
Purchasing Manager, City of Bradenton

AGENDA ITEM NO. 6.q

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Resolution

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Resolution 24-43 - Decision denying Special Use Permit No. SU.24.1738; to operate a medical clinic at 914 14th Street West, 918 14th Street West, and 920 14th Street Court West

SUGGESTED ACTION: Approval of Resolution 24-43.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
At the City Council meeting on July 24, 2024, the City Council voted (vote 5-0) to deny Special Use Permit No. SU.24.1738 based on the failure of the property owner to demonstrate compliance with all of the review criteria of Section 3.3.2 of the Land Use Regulations, as further described below:

1. The Property Owner failed to demonstrate that the tract of land is suitable for the proposed use in light of the location and nature of surrounding development, as required under Section 3.3.2.1. of the Land Use Regulations.

2. The Property Owner failed to demonstrate that the proposed use would not adversely affect the value of surrounding properties, and that the use would not hinder the development of nearby vacant properties or adversely affect their economic value, as required under Section 3.3.2.5.g. of the Land Use Regulations.

3. The Property Owner failed to demonstrate that the proposed use is generally compatible and appropriate with surrounding properties and uses, as required under Section 3.3.2.5.i. of the Land Use Regulations.

4. The Property Owner failed to demonstrate that the proposed use is consistent with the City's Comprehensive Plan, as required under Section 3.3.2.5.k. of the Land Use Regulations.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to approve Resolution 24-43.

ATTACHMENTS:
Resolution 24-43

RESOLUTION 24-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON DENYING SPECIAL USE PERMIT NO. SU.24.1738 TO OPERATE A MEDICAL CLINIC IN THE T4-O (GENERAL URBAN OPEN) AND T-5 (URBAN CENTER) ZONING DISTRICTS FOR PROPERTIES LOCATED AT 914 14TH STREET WEST, BRADENTON, FL 34205 (PARCEL ID 4376500007), 918 14TH STREET WEST, BRADENTON, FL 34205 (PARCEL ID 4377000007), AND 920 14TH STREET COURT WEST, BRADENTON, FL 34205 (PARCEL ID 4375300159), AND MORE PARTICULARLY DESCRIBED HEREIN; MAKING FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Jerry N. Zoller and Rhonda C. Zoller (the "Property Owner" or "Applicant"), own the properties located at 914 14th Street West, Bradenton, Florida (Parcel ID 4376500007), 918 14th Street West, Bradenton, Florida (Parcel ID 4377000007), and 920 14th Street Court West, Bradenton, Florida (Parcel ID 4375300159) more particularly described in Exhibit "A" (collectively the "Property"); and

WHEREAS, the City of Bradenton Comprehensive Plan's Future Land Use Map designates the Property as Urban Village (UV); and

WHEREAS, the City of Bradenton Official Zoning Map classifies the Property under the General Urban Open (T4-O) and Urban Center (T5) zoning districts; and

WHEREAS, the City of Bradenton Form Based Code Table 4.7 identifies uses in the T4-O and T-5 zoning districts; and

WHEREAS, the City of Bradenton Form Based Code Table 4.7 identifies Medical Clinics as a Special Use in the T4-O and T-5 zoning districts; and

WHEREAS, Gause and Associates, Inc., agent for the Property Owner, submitted an application for a Special Use Permit to operate a Medical Clinic within the existing building on the Property; and

WHEREAS, the Planning Commission held a noticed public hearing on June 19, 2024 at which the Board received testimony and evidence from the applicant and City Planning staff; and

WHEREAS, the Planning Commission recommended approval of the Special Use Permit for the Property; and

WHEREAS, the City Council held a noticed public hearing on July 24, 2024, at which the Council received testimony and evidence from City staff and members of the public in attendance.

NOW, THEREFORE, the City Council makes the following Findings of Fact and Conclusions of Law and issues the Final Order as follows:

Section 1. Findings of Fact and Conclusions of Law. After considering the evidence on the record and that presented at public hearing, including the staff report and the recommendation of the Planning Commission, the City Council hereby makes the following Findings of Fact and Conclusions of Law:

a. The Whereas clauses contained herein are hereby adopted as Findings of Fact.

b. The Property Owner is requesting approval of a Special Use Permit to operate a Medical Clinic within the existing 7,500 square foot building on the Property, as depicted on the Site Plan attached hereto as Exhibit "B".

c. The area surrounding the Property has a high incidence of vagrancy and drug-related offenses, and the proposed medical clinic use may not be compatible and appropriate given these issues on surrounding properties.

d. The City and CRA have incentivized several residential development projects in the area of the Property in order to revitalize and help create a vibrant, mixed-use area. The proposed use could hinder development of nearby vacant properties and adversely affect their economic value.

e. The Property Owner has failed to meet its burden of demonstrating compliance with all of the review criteria of Section 3.3.2 of the Land Use Regulations, as further described below.

    1. The Property Owner failed to demonstrate that the tract of land is suitable for the proposed use in light of the location and nature of surrounding development, as required under Section 3.3.2.1. of the Land Use Regulations.

    2. The Property Owner failed to demonstrate that the proposed use would not adversely affect the value of surrounding properties, and that the use would not hinder the development of nearby vacant

properties or adversely affect their economic value, as required under Section 3.3.2.5.g. of the Land Use Regulations.

3. The Property Owner failed to demonstrate that the proposed use is generally compatible and appropriate with surrounding properties and uses, as required under Section 3.3.2.5.i. of the Land Use Regulations.

4. The Property Owner failed to demonstrate that the proposed use is consistent with the City's Comprehensive Plan, as required under Section 3.3.2.5.k. of the Land Use Regulations.

Section 2. Order. Based upon the foregoing, the requested Special Use Permit for the Property is hereby denied.

Section 3. Severability. In the event that any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decisions shall in no manner affect the remaining portions or sections of the Resolution which shall remain in full force and effect.

Section 4. Effective Date. This Resolution shall be effective upon adoption.

ADOPTED WITH A QUORUM PRESENT AND VOTING BY THE CITY COUNCIL OF THE CITY OF BRADENTON THIS 14TH DAY OF AUGUST, 2024.

ATTEST:

_____ _____

Tamara Melton
CITY CLERK

Gene Brown
MAYOR

APPROVED AS TO FORM:

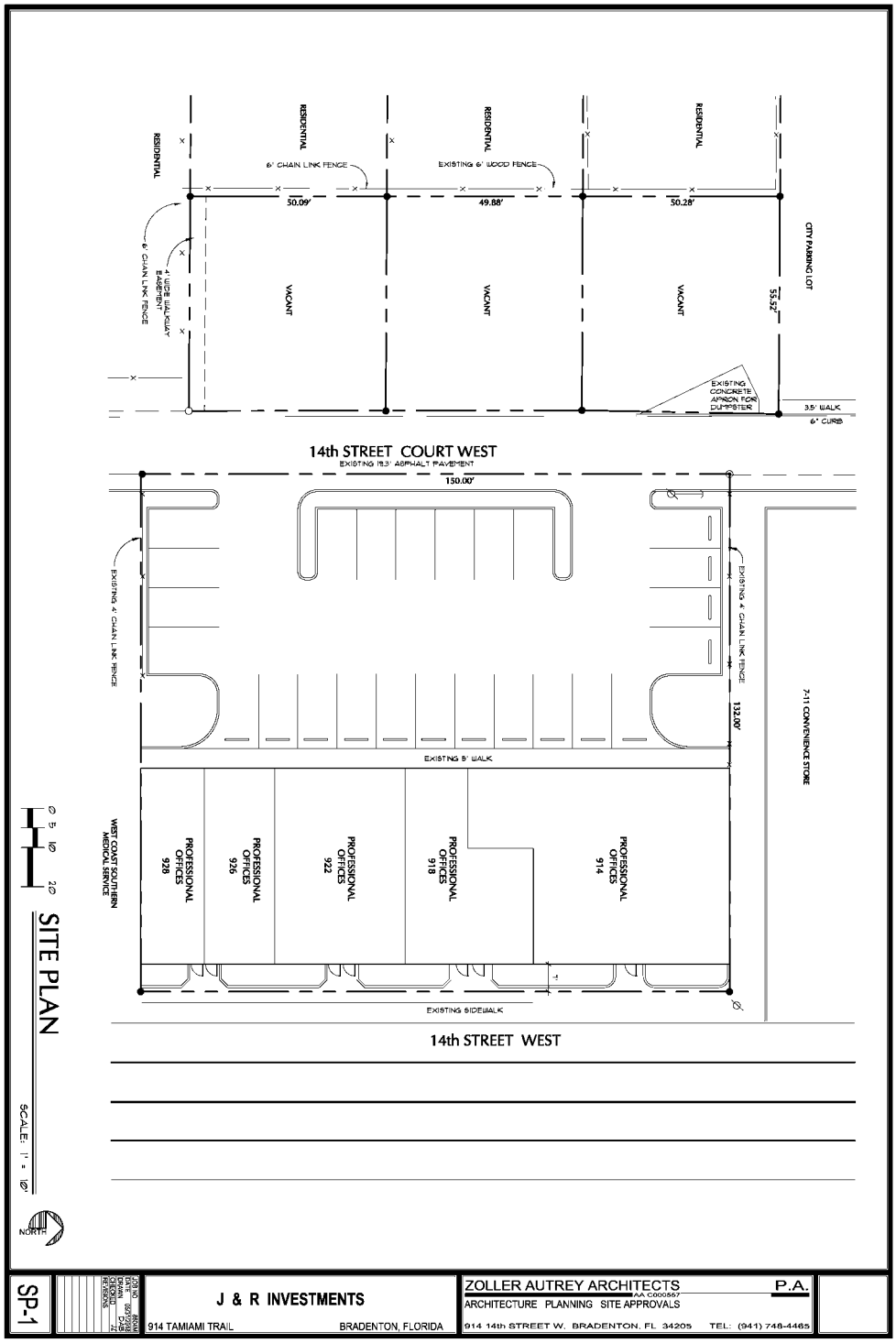
_____
Scott Rudacille
CITY ATTORNEY

EXHIBIT A

THE EAST 56.5 FEET OF LOT 4, AND LOT 5, LESS THE WEST 85 FEET THEREOF, OF J.A. BETTS SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 87, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

TOGETHER WITH:
BEGIN AT THE NORTHEAST CORNER OF LOT 6 , J.A. BETTS SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 87 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S 01°04'35" W, ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 50.15 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE N 89°47'24" W, ALONG THE SOUTH LINE OF SAID LOT 6 A DISTANCE OF 54.59 FEET; THENCE N 00°00'20" W, A DISTANCE OF 50.28 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID LOT 6; THENCE S 89°39'09" EAST, A DISTANCE OF 55.52 FEET TO THE POINT OF BEGINNING.

EXHIBIT B


RESIDENTIAL
RESIDENTIAL
RESIDENTIAL
RESIDENTIAL
6' CHAIN LINK FENCE
EXISTING 6' WOOD FENCE
50.09'
49.88'
50.28'
6' CHAIN LINK FENCE
4' WIDE WALKWAY EASEMENT
VACANT
VACANT
VACANT
55.52'
CITY PARKING LOT
EXISTING CONCRETE APRON FOR DUMPSTER
3.5' WALK
6" CURB
14th STREET COURT WEST
EXISTING 19.3' ASPHALT PAVEMENT
150.00'
EXISTING 4' CHAIN LINK FENCE
EXISTING 4' CHAIN LINK FENCE
132.00'
EXISTING 5' WALK
7-11 CONVENIENCE STORE
WEST COAST SOUTHERN MEDICAL SERVICE
PROFESSIONAL OFFICES 928
PROFESSIONAL OFFICES 926
PROFESSIONAL OFFICES 922
PROFESSIONAL OFFICES 918
PROFESSIONAL OFFICES 914
EXISTING SIDEWALK
14th STREET WEST
0 5 10 20
SITE PLAN
SCALE: 1" = 10'
NORTH
SP-1
J & R INVESTMENTS
914 TAMIAMI TRAIL
BRADENTON, FLORIDA
ZOLLER AUTREY ARCHITECTS P.A.
AA C000567
ARCHITECTURE PLANNING SITE APPROVALS
914 14th STREET W. BRADENTON, FL 34205
TEL: (941) 748-4465

AGENDA ITEM NO. 7.a

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

SUBJECT: ORDINANCE 4040 - SECOND READING AND PUBLIC HEARING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 40-FOOT WIDE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ADAMS ANEX TO BRAIDENTOWN SUBDIVISION, RECORDED IN BOOK 1, PAGE 158, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION: Motion to either approve or deny Ordinance 4040.

Planning Commission met on May 15, 2024, and recommended to City Council approval of Ordinance 4040 (vote 6-0).

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate a portion of a platted 40-foot-wide right-of-way located on property at 705 3rd Street West. The vacation approximately 7,633-sq. ft. or 0.18 acres in size.

The applicant is requesting the vacation in order clear property of unused rights-of-way and to delineate the property for future construction of a new Police Headquarters complex.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to either approve or deny Ordinance 4040.

ATTACHMENTS:
Ordinance 4040
Application - Ordinance 4040, Case RV.24.1517
Staff Report - Ordinance 4040, Case RV.24.1517
Presentation - Ord. 4040, Ord. 4041, Ord. 4042 and Ord. 4046

Ordinance No. 4040

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 40-FOOT WIDE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ADAMS ANEX TO BRAIDENTOWN SUBDIVISION, RECORDED IN BOOK 1, PAGE 158, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City of Bradenton (the "Applicant" or "Property Owner"), owns property located at 705 3rd Street West, Bradenton, FL 34205, and legally described in Exhibit "A" attached hereto (the "Property"); and

WHEREAS, the Applicant has filed an application to vacate a portion of a platted 40 foot wide right-of-way, as legally described in Exhibit "B" attached hereto; and

WHEREAS, the right-of-way proposed for vacation is adjacent to the Property; and

WHEREAS, all things necessary and required by law have occurred for the vacation of a portion of that certain 40 foot wide right of way as shown on the Plat of Adams Anex to Braidentown Subdivision, and more particularly described on Exhibit "B"; and

WHEREAS, the City Council has reviewed the request for vacation of right-of-way and finds that they meet the criteria established in Section 2.2.7 of the City's Land Use Regulations; and

WHEREAS, the City Council finds that the vacation of right-of-way is consistent with the City of Bradenton Comprehensive Plan, that it will not compromise the public interest nor will it prevent any property from having access to a public right-of-way, and that it will not substantially reduce the market value of abutting property; and

WHEREAS, the City Council has determined said right-of-way is no longer necessary for public purposes and that vacation thereof is deemed

to be in the best interest of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA:

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. Vacated Right-of-Way. Pursuant to due and proper petition, application and other procedures as required by law, the City Council for the City of Bradenton does hereby vacate, close and abandon that right-of-way which is illustrated and described on Exhibit "B" attached hereto and incorporated herein by reference.

Section 3. Recordation. Upon adoption, the City Clerk shall ensure that this Ordinance is recorded in the Official Records of Manatee County, Florida.

Section 4. Repeal of Ordinances in Conflict. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

Section 5. Severability. It is the intention of the City Council that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

Section 6. Effective Date. This Ordinance shall take effect as provided by law.

FIRST READING	June 12, 2024
PUBLICATION DATE	August 4, 2024
SECOND READING	August 14, 2024

PASSED AND DULY ADOPTED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING ON THIS 14TH DAY OF AUGUST, 2024.

THE CITY OF BRADENTON, FLORIDA

ATTEST:

Tamara Melton, City Clerk

Gene Brown, Mayor

APPROVED AS TO FORM:

Scott Rudacille, City Attorney

EXHIBIT "A"

Property Legal Description

[INSERT "BEG AT NW COR OF BLK 19, ADAMS ANNEX, TH S 345.3 FT, TH E 178 FT, TH N 230.84 FT, TH W 89.1 FT, TH N 120 FT TO S LN OF 6TH AVE, TH WLY FOLLOWING S LN OF 6TH AVE, 89 FT TO POB (DB 123/218) ALSO: FROM THE INTERSECT OF THE R/W LN OF 6TH AVE AND THE R/W LN OF 3RD ST GO S 120 FT, TH E 81.9 FT FOR A POB, FROM THERE GO N 11 FT, TH E 81.9 FT, TH S 11 FT, TH W 81.9 FT TO THE POB (DB 300/162) LESS: BEG AT A STAKE LOCATED AT THE INTERSECT OF THE 6TH AVE R/W LN WITH THE 3RD ST R/W LN; TH GO S 109 FT, TH E 81.9 FT, TH GO N 109 FT TO THE R/W LN OF 6TH AVE TH W ALG SD R/W LN 81.9 FT TO THE POB (DB 295/488), LESS RD R/W: THAT PORTION OF LOT 2, BLK 19, ADAMS ANEX TO BRAIDENTOWN (PB 1 PG 158) IN SEC 26; COM AT THE NW COR OF LOT 3 IN SD BLK 19; TH N 88 DEG 59 MIN 25 SEC E, 81.90 FT ALG THE N LN OF SD LOTS 2 & 3 FOR A POB; TH CONT N 88 DEG 59 MIN 25 SEC E, 7.10 FT ALG THE N LN OF SD LOT 2; TH S 00 DEG 10 MIN 54 SEC W, 11.68 FT; TH N 86 DEG 53 MIN 47 W, 7.11 FT; TH N 00 DEG 10 MIN 54 SEC E, 11.16 FT TO THE POB, CONT 81 SF (1425/2342)"] PI#32675.0000/1

EXHIBIT "B"

Property to be Vacated

705 3rd St. W - A

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture

EXHIBIT A

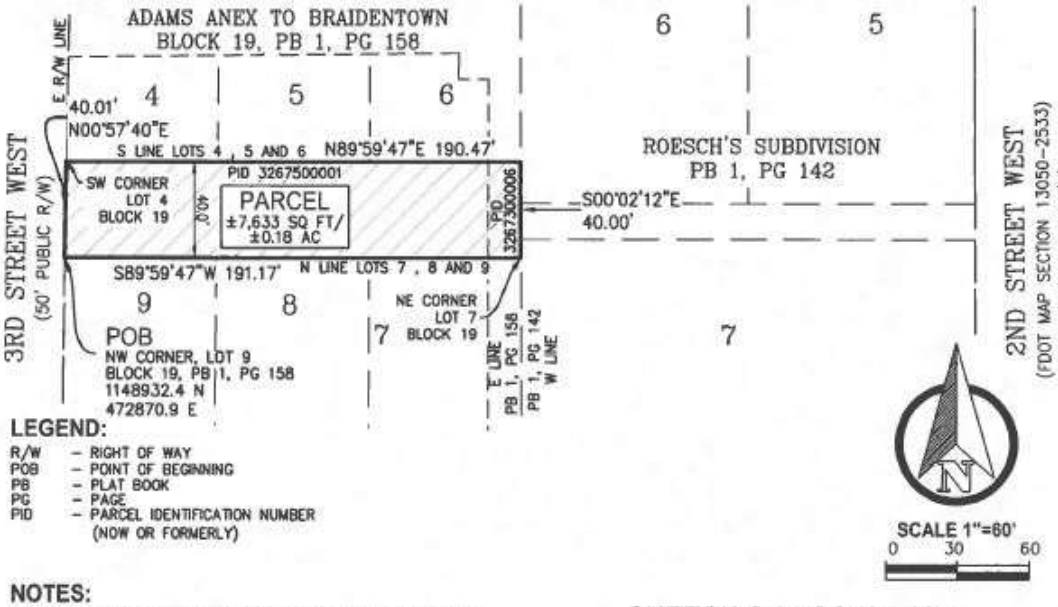
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A parcel of land being a portion of a platted 40.00 foot wide right-of-way, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Northwest corner of Lot 9, BLOCK 19, ADAMS ANEX TO BRAIDENTOWN SUBDIVISION, as described in the Plat Book 1, Page 158, as recorded in the public records of Manatee County, Florida; thence along the East right-of-way line of 3rd Street West, N00°57'40"E, 40.01 feet to the Southwest corner of Lot 4 of said BLOCK 19; thence along South lines of Lots 4, 5 and 6, N89°59'47"E, 190.47 feet to a point on the East line of said Plat Book 1, Page 158, also being West line of Plat Book 1, Page 142 of aforementioned public records; thence along said line S00°02'12"E, 40.00 feet to the Northeast corner of Lot 7 of said BLOCK 19; thence along North lines of Lots 7, 8 and 9, S89°59'47"W, 191.17 feet to the POINT OF BEGINNING.

Containing 7,633 square feet or 0.18 acres, more or less.



LEGEND:

R/W	– RIGHT OF WAY
POB	– POINT OF BEGINNING
PB	– PLAT BOOK
PG	– PAGE
PID	– PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF N00°57'40"E FOR THE EAST RIGHT-OF-WAY LINE OF 3RD STREET WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 7,633 Sq. Ft. OR 0.18 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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PID 3267500001
PID 3267300006
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 158
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL / REVIEWED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:11 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

RECEIVED
By Isabell Salazar at 12:01 pm, Apr 18, 2024

bradenton
The Friendly City

Request to Vacate

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: City of Bradenton / Rob Perry, City Administrator

Owner Address: 101 Old Main St. W., Bradenton, FL 34205-7865 Telephone: 941-708-6300

Name of Agent: Same

Agent Address: _____ Telephone: _____

Owner/Agent Email: jean.totti@bradnetonFL.gov

PROPERTY INFORMATION (REQUIRED)

Property Address: 705 3rd. Street West, Bradenton, FL 34205

Parcel ID: 3267500001 Acreage: 0.18

Zoning District: T5 *click to view Zoning map

Future Land Use: Urban Center *click to view FLU map

Ward #: 5 *click to view Ward map

Neighborhood #: _____ *click to view Neighborhoods map

REQUIRED

Indicate Type of Vacation Requested: Right-of-Way (Easement)

MATERIALS FOR REVIEW (REQUIRED)

Before submitting an application to the City of Bradenton, please check with the Planning & Community Development Department to verify all essential information for review is present. Incomplete applications will delay the review process.

- **Right-of-Way Vacation**
  - Right-of-Way Vacation Application Fee: $1,530
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Right-of-Way to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials
- **Easement Vacation**
  - Easement Vacation Review Fee: $900.
  - Notarized Agent Authorization Form, if applicable
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Easement to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials

REQUIRED

The owner of this property and/or the undersigned agree to conform to all applicable laws of the City of Bradenton and to all applicable Federal, State, and County laws.

Signature of Owner/Applicant _____ Date 4/16/24

REQUIRED

CITY STAFF ONLY

Application Fees:
Fee Required: **$1,530** (Right-of-Way Vacation) $900 (Easement Vacation)

FEE COLLECTED: $_____

RECEIPT #: _____

Application Sufficiency:
Sufficient: ☐
Incomplete: ☐ _____

APPLICATION #: 241517

CITY STAFF ONLY

CITY COUNCIL: _____
PLANNING COMMISSION: _____
DRC: _____
REVIEW DATES – TO BE COMPLETED BY CITY STAFF

bradenton
The Friendly City

Request to Vacate

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

RIGHT-OF-WAY PROCEDURES

RIGHT-OF-WAY VACATION

The Development Review Committee (DRC), Planning Commission, and City Council shall review a request for right-of-way vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review, and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the right-of-way to the appropriate owner(s). The vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

EASEMENT PROCEDURES

EASEMENT VACATION

The Development Review Committee (DRC) and City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

City Council may approve the vacation of an easement only with a favorable recommendation from the Director of Public Works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement to the appropriate owner(s).

UTILITIES CONTACT LIST

PUBLIC AND PRIVATE UTILITIES CHECKLIST

Approval from all public and private utility providers is required with submittal of an application for Easement or Right-of-Way Vacation. Please check the box(es) for those that apply and contact the following utility providers and supply documentation of their consent for vacation.

☐ City of Bradenton
Public Works & Utilities
Jim McLellan, Director
1411 9th Street West Bradenton, FL 34205
941.708.6300

☐ Florida Power and Light
Greg Coker
1253 12th Ave. E. Palmetto, FL 34221
813.422.8232

☐ Frontier Communications
Stephen Waidley, Regional Rights of Way & Municipal Affairs Manager
1280 Cleveland Street, Clearwater, FL 33755
941.266.9218

☐ Spectrum Communication
Alex Fleming, Field Eng.
5413 East State Road 64 Bradenton, FL 34203
941.737.1352

☐ Comcast Cable
Paul Brown, Manager, Construction SWFL
PO Box 1178. Sarasota, FL 34230
941.914.7844

☐ Teco/Peoples Gas
Alex Mcfarlane, Gas Design Tech
Rep. 8261 Vico Ct. Sarasota, FL 34240
813.275.3762

705 3rd St. W - A

ZNS|ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
EB 0027476 LB 0006982 LC 0000365

CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

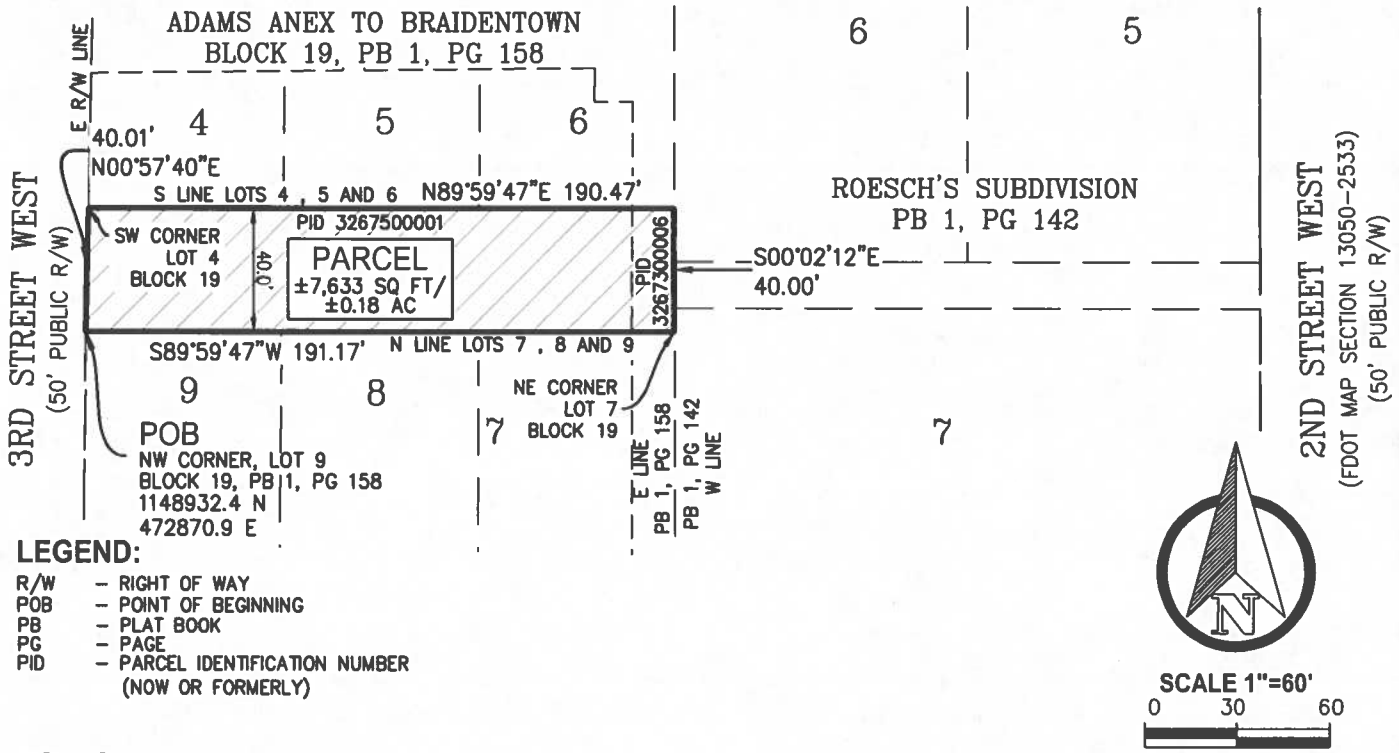
EXHIBIT A

DESCRIPTION:

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Containing 7,633 square feet or 0.18 acres, more or less.



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2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 7,633 Sq. Ft. OR 0.18 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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PID 3267500001
PID 3267300006
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 158
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL AFFIXED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:11 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

T:_2023\45461 BPD\Sketch & Descriptions\45461 BPD Sketch.dwg, Plot Date: Feb 09, 2024@9:27am, By:KWW

705 3rd. Street W-A
705 3rd. Street W-B
704 2nd. Street W
8th. Ave. W
Proposed ROW Vacation (x3)
Can this parking be within the ROW? If not, can it be changed to perpendicular parking directly from 2nd St. W consistent with existing spaces to the north
3RD STREET WEST
OLD ATHENS TRAIL - STATE ROAD 64
BOUNDARY/RIGHT-OF-WAY WORKSHEET
FOR
BRADENTON POLICE HEADQUARTERS
ZNS ENGINEERING

bradenton
The Friendly City

February 27, 2024

Michael Decroix
Charter Communications

Electronic Delivery:
michael.decroix@charter.com

re: 4 Right of Way Vacations

Dear Michael Decroix,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

James Fleming
Charter Communications

Electronic Delivery:
James.fleming1@charter.com

re: 4 Right of Way Vacations

Dear James Fleming,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mark Up Division
Charter Communications

Electronic Delivery:
DL-WCEN-FL-FDE-Markup@charter.com

re: 4 Right of Way Vacations

Dear Mark Up Division,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Thomas Mumea
Charter Communications

Electronic Delivery:
thomas.mumea@charter.com

re: 4 Right of Way Vacations

Dear Thomas Mumea,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Kevin Murphy
Comcast

Electronic Delivery:
kevin.murphy4@comcast.com

re: 4 Right of Way Vacations

Dear Kevin Murphy,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Julia Godwin
FDOT

Electronic Delivery:
julia.godwin@dot.state.fl.us

re: 4 Right of Way Vacations

Dear Julia Godwin,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mike Singer
FDOT

Electronic Delivery:
mike.singer@swfwmd.state.fl.us

re: 4 Right of Way Vacations

Dear Mike Singer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Brian Garver
FPL

REVISED
Electronic Delivery:
brian.garver@fpl.com

re: 4 Right of Way Vacations

Dear Brian Garver,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Ray Vargas
FPL

Electronic Delivery:
ray.vargas.fpl.com

re: 4 Right of Way Vacations

Dear Ray Vargas,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Joy Butler / Stanley Schaeffer
Manatee Sheriff Office

Electronic Delivery:
joy.butler@manateesheriff.com
stanley.schaeffer@manateesheriff.com

re: 4 Right of Way Vacations

Dear Joy Butler / Stanley Schaeffer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Jamie Fones
Peace River

Electronic Delivery:
jamie.fones@preco.coop

re: 4 Right of Way Vacations

Dear Jamie Fones,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

David McClintock
Peace River

Electronic Delivery:
david.mcclintock@preco.coop

re: 4 Right of Way Vacations

Dear David McClintock,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Alex McFarlane
Teco Gas

Electronic Delivery:
amcfarlane@tecoenergy.com

re: 4 Right of Way Vacations

Dear Alex McFarlane,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN="Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN="Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Jean Totti

From: Murphy, Kevin <Kevin_Murphy4@comcast.com>
Sent: Monday, March 4, 2024 12:23 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from kevin_murphy4@comcast.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Hi Jean,

Comcast has no objections to the vacation of Right-of-Way requested herein. Please let me know if you have any questions.

Thank you.

Kevin Murphy
COMCAST
Construction & Relocations
Phone: 941.356.1489
Email: kevin_murphy4@comcast.com
5205 Fruitville Rd, Sarasota, FL 34232

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

bradenton
The Friendly City

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The City of Bradenton shall not be held liable for use of ANY map or drawing attachment, which is provided as a public service for informational purposes. PLEASE NOTE that this information is NOT intended to be used as an authoritative public record for any geographic location, or as a legal document and shall have no legal force or effect. The City of Bradenton makes reasonable efforts to provide that data sent as an attachment is virus free, however the City of Bradenton assumes no responsibility for damages caused by the downloading or installation of this data. In addition certain individuals or entities may have proprietary interests in such data and the use of it without such parties' consent may be prohibited. Viewing or Use of the data indicates that user accepts the above conditions.

Jean Totti

From: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Sent: Wednesday, March 13, 2024 9:57 AM
To: Jean Totti
Cc: Lake, Roxann; Bohde, Gregory; Godwin, Julia
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Jean,

Good morning. FDOT has no objection to the vacation request.

Thank you,

Cheryl Quick
Cheryl.quick@dot.state.fl.us
Right of Way Agent III
District One
Office (863) 519-2749

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:23 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Got it.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:17 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Jean,

Cheryl will research the locations and respond to the requests.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:14 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Julia, just to be clear. There's no objection to the vacation of these Rows?

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:02 AM
To: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>; Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from julia.godwin@dot.state.fl.us. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning, Cheryl.

Please assign a PM log number and process the vacations attached as requested.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

EXTERNAL SENDER: Use caution with links and attachments.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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Jean Totti

From: Carlos Santos <Carlos.Santos@swfwmd.state.fl.us>
Sent: Wednesday, March 13, 2024 10:40 AM
To: Jean Totti
Cc: Mike Singer
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from carlos.santos@swfwmd.state.fl.us. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning Jean,

We, the Land Resources Bureau of SWFWMD, have no objections to the proposed right of way vacations.

Thank you,
Carlos Santos
Real Estate Specialist
Land Resources Bureau
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604
(352)269-3911
carlos.santos@swfwmd.state.fl.us

Southwest Florida Water Management District
WATERMATTERS.ORG · 1-800-423-1476

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from jean.totti@bradentonfl.gov. Learn why this is important

[EXTERNAL SENDER] Use caution before opening.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

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Jean Totti

From: Garver, Brian <Brian.Garver@fpl.com>
Sent: Friday, March 8, 2024 4:06 PM
To: Jean Totti
Cc: Vargas, Ray
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)
Attachments: BPD-4RoW-FPL-vargas.pdf

You don't often get email from brian.garver@fpl.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good afternoon Jean,

FPL has no objection. No facilities are currently within the proposed ROW vacation areas.

Thank you,

Brian Garver
Delivery Assurance Lead / Relocation Coordinator
Whitfield Service Center – FPL
1253 12th Ave E
Palmetto, FL 34221
Office: 941-723-4442 Cell: 239-231-9471
Email: Brian.Garver@fpl.com



Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Supervisor Stephen Norton at (o) 941-927-4200 or Stephen.Norton@fpl.com.



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



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2185 Range Rd
Clearwater, FL 33765
(941) 266-9218
stephen.waidley@ftr.com

3/4/2024

Attn: Jean E. Totti, M.Arch.-LEED AP
Construction Project Administrator
City of Bradenton
1411 9th St W
Bradenton, FL 34205

RE: Vacations of Rights-of-Way – 215 6th Ave W, Bradenton, FL (Bradenton Police Headquarters)

Dear Jean,

☐ Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

☑ Frontier has no objection to the above referenced request as per the attachment.

☐ Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

☐ Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley

Stephen Waidley
Frontier Florida LLC
Regional Rights of Way & Municipal Affairs Manager

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Jean Totti

From: Schaeffer, Stanley <Stanley.Schaeffer@manateesheriff.com>
Sent: Tuesday, March 5, 2024 3:16 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from stanley.schaeffer@manateesheriff.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

MCSO has no objections.
Thank you
Major Schaeffer
Manatee County Sheriff's Office

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Caution: This email originated from an external source. **Be Suspicious of Attachments, Links and Requests for Login Information.**

Utilize the Phishing Button in Outlook to report suspected phishing emails.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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Please note: Florida has very broad public records laws. Most written communications to or from the Manatee County Sheriff's Office are public records available to the public upon request. Your e-mail, including your e-mail address, may be subject to public disclosure.

3/5/2024

RE: 215 6th Ave W, Bradenton, FL, 34205

To Whom it May Concern,

TECO Peoples Gas has no objection to proposed Vacation at 6321 16th Ave Dr W

If you have any questions or need additional information, please contact me at (813)275-3762 or amfarlane@tecoenergy.com.

Sincerely,

Alex McFarlane
Project Manager

TECO ENERGY
AN EMERA COMPANY

TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619

TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619

City of Bradenton
Planning and Community Development Department
City Council Public Hearing
August 14, 2024

Staff Report

Ordinance No.: 4040
Case No.: RV.24.1517
Applicant: City of Bradenton
Address: 705 3rd Street West
Parcel ID: 3267500001
Current Zoning: T5 (Urban Center Transect District)
Future Land Use: UCBD (Urban Central Business District)
Flood Zone: X

Surrounding Property Zoning:

Current Zoning: North: T5 (Urban Center Transect District)
South: T5 (Urban Center Transect District)
East: T5 (Urban Center Transect District)
West: T5 (Urban Center Transect District)

Future Land Use: North: UCBD (Urban Central Business District)
South: UCBD (Urban Central Business District)
East: UCBD (Urban Central Business District)
West: UCBD (Urban Central Business District)

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate a portion of a platted 40-foot-wide right-of-way located on property at 705 3rd Street West. The vacation approximately 7,633-sq. ft. or 0.18 acres in size.

The applicant is requesting the vacation in order clear property of unused rights-of-way and to delineate property for future construction of a new Police Headquarters complex.

During a site visit to the area, it was noted that 705 3rd Street West is currently a vacant lot.

Section 2.2.7 of the City of Bradenton Land Use Restrictions (shown below) details the process for vacation of public right-of-way. The section calls for the consideration of "whether [the] vacation would be detrimental to the public health, safety, welfare or convenience". In this case, the subject right-

of-way are no longer being utilized by any public or public-serving agencies, so it appears that the proposed vacation will not be detrimental to public health, safety, welfare, or convenience.

If approved by City Council, the City Clerk shall record the reversion of the subject of right-of-way to adjacent property owners (the applicant).

As exhibited in the submitted application materials, private and public utilities that may utilize these right-of-way's have agreed to the vacations as they are no longer needed for public services.

LAND USE REGULATIONS:

2.2.7 ***Vacation of public rights-of-way or public easements.*** The City Council may, upon its own motion or upon a recommendation by Planning Commission, order the vacation of streets, easements, or other parcels of land dedicated for public purpose.

2.2.7.1 ***Application.*** Owners of property adjacent to right-of-way or owners of property with public easements may request their vacation by applying on forms or electronic media in a PDF format provided by the PCD Director and submitting the fee as required by Appendix A. The PCD Director may request additional information including a legal description of the property as necessary to process the application.

2.2.7.2 ***Public Notice.*** shall be made as required by Section 2.3. A legal description of the applicant property shall be on file with the PCD Director. City Council approval shall be required for the vacation of an easement. For the vacation of a right-of-way or other dedicated property, a public hearing before the Planning Commission and recommendation from that body are also required as well as a public hearing before City Council.

2.2.7.3 ***Review of Application.*** The PCD Director shall report to the Planning Commission and Director of Public Works all known non-City uses of such easement, right-of-way or property. The Planning Commission shall evaluate any request for vacation of right-of- way or other dedicated property to determine whether vacation would be detrimental to the public health, safety, welfare or convenience. Information presented at the public hearing regarding use of the property for access to other properties or other public purpose shall

be considered by the Planning Commission in making its recommendation. In cases where the right-of-way is used only for utilities, the Planning Commission may recommend the vacation provided that an easement is provided for such utilities. The recommendation shall be given to City Council in writing. City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

2.2.7.4 ***Approval/Denial.***

a. Easement. City council may approve the vacation of an easement only with a favorable recommendation from the director of public works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended

b. *Right-of-way or other dedicated parcel.* Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review (See Subsection 2.2.7.3 above), and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

2.2.7.5 ***Public Recording.*** The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement or right-of-way to the appropriate owner(s). In the case of right-of-way, the vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

City Council is encouraged to evaluate the request based on the provided application materials as well as input from staff, the applicant, and the public and base its decision on the criteria found under Section 2.2.7 of the Land Use Regulations, which establishes the criteria for the vacation of a public right-of-way or easement.

Planning Commission met on May 15, 2024, and recommended to City Council **Approval** of Ordinance 4040, Case RV.24.1517 (vote 6-0).

Respectfully submitted,

Gregory J DeLong

Gregory J. DeLong
Assistant Director of Planning & Community Development

Exhibits:

Exhibit A: Location Map

Exhibit B: Future Land Use Map

Exhibit C: Zoning Map

Exhibit D: Sketch of Descriptions – Right-of-Way

Exhibit "A"


64
6TH AVE W
3RD ST W
Right of Way
Pinnacle Office Park
N
W
E
S
Major Adams Cemetery
8TH AVE W
3RD STREET W
8TH AVE DR W
2ND ST W
CITY OF BRADENTON WATER SYSTEM
1ST ST E
41
301
6TH AVE E
8TH AVE E
9TH AVE W
9TH AVE E
(MARTIN LUTHER KING AVE WEST)
Bradenton
RV.24.1517 RoW Police HQ
owner: City of Bradenton
near 705 3rd St W
PID: parts of 3267500001 and 3267300006
CITY OF BRADENTON FLORIDA
Location
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "B"

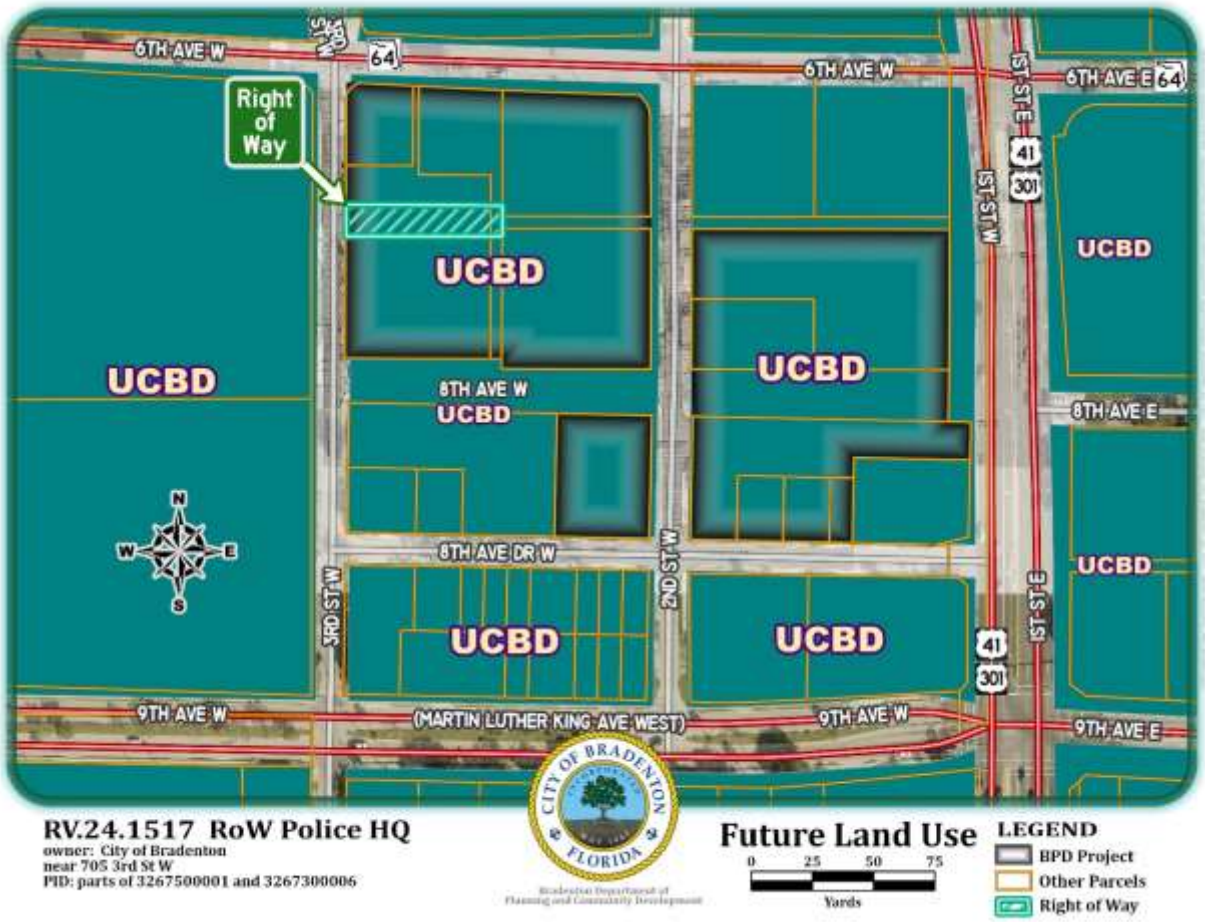

6TH AVE W
6TH AVE E
64
Right of Way
UCBD
8TH AVE W
8TH AVE DR W
8TH AVE E
3RD ST W
2ND ST W
1ST ST E
41
301
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE E
N
S
E
W
RV.24.1517 RoW Police HQ
owner: City of Bradenton
near 705 3rd St W
PID: parts of 3267500001 and 3267300006
CITY OF BRADENTON FLORIDA
Future Land Use
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "C"


T6
6TH AVE W
64
Right of Way
3RD ST W
T5
8TH AVE W
8TH AVE DR W
2ND ST W
1ST ST E
41
301
8TH AVE E
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE E
N
W
E
S
RV.24.1517 RoW Police HQ
owner: City of Bradenton
near 705 3rd St W
PID: parts of 3267500001 and 3267300006
CITY OF BRADENTON
FLORIDA
Zoning
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "D"

705 3rd St. W-A

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
EB 0007474 LB 0002982 LC 0000365

EXHIBIT A

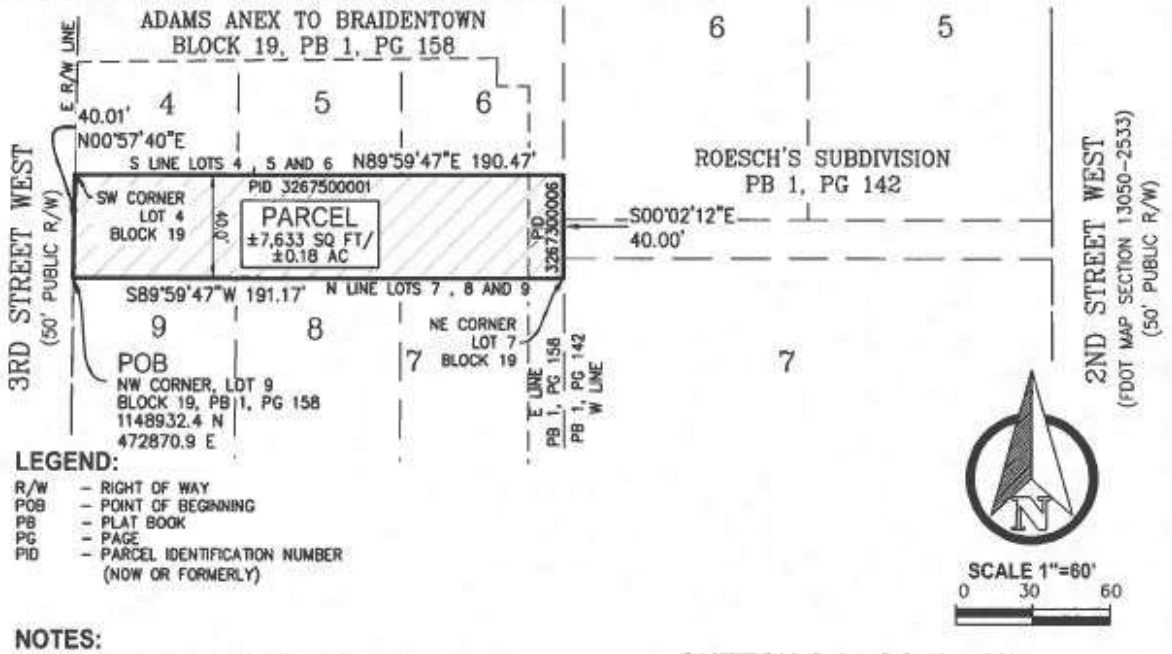
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A parcel of land being a portion of a platted 40.00 foot wide right-of-way, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Northwest corner of Lot 9, BLOCK 19, ADAMS ANEX TO BRAIDENTOWN SUBDIVISION, as described in the Plat Book 1, Page 158, as recorded in the public records of Manatee County, Florida; thence along the East right-of-way line of 3rd Street West, N00°57'40"E, 40.01 feet to the Southwest corner of Lot 4 of said BLOCK 19; thence along South lines of Lots 4, 5 and 6, N89°59'47"E, 190.47 feet to a point on the East line of said Plat Book 1, Page 158, also being West line of Plat Book 1, Page 142 of aforementioned public records; thence along said line S00°02'12"E, 40.00 feet to the Northeast corner of Lot 7 of said BLOCK 19; thence along North lines of Lots 7, 8 and 9, S89°59'47"W, 191.17 feet to the POINT OF BEGINNING.

Containing 7,633 square feet or 0.18 acres, more or less.



