

JULY 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, July 12, 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 Rev. Thomas W. Otto, Ellenton Methodist Church.

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

EMPLOYEE OF THE MONTH

Certificate of Recognition was presented to the July 1994 Employee of The Month, Tommy Lee Rivers, Parks and Recreation Department.

EMPLOYEE SUGGESTION AWARD

Certificate of Merit, representing a Class "B" (\$100) award, was presented to Lorraine Myres, Community Services Department, for submitting an award-winning suggestion that could result in an estimated \$5,000 in additional revenue per year from indigent burial costs.

1994 EXTENSION MASTER GARDENER GRADUATION CLASS

Richard M. Aalberg and Nancy Rechcigl, Agriculture and Natural Resources, presented diplomas to the 1994 graduating class of Extension Master Gardeners. Graduates were:

Richard Bonneson	Carl Cicchetti	Raquel A Duvinage
Margaret A. Fitt	Donald Grathwohl	Brenda Hawkes
David Johnson	Marie Jordan	Caren Ann Kramer
Dorothy Mitchell	Robert Powers	Roberto Rodriguez
Christine Schroeder	Malcolm Shepard	Crystal Sinopoli
Audney Somerville	Mary Stealey	Joseph Thompson
Susan C. Walter	Janet Welch	

VETERANS COMMUNITY ACCOUNT - DONATION

Fred Loveland, Community Services Director, and Harold Rouse, Veterans Services, recommended accepting a donation, in accordance with the provisions of Ordinance 86-05 and procedures established by the County Administrator's Office, of \$805 from Crown and Anchor Pub to be deposited into the Veterans Community Account.

Gordon Ratcliff, Crown and Anchor Pub, presented a check in the amount of \$805.

(Note: Further action later in meeting)

JUVENILE ASSESSMENT CENTER

Judge Peter A. Dubenski, representing the Juvenile Justice Council, gave a presentation concerning the development of a Juvenile Assessment Center (JAC). Components of the JAC include misdemeanor booking, disciplinary school, truancy school, psycho-social assessments and family support.

It was recommended that Manatee Glens act as the lead agency for the JAC. The Sheriff, Health and Rehabilitative Services, and the School Board will relocate staff to the center as required. The School Board

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has received a juvenile justice partnership grant in the amount of \$96,500 to provide portions of the disciplinary school.

Jan Norrie, School Board, stated an average of 40 students at a time will be circulated through the JAC. Opening is anticipated in August.

Bob More, Manatee Glens Director, stated that Manatee Glens has a 99-year lease with the County for Glen Oaks. Manatee Glens will be requesting approval to sublease space to the School Board.

The Chairman stated this item will be coming back at a later date. A work session could be scheduled to further discuss the proposal.

VETERANS COMMUNITY ACCOUNT - DONATION (Cont'd)

Motion was made by Mr. McClash, seconded by Mr. Gause and carried unanimously, to accept the check from the Crown and Anchor Pub.

MORTON VILLAGE - 34TH STREET WEST

James Mahoney, Morton Village Condominium Association, requested that Resolution R-94-75 (3/1/94) be rescinded. The resolution converted Morton Boulevard from a private road to a public road without the consent of the residents of Morton Village. The residents have no objection to the right-of-way dedication on 34th Street and the lift station easement.

Motion was made by Mr. Chetlain, seconded by Mrs. Harris and carried unanimously, to set a public hearing to hear this matter.

AUTOMOBILE PARTS - INVENTORY

John Patterson stated concern as to missing inventory of automobile parts within the County.

Disposition: The County Administrator stated the matter is currently under investigation.

CONSENT AGENDA

Upon motion by Mr. McClash and second by Mrs. Harris, the Consent Agenda dated July 12, 1994, was approved with deletion of 1) U.S. Cable Franchise public hearing; 2) Work Assignment 12 with Black & Veatch, East Effluent Storage Pond; and 3) Change Order 1, Singletary/Betts Road Improvements (all separate actions). Items APPROVED:

CLERK OF CIRCUIT COURT

BONDS

Accept:

Sheriff's Public Deputies Blanket Bond (12 Additions; 8 Deletions)

RECORD S43-1924

Mote Ranch, Phase I (PDR-81-05)

Accept:

1. Agreement with Lennar Florida Land I O.A., Ltd. guaranteeing completion of required sidewalks and bikeways, \$10,530.00
2. Performance Bond: \$10,530.00 (Amendment No. 2 to Letter of Credit No. SM-37514-093, NationsBank of Florida, N.A., appr 8/10/93) extending the expiration date to 7/6/95 and reducing bond amount from \$28,050 to \$10,530

Release:

1. Agreement with Lennar Florida Land I O.A., Ltd. guaranteeing completion of required sidewalks and bikeways, \$28,050.00
2. Performance Bond: \$28,050.00 (Letter of Credit No. SM-37514-093, NationsBank of Florida, N.A.)

