

NOVEMBER 1, 1994

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, November 1, 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 Reverend Richard C. Landsberger, Colonial Baptist Church.

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

EMPLOYEE OF THE MONTH

A plaque was presented to Joanne Yahres, Planning, Permitting and Inspections, in recognition of being selected November 1994 Employee of the Month.

PROCLAMATIONS

Alzheimer's Disease

Upon motion by Mrs. Glass and second by Mr. McClash, a Proclamation was unanimously adopted designating November 1994 as National Alzheimer's Disease Awareness Month in Manatee County, Florida. RECORD S44-448

Farm-City Week

Upon motion by Mrs. Hooper and second by Mr. Gause, a Proclamation was unanimously adopted designating November 12-19, 1994, as Farm-City Week in Manatee County. RECORD S44-449

Veteran's Day

Upon motion by Mr. Gause and second by Mr. McClash, a Proclamation was unanimously adopted designating November 11, 1994, as Veteran's Day in Manatee County. RECORD S44-450

FEE WAIVER - NEIGHBORHOOD CLEANUP

Beverly Haynes, 615 4th Street West, Palmetto, requested a waiver of dumping fees for a neighborhood cleanup in the City of Palmetto on November 5, 1994.

Mr. Chetlain moved to waive the dumping fees for the neighborhood cleanup on November 5, 1994, for the Palmetto residents. Motion was seconded by Mrs. Glass and carried unanimously.

14TH STREET WEST MEDIAN

Ward Clements, Palm Village Mobile Home Park, requested removal of the median on 14th Street West in front of Palm Village Mobile Home Park in order to provide easier and safer ingress and egress for residents.

Motion - Withdrawn

Mr. Gause moved to take care of the problem. Motion was seconded by Mr. Chetlain for discussion.

Discussion: Issue has been discussed in the past; this is State permitting problem and not controlled by County; request staff to send letter to state representatives; etc. Mr. Gause withdrew his motion.

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(Cont'd)

Motion - Carried

Motion was made by Mrs. Glass, seconded by Mr. Gause and carried unanimously, for the Chairman to send a letter to David May, Florida Department of Transportation, and Representative Julie McClure referencing the median on 14th Street in front of Palm Village Park.

CITIZENS' COMMENTS**Recycling/Amerecycle**

Ernie Marshall, President of Federation of Homeowners' Association, and Mary Detweiler, Vice-President of Palma Sola Park Association, requested a public hearing on the Amerecycle/recycling issue before the Board votes on a contract.

Disposition: County Administrator indicated the matter would be brought forward on November 15, 1994, if possible; however, a contract would not be signed at that time.

AFLAC Insurance/Payroll Deduction

Joyce Case of AFLAC addressed the subject of payroll deductions for private insurance for County employees.

Disposition: County Administrator advised that if the County allowed payroll deductions for her company, it would have to be allowed for all other private companies so requesting.

TAX COLLECTOR - EXCESS FEES

Ken Burton, Tax Collector, announced that the Tax Collector has wired to the County \$1,107,810 in excess fees for the past fiscal year.

AGENDA CHANGES/DELETIONS

William J. Estabrook, County Administrator, requested the following changes to the Agenda:

- (1) **Change** Children's Services Funding Amendment with Boys & Girls Clubs of Manatee Co., Inc., from \$40,000 to \$20,000.
- (2) Non-Profit Agency and Community Center Funding Agreements - **Delete** Bayfront Recreation Center and Just for Girls; **Change** Anna Maria Island Community Center from \$41,250 to \$33,000.

CONSENT AGENDA

Upon motion by Mrs. Glass and second by Mr. Gause, the Consent Agenda dated November 1, 1994, was unanimously approved with changes/deletions as outlined and with deletion of (1) Schroeder-Manatee Ranch, Inc./Right-of-Way Acquisition Agreement Amendment; and (2) Pride Park (both separate action).

(Note: Action was reconsidered later in meeting which did not result in any change in items approved.) Items APPROVED:

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

Carlton Fields - SWFWMD/SWUCA (svs thru 9/30/94)	\$ 1,517.47
" " - Smith v MC & K Snell (svs thru 9/30/94)	2,480.68
" " - Cerniga/Dillard v MC (svs thru 9/30/94)	3,103.25
*Scotty's Tractor -Reclaimed Wtr Main, 43 St W, Pay No 10	126,059.86
*(contingent upon approval of Change Order, Consent Agenda)	
T W Althof Co - Housing Rehab, Gentle Residence	9,891.25
T W Althof Co - Housing Rehab, Arnold Residence	9,860.00
William F Flaherty - Public Svcs Dir Applicant - Airfare	359.00
Larry Mau - Transportation Dir Applicant - Airfare	344.00

WARRANT LIST

Approve: October 27, 1994 through October 31, 1994

Authorize: November 1, 1994 through November 14, 1994

MINUTES FOR APPROVAL

September 6, 1994

AUTHORIZE CHAIRMAN TO SIGN

Parrish Water Main Extension - Agreement with Stately Contractors, Inc., \$1,035,223.50; dating of performance/payment bond and acceptance of insurance certificate (approved 10/18/94) RECORD S44-451

