

DECEMBER 23, 1986

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, December 23, 1986, at 9:05 a.m.

## Present were Commissioners:

Westwood H. Fletcher, Jr., Chairman  
Edward W. Chance, Vice-Chairman  
Patricia M. Glass  
James J. McGrath

## Absent was Commissioner:

Kent G. Chetlain

## Also present were:

Jim Engelhart, Assistant County Administrator  
H. Hamilton Rice, Jr., County Attorney  
Richard H. Ashley, Chief Deputy Clerk, representing  
R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

Invocation by Rev. Lewis George, Central Christian Church

The meeting was called to order by Chairman Fletcher.

All witnesses/staff giving testimony were duly sworn.

AWARDS

Peggy Hollar, County Attorney's Office, was presented a certificate in recognition of being selected "Employee of the Month."

ORDINANCE 86-50: FAIR HOUSING

Public hearing (Notice in The Bradenton Herald 11/29/86) was held for the purpose of considering

*Presented by  
bid. 90-112  
adopted 11/6/86*

ORDINANCE 86-50 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, ENTITLED THE MANATEE COUNTY FAIR HOUSING ORDINANCE; PROVIDING INTENT WITH RESPECT TO THE ORDINANCE PROVIDING DEFINITIONS; PROVIDING FOR THE CONSTRUCTION OF THE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ESTABLISHMENT OF AN AUTHORITY TO ADMINISTER THIS ORDINANCE; PROVIDING THE POWERS AND DUTIES OF THE AUTHORITY; PROVIDING FOR THE COOPERATION WITH FEDERAL, STATE AND LOCAL AGENCIES ADMINISTERING FAIR HOUSING LAWS; PROHIBITING DISCRIMINATORY PRACTICES OF SALE OR RENTAL OF HOUSING; PROHIBITING DISCRIMINATORY PRACTICES IN THE FINANCING OF HOUSES; PROHIBITING DISCRIMINATORY PRACTICES IN THE PROVISION OF BROKERAGE SERVICES; PROHIBITING DISCRIMINATORY BUILDING PRACTICES; PROHIBITING OTHER DISCRIMINATORY PRACTICES; PROVIDING CERTAIN EXEMPTIONS; PROVIDING FOR THE FILING OF COMPLAINTS; PROVIDING FOR INVESTIGATIONS OF ALLEGATIONS OF DISCRIMINATION; PROVIDING FOR THE ISSUANCE OF SUBPOENAS AND THE ADMINISTRATION OF OATHS; PROVIDING FOR THE REVOCATION AND MODIFICATION OF SUBPOENAS; PROVIDING FOR CONCILIATION AGREEMENTS; ESTABLISHING BURDENS OF PROOF; PROVIDING FOR ENFORCEMENT; PROVIDING PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

Joel Strom, Manatee County Citizens Council, spoke in opposition to the ordinance.

Motion was made by Mr. Chance, seconded by Mrs. Glass and carried unanimously, to adopt Ordinance 86-50.

RECORD ORDINANCE

S36-111

PARTICIPATION PROJECTS - 59TH AVENUE EAST

Public hearing (Notice in The Bradenton Herald 12/10/86) was held to consider Preliminary Special Road Assessment Roll on

Road Assessment Project #5042  
59th Avenue East from 5th Street East, west approximately 840 feet to existing pavement

and

R-86-311 A RESOLUTION CONFIRMING ADOPTION OF A SPECIAL ROAD ASSESSMENT ROLL AND ESTABLISHING SPECIAL ASSESSMENT LIENS FOR 59TH AVENUE EAST PARTICIPATION PROJECT #5042

Mr. McGrath moved to approve Special Road Assessment Roll for Project 5042 and adopt Resolution R-86-311 confirming approval of the Special Road Assessment Roll and imposing liens on 59th Avenue East.

RECORD RESOLUTION

S36-112

PARTICIPATION PROJECTS - 12TH STREET WEST (SPRING SUBDIVISION)

Public hearing (Notice in The Bradenton Herald 12/10/86) was held to consider Preliminary Special Road Assessment Roll on

Road Assessment Project #5073  
12th Street West from 60th Avenue West, south approximately 648 feet to dead end

and

R-86-312 A RESOLUTION CONFIRMING ADOPTION OF A SPECIAL ROAD ASSESSMENT ROLL AND ESTABLISHING SPECIAL ASSESSMENT LIENS FOR 12TH STREET WEST SPRING SUBDIVISION PARTICIPATION PROJECT NO. 5073

Tom Fenton, Public Works/Transportation, advised assessments for this project are higher than previous projects due to drainage work needed and the assessment being spread among nine large parcels. He recommended continuing the public hearing in order for staff to explore possibilities of lowering the costs.