Airborne Express (AP-94-01)

Accept:

1. Agreement with Airport Woods Commerce Center Partnership warranting required improvements, \$1,197.00
2. Defect Security: \$1,197.00 (Letter of Credit No. 318, SunBank/Southwest Florida)
3. Improvements for County maintenance.

Release:

1. Agreement with Airport Woods Commerce Center Partnership guaranteeing completion of required improvements, \$13,047.00
2. Performance Bond: \$13,047.00 (Letter of Credit No. 313, SunBank of Lee County, N.A.)

The Loop of Northwest Bradenton (89-S-16)

Release:

1. Agreement with Robinson Loop, Inc. warranting required improvements, \$28,893.60
2. Defect Security: \$28,893.60 (Letter of Credit No. SM-37994-093, NationsBank of Florida, N.A.)

BILLS FOR PAYMENT

Bush, Ross, Gardner et al - Hy Kom Development (Inv 108731), Smith vs Barnes (Inv 108931 & 108402)	\$ 4,549.05
Carlton, Fields et al - Kathy Snell (Inv 25286)	1,439.58
MCS Construction - Reinforced concrete retaining wall @ Riverview Blvd Lift Station	13,930.00
Shirley Land Development - Rye & Waterline Rd Paving	94,872.13
Woodruff & Sons - 71st St W Reclaimed Wtr Main; Req 2	460,762.08
Woodruff & Sons - 6th, 7th & 8th Ave NW Road/Wtr Imprvmts	63,963.68
Lombardo & Skipper - 75th St W Road Imprvmts	21,478.50
Larson Engineering - 9th St E Rd Imprvmts (SR64-US 301)	4,873.53
Larson Engineering - 44th Ave E Rd Imprvmts	1,277.30
Infrastructure Mgmt - Computerized Pavement Mgmt System	10,441.00
Post, Buckley, Schuh et al - Oneco Drain Design, Ph I	2,320.00
Post, Buckley, Schuh et al - 86th St W Drainage Imprvmts	1,808.50
Zoller, Najjar & Shroyer - Magellan Dr to Bay Dr Wtr Main	8,231.54
Roese Contracting - 60th Ave W Reclaimed Water Main Sys	19,314.63
Jerry Zoller - Roof Review Svcs for EMS, Crime Prevention, and Sheriff Substation Buildings	1,347.50

REFUNDS

North River Fire Fighters - Golf Tournament Canceled	371.00
Lester Colegrove - Access & Drainage Permit Refund	110.00
Custom Homes West, Inc. - Access/Drainage & Radon Canceled	260.00
Custom Homes West, Inc. - Access/Drainage & Radon Canceled	309.80
Liberty Fireworks - Tent Permit Canceled	118.50
Patricia Reed - Administrative Permit (Portable Ag Stand)	250.00
RS & Sons - Landfill Overcharge	281.60
Northern Capital Group - Impact Fee Refund	17,399.00

WARRANT LIST

Approve: June 28, 1994 through July 11, 1994
 Authorize: July 12, 1994 through July 18, 1994

MINUTES FOR APPROVAL

May 17, 1994 (Regular), May 17, 1994 (Risk Assessment), May 26, 1994

AUTHORIZE CHAIRMAN TO SIGN

Satisfaction and Release of Claim regarding The Estate of Frank J. Natola, Probate File No. P93-1175, based on acceptance of Check No. 121 in the amount of \$450.00

Partial Release of Special Improvement Assessment Liens: Projects 5148 (2); 5150; 5152; 5056; 5071; 301-5148; 2502 (3); 301-5147 (2); 301-5152; 410-8601; 301-2504; 2502A; 301-2505 (2)

Corrective Documents (scrivener's errors):

Resolution R-93-238, Manatee Joint Venture (approved 3/24/94)

R-93-238 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY GRANTING AMENDMENTS TO R-92-27, AMENDING R-89-243, THE DEVELOPMENT ORDER FOR THE RIVER CLUB DEVELOPMENT OF REGIONAL IMPACT. RECORD S43-1925

PDO-93-02(Z)(P), Baden Trust/Hospice of Southwest Florida (approved 1/27/94)

PDO-93-02(Z)(P) 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 PR-S TO PDO AND APPROVAL OF A PRELIMINARY SITE PLAN TO ALLOW A 4,931-SQUARE-FOOT PROFESSIONAL OFFICE, INCLUDING SPECIAL APPROVAL FOR A PROJECT EXCEEDING 3,000 SQUARE FEET, IN THE OL FUTURE LAND USE CATEGORY; PROVIDING AN EFFECTIVE DATE. RECORD S43-1926

ACCEPT

Contract with Department of Health and Rehabilitative Services (approved 6/14/94) for reimbursement of Service of Process on Child Support Cases (7/1/94-6/30/95), not to exceed \$21,000. RECORD S43-1927

COUNTY ADMINISTRATOR

TRAVEL

Request for authority to travel for any/all Commissioners to

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Orlando, Florida, on July 21-22, 1994, to attend the Florida Composting Conference.

