

JANUARY 27, 1994

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Tuesday, January 27, 1994, at 9:05 a.m.

**Present were Commissioners:**

Stan Stephens, Chairman  
 Joe McClash, First Vice-Chairman  
 John R. Gause, Third Vice-Chairman  
 Patricia M. Glass  
 Lari Ann Harris  
 Maxine M. Hooper

**Absent was Commissioner:**

Kent G. Chetlain, Second Vice-Chairman (ill)

**Also present were:**

Jeffrey Steinsnyder, Assistant County Attorney  
 Susan G. French, Deputy Clerk, representing  
 R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

Invocation by Reverend Warren Wasson, Christ United Methodist Church

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

**PROCLAMATIONS**

**William C. "Butch" Powell Day**

Upon motion by Mr. Gause and second by Mrs. Glass, a Proclamation was adopted 6 to 0, designating January 27, 1994, as "William C. 'Butch' Powell Day" in Manatee County.

RECORD S43-1176

**Tami Varckette Day**

Upon motion by Mr. Gause and second by Mrs. Glass, a Proclamation was adopted 6 to 0, designating January 27, 1994, as "Tami Varckette Day" in Manatee County.

RECORD S43-1177

**Mike Darty Day**

Upon motion by Mr. Gause and second by Mr. McClash, a Proclamation was adopted 6 to 0, designating January 27, 1994, as "Mike Darty Day" in Manatee County.

RECORD S43-1178

Accepting the Proclamations were Mr. Powell, Ms. Varckette and Mr. Darty who were recognized for helping to save the life of a highway patrol officer on October 17 while they were on a hunting trip in Wyoming.

**AGENDA DELETION**

Carol Clarke, Planning, Permitting and Inspections Director, advised that Resolution R-94-46, regarding Department of Community Affairs Development Block grant for installation of Parrish water facilities, would be continued to February 1, 1994.

**CONSENT AGENDA**

Mr. McClash moved to approve the Consent Agenda dated January 27, 1994, as recommended/amended, after the deletion of 1) Ordinance 94-07, Lakewood Ranch Community Development District (separate action); and 2) Land Use Agreement with the Manatee County Housing Authority. Motion was seconded by Mrs. Glass and carried 6 to 0. ITEMS APPROVED:

**ZONING**

Public hearing (continued from 12/16/93) was opened to consider

ORDINANCE 93-49 GATEWAY NORTH DRI 21 (FKA ORDINANCE 92-30)  
 (DEFERRED TO 2/24/94)

93-49 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RENDERING AN AMENDED DEVELOPMENT ORDER PURSUANT TO

CHAPTER 380, FLORIDA STATUTES ON AN APPLICATION FOR DEVELOPMENT APPROVAL (ADA) FILED BY MAGNOLIA MANAGEMENT CORPORATION FOR GATEWAY NORTH DEVELOPMENT OF REGIONAL IMPACT (DRI NO. 21), ALSO KNOWN AS THE TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI 218; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

and

PDMU-91-01(Z)(G)(R<sup>1</sup>) AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE NO. 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A AND PDC TO PDMU; AND APPROVAL OF A GENERAL DEVELOPMENT PLAN TO ALLOW A MAXIMUM OF 3,426 RESIDENCES, 445,200 SQUARE FEET OF COMMERCIAL SPACE, 397,500 SQUARE FEET OF OFFICE/SERVICE CENTER, 960,500 SQUARE FEET OF OFFICE SPACE, A 24.3 ACRE PARK, A 15.9 ACRE SCHOOL SITE AND A 5.3 ACRE RECREATION CENTER; PROVIDING AN EFFECTIVE DATE.

