

NOVEMBER 15, 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 15, 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 Commissioner Stan Stephens.

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

PROCLAMATIONS

National Education for Business Month

Upon motion by Mr. McClash and second by Mr. Chetlain, a Proclamation designating November 1994 as "National Education for Business Month" was unanimously adopted. RECORD S44-532

Willie Mirville, University of South Florida, Sarasota, accepted the Proclamation.

World AIDS Day

Upon motion by Mrs. Glass and second by Mrs. Harris, a Proclamation designating December 1, 1994, as "World AIDS Day" was unanimously adopted. RECORD S44-533

Carol Whitmore and Dr. Elliot Godofsky were present to accept the Proclamation. Dr. Michael Bach, Aids Council of Manatee, was present later in the meeting.

PRESENTATION - KENT G. CHETLAIN

A presentation was given to Kent G. Chetlain acknowledging his years of service as a commissioner on the Board of County Commissioners.

CITIZENS' COMMENTS

Recycling/Composting Facility - Amerecycle Contract

The following citizens expressed concerns and opposition to the proposed Amerecycle recycling/composting facility and contract:

Sandy Engel, William Wheeler, Nanette Yerkes, Robert Hargreaves,
John VanderMolen, Pat Windham, Robert Poirier, Catherine Fernald,
Carol Adams, James Schrader, and Wayne Calvert.

(Mrs. Glass absent for portion of discussion)

Russell Yerkes stated he is in favor of composting; however, the Amerecycle contract is too constraining and will be expensive.

Bernard Gross and Mary Detweiler addressed concerns and submitted letters of opposition.

Virginia Knowles submitted a transcript of June 4, 1992, Manatee County Commission work session and a summary of portions of the transcript.

Mary Sheppard stated she is in favor of the recycling concept of Amerecycle, and addressed issues of curbside recycling and education.

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Mr. Stephens submitted a written statement of opposition from Russell and Anne Haeger, and noted that approximately 240 phone calls have been received in opposition.

Comprehensive Plan Amendment - University Parkway/U.S. 301

Jeannie Skinner requested a Comprehensive Plan amendment for the University Parkway/U.S. 301 area. She preferred a land use category which would allow multifamily.

Disposition: Referred to Carol Clarke, Planning, Permitting and Inspections Director, to bring back a report.

CONSENT AGENDA

Upon motion by Mr. McClash and second by Mrs. Glass, the Consent Agenda for November 15, 1994, was approved unanimously, with the deletions of: (1) Non-profit Agency/Community Center Funding Agreements; (2) Landfill Tipping Fee Waiver: Bayshore Gardens/Trailer Estates Dredging Project; (3) Braden River Park: Habitat Enhancement and Restoration; (4) Trip Donation: Meals on Wheels Title III; (5) SHIP Program Remedial Repairs with Stevenson Architects Inc. (all separate actions). Items APPROVED:

CLERK'S CONSENT CALENDAR

BONDS

Accept

1. Sheriff - Sheriff's Public Deputies Blanket Bond (12 Additions; 7 Deletions) RECORD S44-534
2. Industrial Waste Service, Inc. - Continuation Certificate, Bond TO0144745, \$100,000 (Insurance Company of North Am, Surety)

RESCIND BILLS FOR PAYMENT

Glace & Radcliffe - Bayshore Gardens Pkwy, 26th-34th St W, Inv 13746 (appr 6/14/94)	\$ 13,094.50
Glace & Radcliffe - Bayshore Gardens Pkwy, 26th-34th St W, Inv 13830 (appr 9/6/94)	744.00

BILLS FOR PAYMENT

Glace & Radcliffe - Bayshore Gardens Pkwy, 26th-34th St W, Inv 13830-R	669.60
Hogg, Allen et al - Retainer/General Matters (9/94)	1,523.73
David Gerard - Transportation Dir Applicant - Airfare	670.00
Florida Groundwater Services, Inc - 66th St Fuel Site	822.50
Larson Engineering - North Cnty Effluent Disposal Study	327.90
Larson Engineering - 9th St E Design Svcs (SR64 to US301)	6,191.73
Larson Engineering - Moccasin Wallow Rd Reclaimed Watermain	4,013.15
Larson Engineering - Parrish Waterline Extension	5,840.14
T A Forsberg - 42-inch Wtr Transmission Main (SR64 to SR70)	8,000.00
Zoller, Najjar & Shroyer - Reclaimed Watermain - Magellan Dr to Bay Dr	5,490.72
Woodruff & Sons - 6/7/8th Av NW Road/Wtr Distrib Imprvmts	92,632.01
Woodruff & Sons - Memphis Rd Road/Util Imprvmts, Req 3	103,245.50
Woodruff & Sons - Bayshore Gdns Pkwy Imprvmts, Req 5	164,848.03
Tampa Contracting Services - Leffis Key Habitat Restoratn	4,248.94
Sutter Roofing - Public Safety Complex Roof Replacement	2,614.64
Black & Veatch - SWWTP Aeration & Digester Sys Imprvmts	17,096.27
Infrastructure Management Services - Pavement Mgmt System	25,000.00
Sewell, Valentich et al - Appraisal Svcs/SR 70 Imprvmts	10,800.00
Coastal Planning & Engineering - Bch Renourishmnt, Inv 2584	24,922.42
Sky Construction Properties - Terra Ceia Wtr Main, Req 2	111,371.72
<u>Detention Facility:</u>	
Mayer Electric Supply - Lighting Fixtures, PO 100235	179.10
Adams Brothers Cabinetry - Plastic Laminate, Wood, etc PO 100776	5,428.60
Statewide Commercial Laundry - Laundry Equip, PO 100895	44,422.00
Orders Distributors - Resilient Floor Base, PO 101091	2,574.00
Hudsha Paints & Materials - Painting Materials/Accessories PO 101344	3,775.00
General Electric Co - Refrigerators, PO 101354	3,568.00
<u>Centex Rooney/National Development:</u>	
Construction Mgr Compensation, PO 97771	130,203.24
Procurement of Site Work & Detention Equip, PO 98879	41,120.00
MCDF Construction/Guaranteed Maximum Price, PO 99117	731,203.00

