

AUGUST 6, 1996

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, August 6, 1996, at 9:02 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

**Absent were Commissioners:**

Maxine M. Hooper - family illness  
Joe McClash - vacation

**Also present were:**

Ernie Padgett, County Administrator  
Tedd Williams, Chief Assistant County Attorney  
Judy LaMee, Director of Communications and Development,  
representing R. B. Shore, Clerk of Circuit Court

Invocation by Rev. John Brabham of Christ United Methodist Church

The meeting was called to order by Chairman Stephens.

**AWARDS/PRESENTATIONS**

**NACo President's Sustainable Communities Leadership Award**

An award of the National Association of Counties (NACo) President's Sustainable Communities Leadership Award 1996 for the Manatee-Sarasota County Project for Sustainable Water Resources was presented.

**Employee of the Month**

Bobby Whatley, Public Works Department, was named the Employee of the Month. Mr. Whatley's supervisor, George Parks, accepted the award on Mr. Whatley's behalf. Len Bramble and Sia Mollanizar, Public Works, were also present.

**Meritorious Service Awards**

Meritorious Service Awards were presented to the Administrative Center Custodial Staff for outstanding job performance: Leo Martinez, Don McPherson, Adam York, Ann Florence, and Debbie Stark.

Sam Love, Facilities Management Director, was also present.

**Tourist Development Council Award**

Fred Runnells, former Bradenton City Councilman, was awarded a plaque for his years of service on the Tourist Development Council.

Accepting the plaque on his behalf were representatives from the Tourist Development Council and the City of Bradenton.

**ANNA MARIA CHAMBER OF COMMERCE**

David Rothfuss, Assistant County Administrator, reviewed previous actions (7/2/96) relating to construction of an Anna Maria Island Chamber of Commerce facility adjacent to the Manatee Beach Concession building. He stated that the Chamber would have to go through a permitting process and incur the costs of developing construction plans.

Bob Hinds and Mary Ann Brockman, Anna Maria Chamber of Commerce, were present to explain the construction project.

Direction was given to the Chamber representatives to move forward with the construction project with the understanding that its responsibility will be to obtain permitting and follow proper procedures.

**PROCLAMATION**

Upon motion by Mrs. Harris, and second by Ms. Brown, a Proclamation designating August 6, 1996, as National Night Out was adopted 5 to 0.

RECORD S45-461

Remonia Lewis was present to accept the Proclamation.

AUGUST 6, 1996

(Cont'd)

CITIZENS' COMMENTSCortez Enterprise Zone

Mary Fulford Green, representing Cortez Village Historical Society and Historical Community Center, requested the Board reverse the decision (7/30/96) not to proceed with the Cortez Enterprise Zone.

Sue Maddox, Rhonda Guthrie, Karen Bell, and Wyman Coarsey thanked the Board for the decision regarding the Enterprise Zone.

Beach Renourishment

Dottie McChesney stated she hoped the beach renourishment issue will go forward and thanked the Board, staff and others for their assistance.

(Note: Item discussed later in the meeting.)

AGENDA DELETION

The County Administrator advised an Interagency Agreement with Florida Game and Fresh Water Fish Commission, for management of the proposed Boggy Creek Mitigation Park, was deferred to September 10, 1996.

CONSENT AGENDA

Upon motion by Ms. Brown and second by Mr. Gause, the Consent Agenda for August 6, 1996, was approved 5 to 0, with deletion of 1) purchase of dispatch switch and console upgrade with Ericsson, Inc. (deferred to 8/22/96); and 2) Resolution R-96-145 certifying Keep Manatee Beautiful as eligible sponsor (separate action). Items APPROVED:

CLERK'S CONSENT CALENDARBONDSAccept:

Sheriff's Public Deputies Blanket Bond (30 Additions; 11 Deletions)

RECORD S45-462

REFUNDS

Manatee Joint Venture - Impact Fee \$1,588.90

Manasota Commercial Constr - Water connection fee paid twice 1,400.00

WARRANT LIST

Approve: July 30, 1996 through August 5, 1996

Authorize: August 6, 1996 through August 21, 1996

AUTHORIZE CHAIRMAN TO SIGN

Partial Release of Special Improvement Assessment Liens: Projects 3009-5147 (3); 3007-2508; 3010-5148; 3100-2509; 3102-2502 (3); 5056; 5081; 5147; 5148; 5155

Satisfactions of Judgment:

Bernard Waiters, Case 94-3342JD (\$100)

Milton Waiters, Case 93-2035F (\$255)

Courthouse Annex Renovations - Contract with LAM Management, Inc., IFB-96-6252-DC; \$1,328,900; date performance and payment bonds; accept Certificate of Insurance

RECORD S45-463

APPROVE, RATIFY & CONFIRMParks & Recreation Special Interest Instructor Class Agreements

David Springer - Self Defense, Karate

Lea Smith Johnson - Gentle Step/Aerobics

RECORD S45-464

ACCEPT

S45-465

Settlement agreement and transcript of proceedings regarding Leland

Wallace vs Manatee County (UCAP); Appeal 94-11AP (June 13, 1995)

Transcript of pending litigation meeting (July 2, 1996);

Sarah K. Burns vs Manatee County, Case 95-562-CIV-T-23B.

COUNTY ADMINISTRATORSTATE HOUSING INITIATIVE PROGRAM

Execution of an agreement for home construction with Svenson Enterprises, Inc., not to exceed \$43,009.93 (Leon Waiters, homeowner, 306 21st Street East, Palmetto).

RECORD S45-466

WEST COAST INLAND NAVIGATION DISTRICT

Execution of letter to West Coast Inland Navigation District (WCIND) requesting extension of eligible project agreements with WCIND for one year, to expire September 30, 1997, and execution of a WCIND extension form for each project. Projects are as follows:

Public Works Department Bay Colony Dredging (M55) \$20,000

Public Works Department McLewis Bayou Dredging (M56) \$40,000

Colony Cove Dredging (M58) \$20,000

South Florida Museum Manatees/Aquatic Ecosystems (M60)	\$25,500
Mt. Vernon Condo Association Rock Removal and Maintenance Dredging (M61)	\$40,000
City of Anna Maria Lake Lavista Inlet Management (M63)	\$31,000
Braden River Fire & Rescue District Marine 6 (M64)	\$ 4,800
City of Palmetto Navigation Restoration (M65)	\$45,000
Civil Air Patrol Sarasota Bradenton Composite Squadron Civil Air Patrol (M66)	\$ 3,300
Public Safety Department Rescue Dory I (M67)	\$ 3,470

RECORDIMMIGRATION AND NATURALIZATION SERVICES

S45-467 - S45-476

1. Execution of an Intergovernmental Service Agreement with the U.S. Immigration and Naturalization Service for housing adult males at the Manatee County Detention Facility and the Public Safety Complex, and for office space, subject to review and approval by the County Attorney.

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

2. Adoption of Budget Amendment Resolutions:

IMMIGRATION AND NATURALIZATION SERVICE (B-96-122/1&2)

Increase Revenue/Expenditure: For renovations and remediation of the Public Safety Complex to accommodate detention operations, administrative offices, and initial operational costs in support of an agreement with Immigration and Naturalization Service for detention services.

\$250,000

Item Transfers:

\$496,667

RECORD

S45-477

COURT REPORTER GRANT-IN-AID AGREEMENT

S45-478

Execution of funding agreement with Office of the State Courts Administrator for additional funding for Official Court Reporter services, \$20,334.25.

RECORD

S45-479

PRECINCT BOUNDARY CHANGES

R-96-193 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ESTABLISHING REVISION OF BOUNDARY LINES OF A CERTAIN EXISTING COUNTY ELECTION PRECINCT.

RECORD

S45-480

METROPOLITAN PLANNING ORGANIZATION

Confirm and ratify request to renew Metropolitan Planning Organization Professional Office lease agreement with Airport Commerce Center (9/15/96-9/15/97) for the first of two one-year additional terms (Sublease from Sarasota County approved 9/13/94).  
(Note: No document provided.)

PRIVATEERS CHRISTMAS PARADE

Authorization for Anna Maria Island Privateers to use Coquina Beachside North Pavilion on December 7, 1996, as a final destination for their Christmas parade to distribute free gifts, hot dogs, soft drinks, sell t-shirts, and collect food and gifts for Adopt-A-Family (Certificate of Insurance submitted).

REFUNDS

Authorization to make exception to the refund policy in Resolution R-95-234 to refund fees to Larry Bachnik, \$100; and waive the \$10 administrative fee.