Satisfaction of Judgment - Ramon Gonzalez Ostos, Case 89-3955F (\$200.00)

ACCEPT

Clerk of Circuit Court - Constitutional Officers Financial Report for 1993-94

Tax Collector - Annual Financial Statement and Schedules for the period ending 9/30/94
Property Appraiser - Constitutional Officers Financial Report for 1993-94

COUNTY ADMINISTRATOR'S CONSENT AGENDA
FLORIDA COOPERATIVE EXTENSION SERVICE

Execution of Memorandum of Understanding with University of Florida (Institute of Food and Agriculture Science) concerning role and function of Manatee County Extension Service Division within Manatee County government. **RECORD S44-452**

PROCLAMATION - HELEN JEPSON DELLERA DAY

Adoption of Proclamation designating November 7, 1994, as Helen Jepson Dellera Day in Manatee County. **RECORD S44-453**

TRAVEL AUTHORIZATION

Authorization to travel for any/all Commissioners to Tallahassee, Florida, December 1-2, 1994, to attend the Florida Association of Counties Legislative Conference.

CHILDREN'S SERVICE FUNDING

Execution of Children's Services Funding Agreements with the following agencies (various contract terms):

13th Avenue Community Center (Project Dream Team)	\$ 29,160	S44-454
Boys & Girls Clubs of Manatee County, Inc. (Open Program)	40,000	S44-455
Child Protection Center, Inc. (Alliance for Safe Kids)	70,000	S44-456
Children's Haven & Adult Center, Inc. (Therapeutic Early Intervention)	38,880	S44-457
Family Resources, Inc. (Family Resolutions)	31,708	S44-458
Manatee County Nursery School, Inc. (Waiting List)	24,300	S44-459
Manatee County Nursery School, Inc. (Safety Net 60)	50,000	S44-460
Manatee County Family YMCA, Inc. (Before/After School Subsidies)	27,300	S44-461
Manatee Opportunity Council, Inc. (Resource Mobile)	50,000	S44-462
Manatee Opportunity Council, Inc. (Subsidized Day Care)	170,100	S44-463
Manatee Opportunity Council, Inc. (Family Empowerment)	100,101	S44-464
Myakka City Community Center, Inc. (Afterschool/Summer)	42,768	S44-465
Pace Center for Girls, Inc. (Health Nurse Educator/Counseling)	30,400	S44-466
Palmetto Youth Center, Inc. (Tiny Tot Program)	55,000	S44-467

RECORD

CHILDREN'S SERVICES FUNDING AMENDMENTS

Execution of amendments to Children's Services Funding Agreements with the following agencies (amounts; extending contract terms):

Manatee Children's Services (Scan)	\$ 47,000	S44-468
Manatee County Family YMCA, Inc. (Middle School)	87,107	S44-469
Boys & Girls Clubs of Manatee County, Inc. (Transportation)	20,000	S44-470
Easter Seal Society of Southwest Florida, Inc. (Early Intervention)	46,000	S44-471
Police Athletic League of Manatee County, Inc. (S.O.S. Harllee Middle School)	30,000	S44-472
Gulf Coast Marine Institute, Inc. (Aftercare)	16,263	S44-473
Police Athletic League of Manatee County, Inc. (Manatee Program)	108,000	S44-474

RECORD

MEDICAL EXAMINER

Chairman to sign a letter to Dr. W. Pearson Clack, District 12 Medical Examiner, approving the Fiscal Year 1995 Budget of \$119,920 for the Medical Examiner Autopsy Facility in Manatee County.

NONPROFIT AGENCIES FISCAL YEAR 1995 FUNDING

Execution of Fiscal Year 1995 Nonprofit Agency General Revenue Funding Agreements (10/1/94-9/30/95) and Project Funding with:

Manatee County Council on Aging, Inc. (Telephone Reassurance)	\$ 3,580	S44-475
Manatee Glens Corporation (Baker Act)	688,355	S44-476
Manasota Lighthouse for the Blind, Inc. (Daily Living Skills)	17,000	S44-477
League of Women Voters (Citizen's Guide)	450	S44-478

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NONPROFIT AGENCIES/COMMUNITY CENTERS FISCAL YEAR 1995 FUNDING

Execution of amendments to Fiscal Year 1994 Funding Agreements with the following nonprofit agencies and community centers for Fiscal Year 1995 funding (various contract terms):

Deaf Service Center of Manatee/Sarasota (Interpreter/Training & Advocacy)	\$42,650 S44-479
Hope Family Services (Safe Shelter)	39,375 S44-480
Manatee Association for Retarded Citizens (Adult Development Training)	28,350 S44-481
Mote Marine Laboratory (Marine Mammal Stranding)	18,300 S44-482
Volunteer Services of Manatee County (Volunteer Services)	10,000 S44-483
Anna Maria Island Community Center (After School Program, etc.)	33,000 S44-484
Boys & Girls Clubs of Manatee County (After School)	5,600 S44-485
Manatee Children's Services (Emergency Shelter)	44,284 S44-486
Manatee County Nursery School (Subsidized Child Care)	5,434 S44-487
Manatee Opportunity Council (Subsidized Child Care)	29,400 S44-488
Myakka City Community Center (Teen Club)	10,950 S44-489
Palmetto Youth Center, Inc. (After School Program)	41,250 S44-490
Rubonia Community Center (After School Program)	30,450 S44-491
Tallevast Community Center (After School Program)	26,050 S44-492
13th Avenue Community Center, Inc. (After School)	41,250 S44-493

