

JULY 30, 1996

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, July 30, 1996, 9:00 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  
 H. Hamilton Rice, Jr., County Attorney  
 Judy LaMee, Director of Communications and Development,  
 representing R. B. Shore, Clerk of Circuit Court

Invocation by The Reverend Ron Gaudio, First Baptist Church of Gillette.

The meeting was called to order by Chairman Stephens.

**INTRODUCTION**

The Chairman introduced Francisco Rico who is working in the Community Affairs Department and will graduate from the "Step Up" Program.

**EMPLOYEE SUGGESTION AWARDS**

Certificate of Merit and \$500 bonus were presented to **Dawn Avalle**, Data Operator/Financial Management, for a suggestion to automate the handling of surplus items in the Central Stores Division.

Certificate of Merit and \$100 bonus were presented to **Maria Prieto**, County Administrator's Office, for a suggestion which reduced copy costs associated with Board of County Commission agendas.

Certificate of Merit and \$50 bonus were presented to **Neil Mazzei**, Building Department, for the suggestion and development of a form to consolidate processing information for final plats. Mr. Mazzei donated the bonus to the Manatee Association of Retarded Citizens.

**AWARDS**

Meritorious service award/plaque and clock were presented to **Elijah King**, Transportation Department, honoring his 30 years of service.

Nina Perry, Bar Association Legal Aid Society, presented 1996 appreciation plaques to the **County Attorney's Office** and to **Jeffrey Steinsnyder** and **Mark Barnebey**, Assistant County Attorneys, for pro bono legal services to the poor and contributions regarding special hearing officers on housing appeals.

**ORDINANCE 96-35: LAKEWOOD RANCH COMMUNITY DEVELOPMENT**

Public hearing (Notice in the Bradenton Herald 6/25, 7/2, 7/9 and 7/16/96) was opened to consider

**ORDINANCE 96-35** AN ORDINANCE OF MANATEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA ESTABLISHING THE LAKEWOOD RANCH COMMUNITY DEVELOPMENT DISTRICT 3 PURSUANT TO CHAPTER 190, FLORIDA STATUTES; SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR THE ADMINISTRATION, OPERATION AND FINANCING OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR ACKNOWLEDGEMENT AND AGREEMENT BY THE PETITIONER; AND PROVIDING AN EFFECTIVE DATE.

Motion was made by Ms. Brown, seconded by Mr. McClash and carried 7 to 0, to continue Ordinance 96-35 to August 6, 1996, at 2:00 p.m.

**POMELLO PARK ROADS**

Adron Walker representing Christine Bazemore, Ralph Schappacher and 12 property owners in Pomello Park, requested the issue of road standards for the subdivision be placed on a future agenda

Mrs. Glass moved to place this matter on the agenda for review of policy and a status report. Motion was seconded by Mrs. Harris and carried unanimously.

**OLD SOUTH COUNTY LIBRARY**

Jim Zimmerman, representing Veterans Information Center, and Beverly Comstock requested use of the vacant building to warehouse new and used items for sale to the public for expenses and the benefit of veterans.

**AGENDA DELETION**

Ernie Padgett, County Administrator, deleted the following items from the agenda: (1) Tourist Development Council recognition plaque to Fred Runnells, (2) Anna Maria Island Chamber of Commerce request, and (3) Donation from the estate of Gladys Snell to the Crosley estate.

**RISK ASSESSMENT MEETING**

H. Hamilton Rice, Jr., County Attorney, announced a Risk Assessment meeting will be held on the 9th floor of the Administrative Center today at 1:30 p.m., in the case of Frank Holliday, Claim 96-473.

**CONSENT AGENDA**

Upon motion by Mrs. Glass and second by Mrs. Harris, the Consent Agenda dated July 30, 1996, was approved 7 to 0 with the following changes: (1) delete consulting services for Johnson Middle School sidewalk and intersection improvements with Post, Buckley, Schuh and Jernigan, Inc. (separate action), and (2) amend agenda memorandum for Gulf Coast Senior Games deleting item 4 regarding Civic Center fee waiver. Items APPROVED:

**CLERK'S CONSENT CALENDAR**

**BONDS**

**Accept:**

**Summerfield Village, Subphase C, Units 4 and 8; Summerfield Parkway**

1. Agreement with SMR Communities Joint Venture warranting required improvements (\$32,236.32).
2. Defect Security: \$32,236.32 (Bond 08019694, Fidelity and Deposit Company of Maryland, surety)
3. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (final lift of asphalt), (\$18,310.31)
4. Performance Bond: \$18,310.31 (Bond 08019695, Fidelity and Deposit Company of Maryland, surety)
5. Agreement with SMR Communities Joint Venture for final wearing of asphalt on roadways. RECORD S45-406
6. Agreement with Lakewood Ranch Community Development District 1, warranting required improvements for Summerfield Parkway (\$47,965.94).
7. Defect Security: \$47,965.94 (Bond 08019693, Fidelity and Deposit Company of Maryland, surety)

**Release:**

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, Summerfield Parkway (\$336,127.94).
2. Performance Bond: \$336,127.94 (Letter of Credit S967012, Northern Trust Bank, surety)
3. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$170,947.31).
4. Performance Bond: \$170,947.31 (Bond CSB 8019118, Fidelity and Deposit Company of Maryland, surety)

**REFUNDS**

Mel McGinnis - Application for rezone and PDR withdrawn \$ 1,148.72

**WARRANT LIST**

Approve: July 25, 1996 through July 29, 1996  
 Authorize: July 30, 1996 through August 5, 1996

**AUTHORIZE CHAIRMAN TO SIGN**

**Satisfaction of Judgment**

Edwardo Barron, Case 95-1706F (\$100)

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**Partial Release of Special Improvement Assessment Lien:**

