

BOARD OF COUNTY COMMISSIONERS
PORT AUTHORITY
CIVIC CENTER AUTHORITY
COMMUNITY REDEVELOPMENT AGENCY
MANATEE COUNTY, FLORIDA

WEBSITE: WWW.MYMANATEE.ORG

Manatee County Administrative Center
Commission Chambers - First Floor - 1112 Manatee Avenue West
Bradenton, Florida 34205

Commission Office: (941) 745-3700
Commission Fax: (941) 745-3790

PLEDGE OF PUBLIC CONDUCT
WE MAY DISAGREE, BUT WE WILL BE RESPECTFUL OF ONE ANOTHER
WE WILL DIRECT ALL COMMENTS TO ISSUES
WE WILL AVOID PERSONAL ATTACKS

AGENDA
and
NOTICE OF PUBLIC MEETING

9:00 a.m. REGULAR MEETING January 12, 2010

MEETING CALLED TO ORDER: Donna G. Hayes, Chairman
INVOCATION: Rev. Herb McMillian, First Church of the Nazarene
PLEDGE OF ALLEGIANCE

ITEMS SCHEDULED FOR TIME CERTAIN

TO THE EXTENT POSSIBLE, THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED

10:00 A.M.

42. **PALMETTO PARK AND RIDE**

CITIZEN'S COMMENTS

*COMMENTS SHOULD BE LIMITED TO TWO MINUTES PER PERSON AND SHOULD CONCERN ITEMS ON **CONSENT AGENDA**.*

CONSENT AGENDA

*THE FOLLOWING ITEMS ARE DETERMINED TO BE ROUTINE IN NATURE AND SHOULD BE CONSIDERED IN A SINGLE MOTION.
ITEMS DETERMINED TO WARRANT INDIVIDUAL DISCUSSION SHOULD BE REMOVED FROM THIS LIST PRIOR TO THE MOTION TO ADOPT.
SUCH ITEMS SHOULD BE DISCUSSED SEPARATELY.*

CLERK OF CIRCUIT COURT

- **Clerk's Consent Calendar:** Approval

PROCLAMATION

1. **Mentoring Month** – January 2010

ATTORNEY

2. **Eminent Domain: 17th Street West (Parcel 136)** – Approve settlement with Julius Jefferson, Deceased; Johnnie Lee Forte, Deceased, and James Edward Jefferson
3. **Settlement: Shriver v. Manatee County Sheriff's Office** – Approve stipulation and settlement of pending litigation, 2008-CA-10011

BUILDING

4. **Fee Removal** – Authorize Building Department to write off fees totaling \$425

COMMUNITY SERVICES

5. **Drug Court Program** – Execute funding agreement with Manatee Glens Corporation for \$127,000
6. **Drug Free Community Grant** – Execute Memorandum of Understanding with Central Florida Behavioral Health Network, Inc., and Manatee County Substance Abuse Coalition, for in-kind office space use in the Community Services Department*
7. **Low Income Pool Program** – Execute letter of agreement with Agency for Health Care Administration for \$4,000,000 to provide funds to Manatee Memorial Hospital to increase provision of health care services for Medicaid, uninsured and underinsured persons in Manatee County

Donna G. Hayes, District 5, Chairman

Carol Whitmore, District 6 At-Large, 1st Vice-Chairman; John R. Chapple, District 3, 2nd Vice-Chairman; Larry Bustle, District 1, 3rd Vice-Chairman
Dr. Gwendolyn Y. Brown, District 2; Ron Getman, District 4; Joe McClash, District 7 At-Large

8. **Low Income Pool Program** – Execute letters of agreement (2) with Agency for Health Care Administration for total of \$255,673 to provide funds to Manatee County Rural Health Services to increase provision of health care services for Medicaid, uninsured and underinsured persons in Manatee County, and execute memorandums of understanding (2) with Manatee County Rural Health Services to provide health care services
9. **Justice Assistance Grant Agreements** – Execute agreements with municipalities, City of Bradenton, City of Holmes Beach, and City of Anna Maria, for \$95,000*
10. **Master Agreement** – Execute Amendment 1 to agreement with West Central Florida Area Agency on Aging, Inc., for Community Care for the Elderly, Home Care for the Elderly, Alzheimer's Disease Initiative, and Medicaid Waiver grant programs
11. **Non-Profit Agency Agreements** – Execute agreements (2) with Manatee County Rural Health Services for \$543,275
12. **Non Profit Agency Agreement** – Execute Amendment 1 to Community Care for the Elderly funding agreement with Meals on Wheels Plus of Manatee, Inc., increasing funding of adult daycare service from \$26,645 to \$59,395