Speaking in opposition to the project (assessments) were:

Johnny Mickel Ruby Driver

Discussion: Traffic patterns; 60th Avenue Terrace West; lower assessments if County does drainage/base work; removal of limestone under shell adds to cost; rejecting all bids, etc.

Mrs. Glass moved to continue the public hearing to January 13, 1987 at which time the adjusted assessment roll will be brought back, and in the interim staff will explore possibilities to lower the costs. Motion was seconded by Mr. McGrath and carried unanimously.

ZONING - COOPER CREEK

Z-83-12(R) WILBUR BOYD CORP. - REVISED C/PLAN (APPROVED)

Request: Revision to the Conceptual Plan adopted on August 16, 1984 by the Board of County Commissioners (Z-83-12), located in the southeast area and in the watershed for Evers Reservoir at the northwest corner of intersection of University Parkway/I-75. Planning Commission recommended APPROVAL with stipulations (56) recommended by staff and also with the waiver of forty percent impervious surface requirement established by Policy IV.(f) of the Southeast Area Resolution and instituting the language that is requested by applicant (regarding impervious surface area).

(Depart Mrs. Glass)

Public hearing (Notice in The Bradenton Herald 12/5/86) was opened for the purpose of considering

Z-83-12(R) AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE CONCEPTUAL DEVELOPMENT PLAN ADOPTED ON AUGUST 16, 1984 BY THE BOARD OF COUNTY COMMISSIONERS (Z-83-12). PRESENT ZONING PDI, PDR, PDC WITH ALL ASSOCIATED WP/ST/AF DISTRICT OVERLAYS (604.68). LOCATED IN THE SOUTHEAST AREA AND IN THE WATERSHED FOR THE EVERS RESERVOIR AT THE NORTHWEST CORNER OF THE INTERSECTION OF UNIVERSITY PARKWAY AND I-75; PROVIDING AN EFFECTIVE DATE.

Steve Logan, Planning Department, stated this request brings forth all stipulations included in the original rezone. The request is to trade 330,000 square feet of Professional floor space for Commercial space.  
(Enter Mrs. Glass)

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Mr. Logan advised the request (for sixty percent impervious surface area) is not consistent with the Southeast Area Resolution in regard to the forty percent impervious surface rule. He stated Stipulation No. 11 is the recommendation of the Planning Department which upholds the forty percent rule of the SEATF.

Tom McCollum, representing the applicant, pointed out the original SEATF recommendations were for a sixty percent impervious surface area, but the Board adopted a forty percent area policy. He stated environmental studies indicate the project will not be harmful to Evers Reservoir and submitted a chart illustrating the proposed changes in the Plan relating to square feet, land use, stormwater management, transportation and econometrics.

Bill Oliver, Kimley-Horn, corrected a transportation figure on the chart.

Recess/Reconvene; All members present except Mr. Chetlain.

Mary Sheppard expressed, in person and by letter, her opposition to the project if approved with sixty percent impervious surface.

Upon motion by Mrs. Glass, seconded by Mr. Fletcher and carried unanimously, the letter was entered into the record.

Kathryn Fernald, Manasota 88 and Manatee Save Our Bays, opposed the request as it relates to watersheds and the impervious area.

Margaret Swanson, City of Bradenton Planning Department, read a letter from Mayor Evers in opposition to the request due to dangers to the Evers Reservoir watershed.

Mr. Chance moved to enter the letter into the record. Motion was seconded by Mr. Fletcher and carried unanimously.

Bob Olson, Seaburn & Robertson Inc., water resource engineer, stated the stormwater drainage system has been designed to handle a sixty percent impervious area.

The public hearing was closed.

Motion to Continue (Failed)

Motion was made by Mr. McGrath, and seconded by Mrs. Glass, to continue the public hearing until a full Board is present. Voting "Aye" was Mr. McGrath. Voting "Nay" were Mrs. Glass, Mr. Chance and Mr. Fletcher. Motion failed.

Motion - Adoption

Having considered the staff report, comments made at the public hearing and finding the request to be consistent with the Manatee Plan, Mr. Chance moved to adopt Manatee County Ordinance Z-83-12(R) with the stipulations recommended by staff. Motion was seconded by Mrs. Glass. Voting "Aye" were Mr. Chance, Mrs. Glass and Mr. Fletcher. Voting "Nay" was Mr. McGrath. Motion carried.