LEGEND:

R/W – RIGHT OF WAY
POB – POINT OF BEGINNING
PB – PLAT BOOK
PG – PAGE
PID – PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF N00°57'40"E FOR THE EAST RIGHT-OF-WAY LINE OF 3RD STREET WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 7,633 Sq. Ft. OR 0.18 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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PID 3267500001
PID 3267300006
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 158
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL APPLIED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:11 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

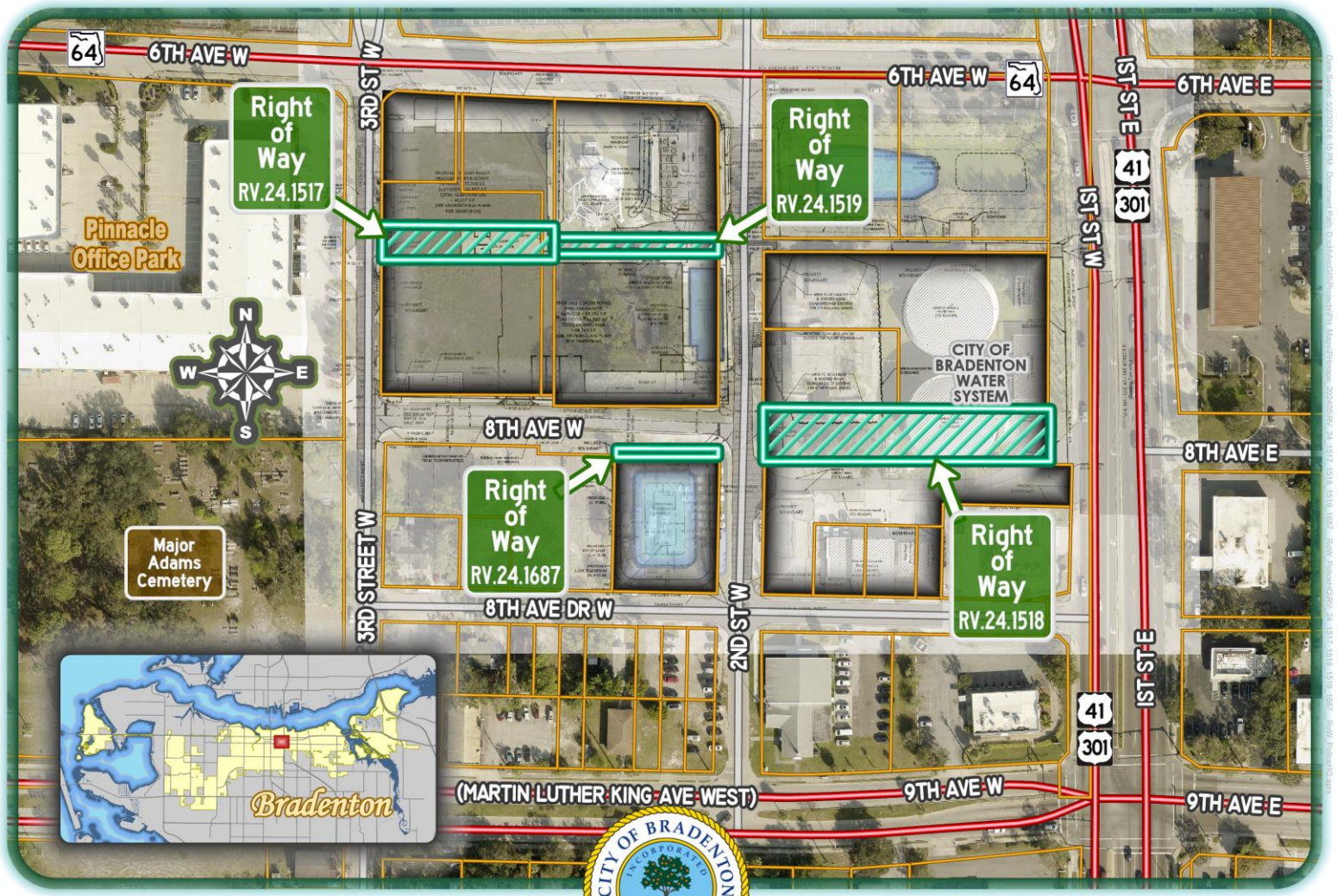
City Council – August 14, 2024

Ordinance 4040 / Case RV.24.1517
Ordinance 4041 / Case RV.24.1518
Ordinance 4042 / Case RV.24.1519
Ordinance 4046 / Case RV.24.1687

Request to vacate various platted parcels and right-of-way in order to delineate property lines for the new Police HQ Complex

Staff Contact: Greg DeLong; Asst. PCD Director

Location Map



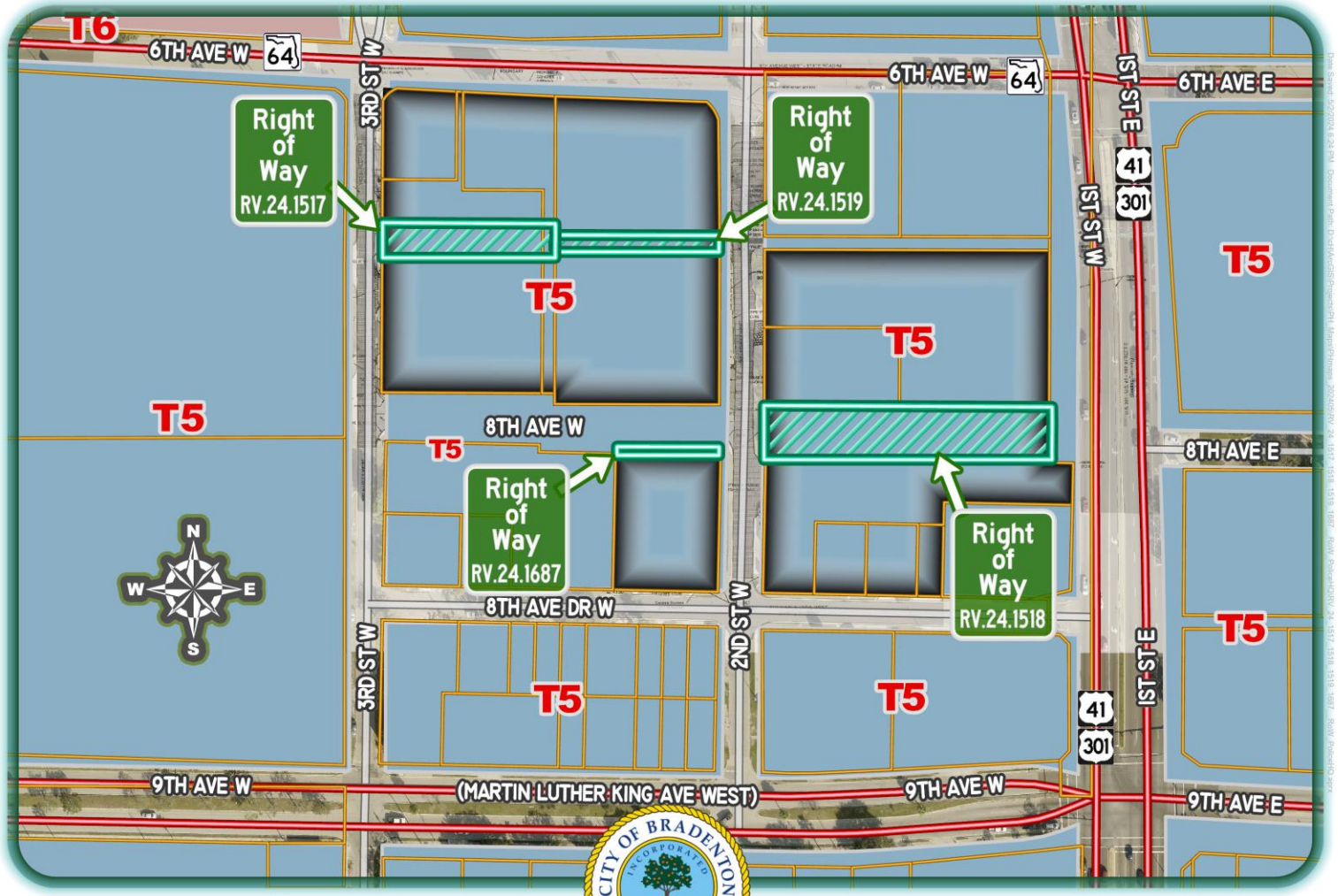
RV.24.1517 & 1518 & 1519 & 1687 RoW Police HQ
owner: City of Bradenton
near 2nd St W & 3rd St W & 6th Ave W & 8th Ave W
PIDs: many

CITY OF BRADENTON INCORPORATED MAY 1903 FLORIDA
Bradenton Department of Planning and Community Development

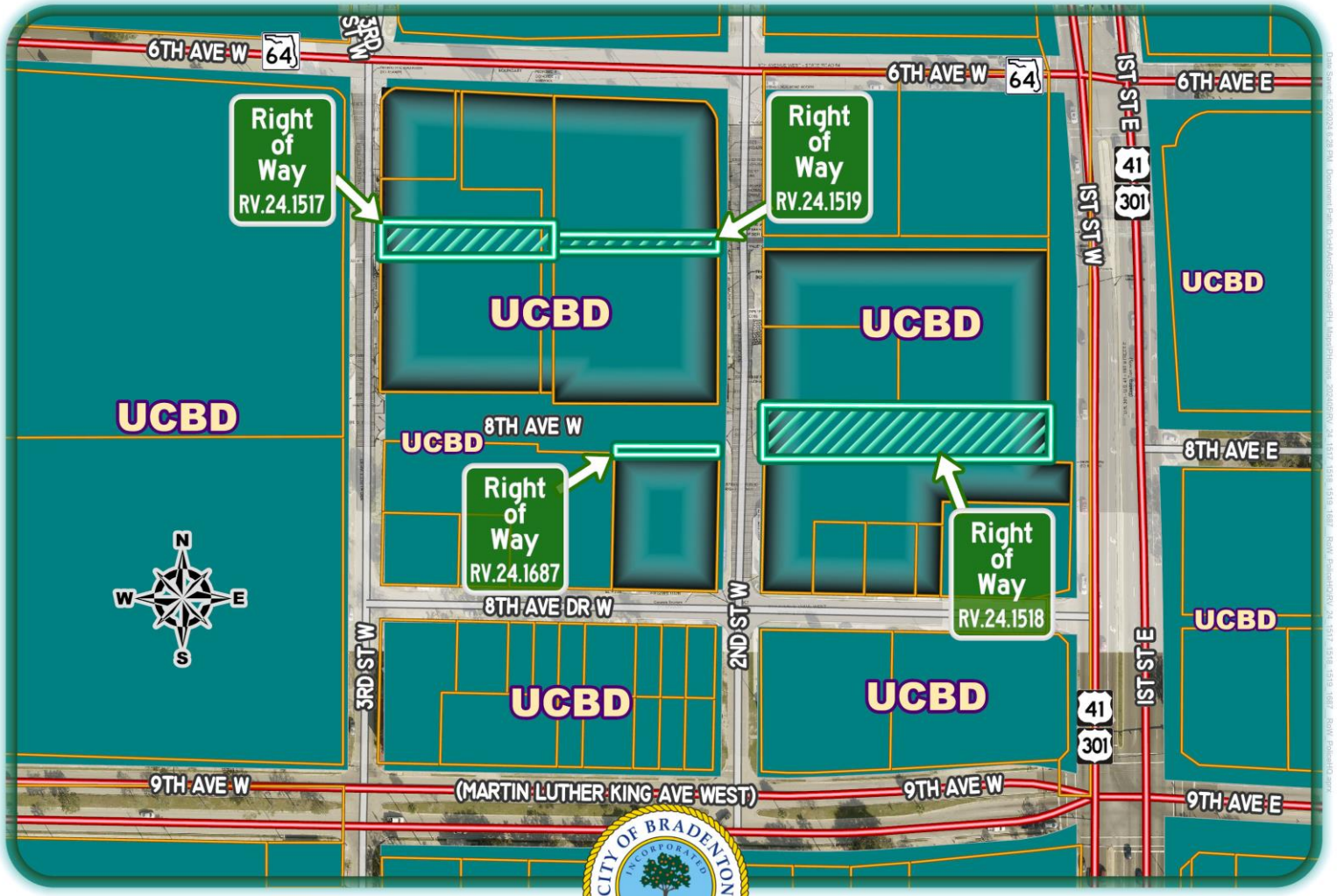
Location
0 25 50 75
Yards

LEGEND
BPD Project
Other Parcels
Right of Way

Zoning Map


T6
6TH AVE W
64
3RD ST W
Right of Way RV.24.1517
Right of Way RV.24.1519
6TH AVE W
64
1ST ST E
6TH AVE E
41
301
1ST ST W
T5
T5
T5
T5
8TH AVE W
T5
Right of Way RV.24.1687
8TH AVE E
Right of Way RV.24.1518
N
W
E
S
8TH AVE DR W
3RD ST W
2ND ST W
T5
T5
T5
1ST ST E
41
301
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
CITY OF BRADENTON
INCORPORATED
MAY 1903
FLORIDA
Bradenton Department of
Planning and Community Development
RV.24.1517 & 1518 & 1519 & 1687 RoW Police HQ
owner: City of Bradenton
near 2nd St W & 3rd St W & 6th Ave W & 8th Ave W
PIDs: many
Zoning
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Future Land Use Map



Case Information – Ord. 4040 / Case RV.24.1517

- Applicant: City of Bradenton
- Addresses: 705 3rd St. W.
- Parcel ID: 3267500001
- Area Size: Approx. 7,633-sq. ft. (0.18 acres)
- Current Zoning: T5 (Urban Center Transect District)
- FLUM Zoning: UCBD (Urban Central Business District)
- Flood Zone: X
- Existing Uses: Vacant lot

Request

- Vacate a platted 40-ft. wide right-of-way at 705 3rd St. W.
- Request is approximately 7,633-square feet in size (0.18 acres)
- Purpose of vacation is to delineate property for future construction of a new Police HQ complex
- Property is currently a vacant lot
- Utility companies have all signed off on the proposed request

Survey Map – 705 3rd Street West (Ord. 4040)

705 3rd St. W - A

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
LB 0007476 LA 0000952 LC 0000365

EXHIBIT A

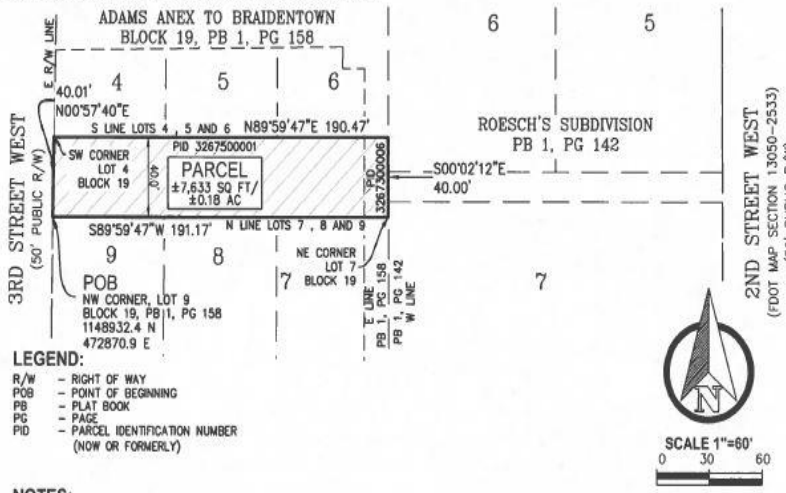
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FAX (941) 748-3747

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3. THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 7,633 Sq. Ft. OR 0.18 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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PID 3267500001
PID 3267300006
MANATEE COUNTY, FLORIDA

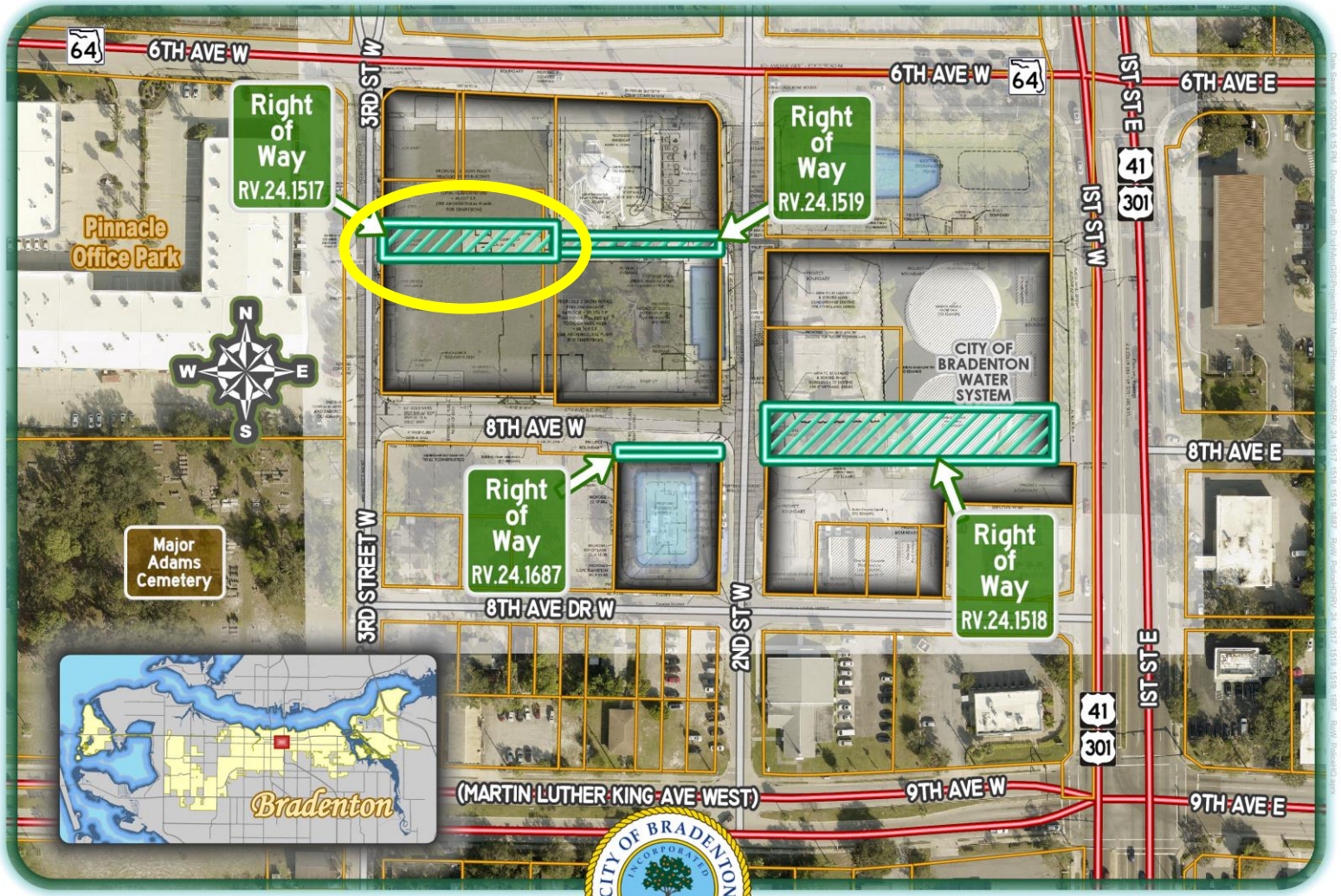
SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 158
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL / SIGNED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:11 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1



RV.24.1517 & 1518 & 1519 & 1687 RoW Police HQ
owner: City of Bradenton
near 2nd St W & 3rd St W & 6th Ave W & 8th Ave W
PIDs: many

Bradenton Department of Planning and Community Development

Location
0 25 50 75
Yards

LEGEND
BPD Project
Other Parcels
Right of Way

Existing Conditions – 705 3rd St. W. (Ord. 4040)



Case Information – Ord. 4041 / Case RV.24.1518

- Applicant: City of Bradenton
- Address: 707 2nd St. W.
- Parcel ID: 3255500005
- Area Size: Approx. 18,963-sq. ft. (0.44 acres)
- Current Zoning: T5 (Urban Center Transect District)
- FLUM Zoning: UCBD (Urban Central Business District)
- Flood Zone: X
- Existing Uses: Bradenton Public Works / Water System Facility

Request – Ord. 4041 / Case RV.24.1518

- Vacate a platted 60-ft. wide right-of-way cutting through 707 2nd St. W.
- Request is approximately 18,963-square feet in size (0.44 acres)
- Purpose of vacation is to delineate property for future construction of a new Police HQ complex
- Property currently houses the City of Bradenton Public Works Department / Water System Facility and ancillary uses
- Utility companies have all signed off on the proposed request

Survey Map – 707 2nd St. W. (Ord. 4041)

707 2nd St W

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture

EXHIBIT A

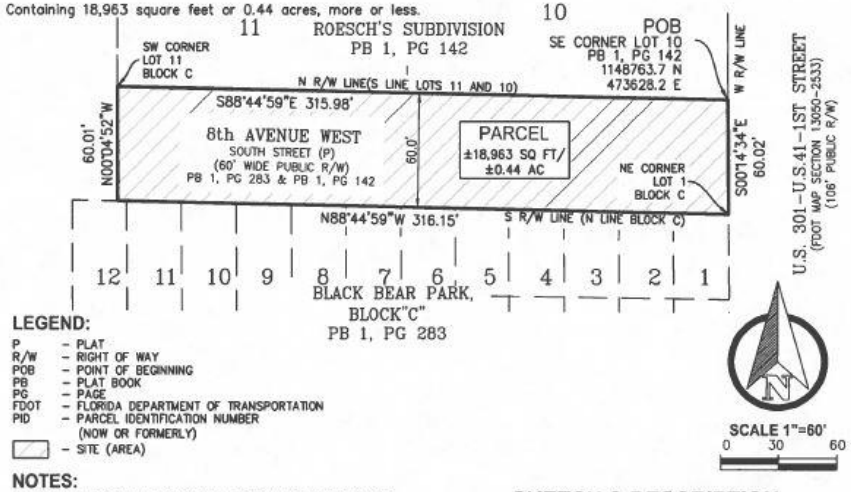
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A 60 foot wide parcel of land being a portion of a platted 8th Avenue (South Street), per Plat Book 1, Page 142, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Southeast corner of Lot 10, ROESCH'S SUBDIVISION, as described in the Plat Book 1, Page 142, as recorded in the public records of Manatee County, Florida; thence along West right-of-way line of 1st Street per FDOT Map Section 13050-2533, S00°14'34"E, 60.02 feet to the Northeast corner of Lot 1, Block C, Black Bear Park Subdivision as described in Plat Book 1, Page 283 of aforementioned public records; thence along the North line of said Block C, also being the South right-of-way line of 8th Avenue West per said Plat Book 1, Page 283 and Plat Book 1, Page 142, N88°44'59"W, 316.15 feet; thence N00°04'52"W, 60.01 feet to the Southwest corner of Lot 11, per said Plat Book 1, Page 142; thence along the South lines of said Lots 11 and 10, said lines also being the North line of aforementioned 8th Avenue West, S88°44'59"E, 315.98 feet to the POINT OF BEGINNING.

Containing 18,963 square feet or 0.44 acres, more or less.



LEGEND:

P – PLAT
R/W – RIGHT OF WAY
POB – POINT OF BEGINNING
PB – PLAT BOOK
PG – PAGE
FDOT – FLORIDA DEPARTMENT OF TRANSPORTATION
PID – PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
– SITE (AREA)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF S00°14'34"E FOR THE WEST RIGHT-OF-WAY LINE OF 1ST STREET.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 18,963 Sq. Ft. OR 0.44 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

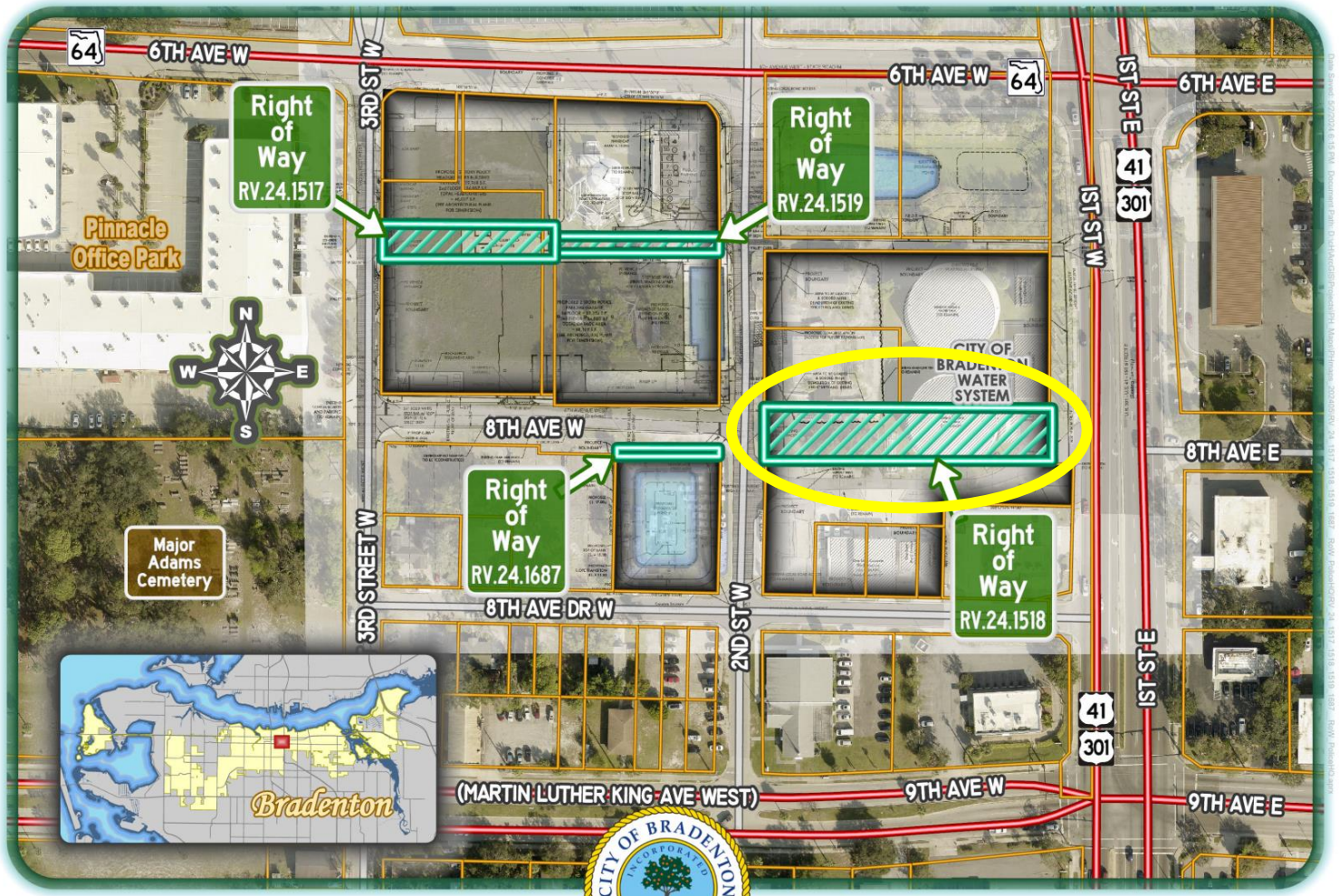
SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL ATTACHED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:32:27 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1



RV.24.1517 & 1518 & 1519 & 1687 RoW Police HQ
owner: City of Bradenton
near 2nd St W & 3rd St W & 6th Ave W & 8th Ave W
PIDs: many

Bradenton Department of Planning and Community Development

Location
0 25 50 75
Yards

LEGEND
BPD Project
Other Parcels
Right of Way

Existing Conditions – 707 2nd St. W. (Ord. 4041)



Case Information – Ord. 4042 / Case RV.24.1519

- Applicant: City of Bradenton
- Address: 704 2nd St. W.
- Parcel ID: 3255300000
- Area Size: Approx. 2,851-sq. ft. (0.07 acres)
- Current Zoning: T5 (Urban Center Transect District)
- FLUM Zoning: UCBD (Urban Central Business District)
- Flood Zone: X
- Existing Uses: Bradenton Public Works / Water System Facility

Request – Ord. 4042 / Case RV.24.1519

- Vacate a platted 15-ft. wide right-of-way (alley) on property at 704 2nd St. W.
- Request is approximately 2,851-square feet in size (0.07 acres)
- Purpose of vacation is to delineate property for future construction of a new Police HQ complex
- Property currently houses the City of Bradenton Public Works Department / Water System Facility and ancillary uses
- Utility companies have all signed off on the proposed request

Survey Map – 704 2nd St. W. (Ord. 4042)

704 2nd St W.

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
LB 0027474 LB 0006982 LC 0000365

EXHIBIT A

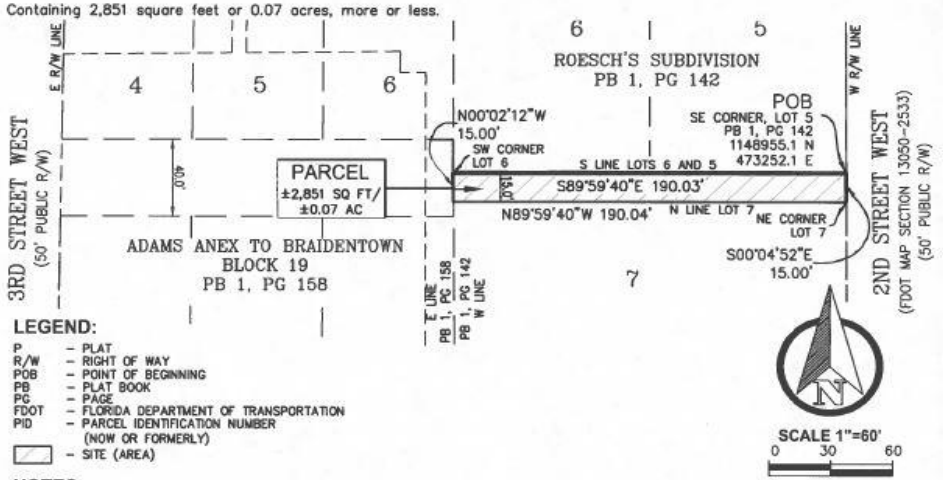
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A parcel of land being a portion of a platted 15 foot wide alley per Plat Book1, Page 142, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Southeast corner of Lot 5, ROESCH'S SUBDIVISION, as described in the Plat Book 1, Page 142, as recorded in the public records of Manatee County, Florida; thence along West right-of-way line of 2nd Street West per FDOT Map Section 13050-2533, S00°04'52"E, 15.00 feet to the Northeast corner of Lot 7 per said Plat Book 1, Page 142; thence along North line of said Lot 7, N89°59'40"W, 190.04 feet to the West line of said Plat Book 1, Page 142; also being the East line of Plat Book 1, Page 158 of aforementioned public records; thence along said line N00°02'12"W, 15.00 feet to the Southwest corner of Lot 6 of aforementioned Plat Book 1, Page 142; thence along South lines of said Lots 6 and 5, S89°59'40"E, 190.03 feet to the POINT OF BEGINNING.

Containing 2,851 square feet or 0.07 acres, more or less.



LEGEND:

P	– PLAT
R/W	– RIGHT OF WAY
POB	– POINT OF BEGINNING
PB	– PLAT BOOK
PG	– PAGE
FDOT	– FLORIDA DEPARTMENT OF TRANSPORTATION
PID	– PARCEL IDENTIFICATION NUMBER
	(NOW OR FORMERLY)
	– SITE (AREA)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF S00°04'52"E FOR THE WEST RIGHT-OF-WAY LINE OF 2ND STREET WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 2,851 Sq. Ft. OR 0.07 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

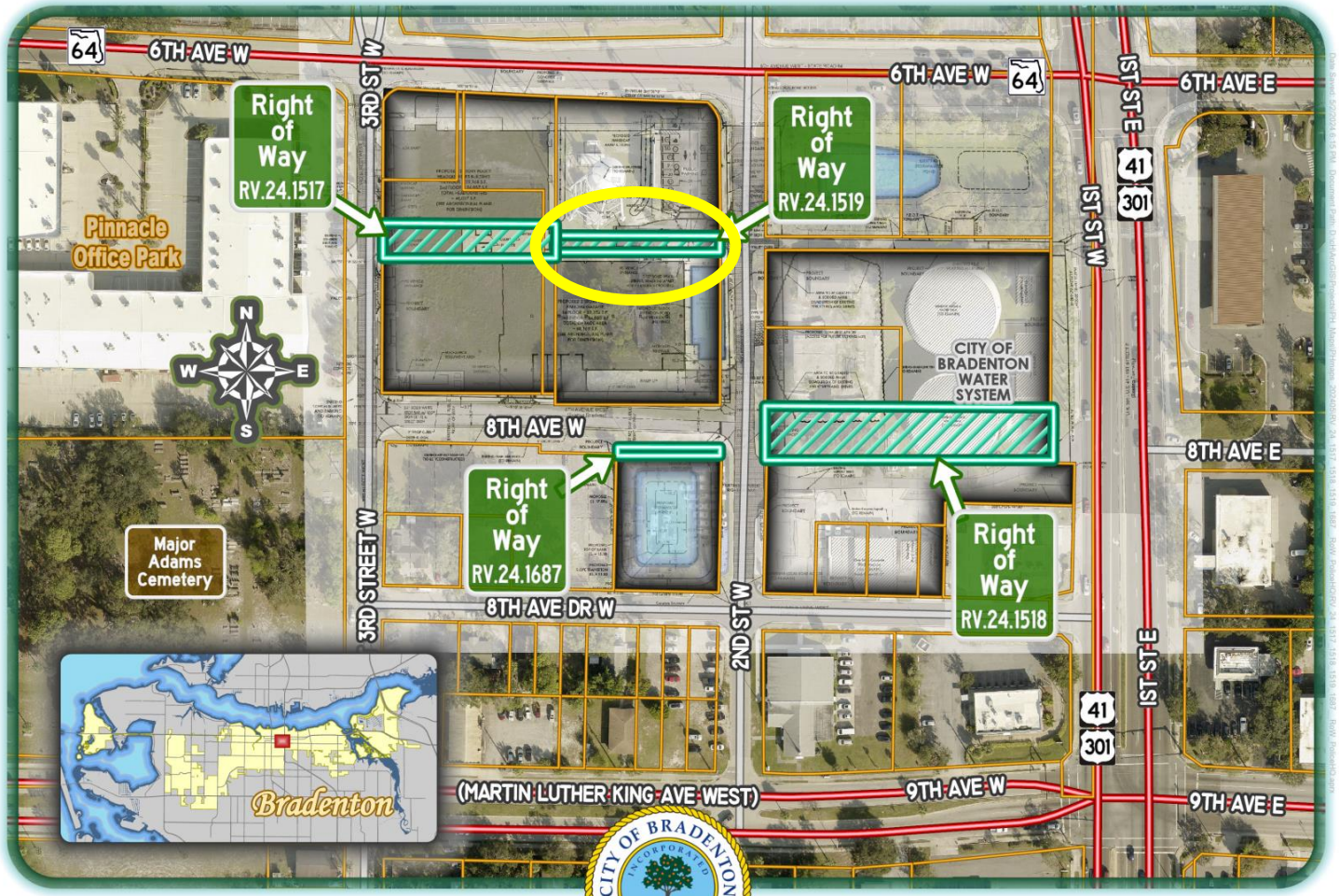
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Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:30:16 -05'00'

BY: KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SHEET 1 OF 1



RV.24.1517 & 1518 & 1519 & 1687 RoW Police HQ
owner: City of Bradenton
near 2nd St W & 3rd St W & 6th Ave W & 8th Ave W
PIDs: many

Bradenton Department of Planning and Community Development

Location
0 25 50 75
Yards

LEGEND
- BPD Project
- Other Parcels
- Right of Way

Existing Conditions – 704 2nd St. W. (Ord. 4042)





Case Information – 4046 / Case RV.24.1687

- Applicant: City of Bradenton
- Address: 800 2nd St. W.
- General Location: South of Manatee Ave. W., East of 3rd St. W., North of 8th Ave. Dr. W., and West of 2nd St. W.
- Area Size: Approx. 927-sq. ft. (0.02 acres)
- Current Zoning: T5 (Urban Center Transect District)
- FLUM Zoning: UCBD (Urban Central Business District)
- Flood Zone: X
- Existing Use: Unimproved Street

Request – Ord. 4046 / Case RV.24.1687

- Vacate an 8-ft. wide parcel along the southern portion of 8th Ave. W. (South Street)
- Request is approximately 927-square feet in size (0.02 acres)
- Purpose of vacation is to delineate property for future construction of a new Police HQ complex
- 8th Ave. W., is currently unimproved (no curb/gutter/storm system with a sand/rock surface)
- Request does not appear to negatively impact traffic patterns on the subject road network
- Utility companies have all signed off on the proposed request

Survey Map – 8th Ave. W. (Ord. 4046)

705 3rd St. W-B

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
LB 0027476 LB 0006982 LC 0000365

EXHIBIT A

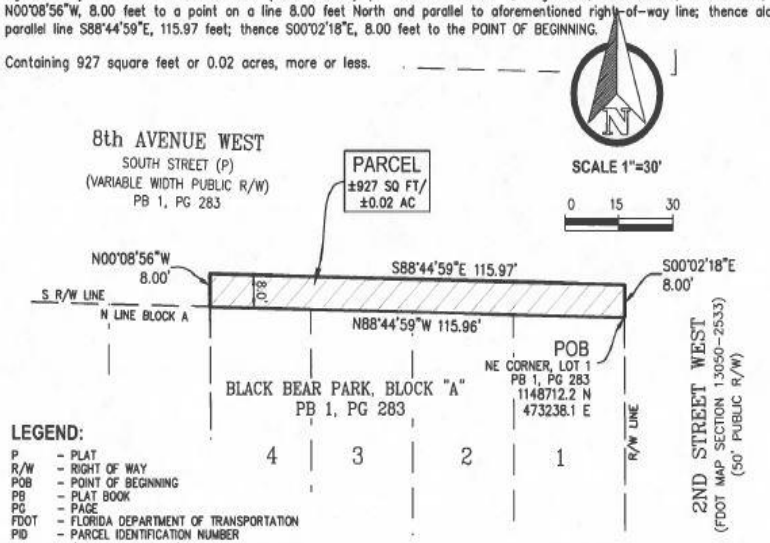
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A 8 feet wide parcel of land being a portion 8th Avenue, South Street per Plat Book 1, Page 283, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Northeast corner of Lot 1, BLOCK A, BLACK BEAR PARK SUBDIVISION, as described in the Plat Book 1, Page 283, as recorded in the public records of Manatee County, Florida; thence along the North line of said Block A, also being the South right-of-way line of 8th Avenue West (South Street) per said Plat Book 1, Page 283, N88°44'59"W, 115.96 feet; thence N00°08'56"W, 8.00 feet to a point on a line 8.00 feet North and parallel to aforementioned right-of-way line; thence along said parallel line S88°44'59"E, 115.97 feet; thence S00°02'18"E, 8.00 feet to the POINT OF BEGINNING.

Containing 927 square feet or 0.02 acres, more or less.



LEGEND:

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R/W – RIGHT OF WAY
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PB – PLAT BOOK
PG – PAGE
FDOT – FLORIDA DEPARTMENT OF TRANSPORTATION
PID – PARCEL IDENTIFICATION NUMBER
(NOW OR FORMERLY)
– SITE (AREA)

NOTES:

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2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 927 Sq. Ft. OR 0.02 Ac., MORE OR LESS.

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BLACK BEAR PARK, BLOCK "A"
PB 1, PG 283
MANATEE COUNTY, FLORIDA

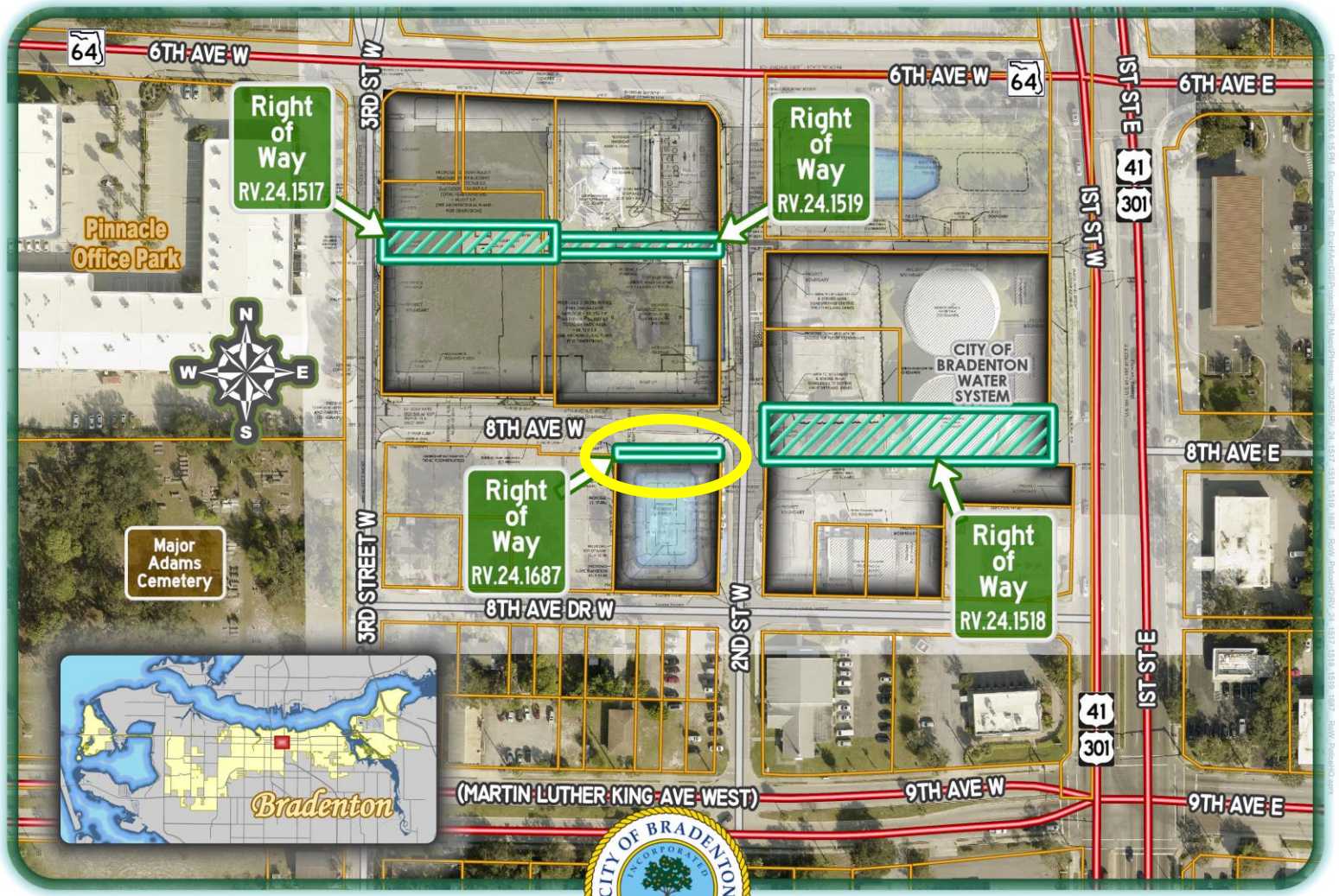
SKETCH & DESCRIPTION
OF
A PORTION PB 1, PG 283
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL APPLIED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:56 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1



RV.24.1517 & 1518 & 1519 & 1687 RoW Police HQ
owner: City of Bradenton
near 2nd St W & 3rd St W & 6th Ave W & 8th Ave W
PIDs: many

Bradenton Department of Planning and Community Development

Location
0 25 50 75
Yards

LEGEND
BPD Project
Other Parcels
Right of Way

Existing Conditions – 8th Ave. W. (Ord. 4046)





Existing Conditions – 8th Ave. W. (Ord. 4046)



Land Use Regulations

- Section 2.2.7 of the City of Bradenton's Land Use Regulations (LUR) details the process for vacating public right-of-way including the review criteria

  Key points for review include:

  - Vacation will not be detrimental to public health, safety, welfare, or convenience
  - No public or private utilities utilize the right-of-way, as demonstrated by letters of verification that were submitted with the application
    - ✓ *Letters were submitted by all utility companies stating that they have no utilities in the subject portions of right-of-way*

Analysis / PC Recommendations

City Council is encouraged to evaluate the requests based on the provided application materials as well as input from staff, the applicant, and the public and base its decision on the criteria found under Section 2.2.7 of the Land Use Regulations, which establishes the criteria for the vacation of a public right-of-way or easement.

Planning Commission met on May 15, 2024, and recommended to City Council by a vote of 6-0 (for each case) **Approval** of:

Ordinance 4040, Case RV.24.1517

Ordinance 4041, Case RV.24.1518

Ordinance 4042, Case RV.24.1519

Ordinance 4046, Case RV.24.1687

AGENDA ITEM NO. 7.b

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

SUBJECT: ORDINANCE 4041 - SECOND READING AND PUBLIC HEARING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 60-FOOT WIDE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ROESCH'S SUBDIVISION, RECORDED IN BOOK 1, PAGE 142, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 2ND STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 1ST STREET; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION: Motion to either approve or deny Ordinance 4041.

Planning Commission met on May 15, 2024, and recommended to City Council approval of Ordinance 4041 (vote 6-0).

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate a 60-foot-wide parcel of land being an unimproved portion of a platted 8th Avenue, otherwise known as 8th Avenue West, that cuts through property located at 707 2nd Street West. The area of the proposed vacation is approximately 18,963-sq. ft. or 0.44 acres in size.

The applicant is requesting the vacation in order clear the property of unused right-of-way and to delineate a portion of the property for the future construction of off-street parking for a new Police Headquarters complex.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to either approve or deny Ordinance 4041.

ATTACHMENTS:
Ordinance 4041
Application - Ordinance 4041, Case RV.24.1518
Staff Report - Ordinance 4041, Case RV.24.1518

Ordinance No. 4041

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 60-FOOT WIDE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ROESCH'S SUBDIVISION, RECORDED IN BOOK 1, PAGE 142, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 2ND STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 1ST STREET; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City of Bradenton (the "Applicant" or "Property Owner"), owns the property located at 707 2nd Street West, Bradenton, FL, 34205, and legally described in Exhibit "A" attached hereto (the "Property"); and

WHEREAS, the Applicant has filed an application to vacate a portion of a platted 60 foot wide right-of-way, as legally described in Exhibit "B" attached hereto; and

WHEREAS, the right-of-way proposed for vacation is adjacent to the Property; and

WHEREAS, all things necessary and required by law have occurred for the vacation of a portion of that certain 60 foot wide right of way as shown on the Plat of Roesch's Subdivision, and more particularly described on Exhibit "B"; and

WHEREAS, the City Council has reviewed the request for vacation of right-of-way and finds that it meets the criteria established in Section 2.2.7 of the City's Land Use Regulations; and

WHEREAS, the City Council finds that the vacation of right-of-way is consistent with the City of Bradenton Comprehensive Plan, that it will not compromise the public interest nor will it prevent any property from having access to a public right-of-way, and that it will not substantially reduce the market value of abutting property; and

WHEREAS, the City Council has determined said right-of-way is no longer necessary for public purposes and that vacation thereof is deemed to be in the best interest of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA:

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. Vacated Right-of-Way. Pursuant to due and proper petition, application and other procedures as required by law, the City Council for the City of Bradenton does hereby vacate, close and abandon that right-of-way which is illustrated and described on Exhibit "B" attached hereto and incorporated herein by reference.

Section 3. Recordation. Upon adoption, the City Clerk shall ensure that this Ordinance is recorded in the Official Records of Manatee County, Florida.

Section 4. Repeal of Ordinances in Conflict. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

Section 5. Severability. It is the intention of the City Council that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

Section 6. Effective Date. This Ordinance shall take effect as provided by law.

FIRST READING	June 12, 2024
PUBLICATION DATE	August 4, 2024
SECOND READING	August 14, 2024

PASSED AND DULY ADOPTED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING ON THIS 14TH DAY OF AUGUST, 2024.

THE CITY OF BRADENTON, FLORIDA

ATTEST:

Tamara Melton, City Clerk

Gene Brown, Mayor

APPROVED AS TO FORM:

Scott Rudacille, City Attorney

EXHIBIT "A"

Property Legal Description

LOT 11 ROESCHS SUB PI#32555.0000/5

EXHIBIT "B"

Property to be Vacated

707 2nd St. W

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture

EXHIBIT A

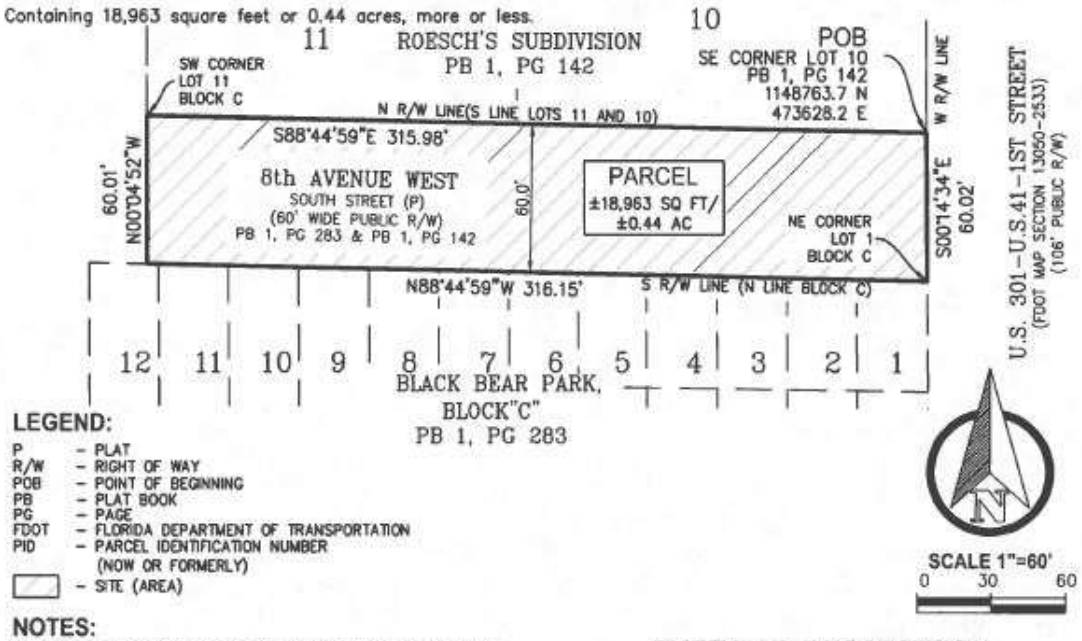
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A 60 foot wide parcel of land being a portion of a platted 8th Avenue (South Street), per Plat Book 1, Page 142, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Southeast corner of Lot 10, ROESCH'S SUBDIVISION, as described in the Plat Book 1, Page 142, as recorded in the public records of Manatee County, Florida; thence along West right-of-way line of 1st Street per FDOT Map Section 13050-2533, S00°14'34"E, 60.02 feet to the Northeast corner of Lot 1, Block C, Black Bear Park Subdivision as described in Plat Book 1, Page 283 of aforementioned public records; thence along the North line of said Block C, also being the South right-of-way line of 8th Avenue West per said Plat Book 1, Page 283 and Plat Book 1, Page 142, N88°44'59"W, 316.15 feet; thence N00°04'52"W, 60.01 feet to the Southwest corner of Lot 11, per said Plat Book 1, Page 142; thence along the South lines of said Lots 11 and 10, said lines also being the North line of aforementioned 8th Avenue West, S88°44'59"E, 315.98 feet to the POINT OF BEGINNING.

Containing 18,963 square feet or 0.44 acres, more or less.



LEGEND:

P	- PLAT
R/W	- RIGHT OF WAY
POB	- POINT OF BEGINNING
PB	- PLAT BOOK
PG	- PAGE
FDOT	- FLORIDA DEPARTMENT OF TRANSPORTATION
PID	- PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
▭	- SITE (AREA)

SCALE 1"=60'
0 30 60

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF S00°14'34"E FOR THE WEST RIGHT-OF-WAY LINE OF 1ST STREET.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 18,963 Sq. Ft. OR 0.44 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL APPLIED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:32:27 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

RECEIVED
By Isabell Salazar at 12:02 pm, Apr 18, 2024

bradenton
The Friendly City

Request to Vacate

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: City of Bradenton / Rob Perry, City Administrator

Owner Address: 101 Old Main St. W., Bradenton, FL 34205-7865 Telephone: 941-708-6300

Name of Agent: Same

Agent Address: _____ Telephone: _____

Owner/Agent Email: jean.totti@bradnetonFL.gov

PROPERTY INFORMATION (REQUIRED)

Property Address: 707 2nd. Street West, Bradenton, FL 34205

Parcel ID: 3255500005 Acreage: 0.44

Zoning District: T5 *click to view Zoning map

Future Land Use: Urban Center *click to view FLU map

Ward #: 5 *click to view Ward map

Neighborhood #: _____ *click to view Neighborhoods map

REQUIRED

Indicate Type of Vacation Requested: Right-of-Way (Easement)

MATERIALS FOR REVIEW (REQUIRED)

Before submitting an application to the City of Bradenton, please check with the Planning & Community Development Department to verify all essential information for review is present. Incomplete applications will delay the review process.

- **Right-of-Way Vacation**
  - Right-of-Way Vacation Application Fee: $1,530
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Right-of-Way to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials
- **Easement Vacation**
  - Easement Vacation Review Fee: $900.
  - Notarized Agent Authorization Form, if applicable
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Easement to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials

REQUIRED

The owner of this property and/or the undersigned agree to conform to all applicable laws of the City of Bradenton and to all applicable Federal, State, and County laws.

Signature of Owner/Applicant 4/16/24 Date

CITY STAFF ONLY

Application Fees:
Fee Required: **$1,530** (Right-of-Way Vacation) $900 (Easement Vacation)

FEE COLLECTED: $_____

RECEIPT #: _____

Application Sufficiency:
Sufficient: X
Incomplete: ☐ _____

APPLICATION #: 241518

CITY COUNCIL:
PLANNING COMMISSION:
DRC:
REVIEW DATES – TO BE COMPLETED BY CITY STAFF

bradenton
The Friendly City

Request to Vacate

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

RIGHT-OF-WAY PROCEDURES

RIGHT-OF-WAY VACATION

The Development Review Committee (DRC), Planning Commission, and City Council shall review a request for right-of-way vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review, and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the right-of-way to the appropriate owner(s). The vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

EASEMENT PROCEDURES

EASEMENT VACATION

The Development Review Committee (DRC) and City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

City Council may approve the vacation of an easement only with a favorable recommendation from the Director of Public Works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement to the appropriate owner(s).

UTILITIES CONTACT LIST

PUBLIC AND PRIVATE UTILITIES CHECKLIST

Approval from all public and private utility providers is required with submittal of an application for Easement or Right-of-Way Vacation. Please check the box(es) for those that apply and contact the following utility providers and supply documentation of their consent for vacation.

☐ City of Bradenton
Public Works & Utilities
Jim McLellan, Director
1411 9th Street West Bradenton, FL 34205
941.708.6300

☐ Florida Power and Light
Greg Coker
1253 12th Ave. E. Palmetto, FL 34221
813.422.8232

☐ Frontier Communications
Stephen Waidley, Regional Rights of Way & Municipal Affairs Manager
1280 Cleveland Street, Clearwater, FL 33755
941.266.9218

☐ Spectrum Communication
Alex Fleming, Field Eng.
5413 East State Road 64 Bradenton, FL 34203
941.737.1352

☐ Comcast Cable
Paul Brown, Manager, Construction SWFL
PO Box 1178. Sarasota, FL 34230
941.914.7844

☐ Teco/Peoples Gas
Alex Mcfarlane, Gas Design Tech
Rep. 8261 Vico Ct. Sarasota, FL 34240
813.275.3762

707 2nd St. W

ZNS|ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
EB 0027476 LB 0006982 LC 0000365

EXHIBIT A

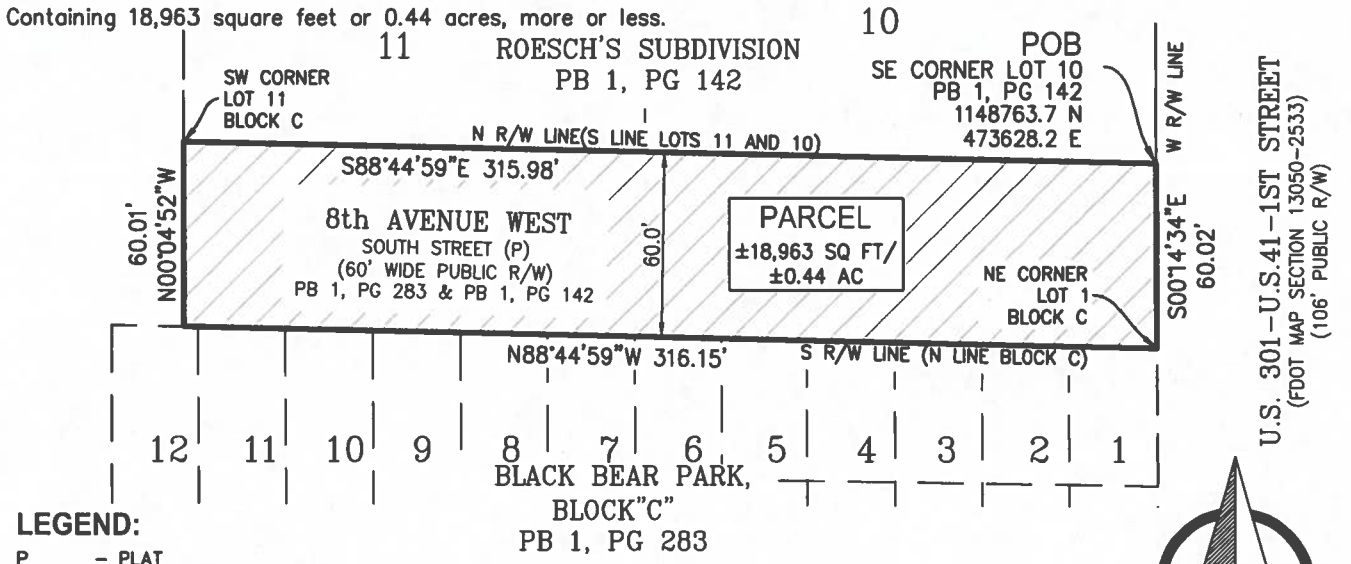
CERTIFICATE OF AUTHORIZATION # LB 6982
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R/W	–	RIGHT OF WAY
POB	–	POINT OF BEGINNING
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SCALE 1"=60'
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DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

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Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:32:27 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

T:_2023\45461 BPD\Sketch & Descriptions\45461 BPD Sketch.dwg, Plot Date: Feb 09, 2024@9:28am, By:KWW

705 3rd. Street W-A
705 3rd. Street W-B
704 2nd. Street W
8th. Ave. W
Proposed ROW Vacation (x3)
Can this parking be within the ROW? If not, can it be changed to perpendicular parking directly from 2nd St. W consistent with existing spaces to the north
3RD STREET WEST
BOUNDARY/RIGHT-OF-WAY WORKSHEET
FOR
BRADENTON POLICE HEADQUARTERS
ZNS ENGINEERING

bradenton
The Friendly City

February 27, 2024

Michael Decroix
Charter Communications

Electronic Delivery:
michael.decroix@charter.com

re: 4 Right of Way Vacations

Dear Michael Decroix,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

James Fleming
Charter Communications

Electronic Delivery:
James.fleming1@charter.com

re: 4 Right of Way Vacations

Dear James Fleming,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mark Up Division
Charter Communications

Electronic Delivery:
DL-WCEN-FL-FDE-Markup@charter.com

re: 4 Right of Way Vacations

Dear Mark Up Division,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Thomas Mumea
Charter Communications

Electronic Delivery:
thomas.mumea@charter.com

re: 4 Right of Way Vacations

Dear Thomas Mumea,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Kevin Murphy
Comcast

Electronic Delivery:
kevin.murphy4@comcast.com

re: 4 Right of Way Vacations

Dear Kevin Murphy,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Julia Godwin
FDOT

Electronic Delivery:
julia.godwin@dot.state.fl.us

re: 4 Right of Way Vacations

Dear Julia Godwin,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mike Singer
FDOT

Electronic Delivery:
mike.singer@swfwmd.state.fl.us

re: 4 Right of Way Vacations

Dear Mike Singer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Brian Garver
FPL

REVISED
Electronic Delivery:
brian.garver@fpl.com

re: 4 Right of Way Vacations

Dear Brian Garver,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Ray Vargas
FPL

Electronic Delivery:
ray.vargas.fpl.com

re: 4 Right of Way Vacations

Dear Ray Vargas,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Joy Butler / Stanley Schaeffer
Manatee Sheriff Office

Electronic Delivery:
joy.butler@manateesheriff.com
stanley.schaeffer@manateesheriff.com

re: 4 Right of Way Vacations

Dear Joy Butler / Stanley Schaeffer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Jamie Fones
Peace River

Electronic Delivery:
jamie.fones@preco.coop

re: 4 Right of Way Vacations

Dear Jamie Fones,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

David McClintock
Peace River

Electronic Delivery:
david.mcclintock@preco.coop

re: 4 Right of Way Vacations

Dear David McClintock,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Alex McFarlane
Teco Gas

Electronic Delivery:
amcfarlane@tecoenergy.com

re: 4 Right of Way Vacations

Dear Alex McFarlane,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Jean Totti

From: Murphy, Kevin <Kevin_Murphy4@comcast.com>
Sent: Monday, March 4, 2024 12:23 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Hi Jean,

Comcast has no objections to the vacation of Right-of-Way requested herein. Please let me know if you have any questions.