FINAL PLATSBayshore Gardens Shopping Center

1. Final Plat
2. Mortgagee's Joinder in Declaration only from Republic Bank.

Braden Crossings, Phase 1-A

1. Final Plat
2. Agreement with Pulte Home Corporation, guaranteeing completion of required improvements, \$467,245.61.
3. Performance Bond: \$467,245.61 (Letter of Credit P600233 with Amendment 001 and 002, SunTrust Bank, Atlanta, Georgia).
4. Agreement with Pulte Home Corporation, guaranteeing completion of required sidewalks and bikeways, \$14,943.50.
5. Performance Bond: \$14,943.50 (Letter of Credit P600234 with Amendment 001 and 002, SunTrust Bank, Atlanta, Georgia).
6. Agreement with Pulte Home Corporation for Installation of Private Improvements in Subdivisions, Subsequent to Final Subdivision Plat Approval.

RECORD

S45-481

AUGUST 6, 1996

(Cont'd)

**Chaparral**

1. Final Plat
2. Agreement with Lennar Mote Ranch, LTD, guaranteeing completion of required improvements (on-site), \$976,485.90.
3. Performance Bond: \$976,485.90 (Letter of Credit S960379 with Amendment 001, SunTrust Bank, Miami, Florida).
4. Agreement with Lennar Mote Ranch, LTD, guaranteeing completion of required improvements (Honore Avenue), \$1,471,049.06.
5. Performance Bond: \$1,471,049.06 (Letter of Credit S960372 with Amendment 001, SunTrust Bank, Miami, Florida).
6. Agreement with Lennar Mote Ranch, LTD, guaranteeing completion of required sidewalks and bikeways, \$32,253.65.
7. Performance Bond: \$32,253.65 (Letter of Credit S960373 with Amendment 001, SunTrust Bank, Miami, Florida)
8. Agreement with Lennar Mote Ranch, LTD, with Letter of Credit as Security Guaranteeing Performance of a Wetland Mitigation System, \$31,763.
9. Performance Bond: \$31,763.00 (Letter of Credit S960415 SunTrust Bank, Miami, Florida).
10. Agreement with Lennar Mote Ranch, Inc., for Installation of Private Improvements in Subdivisions. RECORD S45-482
11. Affidavit of Ownership and Encumbrances from Lennar Mote Ranch, Ltd.
12. Mortgagee's Joinder In and Consent to Deed For Right-of-Way (Honore Avenue) from Comerica Bank.
13. Warranty Deed from Lennar Mote Ranch, Ltd., for right-of-way of Honore Avenue.
14. Supplemental Amendment of the Declaration of Covenants, and Restrictions for Mote Ranch.

**Sarabay Lake**

1. Final Plat
2. Mortgagee's Joinder In and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from American Bank of Bradenton.
3. Mortgagor's Joinder and Consent to Declaration of Covenants, Conditions, Easements and Restrictions by American Bank of Bradenton.
4. Agreement with Stephen K. Marshall, warranting required improvements, \$17,500.
5. Defect Security: \$17,500 (Letter of Credit 49, American Bank).
6. Agreement with Fox Chase Homes, Inc., guaranteeing completion of required improvements, \$19,668.
7. Performance Bond: \$19,668 (Letter of Credit 96-10-07, First National Bank of Manatee)

**AIRPORT DRAIN SILTATION BASIN**

Execute cooperative funding agreement 95CON000146 with Southwest Florida Water Management District, \$49,500, for design and construction of the airport drain siltation basin. RECORD S45-483

**OUT-OF-DOOR ACADEMY**

Execution of Water and Sewer Service Agreement with Out-Of-Door Academy of Sarasota, Inc., allowing Manatee County to provide potable water and sanitary sewer services. RECORD S45-484

**9TH STREET EAST ROAD IMPROVEMENTS**

1. Execution of Contract for Sale and Purchase for a warranty deed from Jose M. Barragan and Teresa Barragan for right-of-way, \$44,000. RECORD S45-485
2. Execution of Contract for Sale and Purchase for a Warranty Deed from Napoleon King and Gladys Lane for right-of-way, \$65,000. RECORD S45-486

**GETTEL AUTOMOTIVE INC. - 14TH STREET WEST**

Acceptance of Pedestrian Sidewalk Easements from Gettel Automotive, Inc., and Kalin Enterprises II, Inc.; Utility Easement from Gettel Automotive, Inc.; Affidavits of Ownerships and Encumbrances (2); Consents to Easements from Barnett Bank, N.A. (2); Consent to Easement from Gettel Automotive, Inc.

