

MAY 3, 1994

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, May 3, 1994, at 9:01 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
 Judy LaMee, Director of Communications and Development,
 representing R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

Invocation by Reverend Donald Kreider, Colony Baptist Church, Ellenton.

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

AWARDS

Employee of the Month

Certificate of Recognition Plaque was presented to Luther Ware, Transit bus driver, as May 1994 "Employee of the Month" for 16 years service.

Employee Suggestion

Certificate of Merit Plaque was presented to B. Gale Adams, Office of Financial Management, for submitting an award-winning suggestion to better utilize space on the agenda memorandum form.

Employee Suggestion, Class "A"

Certificate of Merit Plaque representing a Class "A" (\$400) award was presented to Neal Mazzei, Planning, Permitting and Inspections, for submitting an award-winning suggestion to accelerate the permitting process and result in savings of more than \$18,000 in staff time.

PROCLAMATIONS

Buckle Up America! Week

Upon motion by Mrs. Hooper and second by Mr. McClash, a Proclamation was unanimously adopted designating the week of May 23-30, 1994, as "Buckle Up America! Week" in Manatee County. RECORD S43-1618

Accepting the Proclamation were Jana Linehauser and Becky Stewart, Public Safety.

International Midwives' Day

Upon motion by Mr. McClash and second by Mr. Chetlain, a Proclamation was unanimously adopted designating May 5, 1994, as "International Midwives Day" in Manatee County. RECORD S43-1619

Present to accept the Proclamation was Becky Martin, representing Midwives Alliance of North America and the Healthy Start Program.

National Bicycle Month and Bike to Work Week

Upon motion by Mr. Chetlain and second by Mr. McClash, a Proclamation was unanimously adopted designating the month of May 1994 as "Bicycle Month" and the week of May 15-21, 1994, as "Bike to Work Week" in Manatee County. RECORD S43-1620

Sarita Kruysman, Planning, Permitting and Inspections Bicycle/Pedestrian Coordinator, stated the official "Bike to Work Day" will be May 17, 1994.

National Day of Prayer

Upon motion by Mrs. Glass and second by Mr. McClash, a Proclamation was unanimously adopted designating May 5, 1994, as "National Day of Prayer" in Manatee County.

RECORD S43-1621

Don Willingham, Manatee County Day of Prayer Committee Chairman, accepted the Proclamation and advised of a special program to be held May 5, 1994, at the Courthouse.

National Safe Kids Week

Upon motion by Mrs. Glass and second by Mr. McClash, a Proclamation was unanimously adopted designating May 8-14, 1994, as "National Safe Kids Week" in Manatee County.

RECORD S43-1622

Accepting the Proclamation were Jana Linehauser, Public Safety, and Kathy Varga of the Florida Suncoast Safe Kids coalition.

Older Americans' Month

Upon motion by Mrs. Harris and second by Mr. McClash, a Proclamation was unanimously adopted designating May 1994 as "Older Americans Month" in Manatee County.

RECORD S43-1623

Present to accept the Proclamation were representatives from Meals on Wheels Plus, Manatee Glens Senior Center, and Council on Aging along with senior citizens who participate in programs throughout the County.

PRESENTATION - MANATEE COUNTY SCHOOL BOARD

Eloise Lisch, School Board member, thanked Commissioners for supporting the one-cent sales tax approved by referendum on April 26, 1994.

Gene Witt, School Superintendent, stated appreciation to Commissioners and noted the school administration would be fulfilling commitments made regarding the tax, i.e., joint use of facilities, etc.

Also present were school administration members George Latimer, Walter Miller, and Virgil Mills.

MANSON FAMILY MONUMENT

Bruce Manson stated the City of Holmes Beach approved a permit to locate the Manson family monument on a berm outside the Manatee County Public Beach. The monument is in memory of his daughter Reagan, who was killed in an automobile accident involving alcohol. He requested approval by the Board for this site due to the visibility by teens.

Karen Riley, representing Mothers Against Drunk Drivers of Manasota, spoke in favor of the monument being placed at the beach as a daily reminder to the public regarding drinking and driving.