Public hearing (Notice in The Bradenton Herald 1/6/94) was held to consider

PDMU-93-05(P) SARASOTA MANATEE AIRPORT AUTHORITY (EXPANSION OF FIRE STATION APPROVED; EXPANSION OF HANGARS CONTINUED TO 3/24/94)  
Request: Preliminary Site Plan to allow 265 T-hangars, five corporate hangars totalling 109,750 square feet and the expansion of the airport fire station, granting special approval to a project in a designated entranceway on 760.34 acres, located on the south side of Tallevast Road between U.S. 41 and Old U.S. 301. Planning Commission recommended approval of the airport fire station only with stipulation:

1. The applicant shall apply for and receive approval of a Certificate of Level of Service for the fire station expansion only prior to Final Site Plan approval;

and

recommended the request to allow T-hangars and corporate hangars be continued to March 24, 1994, at 9:00 a.m. RECORD S43-1179

Public hearing (continued from 12/16/93) was held to consider

PDPM-91-01(G)(R) PORT MANATEE - STIPULATION 3 (APPROVED)  
Request: Amendment to an approved General Development Plan to allow changes in the zone locations on the approved Port General Development Plan, addition of uses and amendment of the stormwater management requirements for the General Development Plan on 748.18 acres, located on U.S. 41 North, south of Hillsborough County line and west of U.S. 41 North, offices located at 13231 Eastern Avenue, Palmetto.

Planning Commission recommended APPROVAL of stipulation:

3. By FY 1994-1995, the Port shall complete and implement the master stormwater management plan (required by Policy 2.4.2.1) for the entire Port which provides a stormwater treatment system meeting the requirements of Policy 2.4.1.3-2.4.1.5 of the Comprehensive Plan for nondegradation standards. The Port shall meet the water quality standards of Class III waters, as defined by Chapter 17-302, FAC., from the date of this approval until October 1, 1994. Water quality monitoring shall be conducted, as necessary, during this period, to determine existing water quality conditions. Any construction activities at the Port prior to October 1, 1994, shall provide on site construction monitoring according to a plan approved by the Director of the EAC to ensure nondegradation of surrounding Port waters. RECORD S43-1180

Public hearing (continued from 12/16/93) was opened to consider

Z-92-14(B) NU-GULF INDUSTRIES, INC. - A & A/WP-M (CONTINUED TO DATE UNCERTAIN)  
ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, . . . .; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM EX AND EX/WP-M TO A AND A/WP-M; PROVIDING AN EFFECTIVE DATE; LOCATED ON 144.19 ACRES (PART-B) ON THE NORTH SIDE OF STATE ROAD 64 BETWEEN BEAR BAY ROAD TO THE WEST AND PROPOSED STATE ROAD 39 TO THE EAST.

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(Cont'd)

Public hearing (Notice in The Bradenton Herald 1/6/94) was held to consider

**PDR-86-01(P)/93-S-09(P) PERIDIA ISLES - P/PLAN & P/PLAT** (APPROVED)  
Request: Preliminary Site Plan/Subdivision Plat to allow 48 single family lots at a density of 3.0 dwellings/acre with approval to create three additional single family lots consisting of three existing attached units on 15.8 acres located 1700 feet north of SR 70, and 300 feet west of Peridia Boulevard East.

Planning Commission recommended APPROVAL with Stipulations 1 through 14, deleting 6; Stipulation 15 added by staff after the Planning Commission meeting; RECORD S43-1181  
and Modifications to Section 907.7.3; Section 603.7.4.9; Section 907.9.4.1; Section 907.9.4.2; Section 907.9.1.7; Section 603.7.4.7. RECORD S43-1182

Public hearing (Notice in The Bradenton Herald 1/6/94) was held to consider

**Z-93-04 COUNTY INITIATED/JOHN B. PRITCHARD - GC** (CONTINUED TO 2/24/94)

ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, .....; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM PD-C AND RSF-6 TO GC; PROVIDING AN EFFECTIVE DATE; LOCATED ON 1.24 ACRES AT THE NORTHWEST INTERSECTION OF 17TH STREET COURT EAST AND 53RD AVENUE.