**75TH STREET WEST ROAD IMPROVEMENTS**

1. Warranty Deed and Temporary Construction Easement from James B. Davidson, William B. Davidson, and Jack F. Davidson; Affidavit of Ownership and Encumbrances.

2. Execution of Contract for Sale and Purchase for a Warranty Deed from Jewish Community of Manatee County Inc. d/b/a Temple Beth-El, \$15,541. RECORD S45-487
5. Execution of Contract for Sale and Purchase for a Warranty Deed from Scott M. Matzke and Donna L. Matzke, \$13,000. RECORD S45-488

**DUETTE FIRE STATION - ACCESS EASEMENT**

Acceptance of Access Easement from Jimmie Keen and Donna Keen, for parking of county equipment on the Keen Property located at the Duette Volunteer Fire Station off State Road 62; Affidavit of Ownership and Encumbrances.

**STREET VACATION - BAY LAKE ESTATES**

R-96-149-V RESOLUTION DECLARING PUBLIC HEARING ON AUGUST 27, 1996, ON APPLICATION BY EDWARD G. MALAN AND JANET E. MALAN, TRUSTEES TO VACATE A PORTION OF A 15-FOOT UTILITY EASEMENT LOCATED ON LOT 4, BLOCK B, BAY LAKE ESTATES SUBDIVISION, PHASE I. RECORD S45-489

**MATERIALS AND SERVICES**

1. **Administrative Center Chiller Motor** - Approve, ratify and confirm Emergency Purchase Order 106467 to Air Mechanical and Service Corporation, for replacement of air chiller motor, \$52,729.79.
2. **Braden River Library** - Award IFB 965407DM, to the lowest responsive, responsible bidder meeting specifications, Copeland Development Company, for construction of a library branch, not to exceed \$1,067,000; and authorization to subsequently execute contract and date performance/payment bond and acceptance of insurance certificate.
3. **Chlorination System (Rehabilitation)** - Award Bid 96-5592-MP to the lowest responsive, responsible bidder meeting specifications, East Side Pump & Supply Inc., not to exceed \$95,290.12.
4. **Pager Rental** - Sole Source Purchase of alphanumeric paging from Pagenet, Inc., (10/1/96-9/30/97) for an estimated \$30,000.
5. **Road Building Materials** - Award IFB 96-5676-DC, with the exception of Items 430301, 430302 and 430303 on an as required basis per Release Order to the lowest responsive, responsible multiple bidders meeting specifications, estimated amount of \$3,120,000:
 

Ajax Paving Industries	National Slurry Seal Co.
APAC-Florida, Inc.	Oneco Asphalt & Concrete
Florida Crushed Stone Co.	Pavement Technology, Inc.
Gator Asphalt Co.	Quality Aggregates, Inc.
E. A. Mariani Asphalt Co.	Standard Sand Silica Co.
	Woodruff & Sons, Inc.
6. **Radio Equipment** - Sole Source Purchase of miscellaneous 800 Mhz radio equipment for use by Immigration and Naturalization Service and the Manatee County Sheriff's Office from Ericsson, Inc., estimated total of \$57,699.35.

**SURPLUS PROPERTY**

1. Classify excess property as surplus property per Florida Statute 274.05 to enable appropriate and authorized disposition of said surplus property in accordance with Procurement Code 84-02, Section 8.108; and authorization to thereafter dispose of such property. RECORD S45-490
2. Adoption of
  - R-96-175 A RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES  
(15 tray section card files with base, Assets No. 12204 and 12205 to the Art League of Manatee County). RECORD S45-491
  - R-96-176 A RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES  
(Paperback bookshelves, one does not have an asset number and the other is Asset 25714 to Blackburn Elementary). RECORD S45-492
  - R-96-177 RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES  
(Amsco ceiling light to Manatee County Rural Health Services). RECORD S45-493

**LOCKWOOD RIDGE ROAD - ENGINEERING SERVICES**

Execution of Work Assignment 18 for design, permitting and construction with Wade-Trim Inc., not to exceed \$249,906.85.

RECORD S45-494

AUGUST 6, 1996

(Cont'd)

**COQUINA BEACH - FILMING**

Authorize County Administrator to execute Property Use Agreement with 20th Century Fox for the purpose of filming a theatrical feature entitled "Great Expectations" at Coquina Beach, Bradenton Beach. RECORD S45-495

**INDUSTRIAL DEVELOPMENT BONDS - TRILECTRON INDUSTRIES, INC.**

Set public hearing on August 27, 1996, at 2:00 p.m., to consider industrial development bond application pursuant to Tax Equity and Fiscal Responsibility Act for Trilectron Industries, Inc.

