

JULY 1, 1986

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, July 1, 1986, at 9:41 a.m.

**Present were Commissioners:**

Westwood H. Fletcher, Jr., Chairman  
Edward W. Chance, Vice-Chairman  
Kent G. Chetlain  
Maxine M. Hooper  
Patricia M. Glass

**Also present were:**

Ronald H. Rabun, County Administrator  
H. Hamilton Rice, Jr., County Attorney  
Angie Brewer, Deputy Clerk, representing  
R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

Invocation by Edward W. Chance.

The meeting was called to order by Chairman Fletcher.

All witnesses/staff giving testimony were duly sworn.

**ORDINANCE 86-20, SPEED LIMITS**

Public hearing (Notice in The Bradenton Herald, June 6, 1986) was held for the purpose of considering

**ORDINANCE NO. 86-20**

AN ORDINANCE OF MANATEE COUNTY, FLORIDA AMENDING MANATEE COUNTY ORDINANCE 84-05; TO PROHIBIT THE TRAVEL OF VEHICLES AT SPEEDS IN EXCESS OF THE ESTABLISHED LIMIT COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

**Speed Limit Established: 25 mph**

**Senrab Drive** from Palma Sola Boulevard to Montezuma Drive  
**San Juan Avenue** from Seville Circle to 75 Street West  
**Denavarez Avenue** from Seville Circle to 75 Street West  
**Alhambra Drive** from Palma Sola Boulevard to 75 Street West  
**Seville Circle** from Palma Sola Boulevard to Palma Sola Boulevard  
**Montezuma Drive** from Palma Sola Boulevard to Manatee Avenue  
**Cordova Drive** from Manatee Avenue to San Juan Avenue  
**Portosueno Drive** from Palma Sola Boulevard to 75 Street West  
**Alcazar Drive** from Portosueno Drive to Alhambra Drive  
**Casabella Drive** from Montzuma Drive to Estremadura Drive  
**Estremadura Drive** from San Juan Avenue to 75 Street West  
**Santiago Drive** from Portosueno Drive to Alhambera Drive  
**Mallorca Drive** from Seville Circle to Montezuma Drive  
**The Plaza** from San Juan Avenue to Montezuma Drive

Motion was made by Mr. Chetlain, seconded by Mr. Chance and carried unanimously, to adopt Ordinance No. 86-20.

RECORD ORDINANCE

S35-474

**ORDINANCE NO. 86-21, NO THROUGH TRAFFIC**

Public hearing (notice published in the Bradenton Herald, June 6, 1986) was held for the purpose of considering

**ORDINANCE NO. 86-21** AN ORDINANCE OF MANATEE COUNTY, FLORIDA AMENDING MANATEE COUNTY ORDINANCE 84-06; TO REGULATE THE TRAVEL OF CERTAIN THROUGH TRAFFIC ON COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

Palma Sola Boulevard from Cortez Road (SR684) to Manatee Avenue West (SR64)

51 Avenue West from 14 Street West (US41) to 5 Street West  
9 Street East/Pennsylvania Avenue from Whitfield Avenue to Nicholson Road

Ron Spelder, President of Palma Sola Park Association, spoke in favor of the ordinance.

Public hearing was closed.

Upon motion by Mr. Chetlain, seconded by Mrs. Hooper, Ordinance 86-21 was unanimously adopted.

RECORD ORDINANCE

S35-475

HEALTH COUNCIL OF WEST CENTRAL FLORIDA

Motion was made by Mrs. Glass to reappoint Lt. Col. Edwin S. Marsh, Sr., to the Health Council of West Central Florida for a term ending January 1988. Motion was seconded by Mr. Chetlain and carried unanimously.

FIREWORKS DISPLAY PERMIT (DESOTO SPEEDWAY)

Motion was made by Mr. Chance to approve the Fireworks Display Permit for DeSoto Speedway, S.R. 64 East, on July 5, 1986. Motion was seconded by Mr. Chetlain and carried unanimously.