Thank you.

Kevin Murphy
COMCAST
Construction & Relocations
Phone: 941.356.1489
Email: kevin_murphy4@comcast.com
5205 Fruitville Rd, Sarasota, FL 34232

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

bradenton
The Friendly City

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Jean Totti

From: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Sent: Wednesday, March 13, 2024 9:57 AM
To: Jean Totti
Cc: Lake, Roxann; Bohde, Gregory; Godwin, Julia
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Jean,

Good morning. FDOT has no objection to the vacation request.

Thank you,

Cheryl Quick
Cheryl.quick@dot.state.fl.us
Right of Way Agent III
District One
Office (863) 519-2749

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:23 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Got it.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:17 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Jean,

Cheryl will research the locations and respond to the requests.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:14 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Julia, just to be clear. There's no objection to the vacation of these Rows?

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:02 AM
To: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>; Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Good morning, Cheryl.

Please assign a PM log number and process the vacations attached as requested.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

EXTERNAL SENDER: Use caution with links and attachments.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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Jean Totti

From: Carlos Santos <Carlos.Santos@swfwmd.state.fl.us>
Sent: Wednesday, March 13, 2024 10:40 AM
To: Jean Totti
Cc: Mike Singer
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Good morning Jean,

We, the Land Resources Bureau of SWFWMD, have no objections to the proposed right of way vacations.

Thank you,
Carlos Santos
Real Estate Specialist
Land Resources Bureau
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604
(352)269-3911
carlos.santos@swfwmd.state.fl.us

Southwest Florida Water Management District
WATERMATTERS.ORG · 1-800-423-1476

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



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Jean Totti

From: Garver, Brian <Brian.Garver@fpl.com>
Sent: Friday, March 8, 2024 4:06 PM
To: Jean Totti
Cc: Vargas, Ray
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)
Attachments: BPD-4RoW-FPL-vargas.pdf

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Good afternoon Jean,

FPL has no objection. No facilities are currently within the proposed ROW vacation areas.

Thank you,

Brian Garver
Delivery Assurance Lead / Relocation Coordinator
Whitfield Service Center – FPL
1253 12th Ave E
Palmetto, FL 34221
Office: 941-723-4442 Cell: 239-231-9471
Email: Brian.Garver@fpl.com



Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Supervisor Stephen Norton at (o) 941-927-4200 or Stephen.Norton@fpl.com.



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



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2185 Range Rd
Clearwater, FL 33765
(941) 266-9218
stephen.waidley@ftr.com

3/4/2024

Attn: Jean E. Totti, M.Arch.-LEED AP
Construction Project Administrator
City of Bradenton
1411 9th St W
Bradenton, FL 34205

RE: Vacations of Rights-of-Way – 215 6th Ave W, Bradenton, FL (Bradenton Police Headquarters)

Dear Jean,

☐ Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

☑ Frontier has no objection to the above referenced request as per the attachment.

☐ Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

☐ Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley

Stephen Waidley
Frontier Florida LLC
Regional Rights of Way & Municipal Affairs Manager

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Jean Totti

From: Schaeffer, Stanley <Stanley.Schaeffer@manateesheriff.com>
Sent: Tuesday, March 5, 2024 3:16 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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MCSO has no objections.
Thank you
Major Schaeffer
Manatee County Sheriff's Office

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Utilize the Phishing Button in Outlook to report suspected phishing emails.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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Please note: Florida has very broad public records laws. Most written communications to or from the Manatee County Sheriff's Office are public records available to the public upon request. Your e-mail, including your e-mail address, may be subject to public disclosure.

3/5/2024

RE: 215 6th Ave W, Bradenton, FL, 34205

To Whom it May Concern,

TECO Peoples Gas has no objection to proposed Vacation at 6321 16th Ave Dr W

If you have any questions or need additional information, please contact me at (813)275-3762 or amfarlane@tecoenergy.com.

Sincerely,

Alex McFarlane
Project Manager

TECO ENERGY
AN EMERA COMPANY
TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619

TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619



City of Bradenton
Planning and Community Development Department
City Council Public Hearing
August 14, 2024

Staff Report

Ordinance No.: 4041
Case No.: RV.24.1518
Applicant: City of Bradenton
Address: 707 2nd Street West
Parcel ID: 3255500005
Current Zoning: T5 (Urban Center Transect District)
Future Land Use: UCBD (Urban Central Business District)
Flood Zone: X

Surrounding Property Zoning:

Current Zoning: North: T5 (Urban Center Transect District)
South: T5 (Urban Center Transect District)
East: T5 (Urban Center Transect District)
West: T5 (Urban Center Transect District)

Future Land Use: North: UCBD (Urban Central Business District)
South: UCBD (Urban Central Business District)
East: UCBD (Urban Central Business District)
West: UCBD (Urban Central Business District)

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate a 60-foot-wide parcel of land being an unimproved portion of a platted 8th Avenue, otherwise known as 8th Avenue West, that cuts through property located at 707 2nd Street West. The area of the proposed vacation is approximately 18,963-sq. ft. or 0.44 acres in size.

The applicant is requesting the vacation in order clear the property of unused right-of-way and to delineate a portion of the property for the future construction of off-street parking for a new Police Headquarters complex.

During a site visit to the area, it was noted that the subject area/property is currently occupied by the City of Bradenton Public Works Department / Water System Facility along with additional Public Works ancillary uses.

Section 2.2.7 of the City of Bradenton Land Use Restrictions (shown below) details the process for vacation of public rights-of-way. The section calls for the consideration of "whether [the] vacation would be detrimental to the public health, safety, welfare or convenience". In this case, this portion of the right-of-way is no longer being utilized by any public or public-serving agencies, so it appears that the proposed vacation will not be detrimental to public health, safety, welfare, or convenience.

If approved by City Council, the City Clerk shall record the reversion of the subject of right-of-way to adjacent property owners (the applicant).

As exhibited in the submitted application materials, private and public utilities that may utilize this right-of-way have agreed to its vacation as it is no longer needed for public services.

LAND USE REGULATIONS:

2.2.7 ***Vacation of public rights-of-way or public easements.*** The City Council may, upon its own motion or upon a recommendation by Planning Commission, order the vacation of streets, easements, or other parcels of land dedicated for public purpose.

2.2.7.1 ***Application.*** Owners of property adjacent to right-of-way or owners of property with public easements may request their vacation by applying on forms or electronic media in a PDF format provided by the PCD Director and submitting the fee as required by Appendix A. The PCD Director may request additional information including a legal description of the property as necessary to process the application.

2.2.7.2 ***Public Notice.*** shall be made as required by Section 2.3. A legal description of the applicant property shall be on file with the PCD Director. City Council approval shall be required for the vacation of an easement. For the vacation of a right-of-way or other dedicated property, a public hearing before the Planning Commission and recommendation from that body are also required as well as a public hearing before City Council.

2.2.7.3 ***Review of Application.*** The PCD Director shall report to the Planning Commission and Director of Public Works all known non-City uses of such easement, right-of-way or property. The Planning Commission shall evaluate any request for vacation of right-of- way or other

dedicated property to determine whether vacation would be detrimental to the public health, safety, welfare or convenience. Information presented at the public hearing regarding use of the property for access to other properties or other public purpose shall be considered by the Planning Commission in making its recommendation. In cases where the right-of-way is used only for utilities, the Planning Commission may recommend the vacation provided that an easement is provided for such utilities. The recommendation shall be given to City Council in writing. City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

2.2.7.4 ***Approval/Denial.***

a. Easement. City council may approve the vacation of an easement only with a favorable recommendation from the director of public works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended

b. *Right-of-way or other dedicated parcel.* Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review (See Subsection 2.2.7.3 above), and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

2.2.7.5 ***Public Recording.*** The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement or right-of-way to the appropriate owner(s). In the case of right-of-way, the vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

City Council is encouraged to evaluate the request based on the provided application materials as well as input from staff, the applicant, and the public and base its decision on the criteria found under Section 2.2.7 of the Land Use Regulations, which establishes the criteria for the vacation of a public right-of-way or easement.

Planning Commission met on May 15, 2024, and recommended to City Council **Approval** of Ordinance 4041, Case RV.24.1518 (vote 6-0).

Respectfully submitted,



Gregory J. DeLong
Assistant Director of Planning & Community Development

Exhibits:

Exhibit A: Location Map

Exhibit B: Future Land Use Map

Exhibit C: Zoning Map

Exhibit D: Sketch of Description – Right-of-Way

Exhibit "A"


64
6TH AVE W
3RD ST W
6TH AVE W
64
1ST ST E
6TH AVE E
41
301
Pinnacle Office Park
N
W
E
S
1ST ST W
CITY OF BRADENTON WATER SYSTEM
8TH AVE W
8TH AVE E
Right of Way
Major Adams Cemetery
3RD STREET W
8TH AVE DR W
2ND ST W
1ST ST E
41
301
Bradenton
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
RV.24.1518 RoW Police HQ
owner: City of Bradenton
near 707 2nd St W
PIDs: near 3258200009, 3255500005, & 3255400008
CITY OF BRADENTON FLORIDA
Location
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "B"

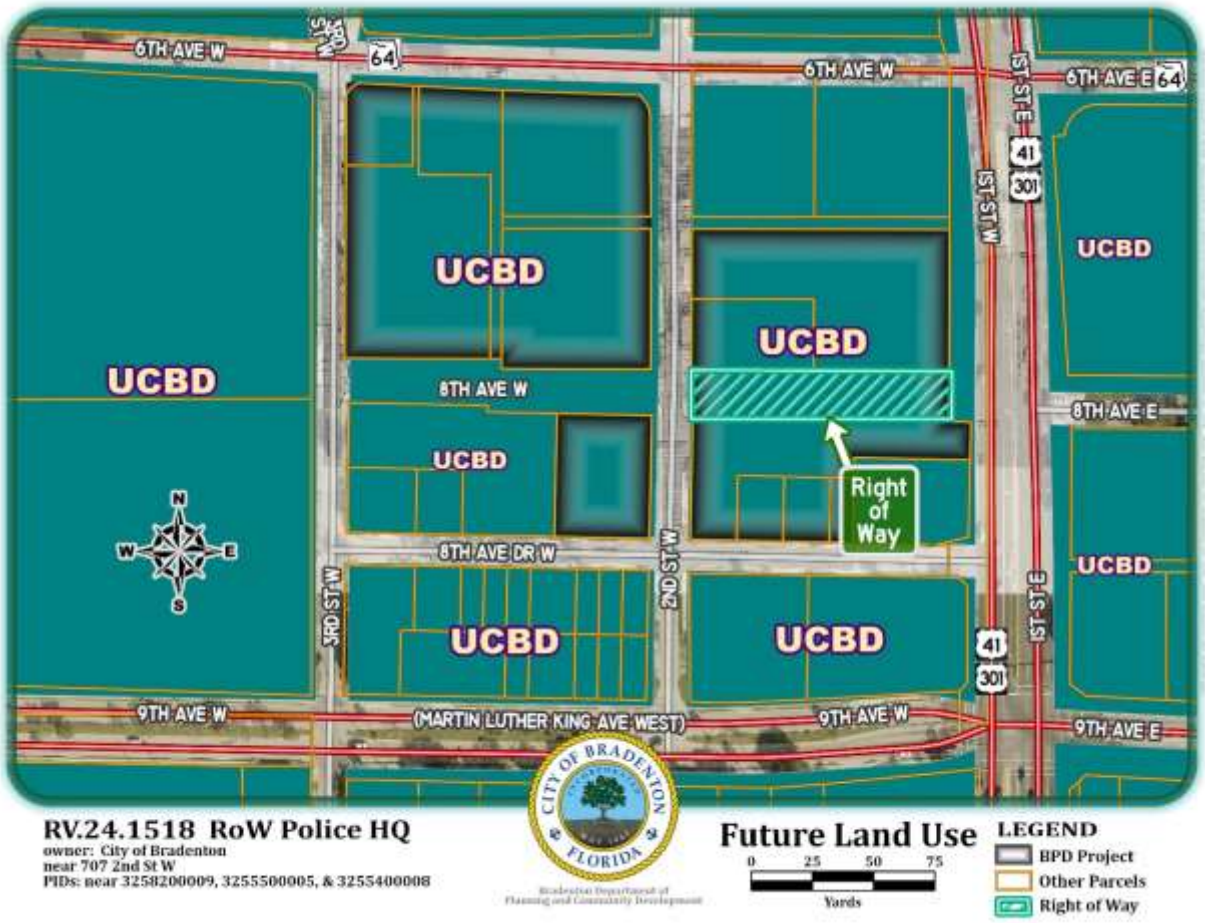

6TH AVE W
3RD ST W
64
6TH AVE W
1ST ST E
6TH AVE E
64
41
301
1ST ST W
UCBD
UCBD
UCBD
UCBD
8TH AVE W
8TH AVE E
UCBD
Right of Way
N
W
E
S
8TH AVE DR W
3RD ST W
2ND ST W
UCBD
UCBD
UCBD
1ST ST E
41
301
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
RV.24.1518 RoW Police HQ
owner: City of Bradenton
near 707 2nd St W
PIDs: near 3258200009, 3255500005, & 3255400008
CITY OF BRADENTON
FLORIDA
Future Land Use
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "C"


T6
6TH AVE W
64
3RD ST W
6TH AVE W
6TH AVE E
64
1ST ST E
41
301
1ST ST W
T5
T5
T5
T5
T5
8TH AVE W
8TH AVE E
T5
Right of Way
N
W
E
S
8TH AVE DR W
3RD ST W
2ND ST W
T5
T5
T5
41
301
1ST ST E
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
CITY OF BRADENTON
FLORIDA
RV.24.1518 RoW Police HQ
owner: City of Bradenton
near 707 2nd St W
PIDs: near 3258200009, 3255500005, & 3255400008
Zoning
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "D"

707 2nd St. W

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture

EXHIBIT A

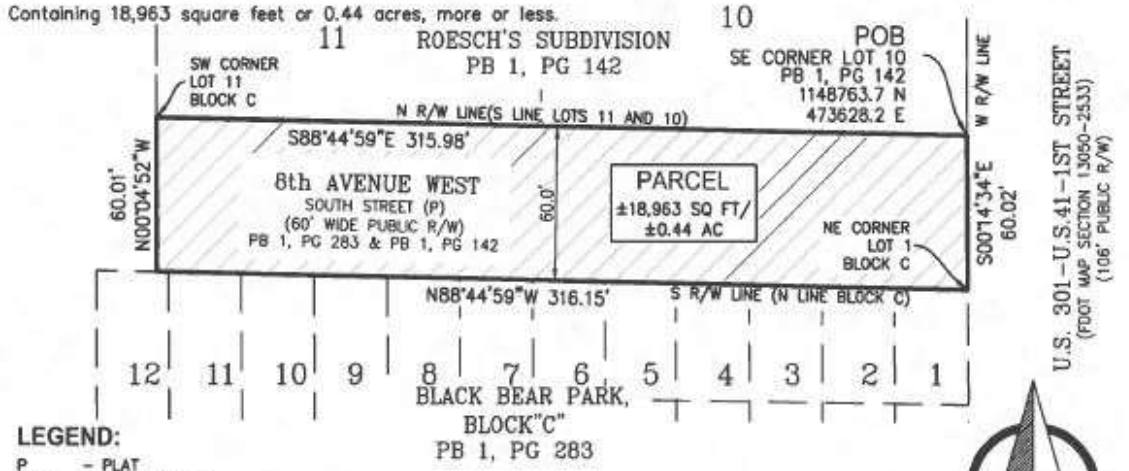
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A 60 foot wide parcel of land being a portion of a platted 8th Avenue (South Street), per Plat Book 1, Page 142, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Southeast corner of Lot 10, ROESCH'S SUBDIVISION, as described in the Plat Book 1, Page 142, as recorded in the public records of Manatee County, Florida; thence along West right-of-way line of 1st Street per FDOT Map Section 13050-2533, S00°14'34"E, 60.02 feet to the Northeast corner of Lot 1, Block C, Black Bear Park Subdivision as described in Plat Book 1, Page 283 of aforementioned public records; thence along the North line of said Block C, also being the South right-of-way line of 8th Avenue West per said Plat Book 1, Page 283 and Plat Book 1, Page 142, N88°44'59"W, 316.15 feet; thence N00°04'52"W, 60.01 feet to the Southwest corner of Lot 11, per said Plat Book 1, Page 142; thence along the South lines of said Lots 11 and 10, said lines also being the North line of aforementioned 8th Avenue West, S88°44'59"E, 315.98 feet to the POINT OF BEGINNING.

Containing 18,963 square feet or 0.44 acres, more or less.



LEGEND:

P	- PLAT
R/W	- RIGHT OF WAY
POB	- POINT OF BEGINNING
PB	- PLAT BOOK
PG	- PAGE
FDOT	- FLORIDA DEPARTMENT OF TRANSPORTATION
PID	- PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
☐	- SITE (AREA)

SCALE 1"=60'
0 30 60

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF S00°14'34"E FOR THE WEST RIGHT-OF-WAY LINE OF 1ST STREET.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 18,963 Sq. Ft. OR 0.44 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL APPLIED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:32:27 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

AGENDA ITEM NO. 7.c

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

SUBJECT: ORDINANCE 4042 - SECOND READING AND PUBLIC HEARING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 15-FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF ROESCH'S SUBDIVISION, RECORDED IN BOOK 1, PAGE 142, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION: Motion to either approve or deny Ordinance 4042.

Planning Commission met on May 15, 2024, and recommended to City Council approval of Ordinance 4042 (vote 6-0).

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate a platted 15-foot-wide alley that is on property located at 704 2nd Street West. The area of the proposed vacation is approximately 2,851-sq. ft. or 0.07 acres in size.

The applicant is requesting the vacation in order clear the property of unused right-of-way and to delineate a portion of the property for the future construction of off-street parking for a new Police Headquarters complex.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to either approve or deny Ordinance 4042.

ATTACHMENTS:
Ordinance 4042
Application - Ordinance 4042, Case RV.24.1519
Staff Report - Ordinance 4042, Case RV.24.1519

Ordinance No. 4042

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 15-FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF ROESCH'S SUBDIVISION, RECORDED IN BOOK 1, PAGE 142, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City of Bradenton (the "Applicant" or "Property Owner"), owns the property located at 704 2nd Street West, Bradenton, FL, 34205, and legally described in Exhibit "A" attached hereto (the "Property"); and

WHEREAS, the Applicant has filed an application to vacate a portion of a platted 15 foot wide alley, as legally described in Exhibit "B" attached hereto; and

WHEREAS, the right-of-way proposed for vacation is adjacent to the Property; and

WHEREAS, all things necessary and required by law have occurred for the vacation of a portion of that certain 15 foot right of way as shown on the Plat of Roesch's Subdivision, and more particularly described on Exhibit "B"; and

WHEREAS, the City Council has reviewed the request for vacation of right-of-way and finds that it meets the criteria established in Section 2.2.7 of the City's Land Use Regulations; and

WHEREAS, the City Council finds that the vacation of right-of-way is consistent with the City of Bradenton Comprehensive Plan, that it will not compromise the public interest nor will it prevent any property from having access to a public right-of-way, and that it will not substantially reduce the market value of abutting property; and

WHEREAS, the City Council has determined said right-of-way is no longer necessary for public purposes and that vacation thereof is deemed to be in the best interest of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA:

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. Vacated Right-of-Way. Pursuant to due and proper petition, application and other procedures as required by law, the City Council for the City of Bradenton does hereby vacate, close and abandon that right-of-way which is illustrated and described on Exhibit "B" attached hereto and incorporated herein by reference.

Section 3. Recordation. Upon adoption, the City Clerk shall ensure that this Ordinance is recorded in the Official Records of Manatee County, Florida.

Section 4. Repeal of Ordinances in Conflict. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

Section 5. Severability. It is the intention of the City Council that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

Section 6. Effective Date. This Ordinance shall take effect as provided by law.

FIRST READING	June 12, 2024
PUBLICATION DATE	August 4, 2024
SECOND READING	August 14, 2024

PASSED AND DULY ADOPTED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING ON THIS 14TH DAY OF AUGUST, 2024.

THE CITY OF BRADENTON, FLORIDA

ATTEST:

Tamara Melton, City Clerk

Gene Brown, Mayor

APPROVED AS TO FORM:

Scott Rudacille, City Attorney

EXHIBIT "A"

Property Legal Description

LOTS 5,6,7,12 ROESCHS SUB LESS FOR RD R/W THAT PART INCLUDED IN THE FOLLOWING: A) THOSE PORTIONS OF LOTS 1 & 2, BLK 19, ADAMS ANEX TO BRAIDENTOWN, AS PER (PB 1 PG 158) AND THOSE PORTIONS OF LOTS 5 & 6, ROESCHS SUB, AS PER (PB 1 PG 142) ALL BEING IN SEC 26 PRMCF BEING DESC AS FOLLOWS: BEG AT THE NE COR OF SD LOT 5; TH S 00 DEG 11 MIN 34 SEC W 53.90 FT ALG THE E LN OF SD LOT 5; TH N 89 DEG 39 MIN 12 SEC W 3.54 FT TO THE BEG OF A CURVE CONCAVE SWLY; TH ALG THE ARC OF SD CURVE TO THE LEFT HAVING A RAD OF 29.50 FT, A C/A OF 63 DEG 04 MIN 09 SEC, AN ARC LENGTH OF 32.47 FT, THE CHORD FOR WHICH BEARS N 31 DEG 11 MIN 16 SEC W TO THE END OF SD CURVE AND THE BEG OF A CURVE CONCAVE NLY; TH ALG THE ARC OF SD CURVE TO THE RIGHT, HAVING A RAD OF 7,663.44 FT, A C/A OF 01 DEG 56 MIN 13 SEC, AN ARC LENGTH OF 259.08 FT, THE CHORD FOR WHICH BEARS N 87 DEG 51 MIN 54 SEC W TO THE END OF SD CURVE; TH N 86 DEG 53 MIN 47 SEC W, 17.35 FT; TH N 00 DEG 10 MIN 54 SEC E, 11.68 FT TO THE N LN OF SD LOT 2; TH N 88 DEG 59 MIN 25 SEC E, 106.05 FT ALG THE N LN OF SD LOTS 1 & 2 TO THE NW COR OF SD LOT 6; TH N 88 DEG 59 MIN 21 SEC E, 189.87 FT ALG THE N LN OF SD LOTS 5 & 6 TO THE POB. CONT 6,338 SF (1419/6450) PI#32553.0000/0

EXHIBIT "B"

Property to be Vacated

704 2nd St W.

ZNS ENGINEERING
Land Planning | Engineering | Surveying | Landscape Architecture

EXHIBIT A

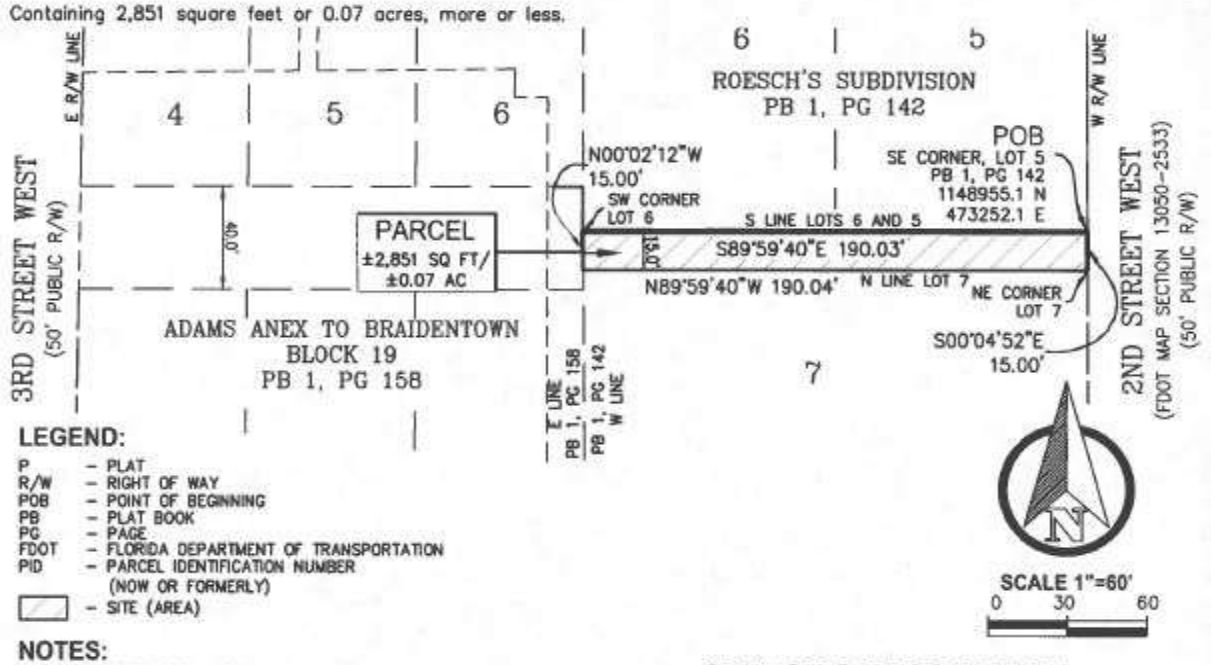
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A parcel of land being a portion of a platted 15 foot wide ally per Plat Book1, Page 142, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Southeast corner of Lot 5, ROESCH'S SUBDIVISION, as described in the Plat Book 1, Page 142, as recorded in the public records of Manatee County, Florida; thence along West right-of-way line of 2nd Street West per FDOT Map Section 13050-2533, S00°04'52"E, 15.00 feet to the Northeast corner of Lot 7 per said Plat Book 1, Page 142; thence along North line of said Lot 7, N89°59'40"W, 190.04 feet to the West line of said Plat Book 1, Page 142; also being the East line of Plat Book 1, Page 158 of aforementioned public records; thence along said line N00°02'12"W, 15.00 feet to the Southwest corner of Lot 6 of aforementioned Plat Book 1, Page 142; thence along South lines of said Lots 6 and 5, S89°59'40"E, 190.03 feet to the POINT OF BEGINNING.

Containing 2,851 square feet or 0.07 acres, more or less.



LEGEND:

P	–	PLAT
R/W	–	RIGHT OF WAY
POB	–	POINT OF BEGINNING
PB	–	PLAT BOOK
PG	–	PAGE
FDOT	–	FLORIDA DEPARTMENT OF TRANSPORTATION
PID	–	PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
	–	SITE (AREA)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF S00°04'52"E FOR THE WEST RIGHT-OF-WAY LINE OF 2ND STREET WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 2,851 Sq. Ft. OR 0.07 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL AFFIXED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:30:16 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

RECEIVED
By Isabell Salazar at 11:57 am, Apr 18, 2024

bradenton
The Friendly City

Request to Vacate

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: City of Bradenton / Rob Perry, City Administrator

Owner Address: 101 Old Main St. W., Bradenton, FL 34205-7865 Telephone: 941-708-6300

Name of Agent: Same

Agent Address: _____ Telephone: _____

Owner/Agent Email: jean.totti@bradnetonFL.gov

PROPERTY INFORMATION (REQUIRED)

Property Address: 704 2nd Street West, Bradenton, FL 34205

Parcel ID: 3255300000 Acreage: 0.07

Zoning District: T5 *click to view Zoning map

Future Land Use: Urban Center *click to view FLU map

Ward #: 5 *click to view Ward map

Neighborhood #: _____ *click to view Neighborhoods map

REQUIRED

Indicate Type of Vacation Requested: Right-of-Way (Easement)

MATERIALS FOR REVIEW (REQUIRED)

Before submitting an application to the City of Bradenton, please check with the Planning & Community Development Department to verify all essential information for review is present. Incomplete applications will delay the review process.

- **Right-of-Way Vacation**
  - Right-of-Way Vacation Application Fee: $1,530
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Right-of-Way to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials
- **Easement Vacation**
  - Easement Vacation Review Fee: $900.
  - Notarized Agent Authorization Form, if applicable
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Easement to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials

REQUIRED

The owner of this property and/or the undersigned agree to conform to all applicable laws of the City of Bradenton and to all applicable Federal, State, and County laws.

Signature of Owner/Applicant _____ Date 4/18/24

CITY STAFF ONLY

Application Fees:
Fee Required: **$1,530** (Right-of-Way Vacation) $900 (Easement Vacation)

FEE COLLECTED: $_____

RECEIPT #: _____

Application Sufficiency:
Sufficient: X
Incomplete: ☐ _____

APPLICATION #: 241519

CITY COUNCIL: _____
PLANNING COMMISSION: _____
DRC: _____
REVIEW DATES – TO BE COMPLETED BY CITY STAFF

Request to Vacate

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

bradenton
The Friendly City

RIGHT-OF-WAY PROCEDURES

RIGHT-OF-WAY VACATION

The Development Review Committee (DRC), Planning Commission, and City Council shall review a request for right-of-way vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review, and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the right-of-way to the appropriate owner(s). The vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

EASEMENT PROCEDURES

EASEMENT VACATION

The Development Review Committee (DRC) and City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

City Council may approve the vacation of an easement only with a favorable recommendation from the Director of Public Works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement to the appropriate owner(s).

UTILITIES CONTACT LIST

PUBLIC AND PRIVATE UTILITIES CHECKLIST

Approval from all public and private utility providers is required with submittal of an application for Easement or Right-of-Way Vacation. Please check the box(es) for those that apply and contact the following utility providers and supply documentation of their consent for vacation.

☐ City of Bradenton
Public Works & Utilities
Jim McLellan, Director
1411 9th Street West Bradenton, FL 34205
941.708.6300

☐ Florida Power and Light
Greg Coker
1253 12th Ave. E. Palmetto, FL 34221
813.422.8232

☐ Frontier Communications
Stephen Waidley, Regional Rights of Way & Municipal Affairs Manager
1280 Cleveland Street, Clearwater, FL 33755
941.266.9218

☐ Spectrum Communication
Alex Fleming, Field Eng.
5413 East State Road 64 Bradenton, FL 34203
941.737.1352

☐ Comcast Cable
Paul Brown, Manager, Construction SWFL
PO Box 1178. Sarasota, FL 34230
941.914.7844

☐ Teco/Peoples Gas
Alex Mcfarlane, Gas Design Tech
Rep. 8261 Vico Ct. Sarasota, FL 34240
813.275.3762

704 2nd St. W.

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
EB 0027476 LB 0006982 LC 0000365

EXHIBIT A

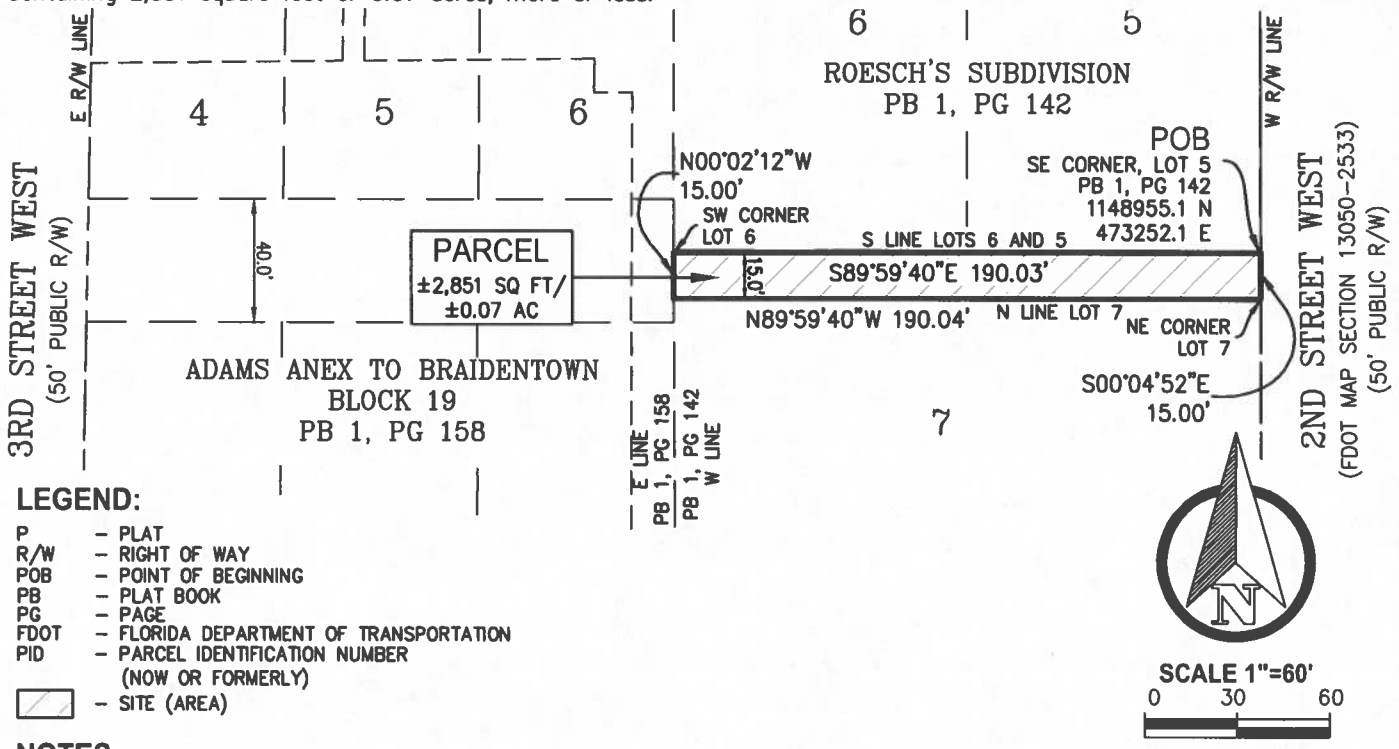
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
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FAX (941) 748-3747

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Begin at the Southeast corner of Lot 5, ROESCH'S SUBDIVISION, as described in the Plat Book 1, Page 142, as recorded in the public records of Manatee County, Florida; thence along West right-of-way line of 2nd Street West per FDOT Map Section 13050-2533, S00°04'52"E, 15.00 feet to the Northeast corner of Lot 7 per said Plat Book 1, Page 142; thence along North line of said Lot 7, N89°59'40"W, 190.04 feet to the West line of said Plat Book 1, Page 142; also being the East line of Plat Book 1, Page 158 of aforementioned public records; thence along said line N00°02'12"W, 15.00 feet to the Southwest corner of Lot 6 of aforementioned Plat Book 1, Page 142; thence along South lines of said Lots 6 and 5, S89°59'40"E, 190.03 feet to the POINT OF BEGINNING.

Containing 2,851 square feet or 0.07 acres, more or less.



LEGEND:

P	–	PLAT
R/W	–	RIGHT OF WAY
POB	–	POINT OF BEGINNING
PB	–	PLAT BOOK
PG	–	PAGE
FDOT	–	FLORIDA DEPARTMENT OF TRANSPORTATION
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DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

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Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:30:16 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

T:_2025\45461 BPD\Sketch & Descriptions\45461 BPD Sub.dwg, Plot Date: Feb 09, 2024@9:27am, ByKAVIN

705 3rd. Street W-A
705 3rd. Street W-B
704 2nd. Street W
8th. Ave. W
Proposed ROW Vacation (x3)
Can this parking be within the ROW? If not, can it be changed to perpendicular parking directly from 2nd St. W consistent with existing spaces to the north
BOUNDARY/RIGHT-OF-WAY WORKSHEET
BRADENTON POLICE HEADQUARTERS
ZNS ENGINEERING

bradenton
The Friendly City

February 27, 2024

Michael Decroix
Charter Communications

Electronic Delivery:
michael.decroix@charter.com

re: 4 Right of Way Vacations

Dear Michael Decroix,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

James Fleming
Charter Communications

Electronic Delivery:
James.fleming1@charter.com

re: 4 Right of Way Vacations

Dear James Fleming,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mark Up Division
Charter Communications

Electronic Delivery:
DL-WCEN-FL-FDE-Markup@charter.com

re: 4 Right of Way Vacations

Dear Mark Up Division,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Thomas Mumea
Charter Communications

Electronic Delivery:
thomas.mumea@charter.com

re: 4 Right of Way Vacations

Dear Thomas Mumea,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Kevin Murphy
Comcast

Electronic Delivery:
kevin.murphy4@comcast.com

re: 4 Right of Way Vacations

Dear Kevin Murphy,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Julia Godwin
FDOT

Electronic Delivery:
julia.godwin@dot.state.fl.us

re: 4 Right of Way Vacations

Dear Julia Godwin,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mike Singer
FDOT

Electronic Delivery:
mike.singer@swfwmd.state.fl.us

re: 4 Right of Way Vacations

Dear Mike Singer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Brian Garver
FPL

REVISED
Electronic Delivery:
brian.garver@fpl.com

re: 4 Right of Way Vacations

Dear Brian Garver,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Ray Vargas
FPL

Electronic Delivery:
ray.vargas.fpl.com

re: 4 Right of Way Vacations

Dear Ray Vargas,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Joy Butler / Stanley Schaeffer
Manatee Sheriff Office

Electronic Delivery:
joy.butler@manateesheriff.com
stanley.schaeffer@manateesheriff.com

re: 4 Right of Way Vacations

Dear Joy Butler / Stanley Schaeffer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Jamie Fones
Peace River

Electronic Delivery:
jamie.fones@preco.coop

re: 4 Right of Way Vacations

Dear Jamie Fones,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

David McClintock
Peace River

Electronic Delivery:
david.mcclintock@preco.coop

re: 4 Right of Way Vacations

Dear David McClintock,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Alex McFarlane
Teco Gas

Electronic Delivery:
amcfarlane@tecoenergy.com

re: 4 Right of Way Vacations

Dear Alex McFarlane,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Jean Totti

From: Murphy, Kevin <Kevin_Murphy4@comcast.com>
Sent: Monday, March 4, 2024 12:23 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from kevin_murphy4@comcast.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Hi Jean,

Comcast has no objections to the vacation of Right-of-Way requested herein. Please let me know if you have any questions.

Thank you.

Kevin Murphy
COMCAST
Construction & Relocations
Phone: 941.356.1489
Email: kevin_murphy4@comcast.com
5205 Fruitville Rd, Sarasota, FL 34232

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

bradenton
The Friendly City

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

The City of Bradenton shall not be held liable for use of ANY map or drawing attachment, which is provided as a public service for informational purposes. PLEASE NOTE that this information is NOT intended to be used as an authoritative public record for any geographic location, or as a legal document and shall have no legal force or effect. The City of Bradenton makes reasonable efforts to provide that data sent as an attachment is virus free, however the City of Bradenton assumes no responsibility for damages caused by the downloading or installation of this data. In addition certain individuals or entities may have proprietary interests in such data and the use of it without such parties' consent may be prohibited. Viewing or Use of the data indicates that user accepts the above conditions.

Jean Totti

From: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Sent: Wednesday, March 13, 2024 9:57 AM
To: Jean Totti
Cc: Lake, Roxann; Bohde, Gregory; Godwin, Julia
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Jean,

Good morning. FDOT has no objection to the vacation request.

Thank you,

Cheryl Quick
Cheryl.quick@dot.state.fl.us
Right of Way Agent III
District One
Office (863) 519-2749

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:23 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Got it.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:17 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Jean,

Cheryl will research the locations and respond to the requests.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:14 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Julia, just to be clear. There's no objection to the vacation of these Rows?

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:02 AM
To: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>; Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from julia.godwin@dot.state.fl.us. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning, Cheryl.

Please assign a PM log number and process the vacations attached as requested.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

EXTERNAL SENDER: Use caution with links and attachments.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

The City of Bradenton shall not be held liable for use of ANY map or drawing attachment, which is provided as a public service for informational purposes. PLEASE NOTE that this information is NOT intended to be used as an authoritative public record for any geographic location, or as a legal document and shall have no legal force or effect. The City of Bradenton makes reasonable efforts to provide that data sent as an attachment is virus free, however the City of Bradenton assumes no responsibility for damages caused by the downloading or installation of this data. In addition certain individuals or entities may have proprietary interests in such data and the use of it without such parties' consent may be prohibited. Viewing or Use of the data indicates that user accepts the above conditions.

Jean Totti

From: Carlos Santos <Carlos.Santos@swfwmd.state.fl.us>
Sent: Wednesday, March 13, 2024 10:40 AM
To: Jean Totti
Cc: Mike Singer
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from carlos.santos@swfwmd.state.fl.us. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning Jean,

We, the Land Resources Bureau of SWFWMD, have no objections to the proposed right of way vacations.

Thank you,
Carlos Santos
Real Estate Specialist
Land Resources Bureau
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604
(352)269-3911
carlos.santos@swfwmd.state.fl.us

Southwest Florida Water Management District
WATERMATTERS.ORG · 1-800-423-1476

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from jean.totti@bradentonfl.gov. Learn why this is important

[EXTERNAL SENDER] Use caution before opening.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



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Jean Totti

From: Garver, Brian <Brian.Garver@fpl.com>
Sent: Friday, March 8, 2024 4:06 PM
To: Jean Totti
Cc: Vargas, Ray
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)
Attachments: BPD-4RoW-FPL-vargas.pdf

You don't often get email from brian.garver@fpl.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good afternoon Jean,

FPL has no objection. No facilities are currently within the proposed ROW vacation areas.

Thank you,

Brian Garver
Delivery Assurance Lead / Relocation Coordinator
Whitfield Service Center – FPL
1253 12th Ave E
Palmetto, FL 34221
Office: 941-723-4442 Cell: 239-231-9471
Email: Brian.Garver@fpl.com



Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Supervisor Stephen Norton at (o) 941-927-4200 or Stephen.Norton@fpl.com.



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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FRONTIER

2185 Range Rd
Clearwater, FL 33765
(941) 266-9218
stephen.waidley@ftr.com

3/4/2024

Attn: Jean E. Totti, M.Arch.-LEED AP
Construction Project Administrator
City of Bradenton
1411 9th St W
Bradenton, FL 34205

RE: Vacations of Rights-of-Way – 215 6th Ave W, Bradenton, FL (Bradenton Police Headquarters)

Dear Jean,

☐ Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

☑ Frontier has no objection to the above referenced request as per the attachment.

☐ Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

☐ Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley

Stephen Waidley
Frontier Florida LLC
Regional Rights of Way & Municipal Affairs Manager

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Jean Totti

From: Schaeffer, Stanley <Stanley.Schaeffer@manateesheriff.com>
Sent: Tuesday, March 5, 2024 3:16 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from stanley.schaeffer@manateesheriff.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

MCSO has no objections.
Thank you
Major Schaeffer
Manatee County Sheriff's Office

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Caution: This email originated from an external source. **Be Suspicious of Attachments, Links and Requests for Login Information.**

Utilize the Phishing Button in Outlook to report suspected phishing emails.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

The City of Bradenton shall not be held liable for use of ANY map or drawing attachment, which is provided as a public service for informational purposes. PLEASE NOTE that this information is NOT intended to be used as an authoritative public record for any geographic location, or as a legal

document and shall have no legal force or effect. The City of Bradenton makes reasonable efforts to provide that data sent as an attachment is virus free, however the City of Bradenton assumes no responsibility for damages caused by the downloading or installation of this data. In addition certain individuals or entities may have proprietary interests in such data and the use of it without such parties' consent may be prohibited. Viewing or Use of the data indicates that user accepts the above conditions.

Please note: Florida has very broad public records laws. Most written communications to or from the Manatee County Sheriff's Office are public records available to the public upon request. Your e-mail, including your e-mail address, may be subject to public disclosure.

3/5/2024

RE: 215 6th Ave W, Bradenton, FL, 34205

To Whom it May Concern,

TECO Peoples Gas has no objection to proposed Vacation at 6321 16th Ave Dr W

If you have any questions or need additional information, please contact me at (813)275-3762 or amfarlane@tecoenergy.com.

Sincerely,

Alex McFarlane
Project Manager

TECO ENERGY
AN EMERA COMPANY
TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619

TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619



City of Bradenton
Planning and Community Development Department
City Council Public Hearing
August 14, 2024

Staff Report

Ordinance No.: 4042
Case No.: RV.24.1519
Applicant: City of Bradenton
Address: 704 2nd Street West
Parcel ID: 3255300000
Current Zoning: T5 (Urban Center Transect District)
Future Land Use: UCBD (Urban Central Business District)
Flood Zone: X

Surrounding Property Zoning:

Current Zoning: North: T5 (Urban Center Transect District)
South: T5 (Urban Center Transect District)
East: T5 (Urban Center Transect District)
West: T5 (Urban Center Transect District)

Future Land Use: North: UCBD (Urban Central Business District)
South: UCBD (Urban Central Business District)
East: UCBD (Urban Central Business District)
West: UCBD (Urban Central Business District)

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate a platted 15-foot-wide alley that is on property located at 704 2nd Street West. The area of the proposed vacation is approximately 2,851-sq. ft. or 0.07 acres in size.

The applicant is requesting the vacation in order clear the property of unused right-of-way and to delineate a portion of the property for the future construction of off-street parking for a new Police Headquarters complex.

During a site visit to the area, it was noted that the subject area/property is currently occupied by the City of Bradenton Public Works Department / Water System Facility along with additional Public Works ancillary uses.

Section 2.2.7 of the City of Bradenton Land Use Restrictions (shown below) details the process for vacation of public right-of-way. The section calls for

the consideration of "whether [the] vacation would be detrimental to the public health, safety, welfare or convenience". In this case, this portion of the right-of-way is no longer being utilized by any public or public-serving agencies, so it appears that the proposed vacation will not be detrimental to public health, safety, welfare, or convenience.

If approved by City Council, the City Clerk shall record the reversion of the subject of right-of-way to adjacent property owners (the applicant).

As exhibited in the submitted application materials, private and public utilities that may utilize this right-of-way have agreed to its vacation as it is no longer needed for public services.

LAND USE REGULATIONS:

2.2.7 ***Vacation of public rights-of-way or public easements.*** The City Council may, upon its own motion or upon a recommendation by Planning Commission, order the vacation of streets, easements, or other parcels of land dedicated for public purpose.

2.2.7.1 ***Application.*** Owners of property adjacent to right-of-way or owners of property with public easements may request their vacation by applying on forms or electronic media in a PDF format provided by the PCD Director and submitting the fee as required by Appendix A. The PCD Director may request additional information including a legal description of the property as necessary to process the application.

2.2.7.2 ***Public Notice.*** shall be made as required by Section 2.3. A legal description of the applicant property shall be on file with the PCD Director. City Council approval shall be required for the vacation of an easement. For the vacation of a right-of-way or other dedicated property, a public hearing before the Planning Commission and recommendation from that body are also required as well as a public hearing before City Council.

2.2.7.3 ***Review of Application.*** The PCD Director shall report to the Planning Commission and Director of Public Works all known non-City uses of such easement, right-of-way or property. The Planning Commission shall evaluate any request for vacation of right-of- way or other dedicated property to determine whether vacation would be detrimental to the public health, safety, welfare or convenience.

Information presented at the public hearing regarding use of the property for access to other properties or other public purpose shall be considered by the Planning Commission in making its recommendation. In cases where the right-of-way is used only for utilities, the Planning Commission may recommend the vacation provided that an easement is provided for such utilities. The recommendation shall be given to City Council in writing. City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

2.2.7.4 ***Approval/Denial.***

a. Easement. City council may approve the vacation of an easement only with a favorable recommendation from the director of public works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended

b. *Right-of-way or other dedicated parcel.* Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review (See Subsection 2.2.7.3 above), and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

2.2.7.5 ***Public Recording.*** The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement or right-of-way to the appropriate owner(s). In the case of right-of-way, the vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

City Council is encouraged to evaluate the request based on the provided application materials as well as input from staff, the applicant, and the public and base its decision on the criteria found under Section 2.2.7 of the Land Use Regulations, which establishes the criteria for the vacation of a public right-of-way or easement.

Planning Commission met on May 15, 2024, and recommended to City Council **Approval** of Ordinance 4042, Case RV.24.1519 (vote 6-0).

Respectfully submitted,



Gregory J. DeLong
Assistant Director of Planning & Community Development

Exhibits:

Exhibit A: Location Map

Exhibit B: Future Land Use Map

Exhibit C: Zoning Map

Exhibit D: Sketch of Description – Right-of-Way

Exhibit "A"


6TH AVE W
64
3RD ST W
Right of Way
Pinnacle Office Park
CITY OF BRADENTON WATER SYSTEM
8TH AVE W
Major Adams Cemetery
3RD STREET W
8TH AVE DR W
2ND ST W
1ST ST E
41
301
8TH AVE E
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
Bradenton
RV.24.1519 RoW Police HQ
owner: City of Bradenton
near 704 2nd St W
PID: near 3255300000
CITY OF BRADENTON FLORIDA
Location
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "B"

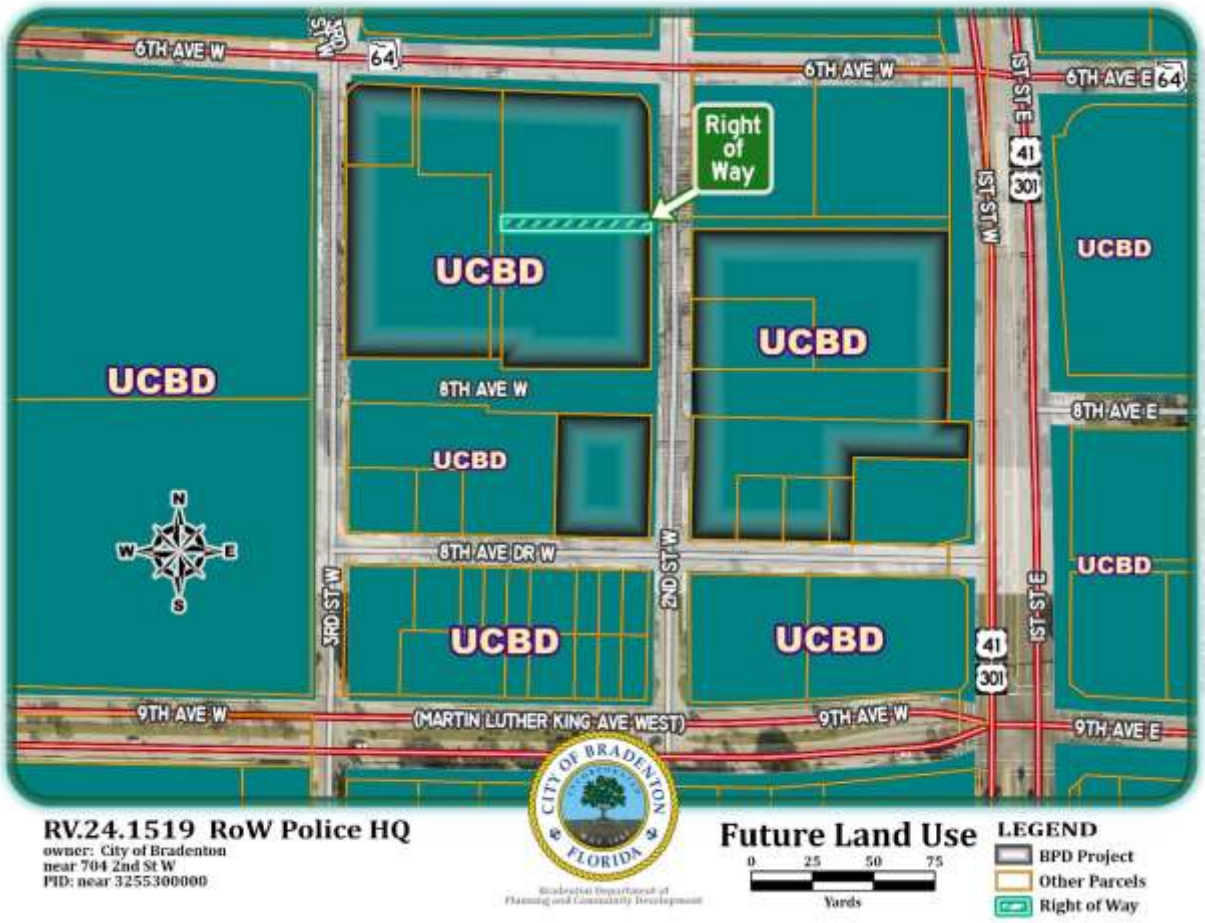

6TH AVE W
6TH AVE E
64
Right of Way
UCBD
8TH AVE W
8TH AVE E
8TH AVE DR W
3RD ST W
2ND ST W
1ST ST E
41
301
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE E
N
W
E
S
RV.24.1519 RoW Police HQ
owner: City of Bradenton
near 704 2nd St W
PID: near 3255300000
CITY OF BRADENTON
FLORIDA
Future Land Use
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "C"


T6
6TH AVE W
64
3RD ST W
6TH AVE W
1ST ST E
6TH AVE E
64
Right of Way
T5
41
301
1ST ST W
T5
T5
T5
8TH AVE W
8TH AVE E
T5
T5
N
W
E
S
8TH AVE DR W
3RD ST W
2ND ST W
T5
T5
T5
1ST ST E
41
301
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
CITY OF BRADENTON
FLORIDA
RV.24.1519 RoW Police HQ
owner: City of Bradenton
near 704 2nd St W
PID: near 3255300000
Zoning
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "D"

704 2nd St. W.

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
LB 0027476 LB 0006982 LC 0000368

EXHIBIT A

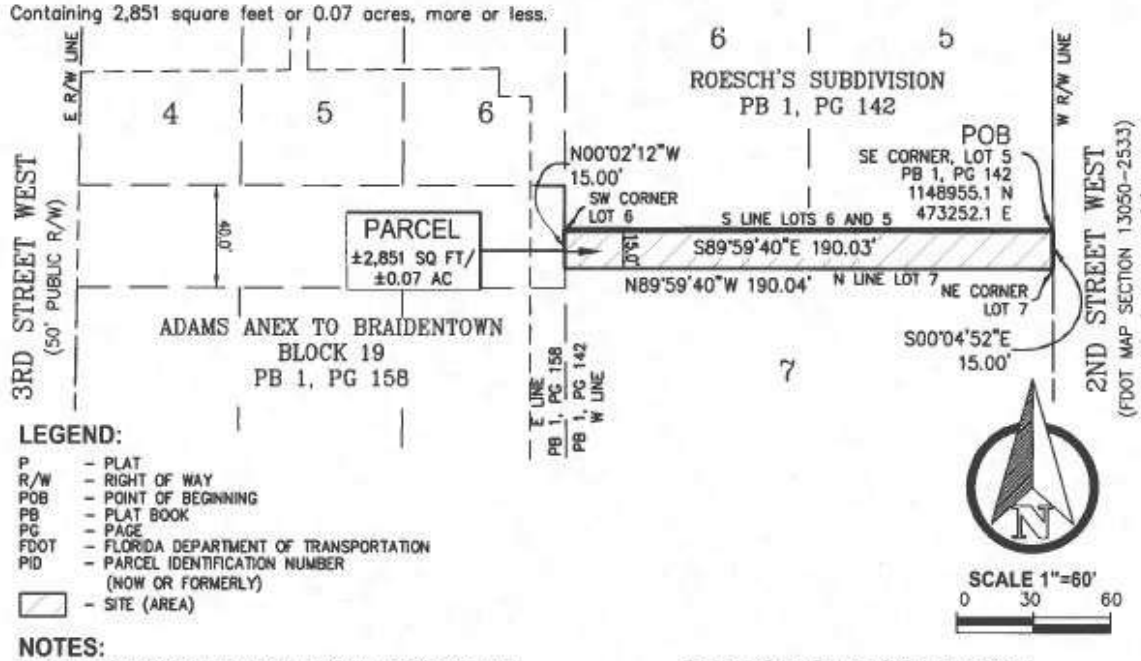
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A parcel of land being a portion of a platted 15 foot wide ally per Plat Book1, Page 142, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Southeast corner of Lot 5, ROESCH'S SUBDIVISION, as described in the Plat Book 1, Page 142, as recorded in the public records of Manatee County, Florida; thence along West right-of-way line of 2nd Street West per FDOT Map Section 13050-2533, S00°04'52"E, 15.00 feet to the Northeast corner of Lot 7 per said Plat Book 1, Page 142; thence along North line of said Lot 7, N89°59'40"W, 190.04 feet to the West line of said Plat Book 1, Page 142; also being the East line of Plat Book 1, Page 158 of aforementioned public records; thence along said line N00°02'12"W, 15.00 feet to the Southwest corner of Lot 6 of aforementioned Plat Book 1, Page 142; thence along South lines of said Lots 6 and 5, S89°59'40"E, 190.03 feet to the POINT OF BEGINNING.