REFUNDS

Neal Communities Inc - Service Charge for Returned Checks	280.69
M. Pete McNabb Inc - Building Permit Withdrawn	342.00
TRIAD Insurance (M. Weaver) - Ambulance Overpayment	112.00

WARRANT LIST

Approve: November 1, 1994 through November 14, 1994

Authorize: November 15, 1994 through December 5, 1994

MINUTES FOR APPROVAL

September 13 & 22, 1994; September 12, 14, & 22, 1994 (Special)

AUTHORIZE CHAIRMAN TO SIGN

Public Official Bonds/County Commissioners - Patricia M. Glass, Ohio Casualty Insurance Company, as surety, \$2,000; and Lari Ann Harris, United States Fidelity & Guaranty Company, as surety, \$2,000.

Daughtrey Community Park/Pride Park - Contract with O'Dell, Hall & Assoc., Inc., d/b/a Walrus Construction, \$354,550 (appr 11/1/94); date Performance/Payment Bonds; accept insurance certificate RECORD S44-535

Anti-Drug Abuse Grant - Certification of Acceptance of Subgrant Award from Department of Community Affairs for Drug Abuse Prevention Program (Federal \$190,925; Local \$63,642) RECORD S44-536

Partial Release of Special Improvement Assessment Liens:

Projects: 5147(6); 5031; 5075

Satisfactions of Judgment:

Robert G. Pick, Cases 92-311J, 92-373J; 92-425J; 92-375J; 92-225J; 92-298J; 92-376J; 92-374J (\$933.01)

Charles Dycus, Case 92-2661F (\$250)

ACCEPT

Annual Report - Sheriff Fiscal Year 1993-94

Peace River/Manasota Regional Water Supply Authority - 1994 Meeting Schedule

Detention Facility - Flood Insurance Renewal Certificate (Bankers Insurance Company, Policy 09 0007297065 expiring 7/26/95)

COUNTY ADMINISTRATOR'S CONSENT AGENDACHILDREN'S SERVICES FUNDING - AGREEMENTS/AMENDMENTS

Execution of FY 1995 Funding Agreements (for various terms) with:

Hope Family Services Inc./Family Restoration	\$ 44,443	S44-537
Hope Family Services Inc./Child Abuse Treatment	113,666	S44-538
Manatee Children's Services Inc./BRIC	55,000	S44-539
Girls Club, Inc. d/b/a/ Just For Girls/Roots & Wings	90,635	S44-540
Manasota Lighthouse for the Blind Inc./Parents & Kids	17,000	S44-541
Volunteer Services of Manatee County, Inc./Community Cornerstone	20,000	S44-542
Anna Maria Island Community Center Inc./Family Foundations	36,000	S44-543

RECORD

Execution of amendments to FY 1994 Funding Agreements (various terms) for FY 1995 funding with:

Tallevast Community Center/Self-Esteem	\$34,020	S44-544
Downtown Center for Children Inc./Nursery & Preschool	54,110	S44-545
Clerk of the Circuit Court/Teen Court Too	38,431	S44-546
Manatee Hospital and Health Systems, Inc./Therapeutic Foster Homes	45,000	S44-547
Project Rainbow Sarasota & Manatee, Inc./Psychological	26,136	S44-548

RECORD

PUBLIC HEALTH UNIT - FY 1995 FUNDING

Execution of contract with Florida Department of Health & Rehabilitative Services for \$11,697,323 (\$2,328,057 County contribution) for services to be provided at the Manatee County Public Health Unit (10/1/94-9/30/95) RECORD S44-549

YOUTH SUBSTANCE ABUSE PREVENTION PROGRAM FUNDING AGREEMENTS

Execution of FY 1995 Funding Agreements (various terms) with:

Boys & Girls Clubs of Manatee County, Inc./Smart Moves	\$29,966	S44-550
Myakka Community Center, Inc./Camp Myakka-ASP	20,000	S44-551
Palmetto Youth Center, Inc./Intervention-Positive Futures	40,266	S44-552
13th Avenue Community Recreation Center, Inc./Achievers of Today and Tomorrow	40,266	S44-553

RECORD

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PERSONNEL POLICYAdoption of
Annual Leave Accrual Amendment

R-94-311 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING AUTHORITY FOR COUNTY ADMINISTRATOR TO EXTEND TIME IN WHICH ANNUAL LEAVE BALANCES MAY ACCRUE ANNUALLY. RECORD S44-554

Professional Development Program

* Rescinded by
R95-26.

* **R-94-203** RESOLUTION AMENDING THE MANATEE COUNTY PERSONNEL POLICY'S PROFESSIONAL DEVELOPMENT PROGRAM. RECORD S44-555

PERSONNELSick Leave Credits

1. Transfer of 8 hours donated sick leave from employees with a minimum sick leave balance of 120 hours to establish a sick leave account for Erika Barrett, Social Security Number 210-46-6819 with a one-time maximum balance of 480 hours, effective November 5, 1994.
2. Transfer of 80 hours credits from Jack Lewellyn's sick leave balance to his wife, Marion Lewellyn, retroactive to October 22, 1994.

