

DECEMBER 10, 1996

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, December 10, 1996, at 9:01 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
Amy Stein
Jonathan Bruce
Joe McClash

Also present were:

David Rothfuss, Assistant County Administrator
H. Hamilton Rice, Jr., County Attorney
Susan G. Romine, Board Records Supervisor,
representing R. B. Shore, Clerk of Circuit Court

Invocation by Rev. Dave Elowson, Trailer Estates Covenant Church.

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

EMPLOYEE OF THE YEAR

The Chairman presented a plaque from the County and a lithograph from the Chamber of Commerce to Robert S. Bixby, Environmental Management Department, as 1996 Employee of the Year.

Upon motion by Mrs. Harris and second by Ms. Brown, a Proclamation was unanimously adopted designating December 10, 1996, as Robert S. Bixby Day.

RECORD S45-1255

AWARDS

Fred Loveland, Community Services Director, recognized the Transit Department for awards received at the 22nd Annual Florida Transit Association Conference (11/4/96) for the following categories:

- 1996 Unit Safety Award (Fixed Route)
- Gold Electronic Media Television (Marketing Video shown)
- Merit Electronic Media Radio (Marketing)
- Merit Print Collateral (Marketing)

Accepting the awards were Hank Stufft, Susan Hancock, and Carl Gaites.
(Depart Mrs. Glass)

CONSENT AGENDA

Upon motion by Mrs. Harris and second by Ms. Brown, the Consent Agenda for December 10, 1996, was unanimously approved, with deletion of:

(1) Non-profit FY 96-97 funding agreement with Girls Club, d/b/a Just for Girls (deferred); (2) Agreement with AERO Products Inc., to replace or refurbish ambulances; (3) Waive fee for rezone and preliminary site plan for Riverview Pointe Project (both separate action). Items APPROVED:

CLERK'S CONSENT CALENDAR

BONDS

Accept:

Sheriff's Public Deputies Blanket Bond (27 Additions; 6 Deletions)

RECORD S45-1256

West Glenn, Phase II (89-S-11)

Defect Security: \$19,540.70 (Amendment 2 to Letter of Credit 00336395, First Chicago Bank, extending expiration date to November 30, 1997).

West Glenn, Phase III (89-S-11)

Defect Security: \$17,429.48 (Amendment 2 to Letter of Credit 00336394, First Chicago Bank, extending expiration date to November 30, 1997).

Glenn Lakes, Phase II

Defect Security: \$679,224.00 (Amendment 1 to Letter of Credit 00319563, First Chicago Bank, extending expiration date to January 31, 1997).

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The Trails, Phase III and IV Sidewalks

1. Third Modification and Renewal (Letter of Credit 31, \$27,137.50, Seminole Bank) extending expiration date to November 11, 1997.
2. Third Modification and Renewal (Letter of Credit 33, \$13,520.61, Seminole Bank) extending expiration date to November 11, 1997.

The Trails (Tuttle Road Improvements)

Third Modification and Renewal (Letter of Credit 32, \$6,894.95, Seminole Bank) extending expiration date to November 11, 1997.

The Trails, Phase IV

Third Modification and Renewal (Letter of Credit 34, \$39,280.40, Seminole Bank) extending expiration date to November 11, 1997.

Release:**West Glenn, Phase I**

1. Defect Security: \$25,001.98 (Amendment 1 to Letter of Credit 336327, First National Bank of Chicago).
2. Agreement with Centex Real Estate Corporation, warranting required improvements, \$25,001.98.

Perico Shores (PDR-92-02/92-S-06)

1. Agreement with Perico Shores, Inc., guaranteeing completion of required improvements (sidewalks/bikeways), \$3,524.24.
2. Performance Bond: \$3,624.40 (Certificate of Deposit 6393, First National Bank of Manatee).

Shades of Palma Sola (91-S-17)

1. Agreement with Larry Radebach and Marilyn Radebach, warranting required improvements, \$3,325.50.
2. Defect Security: \$3,325.50 (Letter of Credit 93-16-07-01, First National Bank of Manatee).
3. Agreement with Larry Radebach and Marilyn Radebach, guaranteeing completion of required improvements (sidewalks), \$4,355.00.
4. Performance Bond: \$4,355.00 (Letter of Credit 93-16-07-02, First National Bank of Manatee).

The Trails, Phase III and IV

1. Agreement with Frank Homes Development, Inc., guaranteeing completion of required improvements, \$27,137.50.
2. Performance Bond: \$27,137.50 (Letter of Credit 31, Seminole Bank).
3. Agreement with Frank Homes Development, Inc., warranting required improvements, \$6,894.95.
4. Defect Security: \$6,894.95 (Letter of Credit 32, Seminole Bank).
5. Agreement with Frank Homes Development, Inc., warranting required improvements, \$13,520.61.
6. Defect Security: \$13,520.61 (Letter of Credit 33, Seminole Bank).
7. Agreement with Frank Homes Development, Inc., warranting required improvements, \$39,280.40.
8. Defect Security: \$39,280.40 (Letter of Credit 34, Seminole Bank).

