Anyone wishing to view supporting documents for agenda items, please contact Tamara Melton, City Clerk: 941-932-9463 or cityclerk@cityofbradenton.com

AGENDA
BRADENTON CITY COUNCIL MEETING
8:30 a.m. Wednesday, June 14, 2023
CITY HALL COUNCIL CHAMBERS - 101 OLD MAIN STREET

REVISED AGENDA

1. INVOCATION & PLEDGE

Pastor Don Sturiano with Kingdom Life Christian Church

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

2. MEETING CALLED TO ORDER

3. PROCLAMATIONS

4. PRESENTATIONS

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: Recommendation for Award for RFQ 23-007EJ - Construction Manager at Risk (CMAR) Services for Fire Station #2
Willis A. Smith Construction Proposal for RFQ 23-007EJ

b) City Administration: Recommendation of Award for RFP 23-009EJ - Organizational and Operational Assessment
Matrix Consulting Group Response to RFP 23-009EJ

c) City Administration: Resolution 23-57 - Revised Public Records Policy, Procedures, and Forms
Resolution 23-57

d) Clerk: Minutes from the April 12, 2023 City Council Special Meeting
4-12-2023 City Council Special Meeting Minutes

e) Clerk: Minutes from the May 10, 2023 City Council Meeting

5-10-2023 City Council Meeting Minutes

f) Clerk: Minutes from the May 24, 2023 City Council Meeting
5-24-2023 City Council Meeting Minutes

g) Clerk: Resolution 23-55: Joint meeting with the Board of County Commissioners and Manatee County School Board
Resolution 23-55

h) Clerk: Resolution 23-56: Council of Governments Meeting
Resolution 23-56

i) Legislative: Resolution 23-54: Affordable Housing Advisory Committee Appointment
Resolution 23-54

j) Event Review Committee: Carols by Candlelight
Carols by Candlelight Application and Site Plan

k) Event Review Committee: Mattison's Parking Spot Closure Request
Mattison's Parking Spot Closure Application

l) Finance: Budget Adjustment BA23-12
Budget Adjustment BA23-12

m) Finance: Budget Adjustment BA23-13
Budget Adjustment BA23-13

n) Police: Forfeiture Funds Request - Building Improvements
Building Improvements Quote

o) Purchasing: IFB-20-01RW Continuing Services Agreement with C-Squared Certified General Contractor, Inc.
IFB-20-01RW with C-Squared Certified General Contractor

p) Purchasing: PB-20-041MK Extension Agreement with Thatcher Chemical of Florida, Inc.
PB-20-041MK with Thatcher Chemical of Florida

q) Purchasing: PB-22-036NT Contract Extension with Kemira Water Solutions, Inc.
PB-22-036NT with Kemira Water Solutions

r) Purchasing: PB-22-042MK Extension Agreement with Biosafe Solutions, LLC
PB-22-042MK with Biosafe Systems

s) Purchasing: PB-22-045MK Extension Agreement with Palmdale Oil, LLC
PB-22-045MK with Palmdale Oil

t) Purchasing: RFP #22-031NT Disaster Debris Collection Extension with DRC Emergency Services, LLC
RFP #22-031NT Extension with DRC Emergency Services

u) Public Works & Utilities: Quit Claim Deed for Transfer of Retention Pond
Quit Claim Deed for Parcel ID: 3218300059

7. BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

a) City Administration:

ORDINANCE 4011 - FIRST READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 22, ARTICLE III, OF THE CODE OF ORDINANCES, ENTITLED "VACATION RENTALS;" AMENDING SECTION 22-51, TO AMEND THE DEFINITION OF "VACATION RENTAL;" AMENDING SECTION 22-52(a) TO EXTEND THE DEADLINE FOR OBTAINING A CERTIFICATE OF REGISTRATION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance 4011

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

a) City Administration: Code Enforcement Initiatives
b) City Administration: Interlocal Agreement with Manatee County regarding Water Taxi Dockage
Interlocal Agreement with Manatee County - Final

9. UNFINISHED BUSINESS

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 4:30 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. 6.a

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Erin Jones, City Administration

ITEM TYPE: Miscellaneous

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Recommendation for Award for RFQ 23-007EJ - Construction Manager at Risk (CMAR) Services for Fire Station #2

SUGGESTED ACTION: Authorize award and pursue a contract with Willis A. Smith Construction.

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:

Request for Qualifications (RFQ) 23-007EJ Construction Manager at Risk (CMAR) Services for Fire Station #2 was advertised on DemandStar on April 3, 2023. On May 9, 2023, five (5) sealed proposals were received and opened in response to the RFQ. On May 23, 2023 prior to discussions, Purchasing deemed Jon F. Swift non-responsive for failing to submit required documents pursuant to Part I Section 8.2. A three-member Evaluation Committee reviewed and discussed the remaining responsive proposals. Following discussions and prior to scoring, the committee opted to short-list the top four (4) highest scoring proposers, and invited them to participate in a presentation and question and answer session on June 7, 2023. Prior to presentations, Tandem Construction sent an email on May 30, 2023 withdrawing from presentations and therefore did not present. On June 7, 2023, after presentations and questions and answer sessions from the remaining short-listed proposers, the Evaluation committee reconvened to discuss and rank the remaining short-listed proposers. Prior to discussions, Purchasing declared that Tandem Construction withdrew from consideration and would not be discussed or ranked in the meeting. Willis A. Smith Construction was ranked number 1 and is

recommended for award and permission to negotiate a contract.

FINANCIAL IMPACT:
N/A - Financial impact will be included in the proposed contract that will be brought before Council once negotiations are completed.

ATTORNEY REVIEW/RECOMMENDATION:
Attorney Rudacille will be sent the contract for review once negotiated.

SUGGESTED MOTION:
Motion to authorize award for RFQ 23-007EJ - Construction Manager at Risk Services for Fire Station #2 and pursue a contract with Willis A. Smith Construction.

ATTACHMENTS:
Willis A. Smith Construction Proposal for RFQ 23-007EJ

WILLIS SMITH CONSTRUCTION

REQUEST FOR QUALIFICATIONS

Construction Management Services

City of Bradenton RFQ #23-007EJ
Fire Station #2

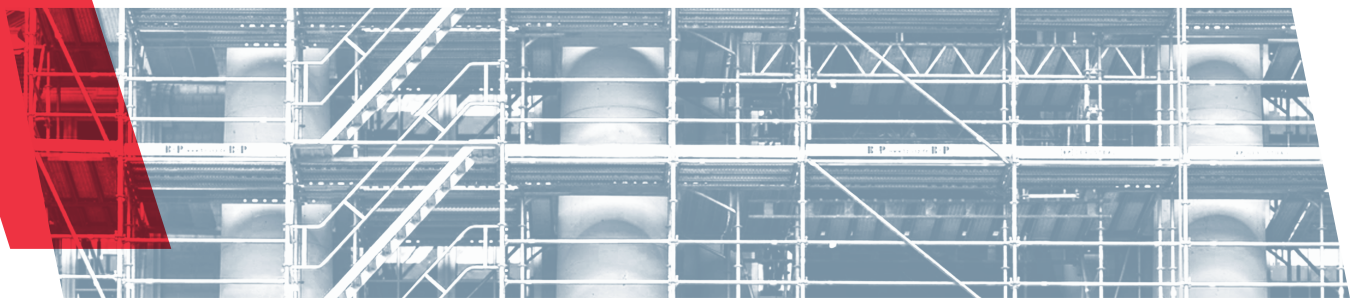
May 09, 2023 | 2:30 p.m.







TABLE OF CONTENTS



1. LETTER OF INTEREST - PROPOSER INFORMATION - FORMS
2. RESUMES
3. EXPERIENCE
4. CURRENT AND PROJECTED WORKLOAD
5. APPROACH
6. SCHEDULE - TIMELINE





EAST MANATEE FIRE RESCUE DISTRICT STATION 7

1 LETTER OF INTEREST PROPOSER INFORMATION FORMS

WILLIS SMITH CONSTRUCTION

5001 Lakewood Ranch Boulevard
Sarasota, Florida 34240
941.366.3116

May 9, 2023

City of Bradenton
1300 6th Street West
Bradenton, FL 34205

Re: Construction Management Services for Fire Station #2RFQ #23-007EJ

Dear Members of the Selection Committee:

Willis Smith Construction has recently completed Fire Station #2 for the Parrish Fire District as well as several fire stations for East Manatee Fire Rescue District. The lessons learned from the these stations will save the City of Bradenton both time and money while maintaining the over-all quality of the finished product. Our firm has a strong resume of Fire Station projects for Sarasota County as well. Additionallly, we have worked with Fawley Bryant Achitects for 25 years on over 75 projects.

The preconstruction and construction of Fire Station #2 will be done with the same attention to detail as we applied to all the Fire Stations we have built. Our team will be led by Brett Raymaker as the Project Executive. He will be supported by an experienced team including Preconstruction Director, Robbie Gronbach, Project Manager, Rick Scherzer, and Superintendent, Scott Case. This team has a history working together and will work diligently to make this important project come together and run as smoothly as possible. This team will listen to your specific needs and concerns at the onset. We take your information into our preconstruction department and will communicate a variety of different scenarios and phasing options. These options will be explored meticulously so that quick and accurate decisions can be made to keep the project moving forward and within the given budget. There will be no learning curve from the beginning of preconstruction, through construction, all the way to the completion and closeout of the project.

Other key factors for consideration:

- Proven **Preconstruction Department value**
- Experience building multiple **Fire Stations**
- Proven approach to **competitively bidding** projects in the current marketplace
- Proven history of **'Keeping it Local'** in collaborating with local Subcontractors
- Our ability to work closely with the **local building officials**
- Our **ZERO Change Orders** approach as a Construction Manager
- Proven record of **timely project completion**
- Our strong financial management results in **bonding limits over $200-million dollars**

Choosing Willis A. Smith Construction for the City of Bradenton FS No. 2 will guarantee another outstanding fire station with a proven construction team who understands this project's specific requirements. We will continue to help you achieve the best fire station as a Team member for the critical dollars you have available. We look forward to having an opportunity to work with you on this exciting project.

F. John LaCivita, LEED®AP, President
Willis Smith Construction, Inc.

TAB I. | PROPOSER INFORMATION

COMPANY INFORMATION

YEARS IN BUSINESS 51 Years in business

CONTACT INFORMATION

Brett Raymaker, Vice President
braymaker@willissmith.com
941.366.3116

LOCATION OF HEADQUARTERS

5001 Lakewood Ranch Boulevard
Sarasota, FL 34240

BRIEF COMPANY HISTORY

Founded in 1972 by Willis A. Smith, the primary purpose of the company was to build commercial and industrial facilities. David E. Sessions joined the firm in 1988, becoming an owner a year later. He assumed the role of CEO and President in 1999. In 2004, John LaCivita joined the firm and became President in 2022. The ownership group now also includes Taylor Aultman (2015), Nathan Carr (2015), David Otterness (2015) and Brett Raymaker (2015). Headquartered in Lakewood Ranch, the firm provides quality planning, construction and related services to a variety of clients through our 82 talented construction professionals on staff.

SUMMARY OF QUALIFICATIONS

Major services offered include: Construction Management, Design/Build, General Contracting, Sustainability Analysis and Consulting Services for Site Evaluation and/or Selection, Budget and Constructability Analysis, Cost Consulting and Scheduling. The firm provides this full range of services under a variety of contractual approaches, principally construction management and design/build.

CONFLICT OF INTEREST DISCLOSURE

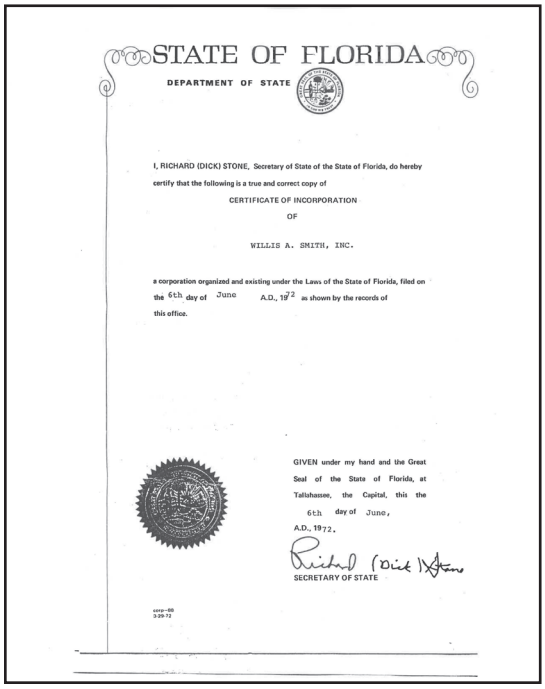
None



Willis Smith Construction Headquarters

STATE REGISTRATION

Willis A. Smith Construction, Inc. is a Florida Corporation Since 1972



STATE OF FLORIDA

DEPARTMENT OF STATE

I, RICHARD (DICK) STONE, Secretary of State of the State of Florida, do hereby certify that the following is a true and correct copy of

CERTIFICATE OF INCORPORATION

OF

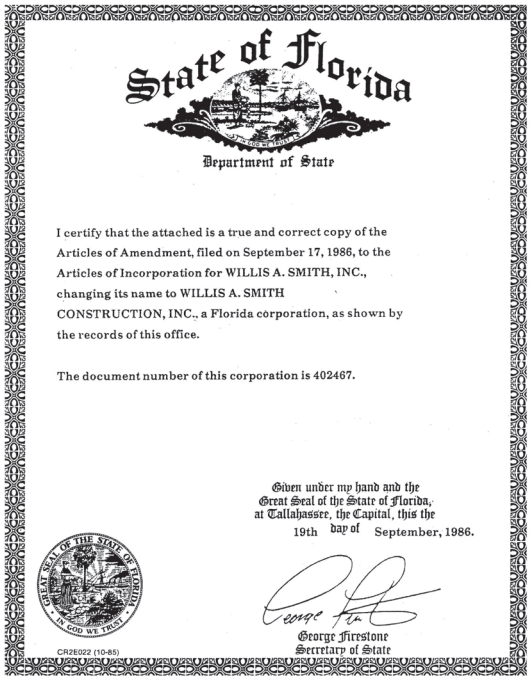
WILLIS A. SMITH, INC.

a corporation organized and existing under the Laws of the State of Florida, filed on the 6th day of June A.D., 1972 as shown by the records of this office.

GIVEN under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the 6th day of June, A.D., 1972.

SECRETARY OF STATE

corp-60
3-29-72



State of Florida

Department of State

I certify that the attached is a true and correct copy of the Articles of Amendment, filed on September 17, 1986, to the Articles of Incorporation for WILLIS A. SMITH, INC., changing its name to WILLIS A. SMITH CONSTRUCTION, INC., a Florida corporation, as shown by the records of this office.

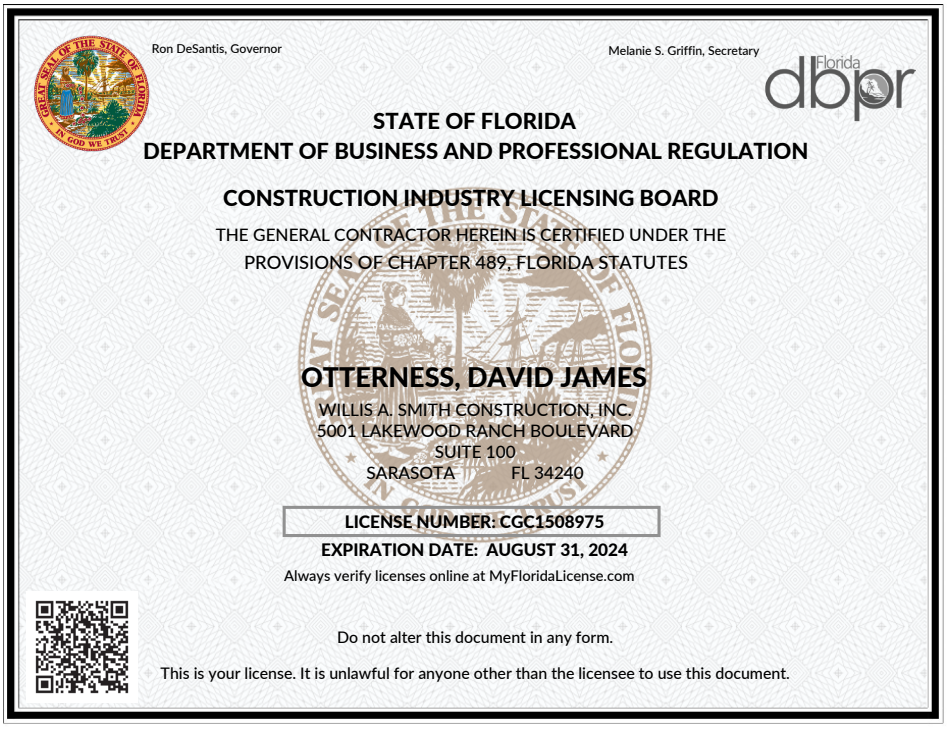
The document number of this corporation is 402467.

Given under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the 19th day of September, 1986.

George Firestone
Secretary of State

CR2E022 (10-85)

LICENSE



Ron DeSantis, Governor

Melanie S. Griffin, Secretary

Florida dbpr

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD

THE GENERAL CONTRACTOR HEREIN IS CERTIFIED UNDER THE PROVISIONS OF CHAPTER 489, FLORIDA STATUTES

OTTERNESS, DAVID JAMES

WILLIS A. SMITH CONSTRUCTION, INC.
5001 LAKEWOOD RANCH BOULEVARD
SUITE 100
SARASOTA FL 34240

LICENSE NUMBER: CGC1508975

EXPIRATION DATE: AUGUST 31, 2024

Always verify licenses online at MyFloridaLicense.com

Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

APPENDIX A

Form#1 – Response Form

City of Bradenton
Response Form

Company Name: Willis A. Smith Construction, Inc.

Date Submitted May 9th, 2023

PROJECT IDENTIFICATION: # 23-007EJ

NAME: Construction Manager at Risk Services

COMPANY NAME: Willis A. Smith Construction, Inc.

NAME & TITLE: (TYPED OR PRINTED) Bretton A. Raymaker, Vice President

BUSINESS ADDRESS: (PHYSICAL) 5001 Lakewood Ranch Boulevard, Sarasota , FL 34240

CORPORATE OR MAILING ADDRESS: ☒SAME AS PHYSICAL

ADDRESS MUST MATCH SUNBIZ

E-MAIL ADDRESS: braymaker@willissmith.com

PHONE NUMBER: 941-366-3116 FAX NUMBER: 941-954-5509

In submitting this proposal, Proposer makes all representations required by the Instructions to Offeror and further warrants and represents that: Proposer has examined copies of all the solicitation documents and of the following addenda:

No. 1	Dated: April 4, 2023	No.	Dated:		
No. 2	Dated: April 19 2023	No.	Dated:		
No.	Dated:	No.	Dated:		

City of Bradenton, Bradenton, Florida

The undersigned, as Proposer, hereby declares that no person or other persons other than the undersigned are interested in this solicitation packet as Principal, and that this solicitation offer is submitted without collusion with others; and that we have carefully read and examined the specifications or scope of work, and with full knowledge of all conditions under which the services herein is contemplated must be furnished, hereby propose and agree to furnish this service according to the requirements set out in the specifications or scope of work for said service for the prices as listed on the city provided price sheet or (CCNA) agree to negotiate prices in good faith if a contract is awarded.

Tax Payer Identification Number: 59-1399895

(1) Employer Identification Number **-or-** (2) Social Security Number:

** *The City of Bradenton collects your social security number for tax reporting purposes only*

ALL BIDS MUST BE SIGNED, SEALED AND EXECUTED BY A CORPORATE AUTHORITY.

Where Proposer is a Corporation, add:

Willis A. Smith Construction, Inc.
Company Name: (Name printed or typed)

(Seal)

Attest:

Authorized Proposer:

Bretton A. Raymaker, Vice President
Proposer: (Name printed or typed)

Authorized Signature and Proposer Title

Secretary

Please submit a copy of your registration certificate establishing your firm as authorized to conduct business in the State of Florida, as provided by the *Florida Department of State, Division of Corporations*. Please refer to website: www.sunbiz.org

APPENDIX A

Form# 2 – Interest in Competitive Bid

FORM 2 - INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS

LAST NAME, FIRST NAME, MIDDLE NAME		OFFICE POSITION HELD
MAILING ADDRESS	N/A	AGENCY
CITY ZIP COUNT		ADDRESS OF AGENCY

WHO MUST FILE THIS STATEMENT

Sections 112.313(3) and 112.313(7), Florida Statutes, prohibit certain business relationships on the part of public officers and employees, their spouses, and their children. See Part III, Chapter 112, Florida Statutes and/or the brochure entitled "A Guide to the Sunshine Amendment and Code of Ethics for Public Officers, Candidates and Employees" for more details on these prohibitions. However, Section 112.313(12), Florida Statutes (1983), provides certain limited exemptions to the above-referenced prohibitions, including one where the business is awarded under a system of sealed, competitive bidding; the public official has exerted no influence on bid negotiations or specifications; and where disclosure is made, prior to or at the time of the submission of the bid, of the official's or his spouse's or child's interest and the nature of the intended business. The Commission on Ethics has promulgated this form for such disclosure, if and when applicable to a public officer or employee.

INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS (Required by 112.313(12)(b), Florida Statute (1983))

1. The competitive bid to which this statement applies has been/will be (strike one) submitted to the following government agency:
2. The person submitting the bid is: Name Position
3. The business entity with which the person submitting the bid is associated is:
4. My relationship to the person or business entity submitting the bid is as follows:
5. The nature of the business intended to the transacted in the event that this bid is awarded is as follows:
   a. The realty, goods and/or services to be supplied specifically include: _____
   b. The realty, goods and/or services will be supplied for the following period of time: _____
   c. Will the contract be subject to renewal without further competitive bidding? ____ Yes ____ No if so, how often? _____
6. Additional comments:
7. Signature Date Signed Date Filed

FILING INSTRUCTIONS

If you are a state officer or employee required disclosing the information above, please filing this form with the Secretary of State at the Capitol, Tallahassee, Florida 32301. If you are an officer or employee of a political subdivision of this state and are subject to this disclosure, please file the statement with the Supervisor of Elections of the county in which the agency in which you are serving has its principal office.

NOTICE: UNDER THE PROVISIONS OF FLORIDA STATUTES #112.317 (1983), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $5,000.00.

APPENDIX A

Form# 3 – Non-collusive Affidavit

NON-COLLUSIVE AFFIDAVIT
(Prime Contractor/Vendor)

State of Florida

County of Sarasota

Bretton A. Raymaker, being first duly sworn, deposes and says that they are

Vice President, the party making the fore-going solicitation
(Partner or officer of the firm, etc.)

is genuine and not collusive or sham; that said contractor/vendor has not colluded, conspired, connived or agreed, directly or indirectly, with any contractor/vendor or person, to put in a sham solicitation or to refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the solicitation price of affiant or of any other contractor/vendor, or to fix overhead, profit or cost element of said solicitation price, or of that of any other contractor/vendor, or to secure any advantage against the City of Bradenton of any person interested in the proposed contract; and that all statements in said solicitation are true.

Bretton A. Raymaker, Vice President
(Contractor/Vendor, *if the Contractor/vendor is an individual;*
Partner, if the Contractor/vendor is a partnership;
Officer, if the Contractor/vendor is a corporation)

Willis A. Smith Construction, Inc.
(Company Name)

STATE OF Florida

COUNTY OF Sarasota

The foregoing instrument was acknowledged before me by means of ■ physical presence or ☐ online, this May 8, 2023 by Bretton A. Raymaker, Willis A. Smith Construction, Inc., a Florida corporation, on behalf of the corporation. He/She is personally known to me or has produced _____ as identification.

(Signature of person taking acknowledgment)

Elizabeth H. Brookins
(Name of notary typed, printed or stamped)

Senior Marketing Coordinator
(Title or rank)

ELIZABETH H. BROOKINS
Notary Public - State of Florida
Commission # HH 084787
My Comm. Expires May 11, 2025
Bonded through National Notary Assn.

HH084787 Exp. May 11,2025

(Serial number, if any)

APPENDIX A

Form# 4 – Public Entity Crimes

SWORN STATEMENT UNDER SECTION 287.133(3)(a), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

This form must be signed and sworn to in the presence of a notary public or other officer authorized to administer oaths.

1. This sworn statement is submitted to City of Bradenton
(*Print name of the public entity*)

by Bretton A. Raymaker, Vice President
(*Print individual's name and title*)

for Willis A. Smith Construction, Inc.
(*Print name of entity submitting sworn statement*)

whose business address is 5001 Lakewood Ranch Boulevard, Sarasota, FL 34240

(If applicable) its Federal Employer Identification Number (FEIN) is 59-1399895

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: On the attached sheet.) Required as per IRS Form W-9.

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including but not limited to, and bid or contract for goods or services to be provided to any public entity or agency or political subdivision or any other state or of the Unites States, and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understate that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

    1. A predecessor or successor of a person convicted of a public entity crime: or:

    2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those offices, directors, executives, partners, shareholders, employees, members and agents who are active in the management of the affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not fair market value under an arm's length agreement, shall be a facie case that one person controls another person. A person who knowingly enters into a join venture with a person who has been convicted of a public entity crime in Florida during the proceeding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1)(c), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of the entity.

APPENDIX A

Form# 4 – Public Entity Crimes

6. **Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting those sworn statements. (*Please indicate which statement applies.*)**

[X] Neither the entity submitted this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, member, or agents who are active in management of the entity, or an affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, member, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearing and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (Attach a copy of the final order)

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES, FOR CATEGORY TWO OR ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

_____
(*Signature*)

May 8 ,2023
(*Date*)

STATE OF Florida
COUNTY OF Sarasota

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this 8th day of , May 2023 , by Bretton A. Raymaker, Vice President

_____
(Signature of Notary Public - State of Florida)

Elizabeth H. Brookins
(Print, Type, or Stamp Commissioned Name of Notary Public)

[X] Personally Known OR _____ Produced Identification
Type of Identification Produced _____

ELIZABETH H. BROOKINS
Notary Public - State of Florida
Commission # HH 084787
My Comm. Expires May 11, 2025
Bonded through National Notary Assn.

APPENDIX A

Form# 4A- Negligence or Breach of Contract Disclosure Form

ALLEGED NEGLIGENCE OR BREACH OF CONTRACT DISCLOSURE FORM

Please fill in the form below. Provide a sheet for each incident that has occurred over the past 10 years. Please compete in chronological order with the most recent incident on starting on page 1. Please do not modify this form or submit your own variation.

1.	Your Company Name					
2.	Type of Incident	**Place an X in the appropriate block.**	Alleged Negligence		Breach of Contract	
3.	Date of Incident					
4.	Who Took Action Against Your Company? (Include name, state, and City.)	NONE				
5.	What was the initial circumstance for this action?					
6.	What was the final outcome of this action?					

Make as many copies of this sheet as necessary in order to provide a 10 year history of the requested information. Provide this sheet to your primary partners that are listed in your proposal. If there is no action pending or action taken in the last 10 years, write 'NONE" on the page and return it with the company name completed.

Page Number: [ ] of [ ]

Update the page number to reflect the current page and the total number of pages. If you must use a separate sheet to continue an explanation please reference the page and item number on the separate sheet. Example: Page 3, Item 5.

Alternate Reporting: If you have too many lawsuits report the most recent 10 lawsuits. This may be done on a spreadsheet. Please include the name of the plaintiff (Do not include litigation with your company as the plaintiff), Date of filing, initial reason for circumstances, final outcome. Final outcome should include whether a monetary settlement was made. The amount may remain anonymous. In the blocks above enter, "See Enclosed Spreadsheet" of you use this alternate method

APPENDIX A

Form# 5 – Drug-Free Workplace

DRUG-FREE WORKPLACE CERTIFICATION

Preference shall be given to businesses with drug-free workplace programs. Pursuant to Section 287.087, Florida Statutes, whenever two or more competitive solicitations that are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a response received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie responses will be followed if none of the tied providers has a drug free workplace program. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

3. Give each employee engaged in providing the commodities or contractual services that are under proposal a copy of the statement specified in Subsection (1).

4. In the statement specified in Subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 894, Florida Statutes, or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.

5. Impose a sanction on any employee who is so convicted or require the satisfactory participation in a drug abuse assistance or rehabilitation program as such is available in the employee's community.

6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of applicable laws, rules and regulations.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

Willis A. Smith Construction, Inc.
CONTRACTOR VENDOR NAME

AUTHORIZED SIGNATURE

APPENDIX A

CERTIFICATION REGARDING SCRUTINZED COMPANIES LISTS

Respondent Name: Willis A. Smith Construction, Inc.

Respondent's Authorized Representative Name and Title: Bretton A. Raymaker, Vice President

Address: 5001 Lakewood Ranch Boulevard

City: Sarasota State: Florida Zip: 34240

Phone Number: 941-366-3116 Respondent FEIN: 59-1399895

Email Address: braymaker@willissmith.com

Section 287.135, Florida Statutes prohibits a company from bidding on, submitting a proposal for, or entering into or renewing a contract for goods or services of any amount if, at the time of contracting or renewal, the company is on the Scrutinized Companies that Boycott Israel List, created pursuant to Section 215.4725, Florida Statutes, or is engaged in a boycott of Israel. Section 287.135, Florida Statutes, also prohibits a company from bidding on, submitting a proposal for, or entering into or renewing a contract for goods or services of $1,000,000 or more, that are on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector Lists which were created pursuant to s. 215.473, Florida Statutes.

Certification:

As the person authorized to sign on behalf of Respondent, I hereby certify that the company identified above in the section entitled "Respondent Vendor Name" is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List. I further certify that the company is not engaged in a boycott of Israel. I understand that pursuant to section 287.135, Florida Statutes, the submission of a false certification may subject company to civil penalties, attorney's fees, and/or costs.

Certified By: Bretton Raymaker, Vice President,

who is authorized to sign on behalf of the above referenced company.

Authorized Signature: Bretton Raymaker

Print Name and Title: Bretton A. Raymaker, Vice President

2023 FLORIDA PROFIT CORPORATION ANNUAL REPORT

FILED
Jan 23, 2023
Secretary of State
5652618919CC

DOCUMENT# 402467

Entity Name: WILLIS A. SMITH CONSTRUCTION, INC.

Current Principal Place of Business:

5001 LAKEWOOD RANCH BLVD
SUITE 100
SARASOTA, FL 34240

Current Mailing Address:

5001 LAKEWOOD RANCH BLVD
SUITE 100
SARASOTA, FL 34240 US

FEI Number: 59-1399895

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

SESSIONS, DAVID E
5001 LAKEWOOD RANCH BLVD
SUITE 100
SARASOTA, FL 34240 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent — Date

Officer/Director Detail :

Title	CEO
Name	SESSIONS, DAVID E
Address	5001 LAKEWOOD RANCH BLVD SUITE 100
City-State-Zip:	SARASOTA FL 34240

Title	PRESIDENT, TREASURER
Name	LACIVITA, F JOHN
Address	5001 LAKEWOOD RANCH BLVD SUITE 100
City-State-Zip:	SARASOTA FL 34240

Title	SECRETARY
Name	LAIDLAW, DAWN M
Address	5001 LAKEWOOD RANCH BLVD N
City-State-Zip:	SARASOTA FL 34240

Title	VP
Name	CARR, NATHAN
Address	5001 LAKEWOOD RANCH BLVD N
City-State-Zip:	SARASOTA FL 34240

Title	VP
Name	OTTERNESS, DAVID
Address	5001 LAKEWOOD RANCH BLVD N
City-State-Zip:	SARASOTA FL 34240

Title	VP
Name	RAYMAKER, BRETTON
Address	5001 LAKEWOOD RANCH BLVD N
City-State-Zip:	SARASOTA FL 34240

Title	VP
Name	AULTMAN, TAYLOR
Address	5001 LAKEWOOD RANCH BLVD N
City-State-Zip:	SARASOTA FL 34240

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: DAWN M LAIDLAW — SECRETARY — 01/23/2023

Electronic Signature of Signing Officer/Director Detail — Date



SARASOTA COUNTY FIRE STATION 8

2 RESUMES



24 Years of Experience
20 Years with WSC

BRETT RAYMAKER, LEED® AP

Vice President & Project Executive

As your Project Executive, Brett is responsible for overseeing every aspect of your project, directly managing all CM services through project completion. He manages all team services from preconstruction, through construction, and finally, project closeout. In addition to final responsibility for project schedule and budget, he has ultimate responsibility for quality and owner satisfaction. Brett has over 24 years of construction experience and has managed a diverse project portfolio including large and small scale public and private sector projects in Sarasota and Manatee County. Brett has established a successful record within the company. His involvement through the entire construction process has given him a knowledgeable hands-on-approach to establish a successful project.

EDUCATION B. S. Building Construction – University of Florida

RELATED PROJECT EXPERIENCE

Fire Station No. 2 - Parrish, FL
11,847 SF | $5,864,679 | Parrish Fire Rescue District

Fire Training Tower - Bradenton, FL
N/A SF | $1,632,924| Cedar Hammock Fire Control District

Fire Station No. 7 - Bradenton, FL
9,259 SF | $2,811,085 East Manatee Fire Rescue District

Fire Station No. 8 - Bradenton, FL
10,467 SF | $3,94,172 | East Manatee Fire Rescue District

Fire Station No. 2 - Bradenton, FL
9,000 SF | $2,344,803 | East Manatee Fire Rescue District

Training Tower - Bradenton, FL
4,182 SF | $592,570 | East Manatee Fire Rescue District

North Port Public Safety Facility & Fire Station No. 86 - North Port, FL
26,000 SF | $10,497,922 | City of North Port

Fire Station No. 9 & Fuel Station Bee Ridge Road - Sarasota, FL
19,300 SF | $7,391,523 | Sarasota County Government

Fire Station No. 8 & Training Tower Apex Road - Sarasota, FL
19,300 SF | $7,445,310 | Sarasota County Government

City of Venice Fire Station Number 1 and City Hall Expansion
18,438 SF + 12,275 SF Renovation | $9,637,412 | City of Venice

Sheriff Tom Knight Support Services Facility - Venice, FL
74,000 SF | $17,000,000 | Sarasota County Government

Fire Station No. 13 Siesta Key - Sarasota, FL
10,180 SF | $5,888,144 | Sarasota County Government

Fire Station No. 12, 14, 16, 17 - Sarasota, FL
46,048 SF | $14,998,344 | Sarasota County Government

Fire Station No. 85 - North Port, FL
8,600 SF | $2,863,710 | City of North Port



Parrish Fire Station No. 2



EMFR District Fire Station No. 8



EMFR District Fire Station No. 7

BRETT RAYMAKER - *CONTINUED*



North Port Public Safety Facility & Fire Station 86


SRQ Fire Station No. 13


City of Venice Fire Station 1 and City Hall


SRQ County Sheriff Tom Knight Support Services Facility

Riverwood Activity Center Renovation/Addition - Port Charlotte, FL
13,600 SF | $4,748,615| Riverwood Golf Club

Divosta Beachwalk Amenity Campus - Sarasota, FL
12,695 SF | $13,858,489 | Pulte Home Company

WBTT Binz Building & Theatre Renovation - Sarasota, FL
49,200 SF | $6,859,636 | Westcoast Black Theatre Troupe

ODA Performing & Visual Arts Center - Lakewood Ranch, FL
25,000 SF | $4,278,351 | Out-of-Door Academy

ODA Vitale Dart STEM Center - Lakewood Ranch, FL
18,298 SF | $3,562,815| Out-of-Door Academy

Peace Presbyterian Church New Sanctuary - Lakewood Ranch, FL
7,360 SF | $2,047,203 | Peace Presbyterian Church

Cornerstone Church Fellowship Hall and Classroom - Lakewood Ranch, FL
28,545 SF | $2,804,292 | Cornerstone Church

The Pines of Sarasota ALF Renovation - Sarasota, FL
31,300 SF | $2,625,809 | The Pines of Sarasota

Hospice Residence and Administration Facility - Lakewood Ranch, FL
22,000 SF | $4,455,633 | Tidewell Hospice

Hospice Residence and Administration Facility - Arcadia, FL
14,483 SF | $3,959,076 | Tidewell Hospice

Hospice Residence Addition - Pt. Charlotte, FL
6,000 SF | $2,261,849 | Tidewell Hospice

DaySpring Conference Center - Bradenton, FL
11,500 SF | $3,366,434 | Episcopal Diocese of Southwest Florida

PRECO Office Facility - Bradenton, FL
7,500 SF | $1,692,206 | Peace River Electric Cooperative

Glass Plant Facility - Venice, FL
93,000 SF | 8,097,000 | PGT Industries

PROFESSIONAL LICENSE Certified General Contractor, State of Florida

PROFESSIONAL MEMBERSHIPS
USGBC (US Green Building Council) LEED® AP and Council Member
GCBX Board of Directors & Executive Member
First Tee of Sarasota/Manatee - Board of Directors Since 2021

ROBBIE GRONBACH, LEED® AP

Director of Preconstruction



17 Years of Experience
13 Years with WSC

As Director of Preconstruction, Robbie has the responsibility to manage projects in the early stages of planning and design development through final completion/approval of the Guaranteed Maximum price. His involvement begins during the schematic/design development phases of drawings when our team will immediately absorb your goals, objectives and budget requirements as we begin our preconstruction services.

Robbie manages the preconstruction process providing significant budget and schedule control by "filling in the blanks" using historical data and specific knowledge of the types of construction and building systems that will be utilized. Detail oriented and project focused, we will utilize the latest technology and resources to create and present the same vision you have of your project. Robbie will also participate as a document reviewer and advisor for constructability and value analysis. This review will be accomplished by interdisciplinary reviews of progress sets of documents in an attempt to identify conflicts or ambiguity on the plans prior to design completion and before they become issues in the field. This value analysis is another preconstruction role we offer for determining options for materials or systems delivering the same value at less cost or better value at the same cost. Our Preconstruction services will ensure the scope and design is completely understood by all participants and all code and compliance issues have been discussed and are part of the subcontractor's implementation plan and schedule.

EDUCATION

M.S. Building Construction - University of Florida
B.S. Building Construction - University of Florida



SRQ Fire Station No. 13



City of Venice FS 1 and City Hall



SRQ County Sheriff Tom Knight Support Services Facility

RELATED PROJECT EXPERIENCE

Fire Station No. 7 – Bradenton, FL
9,259 SF | $2,811,085 East Manatee Fire & Rescue District

Fire Station No. 8 – Bradenton, FL
10,467 SF | $3,94,172 | East Manatee Fire & Rescue District

Fire Station No. 2 – Bradenton, FL
9,000 SF | $2,344,803 | East Manatee Fire Rescue District

Training Tower – Bradenton, FL
4,182 SF | $592,570 | East Manatee Fire Rescue District

Fire Station No. 9 & Fuel Station Bee Ridge Road – Sarasota, FL
19,300 SF | $7,364,531 | Sarasota County Government

City of Venice Fire Station Number 1 and City Hall Expansion
18,438 SF + 12,275 SF Renovation | $9,637,412 | City of Venice

Fire Station No. 13 Siesta Key – Sarasota, FL
10,180 SF | $5,888,144 | Sarasota County Government

City of Venice Fire Station Number 1 and City Hall Expansion
18,438 SF + 12,275 SF Renovation | $9,637,412 | City of Venice

Fire Station No. 8 & Training Tower Apex Road – Sarasota, FL
19,300 SF | $7,445,310 | Sarasota County Government

Fire Stations No. 12, 14, 16 & 17 – Sarasota, FL
46,048 SF | $14.9 Million | Sarasota County Government

PROFESSIONAL MEMBERSHIPS/CERTIFICATIONS

USGBC LEED Accredited Professional
United States Green Building Council Myakka Branch Executive Council – Secretary 2015
Florida Green Building Coalition Member/Certifying Agent
SLX Construction Honor Society – Lifetime Member

RICK SCHERZER

Project Manager



12 Years of Experience
9 Years with WSC

Rick's involvement begins during preconstruction with constructability analysis, detailed estimating, budgeting, scheduling and purchasing controls. Rick will provide planning and management of all construction management services during this project including coordination and administration of the contract documents, verification of estimated quantities and unit prices, preparation of purchase orders and subcontracts and monitoring job progress. He will also assist in the coordination of workers, material and equipment, insuring work is proceeding on schedule and within budget.

Rick will be in charge of the office management for the project consisting of estimating, value engineering, planning, master scheduling, contract negotiations, subcontract procurement, coordination with the field superintendent and cost control.

EDUCATION

Masters of Building Construction – University of Florida
B.S. in Building Construction – University of Florida

RELATED PROJECT EXPERIENCE

North Port Public Safety Building & Fire Station No. 86 – North Port, FL
26,000 SF | $10,497,922 | City of North Port



Sarasota County Fire Station No. 12

Fire Station No. 9 & Fuel Station Bee Ridge Road – Sarasota, FL
19,300 SF | $7,391,523 | Sarasota County Government

Sheriff Support Services Facility – Nokomis, FL
74,000 SF | $17,000,000 | Sarasota County Government

Fire Station No. 8 & Training Tower Apex Road – Sarasota, FL
19,300 SF | $7,445,310 | Sarasota County Government

Fire Stations 12, 14, 16 & 17 – Sarasota, FL
46,048 SF | $14,978,844 | Sarasota County Government



North Port Fire Station No. 85

Fire Station 2 – Bradenton, FL
9,000 SF | $2,344,803 | East Manatee Fire Rescue District

Fire Station 85 – North Port, FL
8,600 SF | $2,889,087 | City of North Port

EMFR Fire Station 6 Renovation – Bradenton, FL
4,000 SF | $84,261 | East Manatee Fire Rescue District

EMFR Training Tower – Bradenton, FL
4,182 SF | $592,570 | East Manatee Fire Rescue District



East Manatee Fire Rescue District Station #2

PROFESSIONAL MEMBERSHIPS

OSHA 30 HR Certification
American Institutes of Constructions - Associated Constructor
Sigma Lamda Chi National Honorary Construction Society
LEED Certified Green Associate
H. Duff Williamson Top Estimating Award, 2010



1 Year with WSC

ZAC SEELEY

Assistant Project Manager

Zac has experience as an assistant project manager with all required project documents. Zac will assist the project manager by uploading and maintaining documents, writing scopes of work for subcontracts, conducting subcontractor coordination meetings, processing RFIs and Submittals, updating the project schedule and overseeing the punch list process and maintaining the punch list in Procore.