Motion - Reconsideration

Following discussion that the adoption of Z-83-12(R) with stipulations as recommended by staff was approving a forty percent impervious area, motion was made by Mr. Chance, and seconded by Mr. McGrath, to reconsider Ordinance Z-83-12(R). Voting "Aye" were Mr. Chance, Mr. McGrath, and Mr. Fletcher. Voting "Nay" was Mrs. Glass. Motion carried.

Mr. Logan requested amending stipulation No. 12 to read:

Commercial and industrial uses are prohibited in the Low Intensity Zone, as defined by the Southeast Area Plan Resolution, or as hereafter revised, unless the applicant affirmatively demonstrates prior to approval of each Preliminary Development Plan submitted to the Board of County Commissioners that such uses will not adversely affect the Braden River, Evers Reservoir and the associated tributaries during normal times or in the event of a 100-year magnitude flood.

(NOTE: Further action later in the meeting)

**CITIZENS COMMENTS****Colonial Baptist Church - Special Permit**

Jim Farr, Larson Engineering, requested an amendment to Special Permit stipulations regarding an opaque fence.

Disposition: To be placed on a future agenda.

**Tree Lakes Travel Trailer Park Phase II - 78-T-3/2**

Mr. Farr requested approval of Final Site Plan for Tree Lakes Travel Trailer Park Phase II (78-T-3/2).

Dan Lobek, representing unit owners at Tree Lakes, requested continuing this request pending clarification of matters regarding water, sewer and roads.

Robert Shumaker, Counsel for Wilder Corporation, stated this matter is in dispute between the owners and his clients.

Disposition: To be placed on a future agenda after review by staff.

**ZONING - COOPER CREEK Z-83-12(R) (Cont'd)**

Having considered the staff report, comments made at the public hearing and finding the request to be consistent with the Manatee Plan, motion was made by Mr. Chance and seconded by Mr. Fletcher to adopt Manatee County Ordinance Z-83-12(R) with the stipulations recommended by the Planning Commission, with the amendment to stipulation No. 12 which reads as follows:

Commercial and industrial uses are prohibited in the Low Intensity Zone, as defined by the Southeast Area Plan Resolution, or as hereafter revised, unless the applicant affirmatively demonstrates prior to approval of each Preliminary Development Plan submitted to the Board of County Commissioners that such uses will not adversely affect the Braden River, Evers Reservoir and the associated tributaries during normal times or in the event of a 100-year magnitude flood. Voting "Aye" were Mr. Chance, Mrs. Glass and Mr. Fletcher. Voting "Nay" was Mr. McGrath. Motion carried.

**RECORD ORDINANCE**

Public hearing (Notice in The Bradenton Herald 12/5/86) was opened to consider

**DRI 14 COOPER CREEK CENTER/DEVELOPMENT ORDER AMENDMENT (APPROVED)**

Request: Approval of an amendment to the Development Order adopted pursuant to Chapter 380.06 Florida Statutes on January 9, 1986 (R-85-236) located in the southeast area and in the watershed for Evers Reservoir at the northwest corner of the intersection of University Parkway and I-75.

Planning Commission recommended APPROVAL with the language requested by the applicant (Option 2) of Section E.(1) and with the changes recommended by staff.

**R-86-323 RESOLUTION GRANTING AN AMENDMENT TO THE DEVELOPMENT ORDER OF COOPER CREEK CENTER (R-86-235)**

Mr. Logan stated the revision to the Development Order deals with transportation issues and that prepayment of impact fees (\$1,040,000) for upgrading University Parkway is written into the transportation stipulations. Staff recommends forty percent impervious area based upon recommendations of the Board. The Developer is requesting adoption of Option 2 under section E.(1) which is compatible with the Conceptual Plan as adopted under Z-83-12(R).

Jan Everett, Harland-Bartholomew traffic consultant, advised there has been a review of a traffic analysis completed by the Developer and, with appropriate improvements to University Parkway, Level of Service "D" may be maintained during peak hours.

Recess/Reconvene; All members present except Mr. Chetlain.

Mark Barnebey, Assistant County Attorney, reviewed minor changes to language in Resolution R-86-323:

C.(6) Add sentence: Provisions of the Fee Agreement shall supersede and take precedence over the conflicting provisions of this Development Order.

C.(2) Table I Paragraph I Line 1 to read: These roadway intersections have been identified.....

C.(2) ROADWAY SEGMENTS: Delete entire section.

