

APRIL 12, 1994

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, April 12, 1994, at 9:02 a.m.

Present were Commissioners:

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

Also present were:

William J. Estabrook, County Administrator
 H. Hamilton Rice, Jr., County Attorney
 Susan G. Romine, Deputy Clerk, representing
 R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

Invocation by Reverend Richard W. Rohrer, D.D., First United Methodist Church of Bradenton.

The meeting was called to order by Chairman Stephens.

PRESENTATION - "UP WITH PEOPLE" STAGE SHOW

Melinda Porter announced that "Up With People", an international group of college-age students, is coming to Manatee County to perform as part of the Florida Heritage Festival. She invited the Board and all Manatee County citizens to attend the Sunday evening show at the Civic Center.

PROCLAMATIONS

Israel Independence Day

Upon motion by Mrs. Hooper and second by Mr. McClash, a Proclamation was unanimously adopted designating April 30, 1994, as "Israel Independence Day" in Manatee County, Florida.

Jerry Levin accepted the Proclamation and invited the Board to attend celebration activities at the Jewish Community Center on April 17, 1994.

RECORD S43-1532

National Library Week

Upon motion by Mr. Gause and second by Mrs. Harris, a Proclamation was unanimously adopted designating April 17-23, 1994, as "National Library Week" in Manatee County, Florida.

Alice Boylston accepted the Proclamation and presented the Board with a framed print from the Florida Library Association.

RECORD S43-1533

Public Safety Telecommunications Week

Upon motion by Mrs. Glass and second by Mr. McClash, a Proclamation was unanimously adopted designating the week of April 10-17, 1994, as "Public Safety Telecommunications Week" in Manatee County, Florida.

Present to accept the Proclamation were Michael Latessa, Public Safety Director, Sheriff Charlie Wells, and staff from the Sheriff's Office and Emergency Communications Center, and the Highway Patrol.

RECORD S43-1534

AGENDA DELETION

William J. Estabrook, County Administrator, stated the following item was deleted from the Environmental Action Commission agenda:

Citrus Monitoring Project - Agreement with Florida Power & Light to extend the loan of monitoring equipment to 10/1/95; and Authorization for the Environmental Action Director to include a request for \$40,000 for personnel costs in the EAC FY95 budget to continue the Project until October 1, 1995.

CONSENT AGENDA

Upon motion by Mr. McClash and second by Mrs. Hooper, the Consent Agenda dated April 12, 1994, was approved unanimously. Items APPROVED:

MATERIALS & SERVICES

1. **Grease and Sludge Removal** - Award IFB 417786KK on an as required basis, to Elmore Septic Tank Service, Inc., estimated total \$91,905.
2. **Hand-Held Meter Devices and Software** - Sole source purchase of hand-held meter devices (9) and software from SoftWare Installed, not to exceed \$30,105.
3. **Reclaimed Water Meters and Accessories** - Award IFB 419695TM, on an as required unit price basis, to the lowest responsive, responsible multiple bidders, per group, meeting specifications, total not to exceed \$166,297.50: Davis Meter & Supply, \$11,240; B & H Sales, \$36,055; Hughes Supply Inc., \$19,652.50; and Southeastern Municipal Supply, \$99,350.

DRAINAGE SYSTEM IMPROVEMENTS - 86TH STREET WEST

Execution of Work Assignment SW6 for engineering services for development of construction plans for with Post, Buckley, Schuh & Jernigan Inc., not to exceed \$14,038.

RECORD S43-1535

ANTI-DRUG ABUSE ACT FORMULA GRANT PROGRAM

Execution of Certification of Participation with Department of Community Affairs for the County to serve as the coordinating unit of government for the Anti-Drug Abuse Act Formula Grant Program.

MANATEE FAIRGROUNDS EXPANSION - WALLACE PROPERTY**Accept:**

1. County Owner's Title Insurance Policy (No. OPM906159) with Attorney's Title Insurance Fund, Inc.
2. Warranty Deed from James M. Wallace, Jr. for Lots 3,6,7, and 10, Block 11, Jackson Factory Survey, acquired to expand Manatee County Fairgrounds.

FINAL SUBDIVISION PLATS

Approve, accept, execute and/or record documents as outlined in memoranda dated April 12, 1994, from Carol Clarke, Director of Planning, Permitting and Inspections, as follows:

HAWTHORN PARK

1. Final Plat
2. Mortgagee's Joinder in Declaration Only from Sun Bank/Gulf Coast
3. Mortgagee's Joinder in Declaration Only from Jack F. Richardson, as Trustee
4. Agreement with Azalea Park II, Ltd. Guaranteeing Completion of Required Improvements, \$195,611.27
5. Performance Bond: \$195,611.27 (Irrevocable Stand-by Letter of Credit No. 9409, Sun Bank/Gulf Coast)
6. Agreement with Azalea Park II, Ltd. Guaranteeing Completion of Required Sidewalks and Bikeways, \$24,310
7. Performance Bond: \$24,310 (Irrevocable Stand-by Letter of Credit No. 9408, Sun Bank/Gulf Coast)
8. Agreement with Azalea Park II, Ltd. for Installation of Private Improvements (Landscape buffers) RECORD S43-1536
9. Maintenance Agreement with Hawthorn Park Community Association, Inc. for Paver Brick RECORD S43-1537
10. Declaration of Covenants, Conditions, Restrictions, and Easements

JIMPARKS SUBDIVISION

1. Final Plat
2. Agreement with James Edward Parks to Defer Completion of Required Sidewalks RECORD S43-1538

PARKWOOD LAKES, PHASE I & II

1. Final Plat
2. Mortgagee's Joinder in Declaration Only from The Seminole Bank
3. Mortgagee's Joinders (2) in Declaration Only from West Coast Bank
4. Mortgagee's Joinder in Declaration Only from Enterprise National Bank of Sarasota
5. Joinder in Declaration Only from Sydney Wesley and Charlotte M. Finer
6. Joinder in Declaration Only from Kent A. and Diana L. Burnside
7. Joinder in Declaration Only from Carl A. and Jacqueline Miller
8. Joinder in Declaration only from D. James Eslinger Construction, Inc.

APRIL 12, 1994

(Cont'd)

9. Joinder in Declaration Only from T. K. McKenzie Builders, Inc.
10. Joinder in Declaration Only from Petz Development, Inc.
11. Agreement with Curtis S. and C. Todd Petzoldt, as Co-Trustees of Florida Land Trust PL-1 Guaranteeing Completion of Required Improvements, \$73,970
12. Performance Bond: \$73,970 (Irrevocable Letter of Credit No. 1060, West Coast Bank)
13. Agreement with Curtis S. and C. Todd Petzoldt, as Co-Trustees of Florida Land Trust PL-1 Guaranteeing Completion of Required Sidewalks and Bikeways, \$28,860
14. Performance Bond: \$28,860 (Irrevocable Letter of Credit No. 1059, West Coast Bank)
15. Conservation Easement from Curtis S. and C. Todd Petzoldt, as Co-Trustees
16. Declaration of Covenants, Restrictions and Easements

SUMMER GOLF SPECIALS

The 1994 Summer Golf Specials for Manatee County Golf Course (5/1/94-8/31/94) and Buffalo Creek Golf Course (4/13/94-8/31/94) with special golf rates. RECORD S43-1539

RIVERDALE REVISED SUBDIVISION - VOLUNTARY ANNEXATION REQUEST

Chairman to sign a letter to Mayor Bill Evers objecting to the proposed request before the City of Bradenton to annex a portion (188.59 acres) of the Riverdale Revised Subdivision.

CLERK OF CIRCUIT COURT**BONDS****Quail Run, Phases II & III (86-S-9)****Accept:**

1. Agreement with Vantage Real Property Holding Corp. Guaranteeing Maintenance of a Stormwater Management System, \$30,000
2. Performance Bond: \$30,000 (Letter of Credit No. 2012324-10003, Sarasota Bank)

Quality Aggregates, Inc., University Parkway Pit

1. Agreement with Quality Aggregates, Inc. and Schroeder-Manatee, Inc. Guaranteeing Performance and Compliance with an Earthmoving-Reclamation Site Plan, \$102,000
2. Performance Bond: \$102,000 (Surety Bond No. 6064132-A, Fidelity and Deposit Company of Maryland)

Release:**River Club North, Phase II (Lots 1-85)**

1. Agreement with Manatee Joint Venture Guaranteeing Completion of Required Improvements (off-site sidewalks) \$14,520
2. Performance Bond: \$14,520 (Letter of Credit A-1167, Barnett Bank)
3. Agreement with Manatee Joint Venture Guaranteeing Completion of Required Improvements (interior sidewalks), \$29,040
4. Performance Bond: \$29,040 (Letter of Credit A-1169, Barnett Bank)

Regency Oaks, Phase I

1. Agreement with Regency Oaks, Inc. Guaranteeing Completion of Required Improvements, \$63,038
2. Performance Bond: \$64,038 (Surety Bond No. 1236228, Amwest Surety Insurance Co.)
3. Agreement with Regency Oaks, Inc. Warranting Required Improvements, \$128,116.36
4. Defect Security: \$128,116.36 (Surety Bond No. 79-0120-12123-91-9, United States Fidelity & Guaranty Co.)

Pleasant Oaks Estates

1. Agreement with Universal Builders Associates, Inc. Guaranteeing Completion of Required Improvements, \$16,380
2. Performance Bond: \$16,380 (Letter of Credit No. 500.03, Century Federal Savings Bank)

Pine Meadow, Phase III

1. Agreement with Trapp Corp. Guaranteeing Completion of Required Improvements (sidewalks), \$7,184.38
2. Performance Bond: \$7,184.38 (Amended Letter of Credit No. 98-01-20A, First National Bank of Manatee)
3. Agreement with Trapp Corp. Guaranteeing Completion of Required Improvements, \$8,490.63

4. Letter of Amendment from First National Bank of Manatee amending Letter of Credit No. 98-01-20A to read \$8,490.63

Peridia, Unit IV (Raintree Court East/Murfield Drive East)

1. Agreement with Southern Lakes Venture Guaranteeing Completion of Required Improvements, \$43,446
2. Performance Bond: \$43,446 (Amendment 2 to Letter of Credit No. 0001900183-95000051, Amerifirst Federal Savings & Loan)

Peridia, Units 1, 2 & 3

1. Agreement with Southern Lakes Venture Warranting Required Improvements, \$173,389.60
2. Defect Security: \$173,389.60 (Letter of Credit No. 0001900183-95000030, Amerifirst Federal Savings & Loan)
3. Agreement with Southern Lakes Venture Guaranteeing Completion of Required Improvements (sidewalks), \$58,520
4. Performance Bond: \$58,520 (Letter of Credit No. 0001900183-95000031, Amerifirst Federal Savings & Loan)

Palma Sola Court

1. Agreement with Zuber Construction Warranting Required Improvements, \$10,829.80
2. Defect Security: \$10,829.80 (Letter of Credit No. A-1141, Barnett Bank)
3. Agreement with Zuber Construction Guaranteeing Completion of Required Improvements (sidewalks), \$3,630
4. Performance Bond: \$3,630 (Letter of Credit No. A-1142, Barnett Bank)

Mote Ranch Clubhouse & Boat Launch Facility, Ph V; Honore Ave Extension

1. Agreement with Amerifirst Development Corp. Guaranteeing Completion and Performance of a Stormwater Management System, \$26,455
2. Performance Bond: \$26,455 (Letter of Credit No. 0000100014-91000551, Amerifirst Federal Savings & Loan)

BILLS FOR PAYMENT

| | |
|--|------------|
| Hogg, Allen, et al - MC Retainer/General Mtrs (2/94) | \$ 213.62 |
| Briley, Wild & Assoc - Reclaimed Wtr Main (Bay Dr-34 St W) | 7,676.20 |
| Briley, Wild & Assoc - Lychee Acres Sanitary Sewer Sys | 4,421.81 |
| Richard Fawley Architects - Manatee Beach Groins | 1,320.50 |
| Southwest Fl Water Management Distr - Well plugging | 2,831.63 |
| Scotty's Tractor Service - N 43rd St W Reclaimed Wtr | 124,168.39 |

Detention Facility:

| | |
|---|--------------|
| Rinker Materials Corp. - Concrete | 32,400.00 |
| Rinker Materials Corp. - Concrete | 4,988.00 |
| Hughes Supply, Inc. - Reinforcing Steel | 13,393.12 |
| Hughes Supply, Inc. - Reinforcing Steel | 14,388.79 |
| Gate Concrete Products - Precast/Prestressed Concrete | 93,567.00 |
| Hughes Supply, Inc. - Plumbing Fixtures | 57,142.58 |
| General Electric Supply - Switchgear | 165,049.56 |
| Mayer Electric Supply - Lighting Fixtures | 35,652.00 |
| Adams Brothers Cabinetry - Plastic Laminate/Wood/etc. | 5,184.00 |
| Keiser Sports Health Equipment - Exercise Equipment | 17,143.36 |
| Stair Master Sports/Medical - Stairmaster Gravitron | 2,425.00 |
| Overhead Door Corp. - Door Equipment | 17,116.00 |
| Centex-Rooney/National Development - Construction Managers Compensation | 130,203.24 |
| Long-lead procurement of site work & certain detention equipment | 60,998.10 |
| Construction/Design Development | 1,547,610.00 |

REFUNDS

| | |
|--|----------|
| Solly & Charlotte Berman c/o H. G. Schimmel, Guardian - Guardianship Examining Committee Overpayment | 1,050.00 |
| Dora Molner - Ambulance Overpayment | 530.00 |
| George Davis - Ambulance Overpayment | 316.33 |
| Dorothy Jehle - Ambulance Overpayment | 167.11 |

WARRANT LIST

Approve: April 5, 1994 through April 11, 1994
 Authorize: April 12, 1994 through April 18, 1994

MINUTES FOR APPROVAL

October 19, 1993 - Risk Assessment
 February 24, 1994 - Regular
 March 1, 1994 - Regular
 March 1, 1994 - Risk Assessment

APRIL 12, 1994

(Cont'd)

AUTHORIZE CHAIRMAN TO SIGN**Satisfaction of Judgment** - Donald E. Jefferson, Case No. 90-1686F (\$100)**ACCEPT****Southwest Florida Water Management District** - Annual Financial Report for Fiscal Year ended 9/30/93**Southwest Florida Water Management District** - Memo (3/24/94) from SWFWMD and a Map depicting the current boundaries for the District as a whole and for each of the Basin Boards**Manatee County Comprehensive Plan** - Copy of Ordinance 89-01 (adopted 5/11/89) with attached Plan, codified through 1993 RECORD S43-1539A**Manatee County Detention Facility** - Memo (4/1/94) from David Rothfuss, Chief Assistant County Administrator, with documents relating to Builder's Risk Insurance and associated endorsements/forms/conditions:1. **Endorsements:**

- (a) Soft Costs - Optional Coverage
- (b) Additional Exclusion - Design, Instruction, Plan or Specification
- (c) Florida Changes - Policy Cancellation/Renewal
- (d) Coinsurance Notification
- (e) Additional Coverage - Earth Movement and Water Coverage
- (f) Builders Risk Coverage Form
- (g) Florida Changes - Loss Payment

2. **General Property Flood Policy** with Bankers Insurance Co., Policy No. 09 0007272549 00, (effective 7/26/93-7/26/94) and attached Builders Risk Coverage Form3. Letter (8/24/93) from Wyman, Green & Blalock, Inc. changing the effective date of Policy No. US-CIM536346900 with USF&G Insurance, to May 14, 1993 - May 14, 1995 and amendment to the Builders Risk Coverage Page to show the correct rate.4. **Commercial Insurance Policy** with USF&G Insurance for Builder's Risk Coverage, Policy No. CIM125363469 00 (effective 5/14/93-5/14/95)

(End Consent Agenda)

ENVIRONMENTAL LANDS MANAGEMENT AND ACQUISITION COMMITTEEDick Aalberg, Agriculture and Natural Resources Director, recommended appointing Robert C. Gause to fill the vacancy of Chamber of Commerce representative on the Environmental Lands Management and Acquisition Committee, due to the resignation of William Hamilton.

Mr. Gause declared a conflict of interest and abstained from voting.

Mr. McClash moved approval. Motion was seconded by Mrs. Hooper and carried 6 to 0, with Mr. Gause abstaining.

STORMWATER MANAGEMENT MASTER PLANRob Cuthbert, Purchasing Director, requested execution of a contract with Camp Dresser & McKee, Inc. (CDM) for professional services to develop a Stormwater Management Master Plan including assisting the County in submitting an application for a National Pollution Discharge Elimination System (NPDES) Permit, Part I, not to exceed \$505,004.

Discussion: Identify amount of SWFWMD matched funding; scope of work will be authorized by the Contract Manager; status of the cities plans; interaction with the cities; role of CDM; public workshops, etc.

Richard Wilford, Public Works Director, stated that staff met with the cities, and the contract envisioned their participation. The plan encompasses all of Manatee County including the island communities, and each municipality will be responsible for its portion of the costs.

Discussion: More cost effective for cities to participate under a master drainage plan as opposed to pursuing independent permits; immediate needs of Tropical Shores; Board should meet with the City of Bradenton to come to cooperative agreement so that Tropical Shores sewage/road project can proceed; CDM's study will identify sources of pollution and primary basins into Evers Reservoir; City has requested the County establish a taxing district in Evers Reservoir to guarantee its protection; lack of mechanism for collecting revenue; schedule meeting with City; etc.

APRIL 12, 1994

(Cont'd)

Mr. Cuthbert outlined the services to be provided by CDM under the contract, which will include helping to select and design a primary basin.

(Depart Mr. Chetlain)

Mr. McClash requested that staff provide a flow chart showing CDM's primary task, dates and timetables, etc.

Mr. McClash moved authorization for the Chairman to execute contract with Camp Dresser & McKee, Inc. to provide professional services to develop a stormwater management plan including assisting the County in submitting an application for a National Pollution Discharge Elimination System Permit, Part I, for a total contract amount not to exceed \$505,004. Motion was seconded by Mrs. Harris.

Discussion: Mr. Wilford to provide a flow chart of when events will occur, tasks to be accomplished and the timelines; chart will be in written form; if further questions remain, a work session will be held.

Without objection, the direction given to Mr. Wilford during discussion was included in the motion. Motion carried unanimously. RECORD S43-1540

MANATEE COUNTY DETENTION FACILITY - FORMAL NAME DESIGNATION

David Rothfuss, Assistant County Administrator, advised that construction of the Detention Facility is approaching the stage where interior and exterior signage must be prepared/installed. As owner of the facility, the Board must determine its formal name designation.

The Sheriff's Office has recommended the Detention Facility be designated the Manatee County Central Jail and the entire Port Manatee Detention Complex be designated as the Manatee County Correctional Complex.

Following discussion, Mrs. Glass moved approval of the recommended name designations. Motion was seconded by Mrs. Harris. Voting "Aye" were Mrs. Glass, Mrs. Harris, Mr. Gause, Mr. Stephens and Mrs. Hooper. Voting "Nay" were Mr. Chetlain and Mr. McClash. Motion carried.

OFFICE SPACE NEEDS

As a result of a work session (4/7/94) regarding office space needs, Mr. Estabrook (memorandum dated 4/12/94) recommended the following action:

1. Adoption of a policy decision relating to the provision of additional office space within the area of downtown Bradenton;
2. Approval by the Commission for staff to issue a Request for Proposals to select a design professional to prepare a comprehensive plan and associated design specifications for providing additional office space utilizing the First Union Bank Building and the Courthouse Annex;
3. Authorization for staff and the County Attorney's Office to commence negotiations for the purchase of the First Union Bank Building;
4. Direction to staff to undertake discussions with representatives of the City of Bradenton relating to use of the Administrative Center Parking Deck; and
5. Authorization for the Chairman to execute an application for the vacation of 4th Avenue Drive West (Walnut Street), between 10th Street and 9th Street West, to the City of Bradenton.

