

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 November 9, 2010**

MEETING CALLED TO ORDER:

Donna G. Hayes, Chairman

INVOCATION:

Shirley Baucom, CareNet

PLEDGE OF ALLEGIANCE

VFW Post 10141

ITEMS SCHEDULED FOR TIME CERTAIN

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

**10:00 A.M.**

43-47. UTILITIES RATE RESOLUTIONS AND ORDINANCES

**11:00 A.M.**

48-49. FLORIDA BIOMASS ENERGY, LLC

**1:30 P.M.**

RECEPTION FOR COMMISSIONERS BROWN AND GETMAN (FIRST FLOOR LOBBY AREA)

**2:00 P.M.**

PORT AUTHORITY MEETING

AWARDS/PRESENTATIONS/PROCLAMATIONS

**HUMAN RESOURCES**

1. **November 2010 Employee of the Month** - Present award to **Matt Arriaga**, Software Designer, Information Services Department

**PROCLAMATIONS**

2. **Veteran's Day** - November 11, 2010
3. **Farm City Week** - November 12-20, 2010
4. **Hunger and Homeless Awareness Week** - November 14-20, 2010
5. **Hospice Month** - November 2010

CITIZEN'S COMMENTS

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

Donna G. Hayes, District 5, Chairman

Carol Whitmore, District 6 At-Large, 1st Vice-Chairman; John R. Chappie, 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

## 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

### COMMUNITY SERVICES

6. **Children's Services** – Execute multiple funding agreements with various non-profit agencies (as listed on agenda memorandum)
7. **Health Care Services** - Execute letters of agreement (2) with Agency for Health Care Administration for the Low Income Pool and "Buyback" programs (\$4,089,747 and \$1,155,385), providing funds to Manatee Memorial Hospital to increase provisions for Medicaid, uninsured and underinsured persons in Manatee County
8. **Health Care Services** – Execute letters of agreement (2) with Agency for Health Care Administration for the Low Income Pool programs (\$163,541 and \$287,809), providing funds to Manatee County Rural Health Services to increase provisions for Medicaid, uninsured and underinsured persons in Manatee County and memorandums of understanding (2) with Manatee County Rural Health Services
9. **Non-Profit Agencies** – Execute funding agreements (7) to non-profit agencies (as listed on agenda memorandum)

### CONVENTION AND VISITORS BUREAU

10. **Expenditures** – Approve expenditures of \$10,000 to be used to reimburse Anna Maria Island Chamber of Commerce for marketing expenses for the promotion of the Wedding Festival to be held February 26-27, 2011

### FINANCIAL MANAGEMENT

11. **Budget Amendment Resolution** – Adopt Budget Resolution B-10-061
12. **Budget Amendment Resolution** – Adopt Budget Resolution B-11-014
13. **Employee Health Benefits** – Adopt First Amendment to Employee Health Benefits Third Party Administration Agreement\*
14. **Suburban Water Line** – Authorize County Administrator or designee to execute change order 1 with Volt Telecommunications Group, Inc.

### NATURAL RESOURCES

15. **Tampa Bay Estuary Program** – Execute funding agreement with Tampa Bay Estuary Program for Federal FY 2010-11

### NEIGHBORHOOD SERVICES

16. **Code Enforcement Case 2007100502 (Legault)** – Reduce fines to \$2,000, as previously recommended by Special Magistrate, subject to conditions
17. **Code Enforcement Case 2008040295 (Purvis)** - Reduce fines to \$1,500, as previously recommended by Special Magistrate, subject to conditions
18. **Community Development Block Grant** - Execute agreement to terminate land use and deed restriction agreement with Family Resources, Inc.
19. **Economic Development Incentive (ECI)** – Adopt Resolution R-10-218 finding that "Project Simple" is approved for an ECI grant up to \$26,000 to be paid over a three-year period
20. **Economic Development Incentive (ECI)** – Adopt Resolution R-10-220 finding that "Project Tank" is approved for an ECI grant up to \$5,000 to be paid over a three-year period
21. **Economic Development Incentive (ECI)** – Adopt Resolution R-10-221, rescinding R-10-058, finding that "Project CENTEC" is approved for an ECI grant up to \$30,000 to be paid over a five-year period, and a transportation impact fee refund of \$16,135 to be paid when certificate of occupancy is received
22. **Economic Development Incentive (ECI)** – Adopt Resolution R-10-222, rescinding R-10-081, finding that "Project IMG Academies" is approved for an ECI grant up to \$65,000 to be paid over a five-year period
23. **Economic Development Incentive (ECI)** – Adopt Resolution R-10-223, rescinding R-10-118, finding that "Project Trinity Graphics USA" is approved for an ECI grant up to \$23,000 to be paid over a five-year period