Discussion: County recommendation to place at Bray Park; etc.
(NOTE: Action later in meeting.)

AGENDA DELETIONS AND CORRECTIONS

William Estabrook, County Administrator, recommended the following deletions/corrections to the agenda:

1. Appraisal Services/SR 70 - Correct amount to \$50,500 for Richard A. Bass & Associates, Inc.; and correct amount to \$39,900 for Centerline Group, Inc.;
2. Summer Food Program - Correct grant amount to \$271,508;
3. South County 42-inch Water Main - Defer award bid/subsequent execution to Rockdale Pipeline, Inc., pending Court Order; and
4. Transportation Disadvantaged - Defer Resolution R-94-114 authorizing Memorandum of Agreement with Florida Transportation Disadvantaged Commission.

GUN CLUB RELOCATION

Motion was made by Mr. Chetlain, seconded by Mrs. Glass and carried unanimously, to continue the Gun Club relocation matter to May 5, 1994.

CONSENT AGENDA

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried unanimously, to approve the Consent Agenda dated May 5, 1994, with deletions and corrections as outlined by the County Administrator; and

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with deletion of 1) Award bid to multiple bidders for aquatic chemicals; and 2) Manson monument location (separate actions). Items APPROVED:

CLERK'S CONSENT CALENDAR**BILLS FOR PAYMENT**

Carlton, Fields, Ward, Et Al - K Snell through 3/31/94	\$ 3,632.96
Black & Veatch - Inv 77318, Wastewtr Reuse Rates Analysis	598.52
Larson Engineering - Inv 8056, 44 Ave E Imprvmnts	193.90
Larson Engineering - Inv 8057, 9 St E Imprvmnts	270.68
Larson Engineering - Inv 8058, Lockwood Ridge Rd Imprvmnts	420.60
Sutter Roofing - Req 3, Roof Replacement/EMS Bldg, Crime Prevention Bldg and Sheriff's Substation	3,313.67
Sutter Roofing - Req 2, Roof Replacement/Safety Complex	187,814.70

WARRANT LIST

Approve: April 28, 1994, through May 2, 1994

Authorize: May 3, 1994, through May 9, 1994

MINUTES FOR APPROVAL

March 15, 24, 1994 - Regular Meetings

AUTHORIZE CHAIRMAN TO SIGN

Partial Release of Special Improvement Assessment Liens:

Projects 2502; 5062; 5066; 301-2507; 301-5152

COUNTY ADMINISTRATOR**MATERIALS & SERVICES**

Laboratory Services - Extend purchase orders with P. E. Lamoreaux & Associates and Davis Water & Waste (5/6/94-7/6/94) at the same prices, terms and conditions, on an as-required, unit price basis.

SOFTWARE MAINTENANCE, UPDATE AND SUPPORT SERVICES

Execute Amendment 1 to ESRI Software Maintenance, Update and Support Agreement, with Environmental Systems Research Institute Inc., to convert licenses for the ESRI product used with the Land Information System. **RECORD** S43-1624

STATE ROAD 70 APPRAISAL SERVICES

1. Execute Work Assignment 1 with Richard W. Bass Associates, Inc., for improvement project, Group 1, not to exceed \$50,500; S43-1625
2. Execute Work Assignment 1 with Centerline Group, Inc., for improvement project, Group 2, not to exceed \$39,900; and, S43-1626
3. Execute Work Assignment 1 with Sewell, Valentich, Tillis & Associates for improvement project, Group 3, not to exceed \$66,150. **RECORD** S43-1627

MANATEE GLENS CORPORATION - NON-PROFIT AGENCY FUNDING

Execute FY 1994 contract amendment with Manatee Glens Corporation to increase funding for the aging services program (geriatric counseling) from \$7,220 to \$14,998, total contract \$540,414. **RECORD** S43-1628

SUMMER FOOD PROGRAM

Adoption of R-94-143 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A GRANT FROM THE FLORIDA DEPARTMENT OF EDUCATION FOR THE 1994 SUMMER FOOD PROGRAM FOR CHILDREN (\$271,508) (authorizing Chairman to execute grant application, agreement, and School Board Space Use Application forms). **RECORD** S43-1629
S43-1630