RECORD**WCIND FISCAL YEAR 1995 FUNDING**

Adoption of resolutions authorizing execution of Fiscal Year 1995 Funding Agreements with West Coast Inland Navigation District (WCIND):

R-94-277 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING A WEST COAST INLAND NAVIGATION DISTRICT GRANT FOR THE MANATEE COUNTY DEPARTMENT OF PUBLIC SERVICES PROJECT BAY COLONY DREDGE; DESIGNATING THE COUNTY LIAISON FOR THE PROJECT AND AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS (Project No. M-55; \$50,000). **RECORD** S44-494
S44-495

R-94-278 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING A WEST COAST INLAND NAVIGATION DISTRICT GRANT FOR THE MANATEE COUNTY DEPARTMENT OF PUBLIC SERVICES PROJECT MCLEWIS BAYOU DREDGE; DESIGNATING THE COUNTY LIAISON FOR THE PROJECT AND AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS (Project No. M-56; \$40,000). **RECORD** S44-496
S44-497

R-94-279 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING A WEST COAST INLAND NAVIGATION DISTRICT GRANT FOR THE MANATEE COUNTY DEPARTMENT OF PUBLIC SERVICES PROJECT MANALEE SUBDIVISION DREDGE; DESIGNATING THE COUNTY LIAISON FOR THE PROJECT AND AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS (Project No. M-57; \$15,000). **RECORD** S44-498
S44-499

R-94-280 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING A WEST COAST INLAND NAVIGATION DISTRICT GRANT FOR THE MANATEE COUNTY DEPARTMENT OF PUBLIC SERVICES PROJECT COLONY COVE DREDGE; DESIGNATING THE COUNTY LIAISON FOR THE PROJECT AND AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS (Project No. M-58; \$20,000). **RECORD** S44-500
S44-501

R-94-281 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING A WEST COAST INLAND NAVIGATION DISTRICT GRANT FOR THE CITY OF ANNA MARIA PROJECT LAKE LAVISTA INLET MAINTENANCE; DESIGNATING THE COUNTY LIAISON FOR THE PROJECT AND AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS (Project No. M-59; \$18,500). **RECORD** S44-502
S44-503

R-94-282 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING A WEST COAST INLAND NAVIGATION DISTRICT GRANT FOR THE SOUTH FLORIDA MUSEUM AND BISHOP PLANETARIUM PROJECT MANATEES AND AQUATIC ECOSYSTEMS; DESIGNATING THE COUNTY LIAISON FOR THE PROJECT AND AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS (Project No. M-60; \$25,500). **RECORD** S44-504
S44-505

WCIND, FISCAL YEAR 1995 PROJECT AGREEMENTS

Execution of Fiscal Year 1995 Funding Agreements with recipients of WCIND Project Funding:

City of Anna Maria (Lake LaVista Inlet Maintenance) \$18,500
 South Florida Museum and Bishop Planetarium
 r. (Manatee and Aquatic Ecosystems) 25,500

RECORD S44-506
 S44-507

DONATION - TOURIST INFORMATION CENTER

Acceptance of donation, in accordance with Ordinance 86-05 and procedures established by the County Administrator's Office, of 40 tickets from Manatee Airboat, Inc., valued at \$400 for use by volunteers and paid staff of the Manatee County Tourist Information Center.

LAWSUIT: AMERICAN CAST IRON PIPE COMPANY V. MANATEE COUNTY

Authorization for Senior Assistant County Attorney Mitchell Palmer to execute General Release document, on behalf of the County, as related to the dismissal of the matter of American Cast Iron Pipe Company v. Manatee County, Case CA-94-1735.

TRAVEL AUTHORIZATION

Authorization for County Attorney to travel to (1) Tampa, Florida, January 26-29, 1995, to attend Continuing Legal Education Mediation Circuit Civil Training Seminar (previously approved for October 10-14, 1994); and (2) Tallahassee, Florida, December 1-2, 1994, to attend Florida Association of Counties Legislative Conference and Board of Directors of Florida Association of County Attorneys meeting.

DONATION - YOUTH BASKETBALL PROGRAM

Acceptance of donations, in accordance with provisions of Ordinance 86-05 and procedures established by the County Administrator's Office, in the form of monetary contributions in the amount of \$1,260 from local merchants to be utilized to offset expenses for the Youth Basketball Program.

PARKS AND RECREATION - FEE REFUND

Approval to make exception to the refund policy as set forth in Resolution R-94-200 in order to refund fees in the amount of \$40 to William J. MacMichael (Swim Team).