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- C.(3)Line 10 to read: ...Service\* on any intersection listed in Table I....
- C.(4)Line 6 to read: ...of the Acceptable Level of Service\* existing on the intersections listed in Table I....
- C.(8)To read: Maintenance of Acceptable Level of Service\* on the intersections listed in Table I or in the Study area identified in paragraph C.(1) shall be verified by the developer to the satisfaction of the County Transportation Authority\* as part of each annual report as required by Chapter 380.06(16) F.S.
- C.(9)Line 3 to read: ...maintained on the intersections listed in Table I....

Tom McCollum stated the developer concurs with the changes and agrees to the prepayment of \$1,040,000 for transportational links.

Sandra Eberhart, Tampa Bay Regional Planning Council (TBRPC), stated TBRPC cannot concur with approval of the Amendment to the Development Order due to insufficient time for review by traffic consultants. She requested TBRPC be given appeal time after adoption of the resolution.

Public comment portion of the hearing was closed.

Having considered the staff report, comments made at the public hearing, the determination made by the Board on November 20, 1986 that the changes do not constitute a substantial deviation and finding the request to be consistent with the Manatee Plan and FS 380.06, Mr. Chance moved to approve the amendments to the Development Order for Cooper Creek Center Phase I DRI No. 14 with the conditions and stipulations recommended by the Planning Commission, and with the changes previously read into the record by Counsel and to permit forty-five days review and appeal period for TBRPC. Motion was seconded by Mrs. Glass. Voting "Aye" were Mr. Chance, Mrs. Glass and Mr. Fletcher. Voting "Nay" was Mr. McGrath. Motion carried.  
(NOTE: Further action later in the meeting)

Public hearing (Notice in The Bradenton Herald 12/5/86) was held for the purpose of considering

**PDR/PDI/PDC-86-16 COOPER CREEK CENTER/PRELIMINARY MASTER DEVELOPMENT ORDER (APPROVED)**

Request: Preliminary Master Plan for Phase I of the Cooper Creek Center Development of Regional Impact granting authorization to proceed with application for construction drawings approval for infrastructure improvements only, for Phase I, located in the southeast area and in the watershed for the Evers Reservoir at the northwest corner of intersection of University Parkway/I-75. Planning Commission recommended APPROVAL with the stipulations as amended and recommended by staff.

If Approved, staff recommends the following stipulations:

1. All conditions of the Development Order (R-85-236(R)) and stipulations to the rezone (Z-83-12-(R)) shall apply to this approval.
2. The development criteria specified in the Cooper Creek Center Design Standards when approved by the Board of County Commissioners shall be used in conjunction with the Manatee County Land Development Code and all other review criteria used by the County to evaluate all development proposed within the Cooper Creek Center. Prior to submittal of a Final Master Development Plan, the design standards shall be revised and submitted for approval incorporating specific standards for residential development.

Tom McCollum, in reviewing the project, stated approval would allow development of roads, water, sewer and drainage to proceed.

Mary Shepherd discussed conservation consultants recommendations.

Motion to Continue (Failed)

Mr. McGrath moved to continue the public hearing for a full Board. Motion failed for lack of a second.

Motion - Approval

Having considered the staff report, comments made at the public hearing and finding the request to be consistent with the Manatee Plan, motion was made by Mr. Chance, and seconded by Mrs. Glass, to approve PDR/PDI/PDC-86-16 with the stipulations as amended and recommended by staff.

Upon advise of Counsel, motion was amended to read "with the stipulations as amended and recommended by the Planning Commission".

Voting "Aye" (motion as amended) were Mr. Chance, Mrs. Glass and Mr. Fletcher. Voting "Nay" was Mr. McGrath. Motion carried.

DRI 14 COOPER CREEK CENTER/DEVELOPMENT ORDER AMENDMENT (APPROVED)  
(Ratification of previous action.)

*Amended by R 86-300*

The County Attorney recommended ratification of action taken earlier in the meeting regarding Resolution R-86-323. Mr. Barnebey restated the motion to read:

Having considered the staff report, comments made at the public hearing, the determination made by the Board on November 20, 1986 that the changes do not constitute a substantial deviation and finding the request to be consistent with the Manatee Plan and FS 380.06, I moved to adopt Resolution R-86-323 which includes amendments to the Development Order for Cooper Creek Center Phase I DRI No. 14 with the conditions and stipulations recommended by the Planning Commission, and with the changes previously read into the record by Counsel and to permit forty-five days review and appeal period for TBRPC.

Mrs. Glass moved for ratification of the motion (action) as read by Counsel. Motion was seconded by Mr. Chance and carried unanimously.