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, 3<sup>rd</sup> Vice-Chairman  
Dr. Gwendolyn Y. Brown, District 2; Ron Getman, District 4; Joe McClash, District 7 At-Large

**PROPERTY MANAGEMENT**

- 24. **46<sup>th</sup> Street Court East, Bradenton** – Accept and record Utility Easement from Russell and Maryanne Owens for construction and maintenance of a new water line; Affidavit of Ownership and Encumbrances
- 25. **65<sup>th</sup> Avenue West, Bradenton** – Accept and record Temporary Construction Easement from Gettel Automotive, Inc., for the pipe replacement
- 26. **69<sup>th</sup> Street East/Erie Road Intersection** – Accept and record Warranty Deed from Cande, LLC, Affidavit of Ownership and Encumbrances
- 27. **El Conquistador Parkway** – Execute and record Subordination of Utility Interest and Agreement for Reimbursement for Additional Facility Relocations to Florida Power & Light Company, accept and record Warranty Deed, Affidavit of Ownership and Encumbrances, and Corrected Temporary Construction Easement from Manatee Fruit Company
- 28. **Facility Renovation** – Authorize County Administrator or designee to execute interlocal agreement with Manatee County Health Department for renovations to accommodate the WIC (Women, Infants and Children) Program\*
- 29. **Tamiami Trail** – Accept and record Right of Way, Sidewalk and Utility Easement from Cedar Hammock Fire Control District, Affidavit of Ownership and Encumbrances
- 30. **Wares Creek Stormwater Improvement (Parcel E101)** – Adopt Resolution R-10-211 authorizing Property Acquisition to conduct pre-suit negotiations and make a written offer to purchase property owned by Bradenton Tropical Palms
- 31. **Wares Creek Stormwater Improvement (Parcel E112)** – Execute Contract for Sale and Purchase for a Warranty Deed and a Temporary Construction Easement from Zelma Kirkland\*
- 32. **Wares Creek Stormwater Improvement (Parcel E125)** – Execute Contract for Sale and Purchase for a Warranty Deed from Eleanor Perkins\*
- 33. **Winter Garden Subdivision** – Adopt Resolution R-10-177-V declaring a public hearing on December 14, 2010, to consider acting upon application to vacate certain unimproved rights of way

**PUBLIC WORKS**

- 34. **34<sup>th</sup> Street West, Bradenton** – Adopt Resolution R-10-215 authorizing Chairman to sign Transportation Post Project Maintenance Agreement with State of Florida Department of Transportation for maintenance of transportation enhancements
- 35. **43<sup>rd</sup> Street West, Bradenton** – Adopt Resolution R-10-214 authorizing Chairman to sign Transportation Post Project Maintenance Agreement with State of Florida Department of Transportation for maintenance of transportation enhancements
- 36. **Surplus Equipment** - 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**

- 37. **Fee Waivers** – Waive \$2,027.96 in service fees that were assessed to utility customer accounts for returned bank items

**REPORTS**

- 38. **Responses to Board Inquiries** – Accept into the record memos from county departments in response to directives/inquires by the Board: 1) Valkyries (10060124)

*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)**

**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.*

**2:00 P.M.**  
**MANATEE COUNTY PORT AUTHORITY**  
LARRY BUSTLE, CHAIRMAN  
RON GETMAN, FIRST VICE-CHAIRMAN  
DR. GWENDOLYN Y. BROWN, SECOND VICE-CHAIRMAN

**AGENDA AND MATERIALS TO BE PROVIDED BY PORT MANATEE STAFF**

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, 3<sup>rd</sup> Vice-Chairman  
Dr. Gwendolyn Y. Brown, District 2; Ron Getman, District 4; Joe McClash, District 7 At-Large