LIBRARY STATE AID APPLICATION

Include Plan of Service in second phase of grant application to Florida Department of State, Division of Library and Information Services under the State Aid to Public Libraries Program for October 1, 1994, to September 30, 1995. RECORD S44-556

ACCESS AND DRAINAGE PERMIT

Accept Affidavit for Non-Maintained Right-of-Way use of access in accordance with the Land Development Code, Section 712.2.3, Ordinance 90-01 for Jean Dixon, 11928 E. 82nd Lane North Court.

COUNTY INITIATED REZONE

Staff to initiate a rezone from RSF-6 to PR-S for property located at 1608 53rd Avenue West owned by Ed Dick.

EMERGENCY MANAGEMENTMutual Aid: Modification 1 to Statewide Agreement

Adoption of

R-94-306 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF MODIFICATION 1 TO THE STATEWIDE EMERGENCY MANAGEMENT MUTUAL AID AGREEMENT BETWEEN MANATEE COUNTY GOVERNMENT, THE MUNICIPALITIES WITHIN THE BOUNDARIES OF MANATEE COUNTY, AND THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS. S44-557
RECORD S44-558

Preparedness Assistance Trust Base Grant - Close Out

Adoption of

R-94-310 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF MANATEE COUNTY, FLORIDA, TO CLOSE OUT A BASE GRANT AWARD FROM THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT FOR THE EMERGENCY MANAGEMENT, PREPAREDNESS AND ASSISTANCE TRUST FUND. RECORD S44-559

TRAFFIC SIGNAL PREEMPTION SYSTEM

Adoption of

R-94-305 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF MANATEE COUNTY, FLORIDA; RECOMMENDS TO THE METROPOLITAN PLANNING ORGANIZATION THAT A COUNTYWIDE TRAFFIC SIGNAL PREEMPTION SYSTEM BE PLACED AS A HIGH PRIORITY TO BE CONSIDERED FOR FUNDING THROUGH THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT (ISTEA), TITLE I SURFACE TRANSPORTATION. RECORD S44-560

BRADEN RIVER RANCHETTES ROAD - ASSESSMENT ROLL MODIFICATION

Adoption of

R-94-314 A RESOLUTION MODIFYING THE SPECIAL ASSESSMENT ROLLS FOR ROAD ASSESSMENT PROJECT 5071, BRADEN RIVER RANCHETTES (Splitting property owned by: Bruce and Brenda Bonnet). RECORD S44-561

HAZELHURST ROAD - ASSESSMENT ROLL MODIFICATION

Adoption of

R-94-312 A RESOLUTION MODIFYING THE SPECIAL ASSESSMENT ROLLS FOR ROAD ASSESSMENT PROJECT 5041, HAZELHURST ROAD (Combining property owned by: L. H. Glasgow, L. H. Glasgow II, Michael Glasgow, James Crisp). RECORD S44-562

MAGNOLIA MANOR - ASSESSMENT ROLL MODIFICATION

Adoption of

R-94-295 A RESOLUTION MODIFYING THE SPECIAL ASSESSMENT ROLLS FOR ROAD ASSESSMENT PROJECT 5056, MAGNOLIA ROAD (Splitting property owned by: Clyde and Katherine Hall, Dalton White, Clyde and Argentine Neal, Jr., Martin and Carol Winkell). **RECORD** S44-563

ONECO SEWER - ASSESSMENT ROLL MODIFICATION

Adoption of

R-94-296 A RESOLUTION MODIFYING THE SPECIAL ASSESSMENT ROLLS FOR SEWER ASSESSMENT PROJECT 5148, ONECO (Adding: Margaret Parent, Ralph Vitale). **RECORD** S44-564

PINEHURST ROAD - ASSESSMENT ROLL MODIFICATION

Adoption of

R-94-315 A RESOLUTION MODIFYING THE SPECIAL ASSESSMENT ROLLS FOR ROAD ASSESSMENT PROJECT 5079, PINEHURST SUBDIVISION (Splitting property owned by: Richard T. Conard). **RECORD** S44-565

SAMOSSET ROAD - ASSESSMENT ROLL MODIFICATION

Adoption of

R-94-313 A RESOLUTION MODIFYING THE SPECIAL ASSESSMENT ROLLS FOR ROAD ASSESSMENT PROJECT 5147, SAMOSSET (Splitting property owned by: Raymond Investments, Eugenia Mays, Fred Katz). **RECORD** S44-566

SAMOSSET SEWER - ASSESSMENT ROLL MODIFICATION

Adoption of

R-94-299 A RESOLUTION MODIFYING THE SPECIAL ASSESSMENT ROLLS FOR SEWER ASSESSMENT PROJECT 5147, SAMOSSET (Splitting property owned by: Claude and Cynthia Young, Mid Central, Inc., Dennis Stripling and Rosario Davi, Everett Davidson, Raymond Investments; and combining Lee Randall Wilson, Juan and Sonia Castillo, Hector and Ester Davilla, James Richmond). **RECORD** S44-567

LANDFILL TIPPING FEE WAIVERS**Community Service Project - Parrish Home Owners' Association**

Placement of one 20-yard roll-off at the end of 120th Avenue East, and two 20-yard roll-offs at 7845 118th Avenue East, Parrish Home Owners' Association, on November 19, 1994; and the waiver of appropriate service and tipping fees at the landfill.

