

SEPTEMBER 6, 1994

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, September, 6, 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  
 Lael 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 Richard E. Kirby, Samoset Open Bible Tabernacle.

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

EMPLOYEE OF THE MONTH

A Certificate of Recognition was presented to Mary Ann Martin, Community Affairs Department, as September 1994 Employee of the Month.

PROCLAMATION

Motion was made by Mr. Gause, seconded by Mr. McClash and carried unanimously, to adopt a Proclamation designating the month of October 1994 as "American Legion Post 24 - Honor Guard Month" in Manatee County.

Representatives of Kirby Stewart American Legion Post 24 accepted the Proclamation. RECORD S44-136

AD HOC STORMWATER MASTER PLAN COMMITTEE

Mr. Stephens reported on a meeting (8/18/94) of the Stormwater Ad Hoc Committee, in which a variety of topics were discussed, as outlined in the staff report.

Other topics addressed: Concern of identifying the stormwater utility fee as a monthly service fee; public must be informed of what services will be provided by the fee; will go through the public hearing process; City of Bradenton pursued an independent NPDES permit, however, City willing to coordinate with County on long-term monitoring; dollars needed to maintain existing ditches and outfall structures; method of payment for stormwater management; development of a new fee structure.

CITIZENS' COMMENTS

Bryn Mawr Island Canal Dredging - Art Childs requested County assistance with the dredging of Bryn Mawr canal in conjunction with the Bayshore-Trailer Estates Project. He requested that changes be made to the hold harmless clause in the policy for dredge participation (R-93-120). Property owners have procured the necessary permit.  
Disposition: Public Works to review and place on a future agenda.

Front Yard Fencing - Beverley Comstock requested a change in regulations to allow front yard fencing, due to what she considers violation of property rights by Code Enforcement personnel.

Nutricycle Composting Facility, Inc. - Concerns were addressed by: Elizabeth Lane, William Hile, Lorna McWatt, and James Stein.

Those in the audience in agreement with comments by Harry White on the Nutricycle Facility stood.  
(Additional information during Commissioners' Comments)

**Air Quality Standards - Orimulsion Burning**

Speaking on the issue of Orimulsion burning at Florida Power & Light (FP&L) and the County's (Environmental Action Commission's) air quality standards were Catherine Fernald, representing Manasota 88 and Manatee Save Our Bays, and Amy Stein.

Clarence Troxell recommended FP&L conduct computer monitoring of a health risk assessment by an independent engineering contractor.

**Disposition:** Planning, Permitting and Inspections to review land use issues and report back in a work session.

A flier was acknowledged requesting attendance at the September 6th County Commission meeting to discuss Nutricycle and plans by FP&L to burn orimulsion; announcing a community meeting in River Wilderness; and urging support for Commissioner Chetlain. Mr. Chetlain disclaimed having any knowledge of the political flier.

**AGENDA DELETIONS/CHANGES**

William Estabrook, County Administrator, made the following changes to the agenda:

**Transit Development Plan - Interlocal Agreement with University of South Florida** - Amend Article 5 of the agreement to increase the number of days from 45 to 60.

**Inmate Labor Services - Interagency Agreement with Department of Corrections** - Deleted from the agenda.

**Z-94-09 Herman G. Burnett Trust/Elizabeth Burnett Currier** (Continued from 8/25/94) - Rezone from A-1 to LM - Withdrawn by applicant and deleted from agenda.

(Depart Mrs. Glass)

**CONSENT AGENDA**

Upon motion by Mr. Chetlain and seconded by Mrs. Harris, the Consent Agenda of September 6, 1994, was approved 6 to 0, with deletion of the following items (all separate actions):

- **Adult Offender Non-Residential Treatment/Prevention Program** - Amendment 4 to Agreement with Coastal Recovery Centers, Inc.
- **South Manatee Library Design** - Work Assignment 10 with Richard Fawley Architects, Inc.
- **Employee Assistance Program** - Addendum One with Manatee Glens.
- **Bridge Replacement** - Work Assignment 2 with Glance & Radcliffe, Inc.
- **Lychee Acres Sanitary Sewer Collection System** - Change Order 1 to Work Assignment 3 with McKim & Creed Engineers, P.A.
- **Radio Communications Equipment** - Sole source purchase from Ericsson G.E. Mobile Communications Distribution Inc.
- **34th Street West/Reclaimed Water** - Change Order 1 with Woodruff & Sons, Inc.
- **Waste Haulers/Recyclable Program - Franchise Agreements** - Addendum 3 with Industrial Waste Service, Inc., and Addendum 3 with Cedar Hammock Refuse Disposal Corporation.
- **Youth Substance Abuse** - Funding Agreements
- **County Attorney's Tenth Annual Report**
- **Refund Requests - Summer Camp Program** - Fee refunds to four individuals.