6TH, 7TH, 8TH AVENUE NORTHWEST/ROAD AND UTILITY IMPROVEMENTS

Execution of Change Order 1 to contract (Bid 311854DC) with Woodruff & Sons Inc. for an increase of \$26,440 and the addition of 47 calendar days to contract completion time for an adjusted contract amount of \$385,759.35 and a revised completion date of June 28, 1994.

RECORD S43-1928

MATERIALS AND SERVICES

1. **800 MHZ System Manager Upgrade** - Sole source purchase from Ericsson G. E. Mobile Communications Inc., \$40,996.
2. **Bulldozer, Rental of Wide Track** (Southeast Wastewater Treatment Plant) - Award Bid 427245MP for 6 months to the lowest responsive, responsible bidder, Udelson Equipment Company, not to exceed \$33,000.
3. **Leffis Key Habitat Restoration/Phase II** - Award IFB 425704MP, boardwalk and overlook platforms, to the lowest responsive, responsible bidder, Tampa Contracting Services Inc., not to exceed \$49,890; and, authorization to subsequently execute contract and simultaneously date performance/payment bond and acceptance of insurance certificate.

ENGINEERING CONSULTING SERVICES

Execution of letter acknowledging County consent to assign agreement with Briley, Wild & Associates to McKim & Creed Engineers P. A. for the provision of engineering consulting services for water, wastewater and reclaimed water infrastructure.

RECORD S43-1929

PALMETTO POINT DRAINAGE/SEDIMENTATION PROJECT

Execution of Change Order 1 to contract (Bid #311714DC) with Kerr Construction Inc., for a net increase of \$2,151 and an adjusted contract amount of \$88,026.10.

RECORD S43-1930

RECLAIMED WATER TRANSMISSION MAIN - 43RD STREET WEST

Execution of Change Order 1 to contract (Bid #311004DC) with Scotty's Tractor Service d/b/a Scotty's Land Development, for an increase of \$15,100 and an addition of 15 calendar days to contract completion time for an adjusted contract amount of \$1,093,555 and a revised completion date of August 2, 1994.

RECORD S43-1931

PUBLIC HEALTH UNIT - ROOF REPLACEMENT

Execution of Certificate of Substantial Completion with Jerry N. Zoller, AIA, P.A. (architect) and Manson Roofing, Inc. (contractor) for roof replacement of Public Health Unit.

RECORD S43-1932

SOILS AND MATERIALS TESTING - BRADEN RIVER PARK

Execution of Work Assignment 146 for the proposed park (Braden River Park) located on State Road 70 with Professional Service Industries Inc., not to exceed \$7,825.20.

RECORD S43-1933

SOILS AND MATERIALS TESTING - LENA ROAD LANDFILL

Execution of Work Assignment 138 for the annual evaluation (groundwater monitoring) at the Lena Road Landfill with Professional Service Industries Inc., not to exceed \$9,820.80.

RECORD S43-1934

CHILDREN'S SERVICES FUNDING - EASTER SEALS SOCIETY

Execution of a contract amendment with Easter Seals Society of Southwest Florida Inc. (Therapeutic Day Care Program), providing for a decrease in the projected number of units of service to be provided (2,370 to 1,818) with a corresponding increase in the payment amount per unit of service (\$19.40 to \$35.85).

RECORD S43-1935

TRANSIT - COMMUNITY CENTER INTER-AGENCY FIELD DAYS

Free transit service to 13th Avenue Community Center, Rubonia Youth Center, Tallevast Community Center and Myakka City Community Center in conjunction with Inter-Community Center Field Days to be held at G. T. Bray Park on July 14, 1994, and August 11, 1994.

CIVIL AIR PATROL FUNDING AGREEMENT

Execution of agreement (nonprofit agency FY 94) with Sarasota-Bradenton Composite Squadron Civil Air Patrol, \$2,500.