Containing 2,851 square feet or 0.07 acres, more or less.



LEGEND:

P	- PLAT
R/W	- RIGHT OF WAY
POB	- POINT OF BEGINNING
PB	- PLAT BOOK
PG	- PAGE
FDOT	- FLORIDA DEPARTMENT OF TRANSPORTATION
PID	- PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
	- SITE (AREA)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF S00°04'52"E FOR THE WEST RIGHT-OF-WAY LINE OF 2ND STREET WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 2,851 Sq. Ft. OR 0.07 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL APPLIED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:30:16 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

AGENDA ITEM NO. 7.d

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

SUBJECT: ORDINANCE 4046 - SECOND READING AND PUBLIC HEARING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING AN 8-FOOT WIDE PORTION OF 8TH AVENUE WEST (SOUTH STREET) AS SHOWN ON THE PLAT OF BLACK BEAR PARK SUBDIVISION, RECORDED IN BOOK 1, PAGE 283, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION: Motion to approve Ordinance 4046.

Planning Commission met on May 15, 2024, and recommended to City Council approval of Ordinance 4046 (vote 6-0).

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate an 8-foot-wide parcel of land being a southern portion of 8th Avenue West (South Street). The area of vacation is approximately 927-sq. ft. or 0.02 acres in size and lies directly north of 800 2nd Street West.

The applicant is requesting the vacation in order to clear the area of unused right-of-way and to delineate property for future construction of a new Police Headquarters Complex.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to approve or deny Ordinance 4046.

ATTACHMENTS:
Ordinance 4046
Application - Ordinance 4046, Case RV.24.1687
Staff Report - Ordinance 4046, Case RV.24.1687

Ordinance No. 4046

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING AN 8-FOOT WIDE PORTION OF 8TH AVENUE WEST (SOUTH STREET) AS SHOWN ON THE PLAT OF BLACK BEAR PARK SUBDIVISION, RECORDED IN BOOK 1, PAGE 283, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City of Bradenton (the "Applicant" or "Property Owner"), owns property located at 800 2nd Street West, Bradenton, FL 34205, and legally described in Exhibit "A" attached hereto (the "Property"); and

WHEREAS, the Applicant has filed an application to vacate an 8-foot-wide portion of 8th Avenue West (South Street), as legally described in Exhibit "B" attached hereto; and

WHEREAS, the right-of-way proposed for vacation is adjacent to the Property; and

WHEREAS, all things necessary and required by law have occurred for the vacation of that certain 8 foot wide portion of 8th Avenue West (South Street) as shown on the Black Bear Park Subdivision, and more particularly described on Exhibit "B"; and

WHEREAS, the City Council has reviewed the request for vacation of right-of-way and finds that they meet the criteria established in Section 2.2.7 of the City's Land Use Regulations; and

WHEREAS, the City Council finds that the vacation of right-of-way is consistent with the City of Bradenton Comprehensive Plan, that it will not compromise the public interest nor will it prevent any property from having access to a public right-of-way, and that it will not substantially reduce the market value of abutting property; and

WHEREAS, the City Council has determined said right-of-way is no longer necessary for public purposes and that vacation thereof is deemed to be in the best interest of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA:

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. Vacated Right-of-Way. Pursuant to due and proper petition, application and other procedures as required by law, the City Council for the City of Bradenton does hereby vacate, close and abandon that right-of-way which is illustrated and described on Exhibit "B" and attached hereto and incorporated herein by reference.

Section 3. Recordation. Upon adoption, the City Clerk shall ensure that this Ordinance is recorded in the Official Records of Manatee County, Florida.

Section 4. Repeal of Ordinances in Conflict. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of
such conflict.

Section 5. Severability. It is the intention of the City Council that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

Section 6. Effective Date. This Ordinance shall take effect as provided by law.

FIRST READING	June 12, 2024
PUBLICATION DATE	August 4, 2024
SECOND READING	August 14, 2024

PASSED AND DULY ADOPTED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING ON THIS 14TH DAY OF AUGUST, 2024.

THE CITY OF BRADENTON, FLORIDA

ATTEST:

Tamara Melton, City Clerk

Gene Brown, Mayor

APPROVED AS TO FORM:

Scott Rudacille, City Attorney

Exhibit "A"

Property Legal Description

LOTS 1,2,3,4,23,24,25,26 BLK A BLACK BEAR PARK PI#32560.0000/

Exhibit "B"

Property to be Vacated

705 3rd St. W-B

ZNS ENGINEERING
Land Planning | Engineering | Surveying | Landscape Architecture
EB 0027476 | LB 0006982 | LC 0000365

EXHIBIT A

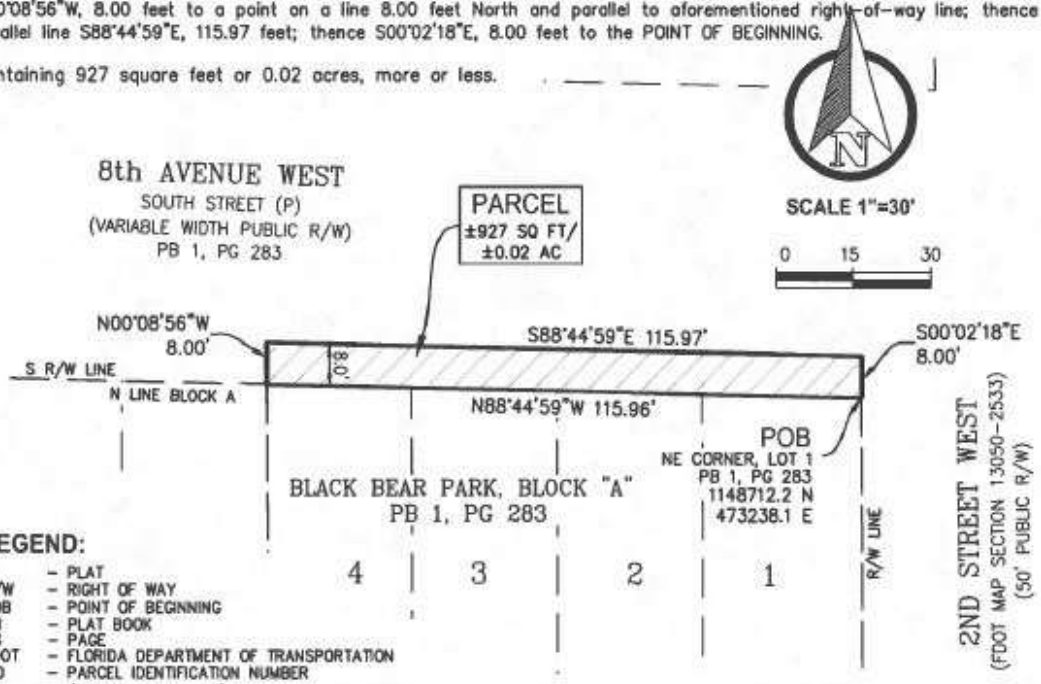
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A 8 feet wide parcel of land being a portion 8th Avenue, South Street per Plat Book 1, Page 283, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Northeast corner of Lot 1, BLOCK A, BLACK BEAR PARK SUBDIVISION, as described in the Plat Book 1, Page 283, as recorded in the public records of Manatee County, Florida; thence along the North line of said Block A, also being the South right-of-way line of 8th Avenue West (South Street) per said Plat Book 1, Page 283, N88°44'59"W, 115.96 feet; thence N00°08'56"W, 8.00 feet to a point on a line 8.00 feet North and parallel to aforementioned right-of-way line; thence along said parallel line S88°44'59"E, 115.97 feet; thence S00°02'18"E, 8.00 feet to the POINT OF BEGINNING.

Containing 927 square feet or 0.02 acres, more or less.



LEGEND:

P	- PLAT
R/W	- RIGHT OF WAY
POB	- POINT OF BEGINNING
PB	- PLAT BOOK
PG	- PAGE
FDOT	- FLORIDA DEPARTMENT OF TRANSPORTATION
PID	- PARCEL IDENTIFICATION NUMBER
	(NOW OR FORMERLY)
	- SITE (AREA)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF N88°44'59"W FOR THE SOUTH RIGHT-OF-WAY LINE OF 8TH AVENUE WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 927 Sq. Ft. OR 0.02 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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BLACK BEAR PARK, BLOCK "A"
PB 1, PG 283
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION PB 1, PG 283
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL AFFIXED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:56 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

RECEIVED
By Isabell Salazar at 12:01 pm, Apr 18, 2024

bradenton
The Friendly City

Request to Vacate

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: City of Bradenton / Rob Perry, City Administrator

Owner Address: 101 Old Main St. W., Bradenton, FL 34205-7865 Telephone: 941-708-6300

Name of Agent: Same

Agent Address: _____ Telephone: _____

Owner/Agent Email: jean.totti@bradnetonFL.gov

PROPERTY INFORMATION (REQUIRED)

Property Address: 705 3rd. Street West, Bradenton, FL 34205

Parcel ID: 3267500001 Acreage: 0.18

Zoning District: T5 *click to view Zoning map

Future Land Use: Urban Center *click to view FLU map

Ward #: 5 *click to view Ward map

Neighborhood #: _____ *click to view Neighborhoods map

REQUIRED

Indicate Type of Vacation Requested: Right-of-Way (Easement)

MATERIALS FOR REVIEW (REQUIRED)

Before submitting an application to the City of Bradenton, please check with the Planning & Community Development Department to verify all essential information for review is present. Incomplete applications will delay the review process.

- **Right-of-Way Vacation**
  - Right-of-Way Vacation Application Fee: $1,530
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Right-of-Way to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials
- **Easement Vacation**
  - Easement Vacation Review Fee: $900.
  - Notarized Agent Authorization Form, if applicable
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Easement to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials

REQUIRED

The owner of this property and/or the undersigned agree to conform to all applicable laws of the City of Bradenton and to all applicable Federal, State, and County laws.

Signature of Owner/Applicant _____ Date 4/16/24

REQUIRED

CITY STAFF ONLY

Application Fees:
Fee Required: **$1,530** (Right-of-Way Vacation) $900 (Easement Vacation)

FEE COLLECTED: $_____

RECEIPT #: _____

Application Sufficiency:
Sufficient: ☐
Incomplete: ☐ _____

APPLICATION #: 241687

CITY STAFF ONLY

CITY COUNCIL: _____
PLANNING COMMISSION: _____
DRC: _____
REVIEW DATES – TO BE COMPLETED BY CITY STAFF

bradenton
The Friendly City

Request to Vacate

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

RIGHT-OF-WAY PROCEDURES

RIGHT-OF-WAY VACATION

The Development Review Committee (DRC), Planning Commission, and City Council shall review a request for right-of-way vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review, and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the right-of-way to the appropriate owner(s). The vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

EASEMENT PROCEDURES

EASEMENT VACATION

The Development Review Committee (DRC) and City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

City Council may approve the vacation of an easement only with a favorable recommendation from the Director of Public Works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement to the appropriate owner(s).

UTILITIES CONTACT LIST

PUBLIC AND PRIVATE UTILITIES CHECKLIST

Approval from all public and private utility providers is required with submittal of an application for Easement or Right-of-Way Vacation. Please check the box(es) for those that apply and contact the following utility providers and supply documentation of their consent for vacation.

☐ City of Bradenton
Public Works & Utilities
Jim McLellan, Director
1411 9th Street West Bradenton, FL 34205
941.708.6300

☐ Florida Power and Light
Greg Coker
1253 12th Ave. E. Palmetto, FL 34221
813.422.8232

☐ Frontier Communications
Stephen Waidley, Regional Rights of Way & Municipal Affairs Manager
1280 Cleveland Street, Clearwater, FL 33755
941.266.9218

☐ Spectrum Communication
Alex Fleming, Field Eng.
5413 East State Road 64 Bradenton, FL 34203
941.737.1352

☐ Comcast Cable
Paul Brown, Manager, Construction SWFL
PO Box 1178. Sarasota, FL 34230
941.914.7844

☐ Teco/Peoples Gas
Alex Mcfarlane, Gas Design Tech
Rep. 8261 Vico Ct. Sarasota, FL 34240
813.275.3762

705 3rd St. W-B

ZNS|ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
EB 0027476 LB 0006982 LC 0000365

EXHIBIT A

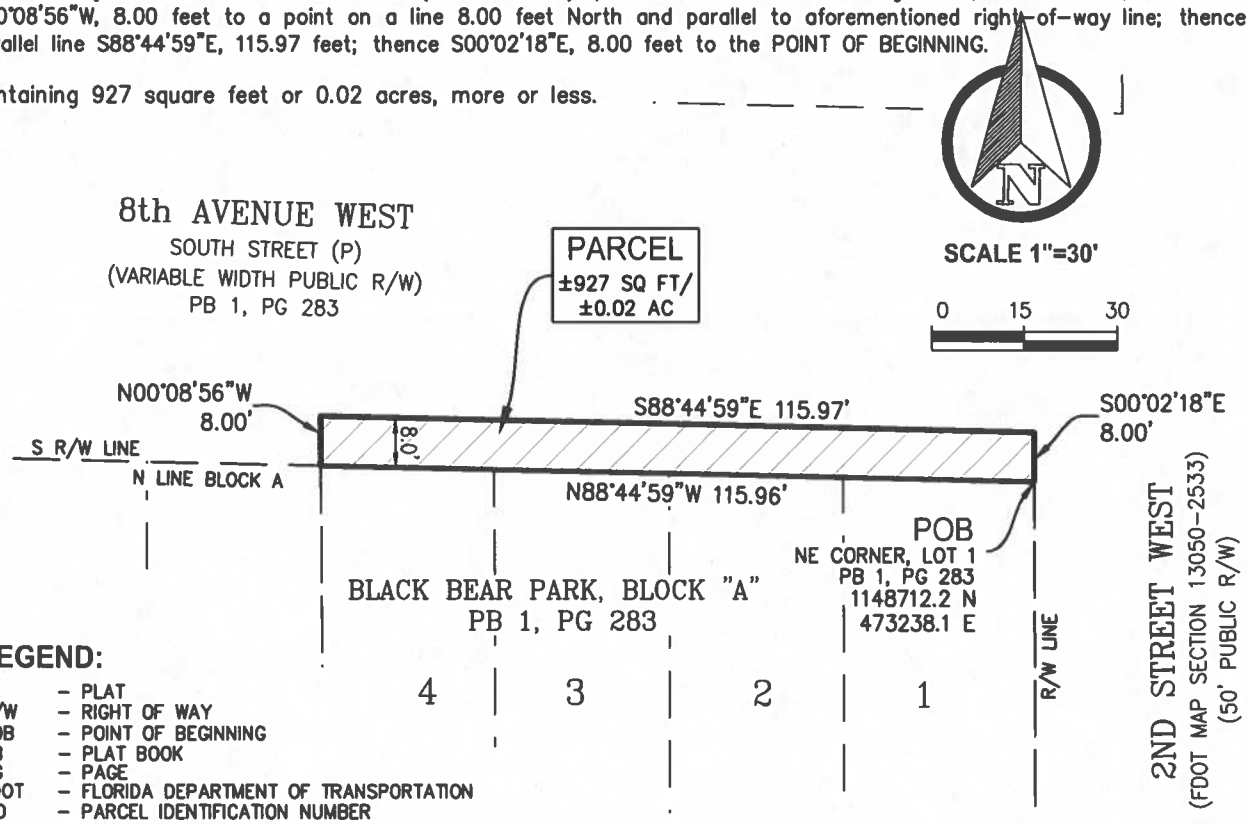
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A 8 feet wide parcel of land being a portion 8th Avenue, South Street per Plat Book 1, Page 283, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Northeast corner of Lot 1, BLOCK A, BLACK BEAR PARK SUBDIVISION, as described in the Plat Book 1, Page 283, as recorded in the public records of Manatee County, Florida; thence along the North line of said Block A, also being the South right-of-way line of 8th Avenue West (South Street) per said Plat Book 1, Page 283, N88°44'59"W, 115.96 feet; thence N00°08'56"W, 8.00 feet to a point on a line 8.00 feet North and parallel to aforementioned right-of-way line; thence along said parallel line S88°44'59"E, 115.97 feet; thence S00°02'18"E, 8.00 feet to the POINT OF BEGINNING.

Containing 927 square feet or 0.02 acres, more or less.



LEGEND:

P	- PLAT
R/W	- RIGHT OF WAY
POB	- POINT OF BEGINNING
PB	- PLAT BOOK
PG	- PAGE
FDOT	- FLORIDA DEPARTMENT OF TRANSPORTATION
PID	- PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
▨	- SITE (AREA)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF N88°44'59"W FOR THE SOUTH RIGHT-OF-WAY LINE OF 8TH AVENUE WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 927 Sq. Ft. OR 0.02 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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BLACK BEAR PARK, BLOCK "A"
PB 1, PG 283
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION PB 1, PG 283
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
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Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:56 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

T:_2023\45461 BPD\Sketch & Descriptions\45461 BPD SBD.dwg, Plot Date: Feb 09, 2024@9:28am, By:MMW

705 3rd. Street W-A
705 3rd. Street W-B
704 2nd. Street W
8th. Ave. W
Proposed ROW Vacation (x3)
Can this parking be within the ROW? If not, can it be changed to perpendicular parking directly from 2nd St. W consistent with existing spaces to the north
BOUNDARY/RIGHT-OF-WAY WORKSHEET
FOR
BRADENTON POLICE HEADQUARTERS
ZNS ENGINEERING

bradenton
The Friendly City

February 27, 2024

Michael Decroix
Charter Communications

Electronic Delivery:
michael.decroix@charter.com

re: 4 Right of Way Vacations

Dear Michael Decroix,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

James Fleming
Charter Communications

Electronic Delivery:
James.fleming1@charter.com

re: 4 Right of Way Vacations

Dear James Fleming,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mark Up Division
Charter Communications

Electronic Delivery:
DL-WCEN-FL-FDE-Markup@charter.com

re: 4 Right of Way Vacations

Dear Mark Up Division,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Thomas Mumea
Charter Communications

Electronic Delivery:
thomas.mumea@charter.com

re: 4 Right of Way Vacations

Dear Thomas Mumea,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Kevin Murphy
Comcast

Electronic Delivery:
kevin.murphy4@comcast.com

re: 4 Right of Way Vacations

Dear Kevin Murphy,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Julia Godwin
FDOT

Electronic Delivery:
julia.godwin@dot.state.fl.us

re: 4 Right of Way Vacations

Dear Julia Godwin,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mike Singer
FDOT

Electronic Delivery:
mike.singer@swfwmd.state.fl.us

re: 4 Right of Way Vacations

Dear Mike Singer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Brian Garver
FPL

REVISED
Electronic Delivery:
brian.garver@fpl.com

re: 4 Right of Way Vacations

Dear Brian Garver,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Ray Vargas
FPL

Electronic Delivery:
ray.vargas.fpl.com

re: 4 Right of Way Vacations

Dear Ray Vargas,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Joy Butler / Stanley Schaeffer
Manatee Sheriff Office

Electronic Delivery:
joy.butler@manateesheriff.com
stanley.schaeffer@manateesheriff.com

re: 4 Right of Way Vacations

Dear Joy Butler / Stanley Schaeffer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Jamie Fones
Peace River

Electronic Delivery:
jamie.fones@preco.coop

re: 4 Right of Way Vacations

Dear Jamie Fones,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

David McClintock
Peace River

Electronic Delivery:
david.mcclintock@preco.coop

re: 4 Right of Way Vacations

Dear David McClintock,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Alex McFarlane
Teco Gas

Electronic Delivery:
amcfarlane@tecoenergy.com

re: 4 Right of Way Vacations

Dear Alex McFarlane,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN="Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

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   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

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   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
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   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Jean Totti

From: Murphy, Kevin <Kevin_Murphy4@comcast.com>
Sent: Monday, March 4, 2024 12:23 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from kevin_murphy4@comcast.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Hi Jean,

Comcast has no objections to the vacation of Right-of-Way requested herein. Please let me know if you have any questions.

Thank you.

Kevin Murphy
COMCAST
Construction & Relocations
Phone: 941.356.1489
Email: kevin_murphy4@comcast.com
5205 Fruitville Rd, Sarasota, FL 34232

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

bradenton
The Friendly City

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Jean Totti

From: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Sent: Wednesday, March 13, 2024 9:57 AM
To: Jean Totti
Cc: Lake, Roxann; Bohde, Gregory; Godwin, Julia
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Jean,

Good morning. FDOT has no objection to the vacation request.

Thank you,

Cheryl Quick
Cheryl.quick@dot.state.fl.us
Right of Way Agent III
District One
Office (863) 519-2749

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:23 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Got it.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:17 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Jean,

Cheryl will research the locations and respond to the requests.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:14 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Julia, just to be clear. There's no objection to the vacation of these Rows?

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:02 AM
To: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>; Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Good morning, Cheryl.

Please assign a PM log number and process the vacations attached as requested.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

EXTERNAL SENDER: Use caution with links and attachments.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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Jean Totti

From: Carlos Santos <Carlos.Santos@swfwmd.state.fl.us>
Sent: Wednesday, March 13, 2024 10:40 AM
To: Jean Totti
Cc: Mike Singer
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Good morning Jean,

We, the Land Resources Bureau of SWFWMD, have no objections to the proposed right of way vacations.

Thank you,
Carlos Santos
Real Estate Specialist
Land Resources Bureau
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604
(352)269-3911
carlos.santos@swfwmd.state.fl.us



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



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Jean Totti

From: Garver, Brian <Brian.Garver@fpl.com>
Sent: Friday, March 8, 2024 4:06 PM
To: Jean Totti
Cc: Vargas, Ray
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)
Attachments: BPD-4RoW-FPL-vargas.pdf

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Good afternoon Jean,

FPL has no objection. No facilities are currently within the proposed ROW vacation areas.

Thank you,

Brian Garver
Delivery Assurance Lead / Relocation Coordinator
Whitfield Service Center – FPL
1253 12th Ave E
Palmetto, FL 34221
Office: 941-723-4442 Cell: 239-231-9471
Email: Brian.Garver@fpl.com



Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Supervisor Stephen Norton at (o) 941-927-4200 or Stephen.Norton@fpl.com.



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



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2185 Range Rd
Clearwater, FL 33765
(941) 266-9218
stephen.waidley@ftr.com

3/4/2024

Attn: Jean E. Totti, M.Arch.-LEED AP
Construction Project Administrator
City of Bradenton
1411 9th St W
Bradenton, FL 34205

RE: Vacations of Rights-of-Way – 215 6th Ave W, Bradenton, FL (Bradenton Police Headquarters)

Dear Jean,

☐ Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

☑ Frontier has no objection to the above referenced request as per the attachment.

☐ Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

☐ Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley

Stephen Waidley
Frontier Florida LLC
Regional Rights of Way & Municipal Affairs Manager

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Jean Totti

From: Schaeffer, Stanley <Stanley.Schaeffer@manateesheriff.com>
Sent: Tuesday, March 5, 2024 3:16 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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MCSO has no objections.
Thank you
Major Schaeffer
Manatee County Sheriff's Office

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Utilize the Phishing Button in Outlook to report suspected phishing emails.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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Please note: Florida has very broad public records laws. Most written communications to or from the Manatee County Sheriff's Office are public records available to the public upon request. Your e-mail, including your e-mail address, may be subject to public disclosure.

3/5/2024

RE: 215 6th Ave W, Bradenton, FL, 34205

To Whom it May Concern,

TECO Peoples Gas has no objection to proposed Vacation at 6321 16th Ave Dr W

If you have any questions or need additional information, please contact me at (813)275-3762 or amfarlane@tecoenergy.com.

Sincerely,

Alex McFarlane
Project Manager

TECO ENERGY
AN EMERA COMPANY

TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619

TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619



City of Bradenton
Planning and Community Development Department
City Council Public Hearing
August 14, 2024

Staff Report

Ordinance No.: 4046
Case No.: RV.24.1687
Applicant: City of Bradenton
Address: 800 2nd Street West
Location: South of Manatee Ave. W., East of 3rd St. W., North of 8th Ave. Dr. W., and West of 2nd St. W.
Current Zoning: T5 (Urban Center Transect District)
Future Land Use: UCBD (Urban Central Business District)
Flood Zone: X

Surrounding Property Zoning:

Current Zoning: North: T5 (Urban Center Transect District)
South: T5 (Urban Center Transect District)
East: T5 (Urban Center Transect District)
West: T5 (Urban Center Transect District)

Future Land Use: North: UCBD (Urban Central Business District)
South: UCBD (Urban Central Business District)
East: UCBD (Urban Central Business District)
West: UCBD (Urban Central Business District)

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate an 8-foot-wide parcel of land being a southern portion of 8th Avenue West (South Street). The area of vacation is approximately 927-sq. ft. or 0.02 acres in size and lies directly north of 800 2nd Street West.

The applicant is requesting the vacation in order clear the area of unused right-of-way and to delineate property for future construction of a new Police Headquarters Complex.

During a site visit to the area, it was noted that 8th Avenue West is unimproved with a no curbs, gutters or a storm system in place and the surface consists of primarily sand and rock. It was also noted that the proposed vacation does not appear to negatively impact traffic patterns on the subject road network.

Section 2.2.7 of the City of Bradenton Land Use Restrictions (shown below) details the process for vacation of public right-of-way. The section calls for the consideration of "whether [the] vacation would be detrimental to the public health, safety, welfare or convenience". In this case, the subject right-of-way are no longer being utilized by any public or public-serving agencies, so it appears that the proposed vacation will not be detrimental to public health, safety, welfare, or convenience.

If approved by City Council, the City Clerk shall record the reversion of the subject of right-of-way to adjacent property owners (the applicant).

As exhibited in the submitted application materials, private and public utilities that may utilize these right-of-way's have agreed to the vacations as they are no longer needed for public services.

LAND USE REGULATIONS:

2.2.7 ***Vacation of public rights-of-way or public easements.*** The City Council may, upon its own motion or upon a recommendation by Planning Commission, order the vacation of streets, easements, or other parcels of land dedicated for public purpose.

2.2.7.1 ***Application.*** Owners of property adjacent to right-of-way or owners of property with public easements may request their vacation by applying on forms or electronic media in a PDF format provided by the PCD Director and submitting the fee as required by Appendix A. The PCD Director may request additional information including a legal description of the property as necessary to process the application.

2.2.7.2 ***Public Notice.*** shall be made as required by Section 2.3. A legal description of the applicant property shall be on file with the PCD Director. City Council approval shall be required for the vacation of an easement. For the vacation of a right-of-way or other dedicated property, a public hearing before the Planning Commission and recommendation from that body are also required as well as a public hearing before City Council.

2.2.7.3 ***Review of Application.*** The PCD Director shall report to the Planning Commission and Director of Public Works all known non-City uses of such easement, right-of-way or property. The Planning Commission

shall evaluate any request for vacation of right-of- way or other dedicated property to determine whether vacation would be detrimental to the public health, safety, welfare or convenience. Information presented at the public hearing regarding use of the property for access to other properties or other public purpose shall be considered by the Planning Commission in making its recommendation. In cases where the right-of-way is used only for utilities, the Planning Commission may recommend the vacation provided that an easement is provided for such utilities. The recommendation shall be given to City Council in writing. City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

2.2.7.4 ***Approval/Denial.***

a. Easement. City council may approve the vacation of an easement only with a favorable recommendation from the director of public works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended

b. *Right-of-way or other dedicated parcel.* Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review (See Subsection 2.2.7.3 above), and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

2.2.7.5 ***Public Recording.*** The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement or right-of-way to the appropriate owner(s). In the case of right-of-way, the vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

City Council is encouraged to evaluate the request based on the provided application materials as well as input from staff, the applicant, and the public and base its decision on the criteria found under Section 2.2.7 of the Land Use Regulations, which establishes the criteria for the vacation of a public right-of-way or easement.

Planning Commission met on May 15, 2024, and recommended to City Council **Approval** of Ordinance 4046, Case RV.24.1687 (vote 6-0).

Respectfully submitted,

Gregory J. DeLong
Assistant Director of Planning & Community Development

Exhibits:

Exhibit A: Location Map

Exhibit B: Future Land Use Map

Exhibit C: Zoning Map

Exhibit D: Sketch of Description – Right-of-Way

Exhibit "A"


64
6TH AVE W
3RD ST W
6TH AVE W
64
1ST ST E
6TH AVE E
41
301
1ST ST W
Pinnacle Office Park
N
W
E
S
CITY OF BRADENTON WATER SYSTEM
8TH AVE W
Right of Way
8TH AVE E
Major Adams Cemetery
3RD STREET W
8TH AVE DR W
2ND ST W
1ST ST E
41
301
Bradenton
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
CITY OF BRADENTON FLORIDA
RV.24.1687 RoW Police HQ
owner: City of Bradenton
near 8th Ave W
PID: near 3256000005
Location
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "B"

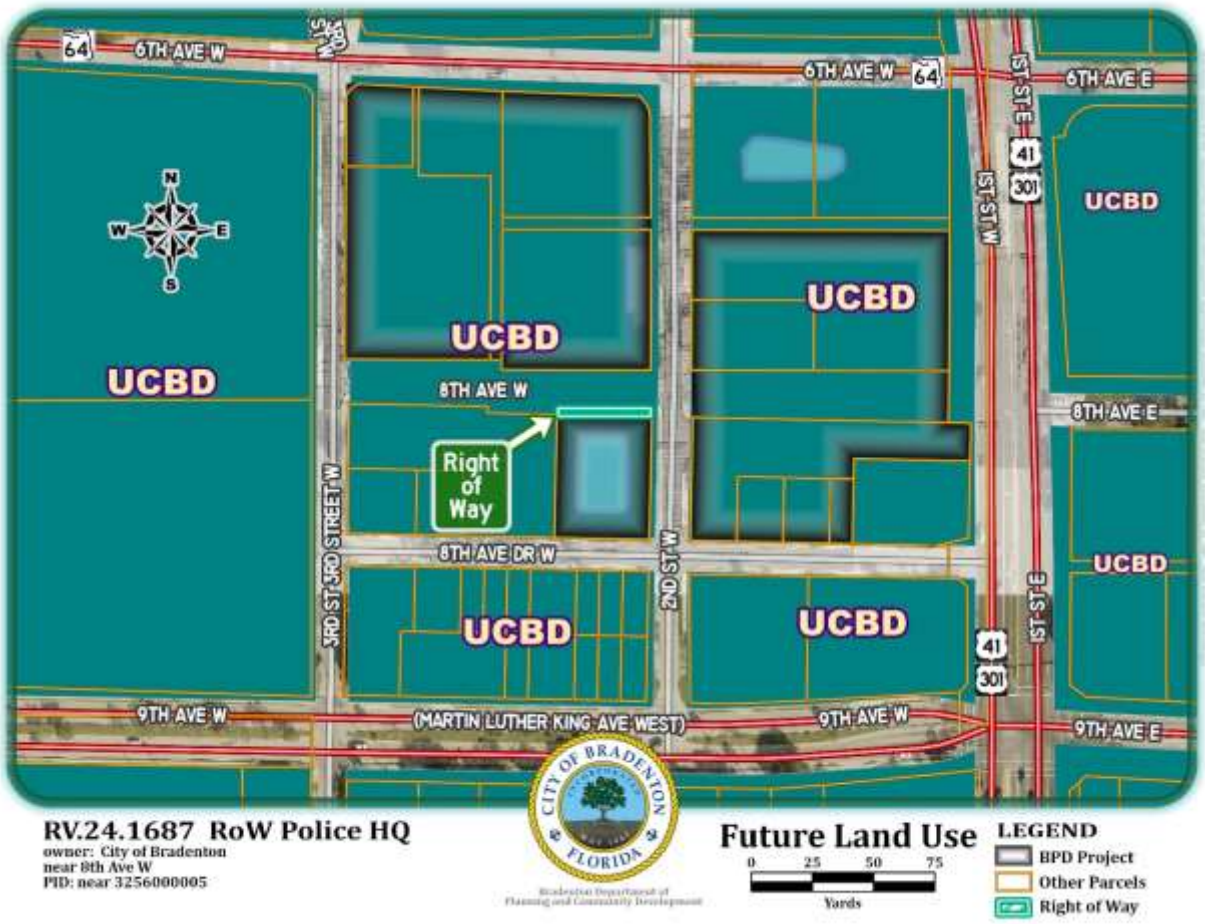

64
6TH AVE W
3RD ST
6TH AVE W
64
1ST ST E
6TH AVE E
41
301
1ST ST W
UCBD
UCBD
UCBD
UCBD
8TH AVE W
8TH AVE E
Right of Way
3RD STREET W
8TH AVE DR W
2ND ST W
UCBD
UCBD
UCBD
41
301
1ST ST E
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
RV.24.1687 RoW Police HQ
owner: City of Bradenton
near 8th Ave W
PID: near 3256000005
CITY OF BRADENTON FLORIDA
Future Land Use
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "C"


6TH AVE W
64
3RD ST W
6TH AVE W
64
1ST ST E
6TH AVE E
41
301
1ST ST W
N
W
E
S
T5
T5
T5
T5
8TH AVE W
8TH AVE E
Right of Way
3RD ST STREET W
8TH AVE DR W
2ND ST W
1ST ST E
T5
T5
41
301
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
RV.24.1687 RoW Police HQ
owner: City of Bradenton
near 8th Ave W
PID: near 3256000005
CITY OF BRADENTON
FLORIDA
Zoning
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "D"

705 3rd St. W-B

ZNS ENGINEERING
Land Planning | Engineering | Surveying | Landscape Architecture

EXHIBIT A

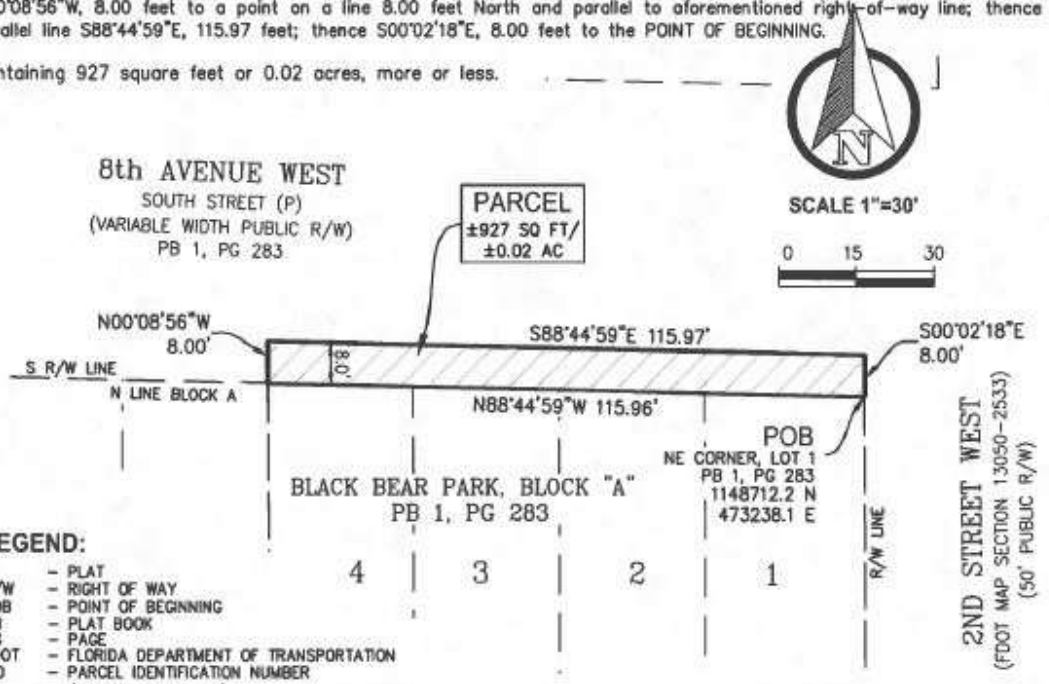
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A 8 feet wide parcel of land being a portion 8th Avenue, South Street per Plat Book 1, Page 283, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Northeast corner of Lot 1, BLOCK A, BLACK BEAR PARK SUBDIVISION, as described in the Plat Book 1, Page 283, as recorded in the public records of Manatee County, Florida; thence along the North line of said Block A, also being the South right-of-way line of 8th Avenue West (South Street) per said Plat Book 1, Page 283, N88°44'59"W, 115.96 feet; thence N00°08'56"W, 8.00 feet to a point on a line 8.00 feet North and parallel to aforementioned right-of-way line; thence along said parallel line S88°44'59"E, 115.97 feet; thence S00°02'18"E, 8.00 feet to the POINT OF BEGINNING.

Containing 927 square feet or 0.02 acres, more or less.



LEGEND:

P	–	PLAT
R/W	–	RIGHT OF WAY
POB	–	POINT OF BEGINNING
PB	–	PLAT BOOK
PG	–	PAGE
FDOT	–	FLORIDA DEPARTMENT OF TRANSPORTATION
PID	–	PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
	–	SITE (AREA)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF N88°44'59"W FOR THE SOUTH RIGHT-OF-WAY LINE OF 8TH AVENUE WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 927 Sq. Ft. OR 0.02 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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BLACK BEAR PARK, BLOCK "A"
PB 1, PG 283
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION PB 1, PG 283
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL OR FIXED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:56 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

AGENDA ITEM NO. 7.e

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

SUBJECT: ORDINANCE 4048 - SECOND READING AND PUBLIC HEARING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PLATTED 20-FOOT ALLEY AS SHOWN ON THE RESUBDIVISION OF LOTS 1, 2, 3, 4, 5, & 6, TURNER'S PLAT OF BRADENTOWN, RECORDED IN PLAT BOOK 1, PAGE 184, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, GENERALLY LOCATED NORTH OF 3RD AVENUE WEST, EAST OF 12TH STREET WEST, AND WEST OF 10TH STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION: Motion to either approve or deny Ordinance 4048.

Planning Commission met on July 17, 2024, and recommended to City Council approval of Ordinance 4048 (vote 5-0).

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:

The City of Bradenton (applicant/owner) has submitted a right-of-way vacation application requesting to vacate a 20-foot-wide alley located on property at 101 12th Street West. The proposed vacation is approximately 6,050-sq. ft. or 0.1389 acres in size.

The applicant is requesting the vacation in order clear the property of unused right-of-way in preparation for future redevelopment opportunities with the current City Hall/Police Department complex.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to either approve or deny Ordinance 4048.

ATTACHMENTS:
Ordinance 4048
Application - Ordinance 4048, Case RV.24.2186
Staff Report - Ordinance 4048, Case RV.24.2186
Presentation - Ordinance 4048, Case RV.24.2186

Ordinance No. 4048

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PLATTED 20-FOOT ALLEY AS SHOWN ON THE RESUBDIVISION OF LOTS 1, 2, 3, 4, 5, & 6, TURNER'S PLAT OF BRADENTOWN, RECORDED IN PLAT BOOK 1, PAGE 184, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, GENERALLY LOCATED NORTH OF 3RD AVENUE WEST, EAST OF 12TH STREET WEST, AND WEST OF 10TH STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services; and

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes; except when expressly prohibited by law and to enact ordinances in furtherance thereof; and

WHEREAS, the City of Bradenton (the "Applicant" or "Property Owner"), owns property located 100 10th Street West, Bradenton, FL 34205, and more particularly described in Exhibit B attached hereto (the "Property"); and

WHEREAS, the Applicant filed an application to vacate a platted 20 foot alley, as legally described in Exhibit A attached hereto (the "Alley"); and

WHEREAS, the Alley is adjacent to the Property; and

WHEREAS, all things necessary and required by law have occurred for the vacation of the Alley; and

WHEREAS, the City Council has reviewed the request for vacation of the Alley and finds that it meets the criteria established in Section 2.2.7 of the City's Land Use Regulations; and

WHEREAS, the City Council finds that the vacation of the Alley is consistent with the City of Bradenton Comprehensive Plan, that it will not compromise the public interest nor will it prevent any property from having

access to a public right-of-way, and that it will not substantially reduce the market value of abutting property; and

WHEREAS, the City Council has determined said Alley is no longer necessary for public purposes and that vacation thereof is deemed to be in the best interest of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA:

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. Vacated Alley. The City Council for the City of Bradenton, Florida, pursuant to due and proper petition and application and other procedures as required by law and the rules and regulations of this Council for vacating the following described Alley having been accomplished, does hereby vacate, close and abandon that Alley which is described and illustrated on Exhibit "A" attached hereto and incorporated herein by reference.

Section 3. Recordation. Upon adoption, the City Clerk shall ensure that this Ordinance is recorded in the Official Records of Manatee County, Florida.

Section 4. Repeal of Ordinances in Conflict. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

Section 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 6. Effective Date. This Ordinance shall take effect as provided by law.

FIRST READING	July 24, 2024
PUBLICATION DATE	August 4, 2024
SECOND READING	August 14, 2024

PASSED AND DULY ADOPTED, BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, with a quorum present and voting, this 14th day of August, 2024.

CITY OF BRADENTON, FLORIDA

ATTEST:

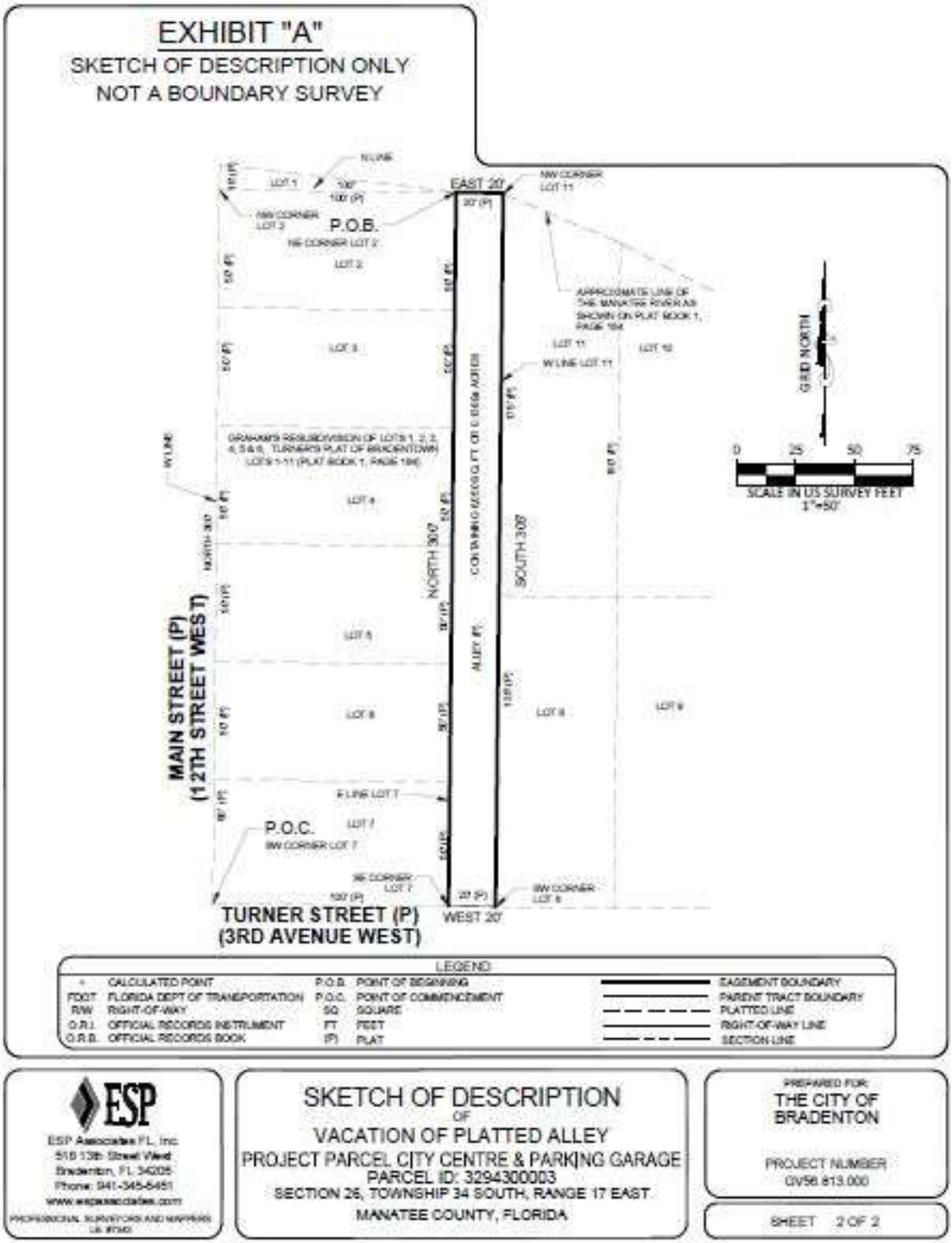
Tamara Melton, City Clerk

Gene Brown, Mayor

APPROVED AS TO FORM:

Scott Rudacille, City Attorney

EXHIBIT "A"



ESP

ESP Associates FL, Inc.
518 13th Street West
Bradenton, FL 34205
Phone: 941-345-5451
www.espassociates.com

PROFESSIONAL SURVEYORS AND MAPPERS LB #7340

SKETCH OF DESCRIPTION
OF
VACATION OF PLATTED ALLEY
PROJECT PARCEL CITY CENTRE & PARKING GARAGE
PARCEL ID: 3294300003
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

PREPARED FOR:
THE CITY OF BRADENTON

PROJECT NUMBER
0V56.813.000

SHEET 2 OF 2

Exhibit "B"

LEGAL DESCRIPTION

THE ALLEY, RE-SUBDIVISION OF LOTS 1 THROUGH 6, TURNER'S PLAT OF BRADENTON AS RECORDED IN PLAT BOOK 1, PAGE 184, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING BOUND ON THE WEST BY LOTS 2 THROUGH 7, ON THE EAST BY LOTS 7 THROUGH 11, ON THE SOUTH BY THE NORTH R/W OF TURNER STREET AND ON THE NORTH BY THE MANATEE RIVER AS SHOWN ON SAID PLAT. BEING PART OF SECTION 26, IN TOWNSHIP 34 SOUTH, RANGE 17 EAST IN THE COUNTY OF MANATEE, RESIDING IN THE CITY OF BRADENTON, STATE OF FLORIDA BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 7 OF THE RE-SUBDIVISION OF LOTS 1 THROUGH 6, TURNER'S PLAT OF BRADENTOWN AS RECORDED IN PLAT BOOK 1, PAGE 184, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE NORTH ALONG THE WEST LINE OF SAID RE-SUBDIVISION PLAT, A DISTANCE OF 300 FEET TO THE NORTHWEST CORNER OF LOT 2 OF SAID RE-SUBDIVISION PLAT; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 100 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 OF SAID RE-SUBDIVISION PLAT, SAID POINT BEING THE POINT OF BEGINNING; THENCE MEANDER EASTERLY ALONG THE WATERS EDGE AS SHOWN ON SAID RE-SUBDIVISION PLAT, A DISTANCE OF 20 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF LOT 11 OF SAID RE-SUBDIVISION PLAT; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 11 AND LOT 8, A DISTANCE OF 305 FEET TO THE SOUTHWEST CORNER OF LOT 8 OF SAID RE-SUBDIVISION PLAT; THENCE WEST 20 FEET TO THE SOUTHEAST CORNER OF LOT 7 OF SAID RE-SUBDIVISION PLAT; THENCE NORTH ALONG THE EAST LINE OF SAID LOTS 2 THROUGH 7 OF SAID RE-SUBDIVISION PLAT A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,050 SQUARE FEET OR 0.1389 ACRES, MORE OR LESS.

RECEIVED
By Isabell Salazar at 11:54 am, Jun 03, 2024

bradenton
The Friendly City

Request to Vacate

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: City of Bradenton
Owner Address: 101 12th St W Telephone: 941-932-9442
Name of Agent: Rob Perry, City Administrator
Agent Address: 101 12th St W Telephone: 941-932-9442
Owner/Agent Email: rob.perry@bradentonfl.gov

PROPERTY INFORMATION (REQUIRED)

Property Address: 101 12th St W
Parcel ID: 3294300003 Acreage: 4.0+/-
Zoning District: T6 *click to view Zoning map
Future Land Use: Urban Core *click to view FLU map
Ward #: 3 *click to view Ward map
Neighborhood #: 7003 *click to view Neighborhoods map

Indicate Type of Vacation Requested: Right-of-Way Easement (REQUIRED)

MATERIALS FOR REVIEW (REQUIRED)

Before submitting an application to the City of Bradenton, please check with the Planning & Community Development Department to verify all essential information for review is present. Incomplete applications will delay the review process.

- **Right-of-Way Vacation**
  - Right-of-Way Vacation Application Fee: $1,530
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Right-of-Way to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials
- **Easement Vacation**
  - Easement Vacation Review Fee: $900.
  - Notarized Agent Authorization Form, if applicable
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Easement to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials

The owner of this property and/or the undersigned agree to conform to all applicable laws of the City of Bradenton and to all ~~applicable~~ Federal, State, and County laws. (REQUIRED)

Signature of Owner/Applicant Date 5/30/24

CITY STAFF ONLY

Application Fees:
Fee Required: **$1,530** (Right-of-Way Vacation) $900 (Easement Vacation)
FEE COLLECTED: $_____
RECEIPT #: _____

Application Sufficiency:
Sufficient: X
Incomplete: _____

APPLICATION #: 242186

CITY COUNCIL: _____
PLANNING COMMISSION: _____
DRC: _____
REVIEW DATES – TO BE COMPLETED BY CITY STAFF

bradenton
The Friendly City

Request to Vacate

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

RIGHT-OF-WAY PROCEDURES

RIGHT-OF-WAY VACATION

The Development Review Committee (DRC), Planning Commission, and City Council shall review a request for right-of-way vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review, and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the right-of-way to the appropriate owner(s). The vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

EASEMENT PROCEDURES

EASEMENT VACATION

The Development Review Committee (DRC) and City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

City Council may approve the vacation of an easement only with a favorable recommendation from the Director of Public Works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement to the appropriate owner(s).

UTILITIES CONTACT LIST

PUBLIC AND PRIVATE UTILITIES CHECKLIST

Approval from all public and private utility providers is required with submittal of an application for Easement or Right-of-Way Vacation. Please check the box(es) for those that apply and contact the following utility providers and supply documentation of their consent for vacation.

☐ City of Bradenton
Public Works & Utilities
Jim McLellan, Director
1411 9th Street West Bradenton, FL 34205
941.708.6300

☐ Florida Power and Light
Greg Coker
1253 12th Ave. E. Palmetto, FL 34221
813.422.8232

☐ Frontier Communications
Stephen Waidley, Regional Rights of Way & Municipal Affairs Manager
1280 Cleveland Street, Clearwater, FL 33755
941.266.9218

☐ Spectrum Communication
Alex Fleming, Field Eng.
5413 East State Road 64 Bradenton, FL 34203
941.737.1352

☐ Comcast Cable
Paul Brown, Manager, Construction SWFL
PO Box 1178. Sarasota, FL 34230
941.914.7844

☐ Teco/Peoples Gas
Alex Mcfarlane, Gas Design Tech
Rep. 8261 Vico Ct. Sarasota, FL 34240
813.275.3762

bradenton
The Friendly City

Agent Authorization Form

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

AGENT AUTHORIZATION — REQUIRED

PLANNING & ZONING AGENT AUTHORIZATION FORM

Property Address: _____

I, _____, the registered property owner(s) of the above noted property, do hereby authorize

_____
Print Name of Agent Company Name

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standards and conditions applicable.

_____
Signature of Owner(s) Owner(s)Address (if different than property above)

_____
Signature of Agent Agent Address and Phone

NOTARY — REQUIRED

STATE OF FLORIDA, MANATEE COUNTY

The Foregoing instrument was acknowledged before me this _____day of_____,

produced_____respectively, as

as identification and who did (did not) take an oath:

_____
Signature

_____, Notary Public
Print Name

State of Florida
My Commission Expires: _____

CITY OF BRADENTON
IN MANATEE COUNTY, FLORIDA

BOUNDARY SURVEY
CITY CENTRE AND PARKING GARAGE

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST, IN MANATEE COUNTY, RESIDING IN THE CITY OF BRADENTON, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1, 2, 3 AND 4 OF BLOCK "B", AS SHOWN ON MAP OF SMITH'S ADDITION TO BRAIDENTOWN. AS RECORDED IN OFFICE OF THE CLERK OT THE CIRCUIT COURT FOR MANATEE COUNTY, FLORIDA IN PLAT BOOK 1, PAGE 135.

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 AND 11, JOHN A. GRAHAMS RESUBDIVISION LOTS 1, 2, 3, 4, 5, 6 OF TURNER'S PLAT OF BRADENTOWN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 184, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 7, JOHN A. GRAHAMS RESUBDIVISION OF TURNER'S PLAT OF BRADENTOWN AS RECORDED IN PLAT BOOK 1, PAGE 184, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA WHICH IS ALSO THE INTERSECTION OF THE RIGHT-OF-WAY LINE OF 12TH STREET WEST AND 3RD AVENUE WEST, THENCE N00°36'14"E ALONG SAID GRAHAMS RESUBDIVISION AND THE EAST RIGHT-OF-WAY LINE OF 12TH STREET WEST, 587.64 FEET TO A POINT WHICH IS THE INTERSECTION OF THE SAID EAST RIGHT-OF-WAY LINE AND THE SOUTH RIGHT-OF-WAY LINE OF BARCARROTA BOULEVARD (ALSO KNOWN AS 1ST AVENUE WEST); THENCE S89°36'22"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, 408.49 FEET TO A POINT WHICH IS THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE AND THE WEST RIGHT-OF-WAY LINE OF 10TH STREET WEST; THENCE S04°12'16"E ALONG SAID WEST RIGHT-OF-WAY LINE, 212.22 FEET; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE, S01°16'12"W, 380.39 FEET TO A POINT WHICH IS THE INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE AND THE NORTH RIGHT-OF-WAY LINE OF THE AFORESAID 3RD AVENUE WEST, WHICH IS ALSO THE SOUTHEAST CORNER OF LOT 1 OF SMITH'S ADDITION TO BRAIDENTOWN, BLOCK "B" AS RECORDED IN PLAT BOOK 1, PAGE 135 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N89°01'46"W ALONG THE SAID NORTH RIGHT-OF-WAY LINE AND THE SOUTH BOUNDARY LINE OF SAID SMITH'S ADDITION, 421.86 FEET TO THE POINT OF BEGINNING.