FINANCIAL MANAGEMENT

13. **Budget Amendment Resolution** – Adopt Budget Resolution B-10-018
14. **Credit Authorization (University Place Joint Venture)** – Execute assignment of Impact Fee Credit Authorization CA-02-12(P)(R) to specified subdivisions (as listed on agenda memo)

NATURAL RESOURCES

15. **Donation** – Accept donation of a utility cart and electric charger valued at \$1,500 from the U.S. Department of the Interior, National Park Service, DeSoto National Memorial
16. **Donation** – Authorize donation of artificial reef modules valued at \$2,000 to non-profit environmental organizations Sarasota Bay Watch and Tampa Bay Watch
17. **Emerson Point Preserve Restoration** – Adopt Resolution R-10-008 authorizing application for grant from U.S. Fish and Wildlife Service in the amount of \$20,000

NEIGHBORHOOD SERVICES

18. **Land Use Restriction Agreement** – Execute Addendum 1 to agreement for Winstead Commons, fka Robion at the Villages of Avignon, an affordable housing development

PROPERTY MANAGEMENT

19. **Corporate Way** – Adopt Resolution R-10-004-V declaring a public hearing on February 9, 2010, to consider and act upon application to vacate portion of a platted right of way*
20. **Dude Ranch Acres** – Accept and record Temporary Construction Easement from Victoria L. Dube, required for construction of a sanitary sewer line on Caruso Road
21. **Dude Ranch Acres** – Execute Contract for Purchase for a Permanent Easement from Joseph E. Poirier for easement required for construction of a sanitary sewer line on Caruso Road
22. **Imagine School** – Accept and record Conservation Easement from The Woods of Moccasin Wallow, LLC; Utility Easement (3); Affidavit of Ownership and Encumbrances (2); and Joinder (2)
23. **Manatee Glens Lease** – Accept and execute new lease with Manatee Glens Corporation, extending term of an expired agreement on a facility housing health and welfare services*
24. **Rekkas Plaza** – Accept and record Warranty Deed and Right of Way Easement from John and Vasiliki Rekkas; Affidavit of Ownership and Encumbrances
25. **Spacebox** – Accept and record Utility Easement (2) from Spacebox Palmetto, LLC; Affidavit of Ownership and Encumbrances; Joinder
26. **Wares Creek Stormwater Improvement Project** – Adopt Resolution R-10-009 authorizing Property Acquisition to conduct pre-suit negotiations and make written offers to purchase certain parcels (Exhibit "A"), before proceeding with eminent domain
27. **Wares Creek Stormwater Improvement Project (Parcel E105.2)** – Execute Contract for Sale and Purchase for an Access and Maintenance Easement from Christopher E. Costantino, Ralph F. Costantino and Donnatta Costantino-Lewenhaupt; and authorize issuance of three checks

PUBLIC WORKS

28. **Surplus Equipment** - Adopt Resolutions R-10-011 and R-10-012 authorizing donation to Central Economic Development Center, Inc., and Manatee Educational Television Consortium; and classify property which is uneconomical to upgrade or repair as surplus per Florida Statute §274.05 to enable appropriate and authorized disposition, and authorize disposal

UTILITIES

- 29. **Service Fee Waivers** – Waive fees assessed to utility customer accounts for returned bank items
- 30. **Tipping Fee Waiver** – Waive fees at the Lena Road Landfill for solid waste disposal for the 2010 Manatee County Fair
- 31. **Uncollectible EMS Accounts Receivable** – Adopt Resolution R-10-003 to remove uncollectible accounts for ambulance service totaling \$282,347.58
- 32. **Uncollectible EMS Accounts Receivable** - Adopt Resolution R-10-016, replacing resolution R-09-271 (adopted 12/15/09), totaling \$237,462.86
- 33. **Water Supply Projections** – Authorize Chairman to sign letter to Peace River/Manasota Regional Water Supply Authority with revised water supply demands and supply needs from sources developed by the authority beginning in the year 2030

REPORTS

- 34. **Responses to Board Inquiries** - Accept into the record responses from various County departments to inquiries of the Board of County Commissioners: 1) Maintenance of County Buildings (B903945/904336)

RECOMMENDED MOTION: I MOVE TO APPROVE THE CONSENT AGENDA INCORPORATING THE LANGUAGE AS STATED IN THE RECOMMENDED MOTIONS IN THE AGENDA MEMORANDA (AS MAY HAVE BEEN AMENDED IN THE SUPPLEMENTAL AGENDA).
(END CONSENT)

AWARDS/PRESENTATIONS/PROCLAMATIONS

ADMINISTRATOR

- **2010 Manatee County Fair** - Invitation by Fair Association Board of Directors and 2010 Fair Queens to attend Manatee County Fair January 14-24, 2010