Tara, Phase I, Unit 5

1. Agreement with Tara Manatee, Inc., warranting required improvements, \$11,582.04.
2. Defect Security: \$11,582.04 (Letter of Credit SM-34215-093, Nations Bank, including all amendments).

Tropicana (PDUI-90-01)

1. Agreement with Tropicana Products, Inc., warranting required improvements, \$5,529.92.
2. Defect Security: \$5,529.92 (Letter of Credit 39840, Nations Bank, including Amendment 1).

Creekwood, Phase I, Subphase I, Unit A-2 (90-S-22)

1. Agreement with Wilma Creekwood (West) Joint Venture, guaranteeing completion of required improvements, \$13,260.00.
2. Performance Bond: \$13,260.00 (Surety Bond X03471, Preferred National Insurance Company).

Pomello Park (Accepted) (See 1/14/97 for correct action)

1. Agreement with Paul L. Teel, warranting required improvements (Right-of-Way Use Permit 347-95-02), \$1,800.
2. Defect Security: \$1,800 (Cashier's Check No. 506595542, Barnett Bank).

BILLS FOR PAYMENT

Public Health Dental Program - FL Fluoridation Grant LP 752 \$1,120.96

REFUNDS

Bovis Homes, Inc. - Impact fee refund 7,411.11
 Tropical Auto Sales - Applicant withdrawal 840.00
 (and rescind refund of 11/26/96 to Sarasota Tropical Tire)

WARRANT LIST

Approve: November 26, 1996 through December 9, 1996

Authorize: December 9, 1996 through December 18, 1996

AUTHORIZE CHAIRMAN TO SIGN**Partial Releases of Special Improvement Assessment Liens:**

Projects 3006-2505; 5130; 3005-5235(2); 3009-5147 (2); 5147; 3007-2508; 5014, 3102-2502; 5197; 5019

Satisfactions of Judgment:

Edward C. Duczynski, Case 89-6286T (\$50)

Edward C. Duczynski (Sarasota County) Case 89-6286T (\$50)

Tammy Grabbe, Case 91-375F (\$100)

Manatee County - State of Florida Annual Local Government Financial

Report FY 95-96

RECORD S45-1257

Certifications for Historical Resources Grants-in-Aid

Application to the Bureau of Historic Preservation for Architectural Service, Restoration of Courtroom E.

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

No. 272, Clerk of Circuit Court (Records Management)

No. 273, Clerk of Circuit Court (Records Management)

Public Official Bonds (Accepted copies pursuant to R-96-254):**Supervisor of Elections - Robert (Bob) Sweat, United States Fidelity & Guaranty, \$5,000****Mosquito Control District - Michael D. Daugherty, Service Insurance Company, \$2,000****ACCEPT/AUTHORIZE**

Accept: Affidavit of Loss from First Federal Savings Bank of Lake County, Leesburg, Florida; Lost Securities Bond (Seaboard Surety Company)

Authorize: State Street Bank and Trust Company to reissue Manatee County Water Sewer Revenue Refunding & Improvement Bonds Series 1978, dated 4/1/78, due 10/1/03, Coupon 35 due 10/1/95, detached from Bond 5927/8 and 5935/6 @ \$5,000 total loss \$690

COUNTY ADMINISTRATOR**PALMETTO/NORTH MANATEE COUNTY ENTERPRISE ZONE DEVELOPMENT AGENCY****R-96-287** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING RESOLUTION 95-223, PROVIDING FOR THE APPOINTMENT OF MICHAEL FAARUP IN LIEU OF CYNTHIA RITCHIE TO SEAT 12 OF THE PALMETTO/NORTH MANATEE COUNTY ENTERPRISE ZONE DEVELOPMENT AGENCY. RECORD S45-1258**COMMUNITY CARE FOR THE ELDERLY GRANT FUNDS**Execute Amendment 2 to Rate Agreement CCE 97-3 with West Central Florida Area Agency on Aging, Inc., transferring \$30,012 and commitment of cash donation for Community Care for the Elderly (CCE) Grant Program to the Medicaid Waiver Spending Authority; for a total amended CCE amount of \$952,747 (\$857,472 state funds; \$95,275 county funds). RECORD S45-1259**MEDICAID WAIVER AGREEMENT**Execute Amendment 1 to Medicaid Waiver Memorandum of Agreement with West Central Florida Area Agency on Aging, Inc., to provide Medicaid Home and Community based services (HCBS) increasing spending authority by \$67,885.09 from \$304,575 to \$372,460.09 and maintaining Medicaid assisted living spending authority at \$66,653. RECORD S45-1260**NONPROFIT AGENCY FUNDING AGREEMENTS**

Execute FY96-97 funding agreements with the following:

Community Coalition on Homelessness (Assistance) \$41,200

Manasota Lighthouse for the Blind

(Independent Living)

\$17,510

RECORD S45-1261

CHILDREN'S SERVICES FUNDING AGREEMENTS

Execute FY 1996-97 nonprofit agency Children's Services dedicated millage agreements with the following agencies:

The Salvation Army (Families in Need Day Care)

\$102,950 S45-1263

Children's Home Society (Young Children and Family Connections)

\$107,475 S45-1264

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Manatee County Girls Clubs Inc. d/b/a Just for Girls (Root & Wings I)	47,812	S45-1265
Manatee County Girls Clubs Inc. d/b/a Just for Girls (Root & Wings II)	50,203	S45-1266
Manatee County Girls Clubs Inc. d/b/a Just for Girls (Root & Wings III)	43,200	S45-1267
Manatee County Girls Clubs Inc. d/b/a Just for Girls (G.A.P.S.)	89,890	S45-1268
Manatee Opportunity Council Inc. (Subsidized Child Care)	180,250	S45-1269
Manatee Opportunity Council Inc. (Family Empowerment)	115,479	S45-1270
Manatee Opportunity Council (Community Caboodle)	73,857	S45-1271
AIDS Council of Manatee, Inc. (PLWA Speakers Bureau)	5,000	S45-1272
Clerk of Circuit Court (Teen Court Too)	39,510	S45-1273
Clerk of Circuit Court (Foster Care Citizen Review Panel)	68,580	S45-1274
Anna Maria Island Community Center (REACH)	20,000	S45-1275
Easter Seal Society of SW Florida (Early Intervention)	46,000	S45-1276
Easter Seal Society of SW Florida (Nursery/Preschool)	54,110	S45-1277
Family Resources Inc. (Family Resolutions)	33,293	S45-1278
Manatee Children's Services, Inc. (SCAN Program)	47,000	S45-1279
Manatee Children's Services, Inc. (Building Resiliency in Children)	62,232	S45-1280
Manatee Children's Services, Inc. (KIDS Personal Safety)	46,958	S45-1281
Manatee County Nursery School, Inc. (Safety Net 60)	174,400	S45-1282
Manatee County Family YMCA, Inc. (Middle School Program)	95,313	S45-1283
Manatee County Family YMCA, Inc. (Before/After School Subsidies)	31,000	S45-1284
Manatee County Family YMCA, Inc. (Johnson Middle School Saturday Program)	16,600	S45-1285
School Board of Manatee County (CATCH)	45,000	S45-1286

RECORD**YOUTH SUBSTANCE ABUSE AGREEMENT**

Execute FY 1996-97 Youth Substance Abuse Prevention funding agreements with Manatee County Girls Club, Inc. d/b/a Just for Girls (REAP), \$55,314. RECORD S45-1287

FEDERAL TRANSIT ADMINISTRATION SECTION 9 GRANT APPLICATION

Execute and file FY 1996-97 Federal Transit Administration Section 9 Operating and Capital Assistance Grant Application with the U.S. Department of Transportation pursuant to Resolution R-92-279, \$1,082,138 (Capital: \$500,000; Operating: \$582,138, \$291,069 County and \$291,069 USDOT). RECORD S45-1288

ANTI-DRUG AND ALCOHOL MISUSE PREVENTION PROGRAMS

Execute Florida Department of Transportation Certificate of Compliance with provisions of 49 CFR, Part 653 and Part 654 as amended. RECORD S45-1289

TRANSPORTATION COORDINATION AGREEMENT

Execute agreement with Meals on Wheels Plus of Manatee, Inc., allowing the County to provide transportation services, estimated at \$136,560 for FY 1996-97 paid by Meals on Wheels. RECORD S45-1290

COMMITMENT OF TRIP DONATION

Execute Letter of Commitment certifying the intent of Manatee County to provide trips as a contribution toward Meals on Wheels Plus of Manatee County, Inc., Title III local match requirement, at a cost of \$13,656 for FY 1996-97. RECORD S45-1291

PUBLIC SAFETY COORDINATING COUNCIL

Appoint Barbara Reincke, Institute of Alcohol and Drug Education Director at Manatee Community College, ex officio member of the Public Safety Coordinating Council; and execute a letter of appointment.

HOUSING FINANCE AUTHORITY - SINGLE FAMILY MORTGAGE REVENUE BONDS

R-96-289 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, APPROVING THE ISSUANCE OF HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA, SINGLE FAMILY MORTGAGE REVENUE BONDS, MULTIPLE SERIES, WITHIN THE MEANING OF SECTION 147 (F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, IN AN AMOUNT NOT TO EXCEED \$20,000,000. RECORD S45-1292

JOINT CONTROL OF POLLUTANTS - MUNICIPAL SEPARATE STORM SEWER SYSTEMS

Execute Interlocal Agreement with City of Bradenton, Florida Department of Transportation and Manatee County for Joint Control of Pollutants (pursuant to NPDES Part II Permit application 6/4/96). RECORD S45-1293

S.R. 70 ROAD - EMINENT DOMAIN

Authorize County Attorney to extend a formal Offer of Judgment to property owner Vinai Artyamsoal of \$36,000, exclusive of attorney's fees and costs, in the eminent domain matter of Manatee County v. Ebonite Recreation Centers, Inc., et al., Case No. CA-95-1753.