Salvation Army Angel Tree Program

Placement of one 20-yard roll-off on November 16, 1994, for Salvation Army Angel Tree Program; and that appropriate service and tipping fees at the Landfill be waived.

BAYSHORE CANAL/CEDAR HAMMOCK DREDGING PROJECT

Execution of agreement with the Bayshore Gardens Park and Recreation Center and the Trailer Estates Park and Recreation District for the dredging of the Bayshore Canal/Cedar Hammock Canal, South Branch at no cost to the County. **RECORD** S44-568

RECLAIMED WATER - BLOSSOM GROVES

Execution of the Second Amendment to Agreement with Patrice Pochez as Trustee for agricultural grove operations (Blossom Groves) for the delivery and use of reclaimed water, to extend effective period (12/29/94-12/29/95) at no cost to the County. **RECORD** S44-569

TIME PAYMENT AGREEMENTS

Execution and authorization to record time payment agreements for FIF's connection and line extension charges with Cindy Friedline; Pentecostal Holiness Tabernacle of God, Inc.; Anatoli and Lubomir Komarov; Kathy Clemons; Michael and Linda F. Guritz; and Michael McDonald. **RECORD** S44-570-544-575

PORT MANATEE WATERLINE UPGRADE

Execution of Supplemental Agreement with Manatee County Port Authority for upgrading and upsizing of 6-inch Waterline at Port Manatee, revised cost of \$205,000 (County \$102,500). **RECORD** S44-576

TRANSIT VEHICLES

Adoption of

R-94-316 A RESOLUTION AUTHORIZING EXECUTION OF A JOINT PROJECT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AS RELATED TO THE PURCHASE OF TEN (10) TRANSIT VEHICLES **RECORD** S44-577
(total amount of \$2,000,000: \$200,000 County, \$200,000 FDOT, and \$1,600,000 Federal Transit Administration). **RECORD** S44-578

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DEEDS AND EASEMENTS

1. 33rd Street East/Oneco Park - Utility Easement from Willard F. and Jessie A. Petrat Public Utility Facilities as a condition of Final Site Plan for Gator Stamping; Affidavit of Ownership/Encumbrances; Joinder from NationsBank of Florida.
2. North 301 Boulevard North/Victory Road - Right-of-Way Easement from Lynn Ann Howze required for final site plan for Preferred Bank; and Affidavit of Ownership and Encumbrances.

SR 70 WIDENING (15th STREET EAST TO SR 683)

Execution of Corrective Subordination of County Utility Interests with Florida Department of Transportation (FDOT) a change in right-of-way requirements and legal description, Parcels 128.2, 131.2, 129.2, 130.2 and 137.2. (adopted 3/16/94). **RECORD** S44-579-
S44-583

TRAFFIC SIGNAL MAINTENANCE AND OPERATION ORDER

Execution of Traffic Signal Maintenance and Operation Order 82 with the Florida Department of Transportation (FDOT) for maintenance of traffic signal at Intersection of SR 684 (Cortez Road) and 71st Street West. **RECORD** S44-584

TRANSPORTATION COORDINATION AGREEMENTS

Execution of agreements with Manatee Council on Aging allowing the County to provide Transportation Services, Manatee Council on Aging to pay for services, not to exceed \$28,750; and with Meals On Wheels Plus of Manatee, Inc., allowing the County to provide Transportation Services, Meals on Wheels Plus of Manatee, Inc., to pay for services, not to exceed \$112,450. **RECORD** S44-585

TRANSPORTATION PROVIDER/ELECTRONIC CLAIMS SUBMISSION

Execution of the Florida Agency for Health Care Administration Electronic Claims Submission Agreement with Agency for Health Care Administration to allow Manatee Transit to bill Medicaid electronically for transportation services. **RECORD** S44-587

STREET VACATION - FAIRWAY LAKES/PALM AIRE

Adoption of

R-94-251-V RESOLUTION DECLARING PUBLIC HEARING ON DECEMBER 6, 1994, AT 2:00 P.M., OR AS SOON THEREAFTER AS POSSIBLE ON APPLICATION BY THE FAIRWAY LAKES JOINT VENTURE TO VACATE A PORTION OF THE RIGHT-OF-WAY OF 73RD AVENUE CIRCLE EAST (PLAT BOOK 24, PAGES 153-158). **RECORD** S44-588

75TH STREET WEST ROAD IMPROVEMENT

Execution of Change Order 3 to Work Assignment 2 for utility design and construction services for improvement project with Lombardo & Skipper, Inc., for \$15,000 for revised not to exceed amount for Work Assignment 2 of \$893,826.59. **RECORD** S44-589

AIRPORT DRAIN

Execution of Work Assignment SW3 with Post, Buckley, Schuh & Jernigan, Inc., for final design, permitting, public meetings and construction services for stormwater detention, not to exceed \$19,795. **RECORD** S44-590

ECONOMIC DEVELOPMENT COUNCIL - FUNDING AGREEMENT

Execution of agreement with the Manatee County Chamber of Commerce/Economic Development Council providing funding for participation in the Tampa Bay Partnership, \$80,000. **RECORD** S44-591

MATERIALS AND SERVICES

1. Supervisory Control and Data Acquisition System Maintenance - Enter into contract negotiations with sole responsive firm, Honeywell, Inc., in accordance with RFP 424819VC, for water treatment plant.
2. Portable Radio System/Florida Highway Patrol - Purchase forty-eight 800 MHz Radios and associated equipment from Ericsson GE Mobile Communications, Inc., for Florida Highway Patrol, not to exceed \$113,433 (approved 9/27/94).
3. Annual Report Printing - Award bid IFB 515465KK for Printing of Annual Report to lowest responsive, responsible bidder, Nebraska Printing & Lithographing Co., Inc., estimated amount of \$39,007.
4. Automated Systems for Law Enforcement and Jail Management - Enter into contract negotiations with top-ranked firm, BI Incorporated, in accordance with RFP 423769RC,
5. Wastewater Cake Sludge Removal and Disposal - Award bid 432646NA on an as required basis, to the lowest responsive, responsible bidder meeting specifications, Elmore Septic Tank Service, Inc., estimated total of \$179,000.

