

MAY 10, 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 10, 1994, at 9:00 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 The Reverend J. Walter Cross, Trinity United Methodist Church of Bradenton.

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

**PROCLAMATIONS**

**Better Hearing and Speech Month**

Upon motion by Mr. Chetlain and second by Mr. McClash, a Proclamation was unanimously adopted designating the month of May 1994 as "Better Hearing and Speech Month" in Manatee County, Florida. RECORD S43-1664

**Hurricane Awareness Week**

Upon motion by Mr. McClash and second by Mr. Chetlain, a Proclamation was unanimously adopted designating the week of May 15-21, 1994, as "Hurricane Awareness Week" in Manatee County, Florida. RECORD S43-1665  
(Depart Mrs. Glass)

**Letter Carrier/United States Postal Service Food Drive Day**

Motion was made by Mrs. Hooper, seconded by Mrs. Harris and carried 6 to 0, to adopt a Proclamation designating May 14, 1994, as "Letter Carrier/United States Postal Service Food Drive Day" in Manatee County, Florida. RECORD S43-1666

(Enter Mrs. Glass)

**Manatee County Police Week**

Motion was made by Mr. Gause, seconded by Mr. McClash and carried unanimously, to adopt a Proclamation designating the week of May 15, 1994, as "Manatee County Police Week" in Manatee County, Florida. RECORD S43-1667

**Pride Community Park**

Motion was made by Mrs. Harris, seconded by Mrs. Glass and carried unanimously, to adopt a Proclamation designating "Pride Community Park" as the officially adopted name of the new park site being constructed adjacent to Daughtrey Elementary School. RECORD S43-1668

**CITIZENS' COMMENTS**

John Patterson spoke regarding transportation items on the agenda. He stated the transit system should be more efficient.

**CONSENT AGENDA**

Upon motion by Mr. McClash and second by Mrs. Harris, the Consent Agenda dated May 10, 1994, was unanimously approved. Items APPROVED:

**CLERK'S CONSENT CALENDAR**

**BONDS**

**Accept:**

Sheriff's Public Deputies Blanket Bond (4 Additions; 5 Deletions)

RECORD S43-1669

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(Cont'd)

**BILLS FOR PAYMENT**

Hogg, Allen et al - Retainer & Gen Matters, 3/9-3/31/94	\$	2,241.86
Woodruff & Sons - Reclaimed Water Main, 60th Ave W/ Pittsburgh Drain		45,133.05
Zoller, Najjar & Shroyer - Reclaimed Water Main, Magellan Dr to Bay Dr		15,624.80
Jerry Zoller - Public Health Unit, Roof/Exterior Wall Waterproofing		1,666.00
" " - Public Safety Complex, Roof, Lightning Protection, and Wall Repairs		2,745.00
" " - Courthouse Renovations		82.50
Woodroffe Corp Architects - Courthouse Annex Survey		9,731.50
Black and Veatch - Eng Svcs, System Rev Cost of Svc and Rate Study		14,241.55
Richard Fawley Architects - Braden River Branch Library		16,135.50
Arrow Technology - Water Line, US 301 at 32nd Ave Dr E		5,556.25
Sky Construction - Force Main 25A & SR 683 Water Line Relocation		3,879.23

**Detention Facility:**

Rinker Materials - Concrete (PO 99582)		16,472.50
Hughes Supply - Reinforcing Steel (PO 99583)		5,081.15
" " - Plumbing Fixtures (PO 99918)		28,553.04
The Trane Co - Air Conditioning Equipment (PO 100158)		21,411.00
Carroll Air Systems - Motor Invert, Pumps (PO 100160)		9,700.00
General Electric Supply - Switchgear (PO 100234)		34,059.66
Mayer Electric Supply - Lighting Fixtures (PO 100235)		105,891.00
Ringhaver Equipment - Emergency Generator (PO 100236)		123,312.00
Ardaman & Associates - Structural Inspections (PO 100368)		26,592.50
Cement Industries - Hollowcore Precast Concrete (PO 100832)		13,574.00
Phoenix Sales - Roofing Materials (PO 101093)		52,196.40
Exercise Experience - Athletic Equipment (PO 101130)		26,653.10
Centex-Rooney/National Development (Through 4/30/94) - Construction Manager's Compensation (PO 97771)		130,203.24
Long-lead procurement of site work & certain detention equipment (PO 98879)		126,408.00
Construction in accordance w/Guaranteed Maximum Price (PO 99117)		1,735,980.00