Items APPROVED:

**CLERK OF THE CIRCUIT COURT**

**BONDS**

**Accept:**

Sheriff's Public Deputies Blanket Bond (7 additions; 16 deletions)

RECORD S44-137

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(Cont'd)

**Release:****River Landings Bluff, Phase III, 88-S-02(F)**

1. Agreement with River Landings Partners, Inc., guaranteeing completion of required improvements (Caruso Road sidewalk), \$6,916.
2. Performance Bond: \$6,916 (Letter of Credit No. 9313, Sun Bank/Gulf Coast)

**BILLS FOR PAYMENT**

Bush, Ross et al - Hy Kom Development (thru 7/31/94)	\$ 18.60
Bush, Ross et al - Smith v Gordon & Barnes (thru 7/31/94)	1,237.67
Bush, Ross et al - Cerniga v MC (thru 7/31/94)	587.15
Bush, Ross et al - Dillard v MC (thru 7/31/94)	612.90
L&M General Construction - Housing Rehab/SHIP Prgm:	
Inv 2031/Final - Washington Residence	1,734.25
Inv 2031/Final - Adams Residence	2,730.25
Inv 2031/Final - Roundtree Residence	3,307.25
Tampa Contracting Svcs - Leffis Key Habitat Restoration	15,630.00
Post, Buckley et al - Glen Creek Ph II conceptual design	4,147.65
Post, Buckley et al - Oneco Drain Ph I conceptual design	5,271.36
Post, Buckley et al - 86th St W Drainage Improvements	2,757.00
Richard Bass & Assoc - Appraisal Svcs, SR 70 Widening Proj	6,700.00
The Bradenton Herald - Value Adjustment Bd Notice of Mtg	11.24
Glance & Radcliffe - Bayshore Gardens Pkwy (26th-34th St W)	744.00
Woodruff & Sons - Memphis Road & Utility Improvements	84,547.50

**REFUNDS**

Heartland Group, Inc - PDR-92-3(Z)(P)/92-S-13 withdrawn	2,916.50
Freidrich Mayr - PDR-94-9(P) Plantation Bay P/Plan w/drawn	213.45
Edward M. Kolb, III - Impact Fee	240.30

**WARRANT LIST**

Approve: August 25, 1994 through September 5, 1994

Authorize: September 6, 1994 through September 12, 1994

**AUTHORIZE COUNTY ADMINISTRATOR TO SIGN**

Engagement Letter (8/29/94) with Deloitte & Touche, LLP, for additional services (actuarial services relating to the County's self-insurance fund for worker's compensation, not to exceed \$10,000) in accordance with original engagement letter for audit services. RECORD S44-138

**AUTHORIZE CHAIRMAN TO SIGN**

Contract with Woodruff & Sons, Inc., for State Road 64 Utility Accommodations in accordance with Bid 423994DC, \$134,433.50 (approved 8/9/94) RECORD S44-139

Contract with Forsberg Construction, Inc., for the installation of a 42-inch water transmission main (SR 64 to SR 70) Phase II, \$449,370 (approved 8/9/94); date Performance/Payment bonds and accept Certificate of Insurance RECORD S44-140

**Partial Release of Special Improvement Assessment Liens:**

Project 2502; 5235; 3905 (37); 410-8601/5

**APPROVE, RATIFY & CONFIRM**

Transit Advertising Renewal Application with Sarasota Jungle Gardens (12 months, 8/94-8/95) RECORD S44-141

**Parks & Recreation Instructor's Classes Agreements:**

Melanie Honeycutt Dan - Karate/Self Defense	S44-142
Patricia Munson - Clogging/Country Western Line Dance	S44-143
Barry Brinson - Gymnastics/Tumbling: All Levels	<u>RECORD</u> S44-144

**ACCEPT**

Port Authority - Resolution PA-94-27 adopting the FY 94/95 Budget, \$6,646,500 (adopted 8/18/94).

Southern Manatee Fire &amp; Rescue District - FY 94/95 Proposed Budget

Southwest Florida Water Management District - FY 94/95 Tentative Budget

Manatee County Detention Facility - Monthly Progress Reports dated 3/31/94; 4/30/94; 5/31/94; and 6/30/94

East Bradenton Recreation Complex - Grant from Florida Department of Environmental Protection (DEP) under the Land & Water Conservation Fund Program for development of the Complex, approved by Resolution R-94-206 (adopted 7/12/94; grant documents executed 8/29/94)

**COUNTY ADMINISTRATOR****URBAN FORESTRY PROGRAM - GRANT EXTENSION**

Execution of Letter Agreement with the Department of Agriculture extending the grant period to September 30, 1995, for the Urban Forestry Program. RECORD S44-145