RECORD S43-1936

CONVENTION AND VISITORS BUREAU

1. **Donation/Selby Gardens** - Acceptance of a donation in accordance with Ordinance 86-05, and procedures established by the County Administrator, of 50 tickets from Selby Gardens, valued at \$250, for volunteers and paid staff of the Tourist Information Center.
2. **Media Schedule Addition** - Expend \$8,720 to advertise in Discover America in conjunction with Sarasota Convention & Visitors Bureau.

3. **Travel/Tradeshaw Schedule Addition** - Marketing Coordinator to travel to New York City, Washington D. C., and Chicago to attend a Media Mission from September 13-16, 1994, at a cost of \$2,500.

MANATEE COUNTY DETENTION FACILITY - CHANGE PROPOSAL REQUEST

Execution of Change Proposal Request No. 61 with Lescher & Mahoney/DLR Group, \$147,852, to be funded from project contingency for upgrading computer and telephone wiring and cabling; and, execute a letter to the Architect-Engineer (Lescher & Mahoney/DLR Group) authorizing the provision of additional services not to exceed \$16,150 for design of the upgrade. RECORD S43-1937

LIBRARY FOUNDATION, INC. ANNUAL REPORT

Accept the Library Foundation Inc. 1993 Annual Report.

DERELICT VESSEL REMOVAL PROGRAM

R-94-202 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION UNDER THE DERELICT VESSEL REMOVAL PROGRAM (\$24,000). RECORD S43-1938

DONATION - MANATEE WEST LITTLE LEAGUE

Acceptance of donations, in accordance with the provisions of Ordinance 86-05 and procedures established by the County Administrator, in the form of materials and labor and contributions with a total value of \$12,300 from Manatee West Little League to renovate and enhance facilities at the G. T. Bray Baseball Complex.

DUETTE PARK - GOPHER TORTOISES

Execution of letter to the Division of Wildlife rescinding the original letter (8/16/88) granting permission to relocate gopher tortoises on the Manatee-Estech (now Duette Park) property.

COMMUNITY CENTERS INTER-COMMUNITY CENTER FIELD DAYS

Parks and Recreation Department and the Community Services Department to host two field days for Manatee County youth centers at G. T. Bray Park on July 14, 1994, and August 11, 1994.

EAST BRADENTON RECREATION COMPLEX

R-94-206 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING A GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, UNDER THE LAND AND WATER CONSERVATION FUND PROGRAM FOR THE DEVELOPMENT OF THE EAST BRADENTON RECREATION COMPLEX

(total of \$4,203.38: State \$22,101.69; local match \$22,101.69; and authorizing the Chairman to execute all documents). RECORD S43-1939

FINAL PLATS

Approve, execute, accept, and/or record the following final plats:

CREEKWOOD, PHASE I, SUBPHASE I, UNITS B-2 & B-3

1. Final Plat
2. Mortgagee's Joinder in Declaration Only from Creekwood Investors, Ltd.
3. Agreement with GB Investment & Company, Inc. Warranting Required Improvements, \$31,844.00
4. Defect Security: \$31,844.00. (Surety Bond No. U 04206, Preferred National Insurance Co.)
5. Agreement with GB Investment & Company, Inc. Guaranteeing Completion of Required Sidewalks and Bikeways, \$37,700.00
6. Performance Bond: \$37,700.00 (Surety Bond No. U 04205, Preferred National Insurance Co.)
7. Amended Wilma Creekwood Notice to Buyers including List of Holdings and Fiscal and Budgetary Information.

RIVER WOODS

1. Final Plat
2. Agreement with Edmar Industries, Inc. and Sawair Enterprises, Inc. Warranting Required Improvements, \$35,635.07
3. Defect Security: \$35,635.07 (Letter of Credit No. S94-06, Republic Bank)
4. Agreement with Edmar Industries, Inc. and Sawair Enterprises, Inc. Guaranteeing Completion of Required Sidewalks and Bikeways, \$10,202.40
5. Performance Bond: \$10,202.40 (Letter of Credit No. S94-05, Republic Bank)
6. Conservation Easement from Edmar Industries, Inc. and Sawair Enterprises, Inc.
7. Declaration of Covenants, Conditions and Restrictions
8. Bylaws of River Woods of Manatee Homeowner's Association, Inc.