Projects 3008; 3009; 3102(2); 3106; 5068; 5144; 5147

**ACCEPT****Cedar Hammock Fire Control District** - Schedule of regular meetings for FY 1996-97.**HOME and State Housing Initiative Program**Amended "Exhibit 2" to construction agreement with Cheaves Masonry and Construction (6/4/96) for the home of John and Caldonia Harper.**RECORD** S45-407**Manatee County Detention Facility** - Contract Close Out Manual including subcontractor listings, warranties, lien waivers, etc.**COUNTY ADMINISTRATOR****FLORIDA YARDS AND NEIGHBORHOODS PROGRAM****R-96-126** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A GRANT FROM THE TAMPA BAY REGIONAL PLANNING COUNCIL ON BEHALF OF THE TAMPA BAY NATIONAL ESTUARY PROGRAM UNDER THE FLORIDA YARDS AND NEIGHBORHOOD PROGRAM

(\$10,000; authorizing execution of all appropriate documents with regard to submission and acceptance).

**RECORD** S45-408  
S45-409**ENTERPRISE ZONE DEVELOPMENT AGENCY****R-96-158** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING R-95-223 PROVIDING FOR THE REAPPOINTMENT OF SEAT 10 OF THE ENTERPRISE ZONE DEVELOPMENT AGENCY (appointing Chief Jay Ridings to replace Chief Mead Britt, Palmetto Police Department, term expiring April 2, 2000).**RECORD** S45-410**HOUSING PRESERVATION GRANT**Execute amendment to agreement with Rural, Economic and Community Development Agency (fka Farmers Home Administration) providing a 60-day extension (to 11/29/96) regarding inspections services and bid responses from contractors.**RECORD** S45-411**TRANSIT BUS TICKETS****R-96-98** RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO DISBURSE NOT MORE THAN TWELVE HUNDRED COMPLIMENTARY BUS TICKETS PER YEAR TO BE USED IN PROMOTING THE COUNTY BUS SYSTEM TO THE RESIDENTS OF MANATEE COUNTY; AND RESCINDING R-94-292.**RECORD** S45-412**TRANSIT - INTERAGENCY FIELD DAY**Provide transit services to Rubonia Community Center, Palmetto Youth Center, Cortez Village Community Center, Anna Maria Island Community Center, Bayfront Park Recreation Center, Tallevast Community Center and Myakka City Community Center at \$.50 per child for the interagency field day at Bradenton Middle School (8/2/96).**CROSLY ESTATE**

1. Accept donation from Judy Graham (Graham Interiors) of **silk drapes** valued at \$3,500, including installation, for the Crosley Estate.
2. Pay Crosley Estate Foundation (not-for-profit organization) annual report fee to Secretary of State, \$61.25.

**CONVENTION AND VISITORS BUREAU**Media advertising schedule and schedule of promotional travel shows for FY 1997 as part of the overall CVB marketing plan. **RECORD** S45-413**VALUE ADJUSTMENT BOARD**Execute the 1996 Value Adjustment Board agreement with Janice M. Matson, Special Master, and the Value Adjustment Board upon receipt of a signed copy from the School Board. **RECORD** S45-414**SOUTH COUNTY LIBRARY**Execute Certificate of Substantial Completion with Jerry N. Zoller, AIA, P.A. and Westco Builders of Florida, Inc. **RECORD** S45-415**LIBRARY - STUDENT LEARNING AND INFORMATION CENTER****R-96-169** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING A LIBRARY SERVICES AND CONSTRUCTION ACT GRANT FROM THE FLORIDA DEPARTMENT OF STATE, DIVISION OF LIBRARY AND INFORMATION SERVICES, FOR THE IMPLEMENTATION OF THE STUDENT LEARNING AND INFORMATION CENTER PROJECT(execution of Grant Agreement, \$74,985; authorizing execution of all appropriate documents). **RECORD** S45-416  
S45-417

**PARKS AND RECREATION**

1. Accept donation of tents and frames from the Manatee County Dolphin Booster Club with a total value of \$1,250.
2. Accept donation of starting blocks (8) for competitive swimming from Michael K. Gleydura with a value of \$8,000.
3. Approve, ratify and confirm: (1) pool fee waiver for the Manatee County Dolphin Swim Team Booster Club swim meet held June 21-23, 1996, and (2) cosponsorship of the event by Parks and Recreation.

**GULF COAST SENIOR GAMES**

R-96-141 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING DONATIONS FROM THE GULF COAST SENIOR GAMES INC., FOR THE COORDINATION OF THE 1997 GULF COAST SENIOR GAMES

(authorizing (1) acceptance of in-kind donations, (2) execution of agreement with Gulf Coast Senior Games, Inc. to conduct event, and (3) administration of event by Parks and Recreation). RECORD S45-418

**NATIONAL NIGHT OUT**

Parks and Recreation to cosponsor the annual "National Night Out" event with the Southeast Residents Association at Pride Community Park on August 6, 1996. RECORD S45-419

**REFUND**

Exception to refund policy set forth in R-95-234 for refunds to Dorothy Timmons, \$20; and Robin Hardy, \$10.85.

**SANITARY SEWER IMPROVEMENTS**

Execute Certificate of Substantial Completion with Kuxhausen Construction, Inc. for IFB 526724AA, 51st Avenue East extension.

RECORD S45-420

**PARTICIPATION PROJECT - HIGHLAND SHORES**

R-96-171 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE CERTIFICATION OF NON-AD VALOREM ASSESSMENTS PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS FOR ANNUAL SPECIAL ASSESSMENT PAYMENTS DUE WITH THE PAYMENT OF 1996 AD VALOREM TAXES (Highland Shore canal dredging).