**MATERIALS AND SERVICES**

1. **Excavated Clay Material (Landfill)**. - Sole source purchase from Woodruff & Sons, Inc., \$52,072.
2. **Claims Adjusting & Related Services/Workers Compensation and Third Party Liability** - Enter into contract negotiations with the top-ranked firm Johns Eastern Co., Inc., in accordance with RFP 430529VC.
3. **Digital Logging Recorder System/911** - Purchase one, via State Contract, for the 911 Communications Center from Dictaphone Corporation, not to exceed \$61,091.40.
4. **Telescoping Hydraulic Excavator** -
  - a. Award Bid 426625VC to the lowest responsive, responsible bidder meeting specifications, G.S. Equipment, Inc., to purchase one 1994 Gradall XL-4100 for straight purchase total price of \$184,950 (\$194,200 straight purchase bid price less \$14,000 trade allowance for 1982 Gradall 660, County asset 17452, plus \$4,750 for three year extended full power warranty); and
  - b. Issue Change Order 1 to Bid 426625VC to delete the three-year extended warranty for a net decrease of \$4,750 resulting in a total purchase price of \$180,200.
5. **Metal Roof Replacement/Fleet Services Building** - Award Bid 430264NK to the lowest responsive, responsible bidder meeting specifications, Michael W. Ritzie Construction Company, not to exceed \$45,674.
6. **Office Supplies** - Award Bid 428566NA on an as-required basis to the lowest, responsive, responsible multiple bidders: American Business Forms, \$4,281, and Tampa Office Supplies Inc., \$47,377.02, for an estimated grand total of \$51,658.02.
7. **Temporary Employment Services** - Award IFB 429726KK on an as-required unit price basis, to the lowest responsive, responsible multiple bidders ADIA Personnel Services and Olsten Staffing Services for an estimated yearly cost of \$95,000.
8. **Telephone Jack Installation and Maintenance Service** - Award IFB 429706KK on an as-required basis, to the lowest responsive, responsible bidder meeting specifications, Atlantic Executive Communications, Inc., estimated total of \$31,250.

**COQUINA BEACH RESTROOM FACILITY**

Execution of Certificate of Substantial Completion with Richard Fawley Architects, Inc. RECORD S44-146

**43RD STREET WEST RECLAIMED WATER MAIN**

Execution of Change Order 2 to contract (Bid 311004DC) with Scotty's Tractor Service d/b/a Scotty's Land Development for an additional 21 calendar days to contract completion time for a revised completion date of August 23, 1994. RECORD S44-147

**60TH AVENUE WEST/PITTSBURGH DRAIN RECLAIMED WATER MAIN**

Execution of Change Order 4 to contract (Bid 310944DC) with Woodruff & Sons, Inc., for an increase of 31 days to contract time for a revised completion date of September 11, 1994. RECORD S44-148

**ROOF REPLACEMENT - PUBLIC SAFETY COMPLEX**

Execution of Certificate of Substantial Completion for roof replacement, lightning protection, and wall repair at the Public Safety Complex. RECORD S44-149

**S.R. 70 ROAD WIDENING PROJECT - APPRAISAL SERVICES**

Execution of Change Order 1 to Work Assignment 1 with Richard W. Bass Associates, Inc., for additions/deletions of parcels in Group 1, increase of \$3,850; not to exceed \$54,350. RECORD S44-150

**SUMMER FOOD SERVICES PROGRAM**

Issue Change Order 1 to Purchase Order 101433 with G.A. Food Service, Inc., increase of \$17,132.49; not to exceed \$172,288.63.

**WHITFIELD INDUSTRIAL AVENUE EXTENSION**

Execution of Change Order 1 (Final) to contract with Woodruff & Sons, Inc., for the extension of Whitfield Industrial Avenue to Parkland Drive at 24th Street East, net decrease of \$248.46 and adjusted contract amount of \$40,640.42. RECORD S44-151

**CHILDREN'S SERVICES ADVISORY BOARD**

Appoint Judge Janette Dunnigan to replace Judge Peter Dubensky on the Children's Services Advisory Board.

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**MEDICATION MANAGEMENT PROGRAM**

Execution of Agreement with Department of Health and Rehabilitative Services, Manatee County Public Health Unit for the provision of the Medication Management Program (7/22/94-12/31/94), \$10,000.

RECORD S44-152

**TRANSIT DEVELOPMENT PLAN**

Execution of Interlocal Agreement with the University of South Florida allowing the Center for Urban Transportation Research to prepare the Manatee County Transit Development Plan, \$50,000 (with change to Article 5 as previously noted above).

RECORD S44-153

**FEDERAL TRANSIT ADMINISTRATION GRANT**

Execution of Federal Transit Administration (FTA) "Joint Statement of Understanding" with respect to the conditions applicable to "Letter of No Prejudice" issued by FTA and necessary for Manatee County to incur costs for the purchase of ten transit coaches without prejudice to possible future Federal participation of up to \$1,600,000 in Federal Section 9 funds.

RECORD S44-154

**WEST COAST INLAND NAVIGATION DISTRICT AGREEMENT EXTENSIONS**

Execution of Amendments to Project Agreements with West Coast Inland Navigation District (WCIND) to extend agreements for one additional year (to 9/30/95), and to add Exhibit C, Guidelines to Define Funding Conditions for Law Enforcement, Navigation, Environmental Education, Boating Safety-Education and Recreation to the agreements:

Sheriff's Marine Law Enforcement (Project M43) S44-155

Sheriff's Marine Law Enforcement (Project M52) S44-156

Environmental Action Commission Leffis Key Habitat Restoration (Project M53) RECORD S44-157

**YOUTH SUBSTANCE ABUSE PREVENTION PROGRAM**

Execution of Youth Substance Abuse Prevention Funding Agreement with the Police Athletic League of Manatee County, Inc., to provide an after school program at Johnson Middle School (9/19/94-9/30/95), not to exceed \$48,449.