**MANATEE COUNTY CIVIC CENTER AUTHORITY**

CAROL WHITMORE, CHAIRMAN  
LARRY BUSTLE, FIRST VICE-CHAIRMAN  
JOE McCLASH, SECOND VICE-CHAIRMAN  
NOTHING SCHEDULED

**MANATEE COUNTY COMMUNITY REDEVELOPMENT AGENCY**

JOHN R. CHAPPIE, CHAIRMAN  
NOTHING SCHEDULED

**ADVISORY BOARD/COMMITTEE APPOINTMENTS**

**PLANNING**

- 39. **Planning Commission** – Appoint two persons

**ADVERTISED PUBLIC HEARINGS**

**PRESENTATIONS UPON REQUEST - ITEMS 40-42**

**PROPERTY MANAGEMENT**

- 40. **Tropicana Manufacturing** – Continue public hearing to January 25, 2011, to consider adoption of Resolution R-10-101-V to vacate certain public rights of way

**CONVENTION AND VISITORS BUREAU**

- 41. **Ordinance 10-66 Film Ordinance** – Adopt Ordinance 10-66\*

**ATTORNEY**

- 42. **Refinancing Port Manatee Loan** – Conduct a TEFRA public hearing and adopt Resolution R-10-210 for the refinancing of a \$6,025,000 loan for warehouse, transportation, dock and dredging improvements at Port Manatee by the Manatee County Port Authority

**PRESENTATIONS SCHEDULED - ITEMS 43-49**

**10:00 A.M. TIME CERTAIN**

**UTILITIES**

**PUBLIC HEARINGS**

- 43. **Solid Waste Rate Resolution** – Adopt Resolution R-10-217 establishing revised rates, fees, and charges for solid waste collection and disposal services and revising administrative language\*
- 44. **Water/Wastewater Rate Ordinance** – Adopt Ordinance 10-69 amending code with administrative language relating to rates, fees, and charges for potable water, reclaimed water, and wastewater facilities services\*
- 45. **Facility Investment Fee Ordinance** – Adopt Ordinance 10-70 amending code relating to facility investment fees for potable water, wastewater, and fire service\*
- 46. **Water/Wastewater Rate Resolution** – Adopt Resolution R-10-216 establishing revised rates, fees, and charges for potable water, reclaimed water, and wastewater facilities and services\*

**REGULAR**

- 47. **Utilities Revenue Refunding and Improvement Bonds** – Adopt Resolution R-10-233 authorizing issuance of Manatee County Utility Revenue Refunding and Improvement Bonds in an amount not exceeding \$85 million and providing for reimbursement of project expenditures made prior to issuance of bonds\*

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Dr. Gwendolyn Y. Brown, District 2; Ron Getman, District 4; Joe McClash, District 7 At-Large

**11:00 A.M. TIME CERTAIN**

**REGULAR**

- 48. **Reclaimed Water Facilities** – Approve and execute preliminary agreement for reclaimed water facilities with Florida Biomass Energy, LLC, to establish framework for the construction and funding of a reclaimed water line\*

**PUBLIC HEARING**

- 49. **Industrial Revenue Development Bonds** – a) Conduct a TEFRA public hearing for public comment on proposed issuance of up to \$150,000,000 in Industrial Development Revenue Bonds for the Florida Biomass Energy Project; and b) Adopt Resolution R-10-231 authorizing use of bond proceeds to reimburse capital expenditures incurred prior to issuance of the bonds, and c) Adopt Resolution R-10-232 authorizing issuance of up to \$150,000,000 in Industrial Development Revenue Bonds for the Florida Biomass Energy, LLC\*

**REGULAR AGENDA**

NOTHING SCHEDULED

**ADMINISTRATION/COMMISSION 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.

Prepared/Revised on 11/4/2010

**Donna G. Hayes, District 5, Chairman**

Carol Whitmore, District 6 At-Large, 1st Vice-Chairman; John R. Chappie, District 3, 2nd Vice-Chairman; Larry Bustle, District 1, 3<sup>rd</sup> Vice-Chairman  
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# 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](http://www.mymanatee.org)

**DATE:** November 9, 2010  
**TO:** Ed Hunzeker, County Administrator  
**FROM:** Marianne Lopata, Agenda Coordinator  
**SUBJECT: AGENDA UPDATE FOR MEETING OF NOVEMBER 9, 2010**

## CHANGES TO REGULAR AGENDA

48. **Reclaimed Water Facilities**  
*ATTACHED:* Complete agreement with attachments