

DECEMBER 15, 1994

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Thursday, December 15, 1994, at 9:26 a.m.

Present were Commissioners:

Stan Stephens, Chairman
 Joe McClash, First Vice-Chairman
 John R. Gause, Second Vice-Chairman
 Gwendolyn Y. Brown
 Patricia M. Glass
 Lari Ann Harris
 Maxine M. Hooper

Also present were:

Mark P. Barnebey, Assistant County Attorney
 Susan G. Romine, Deputy Clerk, representing
 R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

PROCLAMATIONS

Drunk and Drugged Driving Prevention Month

Upon motion by Ms. Brown and second by Mrs. Glass, a Proclamation was unanimously adopted designating the month of December 1994 as "Drunk and Drugged Driving Prevention Month" in Manatee County. RECORD S44-683

(Mr. McClash presiding)

Luther Ware Day - Employee of the Year

Mr. Stephens moved to adopt a Proclamation designating December 15, 1994, as "Luther Ware Day" in acknowledgement of his selection as "Employee of the Year." Motion was seconded by Mrs. Hooper and carried unanimously. RECORD S44-684

Mr. Ware was presented with a plaque and a framed picture of the Chamber of Commerce's Manatee County logo.

(Mr. Stephens presiding)

AGENDA CHANGES/DELETIONS

Carol Clarke, Planning, Permitting and Inspections Director, reviewed the following changes to the agenda:

- Discussion of Collective Bargaining Contract - Deleted.
- Law Enforcement and Jail Management Automated Systems - Agreement with BI, Incorporated, - Deleted from Consent Agenda.
- Environmental Review Committee Report (Environmental Action Commission meeting) - Deferred to January 3, 1995.
- Manatee County v. Jefferson C. Asbury, Jr. - Pending Litigation Assessment meeting to be opened at 11:45 a.m. and continued to private session at 1:30 p.m.

(Mrs. Glass absent for portion of discussion)

CONSENT AGENDA

Motion was made by Mrs. Glass, seconded by Ms. Brown and carried unanimously, to approve the Consent Agenda for December 15, 1994, incorporating the language as stated in the recommended motions and staff reports (with the deletion noted above). Items APPROVED:

ZONING

Public hearing (Notice in The Bradenton Herald 11/28/94) was held to consider

Z-94-16 CURTIS PETZOLDT - A-1 (APPROVED)

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY, ORDINANCE NO. 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A TO A-1; PROVIDING AN EFFECTIVE DATE; LOCATED ON 5.8 ACRES AT THE SOUTHEAST CORNER OF MULHOLLAND ROAD AND FORT HAMER ROAD.

Planning Commission recommended ADOPTION.

RECORD S44-685

(Depart Mr. McClash)

Public hearing (Notice in The Bradenton Herald 11/28/94) was held to consider

PDR-94-11(Z) GEORGE H. FOY - PDR (APPROVED)

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA.....; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A-1 TO PDR; PROVIDING AN EFFECTIVE DATE; LOCATED ON 173.3 ACRES AT THE NORTHWEST CORNER OF OLD TAMPA ROAD AND FT. HAMER ROAD.

Planning Commission recommended ADOPTION with Stipulation:

1. No approval for a specific land use, density or intensity is being granted at this time. Land uses, density and intensity shall be approved, approved with conditions, or denied based on Section 603.4 of the LDC at time of General Development or Preliminary Site Plan review.

RECORD S44-686

Public hearing (Notice in The Bradenton Herald 11/28/94) was held to consider

Z-94-19 NU-GULF INDUSTRIES, INC. - A (APPROVED)

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA.....; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM EX TO A; PROVIDING AN EFFECTIVE DATE; LOCATED ON 101 ACRES AT THE NORTHEAST INTERSECTION OF LOGUE ROAD AND SR 64.

Planning Commission recommended ADOPTION.

RECORD S44-687

(NOTE: See vote change later in the meeting.)

Public hearing (Notice in The Bradenton Herald 11/28/94) was held to consider

PDR-91-18(P)(R) STANLEY TSIGOUNIS/FISHERMAN'S COVE (APPROVED)

Request: Revised Preliminary Site Plan to establish setbacks on 7.96 acres on the east side of Palm View Road, 300 feet north of U.S. 19.