RECORD S44-158

**GUN CLUB RELOCATION/SHERIFF TRAINING FACILITY ACQUISITION**

Execution of Amendment to Agreement (5/5/94) with Nu-Gulf Industries, Inc., BB/Manatee Associates, Broderick Enterprises, Inc., Manatee County Sheriff, and Manatee County Gun and Archery Club, Inc., extending the closing date of the Gun Club real estate transactions to November 1, 1994.

RECORD S44-159

**PERSONNEL - SICK LEAVE BANK PROGRAM**

Adoption of

*Rescinded  
6/4/96  
by R-96-107* **R-94-201** A RESOLUTION OF THE MANATEE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, AMENDING THE REQUIRED HOURS NEEDED TO ESTABLISH THE SICK LEAVE BANK PROGRAM.

RECORD S44-160

**P.S. BEACH ASSOCIATES, INC., LICENSE AGREEMENT - BEACH CONCESSIONS**

Authorization to rescind the designation of Mary Ellen Barnes as Contract Administrator; and designate Parks and Recreation Department Director or designee as Contract Administrator.

**GOLF COURSE FEES**

Adoption of

*★ Rescinded  
by R-94-37  
12/6/94.* **R-94-168** A RESOLUTION RESCINDING RESOLUTION R-91-230 AND AMENDING GOLF COURSE FEES FOR BOTH SUMMER AND WINTER SEASONS FOR RESIDENTS AND NON-RESIDENTS AT MANATEE COUNTY AND BUFFALO CREEK GOLF COURSES.

RECORD S44-161

**DONATIONS - PARKS AND RECREATION HOLIDAY EVENTS**

Parks and Recreation to offer the Ho Ho Hotline Holiday Event on December 13-15, 1994, and the Winter Wonderland Event at G.T. Bray Park on December 17, 1994; and accept donations from the business community and local service organizations for the events.

**EXTENSION OF IMPACT FEE EXPENDITURES**

Adoption of

**R-94-245** A RESOLUTION EXTENDING THE PERIOD FOR EXPENDITURE OF PARKS IMPACT FEES COLLECTED IN PARKS IMPACT FEE DISTRICT E IN ACCORDANCE WITH SECTION 805 OF THE LAND DEVELOPMENT CODE.

RECORD S44-162

**CODE ENFORCEMENT LIEN - BEVERLEY COMSTOCK**

Acceptance of report (memorandum 9/6/94) on Code Enforcement Case No. CE1100131R, Beverley Comstock, regarding a property lien.

**CREDIT AUTHORIZATION - NEAL COMMUNITIES, INC./HAWTHORN PARK**

Approval of land dedication credit in the amount of \$19,056.60 for eligible right-of-way in Construction District A, per Credit Authorization CA-94-08(T) with Neal Communities, Inc./Hawthorn Park. RECORD S44-163

**METROPOLITAN PLANNING ORGANIZATION EXPENDITURE**

Pay \$4,617.61 to the Sarasota/Manatee Metropolitan Planning Organization (MPO) for Manatee County's share of MPO expenses for the fourth quarter period April 1994 through June 1994.

**DONATIONS - ANIMAL CONTROL**

Ratification and confirmation of donations received by Animal Control from April through June 1994 in the amount of \$250:

- Four bags of cat litter; four bags of dog food - PetSmart (\$50)
- Used personal computer - Mr. W.E. Greenfield (\$200)

**EMERGENCY MANAGEMENT PREPAREDNESS GRANT**

Adoption of

**R-94-240** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING A GRANT FROM THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT FOR THE EMERGENCY MANAGEMENT, PREPAREDNESS AND ASSISTANCE TRUST FUND UNDER THE COMPETITIVE GRANT AND LOAN PROGRAM

(\$73,500 [State \$51,900; County \$21,600] and authorize the Chairman to execute appropriate documents). RECORD S44-164

**HAZARDOUS MATERIALS EMERGENCY RESPONSE PLAN**

Adoption of

**R-94-244** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING THE AGREEMENT 95EP-3V-08-51-22-024 FROM THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT FOR THE BI-ANNUAL UPDATE OF THE HAZARDOUS MATERIALS EMERGENCY RESPONSE PLAN

(\$16,375 [no match required]; and authorize the Chairman to execute the appropriate documents). RECORD S44-166

**CANAL ROAD ACQUISITION**

1. Execution of Contract for Sale and Purchase of a Warranty Deed and Temporary Construction Easement from Alfred and Sharon Jones for right-of-way for the widening of Canal Road from Memphis Road to 33rd Street East (Parcel 135), \$19,750. RECORD S44-168
2. Warranty Deed, Temporary Construction Easement and Affidavit of Ownership and Encumbrances from Alfred and Sharon Jones; Partial Release from Suncoast School Federal Credit Union. S44-167

**DEEDS AND EASEMENTS**

Morton Boulevard - Access Easement from Morton Village Condominium Association, Inc., to allow access to the sanitary sewer lift station on Morton Boulevard; Affidavit of Ownership/Encumbrances.