VIRGINIA WATER, UNIT III SUBDIVISION - FINAL PLAT

Approve, accept, execute, and/or record final documents for Virginia Water, Unit III, Subdivision as follows:

1. Final Subdivision Plat.
2. Mortgagee's Joinder in Declaration only from Kabara Corporation N.V. and Island Investment Properties, Ltd.
3. Mortgagee's Joinder in Declaration only from William T. Harrison, Jr.
4. Mortgagee's Joinder in Declaration only from Sun Bank/Gulf Coast.
5. Third Amendment to Declaration of Restrictions.
6. List of Holdings
7. Fiscal and Budgetary Information
8. Maintenance Program
9. Notice to Buyers
10. Agreement with Northern Capital Group to Defer Completion of Required Sidewalks for private subdivisions. **RECORD** S44-508

SUMMERFIELD VILLAGE, SUBPHASE A - FINAL PLAT

Approve, accept, execute, and/or record final documents for Summerfield Village, Subphase A, Subdivision as follows:

1. Final Subdivision Plat.
2. Mortgagee's Joinder in Declaration only from Northern Trust Bank of Florida, N.A.
3. Required Improvements Agreement with SMR Communities Joint Venture in conjunction with Surety Bond Guaranteeing Completion of Required Sidewalks and Bikeways, \$182,078.00.
4. Performance Bond: \$182,078.00 (Subdivider's Completion Bond 06230770, Fidelity and Deposit of Maryland).
5. Required Improvements Agreement with SMR Communities Joint Venture, \$1,588,628.00.
6. Performance Bond: \$1,588,628.00 (Subdivider's Completion Bond 06230769, Fidelity and Deposit of Maryland).
7. Manatee County Site Access and Drainage Affidavit, Right-of-Way Irrigation and Utilization.

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8. Affidavit of Ownership and Encumbrances from Schroeder-Manatee Ranch, Inc., for Clubhouse Drive.
9. Partial Release of Mortgage from Northern Trust Bank of Florida, N.A.
10. Warranty Deed from Schroeder-Manatee Ranch, Inc., for right-of-way (Clubhouse Drive).
11. Conservation Easement from Schroeder-Manatee Ranch, Inc.
12. Interlocal Agreement with Lakewood Ranch Community Development District 1 agreeing to execute and grant to the County a Conservation Easement upon recordation of the final subdivision plat. RECORD S44-509
13. Grant of Off-site and On-site Temporary Easements from Schroeder-Manatee Ranch, Inc.
14. Agreement with SMR Communities Joint Venture for installation of private improvements in subdivisions subsequent to final subdivision plat approval. RECORD S44-510
15. Declaration of Covenants for Summerfield Village.

CODE ENFORCEMENT CERTIFICATION

Authorization to pay exam fee for Florida Association of Code Enforcement Level I certification in the amount of \$120 on behalf of three Code Enforcement Officers in Manatee County.

STREET VACATION: 67TH STREET COURT NORTHWEST

Adoption of

R-94-192-V RESOLUTION DECLARING PUBLIC HEARING ON DECEMBER 6, 1994, AT 2:00 P.M., ON APPLICATION BY JAMES L. SCHAMBERS TO VACATE A PORTION OF THE RIGHT-OF-WAY OF 67TH STREET COURT NORTHWEST IN ALOISE PARK SUBDIVISION (PLAT BOOK 2, PAGE 136).

RECORD S44-511

STREET VACATION: FAIR OAKS SUBDIVISION

Adoption of

R-94-255-V RESOLUTION DECLARING PUBLIC HEARING ON DECEMBER 6, 1994, AT 2:00 P.M., ON APPLICATION BY BRADENTON RESORT MOTEL LIMITED PARTNERSHIP TO VACATE A PORTION OF THE PLAT OF FAIR OAKS SUBDIVISION (PLAT BOOK 1, PAGE 171).

RECORD S44-512

FEE WAIVER: ISLAND CLEANUP

Authorization for placement of one 20-yard roll-off at Seabreeze Park located on Horseshoe Loop Road, Terra Ceia, for the Annual Island Cleanup November 11-14, 1994; and waiver of appropriate service and tipping fees at the landfill for that event.

TRANSIT - ADVERTISING SPACE

Adoption of

R-94-294 A RESOLUTION ESTABLISHING A RATE SCHEDULE FOR ADVERTISING ON TRANSIT BUSES; AUTHORIZING THE DIRECTOR OF THE PUBLIC TRANSPORTATION DEPARTMENT TO ENTER INTO CONTRACTUAL AGREEMENTS WITH PROSPECTIVE ADVERTISERS; AND RESCINDING RESOLUTION R-91-287.

RECORD S44-513

TRANSIT - COMPLIMENTARY BUS TICKETS

Adoption of

R-94-292 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC TRANSPORTATION DEPARTMENT TO DISBURSE NOT MORE THAN 3,000 (1,000 ADULT; 1,000 STUDENT; AND 1,000 SENIOR) BUS TICKETS PER YEAR TO BE USED IN PROMOTING THE COUNTY BUS SYSTEM TO THE RESIDENTS OF MANATEE COUNTY; AND RESCINDING RESOLUTION R-92-242.