RECORD S44-688

(Enter Mr. McClash)

Public hearing (Notice in The Bradenton Herald 11/28/94) was opened to consider

PDR-94-09(P) - OVERSEAS PARTNERSHIP/PLANTATION BAY

(CONTINUED TO JANUARY 26, 1995)

Request: Preliminary Site Plan to allow 31 single-family detached residences, 74 single-family semi-detached residences, and 168 multi-family units at a gross density of 4.93 du/acre and Special Approval to a project located in the Coastal High Hazard Area, on 57.7 acres located on the south side of U.S. 301, 500 feet west of Linden Avenue and extending southward to the Manatee River.

VARIANCE FEE WAIVER - ARLENE LOIS SMITH

Waiver of the \$1,112 variance application fee and advertising costs in the approximate amount of \$100 for Arlene Lois Smith.

AFFORDABLE HOUSING - HOME PROGRAM

Amendment 2 to HOME Subrecipient Agreement with the Florida Housing Finance Agency to allow Manatee County to participate in the HOME Program.

RECORD S44-689

GRANT - SUGG MIDDLE SCHOOL/AFTER-SCHOOL PROGRAM

Revised grant application to the Manatee County School Board for February 1, 1995, through June 8, 1995, \$28,376.

SHIP HOUSING REHABILITATION PHASE IV

Award IFB 515614DC to Tri-Tech Construction & Design Company, for a total amount of \$64,331 for rehabilitation of four homes (James and Massie Doizer, 7719 119th Avenue; Marguerite Lindbloom, 7129 122nd Avenue East; Wilvert Clark, 7745 118th Avenue East; and Francis Reed, 8207 120th Avenue East, all in Parrish).

ADULT OFFENDER NONRESIDENTIAL DRUG ABUSE TREATMENT/PREVENTION SERVICES

Amendment 8 to Agreement for purchase of services with Coastal Recovery Centers, Inc., providing for

- Decrease in total not to exceed (4/6/93-9/30/94), from \$358,978 to \$355,198; and
- Increase in total not to exceed (10/1/94-12/30/94), from \$67,948 to \$71,728, for a total not to exceed contract of \$252,638 (for 10/1/94-9/30/95).

RECORD S44-690

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(Cont'd)

GRANT - FEDERAL TRANSIT ADMINISTRATION SECTION 9 APPLICATION

Execution and filing of FY 1995 grant application with the U.S. Department of Transportation, pursuant to R-92-279, in the total amount of \$2,273,704 (Capital: \$817,000; Operating: \$1,456,704) for October 1, 1994, through September 30, 1995. RECORDS44-691

MANATEE VALLEY DRAINAGE DISTRICT

Adoption of

R-94-332 A RESOLUTION PROVIDING FOR THE MANATEE VALLEY DRAINAGE DISTRICT. RECORDS44-692

FOGARTY HOUSE - VARIANCE

Staff to initiate a variance for FEMA minimum height requirements for the historic Fogarty house on Terra Ceia.

VEHICLE PURCHASES

Purchase via State contract, or from other vendors at pricing equal to or less than State contract price, 31 vehicles for various County departments from multiple vendors, total not to exceed \$505,041.90, as follows:

Bill Graham Ford	\$154,409.90
Caruso Chrysler, Plymouth, Jeep, Inc.	151,316.00
Don Reid Ford	123,398.00
Garber Buick, Pontiac, GMC, Inc.	75,918.00

CLERK'S CONSENT CALENDAR**BONDS****Accept:****Winn Dixie, West Lake Plaza (FSP-89-10)**

1. Agreement with Corporate Development Corp. warranting required improvements, \$2,620.
2. Defect Security: \$2,620 (Surety Bond 30571107, Fidelity and Deposit Company of Maryland, surety)

Palmbrooke at River Club North (86-S-18)

1. Agreement with Pursley, Inc., warranting required improvements, \$18,710.63.
2. Defect Security: \$18,710.63 (Letter of Credit 131, First Commercial Bank)
3. Agreement with Pursley, Inc., guaranteeing completion of required improvements, \$12,480.
4. Performance Bond: \$12,480 (Letter of Credit 132, First Commercial Bank)

Release:**North River Interchange Park (90-S-08)**

1. Agreement with North River Interchange Park Partnership warranting required improvements, \$12,070.20.
2. Defect Security: \$12,070.20 (Certificate of Deposit 0205030336, Bank of Boston - Florida, N.A., Sarasota Office)
3. Authorize execution of Assignment of Certificate of Deposit, "Assignee's Release of Assignment."