**BUDGET AMENDMENTS**

Adoption of Budget Resolutions:

**PLANNING, PERMITTING AND INSPECTIONS (B-94-217)**

Item Transfers: Reallocates funds within Planning, Permitting and Inspections Department to meet current expenditure levels for the balance of the fiscal year. \$19,724

RECORD S44-169

**PUBLIC WORKS/UTILITIES**

(B-94-218)

Item Transfers: Closes the East County Wellfield, the Riverdale and the 30 MGD Water Treatment Plant Expansion projects to Retained Earnings. \$15,169

RECORD S44-170

(B-94-219)

Item Transfers: Reallocates funds within Utilities operating cost centers to cover operating expenses for the balance of the fiscal year. \$93,339

RECORD S44-171

(B-94-220)

Item Transfers: Reallocates funds from the "generic" Waterline Extension 94-96 projects to cover costs incurred in the generic Distributions Improvements 94-96 project. \$50,000

RECORD S44-172

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PUBLIC WORKS/SOLID WASTE

(B-94-221)

Item Transfers: Provides funding from Landfill Reserves for financial advisory services in support of ongoing negotiations with Amerecycle, as approved by the Board on 6/28/94.

\$95,000

RECORD S44-173COMMUNITY SERVICES/TRANSIT

(B-94-222)

Increase Revenue/Expenditure: Rescinds and replaces Budget Resolution B-94-180 due to scrivener's error in the accounting code.

\$323,700

RECORD S44-174

(B-94-223/1&amp;2)

Decrease Revenue/Expenditure: Rescinds and replaces Budget Resolution B-94-181/1/2 due to scrivener's error in the accounting code.

\$9,899 S44-175

Item Transfers:

\$9,899 S44-176

RECORDPUBLIC WORKS/CAPITAL PROJECTS

(B-94-224/1&amp;2)

Item Transfers: Rescinds and replaces Budget Resolution B-94-177/1/2 due to scrivener's error in the accounting code.

\$35,000 S44-177

Item Transfers:

\$42,975 S44-178

RECORDFIREWORKS DISPLAY - CITY OF PALMETTO

Reimburse \$3,500 to the City of Palmetto for the Fourth of July Fireworks Celebration.

(End Consent Agenda)

(Enter Mrs. Glass)

ADULT OFFENDER NON-RESIDENTIAL TREATMENT/PREVENTION PROGRAM

Following questions, motion was made by Mr. McClash, seconded by Mrs. Harris and carried unanimously, to approve/execute the following amendments:

**Amendment 4** to Agreement for purchase of Adult Offender Non-Residential Drug Abuse Treatment/Prevention Services with Coastal Recovery Centers, Inc., authorizing an increase in payment with corresponding increase in level of service for the period 4/1/94-9/30/94, in the amount of \$17,085, total not to exceed \$344,581.

RECORD S44-179

**Amendment 5** to Agreement for purchase of Adult Offender Non-Residential Drug Abuse Treatment/Prevention Services to extend agreement for an additional one-year period (10/1/94-9/30/95) with Coastal Recovery Centers, Inc., in the following amounts:

(1) 10/1/94 through 12/31/94 - not to exceed \$82,345;

(2) 1/1/95 through 9/30/95 - not to exceed \$180,910;

for a total contract amount not to exceed \$263,255. RECORD S44-180SOUTH COUNTY LIBRARY DESIGN

Sam Love, Central Services Director, advised that the same design criteria package for the Braden River Library will be used to design the proposed South County Branch Library to the greatest extent possible.

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried unanimously, to approve execution of Work Assignment 10 with Richard Fawley Architects, Inc., for Architectural/Engineering Services for the South Manatee Library Design Criteria Package, not to exceed \$19,902.

RECORD S44-181EMPLOYEE ASSISTANCE PROGRAM

Gary Dye, Director of Affirmative Action/EEO, stated that execution of Addendum One with Manatee Glens Corporation for the Employee Assistance Program will exercise the first of two, 12-month option periods, (10/1/94-9/30/95).

Mr. Gause moved approval. Motion was seconded by Mr. McClash and carried unanimously.

RECORD S44-182

**BRIDGE REHABILITATION/REPLACEMENT**

Following discussion, Mr. Gause moved approval/execution of Work Assignment 2 with Glance & Radcliffe, Inc., for engineering consulting services to define rehabilitative methods; provide construction plans, specifications, and construction services to rehabilitate 11 bridges (listed on Work Assignment), not to exceed \$40,231. Motion was seconded by Mr. McClash and carried unanimously. RECORD S44-183

**LYCHEE ACRES SANITARY SEWER COLLECTION SYSTEM**

Change Order 1 to Work Assignment B-3 for engineering consulting services with McKim & Creed Engineers, P.A. for the Lychee Acres Sanitary Sewer Collection System, not to exceed \$8,443, and total Work Assignment not to exceed \$77,299 was deleted and returned to Purchasing to correct line item calculations on the spread sheets.