**REFUNDS**

McDonald Hill Ventures - Sewer Facility Investment Fee at Tara, Ph I, Unit 5, Lot 12		1,300.00
McDonald Hill Ventures - Sewer Facility Investment Fee at Tara, Ph I, Unit 5, Lot 22		1,300.00
David Bailey - Building Permit		150.00
Pic Town Estates - Street Lighting Services		2,287.59

**WARRANT LIST**

Approve: May 3, 1994 through May 9, 1994  
 Authorize: May 10, 1994 through May 16, 1994

**AUTHORIZE CHAIRMAN TO SIGN**

**Partial Release of Special Improvement Assessment Liens:** Proj 301-5147  
**Authorization for Payment of Taxable Costs:**

Connie Mederos-Jacobs, Esq - State vs. Raul Ramirez (\$12.00)  
 Richard L. Buckle, Esq - State vs. Vincent Barber and Howard Prince  
 (\$896.10)

**ACCEPT**

**General Obligation Refunding Bonds - Series 1993, \$42,260,000, Closing  
 Documents**

**COUNTY ADMINISTRATOR****MATERIALS & SERVICES**

- Aluminum Sign Blanks** - Award IFB 423596NA on an as-required basis to Universal Signs, \$26,745.
- Courthouse HVAC** - Issue Change Order 2 to Bid 924040 and Purchase Order 97751 with Tappouni Mechanical, Inc., net increase of \$2,040 and adjusted purchase order amount of \$135,765.
- Vehicle Purchase (Public Works/Drainage)** - Purchase three 1/2 ton 4x4 pickup trucks via State Contract 070-001-94-1 from Duval Ford, \$16,049 each, total not to exceed \$48,147 (as replacements for assets 18906, 21880, and 21876).

**COMPUTER REPAIR SERVICE**

Execution of agreement with DOS Computer Center, Inc., commencing April 1, 1994, for annual total of \$87,360. **RECORD S43-1670**

**GLEN CREEK DRAIN, PHASE II**

Execution of Work Assignment SW5 for stormwater detention with Post, Buckley, Schuh & Jernigan, Inc., total not to exceed \$46,062.

RECORD S43-1671

**ONECO DRAIN, PHASE I**

Execution of Work Assignment SW4 for stormwater detention with Post, Buckley, Schuh & Jernigan, Inc., total not to exceed \$16,195.20.

RECORD S43-1672

**HISTORICAL PRESERVATION SERVICES**

Execution of Addendum 1 to agreement for historical preservation services on as-required basis for additional one-year period (2/25/94-2/24/95) with Stevenson Architects, Inc.

RECORD S43-1673

**SURPLUS PROPERTY**

1. Authorization to classify excess property as surplus property per Florida Statute 274.05 to enable appropriate and authorized disposition in accordance with Procurement Code 84-02, Section 8.108; and  
RECORD S43-1674
2. Adoption of  
**R-94-145** RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES  
(Ford ambulance, Asset 27718, to Manatee County Division of Emergency Medical Services Auxiliary).  
RECORD S43-1675

**EMPOWERMENT ZONE/ENTERPRISE COMMUNITIES GRANT**

Adoption of

**R-94-136** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE APPROVAL OF THE SUBMISSION OF AN APPLICATION TO THE U.S. DEPARTMENT OF URBAN DEVELOPMENT FOR EMPOWERMENT ZONE/ENTERPRISE COMMUNITIES DESIGNATIONS  
(for Washington Park (A & B), Samoset, and Oneco).

RECORD S43-1676

**TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION GRANT**

Adoption of

**R-94-144** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF COMMERCE, NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION FOR THE DEVELOPMENT OF THE MANATEE COMMUNITY ACCESS PROGRAM  
(Federal share \$871,867; local match \$871,867).  
RECORD S43-1677

**TRANSIT: FTA SECTION 9, OPERATING AND CAPITAL GRANT**

1. Adoption of  
**R-94-149** A RESOLUTION OF THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT WPI 1815605 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, \$102,680  
(for acquisition of six buses, equipment, and shelters). S43-1678  
RECORD S43-1679
2. Acceptance of grant from the Federal Transit Administration under the Section 9 Program for operating and capital assistance in the amount of \$2,698,834 (Operating-FTA \$836,017, County \$836,017; Capital-FTA \$821,440, County \$102,680, State \$102,680), 10/1/93 to 9/30/94, and authorizing Chairman, in accordance with R-92-82, to execute grant agreement.  
RECORD S43-1680

**FDOT SECTION 18, RURAL OPERATING ASSISTANCE GRANT**

Execution of Florida Department of Transportation (FDOT) form letter requesting FDOT proceed with preparation of Joint Participation Agreement for WPI 1815577, \$28,500 in state operating assistance (Handi-Bus Service in rural areas).