CONTAINING 248, 690 SQUARE FEET OR 5.7090 ACRES, MORE OR LESS.

LESS PARKING GARAGE PARCEL

BEGINNING AT THE SOUTHWEST CORNER OF LOT 7, JOHN A. GRAHAMS RESUBDIVISION OF TURNER'S PLAT OF BRADENTOWN AS RECORDED IN PLAT BOOK 1, PAGE 184, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA WHICH IS ALSO THE INTERSECTION OF THE RIGHT-OF-WAY LINE OF 12TH STREET WEST AND 3RD AVENUE WEST, THENCE N00°36'14"E ALONG SAID GRAHAMS RESUBDIVISION AND THE EAST RIGHT-OF-WAY LINE OF 12TH STREET WEST, 186.26 FEET; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE OF 12TH STREET WEST THE FOLLOWING SEVEN (7) COURSES; (1) S89°21'52"E, 38.18 FEET; (2) N38°58'20"E, 3.90 FEET; (3) N03°25'55"E, 23.58 FEET; (4) S88°57'34"E, 32.21 FEET; (5) S00°56'42"E, 9.16 FEET; (6) S56°08'44"E, 40.86 FEET; (7) S89°22'12"E, 315.59 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 10TH STREET WEST; THENCE S01°16'12"W ALONG SAID WEST RIGHT-OF-WAY LINE, 183.62 FEET TO A POINT WHICH IS THE INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE AND THE NORTH RIGHT-OF-WAY LINE OF THE AFORESAID 3RD AVENUE WEST, WHICH IS ALSO THE SOUTHEAST CORNER OF LOT 1 OF SMITH'S ADDITION TO BRAIDENTOWN, BLOCK "B" AS RECORDED IN PLAT BOOK 1, PAGE 135 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N89°01'46"W ALONG THE SAID NORTH RIGHT-OF-WAY LINE AND THE SOUTH BOUNDARY LINE OF SAID SMITH'S ADDITION, 421.86 FEET TO THE POINT OF BEGINNING.

CONTAINING 78,769 SQUARE FEET OR 1.8083 ACRES, MORE OR LESS.

SURVEYOR'S NOTES

1. THE PURPOSE OF THIS SURVEY IS TO DEPICT THE BOUNDARY AND IMPROVEMENTS FOR 100 10TH STREET WEST.
2. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT), DERIVING A BEARING OF N89°01'46"W ALONG THE NORTH RIGHT-OF-WAY LINE OF 3RD AVENUE WEST.
3. HORIZONTAL DATA SHOWN HEREON IS BASED THE FLORIDA STATE PLANE COORDINATE SYSTEM (NAD 83/2011 ADJUSTMENT) UTILIZING A GPS NETWORK FROM BOTH FPRN AND TRIMBLE VRS NETWORKS.
4. UNDERGROUND FOUNDATIONS AND UTILITIES WERE NOT LOCATED AS A PART OF THIS SURVEY.
5. NORTH-SOUTH AND EAST-WEST TIES TO FOUND MONUMENTATION AND IMPROVEMENTS ARE BASED ON CARDINAL DIRECTION.
6. THE INFORMATION DEPICTED ON THIS SURVEY REPRESENTS THE RESULT OF A SURVEY PERFORMED ON THE INDICATED DATE AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS AT THAT TIME.
7. HORIZONTAL ACCURACY - THE HORIZONTAL ACCURACY OF THE SURVEY CONTROL USED MEETS OR EXCEEDS 1:10,000 OR A POSITIONAL EQUIVALENT.
8. THIS BOUNDARY SURVEY CONSISTS OF 2 PAGES, EACH PROVIDING UNIQUE INFORMATION REGARDING THIS PROJECT, THEREFORE ALL PAGES CONSTITUTE THE "BOUNDARY SURVEY".
9. THIS SURVEY WAS PREPARED BASED ON OWNER AND ENCUMBRANCE PROPERTY INFORMATION REPORTS PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 18059086, DATED JUNE 1, 2018 AND FILE NUMBER 18059081, DATED MAY 25, 2018.

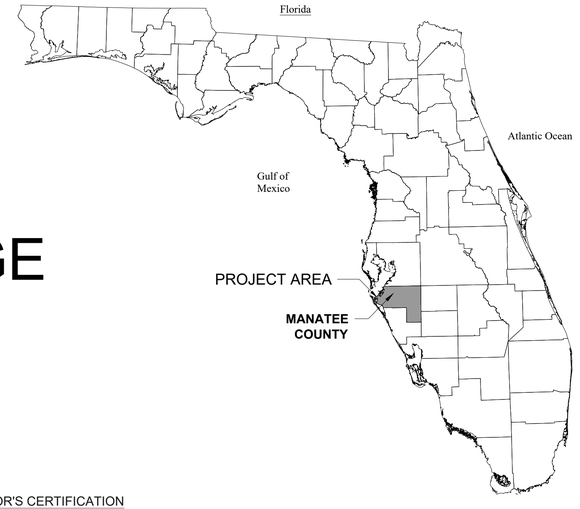
REFERENCE PLANS:

1. FDOT RIGHT-OF-WAY MAP SECTION 13010-2521
2. DARRELL E. GERKEN SURVEY DATED 09/12/1996
3. RECORD DRAWING ZNS ENGINEERING DATED 10/05/2017
4. BOUNDARY & LIMITED TOPOGRAPHIC SURVEY ZNS ENGINEERING DATED 03/31/2000.
5. LEO MILLS & ASSOCIATES, INC BOUNDARY SURVEY DATED 07/03/1998.
6. LEO MILLS & ASSOCIATES, INC BOUNDARY SURVEY DATED 07/20/1999.
7. LEO MILLS & ASSOCIATES, INC BOUNDARY SURVEY DATED 05/10/2016.
8. LEO MILLS & ASSOCIATES, INC BOUNDARY SURVEY DATED 09/14/2016.
9. AUTOCAD FILE FROM DAVID CRONKHITE, PSM, CITY OF BRADENTON SURVEYOR DATED 05/12/2023.



OVERVIEW MAP
(NOT TO SCALE)

VICINITY
(NOT TO SCALE)



SURVEYOR'S CERTIFICATION

THIS PURPOSE SURVEY IS TO DEPICT AND ESTABLISHING THE LIMITS OF THE BOUNDARY LINES AND RIGHT-OF-WAY LINES FOR 10TH STREET WEST, 12TH STREET WEST, 3RD AVENUE WEST AND BARCARROTA BOULEVARD. I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED UNDER MY DIRECT SUPERVISION ON JUNE 14, 2023 AND CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA IN ACCORDANCE WITH CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DATE: 06/14/2023

DOCUMENT NOT VALID WITHOUT THE ELECTRONIC
SIGNATURE AND SEAL OF WALTER J. SMITH
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER LB #7343

ESP ASSOCIATES FL, INC.
518 13TH STREET WEST
BRADENTON, FL 34205
PHONE 941-345-5451
WWW.ESPASSOCIATES.COM

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED
BY WALTER J. SMITH, P.S.M. 4807 ON 10/10/2023.

WALTER J. SMITH
License Number
4807
STATE OF
FLORIDA
Professional Surveyor and Mapper

NO.	DATE	DESCRIPTION	BY / CHK
3			
2	10/10/2023	UPDATE DESCRIPTION LESS OUT PARKING GARAGE	RLW / TS
1	09/23/2023	UPDATE PER CLIENT COMMENTS	RLW / TS
6			
5			
4			

REVISIONS

	BY	DATE
PRELIM	RLW	06/14/2023
CHECKED	RLW	06/14/2023

BOUNDARY SURVEY

CITY OF BRADENTON

CITY CENTRE & PARKING GARAGE
BOUNDARY SURVEY

CITY OF BRADENTON - MANATEE COUNTY, FLORIDA

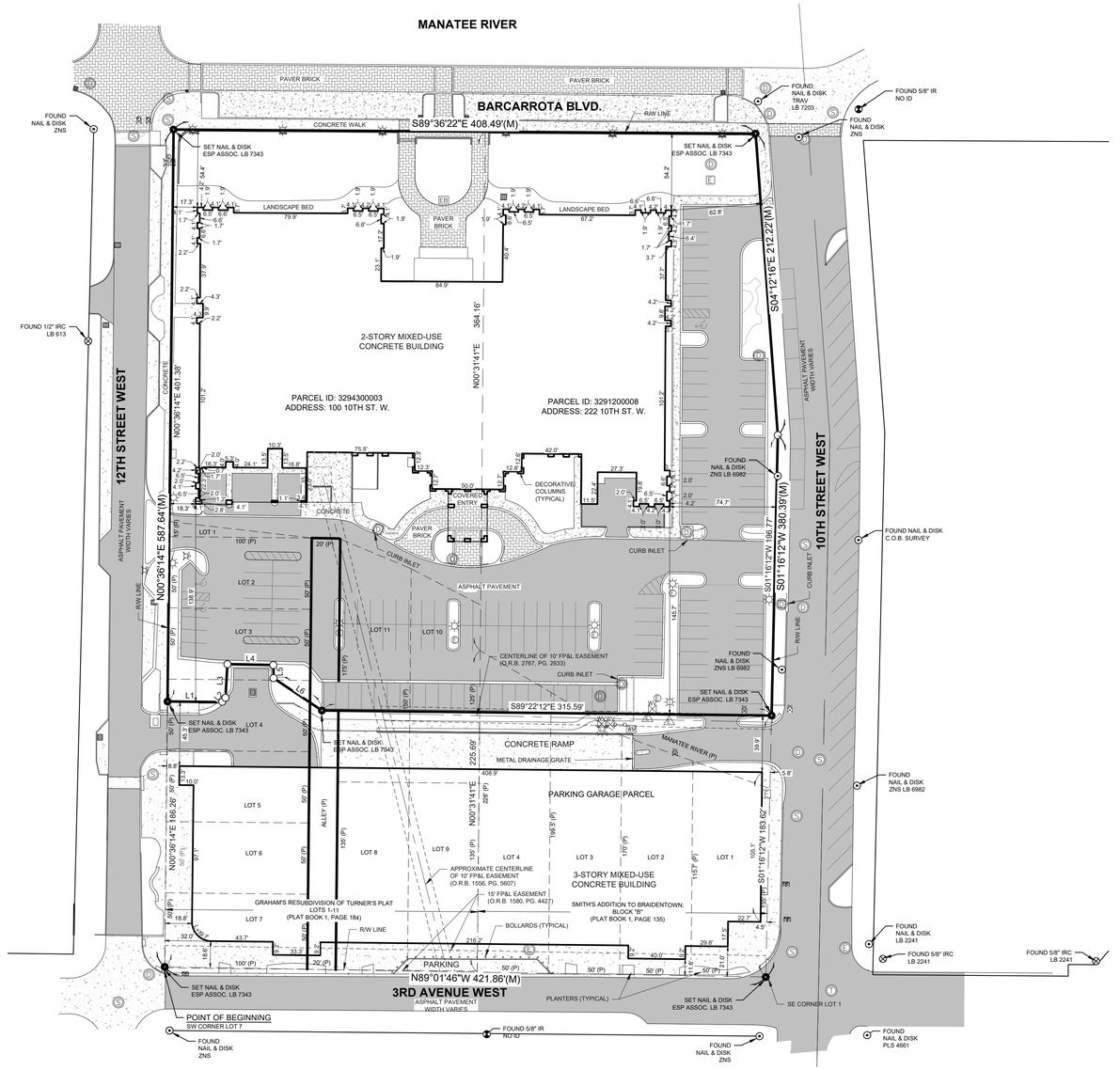
MAPS PREPARED BY:
ESP Associates FL, Inc.
518 13th Street West
Bradenton, FL 34205
Phone: 941-345-5451
www.espassociates.com

NOT TO SCALE

CAD FILE: Z:\Bradenton Data\Projects\2023\GV56.813.000 - COB-CITY CENTRE\Cad\Working Drawings\CoB - CITY CENTER 09 12 2023.dwg PLOT DATE/TIME: 10/10/2023 - 4:58pm BY: Ron Wolske

ACREAGE SUMMARY		
	SQUARE FEET	ACRES
CITY CENTRE & PARKING GARAGE LOT	248,690	5.7091
CITY CENTRE	169,921	3.9008
PARKING GARAGE	78,769	1.8083

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S89°21'52"E	38.18'
L2	N38°58'20"E	3.90'
L3	N03°25'55"E	23.58'
L4	S88°57'34"E	32.21'
L5	S00°56'42"E	9.16'
L6	S56°08'44"E	40.86'



LEGEND			
CALCULATED POINT	BACKFLOW PREVENTER	IRRIGATION HAND HOLE	SECTION LINE
(IRC) IRON ROD & CAP FOUND	CABLE HAND HOLE	LIGHT POLE	CENTER LINE
(IR) IRON ROD FOUND	CABLE MANHOLE	MAILBOX	FENCE
5/8" IRON ROD & CAP SET, LB 7343	CABLE PEDESTAL	MITERED END SECTION	OVERHEAD LINES
(IPC) IRON PIPE & CAP FOUND	CLEANOUT	SANITARY SEWER MANHOLE	OAK TREE
NAIL FOUND	ELECTRIC BOX	SEWER VALVE	PALM TREE
NAIL & DISK FOUND	ELECTRIC HAND HOLE	SIGN	PINE TREE
NAIL & DISK SET, LB 7343	ELECTRIC METER	STORM SEWER MANHOLE	UNKNOWN TREE
(CM) 3"X3" CONCRETE MONUMENT FOUND	ELECTRIC TRANSFORMER	TELEPHONE MANHOLE	ASPHALT PAVEMENT
(CM) 4"X4" CONCRETE MONUMENT FOUND	ELECTRIC VAULT	TELEPHONE PEDESTAL	CONCRETE
(CM) 6"X6" CONCRETE MONUMENT FOUND	GAS PEDESTAL	TRAFFIC SIGNAL HAND HOLE	DIRT/SAND
(BM) BENCHMARK	GAS VALVE	CONCRETE UTILITY POLE	BRICK PAVER
LB LICENSED BUSINESS	GRATE INLET	WOOD UTILITY POLE	
PSM PROFESSIONAL SURVEYOR & MAPPER	GUY ANCHOR	VERIZON HAND HOLE	
PRM PERMANENT REFERENCE MONUMENT	FIRE HYDRANT	VERIZON PEDESTAL	
FDOT FLORIDA DEPT OF TRANSPORTATION	IRRIGATION CONTROL VALVE	WATER VALVE	
R/W RIGHT-OF-WAY	IRRIGATION CONTROL BOX	WATER METER	
O.R.B. OFFICIAL RECORDS BOOK			
L1 LINE NUMBER - SEE LINE TABLE DATA			
C1 CURVE NUMBER - SEE CURVE TABLE DATA			
PC POINT OF CURVATURE			
PT POINT OF TANGENCY			
(P) PLAT			
(M) MEASURED			
(D) DEED			

NORTH

SCALE: 1"= 50'

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY WALTER J. SMITH, P.S.M. 4807 ON XX/XX/2023.

WALTER J. SMITH License Number 4807 STATE OF FLORIDA Professional Surveyor and Mapper

NO.	DATE	DESCRIPTION	BY / CHK
5			
4			
3			
2			
1	09/23/2023	UPDATE PER CLIENT COMMENTS	RLW / TS
10			
9			
8			
7			
6			

REVISIONS

BOUNDARY SURVEY

OF

CITY OF BRADENTON - CITY CENTRE & PARKING GARAGE

PARCEL ID NUMBERS
3294300003 & 3291200008
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

ESP

ESP Associates FL, Inc.
518 13th Street West
Bradenton, FL 34205
Phone: 941-345-5451
www.espassociates.com

PROFESSIONAL SURVEYORS AND MAPPERS
LB. #7343

CERTIFIED TO: CITY OF BRADENTON

I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED UNDER MY DIRECT SUPERVISION ON THE DATE SHOWN AND CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA IN ACCORDANCE WITH CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

09/25/2023
DATE

WALTER J. SMITH
FLORIDA CERTIFICATE NO. 4807

DOCUMENT NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND SEAL OF WALTER J. SMITH FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.

PREPARED FOR:
CITY OF BRADENTON

PROJECT NUMBER:	GV56.813.000	
DATE OF FIELD SURVEY:	06/02/2023	
DRAWN BY: RLW	DATE:	06/14/2023
CHECKED BY: RLW	DATE:	06/14/2023

SHEET 2 OF 2

EXHIBIT "A"

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY

LEGAL DESCRIPTION

THE ALLEY, RE-SUBDIVISION OF LOTS 1 THROUGH 6, TURNER'S PLAT OF BRADENTON AS RECORDED IN PLAT BOOK 1, PAGE 184, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING BOUND ON THE WEST BY LOTS 2 THROUGH 7, ON THE EAST BY LOTS 7 THROUGH 11, ON THE SOUTH BY THE NORTH R/W OF TURNER STREET AND ON THE NORTH BY THE MANATEE RIVER AS SHOWN ON SAID PLAT. BEING PART OF SECTION 26, IN TOWNSHIP 34 SOUTH, RANGE 17 EAST IN THE COUNTY OF MANATEE, RESIDING IN THE CITY OF BRADENTON, STATE OF FLORIDA BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 7 OF THE RE-SUBDIVISION OF LOTS 1 THROUGH 6, TURNER'S PLAT OF BRADENTOWN AS RECORDED IN PLAT BOOK 1, PAGE 184, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE NORTH ALONG THE WEST LINE OF SAID RE-SUBDIVISION PLAT, A DISTANCE OF 300 FEET TO THE NORTHWEST CORNER OF LOT 2 OF SAID RE-SUBDIVISION PLAT; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 100 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 OF SAID RE-SUBDIVISION PLAT, SAID POINT BEING THE POINT OF BEGINNING; THENCE MEANDER EASTERLY ALONG THE WATERS EDGE AS SHOWN ON SAID RE-SUBDIVISION PLAT, A DISTANCE OF 20 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF LOT 11 OF SAID RE-SUBDIVISION PLAT; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 11 AND LOT 8, A DISTANCE OF 305 FEET TO THE SOUTHWEST CORNER OF LOT 8 OF SAID RE-SUBDIVISION PLAT; THENCE WEST 20 FEET TO THE SOUTHEAST CORNER OF LOT 7 OF SAID RE-SUBDIVISION PLAT; THENCE NORTH ALONG THE EAST LINE OF SAID LOTS 2 THROUGH 7 OF SAID RE-SUBDIVISION PLAT A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,050 SQUARE FEET OR 0.1389 ACRES, MORE OR LESS.

WALTER J. SMITH
License Number
4807
STATE OF
FLORIDA
Professional Surveyor and Mapper

SHEET INDEX

SHEET 1:	LEGAL DESCRIPTION & NOTES
SHEET 2:	SKETCH OF DESCRIPTION

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY WALTER J. SMITH, P.S.M. 4807 0N 10/10/2023.

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED PLAT BEARING OF NORTH ALONG THE EAST LINE OF LOTS 2 THROUGH 7, TURNER'S PLAT OF BRADENTON.
2. THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-.052, FLORIDA ADMINISTRATIVE CODE.
3. THIS IS NOT A BOUNDARY SURVEY.
4. THIS SKETCH OF DESCRIPTION DOCUMENT CONSISTS OF 2 PAGES, EACH PROVIDING UNIQUE INFORMATION REGARDING THIS PROJECT, THEREFORE ALL PAGES CONSTITUTE THE "SKETCH OF DESCRIPTION".

CERTIFICATION

CERTIFIED TO: THE CITY OF BRADENTON

I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED UNDER MY DIRECT SUPERVISION ON THE DATE SHOWN AND CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA IN ACCORDANCE WITH CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DATE

WALTER J. SMITH
FLORIDA CERTIFICATE NO. 4807

DOCUMENT NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND SEAL OF WALTER J. SMITH FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.

ESP

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PROFESSIONAL SURVEYORS AND MAPPERS
LB. #7343

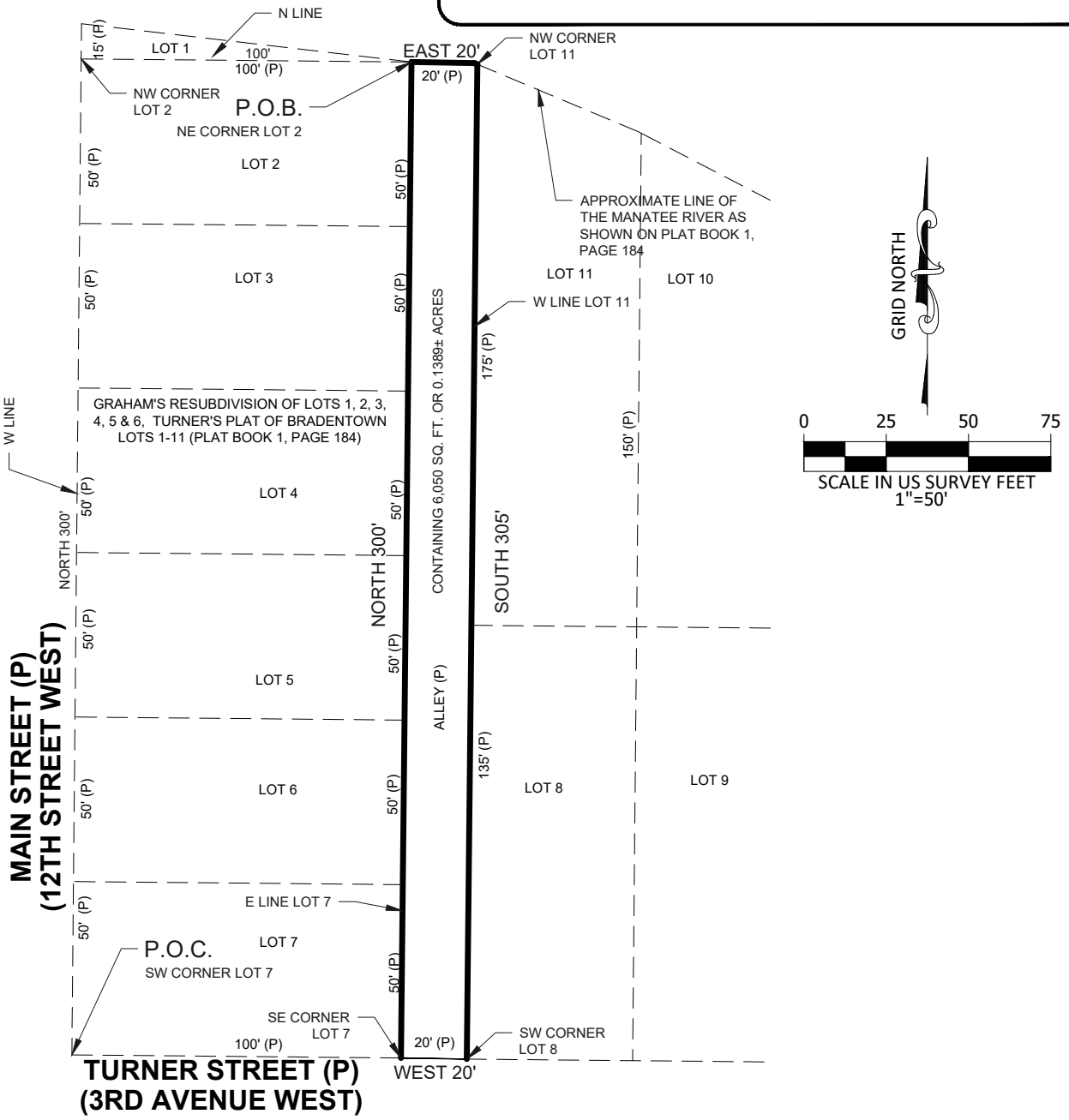
SKETCH OF DESCRIPTION
OF
VACATION OF PLATTED ALLEY
PROJECT PARCEL CITY CENTRE & PARKING GARAGE
PARCEL ID: 3294300003
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

PREPARED FOR:
THE CITY OF BRADENTON

PROJECT NUMBER
GV56.813.000

EXHIBIT "A"

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY



LEGEND			
○	CALCULATED POINT	P.O.B.	POINT OF BEGINNING
FDOT	FLORIDA DEPT OF TRANSPORTATION	P.O.C.	POINT OF COMMENCEMENT
R/W	RIGHT-OF-WAY	SQ	SQUARE
O.R.I.	OFFICIAL RECORDS INSTRUMENT	FT	FEET
O.R.B.	OFFICIAL RECORDS BOOK	(P)	PLAT

EASEMENT BOUNDARY
PARENT TRACT BOUNDARY
PLATTED LINE
RIGHT-OF-WAY LINE
SECTION LINE

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PROFESSIONAL SURVEYORS AND MAPPERS
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SKETCH OF DESCRIPTION
OF
VACATION OF PLATTED ALLEY
PROJECT PARCEL CITY CENTRE & PARKING GARAGE
PARCEL ID: 3294300003
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

PREPARED FOR:
THE CITY OF BRADENTON

PROJECT NUMBER
GV56.813.000

ROB PERRY, CITY ADMINISTRATOR

City Hall | 101 Old Main Street | Bradenton, Florida 34205
941.932.9442 | rob.perry@bradentonfl.gov
www.cityofbradenton.com

November 15, 2023

City of Bradenton
Public Works and Utilities
Jim McLellan, Director
1411 9th Street West
Bradenton, FL 34205

Dear Mr. McLellan,

The City of Bradenton is seeking to vacate a 20-ft. wide alley, as depicted on the attached boundary survey. The vacation is being sought in order to clear the property of the existing right-of-way so the city can move forward with the potential redevelopment of the City Hall/Police Department complex located at 101 12th Street West and 208 10th Street West in Bradenton.

Will you please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation? As time is of the essence in this matter, your prompt reply would be greatly appreciated.

Thank you for your assistance with this matter.

Sincerely,

Robert Perry
City Administrator

ROB PERRY, CITY ADMINISTRATOR

City Hall | 101 Old Main Street | Bradenton, Florida 34205
941.932.9442 | rob.perry@bradentonfl.gov
www.cityofbradenton.com

November 15, 2023

Mr. Greg Coker
Florida Power & Light
1253 12th Ave E.
Palmetto, FL 34221

Certified Mail – Return Receipt Requested

Dear Mr. Coker:

The City of Bradenton is seeking to vacate a 20-ft. wide alley, as depicted on the attached boundary survey. The vacation is being sought in order to clear the property of the existing right-of-way so the city can move forward with the potential redevelopment of the City Hall/Police Department complex located at 101 12th Street West and 208 10th Street West in Bradenton.

Will you please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation? As time is of the essence in this matter, your prompt reply would be greatly appreciated.

Thank you for your assistance with this matter.

Sincerely,

Robert Perry
City Administrator

brian.garver@fpl.com

ROB PERRY, CITY ADMINISTRATOR

City Hall | 101 Old Main Street | Bradenton, Florida 34205
941.932.9442 | rob.perry@bradentonfl.gov
www.cityofbradenton.com

November 15, 2023

Stephen Waidley, Regional
Right of Way & Municipal Affairs Mgr.
1280 Cleveland Street
Clearwater, FL 33755

Certified Mail – Return Receipt Requested

Dear Mr. Waidley:

The City of Bradenton is seeking to vacate a 20-ft. wide alley, as depicted on the attached boundary survey. The vacation is being sought in order to clear the property of the existing right-of-way so the city can move forward with the potential redevelopment of the City Hall/Police Department complex located at 101 12th Street West and 208 10th Street West in Bradenton.

Will you please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation? As time is of the essence in this matter, your prompt reply would be greatly appreciated.

Thank you for your assistance with this matter.

Sincerely,

Robert Perry
City Administrator

Stephen.Waidley@ftr.com

ROB PERRY, CITY ADMINISTRATOR

City Hall | 101 Old Main Street | Bradenton, Florida 34205
941.932.9442 | rob.perry@bradentonfl.gov
www.cityofbradenton.com

November 15, 2023

Alex Fleming, Field Engineer
Spectrum Communication
5413 East State Road 64
Bradenton, FL 34203

Certified Mail – Return Receipt Requested

Dear Mr. Fleming:

The City of Bradenton is seeking to vacate a 20-ft. wide alley, as depicted on the attached boundary survey. The vacation is being sought in order to clear the property of the existing right-of-way so the city can move forward with the potential redevelopment of the City Hall/Police Department complex located at 101 12th Street West and 208 10th Street West in Bradenton.

Will you please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation? As time is of the essence in this matter, your prompt reply would be greatly appreciated.

Thank you for your assistance with this matter.

Sincerely,

Robert Perry
City Administrator

James.fleming@charter.com
Mark up Division
DL-WCEN-FL-FOE-
Markup@Charter.com

Michael.Decroix@
Charter.com

ROB PERRY, CITY ADMINISTRATOR

City Hall | 101 Old Main Street | Bradenton, Florida 34205
941.932.9442 | rob.perry@bradentonfl.gov
www.cityofbradenton.com

November 15, 2023

Paul Brown, Manager, Construction SWFL
P.O. Box 1178
Sarasota, FL 34230

Certified Mail - Return Receipt Requested

Dear Mr. Brown:

The City of Bradenton is seeking to vacate a 20-ft. wide alley, as depicted on the attached boundary survey. The vacation is being sought in order to clear the property of the existing right-of-way so the city can move forward with the potential redevelopment of the City Hall/Police Department complex located at 101 12th Street West and 208 10th Street West in Bradenton.

Will you please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation? As time is of the essence in this matter, your prompt reply would be greatly appreciated.

Thank you for your assistance with this matter.

Sincerely,

Robert Perry
City Administrator

Comcast.
Kevin. Murphy C
Comcast.net

ROB PERRY, CITY ADMINISTRATOR

City Hall | 101 Old Main Street | Bradenton, Florida 34205
941.932.9442 | rob.perry@bradentonfl.gov
www.cityofbradenton.com

November 15, 2023

Alex Macfarlane, Gas Design Tech
TECO/Peoples Gas Tech Rep.
8261 Vico Ct.
Sarasota, FL 34240

Certified Mail – Return Receipt Requested

Dear Mr. Mcfarlane:

The City of Bradenton is seeking to vacate a 20-ft. wide alley, as depicted on the attached boundary survey. The vacation is being sought in order to clear the property of the existing right-of-way so the city can move forward with the potential redevelopment of the City Hall/Police Department complex located at 101 12th Street West and 208 10th Street West in Bradenton.

Will you please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation? As time is of the essence in this matter, your prompt reply would be greatly appreciated.

Thank you for your assistance with this matter.

Sincerely,

Robert Perry
City Administrator

amcfarlane@tecoenergy.com

alley
Ex A

EXHIBIT "A"

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY

LEGAL DESCRIPTION

THE ALLEY, RE-SUBDIVISION OF LOTS 1 THROUGH 6, TURNER'S PLAT OF BRADENTON AS RECORDED IN PLAT BOOK 1, PAGE 184, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING BOUND ON THE WEST BY LOTS 2 THROUGH 7, ON THE EAST BY LOTS 7 THROUGH 11, ON THE SOUTH BY THE NORTH R/W OF TURNER STREET AND ON THE NORTH BY THE MANATEE RIVER AS SHOWN ON SAID PLAT. BEING PART OF SECTION 26, IN TOWNSHIP 34 SOUTH, RANGE 17 EAST IN THE COUNTY OF MANATEE, RESIDING IN THE CITY OF BRADENTON, STATE OF FLORIDA BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 7 OF THE RE-SUBDIVISION OF LOTS 1 THROUGH 6, TURNER'S PLAT OF BRADENTOWN AS RECORDED IN PLAT BOOK 1, PAGE 184, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE NORTH ALONG THE WEST LINE OF SAID RE-SUBDIVISION PLAT, A DISTANCE OF 300 FEET TO THE NORTHWEST CORNER OF LOT 2 OF SAID RE-SUBDIVISION PLAT; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 100 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 OF SAID RE-SUBDIVISION PLAT, SAID POINT BEING THE POINT OF BEGINNING; THENCE MEANDER EASTERLY ALONG THE WATERS EDGE AS SHOWN ON SAID RE-SUBDIVISION PLAT, A DISTANCE OF 20 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF LOT 11 OF SAID RE-SUBDIVISION PLAT; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 11 AND LOT 8, A DISTANCE OF 305 FEET TO THE SOUTHWEST CORNER OF LOT 8 OF SAID RE-SUBDIVISION PLAT; THENCE WEST 20 FEET TO THE SOUTHEAST CORNER OF LOT 7 OF SAID RE-SUBDIVISION PLAT; THENCE NORTH ALONG THE EAST LINE OF SAID LOTS 2 THROUGH 7 OF SAID RE-SUBDIVISION PLAT A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,050 SQUARE FEET OR 0.1389 ACRES, MORE OR LESS.

Walter J. Smith

Digitally signed by Walter J. Smith
DN: cn=Walter J. Smith, o=ESP Associates, FL, Inc., ou, email=wjsmith@espassociates.com, c=US
Date: 2023.10.10 16:32:19 -04'00'

WALTER J. SMITH
License Number 4807
STATE OF FLORIDA
Professional Surveyor and Mapper

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY WALTER J. SMITH, P.S.M. 4807 ON 10/10/2023.

SHEET INDEX

SHEET 1:	LEGAL DESCRIPTION & NOTES
SHEET 2:	SKETCH OF DESCRIPTION

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED PLAT BEARING OF NORTH ALONG THE EAST LINE OF LOTS 2 THROUGH 7, TURNER'S PLAT OF BRADENTON.
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DATE

WALTER J. SMITH
FLORIDA CERTIFICATE NO. 4807

DOCUMENT NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND SEAL OF WALTER J. SMITH FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.

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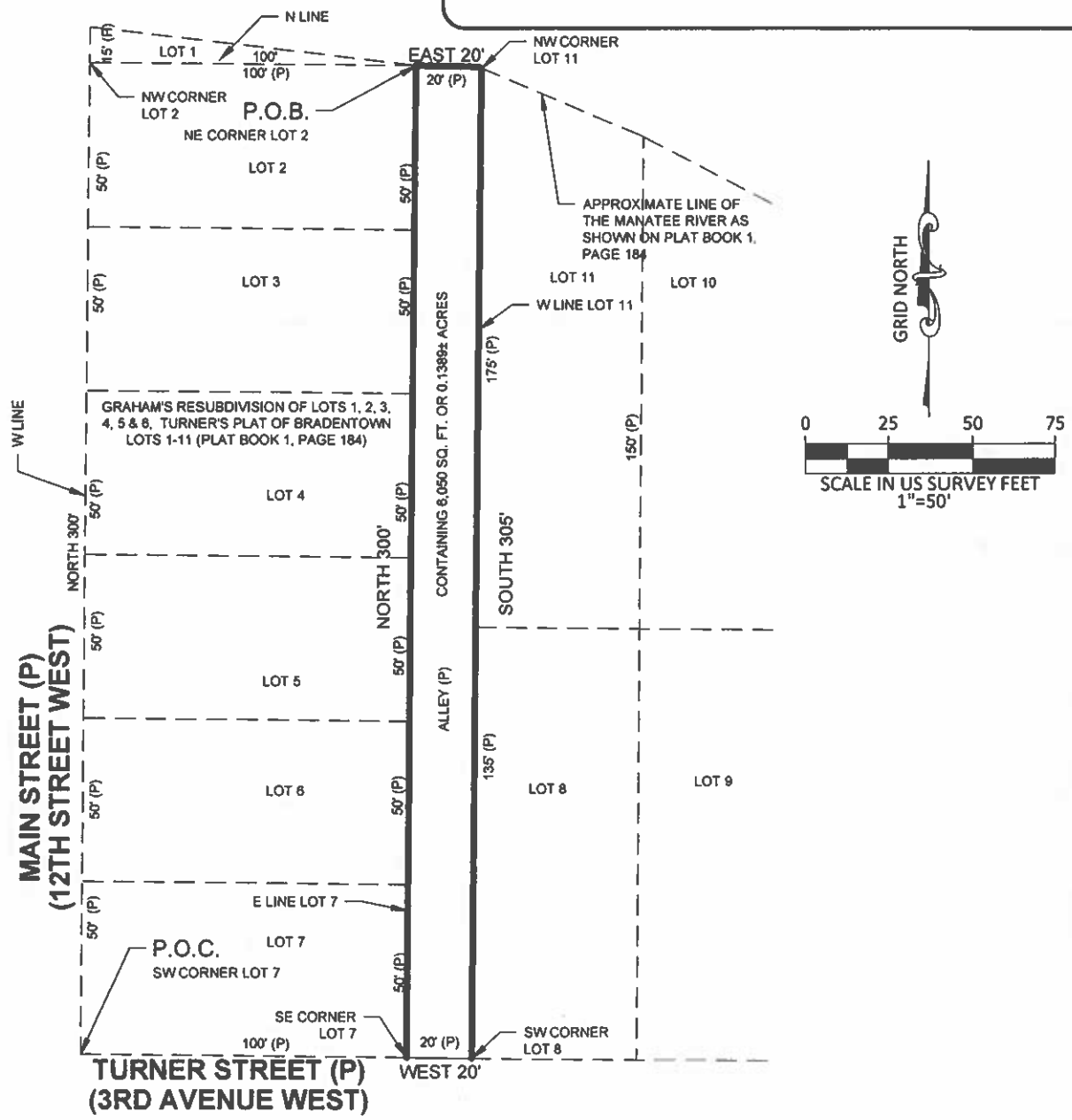
SKETCH OF DESCRIPTION
OF
VACATION OF PLATTED ALLEY
PROJECT PARCEL CITY CENTRE & PARKING GARAGE
PARCEL ID: 3294300003
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

PREPARED FOR:
THE CITY OF BRADENTON

PROJECT NUMBER
GV56.813.000

EXHIBIT "A"

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY



LEGEND					
o	CALCULATED POINT	P.O.B.	POINT OF BEGINNING		EASEMENT BOUNDARY
FDOT	FLORIDA DEPT OF TRANSPORTATION	P.O.C.	POINT OF COMMENCEMENT		PARENT TRACT BOUNDARY
R/W	RIGHT-OF-WAY	SQ	SQUARE		PLATTED LINE
O.R.I.	OFFICIAL RECORDS INSTRUMENT	FT	FEET		RIGHT-OF-WAY LINE
O.R.B.	OFFICIAL RECORDS BOOK	(P)	PLAT		SECTION LINE

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MANATEE COUNTY, FLORIDA

PREPARED FOR:
THE CITY OF BRADENTON

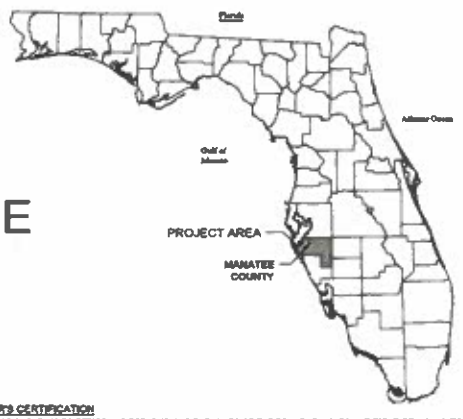
PROJECT NUMBER
GV56.813.000

City Centre Site

CITY OF BRADENTON
IN MANATEE COUNTY, FLORIDA

BOUNDARY SURVEY
CITY CENTRE AND PARKING GARAGE

VICINITY
(NOT TO SCALE)



LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 28, TOWNSHIP 34 SOUTH, RANGE 17 EAST, IN MANATEE COUNTY, BEING IN THE CITY OF BRADENTON, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1, 2, 3 AND 4 OF BLOCK "B", AS SHOWN ON MAP OF EIGHTH ADDITION TO BRADENTOWN, AS RECORDED IN OFFICE OF THE CLERK OF THE CIRCUIT COURT FOR MANATEE COUNTY, FLORIDA IN PLAT BOOK 1, PAGE 139;

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 AND 11, JOHN A. GRAHAMS RESUBDIVISION LOTS 1, 2, 3, 4, 5, 6 OF TURNER'S PLAT OF BRADENTOWN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 104, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA;

AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 7, JOHN A. GRAHAMS RESUBDIVISION OF TURNER'S PLAT OF BRADENTOWN AS RECORDED IN PLAT BOOK 1, PAGE 104, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA WHICH IS ALSO THE INTERSECTION OF THE RIGHT-OF-WAY LINE OF 13TH STREET WEST AND 3RD AVENUE WEST; THENCE N89°36'14"E ALONG SAID GRAHAMS RESUBDIVISION AND THE SAID RIGHT-OF-WAY LINE OF 13TH STREET WEST, 307.91 FEET TO A POINT WHICH IS THE INTERSECTION OF THE SAID EAST RIGHT-OF-WAY LINE AND THE SOUTH RIGHT-OF-WAY LINE OF BARCARROTA BOULEVARD, (ALSO KNOWN AS 1ST AVENUE WEST); THENCE S89°39'52"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, 495.49 FEET TO A POINT WHICH IS THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE AND THE WEST RIGHT-OF-WAY LINE OF 14TH STREET WEST; THENCE S00°12'14"E ALONG SAID WEST RIGHT-OF-WAY LINE, 712.33 FEET; THENCE DEPARTING ALONG SAID WEST RIGHT-OF-WAY LINE, S01°16'37"W, 305.39 FEET TO A POINT WHICH IS THE INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE AND THE NORTH RIGHT-OF-WAY LINE OF THE AFORESAID 3RD AVENUE WEST, WHICH IS ALSO THE SOUTHEAST CORNER OF LOT 1 OF EIGHTH ADDITION TO BRADENTOWN, BLOCK "B" AS RECORDED IN PLAT BOOK 1, PAGE 139 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N89°57'47"W ALONG THE SAID NORTH RIGHT-OF-WAY LINE AND THE SOUTH BOUNDARY LINE OF SAID EIGHTH ADDITION, 421.85 FEET TO THE POINT OF BEGINNING.

CONTAINING [illegible] SQUARE FEET OR 6.7566 ACRES, MORE OR LESS.

LESS AVENUE GRAHAM PARCEL

BEGINNING AT THE SOUTHWEST CORNER OF LOT 7, JOHN A. GRAHAMS RESUBDIVISION OF TURNER'S PLAT OF BRADENTOWN AS RECORDED IN PLAT BOOK 1, PAGE 104, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA WHICH IS ALSO THE INTERSECTION OF THE RIGHT-OF-WAY LINE OF 13TH STREET WEST AND 3RD AVENUE WEST; THENCE N89°36'14"E ALONG SAID GRAHAMS RESUBDIVISION AND THE SAID RIGHT-OF-WAY LINE OF 13TH STREET WEST, 148.36 FEET; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE OF 13TH STREET WEST THE FOLLOWING SEVEN (7) COURSES; (1) S00°37'16"E, 30.16 FEET; (2) N31°36'29"E, 3.39 FEET; (3) N58°39'56"E, 23.54 FEET; (4) S01°37'47"E, 33.31 FEET; (5) S88°56'12"E, 8.14 FEET; (6) S00°49'47"E, 48.56 FEET; (7) S89°39'13"E, 345.89 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 14TH STREET WEST; THENCE S01°16'37"W ALONG SAID WEST RIGHT-OF-WAY LINE, 143.40 FEET TO A POINT WHICH IS THE INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE AND THE NORTH RIGHT-OF-WAY LINE OF THE AFORESAID 3RD AVENUE WEST, WHICH IS ALSO THE SOUTHEAST CORNER OF LOT 1 OF EIGHTH ADDITION TO BRADENTOWN, BLOCK "B" AS RECORDED IN PLAT BOOK 1, PAGE 139 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N89°57'47"W ALONG THE SAID NORTH RIGHT-OF-WAY LINE AND THE SOUTH BOUNDARY LINE OF SAID EIGHTH ADDITION, 421.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 70,700 SQUARE FEET OR 1.4383 ACRES, MORE OR LESS.

SURVEYOR'S NOTES

1. THE PURPOSE OF THIS SURVEY IS TO DEPICT THE BOUNDARY AND IMPROVEMENTS FOR 103 10TH STREET WEST.
2. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT), BEARING A BEARING OF N89°36'14"E ALONG THE NORTH RIGHT-OF-WAY LINE OF 3RD AVENUE WEST.
3. HORIZONTAL DATA SHOWN HEREON IS BASED THE FLORIDA STATE PLANE COORDINATE SYSTEM (NAD 83(2011) ADJUSTMENT) UTILIZING A GPS NETWORK FROM SOKKIA RTK'S AND TRIMBLE VRS NETWORKS.
4. UNDERGROUND FOUNDATIONS AND UTILITIES WERE NOT LOCATED AS A PART OF THIS SURVEY.
5. NORTH-SOUTH AND EAST-WEST TIES TO FOUND MONUMENTATION AND IMPROVEMENTS ARE BASED ON CARDINAL DIRECTION.
6. THE INFORMATION DEPICTED ON THIS SURVEY REPRESENTS THE RESULT OF A SURVEY PERFORMED ON THE INDICATED DATE AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS AT THAT TIME.
7. HORIZONTAL ACCURACY - THE HORIZONTAL ACCURACY OF THE SURVEY CONTROL USED MEETS OR EXCEEDS 1 IN 5000 OR A POSITIONAL EQUIVALENT.
8. THIS BOUNDARY SURVEY CONSISTS OF 2 PAGES, EACH PROVIDING UNIQUE INFORMATION REGARDING THIS PROJECT, THEREFORE ALL PAGES CONSTITUTE THE "BOUNDARY SURVEY".
9. THIS SURVEY WAS PREPARED BASED ON OWNER AND ENCUMBRANCE PROPERTY INFORMATION REPORTS PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NUMBER 1000000, DATED JUNE 1, 2016 AND FILE NUMBER 1000001, DATED MAY 30, 2016.

REFERENCE PLANS

1. FDOT RIGHT-OF-WAY MAP SECTION 13010-2501
2. DARRELL E. GERKEN SURVEY DATED 09/12/1989
3. RECORD DRAWING (AS) ENGINEERING DATED 10/09/2017
4. BOUNDARY & LIMITED TOPOGRAPHIC SURVEY (AS) ENGINEERING DATED 09/10/2020.
5. LEO WELLS & ASSOCIATES, INC BOUNDARY SURVEY DATED 07/07/1999.
6. LEO WELLS & ASSOCIATES, INC BOUNDARY SURVEY DATED 09/23/1999.
7. LEO WELLS & ASSOCIATES, INC BOUNDARY SURVEY DATED 09/16/2014.
8. LEO WELLS & ASSOCIATES, INC BOUNDARY SURVEY DATED 09/14/2016.
9. PAYDOAD FILE FROM DAVID CREENWAY, PSM, CITY OF BRADENTON SURVEYOR DATED 09/12/2022.



OVERVIEW MAP
(NOT TO SCALE)

SURVEYOR'S CERTIFICATION

THIS PURPOSE SURVEY IS TO DEPICT AND ESTABLISHING THE LIMITS OF THE BOUNDARY LINES AND RIGHT-OF-WAY LINES FOR 10TH STREET WEST, 12TH STREET WEST, 3RD AVENUE WEST AND BARCARROTA BOULEVARD. I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED UNDER MY DIRECT SUPERVISION ON JUNE 14, 2023 AND CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA IN ACCORDANCE WITH CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DATE 09/14/2023

DOCUMENT NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND SEAL OF WALTER J. SMITH FLORIDA PROFESSIONAL SURVEYOR AND MAPPER LS #7340

Walter J. Smith

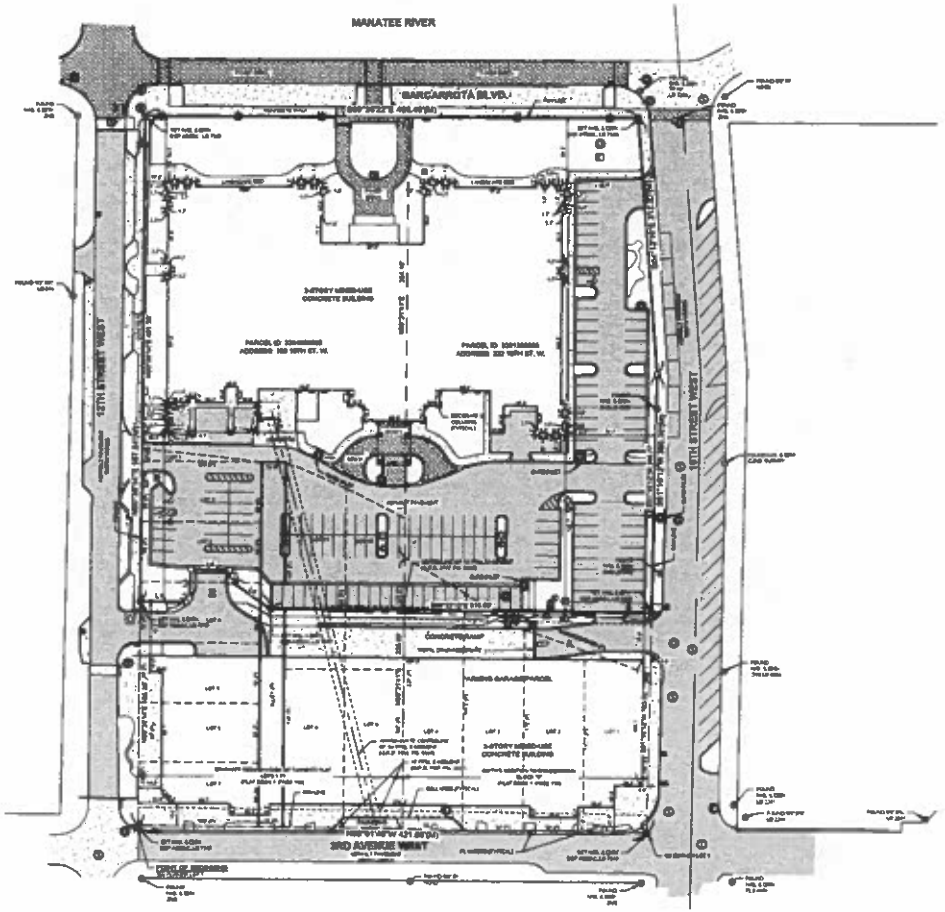
Digitally signed by Walter J. Smith
DN: cn=Walter J. Smith, o=ESP Associates, PL Inc., ou, email=wjsmith@espassociates.com, c=US
Date: 2023.10.10 [illegible]

ESP ASSOCIATES FL, INC.
518 13TH STREET WEST
BRADENTON, FL 34205
PHONE 941-345-6451
WWW.ESPASSOCIATES.COM

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY WALTER J. SMITH, P.S.M. #7340 ON 10/10/2023.

WALTER J. SMITH — License Number — STATE OF FLORIDA — Professional Surveyor and Mapper

BOUNDARY SURVEY	CITY OF BRADENTON	3				4					BY	DATE	CITY CENTRE & PARKING GARAGE BOUNDARY SURVEY	MAPS PREPARED BY: ESP — ESP Associates FL, Inc. 518 13th Street West Bradenton, FL 34205 Phone: 941-345-6451 www.espassociates.com	
		2	10/10/2023	UPDATE DESCRIPTION LESS OUT PARKING GARAGE	RLW	5			PREPARED	RLW	09/14/2023			
		1	09/28/2023	UPDATE PER CLIENT COMMENTS	RLW	6			CHECKED	RLW	09/14/2023	CITY OF BRADENTON - MANATEE COUNTY, FLORIDA	NOT TO SCALE	SHEET 1 OF 2
		NO.	DATE	DESCRIPTION	BY	NO.	DATE	DESCRIPTION	BY						
		REVISIONS													



ACREAGE SUMMARY		
	SQUARE FEET	ACRES
CITY CENTRE & PARKING GARAGE LOT	340,690	7.7001
CITY CENTRE	169,921	3.9008
PARKING GARAGE	78,769	1.8083

LINE TABLE		
LINE #	BEARING	LENGTH
L1		
L2		
L3		
L4		
L5		
L6		

LEGEND

NORTH

SCALE: 1" = 50'

Walter J. Smith

REVISIONS							
NO.	DATE	DESCRIPTION	BY	NO.	DATE	DESCRIPTION	BY
1		UPDATE PER CLIENT COMMENTS	SVS				

BOUNDARY SURVEY

OF

CITY OF BRADENTON - CITY CENTRE & PARKING GARAGE

PARCEL ID NUMBERS
3284300003 & 3281200008
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

ESP

ESP Associates FL, Inc.
910 13th Street West
Bradenton, FL 34205
Phone: 941-748-8161

CERTIFIED TO: CITY OF BRADENTON

I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED UNDER MY DIRECT SUPERVISION ON THE DATE SHOWN AND CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA IN ACCORDANCE WITH CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

08/25/2023
DATE

WALTER J. SMITH
FLORIDA REGISTRATION NO. 6574

PREPARED FOR
CITY OF BRADENTON

PROJECT NUMBER	SV-00.013.000
DATE OF FIELD SURVEY	08/07/2023
DRAWN BY: SLW	DATE: 08/14/2023
CHECKED BY: WJS	DATE: 08/14/2023

SHEET 2 OF 2

Charter
COMMUNICATIONS

5.24.24

RE: COB, Request to Vacate location: 101 12th St W and 208 10thSt W Bradenton, FL 34208

Dear Corey,

Pursuant to your letter on 3.14.24, Charter communications has underground conduit but appears to have no conflict with request due to Alley easement no longer exists and new building were constructed with conduit built to ROW.

Charter Communications has no Conflicts with your request.

If you should have any questions, please do not hesitate to call. You can reach me @ 941-737-0184 or email me at: david.schisler@charter.com

Sincerely,

David Schisler

Construction Coordinator II

5413 State RD 64 E

Bradenton Fla 34208

FRONTIER

2185 Range Rd
Clearwater, FL 33765
(941) 266-9218
stephen.waidley@ftr.com

3/15/2024

Attn: Corey J. Fortin
Policy, Planning, Procedures & Real Estate Administrator
City of Bradenton
101 12th St W
Bradenton, FL 34205

RE: Vacation of Alley – 101 12th St W & 208 10th St W, Bradenton, FL

Dear Mr. Fortin,

☐ Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

☑ Frontier has no objection to the above referenced request as per the attachment.