RECORD RESOLUTION

S36-113

BUILDING AND CONSTRUCTION INDUSTRY ADVISORY COMMITTEE

By memorandum of 12/15/86, Fred Goodrow, Planning and Development Director, submitted and recommended adoption of

R-86-321 RESOLUTION FOR THE ESTABLISHMENT OF THE  
MANATEE COUNTY BUILDING AND CONSTRUCTION INDUSTRY  
ADVISORY COMMITTEE

Upon suggestion that staff revise membership to include members from all building trades as opposed to one "At Large" member, motion was made by Mrs. Glass to defer this matter to the first meeting in January. Motion was seconded by Mr. Chance and carried unanimously.

Mr. Chance moved to enter letters from the Plumbers Association and Larry Campbell into the record. Motion was seconded by Mrs. Glass and carried unanimously.

RUSSO PRISON MINISTRIES - WAIVER SITE PLAN FEES

By memorandum (12/15/86) the Planning Director submitted request of Rev. James J. Russo of "One Way" Prison Ministries Inc., to waive Final Site Plan fee for Russo Halfway House (FSP-86-185).

Mrs. Glass moved approval of waiver of the Final Site Plan Fee for Russo "One Way" Prison Ministries Inc. (Russo Halfway House FSP-86-185). Motion was seconded by Mr. Fletcher and carried unanimously.

NORTH COUNTY LIFT STATION PROPOSED SITE

Jim Rhinehart, Public Works/Utilities, reported on progress relating to purchase or condemnation of a site for a north county lift station. He stated 1) negotiations with Miller Enterprises have not lead to an agreement, and 2) Peter-John Land Trust Inc. (Harllee) has offered a site at no cost.

Options available are:

- = Further negotiations with Miller Enterprises
- = Condemnation of the Miller site
- = Accept Harllee offer (recommended by Public Works Department)

Discussion: Growth in the area; Commissioner from district absent; cost differential between Miller and Harllee sites; landscaping, etc.

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Motion was made by Mr. Chance, and seconded by Mrs. Glass, to defer this matter to the first meeting in January. Voting "Aye" were Mr. Chance, Mrs. Glass and Mr. Fletcher. Voting "Nay" was Mr. McGrath. Motion carried.

**COUNTY ADMINISTRATOR'S CONSENT AGENDA**

Upon motion by Mrs. Glass, and seconded by Mr. Chance, the County Administrator's Consent Agenda was unanimously approved after deleting Lease with Dan Blalock Jr. for Data Information Services office space (separate motion).

Items APPROVED:

**COMMUNITY SERVICES/CARE FOR ELDERLY**

1. Local cash match of \$11,207 to operate the Homemaker Program until receipt of a fully executed agreement with West Central Florida Area Agency on Aging, Inc.
2. Execution of Second Modification Agreement with West Central Florida Area Agency on Aging, Inc. reducing Older Americans Act grant (Homemaker/Chore Services) local match by \$2,784.

RECORD: CONTRACT FILE 3506

**UTILITIES**

1. Adoption of  
R-86-308 RESOLUTION AUTHORIZING EXECUTION OF  
AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION  
FOR ADJUSTMENT OF CERTAIN UTILITIES  
RECORD RESOLUTION S36-114
2. Agreement with Florida Department of Transportation to adjust facilities at SR 684 (Cortez Road) and 20th Street West.  
RECORD: CONTRACT FILE 3507
3. Work Assignment 87-2 with Camp, Dresser & McKee for Engineer of Record Services relating to 1986 Water and Sewer Revenue Bonds, not to exceed \$16,000.  
RECORD: CONTRACT FILE 3508

**DEEDS & EASEMENTS**

51st Avenue East Extension - Warranty Deed from Southern Lakes Venture for Right of Way

**WEST COAST INLAND NAVIGATIONAL DISTRICT**

Amend 1987 WCIND Project Priority Funding list (approved 9/16/86) by reducing the budget allotment for Permanent Buoy Construction Over Artificial Reefs by \$8,850 and adding a new project, Coast Guard Auxiliary, Flotilla 81, Boating Safety & Education, \$8,850.

**AFFIDAVIT FOR ACCESS**

Elizabeth E. Hoffman - 7960 Barr Road, Myakka

**CENTRAL SERVICES**

1. Work Release: Plaster Ceilings and Accessories - Award bid to Commercial Plastering Inc, not to exceed \$16,540
2. Parks & Recreation: 10-Yard Tandem Dump Truck - Award bid to Sun State International Trucks Inc, not to exceed \$47,995
3. Public Works: Highway and Railroad Boring Casings - Award bid to Suca Pipe Supply Inc, unit price basis
4. Utilities: Diesel Fuel Tanks - Award bid to Petroleum Products Services Inc, not to exceed \$45,073.58, and \$500 per site (6) for dewatering, if required; total not to exceed \$48,073.58; issue Notice to Proceed upon receipt of Performance/Payment Bond and Certificate of Insurance.
5. Golf Course: Golf Car Batteries - Award bid to Jeffrey Allen Inc, unit price basis
6. Office Automation Equipment - Sole source purchase from NCR not to exceed \$4,500

**SURPLUS PROPERTY**

Adoption of

R-86-317 AUTHORIZING THE CONVEYANCE OF COUNTY OWNED  
PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER  
125.38 F.S.