**INSURANCE/MEDICAL AND FLEXIBLE BENEFITS PLAN**

Authorization to implement Freedom of Choice Medical Plan and set rate schedules effective January 1, 1994 (to correct scrivener's error in insurance rates as approved by the Board of County Commissioners October 12, 1993).

**LIBRARY: CD-ROM GRANT ACCEPTANCE**

Adoption of

**R-94-107** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING A GRANT AWARD FROM THE FLORIDA DIVISION OF LIBRARY AND INFORMATION SERVICES, FOR A LIBRARY SERVICES AND CONSTRUCTION ACT COLLECTION DEVELOPMENT/CD-ROM PROGRAM

(\$22,164 total; State \$13,500; County match \$8,664 [\$5,556 in cash and \$3,108 gift revenue]).

RECORD S43-1681  
S43-1682

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**PARKS AND RECREATION: DONATION/CALCIUM HYPOCHLORITE**

Acceptance of donation in accordance with provisions of Ordinance 86-05 and procedures established by the County Administrator's Office, of sixteen 75-pound containers of calcium hypochlorite (HTH Granular Chlorine) with a value of \$959.84 from Big Lots Store 519.

**REFUND - NORTH RIVER FIREFIGHTER ASSOCIATION**

Return tournament deposit of \$371 to the North River Firefighter Association since the golf tournament was canceled.

**LEWIS PARK - FINAL PLAT**

Approval of, authorization to execute, and authorization to record final subdivision plat with associated documents as follows:

1. Final Plat;
2. Agreement with David P. Lewis to Defer Completion of Required Sidewalks (for minor subdivision). RECORD S43-1683

**RIVERDALE ROAD AND SEWER PROJECT/ASSESSMENT ROLL MODIFICATIONS**

Adoption of

R-94-148 A RESOLUTION MODIFYING THE SPECIAL ASSESSMENT ROLLS FOR ROAD AND SANITARY ASSESSMENT PROJECT NO. 5144, RIVERDALE (deleting parcel owned by the Estate of David Altman and adding three parcels owned by Chris Roberts, John and Elizabeth Neira-Fowler, and Robert and Bonnie Maynard).

(End Consent Agenda)

RECORD S43-1684

**Recess/Reconvene.** All members present.

**TOURIST DEVELOPMENT TAX - ANNA MARIA ISLAND CENTENNIAL CELEBRATION**

Motion was made by Mr. McClash, and seconded by Mrs. Hooper, to approve request for expenditure of resort tax contingency funds not to exceed \$500 for promotion of the Anna Maria Island Centennial Celebration. Motion carried unanimously.

**BID PROTEST: PRICE BROTHERS CO. AND AMERICAN CAST IRON PIPE CO.**

H. Hamilton Rice, Jr., County Attorney, reviewed guidelines for proceeding with bid protest appeals filed by Price Brothers Company and American Cast Iron Pipe Company relating to Bid 414374DC for installation of the South County 42-Inch Water Transmission Main. He advised there are pending lawsuits surrounding this matter.

He suggested the following options: (1) Deny/sustain the Price Brothers bid protest appeal; (2) Deny/sustain the American Cast Iron Pipe Company bid protest appeal; (3) Award the bid to Rockdale Pipeline, Inc., utilizing prestressed concrete pipeline materials (provided by Price Brothers); or (4) Award bid to Rockdale Pipeline, Inc., utilizing ductile iron pipeline material (provided by American Cast Iron Pipe Company).

Tedd Williams, Chief Assistant County Attorney, reported that the American Cast Iron appeal was served yesterday. He noted the appeal package contained a privileged and confidential document, which is a letter from the County Attorney's office to the Board of County Commissioners, and he stated the County Attorney's office does not intend to waive its objection to the use of that document.

**Price Brothers Presentation**

**Lee Stockton**, Price Brothers Vice President, presented slides giving an overview of Price Brothers Company and its manufacturing operations.