EDUCATION

B.S. in Building Construction Auburn University, The McWhorter School of Building Science

PROJECT EXPERIENCE

Fire Station No. 2 – Parrish, FL
11,847 SF | $5,864,679 | Parrish Fire Rescue District

Fire Station No. 23 – Sarasota, FL
9,969 SF | $8,077,080 | Sarasota County Government

The Oaks Dining Expansion – Sarasota, FL
10,180 SF | $8,547,853 | The Oaks Country Club

Divosta Beachwalk Amenity Campus – Sarasota, FL
12,695 SF | $13,858,489 | Pulte Homes

PROFESSIONAL MEMBERSHIPS

OSHA 30 Hour certification



SRQ Fire Station #23



The Oaks Country Club



Divosta Beachwalk



Parrish Fire Station No. 2



22 Years of Experience
5 Years with WSC

SCOTT CASE

Superintendent

In his position as superintendent, Scott will be responsible for the day-to-day management of the project and field coordination of the trade contractors. He will work closely with Rick Scherzer, Project Manager to insure the project schedule is accomplished and the work is performed in conformance with the established quality standards. Scott will ensure that all safety requirements are followed. He will lead the weekly coordination meetings with the subcontractors to assure the proper communication of the upcoming work and schedule. Scott has over 22 years of experience with complicated structures, expertise in concrete and structural steel construction, and the ability to effectively manage projects of all sizes and scopes. Scott will also implement the close-out process to insure a smooth transition and move-in period. Scott is currently working on Sarasota County Fire station No. 23.

EDUCATION CPR AED Basic Certification
High School Diploma - DeSoto County High School

PROJECT EXPERIENCE

Fire Station No. 23 – Sarasota, FL
9,969 SF | $8,077,080 | Sarasota County Government

Fire Station No. 9 & Fuel Station Bee Ridge Road – Sarasota, FL
19,300 SF | $7,364,531 | Sarasota County Government

Fire Station No. 8 & Training Tower Apex Road – Sarasota, FL
19,300 SF | $7,445,310 | Sarasota County Government

VOTI Emerald Terraces Independent Living
104,000 SF | $28,600,000 | Village on the Isle

ODA Fox Field House & Gymnasium Addition – Lakewood Ranch, FL
19,500 SF | $2,201,651 | The Out-of-Door Academy

ODA Athletic Fields Restroom Pavilion – Lakewood Ranch, FL
297 SF | $147,079 | The Out-of-Door Academy

Goodwill Corporate Retail and Production Campus – Bradenton, FL*
$9.8 Million | Goodwill Industries

Manatee Players Performing Arts Center – Bradenton, FL*
$14 Million | Manatee Performing Arts Center

McKechnie Field Renovations & Additions – Bradenton, FL*
$10.2 Million | Manatee County Government

ADDITIONAL EXPERIENCE

United States Army Veteran
Pentagon Army Multimedia Visual Information Directorate, Washington, DC, Ft. Meade, MD and MacDill AFB, FL.



SRQ Fire Station No. 9 Fuel Island



SRQ Fire Station No. 8



SRQ Fire Station No. 23



SARASOTA COUNTY FIRE STATION 9 & FUEL STATION

3 EXPERIENCE

PARRISH FIRE DISTRICT - STATION 2

Parrish, FL



Parrish Fire Station No. 2, located at 3804 North Rye Road, is a $7.2 million, 11,847 square-foot facility that houses the growing Parrish Fire Department. Constructed using CMU block and a pre-engineered wood truss system, the station includes a three-engine apparatus bay with a large gear room and EMS storage space, living quarters with seven individual bunk rooms, large kitchen area with an attached dining room and day room, out-door patio space with a grill, multi-purpose room, and fitness room. The exterior façade includes a prefinished metal panel system, standing seam metal roof, and storefront window system. The station is also equipped with LP gas powered generator which keeps the station fully operational during severe weather and power outages. A state of the art four-story training tower was also constructed on the south side of the site to accommodate fire training activities for both the Parrish Fire Department as well as other departments across the state.

COMPLETION	2023
CONSTRUCTION COST	$7,208,492
SQUARE FOOTAGE	11,847

Project Team Members
Brett Raymaker, LEED AP, Project Executive
Robbie Gronbach, LEED AP, Director of Preconstruction
Patrick Daley, Project Manager
Zac Seeley, Assistant Project Manager
Keith Floyd, Superintendent

Owner's Representative
Fire Chief Stacey Bailey
Parrish Fire District
12132 US Highway 301 N.
Parrish, FL 34219
941-721-2093

Architect
Ken Dean
SchenkelShultz Architecture
677 North Washington Blvd.
Sarasota, Fl 34236
(941) 487-8028





EAST MANATEE FIRE DISTRICT - STATION 8

Bradenton, FL



COMPLETION	2020
CONSTRUCTION COST	$3,94,172
SQUARE FOOTAGE	10,467

Project Team Members
David E. Sessions, LEED AP, President/CEO
Brett Raymaker, LEED AP, Project Executive
Robbie Gronbach, LEED AP, Director of Preconstruction
Aaron Simpson, Project Manager
Richard Powell, Superintendent

Owner's Representative
Chief Lee Whitehurst
3200 Lakewood Ranch Boulevard
Bradenton, Florida 34208
(941) 751-5611

Architect
Garry Roberts Architecture, LLC
4332 14th Street Circle West
Palmetto, Florida 34221
(941) 713-4377

East Manatee Fire Rescue Station 8 is located on the Northeast corner of Bournside Drive and SR-70. This station serves as a home away from home for the firefighters stationed here.

The building consists of two halves under one roof. The exterior of the building is painted stucco over CMU block with a standing seam metal roof and matching gutter system. One half is comprised of four apparatus bays with room at the West end for storing equipment including SCUBA equipment, a gear room, additional storage overhead that can be accessed using the pull down ladder inside the storage room, a commercial grade extractor (washing machine for their bunker gear) and also an LP gas powered generator sized to run the entire building during power failures. The generator allows Station 8 to remain fully operational when severe weather strikes. Along the same lines, the entire building is built to withstand extreme weather such as CAT 4 hurricanes and heavy summer thunderstorms. The property has a loop drive that wraps around the backside of the fire station where apparatus pull in the back of the bays, ready the trucks for the next alarm, and then they can quickly exit directly onto Bourneside Drive for the next emergency. The other half of the building contains the living quarters where the firefighters wait at the ready for their next call. The flooring is exclusively ceramic tile for durability and ease of maintenance while the walls are typical painted sheet-rock with acoustical ceiling tile throughout. The living quarters has six private rooms so each firefighter on duty can catch a quick nap between calls. Outside the private rooms are bathrooms with showering facilities. A fully stocked workout room with state-of-the-art fitness gear keeps the firefighters in tip top shape. There is also a fully stocked kitchen with plenty of storage for groceries to cover multiple shifts, a dining room, and day room for relaxation. Finally, there is a lanai off of the dining room with a grill for barbecues. The remainder of the property includes parking for visitors with beautiful landscape all around. Station 8 is finished off with beautiful Zoysia sod kept in pristine shape due to a site-wide irrigation system fed by a well.



NORTH PORT PUBLIC SAFETY COMPLEX & FIRE STATION NO. 86

Venice, FL



The new North Port Public Safety Complex located at 19955 Preto Bouelvard in Venice is a $13 million, 24,300-square-foot facility that includes a joint-use kitchen for fire and rescue personnel, training room, defensive tactics room, and houses a police annex, fire prevention bureau/plans examiner's office, fire engine, ladder truck, two ambulances and 14 personnel in the four-bay building. A unique addition to this project was the special viewing area for the city's 1946 Seagrave pumper truck.

COMPLETION	2022
CONSTRUCTION COST	$10,497,922
SQUARE FOOTAGE	24,300 SF

Project Team Members
John LaCivita, LEED AP, President
Brett Raymaker, LEED AP, Project Executive
Robbie Gronbach, LEED AP, Director of Preconstruction
Rick Scherzer, Project Manager
Jenn Sufferling, Assistant Project Manager
Eric Deinlein, Superintendent



Owner's Representative
Police Chief Todd R. Garrison
Police Department (Headquarters)
4980 City Hall Boulevard
North Port, FL 34286
(941) 429-7300

Fire Chief Scott Titus
North Port Fire Rescue
4980 City Center Boulevard
North Port, FL 34286
(941) 240-8151



Architect
John Holz, AIA, NCARB, LEED AP BD+C
Plunkett Raysich Architects
1900 Main St, Suite 309
Sarasota, FL 34236
(941) 444-8846

SARASOTA COUNTY FIRE STATION NO. 9 & FUEL STATION

Sarasota, FL



COMPLETION	2022
CONSTRUCTION COST	$7,391,523
SQUARE FOOTAGE	9,991 SF

Project Team Members
John LaCivita, LEED AP, President
Brett Raymaker, LEED AP, Project Executive
Robbie Gronbach, LEED AP, Director of Preconstruction
Rick Scherzer, Project Manager
Jenn Sufferling, Assistant Project Manager
Scott Case, Superintendent

Owner's Representative
Assistant Chief Stephen Cantu
Sarasota County Government
1660 Ringling Blvd.
Sarasota, FL 34236
(863) 781-2846

Architect
Rob Russell
SchenkelShultz Architecture
677 North Washington Blvd.
Sarasota, Fl 34236
(941) 487-8028

This project included the demo of the existing structures, phased construction of the new fire station and fueling station, and relocation of the crew to temporary quarters.

The new fire station is approximately 9,991 SF with a three apparatus bay, living quarters with eight individual bunk rooms, day room, kitchen and dining room, fitness room, and report room. The floor plan is similar to existing stations in the district which minimized design costs and overall construction costs. The exterior facade is metal clad and brick with standing seam metal roofing. There is a back-up diesel fuel generator in the vent of a power outage and/or natural gas disruption keeping this essential facility operational until utilities can be restored.

The new county fueling facility has two 15,000 gallon underground gasoline storage tanks each with 30 GPM 2 horsepower submersible pumps. Also a diesel exhaust fluid (DEF) system was installed with a 2500 gallon double wall fiberglass underground storage tank and 15 GPM 1.5 submersible pump.





SARASOTA COUNTY FIRE STATION NO. 8 & TRAINING TOWER

Sarasota, FL



This new 19,300 SF fire station was built on the corner of Tower Lane and Apex Road, adjacent to the temporary Fire Station No. 9 located at 840 Apex Road, Sarasota. The Structure has a one and a half story apparatus bay with single story living quarters with detached 7,600 SF storage structure. This new facility replaces the temporary structure located adjacent to the property. The entire site is 2.5 acres.

COMPLETION	2020
CONSTRUCTION COST	$7,387,393
SQUARE FOOTAGE	19,300 SF - Fire Station
	7,600 SF - Storage

Project Team Members
Brett Raymaker, LEED AP, Project Executive
Robbie Gronbach, LEED AP, Director of Preconstruction
Rick Scherzer, Project Manager
Scott Case, Superintendent

Owner's Representative
Assistant Chief Stephen Cantu
Sarasota County Government
1660 Ringling Blvd.
Sarasota, FL 34236
(863) 781-2846

Architect
Karl C. Bernhard, AIA, NCARB
Sweet Sparkman Architects
2168 Main Street
Sarasota, FL 34237
(941) 952-0084







SARASOTA COUNTY FIRE STATION #23

4 CURRENT & PROJECTED WORKLOAD

TAB IV. | CURRENT AND PROJECTED WORKLOAD

Project	Amount	Completion Date
SBSC - Wellen Park High School	$150,000,000	August 2025
Mote Marine SEA Aquarium	$40,000,000	January 2025
Wellen Park Everly Amenity Center	$11,601,000	July 2024
Wellen Park Lakespur Amenity Center	$4,686,000	July 2024
Manatee County John Marble Park	$16,801,000	May 2024
Audubon Quads	$7,000,000	December 2023
Selby Gardens Phase I	$40,893,452	October, 2023
Sarasota County Fire Station 23	$6,973,004	October 2023
Manatee County Mosquito Control District Facility	$13,794,796	August 2023
East Manatee County Library	$17,129,675	June, 2023



NORTH PORT PUBLIC SAFETY FACILITY

5 APPROACH

INTRODUCTION

Our strong experience in Fire Station Facilities will give you the confidence we are the right team for this project. Your current program is very familiar to our Management Team and our Preconstruction Team. We have recent pricing at our fingertips. In Preconstruction and in the Field, we have many lessons learned that will very beneficial during the design process.

We recommend starting with a review of the current Program to make sure that since its inception the items in the program are currently what you want in your new Fire Station. As a team, we will ask a lot of questions about all of the components o make sure all components are being designed into these spaces.

Common threads throughout all our successful projects are, TRANSPARENCY and TEAMWORK. We have found the key ingredient to working with our Fire Station clients is building a strong relationship between you, WASC as your CM, the selected Architectural/Engineering design professional team, and our local subcontractors. We realize this will require a focused, fully detailed approach from the first day we are on board.

By selecting our firm, the City of Bradenton will benefit from a plethora of experience and valuable suggestions from lessons learned which help to benefit the final design. We bring with that experience the highest quality on our finished product.

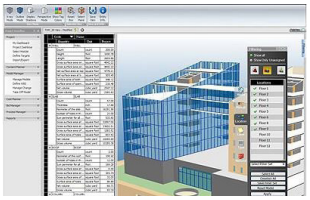
PROPOSED PROJECT MANAGEMENT TECHNIQUES & CONTROLS TO MEET PROJECT SCHEDULE AND BUDGET REQUIREMENTS

- TECHNOLOGY AND METHODS TO BE EMPLOYED
- ESTIMATES & BUDGETS
- CONSTRUCTABILITY REVIEWS
- SUBCONTRACTOR/VENDOR SOLICITATION & PREQUALIFICATION VALUE ENGINEERING REVIEWS
- LIFE CYCLE COST ANALYSIS
- QUALITY CONTROL
- SCHEDULING
- FINAL GMP

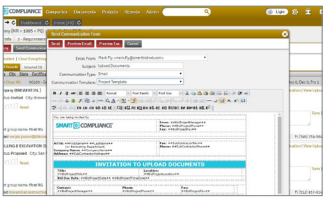
TECHNOLOGIES AND METHODS TO BE EMPLOYED

The Programs and Technologies used in preconstruction will be explained in more detail and these include:

- **Trimble GCEstimator -** single knowledge base of historical cost items and assemblies, where quantities are supplied by a single takeoff tool
- **BlueBeam Revu (BBR) -** an editing platform we use to review construction documents at various stages of design development.
- **Autodesk®'s Navisworks® -** a BIM tool to review each model during every phase of a project
- **SmartBidNet (SBN) -** web-based software for subcontractor contacts, bidding and proposal evaluation platform
- **Microsoft Project** - used for project scheduling







ESTIMATES & BUDGETS

Our preconstruction approach will start with a TEAM Kick-off meeting with the Owner, Architect, Consultants, and our Team in attendance. Items reviewed include:

- Project Goals
- Project Budget
- Cost Escalation/Supply Chain Issues
- Schedule
- Lines of Communication
- Team Meetings

For Fire Station #2, our job will be to optimize value by keeping our pulse on the supply chain issues and keeping the design team open to potential changes. We will control costs and meet the necessary schedule. We will approach this project with collaboration to the very end:

- **Provide assessments and recommendations to make timely and informed, data-driven business decisions.**
- **Manage the overall process by tracking details and holding all team members accountable through a process of regularly scheduled project coordination meetings.**
- **Better serve the interests of the project by working collaboratively with you, the owner, and the design team to develop the best solutions.**

ESTIMATES & BUDGETS
continued

The desired outcome from the preconstruction process is to have a successful project that meets your needs and is constructed within the allotted time and budget. The deliverables you will receive include:

- **Fully integrated Project Budget and Guaranteed Maximum Price**
- **Project Master Schedule**
- **Site Management/Utilization/Staging/Logistics Plan**
- **Financial Cash Flow Analysis**

While the design team is creating their schematic design, we will be setting up our cost tracking, estimating, quality control, and scheduling formats for the project. We will fully understand the requirements for the project and tailor our reporting formats to meet your needs.

Our database containing the actual cost of every completed project broken down by trade is a **wealth of local cost information bid under competitive conditions**. The experience and database prove valuable in producing multiple GMP's if required. Using this information combined with accurate quantity take-offs and cost trends in our local area our Director of Preconstruction, Robbie Gronbach, and his preconstruction team will be able to provide an accurate cost projection for your project long before it goes out to bid.

Our estimating process will begin with our receipt of the schematic drawings and site information. The first estimates will permit the City to make changes, if necessary, to **avoid wasting time and effort on designs that cannot be built within the budget.** Subsequent estimates will confirm that the project is remaining on budget. The final estimates will be the Guaranteed Maximum Price proposal prepared after receiving competitive subcontractor bids. This will confirm the City is getting the best price the local market has to offer. We will estimate your project at three distinct phases:

- **Schematic Design**
- **Design Development**
  - **At this Phase we will recommend smaller GMP's**
- **Construction Documents**

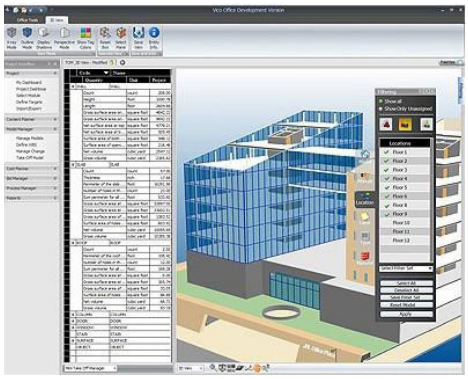
Unprecedented supply chain and cost escalation now require a more proactive approach creating a need for a continual check-in on the costs and availability of materials for the project as the design advances. Quality, safety, and environmental issues are evaluated. As the **City of Bradenton** makes decisions with the design team, we will be integral to the process providing you real-time feedback as to the cost and time implications of your decisions. **Providing these estimates and constructability reviews will allow the City to make informed decisions** and not have to spend money on additional services required to redesign any portion of the project that has exceeded the budget. This continual check-in on the design including interim cost estimates will also allow us to collaborate with your design team and integrate our construction management lessons learned from similar projects and municipal facilities.

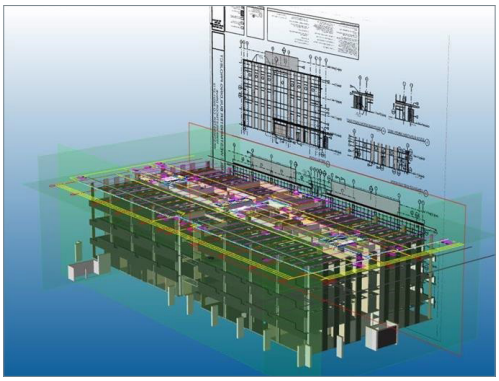
ESTIMATES & BUDGETS
continued

PROJECT ESTIMATION PROGRAM

Trimble GCEstimator™ Suite incorporates the best-of-breed estimating and takeoff solutions designed to increase efficiencies and maximize the value of projects for the end user. With all the tools needed to streamline productivity in a single system, GCEstimator eliminates unnecessary steps. Whether PDF plan documents or Revit 3D models, **GCEstimator provides the platform in which our estimating team can perform accurate and efficient quantity survey and cost model reports in an easy to read format.**

GCEstimator provides a single knowledge base of **historical** cost and assemblies, where quantities are supplied by a single takeoff tool. Gone are the days of switching between applications and manually re-keying data. Today, all the news is about BIM and the virtues of 3D. But until that move is complete, 2D data is not only commonplace, it's also the legal standard by which projects are measured. Trimble lets you work with both types of project inputs and ensures that the data is synchronized and traceable.





CONSTRUCTABILITY REVIEWS

Our preconstruction department is comprised of people experienced in running projects in the field. This experience will allow us to review plans and specifications, in detail, for errors, omissions or conflicts that might cause delays or unanticipated change orders if discovered after the project has moved into the field. **Constructability reviews and recommendations will be conducted at each design phase and include availability and alternate systems evaluations. These reviews will also include coordination between disciplines.** A final constructability review will be conducted at 95% construction documents and prior to subcontractor bidding and GMP.

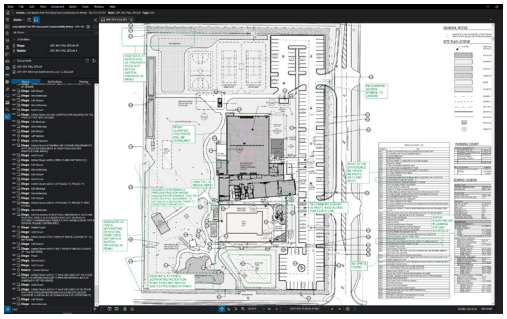


CONSTRUCTABILITY REVIEWS
continued

PLAN SCRUBBING AND FILE SHARING

BlueBeam Revu (BBR) is a robust PDF editing platform that we use to review construction documents at various stages of design development. The tool sets available allow the user to quickly mark-up a set of construction plans with easy to read notation that the design team can then incorporate into the design documents. We can use BBR to convert an unlimited number of Microsoft Office documents and CAD drawings into high-quality 2D or 3D PDFs, or transform scanned images into text-searchable documents using optical character recognition (OCR).

Bluebeam Studio is a **collaboration platform that connects project team members in real time on the same set of centralized documents.** This platform can be used whether the project team members are across the street or across the country, compressing the time spent in preconstruction.

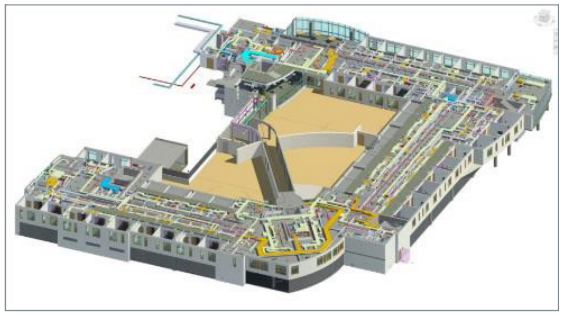




BUILDING INFORMATION MODELING (BIM)

When used properly, BIM offers opportunities to improve the interoperability of systems and other elements and the constructability of projects. We can use BIM as a tool to review each model during every phase of a project. **Structure, exterior closures, interiors, MEP systems, and the site are reviewed for coordination and clash detection.** To successfully complete a BIM project, our team uses many different software platforms. For reviewing, coordination and quantifying tasks, we use **Autodesk®'s Navisworks® Manage.** Quantity extraction and organization are performed using Trimble's GC Estimator platform, specifically VICO **document controller**. To bridge the gaps among the various software programs, we engage other applications such as **AutoCAD, Bluebeam Revu Extreme,** Google Earth, and Google SketchUp. Along with the design team, we will propose several levels of BIM implementation and work closely with the team to determine the most effective approach for the project. The keys to success on any BIM project are early planning and constant collaboration among the team.

AUTODESK® NAVISWORKS® MANAGE



CONSTRUCTABILITY REVIEWS continued

MARKET TREND ANALYSIS

We have developed a two-part plan to mitigate the wide variations on the price of construction materials. We first:

- **Track long and short term material and labor cost trends across all major trades and materials**
- **Collect extensive data from respected industry sources**
- **Evaluate this data in conjunction with microeconomic forces to determine its relevance**

By combining national and local data, we can **detect trends in certain material/ labor types and extrapolate data to forecast future variations**. This information is invaluable during the preconstruction phase of the project. In the second part of our plan, we develop project-specific strategies to address issues identified by our evaluation.

Four specific strategies are most effective:

- **Early purchase of materials – (DMP and prevent Long-Lead Times)**
- **Bulk purchase of materials – (DMP)**
- **Design alternates – (Subcontractor and Vendors are getting creative)**
- **Unit pricing – (provided when necessary)**

SUBCONTRACTOR & VENDOR PREQUALIFICATION

SUBCONTRACTOR & VENDOR SOLICITATION AND PREQUALIFICATION

We are a part of the local landscape with our long-term relationships with subcontractors, vendors, suppliers, and laborers which boosts the local economy. Our presence benefits restaurants, gas stations, material supply houses, equipment rental yards, and associated retail businesses.

Historical data has proven that the more interest (and bidders) a project has, the lower the bid results. As the project enters the bid phase, we work diligently to generate interest in the project and solicit potential subcontractors. We do this through the use of our extensive databases and plan distribution systems. We also work with the client to solicit local subcontractors based on the client's goals for the project. Some of our methods to encourage local participation are detailed below.

- **Developing the Right Bid List**
  After evaluating subcontractors that are capable of completing the project to our high standards of quality and safety, we present these recommendations to the **City of Bradenton** and **choose a suitable subcontractor list with the right mix of local and minority/ disadvantaged business subcontractors and vendors.** This teamwork approach will maximize local participation while assembling the best and most qualified team of subcontractors and vendors.

SUBCONTRACTOR & VENDOR SOLICITATION AND PREQUALIFICATION
Continued

SUBCONTRACTOR & VENDOR PREQUALIFICATION
continued

- **Building Relationships**
  We have developed these long-term relationships by being good neighbors, working cooperatively on projects, running efficient projects, treating these businesses fairly, setting them up for success, paying them on time, and helping to provide them with **OSHA safety training** specific to their trades. **The City of Bradenton benefits from these relationships in competitive pricing,** quality products, and the security of knowing that these vendors can be depended on for warranty issues or follow-up projects.

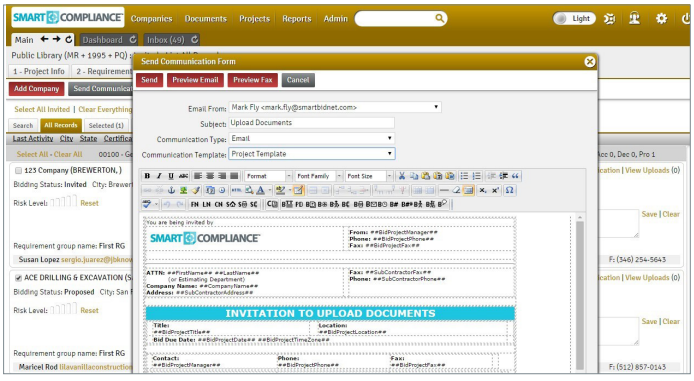
- **Subcontractor Pre-bid Meeting**
  During this meeting, we provide detailed information about the project scope, bid requirements, bid date, and the subcontractor evaluation process.

- **Assembling Bid Packages**
  Once the bid list has been assembled, we send out bid solicitation requests. We divide the project into manageable scopes of work, or bid packages, for which the subcontractors/vendors submit pricing. These bid packages ensure equal competition because all subcontractors and vendors price the same scope, and their final bids can be compared with one another to determine the best value. Our goal is to **evaluate all bids transparently and treat all firms fairly.**

Approximately 85% of the construction cost for a typical project is made up of subcontractor bids which is why getting quality, competitive bids is important. The **clear, complete and constructible documents** we are striving for also results in better subcontractor pricing. If subcontractors can clearly determine their scope of work and easily see how they can accomplish it, their risk is reduced. **Quality documents mean less risk and therefore better pricing.**

PROJECT BIDDING/SCOPING SYSTEMS

We have implemented SmartBidNet (SBN) as our all-inclusive web-based software for contacts, bidding and proposal evaluation platform. SmartBidNet allows us to **pre-qualify our subcontractors** via our website portal or through direct contact from our preconstruction administrator. This ensures we have the most qualified trade contractors in the business pricing your projects. Setting up projects in SBN for bidding provides us with a platform that can easily be accessed via the web from virtually anywhere with a wireless connection.



Invitations to bid, pre-bid meeting notices, request for information, addendum, etc. are all sent via the SBN website to trade contractors who have elected to participate in the system. Plans, specifications, supplements, revisions, etc. are all uploaded to the SBN plan room and are available to trade contractors to include in their pricing. Trade contractors can then upload their responses; bid proposals, bid tabs and scope clarifications directly into the SBN portal. We have had amazing results and positive feedback from our bidding contractors since implementing SBN.

VALUE ENGINEERING

Making sure you are receiving a good value for the project's funds will be a key responsibility of our preconstruction effort. We will take our experience and our available cost data that will enable us to achieve what is best for Fire Station #2. Our cost estimates and constructability reviews will require us to examine this project in great detail. We feel compelled to **use what we have learned from similar work** and if we believe we have seen a **better way to achieve the same result,** we will pass it on to the design team for consideration. **We have specific facility experience and lessons learned that we can input into these discussions.** This is usually referred to as value engineering and could end up **producing initial savings or long term savings in maintenance and operating costs.**

LIFE CYCLE COST ANALYSIS

Life-cycle cost analysis is a method for assessing the total cost of facility ownership. It takes into account all costs of building, operating and maintaining a building over its entire useful life span. Life-cycle cost analysis is especially useful when project alternatives that fulfill the same performance requirements but differ from initial costs and operating costs, have to be compared to select the one that maximizes net savings.

The best way to describe how we approach Life Cycle Cost Analysis is by example: Example: materials such as roof systems and floor finishes are analyzed early on in the estimating phase to determine the best value. **Each are considered for their initial cost-vs-longevity and maintenance costs for their lifespan.**

The purpose of life-cycle cost analysis will be to estimate the overall costs of this project's alternatives and to select the design that ensures the new facilities will provide the **lowest overall cost of ownership consistent with quality and function**. The life-cycle cost analysis will be performed early in both design processes, allowing the opportunity to refine any design elements to ensure a reduction in life-cycle costs.

Quality Control which begins in the preconstruction phase and continues with the project team having a clear understanding of the expectations for each of the various elements that define the goals for this project.

QUALITY CONTROL

Quality Control Starts during Planning:
(Preconstruction Phase)
Quality Control, which began in the preconstruction/design phase continues through to the warranty period and maintains a focus on the execution of even the smallest details.

Our QM during the preconstruction phase of a project will include:

- Constructability Analysis
- Conduct Value Analysis of Construction Methods and Materials
- BIM - Building Information Modeling
- Developing a project-specific list of Prequalified Subcontractors, Suppliers & providing detailed Respective Bid Packages
- Comprehensive Evaluation of Competitive Subcontractor and Supplier Bids

SCHEDULING

We have already created a draft preconstruction schedule for your review. Once selected, our kick-off meeting dates will then be modified as needed and this schedule will become our baseline for the design phase. (See next page) This schedule will serve as a road map on timelines required to move through design, approvals, permitting, and construction of the project.

Substantial milestones include:

- **City Approval of the Construction Manager's Contract**
- **Schematic Design Phase**
- **Design Development Phase**
- **Construction Document Phase**
- **Internal City staff reviews of the design documents at various stages**
- **Initial budget control estimate and periodic progress estimates to correspond to design document stages.**
- **City site plan approval process and permits**
- **Subcontractor bidding**
- **City approval of the Guaranteed Maximum Price (GMP #2)**

Your project schedules will be developed by the entire team and managed by our project manager, Rick Scherzer. Rick will develop the construction schedule during the preconstruction phase which will be part of the GMP final bid package for approval. We will insert the activities and their relationship logical ties to make sure the critical path (the longest path through the related activities) will be clearly established and continually tracked.

T**hese schedules will be updated regularly** to ensure all items are on-track. **The schedules may include recommendations for phasing and concurrent work by third party vendors to achieve the greatest efficiency during the construction phase of this project.**

The project schedules will be included with the bid documents sent to the subcontractors for competitive bidding. This will ensure the subcontractors know exactly when their services will be required and can price their work with certainty.

When necessary and with the City's authorization, **advance procurement of long-lead items may be recommended**. The schedules will be constantly analyzed for ways to gain efficiencies in project delivery and reduce delivery time.



FINAL GMP
(Guaranteed Maximum Price)

Our GMP will be established once the construction documents are complete and the project is put out for competitive subcontractor bidding. This will ensure the City is getting the **best possible price the market has to offer** at the time you are ready to build. **Materials that have the potential to be purchased by the City will be identified and qualified. Additive alternates will be finalized.**

We have a **database of over 2,500 qualified companies that are constantly being updated.** In addition, **we will comply with State statutes and City procurement standards and will advertise locally and make bid documents available electronically at no charge to all interested bidders.** This will allow us to **select the companies that are best suited to bid this project** with regard to the size, complexity of the work and location. In this case, the **emphasis will be on local companies** and we will solicit all subcontractors that have met the requirements of this project and we will receive a **minimum of three subcontractor bids per trade.**

We will prepare detailed bid scopes for every trade as part of our standard bid packages. The bid packages will:

- **Be designed to maximize opportunities for local subcontractors**
- **Will align with the marketplace conditions**
- **Maximize subcontractor participation**
- **Enhance competition**
- **Include the delivery schedules to achieve the City's goal of the lowest possible cost for the project**

These scopes will be developed to call attention to issues we suspect might be misinterpreted by the subcontractors. **We will continue our constructability reviews throughout the bid process** and also field questions from the bidders. At this time we are utilizing our **RFI (Request for Information) program** which instantly communicates questions to the entire design team. Responses can then be incorporated into the GMP proposal. As a final step, we will **interview every subcontractor in contention** after the bids are received. We again will go over the scope in detail with them and resolve any issues that may still be open.

Upon completion of the process above, recommendations will be reviewed with the City for any additional suggestions. The GMP will then be submitted to the City for contract negotiation. **A tabular summary will include:**

- **Copies of all Subcontractor and Supplier Bids**
- **Recommended Awards and Summaries**
- **Fees/ General Requirements/ Bond and insurance costs**
- **Alternates**
- **Contingencies/Qualifications/Exclusions**
- **List of Bid Documents**
- **Project Schedules**
- **Proposed Schedule of Values**



The following section will show some of the management techniques and controls we will utilize in the construction phase:

- TECHNOLOGIES AND METHODS TO BE EMPLOYED
- JOBSITE START-UP
- PROJECT SCHEDULING
- PROJECT MANAGEMENT SYSTEMS
- QUALITY CONTROL
- SAFETY & RISK MANAGEMENT
- POST CONSTRUCTION CLOSE-OUT MANAGEMENT PLAN
- INNOVATION



SRQ COUNTY SHERIFF TOM KNIGHT SUPPORT SERVICES FACILITY

TECHNOLOGIES AND METHODS TO BE EMPLOYED

The Programs and Technologies used in preconstruction will be explained in more detail and these include:

- **Microsoft Project - for project scheduling**
- **Sage Construction - accounting, reporting and cost control**
- **Procore - Project Management**
- **QR Coding on Submittals**
- **RFI Manager**
- **Virtual Meetings**
- **Photo Documentation**
- **Direct Material Purchase Program**

JOBSITE START-UP

In our role as Construction Manager, we now will have the opportunity to enact a **well thought-out plan that has been months in the making**. Our Project Manager Rick Scherzer and Assistant Project Manager, Zac Seeley, and Superintendent, Scott Case, will be located on the project site and they will devote 100% of their time to this project. Our construction superintendents, safety officer, and support staff all will be directly involved in the planning of the project to ensure there are no missed items or unplanned events that may impact the construction of Fire Station #2.



SRQ County Bee Ridge FS No. 9 and Fuel Facility

Subcontracts and purchase orders will be immediately released for all subcontracts identified in the approved GMP. We will have assembled the best local subcontractors in the industry through a prequalified competitive bid process, and matched them with the appropriate scope of work. The construction schedules will now be complete and all required **Federal, State and Local permits identified** in preconstruction will have been applied for and obtained. **Payment and performance bonds** will be executed and recorded.



Manatee County Transit Fleet Facility

Construction will commence with **a kick-off meeting** with all involved stakeholders in this project. We will again review the previously defined information flow and establish communication parameters and required meeting dates and times. Each subcontractor will attend a preconstruction planning meeting to discuss:

- **Site safety**
- **Potential hazards**
- **Staging/hoisting**
- **Deliveries and traffic**
- **All other job-specific information**

This meeting will be held before their mobilizing on the site, to ensure there are no items that will inhibit them starting and completing their work safely and on time.

We will communicate and coordinate with the City, and other agencies, utility companies, and other parties to fit their requirements into the project's schedule.

The project will be fully fenced with the appropriate signage and barricades to make sure the site will be safe and that the public will be protected from any hazards associated with the construction process. Our project team will hold **weekly coordination meetings** with subcontractors and will require subcontractors to provide daily reports of their activities at the site. The Superintendent, Scott Case, is the Site Manager for our team and they will direct the forces in the installation of the work. Scott will **maintain a daily log including information on subcontractor staffing, job progress, inspections, deliveries, safety, and weather.**

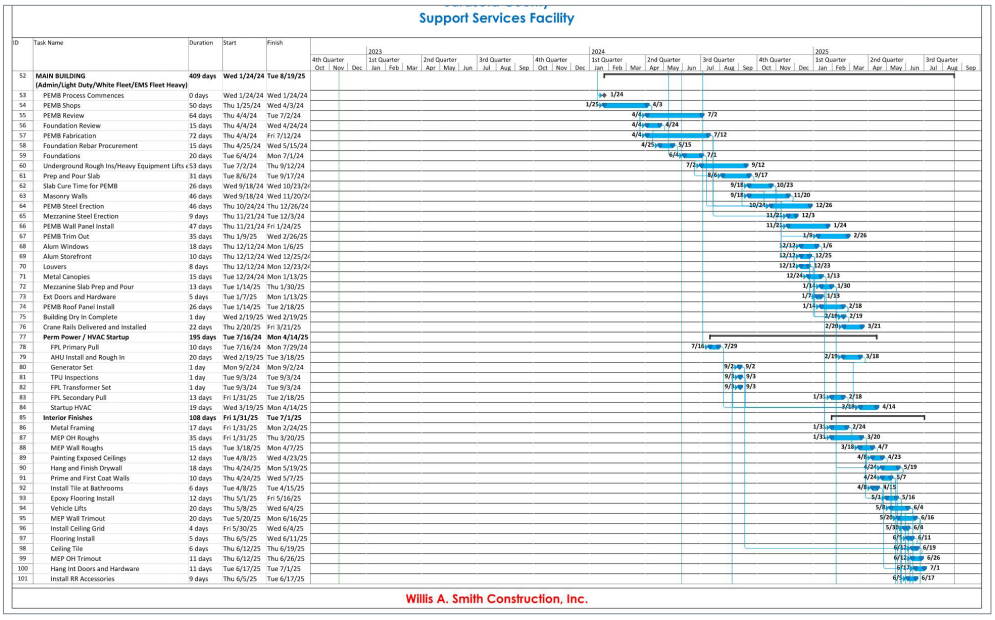
PROJECT SCHEDULING

We will continue to build on the schedule that was started at the Kick-off Meeting through Preconstruction and keep building on this **Master Schedule** and adjusting as necessary to achieve the end result at completely the project on the desired completion date. We utilize an industry standardized program Microsoft Project.

Our schedules will be created during preconstruction and the baseline will be completed at the time the Guaranteed Maximum Price (or GMP) is compiled and finalized. We call this the 'Master Schedule'. **Our 'Master Schedule' will then be monitored and updated every month**. We schedule the sub-trades and establish key milestone dates for product lead-times and key decision dates for your staff to minimize any deleterious effect on the overall construction schedules.

Within the **'Master Schedule'**, our Project Team creates definitive micro three-week schedules. We refer to this as our **'Three-week look-ahead'.** Its purpose will be to dig deeper into the granular level and specify all of the details. The three-week schedule will be utilized by our team in the field and all subcontractor trades and vendors. This schedule will be updated weekly and distributed to every subcontractor and vendor. ***EXAMPLE: if a subcontractor is on our three-week look-ahead schedule and receives this schedule for the first time… then he knows he is expected at the site working within three-weeks. This gives the subcontractor and/or vendor more than enough time to plan their appropriate arrival to the project.*** These schedules demonstrate to our subcontractors that we thoroughly know all the details of this project and we will assist them in performing as proficiently as possible. The concept is fairly simple: we do not waste their time coming to either project too early or having to wait until the last minute to be notified. This approach is well respected by all the local subcontractors and should provide more value to the City in time and cost savings.

Scheduling allows all team members to communicate and plan accordingly in order to stay informed on their specific project tasks. It is also vital in coordinating specific events within the schedule so there are no surprises .



PROJECT MANAGEMENT SYSTEMS

SAGE CONSTRUCTION SOFTWARE

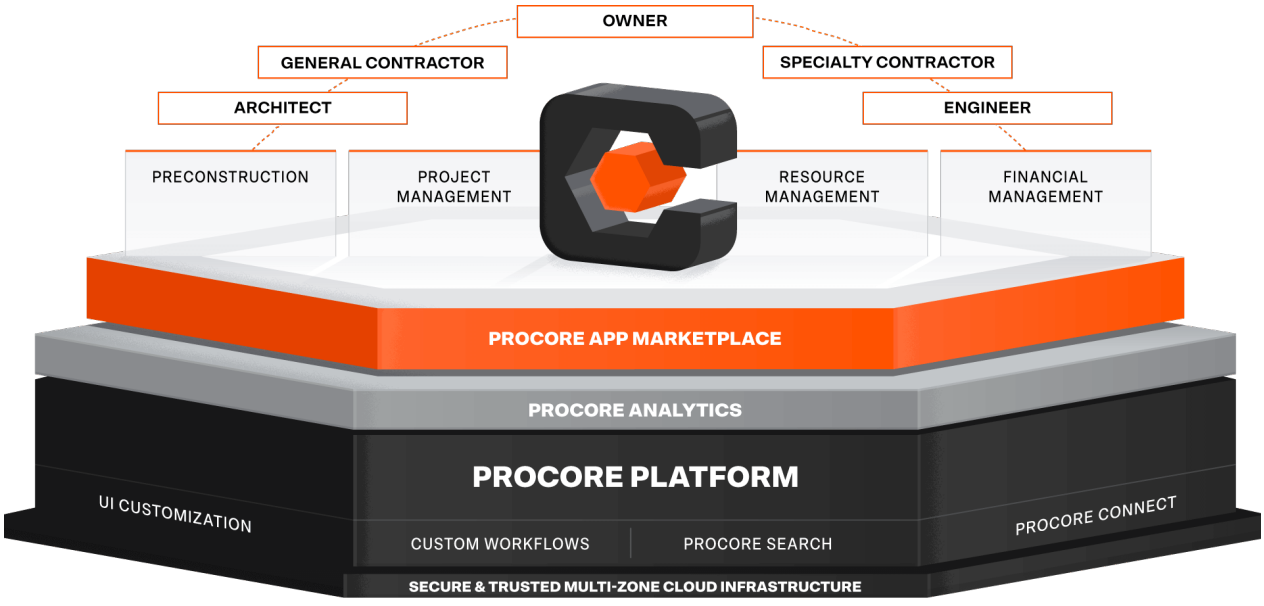
Willis Smith Construction utilizes Sage Timberline Software to manage the related systems necessary to organize and track all of the data required to **manage a project; accounting, project management, payroll and job costing**. Timberline eliminates redundant tasks and data entry and improves collaboration with its integrated work-flow process.