AMBIENT AIR MONITORING PROGRAM

Execute contract with Florida Department of Environmental Protection for air quality monitoring for 12 months, not to exceed \$52,000 (and execute "Certificate Regarding Debarments, Suspension, Ineligibility and Voluntary Exclusion") RECORD S45-1294

PERSONNEL POLICY, RULES and PROCEDURES - AMENDMENT

R-96-290 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RESCINDING R-95-26 AND AMENDING THE MANATEE COUNTY PERSONNEL POLICY, RULES AND PROCEDURES, SECTION XX, PROFESSIONAL DEVELOPMENT PROGRAM.

(NOTE: See also R-95-186)

RECORD S45-1295

HERBICIDE CHEMICAL DONATION

Parks and Recreation Department to accept a donation, in accordance with Ordinance 86-05 and procedures established by County Administrator's Office, from Lipman & Lipman, Inc., in form of a herbicide chemical (Roundup) to be used at Duette Park, value of \$799.95.

REFUND TOURNAMENT DEPOSIT

Parks and Recreation Department to refund a Tournament Deposit to Bradenton Fire Fighter's Association, \$1,125, due to lack of participation.

FINAL PLAT - RIVER CLUB SOUTH, SUBPHASE 1-A

1. Final Plat.

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

R-96-291 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF A LIMITED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO WEST COAST-SOUTHERN MEDICAL SERVICE, INC., FOR THE PROVISION OF ADVANCED LIFE SUPPORT SERVICE; SETTING FORTH CERTAIN LIMITATIONS; REQUIRING COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS; ESTABLISHING ADDITIONAL CONDITIONS; AND PROVIDING FOR THE DURATION OF THE CERTIFICATE.

RECORD S45-1296

DEEDS AND EASEMENTS

1. Braden River Library - Utility Easement to Florida Power and Light Company for installing, operating and maintaining a transformer.
2. Chickasaw Bayou Road - Quit Claim Deeds from French Quarters at Tara Homeowners Association, Inc., with Affidavit of Ownership and Encumbrances, and Tara-Manatee, Inc.
3. Upper Manatee River Road - Warranty Deed from Gail Green Kobernick for right-of-way for future construction of an intersection at S.R. 64 and Lakewood Ranch Boulevard; Affidavit of Ownership and Encumbrances.
4. Upper Manatee River Road - Warranty Deed from Moore's Dairy Farm, Inc., for right-of-way for future construction of Lakewood Ranch Boulevard, which extends south of Upper Manatee River Road; Affidavit of Ownership and Encumbrances.

TRAFFIC SIGNAL MAINTENANCE AND OPERATION

1. S.R. 70 at S.R. 683 (U.S. 301) and 30 Street East - Execute Traffic Signal Maintenance and Operation Order 95 with Florida Department of Transportation. RECORD S45-1297
2. S.R. 70 at Tara/Creekwood Boulevard - Execute Traffic Signal Maintenance and Operation Order 96 with Florida Department of Transportation. RECORD S45-1298
3. S.R. 70 at 39th Street East - Execute Traffic Signal Maintenance and Operation Order 97 with Florida Department of Transportation. RECORD S45-1299

CEDAR HAMMOCK CANAL IMPROVEMENTS

Execute Change Order 1 to Work Assignment SW7 with Post, Buckley, Schuh and Jernigan, Inc., for engineering services, Florida Boulevard to Bayshore Gardens Parkway, increase of \$4,271 for a revised total of \$33,355. RECORD S45-1300

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MATERIALS AND SERVICES

1. **Computer (Mainframe) Maintenance** - Sole source purchase of hardware and software maintenance from Digital Controls Corporation, estimated annual cost of \$34,436.
2. **Demolition Services** - Award IFB 966952DC, to the lowest responsive, responsible bidder meeting specifications, C.E. Huffman Trucking Company, Inc., for demolition of seven unsafe structures, not to exceed \$28,155.
3. **Emergency Purchase/Breaker** - Approve, ratify and confirm emergency purchase of replacement breaker for North County Wastewater Treatment Plant in accordance with Emergency Purchase procedure with Westinghouse Electric Corporation, \$27,500.
4. **Enterprise Zone Development Agency/Linked Deposit Program** - Enter into negotiations with SouthTrust Bank of the Suncoast, for purpose of providing an additional bank to participate in the Palmetto/North Manatee County Enterprise Zone Linked Deposit Program.