**800 MHZ RADIO COMMUNICATIONS EQUIPMENT**

As to the request for sole source purchase of various 800 MHz radio units and miscellaneous accessories from Ericsson G.E. Mobile Communications Distribution, Inc., for an estimated \$180,000, Mrs. Harris expressed concern in view of the fact that a report regarding issuance of radios is forthcoming.

Discussion: Funding source has not been identified; request by Florida Highway Patrol for 800 MHz radio equipment; Law Enforcement Impact Fees may be utilized; etc.

(Depart Mrs. Glass)

The Central Services Director stated the request is a blanket purchase order to consolidate purchases of radios for all county departments and agencies on the 800 MHz system.

(Depart Mr. Chetlain)

Motion was made by Mr. McClash, seconded by Mr. Gause and carried 5 to 0, to approve the request.

(Enter Mr. Chetlain and Mrs. Glass)

**34TH STREET WEST RECLAIMED WATER MAIN**

Rob Cuthbert, Purchasing Director, addressed Change Order 1 to contract (Bid 311014DC) with Woodruff & Sons, Inc., for 34th Street West Reclaimed Water Main, from 60th Avenue West to Florida Boulevard, for an additional 51 calendar days to contract completion time, for a revised completion date of March 31, 1994. This extension is due to conflicts with existing utilities along the proposed pipeline alignment as a result of inaccurate as-built drawings.

(Depart Mrs. Glass; Mrs. Hooper absent for portion of presentation)

Motion was made by Mr. Gause, and seconded by Mr. McClash, to approve execution of Change Order 1 with Woodruff & Sons, Inc. Motion carried 6 to 0. RECORD S44-184

**WASTE HAULERS/RECYCLABLE PROGRAM FRANCHISE AGREEMENTS**

David Rothfuss, Public Works Interim Director, stated that signature authority has been delegated to Charles Hunsicker, Assistant Director, in his absence.

Motion was made by Mr. McClash, seconded by Mr. Chetlain and carried 6 to 0, to approve execution as follows:

**Addendum 3** to Agreement with Industrial Waste Service, Inc., to extend the agreement for waste haulers/recyclable program from September 26, 1994, to September 25, 1995, not to exceed \$141,546.90. RECORD S44-185

**Addendum 3** to Agreement with Cedar Hammock Refuse Disposal Corporation d/b/a Waste Management of Manatee and Sarasota County to extend the agreement for waste haulers/recyclable program from September 26, 1994, to September 25, 1995, not to exceed \$335,720. RECORD S44-186



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(Enter Mrs. Glass)

AMENDMENTS TO YOUTH SUBSTANCE ABUSE FUNDING AGREEMENTS

Fred Loveland, Community Services Director, responded to questions regarding the number of youth served by the Youth Substance Abuse Prevention Programs, units of service delivered and the level and scope of services.

Motion was made by Mr. McClash, seconded by Mrs. Hooper and carried unanimously, to authorize execution of contract amendments with the following agencies:

Palmetto Youth Center - Amendment to provide for a decrease in prevention class requirement (10 to 5) and a decrease in the required number of outreach speaking engagements (3 to 1), with no change in units delivered. RECORD S44-187

Boys and Girls Clubs of Manatee County, Inc. - Amendment to provide for service to children younger than the agreement presently provides for (8 years old to 7 years old), with no change in the number of units of service delivered. RECORD S44-188

COUNTY ATTORNEY - ANNUAL REPORT

Following compliments to H. Hamilton Rice, Jr., County Attorney, and his staff, motion was made by Mr. McClash, seconded by Mrs. Harris and carried unanimously, to accept the County Attorney's Tenth Annual Report.

REFUND REQUESTS - SUMMER CAMP PROGRAM

After discussion, motion was made by Mrs. Harris, seconded by Mrs. Glass and carried unanimously, to make exception to the fee refund policy as set forth in Resolution R-94-55 in order to refund fees to Robin Witten (\$175), Kathleen Tesoriero (\$40), Jane Becker (\$53) and Nancy Conway (\$175) for enrollment/participation in the Summer Camp Program.

LAWSUITS: LEWIS V DUKES AND LEWIS V SIMMONS

Inasmuch as the Board continued the pending litigation meeting of August 25, 1994, to the next regular meeting, Mr. Stephens announced the termination of the August 25 pending litigation session regarding Case Nos. CA-94-1466, Lewis v. Dukes, and CA-94-1391, Lewis v. Simmons.

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

ENVIRONMENTAL LANDS MANAGEMENT AND ACQUISITION COMMITTEE

Richard Aalberg, Director of Agricultural and Natural Resources, recommended the appointment of ten individuals to represent various categories for a period of one year on the Environmental Lands Management and Acquisition Committee (ELMAC).

Florida Engineering Society Member

As only one individual applied for this category, motion was made by Mr. McClash, seconded by Mrs. Harris and carried 6 to 0, to cast a unanimous ballot for John Banks.