☐ Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

☐ Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley

Stephen Waidley
Frontier Florida LLC
Regional Rights of Way & Municipal Affairs Manager

ROB PERRY, CITY ADMINISTRATOR

City Hall | 101 Old Main Street | Bradenton, Florida 34205
941.932.9442 | rob.perry@bradentonfl.gov
www.cityofbradenton.com

March 14, 2024

Stephen Waidley, Regional
Right of Way & Municipal Affairs Mgr.
1280 Cleveland Street
Clearwater, FL 33755

Electronic Delivery:
stephen.waidley@ftr.com

Dear Waidley:

The City of Bradenton is seeking to vacate a 20-ft. wide alley, as depicted on the attached boundary survey. The vacation is being sought in order to clear the property of the existing right-of-way so the city can move forward with the potential redevelopment of the City Hall/Police Department complex located at 101 12th Street West and 208 10th Street West in Bradenton.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to corey.fortin@bradentonfl.gov. A response must be received within 20 calendar days of this letter (March 31, 2024). The City will assume there is no objection if a response is not received by March 31, 2024.

Thank you for your assistance in this matter.

Best Regards,

Robert Perry
City Administrator

EXHIBIT "A"

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY

LEGAL DESCRIPTION

THE ALLEY, RE-SUBDIVISION OF LOTS 1 THROUGH 6, TURNER'S PLAT OF BRADENTON AS RECORDED IN PLAT BOOK 1, PAGE 184, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING BOUND ON THE WEST BY LOTS 2 THROUGH 7, ON THE EAST BY LOTS 7 THROUGH 11, ON THE SOUTH BY THE NORTH R/W OF TURNER STREET AND ON THE NORTH BY THE MANATEE RIVER AS SHOWN ON SAID PLAT. BEING PART OF SECTION 26, IN TOWNSHIP 34 SOUTH, RANGE 17 EAST IN THE COUNTY OF MANATEE, RESIDING IN THE CITY OF BRADENTON, STATE OF FLORIDA BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 7 OF THE RE-SUBDIVISION OF LOTS 1 THROUGH 6, TURNER'S PLAT OF BRADENTOWN AS RECORDED IN PLAT BOOK 1, PAGE 184, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE NORTH ALONG THE WEST LINE OF SAID RE-SUBDIVISION PLAT, A DISTANCE OF 300 FEET TO THE NORTHWEST CORNER OF LOT 2 OF SAID RE-SUBDIVISION PLAT; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 100 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 OF SAID RE-SUBDIVISION PLAT, SAID POINT BEING THE POINT OF BEGINNING; THENCE MEANDER EASTERLY ALONG THE WATERS EDGE AS SHOWN ON SAID RE-SUBDIVISION PLAT, A DISTANCE OF 20 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF LOT 11 OF SAID RE-SUBDIVISION PLAT; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 11 AND LOT 8, A DISTANCE OF 305 FEET TO THE SOUTHWEST CORNER OF LOT 8 OF SAID RE-SUBDIVISION PLAT; THENCE WEST 20 FEET TO THE SOUTHEAST CORNER OF LOT 7 OF SAID RE-SUBDIVISION PLAT; THENCE NORTH ALONG THE EAST LINE OF SAID LOTS 2 THROUGH 7 OF SAID RE-SUBDIVISION PLAT A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,050 SQUARE FEET OR 0.1389 ACRES, MORE OR LESS.

Walter J. Smith

Digitally signed by Walter J. Smith
DN: cn=Walter J. Smith, o=ESP Associates, FL, Inc., ou, email=wjsmith@espassociates.com, c=US
Date: 2023.10.10 16:32:19 -04'00'

WALTER J. SMITH
License Number 4807
STATE OF FLORIDA
Professional Surveyor and Mapper

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY WALTER J. SMITH, P.S.M. 4807 ON 10/10/2023.

SHEET INDEX

SHEET 1:	LEGAL DESCRIPTION & NOTES
SHEET 2:	SKETCH OF DESCRIPTION

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED PLAT BEARING OF NORTH ALONG THE EAST LINE OF LOTS 2 THROUGH 7, TURNER'S PLAT OF BRADENTON.
2. THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-.052, FLORIDA ADMINISTRATIVE CODE.
3. THIS IS NOT A BOUNDARY SURVEY.
4. THIS SKETCH OF DESCRIPTION DOCUMENT CONSISTS OF 2 PAGES, EACH PROVIDING UNIQUE INFORMATION REGARDING THIS PROJECT, THEREFORE ALL PAGES CONSTITUTE THE "SKETCH OF DESCRIPTION".

CERTIFICATION

CERTIFIED TO: THE CITY OF BRADENTON

I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED UNDER MY DIRECT SUPERVISION ON THE DATE SHOWN AND CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA IN ACCORDANCE WITH CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DATE

WALTER J. SMITH
FLORIDA CERTIFICATE NO. 4807

DOCUMENT NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND SEAL OF WALTER J. SMITH FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.

ESP
ESP Associates FL, Inc.
518 13th Street West
Bradenton, FL 34205
Phone: 941-345-5451
www.espassociates.com
PROFESSIONAL SURVEYORS AND MAPPERS
LB. #7343

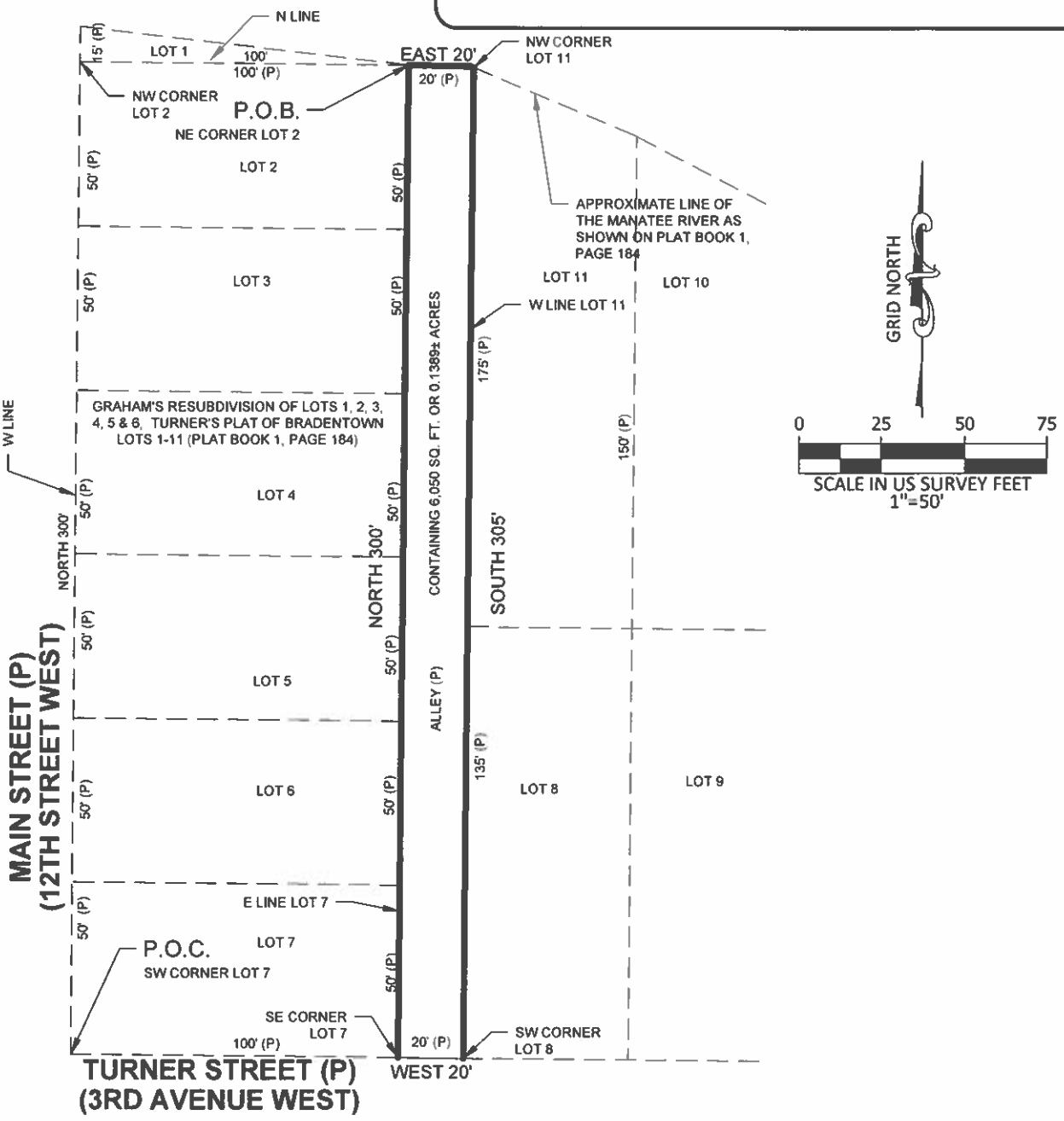
SKETCH OF DESCRIPTION
OF
VACATION OF PLATTED ALLEY
PROJECT PARCEL CITY CENTRE & PARKING GARAGE
PARCEL ID: 3294300003
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

PREPARED FOR:
THE CITY OF BRADENTON

PROJECT NUMBER
GV56.813.000

EXHIBIT "A"

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY



LEGEND					
o	CALCULATED POINT	P.O.B.	POINT OF BEGINNING		EASEMENT BOUNDARY
FDOT	FLORIDA DEPT OF TRANSPORTATION	P.O.C.	POINT OF COMMENCEMENT		PARENT TRACT BOUNDARY
R/W	RIGHT-OF-WAY	SQ	SQUARE		PLATTED LINE
O.R.I.	OFFICIAL RECORDS INSTRUMENT	FT	FEET		RIGHT-OF-WAY LINE
O.R.B.	OFFICIAL RECORDS BOOK	(P)	PLAT		SECTION LINE

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Bradenton, FL 34205
Phone: 941-345-5451
www.espassociates.com
PROFESSIONAL SURVEYORS AND MAPPERS
LB. #7343

SKETCH OF DESCRIPTION
OF
VACATION OF PLATTED ALLEY
PROJECT PARCEL CITY CENTRE & PARKING GARAGE
PARCEL ID: 3294300003
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

PREPARED FOR:
THE CITY OF
BRADENTON

PROJECT NUMBER
GV56.813.000

Corey Fortin

From: Murphy, Kevin <Kevin_Murphy4@comcast.com>
Sent: Thursday, April 18, 2024 8:23 AM
To: Corey Fortin
Subject: [EXTERNAL] RE: City of Bradenton - Alley Vacation

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning,

Comcast has no objection to this vacation. We have no facilities in the project area.

For future requests, please use the following email address:

swfl_betterments@comcast.com

Thank you.

Kevin Murphy
COMCAST
Construction & Relocations
Phone: 941.356.1489
Email: kevin_murphy4@comcast.com
5205 Fruitville Rd, Sarasota, FL 34232

From: Corey Fortin <Corey.Fortin@bradentonFL.gov>
Sent: Thursday, April 18, 2024 8:03 AM
To: Murphy, Kevin <Kevin_Murphy4@comcast.com>
Subject: [EXTERNAL] FW: City of Bradenton - Alley Vacation
Importance: High

Mr. Murphy:

Good morning. Please see below and attached. I previously had an incorrect email address and this did not make it to you. I was hoping you could review and advise at your earliest convenience.

Thank you.

Corey

Corey J. Fortin
Policy, Planning, Procedures & Real Estate Administrator
City of Bradenton
101 12th St. W.
Bradenton, FL 34205-7865
(941) 932-9451

www.cityofbradenton.com

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

The City of Bradenton shall not be held liable for use of ANY map or drawing attachment, which is provided as a public service for informational purposes. PLEASE NOTE that this information is NOT intended to be used as an authoritative public record for any geographic location, or as a legal document and shall have no legal force or effect. The City of Bradenton makes reasonable efforts to provide that data sent as an attachment is virus free, however the City of Bradenton assumes no responsibility for damages caused by the downloading or installation of this data. In addition certain individuals or entities may have proprietary interests in such data and the use of it without such parties' consent may be prohibited. Viewing or Use of the data indicates that user accepts the above conditions.

From: Corey Fortin
Sent: Tuesday, April 9, 2024 1:17 PM
To: kevin.murphy@comcast.net
Cc: paul.brown@comcast.net
Subject: FW: City of Bradenton - Alley Vacation
Importance: High

Good afternoon, Mr. Murphy and Mr. Brown. To date I have not received a response to Mr. Perry's letter relative to the proposed alley vacation. While the letter did indicate that if we did not receive a response by March 31st the City will assume there is no objection, your reply to this email would be appreciated.

Please do not hesitate to contact me if you have any questions or need any additional information.

Thank you.

Corey J. Fortin
Policy, Planning, Procedures & Real Estate Administrator
City of Bradenton
101 12th St. W.
Bradenton, FL 34205-7865
(941) 932-9451
www.cityofbradenton.com

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public record for any geographic location, or as a legal document and shall have no legal force or effect. The City of Bradenton makes reasonable efforts to provide that data sent as an attachment is virus free, however the City of Bradenton assumes no responsibility for damages caused by the downloading or installation of this data. In addition certain individuals or entities may have proprietary interests in such data and the use of it without such parties' consent may be prohibited. Viewing or Use of the data indicates that user accepts the above conditions.

From: Corey Fortin
Sent: Friday, March 15, 2024 11:49 AM
To: kevin.murphy@comcast.net
Subject: City of Bradenton - Alley Vacation

Good morning. Attached please find a letter from City Administrator, Rob Perry, relative to a proposed alley vacation. Please provide your response to this letter on or before March 31, 2024.

Thank you.

Corey

Corey J. Fortin
Policy, Planning, Procedures & Real Estate Administrator
City of Bradenton
101 12th St. W.
Bradenton, FL 34205-7865
(941) 932-9451
www.cityofbradenton.com

Corey Fortin

From: McFarlane, Alex <AMcFarlane@tecoenergy.com>
Sent: Thursday, April 11, 2024 9:14 AM
To: Corey Fortin
Subject: RE: [EXTERNAL] RE: City of Bradenton - Alley Vacation

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Corey,
TECO PGS has no objection to proposed alley vacation.

Thanks

Alex Mcfarlane
Gas Design Project Manager
Office: 813-275-3762
Cell: 813-557-6134

TECO
AN EMERA COMPANY

From: Corey Fortin <Corey.Fortin@bradentonFL.gov>
Sent: Tuesday, April 9, 2024 1:14 PM
To: McFarlane, Alex <AMcFarlane@tecoenergy.com>
Subject: RE: [EXTERNAL] RE: City of Bradenton - Alley Vacation
Importance: High

Good afternoon, Mr. McFarlane. To date I have not received a response to Mr. Perry's letter relative to the proposed alley vacation. While the letter did indicate that if we did not receive a response by March 31st the City will assume there is no objection, your reply to this email would be appreciated.

Please do not hesitate to contact me if you have any questions or need any additional information.

Thank you.

Corey J. Fortin
Policy, Planning, Procedures & Real Estate Administrator
City of Bradenton
101 12th St. W.
Bradenton, FL 34205-7865
(941) 932-9451
www.cityofbradenton.com

TELEPHONE:
941/708-6300

CITY OF BRADENTON
BRADENTON, FLORIDA

1411 9th STREET WEST
BRADENTON, FL 34205

November 27, 2023

Mr. Robert Perry
City Administrator
101 Old Main Street
Bradenton, FL 34205

RE: 20-foot Alley Vacation
City Centre & Parking Garage

Dear Mr. Perry:

The Department of Public Works & Utilities is in receipt of your November 15, 2023 letter requesting to vacate the subject alley that exists on parcel ID #3294300003. In particular, you are requesting vacation of the 20-foot wide alley as depicted on the attached boundary survey of the parcel, and as shown on the attached sketch, with corresponding survey/legal description.

We have reviewed our utility maps and other records related to this area and find that we have no current nor proposed utilities within the existing alley.

Accordingly, the City of Bradenton Department of Public Works & Utilities has no objection to, and does hereby acknowledge its consent to vacate the described alley.

Sincerely,

James K. McLellan, P.E.
Director Public Works & Utilities

Attachments

PRINTED ON RECYCLED PAPER

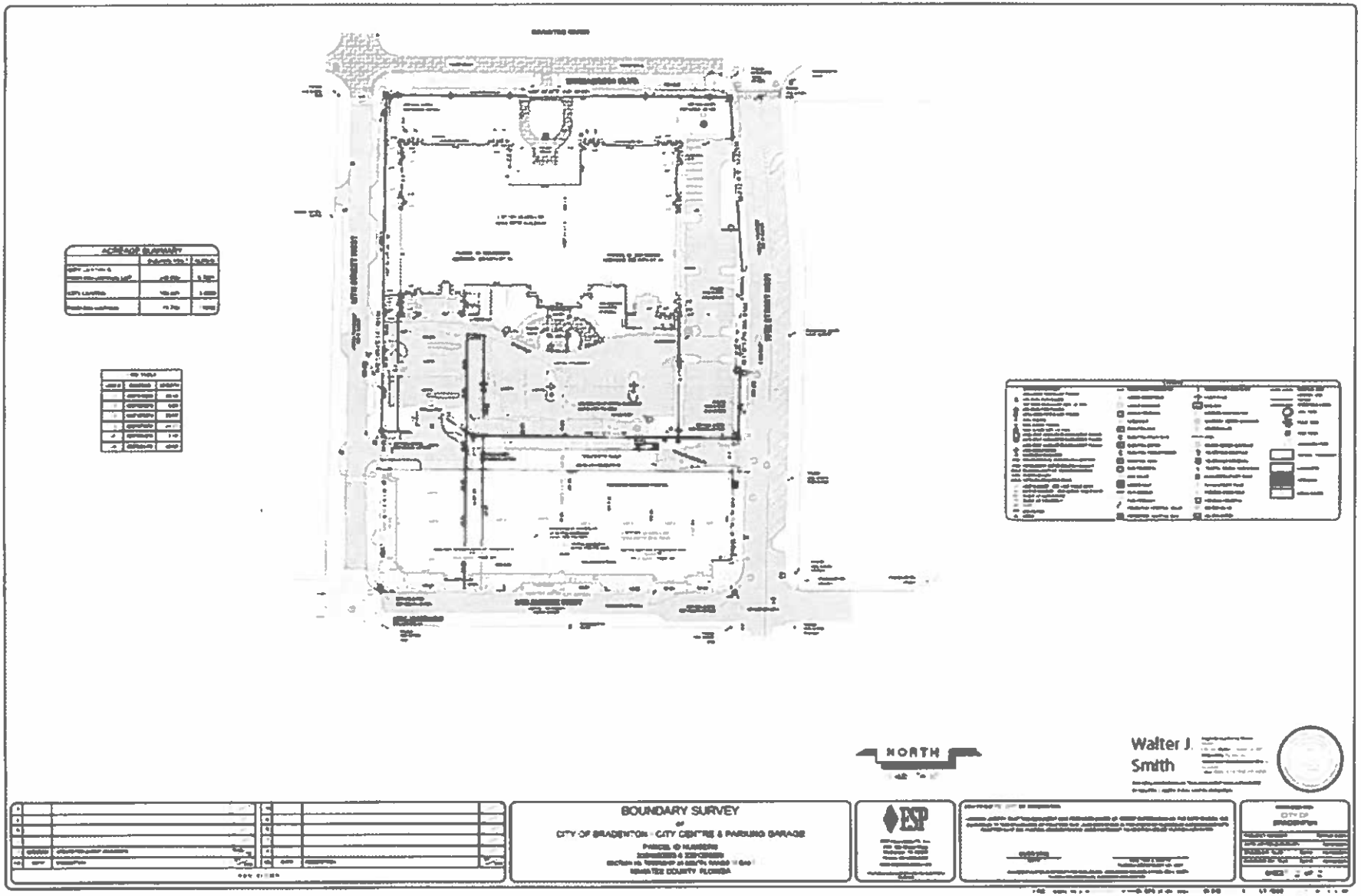
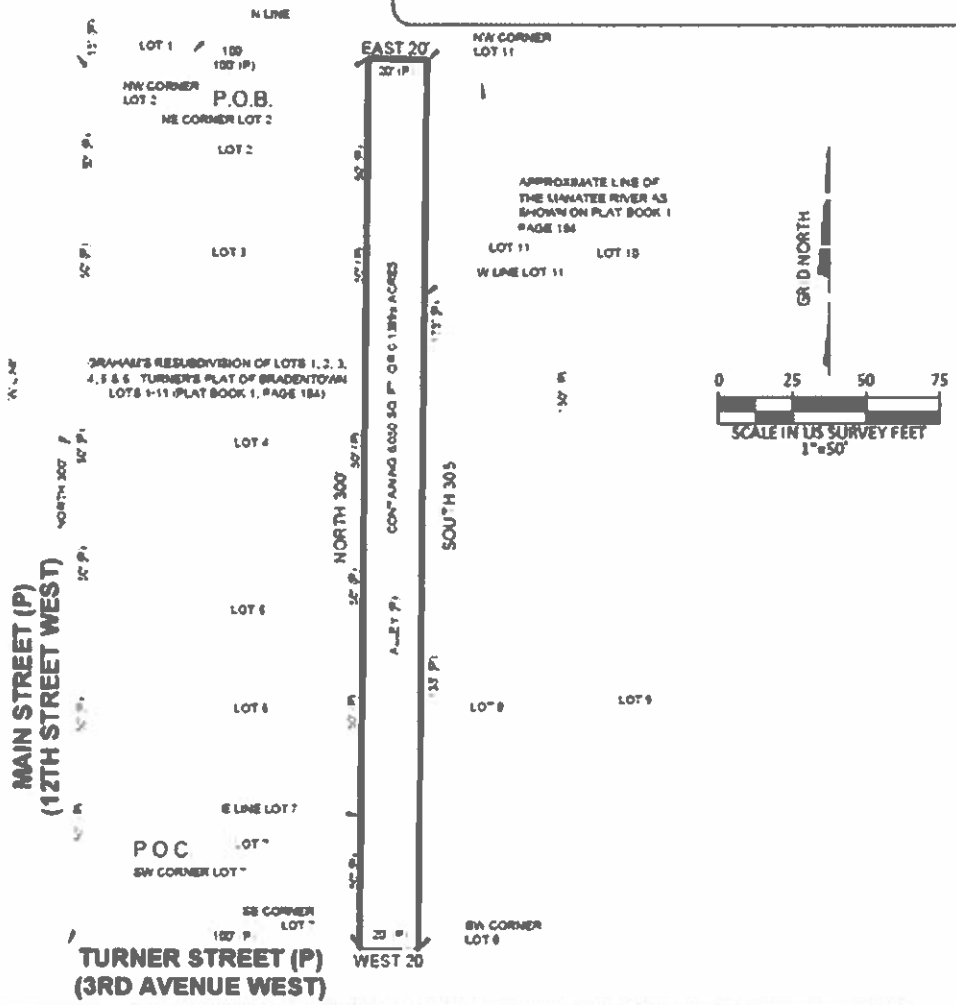

NORTH
Walter J.
Smith
BOUNDARY SURVEY
CITY OF BRADENTON - CITY CENTRE & PARKING GARAGE
ESP

EXHIBIT "A"

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY



LEGEND

⊕	CALCULATED POINT	P.O.B.	POINT OF BEGINNING		EASEMENT BOUNDARY
FDOT	FLORIDA DEPT OF TRANSPORTATION	P.O.C.	POINT OF COMMENCEMENT		PARENT TRACT BOUNDARY
R/W	RIGHT-OF-WAY	SQ.	SQUARE		PLATTED LINE
O.R.I.	OFFICIAL RECORDS INSTRUMENT	FT.	FEET		RIGHT-OF-WAY LINE
O.R.B.	OFFICIAL RECORDS BOOK	P.	PLAT		SECTION LINE

ESP
ESP Associates FL Inc
516 13th Street West
Bradenton, FL 34205
Phone 941-345-5451
www.espassociates.com
FOR PROFESSIONAL SURVEYORS AND MAPPERS LB 6741

SKETCH OF DESCRIPTION
OF
VACATION OF PLATTED ALLEY
PROJECT PARCEL CITY CENTRE & PARKING GARAGE
PARCEL ID: 3294300003
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

PREPARED FOR
THE CITY OF BRADENTON

PROJECT NUMBER
GV56 813 000

SHEET 2 OF 2

EXHIBIT "A"

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY

LEGAL DESCRIPTION

THE ALLEY, RE-SUBDIVISION OF LOTS 1 THROUGH 6, TURNER'S PLAT OF BRADENTON AS RECORDED IN PLAT BOOK 1, PAGE 184, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING BOUND ON THE WEST BY LOTS 2 THROUGH 7, ON THE EAST BY LOTS 7 THROUGH 11, ON THE SOUTH BY THE NORTH R/W OF TURNER STREET AND ON THE NORTH BY THE MANATEE RIVER AS SHOWN ON SAID PLAT BEING PART OF SECTION 26, IN TOWNSHIP 34 SOUTH, RANGE 17 EAST IN THE COUNTY OF MANATEE, RESIDING IN THE CITY OF BRADENTON, STATE OF FLORIDA BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 7 OF THE RE-SUBDIVISION OF LOTS 1 THROUGH 6, TURNER'S PLAT OF BRADENTOWN AS RECORDED IN PLAT BOOK 1, PAGE 184, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, THENCE NORTH ALONG THE WEST LINE OF SAID RE-SUBDIVISION PLAT, A DISTANCE OF 300 FEET TO THE NORTHWEST CORNER OF LOT 2 OF SAID RE-SUBDIVISION PLAT; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 100 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 OF SAID RE-SUBDIVISION PLAT, SAID POINT BEING THE POINT OF BEGINNING THENCE MEANDER EASTERLY ALONG THE WATERS EDGE AS SHOWN ON SAID RE-SUBDIVISION PLAT, A DISTANCE OF 20 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF LOT 11 OF SAID RE-SUBDIVISION PLAT, THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 11 AND LOT 8, A DISTANCE OF 305 FEET TO THE SOUTHWEST CORNER OF LOT 8 OF SAID RE-SUBDIVISION PLAT, THENCE WEST 20 FEET TO THE SOUTHEAST CORNER OF LOT 7 OF SAID RE-SUBDIVISION PLAT, THENCE NORTH ALONG THE EAST LINE OF SAID LOTS 2 THROUGH 7 OF SAID RE-SUBDIVISION PLAT A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING

CONTAINING 6,050 SQUARE FEET OR 0 1389 ACRES, MORE OR LESS

Walter J. Smith

Digitally signed by Walter J. Smith
DN: cn=Walter J. Smith, o=ESP Associates FL, Inc., ou, email=wjsmith@espassociates.com, c=US
Date: 2023.10.10 16:32:19-04'00'

WALTER J. SMITH
License No. 4807
STATE OF FLORIDA
Professional Surveyor and Mapper

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY WALTER J. SMITH, P.S.M. 4807 ON 10/10/2023.

SHEET INDEX

SHEET 1	LEGAL DESCRIPTION & NOTES
SHEET 2	SKETCH OF DESCRIPTION

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED PLAT BEARING OF NORTH ALONG THE EAST LINE OF LOTS 2 THROUGH 7, TURNER'S PLAT OF BRADENTON
2. THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17 050-.052, FLORIDA ADMINISTRATIVE CODE
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CERTIFICATION

CERTIFIED TO: THE CITY OF BRADENTON

I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED UNDER MY DIRECT SUPERVISION ON THE DATE SHOWN AND CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA IN ACCORDANCE WITH CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES

DATE

WALTER J. SMITH
FLORIDA CERTIFICATE NO. 4807

DOCUMENT NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND SEAL OF WALTER J. SMITH FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

ESP
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518 13th Street West
Bradenton, FL 34205
Phone: 941-345-5451
www.espassociates.com
PROFESSIONAL SURVEYORS AND MAPPERS
LB #7343

SKETCH OF DESCRIPTION
OF
VACATION OF PLATTED ALLEY
PROJECT PARCEL CITY CENTRE & PARKING GARAGE
PARCEL ID: 3294300003
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

PREPARED FOR
THE CITY OF BRADENTON

PROJECT NUMBER
GV56.813.000

Corey Fortin

From: Garver, Brian <Brian.Garver@fpl.com>
Sent: Thursday, May 23, 2024 8:44 AM
To: David Cronkhite
Cc: Corey Fortin; Kim Clayback
Subject: RE: [EXTERNAL] RE: City of Bradenton - Alley Vacation

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning,

Given the information provided in the documentation, FPL has no objection to the Alley Vacation.

Thank you,

Brian Garver
Delivery Assurance Lead / Relocation Coordinator
Whitfield Service Center – FPL
1253 12th Ave E
Palmetto, FL 34221
Office: 941-723-4442 Cell: 239-231-9471
Email: Brian.Garver@fpl.com
Power Delivery
FPL Recognize an employee today!
Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Supervisor Stephen Norton at (o) 941-927-4200 or Stephen.Norton@fpl.com



From: David Cronkhite <David.Cronkhite@bradentonFL.gov>
Sent: Wednesday, May 8, 2024 9:10 AM
To: Garver, Brian <Brian.Garver@fpl.com>
Cc: Corey Fortin <Corey.Fortin@bradentonFL.gov>; Kim Clayback <Kim.Clayback@bradentonFL.gov>
Subject: [EXTERNAL] RE: City of Bradenton - Alley Vacation
Importance: High

Brian,

I hope this helps. The alley in question appears on an old plat (Plat Book 1, page 184). The parcel is the old City Auditorium site that is now City Hall, Police Department and a parking garage. While researching the property records, no record of an alley vacation was found. The City is now trying to remedy this, since the parking garage is over the alley. The FPL facilities that run east-west just north of and parallel with 3rd Avenue West are within a 15-foot wide FPL utility easement, recorded in Official Records Book 1580, page 4427. Also, there was an underground power line that ran northwest from the FPL manhole on the north side of 3rd Avenue West to City Hall. This line was rerouted when the

parking garage was built. It now enters the site from 10th Street West, just north of the parking garage. The alley vacation would not affect the FPL facilities running parallel with 3rd Avenue West, since they are covered by the FPL utility easement (ORB 1580, Pg. 4427). Moreover, the City is not asking for the FPL utility easement to be released. I have enclosed the boundary survey for the City Centre site and a graphic with an aerial. If you have any questions, let me know. Thank you.

David Cronkhite, PSM
City Surveyor
City of Bradenton
Public Works and Utilities
1411 9th Street West
Bradenton, Fl. 34205
(941) 462-1984 Direct
(941) 708-6300 x229
(941) 290-9281 Cell
David.Cronkhite@bradentonFL.gov

From: Corey Fortin <Corey.Fortin@bradentonFL.gov>
Sent: Friday, April 26, 2024 1:24 PM
To: Kim Clayback <Kim.Clayback@bradentonFL.gov>; David Cronkhite <David.Cronkhite@bradentonFL.gov>
Subject: FW: [EXTERNAL] RE: City of Bradenton - Alley Vacation
Importance: High

Good afternoon. The City is trying to do an alley vacation on the City Centre property. Four of the utilities have signed off that they have no objection. Below is the response from Florida Power & Light. Rob asked that I reached out to both of you to see if you can advise who is responsible for doing the locate and relocation, how it is done or if you have any comments on what needs to happen to move forward with the vacation. Please advise.

Thank you!

Corey J. Fortin
Policy, Planning, Procedures & Real Estate Administrator
City of Bradenton
101 12th St. W.
Bradenton, FL 34205-7865
(941) 932-9451
www.cityofbradenton.com

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

The City of Bradenton shall not be held liable for use of ANY map or drawing attachment, which is provided as a public service for informational purposes. PLEASE NOTE that this information is NOT intended to be used as an authoritative public record for any geographic location, or as a legal document and shall have no legal force or effect. The City of Bradenton makes reasonable efforts to provide that data sent as an attachment is virus free, however the City of Bradenton assumes no responsibility for damages caused by the downloading or installation of this data. In addition

certain individuals or entities may have proprietary interests in such data and the use of it without such parties' consent may be prohibited. Viewing or Use of the data indicates that user accepts the above conditions.

From: Garver, Brian <Brian.Garver@fpl.com>
Sent: Wednesday, April 17, 2024 2:17 PM
To: Corey Fortin <Corey.Fortin@bradentonFL.gov>
Subject: RE: [EXTERNAL] RE: City of Bradenton - Alley Vacation

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good afternoon Corey,

I believe we have some necessary facilities running along the 20' of the southern edge of the easement. A set of locates should be able to confirm this. If they are running within the easement, we may require some time for relocation as they would be major facilities.



Let me know.

Thank you,

Brian Garver
Delivery Assurance Lead / Relocation Coordinator
Whitfield Service Center – FPL
1253 12th Ave E

Palmetto, FL 34221
Office: 941-723-4442 Cell: 239-231-9471
Email: Brian.Garver@fpl.com
Power Delivery
FPL Recognize an employee today!

Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Supervisor Stephen Norton at (o) 941-927-4200 or Stephen.Norton@fpl.com.



From: Corey Fortin <Corey.Fortin@bradentonFL.gov>
Sent: Wednesday, April 10, 2024 1:02 PM
To: Garver, Brian <Brian.Garver@fpl.com>
Subject: RE: [EXTERNAL] RE: City of Bradenton - Alley Vacation

Good afternoon. Please see image below. So it is basically an alley that goes right through the middle of the current City Hall Site from 3rd Avenue West to Barcarrota Blvd. Does this help?



Corey J. Fortin
Policy, Planning, Procedures & Real Estate Administrator
City of Bradenton
101 12th St. W.
Bradenton, FL 34205-7865
(941) 932-9451
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From: Garver, Brian <Brian.Garver@fpl.com>
Sent: Wednesday, April 10, 2024 10:20 AM
To: Corey Fortin <Corey.Fortin@bradentonFL.gov>
Subject: [EXTERNAL] RE: City of Bradenton - Alley Vacation

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning Corey,

I had trouble identifying the area in question, unfortunately. Could you send me a google image highlighting the area in question. I will look at it again today.

Thank you,

Brian Garver
Delivery Assurance Lead / Relocation Coordinator
Whitfield Service Center – FPL
1253 12th Ave E
Palmetto, FL 34221
Office: 941-723-4442 Cell: 239-231-9471
Email: Brian.Garver@fpl.com
Power Delivery
FPL Recognize an employee today!
Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Supervisor Stephen Norton at (o) 941-927-4200 or Stephen.Norton@fpl.com



From: Corey Fortin <Corey.Fortin@bradentonFL.gov>
Sent: Tuesday, April 9, 2024 1:11 PM
To: Garver, Brian <Brian.Garver@fpl.com>

Subject: FW: City of Bradenton - Alley Vacation
Importance: High

Good afternoon, Mr. Garver. To date I have not received a response to Mr. Perry's letter relative to the proposed alley vacation. While the letter did indicate that if we did not receive a response by March 31st the City will assume there is no objection, your reply to this email would be appreciated.

Please do not hesitate to contact me if you have any questions or need any additional information.

Thank you.

Corey J. Fortin
Policy, Planning, Procedures & Real Estate Administrator
City of Bradenton
101 12th St. W.
Bradenton, FL 34205-7865
(941) 932-9451
www.cityofbradenton.com

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From: Corey Fortin
Sent: Friday, March 15, 2024 11:46 AM
To: brian.garver@fpl.com
Subject: City of Bradenton - Alley Vacation

Good morning. Attached please find a letter from City Administrator, Rob Perry, relative to a proposed alley vacation. Please provide your response to this letter on or before March 31, 2024.

Thank you.

Corey

Corey J. Fortin
Policy, Planning, Procedures & Real Estate Administrator
City of Bradenton

101 12th St. W.
Bradenton, FL 34205-7865
(941) 932-9451
www.cityofbradenton.com

City of Bradenton
Planning and Community Development Department
City Council Public Hearing
August 14, 2024

Staff Report

Ordinance No.: 4048
Case No.: RV.24.2186
Applicant: City of Bradenton
Address: 101 12th Street West
Parcel ID: 3294300003
Current Zoning: T6 (Urban Core Transect District)
Future Land Use: URBCORE (Urban Core)
Flood Zone: AE, X

Surrounding Property Zoning:

Current Zoning: North: T6 (Urban Core Transect District)
South: T5 (Urban Center Transect District)
East: T6 (Urban Core Transect District)
West: T5 (Urban Center Transect District)

Future Land Use: North: UCBD (Urban Central Business District)
South: URBCORE (Urban Core)
East: URBCORE (Urban Core)
West: URBCORE (Urban Core)

The City of Bradenton (applicant/owner) has submitted a right-of-way vacation application requesting to vacate a 20-foot-wide alley located on property at 101 12th Street West. The proposed vacation is approximately 6,050-sq. ft. or 0.1389 acres in size.

The applicant is requesting the vacation in order clear the property of unused right-of-way in preparation for future redevelopment opportunities with the current City Hall/Police Department complex.

In review of the submitted survey, the subject right-of-way runs in a north/south direction from just south of the City Hall trash receptacle area, through a portion of the City Hall surface parking lot and parking garage, and terminating at 3rd Avenue West.

Section 2.2.7 of the City of Bradenton Land Use Restrictions (shown below) details the process for vacation of public right-of-way. The section calls for

the consideration of "whether [the] vacation would be detrimental to the public health, safety, welfare or convenience". In this case, the subject right-of-way are no longer being utilized by any public or public-serving agencies, so it appears that the proposed vacation will not be detrimental to public health, safety, welfare, or convenience.

If approved by City Council, the City Clerk shall record the reversion of the subject of right-of-way to adjacent property owners (the applicant).

As exhibited in the submitted application materials, private and public utilities that may utilize these right-of-way's have agreed to the vacations as they are no longer needed for public services.

LAND USE REGULATIONS:

2.2.7 *Vacation of public rights-of-way or public easements.* The City Council may, upon its own motion or upon a recommendation by Planning Commission, order the vacation of streets, easements, or other parcels of land dedicated for public purpose.

2.2.7.1 *Application.* Owners of property adjacent to right-of-way or owners of property with public easements may request their vacation by applying on forms or electronic media in a PDF format provided by the PCD Director and submitting the fee as required by Appendix A. The PCD Director may request additional information including a legal description of the property as necessary to process the application.

2.2.7.2 *Public Notice.* shall be made as required by Section 2.3. A legal description of the applicant property shall be on file with the PCD Director. City Council approval shall be required for the vacation of an easement. For the vacation of a right-of-way or other dedicated property, a public hearing before the Planning Commission and recommendation from that body are also required as well as a public hearing before City Council.

2.2.7.3 *Review of Application.* The PCD Director shall report to the Planning Commission and Director of Public Works all known non-City uses of such easement, right-of-way or property. The Planning Commission shall evaluate any request for vacation of right-of- way or other dedicated property to determine whether vacation would be detrimental to the public health, safety, welfare or convenience. Information presented at the public hearing regarding use of the property for access to other properties or other public purpose shall be considered by the Planning Commission in making its

recommendation. In cases where the right-of-way is used only for utilities, the Planning Commission may recommend the vacation provided that an easement is provided for such utilities. The recommendation shall be given to City Council in writing. City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

2.2.7.4 *Approval/Denial.*

a. Easement. City council may approve the vacation of an easement only with a favorable recommendation from the director of public works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended

b. *Right-of-way or other dedicated parcel.* Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review (See Subsection 2.2.7.3 above), and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

2.2.7.5 *Public Recording.* The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement or right-of-way to the appropriate owner(s). In the case of right-of-way, the vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

COMPREHENSIVE PLAN:

Transportation Element:

Objective 1.5 Right-of-Way Preservation
Where transportation improvement projects are consistent with the goals and vision of the City as stated in the Comprehensive Plan, the City shall ensure that any needed right of way is protected and preserved.

Policy 1.5.1 Right-of-Way Contributions
The City shall seek donations or dedications of needed right-of-way by developers, where feasible.

Policy 1.5.2 Impact of Right-of-Way on Natural Systems
The City shall coordinate with land owners and governmental entities to ensure the location and design or

roadway and public transit rights-of-way, and improvements therein, shall minimize direct and indirect impacts to jurisdictional wetland areas, rivers, lakes, and streams, as well as listed species.

Policy 1.5.3 Transit System Right-of-Way

The City shall consider, and include as necessary, transit and alternative mode corridor protection and reservation through the inclusion of appropriate bus and rail transit corridors, and alternative mode corridors on the Transportation Map series.

Policy 1.5.4 Provision of Adequate Access to Land Use Activities

To provide adequate access to land use activities, the City shall enforce policies, standards and regulations that relate the design, function and balance of the transportation facilities to the type, size and location of the land uses that they serve.

Staff Comments:

City Council is encouraged to evaluate the request based on the provided application materials as well as input from staff, the applicant, and the public and base its decision on the criteria found under Section 2.2.7 of the Land Use Regulations, which establishes the criteria for the vacation of a public right-of-way or easement.

Planning Commission met on July 17, 2024 and recommended to City Council **Approval** of Ordinance 4048, Case RV.24.2186 (vote 5-0).

Respectfully submitted,

Gregory J. DeLong
Assistant PCD Director

EXHIBITS:

EXHIBIT A: Location Map

EXHIBIT B: Future Land Use Map

EXHIBIT C: Zoning Map

EXHIBIT D: Sketch of Description – Map of Right-of-Way

EXHIBIT E: Sketch of Description – Legal Description

EXHIBIT F: Boundary Survey

EXHIBIT "A"
Location Map



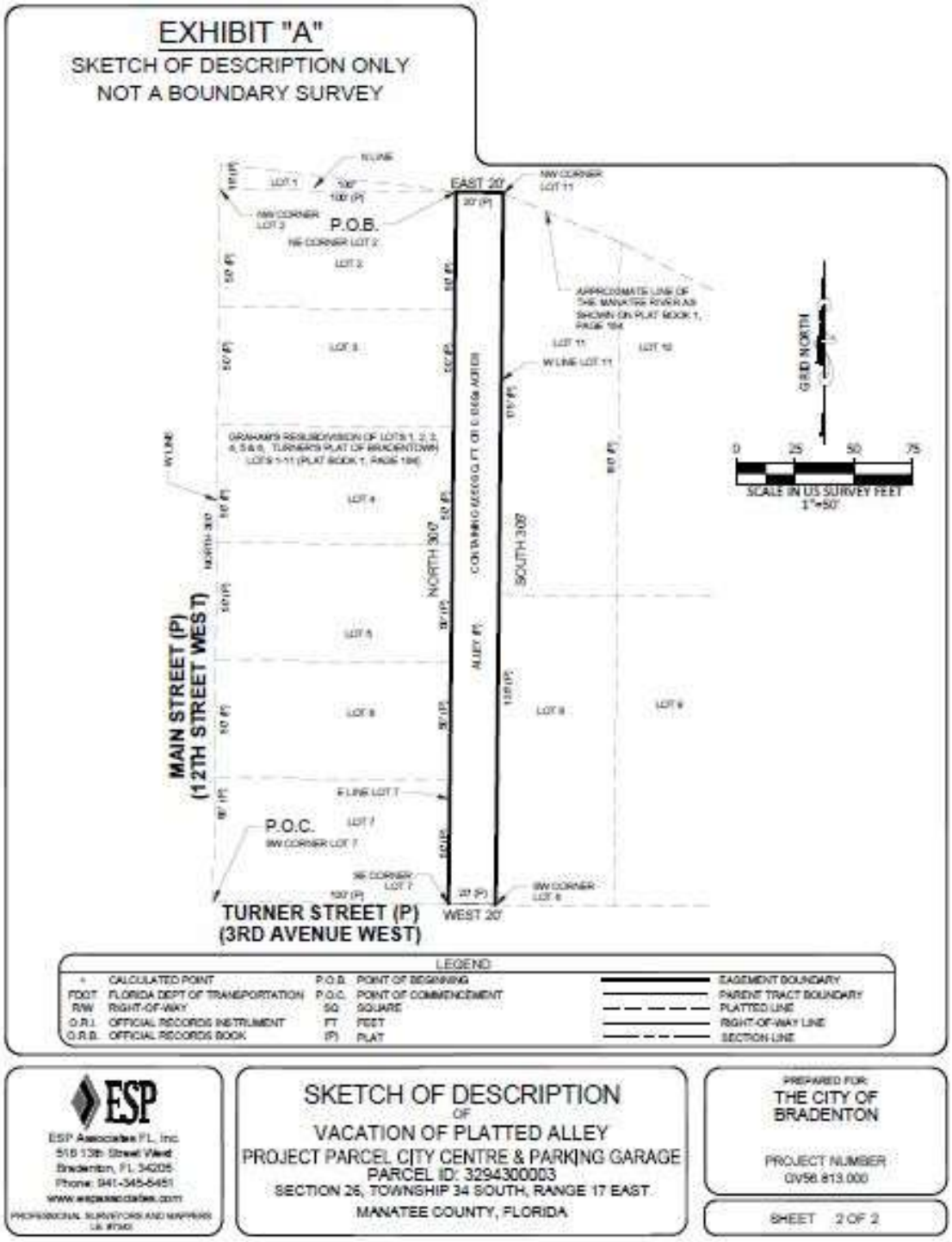
EXHIBIT "B"
Future Land Use Map



EXHIBIT "C"
Zoning Map



EXHIBIT "D"
Sketch of Description – Map of Right-of-Way



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SKETCH OF DESCRIPTION
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PARCEL ID: 3294300003
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

PREPARED FOR:
THE CITY OF BRADENTON

PROJECT NUMBER
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SHEET 2 OF 2

EXHIBIT "E"
Sketch of Description – Legal Description

EXHIBIT "A"

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LEGAL DESCRIPTION

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CONTAINING 6,050 SQUARE FEET OR 0.1389 ACRES, MORE OR LESS.

WALTER J. SMITH
License Number
4807
STATE OF FLORIDA
Professional Surveyor and Mapper

SHEET INDEX

SHEET 1:	LEGAL DESCRIPTION & NOTES
SHEET 2:	SKETCH OF DESCRIPTION

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY WALTER J. SMITH, P.S.M. 4807 ON 10/10/2023.

SURVEYOR'S NOTES

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2. THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-.052, FLORIDA ADMINISTRATIVE CODE.
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CERTIFICATION

CERTIFIED TO: THE CITY OF BRADENTON

I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED UNDER MY DIRECT SUPERVISION ON THE DATE SHOWN AND CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA IN ACCORDANCE WITH CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DATE

WALTER J. SMITH
FLORIDA CERTIFICATE NO. 4807

DOCUMENT NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND SEAL OF WALTER J. SMITH FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.

ESP

ESP Associates FL, Inc.
515 13th Street West
Bradenton, FL 34205
Phone: 941-345-8451
www.espassociates.com
PROFESSIONAL SURVEYORS AND MAPPERS LB: 8730

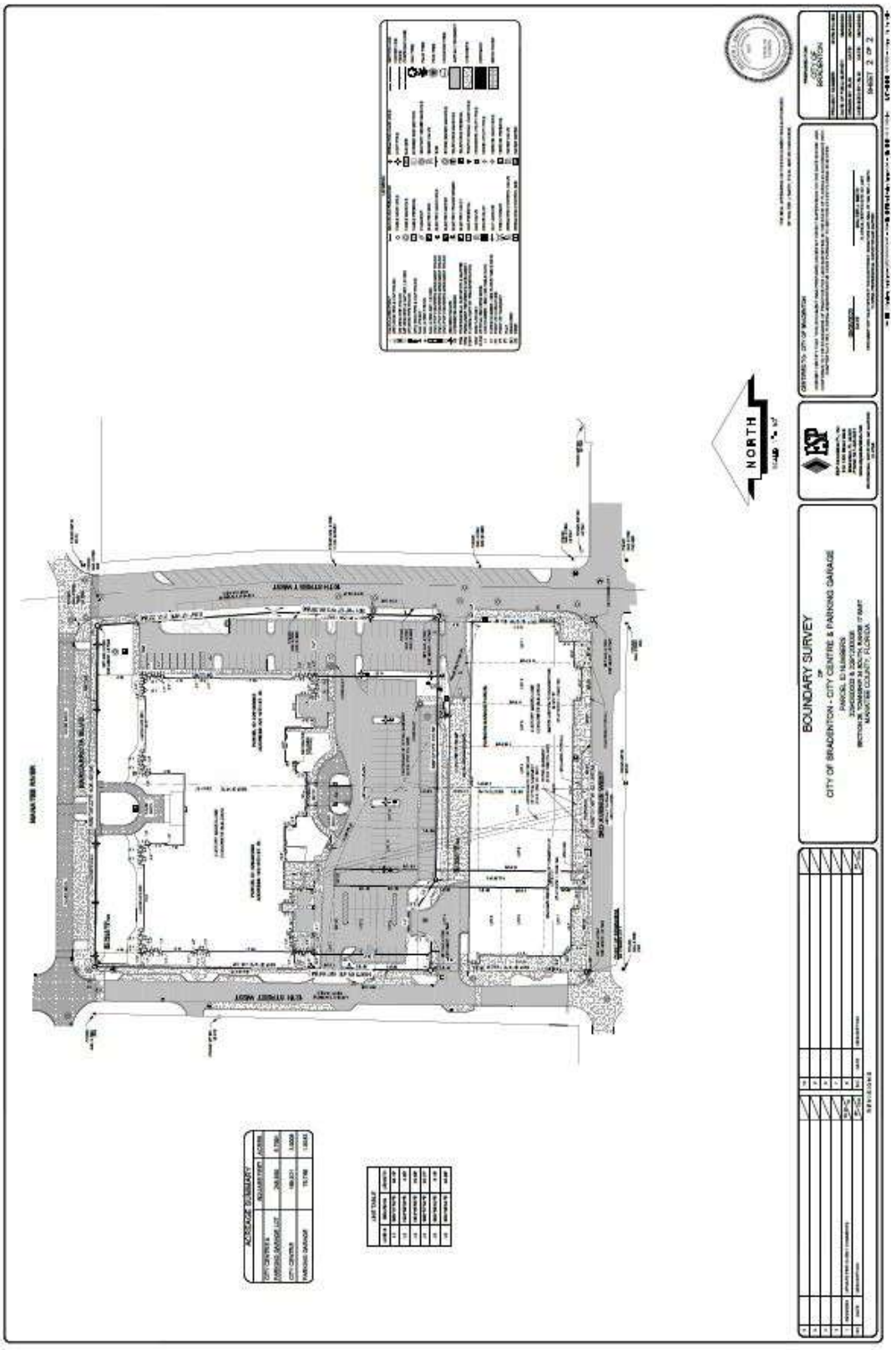
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PARCEL ID: 3294300003
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

PREPARED FOR:
THE CITY OF BRADENTON

PROJECT NUMBER
GV56.813.000

SHEET 1 OF 2

EXHIBIT "F"
Boundary Survey



City Council
August 14, 2024

Ordinance 4048 / Case Number RV.24.2186

Request to vacate a platted 20-foot wide alley located on property at 101 12th Street West

Staff Contact: Greg DeLong; Asst. PCD Director

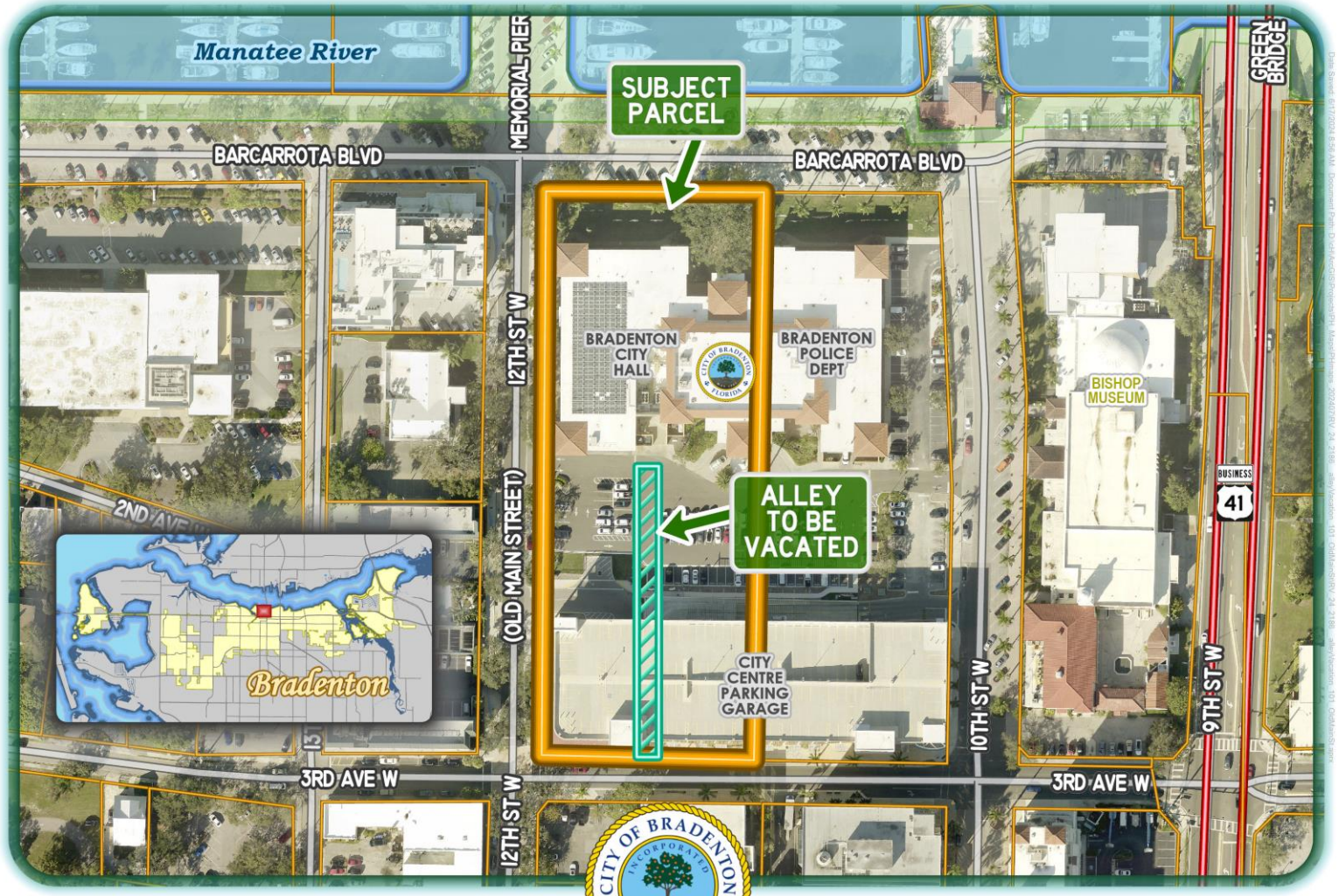
Case Information

- Applicant: City of Bradenton
- Address: 101 12th Street West
- General Location: North of 3rd Avenue West; East of 12th Street West; and West of 10th Street West
- Area Size: Approx. 6,050-sq. ft. (0.1389 acres)
- Current Zoning: T6 (Urban Core)
- FLUM Zoning: URBCORE (Urban Core)
- Flood Zone: AE, X
- Existing Use: City Hall / Police Complex
- Purpose: Prepare the property for potential redevelopment opportunities