RECORD S44-514

TRANSIT - RETAIL BUS TICKET OUTLET PROGRAM

Adoption of

R-94-293 RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC TRANSPORTATION DEPARTMENT TO ENTER INTO AN AGREEMENT FOR SALE OF MANATEE COUNTY AREA TRANSIT SYSTEM BUS TICKETS BY RETAIL ESTABLISHMENTS.

RECORD S44-515

TILDERTON ROAD - REUSE WATER TRANSMISSION LINE

1. Execution of contract for sale and purchase of utility easement from Bryce P. Davis and Vinita Ann Davis for construction of reuse water transmission line located at the end of Tilderton Road, west of 68th Avenue Drive West, \$1,400. RECORD S44-516
2. Execution of contract for sale and purchase of utility easement from Michael A. Mossler and Theresa L. Mossler for construction of a reuse water transmission line located at the end of Tilderton Road, west of 68th Avenue Drive West, \$1,875. RECORD S44-517

** Recorded by
R-95-226.*

** Recorded by
R-96-98*

PARTICIPATION PROJECTS/NON-AD VALOREM ASSESSMENTS

Set a public hearing on December 6, 1994, 2:00 p.m., to consider adoption of R-94-290 declaring its intent to place road paving, sanitary sewer, stormwater, street lighting, canal dredging, drainage improvement and landscape beautification projects on the tax bills as non-ad valorem assessments commencing in 1995.

ARCHITECTURAL/ENGINEERING CONSULTING SERVICES

Execution of Addendum 2 with Richard Fawley Architects, Inc.; Huntington Group Architects, Inc.; Stevenson Architects, Inc.; Woodroffe Corporation Architects; and Jerry N. Zoller Architect/Planner to provide architectural/engineering consulting services on an as required basis for an additional one-year period, November 19, 1994, to November 18, 1995. RECORD S44-518-
S44-522

MATERIALS AND SERVICES

1. **Copier Maintenance** - Sole source purchase of maintenance service for Konica and Minolta copiers from Danka Industries, 10/1/94-9/30/95, estimated total of \$40,601.00.
2. **Supplemental Laboratory Services** - Award Bid 424476AA for supplemental laboratory services for sampling and analytical services on as required unit price basis: P. E. LaMoreaux & Associates, Inc., for sections A-E and G (wastewater, groundwater and landfill), estimated annual \$104,486; and Davis Analytical Laboratories, for Section H (drinking water), estimated annual \$14,200.
3. **Medical Supplies (Emergency Medical Services)** - Award Bid 421526NA for EMS Medical Supplies to multiple bidders: Advanced Medical & Pharmaceutical Supplies, \$30,677.95; Aero Products Corp., \$2,579.35; Bound Tree Corp., \$440.00; Emergency Medical Supply, Inc., \$8,375.00; Durr Medical, \$5,960.07; Micro Bio-Medics, Inc., \$2,114.05; Pro+Med Inc., \$294.75; Sunbelt Medical Supply, Inc., \$46,650.20; and Tacy Medical, Inc., \$12,331.20, for estimated grand total of \$109,422.57.
4. **Pump Back Feeder Replacement (Southwest Treatment Plant)** - Award Bid 427784DC for pump back feeder replacement to Ken Robinson of Florida, Inc. \$27,937.
5. **Radio Replacement Equipment (Information Services/Radio Shop** - Award sole source annual purchase order (one year term) for miscellaneous radio replacement parts from Ericson G. E. Mobile Communications Distribution, Inc., \$50,000.
6. **Sod & Fertilizer (Public Services and Parks & Recreation Departments)** - Award Bid 429766NA for sod and fertilizer on as required basis to Hydro Grass Seeding, Inc., \$309,999.20
7. **Wetland Planting and Spraying** - Award Bid 434145AA for spraying and planting of wetland (at Lena Road Landfill) to Nautilus Environmental Services, Inc., \$3,871.50 per acre, not to exceed \$38,715 for maximum of ten acres.

SURPLUS PROPERTY

Classify excess property as surplus property per Florida Statute 274.05 to enable appropriate and authorized disposition in accordance with Manatee County Procurement Code 84-02, Section 8.107; and adoption of

R-94-308 RESOLUTION AUTHORIZING CONVEYANCE OF COUNTY-OWNED PERSONAL PROPERTY UNDER PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES 94-308 (10 cubic yards of fill material from Public Transportation to Housing Authority). RECORD S44-523

43RD STREET WEST RECLAIMED WATER MAIN

Execution of Change Order 3 to contract for 43rd Street West Reclaimed Water Main with Scotty's Tractor Service dba Scotty's Land Development, for decrease of \$25,310.50 for adjusted contract amount of \$1,068,244.50. RECORD S44-524

TOURISM MARKETING VIDEOS

Enter into contract negotiations with top-ranked firm, Florida Mobile Video Productions, Inc., in accordance with Request for Proposal 430039VC, for production of tourism marketing videos. (Note: Discussed later in meeting)

BUDGET AMENDMENTS

Adoption of budget amendment resolutions amending the 1994-95 budget to provide for the receipt and appropriation of unanticipated revenues:

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PUBLIC SAFETY/EMERGENCY MANAGEMENT (B-95-007)

Increase Revenue/Expenditures: Establishes budget for FY 1995
Emergency Management Hazardous Materials Grant. \$16,375
RECORD S44-525

PUBLIC SAFETY/EMERGENCY MANAGEMENT (B-95-008)

Increase Revenue/Expenditures: Establishes budget for FY 1995
Preparedness & Assistance Trust Fund Grant. \$67,425
RECORD S44-526

COMMUNITY AFFAIRS/INTERGOVERNMENT RELATIONS (B-95-009)

Increase Revenue/Expenditures: Establishes budget for FY 1995
Farmers Home Housing Preservation Grant. \$60,000
RECORD S44-527

COMMUNITY AFFAIRS/INTERGOVERNMENT RELATIONS (B-94-010)

Increase Revenue/Expenditures: Establishes budget for FY 1995 SHIP
Grant. \$333,919
RECORD S44-528

(End Consent Agenda)

BOND COUNSEL INTERVIEW (GREENBERG, TRAURIG, ET AL)

H. Hamilton Rice, Jr., County Attorney, stated that interviews have been scheduled with the firms of Greenberg, Traurig, et al (11/1/94) and Mudge, Rose, Guthrie, et al (11/15/94) in connection with the selection of bond counsel.

Stephen Sanford, partner of Greenberg, Traurig, Hoffman, Lipoff, Rosen & Quentel, P.A., gave a presentation and submitted/reviewed background information regarding the firm and its employees.

Timothy Wolfe, tax lawyer, responded to questions and explained the tax services provided by the firm.

Recess/Reconvene. All members present.**CONSENT AGENDA (Cont'd)**

Mr. McClash moved to reconsider action taken earlier regarding the Consent Agenda. Motion was seconded by Chetlain and carried unanimously.

TOURISM MARKETING VIDEOS (Cont'd)

Discussion was held regarding authorization to enter into contract negotiations with Florida Mobile Video Productions, Inc., for production of tourism marketing videos approved earlier in meeting.

Question was raised as to the merit of using film versus video and whether the Selection Committee considered that option.

Larry White, Convention and Visitors Bureau Director, stated the use of film was considered by the committee, however, it was more costly.

Mr. Gause moved to approve the Consent Agenda as previously stated. Motion was seconded by Mrs. Glass. Voting "Aye" were Mr. Gause, Mrs. Glass, Mrs. Harris, Mrs. Hooper, Mr. Chetlain and Mr. Stephens. Voting "Nay" was Mr. McClash. Motion carried.

STATE HOUSING INITIATIVE PARTNERSHIP 1994 ANNUAL REPORTS

Motion was made by Mr. Gause, seconded by Mrs. Glass and carried unanimously, to adopt

R-94-301 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE ADOPTION OF THE STATE HOUSING INITIATIVE PARTNERSHIP 1994 ANNUAL REPORTS, CONSISTENT WITH MANATEE COUNTY ORDINANCES 89-01 AND 93-22, THE MANATEE COUNTY COMPREHENSIVE PLAN AND THE STATE HOUSING INITIATIVE PARTNERSHIP PROGRAM

for transmittal to the Florida Housing Finance Agency pursuant to Section 420.9075, Florida State Statutes, and execution of the letter of transmittal and the Annual Report. RECORD S44-529

MANASOTA INDUSTRY COUNCIL

Cheri Coryea, Community Services, recommended consideration of appointing four members to the Manasota Industry Council (terms ending 6/30/97). Those recommended by the Manasota Industry Council were: Steve Knopik, Isabel Norton, Sydney Ivey and Clayton Sutton.

Mrs. Glass moved to approve the slate as presented for the Manasota Industry Council. Motion was seconded by Mrs. Hooper and carried unanimously.

NONPROFIT AGENCY FISCAL YEAR 1995 FUNDING: PACE CENTER FOR GIRLS

Motion was made by Mrs. Harris, and seconded by Mrs. Glass, to authorize execution of an amendment to the Fiscal Year 1994 Service Funding Agreement with Pace Center for Girls for Fiscal Year 1995 for \$13,125, allowing for continued funding of the Alternative Education Program.

Fred Loveland, Director of Community Services, stated this is a four-month agreement and contains language, "Notwithstanding any other provision of this Agreement, this Agreement shall terminate on January 31, 1995, unless County has provided written notice to Agency to continue this Agreement."

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

RECORD S44-530

(Depart Mrs. Harris)

TOURIST INFORMATION CENTER HOLIDAY FUNCTIONExpenditure of Funds

Motion was made by Mrs. Glass, seconded by Mr. Gause and carried 6 to 0, to authorize expenditure of \$692, out of promotions budget, for cost of food and soft drinks for annual Tourist Information Center holiday function.

(Enter Mrs. Harris)

Use of Civic Center - Longboat Key Room

Motion was made by Mrs. Glass, seconded by Mr. Gause and carried unanimously, to authorize the Convention and Visitors Bureau to use the Longboat Key Room at the Manatee Convention Center to host Tourist Information Center volunteers for their annual holiday function December 6, 1994, 6:00 p.m. to 8:00 p.m.