RECORD S45-421

**SANITARY SEWERS - SYMPHONY LAKES**

Execute participation agreement with Homestead Homes, Inc. for installation of sanitary sewers at Symphony Lakes Subdivision, Phase I, at a cost of \$66,333.

RECORD S45-422

**DISPATCHING SERVICES**

Execute interlocal agreement with Whitfield Fire Control District for centralized dispatching services (emergency 911 and radio calls) effective July 30, 1996.

RECORD S45-423

**NEWSPAPER INSERT**

Approve, ratify and confirm Public Safety, Emergency Management Division, sponsorship of the Bradenton Herald newspaper educational insert, "The Hazards of Weather," not to exceed \$3,000.

**BAD DEBT WRITEOFF**

Write off bad debts of \$112,838.59 to Water/Sewer Fund 401, and \$73,154.28 to Solid Waste Fund 480, for FY 1996.

RECORD S45-424

**FEE WAIVERS**

1. Drug Free Communities Spring Cleanup - Approve, ratify and confirm waiver of landfill tipping fees for solid waste disposal (6/28/96).
2. Parrish Civic Association - Place four 20-yard roll-offs at various locations for cleanup event August 24-25, 1996; waive appropriate service and tipping fees at landfill.

**DEEDS AND EASEMENTS**

1. 75th Street West - Warranty Deed from Thelma Stalnaker, Vernard Hampton and Elizabeth J. Hampton for right-of-way; Affidavit of Ownership and Encumbrances.
2. Summerfield Village/Lakewood Ranch Boulevard - Utility Easement from Lakewood Ranch Community Development District 1 for a master pump station and force main at Clubhouse Drive; Affidavit of Ownership and Encumbrances.
3. Summerfield Village/Lakewood Ranch Boulevard - Utility Easement from Schroeder-Manatee Ranch, Inc. for access to sanitary sewer line (south of State Road 70); Affidavit of Ownership and Encumbrances.

**75TH STREET WEST IMPROVEMENTS**

Execute Contract for Sale/Purchase for a Temporary Construction Easement with The Lakes III Condominium Association, Inc., \$507; and accept Temporary Construction Easement for tying in existing improvements (Manatee Avenue to Cortez Road).

RECORD S45-425

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**HIGHWAY LIGHTING**

**R-96-187** A RESOLUTION AUTHORIZING EXECUTION OF A HIGHWAY LIGHTING AGREEMENT FOR THE ADJUSTMENT, RELOCATION AND/OR INSTALLATION OF A CERTAIN LIGHTING SYSTEM WITHIN THE RIGHT-OF-WAY LIMITS HEREINAFTER DESCRIBED, AND PROVIDING WHEN THIS RESOLUTION SHALL TAKE EFFECT (agreement with Florida Department of Transportation (FDOT) for State Road 789 [Gulf Drive] at Coquina Beach/Leffis Key).

RECORD S45-426  
S45-427

and

**R-96-170** A RESOLUTION AUTHORIZING EXECUTION OF A HIGHWAY LIGHTING AGREEMENT FOR THE ADJUSTMENT, RELOCATION AND/OR INSTALLATION OF A CERTAIN LIGHTING SYSTEM WITHIN THE RIGHT-OF-WAY LIMITS HEREINAFTER DESCRIBED, AND PROVIDING WHEN THIS RESOLUTION SHALL TAKE EFFECT. (agreement with FDOT for State Road 683 [U.S. 301] between 51st Avenue East and University Parkway)

RECORD S45-428  
S45-429

**LOCAL, STATE AND FEDERAL PERMIT APPLICATIONS**

**R-96-159** A RESOLUTION OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE PUBLIC WORKS DIRECTOR, PROJECT MANAGEMENT DIRECTOR, TRANSPORTATION DEPARTMENT DIRECTOR OR ANY OF THE DIRECTORS' INDIVIDUAL DESIGNEES, TO EXECUTE DOCUMENTS OF A MINISTERIAL NATURE ASSOCIATED WITH OBTAINING LOCAL, STATE AND FEDERAL PERMITS FOR CONTEMPLATED PROJECTS WITHIN COUNTY-OWNED PROPERTY, PUBLIC RIGHTS-OF-WAY, AND PUBLIC EASEMENTS, AND RESCINDING RESOLUTION R-95-85.

RECORD S45-430

**TILLMAN SCHOOL AREA SIDEWALKS**

County to provide equipment and labor to pipe ditch along 29th Avenue East for construction of a new sidewalk (School Board to furnish materials).

**34TH STREET WEST IMPROVEMENTS**

Execute Change Order 1 to Work Assignment 2 with Lombardo and Skipper, Inc. for design of signal at 60th Avenue and 34th Street West, \$12,000 (total contract, \$564,450.)

RECORD S45-431

**BRIDGE REHABILITATION**

Execute Work Assignment 5 with Glace and Radcliffe, Inc. for engineering services to rehabilitate 16 bridges, \$45,066.