FEES (PROPOSED): PLANNING & DEVELOPMENT/PUBLIC WORKS

Fred Goodrow, Planning Director, submitted preliminary proposed fee schedules for the Planning and Development Department, broken down by two divisions: (1) Development Management (Building Fees) and (2) Planning (Development Application Fees). Recommendations for Public Works permitting and fees, outlined in memorandum of 6/24/86 from the Director of the Public Works Department were also submitted.

Proposed Building Permit Fees were broken down into three options:

- Option 1 - Covers expenses for all presently authorized positions in the Division, one-half of the Department's administrative costs, merit increases, certain equipment, and the County-wide addressing program (proposed to generate revenues currently being rendered for which no fee is charged).
- Option 2 - Covers the Division's total 1986-87 budget request and entails increasing fees for building, plumbing, electrical and HARV by 30 percent and maintaining changes incorporated in Option 1.
- Option 3 - Covers the Division's total 1986-87 budget request and one-half of the department's administrative costs, and entails increasing fees for building, plumbing, electrical and HARV by 37 percent and maintaining changes outlined in Option 1.

He recommended staff be authorized to develop a fee resolution to implement the option(s) selected by the Board.

Juaquin Servia, Planning & Development Department, responded to questions.

Discussion: How fees determined, review fees annually (instead of four years), providing efficient and timely service, etc.

Mr. Chance moved to adopt the recommendation by the Planning and Development Department under Option No. 3. Motion was seconded by Mr. Chetlain and carried unanimously.

JULY 1, 1986

Cont'd.

Proposed Development **Application Fees** were identified as follows:

- Employee Costs - Representing costs associated with the estimate of Planning and Public Works staff hours needed for processing applications;
- Department Costs - Representing employee costs and departmental administrative costs for the Planning and Public works staff; and
- County Costs - Representing employee costs, administrative costs and prorated County-wide administrative costs.

It was noted the costs associated with Comprehensive Planning activities not related to the application review process are not included in the schedules; however, application fees include costs incurred by the Public Works Department.

H. Hamilton Rice, Jr., County Attorney, pointed out that no factor has been provided for review by the County Attorney's office.  
(Depart Mr. Chetlain)

Rose Marie Fallon, Planning & Development, responded to questions. Discussion followed.

Recess/Reconvene. All members present.

Motion was made by Mr. Chetlain to approve the County costs. Motion was seconded by Mr. Chance and carried unanimously.

#### JIM DAVIS BRIDGE/REPLACEMENT

John E. Thomas, Jr., Public Works/Highway, referred to memorandum of June 19, 1986, from the Public Works Director, reporting on the history/status of the Jim Davis Bridge, #134009, Manatee County Project No. 7032, since it was closed in June 1980.

In summary...

- = Confirmation bridge could be rebuilt with Federal funds (10/17/80);
- = State completed preliminary design (1983);
- = County declined to increase participation for right-of-way \$87,500 (2/83); deleted from State projects (5/83);
- = Project placed in the 1984/85 Capital Improvements Program (CIP) (1984);
- = Benson & Associates awarded contract for design (1985) with capability of future widening to 2 lanes.
- = Permits received in 1986 from Department of Army, Coast Guard and Department of Natural Resources;
- = Permit from Department of Environmental Regulations (DER) not anticipated until 9/1/86;
- = Right-of-way requested from appropriate property owners (one refused, three uncertain.)

He recommended authorization to proceed with the design, right-of-way dedication and D.E.R. permitting, with construction to begin on or about November 1986. He stated that present funding for the project is \$130,000 but that the total cost cannot be determined until bids are received. Additional local funding would be included in the 1986/87 CIP.

Discussion: Right-of-way needed; eventuality of Jim Davis Road/Bridge expansion to two lanes; repairing bridge without enlarging, etc.

Mrs. Glass moved to authorize proceeding with the design, right-of-way dedication and D.E.R. permitting, with construction to begin on or about November 1986, using the present funding and coming back to the Board for any additional funding. Motion was seconded by Mr. Chance and carried unanimously.

(NOTE: Action reconsidered later in the meeting.)