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SHIDNER SUBDIVISION

1. Final Plat
2. Agreement with James R. and Frances L. Shidner to Defer Completion of Required Sidewalks RECORD S43-1940
3. Affidavit regarding Required Access to Lots from James R. and Frances L. Shidner

VIRGINIA WATER, UNIT II

1. Final Plat
2. Mortgagee's Joinder in Declaration Only from Kabara Corporation N. V. and Island Investment Properties, Ltd.
3. Agreement with Northern Capital Group to Defer Completion of Required Sidewalks for Private Subdivisions RECORD S43-1941
4. First Amendment to Declaration of Restrictions
5. List of Holdings
6. Fiscal and Budgetary Information
7. Maintenance Program
8. Notice to Buyers

UNIVERSITY COMMONS - IMPACT FEE AGREEMENT

Execution of University Commons Public Safety Pro Rata Share Impact Fee Agreement with Walmart Stores, Inc. for Emergency Medical Services, \$36,962. RECORD S43-1942

SHARED FACILITIES AGREEMENT

Execution of Amended and Restated Shared Facilities Agreement with Southern Manatee Fire Rescue District. RECORD S43-1943

BUDGET AMENDMENT RESOLUTIONS

Adoption of Budget Amendment Resolutions:

COMMUNITY SERVICES (B-94-173)

Increase Revenue/Expenditure: Increases revenues and expenditures related to MPO grants and Transportation Disadvantaged grant program. \$15,032 RECORD S43-1944

(B-94-174)

Decrease Revenue/Expenditure: Reduces revenues and expenditures in the Transit Fixed Route and ParaTransit funds based on current financial data. \$2,550 RECORD S43-1945

(B-94-175)

Increase Revenue/Expenditure: Appropriates Alzheimer's Disease Initiative grant funding as approved 6/28/94. \$38,940 RECORD S43-1946

WCIND/LEFFIS KEY PROJECT

(B-94-176)

Increase Revenue/Expenditure: Appropriates the FY1994 allocation from WCIND for the Leffis Key Project. \$6,370 RECORD S43-1947

PUBLIC WORKS/CAPITAL PROJECTS

(B-94-177/1)

Item Transfer: Reallocates monies from Memphis Road due to a lower than projected bid back to Reserve for Capital Projects, and reallocates Reserve for Capital Projects to provide additional for an underdrain system for 6th-8th Ave NW project, and other projects. \$35,000

(B-94-177/2)

Item Transfers \$42,975 S43-1948 RECORD S43-1949

PUBLIC WORKS

(B-94-178)

Item Transfer: Rescinds and replaces B-94-151/1 due to scrivener's error in the account code. \$1,626,808 RECORD S43-1950

TAMPA BAY PARTNERSHIP FUNDING AGREEMENT

Execution of agreement with the Manatee County Chamber of Commerce/Economic Development Council providing FY 1993-94 funding in the amount of \$20,000. RECORD S43-1951

(End Consent Agenda)

U.S. CABLE FRANCHISE

Bob Schoenleber, Public Communications Coordinator, requested authorization to conduct a public hearing on August 9, 1994, (at 2:00 p.m. or as soon thereafter as possible) to determine if Manatee County should direct U.S. Cable of Lake County to cease operations in Manatee County; and, authorization for the Chairman to sign a letter notifying U.S. Cable of the public hearing.

Mr. Schoenleber stated that a letter was sent to U.S. Cable on August 16, 1993, advising that the franchise was expired and the procedures necessary to obtain a new franchise. A letter was then received from U. S. Cable on October 4, 1993, requesting certain changes be made to the proposed franchise agreement.

John Fletcher, U.S. Cable Vice-President, stated that U.S. Cable wishes to proceed with the franchise renewal. The request for changes has been withdrawn.

Motion

Motion was made by Mrs. Harris, and seconded by Mr. Chetlain, to authorize conducting a public hearing on August 9, 1994, to determine if Manatee County should direct U.S. Cable of Lake County to cease operations in Manatee County and authorization for the Chairman to sign a letter notifying U.S. Cable of the public hearing.

Discussion: U.S. Cable wishes to sign the franchise agreement; there would have to be advertisement and a public hearing for the franchise agreement renewal.

Motion - Amendment

Mrs. Harris amended the motion to include authorization to advertise for renewal of the franchise. The seconder agreed to the amendment.

The motion, as amended, carried unanimously.

Recess/Reconvene. All members present.

CONVENTION & VISITORS BUREAU/CIVIC CENTER - REMODELING

Larry White, Convention and Visitors Bureau (CVB) Director, recommended approval of the remodeling plans (as outlined in the staff report) for the CVB offices located at the Civic Center and authorization for Central Services to proceed with the plans. The estimated cost is \$121,000 for the construction and updated telephone system. Not included in this cost is \$13,150 architectural design charges, which have been paid, but not a budgeted item.

Don Delp, Central Services, stated the proposal is 3,977 square feet for administrative offices and 1,920 square feet for the outside storage.

Discussion: Number of employees to utilize office space; need office space for counting money; utilization of County staff for remodeling; sixty percent of job will be contracted out; additional outside storage is proposed; revised cost comparison; funding comes from resort tax; cost comparison brought forward when job is complete; design-build concept.