FUEL TANK SYSTEM/DETENTION CENTER

Issue Change Order 2 to Purchase Order 106539 with Norris & Salmon, Inc., in the amount of \$4,482 for a new Purchase Order total of \$68,077.40.

LANDFILL GAS COLLECTION FLARE SYSTEM

Execute Work Assignment 6 for design and construction services with HDR Engineering Inc., \$142,102.90. RECORD S45-1301

LANDFILL SURFACE WATER MANAGEMENT

Execute Work Assignment 3 for design and construction services at Lena Road Landfill with HDR Engineering Inc., \$191,814.92. RECORD S45-1302

MEMPHIS ROAD

Execute (Final) Change Order 1 to IFB 537454DC with Woodruff and Sons, Inc., for field adjustments for a net decrease of \$42,387.20 and an addition of 89 calendar days to contract completion for an adjusted amount of \$370,439.20 and revised completion date of November 4, 1996. RECORD S45-1303

ODOR AND CORROSION CONTROL SERVICES

Execute Addendum Two to Odor and Corrosion Control Services Agreement with Davis Water and Waste Industries, Inc., to extend agreement by one year (3/29/97-3/28/98). RECORD S45-1304

TRANSPORTATION ENGINEERING

Execute contracts to provide professional services for transportation engineering projects, on an as required basis, to Board of County Commissioners and Port Authority in accordance with RFP 966237TC for one year with two one-year options: (1) Post, Buckley, Schuh and Jernigan, Inc.; (2) Parsons Brinckerhoff Quade and Douglas, Inc.; (3) Wade-Trim, Inc.; and (4) Lombardo and Skipper, Inc. RECORD

DEBT COLLECTION SERVICES

Execute agreement with Mid Am Recovery Services, Inc.; for debt collection services for Manatee County, Manatee County Port Authority and Manatee Civic Center Authority. S45-1305 - S45-1308
RECORD S45-1309

LAW ENFORCEMENT TRUST FUND

Authorize the Sheriff to expend \$85,752.75 from the Trust Fund for various items of equipment. RECORD S45-1310

LIBRARY AUTOMATION

Execute state and local government master lease purchase agreement forms (Lease 0004283) with AT&T Capital Corporation (c/o AT&T Credit Corporation) for equipment supplied by Dynix, Inc., total including interest \$183,743 (cost of equipment \$167,744). (Execute State and Local Government Equipment Schedule 10010; Payment Schedule; Incumbency Certificate; Certificate of Appropriations; IRS Form 8038-G; Self Insurance and Risk of Loss Binder Amendment; Essential Use Letter; Commencement Certificate; and Billing Information Request) RECORD S45-1311

BUDGET AMENDMENT

CONVENTION CENTER (B-97-023)
Increase Revenue/Expenditure: Appropriates revenues to be received from events and rental fees at the Crosley Estate to be used for operating costs for the facility. \$51,375
RECORD S45-1312

PRECINCT BOUNDARIES

R-96-295 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, REVISING BOUNDARY LINES OF CERTAIN EXISTING COUNTY ELECTION PRECINCTS. RECORD S45-1313

DONATIONS - TOURIST INFORMATION CENTER

Accept donations in accordance with Ordinance 86-05, and procedures established by County Administrator's office, of gifts valued at approximately \$1,736 for volunteers of the Tourist Information Center from Manatee County businesses in appreciation of volunteers effort throughout the year.

(End Consent Agenda; DMO)

TENT PERMITS AND FEES

George Devenport, Building Department Director, outlined the current temporary use and building permit process for tents. He presented a proposed policy to exempt specific tents from the regular process. He also addressed possible reduction in permitting fees.

(Enter Mrs. Glass)

Mrs. Harris moved conceptual approval of the proposed policy. Motion was seconded by Mr. McClash and carried unanimously. RECORD S45-1314

Discussion: Need fee reductions for non-profit and charitable uses; seating provisions; limit number of tents on a parcel, distance apart and keeping right-of-way open.

CHILDREN'S SERVICES

Cheri Coryea, Community Services, recommended execution of an agreement with University of South Florida for \$25,000 for evaluation of the 1996-97 funding cycle (Phase II) for counseling services for six agencies funded through the dedicated millage.

Motion was made by Ms. Brown to approve the recommendation. Motion was seconded by Mrs. Glass and carried unanimously. RECORD S45-1315

IMPACT FEES - UNIVERSITY PARK COUNTRY CLUB/CAMBRIDGE RESOURCES GROUP

Carol Clark, Planning Department Director, stated this is a request for park impact fee credits for a nine-hole golf course at University Park Country Club, CA-96-09(P), \$424,569.25. The Land Development Code and the Administrative Procedures Manual provides for this type credit.

She advised that an evaluation of the golf course as to accessibility and availability was made and staff determined the course could be eligible for a 25 percent credit for cost of construction, which would apply only to the remaining 750 units.

