

MANATEE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT	SOVEREIGN SUBMERGED LANDS EASEMENT	TYPE AGENDA ITEM:	CONSENT
DATE REQUESTED	JULY 7, 1998	DATE SUBMITTED/REVISED	JUNE 26, 1998
BRIEFING/WHO?	NONE REQUIRED	CONSEQUENCES IF DEFERRED	DELAY IN CONSTRUCTING THE MCLEWIS BAYOU BRIDGE
DEPARTMENT/DIVISION	PROJECT MANAGEMENT ADMINISTRATION	AUTHORIZED BY TITLE	JANET E. MCAFEE DIRECTOR, PROJECT MANAGEMENT <i>Janet E. McAfee</i>
CONTACT PERSON TELEPHONE/EXTENSION	JANET MCAFEE/JOAN MARS: ALL 5047/5033	PRESENTER/TITLE TELEPHONE/EXTENSION	JANET E. MCAFEE DIRECTOR 5047

ADMINISTRATIVE APPROVAL *[Signature]*

ACTION DESIRED

INDICATE WHETHER "REPORT or "DISCUSSION, "FORM OF MOTION, or "OTHER ACTION REQUIRED:

AUTHORIZATION FOR THE CHAIRMAN TO EXECUTE THE SOVEREIGN SUBMERGED LANDS EASEMENT WITH THE STATE BUREAU OF PUBLIC LAND ADMINISTRATION FOR CONSTRUCTION OF THE MCLEWIS BAYOU BRIDGE.

ENABLING/REGULATING AUTHORITY

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy.)

COMP PLAN - GOAL 5.1.4.1 TRANSPORTATION LEVEL OF SERVICE STANDARDS

BACKGROUND/DISCUSSION

- 12/5/98, BCC EXECUTED WORK ASSIGNMENT NO. 13 WITH WADE-TRIM, INC. FOR ENGINEERING AND PERMITTING SERVICES FOR THE CIP APPROVED REPLACEMENT OF THE MCLEWIS BAYOU BRIDGE #134019 ON RIVERVIEW BOULEVARD.
- THE STATE OF FLORIDA'S BUREAU OF PUBLIC LAND ADMINISTRATION, SUBMERGED LANDS SECTION, THROUGH THE PERMITTING PROCESS HAS DETERMINED THAT A SOVEREIGN SUBMERGED LAND EASEMENT IS REQUIRED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

HAS COUNTY ATTORNEY REVIEW BEEN REQUESTED? Indicate "NO" or "YES" @ right. (If "NO," proceed to 1) below; and if "YES," proceed to 2) below.)

YES

1) IF "NO" TO ABOVE:

A) PLEASE EXPLAIN BELOW: (see also following section 1B) re: contract, agreement, lease, etc.

B) IF A CONTRACT, AGREEMENT, LEASE OR OTHER DOCUMENT WAS PREVIOUSLY APPROVED, STATE YEAR OF LAST USE @ RIGHT

2) IF "YES" TO FIRST QUESTION IN THIS SECTION:

A) HAS ENTIRE MATTER, OR ONLY A PORTION, BEEN REVIEWED? IF ONLY A PORTION, WHICH PORTION?

ENTIRE MATTER HAS BEEN REVIEWED BY THE CAO

B) HAVE ALL COMMENTS/SUGGESTIONS RAISED BY COUNTY ATTORNEY BEEN ADDRESSED/INCORPORATED; IF NOT, PLEASE EXPLAIN. A COPY OF FINAL COUNTY ATTORNEY MEMO RE THIS MATTER **MUST BE ATTACHED** (if comments were verbal, so indicate.)

CAO MEMO DATED JUNE 18, 1998 IS ATTACHED

ATTACHMENTS: (List in order as attached)

- 1) SOVEREIGN SUBMERGED LANDS EASEMENT (2)
2) MEMO FROM CAO

INSTRUCTIONS TO BOARD RECORDS:

RETURN TWO EXECUTED ORIGINAL AGREEMENTS TO PROJECT MANAGEMENT/JOAN MARSHALL FOR TRANSMITTAL TO THE STATE

COST NO COST TO THE COUNTY

SOURCE (ACCT# & NAME)

APPROVED IN OPEN SESSION

COMMENTS N/A

AMT./FREQ. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT)

N/A

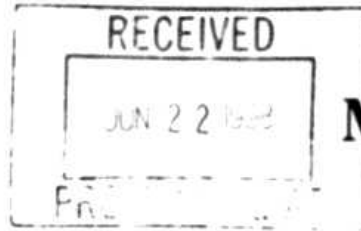
JUL 07 1998

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BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

SUBMITTED BY: [Signature] LAST REVISION ON: 6/24/98 @ 8:53 AM BY: JOAN/5033

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Office of
**MANATEE COUNTY
 ATTORNEY**

* Board Certified City, County & Local Government Law
 † Board Certified Civil Trial

Teddy N. Williams, Jr., County Attorney
 Mark P. Barnebey, Chief Assistant County Attorney*
 Paul G. Bangel, Senior Assistant County Attorney*
 William C. Henry, Senior Assistant County Attorney for Risk Management
 Patricia McVoy, Senior Assistant County Attorney*
 James A. Minix, Senior Assistant County Attorney†
 Mitchell O. Palmer, Senior Assistant County Attorney
 Jeffrey N. Steinsnyder, Senior Assistant County Attorney*

June 18, 1998

MEMORANDUM

TO: Mike Limoge, Project Manager

THRU: Teddy N. Williams, Jr., County Attorney *TNW 6/19/98*

FROM: Mark P. Barnebey, Chief Assistant County Attorney *6/18/98 MPB*

RE: Project Management/McLewis Bayou Bridge
 RLS-97-517; CAO File No. 1112-009

After many months of trading letters and telephone conversations with the State, the Bureau of Public Land Administration has provided us with a sovereign submerged land easement which is acceptable form for execution by the Board on the above matter. Enclosed are 2 originals for you to place on a future Board agenda for consideration. Most recently, Bureau planner Pattie Scott agreed to amend paragraph 2 to eliminate an onerous provision in prior drafts regarding the effect of possible violations of the easement.

While not ideal, the easement is now consistent with prior easements granted to Manatee County. Please review the easement to ensure that all requirements imposed on the County can and will be met.

If you have any questions regarding this matter, please do not hesitate to contact me.

MPB:mh
 Enclosure

cc: Janet McAfee, Director, Project Management

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