(End Consent Agenda)

**BEACH NOURISHMENT - ANNA MARIA**

Jack Gorzeman, Environmental Management, recommended requesting the Army Corps of Engineers include the City of Anna Maria shoreline in future beach nourishment cycles of the Manatee County shore protection project. He referred to a memorandum (8/6/96 from Karen Collins) outlining details of the Anna Maria Island Beach nourishment project.

(Mrs. Glass absent during a portion of presentation.)

Motion was made by Mrs. Glass, seconded by Mr. Gause and carried 5 to 0, to authorize execution of a letter to the Army Corps of Engineers.

**STATE ROAD 70 - UTILITY AGREEMENTS**

Janet McAfee, Project Management Director, reported this issue involves relocation and upgrading work on the SR 70 widening project, for work to be completed between 45th Street East to Braden River. The estimated cost of the nonreimbursable utility work is \$1,445,617.49. She recommended adoption of

**R-96-191** A RESOLUTION REGARDING UTILITY JOINT PROJECT AGREEMENT BETWEEN THE COUNTY OF MANATEE AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT): AUTHORIZING THE EXECUTION OF SUCH AGREEMENTS; AND AUTHORIZING THE PLACING OF FUNDS WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE COMPLETION OF THE UTILITY INSTALLATION.

(Authorizing Joint Project Agreement with FDOT; and Memorandum of Agreement among FDOT, Department of Insurance, Division of Treasury, and the County.) RECORD

S45-496 - S45-498

**R-96-192** A RESOLUTION AUTHORIZING EXECUTION OF A UTILITIES AGREEMENT FOR THE ADJUSTMENT, CHANGE OR RELOCATION OF CERTAIN UTILITIES WITHIN THE RIGHT-OF-WAY LIMITS HEREAFTER DESCRIBED, AND PROVIDING WHEN THIS RESOLUTION SHALL TAKE EFFECT. RECORD

S45-499  
S45-500

Motion was made by Ms. Brown, seconded by Mr. Gause and carried 5 to 0, to adopt Resolutions R-96-191 and R-96-192, and authorize execution of agreements.

**MANATEE HEADWATERS AT DUETTE PROJECT**

Ms. McAfee explained the negotiations for the sale and purchase of the Altman property and the IMC-Agrico property within the Lake Manatee Watershed for the Manatee Headwaters at Duette project, Four Corners Mine/Land Exchange, have been completed. Title for the acquisitions will be conveyed to Manatee County, with funding from Florida Communities Trust, as outlined in the Option Agreement.

Tedd Williams, Chief Assistant County Attorney, raised concern regarding mineral rights that are outstanding on the Altman property. He requested time to review the issues raised in a letter from Assistant County Attorney, Mark Barnebey (7/25/96).

Charles Hunsicker, Ecosystems Administrator, referred to a letter (8/5/96) from Florida Communities Trust (FCT) acknowledging and recognizing that the mineral interest exists.

**Motion - Altman property**

Motion was made by Mr. Gause, seconded by Ms. Brown and carried 5 to 0, to approve execution of Option Agreement for Sale and Purchase among Dorothy L. Polk and Durham L. Altman as Personal Representatives of the Estate of Ethel Alman, FCT, and Manatee County for property within the

Lake Manatee Watershed for the Manatee Headwaters at Duette Project, subject to the final review of the County Attorney's office (total purchase price \$855,883.50; \$607,934.05 from FCT and \$247,949.45 from Manatee County).

Motion - IMC-Agrico property

Motion was made by Mr. Gause, seconded by Ms. Brown and carried 5 to 0, to approve execution of Option Agreement for Sale and Purchase among IMC-Agrico Co., FCT, and Manatee County for property within the Lake Manatee Watershed for the Manatee Headwaters at Duette Project, subject to the final review of the County Attorney's office (total purchase price \$1,269,076.50; \$901,425.04 from FCT and \$367,651.46 from Manatee County).

(Note: Executed contracts to be brought back 8/22/96.)