RECORD S45-432

**MATERIALS AND SERVICES**

1. **Batteries** - Issue Change Order 1 to blanket purchase order 104431 for high capacity Ni-Cad radio batteries from Communications International, Inc., \$15,000 (adjusted purchase order \$49,500).
2. **Force Main Relocation** - Award IFB 96-6030-DC to DeLesline Construction, Inc. for the Bayshore Yacht Basin, \$62,977.15; and subsequent execution of contract, dating of performance bond and acceptance of insurance certificate.
3. **Computer System** - Award IFB 966296KK to the lowest responsive, responsible bidder meeting specifications, RNet Computer Services, for a computer network system for Court Administration.
4. **Derelict Vessels** - Award Bid 9606038MP to the lowest responsive, responsible bidder meeting specifications, Doug Hugenberg Marine Construction, for removal and disposal, \$25,500.
5. **Restroom Facility** - Award IFB 966380DC to the lowest responsive, responsible bidder meeting specifications, Fredericks Construction Co., Inc., for construction at East Bradenton Park; and subsequent execution of contract, dating of performance/payment bond and acceptance of insurance certificate.
6. **Excavator and Trailer** - Award IFB 965816KK to the lowest responsive, responsible bidder, Kelly Tractor Co. for crawler mounted excavator, \$28,975; and M. D. Moody and Sons for trailer, \$3,145 (Public Works).
7. **Excavator** - Award IFB 965839KK to the lowest responsive, responsible bidder meeting specifications, GS Equipment Co., for a telescoping hydraulic excavator, \$214,850 (Transportation).
8. **Fuel Tank System** - Award IFB 966109NA to the lowest responsive, responsible bidder meeting specifications, Norris and Salmon Pump Service, Inc., to furnish and install system, \$55,012.
9. **Buses** - Award IFB 965598MP to the lowest responsive, responsible bidder meeting specifications, First Class Coach and Equipment, Inc. for six transit buses, \$620,700; and simultaneously execute contract and accept Letter of Credit 96-10 in the amount of \$124,140 (SouthTrust Bank of Orlando, surety).

RECORD S45-433

- 10. **Bridge Replacement** - Award IFB 965630DC to the lowest responsive, responsible bidder meeting specifications, Zep Construction, Inc., to replace the Wauchula Road bridge, \$1,383,845.43; and subsequently execute contract, date performance/payment bond and accept insurance certificate.
- 11. **Xerox Paper** - Purchase recycled paper via State contract on an as required basis from Zellerbach, \$76,542.60.
- 12. **Cable** - Award IFB 965456MP to the lowest responsive, responsible bidder meeting specifications, Ken Robinson of Florida, Inc. for purchase and installation of underground cable, \$28,245.

**BRADEN RIVER PARK**

Execute Work Assignment 43 with Black and Veatch for engineering services regarding bids and final project certification, \$41,688.

RECORD S45-434

**CANAL ROAD**

Execute Change Order 6 to Work Assignment 4 with Glance and Radcliffe, Inc. for design and right-of-way modifications, \$32,792 (adjusted contract, \$474,233.50).

RECORD S45-435

**BLOOD SCREENINGS AND COUNSELING SESSIONS**

Addendum 1 to agreement with L. W. Blake Hospital regarding employee health benefits for one year (8/30/96-8/31/97) with a renewal option for one year.

RECORD S45-436

**EMPLOYEE ASSISTANCE PROGRAM**

Addendum 3 to agreement with Manatee Glens Corporation extending services to December 31, 1996.

RECORD S45-437

**FOURTH OF JULY FIREWORKS**

Reimburse \$3,500 to the City of Palmetto for the celebration held July 4, 1996.

**SANITARY LANDFILL**

Execute Total Cost Agreement with Ringhaver Equipment Co., for the purchase of two Caterpillar 623F scrapers, \$763,010.

RECORD S45-438

**LOCKWOOD RIDGE ROAD**

Execute Change Order 1 to Work Assignment 1 with Post, Buckley, Schuh and Jernigan, Inc. for engineering services to upgrade utilities (Tallevast Road to 57th Avenue East), \$29,485 (revised work assignment total not to exceed \$694,431).

RECORD S45-439

**UTILITIES - PAYMENT IN LIEU OF TAXES**

**R-96-178** A RESOLUTION OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE IMPOSITION AND PAYMENT OF CERTAIN PAYMENTS IN LIEU OF TAXES UPON CERTAIN PROPERTY UTILIZED BY THE COUNTY'S UTILITY SYSTEM; PROVIDING FOR THE AMOUNT, SOURCE AND PRIORITY OF SUCH PAYMENT; AUTHORIZING THE PROPER OFFICERS OF THE COUNTY TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE IMPOSITION AND COLLECTION OF SUCH PAYMENTS IN LIEU OF TAXES; AND PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE

(water and wastewater facilities imposition, \$1,215,109; solid waste facilities imposition, \$50,000 for FY 1996).

RECORD S45-440

**TAYLOR ROAD BRIDGE**

Execute Work Assignment 15 with Wade-Trim, Inc. to provide engineering services for design, geotechnical analysis, survey and construction services for replacement of bridge, \$53,762.64.

RECORD S45-441

**WAUCHULA ROAD BRIDGE**

Execute Work Assignment 71 with Professional Service Industries, Inc. for testing bridge construction material, \$44,958.04.

RECORD S45-442

**BUDGET AMENDMENTS**

**AGRICULTURE AND NATURAL RESOURCES (B-96-115/1&2)**

**Decrease Revenue/Expenditure:** Transfers funds from the fairgrounds project to the fairgrounds maintenance cost center for a new roof cover for the Bell building and roof repair.

\$23,702 S45-443

Item Transfer:

\$23,702 S45-444

RECORD

**CONVENTION AND VISITORS BUREAU (B-96-116)**

Item Transfer: Carries forward unexpended monies from FY 1994-1995 for expenditure in FY 1995-1996 for enhanced advertising and promotional programs and administrative costs.

\$82,000

RECORD S45-445

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**FINANCIAL MANAGEMENT**

(B-96-117)

Increase Revenue/Expenditure: Appropriates a portion of the anticipated commercial paper proceeds for the Courthouse Annex project and the purchase of six transit handi-buses which are being purchased in anticipation of grant funding. \$2,014,050

RECORD S45-446

(B-96-118/1&amp;2)

Increase Revenue/Expenditure: Appropriates funding for the County's employee dental insurance program based on projected premiums and expenditures for FY 1996. \$115,000

S45-447

Item Transfer:

\$34,000 S45-448

RECORD**PARKS AND RECREATION**

(B-96-119)

Increase Revenue/Expenditure: Appropriates monies for the Special Needs Camp program. \$17,066

RECORD S45-449

(B-96-120)

Increase Revenue/Expenditure: Appropriates monies for the East Bradenton Outreach Program approved 5/23/95. \$10,000

RECORD S44-450**SHERIFF'S DEPARTMENT**

(B-96-121)

Increase Revenue/Expenditure: Appropriates monies to the Sheriff's budget for the Sheriff's Juvenile Assignment Center program which began during FY 1995-1996. Funding comes from contract revenues from the State Juvenile Justice program.