TALKING BOOK PROGRAM

Execute interlocal agreement with Sarasota County for Sarasota to provide support and to furnish \$53,843 to the County for administration of the Talking Book Program for FY 1994. **RECORD** S43-1631

DAUGHTREY AREA PARK GROUNDBREAKING

1. Authorize Parks & Recreation to host a groundbreaking ceremony and Youth Fest at the new park site adjacent to Daughtrey Elementary School in conjunction with the Police Athletic League and the Southeast Residents Association on May 20, 1994; and,
2. Authorize Parks & Recreation to accept donations from the business community.

DAUGHTREY AREA PARK - NAME

Authorization to name the new park adjacent to Daughtrey Elementary School "Pride Community Park", which is the name chosen as the winner in a contest held at the School.

DUETTE PARK HUNT PROGRAM

Approval of hunting dates for harvesting of wild game in Duette Park as required by Resolution R-92-133:
 Archery - October 8-9 and 15-16, 1994
 Muzzleloading Gun - October 29-30, 1994
 General Gun - November 12-13, 19-20, 1994; January 7-8, 1995
 Small Game/Hog - January 28-29, February 4-5, 11-12 and 25-26, and March 4-5, 1995.

JUNIOR COUNSELOR PROGRAM

Parks and Recreation to offer a Junior Counselor Program for youth ages 14-16 to develop job training and leadership skills and to assist with daily activities under the supervision of staff.

SCHOOL BUS LEASE - SUMMER YOUTH CAMP

Lease agreement with the School Board of Manatee County for use of school buses/drivers to transport participants for the Parks and Recreation 1994 Youth Camp Programs. RECORD S43-1632

DONATIONS - ANIMAL CONTROL

Ratify and confirm donations (dog food from PetSmart) received by Animal Control from January 1994 through March 1994.

HURRICANE AWARENESS PROGRAM

Adoption of R-94-132 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE PARTICIPATION OF MANATEE COUNTY WITH THE NATIONAL WEATHER SERVICE AND SARASOTA COUNTY IN THE PUBLIC DISPLAY OF THE NATIONAL HURRICANE CENTER'S P/3 HURRICANE HUNTER AIRCRAFT AND HURRICANE PREPAREDNESS LECTURES (authorizing Emergency Management participation at Dolphin Aviation and at public address by Dr. Sheets of the National Hurricane Center; and execution of License Agreement with University of South Florida for use of the Sudakoff Conference Center for Dr. Sheet's presentation). RECORD S43-1633
S43-1634

GRANT - 201 ENVIRONMENTAL PROTECTION PROGRAM

Execute Federal Assistance Amendment Agreement with the U. S. Environmental Protection Agency (EPA) for the 201 EPA Program (final/C120540060, Step 3) reducing grant \$121,800 for a revised amount of \$45,830,340 (Federal) and \$36,441,438 (County); and execute letter to EPA transmitting the amendment. RECORD S43-1635

BUDGET AMENDMENTS

Adoption of Budget Amendment Resolutions

LIBRARY (B-94-121)
 Item Transfers: Closes completed library projects and transfers project balances to reserves. \$31,488
RECORD S43-1636

(B-94-122/1,2&3)
 Item Transfers: Provides funding for the remaining rehabilitation work to the energy systems at the Central Library. \$20,000 S43-1637

Decrease Revenue/Expenditure: \$20,000 S43-1638

Item Transfers: \$20,000 S43-1639
RECORD

PPI/GROWTH MANAGEMENT (B-94-123)

Item Transfers: Reallocates budget between cost centers to provide for vehicle maintenance costs due to a reallocation of vehicles. \$1,197
RECORD S43-1640

CENTRAL SERVICES (B-94-124)

Item Transfers: Reallocates funding from personal services line items among cost centers and to professional service line items when needed to fund professional services used in lieu of personal services due to vacancies in personnel within the department during the year. \$200,594
RECORD S43-1641

PUBLIC WORKS/UTILITIES (B-94-125)