Our project costs will be tracked monthly using Timberline construction accounting software and we will submit our requisitions for payment on-time every month. At the designated time/day of the month, Brett Raymaker and Rick Scherzer, Project Manager, will review the requisition with the City of Bradenton staff, make any required edits from the review and submit the final requisition for funding.

PROCORE PROJECT MANAGEMENT SOFTWARE

Willis Smith embraces new technology which is evident by the transition to Procore for project management software. **This management tool is the leading provider of cloud-based applications and the current industry leader in the project management toolbox.** Procore will not replace Sage 300 for accounting software but rather integrates with it seamlessly in a user friendly format. This tool helps deliver projects on time and on budget by creating efficiencies and allowing all team members, including owners, architects, engineers, and subs to access and share real time project information. Using real-time data from the field also helps improve quality and safety by eliminating mitigating risks through daily logs, inspections reports, and documenting incidents all in one place.

Procore is able to do everything all the other prior software's could do but now Procore links them all together. Where previously we used a separate software programs for RFIs, field reports, submittals, and project drawings we now can consolidate it with a single log in and a single cloud based software under Procore.



PROJECT MANAGEMENT SYSTEMS CONTINUED

WEEKLY MEETINGS

For this project, we would recommend a weekly **Owner/Architect/Construction Manager meeting** at the site to review project items that require action. Our team will present an agenda prior to each meeting, and we will produce a set of minutes as to what was discussed in the meeting. We will use a **"Ball in Court"** format on issues to make sure they are resolved timely, preventing them from becoming issues that might delay the delivery of the project.



VIRTUAL MEETINGS

WASC utilizes Zoom or Microsoft Teams meeting technology where users can choose to record sessions, collaborate on projects, and share or annotate on one another's screens, all with one easy-to-use platform.

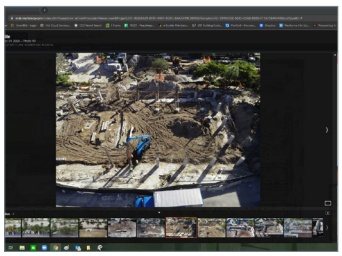
This technology has enabled us to keep in touch with our clients and staff to meet in total safety to keep our projects on track.

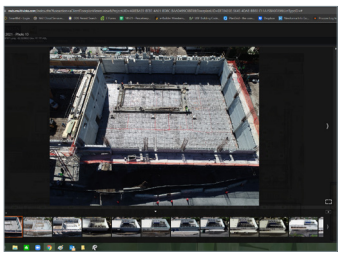
PHOTO DOCUMENTATION

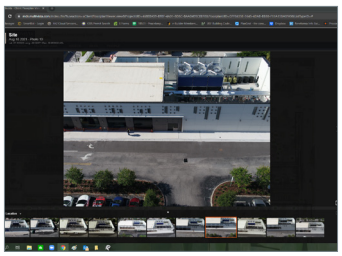
Photo documentation is a useful tool to document job progress details and as-built conditions.

- MultiVista Time Lapse Program
- Monthly Photo Documentation - Aerial and Ground shots
- Web cams (if desired)
- 360 degree project photos to record interior hidden areas prior to drywall
- All archived in our system and included in Close-out Documents

MultiVista Time Lapse Progression Sarasota County Cooling Plant







Aerial Photos City of Venice FS 1 and City Hall Addition/ Renovation

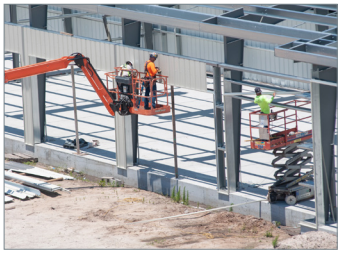






Ground Shots Sheriff Tom Knight Support Services Facility





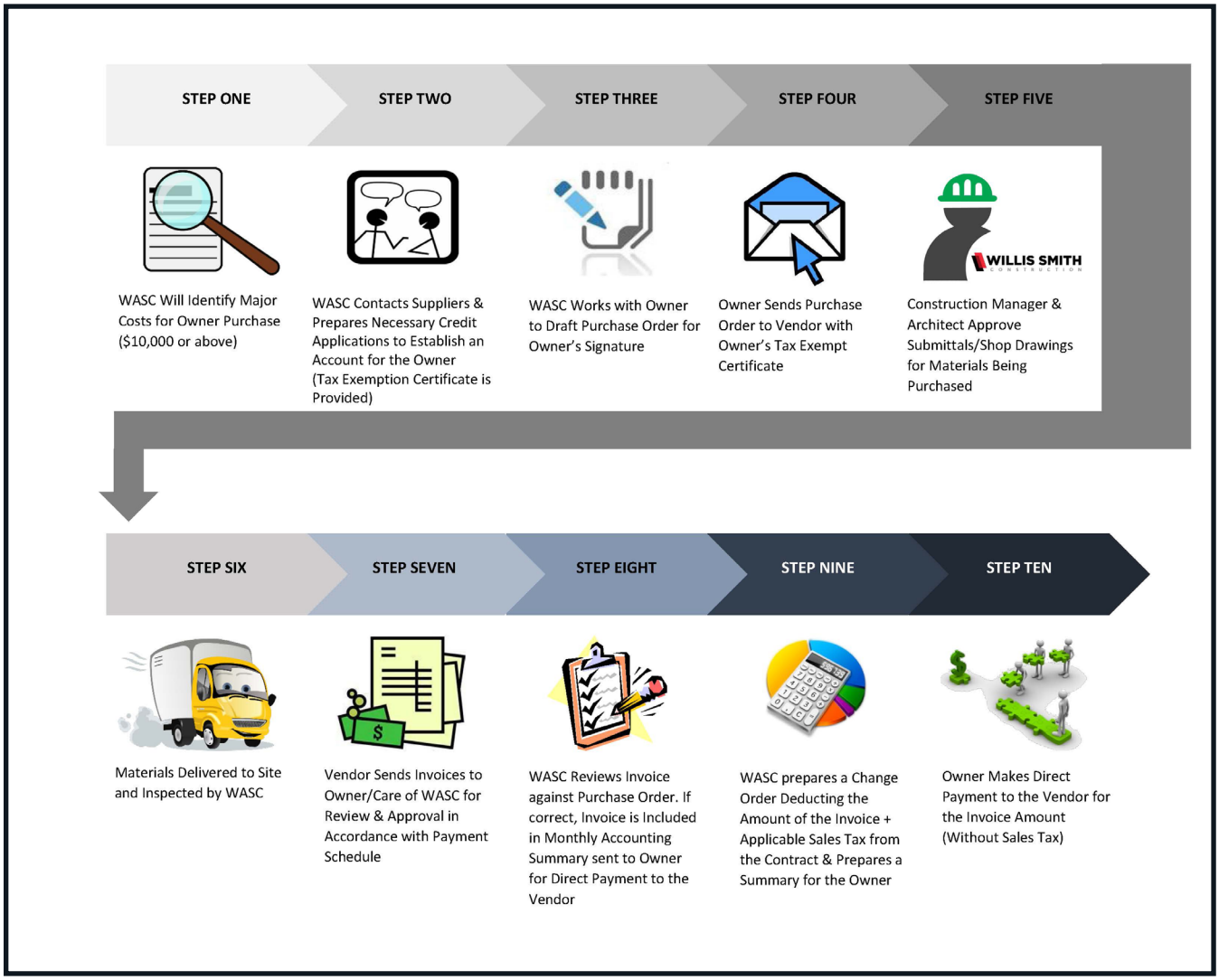


PROJECT MANAGEMENT SYSTEMS
CONTINUED

DIRECT MATERIAL PURCHASE PROGRAM

We know the City of Bradenton may choose to take advantage of its tax-exempt status, we have a program in place for the processing of any Owner-paid materials in order to make this a simple process for the City. **Materials with a potential to be purchased by the Owner will be identified and qualified during the preconstruction phase.**

The program will be managed throughout the construction phase using our proven process to make this simple for the City to utilize.



QUALITY CONTROL

Our Quality Control Management process began in the preconstruction phase continues with the project team having a clear understanding of the expectations for each of the various elements that define the goals for this project.

Quality Control - (Construction Phase)

Our Quality Control program will ensure the construction of the City of Bradenton Fire Station #2 project conforms to the quality standards incorporated in the contract documents during preconstruction.

Quality Management and Nonconformities

If a problem occurs in the quality of work, we will systematically contain the issue and quickly make corrections. Our first action will be to clearly mark the item by tape, tag, or another easily observable signal to prevent an inadvertent cover-up.

We will expedite a corrective action to bring the workmanship or material issue into conformance by repair, replacement, or rework. Previously completed work will be re-inspected for similar non-conformances.

Willis A. Smith Construction will systematically prevent recurrences to improve quality. First enhanced controls and management monitoring will be put into place to assure work proceeds without incident. Then using a structured problem-solving process, Willis A. Smith Construction will identify root causes and initiate solutions.

Quality Control Personnel

We will:

- Commit a Project Manager and Superintendent with well-defined quality responsibilities and the authority to carry them out.
- Plan project quality records and documentation that will be maintained.
- Tightly control exceptions to the quality system so industry standards will be applied uniformly.
- Monitor work conditions before and during work to assure quality
- Use field mock-ups to establish quality standards prior to the start of the work

Work Task Quality Inspection

- Identify a list of work tasks and phases of production to be quality controlled which will be subject to a series of inspections; before, during, and after the work is complete.
- The initial task-ready inspection will occur when crews are ready to start work and will ensure work begins only when it does not adversely impact quality results.
- Material quality inspections verifying materials are as specified.
- Continuous work-in-process inspections to verify work conforms to project specifications and industry standards.
- Upon task completion, an inspection will verify work, materials, and tests that have been completed in accordance with project quality requirements. When appropriate, functional tests will be performed.

QUALITY CONTROL
continued



Daily Quality Management Reporting

Our Superintendent, Doug Harrell, will record a summary of daily work activities. This report will include:

- Schedule Activities Completed
- General description of work activities in progress
- Problems encountered, actions that were taken, problems, delays, and weather conditions
- Meetings held, participants, and decisions made
- Subcontractor and Company Crews on site
- Visitors and purpose
- General Remarks
- Improvement Ideas

SAFETY & RISK MANAGEMENT

Our company-wide safety program includes the following:

- Drug-free workplace
- All of our Superintendents have completed a 30-Hour OSHA training program
- Weekly safety meeting held at the job site
- Job site safety rules and strict procedures
- Hazard communication program
- Safety training
- Rewards for outstanding safety performance
- First Aid and CPR Training
- Fencing & Directional signs

We also employ the services of an independent safety director to hold “mock” OSHA inspections to monitor the safety of our projects and people. This prevents accidents and their potential delays and keeps us focused on safety. Our Third-Party Safety Consultant Provides:

- Independent Safety Inspections
  - Creates a job safety plan
  - Identifies safety hazards
  - Issues a Safety Report - copied to subcontractors
  - Documents corrective action

UNIVERSITY OF SOUTH FLORIDA ST. PETERSBURG

Willis Smith Construction was recently recognized by the University of South Florida and received The Sunshine State Safety Award for implementing and maintaining safety and health practices on our job sites.



POST CONSTRUCTION CLOSE-OUT MANAGEMENT PLAN

The successful completion of this project will be highly dependent on continuity during the closeout process. This success is not simply whether we have done our job, but also whether we have met and surpassed the City's stated goals. We will maintain all of our key team members on-site until the facilities are properly occupied and functioning.

The following are some of the processes we will utilize in the post-construction phase:

- Commissioning
- Training/Operation/Maintenance
- Project Records
- Warranty

FF&E and Move-in Assistance

We will coordinate the delivery and placement of Furniture, Fixtures and Equipment items and will provide move-in assistance for the City staff.

Commissioning

Commissioning services will include third-party verification and documentation that all your buildings' systems meet or exceed the operational requirements of your facilities and that they are fully functional. Training of your personnel will help ensure proper maintenance and operation resulting in an extended and efficient systems lifespan. Key services will include:

- Inspections During Construction
- Start-Up Management
- Personnel Coordination
- Facility Maintenance Coordination
- Systems Commissioning Management
- Turn-over Documentation

Training/Operation/Maintenance

Willis A. Smith Construction believes Post-Construction is every bit as important as both the design and construction phase of any project. We will provide and facilitate all necessary training and certifications for your operations and management staff. Our training program will effectively utilize the latest and most effective forms of media such as CBT (computer-based training), video, audio, and print, focusing on topics such as:

- Safe and Effective Use of Systems
- Preventive Maintenance Procedures and Schedules
- System Maintenance Procedures and Technique
- Energy and Water Consumption Optimization
- Systems and Facilities Troubleshooting
- Emergency Response Plan and Procedures

POST CONSTRUCTION CLOSE-OUT MANAGEMENT PLAN

continued

Your training program will be developed especially for your project and all of its unique properties. In addition, we will also make sure that all O&M (Operator and Maintenance) manuals are reviewed and approved and are also comprehensive and user appropriate.

As-Built Project Records

As -built drawings are maintained and updated on a regular basis as the project progresses.

We will oversee a thorough and systematic turnover of all deliverables with a complete assumption and distribution to the intended and respective operational stakeholders. Our project closeout services will always consider the following key elements:

- Turnover of project deliverables to the City.
- Closeout of direct material purchases.
- Completion, collection and archiving of project records.
- Documentation of project successes.
- LEED® documentation and follow-up.
- Creation of a plan for post-project implementation review.

Warranty

We will ensure all warranty and service contract measures are in place, fully documented, and ready to be utilized if and when the need ever arises. **All emergency warranty calls will be addressed within 24-hours.** At 11 months in the warranty period, our staff will walk the project with your Architect/Engineer to make sure the facilities are operating and functioning as designed. We are local, and even after the 12-month warranty period has passed, we will be available to serve and assist in any way we can.



INNOVATION

Innovation is critical to the success of our organization. Over the past 51 years our firm has experienced significant changes in the construction industry. We have successfully adapted to these changes through technology and innovation.

Our innovations include:

- Technology
- Preconstruction
- Communications
- Sustainability
- Marketing and Public Relations Support
- Corporate Culture and Community Support

Technology Innovation

We are constantly adapting to the rapidly changing world of technology innovations that allow is to be more efficient and to deliver value to our clients. Throughout this Approach Section we have listed many of the latest technologies employed by WASC to manage our projects. Among these are:

QR Codes



- Trimble GCEstimator
- BlueBeam Revu (BBR)
- Autodesk®'s Navisworks®
- SmartBidNet (SBN)
- Microsoft Project
- Sage Timberline Construction
- Procore - Project Management
- QR Codes
- RFI Manager
- Virtual Meetings
- Photo Documentation

Preconstruction Process Innovation

Our innovation during the preconstruction process is evident by our ability to deliver a solid final GMP, completely vetted. As a testament, every design professional consistently commends our process. Our team on your project will implement the same processes. One of the many unique innovations we utilize is that in addition to the regularly schedule design team meetings, we also conduct a weekly virtual check-in meeting with ALL disciplines to quickly update the status of all. We have found this reveals so much more information and helps the entire team pull together while improving the documents.

Another innovation is our diligence in asking questions and writing extremely clear scopes of work for each of the sub-trades to have clear understanding on what they are bidding. This innovative effort benefits the overall project which is evident in the number of sub-trades bidding which equals the best pricing available for your project.

INNOVATION
continued

Communication Innovation

Our innovation in communication which began in preconstruction, will continue by having our subcontractors communicate to us at each weekly jobsite meeting where they will update us on their supply chain and delivery status of the material for your project. This communication allows us to manage your project schedule accordingly and if necessary to think "out of the box" or work out of sequence we can do that at this time.

Sustainability Innovation

Our innovation in sustainability began in 2009 when we constructed our very own LEED Gold Headquarters Facility. Because of our innovative desire to be the leaders in Sustainability, we used ourselves and our own resources to truly understand what works and what doesn't work in sustainability. **We will bring our innovations in sustainability to the City of Bradenton when requested.**

We also had the innovative foresight to have our Project Managers study and learn the LEED requirements and take the LEED Accredited Professional exam. This is why we currently have 9 LEED AP's in our firm and have completed 20 LEED Certified Buildings to date. **We are the leaders in this area when it comes to Sustainability**.



PERSONNEL ASSIGNED

Willis Smith Construction has committed a proven team of individuals with specific relevant experience and proven backgrounds which combined will bring the City of Bradenton the following:

Successful CM at Risk Experience with:

- Multiple Fire Station Projects for Manatee and Sarasota County
- Tight Budget and Schedule Requirements
- Experienced Team - has worked together

Our team will be led by Brett Raymaker, our Project Executive/Senior Project Manager and an owner of Willis Smith Construction who will be the main point of contact from day one of our services through the project completion. During the preconstruction phase Brett will be working closely with Robbie Gronbach, our Preconstruction Director and his staff of four estimators/support personnel. Also involved during the preconstruction phase will be **Rick Scherzer,** our Project Manager, and **Zac Seeley** as Assistant Project Manager, and our Superintendent, **Scott Case.** As the project transitions into the construction phase, Brett Raymaker and Rick Scherzer will begin focusing on obtaining all required permits and will finalize the award of the trade contracts in order to start the required work. Rick Scherzer, Project Manager, will be supported by Zac Seeley, Assistant Project Manager and Scott Case, Superintendent, will be responsible for all aspects if the field implementation making sure the project is built in compliance with the design documents and all requirements of the building codes.

Key Individual Roles – Responsibilities

Personnel not to be substituted without express permission of the County

Brett Raymaker – Project Executive/Senior Project Manager

- Recent Manatee and Sarasota County CM Experience – Multiple Projects Tight Cost, Schedule Control Requirements
- Strong Approach/Experience

Rick Scherzer – Project Manager and Main Point of Contact

- Recent Sarasota County Project Experience – Multiple Projects Proven Results – Cost, Schedule and Quality Control Sustainable Construction Track Record

Zac Seeley – Assistant Project Manager

- Zac will assist with OAC meeting minutes, submittals, RFI's, Safety Logs, MSDS, and all aspects of Project Management and will assist Scott Case with potential issues on the site. Zac will be the leader in utilizing the Procore Software on the site.

Scott Case – Superintendent

- Recent Manatee and Sarasota County Fire Station Experience – Multiple Projects Proven Results – Cost, Schedule and Quality Control, and Sustainable Construction Track Record

The following chart depicts personnel assigned and their roles and anticipated times of involvement.



PERSONNEL ASSIGNED TO PROVIDE THE MOST EFFICIENT SERVICE

KEY INDIVIDUAL	% OF TIME	ROLE
John LaCivita, LEED AP President Location: Office	As Needed	John will provide oversight, team direction and resource allocation.
Brett Raymaker LEED AP Executive Vice President Location: Office & Jobsite	15% or More As Needed	Brett will oversee the management of the project and will coordinate staffing from early development through project completion. **Brett will attend all Owner/Architect/Contractor Meetings.**
Robbie Gronbach Director of Preconstruction Location: Office	15% Preconstruction	Robbie will manage the preconstruction effort and will lead all preconstruction phase services including: estimating, design reviews, sustainability, life-cycle constructability and bidding – GMP development.
Rick Scherzer Project Manager Location: Jobsite & Office	50% or More As Needed	Ricks involvement begins during preconstruction with constructability analysis, detailed estimating, budgeting, scheduling and purchasing controls. Rick will be in charge of the office management for the project consisting of estimating, value engineering, planning, master scheduling, contract negotiations, subcontract procurement, coordination with the field superintendent and cost control.
Zac Seeley Assistant Project Manager Location: Jobsite & Office	75% or More As Needed	Zac will be in charge of the OAC meeting minutes, submittals, RFI's, Safety Logs, MSDS, and all aspects of Project Management and will assist Scott Case with potential issues on the site. Zac will be the leader in utilizing the Procore Software on the site.
Scott Case Superintendent Location: Jobsite	100%	As superintendent, Scott Case will be responsible for the on-site day-to-day management of the project and field coordination of the trade contractors. Scott will also be in charge of site safety and quality control.

Having been located in Sarasota/Manatee for 51-years and rarely working in other surrounding counties, we have established lasting relationships with subcontractors and vendors. Those relationships have enabled us to continuously grow in small increments. This is an asset for your project in that we will get the better subcontractor coverage because of our local reputation. Our business philosophy has always been to treat subcontractors with respect and pay them in a timely manner no matter the situation. Because of this we get a better pricing and subcontractors are constantly asking for more work with our firm.

Our physical distance is not an issue. Our office is located just south of University Parkway and two miles from I-75. We also utilize ZOOM and Microsoft Teams as another tool to streamline communication which saves on Time Management for the entire team.

TEAM ORGANIZATIONAL CHART

CITY OF BRADENTON

TBD
Architect

WILLIS A. SMITH CONSTRUCTION, INC.
Construction Manager



JOHN LACIVITA, LEED® AP
President



ROBBIE GRONBACH, LEED® AP
Director of Preconstruction

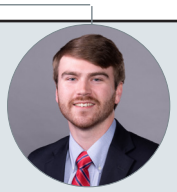


BRETT RAYMAKER, LEED® AP
Vice President &
Project Executive

PRECONSTRUCTION
TEAM MEMBERS
Enrique Lopez
Paul Crawford
Diego Milara
Carol Brunemann



RICK SCHERZER
Project Manager



ZAC SEELEY
Assistant Project Manager

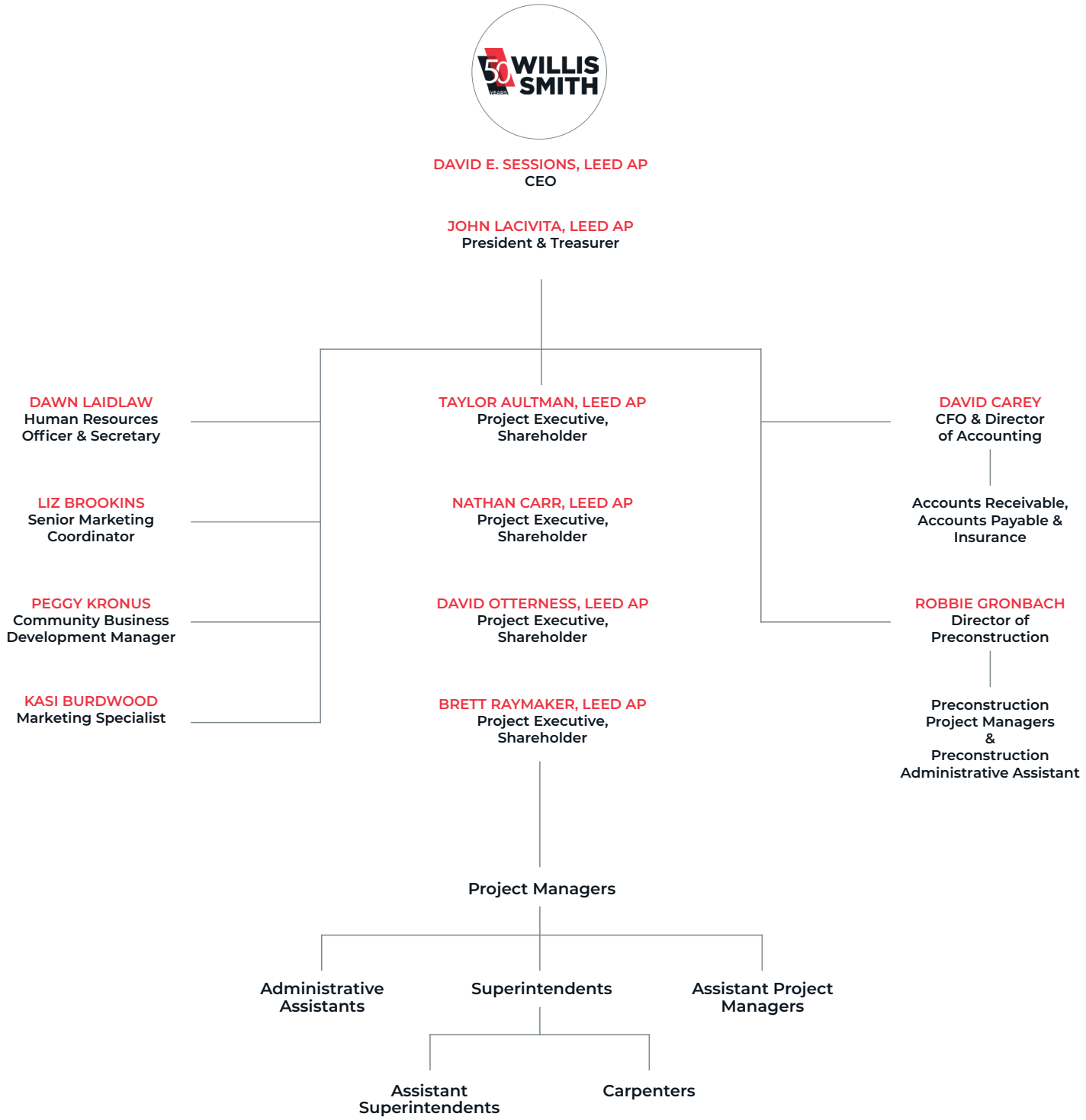


SCOTT CASE
Superintendent

Subcontractor Management Team

Subcontractors TBD Upon Selection After Bidding

CORPORATE ORGANIZATIONAL CHART





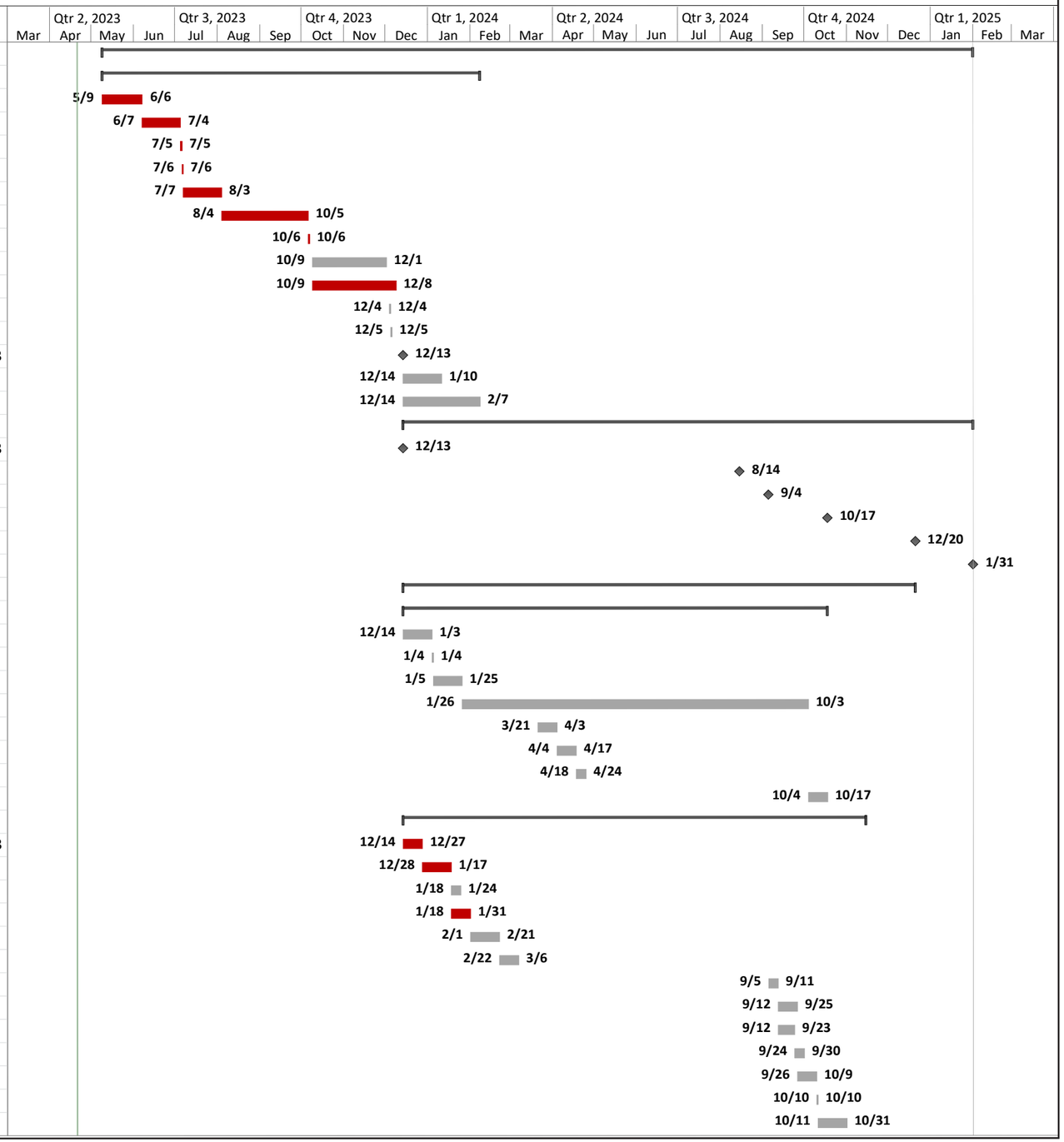
CITY OF VENICE FS 1 AND CITY HALL EXPANSION

6 SCHEDULE

City of Bradenton: Fire Station 2

WILLIS SMITH CONSTRUCTION

ID	Task Name	Duration	Start	Finish
1	**City of Bradenton - Fire Station 2**	**454 days**	**Tue 5/9/23**	**Fri 1/31/25**
2	**Preconstruction**	**197 days**	**Tue 5/9/23**	**Wed 2/7/24**
3	CM Selection	21 days	Tue 5/9/23	Tue 6/6/23
4	CM Negotiations	20 days	Wed 6/7/23	Tue 7/4/23
5	COB Council Approve CM	1 day	Wed 7/5/23	Wed 7/5/23
6	DD Docs to CM	1 day	Thu 7/6/23	Thu 7/6/23
7	DD Estimate	20 days	Fri 7/7/23	Thu 8/3/23
8	CD Documents by A/E	45 days	Fri 8/4/23	Thu 10/5/23
9	CD Docs to CM	1 day	Fri 10/6/23	Fri 10/6/23
10	CM Bidding Phase to Subs	40 days	Mon 10/9/23	Fri 12/1/23
11	Submit for Building Permit	45 days	Mon 10/9/23	Fri 12/8/23
12	CM Submit GMP	1 day	Mon 12/4/23	Mon 12/4/23
13	City Council Meeting for GMP	1 day	Tue 12/5/23	Tue 12/5/23
14	GMP Award & NTP	3 days	Mon 12/11/23	Wed 12/13/23
15	Procurement and Submittals	20 days	Thu 12/14/23	Wed 1/10/24
16	FPL Design/Engineering	40 days	Thu 12/14/23	Wed 2/7/24
17	**Milestones**	**297 days**	**Wed 12/13/23**	**Fri 1/31/25**
18	GMP Award & NTP	0 days	Wed 12/13/23	Wed 12/13/23
19	Building Dry-in	0 days	Wed 8/14/24	Wed 8/14/24
20	Start-up HVAC	0 days	Wed 9/4/24	Wed 9/4/24
21	Generator Scope Complete	0 days	Thu 10/17/24	Thu 10/17/24
22	TCO for Fire Station	0 days	Fri 12/20/24	Fri 12/20/24
23	Final Project Completion	0 days	Fri 1/31/25	Fri 1/31/25
24	**Construction**	**267 days**	**Thu 12/14/23**	**Fri 12/20/24**
25	**Generator**	**221 days**	**Thu 12/14/23**	**Thu 10/17/24**
26	Prepare Equipment Submittal	15 days	Thu 12/14/23	Wed 1/3/24
27	Submit for Approval	1 day	Thu 1/4/24	Thu 1/4/24
28	Review & Approval of Equipment	15 days	Fri 1/5/24	Thu 1/25/24
29	Lead Time & Delivery of Equipment	180 days	Fri 1/26/24	Thu 10/3/24
30	Pad Prep & Concrete Placement	10 days	Thu 3/21/24	Wed 4/3/24
31	Pull, Test, & Install Conductors	10 days	Thu 4/4/24	Wed 4/17/24
32	Pull, Test, & Install Conductors	5 days	Thu 4/18/24	Wed 4/24/24
33	Set Generator & Test	10 days	Fri 10/4/24	Thu 10/17/24
34	**Sitework**	**241 days**	**Thu 12/14/23**	**Thu 11/14/24**
35	Notice to Demo	10 days	Thu 12/14/23	Wed 12/27/23
36	Demo and Prep New Site	15 days	Thu 12/28/23	Wed 1/17/24
37	Survey	5 days	Thu 1/18/24	Wed 1/24/24
38	Establish Building Pad	10 days	Thu 1/18/24	Wed 1/31/24
39	Install Site Utilities	15 days	Thu 2/1/24	Wed 2/21/24
40	Irrigation	10 days	Thu 2/22/24	Wed 3/6/24
41	Install Sidewalks & Curbs	5 days	Thu 9/5/24	Wed 9/11/24
42	Install Concrete Apron & Pavers	10 days	Thu 9/12/24	Wed 9/25/24
43	Install Asphalt Paving	8 days	Thu 9/12/24	Mon 9/23/24
44	Install Fences & Gates	5 days	Tue 9/24/24	Mon 9/30/24
45	Install Heavy Duty Concrete	10 days	Thu 9/26/24	Wed 10/9/24
46	Install Striping	1 day	Thu 10/10/24	Thu 10/10/24
47	Landscaping	15 days	Fri 10/11/24	Thu 10/31/24



AGENDA ITEM NO. 6.b

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Erin Jones, City Administration

ITEM TYPE: Miscellaneous

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Recommendation of Award for RFP 23-009EJ - Organizational and Operational Assessment

SUGGESTED ACTION: Authorize award and pursue a contract with Matrix Consulting Group.

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Request for Proposals (RFP) 23-009EJ Organizational and Operational Assessment was advertised in DemandStar on March 23, 2023. On May 2, 2023, five (5) sealed proposals were received and opened in response to the RFP. On May 18, 2023, a three (3) member Evaluation Committee reviewed and scored the proposals. Prior to scoring the committee opted to invite the two (2) highest scoring proposers back for presentations and interviews on May 31, 2023. After the presentations and questions and answer sessions, the Committee reconvened, and ranked the short-listed proposers. Matrix Consulting Group is recommended for award and permission to negotiate a contract.

FINANCIAL IMPACT:
N/A - Financial impact will be included in the proposed contract that will be brought before Council once negotiations are completed.

ATTORNEY REVIEW/RECOMMENDATION:
Attorney Rudacille will be sent the contract for review once negotiated.

SUGGESTED MOTION:

Motion to authorize the award for RFP 23-009EJ and to pursue a contract with Matrix Consulting Group.

ATTACHMENTS:
Matrix Consulting Group Response to RFP 23-009EJ

Proposal to Conduct an Organizational and Operational Assessment

BRADENTON, FLORIDA

May 2, 2023

matrix consulting group

Table of Contents

	Letter of Transmittal	i
1	Project Teams and Resumes	1
2	Experience	12
3	Customer List	13
4	Project Approach	22
5	Schedule/Timeline	30
6	Compensation	31

May 2, 2023

Erin Jones, Purchasing Manager
City of Bradenton
101 12th Street
Bradenton, FL 34205

Dear Ms. Jones:

The Matrix Consulting Group is pleased to submit our proposal to conduct an organizational and operational assessment of the City's Public Works & Utilities Department and Planning & Development Department. Our qualifications stand apart from other consulting firms for the following reasons:

- **Extensive experience in analyzing both operational areas:** We have dedicated practices for the organizational and operational assessments of Public Works and Utilities and for Planning and Development service areas. Having completed over 100 and 150 studies dedicated to these functions respectively.

- **Client focus :** The Matrix Consulting Group prides itself on a project approach that develops recommendations to meet the unique circumstances of each client. We employ best practices assessments to identify improvement opportunities, and tailor recommendations to ensure they fit the needs and expectations for each community. This approach has resulted in high levels of implementation of our recommendation and marked improvements in service delivery for our clients.

- **Project team qualifications :** We are proposing a highlyqualified consulting team that has worked together on similar projects. The majority of the senior team members have previously served in executive positions in local government including as public works and planning and development officials. This combination of consulting experience and prior management experience is unequaled in the industry. We have also teamed with Green Street Associates and Lantic Solutions to provide additional Florida-based expertise.

I am the firm's president, authorized to n egotiate on the firm's behalf and bind it contractually. I can be reached at the address and phone number listed below, or via email at rbrady@matrixcg.net.

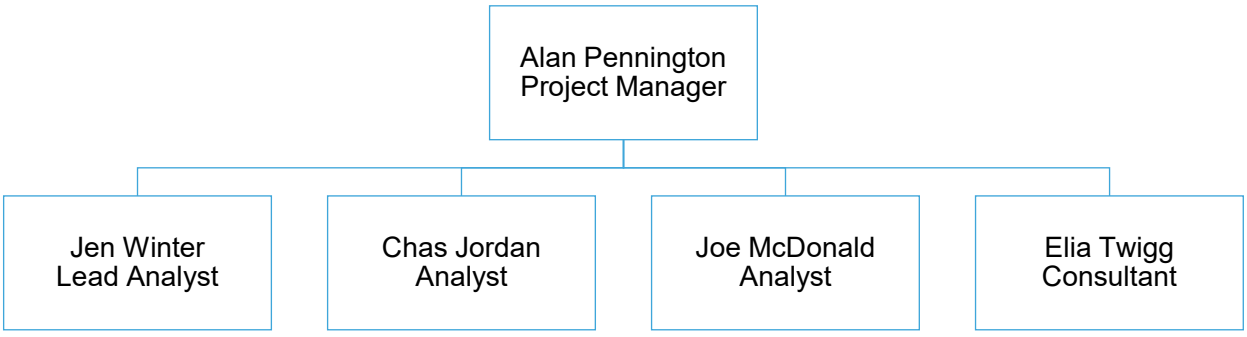
Richard Brady, President
Matrix Consulting Group

1 Project Teams and Resumes

We have proposed a very qualified and experienced project team for this engagement including our most senior consultants and individuals with significant experience conducting similar engagements. We propose a separate Public Works and Planning and Development Team. The project will be managed by Alan Pennington, who leads our General Consulting Practice. The respective teams will be led by Senior Managers with the firms who have significant public sector and consulting experience in Public Works and Planning and Development. Each teamincludes highly experienced consultants who have conducted dozens of relevant organizational and operational assessments.

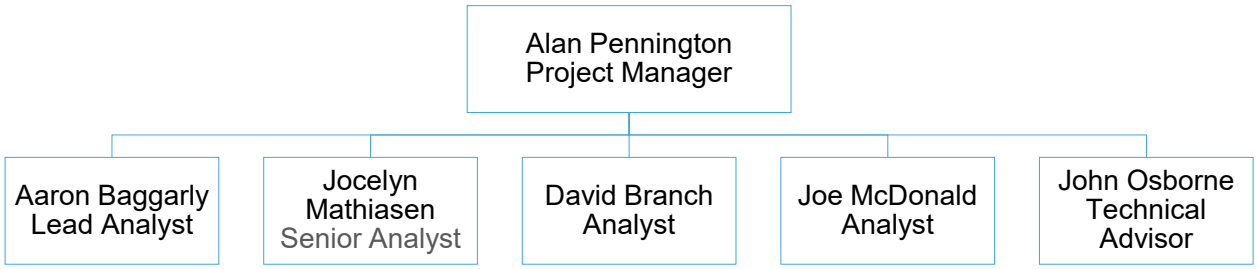
1. Public Works Project Team

All team memb ers are employees of Matrix Consulting Group apart from Elia Twigg, a consultant from Lantic Solutions . Elia is currently partnered with the Matrix Consulting Group on similar studies in San Bernardino County and West Sacramento, California.



2. Planning and Development Project Team

The team members proposed for this engagement have broad experience in analyzing local government operations and specialize in planning and development assessments. All members are employees of the Matrix Consulting Group apart from John Osborne of Green Street Associates.



3. Resumes

Resumes are provided on the following pages for our project team members.

ALAN PENNINGTON

SENIOR VICE PRESIDENT, MATRIX CONSULTING GROUP

Alan Pennington leads our General Consulting Practice which includes Community Development and development review assessments. He has conducted over 400 studies including over 100 focused on improving development review processes. Alan's extensive experience evaluating community development operations has included the following areas of focus:

- Development process redesign and streamlining including process diagramming,
- Establishment of achievable turnaround times for plan reviews and inspections,
- Staffing and organizational structure evaluations, and
- Customer and stakeholder outreach on service needs and perceptions of existing services.