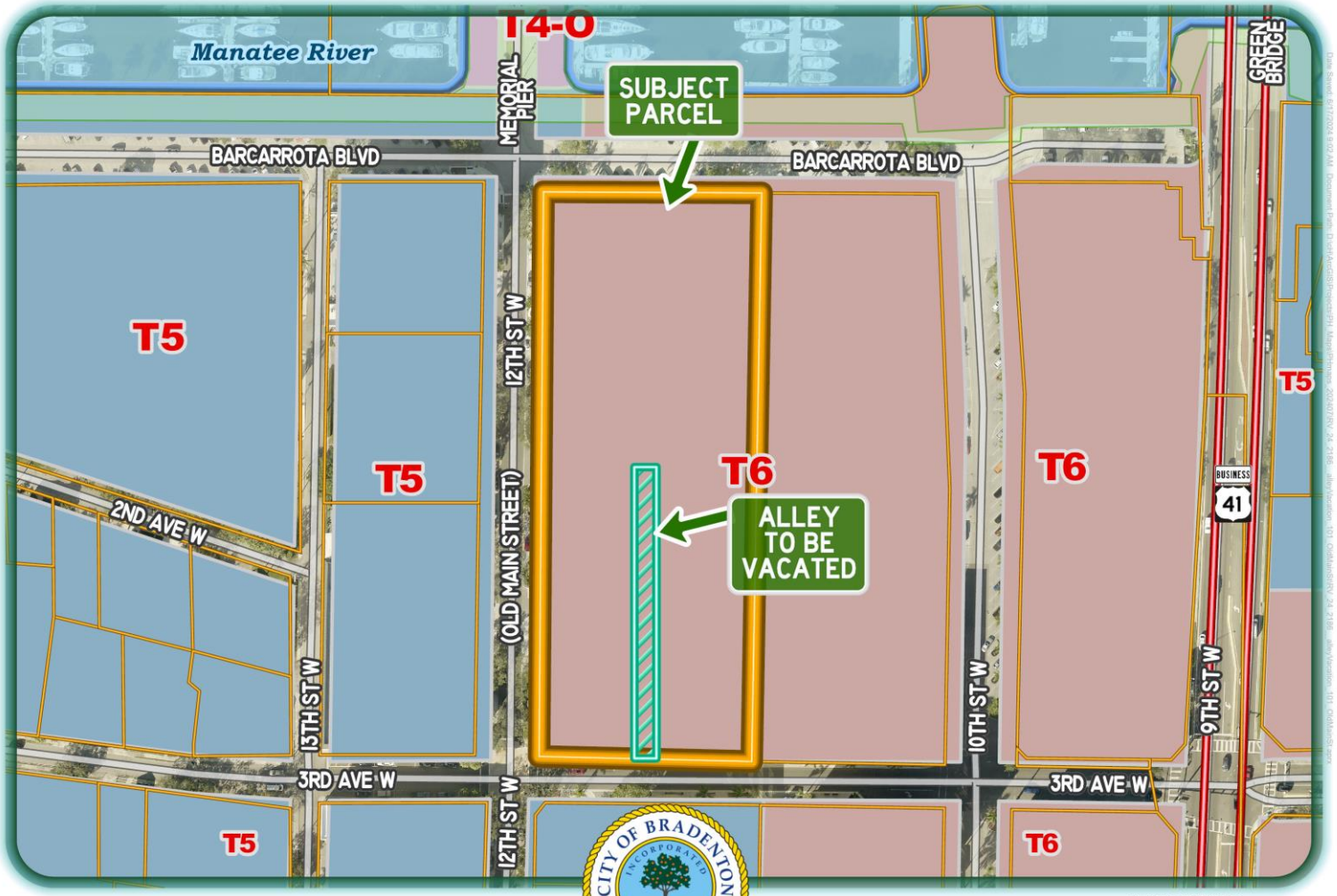
Request

- Vacate a platted 20-ft. wide alley located at 101 12th Street West
- Request is approximately 6,050-square feet (0.1389 acres) in size
- Subject alley runs in a north/south direction:
  - From just south of the City Hall trash receptacle area
  - Through a portion of the City Hall surface parking lot and parking garage
  - Terminating at 3rd Avenue West
- Purpose of vacation is to prepare the subject property for future redevelopment opportunities
- Utility companies have all signed off on the proposed request

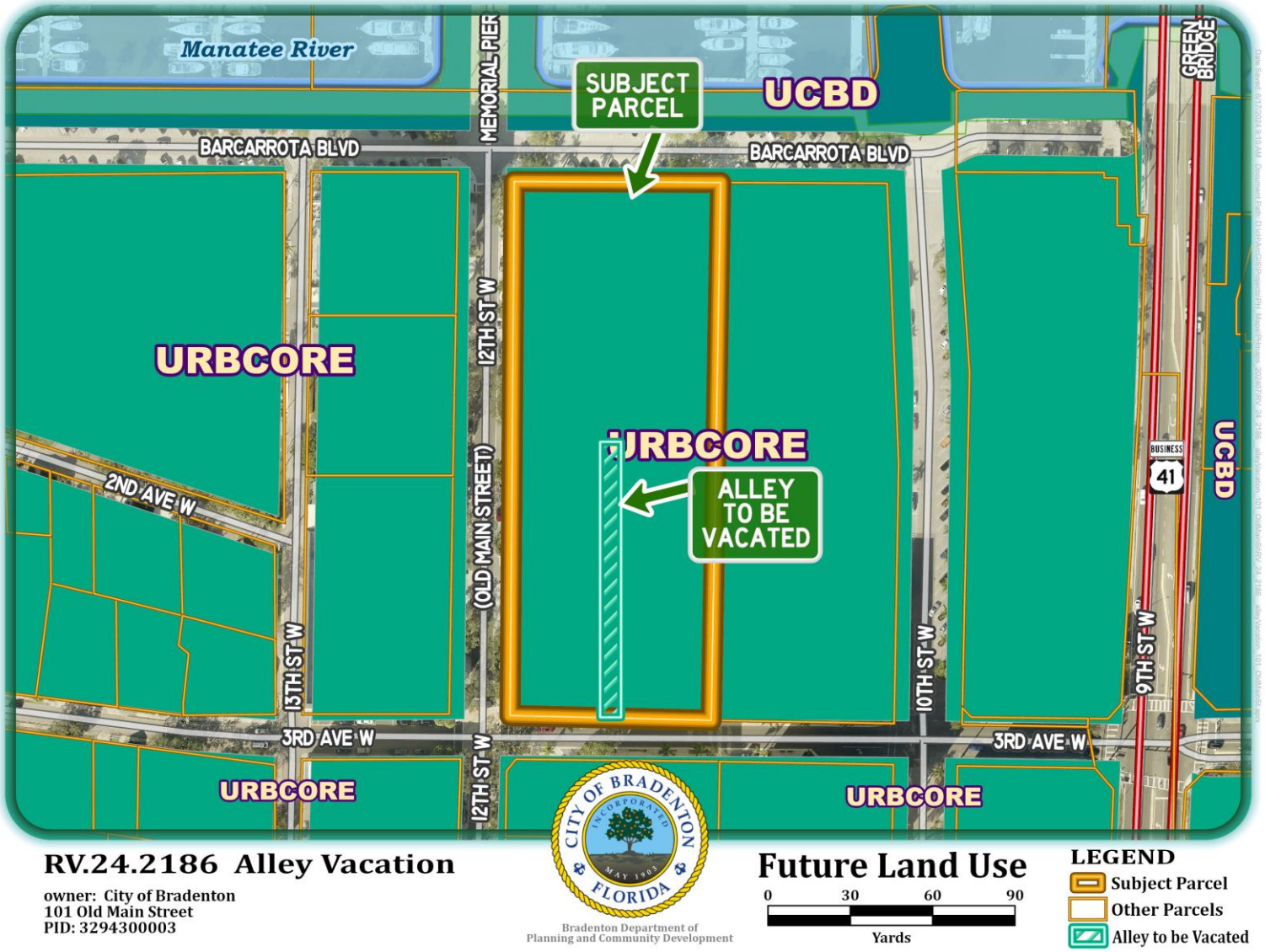
Location Map



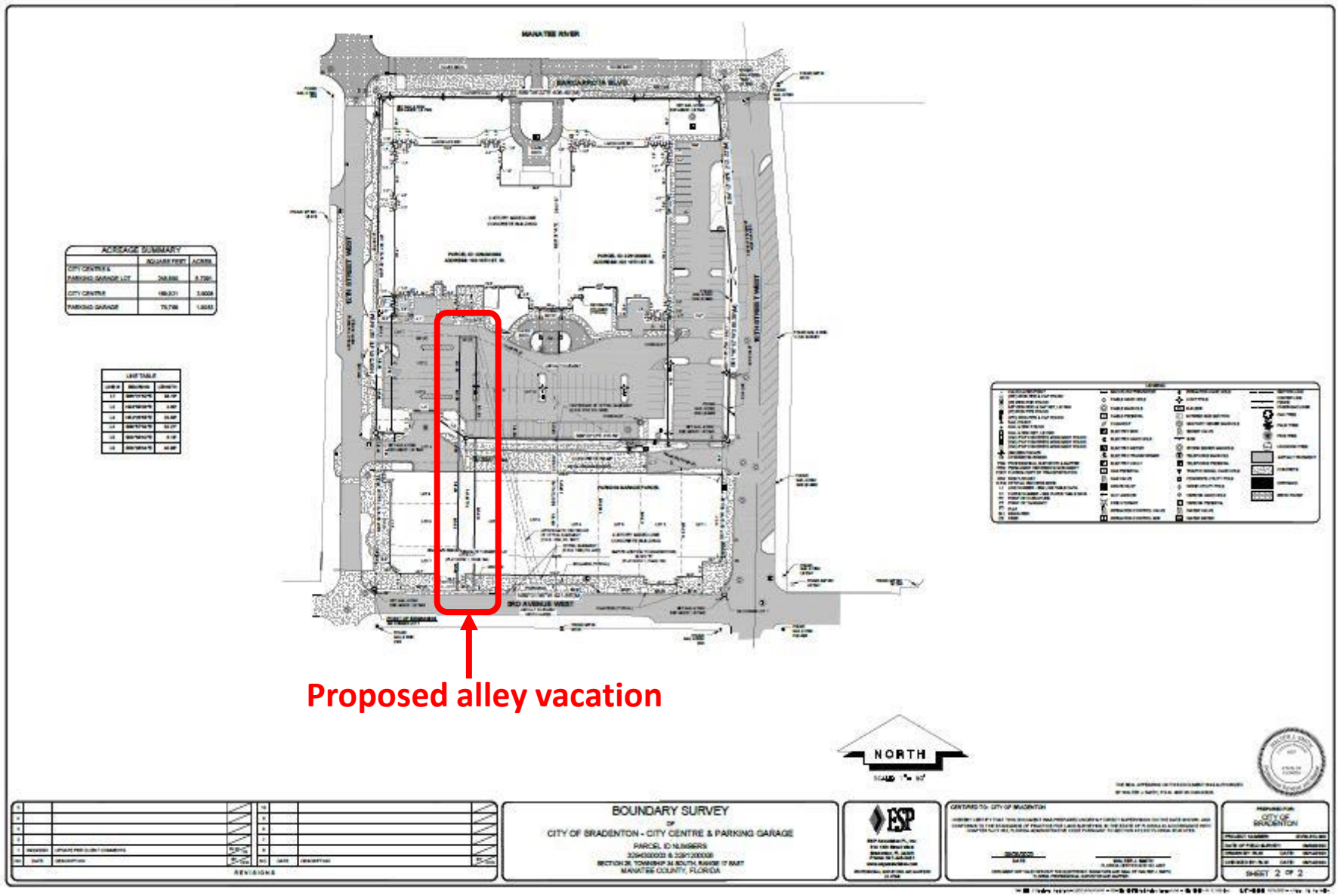
Zoning Map


T4-0
Manatee River
SUBJECT PARCEL
MEMORIAL PIER
GREEN BRIDGE
BARCARROTA BLVD
BARCARROTA BLVD
T5
T5
T6
T6
T5
ALLEY TO BE VACATED
12TH ST W
(OLD MAIN STREET)
2ND AVE W
15TH ST W
10TH ST W
9TH ST W
BUSINESS 41
3RD AVE W
3RD AVE W
12TH ST W
T5
T6
RV.24.2186 Alley Vacation
owner: City of Bradenton
101 Old Main Street
PID: 3294300003
CITY OF BRADENTON INCORPORATED MAY 1903 FLORIDA
Bradenton Department of Planning and Community Development
Zoning
0 30 60 90
Yards
LEGEND
Subject Parcel
Other Parcels
Alley to be Vacated

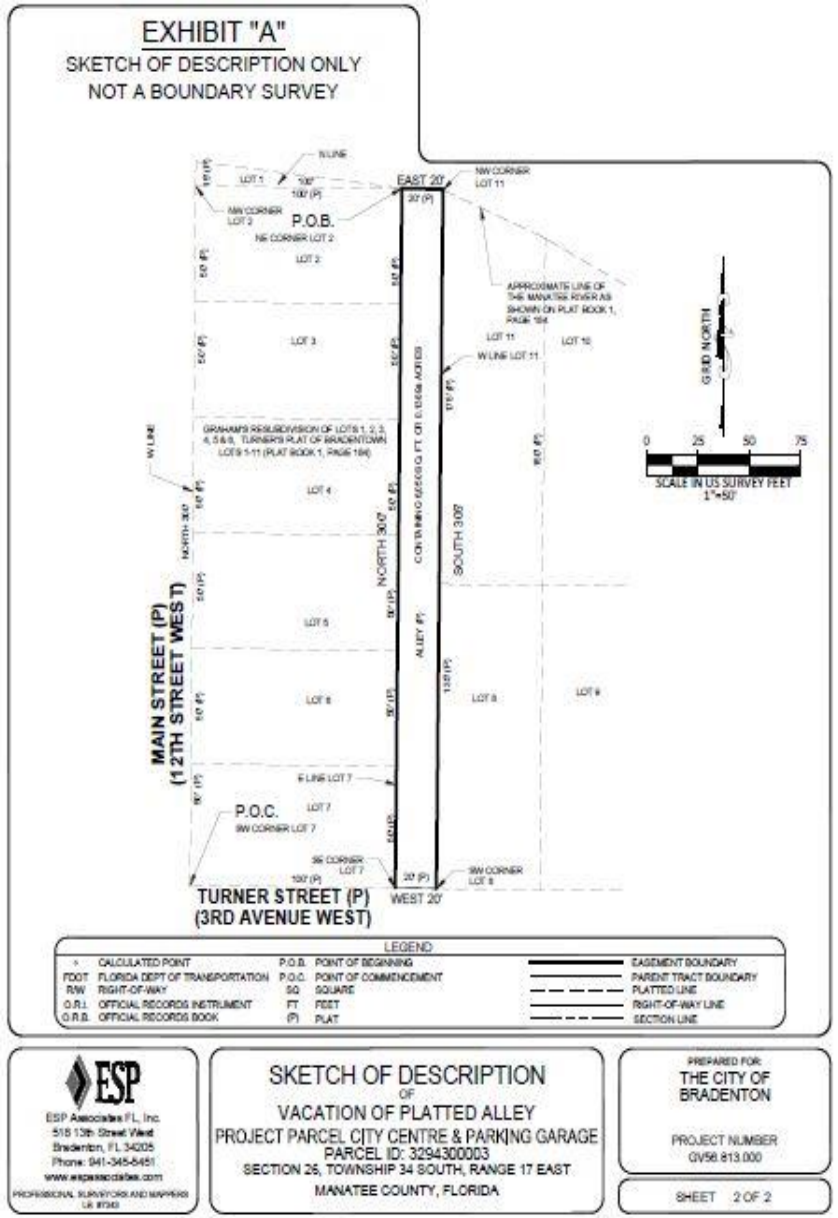
Future Land Use Map

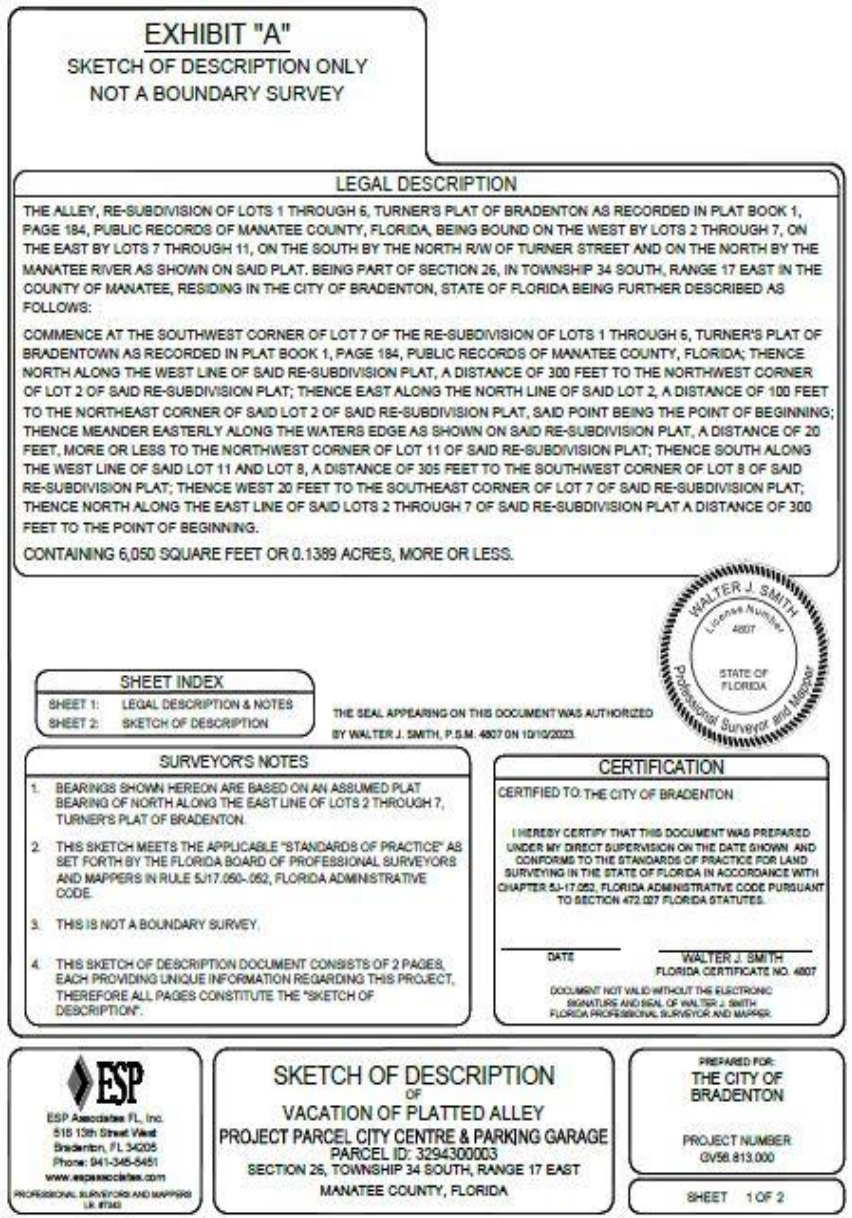


Boundary Survey



Sketch and Legal Description





Existing Conditions (Looking South)



Existing Conditions (Looking North)



Land Use Regulations

- Section 2.2.7 of the City of Bradenton's Land Use Regulations (LUR) details the process for vacating public right-of-way including the review criteria

  Key points for review include:

  - Vacation will not be detrimental to public health, safety, welfare, or convenience
  - No public or private utilities utilize the right-of-way, as demonstrated by letters of verification that were submitted with the application
    - ✓ *Letters were submitted by all utility companies stating that they have no utilities in the subject portions of right-of-way*

Comprehensive Plan

- Objective 1.5 Right-of-Way Preservation

  Where transportation improvement projects are consistent with the goals and vision of the City as stated in the Comprehensive Plan, the City shall ensure that any needed right-of-way is protected and preserved.

  ✓ *The subject right-of-way is already built upon, with a structure (parking garage). Combining this with the fact utility companies have signed off on the request, it appears that the subject right-of-way is not needed*

Analysis / PC Recommendation

City Council is encouraged to evaluate the request based on the provided application materials as well as input from staff, the applicant, and the public and base its decision on the criteria found under Section 2.2.7 of the Land Use Regulations, which establishes the criteria for the vacation of a public right-of-way or easement.

Planning Commission met on July 17, 2024, and recommended to City Council **Approval** of Ordinance 4048, Case RV.24.2186 (vote 5-0)

AGENDA ITEM NO. 7.f

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Tamara Melton, Police

ITEM TYPE: Ordinance

AGENDA SECTION: BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

SUBJECT: ORDINANCE 4047 - SECOND READING AND PUBLIC HEARING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 6, RELATED TO ALCOHOLIC BEVERAGES; AMENDING SECTION 6-1 TO ADD DEFINITIONS; AMENDING SECTION 6-2 TO PROHIBIT ALCOHOLIC BEVERAGES FROM BEING SOLD, CONSUMED, OR SERVED, OR PERMITTED TO BE SERVED OR CONSUMED IN ANY ESTABLISHMENT BETWEEN THE HOURS OF 12:00 A.M. AND 7:30 A.M.; PROVIDING FOR EXEMPTIONS; PROVIDING FOR ANY ESTABLISHMENT LICENSED UNDER THE STATE BEVERAGE LAWS THAT DESIRES TO REMAIN OPEN FOR THE PURPOSE OF SALE, SERVICE, OR CONSUMPTION BETWEEN THE HOURS OF 12:00 A.M. AND 2:30 A.M. TO APPLY FOR AN AFTER MIDNIGHT PERMIT; ADDING PROVISIONS FOR THE APPLICATION REQUIREMENTS AND FEE; PROVIDING FOR REGULATIONS RELATING TO THE AFTER MIDNIGHT PERMIT; PROVIDING FOR CONDITIONS TO BE IMPOSED ON THE AFTER MIDNIGHT PERMIT; PROVIDING FOR SUSPENSION AND REVOCATION OF THE AFTER MIDNIGHT PERMIT; PROVIDING FOR THE APPOINTMENT OF A HEARING OFFICER TO RULE ON SUSPENSION AND REVOCATION OF AFTER MIDNIGHT PERMITS; PROVIDING FOR ENFORCEMENT; AMENDING CHAPTER 6, TO ADD A NEW SECTION 6-7 ESTABLISHING EVIDENCE OF PROSECUTION OF VIOLATIONS; PROVIDING FOR CODIFICATION;

PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION: Approval

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:
There has recently been an increase in criminal and violent activity occurring after midnight at establishments within the City of Bradenton as well as an increase in other issues related to public safety and crowd control. The City of Bradenton has found a disproportionate amount of resources are being allocated to establishments within the City to combat the increase in violent and criminal activity that has occurred after midnight.

The City of Bradenton has determined that the proposed amendments are necessary or helpful to protect public health, safety, and welfare. Ordinance 4047 will also set forth instructions on how establishments may apply for an After Midnight Permit, public safety measures, and the violation process with the City of Bradenton.

FINANCIAL IMPACT:
TBD

ATTORNEY REVIEW/RECOMMENDATION:
Attorney Rudacille reviewed the ordinance.

SUGGESTED MOTION:
Motion to approve Ordinance 4047.

ATTACHMENTS:
Ordinance 4047
Business Impact Estimate

ORDINANCE NO. 4047

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 6, RELATED TO ALCOHOLIC BEVERAGES; AMENDING SECTION 6-1 TO ADD DEFINITIONS; AMENDING SECTION 6-2 TO PROHIBIT ALCOHOLIC BEVERAGES FROM BEING SOLD, CONSUMED, OR SERVED, OR PERMITTED TO BE SERVED OR CONSUMED IN ANY ESTABLISHMENT BETWEEN THE HOURS OF 12:00 A.M. AND 7:30 A.M.; PROVIDING FOR EXEMPTIONS; PROVIDING FOR ANY ESTABLISHMENT LICENSED UNDER THE STATE BEVERAGE LAWS THAT DESIRES TO REMAIN OPEN FOR THE PURPOSE OF SALE, SERVICE, OR CONSUMPTION BETWEEN THE HOURS OF 12:00 A.M. AND 2:30 A.M. TO APPLY FOR AN AFTER MIDNIGHT PERMIT; ADDING PROVISIONS FOR THE APPLICATION REQUIREMENTS AND FEE; PROVIDING FOR REGULATIONS RELATING TO THE AFTER MIDNIGHT PERMIT; PROVIDING FOR CONDITIONS TO BE IMPOSED ON THE AFTER MIDNIGHT PERMIT; PROVIDING FOR SUSPENSION AND REVOCATION OF THE AFTER MIDNIGHT PERMIT; PROVIDING FOR THE APPOINTMENT OF A HEARING OFFICER TO RULE ON SUSPENSION AND REVOCATION OF AFTER MIDNIGHT PERMITS; PROVIDING FOR ENFORCEMENT; AMENDING CHAPTER 6, TO ADD A NEW SECTION 6-7 ESTABLISHING EVIDENCE OF PROSECUTION OF VIOLATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 562.14, Florida Statutes, no alcoholic beverages may be sold, consumed, served, or permitted to be served or consumed in any place holding a license under the division of Alcoholic Beverages and Tobacco between the hours of midnight and 7:00 a.m., unless otherwise provided by municipal ordinance; and

WHEREAS, the City of Bradenton previously enacted Section 6-2 of the City Code, which, inter alia, extended the hours that alcoholic beverages were permitted to be sold, consumed, served, and permitted to be served or consumed in places holding such license, from midnight to 2:30 a.m.; and

WHEREAS, after there has recently been an increase in criminal and violent activity occurring after midnight at establishments within the City of Bradenton as well as an increase in other issues related to public safety and crowd control; and

WHEREAS, the City of Bradenton has found a disproportionate amount of resources are being allocated to establishments within the City of Bradenton to combat the increase in violent and criminal activity that has occurred after midnight; and

WHEREAS, pursuant to Section 562.14, Florida Statutes, the City of Bradenton has determined additional parameters are required to be in place to preserve public safety and better balance resources city-wide, while allowing the sale of alcoholic beverages between the hours of midnight and 2:30 a.m.; and

WHEREAS, the City of Bradenton City Council has determined that the proposed amendments are necessary or helpful to protect public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA:

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. Amended Code Language.

A. Section 6-1 shall be amended to add the following definitions in alphabetical order within the existing terms:

After Midnight Permit shall mean a permit applied for by and granted to an Establishment which allows it to remain open for the purpose of sale, service, or consumption of alcoholic beverages between the hours of 12:00a.m. and 2:30a.m.

Establishment shall mean any person, place or entity within the City of Bradenton, that is licensed under the state beverage laws and whose principal business is the sale, service, or consumption of alcoholic beverages. The term establishment shall include all owners of the establishment, and if the establishment is owned by a club or corporate entity, shall include the officers of said club or corporate entity.

Sale shall mean the delivery of an alcoholic beverage to any person during prohibited hours regardless of whether payment therefore is made at some other time.

B. Section 6-2 shall be amended as follows:

Sec. 6-2 - Hours of sale and consumption.

~~No alcoholic beverages may be sold, consumed, served or permitted to be served or permitted to be consumed in any place of establishment licensed by~~

~~the state or by the city for the sale of alcoholic beverages between the hours of 2:30 a.m. and 7:00 a.m.~~

Except as otherwise provided in this section, no alcoholic beverages shall be sold, consumed, or served, or permitted to be served or consumed in an Establishment in any manner between the hours of 12:00 a.m. and 7:30 a.m.

Notwithstanding the above, alcoholic beverages may be sold, consumed, or served, or permitted to be served or consumed in an Establishment between the hours of 12:00 a.m. and 2:30 a.m. if permitted in accordance with this section or exempted from such requirements by this section.

(a) *Exemptions*. The following exemptions shall apply to this section:

(1) Alcoholic beverages may be sold for consumption off premises in any place holding a license from the Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Bureau of Licensing, which license permits package sale of alcoholic beverages by the licensee for consumption off the premises of the license, but only between the hours of 7:30 a.m. and 2:30 a.m.

(2) Civic auditoriums and sports arenas, as defined by Chapter 159, Florida Statutes, public lodging establishments regulated by Chapter 509, Florida Statutes, and motion picture theaters, as defined by Chapter 540, Florida Statutes, are exempt from the requirement to obtain an After Midnight Permit so long as their principal business is not the sale, service, or consumption of alcoholic beverages.

(3) The City streets, sidewalks, or alleys, and events taking place on such streets, sidewalks or alleys, may be exempted from the requirement to obtain an After Midnight Permit if authorized by the Chief of Police or pursuant to a community event permit issues under Section 6-4.

(b) *After Midnight Permit Required*. An Establishment that desires to remain open for the purpose of sale, service, or consumption of alcoholic beverages between the hours of 12:00 a.m. and 2:30 a.m., may make application with the City for an After Midnight Permit. No After Midnight Permit may be issued to an Establishment that has any outstanding obligations to the City, including but not limited to any code violations or liens.

(c) *Application Form*. The application form for an After Midnight Permit shall be provided by the City and shall require information about the Establishment, including, though not exclusively, the name and address of the Establishment, the name(s) and address(es) of the owner(s) of the

Establishment and the property on which the Establishment is located, the name(s) of the responsible person(s), the maximum occupancy of the Establishment, the amount of required parking, if any, the type of alcohol license possessed by the Establishment, and the name and address where notices related to enforcement of this section are to be mailed or delivered. After Midnight Permit holders are required to amend their application that is on file with the City within ten (10) days of any change in the information set forth on the application form.

(d) *After Midnight Permit Application Fee*. Prior to the issuance of a new or renewal After Midnight Permit under this section, the applicant shall be required to pay a fee as established by resolution of the City Council. The application fee will be utilized to reimburse the City for its costs to administer the After Midnight Permit program, as well as inspecting and regulating the use that has been authorized under the After Midnight Permit.

(e) *Public Safety Measures.*

(1) *Police Protection and Security*. The Chief of Police shall determine whether and to what extent state-licensed private security or police protection is reasonably necessary inside and outside of Establishments granted After Midnight Permits for the purpose of traffic control and public safety. The Chief of Police shall base this decision on the occupancy, type of alcohol license, traffic control, history of violent incidents that have previously occurred at or were related to the Establishment, and any other factor reasonably related to public safety. If such police protection or security is deemed necessary by the Chief of Police, the City will inform the After Midnight Permit applicant, specifying the number of state-licensed security that are necessary to be placed inside the Establishment, the number of police officers that are necessary to be placed outside of the Establishment and the number, and the particular time and days that such state-licensed security or police officers are required. The applicant shall secure the police protection or state-licensed private security deemed necessary by the Chief of Police at the sole expense of the applicant.

(2) *Weapons Detection System*. The Chief of Police shall determine whether and to what extent a weapons detection system, e.g., metal detectors, are reasonably necessary within the Establishment. The Chief of Police shall base this decision on the occupancy, type of alcohol license, history of violent incidents that have previously occurred at or were related to the Establishment, and any other factor reasonably related to public safety. If a weapons detection system is deemed necessary by the Chief of Police, the City will inform the applicant of the minimum requirements and quantity of weapons detectors needed, the

necessary detection abilities of the system, and the particular days and times that the system is required to be used.

Each patron who enters the Establishment without being checked by the weapons detection system as required by their After Midnight Permit shall be considered a separate violation of the terms of the After Midnight Permit.

(3) *Identification Scanners*. The Chief of Police shall determine whether and to what extent identification (ID) scanners are reasonably necessary within the Establishment. The Chief of Police shall base this decision on the occupancy, type of alcohol license, history of underage drinking at the establishment, history of violent incidents that have previously occurred at or were related to the Establishment, and any other factor reasonably related to public safety.

If ID scanners are deemed necessary by the Chief of Police, the City will inform the applicant of the minimum requirements and quantity of ID scanners needed, and the particular days and times that ID scanners are required to be used.

Each patron who enters the Establishment whose ID is not scanned as required by the After Midnight Permit shall be considered a separate violation of the terms of the After Midnight Permit.

(4) *Occupancy Load Monitoring*. Each Establishment shall employ a verifiable occupancy load monitoring system within the Establishment and keep a count of all individuals within the Establishment between 10:00 p.m. and the time of closing. Such count must be readily provided to any officer of the City acting in their official capacity by the Establishment upon request.

(f) *After Midnight Permit Review*. The City Administrator, or his or her designee, will review the After Midnight Permit application and, if the application is complete, an After Midnight Permit shall be issued to the Establishment, subject to the conditions of the After Midnight Permit, as well as the provisions of this section and applicable laws, rules, and regulations.

(g) *Conditions of After Midnight Permit*. Each Establishment must abide by all reasonable conditions placed upon the After Midnight Permit, including, but not limited to the public safety measures outlined in this section, and any requirements associated with the Establishment's retail beverage license and Chapter 562, Florida Statutes. Conditions may be placed upon the After Midnight Permit at the time of initial After Midnight Permit review or upon any renewal.

(h) *Display of Decal*. Upon the issuance of an After Midnight Permit under this section, the City shall also issue a decal to the Establishment indicating the Establishment's hours of operation, occupancy, and the expiration of the After Midnight Permit. Such decal shall be conspicuously displayed at or about the primary place of ingress of the Establishment in a fashion that is visible from outside the Establishment.

(i) *After Midnight Permit Effective Term*. Once issued an After Midnight Permit is effective for a 12-month term, unless revoked or suspended as provided herein, or in the event the Establishment ceases to operate at the After Midnight Permit location. Each After Midnight Permit issued under this section must be renewed annually. In addition, within ten (10) days after a change in ownership or a change in location of the Establishment during the term, the Establishment must submit a new application for an After Midnight Permit.

(j) *No Right to After Midnight Permit*. The ability to sell, offer for sale, provide for service, or permit to be served or consumed upon the premises of any establishment, any alcoholic beverage between the hours of 12:00 a.m. (midnight) and 2:30 a.m. is a privilege subject to suspension or revocation by the City, and no person may reasonably rely on a continuation of that privilege.

(k) *Suspension of After Midnight Permit*. An After Midnight Permit shall be suspended if the hearing officer finds that the conditions described in any of the following subsections has been met:

(1) On any occasion any of the Establishment's agents, officers, employees, or contractors, including but not limited to promoters operating at an Establishment, while working at or on behalf of the Establishment, have:

i. Knowingly, recklessly, or negligently permitted the Establishment to be the site of violation of any provisions of Chapter 790, Florida Statutes, relating to weapons and firearms;
ii. Knowingly, recklessly, or negligently permitted the Establishment to be the site of any violation of any provision of Chapter 794, Florida Statutes, relating to sexual battery; or
iii. Knowingly, recklessly, or with gross negligence permitted the Establishment to be the site of the violation of any provision of Chapter 893, Florida Statutes, relating to the sale or delivery of a controlled substance.

(2) On any occasion, the Establishment has been the site of:

i. Any violation of any provision of Chapter 782, Florida Statutes, relating to Homicide.

(3) On two (2) occasions within a consecutive three-month period, any of the Establishment's agents, officers, employees, or contractors, including but not limited to promoters operating at an Establishment, while working at or on behalf of the Establishment, have:

i. Knowingly, recklessly, or with gross negligence failed to comply with any condition of the After Midnight Permit;
ii. Knowingly, recklessly, or with gross negligence permitted the Establishment to be the site of the violation of any provision of Chapter 877.03, Florida Statutes, relating to disorderly conduct;
iii. Knowingly, recklessly, or with gross negligence permitted the Establishment to be the site of any violation of any provision of sections 784.011 or 784.021, Florida Statutes, relating to assault or aggravated assault;
iv. Knowingly, recklessly, or with gross negligence permitted the Establishment to be the site of any violation of any provision of sections 784.03, 784.041, or 784.045, Florida Statutes, relating to battery, felony battery, domestic battery by strangulation, or aggravated battery;
v. Knowingly, recklessly, or with gross negligence permitted the Establishment to be the site of any violation of any provision of Chapter 849, Florida Statutes, relating to gambling;
vi. Negligently permitted the Establishment to be the site of any violation of any provision of Chapter 893, Florida Statutes, relating to the sale and delivery of controlled substances; or
vii. Knowingly, recklessly, or with gross negligence permitted the Establishment to be the site of any violation of any provision of Chapter 893, Florida Statutes, relating to possession of a controlled substance.

(4) On two (2) occasions within a consecutive three-month period, the Establishment has been the site of:

i. Any violation of any provision of Chapter 790, Florida Statutes, relating to Weapons and Firearms; or
ii. Any violation of any provision of Chapter 794, Florida Statutes, relating to Sexual Battery.

(5) On three (3) occasions within a consecutive three-month period, any of the Establishment's agents, officers, employees, or contractors, including, but not limited to promoters operating at the Establishment, while working at or on behalf of the Establishment, have:

i. Negligently failed to comply with any condition of the After Midnight Permit; or
ii. Knowingly, recklessly, or negligently permitted the Establishment to be the site of a violation of any provision of Chapter 38, Bradenton City Code, relating to noise;
iii. Negligently permitted any violation of any provision of Chapter 877.03, Florida Statutes, relating to disorderly conduct;
iv. Negligently permitted any violation of any provision of sections 784.011 or 784.021, Florida Statutes, relating to assault or aggravated assault;
v. Negligently permitted any violation of any provision of sections 784.03, 784.041, or 784.045, Florida Statutes, relating to battery, felony battery, domestic battery by strangulation, or aggravated battery;
vi. Negligently permitted any violation of any provision of Chapter 849, Florida Statute, relating to gambling; or
vii. Negligently permitted any violation of any provision of Chapter 893, Florida Statutes, relating to possession of a controlled substance.

(6) Duration of Suspension:

i. Suspensions shall be for a period of thirty (30) days, beginning on the date of the finding of suspension by the hearing officer.

ii. Should additional grounds for suspension occur while the Establishment's After Midnight Permit is suspended, any additional period of suspension proscribed by this section shall be served consecutively.

(7) Prior to or during a suspension for a specific violation, an Establishment may submit to the City a mitigation plan that has cured or is reasonably designed to cure or otherwise prevent future occurrences of the violation(s) which constituted the grounds for suspension. In determining if the mitigation plan submitted by the Establishment has cured or is reasonably designed to cure or otherwise prevent future occurrences of the violation, the City may consider any relevant information, including but not limited to, input from the Bradenton Police Department, Code Enforcement, the Fire Marshall, and citizen complaints regarding the Establishment.

(8) If the City finds that the Establishment has a mitigation plan that has been cured, is reasonably designed to cure, or otherwise taken reasonable actions to prevent future occurrences of the violation, then, in lieu of suspension, if it has not yet been imposed, or otherwise in lieu of the remainder of the suspension, the City may amend the

establishment's After Midnight Permit to include, as a condition thereof, the mitigation plan. No Establishment has a right to alter the conditions of the After Midnight Permit in lieu of suspension.

(9) If the same type of violation has occurred three or more times at an Establishment, it shall be prima facia evidence that the Establishment has negligently permitted the Establishment to be the site of such violation. Evidence that the Establishment immediately reported a violation to the police shall be evidence rebutting such presumption.

(10) Where multiple violations have occurred at an Establishment, different violations may be combined to form the minimum required number of violations, however, such combination of violations must have occurred the minimum number of times of the least restrictive violation thereof.

(l) *Revocation of After Midnight Permit*. An establishment's Permit shall be revoked if a hearing officer finds that either of the following conditions has been met:

(1) Information provided in the application for the After Midnight Permit, including a renewal After Midnight Permit, is false, deceptive, willfully incorrect, or intentionally misleading; or

(2) The Establishment's After Midnight Permit has been suspended three (3) times within a consecutive 12-month period.

(m) *Hearing Officer*. The City Council shall appoint a hearing officer for the purpose of administering the provisions of this section.
(1) The appointment shall be by resolution of the City Council.
(2) Once appointed, the hearing officer shall be permitted to exercise the authority and powers set forth in this section.
(3) Hearing officers shall be licensed attorneys in good standing in the state. Appointments shall be made on the basis of experience or interest.
(4) The appointment of a hearing officer may be made at any time. Those appointed as hearing officers shall serve for a term of two years. A hearing officer may be reappointed for succeeding terms.
(5) Hearing officers shall serve in accordance with the provisions of this section.
(6) A hearing officer may be suspended or removed by the City Council.

(n) *Procedures*

(1) Notice and Opportunity to be Heard

i. A hearing before the hearing officer will be held whenever the City determines that grounds for suspension or revocation exist

pursuant to this section. The After Midnight Permit holder must be advised in writing of the date, time, and place of such hearing either by personal service upon a responsible person at the Establishment or by notice mailed by certified mail to the address provided on the Permit, no later than seven (7) days before the date of the hearing.

ii. The hearing will be conducted in accordance with the principles of due process and shall not be subject to the formal rules of evidence. The City bears the burden to prove the basis for suspension or revocation by a preponderance of the evidence. It is the responsibility of any party wishing to have a transcript of the proceeding to provide a stenographer at their own expense.

iii. The hearing officer shall base the order on the criteria listed in this section. For the purposes of suspension or revocation under this section, calculation of the time periods will be construed from the date each violation occurred. Guilty pleas, no contest pleas, default judgments, payment of citations, or any other finding of a violation by a court of competent jurisdiction or by the procedure provided within the City Code shall constitute proof of a prior violation, regardless of whether adjudication was withheld or not. Nothing in this section shall be deemed to allow permittees to relitigate previously adjudicated violations. Code enforcement officers, law enforcement officers, and/or the City's Fire Marshal may provide testimony and evidence of separate violations to the hearing officer which, if proven by a preponderance of the evidence to have occurred, shall be counted towards the total number of violations.

(o) *Appeal*. The Establishment may appeal a ruling or order of the hearing officer to the circuit court. An appeal shall be filed within thirty (30) days of issuance of the ruling or order to be appealed. Filing of a petition for judicial review or other such pleading shall not stay a suspension or revocation unless so ordered by the circuit court.

(p) *Suspension and Revocation Not Exclusive Enforcement Mechanisms*. Nothing in this section shall be construed or interpreted to prohibit the City from enforcing its codes and ordinances by means other than those provided by this chapter, including without limitation, by summons, notice to appear in court, arrest, issuance of a citation, a civil action, stop work order, statutory code enforcement proceedings, or demolition.

(q) *Reapplication for After Midnight Permit*. After an Establishment's After Midnight Permit has been revoked for a period of not less than three-hundred sixty-five (365) days, the Establishment may reapply for an After

Midnight Permit. In addition to all other required information, an Establishment whose After Midnight Permit has previously been revoked shall include information explaining the actions they have taken to prevent the violations that resulted in the past revocation(s).

(r) *Miscellaneous Provisions*.

(1) Any Establishment which dispenses, sells, or serves alcoholic beverages; or permits alcoholic beverages to be dispensed, sold, served or consumed in the City on the Establishment's licensed premises, and whose principal business is the sale, service, or consumption of alcoholic beverages, shall be closed during the period of time outside of permitted alcoholic beverage sales.

(2) Any Establishment shall, at the time of cessation of alcoholic beverage sales, cause all outside lights on the premises occupied by it to be illuminated, except that the Establishment shall extinguish any lighted signs indicating the Establishment is open. No person, except the proprietor, his or her employees, law enforcement or other emergency personnel, or code enforcement officers, may be permitted to enter or remain in the Establishment after the cessation of alcoholic beverage sales.

(3) In no instance shall open containers of alcoholic beverages be accessible to customers or members or be permitted to be in the open patronage area of an Establishment at the time of cessation of alcoholic beverage sales. Customers or members within the Establishment shall be required by the proprietor or his or her employees to leave the Establishment at or before the time of cessation of alcoholic beverage sales. Nothing contained herein shall be construed to permit any Establishment to sell, serve, or permit alcoholic beverages to be sold, consumed or served during prohibited hours.

(4) Activities sponsored or co-sponsored by a governmental entity which are held on premises where alcoholic beverages are dispensed and whose principal business is the sale of alcoholic beverages may be held outside normal business hours, provided that no alcoholic beverages are sold or dispensed during prohibited hours.

(5) For special events or occasions, the City Council may, by resolution, extend the hours of alcoholic beverage sales, and the related requirements of this section, by one additional hour, and subject to any conditions that may be included in such resolution.

C. A new Chapter 6, Section 6-7, shall be added as follows:

Sec. 6-7 - Evidence for prosecution of violations.

In all prosecutions for violations of this chapter, any person who, by past experience in the handling or use of alcoholic beverages, or who, by taste, smell or the drinking of such alcoholic beverages, has knowledge as to the alcoholic nature of the beverages may testify as to his opinion of whether such a beverage is or is not alcoholic, and a conviction based on such testimony shall be valid.

Section 3. Codification. The City Clerk shall ensure that this Ordinance shall be submitted for codification of the language in Section 2 herein upon taking effect.

Section 4. Repeal of Inconsistent Ordinances. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

Section 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 6. Effective Date. This Ordinance shall take effect as provided by law.

FIRST READING	
PUBLICATION DATE	
SECOND READING	

PASSED AND DULY ADOPTED, BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, with a quorum present and voting, this ____, day of _____, 2024.

CITY OF BRADENTON, FLORIDA

_____
Gene Brown, Mayor

ATTEST:

By: _____
Tamara Melton, City Clerk

APPROVED AS TO FORM:

By: _____

Scott Rudacille, City Attorney

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Bradenton's website by the time notice of the proposed ordinance is published in the newspaper.

Proposed ordinance's title: Ordinance 4047 AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 6, RELATED TO ALCOHOLIC BEVERAGES; AMENDING SECTION 6-1 TO ADD DEFINITIONS; AMENDING SECTION 6-2 TO PROHIBIT ALCOHOLIC BEVERAGES FROM BEING SOLD, CONSUMED, OR SERVED, OR PERMITTED TO BE SERVED OR CONSUMED IN ANY ESTABLISHMENT BETWEEN THE HOURS OF 12:00 A.M. AND 7:30 A.M.; PROVIDING FOR EXEMPTIONS; PROVIDING FOR ANY ESTABLISHMENT LICENSED UNDER THE STATE BEVERAGE LAWS THAT DESIRES TO REMAIN OPEN FOR THE PURPOSE OF SALE, SERVICE, OR CONSUMPTION BETWEEN THE HOURS OF 12:00 A.M. AND 2:30 A.M. TO APPLY FOR AN AFTER MIDNIGHT PERMIT; ADDING PROVISIONS FOR THE APPLICATION REQUIREMENTS AND FEE; PROVIDING FOR REGULATIONS RELATING TO THE AFTER MIDNIGHT PERMIT; PROVIDING FOR CONDITIONS TO BE IMPOSED ON THE AFTER MIDNIGHT PERMIT; PROVIDING FOR SUSPENSION AND REVOCATION OF THE AFTER MIDNIGHT PERMIT; PROVIDING FOR THE APPOINTMENT OF A HEARING OFFICER TO RULE ON SUSPENSION AND REVOCATION OF AFTER MIDNIGHT PERMITS; PROVIDING FOR ENFORCEMENT; AMENDING CHAPTER 6, TO ADD A NEW SECTION 6-7 ESTABLISHING EVIDENCE OF PROSECUTION OF VIOLATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Bradenton is of the view that a business impact estimate is not required by state law[1] for the proposed ordinance, but the City of Bradenton is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the

[1] See Section 166.041(4)(c), Florida Statutes.

enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Bradenton hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

The ordinance will require any establishment, as defined in the ordinance, to apply for an After Midnight Permit in order to be able to sell, service, or provide for the consumption of alcohol between midnight and 2:30 a.m.

The ordinance is being proposed due to a recent increase in criminal and violent activity occurring after midnight at establishments within the City of Bradenton as well as an increase in other issues related to public safety and crowd control. The City of Bradenton has found a disproportionate amount of resources are being allocated to establishments within the City of Bradenton to combat the increase in violent and criminal activity that has occurred after midnight.

The City of Bradenton has determined additional parameters are required to be in place to preserve public safety and better balance resources city-wide, while allowing the sale of alcoholic beverages between the hours of midnight and 2:30 a.m.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Bradenton, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

Any costs associated with compliance will be on a case by case basis. If it is determined that the establishment will require additional security, and/or weapons detection systems, and/or identification scanners then there will be a cost impact to the establishment. That cost cannot be quantified at this point.

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible;

There is expected to be a permit application fee for those establishments desiring to operate between midnight and 2:30 a.m. That fee has not been set by the City of Bradenton City Council but is expected to be at or around $250.00 per application.

and
(c) An estimate of the City of Bradenton's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

The City of Bradenton will be charging a permit application fee, indicated above, only to cover the administrative costs associated with the permit issuing process.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

It is expected that the After Midnight Permit would only impact ten (10) to fifteen (15) businesses.

4. Additional information the governing body deems useful (if any):

The proposed ordinance affects all businesses, as defined as an establishment in the ordinance, equally.

AGENDA ITEM NO. 7.g

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Tamara Melton, Legal

ITEM TYPE: Ordinance

AGENDA SECTION: BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

SUBJECT: ORDINANCE 4049 - SECOND READING AND PUBLIC HEARING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 70, ARTICLE III, SECTION 70-86 OF THE CITY'S CODE OF ORDINANCES TO ADD DEFINITIONS; AMENDING CHAPTER 70, ARTICLE III, SECTION 70-92 OF THE CITY'S CODE OF ORDINANCES, TO ADD NEW SECTIONS 70-92(D), 70-92(E), 70-92(F), 70-92(G), 70-92(H), and 70-92(I); REQUIRING PRIVATE LATERALS AND PRIVATE WASTEWATER COLLECTION AND TRANSMISSION SYSTEMS TO BE MAINTAINED BY THE PROPERTY OWNER IN GOOD WORKING ORDER; REQUIRING PRIVATE LATERAL AND PRIVATE WASTEWATER COLLECTION AND TRANSMISSION SYSTEM INSPECTIONS UPON CERTAIN OCCURRENCES; PROVIDING INSPECTION REQUIREMENTS; REQUIRING THE PROPERTY OWNER TO REPLACE OR REHABILITATE DEFECTIVE PRIVATE LATERALS; REQUIRING THE OWNER OR OPERATOR OF A PRIVATE WASTEWATER COLLECTION AND TRANSMISSION SYSTEM TO REPAIR OR REHABILITATE SUCH SYSTEMS TO ABATE EXCESSIVE INFLOW AND INFILTRATION; PROVIDING FOR ENFORCEMENT MECHANISMS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION: Approval

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:
It is in the best interest of the environment and the residents of the City of Bradenton that private laterals and private wastewater collection and transmissions systems ("WCTS") are maintained in a state of good working order.

The City finds it is in the best interest of City residents to amend the Code of Ordinances to require owners of private laterals and private WCTS connected to the City's sewer collection system to maintain such private laterals and private WCTS in good working order, to require inspections of such private laterals and private WCTS upon certain occurrences, to provide requirements for such inspections, to require the replacement or rehabilitation of defective private laterals and private WCTS, and to provide for any violations to be subject to enforcement.

FINANCIAL IMPACT:
TBD

ATTORNEY REVIEW/RECOMMENDATION:
Attorney Rudacille reviewed the ordinance.

SUGGESTED MOTION:
Motion to approve Ordinance 4049.

ATTACHMENTS:
Ordinance 4049

ORDINANCE NO. 4049

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 70, ARTICLE III, SECTION 70-86 OF THE CITY'S CODE OF ORDINANCES TO ADD DEFINITIONS; AMENDING CHAPTER 70, ARTICLE III, SECTION 70-92 OF THE CITY'S CODE OF ORDINANCES, TO ADD NEW SECTIONS 70-92(D), 70-92(E), 70-92(F), 70-92(G), 70-92(H), and 70-92(I); REQUIRING PRIVATE LATERALS AND PRIVATE WASTEWATER COLLECTION AND TRANSMISSION SYSTEMS TO BE MAINTAINED BY THE PROPERTY OWNER IN GOOD WORKING ORDER; REQUIRING PRIVATE LATERAL AND PRIVATE WASTEWATER COLLECTION AND TRANSMISSION SYSTEM INSPECTIONS UPON CERTAIN OCCURRENCES; PROVIDING INSPECTION REQUIREMENTS; REQUIRING THE PROPERTY OWNER TO REPLACE OR REHABILITATE DEFECTIVE PRIVATE LATERALS; REQUIRING THE OWNER OR OPERATOR OF A PRIVATE WASTEWATER COLLECTION AND TRANSMISSION SYSTEM TO REPAIR OR REHABILITATE SUCH SYSTEMS TO ABATE EXCESSIVE INFLOW AND INFILTRATION; PROVIDING FOR ENFORCEMENT MECHANISMS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is in the best interest of the environment and the residents of the City of Bradenton that private laterals and private wastewater collection and transmissions systems ("WCTS") are maintained in a state of good working order; and

WHEREAS, private laterals and private WCTS belong to private property owners and are not city owned infrastructure but are connected to and affect City owned infrastructure; and

WHEREAS, a defective private lateral or private WCTS can allow surface inflow, groundwater, root infiltration and debris ingress that contribute to sanitary sewer overflows, which increases the burden on the City's sewer collection system; and

WHEREAS, a defective private lateral or private WCTS can allow surface inflow, groundwater, root infiltration and debris ingress that contribute to sanitary sewer overflows, which increases the burden on the city's sewer collection system; and

WHEREAS, the City wishes to reduce the amount of inflow and infiltration originating from defective private laterals and private WCTS; and

WHEREAS, the City finds it is in the best interest of City residents to amend the Code of Ordinances to require owners of private laterals and private WCTS connected to the City's sewer collection system to maintain such private laterals and private WCTS in good working order, to require inspections of such private laterals and private WCTS upon certain occurrences, to provide requirements for such inspections, to require the replacement or rehabilitation of defective private laterals and private WCTS, and to provide for any violations to be subject to enforcement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA:

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. Amended Code Language.

A. Chapter 70, Article III, Section 70-86 shall be amended to add the following definitions, to be inserted in alphabetical order within the existing definitions:

Sec. 70-86. – Definitions.

Gravity sewer means a pipe that receives, contains and conveys wastewater not normally under pressure, but is intended to flow unassisted under the influence of gravity.

Infiltration means water other than wastewater that enters a WCTS (including sewer service connections and foundation drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes.

Inflow means water other than wastewater that enters a WCTS (including sewer service connections) from sources such as, but not limited to, roof leaders, cellar drains, yard drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm water, surface runoff, street wash waters, or drainage.

I&I means the total quantity of water introduced to a WCTS from inflow and infiltration.

Private WCTS means a privately owned WCTS that discharges into the City WCTS, but excluding single family residences.

Private lateral means the building drain and building sewer, as defined herein.

Substantial improvement means improvement of a building or structure for which the construction estimate of such improvement is 50% or greater of the assessed value.

Wastewater collection and transmission system ("WCTS") means all pipes, force mains, gravity sewer lines, lift stations, manholes, and appurtenances thereto for the collection and conveyance of municipal sewage (domestic, commercial and industrial) to another WCTS or to the city's wastewater treatment facility.

B. Chapter 70, Article III, Section 70-92 shall be amended to add Sections (d), (e), (f), (g), (h), and (i), as follows:

Section 70-92. – ~~Building sewers~~ Private laterals and connections

(a) *Permit required.* No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the superintendent.

(b) *Separate sewer required for each building; exception.* A separate and independent building sewer shall be provided for every building; except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(c) *Connections to public sewer.* The connection of the building sewer into the public sewer shall be made at the "Y" or single branch, if such branch is available at a suitable location. If "Y" or single branch is not available, the city will install a single or "Y" branch at the discretion of the director. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made and the connection made secure and watertight by encasement in concrete to be inspected by the director. Special fittings may be used for the connection only when approved by the director.