SCOTT TERRACE (P/PLAT)

Steve Albee, representing Trebor Development, developer of Scott Terrace Subdivision,, advised that the preliminary plat is scheduled before the Planning Commission on July 2, 1986, and before the Board of County Commissioners on July 24, 1986. He requested the hearing before the Board be rescheduled to July 10, 1986, and agreed to pay for any overtime which may be required to process for that date.

Mrs. Hooper moved to request the County Administrator to move the matter to the agenda of the 10th with the understanding that the applicant pay any overtime involved and providing there is no legal impediment. Motion was seconded by Mrs. Glass and carried unanimously.

JIM DAVIS BRIDGE

Al Reed, citizen, contended it was not necessary to construct the Jim Davis Bridge to two lanes, that one lane was adequate to handle the minimal traffic, and expressed concern about costs of acquiring right-of-way for two lanes, etc.

Mr. Chance moved to reconsider previous regarding the Jim Davis Bridge. Motion was seconded by Mrs. Hooper. Voting "Aye" were Mr. Chance, Mrs. Glass and Mr. Chetlain. Voting "No" were Mrs. Glass and Mr. Fletcher. Motion carried.

Motion was made by Mr. Chance to authorize staff to proceed with the replacement of the Jim Davis Bridge using the existing right-of-way. Motion was seconded by Mrs. Hooper. Voting "Aye" were Mr. Chance, Mrs. Hooper, Mr. Chetlain and Mrs. Glass. Voting "No" was Mr. Fletcher. Motion carried.

SKYWAY BRIDGE (OLD)/INTERIM USE

Motion was made by Mrs. Glass, seconded by Mr. Chetlain and carried unanimously, to adopt

R-86-148

A RESOLUTION CONCERNING INTERIM USE OF THE OLD SKYWAY BRIDGE

recommending to Florida Department of Transportation that upon the opening of the new Skyway Bridge retain the old, presently used span for a reasonable interim period to cover the contingency of any operational problem which would prevent the safe utilization of the new bridge

RECORD RESOLUTION

835-476

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mrs. Glass, seconded by Mrs. Hooper, the County Administrator's Consent Agenda dated July 1, 1986 was unanimously approved, after deletion of 1) Execution of Lease for AA/EEO Office Space 2) renewal lease for Personnel Building and 3) Bid Award 53rd Avenue West Road Construction (separate action). Items APPROVED included:

DEEDS/EASEMENTS

North County - Utility Easement from Michael E. Lorraine for gravity main; payment \$470 as compensation; \$50 fee to Goldome.

UTILITIES

1. Contract for purchase of utility easement from Michael E. Lorraine, \$3,163.00; authorize \$316.30 binder.

RECORD: CONTRACT FILE

3308

2. Execution of five-year lease of approximately 1.3 acres to Trailer Estates Park & Recreation District to be used for storage of motor homes, travel trailers, boat trailers and boats on trailers, total rental of \$9,075 (supercedes lease dated 7/17/83 on property not currently used by Utilities).

RECORD: CONTRACT FILE

3309

9TH STREET EAST, PARCEL 36

Contract for purchase from Lester G. Schott for right-of-way; \$3,013.

RECORD: CONTRACT FILE

3310

JULY 1, 1986

Cont'd.

**CENTRAL SERVICES/UTILITIES**

1. **Roofing & Flashings** - Award Bid to William Samuels Approved Roofing, not to exceed \$14,965; authorization to issue notice to proceed upon receipt of insurance certificates.
2. **Southeast Subregional Wastewater Treatment Facilities, Phase 1, Segment B** - Release retainage to Woodruff & Sons Inc. in accordance with contract 8/27/85.
3. **Southeast Subregional Wastewater Treatment Facilities, Pump Stations & Force Mains, Phase 1, Segment C, Part 1**

Adoption of

**R-86-150** RESOLUTION TENTATIVELY AWARDING CONSTRUCTION CONTRACTS FOR EPA WASTEWATER CONSTRUCTION GRANTS PROGRAM SUBJECT TO REGULATORY APPROVAL, UNDER THE PROVISIONS OF CHAPTER 63-1598, FLORIDA STATUTES EPA NO. C120540060 (STEP 3) MANATEE COUNTY BID NO 86-13 with Part B Package; award certifications; award contract to Cone Constructors, Inc., \$1,529,066.11, subsequent execution of contracts, simultaneous dating of performance bond, payment bond and power of attorney.