RESCIND BILLS FOR PAYMENT

Bush Ross et al - Cerniga v Manatee County (appr 12/6/94)	\$ 196.79
Bush Ross et al - Dillard v Manatee County (appr 12/6/94)	197.64

BILLS FOR PAYMENT

Hogg, Allen, et al - Retainer/General Matters (10/94)	10,020.75
Greenberg Traurig - Amerecycle Recycling Prgm	28,319.45
Sewell, Valentich, et al - SR 70 Widening/Appraisal Svcs	1,500.00
Richard Bass Assoc - SR 70 Widening/Appraisal Svcs	2,500.00
Professional Service Industries - Wauchula Road Bridge	5,734.05
Price Brothers - 42" Wtr Transm Main, Ph I (Water Treatment Plant to University Parkway)	555,797.14
Rockdale Pipeline - 42" Wtr Transm Main, Ph I (Water Treatment Plant to SR64)	259,204.85
T. A. Forsberg - 42" Wtr Transm Main, Ph II (SR64 to SR70)	157,384.00
American Cast Iron Pipe - 42" Wtr Transm Main, Ph II (SR64 to SR70)	284,523.89
Sky Construction - Terra Ceia Water Main Imprvmts, Ph II	88,865.03
Black & Veatch - SE Wastewater Treatment Plant/As-Built Drawings of East Pond Effluent Storage Site	6,953.01
Black & Veatch - SW Wastewater Treatment Plant/Aeration & Digester System Improvements	2,613.59

Black & Veatch - Water Treatment Plant/Conceptual Design for Laboratory Expansion	5,761.63
Briley Wild - Reclaimed Water Main (Bay Drive to 34 St W)	10,365.01
Bradenton Herald - 1994 Notice Tax Impact of the VAB	497.18
T. W. Althof - Housing Rehabilitation/Simmons	5,514.75
Ellis Enterprises - Housing Rehabilitation/Cooper	8,939.50
Stevenson Architects - Urban Forestry Master Plan, Final Plan Phase (Inv 38)	2,475.00
Stevenson Architects - Urban Forestry Master Plan, Construction Administration (Inv 45)	150.00
L. C. Soles Roofing - Roof Replacement/Bryant (SHIP Prgm)	2,650.00
Stately Contractors - 9 Ave NW/75 St Improvements	54,904.57
Glace & Radcliffe - Bayshore Gdns Pkwy (26 St to 34 St W)	910.80
Woodruff & Sons - Bayshore Gdns Pkwy (34 St to 26 St W)	198,763.76
Zoller Najjar & Shroyer - Terra Ceia Isl Water Lines, Ph II	783.25
Post Buckley et al - Oneco Drain, Ph I	370.00
Post Buckley et al - Glen Creek, Ph II	395.04
Richard Fawley Architects - Manatee Beach Groin Imprvmts	357.00
CCI Environmental Services - Buffalo Creek Golf Course	112.30

Detention Facility:

Trane Company - Air Conditioning Equipment (PO 100158)	45,393.00
Mayer Electric Supply - Lighting Fixtures (PO 100235)	421.24
Overhead Door Corp. - Door Equipment (PO 100896)	9,979.00
Stratton Commercial Carpets - Carpeting (PO 101090)	4,805.38
Orders Distributors - Resilient Floor Base (PO 101091)	2,901.60
Armstrong World Industries - Acoustical Ceiling (PO 101195)	5,496.00
Hudsha Paints & Materials - Painting Materials/Accessories (PO 101344)	11,071.00
Lescher & Mahoney/DLR Group:	
Basic Fee for Services (7/94)	21,700.00
Data Lines, Change Order 6 (7/94)	16,100.00
Site Representative Services (7/94)	5,000.00
Expansion Pods N & P (7/94)	3,575.00
Basic Fee for Services (8/94)	21,700.00
Site Representative Services (8/94)	5,000.00
Expansion Pods N & P (8/94)	3,575.00
Basic Fee for Services (9/94)	21,700.00
Site Representative Services (9/94)	5,000.00
Expansion Pods N & P (9/94)	3,575.00
Basic Fee for Services (10/94)	21,700.00
Site Representative Services (10/94)	5,000.00
Expansion Pods N & P (10/94)	3,575.00
Basic Fee for Services (11/94)	21,700.00
Site Representative Services (11/94)	5,000.00
Expansion Pods N & P (11/94)	3,575.00
Centex Rooney/National Development:	
Construction Manager's Compensation (PO 97771)	130,203.24
Long-lead Procurement of Site Work/Equipment (PO 98879)	22,071.00
Construction (PO 99117)	521,080.00