Items Transfers: Transfers funds available from the design phase of the sewer project (Canal Road to Memphis to 33rd Street East) to construction phase of the project. \$53,000
RECORD S43-1642

(B-94-126)
 Item Transfers: Closes a completed project (southwest methane gas recovery system) and transfers remaining project balance to reserves. \$140,000
RECORD S43-1643

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(B-94-127)
 Item Transfers: Closes Wetland Mitigation Project 0194 and transfers project balances to reserves. \$24,134
RECORD S43-1644

(B-94-128)
 Item Transfers: Provides funding for the payment to EPA as approved on January 4, 1994, from reserves. \$60,000
RECORD S43-1645

(B-94-129/1&2)
 Item Transfers: Reappropriates monies from closed EPA projects and from EPA Reserve for Contingencies to cover balances in other EPA projects. \$137,511 S43-1646
 Item Transfers: \$260,238 S43-1647
RECORD

(B-94-130)
 Item Transfers: Reallocates funds within the utilities bond funds to cover bond issuance expenses which had not been appropriated from proceeds at the time of issuance and reappropriates budgeted reserves to reflect actual amounts. \$787,542
RECORD S43-1648

(B-94-131)
 Item Transfers: Closes wastewater treatment plant projects established for FY 1991-1993 and transfers project balances to the same type projects established for FY 1994-1996. \$1,239,237
RECORD S43-1649

(B-94-132)
 Item Transfers: Closes water related projects established for FY 1991-1993 and transfers project balances to the same type projects established for FY 1994-1996. \$1,115,650
RECORD S43-1650

(B-94-133)
 Item Transfers: Closes sewer projects established for FY 1991-1993 and transfers project balances to projects established for FY 1994-1996. \$2,348,447
RECORD S43-1651

(B-94-134)
Increase Revenue/Expenditure: Rescinds and replaces Budget Amendment Resolution B-94-085 due to scrivener's error. \$23,050
RECORD S43-1652

DEBT SERVICE/ESTECH (B-94-135/1&2)
 Item Transfers: Rescinds and replaces Budget Amendment Resolution B-94-089/1&2 due to a change in format as directed by County Finance. \$20,570 S43-1653
Decrease Revenue/Fund Balance: \$20,570 S43-1654
RECORD

BEACH EROSION CONTROL (B-94-136)
Increase Revenue/Expenditure: Rescinds and replaces Budget Amendment Resolution B-94-095 due to scrivener's error. \$150,000
RECORD S43-1655

PUBLIC WORKS/UTILITIES (B-94-137/1&2)
 Item Transfers: Rescinds and replaces Budget Amendment Resolution B-94-105/1&2 due to scrivener's error. \$8,935 S43-1656
Increase Revenue/Expenditure: \$8,935 S43-1657
RECORD

(End Consent)

MANSON FAMILY MONUMENT

Danny Hopkins, Parks and Recreation Director, stated that staff recommended the Manson family monument be placed at Bray Park in the Victory Garden, a high visibility area, which intent is to provide youth a positive message regarding the tragedy (discussed earlier in the meeting). Approval of this site is subject to Mr. Manson executing an Indemnity-Release of Liability Form.

Following discussion, Bruce Manson stated acceptance of either location and thanked staff for the consideration given this matter.

Motion was made by Mr. Chetlain, and seconded by Mr. Gause, to place the monument at Bray Park as recommended by staff. Voting "Aye" were Mr. Gause, Mr. Chetlain, Mrs. Glass, Mrs. Harris, Mrs. Hooper, and Mr. Stephens. Voting "Nay" was Mr. McClash. Motion carried.

LIBRARY BOARD APPOINTMENTS

John Van Berkel, Library Director, requested appointment of two persons to the Library Board for terms of four years each.

He stated that Margaret Moore, representing the unincorporated County, and Judge Thomas Gallen, representing the County at-large, requested to be reappointed.

Mr. Gause moved to reappoint Ms. Moore and Judge Gallen. Motion was seconded by Mrs. Hooper and carried unanimously.

SOUTH COUNTY LIBRARY

Diane Frenz, Office of Information Services, recommended approval of a Contract for Sale/Purchase of Real Property with Lancaster Partners X Ltd. for the South County Library Branch to be located at 6081 26th Street West (site approved 2/15/94), in the amount of \$230,000.

She noted closing will be within 30 days and the Seller has agreed to: provide retention facility rights; provide access to shopping center (Bayshore Crossings) parking; amend site plan to allow construction of a 13,000 square-foot facility; provide 22 additional parking spaces.

Discussion: Site too small to expand; parking spaces off site; alternate site (60 Avenue/26 Street West) has acreage for expansion; cost of site; distance to additional parking.

Motion was made by Mrs. Harris to execute the contract with Lancaster Partners X Ltd., as recommended. Motion was seconded by Mrs. Glass.

Discussion: County Attorney Memorandum (4/27/94) referencing limited use of out parcel as to rental/sale, limited height, and maintenance of parking spaces; no restrictions on Parcel II development; building plan not available; etc.

Voting "Aye" were Mr. Chetlain, Mrs. Glass, Mrs. Harris, and Mrs. Hooper. Voting "Nay" were Mr. Gause, Mr. McClash, and Mr. Stephens. Motion carried.

RECORD S43-1658

ANIMAL CONTROL ENFORCEMENT POLICY

Michael Latessa, Public Safety Director, outlined a graphics/five-year comparison of animal control as to calls answered, animals impounded, citations issued and compared 1993 statistics of similar counties.

He requested direction regarding a recent Clerk of Circuit Court audit which recommended that animal enforcement revenues be increased through civil citations/licensing violations (pursuant to Ordinance 90-32). Currently, citations are reserved for more serious violations or cases of repeat non-compliance.

Discussion: Whether Animal Control Advisory Board reviewed charts/made recommendations; sunseting of Animal Control Advisory Board; increase enforcement/add officers; issuing less warnings/more citations for revenues; seeking volunteers for extended hours; duplicate dog tags; owners not being able to retrieve animals on weekends; discuss during budget process; set policy and follow through.

Disposition: Mr. Estabrook to report back whether the Animal Control Advisory Board has been sunsetted; staff to continue existing policy until budget hearings.

CAPITAL IMPROVEMENT PLAN

Debra Walker, Senior Management Analyst, requested approval to hold community participation meetings for the 1995-1999 Capital Improvement Plan.

Discussion: Being more specific for each neighborhood CIP; having information video available to homeowner/subdivision groups; bringing back information regarding sludge digesters discussed last year; providing information regarding parks/recreation facilities.

Disposition: Staff to address Board comments relative to the CIP.

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OFFICE SPACE NEEDS - TAX COLLECTOR

David Rothfuss, Assistant County Administrator, stated the Board requested (4/12/94) the Office of Financial Management evaluate the financial feasibility of purchasing the FPL Building to meet office space needs of the Tax Collector. He outlined a cost comparison of lease versus purchase and noted that special conditions and restrictions in Special Warranty Deed (12/7/82) run with the land until year 2002.

Discussion: Tax Collector already leased building; lease not reviewed by County; whether County has obligation to provide offices for Tax Collector, etc.

Mike Hamrick, attorney representing the Tax Collector, stated a lease was executed May 2, 1994, subject to exhibits being received and approval of the budget amendment by the Department of Revenue to expend funds.

H. Hamilton Rice, Jr., County Attorney, stated concerns as to Board obligations, relationship and State legislation regarding the Tax Collector and other Constitutional Officers. He noted the Tax Collector is of the opinion he is a "fee officer" independent of the Board.

Discussion: Concerns regarding 301 Boulevard/9th Street West road project; lease/purchase option; DeSoto Center has 135,000 square feet/FPL Building, 24,000 for a like purchase price; County should have been included in lease negotiations; County insures building, equipment, employees and automobiles of Tax Collector; budget/excess fees of Tax Collector; location necessary for public convenience; County budget affected by action of Tax Collector; question regarding self-insurance; Resolution to approve lease.

Mr. Hamrick requested authorization for the Tax Collector to collect ad valorem taxes and conduct other County business at the new location. He advised that FPL is amenable to selling the building.