RECORD RESOLUTION

S35-477

(End Consent Agenda)

**OFFICE SPACE/LEASES**

Motion was made by Mrs. Glass, seconded by Mr. Chance and carried unanimously, to approve the following leases:

**Affirmative Action/EEO**

Lease with Daniel Zoller & Leonard Najjar for space at 602 3rd Street East, Suite A, 2-year term, \$1,350 per month.

RECORD: CONTRACT FILE

3311

**Personnel**

Renewal of lease with Daniel & Hilda Zoller for space at 223-6th Avenue East, 2-year term, \$2,100 per month plus cost-of-living increase; authorization for the Chairman to execute letter exercising option to renew lease.

RECORD: CONTRACT FILE

3312

**53RD AVENUE WEST/ROAD CONSTRUCTION**

Motion was made by Mrs. Glass, seconded by Mrs. Hooper and carried unanimously, to approve:

Award bid to APAC-Florida, for construction of 53 Avenue West, Project 3034, not to exceed \$1,377,323.79; subsequent execution of contract; authorization to issue notice to proceed after execution of contract and receipt of insurance certificates/performance bond.

**RECESS/RECONVENE**

The Chairman declared the meeting recessed until 1:30 p.m.

The Board reconvened at 1:37 p.m. with all members present except Mr. Chetlain.

**ORDINANCE 86-27, OCCUPATIONAL & BUSINESS LICENSES**

At the request of the County Attorney Mrs. Glass moved the first reading of Ordinance No. 85-27 by title only. Motion was seconded by Mr. Chance and carried unanimously.

**ORDINANCE NO. 85-27** AN ORDINANCE RELATING TO OCCUPATIONAL LICENSES PROHIBITING THE CONDUCT OF A BUSINESS OR PROFESSION IN MANATEE COUNTY, FLORIDA, WITHOUT AN OCCUPATIONAL LICENSE; PROVIDING DEFINITIONS; LEVYING OCCUPATIONAL LICENSE TAXES; PRESCRIBING THE METHOD OF ISSUANCE, TAX COLLECTION, TERM OF LICENSES, DELINQUENT FEES, TRANSFER OF LICENSES, EXEMPTIONS, CLASSIFICATIONS; DISTRIBUTION OF REVENUE; SUSPENSION OR REVOCATION OF LICENSES, EXEMPTIONS, CLASSIFICATIONS; DISTRIBUTION OF REVENUE; SUSPENSION OR REVOCATION OF LICENSE; AND PRESCRIBING SANCTIONS AGAINST VIOLATORS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Mr. Rice gave the first reading and Mark Barnabey, Assistant County Attorney, reviewed the draft ordinance in general. He indicated it must be adopted by August 15, 1986, in order for it to have any application to the enterprise zone designation (relating to Lincoln School Area).

(Enter Mr. Chetlain)

Motion was made by Mrs. Glass, seconded by Mrs. Hooper and carried unanimously, to authorize a public hearing on August 5, 1986 at 9:00 a.m. or as soon thereafter as same may be heard.

**ORDINANCE 86-29, LOCAL OPTION GAS TAX**

The County Attorney submitted and recommended adoption of

**R-86-153** RESOLUTION ESTABLISHING THE INTENT TO AMEND ORDINANCE 83-27 TO EXTEND THE FOUR CENT LOCAL OPTION GAS TAX TO THE MAXIMUM TERM PERMITTED BY LAW AND ORDINANCE 85-21 TO EXTEND THE FIFTH AND SIXTH CENT LOCAL OPTION GAS TAX TO THE MAXIMUM TERM PERMITTED BY LAW; TO ENTER INTO NEGOTIATIONS TO ESTABLISH AN INTERLOCAL AGREEMENT FOR DIVIDING THE PROCEEDS OF THE TAX OF THE EXTENDED TERM AMONG THE COUNTY GOVERNMENT AND ALL ELIGIBLE MUNICIPALITIES WITHIN THE COUNTY.

and authorization to set a public hearing August 5, 1986 on said Ordinance. He stated that it is necessary to appoint a lead negotiator in developing the interlocal agreement.