Natural Science Representative

Nominations were accepted for the appointment of two individuals:

- Doug Voltolina - by Mr. Gause
- Dr. Jim Gilreath - by Mrs. Hooper
- Carl Keeler - by Mr. McClash

Mr. Chetlain moved to close nominations. Motion was seconded by Mr. Gause and carried 6 to 0.

Votes

- Doug Voltolina - Five votes
- Dr. Jim Gilreath - Four votes
- Carl Keeler - Three votes

(Enter Mrs. Glass)

Motion was made by Mrs. Harris, seconded by Mrs. Hooper and carried unanimously, to cast a unanimous ballot for Doug Voltolina and Dr. Jim Gilreath.

Outdoor Sports Representative

Motion was made by Mrs. Harris, seconded by Mrs. Hooper and carried unanimously, to cast a unanimous ballot for Roy (Chick) Parker.

Environmental Representative

Nominations were accepted for the appointment of one individual:

- Mary Blackburn - by Mr. Chetlain
- Joe Guthrie - by Mr. Gause
- Richard Breeze - by Mrs. Hooper

Motion was made by Mr. McClash to close nominations. Motion was seconded by Mr. Gause and carried unanimously.

Due to tie votes for Mary Blackburn and Richard Breeze, votes were recast.

Votes

- Mary Blackburn - Three votes
- Richard Breeze - Four votes

Motion was made by Mr. McClash, seconded by Mrs. Hooper and carried unanimously, to cast a unanimous ballot for Richard Breeze.

Year-Round Resident

Nominations were accepted for the appointment of two individuals, one which must be a resident of Anna Maria Island or Longboat Key:

- Stephen Dye - by Mr. Gause
- Carl Keeler - by Mr. Chetlain
- Mary Blackburn - by Mrs. Harris
- James Zacharias (island resident) - by Mr. McClash

Motion was made by Mrs. Harris to close nominations. Motion was seconded by Mr. Gause and carried unanimously.

Votes

- Stephen Dye - Five votes
- Carl Keeler - No votes
- Mary Blackburn - One vote

Inasmuch as James Zacharias is the only island resident who applied, he was automatically appointed.

Motion was made by Mr. McClash, seconded by Mr. Gause and carried unanimously, to cast a unanimous ballot for Stephen Dye and James Zacharias.

Manatee County School Board Representative

Nominations

- Rick Myers - by Mr. McClash

Mrs. Glass moved the nominations be closed and a unanimous ballot be cast for Rick Myers. Motion was seconded by Mrs. Harris and carried unanimously.

Banking, Finance or Real Estate Representative

Nominations were accepted for the appointment of one individual:

- Hansel Hollingsworth - by Mr. Gause

Mr. McClash moved the nominations be closed and a unanimous ballot cast for Hansel Hollingsworth. Motion was seconded by Mr. Chetlain and carried unanimously.

Agriculture Representative

Motion was made by Mr. Gause, seconded by Mr. Chetlain and carried unanimously, to cast a unanimous ballot for Joe Mustion.

CONTRACT CLAIM - UNIFILT CORPORATION

Motion was made by Mrs. Harris authorizing denial of a contract claim by the Unifilt Corporation (hearing 9/9/94) in the amount of \$52,920.84 arising out of performance of underdrain repair; and authorize the Chairman to execute Letter of Notice of the Board's action denying Unifilt's contract claim. Motion was seconded by Mr. Gause and carried unanimously.

RECORD S44-189

FINANCIAL MANAGEMENT SYSTEM

Mr. Cuthbert stated that the Florida Association of Court Clerks and Comptrollers (FACC) established a committee to write a Request for Proposal (RFP) for a comprehensive Financial Management System. Based on the limited presentation time allocated to qualified respondents, he recommended further evaluation of the short-listed firms prior to final selection for in-depth analysis, including site visits.

(Depart Mrs. Glass during presentation)

He requested authorization to commence a selection process (including staff travel) of the short-listed firms as determined by RFP issued by the FACC.

Following discussion, Mr. Chetlain moved approval. Motion was seconded by Mrs. Harris, and carried 6 to 0.

ISLAND TRANSIT INITIATIVE STUDY COMMITTEE

Mr. Loveland stated the Island Transit Initiative Study Committee was formed to make recommendations with respect to transit services affecting the island communities. The committee is to consist of one member appointed by each island city and two members appointed by Manatee County. Island representatives are:

- Anna Maria - Commissioner Dorothy McChesney
- Bradenton Beach - Mayor Katie Pierola
- Holmes Beach - Councilwoman, Carol Whitmore
- Longboat Key - Vice-Mayor Jim Patterson

Staff recommended appointing the County Administrator or designee, and a citizen." A list of six island residents who have participated on various committees and/or have expressed interest in serving on this committee was distributed.

Nominations for a Citizen

- George McKay - by Mr. Gause
- John Cagnina - by Mr. Stephens

Following nominations, question was raised as to whether a transit employee should serve. It was also noted that the island cities appointed elected officials. Mr. Estabrook stated his intention to have the Transit Manager serve as County Administrator designee and appoint a citizen.

Mr. Gause withdrew his nomination.

It was the Board's decision to retain the County Administrator designee, and replace the citizen member with an elected official.

Motion was made by Mr. Chetlain, to appoint Mr. Estabrook or his designee, and Mr. McClash with Mr. Gause as alternate, to serve on the Island Transit Initiative Study Committee. Motion was seconded by Mrs. Hooper and carried 6 to 0.

51ST STREET EAST ROADSIDE DRAINAGE

Harry Mendenhall, Public Works, presented a request from property owner, Mr. Dennison, to revise the existing roadside drainage system along the 3100 block of 51st Street East. A 24-inch cross pipe exists underneath 51st Street East and historically drains into a low wet area on Mr. Dennison's property. Mr. Dennison is requesting the ditch be regraded and the pipes on the west side of the street be increased to divert the drainage more northerly to an existing 54-inch pipe. This would require upgrading two driveway pipes at the expense of the County at an estimated cost of \$3,000.

Inasmuch as the low lying area accommodates a historical flow from the surrounding area, staff recommended denial of the request.

Following discussion, Mr. McClash moved authorization for Mr. Dennison to reimburse the County for any work as recommended by staff to relieve the drainage problem at the location of 3115-51st Street East. Motion was seconded by Mr. Chetlain and carried 6 to 0.

**FY 1995-1999 CAPITAL IMPROVEMENT PROGRAM**

Debra Walker, County Administrator's Office, reviewed and presented for adoption

**R-94-243** A RESOLUTION TO ADOPT A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM AND A POLICY REGARDING THE ADMINISTRATION OF THE FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM.

Discussion: Shift sludge stabilization to the next year; loan repayment plans; state revolving loan fund; Lena Road land buffer; money for parks; Duette and Taylor Grade Road; budgeted funds for the fairgrounds.

Following discussion, it was decided to delay action on the CIP, and for staff to bring back park issues and the issue of sludge stabilization on the agenda of September 27.

**CHILDREN'S SERVICES ADVISORY BOARD - CONFLICTS OF INTEREST**

Mr. McClash moved approval to waive possible conflict of interest as it relates to members of the Children's Services Advisory Board (members having associations with agencies applying for funds) and their participation in the FY95 Children's Services funding recommendation process. Motion was seconded by Mrs. Harris and carried 6 to 0.

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

**STREET VACATION - EL CONQUISTADOR PARKWAY**

Public hearing (continued from 7/19/94; Proof of Publication references R-94-24-V, which sets the public hearing) was opened to consider

**R-94-52-V** A RESOLUTION ON APPLICATION BY MANATEE FRUIT COMPANY, ET AL TO VACATE A PORTION OF RIGHT-OF-WAY OF EL CONQUISTADOR PARKWAY (O.R. BOOK 703, PAGE 731).

Inasmuch as the County has not yet received the necessary deeds from the applicants for the property being transferred, Mr. Mendenhall requested continuance to October 18, 1994.

Public Works staff was asked to bring back more detailed information including a comparison of the acreage being vacated and transferred.

Mrs. Hooper moved to continue the public hearing on R-94-52-V to October 18, 1994 (2:00 p.m.). Motion was seconded by Mr. McClash and carried unanimously.

**STREET VACATION - LONG BAY BOULEVARD**

Mrs. Harris stated she received a letter addressing right-of-way along Long Bay Boulevard and questioning the issue of ownership.

Mrs. Harris moved to allow staff to advertise a public hearing (for vacation of the property) in October. Motion was seconded by Mr. Chetlain. Voting "Aye" were Mrs. Harris, Mr. Chetlain, Mrs. Glass, and Mrs. Hooper. Voting "Nay" were Mr. McClash, Mr. Gause, and Mr. Stephens. Motion carried.

**COMMISSIONERS' COMMENTS**

**Baden Trust Donation**

Mrs. Hooper requested a status report on the county park and the Baden Trust property.

**Disposition:** Mr. Estabrook advised that a report will be forthcoming.

SEPTEMBER 6, 1994

(Cont'd)

Southern Water Use Caution Area (SWUCA) Projects

Mrs. Glass referenced a press release from Congresswoman Karen Thurman reporting that \$29.9 million of federal (EPA) funds have been appropriated for water study projects and that five of the Southwest Florida Water Management District SWUCA Projects have been approved.

Manatee Beach Parking Area

Mr. Chetlain addressed an editorial and cartoon published in The Islander Bystander (8/11/94) criticizing the conditions of the grounds and parking area of the Manatee Public Beach.

**Disposition:** Referred to the County Administrator.

Nutricycle Composting Facility, Inc.

Mr. Stephens stated that a report on the Nutricycle facility (proposed in the Parrish area) will be placed on a future agenda after planning staff conducts a land use analysis and the Department of Environmental Protection conducts a technical review of the product.

Mr. McClash indicated that the land use issues should be included in the next review of Comprehensive Plan.

Sludge - Duette Area

Mr. Gause reported that Davis Water and Waste Industries, Inc., trucks, which haul sludge to Duette, were assisting in the repair of the roads in that area.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.


Attest:

APPROVED:




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 Clerk




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 Chairman

Adj: 2:30 p.m.

11/194