Discussion: County park concurrency; amending administrative policy to provide specific park impact fee credits; meeting public need for golf courses/park facilities; impact fee districts; incentives for developers to build parks to lessen County costs; documenting construction costs.

The matter was continued to later in the meeting.

LAND DEVELOPMENT CODE - RED BARN FLEA MARKET

Ms. Clarke outlined the interpretation of staff of the Land Development Code relating to reconstruction of the Red Barn Flea Market, which was recently destroyed by fire. She recommended:

1. The General Development Plan (PDC-90-05) will remain valid for those portions of the project constructed according to the approved plan.
2. Portions of the Plan which were never constructed are no longer valid.
3. Preliminary and Final Site Plans will require Administrative Approval.
4. Specific Approvals granted by the Board remain valid, unless the reason for the specific approval was predicated on the existing structure and thus no longer applicable.
5. Site plan approval must be obtained within one year from the date of the natural disaster.
6. Changes to approved conditions require Board approval.

(Depart Mr. McClash)

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She concluded this will allow a major portion of the reconstruction to proceed; however, public hearings may be required to consolidate zoning on site and modify several conditions of the 1990 plan approval.

Motion was made by Mrs. Harris, seconded by Mrs. Glass and carried 6 to 0, to approve the recommendation.

STREET NUMBER WAIVER - RIVER FORREST SUBDIVISION

Vickie Warner, Planning Department, outlined a request by the developers and owners of River Forrest Subdivision (26 lots) to waive street numbers on 48th Avenue Circle East (across from Dude Ranch Acres).
(Depart Ms. Stein)

She stated the road is circular in design and does not appear to meet the curvilinear requirements in Section 742, Land Development Code, nor are there any subdivisions in the immediate area that utilize street names. Staff and the advisory committee recommended denial.

Motion was made by Mrs. Glass and seconded by Mr. Bruce to approve naming the streets.
(Enter Mr. McClash and Ms. Stein)

Joseph T. King, representing River Forrest, supported street names.

Motion carried 6 to 1, with Mrs. Harris voting nay.

FEE WAIVER - RIVERVIEW POINTE

Ms. Clarke stated that developers of Riverview Pointe requested a waiver of the rezone and preliminary site plan fees (\$2,502, plus advertising) for the project. Current zoning is RSF-2/CH, which requires a zoning change (to planned development). The owner would like to proceed under guidelines for RSF-2 zoning (without a plan).
(Depart Mrs. Harris)

She advised the Comprehensive Plan requires planned development zoning for projects that exceed two lots in Coastal High Hazard areas. She recommended that staff evaluate rezoning to planned development, without a plan, for similarly situated parcels. Staff recommended approval.

Discussion: Owner was aware of development options when purchased.

Motion was made by Mr. McClash, seconded by Ms. Stein and carried 6 to 0, to deny the request to waive fees.

LAKE BRENDAN DREDGING

Sia Mollanazar, Transportation Department, reported on a proposed dredging project for Lake Brendan located within Lakeside Units 1 and 2 Subdivision. Property owners requested the project.
(Enter Mrs. Harris)

He presented a video outlining the lake area which connects with Bowlees Creek and Oneco Drain. He noted the complexity of the project with an approximate cost of \$268,000, plus the spoil site, legal fees, and in-house costs.

Discussion: Participation project; County provides annual maintenance; stormwater management; establishing uniform policy for dredging; inventory of stormwater ponds; determining public need.

Disposition: Staff to prepare a letter to Lake Brendan property owners outlining options, costs, etc., for execution by Mrs. Harris.
(Depart Mrs. Harris)

ORDINANCE 96-56 - RED BARN FLEA MARKET

H. Hamilton Rice, Jr., County Attorney, stated that an emergency must be declared to adopt an ordinance to use Bradenton Middle School property as a marketplace. The emergency exists for vendors who were displaced when the Red Barn Flea Market was destroyed by fire (10/21/96).

Currently the property is leased to the Police Athletic League (PAL) for youth programs and there are no statutes or ordinances to allow this activity (flea market). He recommended adoption of:

R-96-294 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, DECLARING THE EXISTENCE OF AN EMERGENCY AND PROVIDING FOR THE IMMEDIATE ENACTMENT OF ORDINANCE 96-56 ESTABLISHING LAWFUL AUTHORITY FOR THE USE OF CERTAIN PUBLICLY OWNED PROPERTY AS A MARKETPLACE;

and

ORDINANCE 96-56 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, SETTING FORTH CERTAIN FINDINGS OF FACT; ESTABLISHING LAWFUL AUTHORITY FOR THE USE OF CERTAIN PUBLICLY OWNED PROPERTY BY VENDORS AS A MARKETPLACE; PROVIDING LIMITATIONS AND CONDITIONS RELATED TO THE USE; AND PROVIDING AN EFFECTIVE DATE (Ordinance authorizing temporary use on Saturdays and Sundays only for sixty days or until public hearings are held; fees charged to benefit Police Athletic League programs).