Experience Highlights

Dallas, TX: Alan was the project manager on this engagement of the City's development review operations. This study evaluated a development processes, staffing and organizational structure, technology utilization, and service levels. Key recommendations included:

Relevant Clients:

CA	Cupertino
CA	Downey
CA	Menlo Park
CA	Milpitas
CA	Napa County
CA	Redlands
CA	Riverside
CA	San Jose
CA	Ventura
CO	Westminster
FL	Kissimmee
FL	Manatee County
FL	Miami Beach
GA	DeKalb County
GA	Gwinnett County
HI	Maui County
MA	Boston
OR	Marion County
SC	Greenville
TX	Dallas
TX	Ft. Worth
VA	Hanover County
WA	Des Moines
WI	Waukesha County

- Enhancements to the City's permitting systems to streamline processes and to provide better online access to customers.
- Identified the staffing needs and organizational structure to meet current workload and desired service levels.
- Identified key service gaps through discussion with customer stakeholders and developed recommendations to address verified issues.

Milpitas, CA: Alan served as Project Manager on this study of the development review process which included evaluation of processes, service levels, staffing, organizational structure and technology through a SWOT and analytical analysis. Key outcome included:

- Modified procedures to streamline application processing.
- Staffing modifications to align resources with wor kloads,
- Modification of fee structures to align with new processes and ensure appropriate cost recovery.

Project Role: Alan will serve as the project manager and be heavil involved in all aspects of the project.

Years of Experience: 28

Education:

BA, University of Maine, Public Management.

MPA, University of Maine,

Professional Association:

International Code Council (ICC)

Government Finance Office's Association (GFOA)

International City-County Management Association (ICMA)

AARON BAGGARLY, AICP

SENIOR MANAGER, MATRIX CONSULTING GROUP

Aaron Baggarly is the lead analyst on development review, permitting, and inspection related engagements. Aaron most recently worked for the City of Stillwater, OK as the Planning Manager and oversaw the City's planning and development activities, and prior to that work ed for another planning firm. Relevant highlights include:

- Completed over 120 studies for local government entities.
- Analysis focuses on process studies for planning, building, and code enforcement activities, organizational review, and proces evaluation and reengineering.
- Performed data and workload analysis, needs assessments, visioning, organizational and staffing assessments, public engagement, and best management practices evaluation.
- Serves on his local Board of Adjustment.

Experience Highlights

Clearwater, FL: Aaron led the firm's efforts on this engagement and provided recommendations in the following key areas:

Relevant Clients:

CA	Downey
CA	Menlo Park
CA	Milpitas
CA	Mountain View
CA	Napa County
CA	Riverside
CA	Ventura
FL	Miami Beach
FL	Toho Water Auth.
GA	East Point
HI	Maui County
IL	Tinley Park
MA	Boston
NC	Rowan County
NY	Mamaroneck
OR	Forest Grove
TX	Dallas
TX	Fort Worth
TX	Flower Mound
TX	Prosper
VA	Blacksburg

- Centralize floodplain administration in Planning and Development and establish a full-time position.
- Create and provide internal and customer training on the use of the City's permitting platform.
- Revise the planning application process to be more streamline and require complete applications at submittal.
- Conducted a workload and staffing analysis for all development positions.

Knoxville, TN: Aaron served as the lead on this project that evaluated the City's development review, permitting, and inspection processes. Key project outcomes included:

- Process mapped 35 development processes and evaluated them to identify operational and technology efficiencies.
- Conducted a comprehensive technology assessment to streamline the process and enhance cross-departmental collaboration.
- Identified staffing resource needs for each Department.

Project Role: Serve as the lead analyst for Planning & Development.

WA Everett
WA Sammamish
WI Waukesha County

Years of Experience: 16

Education:

BS, Appalachian State University, Community and Regional Planning, Minor in GIS.

Professional Association:

American Institute of Certified Planners (AICP)

American Planning Association

JEN WINTER, P.E.

SENIOR MANAGER, MATRIX CONSULTING GROUP

Jen Winter leads our Public Works and Infrastructure practice area. She leads all public works studies including asset management, engineering, streets, traffic and transportation, public utilities, and related services. Prior to joining Matrix Jen served within local government as the Public Works Director for the City of Cedar Rapids Iowa. She has also previously served as the Regional Director for an engineering consulting firm. Her local government experience includes:

- Strategic planning, organizational and staffing assessments, data and workload analysis, needs assessments, public engagement, and best management practices evaluation and implementation.

Relevant Clients:

CA Dublin
CA Gilroy
CA Marin County
CA SDCWA
CA Santa Barbara
CA San Bernardino Co.
CA Santa Maria
CA Vacaville
CA West Sacramento
FL Dunedin
FL Naples Airport
NC Fayetteville

- Process studies within public works and development activities, o rganizational review, and process evaluation and reengineering.
- Asset management strategies critical to the planning and measurement of infrastructure.
- Extensive training in and experience implementing organizational health initiatives.

Experience Highlights

Fayetteville, NC: Jen was the lead analyst on the City's comprehensive review of the Public Services Department including solid waste, water and sewer, engineering, and streets. Key recommendations included:

- Implementation of operational best practices including developing an asset management program.
- Organizational and staffing improvements including the reorganization of the Engineering Division.

Vacaville, CA: Jen was the Project Manager on the City's comprehensive review of the Public Work s Department including Engineering, Facilities, Streets, and Utilities. Key recommendatior included:

- Implementation of operational best practices including developing an asset management program.
- Organizational and staffing improvements including the reorganization of the Engineering Division.

Project Role: Jen will serve as the lead for Public Works and Utilities operations.

NE Sarpy County
PA SARAA
TN Knoxville
WA Snohomish County

Years of Experience: 25

Education:

BS, Iowa State University, Civil Engineering

Professional Association:

American Public Works Association (APWA)

APWA Center for Sustainability (Past Chair)

APWA Iowa Chapter Board Member

CHAS JORDAN, P.W.E., F.M.P., S.C., LEED G.A., ENV SP

MANAGER, MATRIX CONSULTING GROUP

Chas Jordan recently joined our firm and will be a consultant and analyst on projects dealing with public works, facilities, fleet management, utilities, parks and recreation and administrative functions.

Prior to joining Matrix, Chas served as an Assistant Public Wo rks Director and Facilities Manager as well as a Public Works Administrative Manager in Florida. He has also previously served as Project Manager for a solid waste management consulting firm His local government and consulting experience includes:

- Strategic planning, organizational and staffing assessments, needs assessments, and best management practices evaluation and implementation.
- Process studies within public activities, organizational review, and process evaluation and reengineering.
- Technology im plementation to improve workflow and management, integration strategies and employee training.
- Management and soft skills development and training.
- Financial analysis, rate setting, and long-term capital planning.
- Fleet asset management and equipment replacement.
- Facilities capital project management and long-term planning.

Experience Highlights

Largo, FL: Chas served as an analyst, manager and assistant department head. He managed the capital and financial aspects of the Public Works, Fire Rescue, Environ mental Services, and other departments as well as serving as a major project manager for multiple major building projects.

- Served as Accreditation Manager for the Public Works and Fire Rescue Departments.
- Facilitated and authored the Public Works Departm ents strategic plan for over ten years, earning a Model Practice designation.
- Developed standard operating procedures and departmental policies for multiple city departments.

Project Role: Chas will serve as an analyst for the Public Works and Utilities functions.

Relevant Clients:

CA	OCTA
CA	San Diego Co. Water Authority
CA	San Bernardino
FL	Miami Beach
FL	Toho Water Auth.
TN	Knoxville

Years of Experience: 18

Education:

MPA, University of North Florida – Public Administration

BA, University of North Florida - Political Science and Public Administration

Professional Associations:

American Public Works Association (APWA)

- APWA Leadership and Management Committee (Past Chair)
- APWA Florida Chapter Past President
- Florida Chapter Member of the Year Award Winner
- Public Works Executive Designation

Solid Waste Association of North America (SWANA)

JOCELYN MATHIASEN

MANAGER, MATRIX CONSULTING GROUP

Jocelyn Mathiasen is an experienced consultant that focuses on local government permitting and operational experience.

As department director, she led the reform of the Department of Permitting and Land Use for the City of Milford, Connecticut, transforming the agency into one focused on customer service and efficiency. Consolidated planning, wetlands, floodplain management, and building review processes to reduce duplicatior of time and effort, cross -trained clerical staff, and developed improved educational materials and website information to reduce confusion on the part of applicants. Implemented on -line permitting for all projects.

Her experience encompasses local and regional development anc permitting agencies. Emphasis focused on increased efficiency and collaboration between different departments and government entities.

Experience Highlights

Miami Beach, FL:Jocelyn was the lead analyst on this engagemer that focused on improved operational efficiencies, review of permitting times and processes, and a review of the development code/ordinances to identify chokepoints in the process for efficient and timely development. Key recommendations included

- Modified the building permit review process to reduce the number of resubmittals and number of review entities.
- Technology and legislation improvements to help meet adoptec review timelines.
- Modifications to the application requirements and clear identification of the decision -making authority.

Downey, CA: Jocelyn was an analyst on this engagement that analyzed the City's Community Development operations and staffing needs. Key findings included:

- Opportunities to leverage technology to improve the customer experience and educational outreach.
- Dedicated and cross -trained permit technicians to process development applications.
- Convert key contracted positions to city employees (e.g., Chief Building Official and Building Permit Tech, etc.).

Project Role: Jocelyn will serve as an analyst for planning and development functions.

Relevant Clients:

CA	Downey
CA	Los Angeles
CA	Redlands
CA	Riverside
CO	Westminster
FL	Kissimmee
FL	Miami Beach
FL	Toho Water Auth.
FL	Fort Myers
GA	Dekalb County
GA	East Point
IL	Niles
MA	Boston
NC	Rowan County
TX	Flower Mound
TX	Fort Worth
VA	Blacksburg
VA	Virginia Beach
VT	Burlington
WA	Bellingham
WI	Waukesha County

Years of Experience:25

Education:

Master of Public Policy from Harvard University, BA in Government from Oberlin College

Professional Association:

International Code Council

American Planning Association

DAVID BRANCH

MANAGER, MATRIX CONSULTING GROUP

David Branch has served as an analyst and project lead on a wide range of government studies covering a variety of county and municipal functions such as building, planning, housing, code enforcement, human resources, finance and purchasing, public works and utilities. David has extensive experience conducting organizational, operational, and staffing assessments during his 10 years with our firm. Relevant experience highlights include:

- Completed over 120 studies for local government entities, including numerous department and agency -wide assessments.
- Analysis focuses on workload and staffing, organizational structure, asset management, and process improvement using recognized best pra ctices and quantitative metrics and modeling and developing implementation solutions to guide clients.

Experience Highlights

El Segundo, CA: David was the lead analyst for this study of the City's Community Development Department. The study analyzed staffing needs and organizational structure, workload and performance metrics, operational issues, and opportunities to deploy technology. Key recommendations included:

- Development of plan review processing performance benchmarks and the use of a perform ance measurement dashboard for internal use and the public.
- Process flow adjustments to consolidate the plan review process, involve Planning more consistently, and centralize the applicant point of contact.
- Implementation of permitting and land manage ment software along with a digital applicant portal and cashiering integration.
- Identification of staffing resources needed to meet desired processing times.

Project Role: David will serve as an analyst for Planning and Development operations.

Relevant Clients:

AZ	Buckeye
CA	El Segundo
CA	Fresno
CA	Milpitas
CA	Redlands
CA	Riverside
CO	Aurora
CO	Westminster
FL	Coral Gables
FL	Fort Myers
FL	Kissimmee
GA	DeKalb County
IL	Tinley Park
IL	Chatham
NC	Rowan County
NY	Albany
OR	Tigard
TX	Dallas
TX	Flower Mound

Years of Experience: 10

Education:

BS, University of Southerr California; Policy, Management, and Planning.

M.Ed., University of Missouri – St. Louis, Secondary Education

Professional Association:

American Public Works Association (APWA)

JOE MCDONALD

CONSULTANT, MATRIX CONSULTING GROUP

Joe McDonald has served as an analyst on a wide variety of engagements, ranging from community development departments to municipal airports. Joe assists in developing client surveys, documenting current and future workflows, and assists senior staff in conducting interviews, performing data analysis, and preparing client deliverables.

Experience Highlights

Clearwater (FL): The Matrix Consulting Group was engaged by the City of Clearwater, FL to perform a business process study

Relevant Clients:

CA	Rocklin
CA	San Bernardino Co
CA	San Dimas
CO	Greeley
FL	Clearwater
FL	Dunedin
FL	Naples
IA	Cedar Rapids
NV	Henderson
TN	Knoxville
WA	Snohomish Co.
WV	WVU

of its Planning and Development Department. On this project, Joe:

- Administered and analyzed the results of both a community and an employee survey. Assisted in moderating focus groups with individuals that were well -acquainted with the City's development processes (developers, lawyers, etc.).
- Worked with City staff to develop workflow diagrams that represent the Department's key processes (permit applications, zoning approvals, etc.). Information from these diagrams were leveraged by the project team to make recommendations on how to best optimize development processes.

Rocklin (CA): As part of the assessment of the Community Development and Public Services Department organiza tional assessment, Joe supported senior project team members in the following areas:

- Facilitated the process mapping workshops to document development review, permitting, and inspection processes.
- Responsible for the customer survey outreach and analysis. Identified key strengths and challenges with the current operational approaches.
- Conducted a comparative survey with eight peer communities to understand their organizational structure, staffing approaches, and technology utilization.

Project Role: Joe will support both teams with data analyst, interviews, and stakeholder facilitation.

Years of Experience: 2

Education:

BA – Professional and Technical Communications, University of South Florida

Professional Association:

Florida City County Managers Association (FCCMA)

Engaging Local Government Leaders (ELGL)

Society for Technical Communications (STC)

JOHN OSBORNE, AICP

PRINCIPAL, GREEN STREET ASSOCIATES

John Osborne has over 26 years of experience in both local government and as a consultant focused on the processing and review of land development applications.

John most recently worked for Manatee County Government in as Deputy County Administrator and Planning Director and oversaw planning and development activities, and prior to that worked for another planning firm. Relevant highlights include:

- Past and current work with local governments updating land development regulations to improve performance and efficiency.
- Represent private sector clients throughout southwest Florida for land development entitlements.

Experience Highlights

Holmes Beach, FL: John led the firm's efforts on this engagement and identified improvement opportunities in the following key areas:

- Update portions of land development regulations to include review processes of specific updates.
- Geographic Information Systems support, development of field data tool, and update of various city layers.
- Review of land development and permit applications.

Manatee County, FL: Project focused on improving customer service, communication, process, and identification of dig ital technology needs. Helping implement the following:

- Led updates of development review processes to include updates to land development regulations focusing on economic development and redevelopment incentives.
- Analysis of planning, building, and code enforcement activities, organizational review, and process reengineering.
- Implemented digital site plan review and submittal system as transition to full online permitting software system.
- Analyze data and trends to develop long -term strategic goal s and plans for infrastructure and service delivery of departments.

Project Role: John will serve as an analyst for planning and development operations.

Relevant Clients:

FL Holmes Beach
FL DeSoto County

Years of Experience: 26

Years with Firm: 2

Education:

BA, University of South Florida, Geography, Minor in GIS.
MS, American Military University, Environmental Policy and Management.

Professional Association:

American Institute of Certified Planners (AICP)

American Planning Association

Florida Planning & Zoning Association

Growth & Infrastructure Consortium

Publications:

"He Practices What He Preaches," *Planning Magazine*, (May 2004)

"Complete Streets" FL Section Institute for Traffic Engineers (ITE), *FLITE Magazine*, (May 2014).

"A Business Approach to Growth Management in Manatee County, Florida, *Practicing Planner* Vol. 12, No. 3, 2014.

ELIA TWIGG, PE

PRINCIPAL OWNER, LANTIC SOLUTIONS

Elia Twigg is an accomplished licensed engineer, author and speaker with 20 years of experience in engineering, construction, and management. Highly motivated, self-starter, determined individual always striving to make continuous improvement through developing efficient processes and systems.

Experience Highlights

Lantic Solutions: Principal Engineer/Owner - Design septic systems (conventional, drip irrigation, etc.), drainage plans for single family and commercial properties, and small site plans and work with contractors to have more efficiencies in their offices.

Consor Engineers, LLC:

- Sr. Project Engineer - directed complex construction engineering administration and inspection projects and developed policies, methods, practices, and procedures.
- Local Agency Manager - managed and expanded relations with local governmental agencies.
- Other - developed in-house training for project managers and for emergency response duties, developed the process for implementing an emerging leader training program.

City of Palm Bay:

- Project Manager - Managed the City's major Public Works capital projects and managed consultants.
- Division Manager over Operations - Managed the operations for the division to include traffic operations, procurement, cost estimating, maintenance, construction, scheduling, budgeting.
- Right-of-Way Services Manager

Project Role: Elia will be an analyst for public works and utilities.

Years of Experience: 20

Education:

University of Florida

Master of Engineering in Civil Engineering

University of Florida
Bachelor of Science in Civil Engineering

Licenses and Certifications:

Florida Professional Engineering License

Advanced MOT

Stormwater Erosion and Sedimentation Control Inspector

Publications:

Co-Author of Executive Soft Skills Pocket Guide sold in the APWA bookstore

Author of several APWA Reporter Magazine articles with subjects pertaining to leadership and management topics

2 Experience

The Matrix Consulting Group is a management consulting firm dedicated to providing quality analytical assistance to local governments. Our company was formed in 2002 to focus solely on providing high-quality management consulting services to the public sector. Key information about our firm is provided in the following points:

- We were incorporated in California on January 1, 2003, and have been in business for 20 years. We are also registered to conduct business in the State of Florida.
- We are comprised of 25 full time and five part-time staff.
- We have a dedicated Public Works practice area that is based out of Fort Myers and Tampa. This team includes former Public Work executives and career consultants. We have completed over 100 dedicated studies for public work departments.
- We have a dedicated development review, permitting, and inspection practice area that includes former planning, permitting, and development executives. We have completed over 150 dedicated development review related studies. Additionally, we have evaluated and updated over 200 development fee schedules.
- Our most significant area of expertise is the provision of organizational and management assessments. As a firm, we have conducted over 100 organization-wide assessments which include the evaluation of public works and planning and development operations.

The Matrix Consulting Group is well-versed in the various aspects of public works and planning and development operations and processes, as well as the staffing and technology needs which accompany them. We take a holistic approach to evaluating operations, processes, policies, organizational structure and resource needs both to meet the current and projected workload. Our approach provides our clients with a comprehensive assessment of their organizations and implementable recommendations that are tailored to meet their unique needs.

3 Customer List

The Matrix Consulting Group has significant experience conducting organizational and operational assessments for Public Works and Planning and Development Departments over the past seven years. Due to our significant experience and staff changes with many clients, we are unable to provide contact information for all past clients. We have provided project abstracts and contact information for three projects each, contact information for our most recent clients, and project listing for similar projects since 2016.

1. References

The following provides project abstracts and references for three similar public works and development organizational and operational assessments completed by the proposed project teams.

Public Works

Fayetteville, NC	Organizational and Operational Review of the Public Services Department
Project Contact:	Sheila Thomas-Ambat, Public Services Director
Phone Number:	910-433-1329
Email:	SheilaThomasAmbat@fayettevillenc.gov
Project Dates:	2021-2022
Contract Amount / Final Cost	$136,500

Project Summary: Matrix Consulting was retained by the City of Fayetteville to conduct a comprehensive assessment of the Public Services Department including Engineering, Traffic Services, Storm Water Services, Streets, and Solid Waste. The goals of the study included an organizational efficiency and staffing analysis to help deploy strategies to utilize staff resources in the most effective manner, determine appropriate staffing levels for the Department, and recommend organizational structure changes to enhance Department service levels.

Recommendations included a reorganization of multiple divisions including Engineering, Traffic Services, and Streets to better align teams and delivery of services. Matrix also recommended implementation of an asset management program and the

use of technology for field staff to be able to assign and record work order information from the field.

Vacaville, CA	Organizational and Operational Review of the Public Works Department
Project Contact:	Brian McLean, Public Works Director
Phone Number:	707-449-5175
Email:	Brian.McLean@cityofvacaville.com
Project Dates:	2021-2022
Contract Amount / Final Cost	$66,500

Project Summary: In this study, the project team conducted an analysis of the Public Works Department which included Engineering, Construction, Facilities, Fleet, Parks, Streets, Transit, and Utilities divisions. The analysis included an organizational and operational assessment with particular focus on organizational structure and staffing.

Recommendations included a reorganization of the departmental leadership team as well as additional organizational structure changes to some of the divisions. The study also addressed use of technology, administrative systems and procedures, and asset management. The study also recommended consolidating and documenting the policies and operating procedures of the Department into an electronic manual accessible online by all staff.

Gilroy, CA	Organizational and Operational Review of the Public Works Department
Project Contact:	Jimmy Forbis, City Administrator
Phone Number:	408-846-0202
Email:	Jimmy.Forbis@cityofgilroy.org
Address:	7351 Rosanna Street, Gilroy CA 95020
Project Dates:	2022
Contract Amount / Final Cost	$65,000

Project Summary: In this study, the project team conducted an analysis of the Public Works Department which included Engineering, Transportation, Environmental Compliance, Park Maintenance, Street Maintenance, Urban Forestry, and Water and

Wastewater Maintenance and Operation. The study aimed to promote an environment of continuous improvement and efficient and effective use of staff.

Recommendations were given in operations, work practices, staffing and workload. Key recommendations included several organizational changes such as the creation of a sewer maintenance team separate from street maintenance and the relocation of park reservations out of maintenance operations. Recommendations also included development of an asset management program with enhanced utilization of the software solution in place, implementation of technology to for development review and permitting, and development of work calendars and work schedules utilizing the software solution already in place.

Planning and Development

Clearwater, FL	Business Process Study of the Development Process
Project Contact:	Gina Clayton, Planning and Development Director
Phone Number:	727-562-4587
Email:	gina.clayton@myclearwater.com
Project Dates:	May 2022 – January 2023
Project Fee:	$94,930

Project Summary: This study was a review of the City's development review, permitting and inspection processes and included staff in Planning and Development, Engineering, Transportation, Fire, and Utilities. Key tasks included the diagramming of existing processes, identification of opportunities to streamline processes, review of current organizational structure, staffing, and technology utilization. This engagement also included an extensive customer and stakeholder outreach.

Clearwater has adopted robust processing times for development review (planning) and building permit applications and have leveraged the use of their permitting system to help facilitate an efficient and collaborative review process. Recommendations made as part of this project included: update the permitting software system to be more user friendly (internal and external), cross train Development Services Technicians, implement succession planning, improve staff's knowledge of the overall development process, hire an internal permitting software business analyst, consolidate floodplain administration through the creation of a new Floodplain Administrator, and create an online one stop shop for development.

Miami Beach, FL	Development Services Assessment
Project Manager:	Natasha Diaz, Assistant Building Director
Phone Number:	305-673-7000 ext 26335
Email:	NatashaDiaz@miamibeachfl.gov
Project Dates:	November 2018 – May 2019
Contract Amount / Final Cost	$74,900

Project Summary: The firm was engaged by the City to conduct review of the following areas: timeliness of service delivery, decisiveness and authority levels, processes utilized, charter requirements versus delegated authority, a best practices review, internal controls and customer outreach. Current challenges included duplication of review authority between various departments, application of the adopted ordinance, communication challenges, meeting performance goals, and understanding of individual and collective roles in the review process. Also, challenges existed related to historic designation and redevelopment of quasi-historical properties. The combination of these challenges resulted in a cumbersome and lengthy application and review time.

Key recommendations focused on: updating of policies and procedures to align with state statues, establishment of performance standards, reduction in processing time through cross-training of reviewers, process redesign to eliminate manual scanning of documents for review through implementation of electronic submittals, increasing the number of administrative approvals, require completeness checks on all submittals, implementation of a Development Review Committee, reallocation of various variance approvals from the Land Use Board to the Board of Adjustment, modification and simplification of zoning to reduce multiple overlays, and modification of the existing land development ordinance to create a simplified and consist review process.

Knoxville, TN	Evaluation of the Development Review Process
Project Manager:	Cheryl Ball, Deputy Policy Officer
Phone Number:	865-310-0379
Email:	CBall@knoxvilletn.gov
Project Dates:	May – November 2022
Project Fee:	$124,900

Project Summary: The Matrix Consulting Group was tasked with reviewing the City's development review, permitting, and inspection processes. The provision of development services is provided by a combination of three City departments, a regional planning agency, a public utility agency, and the County Health Department. As part of this assessment the project team reviewed: technology system and integration, communication/collaboration, customer information and outreach, processes, the adopted development code, performance goals, and staffing needs.

Key findings and recommendations included: There was a clear lack of integration between review disciplines and the need for greater technology access, utilization, and integration, clarity in roles and responsibilities of reviewers, enhanced communication and collaboration, and increased centralized oversight of the development process. Several recommendations focused on updating the development code to streamline the process, modify the code the remove ambiguity, and to align current practices with the code. Also, the project team made several organizational structure recommendations that including creating a standalone City Planning Department, place all four development departments under a single Development Officer, modify the requirements for Fire Inspectors, and increase staffing in Engineering, Planning, and Building Plans Reviewers/Inspectors to meet performance goals and workload levels.

2. Project Listing

The following table provides a summary of Public Works Department and Planning and Development Department organizational and operational assessments. We have provided project contact information for projects since 2020, if the project manager is still with the organization.

Client	Project Description	Cost	Dates	Contact Info
Anderson County, SC	Public Works Study	$42,000	2016	
Blacksburg, VA	Development Review Process Analysis	$59,000	2018	
Boston, MA	Inspectional Services Department Operational and Staffing Assessment	$125,000	2017 - 2018	
Boulder, CO	Asset Management Study	$61,000	2019	
Cedar Hill, TX	Public Works Study	$36,000	2017	
Clearwater, FL	Evaluation of the Development Review, Permitting,and Inspection Processes	$94,940	2022 - 2023	Gina Clayton 727.562.4587 gina.clayton@myclearwater.com
Colton CA	Public Works & Utilities Study	$24,500	2016	
Dallas, TX	Evaluation of the Staffing, Technology, and Organizational for the Development Services Department / Implementation Assistance	$135,000	2021 – 2022 / Ongoing	Andrew Espinizo 214.671.9148 andrew.espinoza@dallascityhall.com
Dublin, CA	Public Works Study	$51,500	2021	Andrew Russell 925.833.6630 Andrew.russel@dublin.ca.gov

Client	Project Description	Cost	Dates	Contact Info
Everett, WA	Public Works Operations Organizational Assessment (Included Building and Planning)	$125,000	2018 - 2019	
Fayetteville, NC	Public Works Organizational and Operational Assessment	$136,500	2021	Sheila Thomas-Ambat 910.433.1329 SheilaThomasAmbat@FayettevilleNC.gov
Flower Mound, TX	Assessment of the Town's Development Review and Inspection Services	$34,900	2020	JP Walton 972.874.6081 Jp.walton@flower-mound.com
Forest Grove, OR	Community Development and Engineering Development Review Assessment	$39,000	2020 - 2021	Bryan Pohl 503.992.3227 BPohl@forestgrove-or.gov
Fort Myers, FL	Review of the Development Process	$49,000	2018	
Fort Worth, TX	Staffing Assessment of Code Compliance	$95,000	2019	Brandon Bennett 817.392.1234 Brandon.bennett@fortworthtexas.gov
Gallup, NM	Public Works Study	$49,750	2019	
Greeley, CO	Organizational Study of the Community Development and Economic Development Departments	$72,000	2022	Paul Fetherston 970.350.9730 Paul.Fetherston@greeleygov.com
Haverhill, MA	Highway Division Study	$29,800	2019	
Haverhill, MA	Facilities Management Study	$24,900	2019	
Joliet, IL	Water and Wastewater Study	$54,700	2016	
Knoxville, TN	Development Review Process Evaluation	$124,900	2022	Cheryl Ball 865.310.0379 cball@knoxvilletn.gov
Lake County, IL	Phase 2 DOT Study	$39,000	2017	
Lake County, IL	Facilities Management Study	$94,900	2019	
Littleton, CO	Building and Grounds Study	$35,000	2019	

Client	Project Description	Cost	Dates	Contact Info
LA County ISD, CA	Custodial Study	$99,000	2018	
Los Angeles, CA	Street Lighting Study	$75,000	2019	
Mamaroneck, NY	Review of the Development Process	$40,000	2018 - 2019	
Menlo Park, CA	Community Development and Public Works Organizational Assessment	$103,000	2018 - 2019	Justin Murphy 650.330.6725 jicmurphy@menlopark.gov
Metropolitan Council, MN	Facilities Study	$144,900	2020	
Miami Beach, FL	Review of the Development Services Operations, Processes, and Staffing Assessment	$74,900	2018 - 2019	Natasha Diaz 305.673.7000 ext26335 natashadiaz@miamibeachfl.gov
Milpitas, CA	Development Review Staffing, and Fee Assessment	$215,000	2018 - 2019	
Mountain View, CA	Development Review Process and Operational Assessment	$84,000	2021	Aarti Shrivastava 650.903.6456 Aarti.Shrivastava@mountainview.gov
Napa County, CA	Planning Department Operational Review	$64,500	2017 - 2018	
Oklahoma City, OK	Streets Maintenance	$57,000	2020	
Pittsburgh, PA	Public Works Study	$25,000	2017	
Prosper, TX	Assessment of the Development Review Process	$36,000	2021 - 2022	Hulon Webb, Jr 972.569.1065 HWebb@prospertx.gov
Richland, WA	Development Services Audit	$74,500	2022 - 2023	Joe Schiessl 509.942.7558 JSchiessl@ci.richard.wa.us
Riverside, CA	Community Development Organizational Audit	$84,500	2020 - 2021	

Client	Project Description	Cost	Dates	Contact Info
Rocklin, CA	Community Development and Public Services Organizational Evaluation	$49,900	2022 - 2023	Elizabeth Sorg 916.625.5582 elizabeth.sorg@rocklin.ca.us
Rowan County, NC	Centralized Permitting Evaluation	$72,000	2019 - 2020	Randy Cress 704.216.8114 Randy.cress@rowancountync.gov
Sammamish, WA	Development Fee Schedule and Staffing Analysis	$39,000	2021	Sara Estiri 425.295.0543 sestiri@sammamish.us
San Mateo County, CA	Public Works Study	$89,600	2016	
Snohomish County, WA	Roads Study	$58,700	2022	James Parker 425.388.7541 James.Parker@SnoCo.org
Toho Water Authority, FL	Update to the Development Review Process and Operational Assessment	$25,000	2018	
Torrington, CT	Public Works Study	$32,800	2016	
Vacaville, CA	Public Works Study	$66,500	2021	Brian McLean 707.449.5175 Brian.McLean@cityofvacaville.com
Vancouver, WA	Traffic Engineering Study	$34,500	2016	
Waukesha County, WI	Permitting Process Evaluation	$25,000	2018	
Windsor, CT	Public Works Study	$49,500	2016	

4 Project Approach

This section of our proposal includes an overview of our project management approach, followed by a detailed task plan.

1. Our Philosophy and Approach

The Matrix Consulting Group takes a clearly defined, client-centered project approach to each study we conduct. Key elements of our philosophy and approach to providing consulting services include the following:

- A principal of the firm is involved in every project, providing oversight, quality control and management assistance for all of our studies. For this study Alan Pennington, Senior Vice President will serve in this capacity as project manager. Moreover, our lead analysts on for each department, Jen Winter, P.E. and Aaron Baggarly, AICP are senior managers in our public works and community development practices.
- We are objective and data driven. We do not base our recommendations on opinions or simple comparative measures. We ensure that our analysis is based on a comprehensive understanding of our client's unique service level goals, workloads, risks, regulations, and operating environment.
- Our projects are approached with a firm grounding in analytical methodology. Our clients receive detailed analysis of their specific issues. All impacts are identified and analyzed in detail to ensure that recommendations can be implemented, and our clients can understand the reason for change.
- Our projects are characterized by extensive interaction between consultants and clients, including both executive management and policy makers, as well as supervisory and line-level staff. We will specifically speak to those individuals who are involved in the respective operations and processes to learn more about their roles and to obtain feedback regarding our analysis, findings, and potential solutions.
- We prioritize formal project management techniques to ensure clear communication, timely task completion, and a thorough analysis of issues. We take pride in delivering our work on time, on budget, and at a level of quality which exceeds expectations.

These five pillars guide our work and have resulted in successful projects and satisfied clients.

2. Project Management and Controls

We believe very strongly in the science of our craft. As a result, we utilize formal project management techniques in our studies. These techniques include:

- All project work activities are defined in advance and tied to each project team member, deliverables, the schedule, and the budget.
- The project manager briefs each project team member on their roles and expectations. This is accomplished in writing and in person.
- The project manager and lead analysts develop general and project specific data collection plans and interview guides for all staff.
- Project team and client expectations and results are managed on a bi-weekly basis by developing and utilizing formal project schedules and reporting tools.
- The project manager designs and personally reviews all interim and final products before they are delivered to the client.
- We have frequent client review meetings to discuss the quality and direction of the project through interim deliverables.

These project management approaches have resulted in all of our proj ects being delivered at a high level of quality, on time and on budget.

3. Project Task Plan

The following task plan outlines our proposed project task plan to conduct a comprehensive organizational and operational review of the Public Works / Utilities, and Planning and Development Departments. We propose to conduct this study simultaneously and with the same work plan. Exceptions are noted in the task plan when the task or subtask may only apply to one department.

For each task, there is an associated deliverable to be reviewed by the City's project team. We propose separate deliverables for each Department, including draft and final reports.

Task 1 | Project Kickoff

In this task, the project team will hold a virtual project initiation and kickoff meeting with the City's project steering committee and appropriate departmental and divisional personnel. During this kickoff, the City will share the study goals, desired scope of service objectives, and potential comparative jurisdictions. As a result of this project initiation, the project team will finalize the project schedule, data collection instrument, updated

project task plan (if necessary), and determine who the p rimary point of contact is for each department. Then we will begin scheduling initial staff interviews.

> Task Deliverable – **The project team will develop a kickoff meeting agenda and provide a project schedule, data collection list, and updated work plan (if necessary) to the City's project coordinator (s) and schedule initial interviews with staff.**

Task 2 | Develop an Existing Condition Assessment.

To evaluate the department operations, processes, and work practices, we need to develop an in -depth understanding of the key issues impacting and shaping service requirements both internally and externally. To develop this perspective, we will conduct interviews with staff, City management and other staff/officials who are involved in various activities of the two departments .

These interviews will focus on understanding and documenting the following areas:

- Adequacy of service levels and gaps in existing levels of service.
- Goals and objectives for the delivery of services for each division.
- Document technical skill set, training, and certifications of staff.
- Adequacy of management systems and technology and the extent to which managers utilize this information to make meaningful service decisions.
- Outsourcing ph ilosophy of the department, the services that are currently outsourced/contracted and additional candidates for alternative service delivery to meet peak workload demands.
- Identification of relevant workload for staff in each functional area.
- Understand the current technology systems and utilization for each team.

Next, we will develop a detailed description of the services provided by each operational entity. Our focus will be on how services are delivered, staffed, and managed, as well as the costs associated with the delivery of those services. The development of this detailed description will be based on interviews as well as on the collection of operating information and data, including the following:

- The current organization of each division and team:
  - The structure and functions of each division and unit.
  - The staffing levels of each division.
  - Supervisor to staff ratios of each division.
  - The basic job responsibilities of staff.

- Documentation of all key operations:
  - Service scope and content.
  - How staff are scheduled and deployed.
  - Workload data and base service levels.
  - The extent of any contracted services by type, size, and cost.
- Documentation of management systems to support divisional operations:
  - Organizational business processes and procedures; and
  - Performance monitoring systems.
- Document current performance targets related to major services areas.
- Document the current coordination mechanisms and procedures in place to coordinate service delivery among different departments and divisions.
- Document how operations, processes, and workload has changed recently.

Once initial data collection activities have been completed, the project team will prepare a summary descriptive profile that presents our understanding of the current organization, staffing, and operations for both departments.

> Task Deliverable – **An existing conditions profile summarizing the current staffing levels, roles, supervisor ratios, workload, and technology profile for each functional area within the respective department.**

Task 3 Assess Internal and External Stakeholder Satisfaction With Services Provided.

To ensure that the project team has a good understanding of the customer's perspective of services provided by Public Works and Planning and Development, the project team will complete internal and external outreach. For internal customers the project team will interview various individuals who interact on a regular basis with the two d epartments. This outreach will include a combination of individual and team interviews with other City staff who received services, particularly from Public Works (e.g. , fleet maintenance, landscaping and grounds, capital project engineering, etc.).

The Planning and Development Department provides a significant number of services to the public and development community. For their operations , we will conduct both a stakeholder survey and online focus group meeting with prior customers. These efforts will be designed to understand the key concerns that are impacti ng satisfaction levels with the development review, permitting, and inspection process . This effort will also be utilized to identify suggestions from customers for improvement opportunities.

The online survey would be distributed to prior customers from the last three years. The survey would cover various issues including:

- Clarity and understanding of the City's development processes and requirements.
- Consistency of the process, reviews, timeliness, and approach of the City.
- Level and quality of services provided by the City.
- Overall commitment of the organization to exceptional customer service.
- Areas of inefficiency or difficulty in processing applications, requesting inspections, or resolution issues with the City.
- Services, service levelsor technologies desired by customers.

In addition to the online survey, the project team would conduct threeonline focus groups with prior customers to elicit more detailed and specific information. While focus groups take more time and effort than cust omer satisfaction surveys, the interactivity of a focus group typically provides clearer feedback and enables the project team to follow -up on issues identified in the survey. Each focus group would consist of individuals who have recently conducted business with the City and would be selected from prior recent clients who have interacted with the Planning and Development Department

Task Deliverable – **Summary of internal and external customer feedback from interviews, survey s, and focus group meetings identifying key trends and issues.**

Task 4 | Best Practices and Comparative Assessment

In this task, our project team will utilize a best management practices assessment and a comparative survey to evaluate staffing, organizational structure, supervisor ratios, productivity, processes, policies, use of technology, management planning, as well as many other dimensions of organizational performance for development review functions. To accomplish this, we would undertake the following:

Best Practice Asses sment: Evaluate the services provided by the departments in regard to organization composition, roles/responsibilities, technology, staffing approaches, and operational activities in the context of best management practices in the profession. When conducting the best management practices assessment, each operational area would be assessed against a unique set of management practices. We will evaluate the programs and practices of the various divisions in areas such as staffing, management and strategic planning, process, training, communication, timelines, technology, and funding sources.

The best practice assessment will include the identification of areas where the City currently

meets or exceeds the best practice. More importantly, the analysis will ide ntify areas where current gaps and shortcomings exist and therefore present opportunities for improvement of existing operations. The best practice assessment will begin to clearly identify major operational issues and will include preliminary analysis of workload and process data.

Comparative Assessment: In this task, the project team will conduct a comparative assessment up to five other similar municipal organization. We would compare the service delivery model, organizational structure, supervisor ratios, performance timelines, technology utilization, and other organizational characteristics to current Bradenton operations. The comparative survey would provide insight regarding how the City compares to other city organizations and identify areas for further inquiry for potential modification to enhance efficiency and effectiveness of service delivery utilization.

A summary of th e findings from these two efforts will be developed as an interim deliverable and shared with the City's project work group. The results of this task will provide a strong understanding of current strengths of the organization and a listing of potential improvement opportunities for further evaluation in later tasks.

Task Deliverable – **An evaluation of department practices compared to industry best practices and comparable jurisdictions and a summary of issues identified from th is assessment.**

Task 5 | Conduct Organizational and Operational Assessment.

This task involves an evaluation of workload, staff utilization, work practices, technology use, service levels, staffing levels, and organizational structure. We will address these issues by employing several different approaches, such as those outlined below:

- Evaluate the adequacy of major work practices utilized by each division. This analysis will include the review of divisional workload. Additional analysis will focus on the identification of op portunities to streamline internal processes and assignments as well as work practices to increase productivity and/or enhance their effectiveness. Also, we will identify the degree to which key projects or work tasks are not being accomplished due to lac k of staff and assess the extent to which tasks could be absorbed through streamlining of work process, if at all. Analysis will also focus on defining specific roles of various staff each division and updating corresponding job duties if needed. Process diagrams will be revised if significant process reengineering is recommended .
- Evaluate customer service including internal and external customers . The project team will analyze the level of service provided to both internal and external

customers. The project team will address coordination between divisions for the various business processes and approach used for public outreach and education.

- **Evaluate current technology systems.** This task will focus on understanding and assessing current technology systems utilized by the City. The project team will evaluate the current software suites to evaluate how effectively all functionalities of the software have been implemented, degree to which GIS is implemented and utilized, how mobile and handheld devices are used in the field, and the degree to which current systems result in efficient information-sharing and elimination of duplicative input. We will also evaluate how proposed changes to the use of technology may impact efficiencies and operations and identify any current issues related to accessibility and training related to the use of technology.

- **Identify impediments for current processes and identify process improvements.** The project team will evaluate current processes, laws and regulations to identify issues that are driving any inefficiencies in staffing or processes or other issues that impact the efficiency of the various plan review and inspection processes. This task may result in alternative process approaches that will streamline current work approaches. Analysis will also include identification of processes that may require potential policy/ordinance changes that may be required for implementation. Finally, the project team will assess the impact of technology and organizational changes on the various work processes.

- **Evaluate staff resources.** In this analysis, we will evaluate the existing and projected workload to identify the staffing resources needed to complete these work tasks in respect to desired service levels. This will include a review of both internal and contracted staffing resources and to process both consistent and peak workload times. Staffing resources will be identified by position.

- **Assess how each division and department is organized.** The project team will evaluate the overall plan of organization forthe department and each primary work group. We will utilize a number of principles in the evaluation of organizational structure including:

  - Does the approach to organizing development foster accountability and are supervisor spans of control appropriate and consistent?
  - Does the current organizational structure provide adequate communication and coordination and enhance shared knowledge?
  - Do the plans of organization enable staff to provide better public service.

- Is there consisten cy among organizational structure, employee classification, and roles and responsibilities between divisions and departments?

The result of this analysis will be a proposed organizational structure for each division and department to meet service demands.

In conjunction with earlier interviews, data collection and the best practice assessment described in previous tasks, the project team will, at this juncture, be able to evaluate the efficiency of performance of current tasks and determine which of these should continue to be performed by internal staff, and those that should either be outsourced or discontinued, and the policy or process changes needed to increase consistency or increase the efficiency and effectiveness of the servi ces provided. A comprehensive operational and organizational structure analysis will be provided at the conclusion of this task.