(d) *Private Lateral.* Private laterals shall be maintained by the property owner in good working order. Property owners are responsible for the maintenance of the private lateral and the repair, rehabilitation or replacement of the private lateral located within their property boundary, up to the City right-of-way or easement. A private lateral is not in good working order and shall be deemed defective for purposes of this section if any of the following conditions exist upon inspection by a licensed plumbing contractor, or by the City Department of Public Works during inspection of the City sewer collection system:

(1) Evidence of pipe or joint cracks or deterioration;

(2) Root intrusion into a pipe that separates a pipe joint or enlarges an existing crack;

(3) A misaligned pipe segment, sag, or lack of positive flow gradient;

(4) A downspout drain, defective cleanout or other connection that allows storm water or other extraneous water to enter the sanitary sewer collection system;

(5) A flaw or active leak that allows the discharge of sewage on the property or the introduction of extraneous water into the sanitary sewer collection system;

(6) Root intrusion into a private lateral;

(7) Debris ingress from a private lateral that enters the City sewer collection system;

(8) Evidence a non-sanitary sewage discharge from a private lateral to the City sewer collection system; or

(9) Evidence of structural defects in a private lateral identified during smoke testing of the City sewer collection system.

(e) *Private lateral inspections.*

(1) Within thirty (30) days following the occurrence of any of the following, the property owner shall have the private lateral inspected as provided in this section:

a. A building permit application is filed for an improvement on the property that meets any of the following conditions:

(i) The work would alter or expand any component of the building collection system that flows into the private lateral, including any drain or fixture, such that the flow into the City sewer system would be substantially increased;

(ii) The work would involve any repair, alteration, improvement or replacement of any portion of the private lateral;

(iii) The work would include the addition, replacement, or relocation of any plumbing fixture that would result in a substantial increase in wastewater flow into the City sewer system;

(iv) The work constitutes a substantial improvement, as such term is defined in Section 70-86 herein;

(v) The work would result in the addition of 70 square feet or more to an existing building;

(vi) A building is to be demolished and the private lateral is to remain in place; or

(vii) The work includes any new connection to an existing private lateral.

b. The city observes an open and obvious condition indicating a defective private lateral, in which case the city shall immediately (within 10 days of the city's observation) notify property owner of same, including reference to this ordinance, and shall track the owner's response to the notice. The city may, for good cause, grant an extension regarding the inspection requirement set forth in this subsection (f) herein. In determining whether good cause exists, the Director may take into account the cost to the property owner of inspection, the likelihood that such inspection would identify defects, and whether an extension is necessary to avoid undue hardship to a property owner.

(f) Inspection requirements. Inspections of private laterals must be performed by a licensed plumbing contractor. The inspection and recording must be performed so that it is possible to clearly observe and assess the condition of the full length of the private lateral. A closed-circuit television (CCTV) camera or other video recording technology is required, and proper lighting must be used such that the condition of the full length of the pipe can be inspected and recorded. Any debris, roots, or grease that impede the camera or interfere with the ability to fully view the pipe condition must be removed prior to inspection and all such conditions must be recorded and reported. All private lateral inspections must include a report summarizing the conditions found in the private lateral and the date of delivery of the report to the property owner. The property owner shall submit a copy of the report, and video recording if applicable, to the city within 30 calendar days following the property owner's receipt of such report.

(g) Replacement or rehabilitation of defective private laterals. If a private lateral is found to be defective, it shall be rehabilitated or replaced by the property owner within 365 calendar days following the date on which the property owner became aware that the private lateral was defective, unless an extension is granted by the Director of Public Works upon a determination of good cause. In determining whether good cause exists, the Director may take into account the cost to the property owner of replacement or rehabilitation, the severity of the defects identified, and whether an extension is necessary to avoid undue hardship to a property owner. Notwithstanding the foregoing, should the city determine that the defective private lateral is in such a condition that it constitutes an immediate threat to the public health, safety and welfare, the city

may require the property owner to repair, rehabilitate or replace the private lateral immediately. Under such conditions the city may also utilize the procedures for unsafe structures under Section 18-36.

(h) R*equirements regarding private WCTS.* Any person or entity owning or operating a private WCTS shall comply with the following requirements.

(1) *City inspections authorized*. The city may inspect any private WCTS periodically to ensure the integrity of the system. An inspection and re-inspection fee may be established by resolution of the city council. Such fees may be assessed for each collection system inspection and re-inspection. The collection system inspection may include, without limitation:

a. Examination of relevant documents and records in the owner or operator's possession;

b. Review of the results of any inspections or assessments;

c. Evaluation of compliance with operation and maintenance requirements; and

d. Review of data provided for evidence of excessive I&I.

(2) *I&I abatement*. If there is reasonable evidence that there may be excessive I&I within the private WCTS, the city, at its discretion and cost, may hire an outside contractor to install a flow meter or any other measurement device at the point of connection to determine whether a private WCTS is allowing excessive amounts of I&I to enter the city's WCTS. The city shall provide reasonable notice when there is reason to need access to the flow meter or other measurement device. Should the city determine that excessive amounts of I&I are entering the city's system from a private WCTS, the owner or operator of the private WCTS shall, at its expense, investigate and inspect the private WCTS to determine the cause(s). The owner or operator shall, at its expense, plan, design, and construct any necessary repairs or replacements to the system and shall secure all applicable permits or authorizations. All work shall be completed by a qualified licensed contractor and may be inspected by the city at the city's discretion. Post-construction flow monitoring (at the original monitoring location) may be conducted by the city at its expense to determine whether mitigation measures have proven effective at reducing I&I to acceptable levels.

(I) *Enforcement.* The owner or operator of a private WCTS who fails to comply with the requirements of this section shall be deemed to be maintaining an illicit discharge into the City sewer system, as described in Section 70-192, and shall be subject to penalties and enforcement actions as described in that Article.

Additionally, the current utility service being provided by the City to the property may be terminated in accordance with Section 70-43.

Section 3. Codification. The City Clerk shall ensure that this Ordinance shall be submitted for codification of the language in Section 2 herein upon taking effect.

Section 4. Repeal of Inconsistent Ordinances. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

Section 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 6. Effective Date. This Ordinance shall take effect as provided by law.

FIRST READING	July 24, 2024
PUBLICATION DATE	July 26, 2024
SECOND READING	August 14, 2024

PASSED AND DULY ADOPTED, BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, with a quorum present and voting, this 14th, day of August, 2024.

CITY OF BRADENTON, FLORIDA

_____
Gene Brown, Mayor

ATTEST:

By: _____
Tamara Melton, City Clerk

APPROVED AS TO FORM:

By: _____
Scott Rudacille, City Attorney

AGENDA ITEM NO. 8.a

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	August 14, 2024
SUBMITTED BY:	Kim Clayback, Public Works & Utilities
ITEM TYPE:	Contract
AGENDA SECTION:	NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL
SUBJECT:	Water Treatment Plant Emergency Repair Expenditure
SUGGESTED ACTION:	Council approval for the emergency by pass repair at the 36" pipe discharging from the sedimentation basins.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
The water plant experienced excessive leaking at the 36" pipe discharging from the four sedimentation basins in the treatment train. The repair required immediate attention as the entire water supply flows through this pipe.

FINANCIAL IMPACT:
GL account 40859000-563000-24520

ATTORNEY REVIEW/RECOMMENDATION:
N/A

SUGGESTED MOTION:
Approval of the expenditure related to the emergency repair

ATTACHMENTS:
Invoice from Woodruff & Sons, Inc.
Photo of the Emergency Repair

WOODRUFF & SONS, INC.

P.O. Box 10127 • Bradenton, Florida 34282-0127
(941) 756-1871 • fax: (941) 755-1379
www.woodruffandsons.com

Invoice No. 24527
Date 07/31/24
Job No. 2814

INVOICE

Client

ID No 18050
Name City of Bradenton
Address 1411 - 9th Street West
Address
City Bradenton State FL Zip 34205

Description

Location: Water Treatment Plant
Nature: Repair

Attn: Kim Clayback

Date	Qty	Units	Description	Unit Price	TOTAL
Jul.,2024	1.00	ls	36inch Watermain Replacement	$693,135.78	$ 693,135.78
				Subtotal	$ 693,135.78
			7.00% Tax n	FL-Manatee	$ -
			7.00% Tax n	FL-Real Property	$ -
			7.00% Tax n	FL-Sarasota	$ -
				TOTAL	$ 693,135.78

Office Use Only

1 1/2 % per month Service Charge will be added to all accounts over due.

SEWER AND WATERLINE INSTALLATIONS • SITE DEVELOPMENT
SUPPLIER OF CRUSHED CONCRETE BASE AND SOIL CEMENT



AGENDA ITEM NO. 9.a

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: August 14, 2024

SUBMITTED BY: Karen Swartz, City Administration

ITEM TYPE: Contract

AGENDA SECTION: UNFINISHED BUSINESS

SUBJECT: Resolution 24-64 - 2024-2025 Community Block Development Grant Annual Action Plan

SUGGESTED ACTION: Approve CDBG 2024-2025 Annual Action Plan.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

EXPLANATION:
The City of Bradenton issues a yearly Action Plan following the guidelines established by the 2021-2025 CDBG Consolidated Plan. This is the annual awarding of funds summary report that is submitted to HUD on August 15, 2025.

FINANCIAL IMPACT:
These funds will be used to help local partners to leverage their efforts to assist residents of low income including elderly needs, homelessness, affordable housing and code enforcement.

SUGGESTED MOTION:
Motion to approve Resolution 24-64.

ATTACHMENTS:
Resolution 24-64 with Action Plan
Application for Federal Assistance

CITY OF BRADENTON

RESOLUTION NUMBER 24-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, APPROVING THE CITY OF BRADENTON'S CDBG 2024-25 ANNUAL ACTION PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Bradenton wishes to approve the attached Community Development Block Grant ("CDBG") 2024- 25 Annual Action Plan (the "Plan"); and

WHEREAS, upon approval, the Plan will be submitted to the US Department of Housing and Urban Development's Jacksonville field office by August 15, 2024 for final review and approval.;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA:

1. The City of Bradenton hereby approves the CDBG 2024-25 Annual Action Plan, as attached hereto, and directs City staff to submit the Plan to the Department of Housing and Urban Development.;
2. All terms and conditions of the Plan are incorporated herein as though fully set forth herein.;
3. This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING ON THIS 14th DAY OF AUGUST, 2024.

ATTEST:

_____ _____

Tamara Melton
CITY CLERK

Gene Brown
MAYOR

APPROVED AS TO FORM:

_____

Scott Rudacille CITY ATTORNEY

City of Bradenton
Community Development Block Grant Program
2024-25 Annual Action Plan

Gene Brown, Mayor
Staff and Administration

Nilsa Taylor, Administration Services Director
Pamela Skelding, Housing and Community Development Manager
Karen Swartz, Housing and Community Development Specialist



City of Bradenton, Florida
Housing and Community Development Division

Community Development Block Grant Program

2024-25 Annual Action Plan

Mayor
Honorable Gene Brown

Ward 2
Vice Mayor, Councilwoman Marianne Barnebey

Ward 1
Councilwoman Jayne Kocher

Ward 3
Councilman, Josh Cramer

Ward 4
Councilwoman Lisa Gonzalez Moore

Ward 5
Councilwoman Pam Coachman

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Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

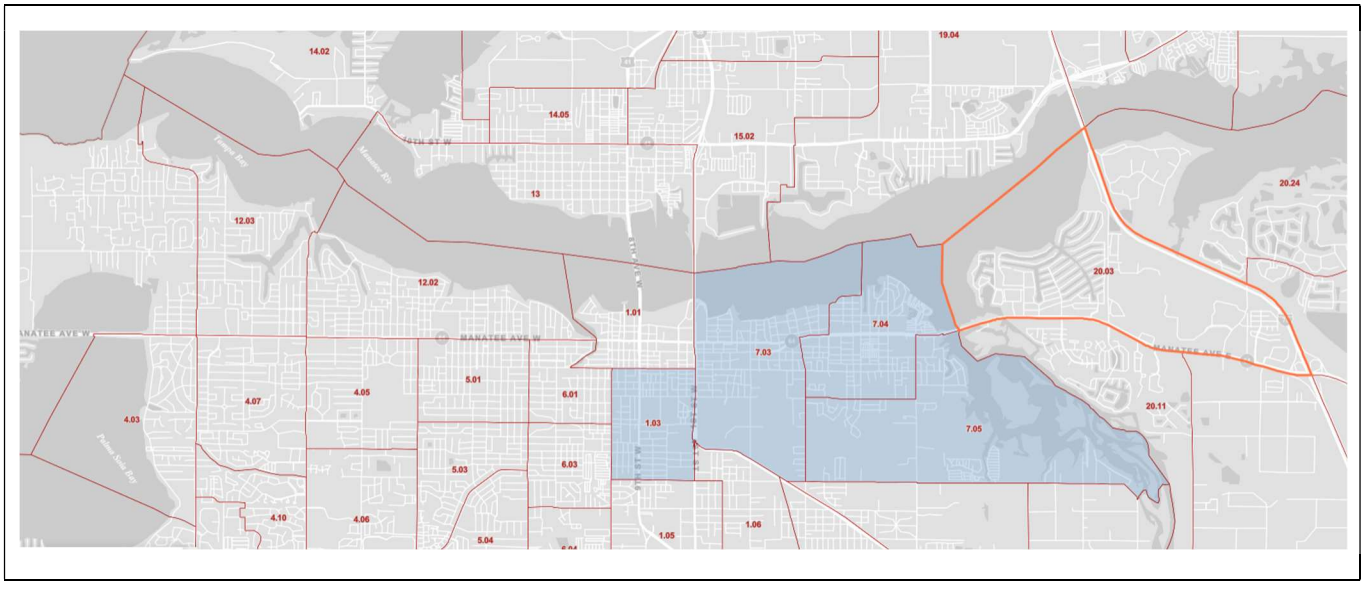
1. Introduction

The purpose of the Action Plan is to describe the activities the city plans on undertaking during the year to meet the needs of the community identified in the Consolidated Plan. The city may meet these needs directly or by contracting with community agencies who have expertise in meeting these needs.

For the 2024-25 program year, the City of Bradenton will continue working on meeting the needs identified in the 2021-25 CDBG Consolidated Plan. These needs include:

- Affordable Housing needs (high priority)
- Homeless needs (high priority)
- Elder needs (high priority)
- Code enforcement (low priority)
- Infrastructure needs (low priority)

The City identified a local target area in the 2021-2025 CDBG Consolidated Plan, and the bulk of the funds the City receives will be concentrated in this area. The local target area includes Census Tracts 1.03, 7.03, 7.04 and 7.05, all of which have the highest number of low and moderate income households in the city. Using the funds available the City will continue to improve the lives of residents in these neighborhoods through the support of the production and preservation of affordable housing, the removal of blighted structures from the neighborhoods, and activities intended to arrest the decay of the neighborhoods.



Graphic 1 – Census Tracts: Bradenton/Manatee County

2. Summarize the objectives and outcomes identified in the Plan

The city has identified a number of community priorities it plans to address using a combination of state and federal funds. Some activities, such as affordable housing activities, homeless needs and code enforcement will be carried out by city staff either directly or through contractors hired by the city. Affordable housing, homeless needs and elderly support will be carried out through subrecipients.

The city helps to preserve affordable homeowner housing by providing housing rehabilitation assistance to low- and moderate-income residents, primarily in the local target area. Many times, these homes are owned outright by the homeowner (having no mortgage), but because the homeowner is on a fixed income, they do not have the ability to set aside funds for larger necessities, such as roofs, HVAC, plumbing, or electrical repairs. Some homes may need to be modified to accommodate a disabled family member. The city helps to increase the supply of affordable housing by funding programs such as the one Habitat for Humanity proposed for the 2024-25 program year. The City also helps homeowners with rehabilitation, emergency repairs and foreclosure prevention through its SHIP program.

The objectives are to preserve and increase the supply of affordable housing in the city, and foster economic development. These objectives are tied together; where affordable housing, reduced homelessness and improved neighborhoods make investment and economic activity increase in the city.

3. Evaluation of past performance

The city has had success with funding service providers in the community to meet the community's needs. These service providers have extensive experience in addressing the needs of the community, so it makes sense to work with them. Several of them have received CDBG funding in prior years, so they are familiar with the grant requirements. Many times, these service providers are able to access other sources of funding in order to leverage funding received from the city and reach their program goals. Some of them can stretch their CDBG funding further through the use of volunteers and in-kind donations. Since they work in the community, they are a reliable source of information regarding the needs of the community, and their input can enhance the data used to develop the Consolidated Plan and Annual Action Plans.

Habitat for Humanity in the 2023-2024 plan year has so far used $49,000 to renovate a property and use the proceeds of the sale to purchase another property. While the City's contribution didn't pay for the property purchase, it helped leverage together with other funding to add to the affordable housing inventory.

Homeless needs are a bit more difficult to meet, as the city has limited CDBG funding and the projects proposed for funding tend to be public service activities subject to the 15% public service cap. Salvation Army is the only homeless emergency shelter in the City of Bradenton and Manatee County. Aside from Salvation Army's program, the city has no transitional housing available for people who are homeless.

The city is assisting homeless individuals within our community by funding a HOT Beds program through Salvation Army, allowing our police department to work with individuals who want to get off the streets with dedicated bed(s) at Salvation Army and wrap around services for those clients.

The Bradenton Police Department has employed a dedicated Officer to prioritize addressing abandoned homes, and cooperation with Homeless Outreach Case efforts allowing us to take a proactive stand to reduce urban blight.

In addition, the city is assisting in preventing homelessness by funding the Salvation Army's Homeless Prevention project. The Salvation Army will help individuals who are facing eviction by paying their rent. The applicant must have a 3-day notice of eviction to qualify.

Senior meals through Meals on Wheels PLUS address the needs of very low and low income senior residents. Elderly services continue to be a priority in our community and this program provides nutritious meals to homebound seniors that would otherwise struggle to feed themselves.

4. Summary of Citizen Participation Process and consultation process

The City held two (2) citizen input sessions (April 26th, 2024 and April 30th, 2024) within the local target area to gather information and comments from residents. The City also solicited input from community stakeholders to determine what they were seeing in terms of the community's needs. We solicited input from our community stakeholder partners via a letter, to gather information on the needs of the community from the stakeholders' point of view.

Application packets for project proposals were available as of April 1, 2024, and were due to the city on May 2, 2024. The projects had to address at least one of the 2021-2025 CDBG Consolidated Plan's priorities. Once the applications were reviewed by a committee of City staff members, ads run on July 12 and 14 invited public commentary via telephone, email or public hearing . The public hearing on the proposed use of the funds was held on July 24, 2024 before City Council.

The City Council meeting to approve the Annual Action Plan will be held August 14, 2024. The approved and completed Action Plan will be submitted to HUD no later than August 15, 2024.

It should be noted that the city accepts citizen comments on an ongoing basis, not just during Plan development. This enables the city to gain a better understanding of the needs of the community and how well the city is meeting these needs with the funding available.

5. Summary of public comments

The feedback received is that there is a continued and increasing need for homelessness resources and affordable housing. Cost of living, property insurance and aging properties were the two most commonly cited obstacles that residents face.

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments or views were accepted.

7. Summary

The city used information gathered from residents, stakeholders, advocacy groups, city legislators, and various data sources to develop its 2021-2025 CDBG Consolidated Plan and this 2024-2025 Action Plan. These plans identify the needs of the community and describe how the city plans on addressing these needs with the resources it has available. The city will continue to collaborate with local non-profits to meet some of these needs, while others will be met by city staff or contractors hired by the city. The intention of these plans is to improve the lives of the city's low and moderate-income families.

In March, the City advertised for CDBG grant applications to identify programs that can help meet these priority needs. All but one of the seven (7) applications addressed the highest priority needs described in the Consolidated Plan and were recommended for funding.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Agency Role	Name	Department/Agency
Lead Agency	CITY OF BRADENTON	
CDBG Administrator	Pamela Skelding	Housing and Community Development Division
HOPWA Administrator		
HOME Administrator		
HOPWA-C Administrator		

Table 1 – Responsible Agencies

Narrative (optional)

Consolidated Plan Public Contact Information

All questions/comments/concerns should be submitted to:

Pam Skelding, Housing and Community Development Manager
City of Bradenton
101 12th St. W.
Bradenton, FL 34205
(941) 932-9493
pamela.skelding@bradentonfl.gov

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The city consulted with a variety of community stakeholders as well as city residents to understand the needs of the community. Input was also solicited from local elected officials. Community reports developed by stakeholder agencies also played a part in determining the needs of the community.

The proposed projects were advertised in local papers, including one that reaches the Spanish-speaking members of our community.

As with developing any plan, it is important to consult with organizations addressing the needs of City residents. We cannot pretend to know all of the challenges that are faced by residents. It is also important to be able to refer individuals to organizations that can assist with their needs.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The city consults with two public housing agencies that operate in the community - Bradenton Housing Authority and Manatee County Housing Authority. Both agencies are aware of the governmental health agencies, such as Manatee County Health Department and Manatee County Rural Health Services. Step Up Suncoast offers a variety of services, such as programming for children, including Head Start and parenting classes. Centerstone is our community mental health provider that provides services to all ages within our community.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

City staff attend the Continuum of Care (CoC) meetings as time permits to keep updated on service providers and programming in the community. We also have representation from other community nonprofits on this CoC, Salvation Army, Turning Points and Centerstone participate.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The city does not receive ESG funds.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities.

1	**Agency/Group/Organization**	**Bradenton Housing Authority**
	Agency/Group/Organization Type	Housing PHA Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent requesting consultation of the public housing arena.
2	**Agency/Group/Organization**	**SALVATION ARMY**
	Agency/Group/Organization Type	Services-homeless Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to find out more about the homeless needs in Bradenton.
3	**Agency/Group/Organization**	**Goodwill Manasota, Inc.**
	Agency/Group/Organization Type	Services-Persons with Disabilities Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to seek consultation on the human service needs of our residents.
4	**Agency/Group/Organization**	**Manatee County Habitat for Humanity**
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to seek communication on affordable housing needs. We also have a Board member from Habitat on our Affordable Housing Advisory Committee.
5	**Agency/Group/Organization**	**MEALS ON WHEELS PLUS**
	Agency/Group/Organization Type	Services-Elderly Persons Services-Persons with Disabilities
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Work with Meals on Wheels to serve homebound seniors. Many of which are disabled. Daily delivery of meals allows seniors to age in place and keep their homes. Meet with staff to discuss other needs of our aging population and how the City and other organizations can assist.
6	**Agency/Group/Organization**	**Turning Points**

	Agency/Group/Organization Type	Services-homeless Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to gather information on the homeless needs of our community. We also have a member of their staff on our Affordable Housing Advisory Committee.
7	**Agency/Group/Organization**	**Manatee County Housing Authority**
	Agency/Group/Organization Type	Services-homeless Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to gather information on the homeless needs of our community.
8	**Agency/Group/Organization**	**Bradenton Police Department**
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to gather information on the homeless needs of our community. We also have a member of their staff on our Affordable Housing Advisory Committee.
9	**Agency/Group/Organization**	**Centerstone of Florida, Inc.**
	Agency/Group/Organization Type	Services-homeless Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to gather information on the homeless needs of our community.
10	**Agency/Group/Organization**	**Community Solutions 360**
	Agency/Group/Organization Type	Services-homeless Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to gather information on the homeless needs of our community. We also have a member of their staff on our Affordable Housing Advisory Committee.
11	**Agency/Group/Organization**	**Gulfcoast Legal Services**
	Agency/Group/Organization Type	Services-Legal homeless
	What section of the Plan was addressed by Consultation?	Legal Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to gather information on the homeless legal needs of our community.
12	**Agency/Group/Organization**	**HOPE Family Services**

	Agency/Group/Organization Type	Services-homeless Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to gather information on the homeless needs of our community.
13	**Agency/Group/Organization**	**Just for Girls**
	Agency/Group/Organization Type	Services-homeless Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to gather information on the homeless needs of our community. We also have a member of their staff on our Affordable Housing Advisory Committee.
14	**Agency/Group/Organization**	**Family Resources**
	Agency/Group/Organization Type	Services-homeless Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to gather information on the homeless needs of our community. We also have a member of their staff on our Affordable Housing Advisory Committee.
15	**Agency/Group/Organization**	**Step Up Suncoast**
	Agency/Group/Organization Type	Services-homeless Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A letter was sent to gather information on the homeless needs of our community.

Table 2 – Agencies, groups, organizations who participated

Identify any Agency Types not consulted and provide rationale for not consulting

The City seeks input from various sources each year to help determine the needs of our community. We continue to build our list of organizations we consult with on this matter.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Suncoast Partnership to End Homelessness	The CoC serves people who are homeless the longest and of the highest acuity. The CoC is a two-county plan, including both Manatee and Sarasota Counties. Homelessness continues to be a high priority within our Consolidated Plan and we look to this resource for guidance and assistance in targeting resources and programming.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The city sought community input through several avenues. Our Housing and Community Development Manager met with residents one-one-one to solicit feedback on existing strategies and how we can improve on meeting the needs of the community. Nonprofits and other community stakeholders were sent letters asking for unput on needs and meetings with Council members were held to get their take on what we need to be addressing when it comes to meeting the needs of residents. The feedback they get from their constituents is extremely valuable in developing an Action Plan. We also placed ads in two local newspapers and held a public hearing at Council on July 24, 2024. Public comments were received and addressed.

On August 14th, 2024, the Action Plan is scheduled to be adopted by the Mayor and City Council and sent to HUD, no later than August 15, 2024 for final review and approval.

The city receives comments and inquiries from people throughout the year. Most of these questions and comments revolve around the various aspects of housing- public housing availability, the availability of funds for repairing homes, the availability of assistance for people who are homeless or at risk of homelessness, or the availability of affordable rentals, particularly for those who are elderly and/or handicapped. Some people have fair housing concerns. The city refers these callers to service agencies when appropriate.

Citizen Participation Outreach

Sort Order	Mode Outreach	Target of Outreach	Summary of Response/ Attendance	Summary of Comments Received	Summary of Comments not accepted and reasons	URL (if applicable
1	Newspaper Ad	Minorities Non-English Speaking (Spanish) Persons with Disabilities Non-targeted/ broad community Residents of Public and Assisted Housing	No response.			
2	Public Hearing	Minorities Non-English Speaking (Spanish) Persons with Disabilities Non-targeted/ broad community Residents of Public and Assisted Housing	Comments at public hearing held July 24, 2024 were heard and addressed.			
3	One-on-One	Minorities Non-English Speaking (Spanish) Persons with Disabilities Non-targeted/ broad community Residents of Public and Assisted Housing	Spoke with residents in an ongoing basis, collecting feedback on the challenges they are facing as residents.	Cost of living and insurance were the primary concerns of most, with emphasis on property insurance. 3 residents required legal assistance to position themselves against becoming homeless but could not afford the services.	All comments accepted.	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1			Total	Expected Amount Available (remainder of Con Plan)	Narrative Description
			Annual $ Allocation	Program Income	Prior Year $ Resources			
CDBG	public/federal	Acquisition Admin/Planning Economic Dev Housing Public Impr Public Svcs	$ 451,518.00	$ -	$ -	$ 451,518.00	$ 451,518.00	

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

CDBG funds will be used by local nonprofits to leverage funding from other sources in order to carry out projects that meet the needs identified in the Consolidated Plan. These needs include:

- Affordable Housing Needs- high priority
- Homeless Needs- high priority
- Elder Needs- high priority
- Code Enforcement- low priority
- Infrastructure Needs- low priority

These agencies receive funding from a variety of sources, such as other federal funding, state funding, local (county funding), and funding from private foundations and individuals. Occasionally, receipt of these other funding sources is dependent upon the organization receiving funding from other sources, such as CDBG. Usually, CDBG funding enhances an organization's ability to carry out activities that benefit low- and moderate-income residents in the community.

The city also receives State Housing Initiatives Partnership (SHIP) funding, which is expected to be approximately $652,969 for the program year.

SHIP funds can be used for other activities related to housing, such as down payment assistance, emergency rent/mortgage assistance, rental deposit assistance, and as the local government contribution for Low Income Housing Tax Credit projects. With these local government contributions of at least $37,500, the city can leverage

several million dollars in public and private funding needed to construct rental housing that is decent, safe, and sanitary. The city also uses its CDBG funding to leverage these other funds.

For other projects, such as public services, CDBG funds are used to leverage funding from other sources both public and private in order to meet the needs of the community.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The city is in the process of reviewing its inventory of publicly-owned land to see if there is any property available for the development of affordable housing. This is a topic of high priority to the Affordable Housing Advisory Committee. We will be meeting in August to set goals and develop a plan for reaching them.

Discussion

The city strives to use its limited funding as efficiently as possible, leveraging private and public funding in order to meet the needs identified in the Consolidated Plan and improve the lives of its low- and moderate-income residents. In some cases, the city is able to leverage large investments in the community with relatively small investments of its own funds. Other times, the city is able to leverage the expertise of other agencies in meeting the needs of the community through its SHIP and CDBG funding. The city continues to search for additional funding opportunities to meet the needs of the community as well.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area (Census Tract)	Needs Addressed	Funding	Goal Outcome Indicator
1	Affordable Housing	2021	2025	Affordable Housing Non- Homeless Special Needs	1.03 7.03 7.04 7.05	Housing needs	CDBG: $184,878	Add 3 Household Housing Units
2	Homeless Needs	2021	2025	Homeless	1.03 7.03 7.04 7.05	Homeless needs	CDBG: $31,818	Tenant-based rental assistance / Rapid Rehousing: 14 Households Assisted Overnight/Emergency Shelter/Transitional Housing Beds added: 2 Beds
3	Elder Needs	2021	2025	Non- Homeless Special Needs	1.03 7.03 7.04 7.05	Elder needs	CDBG: $20,000	Other: 30 Other
4	Code Enforcement	2021	2025	Non-housing Community development	1.03 7.03 7.04 7.05	Homeless needs & Code Enforce-ment	CDBG: $108,609	100 household units under Housing Code Enforcement/Foreclosed Property Care

Table 6 – Goals Summary

Projects

AP-35 Projects – 91.220(d)

Introduction

Below are the projects the city plans to undertake using its CDBG funding during the 2024-25 program year.

Projects

#	Project Name
1	Meals on Wheels - Senior Meals
2	Salvation Army - Homeless Prevention
3	Salvation Army - HOT Beds
4	Habitat for Humanity - Affordable Home Ownership
5	Bradenton Police Department - Code/Blight Enforcement Officer
6	Step Up Suncoast – Utility & Housing Assistance
7	Program Administration

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The funds allocated to the CDBG projects for the 2024-25 program year, allow the City to address the high priority needs of our residents - decent housing, homeless prevention, shelter for the homeless, meals for seniors who are homebound, utility assistance and a dedicated staff member to assist with slum and blight.

AP-38 Project Summary

Project Summary Information

1	**Project Name**	**Meals on Wheels - Senior Meals**
	Target Area	Census Tract 1.03 Census Tract 7.03 Census Tract 7.04 Census Tract 7.05
	Goals Supported	Affordable Housing Elder Needs
	Needs Addressed	Housing needs Elderly needs
	Funding	CDBG: $20,000
	Description	This program will provide low-income seniors living in the City of Bradenton with nutritionally balanced hot meals. AT $6.45 a meal, this grant will provide 3,000 meals to at least 25 low-income seniors. Volunteers delivering the meals will also provide program participants with daily contact, allowing them to maintain their independent living status.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Meals on Wheels estimates that they will serve 30 low-income seniors living in the City of Bradenton.
	Location Description	The activity will be based out of Meals on Wheels' facility at 811 23rd Avenue, East Bradenton. However, it will be available to elderly low-income and moderate-income residents citywide.

Planned Activities	Meals on Wheels staff will meet with the recipients to determine their dietary needs. A meal plan will be developed to meet the needs identified. Meals will be delivered on a daily basis to recipients, with any weekend or holiday melas delivered frozen for the recipients to warm up.

Table 8 - Project Information: Meals on Wheels – Senior Meals

2	**Project Name**	**Salvation Army - Homeless Prevention**
	Target Area	Census Tract 1.03 Census Tract 7.03 Census Tract 7.04 Census Tract 7.05
	Goals Supported	Affordable Housing
	Needs Addressed	Housing needs
	Funding	CDBG: $15,909.23
	Description	This program will use CDBG funds to help low-income City of Bradenton residents avoid eviction. Applicants must be able to present a three-day eviction notice to apply for financial assistance.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	With this grant, the Salvation Army believes it will be able to assist 10 individuals at the minimum. This is based on the average rent of $1,800. The number served could go up or down depending on what will be needed from applicants to cover their rent. For some it will be less than $1,800 and others more.
	Location Description	The individuals who participate in this program will be City of Bradenton residents.
	Planned Activities	Staff will respond to applicants who have applied to use the rental assistance funds and confirm that the funds are indeed helping someone who will soon be evicted from their home.

Table 9 - Project Information: Salvation Army – Homeless Prevention

3	**Project Name**	**Salvation Army – HOT Beds**
	Target Area	Census Tract 1.03 Census Tract 7.03 Census Tract 7.04 Census Tract 7.05
	Goals Supported	Homeless Needs
	Needs Addressed	Homeless needs
	Funding	CDBG: $15,909.23
	Description	Salvation Army staff will work with the Bradenton Police Department on housing homeless individuals and providing case management to assist in finding a solution to their homeless situation.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The Salvation Army is estimating that they will be able to serve 8 homeless individuals. This was calculated by the $65 a day expense for 244 bed nights. The hope is that individuals will stay for 30 days to receive case management.
	Location Description	This activity will be based in Salvation Army's offices at 1204 14th Street West, Bradenton, FL 34205.
	Planned Activities	The Salvation Army will determine client eligibility for the program. The clients will receive wrap around services while sheltered.

Table 10 - Project Information: Salvation Army – HOT Beds

4	**Project Name**	**Habitat for Humanity – Affordable Homeownership**
	Target Area	Census Tract 1.03 Census Tract 7.03 Census Tract 7.04 Census Tract 7.05
	Goals Supported	Affordable Housing
	Needs Addressed	Housing needs
	Funding	CDBG: $184,877.70
	Description	This program will provide funding to build new homes and rehabilitate existing homes with the goal of placing low-income families in them as homeowners.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Habitat is estimating that with the funds from CDBG, they will be able to help 3 individuals/families become homeowners.
	Location Description	The homes will be located in the City of Bradenton.
	Planned Activities	Habitat will select locations for this project that are within the City of Bradenton. They will accept applications from individuals interested in homeownership and work with them on eligibility and then help them purchase one of the homes that is being built or rehabilitated.

Table 11 - Project Information: Habitat for Humanity – Affordable Homeownership

5	**Project Name**	**Bradenton Police Department – Code/Blight Enforcement Officer**
	Target Area	Census Tract 1.03 Census Tract 7.03 Census Tract 7.04 Census Tract 7.05
	Goals Supported	Code enforcement Homeless needs
	Needs Addressed	Code enforcement Homeless needs
	Funding	CDBG: $108,609
	Description	The strategic goal of this program is to improve the City's neighborhoods through addressing blighted properties through the use of criminal and civil code, ultimately improving the quality of life for all residents. The grant will support a full time Code//Blight Enforcement Officer. Abandoned properties will be a priority.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The Bradenton Police Department will prioritize up to 100 abandoned homes.
	Location Description	The work of the Code/Blight Enforcement Officer will focus their attention within City of Bradenton Limits.
	Planned Activities	To hire an Officer to focus on slum and blight -- a high priority in our consolidated plan. Having an officer dedicated to identifying blighted properties is taking a proactive stand on improving neighborhoods.

Table 12 - Project Information: Bradenton Police Department – Code/Blight Enforcement Officer

6	**Project Name**	**Step Up Suncoast – Utility & Housing Assistance**
	Target Area	Census Tract 1.03 Census Tract 7.03 Census Tract 7.04 Census Tract 7.05
	Goals Supported	Affordable Housing
	Needs Addressed	Housing needs
	Funding	CDBG: $15,909.23
	Description	Step Up Suncoast will use funds to bring individuals out of crisis and into financial stability by providing utility, rental and mortgage assistance to low- and moderate-income families and individuals.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Step Up Suncoast is estimating that with the funds from CDBG, they will be able to help 3-5 individuals/families stay in their residence and avoid becoming homeless.
	Location Description	The homes will be located in the City of Bradenton.
	Planned Activities	Step Up will select locations for this project that are within the City of Bradenton. They will accept applications from residents who demonstrate the immediate need for assistance but also demonstrate the ability to sustain their residence after assistance.

Table 13 - Project Information: Step Up Suncoast – Utility & Housing Assistance

7	**Project Name**	**Program Administration**
	Target Area	Census Tract 1.03 Census Tract 7.03 Census Tract 7.04 Census Tract 7.05
	Goals Supported	Affordable Housing Homeless needs Elder needs Code Enforcement
	Needs Addressed	Affordable Housing Homeless needs Elder needs Code Enforcement
	Funding	CDBG: $90,303.60
	Description	This program will provide funding for CDBG general program administration.
	Target Date	9/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	This project will benefit the city's low- and moderate-income residents by ensuring that CDBG funds are spent to truly benefit them. This includes subrecipient oversight, technical assistance to subrecipients, environmental review of projects, preparation of reports and review of expenses to ensure that there is adequate documentation of benefits provided to low- and moderate-income residents.
	Location Description	This activity will be based out of the City of Bradenton's offices at 101 12th Street W., Bradenton, FL 34205.
	Planned Activities	Project/activity funding and oversight, preparation of reports, technical assistance to subrecipients, preparation of environmental reviews, other activities associated with general program oversight.

Table 14 - Project Information: Program Administration

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Both CDBG and SHIP assistance are available citywide, with preferences for the Local Target Area, which includes many of the neighborhoods that comprise the city's Central Community Redevelopment Agency. Other neighborhoods the city has directed funding to include Citrus Meadows and Washington Park, and the Booker T. Washington Homesteads behind Tropicana Products. The city expects to continue directing assistance to these neighborhoods.

Geographic Distribution

Target Area	Percentage of Funds
Census Tract 1.03	30%
Census Tract 7.03	30%
Census Tract 7.04	10%
Census Tract 7.05	30%

Table 14 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The Local Target Area is composed of Census Tracts 1.03, 7.03, 7.04, and 7.05. Portions of 7.03, 7.04, and 7.05 lie in flood zones, so that limits activities somewhat in those neighborhoods. In addition, 7.05 has recreational areas within its boundaries. However, it is the location of the Citrus Meadows neighborhood, which was built in the 1990s, and most of the homes in the neighborhood are in good shape, but some are starting to need new roofs, HVAC, and electrical upgrades. Backing up to this neighborhood called Rayeville, which was built about the same time. These houses are also in good shape, but they are needing HVAC system replacements, roofs, and some electrical upgrades.

Census Tract 7.03 contains the neighborhoods of Washington Park and the Booker T. Washington Homesteads. These are older homes, frequently owned by older residents, that were built in the 1950s and 1960s that need substantial repairs to make them decent, safe, and sanitary, as well as more energy efficient. The poverty rate is not as great in these neighborhoods, but the city can ease the stress of poverty somewhat by making homes in these neighborhoods safer through wind mitigation activities and more energy efficient, which will decrease the strain on residents' finances.

Services for people who are homeless or at risk of homelessness are located in Census Tract 1.03, so it makes sense that resources to assist these people are directed to this area. Habitat for Humanity has worked on revitalizing these neighborhoods by building new housing over the past few years, and the city has rehabbed some homes in this area. The city also used NSP funding to build new housing in this area as well as rehabbing a few homes with these funds.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The city will use its CDBG (and SHIP) funding primarily to preserve affordable housing, build new affordable homes in the city. Preservation will be accomplished by repairing homes owned by low and moderate-income residents, primarily in the city's target areas. In addition to increase the number of affordable homes, the city will use its available funding to improve accessibility to homes occupied by residents that are elderly, handicapped, or disabled.

As mentioned above, the city's funding will be used primarily to preserve existing affordable units and build new ones. Some of the city's funding will be used to preserve people's housing by providing rental assistance.

One Year Goals for the Number of Households to be Supported	
Homeless	8
Non-Homeless	25
Special-Needs	12
Total	**45**

Table 15 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	10
The Production of New Units	2
Rehab of Existing Units	1
Acquisition of Existing Units	0
Total	**13**

Table 16 - One Year Goals for Affordable Housing by Support Type

Discussion

AP-60 Public Housing – 91.220(h)

Introduction

There are two public housing agencies that operate within the Bradenton city limits. The Bradenton Housing Authority offers both project-based housing and Housing Choice Vouchers within the Bradenton city limits, with their housing projects being located within the Bradenton city
limits. Manatee County Housing Authority has some Housing Choice Voucher program participants living within the Bradenton city limits.

Actions planned during the next year to address the needs to public housing

The city's public housing agency is not listed as a troubled agency by HUD, and its public housing units have been well maintained. The city has made improvements to the roads and sidewalks around the housing authority's Sugg project complex, an older property. The city encourages the public housing agencies to work with CDBG for projects helpful to their residents.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Both the Bradenton Housing Authority and Manatee County Housing Authority have public housing residents on their boards of commissioners. The Manatee County Housing Authority operates a family self-sufficiency program. When the city has purchase assistance available, both housing programs are notified of the availability of this opportunity, along with the application requirements. Homeownership can be an opportunity for households that are reaching zero HAP (Housing Assistance Payment), which means that they are responsible for paying all of their rent, without assistance from the housing program. In many cases, the Small Area Fair Market Rents (SAFMR) can be nearly equal to mortgage payments, so purchase assistance can be the difference between a family continuing to rent, unable to build wealth, and becoming a homeowner and building wealth.

MCHA has 80 public housing units, while BHA has 412 public housing units.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Neither the Bradenton Housing Authority nor the Manatee County Housing Authority are considered troubled agencies.

Discussion

Public housing agencies can help meet the affordable housing needs of some of the city's poorest residents through both their public housing programs and their Housing Choice Voucher programs. Both of these programs have been underfunded over the last 20 years, and the production of additional public housing units has been stopped since the Faircloth Amendment was enacted in 1998 as part of the Quality Housing and Work Responsibility Act. Low Income Housing Tax Credit (LIHTC) projects supported by the city through local

government contributions of SHIP and CDBG funds have attempted to fill this void.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City of Bradenton has seen its homeless population increase slightly over the past year – up just over 27% from last year. There are a number of programs that work with the different types of homeless populations, including veterans who are homeless and unaccompanied minors. The city lacks emergency shelter for some types of families, such as intact families and single fathers with children, so these needs are served through emergency homeless programs operated by nonprofit subrecipients.

The City of Bradenton has a large population of special needs persons, and there are a number of service providers in the community that address these needs. A common need for special needs populations in the community is housing that is affordable, particularly for those whose resources are limited. For people who are homeless, there is a need for additional emergency housing, transitional housing, and permanent supportive housing. The city assists with emergency housing needs by providing CDBG funding to subrecipients to meet these needs. However, this funding availability is limited by the public services cap. There is no transitional housing in Bradenton or Manatee County.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Bradenton Police Department operates a Homeless Outreach Team (HOT), through the Salvation Army, that assists people who have become homeless. They have funding for temporary shelter and necessities, and may arrange transport of people who are homeless back to their families if that is possible. They refer people who are homeless to local nonprofits such as Turning Points for follow-up services.

Our community nonprofits will continue to serve people who are homeless, including the unsheltered homeless. Turning Points provides a wide range of services, including medical and dental services, mail services, food services, and services for veterans. The Salvation Army works with homeless individuals and families, providing emergency shelter and a path back to permanent housing through their Pathways to Hope program.

Addressing the emergency shelter and transitional housing needs of homeless persons

The Salvation Army operates an emergency shelter in the city, and their Pathways to Hope program provides transitional housing for people who are homeless as they work on getting stabilized and back into housing. They submitted a funding request for a homeless prevention program this year, to help families from becoming homeless. Turning Points may also assist people who are homeless with securing temporary shelter, depending on funding availability. The Bradenton Police Department assists people who are homeless and need emergency

shelter from time to time. These organizations all participate in the Manatee Sarasota Continuum of Care so that they can stay up to date on the homeless population in Manatee County as well as Sarasota County. There are also a few small providers of transitional housing in the city that provide housing for people recovering from addiction.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Besides Salvation Army's Pathways to Hope program, they offer a program for inmates newly released from being incarcerated, with transitional housing available for up to six months. This enables program participants time to get reestablished and secure permanent housing. Family Resources offers shelter for unaccompanied youth and services to assist them with reuniting with their family or finding a stable living placement. Turning Points offers short-term assistance to either prevent families from becoming homeless or to help them transition from homelessness to stable housing. This assistance comes with counseling to ensure that they will be able to be stable rather than facing homelessness again. Turning Points offers veterans services, to help veterans avoid becoming homeless or to help them transition from homelessness to stable housing. Manatee county Government operates a veteran's services program to assist veterans through the process of obtaining VA benefits, other state and local benefits, obtaining discharge papers, and upgrading their military discharges. These services can help veterans obtain the resources they need to avoid becoming homeless. If they are homeless, this assistance can help them with obtaining housing. HOPE Family Services provides emergency shelter for victims of domestic violence and services to help them become stabilized in housing. They also assist the children of domestic violence victims. Their program ensures that victims of domestic violence (and their children) have a safe place to go, rather than fleeing domestic violence into homelessness.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Turning Points assists people who have been recently discharged from the hospital with finding temporary shelter while they work on finding them more permanent housing. They also offer services for people who are homeless to assist them in getting back on their feet and into housing. As previously mentioned, Family Resources provides shelter and services for youths who are homeless.

The Salvation Army has an excellent program for inmates newly released from being incarcerated. They can stay

in transitional housing for up to six months. This length of time gives them the opportunity to address substance abuse, health issues and employment barriers.

For those with mental health issues there are shelters and low-income housing options. Volunteers of America operates a variety of programs in Manatee County for people who are mentally ill. These programs range from group supportive housing to independent housing with access to programs and services, including employment training. They also offer veterans' housing.

Discussion

The City of Bradenton has its challenged populations, but it also has many community partners working to address the needs of these populations. City staff meet annually to discuss how these needs are being met, where there are gaps and what new needs must be addressed. The city's Affordable Housing Advisory Committee also brings ideas to the table for discussion and consideration.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

The largest barriers to affordable housing are accessibility and availability. Both the price for homeowner housing and the market rents for rental housing in the city have increased dramatically over the past year. More affordable housing rental units would help with the situation, and the city has provided the local government contribution for a number of Low-Income Housing Tax Credit projects that have applied for funding from Florida Housing Finance Corporation.

Economic development activities such as job training, entrepreneurship, education, and financial literacy can assist city residents with increasing their income, which may help with the housing affordability issue. However, some individuals, such as the elderly, disabled, and handicapped may have more limited options with regard to increasing their income, but they will still need a place to live that is affordable, decent, safe, and sanitary. These groups have the highest need for housing that they can afford.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Several incentives for affordable housing builders were addressed with the City's Affordable Housing Advisory Committee. The Committee made recommendations regarding the city's affordable housing incentive strategies. Some of the ideas included: making the incentives more specific in terms of the increases associated with these incentives and the possibility of establishing a fund that can be used to pay all or a portion of the impact fees associated with affordable housing developments. The city already offers a number of incentives, with the most flexible incentives allowed in its form-based code areas.

Discussion:

The city has attempted to meet its affordable housing needs by leveraging private and public funding through the tax credit financing program operated by Florida Housing Finance Corporation. However, several of these projects have not been funded due to the number of competing projects or their proximity to existing projects. The city will continue to provide support for projects as they are presented.

The city already offers a number of incentives for the construction of affordable housing, particularly in the areas covered by form-based code. Some of these incentives may need to be refined so that housing developers have a clearer idea of what the incentives offer in exchange for the construction of affordable housing. An inventory of public land to determine if the city owns any property suitable for affordable housing is currently being completed.

AP-85 Other Actions – 91.220(k)

Introduction:

The city will take the following steps in the coming year to address obstacles to meeting underserved needs, to foster and maintain affordable housing, to reduce lead-based paint hazards, and reduce the number of poverty-level families.

Actions planned to address obstacles to meeting underserved needs

When possible, the city will collaborate with other agencies addressing the same needs in order to increase resources and avoid duplication of efforts. Some of these other agencies, such as those who work with people who are developmentally disabled, may apply for assistance through the city's multifamily rental housing project or housing rehabilitation project. Other agencies may apply for funding for public-service related activities, such as emergency housing assistance, rental assistance, or economic development activities. Most of these agencies have several years of experience serving their particular populations, so it makes more sense for the city to collaborate with the agencies rather than attempting to take on the task of meeting these underserved needs.

Actions planned to foster and maintain affordable housing

The city plans to maintain its affordable housing stock by continuing to fund housing rehabilitation programs operated by the city and Habitat for Humanity. Habitat is able to leverage its funding with the labor of its volunteers, so they work on projects that don't call for a licensed professional, such as an engineer, a plumber, HVAC installer, or electrician. Their repairs primarily cover roofs, windows, doors, and floors. The city's housing rehabilitation program covers more complex repairs that require engineering, a plumber, electrician or HVAC installer as part of the scope of work.

In order to make housing more affordable to first-time homebuyers, the city will offer purchase assistance. This purchase assistance is flexible, so it can be used in a variety of ways to make the home purchase affordable. It can be used with other forms of assistance, such as homebuyer programs from the Florida Housing Finance Corporation and the Federal Home Loan Bank in Atlanta. A few Habitat homebuyers have used the city's purchase assistance to make their home purchases more affordable.

The city will consider opportunities to assist in the production of affordable housing, for rental and homeownership, as they arise. The city has a number of tools at its disposal to foster the production of affordable housing, including SHIP and CDBG funding for local government contributions to LIHTC projects, fee waivers, waivers on height and density requirements, density bonuses, flexible lot configurations, flexible parking requirements, to name a few.

Actions planned to reduce lead-based paint hazards

Both the city and Habitat for Humanity will continue to address lead-based paint hazards through their respective housing rehabilitation programs by following lead-safe renovation practices with any home built before 1978.

Actions planned to reduce the number of poverty-level families

The City of Bradenton will continue to coordinate its efforts with local nonprofits and public housing agencies in reducing the number of poverty-level families. This coordination can include supporting programs such as job-training programs, entrepreneurship programs, and even improving areas of the city to make them more attractive and facilitate economic development.

Actions planned to develop institutional structure

The city will improve coordination between its different departments, so that they are better able to meet the needs of the community. For outside agencies, the city will advise them of when funds are available, both at the beginning of the program year cycle and during the year if funding becomes available through the substantial amendment process. When agencies are funded, the city will provide them with technical assistance, particularly those applying for funds for the first time so that they understand their obligations regarding the use of CDBG funds.

Actions planned to enhance coordination between public and private housing and social service agencies

The city has a long relationship with some social service agencies, such as Turning Points, and Centerstone (formerly known as Manatee Glens). The city will work with the Bradenton Housing Authority to enhance communications, as well as to work toward enhancing communications with other service providers such as the Salvation Army of Manatee County, which has a site in the city.

The city has provided funding to Manatee County Habitat for Humanity for property acquisition for homeowner housing. Since Habitat for Humanity is able to construct housing at a lesser cost than if the city engaged a private housing developer, the city has been able to make more affordable housing available this way. For the 2022-23 program year, the city funded Habitat's Critical Repair Program. This program repaired the homes of low- and moderate-income families. Because these programs have been successful, the city will continue to work with Habitat for Humanity on future projects.

Discussion:

Increased communication between the city and service providers will help the city to better meet the needs of the community. This is important because all agencies are trying to accomplish their missions with fewer resources. Furthermore, by educating service providers about the needs identified in the city's Consolidated Plan and the obligations involved in using CDBG funds, the city will continue to have successful funding outcomes.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

Below are the city's program specific requirements. Historically, the city has not funded any float- funded activities or accessed any Section 108 loans and will not be using these financing mechanisms during the 2024-25 program year. All program income received should be reprogrammed before the end of the program year.

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**0**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Over-all Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing.

Uniform Relocation Act and Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction’s consolidated plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

_____ _____

Signature of Authorized Official Date

_____

Title

Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

Following a Plan -- It is following a current consolidated plan that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) 2024-2025 (one program year) [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its

jurisdiction.

Compliance with Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

Compliance with Laws -- It will comply with applicable laws.

_____ _____

Signature of Authorized Official Date

_____

Title

OPTIONAL Community Development Block Grant Certification

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG- assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

_____ _____

Signature of Authorized Official Date

_____

Title

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance -- If it plans to provide tenant-based rental assistance, the tenant-based rental assistance is an essential element of its consolidated plan.

Eligible Activities and Costs -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR §§92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

Subsidy layering -- Before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

_____ _____

Signature of Authorized Official Date

_____

Title

Emergency Solutions Grants Certifications

The Emergency Solutions Grants Program recipient certifies that:

Major rehabilitation/conversion/renovation – If an emergency shelter's rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation.

If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion.

In all other cases where ESG funds are used for renovation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

Essential Services and Operating Costs – In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the recipient will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the recipient serves the same type of persons (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

Renovation – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services – The recipient will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for these individuals.

Matching Funds – The recipient will obtain matching amounts required under 24 CFR 576.201.

Confidentiality – The recipient has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement – To the maximum extent practicable, the recipient will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted under the program.

Consolidated Plan – All activities the recipient undertakes with assistance under ESG are consistent with its consolidated plan.

Discharge Policy – The recipient will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

_____ _____

Signature of Authorized Official Date

_____

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Attach **Application for Federal Assistance SF-424**

OMB Number: 4040-0004
Expiration Date: 11/30/2025

Application for Federal Assistance SF-424

* 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

* 2. Type of Application:
- [x] New
- [ ] Continuation
- [ ] Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:
Completed by Grants.gov upon submission.

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: City of Bradenton

* b. Employer/Taxpayer Identification Number (EIN/TIN): 59-6000283

* c. UEI: 040877557000

d. Address:

* Street1: 101 Old Main Street West
Street2:
* City: Bradenton
County/Parish:
* State: FL: Florida
Province:
* Country: USA: UNITED STATES
* Zip / Postal Code: 34205-7865

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Ms.
* First Name: Pamela
Middle Name:
* Last Name: Skelding
Suffix:

Title: Housing and Community Development Manager

Organizational Affiliation:

* Telephone Number: 941-932-9493
Fax Number:

* Email: pamela.skelding@bradentonfl.gov

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

U.S. Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.218

CFDA Title:

Community Development Block Grant/Entitlement Grants

*** 12. Funding Opportunity Number:**

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

City of Bradenton 2024-2025 Annual Action Plan

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant: 16 * b. Program/Project: 16

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 10/01/2024 * b. End Date: 09/30/2024

18. Estimated Funding ($):

* a. Federal	451,518.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	451,518.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:	Mr.
* First Name:	Gene
Middle Name:	
* Last Name:	Brown
Suffix:	
* Title:	Mayor, City of Bradenton
* Telephone Number:	941-932-9400, ext. 450
Fax Number:	
* Email:	gene.brown@bradentonfl.gov

* Signature of Authorized Representative: Completed by Grants.gov upon submission. * Date Signed: Completed by Grants.gov upon submission.