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

CHILDREN'S SERVICES ADVISORY BOARD - APPOINTMENT

Fred Loveland, Community Services Director, recommended appointment of five members to the Children's Services Advisory Board.

Nominations (Child Advocates):

Carol Chamberlain	-	by Mrs. Glass
Irvin Sussman	-	by Mr. McClash
William Padelford	-	by Mr. McClash
Binnie Williams	-	by Mrs. Harris
Susan Grundy	-	by Mrs. Harris
Emily Putnal	-	by Mr. Chetlain

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried unanimously, to close the nominations.

Votes

William Padelford and Irvin Sussman received the majority votes.

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Motion was made by Mr. McClash, seconded by Mr. Gause and carried unanimously, to cast unanimous ballots for Mr. Padelford and Mr. Sussman (Child Advocates).

Nominations:

William Brown (Criminal Justice Representative) - by Mr. McClash
 Ken Marsh (Licensed Mental Health Professional) - by Mr. McClash
 Sandra Mullon (HRS Representative) - by Mr. McClash

Motion was made by Mr. McClash, seconded by Mr. Gause and carried unanimously, to unanimously approve Mr. Brown, Mr. Marsh, and Ms. Mullon in their representative categories.

MANATEE OPPORTUNITY COUNCIL - APPOINTMENT

Mr. Loveland recommended appointment of one member to the Board of Directors of the Manatee Opportunity Council. It is recommended that the appointment be a County employee.

Nominations:

Brenda Rogers (Home Economist) - by Mrs. Harris
 Edward Dean Wyke (Registered Architect) - by Mr. Gause
 Frances McAskill (Sr. Management Analyst) - by Mr. Stephens

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried unanimously, to close the nominations.

Edward Dean Wyke received the majority of votes.

Motion - Tabled

Motion was made by Mr. McClash, and seconded by Mr. Gause, to cast a unanimous ballot for Mr. Wyke.

Discussion: Mr. Wyke is not a County employee; Mr. Wyke was suggested by the Manatee Opportunity Council; agenda packet states that Mr. Wyke does not meet criteria for appointment; bylaws of the Council have not been fully addressed; if a County employee is not available, then a non-County person can be appointed.

Cheri Coryea, Community Services, stated that Mr. Wyke's name was brought forward to the Board due to the Council's request to do so.

There was no vote taken on the previous motion.

Motion to Table

Motion was made by Mr. Gause, seconded by Mr. McClash and carried unanimously, to table this matter and bring it back clearly.

CHILDREN'S SERVICES DEDICATED MILLAGE

Ms. Coryea recommended approval of and submitted the Manatee County Children's Services Annual Report/Plan for FY 1994-1995. She requested authorization to announce the availability of approximately \$2,200,000 of Children's Services Dedicated Millage to be awarded for services to children in Manatee County. She reviewed certain aspects of funding.

Anna Otto, 1511 Leffingwell Avenue, relayed her interest in becoming an advocate for the service of children.

Discussion: Total funding for each organization; component breakdown; use of Harllee Middle School gymnasium for Police Athletic League programs; principal disagreed with use due to summer school being held at Harllee; etc.

Motion was made by Mrs. Hooper, seconded by Mr. Gause and carried unanimously, to approve the Children's Services Annual Report/Plan for FY 1994-1995 and announcement of the availability of the millage.

SENIOR OUTINGS

Danny Hopkins, Parks and Recreation Director, requested authorization to offer one-day outings for senior citizens to the Strawberry Festival in Plant City, Silver Springs in Ocala, Cypress Gardens in Cypress Gardens,

Arabian Nights in Kissimmee, the Grand Romance in Sanford, and Bok Tower Gardens/Chalet Suzanne in Lake Wales, November 1994 through April 1995.

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

ENGINEERING CONSULTING SERVICES - SOUTHEAST WASTEWATER TREATMENT PLANT

Sam Love, Central Services Director, requested (7/12/94 memo) execution of Work Assignment 12 for engineering services for the East Effluent Storage Pond at the Southeast Wastewater Treatment Plant with Black & Veatch Inc., not to exceed \$55,900.

Janet McAfee, Public Works Deputy Director, stated that County staff did not design this project contrary to the agenda memorandum. The project was designed based on drawings prepared by Camp Dresser & McKee.

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

Discussion: As-built drawings must be done to obtain permits; inadequate drawings; wetlands; obtain memo from staff reflecting actual cost of project as compared to the cost of an outside bid.

Motion carried unanimously.