BOGGY CREEK MITIGATION PARK

Mr. Hunsicker recommended adoption of

R-96-189 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE FLORIDA COMMUNITIES TRUST UNDER THE PRESERVATION 2000 PROGRAM FOR THE PROPOSED ACQUISITION OF LAND TO BE KNOWN AS THE BOGGY CREEK MITIGATION PARK

(total amount \$2,973,580: Florida Communities Trust, \$2,150,000; Manatee County, \$123,580; Florida Game and Fresh Water Fish Commission, \$700,000; authorizing to execute all related documents).

RECORD S45-501

He referred to the Lake Manatee Watershed Boggy Creek/Gilley Creek Water Resource Acquisition Plan map showing site A and B. Site A is the land that Florida Game and Fresh Water Fish Commission would purchase and deed to Manatee County. Site B is land that is also part of the buffer area or the watershed. He also referred to slides showing Lake Manatee Watershed and its surrounding areas, etc.

Motion was made by Ms. Brown, seconded by Mr. Gause and carried 5 to 0, to adopt Resolution R-96-189.

LANDFILL PROPERTY ACQUISITION

Len Bramble, Public Works Director, requested authorization for staff to enter into negotiations with the owners of the C.T. Adams property and Mounted Sheriff's Posse property for auxiliary land needs. He submitted a diagram of the two parcels, indicating the property is adjacent to the Manatee County landfill.

Motion was made by Mr. Gause, seconded by Ms. Brown and carried 5 to 0, to authorize staff to enter into negotiation with the owners, as requested.

RECYCLING EDUCATION

Rosalie Mule, representing Brown and Ferris Industries (BFI), presented a public educational program called "Mobius", which is a recycling and environmental education curriculum, for children in grades four through six. She presented a slide show and the mascot character "Mobius."

KEEP MANATEE BEAUTIFUL - TAX CREDIT PROGRAM

James Poag, Community Affairs/Intergovernmental Relations, recommended adoption of

R-96-145 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE CERTIFICATION OF KEEP MANATEE BEAUTIFUL AS AN ELIGIBLE SPONSOR UNDER THE COMMUNITY CONTRIBUTION TAX CREDIT PROGRAM.

Motion was made by Mrs. Harris, seconded by Mr. Gause and carried 5 to 0, to adopt Resolution R-96-145 (tax credits for the beautification of rights-of-way within the Palmetto/North Manatee County Enterprise Zone).

RECORD S45-502

AUGUST 6, 1996

(Cont'd)

COMMISSIONERS' COMMENTSAdministrative Center Chiller Motor

Mrs. Glass questioned whether steps have been taken for sufficient backup for future emergencies and problems regarding the Administrative Center chiller motor in order to avoid future problems.

Mr. Padgett advised this type of emergency would not happen again (building being without air conditioning).

Right-of-Way/Somerset Street

Mrs. Harris reported that owners of Primo's and Peso's Restaurants relayed they are concerned about the sidewalks and trees that are located on the right-of-way of Somerset Street (and U.S. 41).

Referred to County Administrator for further investigation.

CROSLY ESTATE - LEADERSHIP FLORIDA

Mr. Stephens reported that alumni of Leadership Florida requested their opening reception take place at the Crosley Estate.

Motion was made by Mrs. Glass, seconded by Ms. Brown and carried 5 to 0, to approve the request from alumni of Leadership Florida to utilize the facility, rent free, and to distribute literature encouraging individuals to join the Crosley Foundation.

Recess/Reconvene. All members present except Mr. McClash and Mrs. Hooper.

ORDINANCE 96-39: ENTERPRISE ZONE DEVELOPMENT AGENCY

Public hearing (Notice in the Bradenton Herald 7/26/96) was held to consider

ORDINANCE 96-39 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 95-50, WHICH ESTABLISHED AN ENTERPRISE ZONE DEVELOPMENT AGENCY, 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.

Pat McVoy, Assistant County Attorney, reviewed the revisions regarding the Palmetto/North Manatee County Enterprise Zone Development Agency.

Motion was made by Ms. Brown, seconded by Mrs. Glass and carried 5 to 0, to adopt Ordinance 96-39.