**DEDICATION OF 13TH STREET COURT EAST**

1. Release of Performance Bond, Letter of Credit No. 38903 from NationsBank of Florida, \$78,097.50;
2. Accept and authorize Chairman to execute agreement with Tropicana Products, Inc. warranting required improvements (NationsBank of Florida, Letter of Credit No. 39840 with Amendment 1, \$5,529.92);
3. Accept and authorize Chairman to execute NationsBank of Florida, Letter of Credit No. 39840 with Amendment 1, \$5,529.92;
4. Authorization to record Affidavit of Ownership/Encumbrances; and
5. Accept and authorize recording of Warranty Deed for 13th Street Court East from J.F.S. Enterprise, Inc.

**COUNTY INITIATED REZONE**

Initiate a rezone from RSF-4.5 to PDPI for property located at 2703 19th Street Court East (property leased by the County to Manatee Council on Aging and also used by Rural Health Clinic).

**TRANSPORTATION IMPACT FEE CREDIT**

Approval of road construction impact fee credit in the amount of \$77,284.50 for eligible road construction by Premier Suncoast Investments, Inc./Holiday Village Mobile Home Park per Credit Authorization CA-93-04(T). RECORD S43-1183

**GROUNDWATER REMEDIATION**

Execution of Work Assignment 3 for extended groundwater remediation for a not to exceed amount of \$8,550 at the Public Works 66th Street fuel location with Florida Groundwater Services, Inc., total project not to exceed \$21,868. RECORD S43-1184

**STREET VACATION - UNIVERSITY PARK OF COMMERCE**

Adoption of **R-94-10-V** RESOLUTION DECLARING PUBLIC HEARING ON FEBRUARY 24, 1994, ON APPLICATION BY AIRPORT WOODS COMMERCE CENTER TO VACATE A UTILITY AND DRAINAGE EASEMENT ON LOTS III-4, 5 AND 6, UNIVERSITY PARK OF COMMERCE (PLAT BOOK 24, PAGES 121-125). RECORDS 43-1185

**FEE WAIVER - COUNTY FAIR**

Ratify and confirm waiver of tipping fees at the Lena Road Landfill for solid waste disposal for the 1994 Manatee County Fair.

**MANATEE OPPORTUNITY COUNCIL GRANT APPLICATION**

Adoption of **R-94-38** RESOLUTION OF MANATEE COUNTY, FLORIDA, SUPPORTING MANATEE OPPORTUNITY COUNCIL, INC. 1994 COMMUNITY SERVICE BLOCK GRANT APPLICATION. RECORD S43-1186

**GOLF COURSE PRIVILEGE CARDS**

Execution of Privilege Card Agreements with the American Cancer Society, American Lung Association and Arthritis Foundation-Florida Chapter for Manatee County and Buffalo Creek Golf Courses to promote off-season play. RECORD S43-1187

S43-1188  
S43-1189

METROPOLITAN PLANNING ORGANIZATION

Execution of the Interlocal Agreement with the Metropolitan Planning Organization, Florida Department of Transportation, County of Sarasota, City of Sarasota, City of Bradenton, Town of Longboat Key, City of Palmetto, City of Venice, City of North Port, Sarasota-Manatee Airport Authority and Island Transportation Planning Organization to reorganize the Sarasota-Manatee urbanized area (terminating the 1977 agreement; providing for the Airport Authority to have full voting status and amending language to reflect changes in State and Federal laws). RECORD S43-1190

CLERK'S CONSENT CALENDAR

BILLS FOR PAYMENT

Bush, Ross, Gardner, et al - Hy Kom Dev Co thru 12/31/93	\$ 6,483.74
Hogg, Allen, et al - Retainer/Gen Matters to 11/30/93	437.09
Ardaman & Associates, Inc. - Detention Facility Inspections	
Inv S53126, 9/21-10/29/93	10,326.25
Inv S53365, 11/1-11/26/93	9,487.50
Briley, Wild & Assoc. - Inv 40406, SR 64-SR 70 Wtr Main	7,117.40
Shirley Land Development - Req 2, Rye/Waterline Rd Paving	57,817.78
Sky Construction Properties - Req 5, Pearce Drainage Canal	3,937.96
Zoller, Najjar & Shroyer - Work Assign Z-3, Terra Ceia	
Island Waterlines	1,220.50
Jerry Zoller - Work Assign 6; Public Health Unit	
Roof Replacement	5,377.50