RECORD S43-1952

SINGLETERY/BETTS ROAD - ROAD IMPROVEMENTS

Mr. Love requested (7/12/94 memo) execution of Change Order 1 to contract (Bid 311274DC) for road improvements on Singletary/Betts Road with APAC-Florida Inc. for a net increase of \$45,900.53 and the addition of 40 calendar days to contract completion time for an adjusted contract amount of \$1,022,191.07 and a revised completion date of July 22, 1994.

Discussion: Faulty equipment used to calculate the road length; problems in the Engineering Department; County Administrator handle equipment and/or employee problems; discussion should be brought back.

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

RECORD S43-1953

Recess/Reconvene. All members present except Mrs. Harris.

LAND DEVELOPMENT CODE INTERPRETATION - ALCOHOLIC BEVERAGES

Carol Clarke, Planning, Permitting and Inspections Director, requested an interpretation of the Land Development Code (LDC), Section 708.1, with regard to the serving of alcoholic beverages by private clubs as outlined in Options A and B. Option A would permit clubs to serve alcohol without regard to size of the building; and Option B would require clubs to meet a minimum size threshold.

The AmVets, a veterans organization, has leased property containing less than 2,500 square feet of space and is requesting to serve alcoholic beverages.

She reviewed Sections 708.1 and 708.2.3 of the LDC. The AmVets would be required to obtain a special permit or an amendment could be made to the LDC to accommodate their request.

Paul Willets, representing the AmVets, stated this location will not be the permanent site for the AmVets.

Discussion: State permits; private clubs; hotels and motels; three public hearings must be held to amend the LDC with a minimum of 45 days; waive special permit fee for AmVets (\$1,300); etc.

Motion was made by Mr. McClash, seconded by Mr. Chetlain and carried 6 to 0, to waive the (Special Permit) fee for the AmVets.

CABLE TV ADVISORY COMMITTEE

Public hearing (continued from 6/14/94) was held to consider

JULY 12, 1994

(Cont'd)

ORDINANCE 94-26 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING SECTIONS 2-7-3, 2-7-9, 2-7-15, 2-7-21, 2-7-22, 2-7-23, 2-7-27, 2-7-31 AND 2-7-32 AND DELETING SECTION 2-7-28 OF THE CODE OF LAWS, MANATEE COUNTY, FLORIDA, BEING SECTIONS OF THE CABLE TELEVISION ORDINANCE OF MANATEE COUNTY, ALSO KNOWN AS ORDINANCE 91-24, AS AMENDED; PROVIDING FOR THE ELIMINATION OF THE CABLE TELEVISION ADVISORY COMMITTEE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schoenleber stated this ordinance eliminates the Cable TV Advisory Committee.

Motion was made by Mrs. Hooper, and seconded by Mr. Gause, to adopt Ordinance 94-26. Voting "Aye" were Mrs. Hooper, Mr. Stephens, Mrs. Glass and Mr. Gause. Voting "Nay" were Mr. Chetlain and Mr. McClash. Motion carried. RECORD S43-1954

CABLE TV FRANCHISE AGREEMENT

Public hearing (Notice in The Bradenton Herald 6/23/94) was held to consider an application of U.S. Cable of Lake County requesting transfer of franchise, and adoption of

R-94-186 A RESOLUTION OF MANATEE COUNTY, FLORIDA, APPROVING THE TRANSFER OF THE MANATEE COUNTY CABLE TELEVISION CLAIMED FRANCHISE OF U. S. CABLE OF LAKE COUNTY PURSUANT TO THE PLANNED MERGER OF ONE OF THE FRANCHISEE PARTNERS, LIBERTY MEDIA, WITH TELECOMMUNICATIONS, INC., SUBJECT TO SPECIFIED CONDITIONS.

Mr. Schoenleber stated this Resolution does not affect the earlier vote to hold a public hearing on August 9, 1994, to determine if U. S. Cable of Lake County should cease or continue operations in Manatee County.

Motion was made by Mr. Gause, seconded by Mr. Chetlain and carried 6 to 0, to adopt Resolution R-94-186 approving the application of U. S. Cable of Lake County requesting the transfer of franchise pursuant to the merger of one of the franchisee partners, Liberty Media with Telecommunications, Inc. RECORD S43-1955

SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Public hearing (Notice in The Bradenton Herald 7/4/94) was held to consider an application to the Department of Community Affairs for a grant under the Economic Development category and

R-94-71 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR ECONOMIC DEVELOPMENT

(Grant of \$650,000; and authorizing the Chairman to execute all grant documents including a letter of transmittal to DCA).

Stuart Campbell, Community Affairs, stated the grant would be used on behalf of Halcyon Division of Lineal Group, Inc., for a new outdoor furniture facility. There are three locations in Manatee County, with plans to use the funds to relocate into one facility.