Task Deliverable – **A summary of the analysis and key findings in work practices, policies and procedures, service levels, cust omer service, operations, technology, organizational structure, staffing allocation resources, and employment practices.**

Task 6 | Prepare a Draft and Final Report.

Once the work tasks noted above have been completed, our analysis, findings, and conclusions will be documented and reviewed with the City project team. The draft and final reports will contain the following elements:

- An executive summary that includes t he recommendations with implementation plans for each showing the priority, lead entity for recommendation implementation, timeframe, and any cost/savings.
- Final analysis of the stakeholder survey and focus group meeting feedback (Planning and Development Department analysis only).
- Final comparative and best practice assessments.
- Detailed analysis of historic workload trends, performance metrics, and impediments to the current process. Recommendations to improve the current approach to work practic es and identify improvement opportunity relating to philosophies and commitments, staffing required given these commitments, managerial and operational practices for improved service delivery.

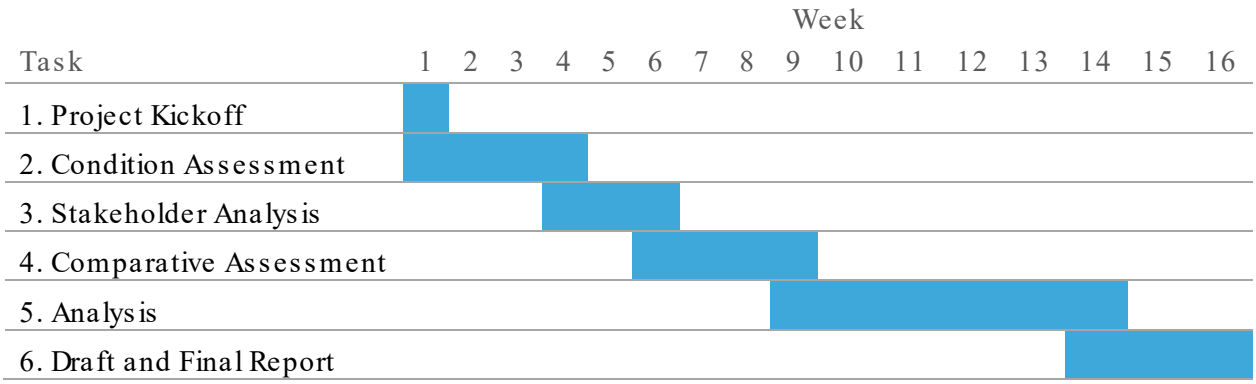
Once staff and the internal Project Steering Committee have rev iewed the draft final report and implementation timeframe and provided input, we would develop the final

report and deliver to the City Project Team. We will be available to make a presentation of our findings and recommendations to the City Manager and/or City Council.

> Task Deliverable – **The product of this task would be the draft and final reports including an implementation plan, and presentation to the appropriate governing bodies.**

5 Schedule/Timeline

We have proposed a work plan that would complete each study over a sixteen (16) week schedule. Both studies, if awarded to the firm, would be conducted concurrently. The following graphic outlines the proposed project schedule.



Deliverables associated with each task will be provided at the conclusion of the task. The draft report will be provided during Week 15.

6 Compensation

We propose to conduct the organizational and operational assessment for both the Public Works and Planning and Development Departments for a not -to-exceed price of **$97,240.** The allocation of hours and costs by task is shown in the following table:

Task	Project Manager	Senior Manager	Manager	Cons.	Subs	Total Hours	Total Fee
1. Project Kickoff	2	4	0	0	0	6	**$1,400**
2. Condition Assessment	4	48	48	16	48	164	**$30,080**
3. Stakeholder Analysis	2	16	0	16	0	34	**$5,800**
4. Comparisons	4	24	16	0	24	68	**$13,240**
5. Analysis	8	48	48	0	48	152	**$29,280**
6. Draft and Final Report	8	24	16	0	24	72	**$14,440**
Total Hours	**28**	**164**	**128**	**32**	**144**	**496**	
Hourly Rate	$300	$200	$175	$125	$185		
Total Professional Fees	**$8,400**	**$32,800**	**$22,400**	**$4,000**	**$26,640**		**$94,240**
Travel Expenses							$3,000
Total Project Cost							**$97,240**

If the studies were to be awarded separately, the not-to-exceed price for the Public Works Department study would be $6 4,400. The not -to-exceed price for the Planning and Development Department would be $52,940. These separate prices are shown in the following two tables:

Public Works

Task	Project Manager	Senior Manager	Manager	Cons.	Subs	Total Hours	Total Fee
1. Project Kickoff	2	2	0	0	0	**4**	**$1,000**
2. Condition Assessment	2	32	28	16	28	**106**	**$18,800**
3. Stakeholder Analysis	2	8	0	0	8	**18**	**$3,600**
4. Comparisons	2	16	8	16	8	**50**	**$8,600**
5. Analysis	8	28	24	0	24	**84**	**$16,400**
6. Draft and Final Report	8	24	16	8	24	**80**	**$15,200**
Total Hours	**24**	**110**	**76**	**40**	**92**	**342**	
Hourly Rate	**$300**	**$200**	**$175**	**$125**	**$175**		
Total Professional Fees	**$7,200**	**$22,000**	**$13,300**	**$5,000**	**$16,100**		**$63,600**
Travel Expenses							$800
Total Project Cost							**$64,400**

Planning and Development

Task	Project Manager	Senior Manager	Manager	Cons.	Subs	Total Hours	Total Fee
1. Project Kickoff	2	2	0	0	0	4	**$1,000**
2. Condition Assessment	2	16	16	4	16	54	**$10,060**
3. Stakeholder Analysis	2	8	0	16	0	26	**$4,200**
4. Comparisons	4	8	16	16	8	52	**$9,080**
5. Analysis	8	20	16	0	16	60	**$12,160**
6. Draft and Final Report	8	24	16	0	24	72	**$14,440**
Total Hours	**26**	**78**	**64**	**36**	**64**	**268**	
Hourly Rate	**$300**	**$200**	**$175**	**$125**	**$185**		
Total Professional Fees	**$8,400**	**$32,800**	**$22,400**	**$4,000**	**$26,640**		**$50,940**
Travel Expenses							$2,000
Total Project Cost							**$52,940**

AGENDA ITEM NO. 6.c

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Corey Fortin, City Administration

ITEM TYPE: Resolution

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Resolution 23-57 - Revised Public Records Policy, Procedures, and Forms

SUGGESTED ACTION: Approve and adopt Resolution 23-57.

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
The attached policy, procedures and forms have been developed to ensure that the City of Bradenton maintains compliance with the requirements outlined in the Florida Statutes in regards to records management in addition to the effective, efficient, economical and uniform management of the generation, utilization, maintenance, retention, preservation, provision, and disposal of those records.

The revised policy includes updates and clarifications to the existing policy and memorializes the procedures to be followed in the fulfillment of public records requests, and ensures that fees for requests are consistently applied.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Approved

SUGGESTED MOTION:
Motion to approve and adopt Resolution 23-57.

ATTACHMENTS:

Resolution 23-57

CITY OF BRADENTON

RESOLUTION NUMBER 23-57

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, MEMORIALIZING THE PURPOSE, POLICY AND PROCEDURES GOVERNING THE RETENTION, DESTRUCTION AND PROVISION OF PUBLIC RECORDS; PROVIDING FOR THE REPEAL OF RESOLUTIONS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bradenton, first adopted a Public Records Policy on August 12, 2009; and

WHEREAS, the Public Records Policy has undergone various iterations since that time, all of which have been approved by City Council. However, the Policy has never been accompanied by an adopting Resolution; and

WHEREAS, the City of Bradenton wishes to memorialize all policies going forward by Resolution; and

WHEREAS, the attached Policy memorializes the guidelines to be followed by the City of Bradenton in regards to its record retention plan and contains revisions to the last iteration approved by Council on July 14, 2021;

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

1. The City of Bradenton hereby adopts the revised Records Policy.

2. Said Policy consists of 20 pages and is attached to and made a part of this Resolution.

3. Effective Date. This Resolution shall take effect immediately upon adoption and shall repeal and replace all prior resolutions in conflict herewith.

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 June, 2023 2022.

ATTEST:

TAMARA MELTON	Gene Brown
CITY CLERK	MAYOR

APPROVED AS TO FORM:

_____

Scott Rudacille
CITY ATTORNEY

PUBLIC RECORDS POLICY, PROCEDURES & FORMS

Approved by City Council – Resolution 23-57 dated June 14, 2023

PURPOSE:

The purpose of this policy is to establish guidelines for ensuring that the City of Bradenton (the "City") maintains compliance with the requirements outlined in the Florida Statutes in regards to Records Management in addition to the effective, efficient, economical and uniform management of the generation, utilization, maintenance, retention, preservation, provision and disposal of those records.

DEFINITIONS:

Active Records -	Records that maintain administrative value (typically still used or referred to on a regular basis).
Records Center -	Facility located in the Municipal Parking Garage located at 615 12th St W.
Confidential Records -	Records, or portions thereof, which are not available as a matter of right for inspection and copying by members of the public under applicable provisions of law.
Disposition -	Final actions taken with regard to public records that have met all retention requirements and are no longer needed for current government business as indicated in General Records Schedules or Records Retention Schedules. Disposition may include either destruction of public records or transfer of public records to the custody of another public agency such as the Florida State Archives or a local government archives or records repository.
Exempt Records -	Records, or portions thereof, which by law, are not subject to Chapter 119, *Florida Statutes*. Exempt Records of the City differ from Confidential Records as exempt records may be produced for inspection and/or copying at the discretion of the City.
Inactive Records -	Records which have lost some of their value or have been superseded by new records, but which have not reached their specified retention.
Public Records -	Records defined in Section 119.011, F.S.
Record Series -	A group of related public records arranged under a single filing arrangement or kept together as a unit because they consist of the same form, relate to the same subject or function, result from the same activity, document a specific type of transaction, or have some other relationship arising from their creation, receipt, or use. A record series might contain records in a variety of forms and formats that document a particular program, function, or activity of the agency.

Retention Period - The minimum time period necessary to retain records before they have met their administrative, legal, fiscal, or historical values, and are eligible for final disposition.

Retention Schedule - Records classifications and retention requirements established by the Division of Library and Information Services of the Department of State for public records held by a local agency.

AUTHORITY: Authority has been granted by the Bradenton City Council to enforce this Policy's administration.

ROLES & RESPONSIBILITIES:

A. Records Management Staffing -

Custodian of Public Records – The Custodian of public records is the elected or appointed officer charged with the responsibility of maintaining the office having public records.*

Records Management Liaison Officer (RMLO) – The RMLO shall be appointed by the Custodian of public records and is the primary point of contact between the agency and the Florida Department of State Division of Library & Information Services. In addition, the RMLO is responsible for the maintenance of the agency's records management program including providing departments with training, information, resources and assistance in complying with records management mandates.

The appointment of the RMLO shall be recorded on the appropriate "Records Management Liaison Officer (RMLO) Designation" form which shall be submitted to the Florida Department of State Division of Library and Information Services.

**** The Police Chief** shall **act as Custodian of public records for the Police Department and appoint an individual from that department as the Police Department RMLO.***

B. Records Retention -

Retention of records and compliance with all applicable laws regarding records retention as well as the City's Records Management Program will primarily be the responsibility of the individual departments maintaining the records with the support and coordinated efforts of the Records Management Liaison Officer. Although the determination of a record's status (whether active or inactive) and the location of active records may vary by department, the following procedures and forms will be used regardless of the record's status.

Active Records - As indicated earlier, active records are those that still maintain their administrative value and are typically referred to on a regular basis.

Active records will be kept in the appropriate department in the appropriate containers. Although there is no defined method in which departments are required to store active records, every effort should be made to ensure all records are not "left out" but are rather contained in a filing device (i.e. desk, filing cabinet etc.) that provides the records adequate protection from loss or damage and facilitates easy retrieval.

Inactive Records - Inactive Records are those records that have lost some of their value or have been superseded by new records, but which have not reached their specified retention as outlined in the appropriate Retention Schedule(s). Records must never be disposed of prior to the time indicated in the Retention Schedule(s) but may be kept beyond the required retention period. Although this may be necessary from time to time, keeping a record beyond the retention period is not recommended and it must be remembered that if the record exists it remains subject to disclosure rules.

When records have been determined to be inactive, the department should prepare the records for storage at the Records Center until retention requirements have been met and the records are disposed of.

Inactive records will be categorized according to definitions provided in the applicable Retention Schedule(s). If an appropriate description for the record(s) cannot be found in the applicable Retention Schedule the RMLO should be contacted for a determination. If after review by the RMLO a category still cannot be determined a request for the determination or for a new Record Series can be made through the state.

Inactive records will be placed in a 1.5 cubic foot filing box with a Box Content Listing Form placed inside the box on top of the records and labeled with a Records Center Box Label. If the records being prepared will not fit in a 1.5 cubic foot filing box a size appropriate container can be used, please contact the RMLO concerning appropriate packaging. However, all records being prepared for storage at the Records Center must be properly labeled and accompanied by a Box Content Listing form.

Only inactive records of the same Records Series and destruction dates should be placed in a single box and / or on a single Box Content Listing form. **UNDER NO CIRCUMSTANCE ARE INACTIVE RECORDS OF DIFFERING RECORDS SERIES AND DESTRUCTION DATES TO BE STORED IN THE SAME BOX OR CONTAINER.** If the records being prepared are of multiple Records Series with differing destruction dates a separate box or container for each Records Series and destruction date must be prepared including a separate a Box Content Listing form and Box Label.

The following guidelines should be used when preparing boxes for storage at the Records Storage Facility:

- Remove all hanging file folders; 3-ring binders and green bar paper binders.
- Do not mix media types (i.e. cassettes, CD's and VHS tapes should not be stored with paper); like items should be boxed together.
- Loose papers should be bundled with a binder clip, paper clip or rubber band or in a standard file folder according to type.
- Folded materials should not extend above the top of the box.
- Boxes should be no more than 2/3 full.

- Boxes must be in good condition and NOT be taped shut.

Once the Inactive Records have been properly prepared the department will contact the RMLO and schedule a time for the records to be picked up and stored at the Records Center.

C. Records Retrieval -

In the event a record needs to be retrieved from the Records Center, the department should contact the RMLO with details of the records to be retrieved. When a record is retrieved from the Records Center that record will be the responsibility of the department. When the record is no longer needed the department should immediately contact the RMLO to have the record placed back into the Records Center. Should multiple records at the Records Center need to be reviewed the department can contact the RMLO to schedule a time to visit the Records Center, accompanied by the RMLO, in order to review such records.

Anytime records are removed from the Records Center, the date and destination of the records shall be recorded at the Records Center on the appropriate check out cards and all visitors to the Records Center shall be recorded on the Records Center sign - in sheet.

D. Records Destruction -

Upon meeting retention requirements outlined in the general retention schedule(s) established by the Division of Library and Information Services of the Florida Department of State a record may be destroyed.

Shredding shall be the method used for all City records eligible for destruction.

It is important to remember that there are a variety of different factors that may require the retention period of a record to be extended. Therefore, prior to the destruction of any record the following factors shall be considered;

- **Current, pending or anticipated litigation;**
- **Public records request within the last 30 days;**
- **Active or pending audits;**
- **Administrative need to retain or archival value**

UNDER NO CIRCUMSTANCE SHALL ANY RECORDS BE DESTROYED WITHOUT MEETING RETENTION REQUIREMENTS AND PROPER DOCUMENTATION OF THE DESTRUCTION OF THE RECORDS BEING COMPLETED.

If the records to be destroyed are maintained by the individual department (Active Records) at the time the record becomes eligible for destruction that department shall use the following procedure prior to disposing of the records.

- The department shall prepare a Records Disposition Document and submit the document to the Records Management Liaison Officer (RMLO).

- The RMLO shall review the document to ensure the retention requirements of the records listed have been met and shall then authorize the disposal of the records indicated on the form by completing the Disposal Authorization section of the form.
- Once the disposal is authorized, the RMLO shall return the signed Records Disposition Document to the department.
- The department shall dispose of the records and indicate the records were destroyed on the date indicated by completing the Disposal Certificate portion of the disposition document.
- The department shall then return the finalized Records Disposition Document to the RMLO who shall retain the document for inclusion with a copy of the annual Records Disposition Compliance Statement for storage in the city's records per retention requirements for that record item.

Each December, records stored at the Records Center (Inactive Records) shall be reviewed to determine what records have met retention requirements for that year. Once it has been determined what records are eligible for destruction, the records to be destroyed shall be sequestered in the Records Center until the time they are actually destroyed. Prior to destruction, each department with records due for destruction shall be contacted regarding review of such records and indicate in writing if said records are to, in fact, be destroyed or returned to storage.

Once disposition of the records has been confirmed by the appropriate department the Records Center Box Content Listing form will be removed from each box and the document shall be retained for inclusion with a copy of the annual Records Disposition Compliance Statement as well.

E. Electronic Records -

Electronic records are any data or information that has been captured and fixed for storage and manipulation in an automated system and requires the use of a system to render it intelligible by a person. Electronic records include numeric, graphic, audio, video and textual information that is recorded or transmitted in analog or digital form such as electronic spreadsheets, word processing files, databases, electronic mail, instant messages, scanned images, digital photographs and multimedia files.

Electronic records that meet the definition of a "public record" as defined by Section 119.011(12), *Florida Statutes*, must be managed and made available according to applicable laws and rules. As provided by Section 119.01(2)(a), *Florida Statutes*, "Automation of public records must not erode the right of access to those records." Electronic public records, just like paper records, must be created and maintained in accordance with Florida statutes and administrative rules.

Records retentions are written based on the informational content of the records, not the type of media the records are stored on. Therefore, electronic records are retained and disposed of based on the retention requirements set forth in the Records Retention Schedule(s) according to the content of the record.

Printouts of standard correspondence in text or word processing files are acceptable in place of the electronic files. Printouts of electronic communications (e-mail, instant messaging, text messaging, multimedia messaging, chat messaging, social networking, or any other current or future electronic messaging technology or device) are acceptable in place of the electronic files, provided that the printed

version contains all date/time stamps and routing information. However, in the event that an agency is involved in or can reasonably anticipate litigation on a particular issue, the agency must maintain in native format any and all related and legally discoverable electronic files.

Should a record exist in both electronic and hard copy form the individual department shall choose the format to be considered the "record" (master) copy (either electronic or hard copy) and assure all members of that department are aware of this designation. Regardless, all "Record Copies" shall be maintained in accordance with all applicable laws as well as the procedures outlined in this manual.

"Active" record copies maintained in electronic form by individual departments shall be retained and disposed of according to state mandates and the guidelines described earlier for "Active Records". However, instead of recording the volume of records being disposed of in cubic feet, the volume of electronic records being disposed of shall be recorded by the number of bytes and/or records and / or files, if known. If the aforementioned volumes cannot be determined it should be noted on the Records Disposition Document that the disposed records were electronic in form by indicating "E".

"Inactive" record copies maintained in electronic form should be transferred to the appropriate storage media (CD, DVD, USB Drive, Microfilm etc.) and prepared for storage at the Records Center according to state mandates and using the retention guidelines for "Inactive Records" described above. However, instead of recording the volume of records being stored in cubic feet, the volume of electronic records being stored shall be recorded by the number of bytes and/or records and/or files, if known. If the aforementioned volumes cannot be determined it should be noted on the Records Disposition Document that the disposed records were electronic in form by indicating "E".

Inactive electronic records can also be stored on the city's servers until time of final disposition. Each December the IT Department will determine what electronic records stored on the City's servers are eligible for destruction and will prepare a Records Disposition Document keeping in mind that the volume of electronic records to be disposed of will be recorded by the number of bytes and / or records and / or files, if known. If the aforementioned volumes cannot be determined it should be noted on the Records Disposition Document that the disposed records were electronic in form by indicating "E" in the Cu. Ft. section of the form.

Once complete, the IT Department shall submit the document to the Records Management Liaison Officer (RMLO) prior to the records being destroyed. The RMLO shall review the document to ensure the retention requirements of the records listed have been met and will then authorize the disposal of the records by completing the Disposal Authorization section of the form. The RMLO shall then return the signed Records Disposition Document to the IT Department who shall dispose of the records and indicate the records were destroyed on the date indicated by completing the Disposal Certificate portion of the disposition document. The IT Department shall then return the finalized Records Disposition Document to the RMLO who will retain the document for inclusion with the annual Records Disposition Compliance Statement from the state.

In all cases, electronic records containing information that is confidential or exempt from disclosure must be destroyed via a method that ensures the physical destruction of the storage

media such as shredding, crushing, incineration, degaussing, demagnetizing or high level overwriting that renders the data unrecoverable as indicated in F.A.C 1B-24.003.

All records maintained in an electronic format as the "record" (master) copy regardless of content and format (i.e. scanned documents; audio & video recordings; email etc.) shall be kept in compliance with the requirements set forth in all state mandated guidelines including but not limited to all related Florida Statutes and F.A.C. Rule 1B-26. All projects relating to the conversion of any "record" (master) copy of records to electronic format (scanning etc.) as part of a retrospective conversion project shall be in accordance with F.A.C. Rule 1B-24.003.

To help ensure compliance, information and tools regarding the state guidelines for electronically maintained records as well as a copy of the City's Document Scanning Checklist can be found on the City's Intranet page under Records. In addition, departments will ensure a copy of the checklist is posted at each copy center. Any questions regarding the storage and maintenance of such electronically maintained records should be directed to the RMLO.

F. Email –

Email communications that are made or received in connection with City business are subject to Florida Public Records Law and must be preserved and maintained accordingly. All email messages made or received using a City issued email account are centrally logged and archived the moment they are sent or received, and are subject to review at any time. All emails are considered public record and shall be retained for a specified length of time as determined by message content, City policy and state retention guidelines as interpreted by the City's administration. There shall be no expectation of privacy in anything created, stored, sent or received using city-supplied computer equipment.

Upon employee's termination of employment (for any reason) it shall be their department's responsibility to review email for items in need of archive or disposition.

In the event an email is made or received in connection with any City business via a **non**-city email server, account and/or device, it shall be the responsibility of the employee making or receiving the email to ensure that all such emails are preserved. **City business transmitted on a personal device, or on a non-City email account, shall be emailed (forwarded) to the employee's city email address to allow for archival and maintenance of the record.**

Messages sent or received in connection with any City business using an electronic format other than email (i.e. text messages; social media posts; etc.) shall be archived as well in accordance with all applicable laws; rules; requirements etc. applicable to such records, by the officer or employee who created the record.

In any case, it is the responsibility of the individual employee to ensure any and all electronic records in their custody are preserved, maintained and/or disposed of in accordance with any and all applicable laws, rules, guidelines, policies and E-Discovery requirements applicable to such records.

Use of any and all City of Bradenton Information Technology Resources is subject to the guidelines outlined in City's Information Security Policy Guidelines and Agreement as well as any other applicable policies; rules; regulations and / or laws. Violation of this policy and / or any other applicable policies; rules regulations and / or laws may subject the employee to disciplinary action up to dismissal, as well as possible legal action described therein.

G. Records Management Compliance Statement -

Each year the City must submit a signed statement attesting to the City's compliance with records disposition laws, rules and procedures to the Division of Library and Information Services.

On or about the beginning of November, a Records Management Compliance Statement will be received from the state. The statement shall be completed by indicating the number of cubic feet of records disposed of by the City in the previous fiscal year and signed by the Agency Head as requested on the Compliance Statement. Once completed the statement must be either mailed or e-mailed to the Division of Library and Information Services at the addresses indicated on the form by December 31.

A copy of the Records Management Compliance Statement shall be made and stored with all Box Content Listing Forms and Records Disposition Documents associated with the form and stored for retention in the appropriate repository8.

H. Public Records Requests -

A public records request is a request to either inspect or copy, or both, public records pursuant to Chapter 119, *Florida Statutes* and per Chapter 119, *Florida Statutes*, the vast majority of Public Records maintained by the City are subject to public disclosure. Florida Statute 119.07(1)(a-f) states the following in regard to the disclosure of records to the public.

a) *Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records.*

b) *A custodian of public records or a person having custody of public records may designate another officer or employee of the agency to permit the inspection and copying of public records, but must disclose the identity of the designee to the person requesting to inspect or copy public records.*

c) *A custodian of public records and his or her designee must acknowledge requests to inspect or copy records promptly and respond to such requests in good faith. A good faith response includes making reasonable efforts to determine from other officers or employees within the agency whether such a record exists and, if so, the location at which the record can be accessed.*

d) *A person who has custody of a public record who asserts that an exemption applies to a part of such record shall redact that portion of the record to which an exemption has been asserted and validly applies, and such person shall produce the remainder of such record for inspection and copying.*

e) *If the person who has custody of a public record contends that all or part of the record is exempt from inspection and copying, he or she shall state the basis of the exemption that he or she contends is applicable to the record, including the statutory citation to an exemption created or afforded by statute.*

f) *If requested by the person seeking to inspect or copy the record, the custodian of public records shall state in writing and with particularity the reasons for the conclusion that the record is exempt or confidential.*

The City shall not delay production of Public Records and Public Records must be produced within the time reasonably required to retrieve, review, redact (if necessary) and return to storage the records being requested. The City shall make a good faith effort to satisfy the request promptly, consistent with available resources and other priorities.

Public Records Law does not require the City to generate records that do not exist or the city does not already possess in response to a public records request. However, Public Records that are responsive to the records request that are available as of the date the request is made must be provided subject to redaction of confidential or exempt information.

Upon request, all City departments will make non-confidential and non-exempt records maintained by the City available to the public using the following procedure:

(1) All public records requests shall be directed to the appropriate department for processing. Although it is preferred that the request be submitted using the City's Public Request Form there is no requirement that the request be made in person or in writing, or be in any particular form. The person making the request is not required to identify himself/herself, or to provide information about the reason for the request or how the records will be used.

(2) The request must be clear enough to enable the City to conduct a meaningful search and the City may ask for additional information regarding the details of the request in order to respond to the request fully and in a timely manner.

(3) The City shall respond to all public records requests in a reasonable time, taking into account, the extent and nature of the request as well as the possibility of the need for redaction of confidential or exempt information.

(4) Upon receipt of a Public Records Request the City shall respond to the requestor in writing within two business days acknowledging receipt of the request and describing the Records Request process moving forward.

(5) If the request was received in a non-written form the City's Public Records Request form can be completed by the appropriate personnel and a copy of that form will be included with the acknowledgement message to the requestor.

(a) The processing of requests made directly to the department should be coordinated with the RMLO who will assist in ensuring the Records Request process is properly initiated. **However, under no circumstance will an individual making a records request be required to make a request directly to the RMLO or any specific individual /department.**

(b) When a Public Records Request is submitted directly to the RMLO rather than the individual department, the RMLO shall respond to the requestor in writing acknowledging receipt of the request as described above and shall also notify the department of the request instructing the department to begin processing the request. The department shall then process the request using the appropriate procedure.

(6) Specific fees authorized by 119.07, *Florida Statutes*, may apply to Public Records requests requiring the use of materials and resources. For all other copies not addressed in the statute, a fee for the actual cost of duplication of the public record(s) may apply. Cost related to expenses associated with administering the City's Comprehensive Plan, Land Use Regulations and Form Based Code as they relate to applications, permits, notifications and public hearings are established by City Resolution.

(a) In addition to the actual cost of duplication, a reasonable fee based on the cost incurred for extensive use of information technology; resources and /or the labor cost of the personnel providing the service that is actually incurred by the agency or attributable to the agency for the clerical and / or supervisory assistance required may be charged. The City shall determine the personnel that are most appropriate to fulfill the request. The term "extensive" means more than **15 minutes** expended by personnel to complete the processing of the request.

(b) "Use of information technology resources" includes the setup and implementation of information technology defined in 282.0041, *Florida Statutes*.

(c) "Clerical or supervisory assistance" includes searching for and or locating the requested record, reviewing for confidential or statutorily exempt information, deletion/redaction of confidential or statutorily exempt information, preparing, copying and re-filing of the requested record(s).

(d) In order to maximize efficiency and minimize costs, records requested shall be provided by the city via email whenever possible. In such cases, the City shall only charge for extensive use of time and /or technology resources (if applicable). In the event records must be placed on CD, DVD or other media due to size the cost of the media used may be recovered.

(e) In order to ensure records provided electronically are provided in a discernable format, the default format for records provided in electronic form by the City shall be .PDF. Should the requestor request the records in a specific format other than .PDF the city may provide the records in the requested format if the record is routinely maintained in that format OR if such a format is readily available however, charges for time to reformat the records may apply.

(f) The cost of mailing or shipping the requested material may also be added if the requestor asks that the material be delivered (instead of the requestor picking up the material in person). The requestor may be required to pay any estimated cost for extensive research, copying and mailing (if applicable) prior to personnel rendering such services.

(g) **No charges shall be applied to a request until the application of the charges and the charges themselves are reviewed by the appropriate personnel to determine if the charges are merited, reasonable and applied using the correct procedure.** No charges shall be assessed when any cost related to production of the records totals less than $5.00.

(7) The department assigned to the request shall first research any extensive resources, information technology, time and/or clerical labor necessary to accommodate the request and report such excessive time including the hourly rate(s) of the individual(s) processing the request and the volume and type of resources to be used to the RMLO for a calculation of charges related to processing the request.

(8) Once an assessment of the materials and resources needed to accommodate the request has been made charges for any resources used to accommodate the request, as well as, charges for each individual providing time and/or clerical labor necessary to accommodate the request and/or delivery of the records shall be calculated using the Public Records Request invoice / Receipt form(s). The requestor shall then be notified of the costs and informed again that the processing of the request shall only proceed upon receipt of payment of the calculated deposit. The processing of the request shall be placed in a pending status until any applicable charges have been received from the requestor.

(a) Upon receipt of the notice of charges and Public Records Request invoice/Receipt form(s) should the requestor wish to modify the request, the current request shall be considered closed; no charges for the original request shall be due or considered outstanding and charges based on the modifications (if any) shall be calculated and provided to the requestor.

(b) Should the nature or volume of the records responsive to the request be such as to incur charges for the use of resources necessary for the reproduction of such records, the requestor shall be afforded the opportunity to physically review the records at a location determined by the City in order to possibly reduce the cost related to reproducing any such records. However, charges incurred for extensive clerical and/or supervisory assistance required to accommodate the request as previously described will still apply.

(c) Upon receipt of the notice of charges and Public Records Request invoice/Receipt form(s) should the requestor indicate they no longer wish to proceed with the request, the request shall be considered closed and no charges for that request shall be due or considered outstanding.

(9) Upon receipt of payment the City shall continue with processing the request and upon assembly of the requested material, the City shall then contact the requestor informing them the material requested is ready and if any there are any cost estimate differences due for collection or refund. If there are additional costs due they shall be collected prior to any requested material being released to the requestor. Any refunds due shall be returned to the requestor once the refund is processed through the Finance Department.

(10) No records shall be released until any and all charges have been received from the requestor and if no payment is received within 30 days of any notice of charges being sent to the requestor, the request shall be considered closed.

(11) Should a request that has incurred charges be completed as directed by the requestor and no current or balance due charges are received from the requestor the City may refuse the processing of any current or future request until any such payments are received.

(12) If it is discovered that the requested records are confidential and/or exempt from disclosure the final response sent to the requestor shall include a statement indicating the requested records are confidential / exempt and cite the applicable statute that establishes the exemption. Any questions regarding the confidential and/or exempt status of records should be directed to the RMLO for consultation with the City Attorney, if necessary.

(a) If only part of the record is confidential or exempt, the confidential or exempt information must be redacted and the remaining record must be provided to the requestor. The method used to redact information shall be to black out the confidential or exempt information on a copy of the original, photocopy the marked copy, and provide the final photocopy to the requestor. The marked copy shall then be destroyed.

(b) Approved redaction software may also be utilized in redacting records. **UNDER NO CIRCUMSTANCES IS AN ORIGINAL RECORD TO BE REDACTED.**

Confirmation that records have been, to the best of the City's 12knowledge, destroyed should be obtained prior to indicating to anyone making a Public Records Request that a record has been destroyed and no longer exists.

I. Subpoenaed Records -

Upon receipt of a subpoena for records the subpoena should be submitted to the RMLO who shall then confer with the City Attorney and Risk Manager regarding the specific requirements of the subpoena and any relative issues of confidentiality or exemption that may or may not pertain to the subpoenaed records. Any records determined by the City Attorney to be confidential or exempt from the requirements of the subpoena should then be removed from the records to be provided unless otherwise directed by the City Attorney and the remaining records will be provided in accordance with statutory requirements, the subpoena, and the procedures outlined in this manual. The remaining records requested in the subpoena will be compiled by the department(s) maintaining the applicable records just as with a typical records request.

Should any issues regarding a subpoena be indicated by either the City Attorney and/or Risk Manager processing of the subpoena will be under the direction of either the City Attorney and/or Risk Manager.

J. Certified Copies –

The City shall provide certified copies of records as requested. Upon request, records shall be certified by **each page** of the record being stamped with the appropriate certification statement described below on either the bottom or back of each page (wherever space is available) and signed by any of the individuals indicated on the respective stamp only.

Charges for certified copies of records will follow those outlined at the end of this manual.

General Use Stamp
STATE OF FLORIDA
COUNTY OF MANATEE
CITY OF BRADENTON
This is to certify that the foregoing is a true and correct copy of the record on file with the City of Bradenton. Witness my hand and official seal this _____ day

of _____, 20_____.

_____
City Clerk / Asst. City Clerk / RMLO

Police Department Stamp
STATE OF FLORIDA
COUNTY OF MANATEE
CITY OF BRADENTON POLICE DEPARTMENT
This is to certify that the foregoing is a true and correct copy of the record on file with Bradenton Police Dept. Witness my hand and official seal this _____ day

of _____, 20_____.

_____
BPD Records Supervisor & RMLO or Designee

K. Contracts and Requests for Contractor Records

Contracts entered into with the City and contractors associated with such contracts shall adhere to all provisions contained in 119.0701, *Florida Statutes*.

Pursuant to such statute, a request to inspect or copy public records relating to a public agency's contract for services must be made directly to the public agency. If the public agency does not possess the requested records, the public agency shall immediately notify the contractor of the request, and the contractor must provide the records to the public agency or allow the records to be inspected or copied within a reasonable time.

If a contractor does not comply with the public agency's request for records, the public agency shall enforce the contract provisions in accordance with the contract.

A contractor who fails to provide the public records to the public agency within a reasonable time may be subject to penalties under s. 119.10.

L. Public Records Request Tracking-

Upon the processing of a request the city shall maintain the request, acknowledgment(s), response(s), invoice, materials produced, or a record of what was produced; any related correspondence; and receipt of payment etc. using the appropriate records tracking software; systems and /or repositories utilized by the city and in compliance with the retention requirements for such records as outlined in the appropriate General Records Schedule.

The City shall not dispose of requested records for a period of 30 days after the date on which a request for the records was made. This retention is in addition to, and in no way replaces or supersedes the retention requirements outlined in the records retention schedules and this manual.

AGENDA ITEM NO. 6.d

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Tamara Melton, Clerk

ITEM TYPE: Minutes

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Minutes from the April 12, 2023 City Council Special Meeting

SUGGESTED ACTION: Approval

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Minutes from the April 12, 2023 City Council Special Meeting

SUGGESTED MOTION:
Motion to approve the minutes from the April 12, 2023 City Council Special Meeting

ATTACHMENTS:
4-12-2023 City Council Special Meeting Minutes

CITY OF BRADENTON

CITY COUNCIL SPECIAL MEETING MINUTES

April 12, 2023
5:00 P.M.

The City of Bradenton City Council met in the City Hall Council Chamber, 101 Old Main Street, Bradenton, Florida, at 5:00 p.m. on Wednesday, April 12, 2023.

Present: Mayor Gene Brown; Vice Mayor and Councilwoman Ward I Jayne Kocher; Councilwoman 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; Christophe St. Luce, Assistant City Administrator; Lance Williams, Finance Director; Tamara Melton, City Clerk; and Erica Augello, Conflict Counsel.

Rob Perry, City Administrator, announced the proposers for the development of the City Hall property would be presenting revised proposals that evening. He explained that the City received five proposals in August 2021, and three developers are still interested in the property.

Mr. Perry presented a timeline on the solicitation for the Considered Disposition of City Hall, community and public outreach meetings, and citizen input via the City's website. He added the vote that evening was not for selling City Hall, only to rank the developers' revised proposals.

Mayor Brown thanked Mr. Perry and staff for all their efforts in setting up the outreach meetings to collect citizen input.

Presentations for the Considered Disposition of City Hall

a) City Administration: L&L Development Group

Jim Zboril, President and Chief Executive Officer of L&L Development Group, provided the professional histories for stakeholders with L&L Development Group and presented renderings of the proposed mixed-use project.

Mr. Zboril explained the proposed project would include retail space on the first floor, a rooftop venue, multi-family apartments for rent, condominiums for sale, a large courtyard, and a hotel. He explained that Marriott committed to placing a Marriott AC Hotel in the building that included a ballroom.

Mr. Zboril announced in their original proposal, the proposed building height was 20 floors. Following Council's concerns with building height at the January 25, 2023 City Council workshop, he continued, the revised proposal reflects the total height as 17 floors. He said everyone at L&L Development Group were extremely flexible and would work with Council to build the best possible project for the City. He looked forward to creating a transformational project for Bradenton that everyone could enjoy for many years.

Mr. Zboril announced L&L Development Group was willing to match any sale price the other developers offer and most importantly, wished to work with Council to achieve a common vision to create an iconic project.

David Cocco, Owner and Chief Executive Officer of North Star Lodging & Development, explained that he develops and operates Marriott hotels. He provided past successful projects, including the Spring Hill Suites hotel adjacent to the City Hall property. He said Marriott was in support of moving forward with the development of an AC Hotel by Marriott on the Bradenton riverfront.

Mr. Cocco explained that the AC Hotel chain originated in Europe. He said Marriot purchased the chain with plans for development in dense urban areas in the United States. He was honored that Marriott would allow his company to develop an AC Hotel in downtown Bradenton.

Mr. Cocco spoke on the success of the rooftop restaurant and bar at the Spring Hill Suites, adjacent to the City Hall property. Should Council agree to move forward with L&L Development Group, he continued, the goal would be to create an AC Hotel with elements such as restaurants, a ballroom, and special services for the public.

Ron Allen, President of NDC Construction Company, explained the City provided tax incentives to develop the Spring Hill Suites hotel. He was pleased to announce they were not requesting any type of incentives to develop the City Hall property. He spoke about how much he loved the City of Bradenton, then noted successful past developments he had been involved with over the years.

Mr. Allen said not only does he wish to create an economic boom for downtown, he also wanted to connect the many amenities already in place, such as the Bishop Museum and the Bradenton Riverwalk. He was excited to collaborate with staff and Council to create a catalyst project.

b) City Administration: Red Apple Real Estate, Inc.

Kevin King, Director of Business Development with Red Apple Real Estate, approached the podium along with Tim Clemmons, Principal with Place Architecture. Mr. King said that while Red Apple Real Estate is located in New York, he and Mr. Clemmons reside in the Tampa Bay area. He provided an overview of projects, including the development of the tallest residential building on the west coast of Florida, called 400 Central.

Mr. King said they envisioned incorporating the large oak tree on the north side of the property and calling the development *RiverOak Apartments, RiverOak Condominium Residences,* and *Shops at RiverOak*. He announced that Red Apple Real Estate offered a purchase price of $12,750,000 with adequate time for the City to occupy the existing building at no cost to taxpayers until the relocation of municipal services was complete.

Mr. King projected the development would include 95 condominiums, anywhere between 350 and 450 rental units, 30,000 square feet of retail space, and adequate parking for residents as well as visitors to the *Shops at RiverOak* as well as nearby destinations. He added that Red Apple Real Estate's owner, John Catsimatidis, would relocate to the area to ensure the development complemented Bradenton's charm.

Mr. Clemmons provided his credentials and an overview of past projects he was involved with in the Tampa Bay area, then presented depictions of the project. He stressed that the design was not finished; it was only an approach and concept to begin an interactive process with City leaders. He projected that the project would have retail along 10th Avenue West, 12th Avenue West, and 1st Avenue West (Barcarrota Boulevard). Along 1st Avenue West, he continued, the large oak tree would be incorporated into a pedestrian-oriented plaza with restaurants and retail.

Mr. Clemmons projected the condominium portion of the building would be 16 stories, and the apartment building would be eight to ten stories, with 600 to 800 parking spaces in the center of the project.

c) City Administration: Silver Hills Development

Mr. Perry announced representatives from Silver Hills Development could not attend the meeting and did not have any changes to their presentation from the January 25, 2023 City Council workshop.

Councilwoman Gonzalez Moore inquired if the developers would entertain tenant approval contingencies to close and delay penalties for delays during construction.

Mr. Zboril said he would be open to all of the stipulations Councilwoman Gonzalez Moore mentioned for items that are not beyond their control. He said L&L Development Group would put together a reasonable schedule, and they desired to exceed Council's expectations.

Mr. King said they are completely open-minded with all the stipulations Councilwoman Gonzalez Moore mentioned. He added that in their proposal, 24 months were offered for the relocation of municipal services. He said that time is flexible and they are receptive to what is best for the City.

Councilwoman Gonzalez Moore asked the developers what market research they performed to ensure the success of their projects.

Mr. King conveyed that they learned a lot during the development of 400 Central in St. Petersburg as well as their developments in New York. He said Bradenton is growing, and the market research performed showed living space was more important than office space. Councilwoman Gonzalez Moore voiced concerns about selling condominiums to seasonal residents.

Mr. Allen said that as a long-time resident, he can attest that there have not been a lot of condominiums in downtown Bradenton, unlike other regions of Tampa Bay where condominiums were plentiful.

Councilwoman Gonzalez Moore asked if the developers were flexible regarding building height. Mr. Allen said they would be flexible as long as there was an economic discussion on what was best for the project, the community, and the residents of the building.