PARKS AND RECREATION - GOLF COURSES/RESIDENCY VERIFICATION

Daniel Hopkins, Parks and Recreation Department Director, requested eliminating the use of affidavits as verification of Manatee County residency, which is primarily used at the County Golf Courses.

He noted that affidavits are required by Resolutions R-94-200 and R-94-168; however, a recent study indicates the affidavits are ineffective. He stated individuals will be required to provide two of the following when applying for a resident identification card: driver's license, homestead exemption certificate, property tax receipt or voter's registration.

Motion was made by Mr. Gause, and seconded by Mrs. Harris, to remove the affidavit requirement from R-94-200 and R-94-168 as recommended by staff and that the resolutions be amended reflecting the deletion. Motion carried unanimously.

PRIDE PARK

Mr. Hopkins requested authorization to award Bid 433534MP with Walrus Construction for Pride Park in the amount of \$354,550, subsequent execution of contract, simultaneous dating of performance/payment bond, and acceptance of insurance certificate.

Question was raised as to what is included in the base bid since there are many deductive alternates. Mr. Hopkins stated the base price of the bid includes the entire first phase, which is the soccer field, baseball field, building excluding gymnasium concept, etc.

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(Cont'd)

It was recommended that schematic drawings be reviewed prior to further consideration. The matter was deferred to later in the meeting.

SCHROEDER-MANATEE RANCH, INC. - RIGHT-OF-WAY ACQUISITION

Janet McAfee, Public Services Department, submitted Amendment 1 to agreement with Schroeder-Manatee Ranch, Inc. (SMR) for a change to the reimbursement procedure originally included in the agreement (12/16/93) for the right-of-way acquisition between State Road 70 and University Parkway; and authorization to reimburse SMR \$147,456.32 for services rendered by installing the 36-inch pipeline from State Road 70 to the Braden River.

Discussion: Expenditures exceeding \$10,000 require going through the bid process; whether this is violation of procurement code and terms of original agreement with SMR; amount of savings, if any, to County; etc.

Rob Cuthbert, Purchasing Director, stated that when the original participation agreement was made, the Purchasing Department was not aware that Phase 3 was supposed to be bid early so that prices would be available. Between January and August 1994, R. A. Wilford, former Public Works Director, gave SMR written authorization to proceed with the work. Approximately in September, the purchasing office was contacted regarding doing a bid; however, the work was already completed.

Mitchell Palmer, Assistant County Attorney, pointed out that if the line had not been installed when it was, the County would have had to dig up pavement that was already installed by SMR, at substantial cost to the County. He further stated that the original agreement provided that construction of a four-lane divided roadway be commenced on or before March 31, 1994, and upon written request by Mr. Wilford, SMR installed the line concurrently with the road construction. He noted also that this is a sole source procurement matter.

Mark Ventriglia, Public Services Department, stated the cost for the County to install the line was estimated at \$178,000.

Motion was made by Mr. Gause to authorize execution of Amendment 1 to agreement with Schroeder-Manatee Ranch, Inc. (SMR) for a change to the reimbursement procedure originally included in the agreement for the right-of-way acquisition between State Road 70 and University Parkway; and authorization to reimburse SMR \$147,456.32 for services rendered by installing the 36-inch pipeline from State Road 70 to the Braden River. Motion was seconded by Mrs. Hooper. Voting "Aye" were Mr. Gause, Mrs. Hooper, Mrs. Harris, Mrs. Glass, Mr. McClash and Mr. Stephens. Voting "Nay" was Mr. Chetlain. Motion carried. RECORD S44-531

ATTORNEY'S FEES - JUVENILE DEPENDENCY CASE 94-001085-JP

Paul G. Bangel, Assistant County Attorney, submitted a request for a compromise of attorney's fees in a juvenile dependency court-appointed case. While the fee cap set forth in Florida Statute Section 39.415 is \$1,000, an attorney is entitled to a fee in excess of that amount in extraordinary and unusual cases. He stated the attorney submitted a motion requesting \$7,704 but has indicated \$4,352 would be satisfactory.

He recommended that, in the event of a finding by the court that Circuit Court Case 94-001085-JP was extraordinary and unusual, the Board remit to Cynthia Suzanne Barry, Attorney at Law, the amount of \$4,352.

Motion was made by Mrs. Glass, seconded by Mr. Gause and carried unanimously, to accept the County Attorney's recommendation.

PRIDE PARK (Cont'd)

Mr. Hopkins submitted a schematic drawing of Pride Park (deferred from earlier in the meeting). He stated the work consists of site preparation and improvements for a new recreational complex at the northwest corner of 63rd Avenue East and 9th Street East.

Included in the site improvements are grading and drainage with retention; asphalt parking for approximately 49 vehicles; concrete sidewalks; multipurpose baseball field (enclosed in chainlink fence); fitness trail; building construction which consists of a 1,100 square foot restroom/maintenance building; multipurpose court (enclosed in chain link fence) and two baseball dugouts.