HUMAN RESOURCES

- 35. **Employee of the Month** – Present award to **Mark Fransen**, Right of Way Inspector, Public Works Department
- 36. **Safety Award** – Present award to **Aaron Burkett**, Traffic Control Technician Supervisor, and recognition of **Jon Wunderlich**, Traffic Control Communications Supervisor, Public Works Department

PUBLIC SAFETY

- 37. **Donation of 911 Switch** – Introduction of Jim Coleman, Washington Parish Communications District

BUILDING

- 38. **Home Builders Association (HBA)** – Recognize HBA members for awards presented at the annual Florida HBA meeting

HEALTH DEPARTMENT

- **Migrant and Seasonal Farm Worker Housing Award** – Presentation by Tom Larkin, Manatee County Health Department, of award to Six L's Packing Company recognizing newly developed permitted migrant housing establishments or permitted establishments with most improvements

PROCLAMATION (APPROVED WITH CONSENT AGENDA)

- **Mentoring Month** – January 2010

CITIZEN'S COMMENTS
*COMMENTS SHOULD BE LIMITED TO TWO MINUTES PER PERSON
AND SHOULD CONCERN BUSINESS WHICH MAY, IF APPROPRIATE, BE PLACED ON A FUTURE AGENDA.*

MANATEE COUNTY PORT AUTHORITY

NOTHING SCHEDULED

MANATEE COUNTY CIVIC CENTER AUTHORITY

NOTHING SCHEDULED

Donna G. Hayes, District 5, Chairman

Carol Whitmore, District 6 At-Large, 1st Vice-Chairman; John R. Chapple, District 3, 2nd Vice-Chairman; Larry Bustle, District 1, 3rd Vice-Chairman
Dr. Gwendolyn Y. Brown, District 2; Ron Getman, District 4; Joe McClash, District 7 At-Large

MANATEE COUNTY COMMUNITY REDEVELOPMENT AGENCY

NOTHING SCHEDULED

ADVISORY BOARD/COMMITTEE APPOINTMENTS

ADMINISTRATOR

- 39. **Metropolitan Planning Organization (MPO)** – Recommend nomination of one citizen for appointment to MPO Citizen Advisory Committee

NEIGHBORHOOD SERVICES

- 40. **14th Street West CRA Advisory Board** – Reappoint three persons (Vincent Colonnese, Jr., Catherine Ferrer, and Nathan Nolte) to the advisory board

ADVERTISED PUBLIC HEARINGS

PRESENTATIONS UPON REQUEST – ITEM 41

PROPERTY MANAGEMENT

- 41. **Pomello Park** – Adopt Resolution R-10-013-V vacating an unimproved platted right of way

RECOMMENDED MOTION: 1 MOVE TO APPROVE THE PRESENTATIONS UPON REQUEST AGENDA INCORPORATING THE LANGUAGE AS STATED IN THE RECOMMENDED MOTIONS IN THE AGENDA MEMORANDA (AS MAY HAVE BEEN AMENDED IN THE SUPPLEMENTAL AGENDA).

REGULAR AGENDA

10:00 A.M. TIME CERTAIN

ADMINISTRATOR

- 42. **Palmetto Park and Ride**

ATTORNEY

- 43. **Eminent Domain: 17th Street West (Parcels 101A&B, 701A,B&C)** – Approve settlement with Varnadore Properties, LLC, to settle all claims against Manatee County, and request issuance of check payable to the Trust Account of Brigham Moore, LLP, for proper disbursement

COMMISSIONERS' AGENDA

WHITMORE

- **Court Building Operation Improvements**

HAYES

- **TBARTA Alternate to Citizens Advisory Committee**

ADMINISTRATION/COMMISSIONERS' COMMENTS

ADJOURN

* Documents have been reviewed by County Attorney's Office

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

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to, participation in, employment with, or treatment in, its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802, wait 60 seconds; FAX 745-3790.

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

MEMORANDUM



County Administrator's Office
1112 Manatee Avenue West
Bradenton, FL 34205

MANATEE COUNTY FLORIDA

Phone: 941.745.3717
Fax: 941.745.3790
www.mymanatee.org

DATE: January 12, 2010
TO: Ed Hunzeker, County Administrator
FROM: Marianne Lopata, Agenda Coordinator
SUBJECT: **AGENDA UPDATE FOR MEETING OF JANUARY 12, 2010**

CHANGES TO CONSENT AGENDA

PROPERTY MANAGEMENT

23. **Manatee Glens Lease** – *ITEM IS DEFERRED*

CHANGES TO REGULAR AGENDA

ADMINISTRATOR

42. **Palmetto Park and Ride**

ATTACHED: EXECUTED COPY OF CONTRACT BETWEEN MANATEE COUNTY AND JACK & HAZEL FORD