Mr. Gause moved approval. Motion was seconded by Mrs. Hooper. Voting "Aye" were Mr. Gause, Mrs. Hooper, Mr. Stephens, Mrs. Glass, Mrs. Harris, and Mr. Chetlain. Voting "Nay" was Mr. McClash. Motion carried.

(Depart Mrs. Glass)

TOURIST DEVELOPMENT COUNCIL

Mr. McClash stated the seat on the Tourist Development Council (TDC) representing the City of Palmetto had been vacated by Albert K. Booth and should be filled for the next TDC meeting (4/18/94). The City of Palmetto recommended (letter 3/15/94) Pat Whitesel, Vice Mayor.

APRIL 12, 1994

(Cont'd)

Motion was made by Mr. McClash that Pat Whitesel be appointed as representative from the City of Palmetto (to complete the term of Mr. Booth). Motion was seconded by Mrs. Hooper and carried unanimously.

Motion was made by Mr. McClash that the Chairman be authorized to send a letter to the City of Palmetto advising that the Board of County Commissioners will be considering a change in representation for the municipality seat on the Tourist Development Council. Motion was seconded by Mrs. Glass and carried unanimously.

COMMISSIONERS' COMMENTS**Riverdale Revised Subdivision**

Mrs. Hooper requested a report explaining the reasons why a voluntary annexation request was submitted to the City of Bradenton to annex a portion (eastern third of the subdivision located on the north side of S.R. 64; 188.59 acres) of Riverdale Revised Subdivision (see action earlier in the meeting).

Discussion: Annexation will create an enclave and illogical jurisdictional boundaries within a platted subdivision.

Disposition: County Administrator to provide the information.

Unkept Medians

Mr. McClash reported there are existing medians, especially on Manatee Avenue, that are in need of maintenance. He suggested approaching the Keep Manatee Beautiful organization with an "Adopt a Median" plan.
(Depart Mrs. Hooper)

Disposition: Referred to Public Works staff.

Metropolitan Planning Organization Independence

Mr. McClash stated he has discussed with Sarasota County officials the possibility of having the Metropolitan Planning Organization (MPO) as an independent entity (as opposed to being under the jurisdiction of Sarasota County).

Disposition: County Administrator to coordinate correspondence between the County and the MPO and report back to the Board.

Kiss-A-Pig Fund Raising Event

Mrs. Glass noted the deadline for pledges to the Kiss-A-Pig fund-raising event for the Boys and Girls Clubs is April 14, 1994.

Sidewalk - 59th Street West/63rd Street West

Mr. Chetlain referenced a letter (4/7/94) from Patricia Woolpert, Pebble Springs resident, requesting a sidewalk be installed between 59th Street and 63rd Street West, on the south side of Manatee Avenue, to allow access from Palma Sola Shopping Center to Wal-Mart.

Disposition: The matter has been forwarded to Public Works.

Audit - Animal Control Division

Mr. Chetlain reported receiving a memorandum outlining deficiencies observed as a result of follow-up Audit 2 of the Animal Control Division of the Public Safety Department. He questioned what is being done to respond to the audit and to correct the deficiencies.

Disposition: County Administrator stated that a response is forthcoming.

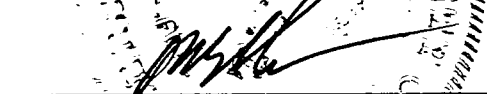
Nursery Plant Materials

Mr. Stephens submitted two photographs from Ian Morrison showing the before/after of a median strip at Harbor Road and Hillcrest Drive. The median was redone as a result of neighborhood participation using plant materials from the County nursery (requested 2/15/94).

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:



Clerk

Adj: 10:25 am /rlr

APPROVED:



Chairman 5/17/94