GOLF CARS

1. Classify 22 electric golf cars as surplus property per Florida Statute 274.05 to enable appropriate and authorized disposition of said surplus property in accordance with Procurement Code 84-02, Section 8.108;
2. Issue Change Order 1 to add an additional 36 golf cars to the remaining two-year lease contract (P.O. 100170) to E-Z-Go Division of Textron, Inc., replacing 22 surplus cars plus adding 14 cars to meet increased demand, for an increase of \$2,112.48 per month.

HOUSEHOLD HAZARDOUS WASTE COLLECTION SERVICES

Execution of Addendum 2 with Laidlaw Environmental Services (TS), Inc., to extend for services (from 2/25/95 to 2/24/96) and for additional services for collection, transportation and disposal of non-hazardous latex paint, not to exceed \$216,000, total contract not to exceed \$825,000.

RECORD S44-592

OFFICE SPACE - COURTHOUSE ANNEX/FIRST UNION BANK BUILDING

Execution of agreement for office space development RFP 429179RC, with Fawley Bryant Architects, Inc., for the purpose of developing plans, specifications and construction drawings related to the renovation of the Manatee County Courthouse Annex and the First Union Bank Building.

RECORD S44-593

SEWER REHABILITATION SERVICES

Execution of Work Assignment 5 for reconstruction of sanitary sewer lines and service lateral in the 2-C gravity system on Bradenton Beach with Insituform Southeast, Inc., not to exceed \$304,840.

RECORD S44-594

APPRAISAL SERVICES - SR 70 ROAD IMPROVEMENTS

Execution of Change Order 1 to Work Assignment 1 for appraisal services for SR 70 Improvement Project, Group 3, with Sewell, Valentich, Tillis & Associates, \$1,500 for a total not to exceed \$67,650.

RECORD S44-595

SHERIFF - LAW ENFORCEMENT TRUST FUND

Expend funds of \$764,210 from the Trust Fund (new jail equipment).

BUDGET AMENDMENTS**TRANSPORTATION**

(B-95-011)

Item Transfers: Closes five completed projects in Fund 308 as noted in the August 31, 1994, Capital Projects Report. \$54,033

RECORD S44-596

PUBLIC SERVICES/PROJECT**MANAGEMENT**

(B-95-012/1&2)

Item Transfers: Provide sufficient funding to complete 9th Avenue Northwest Project. Additional funds are required to process final change order and to complete additional drainage improvements as indicated in Project Status Report (9/30/94).

\$30,000

Item Transfers:

\$30,000

RECORD S44-597

S44-598

ENVIRONMENTAL ACTION**COMMISSION**

(B-95-013)

Item Transfers: Appropriates monies for Environmental Action Committee's FY 1995 office automation which were carried over from FY 1994 and held in EAC reserves for this purpose.

\$74,143

RECORD S44-599

FINANCIAL MANAGEMENT

(B-95-014)

Item Transfers: Reappropriates monies from FY 1994 primarily for items funded and/or encumbered in FY 1994 which will not be purchased or delivered until FY 1995. Also included are appropriations for replacement vehicles from reserves established for that purpose, and some adjustments for FY 1995 outside agency funding.

\$2,893,492

RECORD S44-600

(End Consent Agenda)

BOND COUNSEL

H. Hamilton Rice, Jr., County Attorney, referred to the proposal from the law firm, Mudge, Rose, Guthrie, Alexander and Ferdon, one of the two firms to be interviewed in connection with selection of Bond Counsel.

Walter Breen, of the firm, gave a summary of the proposal and reviewed statistics and background of the firm.

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Discussion: Experience with ports; length of time to obtain a response for a question relative to tax issues; etc.

Jeff Piedmont, also of the firm, responded to tax questions.

Discussion: When Mr. Breen became Of Counsel.

Inasmuch as the interview with Greenberg, Traurig was held November 1, 1994, Mr. Rice suggested the matter be set for determination at the next regular meeting.

NON-PROFIT AGENCY AND COMMUNITY CENTER - FY 1995 FUNDING AGREEMENTS

Fred Loveland, Community Services Director, recommended execution of FY 1995 Non-profit Agencies General Revenue Funding Agreements (various terms) with:

Manatee Glens Corporation/Aging Services Program	\$12,516	S44-601
Manatee Glens Corporation/Mental Health Transport	18,000	S44-602
Aids Council of Manatee, Inc./Outreach & Assistance	15,000	S44-603
Meals on Wheels Plus of Manatee, Inc./Adult Day Care	31,500	S44-604
Town of Longboat Key/Mothers Morning Out	3,150	S44-605
Sarasota-Bradenton Composite Squadron Civil Air Patrol/ Sunset Patrol	2,500	S44-606
Manatee County Girls Club dba Just For Girls/After School Program	42,000	S44-607

RECORD

Trip Donation Commitment - Meals on Wheels Plus Inc.