**Neal Shows**, Southern Regional Manager, Price Brothers, referred to a Price Brothers piping project in Nashville, Tennessee, and an article titled "Old Pipe Worked Great-Add More of the Same" regarding a pipeline project by Price Brothers in Grand Rapids, Michigan. He gave an overview of their pipe and its quality and cost effectiveness.

**John Bakas**, attorney with McCourter, Reeves, McLauflin, Davidson and Bakas, representing Price Brothers, addressed the method of awarding construction contracts in Manatee County, which requires the award to go to the lowest, responsible, responsive bidder. He stated that the lowest, responsible, responsive bidder for this project at the total contract bid price is Rockdale Pipeline/Price Brothers.

He introduced Bill McCann, local salesman, and Roland Anderson, Central Region Sales Manager.

**American Cast Iron Presentation**

**Karl Brandes**, attorney with Holland and Knight, representing American Cast Iron Pipe Company, stipulated that their use of the privileged and confidential document addressed by Mr. Williams does not constitute a waiver of any objection the County Attorney's office may have.

**Charlie Hogue**, District Sales Manager, American Cast Iron Company, stated that the County denied American its due process rights in connection with the bid process. He reviewed the events regarding the bid protest appeal and the background of American Cast Iron Company.

**Gilbert Smith**, attorney representing American Cast Iron Company, stated a review of all documentation from County staff indicated the bid would go to American. He submitted documentation regarding their bid protest.

Mr. Brandes summarized their request.

**Recess/Reconvene.** All members present.

Mr. Rice recommended the Board base its decision upon bid submission without regard to discounts offered by either of the two protestors whether the discount was made before or after the opening of bid in this proceeding.

Upon question, Rob Cuthbert, Purchasing Director, stated the lowest bidder at the time of the opening of the bid and read at the bid opening was Rockdale Pipeline utilizing prestressed concrete cylinder pipe considering installation and materials cost.

**Motion**

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried unanimously:

- (1) **As to Price Brothers' Appeal**, having considered the written and oral presentations made on behalf of Price Brothers and having determined that the Price Brothers' bid protest appeal should be sustained, sustain the Price Brothers' bid protest appeal;
- (2) **As to American Cast Iron Pipe Company's appeal**, having considered the written and oral presentations made on behalf of American Cast Iron Pipe Company and having determined that the American Cast Iron Pipe Company bid protest appeal should be denied, deny the American Cast Iron Pipe Company bid protest appeal; and
- (3) **As to awarding contract to Rockdale Pipeline using prestressed concrete pipe provided by Price Brothers**, having considered the bid package presented by Rockdale Pipeline, Inc., and the recommendations of the County Administrator, the Purchasing Director, and the advice of the County Attorney's office, and having determined that the lowest responsive and responsible bidder is Rockdale Pipeline, Inc., utilizing prestressed concrete pipe, Bid 414374DC be awarded to Rockdale Pipeline, Inc. utilizing prestressed concrete pipeline material.

(Note: Execution of contract authorized later in meeting)

**WEST COAST INLAND NAVIGATIONAL DISTRICT GRANT APPLICATIONS**

Linda Ackerman, Community Services Department, submitted for approval resolutions authorizing submission of West Coast Inland Navigation District (WCIND) grant applications as follows:

- R-94-121** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION OF A WEST COAST INLAND NAVIGATION DISTRICT GRANT APPLICATION AND ACCEPTING FOR THE MANATEE COUNTY PUBLIC WORKS DEPARTMENT BAY COLONY DREDGE PROJECT (\$50,000). S43-1685 RECORD S43-1686
- R-94-122** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, . . . MCLEWIS BAYOU DREDGE (\$40,000). S43-1687 RECORD S43-1688
- R-94-123** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, . . . MANALEE SUBDIVISION DREDGE PROJECT (\$15,000). S43-1689 RECORD S43-1690
- R-94-124** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, . . . COLONY COVE DREDGE (\$20,000). S43-1691 RECORD S43-1692
- R-94-125** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, . . . CITY OF ANNA MARIA LAKE LAVISTA INLET MAINTENANCE (\$18,500). RECORD S43-1693 S43-1694

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**R-94-126** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, . . . SOUTH FLORIDA MUSEUM AND BISHOP PLANETARIUM MANATEES AND AQUATIC ECOSYSTEMS (\$37,050). S43-1695

RECORD S43-1696

**R-94-127** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, . . . BRADEN RIVER FIRE CONTROL AND RESCUE DISTRICT MARINE 6 (\$4,800). S43-1697 RECORD S43-1698