(conveying card file cabinets from Property Appraiser to School Board)

RECORD RESOLUTION S36-115

**SWITCHBOARD RECORDINGS**

Continuation of the present method of answering after hours switchboard calls to county departments.

(End Consent Agenda)

PRECINCT BOUNDARY REVISIONS

Robert Sweat, Supervisor of Elections, submitted for adoption:

R-86-320 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA RE: REVISION OF BOUNDARY LINES OF CERTAIN PRECINCTS, AND THE CREATION OF NEW COUNTY ELECTION PRECINCTS WITHIN MANATEE COUNTY

Mr. Sweat stated due to population growth certain precinct boundaries are to be adjusted to allow parity. Affected areas are Colony Cove, Parrish-Duette and West Bradenton.

Motion was made by Mrs. Glass to adopt Resolution R-86-320. Motion was seconded by Mr. Chance and carried unanimously.

RECORD RESOLUTION

S36-116

STREET LIGHTING PROGRAM - GULF TO BAY ESTATES/CAPE VISTA SUBDIVISIONS

Mrs. Glass moved to adopt

R-86-322 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE IMPLEMENTATION OF A STREET LIGHTING PROGRAM IN GULF AND BAY ESTATES AND CAPE VISTA SUBDIVISION; RESCINDING IN PART THE DEFERRAL OF ESTABLISHMENT OF MUNICIPAL SERVICE TAXING UNITS PROVIDED IN RESOLUTION R-83-53; AND SETTING FORTH CERTAIN CONDITIONS AND UNDERSTANDINGS

Motion was seconded by Mr. McGrath and carried unanimously.

RECORD RESOLUTION

S36-117

HEALTH DEPARTMENT FACILITY

Kathy Snell, Community Services Director, advised the ten year life of the Health Department Facility expansion, as stated in a previous presentation, was incorrect due to the inclusion of primary care services and recommended the Board review its decision of December 9, 1986. She recommended Option 1 of the four options submitted for consideration:

1. Horizontal expansion with parking garage at current Health Department parking lot.
2. Horizontal expansion with parking garage on vacated Third Street East.
3. Horizontal expansion with parking garage to east of the new facility (land to be purchased).
4. Vertical expansion with parking garage south of new building.

Mr. McGrath moved to proceed with Option 1. Motion was seconded by Mr. Chance and carried unanimously.

COMMUNITY DEVELOPMENT BLOCK GRANT - RUBONIA

Mrs. Glass moved to adopt Resolution

R-86-313 RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION UNDER THE FLORIDA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (Small Cities CDBG Program, \$650,000 for Rubonia Improvement Project; authorizing execution by Chairman this day)

Motion was seconded by Mr. McGrath and carried unanimously.

RECORD RESOLUTION

S36-118

Recess/Reconvene; All members present except Mr. Chetlain

STATE LEGISLATIVE PROGRAM

David Rothfuss, Assistant County Administrator, submitted the 1987 State Legislative Program for review.

John Moody, Beautification Committee of the Chamber of Commerce, expressed a need for community beautification, but agreed Improvement Districts could be handled locally instead of legislatively.

Items deleted from the draft program (General Legislation) were:  
(1) Community Improvement Districts (2) East-West Toll Road



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Items to be contained in the Special Legislative Program were:

Special Assessment Tax Roll	Drainage Districts
Pollution Control Special Act	Building Codes
Manatee County Civic Center Authority	Platting

Arthur Campbell, Chamber of Commerce, concurred with deletion of the East-West Toll Road.

Motion was made by Mr. Chance, seconded by Mrs. Glass and carried unanimously to approve the 1987 State Legislative Program.

**SARASOTA-MANATEE AIRPORT AUTHORITY SERVICE AGREEMENT**

Following recommendation of the County Attorney, Mrs. Glass moved to defer an agreement between the Sarasota-Manatee Airport Authority and the Sheriff for Airport Service. Motion was seconded by Mr. Chance and carried unanimously.