Harry Mendenhall, Public Transportation Department, recommended (agenda memo 11/4/94) to execute a letter of commitment certifying the intent of Manatee County to provide trips as a contribution toward Manatee Meals on Wheels Title III Local Match Requirements, at a cost of \$11,245.

Discussion: Total funding for an organization; etc.
(Depart Mrs. Glass and Mr. McClash)

Motion was made by Mr. Gause, seconded by Mrs. Harris and carried 5 to 0, to approve recommendation to execute FY 95 Non-profit Agencies general revenue funding agreements; and letter of commitment certifying Manatee County's intent to provide trips as a contribution toward Manatee Meals on Wheels Title III Local Match Requirements, at a cost of \$11,245.

RECORD S44-608

BAYSHORE GARDENS/TRAILER ESTATES DREDGING PROJECT

Janet McAfee, Public Services Department, recommended to waive landfill tipping fees for Southport Dredging to remove dredged material from the Bayshore Gardens/Trailer Estates Dredging Project for use as daily cover at the Lena Road Solid Waste Management Facility.

Motion was made by Mr. Chetlain, seconded by Mrs. Harris and carried 5 to 0, to approve the request to waive the landfill tipping fees for Southport Dredging as recommended.

(Enter Mrs. Glass)

SURFACE WATER IMPROVEMENT MANAGEMENT (SWIM) CONTRACT/BRADEN RIVER PARK

(Enter Mr. McClash)

Charles Hunsicker, Public Services Department, recommended (agenda memo 10/18/94) execution of the cooperative agreement with Southwest Florida Water Management District (SWFWMD) to conduct Habitat Enhancement and Restoration of portions of Braden River Park for a term until December 31, 1996, at a cost of \$20,600 in in-kind services.

Motion was made by Mrs. Harris and seconded by Mrs. Hooper, to approve the request to execute the cooperative agreement with SWFWMD as recommended.

In response to discussion, Dan Hopkins, Parks and Recreation Director, advised that appropriate environmental studies have been performed in the area and funds budgeted to make allowances for this project.

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

RECORD S44-609

LEFFIS KEY HABITAT RESTORATION

Karen Collins, Environmental Action Commission (EAC) Director, recommended (agenda memo 11/2/94) execution of Change Order 2 to contract (Bid 425704MP) for Leffis Key Habitat Restoration, Boardwalk and Overlook Platforms with Tampa Contracting Services, Inc., for an increase of \$5,528, total not to exceed \$60,315.

Jack Gorzeman, EAC, explained the boardwalk is in a transition area above the high tide line.

Motion was made by Mrs. Glass, and seconded by Mrs. Harris, to approve the recommendation. Voting "Aye" were Mrs. Glass, Mrs. Harris, Mr. McClash, Mr. Chetlain, Mrs. Hooper and Mr. Stephens. Voting "Nay" was Mr. Gause. Motion carried. RECORD S44-610

STATE HOUSING INITIATIVE PARTNERSHIP PROGRAM REMEDIAL REPAIRS

Karen Jackson-Sims, Community Affairs Director, recommended execution of Work Assignment 4 for architectural/engineering services of remedial repairs to existing structures related to the State Housing Initiative Partnership Program (SHIP) with Stevenson Architects Inc., for a not to exceed amount of \$15,740.

Motion was made by Mrs. Hooper and seconded by Mrs. Glass, to approve Work Assignment 4 as recommended. Voting "Aye" were Mrs. Hooper, Mrs. Glass, Mrs. Harris, Mr. McClash, Mr. Chetlain, Mr. Stephens. Voting "Nay" was Mr. Gause. Motion carried. RECORD S44-611

ENVIRONMENTAL ACTION COMMISSION - BUILDING IMPROVEMENTS

Samuel L. Love, Facilities Management Director, reviewed the requested improvements to the EAC building at 202 6th Avenue East. Upon request for additional information at the September 22, 1994, meeting, Facilities Management met with EAC staff and modified the plans to include only necessary modifications to the mechanical system. Improvements also being considered are lab surfaces, parking lot, ramp and handicapped parking space.

Motion was made by Mr. McClash and seconded by Mr. Gause, to defer this matter until the EAC Review Committee has completed its review and to bring back a recommendation. Voting "Aye" were Mrs. Hooper, Mrs. Harris, Mr. McClash, Mr. Chetlain and Mr. Gause. Voting "Nay" were Mrs. Glass and Mr. Stephens. Motion carried.

LIBRARY DESIGN CRITERIA

Mr. Love recommended approval of conceptual design and authorization for staff to proceed with the development of one Design/Build contract for both South Manatee Branch Library and Braden River Branch Library.

Motion was made by Mrs. Harris and seconded by Mrs. Glass, to approve conceptual design and authorization for staff to proceed with the development of one Design/Build contract for both South Manatee Branch Library and Braden River Branch Library, and that the two facilities be built independently (so that construction will not be delayed in the event there may be difficulty with Braden River Branch Library).

Discussion: South Manatee Branch Library is a priority; funds were being raised by South County prior to beginning of construction; etc.

Diane Frenz, Information Services Director, advised that October 1995 is the target date for building the Braden River Library, and a response from the State is anticipated regarding a \$400,000 grant, therefore, funding would not be received until July 1995.

Motion carried unanimously.

PLANNING, PERMITTING AND INSPECTIONS - ADMINISTRATIVE COMPLEX MODIFICATIONS

Mr. Love recommended approval of Planning, Permitting, and Inspections (PPI) modifications, and funding for modifications, to the second and fourth floors of the Administrative Complex (authorized 4/13/93).