Motion was made by Mrs. Glass, seconded by Mr. Chetlain and carried 6 to 0, to adopt Resolution R-94-71. RECORD S43-1956

ORDINANCE 94-08: OFFICE OF THE COUNTY ATTORNEY

Public hearing (Notice in The Bradenton Herald 6/17/94) was held to consider

ORDINANCE 94-08 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, RATIFYING THE ESTABLISHMENT OF THE OFFICE OF THE COUNTY ATTORNEY; PROVIDING THE PREREQUISITES FOR EMPLOYMENT, METHOD OF REMOVAL, AND POWERS AND DUTIES OF THE COUNTY ATTORNEY; PROVIDING FOR EMPLOYEES IN THE OFFICE OF THE COUNTY ATTORNEY; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

H. Hamilton Rice, County Attorney, stated this Ordinance ratifies the establishment of the County Attorney's Office and confirms existing operating procedures.

Discussion: County Attorney must be a resident of Manatee County; office will follow County personnel procedures; reason for ordinance; attorney-client relationship with the Board; Section 5.B, Funding, relating to billing other departments, allocating expenses, etc.; County Administrator review County Attorney billings and budget; Office of Financial Management review; County Attorney forward budget to the County Administrator; etc.

Motion was made by Mr. Chetlain, seconded by Mr. Gause and carried 6 to 0, to adopt Ordinance 94-08. RECORD S43-1957
(Note: Further action later in meeting.)

COMMISSIONERS' COMMENTS

Interagency Agreement - PPI and EAC

Mr. Gause relayed concern that the interagency agreement fees between Planning, Permitting and Inspections and the Environmental Action Commission for technical services would be passed on to the public.

Disposition: Mr. Estabrook explained the fees were interdepartmental and would not be borne by the public.

Kingfish, Coquina and 59th Street Boat Ramps

Mr. Chetlain pointed out that the west side dock of Kingfish Boat Ramp was damaged during a storm. He requested Parks Maintenance prepare damage estimates, etc. He noted that the funds may be available from boat licensing fees. He further pointed out the steepness of boat ramps at both Coquina and 59th Street Boat Ramps.

Disposition: Parks Maintenance to follow up.

Aging/Crime Prevention for the Elderly/Neighborhood Watch

Mrs. Glass stated she attended a hearing on Aging, Crime Prevention for the Elderly, and Neighborhood Watch programs and requested time be made available on Manatee Government Access Television for Corporal Pat Morris, Sheriff's Office, to make presentations on the above subjects.

Disposition: Referred to the County Administrator.

Palma Sola Causeway

Mr. McClash reported on proposals regarding the Palma Sola Causeway improvements. He stated he will continue to meet with the Department of Transportation, City of Bradenton, and the Metropolitan Planning Organization (MPO) for further details.

Discussion: If guardrail, utility lines, bicycle paths, etc., are installed, this would only allow 11 feet for traffic; resurfacing only; preserve recreational area; landscaping; accident report; Parks and Recreation to obtain cost projections for additional restrooms at north, south, east and west side locations of the causeway.

Mr. McClash also reported:

- 1) Cortez Bridge will be closed for improvements this year.
- 2) Gulf Drive, S.R. 789, is being three-laned on Longboat Key.
- 3) Manatee Avenue Bridge is in permitting with the Department of Environmental Protection and the MPO is considering a fixed bridge.

SOUTH COUNTY YOUTH CENTER

Mrs. Hooper requested an update regarding the South County Youth Center negotiations to open the pool for the summer.

The County Administrator reported that three options were presented to the director of the youth center and all were rejected.

Discussion: Regain control of the property; legal options

Motion was made by Mrs. Glass, seconded by Mr. Gause and carried 6 to 0, to give the County Attorney authority to file a lawsuit (against South County Youth Center).

JULY 12, 1994

(Cont'd)

ORDINANCE 94-08: OFFICE OF THE COUNTY ATTORNEY (Cont'd)

It was noted that there was no call for public comment during the public hearing for Ordinance 94-08.

Motion was made by Mrs. Glass, seconded by Mrs. Hooper and carried 6 to 0, to reconsider Ordinance 94-08.

Public comment portion of the hearing was opened and closed.

Motion was made by Mrs. Glass, seconded by Mrs. Hooper and carried 6 to 0, to adopt Ordinance 94-08.

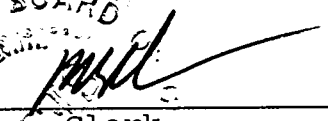
(Note: Ordinance recorded earlier in the meeting)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:



 Clerk
 Ad: 3:30 p.m.
 01/3/gbh



 Chairman 8/25/94