**AIRPORT DRI APPEAL - LETTER TO THE EDITOR, BRADENTON HERALD**

The County Attorney submitted a draft letter to the Editor of The Bradenton Herald in response to editorial of 12/18/86 criticizing Board decision to appeal Land and Water Adjudicatory Commission ruling on Sarasota-Bradenton Airport DRI.

Motion was made by Mrs. Glass, and seconded by Mr. Fletcher, to authorize the County Attorney to send the letter to The Bradenton Herald. Voting "Aye" were Mrs. Glass, Mr. Fletcher and Mr. McGrath. Voting "Nay" was Mr. Chance. Motion carried.

**SCHROEDER-MANATEE LAND PURCHASE - EXCHANGE**

Mrs. Glass moved to authorize the Chairman to execute two deeds to Schroeder-Manatee Inc. and Assignments of Contracts (regarding warranties of title made by (1) Marie Cantolino (2) James P. and Carolyn V. Sheppard) in order to effectuate a like kind exchange of real property in connection with County purchase of the landfill site and adjoining sites from Schroeder-Manatee Inc. and SMR Golf Properties Inc. Motion was seconded by Mr. Chance and carried unanimously.

(NOTE: Contracts to be recorded at a later date.)

**DATA INFORMATION SERVICES - OFFICE SPACE LEASE**

Diane Frenz, Data Information Services Director, (by memorandum 12/18/86) submitted a lease with Dan S. Blalock Jr. for office space at 1010-1012 Manatee Avenue West for Data Information Services.

Discussion: Cost per square foot; use of vacated space; County offices moving to Bradenton Financial Center; better rental terms by bidding.

Mr. McGrath moved to defer this item to a future agenda. Motion was seconded by Mr. Chance and carried unanimously.

**SHADOW BROOK MOBILE HOME PARK UNIT III-C**

Mr. Chance moved to approve/accept/execute documents relating to Shadow Brook Mobile Home Park Unit III-C, as outlined in memorandum (12/5/86) from Richard A. Wilford, Public Works Director. Motion was seconded by Mrs. Glass and carried unanimously.

Documents:

1. Final Plat
2. Agreement with Goldome Florida Inc. warranting required improvements (\$4,743.09).
3. Defect Security: \$4,743.09 (Certified Check No. 5383 Goldome Savings Bank)

Also submitted for the record were two Affidavits of Payment by Goldome Florida Inc.

**STONE CREEK 1ST ADDITION**

Mr. Chance moved to approve/accept/execute documents relating to Stone Creek 1st Addition, as outlined in memorandum (12/10/86) from the Public Works Director. Motion was seconded by Mrs. Glass and carried unanimously.

Documents:

1. Final Plat

**LAWSUITS - PUTNAM AND WHITCHER**

Upon recommendation by the County Attorney, Mr. Chance moved to authorize settlement of lawsuits (vehicle accidents, Tallevast Road) (1) Putnam vs. Manatee County in the sum of \$5,000 and (2) Whitcher vs Manatee County in the sum of \$5,000. Motion was seconded by Mrs. Glass and carried unanimously.

**CLERK'S CONSENT CALENDAR**

Upon motion by Mrs. Glass, and seconded by Mr. Fletcher, the Clerk's Consent Calendar dated December 23, 1986 was unanimously approved.

**BONDS:**

Public Deputies Blanket Bond (Surety, Fidelity & Deposit Company of Maryland; Policy No. 9397030, Hunt Insurance Group)

**Additions:**

Albritton, Ronald	-	Special Deputy SSO
Beddow, C. A	-	Special Deputy
Herlihy, John	-	Special Deputy SSO
Hogle, Albert F	-	Special Deputy SSO
Holland, Toby	-	Special Deputy
McKeon, Daniel T	-	Special Deputy SSO
Oates, William T	-	Special Deputy SSO
Palmer, Jeffrey	-	Special Deputy SSO
Quarby, Monica T	-	Special Deputy SSO
Scott, Edward	-	Special Deputy SSO
Selzer, Gary M	-	Special Deputy SSO
Shanahan, Michael	-	Special Deputy SSO
Wood, Lewis	-	Special Deputy SSO
Anderson, Charles	-	Detention/Correction Officer
Herrera, Donna	-	CID/Victim Advocate
Sprague, Paul	-	Operations/Airport Dispatch
White, Steven	-	Operations/Communications Specialist

**Deletions:**

Grimes, Herbert	-	CID/Property (Deceased)
Robinson, Edward G	-	Operations/Airport Security
Rominger, Mark	-	Operations/Patrol

**1984 Water & Sewer Revenue Refund & Improvements Bond**

1. Accept Affidavit of Loss from Helen K. Dowd
2. Accept Indemnity Bond (Federal Insurance Company, Surety)
3. Authorize issuance of replacement certificate at owners expense.