(Sheriff's Budget Amendment 96-01)

\$1,782,180

(End Consent Agenda)

RECORD S45-451**OLYMPIC TORCH RELAY**

Jerry Koontz, United Way, presented Certificates of Appreciation to Ernie Padgett on behalf of Manatee County; to Stan Stephens, Committee Chairman; and to the Olympic Torch bearers who participated in the relay through the County on July 4, 1996:

David Pierson	Walter Presha	Ron Allen	Sandy Batson-Hackley
Ken Oden	Cherace Peterson	Terry Pirrillo	Anthony Morrison
Lu Files	Russell Kitching	Eddie Shannon	John Marquiss
Tom Sequin	Moody Johnson	James Clark	Walter Miller

A video of the relay will also be given to participants.

Recess/Reconvene. All members present.

**MANATEE OPPORTUNITY COUNCIL**

Fred Loveland, Community Services Director, requested appointment of one person to serve on the Manatee Opportunity Council Board of Directors to replace Mike Pendley, county government representative, who resigned 10/31/95.

Mrs. Harris moved to cast a unanimous ballot for Brenda Blalock. Motion was seconded by Mr. Gause and carried unanimously.

**CHILDREN'S SERVICE FUNDING**

Mr. Loveland submitted a recommendation from the Children's Services Advisory Board for funding (\$45,000) the Collaborative Action Therapy for Children's Health and Well Being (CATCH) program (4/1-9/30/96). The School Board, in conjunction with Manatee County Interagency Preschool Council, will screen, identify, evaluate and treat at-risk and poorly behaved preschool-aged children.

Discussion: Services are being provided; State funded program; funds to be used for enhanced scope of services; funding does not cover services covered by other sources; funds will be less in future years.

Ms. Brown declared a conflict of interest due to her employment with Head Start, an agency of the Interagency Council.

Motion was made by Mrs. Harris, and seconded by Mrs. Glass, to execute the agreement with the Manatee County School Board. Motion carried 6 to 0, with Ms. Brown abstaining.

RECORD S45-452

**LOCAL LAW ENFORCEMENT BLOCK GRANT**

Mr. Loveland stated that a grant is being offered by the U.S. Department of Justice in the amount of \$468,781 (Federal/\$426,164; Local/\$42,617), over two years, to establish a county drug court and community service deputy program. He recommended adoption of

**R-96-174** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A LOCAL LAW ENFORCEMENT BLOCK GRANT FROM THE BUREAU OF JUSTICE ASSISTANCE, U.S. DEPARTMENT OF JUSTICE; DESIGNATING THE PUBLIC SAFETY COORDINATING COUNCIL AS GRANT ADVISORY BOARD AND AUTHORIZING THE CHAIRMAN OR HIS DESIGNEE TO EXECUTE ALL APPROPRIATE DOCUMENTS (local match, County/\$27,272; Sheriff/\$15,345).

Ms. Brown moved to adopt R-96-174. Motion was seconded by Mrs. Harris and carried unanimously. RECORD S45-453

**COURTHOUSE ANNEX AND FIRST UNION BUILDING**

Samuel Love, Facilities Management Director, presented a status report on renovation plans for the Courthouse Annex and First Union Building (FUB), Phase I, which has an anticipated start date of August 30, 1996.

He recommended award of IFB 966252DC to the lowest responsive, responsible bidder meeting specifications, L. A. M. Management, Inc., for the renovation project at a total cost not to exceed \$1,328,900; and to subsequently execute the contract, date performance/payment bond and accept the insurance certificate.

Discussion: Cost includes mechanical plant to serve both buildings; FUB costly to taxpayers.

Mrs. Harris moved approval of the recommendation. Motion was seconded by Mrs. Glass and carried 6 to 1 with Mr. McClash voting nay.

The County Administrator was requested to bring back logistics and space use for the facilities.

**SOUTH COUNTY LIBRARY (OLD)**

Mr. Love reported that several inquiries have been received for the utilization, sale or lease of the old South County Library building. He referred to Section 125.38, Florida Statutes, and requirement of a not-for-profit corporation being recognized as tax exempt under 501(C)3 by the Internal Revenue Service prior to County conveyance or lease.

He recommended that staff be authorized to go out with proposals to bid.

Mrs. Harris moved to approve the recommendation. Motion was seconded by Mrs. Hooper and carried unanimously.

**AFFIRMATIVE ACTION ADVISORY COMMITTEE**

Garry Dye, Human Resources Director, recommended appointment of six members to the Affirmative Action Advisory Committee, which reviews and makes recommendations regarding the Affirmative Action Program and to also act as the Employee Suggestion Committee.

**Women's Interests**

Mrs. Harris moved to cast a unanimous ballot for reappointment of Dorothy Ward. Motion was seconded by Mr. McClash and carried 7 to 0.

**Minority Interests**

Mrs. Harris moved to cast a unanimous ballot for Brenda Blalock. Motion was seconded by Mrs. Hooper and carried unanimously.

**Intergroup Problems**

Mrs. Harris moved to cast a unanimous ballot for reappointment of Roger Rodriguez. Motion was seconded by Mrs. Glass and carried unanimously.

Nominations: Linda Shinneman - by Mrs. Hooper  
 Yvette Sanders - by Mrs. Harris  
 Bob Herrington - by Mr. McClash



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Ms. Brown moved to close the nominations and a unanimous ballot be cast for the three nominees. Motion was seconded by Mrs. Harris and carried unanimously.

#### WARES CREEK FLOOD CONTROL PROJECT

Charlie Hunsicker, Planning Department, presented a status report on the Wares Creek flood control project, including legislation, and the proposed cost sharing policy for flood damage reduction projects.

He referred to cost and benefits charts and recommended approval of a letter to the Corps of Engineers supporting existing cost sharing pursuant to the Water Resources Development Act of 1986, Section 103 (not to exceed 75/25 percent), and the proposed new cost sharing policy (50/50 percent). Currently, the Federal share is 63.5 percent and local is 36.5 percent.

Motion was made by Mrs. Glass and seconded by Mrs. Harris to approve the letter of support. Motion carried unanimously.

Discussion: Recognition to staff for work on this project which has reduced the local share; support of local Legislative Delegation.

#### ANIMAL CONTROL ADVISORY BOARD

Vaughn Garbarek, Animal Control, requested appointment of six persons to the recreated Animal Control Advisory Board (sunset 11/7/95).

##### Animal Organization/Agency

Mrs. Harris moved to cast a unanimous ballot for Trudy Pratt and Julie Aichroth (two-year terms). Motion was seconded by Ms. Brown and carried 7 to 0.

##### Cattleman's Association

Mrs. Harris moved to cast a unanimous ballot for Clifford Coddington (three-year term). Motion was seconded by Mrs. Hooper and carried 7 to 0.

##### Veterinarian

Motion was made by Mrs. Harris, seconded by Ms. Brown and carried 7 to 0, to cast a unanimous ballot for Donald Williams (four-year term).

##### Business, Organization and/or Operational

Nominations:            Scott Holloway    - by Mrs. Harris  
                               Remonia Lewis    - by Mrs. Harris  
                               Lila Barker       - by Mr. McClash  
                               Dolores Sauer    - by Mr. McClash

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried 7 to 0, to close nominations.

After show of hands, Mrs. Glass moved to cast a unanimous ballot Scott Holloway and Remonia Lewis (one-year terms). Motion was seconded by Mrs. Harris and carried 7 to 0.

#### RECYCLING

Len Bramble, Public Works Director, presented a status report with graphics on the county-wide residential curbside recycling program implemented January 15, 1996. He addressed various program concerns and the attempts to resolve them.

Discussion: Concern that recycled product market is declining; participation declining; determining program success; need for computer monitoring system; reasons for increases/decreases of solid waste intake/recovery rate; report for July-September; monitoring non-separated solid waste going into landfill from other counties; rain affects weight; recovery (35%) depicts residential solid waste only; report determining total waste stream recovery forthcoming (10/96); County currently meeting State mandates; monitoring recycled product market; complaints are being resolved by franchise haulers, etc.

**ORDINANCE 96-36: OCCUPATIONAL SOLID WASTE COLLECTION**

Mr. Bramble stated that clarification is necessary regarding hauling of occupational solid waste from construction sites. He recommended a public hearing to consider Ordinance 96-36, amending Ordinance 85-11.

Mrs. Glass moved that staff be authorized to advertise the amendment (Ordinance 96-36). Motion was seconded by Ms. Brown and carried 6 to 1, with Mr. McClash voting nay.

Discussion: Ordinance restrictive/not clear; effect on small business person; Ordinance 85-11 only applicable to solid waste generated in Manatee County, etc.

**SPEED BUMP/HUMP INSTALLATION**

Harry Mendenhall, Transportation, reported on installation of speed bumps or humps on County roadways as a means of controlling travel speeds and reducing through traffic volumes. He recommended that speed bumps or humps not be approved due to safety and drainage concerns, and they are not an official traffic control device.

Discussion: Gradual humps can slow traffic; rumble strips noisy; slowing traffic in residential areas; request from Bayshore Gardens resident (26 St/67 Avenue); look at road humps in City of Palmetto; effect on emergency vehicle response time; etc.

**NUISANCE ABATEMENT BOARD**

David Rothfuss, Assistant County Administrator, recommended appointment of seven members to the Nuisance Abatement Board (established 6/4/96).

**Nominations:**

Wayne McCammon	by	Mr. Stephens
Robert Taylor	by	Mrs. Harris
John Reiter	by	Mr. Gause
Kevin Lottes	by	Mrs. Glass
John Rahe	by	Mrs. Hooper
Carol Waldron	by	Ms. Brown
Jo Ann Linsmith	by	Mrs. Harris

Mr. McClash moved that nominations be closed and a unanimous ballot be cast for the seven nominees. Motion was seconded by Mrs. Glass and carried 7 to 0. Without objection, the Chairman stated the first four members will serve four years and the last three members one year.

**LAWUIT MEDIATION APPOINTMENTS**

Mr. Rice requested appointment of two commissioners to attend mediation sessions in eminent domain matters relating to State Road 70: (1) Manatee County versus Ebonite Recreation Centers, Inc., et al, case CA-95-1753, parcel 102 (owned by Randolph and Jean Dail); and (2) Manatee County versus Anita M. Glasgow, et al, case CA-95-2009, parcel 134 (owned by Ricky Paley).

Mr. Gause was appointed to attend for CA-95-2009 on October 2, 1996, at 10:00 a.m. at 100 Wallace Avenue, Sarasota, with Mrs. Hooper to attend for CA-95-1753 on August 22, 1996, in the County Attorney's office. Alternates will be Mrs. Harris (10/2/96) and Ms. Brown (8/22/96).

**JOHNSON MIDDLE SCHOOL IMPROVEMENTS**

Change Order 1 to Work Assignment 5 with Post, Buckley, Schuh and Jernigan, Inc., for the Johnson Middle School sidewalk and intersection project at 27th Street/26th Avenue East was deferred to review plans regarding the intersection improvements.

**Recess/Reconvene.** All members present.

**BONDS - RURAL THOROUGHFARE PAVING, ETC.**

Jim Seuffert, Financial Management Director, recommended adoption of

**R-96-190** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE NEGOTIATED SALE OF MANATEE COUNTY, FLORIDA, TRANSPORTATION REVENUE REFUNDING AND IMPROVEMENT BONDS, SERIES 1996, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$13,985,000; DETERMINING CERTAIN DETAILS OF SAID BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE CONTRACT TO EFFECT THE NEGOTIATED SALE OF THE BONDS;

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(Cont'd)

APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF THE BONDS AND APPROVING, RATIFYING AND CONFIRMING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT BY THE UNDERWRITERS; AWARDED THE BONDS TO THE UNDERWRITERS; APPOINTING AN ESCROW AGENT; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT; APPOINTING A PAYING AGENT; APPOINTING A REGISTRAR; PROVIDING FOR A BOND INSURANCE POLICY AND SURETY BOND FOR THE BONDS PROVIDED BY MBIA INSURANCE CORPORATION; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINANCIAL GUARANTY AGREEMENT IN CONNECTION WITH ITS ISSUANCE OF THE SURETY BOND BY MBIA INSURANCE CORPORATION; AUTHORIZING THE REGISTRATION OF THE BONDS UNDER A BOOK-ENTRY SYSTEM; AUTHORIZING THE PROPER OFFICERS OF THE COUNTY TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE AS TO THE SALE AND DELIVERY OF THE BONDS; AND PROVIDING FOR AN EFFECTIVE DATE

(amount of bonds issued not to exceed \$16 million to: (1) replace short-term commercial paper and interfund loans, (2) refinance 1988 Gas Tax Bonds; (3) fund new assessment projects, and (4) fund the County's loan to the Port for the cold storage facility).

Discussion: Savings by refinancing gas tax funds; review by Clerk, County Attorney, Financial Advisor and Bond Counsel.

Motion was made by Mrs. Hooper, seconded by Ms. Brown and carried 7 to 0, to adopt R-96-190.

RECORD S45-454  
S45-455

#### CAPITAL FINANCING

Mr. Seuffert recommended adoption of

**R-96-185** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE BORROWING OF NOT EXCEEDING \$8,000,000 FROM THE POOLED COMMERCIAL PAPER LOAN PROGRAM OF THE FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION PURSUANT TO THE TERMS OF THE LOAN AGREEMENT BETWEEN THE COMMISSION AND THE COUNTY IN ORDER TO FINANCE THE ACQUISITION AND CONSTRUCTION OF VARIOUS CAPITAL IMPROVEMENTS WITHIN THE COUNTY INCLUDING THE REIMBURSEMENT OF CERTAIN COSTS PREVIOUSLY INCURRED BY THE COUNTY; AUTHORIZING THE EXECUTION OF A LOAN NOTE OR NOTES TO EVIDENCE SUCH BORROWING; AGREEING TO SECURE SUCH LOAN NOTE OR NOTES WITH A COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD VALOREM REVENUES AS PROVIDED IN THE LOAN AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH OTHER DOCUMENTS AS MAY BE NECESSARY TO EFFECT SUCH BORROWING; AND PROVIDING AN EFFECTIVE DATE

(authorizing: (1) reimbursement of acquisition costs and initial remediation of the First Union Building and renovations to the Courthouse Annex, \$3,000,000; (2) advance funding for Port road improvements, \$1,584,888; (3) funding to complete a Port dredging project, \$690,000; (4) advance funding for transit buses, \$620,700; and (5) vehicle replacement program, \$2,104,412).

and

**R-96-186** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, AUTHORIZING AN INTERFUND LOAN FOR TEMPORARY FINANCING OF THE COUNTY'S VEHICLE REPLACEMENT PROGRAM (authorizing \$605,000, which cannot be reimbursed by the commercial paper program and is to be paid during Fiscal Year 1996-1997).

David Thornton, Financial Advisor, addressed interest rates.

Motion was made by Mr. McClash, seconded by Mrs. Hooper and carried 7 to 0, to adopt R-96-185 and R-96-186.

RECORD S45-456  
S45-457

#### INDUSTRIAL REVENUE BONDS - CFI MANUFACTURING, INC.

Public hearing (Notice in the Bradenton Herald 7/15/96) was held to consider the proposed plan of financing by CFI Manufacturing, Inc., pursuant to the Tax Equity and Fiscal Responsibility Act (TEFRA).

H. Hamilton Rice, Jr., submitted

**R-96-166** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, DECLARING MANATEE COUNTY'S OFFICIAL INTENT TO SEEK REIMBURSEMENT ON BEHALF OF CFI MANUFACTURING, INC. (THE BORROWER) FOR CERTAIN CAPITAL EXPENDITURES TO BE MADE BY THE

BORROWER WITH RESPECT TO THE ACQUISITION, CONSTRUCTION, RENOVATION AND EQUIPPING OF CERTAIN MANUFACTURING FACILITIES TO BE OPERATED BY THE BORROWER FROM THE PROCEEDS OF THE COUNTY'S NOT TO EXCEED \$3,500,000 INDUSTRIAL DEVELOPMENT REVENUE BONDS (CFI MANUFACTURING, INC. PROJECT); APPROVING THE ISSUANCE OF SUCH BONDS WITHIN THE MEANING OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A GOOD FAITH DEPOSIT AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Webb Carter**, Chief Executive Officer of CFI Manufacturing, Inc., outlined sales history and expansion plans for the business at 2150 Whitfield Avenue which manufactures cushions and umbrellas for patio furniture.

**Gregory Barr**, Barnett Bank of Manatee County, advised that a letter of credit to back the bonds has been approved by Barnett Bank.

Mrs. Glass moved to adopt R-96-166. Motion was seconded by Ms. Brown and carried 7 to 0. RECORD S45-458

**CORTEZ ENTERPRISE ZONE DEVELOPMENT AGENCY**

Public hearing (Notice in the Bradenton Herald 7/10/96) was held to consider

**ORDINANCE 96-37** AN ORDINANCE OF MANATEE COUNTY, FLORIDA, ESTABLISHING AN ENTERPRISE ZONE DEVELOPMENT AGENCY (EZDA) TO PROVIDE THAT CERTAIN RESPONSIBILITIES SHALL BE RETAINED BY THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR THE DUTIES OF THE CLERK OF THE CIRCUIT COURT; PROVIDING A NAME FOR THE ENTERPRISE ZONE DEVELOPMENT AGENCY; AND PROVIDING AN EFFECTIVE DATE.

James Poag, Community Affairs, stated the purpose of this hearing is to establish the EZDA.

Discussion: If additional public hearings will be held; membership; fiscal powers; strategic plan to be considered August 6; continuing public hearing; whether Cortez residents understand what is proposed; EZDA to determine intent, i.e., historic, commercial or housing stock; legislation allowing net ban communities to participate in an EZDA, etc.

Speaking in opposition to the ordinance were: **Joyce Poelsma, Kathy Tupin, Jane von Hahmann, Linda Lutz and Denny Parker.**

**Wyman Coarsey** submitted the ballot taken at a Cortez community meeting July 29, 1996, which indicated 100 against and 12 in favor of EZDA.

Items addressed: matter progressing too fast; lack of communication with County government; increasing membership for additional Cortez residents; control of revenues/funds; residents not in favor of historic district; losing control of community; against grant money; boundaries.

Motion was made by Mr. McClash and seconded by Ms. Brown that staff **not proceed** with Ordinance 96-37 or the public hearing on August 6, 1996. Motion carried 7 to 0.

**STREET VACATIONS - SUMMERFIELD VILLAGE**

Public hearing (Notice in the Bradenton Herald 7/3/96) was held to consider

**R-96-138-V** RESOLUTION VACATING A PORTION OF MARIGOLD DRIVE, LOT 77, BLOCK C-5, SUMMERFIELD VILLAGE, SUBPHASE B, UNIT 2, TRACT 325.

Jim Staples, Transportation, stated that application by James D. and Lori A. O'Donnell is to vacate a portion of right-of-way to conform with required setbacks. If approved, the O'Donnells will convey an easement to the County to maintain the 50-foot right-of-way requirement.

Motion was made by Mrs. Hooper, seconded by Mrs. Glass and carried 7 to 0, to adopt R-96-138-V. RECORD S45-459

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(Cont'd)

LAWSUIT - PINEY POINT PHOSPHATES, INC.

Mr. Rice advised that the matter of Manatee County versus Piney Point Phosphates, Inc. is still pending (contrary to news media report) and the plant will not receive a permit until the matter is resolved.

MANATEE AVENUE WEST

The Chairman relayed complaints regarding barricades on Manatee Avenue West at 14th and 15th Street West which are causing extensive backup.  
**Disposition:** Mr. McClash to contact the Metropolitan Planning Organization (MPO) to help resolve the problem.

COMMISSIONERS' COMMENTS

Bike Path/U.S. 301 - Mr. Gause requested that FDOT be contacted regarding construction of a bike path on U.S. 301 to enable Ellenton residents to ride bikes to area shopping areas.

Traffic Control/U.S. 301 and Old Tampa Road - Mrs. Glass requested that MPO be contacted to expedite installation of the traffic signal at U.S. 301 and Old Tampa Road which is not scheduled until 1998-1999.

Recycling - Mrs. Glass requested staff investigate a service by Recycle U.S.A. to recycle antifreeze on site for fleet/automotive facilities.  
(Depart Mrs. Glass)

West Coast Inland Navigation District - Mr. McClash requested the public bring forward any waterway navigational problems.

Boat Ramp - SR 675/Lake Manatee - Mr. Gause advised that the boat ramp at SR 675/Lake Manatee is closed.  
**Disposition:** Referred to County Administrator.

Award/National Association of Counties (NACO) - Mrs. Harris requested that presentation of a plaque received at the NACO convention in Houston regarding the water resources initiative be placed on the next agenda.

34th Street West Access - Mrs. Harris requested the County Administrator contact the school superintendent to establish meetings regarding access on 34th Street West in the area of 53rd Avenue and 57th Avenue West at the proposed new school (Bayshore High School).

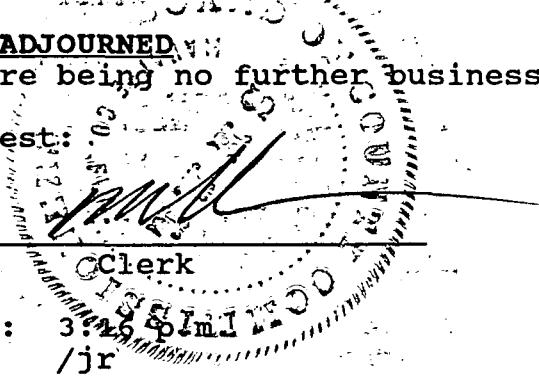
Wauchula Road - Mrs. Hooper requested the second lane on Wauchula Road be paved as soon as possible for safety reasons.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:



Clerk

Jean Stegeman  
Chairman 9/10/96

Adj: 3:26  
/jr