During discussion it was recommended the Board communicate directly with the City of Bradenton (the largest municipality in the County) regarding development of an interlocal agreement to provide for distribution of revenues.

Mrs. Glass moved to authorize the Chairman to contact the Mayor of the City of Bradenton and arrange for a preliminary meeting to introduce the subject and (arrange) whatever meetings are necessary to effect an agreement regarding this funding. Motion was seconded by Mrs. Hooper and carried unanimously.

Motion was made by Mrs. Hooper to adopt Resolution R-86-153 inserting in paragraph 3 of the last page: "Chairman of the Board of County Commissioners prior to "is hereby appointed as the lead negotiator in developing the interlocal agreement." Motion was seconded by Mr. Chance and carried unanimously.

**RECORD RESOLUTION**

S35-478

Motion was made by Mr. Chetlain to set a public hearing August 5, 1986, to consider Ordinance 86-29 Amending Ordinances 83-27 and 85-21 to extend the 1-6 cents local option gas tax and delete the requirement of a County-wide Referendum.

**AIRPORT RELOCATION/REFERENDUM**

Mr. Rice inquired if the Board wished to reconsider action of June 17, 1986, to send a letter to the Sarasota-Manatee Airport Authority and the Supervisor of Elections on modifying the Airport Relocation Referendum question proposed by the Authority. He noted a workshop is scheduled for July 9, 1986 to discuss the referendum question and Sarasota County may be taking some action on the matter. He pointed out that previous action may not be appropriate due to the fact that the Airport Authority adopted the resolution outlining the wording of the question and did not petition action from this Board.

Discussion: Whether sending the letter is inappropriate at this time, why action of the Board was not implemented, why the matter was not brought before the Board at an earlier date, etc.

No action was taken.

JULY 1, 1986

Cont'd.

**TERRA CEIA POSTAL FACILITY**

Motion was made by Mr. Chetlain, seconded by Mrs. Glass and carried unanimously, to authorize the Chairman to sign a letter to the U.S. Postal Service voicing no objections to the location of the proposed Terra Ceia postal facility (located on the east side of U.S. Highway 19 approximately 350 feet south of 73rd Street West).

**TRAVEL AUTHORIZATION**

Upon motion by Mr. Chance, seconded by Mrs. Hooper, request for authority to travel was unanimously approved for the County Administrator to San Diego, California, to attend the ICMA Annual Conference, September 30 through October 2, 1986.

**CLERK'S CONSENT CALENDAR**

Upon motion by Mrs. Hooper, seconded by Mr. Chance, the Clerk's Consent Calendar dated July 1, 1986, was unanimously approved.

**BONDS:****Accept:**

Public Deputies Blanket Bond -

**Additions:**

Awre, Alfred	Patrol
Deaton, Kenneth	Special Deputy
Desrosiers, Frank	Patrol
Fairfield, Valerie	Records
Godbee, Gerald	Patrol
Greer, Stephen	Jail
Grimes, Herbert	Criminal Investigation
Henderson, David	Patrol
Imes, Barbara	Baliff
McClancey, Robert	Patrol
Neal, David	Patrol
Perez, John	Patrol
Romaine, Donald	Patrol
Tatum, Richard	Jail
Vaniter, William	Special Deputy
Williams, Joellen	Secretary

**Deletions:**

Awre, Alfred	Posse
Carter, Steven	Patrol
Dunlap, Kimberly	Communications
Lovett, Roy	Special Deputy
Metzger, Gary	Patrol
Powell, John	Jail
White, Lewis	Records