Mr. Rice outlined options: 1) ratify lease; 2) proceed with efforts to purchase property; 3) challenge the Tax Collectors authority.

Motion - Resolution

Motion was made by Mr. McClash, and seconded by Mr. Chetlain, authorizing staff to place on next agenda a Resolution allowing the Tax Collector to conduct business at the FPL Building on U.S. 301 Boulevard.

Discussion: Policy regarding County/public liability.

Motion carried unanimously.

Motion - Lease

Motion was made by Mr. McClash, and seconded by Mr. Chetlain, requesting staff to place on next agenda the FPL lease substituting Manatee County as lessee of the FPL Building in place of the Tax Collector.

Discussion: Where funds would come from.

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

AD HOC STORMWATER MASTER PLAN COMMITTEE

Mr. Estabrook recommended an Ad Hoc Stormwater Master Plan Committee be established to contribute in development and adoption of a Stormwater Master Plan and to assist in determining whether it should move forward with establishing a Committee Structure appropriate and responsive to its needs and style of governance.

Committee membership would include the Board of County Commission Chairman, Environmental Action Commission Chairman, and one Commissioner.

Discussion: Whether consultants have been engaged to develop Plan and fee structure; entire Board should be included in discussions; taxing districts, administrative fees, etc.; involving municipalities.

Richard Wilford, Public Works Director, recommended the Committee be established to address the complexity of the Plan.

Mr. Gause moved to establish the Ad Hoc Committee as recommended by staff. Motion was seconded by Mrs. Hooper. Voting "Aye" were Mr. Gause, Mr. Chetlain, Mrs. Harris, Mrs. Hooper, and Mr. Stephens. Voting "Nay" were Mrs. Glass and Mr. McClash. Motion carried.

Nomination - Third Member

Mr. Gause by Mrs. Hooper

Mr. Chetlain moved to cast a unanimous ballot for Mr. Gause. Motion was seconded by Mrs. Hooper and carried unanimously.

Mrs. Harris moved to appoint Mr. McClash as alternate. Motion was seconded by Mrs. Hooper and carried unanimously.

LAWSUIT - AMERICAN CAST IRON PIPE COMPANY

Mr. Rice opened a "Pending Litigation Assessment Meeting" in Case No. CA-94-1735, American Cast Iron Pipe Company vs Manatee County.

He continued the meeting to private session today at 1:15 p.m. in the Board of County Commission conference room. Attending the meeting will be County Attorneys, Tedd Williams and Mitchell Palmer; the County Administrator; and the Purchasing Director.

AQUATIC CHEMICALS

Discussion was held regarding the cost and safety of aquatic chemicals used to control vegetation in drainage ditches/maintain golf course turf and its future impact on the public watersheds.

Motion was made by Mrs. Glass, and seconded by Mr. Chetlain, to continue for a full report award IFB 416246KK on an as-required, unit price basis for estimated annual amounts to the following lowest responsive, responsible bidders: United Horticultural Supply, \$426,851.20; Lesco, Inc., \$49,275; Terra Asgrow Florida, \$131,179; Helena Chemical Company, \$66,105.75; Harrell's Inc., \$7,607.25; Regal Chemical Company, \$1,660.

Mr. Wilford responded that all chemicals are approved by the Federal and State governments, the Department of Environmental Protection (DEP), and the Southwest Florida Water Management District for flood control. The County has nine licensed persons who apply these chemicals, which are monitored by various agencies to assure public safety.

Mr. Chetlain withdrew his second to the motion.

Mr. Gause moved to approve award IFB 416246KK for aquatic weed control. Motion was seconded by Mr. McClash.

Mr. Wilford stated the County drinking water is thoroughly tested and meets or exceeds the highest standards. He advised that a copy of the monthly report to DEP regarding water and wastewater will be provided for review.

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

Recess/Reconvene. All members present.