REFUNDS

The Prime Group - Impact Fee Credit	28,027.43
Rose Hak - EMS Ambulance Overpayment	220.00

WARRANT LIST

Approve: December 6, 1994, through December 14, 1994
 Authorize: December 15, 1994, through January 2, 1995

AUTHORIZE CHAIRMAN TO SIGN

Partial Release of Special Improvement Assessment Liens:

Projects: 2502 (2); 3905 (2); 3905 Corrective (4); 5074; 5148;
 5152 (2); 5197 (5); 5254

Satisfaction of Judgment: Lewis Outzie, Case 89-2934F (\$200)

ACCEPT

**1994 Notice of Tax Impact of the Value Adjustment Board - Proof of
 Publication from The Bradenton Herald (published 11/28/94).
 Operational Compliance Audit of the Office of the Public Defender,
 Twelfth Judicial Circuit, April 1, 1993 - March 31, 1994, dated
 September 21, 1994, prepared by the Office of the Auditor General
 (Report No. 12406).**

(End Consent Agenda)

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(Cont'd)

ZONING

Public hearing (Notice in The Bradenton Herald 11/28/94) was held to consider

PDR-94-10(P) COPEMAN BUILDERS, INC. (APPROVED)

Request: Preliminary Site Plan to allow 40 attached single-family units in the PDR zoning district on 4.54 acres located on the north side of 28th Avenue West, 489 feet east of 75th Street West.

Planning Commission recommended APPROVAL with Stipulations:

1. Prior to Final Site Plan approval, the project must obtain a Certificate of Level of Service Compliance.
2. An application for a Fugitive Particulate Abatement Plan and an 8½-inch by 11-inch map of the construction area shall be submitted to the Director of the Environmental Action Commission for review and approval prior to the approval of a Final Site Plan for the project.
3. The Final Site Plan shall indicate an additional fire hydrant at the intersection of 28th Avenue West and the proposed driveway. Additionally, the proposed fire hydrant shown on the plans shall be relocated to the north corner (intersection).

Modification to:

1. Section 710.1.5.2 of the Land Development Code to allow for multiple stacking of parking spaces.

and Findings for Modification (as outlined in the staff report).

Darenda Marvin, Planning, Permitting and Inspections, reviewed the request and referred to the site plan. The proposed density of 8.81 du/acre is consistent with the future land use category of RES-16 and is the lowest density in the area.

She reviewed concerns that (1) only the minimum open space, 25 percent, has been provided, and (2) there are two-story condominiums on three sides of this project. She also expressed concern with regard to 75th Street West and its current deficiency in terms of capacity.

Craig Copeman, representing Copeman Builders, Inc., reviewed the design of the units. With regard to 75th Street West, he stated it is to be widened in 1995 and this project will coincide with that widening.

Based upon the staff report, evidence presented and comments made at the public hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, Mr. McClash moved to approve Preliminary Site Plan PDR-94-10(P) with Stipulations 1 through 3; adopt the findings for modification; and approve the modification to Section 710.1.5.2 of the Land Development Code as recommended by the Planning Commission. Motion was seconded by Mrs. Harris and carried unanimously.

RECORD S44-693

Public hearing (continued from 10/27/94) was opened to consider

PDW-91-02(Z) (P) HANS AND MARIA WEISSGERBER/DSA MARINA (CONTINUED)
AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA.....; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM RSF-3/WR/CH/AI AND RSF-3/WR/AI TO PDW/WR/CH/AI AND PDW/WR/AI; PROVIDING AN EFFECTIVE DATE; APPROVAL OF A PRELIMINARY SITE PLAN FOR A LARGE PROJECT ALLOWING FOR THE DRY STORAGE OF 199 BOATS, AN 851-SQUARE-FOOT DOCKMASTER BUILDING, AND A 4,300-SQUARE-FOOT RETAIL BOAT SALES AND SERVICE AREA WITH OUTDOOR DISPLAY, INCLUDING SPECIAL APPROVAL FOR A PROJECT LOCATED IN THE CH DISTRICT LOCATED ON 6 ACRES ADJACENT TO THE WEST SIDE OF U.S. 41, IMMEDIATELY SOUTH OF BOWLEES CREEK.