Mr. Clemmons said Red Apple Real Estate was also flexible with building height. He spoke about shifting the units should Council request a lower building height.

Councilman Cramer thanked representatives from Red Apple Real Estate for adjusting their proposal after hearing comments from Council and the public. He explained that staff received notice that Red Apple Real Estate was planning to withdraw their proposal from consideration. However, he continued, decided not to withdraw, and rebounded with a strong commitment and revised proposal. Councilman Cramer then asked them to explain how the commitment and interest transitioned over time.

Mr. King said there was an inclination in the past that City leaders preferred the development to contain a hotel piece. After consideration, he continued, Red Apple Real Estate representatives made the decision to prepare a more dynamic proposal to include condominiums and stay in the running for the development.

Councilwoman Barnebey commended both proposers on their ability to listen to constructive criticism and for their commitment to give Council, as representatives of the citizens, revised proposals. Councilwoman Barnebey cited statistics from 2019 showing that over 1,600 people were moving to Florida every day. After speaking with Manatee County representatives, she continued, they estimated there were more than 1,000 people moving to Manatee County every month. She urged Council and the proposers to consider elevated heights to accommodate more residents in the urban core.

Vice Mayor Kocher was impressed by the proposals and appreciated the developers' flexibility. She urged them to consider this development "best in class" because that was what she felt the City of Bradenton deserved. She asked for confirmation that both developments would be concrete construction. Both proposers confirmed the projects would be concrete construction.

Vice Mayor Kocher echoed Councilwoman Barnebey's views on a higher building and density. She remembered that the Downtown by Design study recommended increasing the density downtown.

Councilwoman Gonzalez Moore recommended large setbacks, bicycle racks, and more green space for the public to enjoy.

Discussion: Infrastructure and utilities in place and what may be needed to complete the project.

Councilwoman Coachman stressed the importance of green space and agreed there is a need for condominiums downtown.

Mayor Brown spoke on the process thus far and looked forward to more residents downtown, additional retail spaces, and redevelopment.

Citizen Comment

Those that spoke in favor of the redevelopment of the City Hall property:

- Cork Miller, 424 Old Main Street
- Sharon Hillstrom, President and CEO at the Bradenton Area Economic Development Corporation
- Jacki Dezelski, President and CEO at the Manatee County Chamber
- Richard Capps, 3730 Summerwind Circle
- Max Brandow, on behalf of the Realtor Association of Sarasota and Manatee
- Stephen Aerers, realtor
- Lori Diamant, 306 39th Street West
- Carl Callahan, 114 25th Street West

Those that were opposed to the redevelopment of the City Hall property:

- Donna Mathias, resident
- Shelley Olson, 1400 First Avenue West
- Philip Kondeludi, 1400 First Avenue West
- Bill Sanders, 2502 Riverside Drive
- Barbara Elliott, Stone Soup Manatee
- Linda Wright, resident at River Oaks Condominiums

Mayor Brown explained Tamara Melton, City Clerk, created cards to rank the proposers in numerical order. Mr. Perry requested a motion to rank the proposals in numerical order, with their first choice being number one and their least favorite being number three.

MOTION TO RANK THE CITY HALL PROPOSALS IN NUMERICAL ORDER was made by Vice Mayor Kocher and seconded by Councilwoman Barnebey.

Councilwoman Gonzalez Moore voiced her discomfort at ranking the proposals at that time. She recommended directing staff to negotiate terms with all three developers.

Vice Mayor Kocher said she felt comfortable ranking the proposers because if the first choice could not negotiate successfully with staff, then staff would begin negotiations with the second-ranked proposer.

Councilwoman Coachman said the proposals were outstanding and the decision would be difficult.

Erica Augello, Conflict Counsel, clarified that the motion would give Mr. Perry authorization to negotiate with proposers in the ranking order. She added Council should rank whomever they believe presented the best project at that time.

Attorney Augello said that should Mr. Perry need further direction during negotiations, another workshop could be called to advise him further. She said this ranking was simply to move the process forward.

Councilman Cramer inquired if the City would lose its competitive edge by ranking the proposals. Attorney Augello said if there were issues with negotiations, there was the option to move forward with the second-ranked proposer. She said, in her opinion, there was a strategic advantage in the competitive negotiation process.

Without any further discussion, the vote was called, and the motion passed 4-1. Councilwoman Gonzalez Moore voted no.

The meeting was recessed at 7:10 p.m. and reconvened at 7:16 p.m.

Ms. Melton read the following for the record:

"L&L Development was ranked number one with four number one votes and one number two vote. The second-ranked proposal was Red Apple Real Estate, with one number one vote and four number two votes. Silver Hills Development received five number three votes."

Attorney Augello recommended that Council make a motion to authorize Mr. Perry to negotiate with the remaining presenters as ranked.

MOTION TO AUTHORIZE THE CITY ADMINISTRATOR TO NEGOTIATE TERMS OF PURCHASE AND MASTER DEVELOPMENT AGREEMENT REGARDING THE CONSIDERED DISPOSITION OF CITY HALL WITH THE REMAINING PROPOSERS AS RANKED was made by Vice Mayor Kocher and seconded by Councilwoman Barnebey.

Councilwoman Barnebey said she wished to meet with Mr. Perry prior to negotiations with the first-ranked presenter to provide her recommendations and urged Council to do the same.

Vice Mayor Kocher inquired as to when the matter of moving municipal services would be discussed. Mr. Perry explained that the matter would be brought before Council as a separate matter in the near future.

Without any further discussion, the vote was called, and the motion passed 5-0.

Mayor Brown adjourned the City Council meeting at 7:23 p.m.

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

AGENDA ITEM NO. 6.e

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Tamara Melton, Clerk

ITEM TYPE: Minutes

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Minutes from the May 10, 2023 City Council Meeting

SUGGESTED ACTION: Approval

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Minutes from the May 10, 2023 City Council Meeting

SUGGESTED MOTION:
Motion to approve the minutes from the May 10, 2023 City Council Meeting.

ATTACHMENTS:
5-10-2023 City Council Meeting Minutes

CITY OF BRADENTON

CITY COUNCIL MEETING MINUTES

May 10, 2023
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 10, 2023.

Present: Mayor Gene Brown; Vice Mayor and Councilwoman Ward I Jayne Kocher; Councilwoman 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; Melanie Bevan, Police Chief; Tim Geer, Fire Chief; Jim McLellan, Public Works & Utilities Director; Robin Singer, Planning & Community Development Director; Nilsa Taylor, Administrative Services Director; Lance Williams, Finance Director; Tamara Melton, City Clerk; and Scott Rudacille, City Attorney.

The pre-meeting invocation was led by Pastor Don Sturiano with Kingdom Life Christian Church.

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

PROCLAMATIONS:

a) Legislative: Police Week - May 15-21, 2023 and Peace Officers Memorial Day - May 15, 2023

Melanie Bevan, Police Chief, accepted the proclamation and then spoke about the sacrifices the men and women of the Bradenton Police Department made every day in service to the City.

In turn, Mayor Brown and Councilmembers expressed their appreciation for the Police Department's protection and officers' sacrifices.

b) Legislative: Jewish American Heritage Month - May 2023

Brian Lipton, Regional Director of the American Jewish Committee (AGC) for the West Coast of Florida, and Anne Virag, Regional President of the AGC for the West Coast of Florida, accepted the proclamation. Mr. Lipton spoke about Jewish American history and thanked Council for the acknowledgement.

c) Legislative: Salvation Army Week - May 15-21, 2023

Kelly French, Director of Community Relations and Development with The Salvation Army, accepted the proclamation. Ms. French thanked Council for the proclamation and announced that June 23, 2023, would mark the 100th anniversary of The Salvation Army in Manatee County. She noted several events that were scheduled to commemorate the anniversary.

PRESENTATIONS: None.

CITIZEN COMMENTS:

Bill Sanders, 2502 Riverside Drive. Mr. Sanders asked for an update on a financial fraud investigation in the City and announced Manatee County was recently the victim of a cyberattack.

Wiley Green, 2015 25th Avenue West. Mr. Green announced that Jim McLellan, Public Works & Utilities Director, spoke about the requested property acquisition of the lot adjacent to the Truth Bible Church of God at the April 26, 2023 City Council meeting. He spoke in favor of the church purchasing the property from the City.

Marianne Lydem, 4301 Chinaberry Circle East. Ms. Lydem voiced her concerns about dilapidated fencing abutting her property in River Isles. She explained Braden River Plaza was located on the opposite side of the fence and then reported disturbances she noticed because portions of the fencing had fallen down. She asked for City staff to contact the owners of the fence regarding repairs.

Claudia Buchanan, 4307 Chinaberry Circle East. Ms. Buchanan also voiced concerns with the fencing around Braden River Plaza. She requested that the City become involved in repairing the fence or require the owners of the plaza to create a sound buffer for residents in the area.

Mr. Wiley Green approached the podium again and spoke about the updates to the City's waste water facilities as a result of the Suncoast Waterkeeper lawsuit.

Keith Green, 1108 60th Avenue West. Mr. Green invited everyone to the First Responders Mass at St. Joseph Catholic Church on May 19, 2023, at 11:30 a.m.

As it related to Ms. Lydem and Ms. Buchanan's concerns, Rob Perry, City Administrator, said he would work with staff to remedy issues with the fencing surrounding Braden River Plaza. Councilwoman Gonzalez Moore said she would keep in contact with residents in the area and provide updates.

As it related to Mr. Wiley Green's comments, Mr. Perry explained the history of the property adjacent to the Truth Bible Church of God. He explained the process of disposing of property located within a Community Redevelopment Agency (CRA).

As it related to Mr. Sanders' comments, Mr. Perry explained the differences between a cyberattack and Automatic Funds Transfer (ATF) fraud. He concluded that the ATF fraud investigation is ongoing and that findings would be released once that investigation was concluded.

CONSENT AGENDA:

a) Clerk: Minutes from the March 22, 2023 City Council Meeting
b) Clerk: Minutes from the April 12, 2023 City Council Meeting
c) Finance: Resolution 23-49: Loan Modification Agreement
d) Finance: Resolution 23-51: Capital Improvement Cost Reimbursement
e) Legislative: Resolution 23-52: Architectural Review Board Reappointment
f) Public Works & Utilities: Amendment No. 1 to Agreement with T-Mobile USA for Elevated Watertank 2
g) Public Works & Utilities: Assignment and Extension of the Agreement for the Use of Reclaimed Water
h) Public Works & Utilities: Budget Adjustment BA23-9
i) Public Works & Utilities: Contract Agreement with Tandem Construction
j) Public Works & Utilities: Contract Agreement with Jacobs Engineering
k) Public Works & Utilities: Resolution 23-42: State Highway Lighting Maintenance Agreement

l) Public Works & Utilities: Continuing Services Contract with Jones Edmunds & Associates, Inc.
m) Public Works & Utilities: Piggyback PB-23-005MK with Cummins, Inc.

Councilwoman Gonzalez Moore requested to pull Item d for further discussion.

Scott Rudacille, City Attorney, requested to pull Item f from the agenda. He explained the contract would be brought before Council at a later date.

MOTION TO APPROVE CONSENT AGENDA ITEMS A-C, E, AND G-M was made by Councilwoman Gonzalez Moore and seconded by Vice Mayor Kocher. The motion passed 5-0.

Councilwoman Gonzalez Moore explained that councilmembers met with Mr. Perry prior to the meeting to discuss all items on the agenda. She noted she met with Lance Williams, Finance Director, regarding Item d and explained the resolution did not give the City approval to borrow funds.

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

BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS:

Quasi-Judicial

Tamara Melton, City Clerk, administered the oath to anyone wishing to speak during the following public hearing.

a) Planning & Community Development: RESOLUTION 23-46 - PUBLIC HEARING

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF BRADENTON GRANTING SPECIAL USE PERMIT NO. SU.23.0908 TO CONSTRUCT A PRIVATE RESIDENTIAL DOCK, UP TO 150 FEET LONG, IN THE T3 ZONING DISTRICT AT 1834 RIVERSIDE DRIVE EAST, BRADENTON, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Rachel Arsenal, City Planner, explained that the applicant requested to construct a 150-foot-long private, residential dock at 1834 Riverside Drive East so that the applicant may reach navigable water. She said the request exceeds the required side setback of 10 feet on both sides and would be longer than the 80-foot maximum length. Ms. Arsenal added that Council approved a Special Use Permit for a compatible dock adjacent to the property.

Tom Glancy, Duncan Seawall and agent for the applicant, explained he was there to answer any questions Council had.

Mayor Brown voiced his concerns about the length of the dock and boat traffic in the river. Mr. Glancy explained the applicant would be required to place lights and reflective material on the dock so boaters could clearly see the dock.

Staff Report:

"Staff feels that the applicant has met all of the requirements for the Special Use Permit and recommends approval of SU.23.0186 with the following stipulations:

1. *The dock must be kept in good working order and condition, to not degrade from the value of nearby properties.*

2. *Lighting must be limited to minimal lighting required to use the dock safely at night. Lighting must be switched on either automatically or manually, so that there will be no lights on continuously.*

3. *All other applicable state or federal permits be obtained before commencement of the development. Any conditions associated with the required FDEP permit will be met at time of construction.*

Planning Commission met on April 19, 2023 and voted unanimously to recommend approval of SU.23.0186 with the staff recommended stipulations, based upon findings of review criteria."

The public hearing was then opened. Those who wished to speak were invited to the podium. None came.

The public hearing was closed.

MOTION TO APPROVE RESOLUTION 23-46 WITH STAFF STIPULATIONS was made by Councilwoman Gonzalez Moore and seconded by Councilwoman Coachman. The motion passed 5-0.

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

a) City Administration: Architectural Standards Visual Presentation

Mr. Perry announced that after meeting with staff and representatives from L&L Development Group, direction was requested on which architectural standards Council would prefer to see in the proposed development on the City Hall site.

Mr. Perry presented several examples of architecture and buildings around the United States.

Discussion: Downtown by Design report

Following discussion of the slides, there was a general consensus that Council preferred the Nashville Public Market design, depictions of buildings with terraces, public art, and public green space.

Mayor Brown commented on the unique design of the City Centre Parking Garage and then invited former City Administrator Carl Callahan to come forward and speak on the subject. Mr. Callahan said the purpose during the design phase of the garage was to create an iconic building. He explained that the thought behind designing each side of the building differently was to complement the different architecture along each street. Mr. Callahan recommended that Council provide direction on what designs they prefer and rely on the architects for design.

Mr. Perry recommended utilizing the continuing services contract with Sweet Sparkman to provide pre-construction services on the building located at 1111 3rd Avenue West. He noted that he was not requesting formal action by Council; he simply wished to keep them informed.

UNFINISHED BUSINESS: None.

COUNCIL REPORTS:

Councilman Ward III Josh Cramer: Councilman Cramer announced the Law Enforcement Memorial would be held at 9:00 a.m. on May 18, 2023, at the Manatee County Courthouse.

Councilwoman Ward IV Lisa Gonzalez Moore: Councilwoman Gonzalez Moore announced she recently enjoyed a pancake breakfast with residents of River Isles and appreciated their involvement in the community.

Vice Mayor and Councilwoman Ward I Jayne Kocher: Vice Mayor Kocher was pleased to announce she and Mayor Brown attended the Florida Metropolitan Planning Organization Advisory Committee (MPOAC) Weekend Institute for Elected Officials. She spoke highly of the training and the opportunity.

Vice Mayor Kocher announced that the Manatee Performing Arts Center, in conjunction with the Bradenton Kiwanis Club, was sponsoring the Penguin Project. She said the Penguin Project gave individuals with special needs the opportunity to showcase their talents through theater. She urged everyone to attend a performance of *Annie Kids*, which would run May 14-17, 2023.

Councilwoman Ward II Marianne Barnebey: Councilwoman Barnebey announced she looked forward to the Manatee High 2023 Outstanding Alumni Banquet on May 11, 2023.

Councilwoman Barnebey offered her condolences to the family of Brent Ivey due to his recent passing.

Councilwoman Barnebey voiced concerns that yard waste had not been collected on a weekly basis in some areas. Jim McLellan, Public Works & Utilities Director, explained staffing shortages had been a problem recently. He recommended sending any complaints directly to him, and he would work with staff to rectify any issues.

Councilwoman Ward V Pam Coachman: Councilwoman Coachman said she felt the Council of Governments meeting on May 2, 2023, was very fruitful.

Councilwoman Coachman requested everyone be mindful of children while driving because schools would be on summer break very soon.

Councilwoman Coachman looked forward to the Juneteenth celebration and would provide more information on the event in the near future.

Mayor Gene Brown: Mayor Brown said he looked forward to the Lucky Ducky Race for Pace on May 13, 2023, at Caddy's Bradenton.

Mayor Brown announced Mixon Fruit Farms would host a banquet on May 13, 2023, called 84 Years of Mixon Memories. He spoke fondly of the Mixon family and said there may be an opportunity to work in conjunction with Manatee County to acquire the property.

Mayor Brown announced that May 19, 2023, would mark the 120th anniversary of the City of Bradenton. He looked forward to celebrating the anniversary at the Downtown Bradenton Public Market on May 13, 2023.

DEPARTMENT HEAD REPORTS:

Melanie Bevan, Police Chief, announced officers would work in conjunction with the Manatee County Sheriff's Office on a Violent Crimes Task Force over the summer.

Chief Bevan announced there was a ground-breaking ceremony held on May 4, 2023, for the new firing and driving range. She looked forward to developing the facility with the Manatee County School Board and thanked Governor DeSantis for the $2,000,000 appropriation for the facility.

Mr. McLellan announced Keep Manatee Beautiful organized and would be conducting the first Manatee River Underwater Cleanup event on May 19, 2023. He added that there would be multiple divers volunteering at the event.

Mr. McLellan announced the splash pad, playground, and Rossi Park are open and ready for the public to enjoy. He added that the construction was almost complete at Lewis Park and anticipated that the park would reopen at the end of May. Mr. Perry gave kudos to Public Works staff for going the extra mile to make sure the parks are beautiful for the public.

Vice Mayor Kocher voiced concerns about the illegal dumping of trash in the recycle bins. Mr. McLellan said staff would be working on ways to curtail the illegal dumping.

Robin Singer, Planning & Community Development Director, requested direction on T5 and T6 zoning changes. She said she would meet with each individual councilmember regarding the suggested changes.

Mr. Perry announced that the owners of the Chick-fil-A restaurant on the corner of Manatee Avenue West and 43rd Street West did not adhere to the stipulation regarding the installation of a deceleration lane. He said the Site Improvement Plan included realignments of state and county roads for public safety. He said the restaurant was operating on a temporary Certificate of Occupancy only to stock food and supplies and to provide training for employees. Mr. Perry added that the restaurant was planning a grand opening the following day.

Councilwoman Barnebey reiterated that her vote to approve the project was predicated on the fact that the owners would construct traffic-calming improvements. Councilwoman Barnebey and Vice Mayor Kocher both voiced their disappointment that the Chick-fil-A corporate office did not adhere to the stipulations.

Mayor Brown inquired if the owners could be issued a temporary Certificate of Occupancy until the deceleration lane off Manatee Avenue West was built. Attorney Rudacille announced he was not made aware of the issues and requested time to review the matter.

The City Council meeting was recessed at 11:10 a.m. and reconvened at 1:59 p.m.

Attorney Rudacille explained there was a system in place where Certificate of Occupancy approvals go through staff. He said once the Special Use Permit was approved by Council, the matter should be handled administratively.

Attorney Rudacille said after speaking with representatives at Chick-fil-A, they had a commitment from their contractor to complete the improvements within the requested timeframe. He added that the representatives were confident that an agreement with Manatee County to assist with the improvements would be forthcoming.

He said if there were issues from a traffic standpoint, there were provisions within the Special Use Permit that allowed staff to work with Chick-fil-A representatives to institute traffic calming measures.

Mayor Brown adjourned the City Council meeting at 2:05 p.m.

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

AGENDA ITEM NO. 6.f

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Tamara Melton, Clerk

ITEM TYPE: Minutes

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Minutes from the May 24, 2023 City Council Meeting

SUGGESTED ACTION: Approval

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Minutes from the May 24, 2023 City Council Meeting

SUGGESTED MOTION:
Motion to approve the minutes from the May 24, 2023 City Council Meeting.

ATTACHMENTS:
5-24-2023 City Council Meeting Minutes

CITY OF BRADENTON

CITY COUNCIL MEETING MINUTES

May 24, 2023
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 24, 2023.

Present: Mayor Gene Brown; Vice Mayor and Councilwoman Ward I Jayne Kocher; Councilwoman 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; Melanie Bevan, Police Chief; Tim Geer, Fire Chief; Jim McLellan, Public Works & Utilities Director; Robin Singer, Planning & Community Development Director; Nilsa Taylor, Administrative Services Director; Lance Williams, Finance Director; and Marisa Powers, City Attorney.

The pre-meeting invocation was led by Fr. Richard Visconti of Christ Episcopal Church.

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

PROCLAMATIONS:

a) Legislative: Wear Orange Day – June 2, 2023

Virginia McCallum and several other members of the Wear Orange movement accepted the proclamation. Ms. McCallum provided statistics on gun violence in the state of Florida and implored everyone to wear orange on June 2, 2023, in honor of National Gun Violence Awareness Day.

PRESENTATIONS:

a) Fire: Bradenton Fire Department Employee Recognition

Tim Geer, Fire Chief, recognized the outstanding service and accomplishments of retiring Battalion Chief Steve Trompke. Chief Geer noted Mr. Trompke's many accomplishments and thanked him for his 26 years of service to the City.

In turn, City officials expressed their appreciation for Mr. Trompke's service to the City.

b) City Administration: Mixon Groves Acquisition Opportunity by Charlie Hunsicker, Manatee County Director of Natural Resources, and Debra Woithe, Manatee County Environmental Lands Division Manager

Charlie Hunsicker, Manatee County Director of Natural Resources, spoke on the future of land acquisitions in Manatee County. Mr. Hunsicker noted the rich agriculture and citrus farming history of the Mixon family. Because the Mixon family had decided to cease operations, Manatee County staff planned to present the acquisition of the Mixon Fruit Farms property to the Manatee County Board of County Commissioners.

Debra Woithe, Manatee County Environmental Lands Division Manager, explained that 72% of Manatee County residents voted in 2020 in favor of a referendum aimed at conserving park projects. She said that through the approval of that referendum, there was an opportunity to improve water quality through conservation land acquisition.

Ms. Woithe presented a map that depicted the Mixon property as well as the adjacent City of Bradenton boundary that abutted the property on three sides. She explained that Mixon Fruit Farms was nominated as a "stormwater park". She said the Mixon family was more than willing to sell the property for this purpose, even though the land program offer price would likely be lower than they could receive from a developer.

Ms. Woithe announced that the large warehouse on the southwest corner of the Mixon property was being utilized by CityServe of Southwest Florida to provide resources to the community. She explained that representatives expressed interest in purchasing the warehouse plus four acres of land to continue providing services to the community.

Ms. Woithe proposed amenities on the property and proposed stormwater park uses. Mr. Hunsicker said there was an opportunity for the City of Bradenton and Manatee County to work together to preserve the property for public recreation as well as stormwater quality improvements. He presented a draft concept map, which included cost-sharing benefits and a possible driving range adjacent to the already established River Run Golf Links.

Mr. Hunsicker explained the process of acquiring the property and estimated the process could take up to 18 months until staff was prepared to bring the matter to the Board of County Commissioners for a decision.

Mayor Brown, Councilwoman Coachman, and Vice Mayor Kocher looked forward to hearing more about the possibility of the project as the process moved forward.

CITIZEN COMMENTS:

Bill Sanders, 2502 Riverside Drive. Mr. Sanders voiced his concerns about consent agenda item (e).

Janet Mixon and Dean Mixon, 2525 27th Street East. Ms. Mixon said their goal was for residents and visitors to create life-long memories on their farm, and her dream would be to continue that goal in the future. Mr. Mixon spoke about the long-standing relationship with the City of Bradenton and was more than willing to work with the City in the future.

Angie Moore, a representative of CityServe, spoke in favor of continuing the use of the warehouse on the Mixon's property. She provided a history of how their ministry utilized the property and the services they offer. She also looked forward to working with the City in the future.

Mr. Sanders spoke in favor of the acquisition of the Mixon Fruit Farms property.

Damon Moore, 702 Sundance Trail. Mr. Moore announced he had nominated the Mixon Fruit Farms property as a possible stormwater park. He said the acquisition could be a great opportunity to treat stormwater runoff that flows from areas that were developed before modern stormwater treatment requirements. He said that on a personal level, he viewed the acquisition as the preservation of a cultural asset.

As it related to Mr. Sanders' comments regarding consent agenda item (e), Mr. Perry explained the external auditors recommended staff move Community Redevelopment Agency (CRA) contribution amounts to interfund transfer general ledger revenue accounts.

CONSENT AGENDA:

a) City Administration: PB 23-011EJ with PFM Financial Advisors LLC
b) City Administration: Recommendation for Award for RFQ 23-006EJ - Professional Architectural Services for Fire Station #2
c) Clerk: Minutes from the April 26, 2023 City Council Meeting
d) Event Review Committee: CRA Community Input - Public Art Special Event
e) Finance: Budget Adjustment BA23-8
f) Public Works & Utilities: Budget Adjustment BA23-10
g) Public Works & Utilities: Resolution 23-53: FDOT contract amendment to Traffic Signal Maintenance and Compensation Agreement number ARW43
h) Purchasing: IFB-20-01RW Extension Agreement with Gator Grading & Paving
i) Purchasing: PB-20-01MK Second Extension with Advanced Roofing
j) Police: Agreement Between the City of Bradenton and Axon Enterprise, Inc.

MOTION TO APPROVE THE CONSENT AGENDA was made by Vice Mayor Kocher and seconded by Councilwoman Barnebey. The motion passed 5-0.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS: None

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

a) City Administration: Visioning Consulting Services Scope of Work

Mr. Perry recommended engaging a firm to perform a visioning study for the future growth of the City. Robin Singer, Planning and Community Development Director, recommended hiring a firm that could facilitate public meetings and follow up with a community-wide survey to ascertain how they foresee future development in the City. She said staff would like to learn more about residents and business owners' perspectives on how they believe the City should be developed.

Mr. Perry spoke about the diversity of City residents and thanked councilmembers for recognizing that and promoting inclusivity for all residents.

MOTION TO APPROVE THE SCOPE OF WORK FOR THE VISIONING CONSULTING SERVICES REQUEST FOR PROPOSALS (RFP) was made by Councilwoman Barnebey and seconded by Councilwoman Coachman. The motion passed 5-0.

b) Finance: Debt and Revenue Analysis

Mr. Perry introduced Julie Santamaria, Director of Public Financial Management (PFM), and provided her history working with the City. Lance Williams, Finance Director, explained that Ms. Santamaria had worked with the City for over 20 years, and would be presenting outstanding debt and potential new financing for capital projects.

Ms. Santamaria stated the presentation was a general overview of the City's financial position, which included:

- Overview of Debt Position
- Current Ratings
- Ratings History
- Fitch's Recent Rating Affirmation
- Outstanding Debt – Governmental Activities
- Annual Debt Service – Governmental Activities
- Existing Debt Profile – Business Type Activities
- Annual Debt Service – Business Type Activities
- Major Capital Projects
- Example Governmental New Debt Structure
- Example New Governmental Debt Service
- Current and 10-Year Historical Market Conditions

Discussion: Future capital improvement projects that may also generate income.

Mayor Brown thanked Ms. Santamaria for the presentation.

Mayor Brown requested that Mr. Perry provide an update following the legislative session. Mr. Perry explained that The Southern Group and staff were able to secure several direct appropriations this year for the City of Bradenton.

Mr. Perry provided a list of projects that received significant state direct appropriations, which included:

- $1,400,000 for the 59th Street Public Safety Operations Center (PSOC)
- $1,000,000 for the 9th Street West City Park concept
- $1,125,000 for water and sewer projects
- $3,100,000 in appropriated grants

Mayor Brown stressed the importance of continuing the relationships with the lobbyists at The Southern Group and the legislature for possible future appropriations.

Mr. Perry presented Mayor Brown and Vice Mayor Kocher with a Certificate of Completion for the Florida Metropolitan Planning Organization Advisory Committee (MPOAC) Weekend Institute for Elected Officials. He spoke highly of the councilmembers' accomplishments and City staff in place.

Vice Mayor Kocher spoke highly of the institute and said she felt the City of Bradenton and Manatee County were well represented on the Metropolitan Planning Organization (MPO) board.

Mayor Brown spoke highly of Council's engagement in the community and the harmonious nature in which they worked together to make the City succeed.

UNFINISHED BUSINESS: None.

COUNCIL REPORTS:

Councilwoman Ward IV Lisa Gonzalez Moore: Councilwoman Gonzalez Moore said she had the opportunity to meet the lobbyists from The Southern Group and found them to be open and engaging.

Councilwoman Gonzalez Moore thanked Fire Chief Geer and Assistant Fire Chief Canaday for providing her education on the ins and outs of the Fire Department.

Councilwoman Gonzalez Moore spoke about the enthusiasm of small businesses along the Riverwalk East expansion. She said she looked forward to those businesses thriving.

Councilwoman Ward V Pam Coachman: Councilwoman Coachman complimented staff on all of their hard work and sacrifices for the City.

Councilwoman Coachman looked forward to the visioning project and learning about the expectations of the public.

Vice Mayor and Councilwoman Ward I Jayne Kocher: Vice Mayor Kocher was pleased to announce the Bradenton Kiwanis Club offered a significant donation to Manatee County towards the construction of an American with Disabilities Act (ADA) compliant playground. She hoped the inclusive playground at Tom Bennett Park would bring the community together through play.

Vice Mayor Kocher congratulated all graduates and shared a quote from Dr. Suess: "You're off to great places! Today is your day! Your mountain is waiting. So... get on your way!" She hoped the graduates would bring their talents and knowledge back to Bradenton once they completed their education.

In regards to the MPO, Vice Mayor Kocher announced the board voted on the alignment of the Sun Trail. She said the Sun Trail was a multi-modal trail that would connect the Green Bridge to the Palma Sola Causeway.

Vice Mayor Kocher wished everyone a safe Memorial Day weekend and urged everyone to remember those who fought and sacrificed to give us freedom.

Councilwoman Ward II Marianne Barnebey: Councilwoman Barnebey thanked everyone that participated in the Manatee River Underwater Cleanup event on May 19, 2023.

Councilwoman Barnebey requested a construction update for Lewis Park. Jim McLellan, Public Works and Utilities Director, explained there were a few remaining items, but he expected all items to be complete the following week. Councilwoman Barnebey urged parents to keep their children off the equipment until construction was completed.

Councilwoman Barnebey requested a construction update for 33rd Street Court West. Mr. McLellan explained there was a substantial completion walk-through yesterday with the contractor and representatives with the Florida Department of Transportation (FDOT). He said the road was paved, and striping was completed. The next step, he continued, was the installation of trees and landscaping.

Councilwoman Barnebey concluded by sending her condolences to the family of Betty Thomas-Anderson because of her recent passing and spoke highly of the family.

Councilwoman Barnebey also wished everyone a safe and happy Memorial Day weekend.

Councilman Ward III Josh Cramer: Councilman Cramer announced he attended the FDOT DeSoto Bridge Project Development and Environmental Study (PD&E) kickoff meeting the day prior. He said

there were depictions of the DeSoto Bridge replacement, and construction was expected to begin in 2027.

Councilman Cramer also congratulated graduates and was pleased to announce he attended the graduation ceremony for Saint Stephen's Episcopal School on May 22, 2023.

Councilman Cramer also wished everyone a safe Memorial Day weekend and spoke about those who served in the military and their sacrifices.

Mayor Gene Brown: Mayor Brown also spoke highly of the Manatee River Underwater Cleanup event and appreciated all of the volunteers.

Mayor Brown spoke about the success of the newly remodeled Rossi Park as well as the installation of ForeverLawn in many parks around the City.

Mayor Brown announced the annual Memorial Day service would be held at the Donald L. Courtney Veterans Park at 9:00 a.m. on May 29, 2023. He thanked those who made the ultimate sacrifice so others could have freedom.

Mayor Brown commended staff for their diligence in compiling the 2023-2024 City budget. He thanked councilmembers for their engagement during the budget process.

Mayor Brown echoed Vice Mayor Kocher's comments about those graduating in 2023.

DEPARTMENT HEAD REPORTS:

Tim Geer, Fire Chief, announced staff attended the First Responders Mass at St. Joseph Catholic Church on May 19, 2023, and thanked Keith Green for organizing the event.

Melanie Bevan, Police Chief, thanked Council for approving consent agenda item (j), which included updating body-worn cameras and the purchase of tasers. She was pleased to announce that the Bradenton Police Department was the first agency in the state of Florida to purchase Taser 10 devices. She said Taser 10 devices were less harmful to suspects and could assist officers in de-escalating situations more effectively than other devices on the market.

In regards to the 120-year anniversary of the City of Bradenton, Mayor Brown thanked Mr. McLellan and his staff for the installation of the historical marker denoting the first post office in the City's history.

Mayor Brown adjourned the City Council meeting at 10:59 a.m.

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

AGENDA ITEM NO. 6.g

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Tamara Melton, Clerk

ITEM TYPE: Resolution

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Resolution 23-55: Joint meeting with the Board of County Commissioners and Manatee County School Board

SUGGESTED ACTION: Approval

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
A Resolution, pursuant to Section 125.001 of the Florida Statutes to allow the City Council for the City of Bradenton to participate in a joint meeting with Manatee County Commission and the Manatee County School Board to discuss and plan matters of mutual interest.

The meeting is scheduled for July 31, 2023 at 1:30 p.m. at the Bradenton Area Convention Center.

ATTORNEY REVIEW/RECOMMENDATION:
Attorney Rudacille reviewed Resolution 23-55.

SUGGESTED MOTION:
Motion to approve Resolution 23-55.

ATTACHMENTS:
Resolution 23-55

CITY OF BRADENTON

RESOLUTION NUMBER 23-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, AUTHORIZING THE BRADENTON CITY COUNCIL TO PARTICIPATE IN A JOINT MEETING WITH THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS AND THE MANATEE COUNTY SCHOOL BOARD TO DISCUSS AND PLAN MATTERS OF MUTUAL INTEREST; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Bradenton City Council and the Manatee County Commission and the Manatee County School Board, desire to participate in a joint meeting to discuss and plan matters of mutual interest; and

WHEREAS, Section 125.001, Florida Statutes authorizes county boards to meet and discuss matters of mutual interest with one or more adjacent county or municipality; and

WHEREAS, Section 125.001, Florida Statutes, further states that such meetings may be held at any appropriate public place within the jurisdiction of any participating county or municipality, and requires that due public notice be provided within the jurisdiction of all participating municipalities and counties; and

WHEREAS, Section 125.001, Florida Statutes, further requires that the governing body of a county or municipality must first adopt a resolution authorizing participation in the joint meeting,

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Bradenton, Florida, that:

Section 1. Pursuant to Section 125.001, Florida Statutes, the City Council for the City of Bradenton is hereby authorized to participate in a joint meeting with the Manatee County Commission and Manatee County School Board on July 31, 2023 at 1:30 p.m., at the Bradenton Area Convention Center, One Haben Boulevard, Palmetto, Florida.

Section 2. This resolution shall take effect immediately upon 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 JUNE, 2023.

_____
Gene Brown, Mayor

ATTEST:

_____
Tamara Melton, City Clerk

APPROVED AS TO FORM:

_____
Scott Rudacille, City Attorney

AGENDA ITEM NO. 6.h

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Tamara Melton, Clerk

ITEM TYPE: Resolution

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Resolution 23-56: Council of Governments Meeting

SUGGESTED ACTION: Approval

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
A Resolution, pursuant to Section 125.001 of the Florida Statutes to allow the City Council for the City of Bradenton to participate in a joint meeting with Manatee County Commission and Council of Governments to discuss and plan matters of mutual interest.

The meeting is scheduled for August 1, 2023 at 4:00 p.m. at the Bradenton Area Convention Center.

SUGGESTED MOTION:
Motion to approve Resolution 23-56.

ATTACHMENTS:
Resolution 23-56

CITY OF BRADENTON

RESOLUTION NUMBER 23-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, AUTHORIZING THE BRADENTON CITY COUNCIL TO PARTICIPATE IN A JOINT MEETING WITH THE COUNCIL OF GOVERNMENTS TO DISCUSS AND PLAN MATTERS OF MUTUAL INTEREST; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Manatee County Commission and the Council of Governments, which includes the City of Anna Maria, City of Bradenton, City of Bradenton Beach, City of Holmes Beach, City of Palmetto, and Town of Longboat Key, desire to participate in a joint meeting to discuss and plan matters of mutual interest; and

WHEREAS, Section 125.001, Florida Statutes authorizes county boards to meet and discuss matters of mutual interest with one or more adjacent county or municipality; and

WHEREAS, Section 125.001, Florida Statutes, further states that such meetings may be held at any appropriate public place within the jurisdiction of any participating county or municipality, and requires that due public notice be provided within the jurisdiction of all participating municipalities and counties; and

WHEREAS, Section 125.001, Florida Statutes, further requires that the governing body of a county or municipality must first adopt a resolution authorizing participation in the joint meeting,

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Bradenton, Florida, that:

Section 1. Pursuant to Section 125.001, Florida Statutes, the City Council for the City of Bradenton is hereby authorized to participate in a joint meeting with the Manatee County Commission and Council of Governments on August 1, 2023 at 4:00 p.m., at the Bradenton Area Convention Center, One Haben Boulevard, Palmetto, Florida.

Section 2. This resolution shall take effect immediately upon 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 JUNE, 2023.

_____
Gene Brown, Mayor

ATTEST:

_____
Tamara Melton, City Clerk

APPROVED AS TO FORM:

_____
Scott Rudacille, City Attorney

AGENDA ITEM NO. 6.i

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Kelly Thomas, Legislative

ITEM TYPE: Resolution

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Resolution 23-54: Affordable Housing Advisory Committee Appointment

SUGGESTED ACTION: Approval

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
A resolution appointing Dominique Brown to the Affordable Housing Advisory Committee and defining her term. Note: Ms. Brown will be replacing Ana Gonzalez and fulfilling the remainder of her term.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
N/A

SUGGESTED MOTION:
Motion to approve Resolution 23-54.

ATTACHMENTS:
Resolution 23-54

RESOLUTION NUMBER 23-54

A RESOLUTION APPOINTING **DOMINIQUE BROWN** TO THE **AFFORDABLE HOUSING ADVISORY COMMITTEE** FOR THE CITY OF BRADENTON, FLORIDA AND DEFINING HER 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:

Dominique Brown for a term to expire August 2023.
(Ms. Brown will be replacing Ana Gonzalez and fulfilling the remainder of her term.)

PASSED AND DULY ADOPTED, BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, with a quorum present and voting, this 14th day of June, 2023.

ATTEST:

_____
Tamara Melton
City Clerk

_____
Gene Brown
Mayor

APPROVED AS TO FORM:

_____
Scott Rudacille
City Attorney

City of Bradenton

Application for Volunteer Boards

Please √ appropriate box:

- ☒ Affordable Housing Advisory Committee
- ☐ Architectural Review Board
- ☐ Bradenton Housing Authority
- ☐ Fire Pension Board*
- ☐ Tree and Land Preservation Board
- ☐ Merit Board
- ☐ Nuisance Abatement Board*
- ☐ Planning Commission*
- ☐ Police Pension Board*

*These positions require that an annual Financial Statement be filed with the Supervisor of Elections office.

Please provide the following information:

Name: Dominique Brown Address: 3645 Cortez Rd. W. Ste 110

Email: DSBrownEsq@gmail.com Phone: 941-251-6024 Cell: N/A

Do you reside within city limits? No Work in city limits? Yes

Current Employer (*If Applicable*): The Dream Law Firm PLLC

Please summarize your work experience:
Entrepreneur, real estate agent, small business owner, former prosecutor, military veteran

What special skills would you bring to the board?
I am a well rounded person who can speak with everyone, form relationships, and listen well. I tend to think outside the box and am open to trying new ways of resolving problems.

Why would you like to serve on this board?
Affordable Housing is an issue near + dear to my heart. I would like to help our community with this particular issue while serving on the Board.

Have you served on a volunteer board with the City? If so, when and what board?
No

Signature of Applicant: [signature] *Date:* 2.10.23

*Please return **application** with your **RESUME** to:*
Mayor Gene Brown
City of Bradenton, 101 Old Main St., Bradenton, FL 34205
or mayor@cityofbradenton.com

Dominique S. Brown

941-251-6024
DSBrownEsq@gmail.com
3645 Cortez Road West, Suite 110, Bradenton, FL 34210
www.linkedin.com/in/dsmincey

BAR ADMISSION

State:
Florida #1015362
North Carolina #51649
Washington D.C. #263185

Federal:
Middle District of Florida
Southern District of Florida

Professional Accomplishments

The Florida Bar Wm. Reece Smith, Jr. Leadership Academy - Fellow, Class X

EDUCATION

Nova Southeastern University, Fort Lauderdale, FL
Doctor of Philosophy - Criminal Justice, August 2018 - April 2019

North Carolina Central University School of Law, Durham, NC
Juris Doctor, May 2016

Florida Agricultural & Mechanical University, Tallahassee, FL
Master's of Applied Social Science - Criminal Justice, August 2012
Bachelor of Criminal Justice, August 2011

LEGAL EXPERIENCE

The Dream Law Firm, PLLC, Bradenton, FL April 2019 - Present
Attorney/Owner. Personal Injury law firm.

Porges, Hamlin, Knowles & Hawk, P.A., Bradenton, FL September 2018 - January 2019
Law Clerk. Areas of practice include: Property Law and Civil Law. Assisted attorneys with legal research. Utilizes Westlaw to perform searches for case law, state law, federal law, and local ordinances as applicable. Wrote legal memoranda with detailed findings.