Jim Seuffert, Financial Management Director, advised that any rollover of funds has not been approved.

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(Cont'd)

Motion was made by Mr. McClash and seconded by Mrs. Glass, to approve the request for PPI recommendations and funding for modifications to the second and fourth floors of the County Administrative Complex.

Discussion: Schedule a work session to discuss budget policy due to concerns of the rollover and fund balances, etc.

Motion carried unanimously.

MANATEE AGRICULTURAL REUSE SUPPLY

Ms. McAfee recommended conceptual approval to proceed with modification to the SWFWMD New Water Source Initiative Manatee Agricultural Reuse Supply (MARS) Program, and explained the reasons for the request.

Motion was made by Mr. McClash, seconded by Mrs. Glass and carried unanimously, to conceptually approve to proceed with modification, as recommended.

EMINENT DOMAIN - DANIEL JUDGE

The County Attorney recommended approving a settlement in the sum of \$15,063, plus \$3,355 in attorney fees, costs and expenses, for an aggregate sum of \$18,418, in the matter of Manatee County v. Daniel Judge, et al, Case CA-94-169. This is an eminent domain matter involving reclaimed water line extension along the Little Pittsburgh drain canal, located south of 63rd Avenue East.

Motion was made by Mr. McClash, seconded by Mr. Chetlain and carried unanimously, to approve the recommendation.

GONDECK V. DUNCAN V. MANATEE COUNTY

Mr. Rice recommended that appointing a representative (and alternate) to attend the mediation conference to be held on November 30, 1994, in the matter of James Gondeck, etc., et al., v. Tilisa April King Duncan, et al., v. County of Manatee, et al., Case CA-92-704.

Motion was made by Mr. McClash, seconded by Mrs. Hooper and carried unanimously, to appoint Mrs. Harris as the mediator, with Mrs. Glass as the alternate.

WORKPLACE SAFETY COMMITTEE

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

R-94-236 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE ADOPTION OF NEW GUIDELINES FOR A WORKPLACE SAFETY COMMITTEE AND CREATING A WORKPLACE SAFETY COMMITTEE, CONSISTENT WITH THE STATE WORKERS' COMPENSATION LAW.

RECORD S44-612

DIRECTORS - PUBLIC SERVICES AND TRANSPORTATION DEPARTMENTS

Public Services Department

Mr. Estabrook recommended confirmation of **Lenox E. (Len) Bramble, P.E.**, for position of Public Services Department Director, at an annual salary of \$67,516.80.

Public Transportation Department

Mr. Estabrook recommended confirmation of **Larry R. Mau, P.E.**, for position of Public Transportation Department Director, at an annual salary of \$66,019.20.

Motion was made by Mr. McClash and seconded by Mr. Chetlain, to accept the County Administrator's recommendations to confirm both positions. Voting "Aye" were Mrs. Hooper, Mr. McClash, Mr. Chetlain, Mr. Gause and Mr. Stephens. Voting "Nay" were Mrs. Harris and Mrs. Glass. Motion carried.

(Depart Mrs. Harris)

AMERECYCLE RECYCLING - DRAFT CONTRACT

(Enter Mrs. Harris)

Mr. Estabrook presented the fundamental elements of the proposed draft solid waste service contract with The American Recycling Company, Inc., (d/b/a Amerecycle).

He referred to the proposed term of the contract: 30 years, 20 years plus a ten year management contract, and reviewed items in the contract. He addressed concerns regarding the need for public comment, and reviewed the requirements for public hearings.

A lengthy discussion was held, and numerous questions and/or concerns were raised.

Ed Vogler, counsel for Amerecycle, responded to questions/concerns. He stated there are eight weeks of composting time on the compost pads and each day the tonnage is delivered and processed through the facility. There are approximately three days of storage time in the facility.

Jeff Clooney, representing solid waste consultant R. W. Beck and Co., addressed the ability to meet the 30 percent reduction goal.

Gus DiFonzo, Public Services Department, explained the two parts of the state mandate. Direction was given that information be brought back regarding the state mandate requirements.

(Mrs. Hooper absent for portion of discussion)

Information regarding "Sarasota Recycling Goals Worksheet" (July 1, 1993, through June 30, 1994) was submitted by Mr. McClash. He noted that Sarasota County met the 30 percent reduction goal.

Mr. Vogler advised that Amerecycle guarantees compliance with the State mandated goal.

Discussion: Flow projections that were recently submitted to base the determinations; what is net mass loss.

Recess/Reconvene. All members present.

Mr. Estabrook submitted letters, petitions and other documents submitted both in opposition and in favor of the proposals.

Discussion: Use compost as a daily cover; percentage of what Amerecycle can anticipate as its flow share; yard wastes; no obligation to deliver yard wastes; etc.

Steve Sanford, bond counsel, addressed the County Attorney's memo regarding guaranteed maximum indebtedness no longer tied into the guaranteed maximum price; instead, maximum indebtedness is tied into the actual costs of financing a facility.

Mr. Vogler referred to various exhibits displaying information relating to information about Amerecycle.

Discussion: Budget; additional funds; County's financial liability; bonds; diversion rate; processible waste; service fee establishment; unanticipated capital costs; operating costs; hazardous wastes; composting procedure; safety mechanisms; general obligation; curbside recycling; recovery rate guarantee.

(Mrs. Harris, Mr. Gause, and Mr. Chetlain absent for portion of discussion)

Direction was given for staff to bring back additional information and provide for public comment at a special meeting on November 22, 1994.

Several items were entered into the record by Mr. Estabrook and Mr. Stephens.