REFUNDS

Fred M. Starling, Inc. - Easement Application Fee 800.00

WARRANT LIST

Approve: January 18, 1994 to January 26, 1994  
 Authorize: January 27, 1994 to January 31, 1994

MINUTES FOR APPROVAL

November 30, 1993 - Regular Meeting

AUTHORIZE CHAIRMAN TO SIGN

Satisfaction of Judgment - Sue Ann Garner, Case No. 93-225F (\$250)  
 Public Health Unit - Execute contract with Manson Roofing, Inc., \$137,539; date Performance and Payment Bonds and Power of Attorney; accept Certificate of Insurance (approved 1/11/94) RECORD S43-1191  
 Partial Release Special Improvement Assessment Liens:  
 Projects 2502 (2); 5022; 5068; 5147; 5150; 301-2504 (2); 301-5152; 405-5235; 410-8601

CORRECTION

Minutes - Correct Risk Assessment, October 12, 1993 (Minute Book 43, Page 252), Stella Daugherty, CA-92-2835 settlement amount from \$5,00 to \$5,000 (scriveners error).

ACCEPT

West Coast Inland Navigation District - Public Facilities Report/Plan  
 Whitfield Fire Control District - Fiscal Year 10/1/93-9/30/94 Budget (corrected); and Annual Audit and Financial Report (9/30/93)

(End Consent)

ORDINANCE 94-07: LAKEWOOD RANCH COMMUNITY DEVELOPMENT DISTRICT

Public hearing (Notice in The Bradenton Herald 1/6, 1/13, 1/20 and 1/24/94) was opened to consider

ORDINANCE 94-07 AN ORDINANCE ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT, PURSUANT TO CHAPTER 190, FLORIDA STATUTES, ON 815± ACRES IN MANATEE COUNTY, FLORIDA, ON A PETITION FILED BY SMR COMMUNITIES FOR LAKEWOOD RANCH COMMUNITY DEVELOPMENT DISTRICT 1; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.  
 (Located two miles east of I-75 on the south side of State Road 70)

Ms. Clarke requested continuance of Ordinance 94-07 to February 24, 1994.

Mrs. Hooper so moved. Motion was seconded by Mr. Gause.

John Patterson questioned whether there were water resources and utilities to accommodate large developments.

Discussion: Southwest Florida Water Management District controls water uses; Lakewood Ranch an approved development; clarifying "development district"; bringing Ordinance back prior to February 24, 1994.

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Rex Jenson, representing Shroeder-Manatee Ranch, was present to answer questions.

Motion carried 6 to 0.

**ROSEDALE PLANNED DEVELOPMENT**

Public hearing (Notice in The Bradenton Herald 1/18/94) was held to consider

**LDA-93-02 ROSEDALE, A GOLF AND TENNIS CLUB**

Request: Local Development Agreement/Impact Fee Agreement to secure development rights and mitigate the transportation impacts of a 796 unit residential development known as Rosedale, A Golf and Tennis Club on 476.21 acres located on the north side of SR 70, 1,700 feet east of I-75.

Planning Commission recommended APPROVAL with amended new Section 4, and amended Sections 5, 8, 11 and 13. RECORD S43-1192

Norm Luppino, Planning, Permitting and Inspections, stated that Rosedale received conceptual development plan approval for 796 units October 26, 1989, with a completion date of June 1999. The first subphase (201 units) received preliminary approval and a certificate of level of service (LOS) compliance for three years on February 22, 1990. The corresponding development final site plan for the same amount of development was approved April 16, 1993.

He stated the purpose of the Local Development Agreement is to allow Rosedale to prepay transportation fees in exchange for receiving an extended LOS. The funds paid by Rosedale would be used to purchase right-of-way on SR 70 for improvements west of I-75, which will increase the LOS from "F" to "C". The LOS east of I-75 is "B".

Mr. Luppino referred to a chart comparing proposals by applicant, Planning Commission and staff as to time of payment, reserved LOS, refunds for unbuilt units and length of agreement.