Cumberland County District Attorney's Office, Fayetteville, NC, April 2017 - September 2018
Assistant District Attorney. Worked with a team of attorneys to represent the state of NC's interests in misdemeanor criminal and traffic court matters. Working knowledge of juvenile (delinquent) court proceedings and district court probation hearings. Communicated with defense attorneys, unrepresented defendants, victims, witnesses, and law enforcement officers. Prepared and performed misdemeanor criminal and traffic offense cases for trials, plea agreements, and bond hearings. Screened misdemeanor criminal cases using logic and reasoning to identify the strengths and weaknesses of case facts. Utilized and evaluated electronic legal research, as well as other traditional research tools.

Criminal Trial/Plea Experience:

Driving While Impaired
Larceny/Shoplifting
Misdemeanor Child Abuse
Communicating Threats
Simple Assault
Resist, Delay, or Obstruct Law Enforcement
Trespass
Speeding
Driving while license suspended/revoked
Possession of Drug Paraphernalia
Solicitation of Prostitution
Performing Massage w/o License

Cumberland County District Attorney's Office, Fayetteville, NC
March - April 2017
August - September 2016
Legal Volunteer. Screened incoming cases using logic and reasoning to identify the strengths and weaknesses of case facts; researched and identified precedence in case law; utilized and evaluated electronic legal research and other research tools; prepared cases for trial; wrote and filed any appropriate motions; organized work; set priorities; met critical deadlines; followed up on assignments; and met with victims of crime

Durham County District Attorney's Office, Durham, NC, August - December 2015
Legal Intern. Established and maintained cooperative working relationships with attorneys, law enforcement agencies, and other participants in the criminal justice process. Prepared traffic court and district court cases for trials; performed trials in traffic court and district court under the supervision of assistant district attorneys. Screened incoming cases using logic and reasoning to identify the strengths and weaknesses of case facts. Utilized and evaluated electronic legal research and other research tools.

Domestic Violence Clinic, NC Central School of Law, Durham, NC, August - December 2015
Student Attorney. Provided in court representation to clients who sought Domestic Violence Protective Orders. Conducted client interviews and created files in preparation of upcoming hearings. Ensured that all required court forms, interoffice forms, and interagency forms were filled out correctly and disseminated appropriately.

Elna B. Spaulding Conflict Resolution Center, Durham, NC, June - August 2015
Legal Research Intern. Conducted legal research for mediators to reestablish statewide certification standards for the Mediation Network of North Carolina. Proofread and updated documents for statutory compliance. Coordinated with several government and private agencies to further efforts of the Worthless Checks Program.

Alamance County District Attorney's Office, Graham, NC, May - August 2014
Legal Intern. Assisted attorneys with legal research. Interviewed law enforcement officials, defendants, victims, and witnesses to assess cases for plea deals or prepare for trials. Retrieved and filed documents with the Clerk of Court.

Florida's 2nd Circuit Public Defender's Office - Capital Crimes Division, Tallahassee, FL, January - July 2012
Investigator Intern.

EXPERIENCE

DSB Dream Properties, LLC, Palmetto, FL, March 2021 - Pres
Real Estate Agent

Dream, Succeed, Become LLC, Palmetto, FL, March 2019 - Pres
Owner
Provides services such as: life coaching, writing, career counseling, budgeting, and more. Classes are designed for adults and teenagers.

Serco, Inc., Schweinfurt, Germany, October 2012- May 2013
Army Career & Alumni Program Counselor. Provided services to transitioning military personnel, Army civilians, and their family members. Provided individual counseling sessions and job assistance such as resume critiques and mock interviews. Taught five or more courses a month with 20 - 50 people in attendance.

U.S. Air Force Reserve, Various Locations, July 2006 - September 2014
(U.S. Air Force Active Duty, 2002 - 2005)
Command Post Controller. Provided training to Command Post Airmen in accordance with USAF directives, instructions, and operating manuals. Maintained 100% records accountability of customer interactions and transactions, recorded details of inquiries, complaints, comments, and actions taken. Frequently relayed information to the highest ranking commander of the installation.

Associations

Florida Justice Association (2022 - Pres)
Florida Association of Criminal Defense Lawyers (2019 - Pres)
Zeta Phi Beta Sorority, Inc. - Gamma Rho Zeta Chapter (2012 - Pres)
Manatee Young Professionals, (2018 - 2019)
Florida Association of Women Lawyers (Manatee Chapter), (2019 - Pres)
Memphis Washington Park Neighborhood Association, Secretary, 2019 - 2020)

Volunteer Work

Habitat For Humanity - Board Member (2022 - Pres)
Project 180 - Board Member (2020 - 2021)

AGENDA ITEM NO. 6.j

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Kelly Thomas, Event Review Committee

ITEM TYPE: Special Event

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Carols by Candlelight

SUGGESTED ACTION: Approval with compliance of all COB Special Event Standards.

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
First Baptist Bradenton has requested to have a candlelight musical event at the Riverwalk Amphitheater on December 9, 2023. This event has an expectation of 400 attendees. There will be musical entertainment including the singing of Christmas carols.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
N/A

SUGGESTED MOTION:
Motion to approve Carols by Candlelight with compliance of all City of Bradenton Special Event Standards, including the following stipulations:

- Battery-operated candles only
- 2 Bradenton Police Extra Duty Officers

ATTACHMENTS:
Carols by Candlelight Application and Site Plan

SPECIAL EVENT PERMIT APPLICATION

Application Information

Organization Name: FIRST BAPTIST BRADENTON Date of Application: 10 MAY 2023

Contact Name: KANE RIGNEY Contact Phone 1: 941-720-2947

Contact Email: KANE@FIRSTBRADENTON.COM Contact Phone 2: _____

Address: 1306 MANATEE AVE W

City: BRADENTON State: FL Zip: 34205

Event Information

Name of Event: CAROLS BY CANDLELIGHT Event Date: 9 DEC 2023

Purpose of Event: COMMUNITY GATHERING & SINGING IN THE PARK

Description of Event: CHRISTMAS CAROLS IN THE PARK FOR THE COMMUNITY

Event Location: MOSAIC AMPHITHEATER

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	9 DEC 2023	SATURDAY	3:00PM	6:00PM	10
Event Day 1	9DEC 2023	SATURDAY	6:00PM	9:00PM	400-500
Event Day 2					
Event Day 3					
Break Down					

Number of years event has been held: 2 Past Attendance: 400

(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	2	NEXT TO STAGE

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: _____

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? OFF-SITE (HANDING OUT COOKIES + HOT CHOCOLATE)

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.

BAND, VOCALISTS, MUSICIANS PLAYING CHRISTMAS MUSIC/CAROLS
SPEAKERS & MIXER WILL BE USED. GUITARS, DRUMS, MICROPHONES.

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.

N/A

(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, KANE RIGNEY, applicant/event organizer for CAROLS BY CANDLELIGHT (event), scheduled for (date&hours), 16 DEC 2023, from 3:00 PM to 5:00 PM, hereby agrees to all conditions and regulations set forth in the event guide, application, and contract as adopted by City Council.

Signature of Applicant/Event Organizer	FIRST BAPTIST CHURCH OF BRADENTON Organization
KANE RIGNEY WORSHIP PASTOR Typed or Printed Name and Title	10 MAY 2023 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.

Signature of Applicant/Event Organizer	FIRST BAPTIST CHURCH OF BRADENTON Organization
KANE RIGNEY WORSHIP PASTOR Typed or Printed Name and Title	10 MAY 2023 Date

(03/2022)

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, KANE RIGNEY, applicant/event organizer for CAROLS BY CANDLELIGHT (event), scheduled for (date&hours), 9 DEC 2023, ~~from~~ 3:00PM to 9:00 PM, hereby agrees to all conditions and regulations set forth in the event guide, application, and contract as adopted by City Council.

Signature of Applicant/Event Organizer

FIRST BAPTIST CHURCH BRADENTON
Organization

KANE RIGNEY WORSHIP PASTOR
Typed or Printed Name and Title

10 MAY 2023
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.

Signature of Applicant/Event Organizer

FIRST BAPTIST CHURCH BRADENTON
Organization

KANE RIGNEY WORSHIP PASTOR
Typed or Printed Name and Title

10 MAY 2023
Date

(03/2022)


2x (10x10) TENTS
10X10 TENT
STAGE W/MUSIC EQUIPMENT
10X10 TENT
Bradenton Riverwalk Amphitheater

AGENDA ITEM NO. 6.k

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Kelly Thomas, Event Review Committee

ITEM TYPE: Special Event

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Mattison's Parking Spot Closure Request

SUGGESTED ACTION: Approval with compliance of all COB Special Event Standards

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Mattison's Riverwalk is requesting 4-5 parking spot closures on July 4, 2023, in the city-owned parking lot located next to their restaurant. The spot closure will not affect any ingress or egress to the remainder of the parking lot. There will be no food or drink served at the closure location. The spot closure is for patrons that need close proximity parking during the July 4th holiday.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
N/A

SUGGESTED MOTION:
Motion to approve Mattison's Parking Spot Closure Request with compliance of all City Of Bradenton Special Event Standards.

ATTACHMENTS:
Mattison's Parking Spot Closure Application

SPECIAL EVENT PERMIT APPLICATION

Application Information

Organization Name: Mattison's Riverwalk
Date of Application: 5-5-23
Contact Name: Liz Fridenberg
Contact Phone 1: 941-896-4660
Contact Email: lizf@mattisons.com
Contact Phone 2: 941-779-6241
Address: 101 Riverfront BLVD
City: Bradenton
State: FL
Zip: 34205

Event Information

Name of Event: July 4th
Event Date: 7-4-23
Purpose of Event: provide restaurant access to guests
Description of Event:
Event Location: Parking area drive-thru in front of Mattison's

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					
Event Day 1					
Event Day 2					
Event Day 3					
Break Down					

Parking Spots alongside Mattison's Restaurant

Number of years event has been held: 4
Past Attendance:

(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

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: _____

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.

_____

_____

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.

_____

_____

(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.

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

Name of Requestor: _____

Name of Organization: Mattison's Riverwalk

Street Address: 101 Riverfront Blvd

City: Bradenton State: FL Zip: 34205

Telephone: 941-896-9660 Email: _____

Name of Event: Fourth of July

Start Date: 7-4-23 End Date: 7-4-23 Start Time: 10am End Time: 10pm

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

Parking are drive thru in front of mattisons

Proposed detour route (include alternative road and map):

Additional notes and comments:

Ingress & Egress of parking lot not affected

(03/2022)

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, Elizabeth Fridenberg, applicant/event organizer for Fourth of July 2023 (event), scheduled for (date&hours), _____, from 7/4/23 to 7/4/23, hereby agrees to all conditions and regulations set forth in the event guide, application, and contract as adopted by City Council.

Elizabeth Fridenberg
Signature of Applicant/Event Organizer

Mathison's Riverwalk
Organization

Elizabeth Fridenberg, G.M.
Typed or Printed Name and Title

5-5-23
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.

Elizabeth Fridenberg
Signature of Applicant/Event Organizer

Mathison's Riverwalk
Organization

Elizabeth Fridenberg GM
Typed or Printed Name and Title

5/5/23
Date

(03/2022)



Area in front of restaurant

https://www.google.com/maps/@27.4990112,-82.5627909,17z

1/1

171

AGENDA ITEM NO. 6.I

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Linda Guth, Finance

ITEM TYPE: Budget Adjustment

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Budget Adjustment BA23-12

SUGGESTED ACTION: Approve Budget Adjustment BA23-12.

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
To adjust revenues, reserve for contingencies, and cash carry forward for mid-year budget adjustments.

FINANCIAL IMPACT:
Increase of Reserve for Contingencies of $152,586.00 in general fund, use of cash carry forward of $183,778.00 in Fund 303 (American Rescue Plan Act), decrease of cash carry forward of $25,000.00 in Fund 482 (Parking), decrease of reserve for contingencies of $306,355.00 and increase of cash carry forward of $576,645.00 in Fund 580 (Self Insurance Workers Compensation).

ATTORNEY REVIEW/RECOMMENDATION:
N/A

SUGGESTED MOTION:
Motion to approve Budget Adjustment BA23-12.

ATTACHMENTS:
Budget Adjustment BA23-12

RESOLUTION NUMBER BA23-12

A RESOLUTION OF THE CITY OF BRADENTON, FLORIDA, AMENDING/ADJUSTING THE 2022-2023 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 adjusting revenues, reserve for contingencies and cash carry forward for mid year 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 June, 2023.

_____
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: Accounting

Date: 6/2/2023

Budget Adjustment #: BA23-12

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 adjust revenues, expenses, reserve for contingencies and cash carry forward for mid year budget adjustments.

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: 00102 325200
Line item description: Svc Chgs-Special Assessments

Increase (in $): 170,000.00 Decrease (in $):

Account Number: 00152410 531000
Line item description: Legal Fees-Code Enforcement

Increase (in $): 170,000.00 Decrease (in $):

Account Number: 00152170 551200
Line item description: Computer Equipment Under 5000

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

Account Number: 00152200 551200
Line item description: Computer Equipment under 5000

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

Account Number: 00152160 564000 WCIND
Line item description: 2022 Wcind Grant

Increase (in $): 58,963.00 Decrease (in $):

Account Number: 00152160 583000 WCIND
Line item description: 2022 Wcind Grant

Increase (in $): Decrease (in $): 58,963.00

Account Number: 00103 331200 DUI23
Line item description: Eye on Impaird Driving

Increase (in $): 20,000.00 Decrease (in $):

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

Increase (in $): 20,000.00 Decrease (in $):

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

Increase (in $): 64,000.00 Decrease (in $):

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

Increase (in $): 64,000.00 Decrease (in $):

Account Number: 00103 331200 PSN22
Line item description: Project Safe Neighborhood Grant

Increase (in $): 20,191.00 Decrease (in $):

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

Increase (in $): 20,191.00 Decrease (in $):

Account Number: 00104 331200 AED22
Line item description: Man Cty Jag-Aed Project

Increase (in $): 24,557.00 Decrease (in $):

Account Number: 00152160 551100 AED22
Line item description: Equip under 5000-Aed project

Increase (in $): 24,557.00 Decrease (in $):

Account Number: 00104 331200 HID22
Line item description: High Intensity Drug Traffic

Increase (in $): 43,585.00 Decrease (in $):

Account Number: 00152160 541000 HID22
Line item description: Communications-High Intensity Drug Traffic

Increase (in $): 2,001.00 Decrease (in $):

Account Number: 00152160 544200 HID22
Line item description:Rentals & Leases- High Intensity Drug Traffic

Increase (in $): 8,189.00 Decrease (in $):

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

Increase (in $): 33,395.00 Decrease (in $):

Account Number: 00152160 564000 JAG23
Line item description: 2023 Justice Assistance Grant

Increase (in $): 24,536.00 Decrease (in $):

Account Number: 00152160 551200 JAG23
Line item description: 2023 Justice Assistance Grant

Increase (in $): 4,852.00 Decrease (in $):

Account Number: 00152160 583000 JAG23
Line item description: 2023 Justice Assistance Grant

Increase (in $): Decrease (in $): 29,388.00

Account Number: 00103 331200 HVE23
Line item description: High Visability Enforcement Grant

Increase (in $): 20,000.00 Decrease (in $):

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

Increase (in $): 20,000.00 Decrease (in $):

Account Number: 00103 331200 SPD23
Line item description: Slow Down and Stop on Red

Increase (in $): 45,000.00 Decrease (in $):

Account Number: 00152160 551100 SPD23
Line item description: Equipment under 5000

Increase (in $): 30,000.00 Decrease (in $):

Account Number: 00158100 599100
Line item description: Mach & Equip-Capital Outlay

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

Account Number: 00152120 551100
Line item description: Equipment under 5000
Increase (in $): 10,000.00 Decrease (in $):

Account Number: 00152120 564000
Line item description: Mach and Equipment-Capital Outlay

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

Account Number: 30305 369150
Line item description: Cash Carry forward-Arpa

Increase (in $): 183,778.00 Decrease (in $):

Account Number: 30358200 563000 ITARP
Line item description: IT Arpa Projects

Increase (in $): 183,778.00 Decrease (in $):

Account Number: 48204 366040
Line item description: Manatee Chamber of Commerce

Increase (in $): 25,000.00 Decrease (in $):

Account Number: 48205 369150
Line item description: Cash Carry forward-Parking fund

Increase (in $): Decrease (in $): 25,000.00

Account Number: 48254500 564000
Line item description: Mach & Equip-Capital Outlay

Increase (in $): Decrease (in $): 85,000.00

Account Number: 48254500 564000 VBORD
Line item description: Video Board-Parking Garage

Increase (in $): 85,000.00 Decrease (in $):

Account Number: 58005 369150
Line item description: Cash Carry forward

Increase (in $): 576,645.00 Decrease (in $):

Account Number: 58056220 545700 Claim
Line item description: Workers Comp Claims

Increase (in $): 435,000.00 Decrease (in $):

Account Number: 58056220 545700 Settl
Line item description: Workers Comp Settlements

Increase (in $): 448,000.00 Decrease (in $):

Account Number: 58058100 599100
Line item description: Reserve for Contingencies

Increase (in $): Decrease (in $): 306,355.00

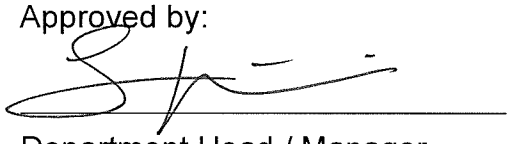
Account Number: 59055900 531000
Line item description: Legal Fees

Increase (in $): Decrease (in $): 46,000.00

Account Number: 59055900 546900
Line item description: Vehicle Damage Repair and Maintenance

Increase (in $): 46,000.00 Decrease (in $):

Approved by:



Department Head / Manager

_____

City Administrator

Approved by City Council: _____
(Date)

Posted by Accounting: _____
(Date)

AGENDA ITEM NO. 6.m

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Linda Guth, Finance

ITEM TYPE: Budget Adjustment

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Budget Adjustment BA23-13

SUGGESTED ACTION: Approve budget adjustment BA23-13

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
To budget the funding for the Downtown Maintenance operational expenses.

FINANCIAL IMPACT:
No financial impact

ATTORNEY REVIEW/RECOMMENDATION:
N/A

SUGGESTED MOTION:
Motion to approve Budget Adjustment BA23-13.

ATTACHMENTS:
Budget Adjustment BA23-13

RESOLUTION NUMBER BA23-13

A RESOLUTION OF THE CITY OF BRADENTON, FLORIDA, AMENDING/ADJUSTING THE 2022-2023 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 Accounting Department requests to amend or adjust the budget at this time, in an amount greater than $10,000, for the purpose of budgeting the funding for the Downtown Maintenance operational expenses.

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 JUNE, 2023.

_____
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: Accounting

Date: 6/5/2023

Budget Adjustment #: BA23-13

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 budget the funding for the Downtown Maintenance operational expenses.

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: 00105 381132
Line item description: 132 Bradenton CRA Interfund Transfer

Increase (in $): 63,600.00 Decrease (in $):

Account Number: 00157300 534000
Line item description: Contractual Services

Increase (in $): 29,000.00 Decrease (in $):

Account Number: 00157300 546100
Line item description: Building Repair and Maintenance

Increase (in $):5,000.00 Decrease (in $):

Account Number: 00157300 546200
Line item description: Equipment Repair and Maintenance

Increase (in $): 4,000.00 Decrease (in $):

Account Number: 00157300 551100
Line item description: Equipment under $5000

Increase (in $): 5,600.00 Decrease (in $):

Account Number: 00157300 552100
Line item description: Equipment Fuel

Increase (in $): 4,000.00 Decrease (in $):

Account Number: 00157300 552200
Line item description: Vehicle Fuel

Increase (in $): 2,000.00 Decrease (in $):

Account Number: 00157300 552300
Line item description: Gear/Uniform Supplies

Increase (in $): 2,000.00 Decrease (in $):

Account Number: 00157300 552500
Line item description: Other Operating Supplies

Increase (in $): 6,000.00 Decrease (in $):

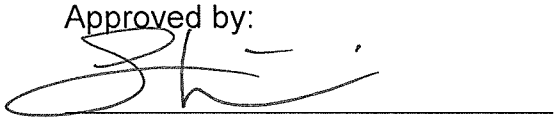
Account Number: 00157300 552900
Line item description: Chemical Supplies

Increase (in $): 5,000.00 Decrease (in $):

Account Number: 00157300 555000
Line item description: Education/Training

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

Approved by:



Department Head / Manager

_____

City Administrator

Approved by City Council: _____
(Date)

Posted by Accounting: _____
(Date)

AGENDA ITEM NO. 6.n

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Phillip Waller, Police

ITEM TYPE: Miscellaneous

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Forfeiture Funds Request - Building Improvements

SUGGESTED ACTION: Approval

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
The Bradenton Police Department is requesting the use of forfeiture funds for the beautification of the COPS House located at 1801 17th Avenue West. The Bradenton Police Department is planning on using the funds for sod replacement, irrigation, and a flag pole installation.

FINANCIAL IMPACT:
$6,965 from the forfeiture account for the three items.

ATTORNEY REVIEW/RECOMMENDATION:
N/A

SUGGESTED MOTION:
Motion to approve the Forfeiture Funds request for the beautification of the COPS House.

ATTACHMENTS:
Building Improvements Quote

Big Earth Landscape Supply

PO Box 1030
Bradenton, Florida 34206
Phone: 941-746-4471

Quotation

Date	Page
May 24, 2023	1
Order Number	
QT03931	

Sold To:

BRADENTON POLICE DEPARTMENT
100 10TH STREET WEST
BRADENTON, FLORIDA 34205

Ship To:

1801 17TH AVENUE WEST
BRADENTON, FLORIDA, 34205

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
		BPD941	ELLI	May 24, 2023		COD

Qty. Ord.	Qty. Shp.	Qty. B/O	Item Number	Description	Unit Price	UOM	Extended Price
8.0000	0.0000	8.0000	SODFLORATAMPAL	SOD PALLET FLORATAM	190.00	EA	1,520.00
10.0000	0.0000	10.0000	FILLDIRT	FILL DIRT BY THE YARD	21.00	EA	210.00
1.0000	0.0000	1.0000	LABOR	LABOR	2,055.00	EA	2,055.00

Comments:

Tax Summary:

FLORIDA	0.00
MANATEE	0.00

Less	
Included Tax	**0.00**
Order Discount	**0.00**
Subtotal	**3,785.00**
Total sales tax	**0.00**
Total order	**3,785.00**

Big Earth Landscape Supply

PO Box 1030
Bradenton, Florida 34206
Phone: 941-746-4471

Quotation

Date	Page
May 11, 2023	1
Order Number	
QT03911	

Sold To:

BRADENTON POLICE DEPARTMENT
100 10TH STREET WEST
BRADENTON, FLORIDA 34205

Ship To:

BRADENTON POLICE DEPARTMENT
100 10TH STREET WEST
BRADENTON, FLORIDA, 34205

Reference	PO Number	Customer No.	Salesperson	Order Date	Ship Via	Terms
	IRRIGATION	BPD941	ELLI	May 11, 2023		COD

Qty. Ord.	Qty. Shp.	Qty. B/O	Item Number	Description	Unit Price	UOM	Extended Price
1.0000	0.0000	1.0000	LABOR	INSTALLATION OF IRRIGATION	1,680.00	EA	1,680.00

Comments:

Price includes total irrigation system for grass and landscape. Backflow must be installed prior to installation of irrigation system.

Tax Summary:

FLORIDA	0.00
MANATEE	0.00

Less	
Included Tax	**0.00**
Order Discount	**0.00**
Subtotal	**1,680.00**
Total sales tax	**0.00**
Total order	**1,680.00**

AGENDA ITEM NO. 6.o

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Marcus Kerber, Purchasing

ITEM TYPE: Agreement

AGENDA SECTION: CONSENT AGENDA

SUBJECT: IFB-20-01RW Continuing Services Agreement with C-Squared Certified General Contractor, Inc.

SUGGESTED ACTION: Approve the Agreement for Mayor's signature.

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
This CONTINUING SERVICES CONTRACT, is made this 16th day of June 2023, between the CITY OF BRADENTON and C-SQUARED CERTIFIED GENERAL CONTRACTOR, INC. to provide 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 Continuing Services Agreement IFB-20-01RW with C-Squared Certified General Contractor, Inc.

ATTACHMENTS:
IFB-20-01RW with C-Squared Certified General Contractor

City of Bradenton, Florida

Continuing Services Agreement

IFB 20-01RW: Miscellaneous Road Construction and Materials Services

This CONTINUING SERVICES CONTRACT (the "Contract"), is made this 16th day of June 2023, between the CITY OF BRADENTON (hereafter referred to as "CITY" or "CLIENT") a municipal corporation of the State of Florida located at 101 Old Main Street, Bradenton, Florida 34205, and C-SQUARED CERTIFIED GENERAL CONTRACTOR, INC., a Florida corporation (herein after referred to as "CONTRACTOR"), with a principal office located at 1715 67th Avenue East, Sarasota, Florida 34243.

WHEREAS, the CITY desires to obtain miscellaneous road construction and materials services from CONTRACTOR for assigned projects in Bradenton, Florida (herein after referred to as "Continuing Services Projects") and issued IFB-20-01RW to fill the need for such services; and

WHEREAS, the term of this Contract is one (1) year commencing on the date of execution of the Contract, and CITY may, at its option renew this Contract at the end of the Term for one (1) one (1) year extension; and

WHEREAS, the CITY retains CONTRACTOR to perform the services described herein on an "as needed" basis, as designated, authorized, and assigned by the CITY, and the CITY agrees to compensate CONTRACTOR for such services in accordance with this Contract.

NOW, THEREFORE, the CITY and 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 Contract.

2. **Invitation for Bid and Response**. The Invitation for Bid (IFB) 20-01RW and the CONTRACTOR's response are attached hereto and incorporated herein as Exhibit "A." In the event of any conflict between the relevant documents, any such conflict shall be resolved by first looking to this contract, second looking to the CONTRACTOR's response and third looking to the IFB.

3. **Scope of Services**.

3.1 The CONTRACTOR's services consist of those services performed by the CONTRACTOR, CONTRACTOR's employees, and CONTRACTOR's Sub-Contractors as enumerated and described in the IFB and CONTRACTOR's response thereto.

3.2 The CONTRACTOR 's services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the Work. Upon request of the CITY, the CONTRACTOR shall submit for the CITY's approval, a proposal for the performance of the CONTRACTOR's services. The proposal shall contain a description of scope of proposed service, schedule upon which services will be provided, and all fees for services as described in Article 5. Time limits established by this proposal as approved by the CITY shall not, except for reasonable cause, be exceeded by the CONTRACTOR or CITY.

3.3 All services rendered by the CONTRACTOR shall be conducted under the responsible charge of persons properly licensed and certified in accordance with Florida Statutes and other applicable rules and regulations. Proof of Certification for each individual professional providing service shall be provided by the CONTRACTOR to the CITY prior to services being rendered.

3.4 CONTRACTOR shall guarantee the services performed in accordance with the terms of the IFB.

4. **Time of Completion**. CONTRACTOR shall commence services upon receipt of a written notice signed by the CITY's Representative. CONTRACTOR shall include in its proposal a schedule for the Scope of Work defined by CITY. The schedule will be agreed upon on a project-by-project basis. CONTRACTOR shall complete work in accordance with the schedule. The CONTRACTOR acknowledges the importance to the CITY of the CITY's project schedule and agrees to perform the services under this Contract with due diligence in a manner consistent with the project schedule and sound professional practices. Liquidated damages will not be applicable under this Contract.

5. **Fees**. Payment will be made in accordance with the terms of the IFB and the standard rate schedule attached hereto and incorporated herein as Exhibit "B."

6. **Insurance**. The CONTRACTOR shall procure and maintain at the CONTRACTOR's own expense, insurance in accordance with the terms of the IFB.

7. **Indemnification**. The CONTRACTOR covenants and agrees to indemnify and save harmless the CITY, its agents and employees, from and against all claims, suits, actions, damages, causes of action, or judgments arising out of the terms of the resulting agreement

for any personal injury, loss of life, or damage to the property sustained as a result of the performance or non-performance of services or delivery of goods; from and against any orders, judgments, or decrees, which may be entered against the CITY, its agents or employees; and from and against all costs, attorney's fees, expenses and other liabilities incurred in the defense of any such claim, suit or action, and the investigation thereof. Nothing in the Contract shall be deemed to affect the rights, privileges and immunities of the CITY as set forth in Florida Statute Section 768.28.

8. **Termination, Suspension, Disputes, or Abandonment**. This Contract may be terminated by either party for failure of the other party to substantially perform their obligations under this Contract. The CITY shall have the sole right and option to suspend or terminate this Contract without cause, provided that 30 days' prior notice is given to the CONTRACTOR.

8.1 In the event of termination, the CITY shall pay the CONTRACTOR for all services rendered to the date of termination and the CITY shall have no further obligation to CONTRACTOR for payment to CONTRACTOR of the remainder of its fees, unless and until Continuing Services Projects are resumed by the CITY.

9. **Term**. The term of this Contract is for a period of one (1) year, commencing on the date of execution of this Contract. The CITY reserves the right, upon mutual agreement of the Parties to extend this Contract up to one (1) time, with each extension for a period of one (1) year. Such extensions shall be subject to the same terms and conditions, as stated herein.

11. **Subcontractors**. Any proposed subcontractors the CONTRACTOR wishes to utilize as part of its services shall be in accordance with the terms of the IFB.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto accepted, made, and executed this Contract upon the terms and conditions above stated, this 16th day of June, 2023.

CONTRACTOR

C-Squared Certified General Contractor, Inc.

1715 67th Avenue East

Sarasota, Florida 34243

By: _____

Print Name: Sean D'Agostino

Title: President

Witness for CONTRACTOR:

By: _____

CITY

City of Bradenton

1411 9th Street West

Bradenton, Florida 34205

By: _____

Gene Brown
Mayor, City of Bradenton

Witness for CITY:

By: _____

Tamara Melton
City Clerk

Approved as to Form:

By: _____

Scott Rudacille
City Attorney

Attachments

Exhibit A – IFB and Contractor's Response
Exhibit B - Standard Rate Schedule

AGENDA ITEM NO. 6.p

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Marcus Kerber, Purchasing

ITEM TYPE: Agreement

AGENDA SECTION: CONSENT AGENDA

SUBJECT: PB-20-041MK Extension Agreement with Thatcher Chemical of Florida, Inc.

SUGGESTED ACTION: Approve the Agreement for Mayor's signature.

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
This FIRST CONTRACT EXTENSION of PB-20-041MK (the "Extension"), is made this 14th day of June 2023, between the CITY OF BRADENTON and THATCHER CHEMICAL OF FLORIDA, INC. whereby Contractor was to provide the City with ammonium sulfate 40% and technical assistance.

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 Agreement PB-20-041MK with Thatcher Chemical of Florida.

ATTACHMENTS:
PB-20-041MK with Thatcher Chemical of Florida

First Contract Extension of PB-20-041MK between Thatcher Chemical of Florida, Inc. and the City of Bradenton

This FIRST CONTRACT EXTENSION of PB-20-041MK (the "Extension"), is made this 14th day of June 2023, 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 THATCHER CHEMICAL OF FLORIDA, INC., a for profit corporation (hereafter referred to as "Contractor), with a principal office located at 245 Hazen Road, DeLand, Florida 37720.

WITNESSETH:

WHEREAS, the City and Contractor entered into PB-20-041MK (the "Contract") on July 20, 2022, whereby Contractor was to provide the City with ammonium sulfate 40% and technical assistance;

WHEREAS, the Contract with the City provided for a one-year term, through July 20, 2023;

WHEREAS, the Contract allows the option to renew for four (4) additional one-year periods;

WHEREAS, the Parties desire to extend the term of the Contract for an additional one-year period to July 20, 2024;

WHEREAS, the City and the Contractor desire to make certain amendments to the Contract as indicated herein;

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.

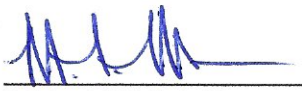
NOW, THEREFORE, the City and the Contractor, for and in consideration of the provisions, mutual promises, covenants and conditions hereinafter set forth or recited, agree as follows:

1. **Recitals**. The recitals in the WHEREAS clauses are incorporated by reference and made a part of this Extension.
2. **Amendments to the Contract**. The following provisions are hereby added to the Contract as follows, and such additional terms shall prevail over conflicting provisions of the Contract:
   a. Term. The Contract is hereby extended an additional one-year term, and the Contract shall now expire on July 20, 2024.
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 June, 2023.



Michael T. Mitchell, as President
Thatcher Chemical of Florida, Inc.

June 7, 2023
Date

Gene Brown
Mayor, City of Bradenton

Date

AGENDA ITEM NO. 6.q

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Nicholas Toth, Purchasing

ITEM TYPE: Agreement

AGENDA SECTION: CONSENT AGENDA

SUBJECT: PB-22-036NT Contract Extension with Kemira Water Solutions, Inc.

SUGGESTED ACTION: Approve agreement for Mayor's Signature

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
The first contract extension of PB-22-036NT made this 14th day of June 2023, between the CITY OF BRADENTON a municipal corporation of the State of Florida located at 101 Old Main Street, Bradenton, Florida 34205, and Kemira Water Solutions, Inc. with a principal office located at 3233 Delta Ave, Bartow, FL 33830. Providing the City with liquid ferric sulfate.

FINANCIAL IMPACT:
Included in the FY2022-23 Budget

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed and edited by Attorney Scott Rudacille.

SUGGESTED MOTION:
Motion to approve Extension Agreement PB-22-036NT with Kemira Water Solutions, Inc.

ATTACHMENTS:
PB-22-036NT with Kemira Water Solutions

First Contract Extension of PB-22-036NT between Kemira Water Solutions, Inc. and the City of Bradenton

This FIRST CONTRACT EXTENSION of PB-22-036NT (the "Extension"), is made this 14th day of June 2023, 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 Kemira Water Solutions, Inc. (hereafter referred to as "Contractor), with a principal office located at 3233 Delta Ave, Bartow, FL 33830.

WITNESSETH:

WHEREAS, the City and Contractor entered into PB-22-036NT (the "Contract") on May 10, 2022, whereby Contractor was to provide the City with liquid ferric sulfate;

WHEREAS, the Contract was a piggyback contract from a City of Tampa contract (the "Tampa Contract") with the Contractor;

WHEREAS, the Tampa Contract provided for an initial contract period of one year;

WHEREAS, the Contract with the City provided for a one-year term, through May 25, 2023;

WHEREAS, the Contract allows the option to renew for two (2) additional one-year periods;

WHEREAS, the Parties desire to extend the term of the Contract for an additional one-year period to April 6, 2024;

WHEREAS, the City and the Contractor desire to make certain amendments to the Contract as indicated herein;

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. **Amendments to the Contract**. The following provisions are hereby added to the Contract as follows, and such additional terms shall prevail over conflicting provisions of the Contract:

a. Term. The Contract is hereby extended an additional one-year term, and the Contract shall now expire on April 6, 2024.

b. Price. There shall be a CPI increase of 5% to the pricing included in the Contract.

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 June, 2023.

_____ 5/23/23

Christina M. Imbrogno, as Commercial Support Manager Date

Kemira Water Solutions, Inc.

_____ _____

Gene Brown Date

Mayor, City of Bradenton

_____ 05/22/2023

Jim McLellan, P.E., Director Date

Director of Public Works and Utilities, City of Bradenton

3827551v1

AGENDA ITEM NO. 6.r

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Marcus Kerber, Purchasing

ITEM TYPE: Agreement

AGENDA SECTION: CONSENT AGENDA

SUBJECT: PB-22-042MK Extension Agreement with Biosafe Solutions, LLC

SUGGESTED ACTION: Approve the Agreement for Mayor's signature.

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
This FIRST CONTRACT EXTENSION of PB-22-042MK (the "Extension"), is made this 14th day of June 2023, 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 BIOSAFE SYSTEMS, LLC, a foreign limited liability company to provide the City with sodium percarbonate algaecide.

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 Agreement PB-22-042MK with Biosafe Solutions.

ATTACHMENTS:
PB-22-042MK with Biosafe Systems

First Contract Extension of PB-22-042MK between Biosafe Systems, LLC and the City of Bradenton

This FIRST CONTRACT EXTENSION of PB-22-042MK (the "Extension"), is made this 14th day of June 2023, 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 BIOSAFE SYSTEMS, LLC, a foreign limited liability company (hereafter referred to as "Contractor), with a principal office located at 22 Meadow Street, East Hartford, CT 06108.

WITNESSETH:

WHEREAS, the City and Contractor entered into PB-22-042MK (the "Contract") on July 20, 2022, whereby Contractor was to provide the City with sodium percarbonate algaecide;

WHEREAS, the Contract with the City provided for a one-year term, through July 20, 2023;

WHEREAS, the Contract allows the option to renew for four (4) additional one-year periods;

WHEREAS, the Parties desire to extend the term of the Contract for an additional one-year period to July 20, 2024;

WHEREAS, the City and the Contractor desire to make certain amendments to the Contract as indicated herein;

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. **Amendments to the Contract**. The following provisions are hereby added to the Contract as follows, and such additional terms shall prevail over conflicting provisions of the Contract:
   a. Term. The Contract is hereby extended an additional one-year term, and the Contract shall now expire on July 20, 2024.
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 June, 2023.



06/06/2023

Thomas Warmuth, as Manager, Lake Pond and Municipal Waters Division — Date

Biosafe Systems, LLC

Gene Brown — Date

Mayor, City of Bradenton

AGENDA ITEM NO. 6.s

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Marcus Kerber, Purchasing

ITEM TYPE: Agreement

AGENDA SECTION: CONSENT AGENDA

SUBJECT: PB-22-045MK Extension Agreement with Palmdale Oil, LLC

SUGGESTED ACTION: Approve the Agreement for Mayor's signature.

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
This FIRST CONTRACT EXTENSION of PB-22-045MK (the "Extension"), is made this 14th day of June 2023, between the CITY OF BRADENTON and PALMDALE OIL COMPANY, LLC whereby Contractor was to provide the City with gas and diesel fuel.

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 Agreement PB-22-045MK with Palmdale Oil, LLC

ATTACHMENTS:
PB-22-045MK with Palmdale Oil

First Contract Extension of PB-22-045MK between Palmdale Oil Company LLC and the City of Bradenton

This FIRST CONTRACT EXTENSION of PB-22-045MK (the "Extension"), is made this 14th day of June 2023, 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 PALMDALE OIL COMPANY LLC, a for profit company (hereafter referred to as "Contractor), with a principal office located at 120 South Parrott Ave, Okeechobee, FL 34974.

WITNESSETH:

WHEREAS, the City and Contractor entered into PB-22-045MK (the "Contract") on July 20, 2022, whereby Contractor was to provide the City with gas and diesel fuel;

WHEREAS, the Contract with the City provided for a one-year term, through July 20, 2023;

WHEREAS, the Contract allows the option to renew for five (5) additional one-year periods;

WHEREAS, the Parties desire to extend the term of the Contract for an additional one-year period to July 20, 2024;

WHEREAS, the City and the Contractor desire to make certain amendments to the Contract as indicated herein;

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. **Amendments to the Contract**. The following provisions are hereby added to the Contract as follows, and such additional terms shall prevail over conflicting provisions of the Contract:
   a. Term. The Contract is hereby extended an additional one-year term, and the Contract shall now expire on July 20, 2024.
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 June, 2023.

A Chatham, as President — 6/7/2023

Palmdale Oil Company LLC — Date

Gene Brown
Mayor, City of Bradenton — Date

AGENDA ITEM NO. 6.t

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Nicholas Toth, Purchasing

ITEM TYPE: Agreement

AGENDA SECTION: CONSENT AGENDA

SUBJECT: RFP #22-031NT Disaster Debris Collection Extension with DRC Emergency Services, LLC

SUGGESTED ACTION: Approve agreement for Mayor's Signature

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
This contract extension of RFP #22-031NT is made this 14th day of June 2023, between the CITY OF BRADENTON, a municipal corporation of the State of Florida located at 101 Old Main Street, Bradenton, Florida 34205, and DRC EMERGENCY SERVICES, LLC, an Alabama limited liability company, with a principal office located at 500 South Australian Ave, Suite 600, West Palm Beach, FL 33401 for Disaster Debris Collection Services.

FINANCIAL IMPACT:
Included in the FY2022-23 Budget.

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed and edited by Attorney Scott Rudacille.

SUGGESTED MOTION:
Motion to approve extension agreement RFP #22-031NT with DRC Emergency Services.

ATTACHMENTS:
RFP #22-031NT Extension with DRC Emergency Services

Contract Extension of RFP #22-031NT between DRC Emergency Services, LLC and the City of Bradenton

This CONTRACT EXTENSION of RFP #22-031NT (the "Extension"), is made this 14th day of June 2023, 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 DRC EMERGENCY SERVICES, LLC, an Alabama limited liability company (hereafter referred to as "Contractor"), with a principal office located at 500 South Australian Ave, Suite 600, West Palm Beach, FL 33401.

WITNESSETH:

WHEREAS, the City and Contractor entered into a contract in response to RFP #22-031NT (the "Contract") on July 20, 2022, whereby Contractor was to provide the City with disaster debris removal services, as more specifically described in Contractor's response to RFP #22-031NT;

WHEREAS, the term of the Contract ends on July 20, 2023; however, the Contract allows the option to renew for four (4) additional one-year periods;

WHEREAS, the City and the Contractor desire to exercise the option to extend the term of the Contract one year to July 20, 2024;

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.

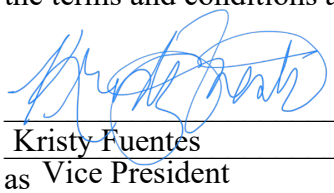
2. **Extension of the Term of the Contract.** The Contract is hereby extended to July 20, 2024.

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 June, 2023.