Recess/Reconvene. All members present except Mr. Chetlain.

CANAL DREDGING PROJECT - BAY COLONY

Public hearing (Notice in The Bradenton Herald 10/21/94) was held to consider

Canal Dredging Project 3910, Bay Colony

Jamaica Harbor from edge of canal, north 2,715 feet

Exeter Harbor from edge of canal, north 800 feet

Dartmouth Harbor from edge of canal, north 1,540 feet

Berkley Harbor from edge of canal, north 1,754 feet

and

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R-94-250 RESOLUTION APPROVING SPECIAL CANAL DREDGING PROJECT 3910, BAY COLONY
(and authorization for the Chairman to execute an agreement with the Property Appraiser and Tax Collector).

Ms. McAfee advised this is the first public hearing to consider the Bay Colony Dredging Project. She reviewed the locations, design standards, estimated project costs, etc., contributions from WCIND and the County, and the fixed annual payment for five years at 7.5 percent interest.

(Enter Mr. Chetlain)

She submitted a letter from **Victor Coveduck** regarding the County contribution, and letters from other residents, who are opposed to the project.

Ila Brown, Bay Colony resident, stated she was in favor of the project. She submitted a copy of a map indicating the location of her property.

The following spoke in support of the dredging project:

Jennie Comer, Howard Comer, Sandy Fach, Jim Check, Edgar H. Wood, Patricia Patton, J. H. Pophan

Victor Coveduck, representing Bay Colony Board of Directors, thanked the Commissioners for efforts relating to the project.

Further public comment was held in support of the project:

Tom Salpas, Frank J. Selz, Richard Ervin, Leonard Conner

Motion was made by Mr. Chetlain, seconded by Mr. Gause and carried unanimously, to adopt Resolution R-94-250, and authorize execution of an agreement with the Property Appraiser and Tax Collector. RECORD S44-613
S44-614

STREET VACATION - LONGBAY BOULEVARD

(Depart Mrs. Glass)

Public hearing (Notice in The Bradenton Herald 10/19/94) was opened to consider

R-94-288-V A RESOLUTION ON APPLICATION BY MANATEE COUNTY VACATING A PORTION OF THE RIGHT-OF-WAY OF LONGBAY BOULEVARD BETWEEN THE SOUTH RIGHT-OF-WAY LINE OF BERNARD AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF BRADEN AVENUE (PLAT BOOK 2, PAGE 136).

Jim Staples, Land Acquisition, explained the issue regarding ownership of the land lying between Longbay Boulevard and Sarasota Bay. It was believed that 16 property owners owned the area because it was included in legal descriptions on the tax roll. Property owners do not pay ad valorem taxes on the property according to the Property Appraiser.

He referred to memorandum (8/12/94) from Mitchell O. Palmer, Assistant County Attorney, explaining that the property in question is not privately owned and the area is part of a 100-foot-wide public road right-of-way for Longbay Boulevard.

(Enter Mrs. Glass)

Discussion: Federal Emergency Management Agency funds used to repair seawalls; to whom would the property revert in the event it was vacated.

Mr. Staples stated he does not support vacating Lot 31, Block G, and Lot 36, Block H, in that drainage/utility easements have not been received.

Louis Pappas addressed concerns about public safety and vagrants loitering in the area.

Michael Rodrigue, resident of Longbay Boulevard, supported the vacation. He submitted information regarding his real property, appraisal and assessment with a legal description. A lengthy discussion was held regarding his property.

The following spoke in favor of the vacation:

Daniel Green, Mark Snow, Marty Ferris, Jane Icely, Philip Taylor, Sheila Taylor, and John Rivette.

Stewart Allen was in opposition to the vacation.

Motion was made by Mrs. Harris and seconded by Mrs. Glass, to continue the public hearing to December 6, 1994, at 2:00 p.m., or as soon thereafter as possible.

Discussion: Ownership of riparian rights.

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

Recess/Reconvene. All members present.

TROPICAL STORM "GORDON"

A status report was presented by E. Michael Latessa, Public Safety Director, relating to Tropical Storm "Gordon."

SALARY ADJUSTMENTS - FY 1995 REORGANIZATION

At the October 18, 1994, meeting a request was made to review reclassifications in the Human Resources Department. Concern had been raised that certain employees received pay adjustments.

Discussion: Studies conducted over two years on classifications of Human Resources Department; staffing levels; budget forecasting for promotions; criteria used for reclassification; part-time position with five pay grades increase; job title; etc.

Frank Gilbert, Human Resources Director, explained the division manager received a five pay grade increase. The position was well documented and within the parameters of the pay grade for the position.

Mr. Gilbert was instructed that information regarding adjustments within County departments be provided prior to budget considerations.

COMMISSIONERS' COMMENTS

Thanks to Board of County Commissioners and Staff

Mr. Chetlain thanked the Commissioners and staff for being recognized for his years of service to Manatee County.

Bills for Yard Waste Pick-up

Mrs. Harris advised she has received complaints that bills for yard waste pick-up were received in October, but the waste pick-up did not commence until November 1st.

Disposition: Referred to Public Services to review and report back.

Noise Ordinance

Mrs. Harris advised that she has not yet received information she requested in June 1994 regarding the noise ordinance.

Disposition: Referred to the Planning, Permitting and Inspections.

Payment Drop Boxes/Tax Collector's Office

Mrs. Hooper suggested installing payment drop boxes at the Tax Collector's mall offices.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


 Clerk
 Adj: 5:30 p.m.


 Chairman 11/10/95