**BILLS FOR PAYMENT:**

Attorneys Fees Balance before payment	-	\$546,757.74
Balance after payment	-	\$473,780.04
Nabors, Giblin, Steffens - General representation		\$ 537.50
- Longboat Key Dual Taxation		27,942.41
Batson, Jones, Bennett & Co - Longboat Key Dual Tax		12,610.00
Batson, Bennett, Carnahan - Longboat Key Dual Tax		20,310.00
Landers, Parsons & Uhfelder - Airport DRI		4,806.96
Lane, Trohn, Clarke et al - D. Harnish		79.83
E. N. Fay - Longboat Key Dual Tax		882.49
- Marshall's Braden River MH Park		618.75
Bush, Ross, Gardner et al - Murray Industries		875.00
- Marine One		3,081.93
Dickinson, O'Riorden et al - Verhoeven		1,232.83
Camp, Dresser & McKee - Solid Waste Mgt Plan Ph II		3,696.10
Wyman, Green & Blalock - P/Official Bond (McGrath)		80.00
Cardinal Contractors - Chlorine Contract Chamber		23,583.95
Danis-Shook Florida - SE Waste Water Treatment Plant		514,172.70
Larson Engineering - North Cnty W/Water Plant		7,414.55

**REFUNDS:**

Margaret Grover - Ambulance Fee overpayment	69.30
Fredrick Kapp - Ambulance Fee overpayment	63.36
Marguerite Kuth - Ambulance Fee overpayment	11.88
Nellie Thrash - Ambulance Fee overpayment	77.22
William Noel Smith - Ambulance Fee overpayment	14.50
Ewald Henke - Ambulance Fee overpayment	65.34
Eleanor Halcombe - Ambulance Fee overpayment	57.42
Beatrice Orbell - Ambulance Fee overpayment	57.42
Olive Witter - Ambulance Fee overpayment	30.70
Clytha Cromartie - Ambulance Fee overpayment	80.00

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Cont'd

Ruby Haines - Ambulance Fee overpayment	120.78
Edward Alizieri - Z-86-124 not processed	750.00
Lake Julianna Joint Venture - Applic processed adminis	900.00
Mrs. James Heagerty - Animal cage deposit	20.00
Ower C Jackson - Animal cage deposit	20.00
Mrs. William Fairchild - Golf play book	88.20
Alan Bowering - Mechanical Permit	25.00
Mary Hoagland - Animal cage deposit	20.00
Sherry A. Leaks - Variance not needed	318.00
Larry Rudd - Safety Seat deposit	10.00
Richard Morris - Refund of Exemption fees abolished	20.00
Virginia Kennedy - Refund of Exemption fees abolished	20.00

**WARRANT LIST:**

Approve: 12/16/86 to 12/22/86 Authorize: 12/23/86 to 1/5/87

**MINUTES:**

September 25 &amp; 30 and October 2 &amp; 7, 1986

**ACCEPT FOR THE RECORD:**Correspondence

1. Dan Blalock Jr. - Offer for sale to County, old Bradenton Herald Property for \$1,070,000
2. Russell Lux (Merrill Lynch/Boomer) - Offer for sale to County, Perrine Plaza Building for \$740,000 or appraised value

EPA/EEO Documentation

1. Cone Constructors Inc - North County Phase I, Seg B, Park D Lift Stations/Force Mains
2. Woodruff & Sons - North County Phase I, Seg B, Part A Pump Stations/Force Mains

**APPROVE, RATIFY AND CONFIRM**Execution of

Contract with Apac-Florida Inc. for 53rd Avenue West Shoulder Pavement  
(Authorized 11/18/86)

RECORD: CONTRACT FILE

3509

(End Consent Calendar)

**CITIES OF PALMETTO AND BRADENTON - WATER RESERVES**

Mr. Chance requested staff explore possibilities of establishing a procedure by which the Cities of Palmetto and Bradenton would be entitled to water reserves (Palmetto - 1,000,000 gallons per day; City of Bradenton - 5,000,000 gallons per day) based upon ad valorem taxes paid for purchase of Beker and Estech tracts. He referred to a letter from the Vice-Mayor of Palmetto agreeing as to equitable solution. Disposition: Staff to schedule work session or place on future agenda.

**MEETING ADJOURNED**

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


  
Clerk


  
Chairman

2/17/87

Adj: 4:15 p.m.