Mr. Rice noted other necessary documents: (1) Addendum to lease with PAL including new language requiring written assurance from the Department of Community Affairs (DCA) stating the property use does not violate terms of grant agreements; (2) Quit Claim Deed from the School Board granting rights retained by the School Board.

Sheriff Charles Wells stated that an emergency exists as a result of the fire and also the number of vendors who lost everything. He concluded that revenues received will assist PAL with ongoing programs.

Resolution R-96-294

Mr. Bruce moved to adopt R-96-294. Motion was seconded by Mrs. Glass and carried 6 to 0. RECORD S45-1316

Ordinance 96-56

Motion was made by Mrs. Glass and seconded by Mr. Bruce to adopt Ordinance 96-56.

Following discussion, motion carried 6 to 0. RECORD S45-1317

Addendum to Lease

Motion was made by Mrs. Glass and seconded by Ms. Brown authorizing execution of Addendum to Lease Agreement with PAL. Motion carried 6 to 0. RECORD S45-1318

Quit Claim Deed

Motion was made by Mrs. Glass, seconded by Ms. Stein and carried 6 to 0, to accept and record a Quit Claim Deed from the School Board for a portion of the reversionary interest.
(NOTE: Deed to be accepted in a future meeting.)

Mr. Rice advised that all documents are subject to receipt of approval from the School Board and DCA.

WATER FRANCHISE - CITY OF BRADENTON BEACH

Mr. Rice requested execution of the Franchise Agreement with the City of Bradenton Beach for continuing service of potable water to the City for 15 years.

Motion was made by Mr. McClash, seconded by Mrs. Glass and carried 6 to 0, to approve the agreement. RECORD S45-1319

DETENTION FACILITIES - INSPECTIONS

David Rothfuss, Assistant County Administrator, stated that Florida Model Jail Standards (effective 10/1/96) provides that annual inspections of county jails and detention facilities will be performed by either qualified Sheriff employees, the County and Florida Department of Corrections, or the Chief Correctional Officer.

He relayed a recommendation of the Public Safety Coordinating Council that the Sheriff, as Chief Correctional Officer, enter into an agreement with a multi-county jail inspection team. The Jail Inspection Team will consist of Sheriff representatives from Brevard, Lake, Sarasota, Polk and Volusia Counties.

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Motion was made by Mrs. Glass, seconded by Ms. Brown and carried 6 to 0, to approve the recommendation of the Public Safety Coordinating Council.

MANATEE MILLENNIUM JUBILEE

Mr. Rothfuss referred to a letter from the Manatee Millennium Jubilee, Inc., requesting designation as the official millennium coordinator for the County.

John Lawler, Representative of Manatee Millennium Jubilee, Inc., stated the purpose of the non-profit agency is to coordinate local organizations, institutions, and individuals who wish to participate in the 1999 Jubilee Year and Millennium Fest.

Motion was made by Mr. McClash for conceptual approval with information to be brought back after coordinating with the County Administrator. Motion was seconded by Ms. Brown and carried 6 to 0.

EMERGENCY RESCUE AMBULANCES

Upon verification that appropriate documents were received, Mr. McClash moved to execute an agreement with AERO Products, Inc., to provide new and replacement emergency rescue ambulances, and to refurbish/remount existing ambulances on an as needed basis for five years. RECORD S45-1320

COMMISSIONERS' COMMENTS

Commission on Local Government II

Ms. Brown requested information regarding issues being discussed by the state Commission on Local Government II.

Legislation - Agriculture Department, U.S. (USDA)

Mrs. Glass advised of plans to seek USDA funding to pursue recycling efforts to deliver/offer reclaimed water to rural areas; and for flood protection for Wares Creek.

Zoning: PDR-96-11(Z)(P) Estate of Mary Glenn Goebel/Whitfield Manor

The Chairman advised that a letter was received from Grimes, Goebel, Hawkins & Gladfelter, P.A., requesting reconsideration of denial (11/26/96) for PDR-96-11(Z)(P), Estate of Mary Glenn Goebel/Whitfield Manor. No action was taken.

CARL Funding - Terra Ceia

Mr. McClash reported that the Terra Ceia project for CARL funding has moved to thirteenth on the priority list.

Wetland Issue - Dispute Resolution Matter

Mr. McClash requested that Mr. Rice report back on a recent news article regarding a dispute resolution/special master decision, which will permit building on environmentally sensitive Terra Ceia land bought at a Marshall's sale.

Discussion: Clarifying legislative rules regarding special master role.

Air Quality Summit

Discussion was held regarding setting an air quality summit or work session as soon as possible to discuss ongoing issues, legislation, technologies, hear public input, etc.

(Enter Mrs. Harris)

Discussion: Summit would be premature; establishing expectations; need for staff input/report.