**R-94-128** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, . . . USCG AUXILIARY FLOTILLA #85 PALMETTO TRAINING IN WATER SAFETY AND EDUCATION (\$3,721). S43-1699 RECORD S43-1700

**R-94-147** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, . . . USCG AUXILIARY FLOTILLA #81, INC., BOATING SAFETY/EDUCATION (\$1,067.12). RECORD S43-1701

S43-1702

Mr. Gause questioned whether any affected residents participated in the cost of annual dredging of Lake LaVista in the City of Anna Maria. He noted the benefits are confined to a very small group of residents around the lake and private industry, and recommended the funds be spent to prevent flooding.

Motion was made by Mr. McClash, and seconded by Mr. Chetlain, to adopt the resolutions authorizing submission of West Coast Inland Navigational District grant applications and authorizing the Chairman to execute project applications, and to authorize the Chairman to sign a letter to WCIND requesting funding in accordance with the list of prioritized projects. Voting "Aye" were Mr. McClash, Mr. Chetlain, Mrs. Hooper, Mrs. Glass, Mrs. Harris, and Mr. Stephens. Voting "Nay" was Mr. Gause. Motion carried.

#### COURTHOUSE VENDING SERVICES

Debra Walker, County Administrator's office, recommended adoption of

**R-94-146** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING THAT THE DIVISION OF BLIND SERVICES OF THE STATE OF FLORIDA, DEPARTMENT OF EDUCATION, IS AUTHORIZED TO CONTINUE OPERATION OF VENDING AND SNACK BAR FACILITIES WITHIN THE MANATEE COUNTY COURTHOUSE.

She reported that the current agents are retiring and the Division of Blind Services has recommended engaging the services of Richard Draper. She stated Mr. Draper is currently responsible for vending facilities in the Administrative Complex and Public Health Unit, and is also the agent for The Bradenton Herald.

She noted that the Resolution provides for the Administrator, or his designee, to work with the Division of Blind Services on the development of an agreement establishing terms and provisions.

Brief discussion followed during which it was recommended that "to be approved by the Board of County Commissioners" be added to the last paragraph on page 1 relating to development of the agreement.

Mrs. Glass moved to adopt Resolution R-94-146 with the additional language referencing the agreement. Motion was seconded by Mr. Chetlain and carried unanimously. RECORD S43-1703

#### FEDERAL EMERGENCY MANAGEMENT AGENCY - FLOOD INSURANCE RENEWAL

William Henry, Assistant County Attorney for Risk Management, submitted recommendation (memorandum 5/2/94) regarding renewal of flood insurance to comply with Federal Emergency Management Agency requirements.

He requested authorization for the County Attorney to renew, amend, add to, or delete such flood insurance coverage as is contained in current County policies with Bankers Insurance Company and as listed in the memorandum of May 2, 1994, and to authorize payment of appropriate premiums thereon.

He stated he reviewed the insurance plan coverage and discovered a number of discrepancies in locations, values, and insurability. He reviewed the listing of facilities currently covered with recommended renewal options.

Motion was made by Mr. Gause, seconded by Mr. McClash and carried unanimously, to approve the request.

Recess/Reconvene. All present.

COMMISSIONERS' COMMENTS

Illegal Dumping Sites

Mr. Gause suggested using the Mosquito Control helicopter to spot illegal dumping sites.

**Disposition:** Referred to County Administrator.

Traffic Signals/Flashing Lights

Mr. Gause and Mrs. Glass requested that Florida Department of Transportation be contacted regarding the possibility of using flashing lights during late evening/early morning hours as opposed to full signal.

**Disposition:** Referred to County Administrator.

Derelict Vessels

Mr. Chetlain questioned the delay in getting derelict vessels removed.

**Disposition:** Environmental Action Commission to provide status report regarding grant application/removal of vessels.

Recycling Issue

Mr. Chetlain requested a status report regarding recycling.

**Disposition:** County Administrator advised they are anticipating a presentation to the Board in June 1994.

Recreational Facilities

Mrs. Glass expressed concern that the public is not being adequately informed as to Board action regarding providing new recreational facilities, specifically with regard to a recent article which appeared in The Bradenton Herald.

**Disposition:** Referred to County Administrator to respond to The Bradenton Herald and submit status report.

Recycling Dumpster/59th Street West

Mrs. Glass reported that a recent newspaper editorial indicated the County removed a recycling dumpster; however, the dumpster was removed by Kash 'N Karry. She recommended another site be found.