ORDINANCE 94-24: SELF INSURANCE

Public hearing (Notice in The Bradenton Herald 4/1/94) was held to consider

ORDINANCE 94-24 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, UPDATING AND AMENDING MANATEE COUNTY ORDINANCE 92-23, THE MANATEE COUNTY SELF INSURANCE ORDINANCE, BY AMENDING SECTION 5, PARAGRAPH 10, PERTAINING TO DELEGATION OF AUTHORITY TO EFFECT SETTLEMENTS AND PROVIDING FOR AN EFFECTIVE DATE.

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Tedd Williams, Assistant County Attorney, stated the Ordinance would authorize the offices of County Attorney and Risk Manager to settle litigated/disputed claims by the County against another entity (third party) in the amount of \$10,000 or less as follows:

1. Where the original claim of the County, in its full value before any reduction for settlement purposes, is \$5,000 or less, the Risk Manager may accept settlement in any amount; and
2. Where the County's original claim, in its full value before any reduction for settlement purposes, is over \$5,000, but less than \$10,000, the County Attorney may accept settlement in any amount; and
3. Where the County's original claim is over \$10,000, the County Attorney may accept settlement of an amount that is within \$10,000 of the full value of the claim before any reduction for settlement purposes.

Mr. Chetlain moved to adopt Ordinance 94-24. Motion was seconded by Mrs. Harris and carried unanimously. RECORD S43-1659

COMMISSIONER'S COMMENTS

Golf Course Pro Shops - Mrs. Harris requested the no-refund or exchange policy at the golf course pro-shops be brought back for discussion.

Traffic Control - 60th Avenue West - Mrs. Harris advised that a "Pedestrian Crossing" has been established on 60th Avenue West at 17th Street and that staff is responding to requests to reduce speed limits in the area including 26th Street West to 34th Street. She requested a review by staff in four months to determine if these measures helped.

Golf Course Privileges - Mrs. Harris requested policy regarding types of identification accepted at the golf courses to determine County residency/family privileges for persons in the military.
Disposition: Referred to County Administrator.

Legislation - Code Enforcement - Mrs. Harris requested that legislation allowing local governments to repair, charge, and recover costs for property cited by Code Enforcement, be brought back for discussion.

Legislation - Land Information System Fees - Mrs. Harris requested information regarding recovering costs/charging fees to use the Land Information System, be placed on a future agenda or discussed during the budget process.

Correspondence - Mrs. Glass requested that anyone having a problem with letters she sends out to notify her personally.

Street Lights - Mr. Gause requested that staff respond to a complaint (Mrs. Stewart) regarding a street light which was placed on the sidewalk right-of-way on 59th Street West and 9th Avenue Drive.

Request for Proposal/Bids - Mr. Gause questioned the RFP/bid criteria which requires a contractor have previous experience with the County in order to be awarded a contract.

Tropical Shores Project - Mr. Chetlain requested a report as to a proposed meeting with the City of Bradenton to discuss the project.

Blackstone Park - Mr. McClash relayed a suggestion from a City of Palmetto Councilperson that the City help monitor Blackstone Park.

The Councilperson also requested clarification as to the plan for parks/recreational facilities north of the River.

Sidewalks/Pebble Springs - Mr. Stephens advised a letter has been sent to a Pebble Springs resident advising a sidewalk she is concerned with is in the City of Bradenton.

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LEGISLATION - SOLID WASTE FLOW CONTROL

Mr. Stephens requested a letter be sent to U.S. Senator Bob Graham, as recommended by the Florida Association of Counties memo (5/2/94), to affirm the right of local governments to use flow control to develop and implement an integrated solid waste management system.

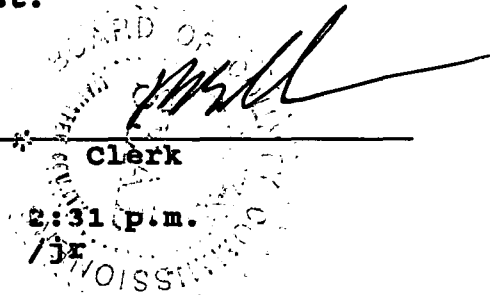
Mrs. Harris moved approval. Motion was seconded by Mrs. Hooper and carried unanimously.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


Clerk


Chairman 6/23/94

Adj: 2:31 p.m.
/jx