Disposition: Referred to County Administrator

Traffic Control

Mr. Bruce requested that a traffic study be performed at:

- Intersection of S.R 70 at Braden Woods/Baptist Church due to address serious problems during peak traffic times; and
- Intersection/curve realignment at 53rd Avenue and 75th Street West where 16 accidents have been reported for 1996.

IMPACT FEES - CA-96-09(P) UNIVERSITY PARK COUNTRY CLUB (Cont'd)

Ms. Clarke responded to earlier questions that a cost analysis for impact fee credit authorization was reviewed by Parks and Recreation. She also reported there is a deficit in County standards for meeting needs for public facilities required in the Comprehensive Plan.

(Depart Ms. Brown)

Motion was made by Mrs. Harris and seconded by Mrs. Glass to approve **Credit Authorization CA-96-09(P)** for University Park Country Club; and **Final Authorization of Parks and Recreation Credit CA-96-09(P)** for a private park nine-hole golf course credit in the amount of \$424,469.25.

Discussion: Application of impact fees/credits; bring issues back for discussion in January; setting precedence; analysis of impact from recreational dollars which enhance the County.

(Enter Ms. Brown)

Motion carried unanimously.

RECORD S45-1321
S45-1322

Recess/Reconvene: All members present.

ORDINANCE 96-53 - NO THROUGH TRUCKS

Public hearing (Notice in the Bradenton Herald 11/22/96) was held to consider

ORDINANCE 96-53 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 84-06; TO REGULATE THE TRAVEL OF CERTAIN THROUGH TRAFFIC ON **5TH STREET EAST**; A COUNTY MAINTAINED STREET LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (from 26th Avenue to 30th Avenue East).

Harry Mendenhall, Transportation Department, stated the prohibiting of through truck traffic on 5th Street East was requested by area residents. Staff recommended approval.

Motion was made by Mr. Bruce, seconded by Mr. McClash and carried unanimously to adopt Ordinance 96-53.

RECORD S45-1323

ORDINANCE 96-54 - PARKING

Public hearing (Notice in the Bradenton Herald 11/22/96) was held to consider

ORDINANCE 96-54 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 95-52; REGULATING THE STOPPING, STANDING OR PARKING OF MOTOR VEHICLES ON **11TH STREET EAST, 11TH STREET COURT EAST, 22ND STREET WEST, 32ND AVENUE WEST, 56TH AVENUE DRIVE EAST, 56TH AVENUE TERRACE EAST AND COUNTRY OAKS BOULEVARD**; ALL BEING COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

Mr. Mendenhall, advised this request was made by citizens from the affected areas.

Remona Lewis, Chairman of Crime Watch, spoke in favor of the Ordinance and requested continuous support for improving the South County area.

Motion was made by Mrs. Harris, seconded by Mr. Bruce and carried unanimously, to adopt Ordinance 96-54.

RECORD S45-1324

ORDINANCE 96-55 - SPEED LIMITS

Public hearing (Notice in the Bradenton Herald 11/22/96) was held to consider

ORDINANCE 96-55 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 84-05; TO PROHIBIT THE TRAVEL OF VEHICLES AT SPEEDS IN EXCESS OF THE ESTABLISHED LIMIT ON **12TH STREET COURT EAST**, ON ALL STREETS LOCATED IN **GLENN LAKES PHASE III SUBDIVISION** AND IN **UNIVERSITY PINES SUBDIVISION**; ALL BEING COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

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Mr. Mendenhall noted that 12th Street Court East residents requested a speed limit of 20 MPH, which is generally reserved for school zones only; however, staff recommended 25 MPH.

Motion was made by Mr. Bruce, seconded by Mr. McClash and carried unanimously, to adopt Ordinance 96-55 as recommended by staff (25 MPH on 12th Street Court East).

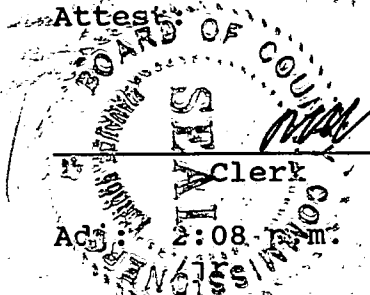
RECORD S45-1325

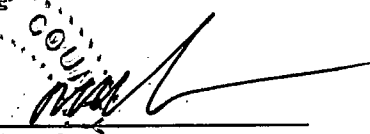
MEETING ADJOURNED

There being no further business, the meeting was adjourned.

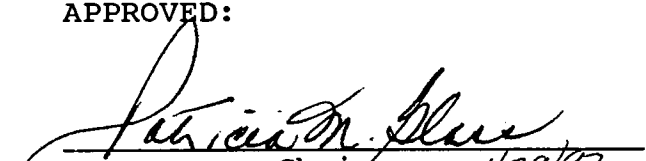
Attest:

APPROVED:





 Clerk



 Chairman 1/28/97