

MARCH 12, 1996

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, March 12, 1996, at 9:04 a.m.

Present were Commissioners:

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

Also present were:

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

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

CONSENT AGENDA

Upon motion by Mrs. Glass and second by Ms. Brown, the Consent Agenda for March 12, 1996, was unanimously approved. Items APPROVED:

CORTEZ SCHOOLHOUSE

Execution of letter to Florida Department of State Division of Historical Resources in support of the acquisition of the Cortez Historic 1912 Schoolhouse by the Cortez Historical Society.

HEARING OFFICER AGREEMENT

Execution of extension of agreement for Ann Marie O'Neil to serve as Hearing Officer for a one year term ending March 24, 1997. RECORD S44-2659

CLERK OF CIRCUIT COURT

CLERK'S CONSENT CALENDAR

BONDS

Accept:

Sheriff's Public Deputies Blanket Bond (7 additions; 6 deletions)

RECORD S44-2660

Laidlaw Environmental Services (TS), Inc. - Bond Continuation

Certificate No. K04481999, extending the bond term to 2/24/97
 (Insurance Co. of North America), \$150,000.

Release:

Quail Run 86-S-09

1. Agreement with Vantage Homes guaranteeing completion of required improvements (sidewalks), \$3,322.20.
2. Performance Bond: \$3,322.20 (Cashier's Check 9950, Northern Trust Bank of Florida/Sarasota, N.A.) released to Public Works to construct sidewalks.

BILLS FOR PAYMENT

Municipal Code Corp - Supplement 32 to Code of Ordinances \$ 709.91

RESCIND REFUND

Zoller, Najjar & Shroyer - Temporary Use Permit extension
 (approved 2/22/96) 2,450.00

REFUNDS

Bollettieri Academy - Temporary Use Permit extension 2,450.00
 Robert St. Louis - Final Site Plan Fee 1,479.15

WARRANT LIST

Approve: February 27, 1996 through March 11, 1996

Authorize: March 12, 1996 through March 18, 1996

MINUTES FOR APPROVAL

January 9 and 25, 1996

AUTHORIZE CHAIRMAN TO SIGN

Satisfactions of Judgments:

Rafael Concepcion - Case 94-2191F (\$100)
 Rafael Concepcion - Hillsborough County, Case 94-2191F (\$100)
 Jose Vasquez - Case 94-351F,B (\$159.64)
 Jose Vasquez - Case 94-351F,B (\$105)
 Ernesto Vasquez (aka Jose Vasquez) - Case 92-279T/95-693T (\$50)
 Charles Brown - Case 95-3231F (\$50)

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(Cont'd)

**State of Florida Annual Local Government Financial Report (FY 1994-1995)
from Anna Maria Fire Control District***

* **Correction:** should reference Manatee County rather than Anna Maria Fire Control District (correction approved 3/19/96)

**Partial Release of Special Improvement Assessment Lien: Project 3102
ACCEPT**

Agreement with The Dutko Group, Inc. (for contract lobbyists in Washington, DC) for Wares Creek Legislative Support, \$20,000.

RECORD S44-2661

Records Destruction Request - Bureau of Archives and Records Management Form listing County Records for destruction:

No. 237 - **Tax Collector**

Nos. 247, 251, 248, 252, 254, 253 - **Clerk of Circuit Court**

Anna Maria Fire Control District - Audited Financial Statement and Annual Local Government Financial Report FY 1994-1995; and Public Facilities Report 1996.

City of Palmetto - Ordinance 556 annexing certain property into the city limits (adopted 2/19/96)

Lakewood Ranch Community Development District 2 - Minutes of the Board of Supervisors Meetings held December 20 & 28, 1995; January 4, 1996

Southwest Florida Water Management District Reports - Comprehensive Annual Financial Report FY ending September 30, 1995; Supplementary Grant Financial Statements ending September 30, 1995; Management Letter; and Annual Local Government Financial Report FY 1994-1995

(End Consent Agenda)

119 STREET WEST

Mitchell Palmer, Assistant County Attorney, recommended approval of a Temporary Public Road Easement Agreement with Krizmanich Manatee Holdings, Inc., and authorization to execute the Agreement for 119th Street West extended (42nd Avenue West).

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

Mr. Palmer requested waiver of filing fees of \$2,452, as requested by the developer, for the newly-submitted development plans for the Harbour Landings development (a/k/a Manatee Canvest).

Motion was made by Mr. McClash, seconded by Mr. Gause and carried unanimously, to waive the fees as requested.

Mr. Stephens submitted Traffic Signal Maintenance and Operation Order No. 90 agreement with Florida Department of Transportation (for Cortez Road at 119th Street West). Mr. Palmer advised he will review the agreement.

SHERIFF SALE: HY KOM PARCEL/EMERSON POINT

Pat McVoy, Assistant County Attorney, recommended an amendment to Resolution (adopted 2/27/96):

R-96-24 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING PARTICIPATION IN THE SHERIFF'S SALE OF CERTAIN EMERSON POINT PROPERTY GENERALLY DESCRIBED AS THE HY KOM PARCEL; PROVIDING FOR THE DELEGATION OF AUTHORITY TO CERTAIN REPRESENTATIVES TO SUBMIT THEIR BIDS ON BEHALF OF MANATEE COUNTY; PROVIDING FOR THE WITHDRAWAL OF FUNDS NECESSARY TO ACQUIRE THE HY KOM PARCEL; AUTHORIZING THE EXPENDITURE OF FUNDS FOR CERTAIN COSTS CONNECTED WITH THE ACQUISITION OF THE HY KOM PARCEL; CONFIRMING THE INTENTION OF THE BOARD OF COUNTY COMMISSIONERS TO ISSUE BONDS TO REIMBURSE CERTAIN FUNDS FOR THE COSTS OF ACQUIRING THE HY KOM PARCEL; REQUESTING THE PARTICIPATION AND ASSISTANCE OF THE CLERK OF THE CIRCUIT COURT IN DOING ALL THINGS AUTHORIZED HEREIN FOR THE ACQUISITION OF THE HY KOM PARCEL; RESCINDING AND REPLACING RESOLUTION R-93-168; AND PROVIDING AN EFFECTIVE DATE.

Motion was made by Mr. McClash to amend Resolution R-96-24 to include paragraph 9 as set forth in the agenda memorandum (dated 3/12/96). Motion was seconded by Mr. Gause and carried unanimously. **RECORD S44-2662**

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(Cont'd)

COMPREHENSIVE PLAN: EVALUATION AND APPRAISAL REPORT (EAR)

Public hearing (Notice in the Bradenton Herald 3/2/96) was held to consider

**THE EVALUATION AND APPRAISAL REPORT OF MANATEE COUNTY
COMPREHENSIVE PLAN**

Carol Clarke, Planning, Permitting and Inspections Director, reviewed the land use element of the Comprehensive Plan.

She referred to information including each future land use category in the unincorporated Manatee County as of March 1996 indicating the amount of acreage for each level, as well as referred to the future land use map. She reviewed each of the 17 future land uses. Ms. Clarke submitted a map of the actual development in the RES-16 category and a map of the past trends.

(Depart Mrs. Glass during presentation)

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

Janet Hoffman, Planning, Permitting and Inspections, presented a video of residential areas illustrating comparative densities.

(Mr. Gause absent for portion of presentation)

Discussion: Population data; urban fringe; available acreage; mechanism to allow for smaller lots, larger open space, and not increase densities; Land Development Code rather than a Comprehensive Plan issue; transportation; high densities in the Cortez area; traffic concurrency and heavy traffic problems; growth in the western portion of the county and the future developments in RES-9 and RES-16 land use categories.

(Mr. Gause absent for portion of discussion)

Staff was directed to review a policy, or a standard, for maximum density yield.

Dr. Stan Herbets, representing Parrish Civic Association, submitted FEMA and wetland maps. He addressed concerns for the Parrish area.

David Beal, of River Wilderness, stated the area is environmentally sensitive and has significant flooding problems. He suggested that no more subdivisions be approved until a study has been completed.

Bill Markell, representing San Remo Shores and Cortez Peninsula Board of Associations, addressed concern about the current zoning in the Cortez peninsula and stated the zoning should be at 4.5 du/acre.

James Schrader, representing Coral Shores Owners Association, submitted his credentials and spoke about a report Coral Shores Association had completed in the vicinity of 86th Street and Cortez Road. He addressed RES-6, RES-9, and RES-16 land uses in the Cortez peninsula.

Mark Barnebey, Assistant County Attorney, addressed "Private Property Rights Protection" referenced in Chapter 70 of the Florida Statutes.

Discussion: Storm evacuation; alternative approach for traffic situation on Cortez Road at U.S. 41; route to avoid the intersection.

(Mrs. Harris absent for portion of discussion)

Ms. Clarke advised that staff will schedule a work session.

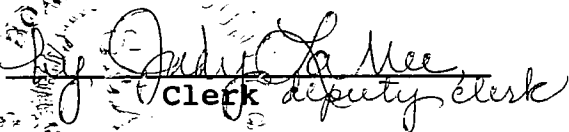
The Chairman announced that the next Evaluation and Appraisal Report meeting will be April 9, 1996, at 5:30 p.m.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


Clerk deputy clerk


Chairman 4/16/96

Adj. 11:06 a.m./dmo