RECORD 845-503

COMPREHENSIVE PLAN AMENDMENTS

Public hearing (Notice in the Bradenton Herald 7/29/96) was held to consider

ORDINANCE 96-10 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE MANATEE COUNTY COMPREHENSIVE PLAN, ORDINANCE 89-01, AS AMENDED, PROVIDING FOR AN AMENDMENT DELETING FISCAL YEAR 1996 AND APPLICABLE DATA, AND ADDING FISCAL YEAR 2001 AND APPLICABLE DATA TO TABLES 12-1, 12-2, 12-3 AND 12-4 OF THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR AN AMENDMENT TO TABLE 12-1, SCHEDULE OF CAPITAL IMPROVEMENT PROJECTS, FY 1996-2000, INVOLVING REVISIONS TO SCOPE, FORMAT, TIME FRAME, COSTS, FUNDING SOURCES, AND CONTENT TO TRANSPORTATION PROJECTS, DRAINAGE PROJECTS, PARKS PROJECTS, SANITARY SEWER PROJECTS, SOLID WASTE PROJECTS, POTABLE WATER PROJECTS, AND MASS TRANSIT PROJECTS; PROVIDING FOR COUNTERPART AMENDMENTS TO TABLE 12-2, GENERAL GOVERNMENT FUNDING OF CAPITAL IMPROVEMENTS, FY 1996-2000; TABLE 12-3 ENTERPRISE OPERATIONS FUNDING OF CAPITAL IMPROVEMENTS, FY 1996-2000; TABLE 12-4, SUMMARY OF REVENUES AND EXPENDITURES FOR CAPITAL PROJECTS, FY 1996-2000; PROVIDING FOR THE AMENDMENT OF RELATED INFORMATION NECESSARY TO IMPLEMENT THE CHANGES TO THE CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-96-05: Capital Improvements Element)

Planning Commission recommended ADOPTION.



Leon Kotecki, Planning Department, stated that the Ordinance would be transmitted to the Florida Department of Community Affairs for review.

Discussion: Funding for Buffalo Creek Park and Braden River Park; Bowlees Creek dredging; etc.

Based upon the evidence presented and comments made at the Public Hearing, the action of the Planning Commission, and upon the technical support documents, Mrs. Glass moved to transmit **Manatee County Ordinance 96-10 (Plan Amendment PA-96-05)** to the Florida Department of Community Affairs and authorize the Chairman to sign the letter of transmittal. Motion was seconded by Mrs. Harris and carried 5 to 0.

**ORDINANCE 96-35: LAKEWOOD RANCH COMMUNITY DEVELOPMENT 3**

Public hearing (Notices in the Bradenton Herald 6/25, 7/2, 7/9, 7/16/96) was held 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.

Mr. Kotecki stated that the Ordinance is a result of a Petition to Establish Lakewood Ranch Community Development District 3 (CDD 3) by SMR Communities. He described the project and referenced maps of the region, Lakewood Ranch Communities, and Lakewood Ranch Community Development Districts (1, 2 and 3). The proposed CDD 3 consists of non-residential uses, retail, and commercial service office type facilities.

**Rex Jensen**, representing SMR Communities, addressed the interlocal agreement relating to sanitary sewer and potable water service within its boundaries.

Carol Clarke, Planning Department Director, clarified that Attachment 1 to the staff review report (dated July 1996), which is a letter from the County Attorney's office, was not available and not in the report.

Based on the record of the public hearing, Mrs. Harris moved to adopt Ordinance 96-35, adopting the findings of fact contained therein. Motion was seconded by Mrs. Glass and carried 5 to 0. RECORD S45-504

**STREET LIGHTING - CAPE VISTA**

Public hearing (Notice in the Bradenton Herald 7/17/96) was held to consider

**R-96-183** A RESOLUTION AMENDING THE SPECIAL ASSESSMENT ROLL FOR THE CAPE VISTA STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT (MSBU).

Janet McAfee, Project Management Director, advised that according to Ordinance 91-64, adjustments in the assessments shall be established by the resolution. A map of the area was displayed.

Mrs. Glass moved to adopt Resolution R-96-183. Motion was seconded by Mr. Gause and carried 5 to 0. RECORD S45-505

**STREET LIGHTING - GULF AND BAY**

Public hearing (Notice in the Bradenton Herald 7/17/96) was held to consider

**R-96-184** A RESOLUTION AMENDING THE SPECIAL ASSESSMENT ROLL FOR THE GULF AND BAY STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT.

Ms. McAfee advised that a cash balance has accumulated and the assessments are being adjusted downward until the balance is regulated. A map of the area was displayed.

AUGUST 6, 1996

(Cont'd)

Mrs. Glass moved to adopt Resolution R-96-184. Motion was seconded by Mr. Gause and carried 5 to 0. RECORD S45-506

**STREET LIGHTING - PIC-TOWN ESTATES**

Public hearing (Notice in the Bradenton Herald 7/17/96) was held to consider

**R-96-179** A RESOLUTION AMENDING THE SPECIAL ASSESSMENT ROLL FOR THE PIC-TOWN ESTATES STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT.