Planning Commission recommended APPROVAL with Stipulations 1-29. Staff also added Stipulation 30.

RECORD S44-694

The Chairman submitted correspondence from Thomas F. Icard Jr., as trustee of property adjacent to the subject property, requesting this item be continued. Mr. Icard advised he received no notice beyond the July 1994 notice of the Planning Commission meeting.

Discussion: If there is a notice issue; the Code no longer requires notices to be delivered by registered mail; etc.

Alan Prather, attorney representing the applicant, stated they met the requirement of the Code for notices and further delay is unwarranted.

Discussion: The ordinance would be void if a court determined adequate notice was not given; liability if continuation caused adverse impacts on the applicant/property owner; etc.

Jeffrey Steinsnyder, Assistant County Attorney, referred to Section 502.5.6 of the Land Development Code, Defects in Notice.

Thomas Icard, Jr., stated he would accept a continuance at this time as proper notice of the hearing.

Motion - Withdrawn

Mr. Harris moved to continue the public hearing on PDW-91-02(Z)(P) to January 3, 1995, at 2:00 p.m., or as soon thereafter as may be heard. Motion was seconded by Mrs. Glass.

John Chittenden suggested the hearing be delayed an additional week to allow people who may be away for the holidays to attend the meeting.

The motion and second were **withdrawn**.

Steve Belack stated he is opposed to development that is not consistent with the surrounding neighborhood.

Motion - Withdrawn

Mrs. Harris moved, and Mrs. Glass seconded, to continue PDW-91-02(Z)(P) to January 10, 1995, at 2:00 p.m., or as soon thereafter as may be heard.

Inasmuch as Mr. Prather had a conflict with January 10, 1995, Mrs. Harris **withdrew** the motion.

Motion - Carried

Mrs. Glass moved to continue the public hearing to January 3, 1995, at 2:00 p.m., or as soon thereafter as same may be heard. Motion was seconded by Mr. Gause. Voting "Aye" were Mr. Gause, Ms. Brown, Mr. Stephens, Mrs. Harris, Mrs. Hooper, and Mrs. Glass. Voting "Nay" was Mr. McClash. Motion carried.

(Depart Mr. Gause)

ORDINANCE 94-20: COMPREHENSIVE PLAN AMENDMENT

Public hearing (Notice in The Bradenton Herald 12/9/94) was held to consider

ORDINANCE 94-20 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE MANATEE COUNTY COMPREHENSIVE PLAN, ORDINANCE 89-01, AS AMENDED; PROVIDING FOR AN AMENDMENT DELETING FISCAL YEAR 1994 AND APPLICABLE DATA, AND ADDING FISCAL YEAR 1999 AND APPLICABLE DATA TO TABLES 12-1, 12-2, 12-3, AND 12-4, OF THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR AN AMENDMENT TO TABLE 12-1: SCHEDULE OF CAPITAL IMPROVEMENT PROJECTS, FY 1994-1998, INVOLVING REVISIONS TO SCOPE, FORMAT, TIME FRAME, COSTS, FUNDING SOURCES, AND CONTENT TO TRANSPORTATION PROJECTS, DRAINAGE PROJECTS, PARKS PROJECTS, SANITARY SEWER PROJECTS, SOLID WASTE PROJECTS, POTABLE WATER PROJECTS, AND MASS TRANSIT PROJECTS; PROVIDING FOR COUNTERPART AMENDMENTS TO TABLE 12-2: GENERAL GOVERNMENT FUNDING OF CAPITAL IMPROVEMENTS, FY 1994-1998; TABLE 12-3: ENTERPRISE OPERATIONS FUNDING OF CAPITAL IMPROVEMENTS, FY 1994-1998; TABLE 12-4: SUMMARY OF REVENUES AND EXPENDITURES FOR CAPITAL PROJECTS, FY 1994-1998 TO REFLECT AMENDMENTS TO SCOPE, FORMAT, TIMEFRAME, COSTS, FUNDING SOURCES, AND CONTENT OF SAID TABLE 12-1; PROVIDING FOR THE AMENDMENT OF RELATED INFORMATION NECESSARY TO IMPLEMENT THE CHANGES TO THE CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-94-09 - Capital Improvements Element)

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Dick Hudson, Planning, Permitting and Inspections, advised there were no comments from the Department of Community Affairs.
(Enter Mr. Gause)

Motion was made by Mr. McClash, seconded by Mrs. Glass and carried unanimously, to adopt Ordinance 94-20 (PA-94-09). RECORD S44-695

NON-AD VALOREM ASSESSMENTS - STANDARD/ANNUAL UNIFORM METHOD FOR COLLECTING
Public hearing (continued from 12/6/94) was held to consider

R-94-290 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING THE INTENT OF THE BOARD TO USE THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM ASSESSMENTS FOR ROAD PAVING, SANITARY SEWER, STORMWATER, STREET LIGHTING, CANAL DREDGING, DRAINAGE IMPROVEMENT, AND LANDSCAPE BEAUTIFICATION PROJECTS AUTHORIZED PURSUANT TO CHAPTER 197, FLORIDA STATUTES; STATING THE NEED FOR THE LEVY OF NON-AD VALOREM ASSESSMENTS, INCLUDING A LEGAL DESCRIPTION OF THE BOUNDARIES OF THE REAL PROPERTY SUBJECT TO THE LEVY, AND PROVIDING AN EFFECTIVE DATE.

Road Assessments Including Paving and/or Paving and Drainage - Projects:

- 5023 - John Wesley Park including 67th Avenue East, 66th Avenue Drive East, 16th Street Court East, and 19th Street East.
- 5069 - 15th, 16th, 17th, and 18th Streets West
- 5082 - 54th Avenue Drive West
- 5129 - Memphis Road
- 5155 - 45th Street East
- 5252 - 44th Avenue East
- 5256 - Rexrode Road and River Road

Sewer Assessments Including Installation of Sanitary Sewer - Projects:

- 5149 - Sunkist Acres/15th Avenue Drive East, Palmetto
- 5875 - 60th Avenue West
- 5876 - 51st Avenue East
- 8604 - Lychee Acres including 40th Avenue East, 41st Avenue East, 43rd Avenue East, and 57th Street East.

Road and Sewer Assessments to Include Paving and/or Paving and Drainage and Installation of Sanitary Sewer - Projects:

- 5067 and 301-5067 - Marlita Subdivision including 76th Street West, 42nd Avenue West, and 43rd Avenue West.
- 5128 and 301-5128 - Tropical Shores including Tropical Drive, Pine Street, 11th Avenue Est, 12th Avenue East, 32nd Street East, and Hubbel City Road.
- 5144 and 301-5144 - Riverdale Subdivision

Canal Dredging:

- Bryn Mawr (Bayshore Gardens - Section 4)
- Highland Shores Subdivision
- Alford Vowells Riverview Subdivision
- Bay Colony also known as Palmetto Skyway Replat Subdivision
- Riverdale Revised Subdivision
- Sunny Shores Subdivision

Street Lighting and/or Landscaping and/or Irrigation and/or Lake Maintenance:

- Holiday Heights
- Pine Meadow Subdivision
- Cortez Gardens

Security:

- Whitfield Avenue (Palm Aire Area)

Stormwater:

- All unincorporated areas in Manatee County

Drainage

- Manatee Valley Drainage (former Manatee Valley Drainage District)
- Meadow Lakes East

PREVIOUSLY LEVIED ASSESSMENTS BEING AMORTIZED OVER A NUMBER OF YEARS

Road Assessments Including Paving and/or Paving and Drainage - Projects:

- 5074 - Winter Gardens including 64th Avenue East, 5th Street East, 64th Avenue Drive East, and 65th Avenue East.

- 5075 - 21st Street West including 24th Avenue West and 27th Avenue Boulevard West.
- 5120 - Caloosa Drive
- 5121 - 59th Avenue Drive West
- 5147 - Samoset
- 5148 - Oneco
- 5150 - Palmetto Country Club Estates including 3rd Avenue Boulevard East, 3rd Avenue Drive East, 4th Avenue Boulevard East, 40th Street East, 41st Street Boulevard East, and 43rd Street East.
- 5165 - 24th Avenue East, Palmetto
- 5189 - 47th Street West
- 5190 - G. N. Breeze Subdivision including 7th Avenue Northwest, 8th Avenue Northwest, and 58th Street Northwest.
- 5191 - 58th Street Northwest/Citrus Acres Subdivision
- 5193 - Fogarty Subdivision including 2nd Avenue West, 4th Avenue West, and 36th Street West.
- 5197 - Fort Hamer Road/Old Tampa Road
- 5199 - 39th Street East
- 5254 - El Way/Winter Gardens Subdivision

Sewer Assessments Including Installation of Sanitary Sewer - Projects:

- 410-2502 - Palmetto Point
- 410-2502 - Bay Colony Section at Palmetto Point
- 301-2509 - Tallevast Industrial Park
- 410-8601 - Woodlawn Lakes Subdivision

Road and Sewer Assessments Including Paving and/or Paving and Drainage and the Installation of Sanitary Sewer - Projects:

- 5151 - Linger Lodge including Linger Lodge Road, 85th Street Court East, and 71st Avenue Drive East.
- 301-5151 - Linger Lodge including 84th Street Court East, Linger Lodge Road, and 71st Avenue Drive East.
- 5152 and 410-5152 - Washington Park

Canal Dredging:

- Palma Sola and San Remo Shores

PREVIOUSLY LEVIED ASSESSMENTS BEING COLLECTED FOR MORE THAN ONE YEAR

Street Lighting:

- Cape Vista Subdivision
- Gulf & Bay Estates Subdivision
- Rubonia, Being a Resubdivision of Plat of East Terra Ceia
- Pic-Town

Landscaping:

- Whitfield Avenue (Palm Aire Area)

Janet McAfee, Public Services, advised this resolution sets up the mechanism to allow projects to be placed on the 1995 tax bill.

Motion was made by Mrs. Harris, seconded by Mr. McClash and carried unanimously, to adopt Resolution R-94-290.

RECORD S44-696

HISTORIC PRESERVATION BOARD - APPOINTMENTS

Ms. Clarke advised that there are five vacancies on the Historic Preservation Board and five people have applied (four-year terms).

Motion was made by Mrs. Hooper and seconded by Ms. Brown to appoint Helen Blue, Allen Garner, Margaret Moore, Arthur Schofield, and Linda Stevenson. Motion carried unanimously.

(Depart Mrs. Harris)

COMPREHENSIVE PLAN LAND USE MAP AMENDMENT - JEANNIE SKINNER REQUEST

Ms. Clarke reported on a request by Jeannie Skinner for an area wide land use map amendment between University Parkway and Tallevast Road, along the railroad (east of U.S. 301). Initially, Ms. Skinner requested a small scale plan amendment on five acres, but now she would like to include a larger area to be designated ROR (Retail/Office/Residential).

She reviewed concerns of staff and recommended the area be examined during the Evaluation and Appraisal Report (EAR) process (for the Comprehensive Plan).

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(Enter Mrs. Harris)

Mr. Hudson stated that as part of an economic base study, the Chamber of Commerce will be reviewing industrial land use designation.

Jeannie Skinner submitted a report, with enclosures, and outlined her request for the County to initiate a Comprehensive Plan amendment from IL to ROR.

Further discussion: Location of property and surrounding roads as depicted on the map; appropriate land use on the property; etc.

Disposition: Staff to work with Ms. Skinner and adjacent property owners and come back with a status report.

BID PROTEST - FREDERICK DERR AND COMPANY

Jim Seuffert, Interim County Administrator, reported a protest was filed by Frederick Derr and Company on the bid award for the Duette Road improvement project. The former County Administrator, William Estabrook, agreed in part with the protestor and recommended rejecting all bids and rebidding the project, which was not agreeable to the protestor. He questioned whether to schedule a hearing to consider the protest or uphold the decision of the former County Administrator.

Discussion: Cost savings in rebidding the project; unbalanced bidding; whether County uses the same rules as FDOT on road projects; deletion of the contractor's license requirement; changing quantities on bids; etc.

(Mrs. Glass absent during a portion of the discussion)

Motion was made by Mrs. Harris, seconded by Mrs. Glass and carried unanimously, to set a date to hear the protest of Frederick Derr and Company.

CITY OF BRADENTON - DOWNTOWN AREA SECURITY

Motion was made by Mr. Gause, seconded by Mrs. Hooper and carried unanimously, to authorize the Chairman to sign a letter to the Mayor of the City of Bradenton regarding public health and safety issues in the downtown area and requesting a meeting to discuss the matter.

EMERSON POINT HABITAT RESTORATION - ENVIRONMENTAL RESTORATION GRANT

Charles Hunsicker, Public Services, reviewed

R-94-333 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION OF A FLORIDA POLLUTION RECOVERY PROGRAM GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR EMERSON POINT (FY 1995/1996/1997, \$180,000: FDEP \$120,000; Manatee County \$60,000)

and execution of the application upon receipt of completed documents and review and approval by the County Administrator.

Motion was made by Mr. Gause, seconded by Ms. Brown and carried unanimously, to adopt R-94-333. RECORD S44-697

GUN CLUB RELOCATION - SHERIFF TRAINING FACILITY ACQUISITION

Tedd Williams, Assistant County Attorney, reported on the status of the Gun Club relocation/Sheriff Training Facility acquisition. He submitted a Third Amendment to Memorandum of Agreements with BB Manatee Associates, Manatee County Gun and Archery Club, Inc., and Manatee County Sheriff, which extends the closing date to February 15, 1995.

Motion was made by Mr. Gause, and seconded by Mrs. Glass, to approve the agreement. Mrs. Hooper declared a conflict of interest and abstained from voting. Motion carried 6 to 0.

(NOTE: Per County Attorney's Office, agreement not to be signed this date; to come back January 3, 1995.)

CONSENT AGENDA - Z-94-19 (Cont'd)

Mrs. Hooper amended her vote on Z-94-19, Nu-Gulf Industries, Inc. She declared a conflict of interest and abstained from voting.

LAWSUIT - JEFFERSON C. ASBURY, JR.

The Chairman opened, and continued to private session at 1:30 p.m., a Pending Litigation Assessment meeting regarding Manatee County v. Jefferson C. Asbury, Jr., Case CA-93-3725.

Mr. Steinsnyder announced the location of the meeting and those who will be in attendance.

SICK LEAVE BANK - DONATION OF HOURS

Mrs. Hooper relayed a request to allow employees of the Agriculture and Natural Resources Department to donate up to 200 sick leave hours to Betty Glassburn, inasmuch as she will be on sick leave for approximately five weeks due to knee replacement surgery on both knees.

Discussion: Sick leave bank; Ms. Glassburn has used all her sick leave and is not a member of the sick leave bank; setting a precedent; Ms. Glassburn has used vacation time to perform services for the County with regard to 4-H programs; determine if time can be recouped; etc.

Mr. Seuffert stated the sick leave bank does not become effective until January 1995. At this time, there is no policy to deal with an employee who runs out of sick leave.

Disposition: Place discussion of the sick leave bank, and issues that fall outside of that purview, on the January 3, 1995, agenda.

TRAVEL

Ms. Brown to Tallahassee

Upon motion by Mrs. Glass and second by Mrs. Harris, request for authority to travel was unanimously approved (retroactively) for Ms. Brown to travel to Tallahassee, November 30 through December 2, 1994, to attend the Florida Association of Counties Annual Legislative Conference.

Commissioners to Orlando

Upon motion by Mr. McClash and second by Mrs. Harris, request for authority to travel was unanimously approved for any commissioner to travel to Orlando, January 4-6, 1995, to attend a meeting regarding stormwater pollution and control problems confronting local government.

Mr. Gause to Tallahassee

Upon motion by Mrs. Glass and second by Mr. McClash, request for authority to travel was unanimously approved for Mr. Gause to travel to Tallahassee, January 11-13, 1995, to attend the Florida Institute of Government Intergovernmental Challenges Summit.

Commissioners to Washington, D.C.

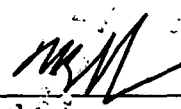
Upon motion by Mrs. Glass and second by Mrs. Hooper, request for authority to travel was unanimously approved for any commissioner to travel to Washington, D.C., March 3-7, 1995, to attend the National Association of Counties 1995 Legislative Conference.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:



Clerk



Chairman 2/7/95

Adj: 11:55 a.m.
/dev