**BILLS FOR PAYMENT:**

Walter H. Sobel - Courthouse Proj. 85-36-A	\$ 1,975.50
- Courthouse Proj. 85-36-3	2,559.25
Camp Dresser & McKee - Phase II, Solid Waste Mgmt Plan	1,327.69
"      "      "      "      - Phase I, Segment A, Pump Station & Force Main, SE Subregional Wastewater Trmt Facilities	40,240.09
"      "      "      "      - SE Subregional Wastewater Trmt Facilities, Work Auth. #6	116,360.93
"      "      "      "      - SE Subregional Wastewater Trmt Facilities, Work Auth. #5	86,422.84
CH2M Hill Southeast - Task Order #4, Phase I, Design of Injection & Monitoring Well	200.01
"      "      "      - Task Order #5, Exploratory Well Design	380.94
Woodruff & Sons - Bayshore Yacht Basin Lift Station; Contract Change Order (increase contract time by 45 days)	96,228.00
"      "      "      - SE Phase I, Segment B, Part 1, Pump Stations & Force Mains	157,843.28
Larson Eng - N. County Phase I, Segment B, Part A	6,242.48
"      "      - North Subregional Wastewater Facilities, Phase I, Segment A, Parts A, B & C	2,276.71
USA Steel Fence - 59th Street Park	33,920.00
Lanzo Construction - North Phase I, Segment A, Part A Master Lift Station	128,050.00

JULY 1, 1986

Cont'd.

**Refunds:**

Hilda Gardner - Child Safety Seat Deposit	10.00
Mrs. Sally Johnson - Animal Cage	20.00
Forrest Locklear - Animal Cage	20.00
Edward Madden - Facility Reservation Fee	10.00
Caldwell Banker - Error in Payment	355.00

**WARRANT LIST**

Approve: June 24, 1986 to June 30, 1986  
Authorize: July 1, 1986 to July 7, 1986

**MINUTES FOR APPROVAL**

May 22, 27, & 28, 1986

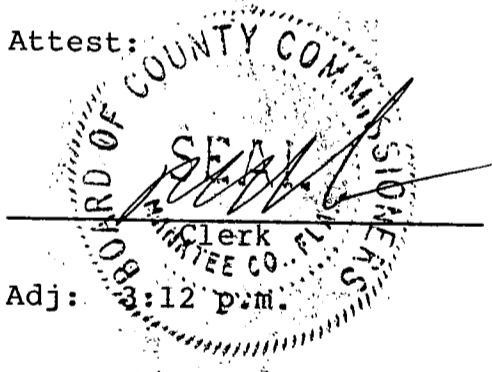
**AUTHORIZE CHAIRMAN TO SIGN:**

1. **CONTRACTS/COMMUNITY CARE ELDERLY**
  - a. United TeleSentinel for Emergency Alert/Response Services (6/3/86: bid award; execution authorized).  
RECORD: CONTRACT FILE 3313
  - b. Medical Personnel Pool of Tampa-St. Petersburg, Inc. for Homemaker, Respite & Personal Care (6/10/86: bid award; execution authorized)  
RECORD: CONTRACT FILE 3314
  - c. Upjohn Health Care Services Inc for Homemaker, Respite & Personal Care (6/10/86: bid award; execution authorized).  
RECORD: CONTRACT FILE 3315
  - d. Manatee Council on Aging Inc., for Adult Day Care Services (6/10/86: bid award; execution authorized).  
RECORD: CONTRACT FILE 3316
2. **REPORTS**
  - a. Closeout Report for Community Development Block Grant Small Cities Program, Status of Funds & Disbursements
  - b. Closeout Report for Community Development Block Grant Job Impact Program (Siemens-Allis), Final Certification of Completion
3. Partial Release of Special Improvement Assessment Lien:  
Patricia Ann Collins, Project #667

**MEETING ADJOURNED**

There being no further business, the meeting was adjourned.

Attest:



APPROVED:

*Westworth H. H. H.*  
Chairman 8/12/86

Adj: