

MARCH 19, 1996

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, March 19, 1996, at 9:07 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  
Maxine M. Hooper  
Joe McClash

Absent was: Commissioner John R. Gause (vacation)

Also present were:

Ernie Padgett, County Administrator  
H. Hamilton Rice, Jr., County Attorney  
Judy LaMee, Director of Communications and Development,  
representing R. B. Shore, Clerk of Circuit Court

Invocation by Reverend Richard E. Kirby, Samoset Open Bible Tabernacle

The meeting was called to order by Chairman Stephens.

#### AWARDS AND PRESENTATIONS

##### Westwood H. Fletcher, Jr., Trophy

The Westwood H. Fletcher, Jr., Trophy for Improved Management was presented to Danny Hopkins, Parks and Recreation Director.

##### Employee of the Month

The Employee of the Month Award for March 1996 was presented to Robert S. Bixby, Environmental Management Department.

##### Employee Suggestion Award

A Certificate of Merit representing a Class "B" award was presented to Dawn M. Avalle, Central Stores Division, for submitting a suggestion that improved efficiency in the handling of surplus items and transfer/disposal forms thereby reducing labor costs.

(Depart Ms. Brown)

#### PROCLAMATION

Motion was made by Mrs. Glass, seconded by Mrs. Harris and carried 5 to 0, to adopt a Proclamation designating April 2, 1996, as **Children's Day** in Manatee County to show support for children. RECORD S44-2663

#### CITIZENS' COMMENTS

Gilah Hudak addressed the Board regarding possible use of the existing **South County Library** by the Scripture Source as a learning center. She submitted a memorandum from Lighthouse Full Gospel Center commenting on Scripture Source.

**Disposition:** Referred to County Administrator for assessment of the building as to costs of repairs, maintenance, etc., for use as a meeting place for nonprofit organizations.

Beverly Comstock relayed an unfortunate experience she had through the court system.

#### AGENDA DELETIONS

The following items were deleted from the agenda: (1) National Library Week Proclamation (deferred to 4/16/96); (2) Ward Estates Final Plat; (3) Inlets of Riverdale Right-of-Way Acquisition; and (4) U.S. 301 Boulevard West Road Improvement - Eminent Domain.

#### CONSENT AGENDA

Upon motion by Mrs. Glass and second by Mrs. Harris, the Consent Agenda was approved 5 to 0, with agenda deletions mentioned previously and deletion of Sugar Bowl Road-Road Improvement (separate action). Items APPROVED included:

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CLERK'S CONSENT CALENDARBONDSAccept:

Cedar Hammock Refuse Disposal Corp. - Extension Certificate issued by National Guaranty Insurance Co., surety, extending the term of Performance Bond PP90-0027 in the amount of \$750,000 to September 30, 1996.

Waste Management of Manatee County, a Division of Cedar Hammock Refuse Disposal Corp. - Performance Bond No. PB95-0079 in the amount of \$100,000 for the period 1/15/96-1/15/99 (National Guaranty Insurance Co., surety).

Buckeye Borrow Pit (SP-95-16/FSP-95-68):

1. Agreement with A & W Holdings of Manatee, Inc. and Larry Aldrich Enterprises, Inc., guaranteeing completion of the wetland mitigation, site reclamation and haul route restoration, \$97,691.
2. Performance Bond: \$97,691 (Certificate of Deposit No. 012112050173558, First Union National Bank of Florida).
3. Assignment of Certificate of Deposit, dated March 14, 1996.
4. Acknowledgement of Notice of Assignment, dated March 14, 1996.
5. Professional Engineers Certification Letters (1/17/96, 3/7/96) from GulfCoast Engineering, Inc.

WARRANT LIST

Approve: March 12, 1996 through March 18, 1996

Authorize: March 19, 1996 through March 27, 1996

MINUTES FOR APPROVAL

January 30, 1996 - Regular

February 6 and 22, 1996 - Regular

February 13, 1996 - Special

AUTHORIZE CHAIRMAN TO SIGNPartial Release of Special Improvement Assessment Liens:

Projects 3004; 3005; 3009(2); 3010(2); 3100; 3102(9); 5024; 5042; 5073; 5079; 5144; 5147; 5155

Satisfaction of Judgment - Calvin Moore, Case 95-4683T (\$130)

ACCEPT

Lakewood Ranch Community Development District 1 - Minutes of the Board of Supervisors meeting held January 4, 1996.

Florida Local Government Finance Commission/Pooled Commercial Paper Notes, Series A - Closing Documents with regard to Manatee County Draw No. A-1-3 and Draw A-2-3, dated March 5, 1996.

CORRECTION

Annual Local Government Financial Report - FY 1994-95 Financial Report from Manatee County rather than from Anna Maria Fire Control District (as approved on 3/12/96).

COUNTY ADMINISTRATORPROCLAMATIONSPalmetto High School Girls' Basketball Team

Adoption of a Proclamation recognizing the Palmetto High School Girls' Basketball team a/k/a The Lady Tigers a/k/a Cardiac 'Cats for its outstanding sports achievement. RECORD S44-2664

Superun I-96 Day

Adoption of a Proclamation designating April 6, 1996, as Superun I-96 Day acknowledging Sarasota-Bradenton International Airport, its employees, airlines and tenants and the Superun I-96 Committee's dedication and service to Manatee County. RECORD S44-2665

AFFORDABLE HOUSING BOND ISSUE

Conceptual approval of issuance and sale of Housing Finance Authority Single Family Mortgage Revenue Bonds, Series 1996, in the amount of \$10 million and the Single Family Mortgage Loan Program funded by the proceeds of said bonds as outlined in letter (3/5/96) from E. N. Fay, Jr., attorney for the Authority, and authorization for the Chairman to sign the endorsement thereon. RECORD S44-2666

LEGISLATION - ARTICLE V COSTS

Adoption of

R-96-66 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, TO FULLY SUPPORT THE FLORIDA ASSOCIATION OF COUNTIES POSITION ON ARTICLE V OF FLORIDA'S CONSTITUTION FOR FULL STATE FUNDING OF THE STATE COURT SYSTEM AS ENVISIONED IN THE 1972 CONSTITUTIONAL REVISION

and

RECORD S44-2667

transmittal of same to Manatee County Legislative Delegation; and authorization to transmit "Request to be Made Co-introducer" form, provided by Florida Association of Counties, to Senator James Hargrett and Senator John McKay to cosponsor this legislation and submittal to the Secretary of the Senate.

**ENTERPRISE ZONE DEVELOPMENT AGENCY**

Adoption of

**R-96-65** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING RESOLUTION 95-223, PROVIDING FOR THE REAPPOINTMENT OF SEAT 8 OF THE ENTERPRISE ZONE DEVELOPMENT AGENCY (appointment of Ora Lee Murray, representing a member of the Palmetto CRA, replacing Karen Hartman).

**RECORD** S44-2668

**MANATEE BANKERS FOR AFFORDABLE HOUSING**

Execution of Amendment 1 to revise the NonProfit Agreement with Manatee Bankers for Affordable Housing to provide home ownership counseling to 155 households rather than the originally contracted amount of 260 households.

**RECORD** S44-2669

**CHILDREN'S SERVICES FUNDING AGREEMENT**

1. Execution of amendment to agreement with Girl Scouts of Gulfcoast of Florida, Inc., for Fiscal Year 1995-96 Children's Services funding to provide for a minor change in the age of "Be Your Best Program" participants and classification of program hours of operation, \$18,000.

**RECORD** S44-2670

2. Execution of agreement with The Salvation Army for Fiscal Year 1995-96 funding for Child Day Care-Families in Need Program, \$99,650.

**RECORD** S44-2671

**JOHN H. MARBLE RECREATION CENTER**

Staff to negotiate a contract/lease for the operation of the John H. Marble Recreation Center with the sole applicant, The Manatee County Family Young Men's Christian Association, Inc.

**NONPROFIT AGENCY FUNDING AGREEMENT**

Execution of Fiscal Year 1995-96 funding agreement with The Manatee County Cultural Alliance, Inc. for the Cultural Information Program, \$10,000.

**RECORD** S44-2672

**WEST COAST INLAND NAVIGATION DISTRICT PROJECT**

Execution of Fiscal Year 1995-96 West Coast Inland Navigation District (WCIND) funding agreement with Civil Air Patrol, Inc., Sarasota-Bradenton Composite Squadron, for Project M-66, Boating and Civilian Safety Patrol, \$3,300.

**RECORD** S44-2673

**FLORIDA HERITAGE FESTIVAL**

Execution of letter agreement with Florida Heritage Festival at Bradenton, Inc., to allow hook-up of a concession trailer during the Florida Heritage Festival from April 13-20, 1996, on the north side of the Manatee County Courthouse.

**RECORD** S44-2674

**EMINENT DOMAIN**

**Manatee County v. Schroeder-Manatee Ranch, Inc.**

Ratification of Offer of Judgment (\$250,000) extended January 19, 1996, [in the manner of and under the authority of Florida Statute 73.032 (1993)] to Defendant Schroeder-Manatee Ranch, Inc., Case CA 94-1657, by Assistant County Attorney Mitchell O. Palmer.

**Manatee County v. Schroeder-Manatee Ranch, Inc.**

Ratification of Board's vote taken in a litigation assessment meeting February 27, 1996, to settle for payment of \$300,000 (inclusive of statutory interest, attorney's fees, costs and expenses) to property owner Schroeder-Manatee, in the matter of Manatee County versus Schroeder-Manatee Ranch, Inc., et al, Case CA 94-1657.

**TRAVEL AUTHORIZATION**

County Attorney to Tallahassee, Florida, April 16-17, 1996, to attend the Florida Cabinet Aides Meeting regarding Florida Power & Light (FP&L) Orimulsion application; and Tallahassee, Florida, April 22-23, 1996, to attend the Florida Cabinet meeting regarding FP&L Orimulsion application.

**FLORIDA POWER & LIGHT INCENTIVE AWARD**

Acceptance of check from Florida Power & Light in the amount of \$3,730.25 for participating in the Commercial/Industrial Lighting Retrofit Program.

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**LIBRARY - DISPOSITION OF DONATED MATERIALS; SURPLUS PROPERTY**

Adoption of

**R-96-48** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA; AUTHORIZING THE LIBRARY SERVICES MANAGER OR HIS DESIGNEES TO OFFER MATERIALS DONATED BY THE PUBLIC FOR SALE BY THE LIBRARY, TO PROVIDE SUCH MATERIALS TO THE FRIENDS OF THE LIBRARY GROUPS OR TO DESTROY SUCH MATERIALS; AUTHORIZING THE COUNTY ADMINISTRATOR AND THE LIBRARY SERVICES MANAGER TO DEVELOP GUIDELINES FOR IMPLEMENTING THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

RECORD S44-2675

and

**R-96-49** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA; PROVIDING FOR THE CLASSIFICATION OF SURPLUS PROPERTY AND DETERMINATION THAT SUCH PROPERTY IS WITHOUT COMMERCIAL VALUE; DELEGATING CERTAIN AUTHORITY TO THE LIBRARY ADMINISTRATOR TO DEVELOP GUIDELINES FOR IMPLEMENTING THIS RESOLUTION; AND RESCINDING A RESOLUTION ADOPTED FEBRUARY 16, 1982.

RECORD S44-2676

**PARKS AND RECREATION - DONATION**

Acceptance by Parks and Recreation Department of a donation, in accordance with provisions of Ordinance 86-05 and procedures established by County Administrator's office, from the **Braden River Fire Department** in the form of 27 pine trees with value of \$1,350.

**FINAL PLAT - SUMMERFIELD VILLAGE, SUBPHASE C**

1. Final Plat.
2. Mortgagee's Joinder in and Ratification of Subdivision Plat and All Dedications and Reservations Thereon in Declaration only from Northern Trust Bank of Florida, N.A.
3. Joinder in and Ratification of Subdivision Plat and All Dedications and Reservations Thereon in Declaration only from Lakewood Ranch Community Development District 1.
4. Agreement with SMR Communities Joint Venture guaranteeing completion of Summerfield Parkway, \$336,127.94.
5. Performance Bond: \$336,127.94 (Letter of Credit No. S967012 from Northern Trust Bank of Florida).
6. Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways, \$29,577.60.
7. Performance Bond: \$29,577.60 (Sidewalk Bond No. MNT8019117 from Fidelity and Deposit Company of Maryland).
8. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$170,947.31.
9. Performance Bond: \$170,947.31 (Subdivider's Completion Bond No. CSB 8019118 from Fidelity and Deposit Company of Maryland).
10. Conservation Easement from Schroeder-Manatee Ranch, Inc.
11. Manatee County Site Access and Drainage Affidavit, Right-of-Way Irrigation and Utilization from Schroeder-Manatee Ranch, Inc., Lakewood Ranch Community Development District 1 and Summerfield Village Association, Inc.
12. Maintenance Agreement with Lakewood Ranch Community Development District 1 for Right-of-Way Islands. RECORD S44-2677
13. Agreement with SMR Communities Joint Venture for Installation of Private Landscape Buffer Improvements along Summerfield Parkway. RECORD S44-2678
14. Grant of Off-Site and On-Site Temporary Easements from Schroeder-Manatee Ranch, Inc.
15. Affidavit of Ownership and Encumbrances regarding temporary easements.
16. Record Supplemental Declaration from SMR Communities Joint Venture.

**EMERGENCY MANAGEMENT/STATE AND LOCAL ASSISTANCE GRANT**

Adoption of

**R-96-55** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING A GRANT AWARD FROM THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT, FOR EMERGENCY MANAGEMENT ASSISTANCE (agreement with Department of Community Affairs 10/1/95-9/30/96; \$24,023, State \$12,011.50; local match \$12,011.50).

RECORD S44-2679  
S44-2680

**FLORIDA HERITAGE FESTIVAL AT BRADENTON**

Execution of parade entry application and authorization for Emergency Medical Services to provide medical coverage during the Florida Heritage Festival and waive the provisions as set forth in Resolution R-94-61 to waive any applicable fees for service for the nonexclusive stand-by coverage; and authorization for organizers of the Florida Heritage Festival to temporarily access County communication systems during the event for security/safety purposes.

**30TH AVENUE WEST**

Adoption of

*\* R-96-58  
12/9/95 by  
final documentation*

\* **R-96-58** A RESOLUTION AUTHORIZING THE EXECUTION OF A JOINT PROJECT AGREEMENT AMENDMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF 30TH AVENUE WEST, FROM 7TH STREET WEST TO 16TH STREET WEST.

**RECORD** S44-2681

**DUETTE PARK - RESIDENTIAL LEASE**

Execution of residential lease agreement with Park Ranger Nedley Ness to reside in the ranger house located in Duette Park at 2649 Rawls Road, Parrish, Florida.

S44-2682

**RECORD** S44-2683

**EMERGENCY GENERATOR SHELTERS**

Adoption of

**R-96-54** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, AUTHORIZING EXECUTION OF THE FEMA HAZARD MITIGATION FUNDING AGREEMENT WITH THE DEPARTMENT OF COMMUNITY AFFAIRS FOR EMERGENCY GENERATOR SHELTERS.

S44-2684

**RECORD** S44-2685

**FLORIDA POWER & LIGHT LOAD CONTROL PROGRAM**

Execution of Commercial/Industrial Load Control Program agreement with Florida Power & Light Company for the Southeast Wastewater Treatment Plant.

**RECORD** S44-2686

**NPDES PERMIT - INTERLOCAL AGREEMENTS**

Adoption of

**R-96-57** A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT PROVIDING FOR A JOINT APPLICATION FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR MUNICIPAL SEPARATE STORM SEWER SYSTEMS, PART 2 (authorizing execution of interlocal agreements with Cities of Palmetto, Anna Maria, Holmes Beach and Bradenton Beach and agreement with Florida Department of Transportation).

S44-2687

**RECORD** S44-2688

(Note: Agreements with Cities not provided; will be executed and entered into the record at a later date)

**9TH STREET EAST**

Execution of contract for sale and purchase for a warranty deed from John C. Manson, Trustee, for right-of-way for road improvement of 9th Street East, from U.S. 301 to State Road 64, \$28,241.09.

**RECORD** S44-2689

**9TH STREET EAST**

Execution of agreement with Tropicana Products, Inc., for dedication of right-of-way improvements to 9th Street East.

**RECORD** S44-2690

**DEEDS AND EASEMENTS**

1. **41st Street West at First Avenue West** - Warranty Deed from The Episcopal Day Private School of Manatee County, Inc., d/b/a St. Stephen's Episcopal School, for right-of-way required by final site plan of St. Stephen's Episcopal School (SP-93-09); Affidavit of Ownership and Encumbrances; Partial Release from Barnett Bank of Manatee County, N.A.
2. **43rd Street West and Manatee Avenue West** - Pedestrian Sidewalk Easement from Marjorie L. Warner as requirement of Final Site Plan for Walgreens; Affidavit of Ownership and Encumbrances.
3. **75th Street West (Manatee Avenue West to Cortez Road)** - Temporary Construction Easement from Edward J. and F. Ann Griffin for temporary use of a portion of their property as required for road improvements.
4. **Buckeye Borrow Pit** - Warranty Deed from A&W Holdings of Manatee, Inc., for right-of-way as a condition of final site plan for Buckeye Borrow Pit (SP-95-16/FSP-95-68) at the southeast corner of Bud Rhoden Road and Buckeye Road; Affidavit of Ownership and Encumbrances; Partial Release from Farm Credit of Southwest Florida, A.C.A.

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5. Matoaka Heights (74th Avenue Drive East) - Utility Easement and Nonvehicular Ingress and Egress Easement from Matoaka Development Corporation required to place an existing force main into a vacated right-of-way along 74th Avenue Drive East and to prevent access onto Tuttle Avenue; Affidavit of Ownership and Encumbrances.
6. State Road 70 (from New 301 Boulevard to I-75) - Warranty Deed from Joseph H. and Debra A. McElhiney for right-of-way required in the road improvement of State Road 70; Affidavit of Ownership and Encumbrances; Partial Release from Duane T. and Joyce A. Landon; Partial Release from Nationsbank of Florida (documents previously recorded).
7. State Road 70 (from New 301 Boulevard to I-75) - Special Warranty Deed from R. I. Waterman Properties, Inc., for right-of-way required in the road improvement of State Road 70; Affidavit of Ownership and Encumbrances; Partial Release from Fleet National Bank (documents previously recorded).
8. State Road 70 (from east of U.S. 301 to west of 45th Street East) - Deed to Florida Department of Transportation conveying right-of-way (Parcel 140) acquired in road improvement of State Road 70.
9. State Road 70 (from east of U.S. 301 to west of 45th Street East) - Deed to Florida Department of Transportation conveying right-of-way (Parcels 100, 101) acquired in road improvement of State Road 70.
10. Taylor Road (west of Myakka Wauchula Road) - Warranty Deed from John Falkner for right-of-way for improvement of Taylor Road; Affidavit of Ownership and Encumbrances.

**75TH STREET WEST**

Execution of contract for sale and purchase for warranty deed and temporary construction easement from Sabal Palm Gardens, Phases I, II and III, \$9,299; Temporary Construction Easement and Warranty Deed from Sabal Palm Garden, Phases I, II, and III; Affidavit of Ownership and Encumbrances. RECORD S44-2691

**STREET VACATION - EAST OF U.S. 41 (TAMIAMI TRAIL)**

Adoption of

R-96-27-V RESOLUTION DECLARING PUBLIC HEARING ON APRIL 16, 1996, AT 2:00 P.M. ON APPLICATION BY FLY SRQ, INC. AND PALISS, INC., TO VACATE A 40-FOOT DEEDED, NONCONSTRUCTED RIGHT-OF-WAY IN SECTION 36-35-17. RECORD S44-2692

**STREET VACATION - NEW PEARCE AND PEARCE VEGETABLE FARMS SUBDIVISION**

Adoption of

R-96-02-V RESOLUTION DECLARING PUBLIC HEARING ON APRIL 16, 1996, AT 2:00 P.M. ON APPLICATION BY ROY A. JOSLIN, III AND MELISSA E. JOSLIN; COLA LEE WILSON AND NORMA JEAN WILSON, TO VACATE A PLATTED, NONCONSTRUCTED RIGHT-OF-WAY IN NEW PEARCE AND PEARCE VEGETABLE FARMS SUBDIVISION. RECORD S44-2693

**SURPLUS PROPERTY**

Adoption of

R-96-59 RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES (Conveyance of two surgical lights to Manatee County Rural Health Services). RECORD S44-2694

and

R-96-60 RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES (Conveyance of five Singer sewing machines to the Manatee County Sheriff's Office, asset numbers 13992, 13993, 13996, 13998, 13999). RECORD S44-2695

**FLUORIDE FEED SYSTEM**

Execution of Final Change Order 1 to contract with Westra Construction Corporation, net decrease of \$10,000 and an extension of 91 days to completion for adjusted amount of \$127,776 and revised completion date of May 4, 1995; accept Final Contractor's Affidavit and Final Reconciliation Agreement. RECORD S44-2696

**1996 LAKE MANATEE DAM INSPECTION**

Execution of Work Assignment 40 with Black & Veatch for consulting services to provide the 1996 annual Lake Manatee Dam inspection and continue the investigation of the stability of the stilling basin walls of the dam, \$39,700. RECORD S44-2697

**MATERIALS AND SERVICES**

1. **Library Materials** - Selection of the following firms to provide materials (reading, visual and audio) to County libraries identified by category, and subsequent execution of contracts:

**Subscription Materials:** EBSCO, Inc. (primary) and W.T. Cox Subscriptions, Inc. (secondary); **Paperback Books:** FEP, Inc. (primary) and Ingram Library Services, Inc., Baker & Taylor Books, Inc. (secondary); **Materials:** Baker & Taylor Books, Inc. (primary) and Ingram Library Services, Inc., Brodart Company (secondary); **Microform:** UMI.

2. **Remote Terminal Units** - Sole source purchase of remote terminal units (33) from Data Flow Systems, Inc., \$4,108 per unit and \$112 each for FCC site licensing, total cost of \$139,925.
3. **Health Department Annex - Roof Replacement** - Award Bid to Charles A. Roy, for roof replacement, not to exceed \$96,966.96; issue Change Order 1 to abate the asbestos roof material, \$29,690; combined total not to exceed \$126,656.96.
4. **Water/Wastewater Chemicals** - Rescind award to C&S Chemicals, Inc., and award to General Chemical, on an as-required basis for estimated annual amount of \$396,185.
5. **Wood/Yard Waste Processing** - Issue Change Order 10 to Purchase Order 97345 to Kenetech Resource Recovery, Inc., for processing wood/yard waste (estimated 125,250 tons) through April 4, 1998, for \$2,004,000; adjusted total of \$6,236,840.24.

**WASTEWATER - ODOR & CORROSION CONTROL**

1. Execution of **Addendum One to Odor and Corrosion Control Services Agreement** (approved 3/29/94) with Davis Water & Waste Industries, Inc., to extend one year (3/29/96-3/28/97). RECORD S44-2698
2. Execution of **Change Order 2 to Work Assignment 1** for professional chemical engineering evaluation, consultation and chemical/biological treatment of odor and corrosion within the wastewater system to Davis Water & Waste Industries, Inc., for an additional one year (4/1/96-3/31/97), increase of \$475,000, for total not to exceed \$1,350,000; and execution of **Change Order 2 to Work Assignment 2** for professional engineering evaluation, consultation and lease of equipment (scrubbers) for treatment and control of odors within the wastewater system to Davis Water & Waste Industries, Inc., for an additional one year (4/1/96-3/31/97), increase of \$153,000, total not to exceed \$450,000. RECORD S44-2699  
S44-2700
3. Execution of **Work Assignment 3 for Odophos** on an as-required basis for control of odor and Hydrogen Sulfide at the Southwest Wastewater Treatment Plant with Davis Water & Waste Industries, Inc., not to exceed \$100,000. RECORD S44-2701

**TALLEVAST ROAD**

Execution of Work Assignment 19 with Wade-Trim, Inc., for conceptual design of Tallevast Road, from U.S. 301 to Lockwood Ridge Road, not to exceed \$30,348. RECORD S44-2702

**U.S. 301 BOULEVARD/30TH AVENUE WEST ROAD IMPROVEMENT**

Execution of Change Order 5 to Work Assignment 1 for additional engineering services for U.S. 301 Boulevard/30th Avenue West with Glace & Radcliffe, Inc., increase of \$10,940, for total not to exceed \$767,677. RECORD S44-2703

**BUDGET AMENDMENTS**

Adoption of budget amendment resolutions:

**NONDEPARTMENTAL (B-96-057)**

Item Transfers: Reappropriates monies for items funded and/or encumbered in the Fiscal Year 1995 Budget of the Clerk of Circuit Court which will not be purchased or delivered until Fiscal Year 1996. \$254,426  
RECORD S44-2704

**NONDEPARTMENTAL (TOURIST DEVELOPMENT) (B-96-058)**

Item Transfers: Appropriates unanticipated Tourist Tax revenues from Fiscal Year 1994-95 to Fiscal Year 1995-96 Budget to enhance Fiscal Year 1995-96 Tourist Development advertising and promotions programs. \$114,000  
RECORD S44-2705

**NONDEPARTMENTAL (GRANTS) (B-96-059)**

**Decrease Revenues/Expenditures** Closes Housing Preservation Grant and adjusts revenues and expenditures to reflect actual amounts experienced. \$57  
RECORD S44-2706

**NONDEPARTMENTAL (GRANTS) (B-96-060)**

**Decrease Revenues/Expenditures** Adjusts revenues and expenditures to close out the Fiscal Year 1995 Summer Food Grant. \$45,085  
RECORD S44-2707

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NONDEPARTMENTAL (GRANTS) (B-96-061)  
 Item Transfers: Allows interest earned on project to be appropriated back into the project and used to purchase supplies for the Florida Fluoridation Treatment Facility. \$8,143  
RECORD S44-2708

ENVIRONMENTAL MANAGEMENT (GRANTS) (B-96-062)  
Increase Revenues/Expenditures Appropriates funds from WCIND Grant M-62 approved 10/26/95 for purchase of a vessel to maintain navigational and water safety aids as necessary. \$25,000  
RECORD S44-2709

FINANCIAL MANAGEMENT (B-96-063)  
 Item Transfers: Appropriates the balance of funds from the Crosley fund-raising activities for operational costs in maintaining the facility and for continuing fund raising and promotional activities. \$4,121  
RECORD S44-2710

FINANCIAL MANAGEMENT (GRANTS) (B-96-064/1-2)  
 Rescinds and replaces Budget Amendment B-96-011 due to scrivener's error.  
Item Transfers \$4,516 S44-2711  
Decrease Revenues/Expenditures 4,516 S44-2712  
RECORD

INFORMATION SERVICES (LIBRARY) (B-96-065)  
 Item Transfers: Appropriates monies for internet connection and firewall from funds reserved for this purpose in the Fiscal Year 1995-96 budget. \$50,000  
RECORD S44-2713

INFORMATION SERVICES (AUTOMATED SYSTEMS) (B-96-066)  
 Item Transfers: Appropriates resources in the Automated Systems Maintenance Fund to support purchase of 12 PC's for training on the new Financial Management System at the First Union Building. \$25,000  
RECORD S44-2714

PARKS & RECREATION (ADMINISTRATION) (B-96-067)  
 Item Transfers: Reappropriates monies for the Palmetto Boys Club FY 1995-96 Capital Improvement Program allocation. The program included \$23,000 for Palmetto Boys Club Lighting Project which was not included in the 1996 Budget due to lack of executed agreement. \$23,000  
RECORD S44-2715

PUBLIC SAFETY (GRANTS) (B-96-068)  
Decrease Revenues/Expenditures Closes out the Emergency Management Preparedness and Assistance Trust Fund Base Grant and adjusts revenues and expenditures to actual amounts experienced. \$53  
RECORD S44-2716

PUBLIC SAFETY MARINE RESCUE GRANTS (B-96-069/1-3)  
 Appropriates funds from WCIND grant and local matching funds (approved 5/9/95) for the purchase of a rescue dory which will enable the Marine Rescue Division to respond in the shallow water environment to emergencies related to jet-skis and other shallow draft vessels prevalent to the area.  
Increase Revenues/Expenditures \$3,470 S44-2717  
 Item Transfers 3,470 S44-2718  
Increase Revenues/Expenditures 3,470 S44-2719  
RECORD

PUBLIC WORKS (PROJECT MANAGEMENT) (B-96-070)  
 Item Transfers: Increases appropriations for construction of Erie Road Reclaimed Water Transmission Main project as stated in Project Status Reports 1/31/96. \$279,922  
RECORD S44-2720

PUBLIC WORKS (PROJECT MANAGEMENT) (B-96-071)  
 Item Transfers: Closes two utility projects as stated in Project Status Report 1/31/96, and transfers unexpended monies to Reserve for Capital projects. \$250,385  
RECORD S44-2721

PUBLIC WORKS (PROJECT MANAGEMENT) (B-96-072)  
 Item Transfers: Closes completed Terra Ceia Waterlines project as stated in Project Status Reports 1/31/96, and transfers unexpended funds to the Reserve for Capital projects. \$93,730  
RECORD S44-2722



**PUBLIC WORKS (PROJECT MANAGEMENT)** (B-96-073)

Item Transfers: Closes completed Parrish Waterlines project as stated in the Project Status Reports 1/31/96, and transfers unexpended funds to the Reserve for Capital projects. \$96,111

RECORD S44-2723

**PUBLIC WORKS (PROJECT MANAGEMENT)** (B-96-074)

Item Transfers: Closes Clarendon Plan/Sarasota Avenue project as noted in Project Status Report 1/31/96 and transfers unexpended monies to Reserve for Capital projects. \$53,819

RECORD S44-2724

**PUBLIC WORKS** (B-96-075/1-4)

Appropriates funds for the Marlee Acres Road Assessment project authorizing an interfund loan from Local Option Gas Tax Fund as approved on 10/3/95.

Item Transfers \$ 93,892 S44-2725

Increase Revenues/Expenditures 93,892 S44-2726

Item Transfers 317,157 S44-2727

Item Transfers 135,000 S44-2728

RECORD

(End Consent Agenda)

**Recess/Reconvene.** All members present except Mr. Gause and Ms. Brown.

**CODE ENFORCEMENT LIEN - FERN POMPEY**

Karen Jackson-Sims, Director, Community Affairs/Intergovernmental Relations, requested release of code enforcement liens on property located at 2211 Second Avenue East, Palmetto, (owner, Fern Pompey) concurrent with a loan closing. She submitted a photograph of the property. She stated that back taxes and assessments would be paid and the mortgage documents would require that some repayment would be provided for the code enforcement liens should the property be sold.

Motion was made by Mrs. Glass, seconded by Mrs. Harris and carried 5 to 0, to release code enforcement liens on property located at 2211 Second Avenue East, Palmetto, concurrent with a successful loan closing with Crossland Mortgage and the County HOME Program with the Florida Housing Finance Agency (State), and authorize the Director of Public Safety or his designee to release the code enforcement liens at such closing.

**HEALTH AND HUMAN SERVICES BOARD**

Dr. Russell Kitching, Chairman of the Health and Human Services Board (HHSB), reviewed HHSB activities and key developments. He discussed funding issues, suggestions to the Legislature, Governor, Lieutenant Governor and to the Secretary of HRS, and efforts to decrease costs and avoid duplication of services.

**JOBS AND EDUCATION PARTNERSHIP**

Fred Loveland, Community Services Director, requested adoption of Resolution R-96-67 authorizing execution of a Jobs and Education Partnership (JEP) Regional Board Design Interlocal Agreement with Sarasota County.

Nancy Engel, Chamber of Commerce, stated that following State guidelines, a JEP Planning Committee was formed to establish regional designation and prepare the charter application for the Manatee/Sarasota Jobs and Education work force development board. The agreement defines the Manatee/Sarasota JEP board composition, nominating procedures, terms of office, board transition, and board activities.

Motion was made by Mrs. Glass, seconded by Mr. McClash and carried 5 to 0, to adopt

**R-96-67** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING EXECUTION OF A JOB AND EDUCATION PARTNERSHIP REGIONAL BOARD DESIGN INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF MANATEE AND SARASOTA COUNTIES.

RECORD S44-2729  
S44-2730

(Depart Mrs. Glass)

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(Cont'd)

RURAL ROAD STANDARDS

Larry Mau, Transportation Director, requested adoption of

R-96-44 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MANATEE COUNTY, FLORIDA, FORMALIZING A COUNTY RURAL SHELL ROAD STANDARD, AS PERFORMED OR INSTALLED BY PRIVATE PARTIES; CLARIFYING THE STANDARD FOR ALL OTHER ROADS IN COUNTY RIGHTS-OF-WAY AND PROVIDING AN EFFECTIVE DATE.

He stated the resolution was prepared to provide a balance between a maintainable road and not create an undue hardship for property owners.

Mr. Mau explained that the County has experienced explosive growth in the eastern rural area and that there are numerous platted subdivisions that predate the current Land Development Code (LDC). Consequently, current standards are not easily applied to roads/access lanes built so that property owners can gain access to their property.

He submitted memorandum from Frank A. Buskirk, Buskirk Investment Group, in favor of the resolution.

(Enter Mrs. Glass)

Discussion: Whether to include requirement that survey must indicate location of wetlands along the road; Southwest Florida Water Management District (SWFWMD) requirements address wetlands; policy regarding nonmaintained roads; LDC specifies access necessary to obtain building permit; whether this document should reference the LDC and a statement relative to nonmaintained roads; the fact that a road is brought up to certain criteria does not obligate County to maintain the road; etc.

It was recommended that the resolution include language referencing the LDC and a statement relative to County nonmaintained roads. Action was deferred to later in the meeting.

(Depart Mr. McClash)

LAWSUIT: MANATEE COUNTY V. JOHN J. NEVINS, ET AL

Motion was made by Mrs. Harris, seconded by Mrs. Hooper and carried 4 to 0, to approve a settlement with property owner Shirley Jenkins for a total payment to Ms. Jenkins in the amount of \$3,000, for the taking of parcel 2515/104, in the eminent domain matter styled Manatee County v. John J. Nevins, et al, Case CA 95-4342 (State Road 70 Improvement).

(Enter Mr. McClash)

VALUE ADJUSTMENT BOARD

H. Hamilton Rice, Jr., County Attorney, requested appointment of three members of the Board of County Commissioners, and alternates, to the 1996 Value Adjustment Board and designate one member as Chairman.

Mr. McClash requested that the County Administrator determine from the Property Appraiser the policy regarding reasonable excuses for not filing homestead exemption in a timely manner.

Mr. Gause, Mrs. Harris and Mr. McClash were recommended as members and Mrs. Hooper and Ms. Brown as alternates.

Motion was made by Mrs. Glass, seconded by Mr. McClash and carried 5 to 0, to approve the slate as recommended.

Mrs. Harris was appointed Chairman of the Value Adjustment Board.

LAWSUIT: SHAMP V. MANATEE COUNTY

Motion was made by Mr. McClash, seconded by Mrs. Glass and carried 5 to 0, to approve proposed settlement (\$23,750) of Sandra Shamp and John Shamp v. Manatee County, Circuit Case CA 95-407.

FIRST UNION BANK BUILDING

David Rothfuss, Assistant County Administrator, recommended acceptance of the written notice by First Union National Bank of Florida that it will vacate its interim leased premises in the First Union Bank Building, 920 Manatee Avenue West, Bradenton, on or before April 30, 1996; prior approval of a four-week, holdover tenancy in the event that the Bank's relocation may be delayed, under the same terms and conditions as are currently in effect; and authorization for staff to enter into negotiations with First Union National Bank of Florida for the lease of 31 parking spaces located south of the Bank Building.

Motion was made by Mrs. Harris to approve the agenda item as presented. Motion was seconded by Mr. McClash.

It was requested that, prior to entering into negotiations to lease parking spaces, the parking policy be brought back, including parking in the Administrative Building and the west side of the Bank Building.

Motion carried 5 to 0.

COMMISSIONERS' COMMENTS

Cortez Historical District

Mr. Stephens thanked Senator John McKay and County staff for assistance in reinstating funding for the Cortez Historical District into one of the legislative bills to receive benefits relating to the net ban issue.

Golf Course Identification Cards

Mr. Stephens questioned why golf course identification cards are limited to only one means of information for approval, noting that some residents own property here, but live here only six months of the year or do not have a Florida driver's license.

**Disposition:** Referred to staff for review of impact on part-time residents.

RURAL ROAD STANDARDS (Cont'd)

Mr. Mau submitted amended Resolution R-96-44 with the following language inserted at the appropriate places: "Whereas, Section 712.2.3 of the Land Development Code requires construction of certain roads with stabilized base meeting County standards;" and "3. Consistent with the Manatee County Resolution found in Minute Book 31, Page 373, adopted October 20, 1981, the construction of a road to County Rural Shell Road Standard does not obligate the County to maintain said road in the future, unless the County designates the road as a County Maintained Road."

Motion was made by Mr. McClash, seconded by Mrs. Hooper and carried 5 to 0, to adopt Resolution R-96-44 as amended at this meeting.

RECORD S44-2731

SUGAR BOWL ROAD

Len Bramble, Public Works Director, requested execution of Work Assignment 14 with Wade-Trim, Inc., for Sugar Bowl Road, not to exceed \$110,871.50 (deleted from Consent Agenda earlier in meeting).

Mr. Stephens stated he would not support a payment in that amount for such a limited amount of work.

Mr. Bramble explained that previous estimates for construction were too low; consequently, the projected cost of engineering design and construction supervision were also too low. He stated the northern portion of road from State Road 70 to Clay Gulley Road needs to undergo permitting by Southwest Florida Water Management District (SWFWMD).

Rob Cuthbert, Purchasing Director, addressed the design-build concept for road improvements.

Mr. Mau stated there is approximately one mile of road that SWFWMD would not allow the County to shell or grade, and that section is what is causing the need for outside consultants. He noted they do not have a design engineer on staff.

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Motion was made by Mrs. Glass and seconded by Mrs. Hooper, to approve the request. Motion carried 3 to 2, with Mr. McClash and Mr. Stephens voting nay.

RECORD S44-2732

Discussion: Cost for this is the same or more than designing an entire road; conduct workshop to discuss need for in-house design engineer, design-build concept for road improvements, etc. It was requested a report be prepared comparing paving costs with maintenance costs; etc.

ECONOMIC INITIATIVE STEERING COMMITTEE

Motion was made by Mrs. Glass, seconded by Mrs. Harris and carried 5 to 0, to add Chuck Shumard, Mayor of Anna Maria Island, to the Economic Initiative Steering Committee.

Recess/Reconvene. All members present except Mr. Gause and Ms. Brown.

JUVENILE JUSTICE DEPARTMENT - RECEPTION AND ASSIGNMENT CENTER

David Rothfuss, Assistant County Administrator, recommended (1) delegation of authority to the Manatee Sheriff's office to execute an agreement with the Florida Department of Juvenile Justice (DJJ), establishing a Reception and Assignment Center at the Port Manatee Stockade Complex, substantially in accordance with the form of draft agreement submitted, and subject to review and concurrence by the Manatee County Attorney and Manatee County Administrator; and (2) authorization for the Manatee Sheriff's Office and Facilities Management Department to monitor the interim renovations to be made to the Stockade Complex by DJJ contractors to accommodate the operation of the Center.

Sheriff Charles Wells stated the juvenile inmates would be evaluated and transferred to the appropriate facility/program.

Lannie Christie, Sheriff's Department, reported they currently have five programs with DJJ with 95 employees involved and are contemplating an additional 198 employees. He reviewed funds involved in the programs noting there is the possibility of rental income between \$3 million to \$4 million which will fund part of the budget.

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried 5 to 0, to approve the agenda item.

(Note: Agreement to be submitted at a later date.)

CHILDREN'S SERVICES FUNDING

Public hearing (Notice in the Bradenton Herald 3/7/96) was held to consider funding to the Manatee County School Board for the Collaborative Action Therapy for Children's Health and Well-Being (CATCH) Program, not to exceed \$45,000 for the period April 1, 1996, to September 30, 1996.

(Enter Ms. Brown)

Fred Loveland, Community Services Director, stated this is a joint program with the Manatee County School Board and Manatee County Preschool Interagency Council, to identify children in nonschool-based preschool settings to receive services available in school-based settings, e.g., Head Start. The funding would allow for identification of at-risk and disturbed children and ultimately allow for the draw down of State Department of Education Full Time Equivalent (FTE) dollars the following year to allow the program to continue. It is envisioned that there would be a request for some County money next year to provide for services to complement those services available through the FTE funding from the School Board.

Walter Boynton, Grants Coordinator for the Preschool Council, stated the program will provide speech and mental health counseling. He stated they are currently receiving \$105,000 from a Department of Education grant, \$107,000 through the County system for the infants & toddlers program, and an additional matching fund of \$10,000 from Sertoma for this CATCH grant. There is currently no funding from the School Board.

Jeff Snyderman, Manatee County School System, stated this will benefit children three years old and up.

Discussion: This program deals with early detection of behavior problems rather than later placement into special education classes; if School Board will provide funds in the future; funding amount will significantly decrease for next year due to FTE's, School Board commitment, etc.

Ms. Brown declared a conflict of interest and abstained from voting.

Mr. McClash moved to conceptually approve funding to the Manatee County School Board for the Collaborative Action Therapy for Children's Health and well-being (CATCH) program in an amount not to exceed \$45,000 for the period beginning April 1, 1996, and ending September 30, 1996, and staff negotiating something and bringing it back to the Board for approval. Motion was seconded by Mrs. Harris and carried 5 to 0.

COMMISSIONERS' COMMENTS (Continued)

Wares Creek/Cedar Hammock Flood Control Project

Mrs. Glass reported on the recent Washington, D.C., trip which was combined with the annual NACo conference. She gave a status report on funding for water resources.

Charles Hunsicker, Public Works, addressed the Wares Creek project and submitted an information packet which included a copy of memorandum (3/19/96) from The Dutko Group regarding federal funding for the project. He stated the total cost of the project is \$13.8 million with an estimated federal share of \$8.8 million and local share of \$5 million.

It was recommended that staff continue to stay in close contact with the Army Corps of Engineers, the City of Bradenton, et al. An update was requested regarding City/County share of costs and any other funds which may be available from the State.

(Depart Mrs. Hooper)

Charlotte Harbor Project

Mrs. Glass reported that the Peace River Water Supply Authority contract with Charlotte County was facilitated and that the Charlotte Harbor project has been funded.

Crosley/ASID Event

Mrs. Glass reported that the Crosley Estate open house has been very successful and may be extended another week. Mrs. Harris suggested some process of recognition for County staff who have worked on the Estate.

University of South Florida Community Leadership Council

Mrs. Glass reminded the Board that the University of South Florida Community Leadership Council Event will be held March 21, 1996.

NACo Conference/Charlie Hunsicker

Mrs. Harris reported that NACo requested Mr. Hunsicker to represent NACo and the West Coast of Florida at a meeting in North Carolina regarding environmental/water issues; Sarasota County stated it would help with expenses for Mr. Hunsicker.

Justice and Public Safety Steering Committee

Mrs. Harris announced that she has joined the Justice and Public Safety Steering Committee, which will be focusing on juvenile delinquency issues.

County Staff/Appreciation

Mrs. Harris stated that representatives from the Florida Association of Counties expressed high regard for Charlie Hunsicker, Karen Jackson-Sims and Manatee Government Access staff.

Sewer Connection/Out of Door Academy

Mrs. Harris confirmed that the Out of Door Academy sewer connection will be on the April 2, 1996 agenda.

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(Cont'd)

Recycling Pick-up

Mrs. Harris reported that recyclables have not been picked up in her area for four weeks and requested a report regarding the problem.

Trailer Estates - Water Line Replacement

Mrs. Harris requested a status report regarding the water line replacement for Trailer Estates as well as a possible land exchange of County-owned property in Trailer Estates.

Reclaimed Water Use (Condominium Associations)

Mrs. Harris reported problems in providing responses to requests from condominium associations for information regarding reclaimed water use, e.g., hooking up, allowing master back flow preventor, etc. She requested the matter be placed on a future agenda.

Emergency Medical Services - Peak Demand Staffing

Mrs. Harris recommended having one presentation regarding proposed Emergency Medical Services peak demand staffing, to which the fire departments, public safety providers, et al, are invited.

PORTS PROGRAM


Mr. Stephens stated he will be attending a Tampa Bay Regional Planning Council (TBRPC) meeting in April to discuss the Physical Oceanographic Real Time System (PORTS). He stated that Hillsborough County is currently paying for the PORTS Program and the TBRPC is asking that Manatee, Hillsborough and Pinellas counties share in the cost. It was suggested that he be accompanied by David McDonald, Port Director.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

  
 \_\_\_\_\_  
 Clerk

Adj: 3:42 p.m.  
 /eml

  
 \_\_\_\_\_  
 Chairman 5/19/96