Ms. McAfee submitted eight letters opposing the assessment increase and one letter in favor of the increase. A map of the area was displayed.

Mrs. Harris moved adoption of Resolution R-96-179. Motion was seconded by Ms. Brown and carried 5 to 0. RECORD S45-507

**SEWER ASSESSMENT - 33 STREET WEST, PALMETTO**

Public hearing (Notice in the Bradenton Herald 7/19/96) was held to consider

**33rd Street West, Palmetto - Sewer Assessment Project**

33rd Street West, Palmetto from Bayshore Road (U.S. 41) west 1,550 feet;

Easement beginning 510 feet west of Bayshore Road (U.S. 41), thence south 800 feet to deadend.

and

**R-96-168** A RESOLUTION RESCINDING R-96-125 IN ITS ENTIRETY AND PROVIDING FOR THE RECONSIDERATION OF A SPECIAL SANITARY SEWER ASSESSMENT PROJECT ON 33RD STREET WEST IN PALMETTO

(and agreement with the Property Appraiser and Tax Collector to implement the levy and collection of the assessments).

Ms. McAfee stated the purpose of the hearing is to consider rescinding R-96-125 and provide for reconsideration of special sanitary sewer assessment project on 33rd Street in Palmetto. A map was displayed.

Roger Conley, representing Brooks of Bradenton, Inc., and Camp Tropical, a 44-unit travel trailer park, stated the assessment is too high for that parcel (\$88,000). He suggested the county adopt a rate for commercial RV parks, and requested not proceeding with the assessment.

Edward Alex, 33rd Street West resident, addressed concern about excess water when it rains and stated a sewer system is necessary.

Following discussion, the Chairman advised that this matter is hereby closed and status quo remains (Resolution R-96-125 remains in effect).

**CANAL DREDGING ASSESSMENT PROJECT: SUNNY SHORES/SAGAMORE ESTATES**

Public hearing (Notice in the Bradenton Herald 7/17/96) was held to consider

**R-96-119** A RESOLUTION OF MANATEE COUNTY, FLORIDA, ESTABLISHING SPECIAL ASSESSMENT LIENS FOR CANAL DREDGING ASSESSMENT PROJECT NO. 3907 IN SUNNY SHORES; CONFIRMING THE SPECIAL ASSESSMENT ROLL; AUTHORIZING AND PROVIDING FOR THE COLLECTION OF SPECIAL ASSESSMENTS BY THE TAX COLLECTOR IN ACCORDANCE WITH THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS PURSUANT TO SECTION 197.3632, FLORIDA STATUTES; PROVIDING FOR THE CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE.

Ms. McAfee recommended that this second public hearing be opened and closed, and brought back at a later date. She stated there may be additional information which should have been included at the first public hearing. A map was displayed.

Motion was made by Mrs. Harris, seconded by Ms. Brown and carried 5 to 0, to close the public hearing.

**ORDINANCE 96-38: DELINQUENCY PREVENTION FINE**

Public hearing (Notice in the Bradenton Herald 7/26/96) was held to consider

**ORDINANCE 96-38** AN ORDINANCE OF MANATEE COUNTY, FLORIDA, PROVIDING FUNDING FOR THE JUVENILE ASSESSMENT CENTER THROUGH DELINQUENCY PREVENTION FINES; PROVIDING FOR A MANDATORY COST TO BE ASSESSED AGAINST EVERY PERSON CONVICTED OF A VIOLATION OF A CRIMINAL STATUTE, AN ORDINANCE, OR A TRAFFIC OFFENSE IN THE COUNTY; PROVIDING FOR THE ADMINISTRATION BY THE CLERK OF THE CIRCUIT COURT; PROVIDING FOR DISBURSEMENT OF FUNDS TO THE SHERIFF; AND PROVIDING AN EFFECTIVE DATE.

Patricia McVoy, Assistant County Attorney, submitted an amended Ordinance 96-38, and advised that this imposes a \$3 delinquency prevention fine, to provide for the funding of the Juvenile Assessment Center.

Motion was made by Ms. Brown, seconded by Mrs. Harris and carried 5 to 0, to adopt Ordinance 96-38. RECORD S45-508

**MEETING ADJOURNED**

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

Clerk

3:09 p.m.

Chairman 9/26/96