**Disposition:** The County Administrator stated he responded to the editorial advising that the County is attempting to find alternate sites and that the process is under contract with the waste haulers.

Priority Projects

Mr. McClash requested a report on projects of top priority with the Board of County Commissioners.

**Disposition:** Referred to County Administrator for report.

TRAVEL AUTHORIZATION

Motion was made by Mrs. Glass, seconded by Mrs. Hooper and carried unanimously, to authorize travel for Mrs. Harris to Orlando, Florida, June 3, 1994, to participate in interviews for an Executive Director for the Florida Association of Counties.

Motion was made by Mrs. Harris, seconded by Mr. McClash and carried unanimously, to authorize travel for Mr. Gause to Orlando, Florida, June 3, 1994, to attend the Florida Association of Counties Board of Directors meeting.

COMMISSIONERS' COMMENTS (Cont'd)

Convention & Visitors' Bureau Logo

Mrs. Harris reported that Mayor Simchez, City of Anna Maria, expressed concern the island communities were not given an opportunity to provide input in the design/wording of the logo used by the Convention and Visitors' Bureau.

**Disposition:** Mr. McClash indicated their concerns have been addressed.

State Road 64 - Signal Lights

Mrs. Hooper reported that several truck drivers have indicated the caution lights on State Road 64 are not long enough for them to be able to stop safely. She suggested that Florida Department of Transportation

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(FDOT) extend the length of time caution lights are lit and/or erect signs indicating "check traffic before proceeding" in an effort to reduce the number of traffic accidents. Mr. Gause suggested another alternative might be to have the signals red in all directions for a short time.

**Disposition:** Referred to Public Works Department to contact FDOT.

**Recess/Reconvene.** All present except Mrs. Harris and Mr. Gause.

### ZONING

Public hearing (Notice in The Bradenton Herald 4/8/94) was opened to consider

#### DRI 6 - HARBOR VENTURES - DRI ABANDONMENT (CONTINUED)

Approval of the abandonment, pursuant to Rule 9J-2.0251, Florida Administrative Code, of the Harbor Ventures Development of Regional Impact located on 505.4 acres on the south side of 53rd Avenue West, 1,300 feet west of 34th Street West.

Planning Commission recommended APPROVAL with Conditions:

1. The future developers of this property shall dedicate right-of-way for 47th Street West consisting of 120 feet of width from 53rd Avenue West south for a distance of approximately 1,250 feet and then 60 feet of width south to the southern property line of the Harbor Ventures DRI prior to final site plan or plat approval, whichever occurs first. The location of the right-of-way shall be subject to the approval of the County. To the extent that the Owner or its successors or assigns are required hereunder to contribute land for a public facility, and the Owner is also subject by local ordinance to the payment of impact fees or exactions to meet the same needs, the Owner may apply for impact fee credit pursuant to Section 806 of the Manatee County Land Development Code; however, if the Florida Land and Water Adjudicatory Commission imposes any additional requirement, Manatee County shall not be required to grant a credit toward the local exaction or impact fee unless Manatee County determines that such required contribution, payment or construction meets the same need that the local exaction or impact fee would address.
2. By the abandonment of the DRI Development Order, the Owners, heirs and successors in interest do not waive any right to seek impact fee credits, if any, for the dedication of the 120-foot right-of-way for 53rd Avenue, pursuant to Section 806 of the Manatee County Land Development Code.

Patricia Petruff, attorney representing the applicant, advised that some residents did not receive proper notice. She recommended the public hearing be continued to May 26, 1994, at 9:00 a.m.

Motion was made by Mr. Hooper, seconded by Mrs. Glass, and carried 5 to 0, to continue DRI 6, Harbor Ventures DRI Abandonment, until May 26, 1994, at 9:00 a.m., or as soon thereafter as same may be heard.

#### BID PROTEST - 42-INCH WATER MAIN, PHASE I (Cont'd)

Motion was made by Mr. McClash, seconded by Mrs. Hooper and carried 5 to 0, to authorize execution of contract with Rockdale Pipeline, Inc., \$2,064,321, for the installation of prestressed concrete pipeline materials for the construction of a 42-inch water transmission main, and simultaneously date performance and payment bonds and accept insurance certificate.

RECORD S43-1704

#### MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

  
Clerk

APPROVED:

  
Chairman 6/23/94

Adj: 2:06 p.m.  
/eml