Discussion: USA Fence has indicated it would donate materials; whether multipurpose is clay court; security lighting is included; etc.

Motion was made by Mr. McClash to authorize award of Bid 433534MP with Walrus Construction for Pride Park in the amount of \$354,550, and authorize subsequent execution of contract, simultaneous dating of performance/payment bond, and acceptance of insurance certificate. Motion was seconded by Mr. Chetlain and carried unanimously.

COUNTY ADMINISTRATOR - RECRUITMENT STRATEGY

Advertisement

Mr. Estabrook submitted (memorandum 10/28/94) recommendations regarding recruitment of a County Administrator which includes publication in the Wall Street Journal (National and Regional); USA Today; American City & County; Florida Association of Counties; International Journal of Public Administration; IPMA; Jobs Bulletin; League of Cities; and Public Administrator Times.

During discussion it was recommended that Wall Street Journal (National) and USA Today be deleted from the list of publications.

Motion was made by Mr. McClash to advertise in those publications amended at this meeting (delete Wall Street Journal [National] and USA Today) and set a deadline of December 30, 1994. Motion was seconded by Mr. Gause and carried unanimously.

Interim County Administrator

Mr. Estabrook recommended the appointment of James W. Seuffert as Interim County Administrator effective November 22, 1994, at an interim base salary of \$85,000 per annum during the appointment period, and be given unrestricted use of the County Administrator's lease vehicle.

Discussion followed during which it was suggested that the appointment of Assistant County Administrator (David Rothfuss) as Interim County Administrator would be appropriate and that a formal offer be made.

Mr. Stephens reported that Mr. Rothfuss concurred with the recommendation of Mr. Estabrook.

Mr. McClash moved to approve the recommendation as stated by Mr. Estabrook. Motion was seconded by Mrs. Hooper. Voting "Aye" were Mr. McClash, Mrs. Hooper, Mr. Chetlain and Mr. Stephens. Voting "Nay" were Mr. Gause, Mrs. Glass and Mrs. Harris. Motion carried.

OFFICE SPACE NEEDS: FIRST UNION BUILDING

Mr. Estabrook submitted a status report on negotiations with R. S. Olson for purchase of the First Union Building (920 Manatee Avenue West).

He reported that the assessed value of the property as of December 31, 1993, was \$1,227,151 and recommended considering 95 percent of that value, which is 36 percent above the investment since purchase of the building in March 1992. He stated this offer has been communicated to Mr. Olson. He stated no action is required at this time.

Discussion: Whether there is an urgent need to purchase the building; review economics of renting portion of the building versus purchase.

TRAVEL AUTHORIZATION

Motion was made by Mr. McClash, seconded by Mrs. Glass and carried unanimously, to approve authorization to travel for Mr. Gause (and any other Commissioner) to Tallahassee, Florida, November 29 through December 2, 1994, to attend the Florida Association of Counties Board of Directors meeting and Annual Legislative Conference.

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(Cont'd)

PEACE RIVER/MANASOTA REGIONAL WATER SUPPLY AUTHORITY

Mrs. Glass stated that neither she, nor the alternate, will be able to attend the Peace River/Manasota Regional Water Supply Authority meeting on November 2, 1994, and requested appointment of Jeff Steinsnyder to vote in her absence.

Inasmuch as the primary and alternate delegates to the Peace River/Manasota Regional Water Supply Authority meeting cannot attend, Mrs. Glass moved to authorize Assistant County Attorney Jeffrey N. Steinsnyder to act in their stead and have full voting privilege. Motion was seconded by Mrs. Hooper and carried unanimously.

COMMISSIONERS' COMMENTSVeterans Services Donations

Mr. Chetlain questioned whether donations in excess of \$200 can be accepted by Veterans Services.

Disposition: County Administrator to provide procedures/policy regarding acceptance of donations.

Key Royale Bridge, Holmes Beach

Mr. McClash reported that the Mayor of Holmes Beach has expressed concern regarding cost of the Key Royale Bridge. He requested the County provide assistance through the Public Services Department if requested. There were no objections.

Transit Fees

Mrs. Harris reported that Sarasota County has recently lowered its transit rates to 25 cents and questioned if Manatee County can lower its rates. The County Administrator indicated that Sarasota had increased ad valorem taxes and had received grant funds for that specific purpose.

Disposition: Staff to provide a report.

Sludge Waste Haulers

Mr. Stephens reported that the sludge waste haulers had formed an association and were working among themselves and with the Environmental Action Commission to monitor their activities in an effort to solve the problems they have created.

ABC/Channel 40

Mr. Stephens requested that a resolution be prepared in support of having ABC television network affiliation staying with Channel 40 Television.

Disposition: Referred to County Administrator to prepare resolution.

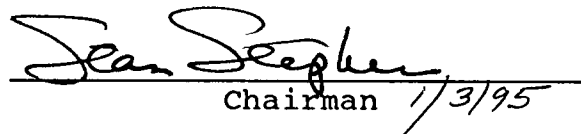
MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


Clerk


Chairman 1/3/95

Adj: 12:14 p.m.