Kristy Fuentes — 06/06/2023

Kristy Fuentes — Date

as Vice President, of DRC Emergency Services, LLC

Gene Brown — Date

Mayor, City of Bradenton

Robert Perry — Date

City Administrator, City of Bradenton

AGENDA ITEM NO. 6.u

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Jim McLellan, Public Works & Utilities

ITEM TYPE: Miscellaneous

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Quit Claim Deed for Transfer of Retention Pond

SUGGESTED ACTION: Approval

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
As part of the Preserve at Riverwalk development, a stormwater retention pond was constructed on a City-owned parcel on the west side of 10th Street East. The pond was designed and constructed to include capacity for stormwater retention associated with the City's Glazier Gates II park. Ultimately, the park design and construction did not require the use of any capacity within the stormwater pond. As the Preserve at Riverwalk is the sole user of the pond and is responsible for operation and maintenance of the pond, a means to formally establish the maintenance requirements is necessary for the SWFWMD Environmental Resource Permit. The purpose of this Quit Claim Deed is to transfer the property on which the pond is situated to the current owners of the Preserve at Riverwalk development. This is in lieu of adopting a formal maintenance agreement with the Preserve owners and relieves the City of any ongoing liability related to the pond.

FINANCIAL IMPACT:
None

ATTORNEY REVIEW/RECOMMENDATION:
City Attorney has reviewed

SUGGESTED MOTION:

Motion to approve the Quit Claim Deed for Parcel ID: 3218300059.

ATTACHMENTS:
Quit Claim Deed for Parcel ID: 3218300059

Prepared by and Return to:
Ryan T. Harris, Esq.
Blalock Walters, P.A.
802 11th Street West
Bradenton, Florida 34205
File: 41324.000

DOCUMENTARY STAMPS IN
THE AMOUNT OF $0.70
ARE AFFIXED HERETO.

This instrument and conveyance represents a transfer of unencumbered real property for which no consideration has been paid, and therefore, only nominal documentary stamp tax is due thereon.

QUIT CLAIM DEED

This Quit Claim Deed made this ____ day of June, 2023, by and between **City of Bradenton, a municipal corporation of the State of Florida**, whose address is 101 Old Main Street West, Bradenton, Florida 34205, hereinafter called the "Grantor", and **360 11th Street Owner LLC, a Delaware limited liability company**, whose address is 2002 N. Tampa Street, Suite 101, Tampa, Florida 33602, hereinafter called the "Grantee":

(Whenever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, trusts, and trustees).

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten and 00/100 Dollars ($10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby remises, releases, and quitclaims to the Grantee, and the Grantee's heirs and assigns forever, all the right, title, interest, claim, and demand that the Grantor has in and to the following described land, situate, lying, and being in Manatee County, Florida, to-wit:

See Exhibit "A" attached hereto.

Parcel ID: 3218300059

SUBJECT TO taxes for the year of 2023 and subsequent years, and zoning and other prohibitions and regulations imposed by governmental authorities, and valid reservations, restrictions, and easements of record.

TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the Grantor, either in law or equity, for the use, benefit, and profit of the Grantee forever.

THIS DOCUMENT PREPARED WITHOUT EXAMINATION OF TITLE AND WITHOUT ISSUANCE OF A POLICY OF TITLE INSURANCE.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed, and delivered in our presence:

_____

Print Name: _____

_____

Print Name: _____

City of Bradenton,
a municipal corporation of the State of Florida

_____
Gene Brown, Mayor

ATTEST:

_____
Tamara Melton, City Clerk

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me by means of [_] physical presence or [_] online notarization, on this ____ day of June, 2023, by Gene Brown, the Mayor of the City of Bradenton, a municipal corporation of the State of Florida, on behalf of the municipal corporation,

□ who is personally known to me,
□ who has produced _____ as identification.

My Commission Expires:

_____
Signature

_____
Print Name

NOTARY PUBLIC - STATE OF FLORIDA

Exhibit "A"
Legal Description of the Property

A PORTION OF LOTS 22 AND 25 OF THE SUBDIVISION OF THE WEST 1/2 OF THE SE 1/4 OF SECTION 25 PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 84 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE WITNESS CORNER OF THE NW 1/4 OF THE SE CORNER OF SAID SECTION 25, AS DESCRIBED IN CERTIFIED CORNER RECORD #107036; THENCE RUN SOUTH, ALONG THE WEST BOUNDARY LINE OF SAID SOUTHEAST 1/4, FOR A DISTANCE OF 558.65 FEET; THENCE DEPARTING SAID WEST BOUNDARY LINE, RUN EAST, FOR A DISTANCE OF 145.82 FEET TO THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING, THENCE RUN NORTH 01°11'55" EAST, FOR A DISTANCE OF 318.27 FEET; THENCE RUN SOUTH 88°48'05" EAST, FOR A DISTANCE OF 107.50' FEET TO THE WEST RIGHT-OF-WAY LINE OF 10TH STREET EAST; THENCE RUN SOUTH 01°11'55" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, FOR A DISTANCE OF 318.36 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE OF 10TH STREET EAST, RUN NORTH 88°48'05" WEST, FOR A DISTANCE OF 107.50 FEET, TO THE POINT OF BEGINNING.

SECTION 25 – TOWNSHIP 34 SOUTH – RANGE 17 EAST
MANATEE COUNTY – FLORIDA

BOUNDARY SURVEY

ADDRESS:
208 10TH STREET EAST
BRADENTON, FLORIDA 34208

1" = 20' GRAPHIC SCALE
0 10' 20' 40'
GRID NORTH

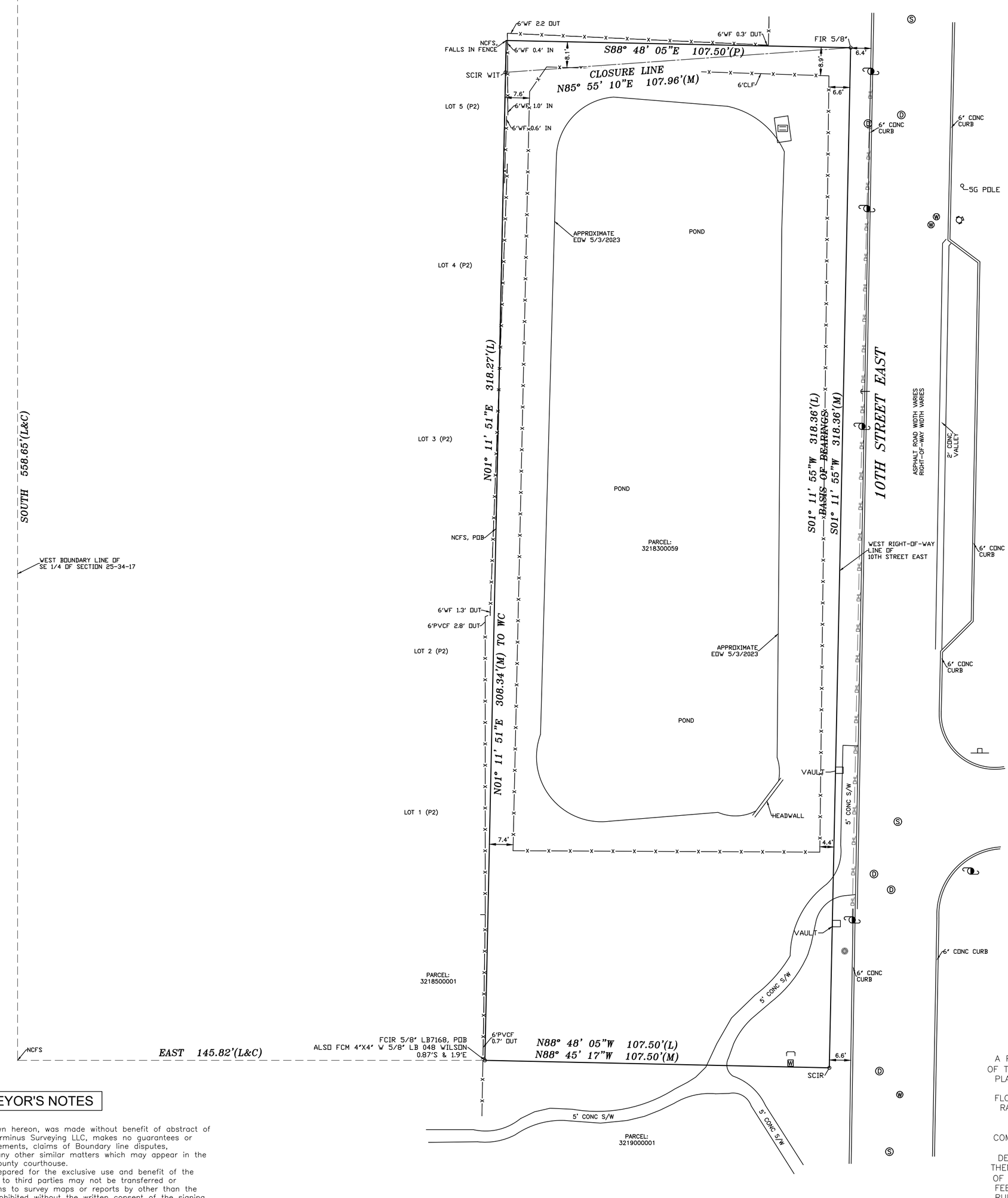
Legend of Symbols & Abbreviations

GENERAL:
(C) CALCULATED
(F) FIELD
(L) LEGAL DESCRIPTION
(M) MEASURED
(P) PLAT
ASP ASPHALT
BC BUILDING CORNER
BWF BARBED-WIRE FENCE
CAMP CAMPHOR
CB CHORD BEARING
CCR CERTIFIED CORNER RECORD
CONC CONCRETE
CLF CHAIN LINK FENCE
COV COVERED
D/W DRIVEWAY
EOP EDGE OF PAVEMENT
EOW EDGE OF WATER
EL ELEVATION
EM ELECTRIC METER
(P2) HT GLAZIER (PB 2, PG 100)

FCG F-TYPE CURB & GUTTER
FCIP FOUND CAPPED IRON PIPE
FCIR FOUND CAPPED IRON ROD
FCM FOUND CONCRETE MONUMENT
FDOT FLORIDA DEPARTMENT OF TRANSPORTATION
FFE FINISHED FLOOR ELEVATION
FIP FOUND IRON PIPE
FIR FOUND IRON ROD
FND FOUND NAIL & DISC
FRRS FOUND RAILROAD SPIKE
FX FOUND X-CUT IN CONCRETE
GFFE GARAGE FINISHED FLOOR ELEVATION
ILL ILLEGIBLE
LB LICENSED BUSINESS
MES MITERED END SECTION
NCFS NO CORNER FOUND OR SET
O/A OVERALL
OHL OVERHEAD UTILITY LINE
ORB OFFICIAL RECORDS BOOK
WC WITNESS CORNER

PA PROPERTY APPRAISER
PB PLAT BOOK
PC POINT OF CURVATURE
PCP PERMANENT CONTROL POINT
PG PAGE
PLS PROFESSIONAL LAND SURVEYOR
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
PRM PERMANENT REFERENCE MONUMENT
PSM PROFESSIONAL SURVEYOR AND MAPPER
PVCF VINYL FENCE
RLS REGISTERED LAND SURVEYOR
R/W RIGHT-OF-WAY
SCIR SET CAPPED IRON ROD (1/2" LB 8207
S.F. SQUARE FEET
SND SET NAIL & DISK (LB 8207)
S/W SIDEWALK
TBM TEMPORARY BENCHMARK
TOB TOP OF BANK
TYP TYPICAL
UNK UNKNOWN

AC AIR CONDITIONER
BACKFLOW PREVENTER
BENCHMARK
BOLLARD
CENTER LINE
CO CLEANOUT
COVERED AREA
(D) DRAINAGE MANHOLE
(E) ELECTRIC BOX
FDC FIRE DEPARTMENT CONNECTION
FIRE HYDRANT
GAS PUMP
GAS VALVE
GUY ANCHOR
GRATE INLET
HANDICAP PARKING
LID (METAL)
LIGHT POLE
MITERED END SECTION
MW MONITORING WELL
PAINT MARK
RECLAIMED WATER METER
RW RECLAIMED WATER VALVE
SEWER VALVE
(S) SANITARY MANHOLE
SIGN
× 35.7' SPOT ELEVATION
SLB STREET LIGHT BOX
(T) TELEPHONE BOX
TSB TRAFFIC SIGNAL BOX
TRANSFORMER
UTILITY POLE
UTILITY RISER
V VERIZON BOX
W WATER METER
WATER VALVE
WELL
YD YARD DRAIN
YARD LIGHT
NOT TO SCALE



SURVEYOR'S NOTES

1. The Boundary Survey as shown hereon, was made without benefit of abstract of Title. The undersigned and Terminus Surveying LLC, makes no guarantees or representations regarding easements, claims of Boundary line disputes, agreements, reservations or any other similar matters which may appear in the public records of the local county courthouse.
2. This Boundary Survey was prepared for the exclusive use and benefit of the parties listed hereon. Liability to third parties may not be transferred or assigned. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without the written consent of the signing party or parties.
3. Additions or deletions to survey map or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
4. This Boundary Survey does not depict ownership. The purpose of this Boundary Survey is to establish the perimeter Boundary lines of the land or lands described in the legal description as shown on this Boundary Survey and is not to establish ownership.
5. Boundary Surveys by no means represent a determination on whether properties will or will not flood. The Land within the Boundaries of this Boundary may or may not be subject to flooding. The local County/City Building Department has information regarding flooding and restrictions on development.
6. No underground foundations, installations or improvements have been located except as shown.
7. There are no visible encroachments other than shown.
8. Ownership of fences were not verified at time of survey.
9. All measurements are in feet and tenths, unless otherwise noted.
10. Mean high water line was not determined at time of survey. (only applicable when abutting bodies of water)
11. BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE EAST BOUNDARY LINE OF SUBJECT PROPERTY, HAVING A GRID BEARING OF S01° 11' 55"W THE GRID BEARINGS AS SHOWN HEREON REFER TO THE STATE OF FLORIDA PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM, 1983 ADJUSTED 2013 (FLORIDA WEST ZONE)
12. BOUNDARY SURVEY PERFORMED WITHOUT BENEFIT OF TITLE.
13. THE WORD "CERTIFY" IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL JUDGMENT BY THE SURVEYOR, WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF.
14. THE FINDINGS AND OPINIONS OF LANDCO, L.P. REFLECTED HEREON ARE PRIVILEGED, CONFIDENTIAL AND INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY FOR WHOM THIS WORK WAS PREPARED, IT IS UNDERSTOOD THAT THE USE OF, RELIANCE ON, OR REPRODUCTION OF SAME, IN WHOLE OR IN PART, BY OTHERS WITHOUT THE EXPRESS WRITTEN CONSENT OF LANDCO, L.P. IS PROHIBITED AND WITHOUT WARRANTY, EXPRESS OR IMPLIED. LANDCO, L.P. SHALL BE HELD HARMLESS AGAINST DAMAGES OR EXPENSES RESULTING FROM SUCH UNAUTHORIZED USE, RELIANCE OR REPRODUCTION. COPYRIGHT 2023. ALL RIGHTS RESERVED.
15. THE DESCRIBED PROPERTY FORMS A MATHEMATICALLY CLOSED FIGURE AND IS CONTIGUOUS WITH THE ADJOINING PUBLIC RIGHT-OF-WAY AND/OR ADJOINING PARCELS WITH NO OVERLAPS, GAPS OR GORES.
16. SURVEY IS CERTIFIED FOR THIS REAL ESTATE TRANSACTION ONLY AND NOT FOR FUTURE PURCHASES OR REAL ESTATE TRANSACTIONS OTHER THAN THOSE RELATED TO SALE OR TRANSFER OF THE NOTE EITHER BY PURCHASE OR OPERATION OF LAW TO THE SUCCESSORS AND/OR ASSIGNS AS IDENTIFIED IN THE CERTIFICATION.

LEGAL DESCRIPTION
(PROVIDED BY TERMINUS SURVEYING)

A PORTION OF LOTS 22 AND 25 OF THE SUBDIVISION OF THE WEST 1/2 OF THE SE 1/4 OF SECTION 25 PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 84 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTION 25, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

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CERTIFIED TO:

- 360 11TH STREET OWNER LLC
- JOHNSON POPE BOKOR RUPPLE & BURNS, LLP

THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND COMPLIES WITH THE STANDARDS OF PRACTICES AS SET FORTH IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE. PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

THE FIELD WORK WAS COMPLETED ON: 5/3/2023

DATE OF PLAT OR MAP: 5/5/2023

_____
MICHAEL P. MOONEY
Professional Surveyor & Mapper #3930
THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA SURVEYOR & MAPPER.

FLOOD NOTE:

PROPERTY LIES WITHIN FLOOD ZONES "AE", ACCORDING TO F.I.R.M. MAP NO. 12081C0306F, DATE 08/10/21. BY GRAPHING PLOTTING ONLY, WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.
BEFORE ANY DEVELOPMENT PLANNING, DESIGN, OR CONSTRUCTION IS STARTED, THE COMMUNITY, CITY AND COUNTY IN WHICH SUBJECT TRACT EXISTS SHOULD BE CONTACTED. SAID ENTITIES MAY IMPOSE LARGER FLOOD PLAIN AND FLOODWAY AREAS THAN SHOWN BY F.I.R.M. MAPS THAT WILL AFFECT DEVELOPMENT.

ALTA\NSPS LAND TITLE SURVEY

JOB #: 230471
DRAWN BY: CBG
FIELD CREW: JMD
FIELD DATE: 5/3/2023
REVIEWED BY: JSM
BOOK: T65 PAGE: 60

PREPARED BY:

TERMINUS SURVEYING LLC.
2752 Jason Street
Tampa, Florida 33619
(813) 681-4481
www.TerminusSurveying.com
FrontDesk@TeamTerminus.com
COPYRIGHT 2023 BY TERMINUS SURVEYING, LLC. LICENSE BUSINESS 8207

ADDRESS: 208 10TH STREET EAST
MANATEE, FLORIDA 34208

REVISIONS:
NO. DATE DESCRIPTION

NAME: City of Brandenton Retention Pond

JOB NO: 23-9222 DATE: 5/5/2023 SCALE: 1" = 20'

LANDCO, L.P.
11281 RICHMOND, BLDG. J SUITE 105, HOUSTON, TEXAS 77082
OFFICE (281) 556-1202
INFO@LANDCOSERVICES.COM
Copyright 2023 Landco, L.P.
Firm Number: 10045300

AGENDA ITEM NO. 7.a

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Corey Fortin, City Administration

ITEM TYPE: Ordinance

AGENDA SECTION: BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

SUBJECT:

ORDINANCE 4011 - FIRST READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 22, ARTICLE III, OF THE CODE OF ORDINANCES, ENTITLED "VACATION RENTALS;" AMENDING SECTION 22-51, TO AMEND THE DEFINITION OF "VACATION RENTAL;" AMENDING SECTION 22-52(a) TO EXTEND THE DEADLINE FOR OBTAINING A CERTIFICATE OF REGISTRATION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION: No action is requested at this meeting. This is the required first reading of the Ordinance. The second reading and public hearing is scheduled for July 26, 2023.

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
On February 9, 2022 Ordinance No. 3093 was passed by City Council to regulate Short Term Vacation Rentals operating within the City of Bradenton. On July 20,

2022 Ordinance No. 4001 was adopted to clarify and streamline the registration process. Due to delays in the implementation of the Host Compliance registration system, short term vacation rental owners have been unable to comply with the registration deadline of January 31, 2023. Additionally, it has been determined that it is in the best interests of the City that the exclusion of condominiums be removed in order to ensure the safety of renters of said short term rental condominium units, and surrounding unit owners.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed and approved.

SUGGESTED MOTION:
No action is requested at this meeting. This is the required first reading of the Ordinance. The second reading and public hearing is scheduled for July 26, 2023.

ATTACHMENTS:
Ordinance 4011

ORDINANCE NO. 4011

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 22, ARTICLE III, OF THE CODE OF ORDINANCES, ENTITLED "VACATION RENTALS;" AMENDING SECTION 22-51, TO AMEND THE DEFINITION OF "VACATION RENTAL;" AMENDING SECTION 22-52(a) TO EXTEND THE DEADLINE FOR OBTAINING A CERTIFICATE OF REGISTRATION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 22, Article III, of the City's Code of Ordinances provides for regulation of vacation rentals located within Bradenton City limits; and

WHEREAS, the definition of *vacation rental* contained in Section 22-51 currently excludes condominiums with three units or more; and

WHEREAS, the City has determined that condominiums with three units or more should not be excluded from the vacation rental regulations; and

WHEREAS, Section 22-52(a) currently sets forth a deadline for vacation rental owners to obtain a certificate of registration no later than January 1, 2023; and

WHEREAS, the City wishes to extend the deadline for obtaining a certificate of registration to September 30, 2023 as there was a delay in implementation of the registration process on the part of the City of Bradenton and this extension would allow vacation rental owners adequate time to complete the registration process; and

WHEREAS, the City Council for the City of Bradenton believes it is in the City's best interests to make these revisions to its Code of Ordinances.

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

Section 1. Legislative Findings. The above Whereas clauses are hereby adopted as legislative findings of the City Council in support of the ordinance.

Section 2. Amended Code Language.

A. Chapter 22, Article III, Section 22-51, of the Code of Ordinances shall be revised to read in its entirety as follows:

Sec. 22-51 – Definitions.

For purposes of this Article, the following terms, words and phrases shall have the meaning set forth in this Article. Whenever applicable, the singular shall include the plural.

(a) *Bedroom* means any room in a vacation rental that contains a minimum of one hundred (100) square feet; which has a bed or other place for sleeping; and which has either a separate closet that is an integral part of the permanent construction within the bedroom or an en suite bathroom. This definition does not include a bathroom, a kitchen, a dining area or any main living area. If a room has been added, altered or converted without required building permits having been issued, such room shall not be deemed a bedroom.

(b) *Certificate of Registration* means the document that is issued by the City in accordance with Sec. 22-53 to show that the vacation rental described on the certificate is currently registered with the City as required by Sec. 22-52.

(c) *Designated Responsible Party* means the owner of a vacation rental or a natural person who has been designated by the owner to be called upon to answer for the maintenance of the vacation rental property and to respond to inquiries or complaints regarding the conduct of the occupants of the vacation rental and their guests as provided in Sec. 22-64.

(d) *Guest* means any person physically within the vacation rental or on its grounds with the knowledge of an occupant.

(e) *Maximum Occupancy* means the maximum number of persons who may be occupants of a vacation rental at the same time.

(f) *Occupant* means any person who occupies a vacation rental overnight.

(g) *Owner or Vacation Rental Owner* means a natural person or legal entity holding all or a portion of the fee simple title to a vacation rental, whether an individual, partnership, corporation, limited liability company, trust, or other entity. In the event that the vacation rental owner is not an individual, each and every person who owns an equitable interest in the vacation rental shall be considered an Owner.

(h) *Owner Occupied* means a vacation rental that is the primary and permanent residence of the owner of the property.

(i) *Pre-existing Rental Agreement* means a written agreement with prospective occupants allowing them to stay in a vacation rental which agreement was fully executed as of the effective date of this Article.

(j) *Vacation Rental* shall have the meaning as defined in Chapter 509, Florida Statutes, as may be amended~~, except that for purposes of this Ordinance, condominiums with three units or more shall be excluded from the definition of *vacation rental* and, thereby, excluded from the provisions of this Ordinance.~~

B. Chapter 22, Article III, Section 22-52, of the Code of Ordinances shall be revised to read in its entirety as follows:

Sec. 22-52. - Mandatory registration.

(a) No Vacation Rental shall be rented or offered for rent without a current valid Certificate of Registration. Failure to possess a current valid Certificate of Registration while renting or occupying a Vacation Rental is a violation of this Section. Every Vacation Rental Owner, either personally, or through an agent, shall apply to the City for an initial Certificate of Registration, utilizing forms promulgated by the City by no later than August 1, 2022, and shall obtain a Certificate of Registration by no later than ~~January~~ December 31, 2023. Every Vacation Rental Owner, either personally or through an agent, shall apply to the City for a renewed Certificate of Registration, utilizing forms promulgated by the City, each successive year thereafter, and shall be filed with the City a minimum of ninety (90) days prior to the expiration of the Certificate of Registration. A separate Certificate of Registration shall be required for each Vacation Rental. The operation of a Vacation Rental without a Certificate of Registration after ~~January~~ December 31, 2023, shall be a violation of this Section. Every day of such operation without registration shall constitute a separate violation.

(b) An application for a Certificate of Registration shall contain a statement from the Vacation Rental Owner, under penalty of perjury, that the Owner represents that the information provided on the application and the information submitted with the application is true and accurate to the best of the Owner's knowledge and belief. The application shall be accompanied by the following materials and information:

(1) A completed application for Vacation Rental Certificate of Registration form supplied by the City. At a minimum, the application form shall include the street address of the Vacation Rental, the legal description of the property on which the Vacation Rental is located; the name, address, electronic mail address and telephone number of the vacation rental owner(s); and the name, address, electronic mail address and telephone number of the Designated Responsible Party if different from the owner.

(2) Proof of current ownership of the Vacation Rental property.

(3) Payment of the annual registration fee.

(4) A form supplied by the City entitled "Designation of Responsible Party" signed by the Owner of the Vacation Rental or authorized representative, naming a Designated Responsible Party who shall have the duties listed in Sec. 22-63. The Vacation Rental Owners may appoint himself or herself as the Designated Responsible Party or shall otherwise designate someone to act as the Designated Responsible Party on his or her behalf.

(5) A written acknowledgement form signed by the Designated Responsible Party acknowledging that he or she is aware of the provisions of this Article and that he or she agrees to serve in the capacity of Designated Responsible Party for the Vacation Rental being registered and that he or she agrees to discharge the duties of a Designated Responsible Party as set forth in Sec. 22-63.

(6) A copy of the business tax receipt showing payment of the City of Bradenton local business tax for the Vacation Rental for the current fiscal year or other proof of payment.

(7) Evidence that the Vacation Rental has a current and active account with the Manatee County Tax Collector for the purposes of collecting and remitting tourist development taxes and any other taxes required by law to be remitted to the Manatee County Tax Collector.

(8) A copy of a current and active license for the Vacation Rental issued by the State of Florida Department of Business and Professional Regulation showing that the Vacation Rental is licensed as a transient public lodging establishment.

(9) A copy of the current and active Certificate of Registration with the State of Florida Department of Revenue for the Vacation Rental showing that the Vacation Rental is registered for the purposes of collecting and remitting sales taxes, transient rental taxes and any other taxes required by law to be submitted to the Florida Department of Revenue.

(10) The number of Bedrooms in the Vacation Rental.

(11) The number of full bathrooms (sink, toilet, and bathtub or shower) in the Vacation Rental.

(12) The square footage of temperature-controlled living space within the Vacation Rental.

(13) An exterior site sketch of the Vacation Rental facility. The sketch shall show and identify all structures, pools, hot tubs, spas, fencing and uses, including areas provided for off street parking. For purposes of the sketch, off street parking spaces shall be delineated as to enable a fixed count of the number of spaces provided in accordance with Sec. 22-62. At the option of the Vacation Rental Owner, such sketch may be hand drawn and need not be professionally prepared, but shall be sufficient for staff to determine compliance with this Article. Photographs of the exterior of the site may be submitted in lieu of a sketch, provided such photographs shall be sufficient for staff to determine compliance with this Article.

(14) An interior building sketch for each floor in the Vacation Rental showing the floor plan layout and identifying all bedrooms, other rooms, exits, hallways and stairways and elevators as may be applicable. At the option of the Vacation Rental Owner, such sketch may be hand drawn and need not be professionally prepared, but shall be sufficient for staff to determine compliance with this Article. Photographs of the interior of the building may be submitted in lieu of a sketch, provided such photographs shall be sufficient for staff to determine compliance with this Article.

(15) A blank sample of the rental lease agreement to be used for the Vacation Rental.

(16) An affidavit executed by the Owner on a form provided by the City, representing that he or she is aware of the City of Bradenton rules regulating Vacation Rentals.

(17) If the application for registration is being submitted on behalf of the Owner of the property by his or authorized representative, a letter of authorization from the Owner representing that the representative is authorized to act on his or her behalf.

(18) A copy of all Pre-existing Rental Agreements for the Vacation Rental.

(19) Any other information which may be reasonably requested by the City to verify compliance with the terms of this Article.

(c) Submission of an incomplete application for registration or a submission not accompanied by all of the applicable requirements of this Section shall result in rejection of the application. If the submission for registration is incomplete, the applicant shall be notified of the deficiencies and shall be allowed twenty (20) calendar days to provide any missing information, to pay any unpaid registration or inspection fees, or to address code compliance

penalties. If the missing information is not provided or fees or penalties not paid within the twenty (20) day period, the application shall be deemed withdrawn. If the information is timely provided and any delinquent fees are timely paid, the application shall be processed.

Section 3. Codification. The City Clerk shall ensure that this Ordinance be submitted for codification of the language 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 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. This Ordinance shall take effect as provided by Florida law.

FIRST READING	June 14, 2023
PUBLICATION DATE	
SECOND READING	July 26, 2023

PASSED AND DULY ADOPTED, BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, with a quorum present and voting, this ____, day of _____, 2023.

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: June 14, 2023

SUBMITTED BY: Rob Perry, City Administration

ITEM TYPE: Miscellaneous

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

SUBJECT: Code Enforcement Initiatives

SUGGESTED ACTION: N/A

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
This brief discussion will provide an update on the status of certain Code Enforcement complaints.

SUGGESTED MOTION:
N/A

ATTACHMENTS:

AGENDA ITEM NO. 8.b

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: June 14, 2023

SUBMITTED BY: Rob Perry, City Administration

ITEM TYPE: Agreement

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

SUBJECT: Interlocal Agreement with Manatee County regarding Water Taxi Dockage

SUGGESTED ACTION: Approval

Is this item Quasijudicial?
No

Does this item require a public hearing?
No

EXPLANATION:
Manatee County representatives are developing a plan to provide water taxi service between unincorporated Manatee County, the City of Bradenton, the Anna Maria City Pier, and the Bradenton Beach Pier. Manatee County determined it is in the best interest of the public and residents to utilize the Riverwalk Park Day Dock for dockage of the water taxi. Because the City is the legal owner of the Riverwalk Park Day Dock, the Interlocal Agreement will provide the County and its water taxi operator a license to use the dock.

FINANCIAL IMPACT:
TBD - The cost of ADA improvements, permits or studies required for dockage of the water taxi vessel or for the related upland property of the Dock shall be the responsibility of Manatee County or its contractor. Following the completion of the improvements and acceptance by the City, subsequent maintenance costs for the dock will be the responsibility of the City.

ATTORNEY REVIEW/RECOMMENDATION:
Attorney Rudacille reviewed and edited the interlocal agreement.

SUGGESTED MOTION:
Interlocal Agreement with Manatee County regarding water taxi dockage.

ATTACHMENTS:
Interlocal Agreement with Manatee County - Final

INTERLOCAL AGREEMENT BETWEEN THE CITY OF BRADENTON AND MANATEE COUNTY REGARDING WATER TAXI DOCKAGE

THIS INTERLOCAL AGREEMENT ("Agreement" or "Interlocal Agreement") is made and entered into as of the _____ day of _____, 2023, by the CITY OF BRADENTON, a Florida municipal corporation ("hereinafter referred to as "City"), the MANATEE COUNTY, a political subdivision of the State of Florida, ("hereinafter referred to as "County").

WITNESSETH:

WHEREAS, Section 163.01, *Florida Statutes*, the "Florida Interlocal Cooperation Act", permits the County and City to enter into this Interlocal Agreement to exercise the powers, privileges and authority which they share in common and which each might exercise separately in order to make the most efficient use of their powers; and

WHEREAS, the City is the legal owner of the dockage and related upland property known as the Riverwalk Park Day Dock (hereinafter referred to as "Dock"); and

WHEREAS, nothing in this Agreement shall be construed as relinquishing any of the City's ownership interest in, or control of, the Dock; and

WHEREAS, Manatee County is developing a plan to provide water taxi service between unincorporated Manatee County, the City of Bradenton, the Anna Maria City Pier and the Bradenton Beach Pier (the "Water Taxi"); and

WHEREAS, the City wishes to participate in the County's provision of Water Taxi services by providing the County and its Water Taxi Operator with a license to the Dock, subject to the terms described herein; and

WHEREAS, the purposes of the Water Taxi are:

- To relieve automobile congestion coming to and from the island, and
- To provide an alternative and affordable means of public transportation to and from the island for Manatee County visitors, residents and service workers; and

WHEREAS, the City and the County have determined that it is in the best interest of the public and of the residents of the County and the City, to allow dockage of the Water Taxi on the Dock; and

WHEREAS, the City affirms that the Dock constitutes a zoological park, fishing pier, or nature center that is (1) a recreational amenity for tourists, and (2) is used by tourists as an access point to nature activities and opportunities and the County's public beaches.

NOW THEREFORE, in consideration of the premises set forth hereinabove, the terms of which are incorporated herein, the mutual promises herein set forth, the sufficiency and adequacy

of which are hereby acknowledged, the parties hereto, intending to be legally bound hereby, agree as follows:

Section 1. Recitals.

The foregoing Whereas clauses are accurate, are incorporated herein by reference, and are made a part hereof.

Section 2. Authority.

This Agreement is entered into pursuant to the provisions of the Florida Interlocal Cooperation Act, Section 163.01, Florida Statutes, and shall be filed with the Clerk of the Circuit Court of Manatee County upon its adoption by the parties.

Section 3. Terms and Conditions.

a. The Water Taxi route shall include service between the Dock and the Anna Maria and Bradenton Beach Piers on every regular scheduled day of operation, coming and going, weather permitting. Elimination of any of the above-described points of service by the County or termination of access to the Dock by the City constitutes grounds for termination of this Interlocal Agreement.

b. Prior to the commencement of Water Taxi services to the Dock, the County shall ensure that the Dock is ADA accessible for Water Taxi service to the public, including constructing any ADA improvements that may be required. The cost of ADA improvements, permits or studies required for dockage of the Water Taxi vessel or for the related upland property of the Dock shall be the responsibility of Manatee County or its contractor. Following installation of ADA improvements and acceptance by the City, subsequent maintenance and the cost thereof for the Dock shall remain the responsibility of the City.

c. The County will indemnify and hold harmless the City for the operation of the Water Taxi service, including indemnifying and holding harmless due to negligence or intentional acts caused by the Water Taxi operator. General liability due to negligence or intentional acts related to the Pier and the surrounding upland property, however, shall remain the responsibility of the City. Nothing herein shall constitute a waiver of sovereign immunity that the County or the City are entitled to under Section 768.28, *Florida Statutes*.

d. The County shall provide a detailed plan ("Plan") to the Bradenton City Council for approval, which plan shall at a minimum describe the proposed landing area on the Dock, any required ADA-related modifications or improvements, and the estimated cost thereof. Upon approval by the City Council, such plan will be incorporated herein as Exhibit "A." Any improvements required under such plan shall be subject to applicable permitting requirements of the City.

e. The County shall be responsible for the costs of creating and ADA-compliant dockage and related upland areas for the Water Taxi and invitees' use of the Pier. Subsequent maintenance of the Pier shall remain the City's responsibility.

f. The County's obligations hereunder are subject to annual budgeting and appropriation of legally available funds by the Manatee Board of County Commissioners.

Section 4. Term.

The term of this Agreement shall commence upon the execution of this Agreement by the parties and the recording of the Agreement in the Official Records of Manatee County, and shall thereafter continue concurrently with the term of the Operating Agreement between the Water Taxi Operator and Manatee County, attached hereto and incorporated herein as Exhibit "B," unless terminated earlier by one or more of the parties hereto pursuant to Sec. 6(i) herein.

Section 5. Notices.

All notices required under this Agreement shall be in writing and shall be deemed given in the following circumstances: when personally delivered; or three (3) business days after being deposited in the United States Mail, postage prepaid, certified or registered; or the next business day after being deposited with a recognized overnight mail or courier delivery service; or when transmitted by facsimile or telecopy transmission, with receipt acknowledged upon transmission; and addressed as follows (or to such other person or at such other address, of which any party hereto shall give written notice as provided herein):

If to City of Bradenton:
Tamara Melton, City Clerk
City of Bradenton
101 Old Main Street West
Bradenton, Florida 34206
(941) 932-9461
Email: cityclerk@cityofbradenton.com

To the County:
Executive Director
Manatee County Convention and Visitors Bureau
P.O. Box 1000
Bradenton, FL 34206
(941) 729-9177
(941) 729-1820 (fax)

With copies to:
Manatee County Administrator
Manatee County Administration Center
1112 Manatee Avenue West, Suite 920
Bradenton, Florida 34205
Facsimile: (941) 745-3790

Manatee County Clerk of the Circuit Court
Angelina Colonneso, Clerk
1115 Manatee Avenue West
Bradenton, Florida 34205
Facsimile: (941)741-4082

And

Manatee County Attorney's Office
1112 Manatee Avenue West, Suite 969
Bradenton, Florida 34205
Attention: County Attorney
Facsimile: (941)749-3089

In all cases, notices shall be deemed delivered to a party only upon deliver of copies to the persons indicated above in the same manner as for the party being notified.

Section 6. Miscellaneous Provisions.

a. Prior Agreements. This Agreement represents the entire Agreement among the parties and supersedes all prior agreements, negotiations or understandings, written or oral relating to the matters set forth herein. Prior agreements, negotiations, or understandings, if any, shall have no force or affect whatsoever on this Agreement.

b. Amendments. No modification, addendum, or amendments of any kind whatsoever may be made to this Agreement unless approved in writing and signed by the parties to this Agreement.

c. Assignment. No assignment, delegation, transfer, or novation of this Agreement or any part hereof shall be made unless approved in writing and signed by the parties to this Agreement.

d. Third Party Beneficiaries. The parties hereby acknowledge and agree that it is not the intent of any party to this Agreement to confer any rights on any persons or entities other than the parties to this Agreement. No person or entity not a party to this Agreement shall have any claim or cause of action against any party for the failure of any party to perform in accordance with the provisions of this Agreement except as may be provided by law.

e. Sovereign Immunity. Nothing in this Agreement shall be construed in any way to waive the sovereign immunity of the parties under Florida law or the limitation of liability afforded to the parties pursuant to Section 768.28, Fla. Stat. The parties shall each be and act as an independent contractor, and under no circumstances shall this Agreement be construed as one of agency, partnership, or joint venture of employment between the parties and/or their respective governmental agencies. None of the personnel under contract to, employed by or volunteering for any of the parties shall be deemed in any way to have any contractual relationship with the other parties and/or their respective agencies. Each party shall be solely responsible for the conduct of its employees and agents in connection with their performance of obligations hereunder.

f. Indemnification. As provided for under common law, and to the extent specifically authorized by Section 768.28, Fla. Stat., County hereby agrees to indemnify and hold the City harmless from claims, liability or damages (including reasonable attorneys' fees) only related to the operation of the Water Taxi service, including damages due to negligence, omissions, or intentional acts caused by the Water Taxi Operator, or to the ADA-related

improvements to the Dock of which are caused or materially contributed to by the negligent acts or omissions of any officer, employee, agent or other representative of the County, and which are not caused or materially contributed to by any officer, employee, agent or other representative of the City. It is further agreed that liability and exposure for indemnification (including, but not limited to the amounts of any indemnification owed by a governmental entity) will be limited to and governed by the provisions of Section 768.28 (5), Fla. Stat. The provisions of this subsection 6.f. shall survive termination of the Agreement.

g. Disputes. If there is a question or dispute about the construction, operations, or effect of this Agreement, a party shall initiate and proceed through the conflict resolution procedures established in Chapter 164, Fla. Statutes. If there is a failure to resolve the conflict, no later than 30 days following the conclusion of the procedures established in Chapter 164, a party may file an action in the Twelfth Judicial Circuit Court in and for Manatee County, Florida, or, to the extent any proceeding is removed to federal court, the United States District Court for the Middle District of Florida, Tampa Division.

h. Default and Waiver. In the event that either party shall fail to perform any of its obligations hereunder, the non-defaulting party shall deliver written notice thereof to the defaulting party specifying the nature of the failure with reasonable detail. Upon receipt thereof, the defaulting party shall forthwith proceed to correct any such failure to perform and shall be allowed reasonable time to do so. Should the defaulting party fail to correct such failure following reasonable time to do so, the non-defaulting party may terminate the Agreement by providing written notice of same. Any failure or refusal of any party to enforce any term or condition of this Agreement shall not be any waiver thereof or any waiver of any right to enforce any term or condition in the future.

i. Termination for Convenience. Either party to this Agreement may terminate this Agreement without cause, upon giving thirty (30) days written notice to the other party. Upon such termination, all obligations of the parties under this Agreement shall cease. If the City terminates this Agreement without cause earlier than the concurrent term in the Operating Agreement, then the City will reimburse the County the full amount of its actual costs incurred for the work detailed in Exhibit "A."

j. Severability. If any part, term or provision of this Agreement is held to be illegal, unenforceable or in conflict with any applicable federal, state of local law or regulation, such part, term or provision shall be severable, with the remainder of this Agreement remaining valid and enforceable.

k. Filing with Clerk of the Court. As required by Subsection 163.01(11) of Florida Statutes, this Interlocal Agreement and all subsequent amendments hereto shall be filed in the official records of Manatee County, Florida, within ten (10) days of its execution by all parties hereto.

l. Insurance. The County shall ensure that the Water Taxi Operator procures and maintains during the term of this Agreement general liability insurance through a company licensed to do business in Florida in an amount not less than two million dollars ($2,000,000) per claim, and the City of Bradenton shall be an additionally named insured under such policy.

The City shall be provided a certificate of insurance evidencing such policy prior to the commencement of Water Taxi services to the Dock.

IN WITNESS WHEREOF, the parties have executed this Interlocal Agreement to be effective upon recording.

ATTEST:

CITY OF BRADENTON

_____
Tamara Melton, City Clerk

By: _____
Gene Brown, Mayor

Approved as to form and legality:

_____
Scott Rudacille, City Attorney

Deputy Clerk

MANATEE COUNTY, a political subdivision of the State of Florida

By its Board of County Commissioners

By: _____

Kevin Van Ostenbridge, Chairperson

ATTEST: ANGELINA COLONNESO CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By:

_____

Deputy Clerk