Discussion: Whether right-of-way purchase is dependent upon Rosedale funds; increased cost to purchase right-of-way; CIP funding/budget; extending build-out date.

Hugh McGuire, attorney representing applicant, stated support for the Planning Commission recommendation.

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

Mr. McGuire outlined letters (2) and a traffic analysis chart regarding LOS on SR 70. He opposed staff opinion regarding SR 70 LOS "F" and stated Rosedale has approval to build 796 units at this time. He noted Florida Statute provides up to ten years for development order buildout.

He concluded the following would be acceptable: Payment by June 1995 for 600 units, balance of units on individual basis; LOS for 600 units and no refund (staff recommendations); length of agreement to June 1999, with extension if project deadline is extended.

Jerome Gostkowski, Planning, Permitting and Inspections, stated that traffic studies differed, as one was based on concurrency (proposed project, existing traffic, and reserve trips/future projects) and one was based on the LDA (impact of Rosedale project on existing road).

Motion was made by Mrs. Hooper and seconded by Mr. Gause to approve LDA-93-02 as recommended by the Planning Commission.

Discussion: Including Mr. McGuire's recommendation.

Mr. McClash moved to amend the motion to modify the LOS reserve to "600" and "no refunds" for unbuilt units, as agreed by applicant. Motion was seconded by Mr. Gause.

Discussion: Clarification of units to be reserved; modifying Section 4.

Motion and amendment were withdrawn.

The public hearing was continued until later in the meeting.

**ZONING**

Public hearing (continued from 12/16/93) was opened to consider

**Z-88-64(R<sup>2</sup>) MANATEE JOINT VENTURE - AMENDMENT** (CONTINUED)

Request: (1) Amendment to Ordinance Z-88-64(R), amending Ordinance Z-88-64, to amend conditions B.(1)b, B.(1)c, B.(1)d, and I.(17) to extend the expiration date of the River Club Development Order and the requirement to complete the construction of infrastructure by four years, 364 days and to extend the deadlines to submit development plans by five years, and to amend condition G.(3)(b)2 to extend the deadline for the County to complete the construction of roadway improvements to State Route 70 by four years, and determination of whether such amendment constitutes a substantial deviation pursuant to Section 380.06, Florida Statutes, for the River Club Development of Regional Impact, on 612 acres located on the south side of the Braden River, 3/4 mile east of I-75.

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried 6 to 0, to continue the public hearing for Z-88-64(R<sup>2</sup>) to March 24, 1994, regularly scheduled meeting at 9:00 a.m. or as soon thereafter as same may be heard.

Public hearing (continued from 12/16/93) was opened to consider

**R-93-238 MANATEE JOINT VENTURE - AMENDMENT** (CONTINUED)

Request: Amendment to Resolution 92-27, amending Resolution 89-243, to amend conditions B.(1)b, B.(1)c, B.(1)d and I.(17) to extend the expiration date of the River Club Development Order and the requirement to complete the construction of infrastructure by four years, 364 days and to extend the deadlines to submit development plans by five years, and to amend condition G.(3)(b)2 to extend the deadline for the County to complete the construction of roadway improvements to State Route 70 by four years, and determination of whether such amendment constitutes a substantial deviation pursuant to Section 380.06, Florida Statutes, for the River Club Development of Regional Impact, on 964.22 acres located on the south side of State Route 70, 3/4 mile east of I-75.

Motion was made by Mr. McClash, seconded by Mrs. Glass and carried 6 to 0, to continue the public hearing for R-93-238, Manatee Joint Venture to the March 24, 1994, regularly scheduled meeting at 9:00 a.m. or as soon thereafter as same may be heard.

Public hearing (Notice in The Bradenton Herald 1/6/94) was held to consider

**PDO-93-02(Z)(P) BADEN TRUST/HOSPICE OF SOUTHWEST FLORIDA - PDO & P/PLAN** (APPROVED)

ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, .....; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM PR-S TO PDO; PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW A 4,931 SQUARE-FOOT PROFESSIONAL OFFICE; LOCATED ON .75 ACRES AT THE NORTHEAST INTERSECTION OF 26TH STREET WEST AND 34TH AVENUE WEST.

Planning Commission recommended APPROVAL with stipulations:

1. The roadway buffer along 26th Street West shall be shown as ten feet in width and the parking stalls shall be shown as 17 feet in length on the Final Site Plan.
2. The right-of-way reservation shall be shown as a nine-foot right-of-way easement on the Final Site Plan.
3. A pedestrian easement shall be recorded to accommodate the sidewalk along 26th Street West.
4. A separate review shall be conducted at the time of permit application for the sign.

Darenda Marvin, Planning, Permitting and Inspections, outlined

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surrounding land uses. She noted that access to the property is off 34th Avenue West on a dirt drive to be upgraded to County Standards. There will be no access off 26th Street West.

David Montgomery, attorney representing Hospice of Southwest Florida, recommended approval.

Based upon the staff report, evidence presented and comments made at the public hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, Mr. Gause moved to adopt Manatee County Zoning Ordinance PDO-93-02(Z)(P) and approve the Preliminary Site Plan with Stipulations 1 through 4, granting special approval for a project exceeding 3,000 square feet in the OL Future Land Use Category, as recommended by the Planning Commission. Motion was seconded by Mrs. Harris and carried 6 to 0. RECORD S43-1193

Public hearing (continued from 12/16/93) was held to consider

PDR-93-10(Z) DB ASSOCIATES - PDR (NO ACTION)  
ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, .....;  
PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A TO PDR; PROVIDING  
AN EFFECTIVE DATE; LOCATED ON 280 ACRES AT THE SOUTHEAST  
INTERSECTION OF ERIE ROAD AND 69TH STREET EAST.

Ms. Clarke stated the applicant will submit a General Development Plan, therefore, no action was necessary.

Public hearing (Notice in The Bradenton Herald 1/6/94) was held to consider

PDR-93-12(P) DAVID CORNELIUS - P/PLAN (WITHDRAWN)  
Request: Preliminary Site Plan to allow Multi-Family and a Group  
Care Home in the PDR zoning district, on 3.786 acres located on the  
south side of Memphis Road, 80 feet west of 44th Avenue East.  
Planning Commission recommended APPROVAL with 10 Stipulations.

RECORD S43-1194

Ms. Clarke submitted copy of letter (1/26/94) from the applicant withdrawing the request.

#### CODE ENFORCEMENT SPECIAL MASTERS

Ms. Clarke requested that two Special Masters be appointed to consider Code Enforcement violations prior to hearings before the Code Enforcement Board (terms expire 10/14/94).

Nominations: Richard Kesten by Mr. McClash  
Richard Fawley by Mr. McClash  
Remonia Lewis by Mrs. Glass  
Tom O'Brien by Mr. Gause

Mr. McClash moved that nominations be closed. Motion was seconded by Mrs. Hooper and carried 6 to 0.

Votes: Mr. Fawley 6; Mr. Kesten 3; Ms. Lewis 2; and, Mr. O'Brien 1.

Mr. McClash moved to cast a unanimous ballot for Mr. Fawley and Mr. Kesten. Motion was seconded by Mrs. Hooper and carried 6 to 0.

#### BLACKSTONE PARK FOOD CONCESSION

Rob Cuthbert, Purchasing Director, recommended contract negotiations with Orange Blossom Catering, Inc., sole responsive firm, for concessions at Blackstone Park for \$100 per month, plus one percent of gross revenues.

Discussion: Whether concession makes money; bidders solicited by Request for Proposal (RFP); contract for only six months; working with youth and adults for operation of facility.

Danny Hopkins, Parks and Recreation Director, responded to questions.  
(Depart Mrs. Glass)

Motion was made by Mr. Gause, seconded by Mrs. Hooper and carried 5 to 0, to authorize contract negotiations with sole responsive firm, Orange Blossom Catering, Inc., in accordance with RFP 311649VC, Blackstone Park Food Concession, in the amount of \$100 per month, plus one percent of the gross revenues; and authorize the Chairman to subsequently execute contract.

BUILDING CONTRACTORS/MARINE SPECIALTY LICENSES

Ms. Clarke reported on the County Attorney's memorandum (1/18/94) regarding waiver of certain licensing requirements for building contractors and/or marine specialty contractors (discussed 1/11/94).

Mark Barnebey, Assistant County Attorney, reported that staff is in the process of reviewing licensing requirements.

(Enter Mrs. Glass)

ROSEDALE PLANNED DEVELOPMENT - LDA-93-02 (Cont'd)

Mr. Steinsnyder recommended approval of the Planning Commission recommendation for LDA-93-02, with the exception of Section 4(b) and (c), which he recommended be amended as follows:

- (b) At the request of Manatee County, the developer will have paid the transportation impact fees to Manatee County for the number of residential dwelling units, which the developer wishes to have covered by this Local Development Agreement up to 796 units by June 30, 1995. There shall be no reduction in the amount payable if the owner elects not to construct these ~~600~~ dwelling units as Manatee County shall be relying upon early payment...
- (c) The Certificate of Level of Service shall be amended to reflect any such reduction from 796 units based upon subparagraph (b) above. The Certificate of Level of Service shall be used for the first units of the project.

Based upon the staff report, evidence presented and comments made at the public hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, Mr. McClash moved to approve Local Development Agreement LDA-93-02, as recommended by the Planning Commission and amended at this public hearing. Motion was seconded by Mrs. Hooper and carried 6 to 0. RECORD S43-1195

MANATEE BANKERS FOR AFFORDABLE HOUSING - FUNDING AGREEMENT

Karen Jackson Sims, Community Affairs Intergovernmental Relations Director, recommended initiation of renewal of agreement with Manatee Bankers for Affordable Housing to provide \$15,000 for operational costs. The organization provides assistance for affordable housing programs. She recommended that funding come from the State Housing Initiative Program.

Discussion: Funds not budgeted; Manatee Bankers currently training first-time home buyers.

Motion was made by Mrs. Harris, seconded by Mrs. Glass and carried 6 to 0, to approve the recommendation.

LEGISLATION - HOUSE BILL 485

Ms. Clarke advised that House Bill 485/Private Property Rights Act of Florida proposes that when a regulatory program or combination of programs by the State, regional or local government operates to reduce the fair market value of real property by more than 40 percent, the property shall be deemed to have been taken for public use; thereby, requiring governments to pay excess compensation for the taking.

She stated this bill places the County at financial risk as to regulating growth and development and requested authorization to advise the Legislative Delegation to oppose HB 485.



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Motion was made by Mr. McClash and seconded by Mrs. Glass to approve the request.

Discussion: Opposing until Governor's Property Rights Commission advises their position.

Motion carried 6 to 0.

#### LEGISLATION - SENATE BILL 258

Charles Hunsicker, Public Works Assistant Director, advised that Senate Bill 258 consolidates and strengthens water development policy in Florida Statute 373 pertaining to water resource development, stormwater management, floodplain management and regulation of these activities. The bill purports to codify many water policy rules adopted (12/93) by the Environmental Regulation Commission for the Department of Environmental Protection into State statutes, which would weaken the County's ability to challenge administrative application of those rules by a State agency such as SWFWMD.

He stated that efforts must be taken to assure access to water supply alternatives in water shortage areas and provide for flood protection projects in cases of overriding public interests.

Mr. Hunsicker recommended a letter be sent to the local legislative delegation requesting appropriate language be added to allow flexibility regarding public interest.

Mrs. Glass moved to send a letter of opposition to the legislative delegation with explanations attached and also apprise the County's legislative liaison of our concerns in this matter. Motion was seconded by Mrs. Hooper and carried 6 to 0.

#### 789 TASK FORCE

Katie Pierola, Bradenton Beach Mayor, requested (letter dated 1/26/94) appointment of a Bradenton Beach citizen to serve on the 789 Task Force.

Mrs. Glass moved to appoint John Chappie. Motion was seconded by Mr. Gause and carried 6 to 0.

Recess/Reconvene. All members present except Mrs. Glass, Mrs. Hooper and Mr. Chetlain.

#### MARTIN LUTHER KING, JR., BOULEVARD

Public hearing (continued from 1/4/94) was held to consider

R-94-15 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RENAMING A CERTAIN PORTION OF 17TH STREET FROM 8TH AVENUE WEST TO U.S. 41 TO THE DUAL DESIGNATION OF MARTIN LUTHER KING, JR., BOULEVARD AND 17TH STREET.

Ms. Clarke referred to a letter (1/27/94) from J. Gordon Dole, Mayor, City of Palmetto, indicating the City prohibits the naming of streets as it has adopted the grid system of street numbering.

She outlined options: 1) request a joint meeting with Palmetto for discussion; 2) rename only the portion within the County; 3) commemorative naming; or 4) designate other County building or facility.  
(Enter Mrs. Glass)

Pete Glover questioned why this meeting was held at a time when people are working and requested future meetings be held in the evening.

Willie Ivey recommended the Board rescind R-93-156 (policies/procedures for honoring individuals/organizations by naming parks, buildings, etc.) and name 17th Street from 8th Avenue West to I-75 in honor of Dr. King.

B. C. Pratt spoke in favor of renaming 17th Street.

Discussion: Need City cooperation to rename; Board unanimously approved renaming; County could rename unincorporated portions of 17th Street;

ceremonial/commemorative designation; dual designation; County renaming contingent upon City doing same; County maintains portion of road to be renamed; dedicating County portion of road to the City.

Motion was made by Mr. McClash, seconded by Mrs. Glass and carried 6 to 0, to rename that portion of 17th Street between 8th Avenue and U.S. 41 in Palmetto, within the unincorporated Manatee County to the dual designation of Martin Luther King, Jr., Boulevard and 17th Street, East or West as may be appropriate, subject to the City of Palmetto renaming those portions of the street lying within the City limits to the same designation.

Mrs. Glass moved to adopt R-94-15 with changes consistent with the prior motion. Motion was seconded by Mrs. Harris and carried 6 to 0.

RECORD S43-1196

ORDINANCE 94-05: COURT FILING FEES

Patricia McVoy, Assistant County Attorney, requested authorization to set a public hearing to reconsider Ordinance 94-05 (adopted 1/4/94) providing certain court filing fees and authorize the Clerk to defer imposition of fees until after the public hearing.

Concerns regarding implementation of the Ordinance and distribution of revenues by the Clerk of Circuit Court need to be addressed.

Mrs. Hooper so moved. Motion was seconded by Mrs. Harris and carried 6 to 0.

LEGISLATION - HOUSE BILL 2392/TRADE BOARDS

George Devenport, Building Official, requested a revised Chapter 63-1600/House Bill 2392 be sent to legislative delegation representative Julie McClure.

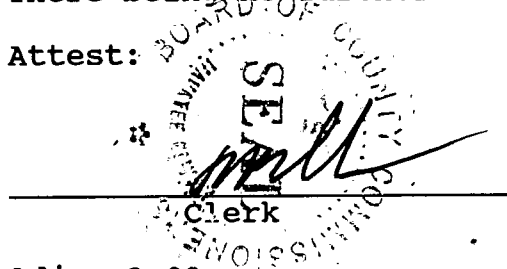
Chapter 63-1600 regards an Act relating to Manatee County to adopt, amend and rescind codes for all types of construction, licensure, regulation and discipline of trades requiring expert technical knowledge and would "sunset" in one year.

Mrs. Glass moved to authorize staff to transmit the revisions to Representative Julie McClure. Motion was seconded by Mrs. Hooper and carried 6 to 0.

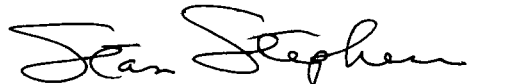
MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

  
Clerk

APPROVED:

  
Chairman 3/15/94

Adj: 2:09 p.m.  
/jr