

JUNE 2, 1998

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, June 2, 1998, at 9:10 a.m.

Present were Commissioners:

Patricia M. Glass, Chairman
Gwendolyn Y. Brown, First Vice-Chairman
Joe McClash, Second Vice-Chairman
Jonathan Bruce, Third Vice-Chairman
Stan Stephens
Lari Ann Harris
Amy Stein

Also present were:

Ernie Padgett, County Administrator
Teddy N. Williams, Jr., County Attorney
Susan G. Romine, Board Records Supervisor,
representing R. B. Shore, Clerk of Circuit Court

CONSENT AGENDA

Upon motion by Mr. Bruce and second by Mrs. Harris, the Consent Agenda dated June 2, 1998, was unanimously approved. Items APPROVED:

CLERK'S CONSENT CALENDAR

BONDS

Accept:

Lakewood Ranch Country Club Village, Subphase C, Unit 2
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$9,805.25.

Lakewood Ranch Country Club Village, Subphase C, Unit 1-A
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$15,617.88.

Lakewood Ranch Country Club Village, Subphase C, Unit 4
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$15,925.

Lakewood Ranch Country Club Village, Subphase C, Unit 1-B
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$13,900.25.

Lakewood Ranch Country Club Village, Subphase D, Unit 2
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$9,520.88.

Edgewater Village, Subphase A, Unit 4-B
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$6,191.76.

Edgewater Village, Subphase B, Unit 2
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$9,591.40.

Summerfield Village, Subphase C, Units 6B and 7B
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$14,906.97.

Edgewater Village, Subphase A, Unit 2
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$10,869.89.

Edgewater Village, Subphase A, Unit 4-A
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$4,739.28.

Summerfield Village, Subphase D, Unit 1
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$12,765.40.

Release:

Lakewood Ranch Country Club Village, Subphase C, Unit 2
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$9,805.25.

Lakewood Ranch Country Club Village, Subphase C, Unit 1-A
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$15,617.88.

Lakewood Ranch Country Club Village, Subphase C, Unit 4
Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$15,925.

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Lakewood Ranch Country Club Village, Subphase C, Unit 1-B

Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$13,900.25.

Lakewood Ranch Country Club Village, Subphase D, Unit 2

Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$9,520.88.

Edgewater Village, Subphase A, Unit 4-B

Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$6,191.76.

Edgewater Village, Subphase B, Unit 2

Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$9,591.40.

Summerfield Village, Subphase C, Units 6B and 7B

Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$14,906.97.

Edgewater Village, Subphase A, Unit 2

Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$10,869.89.

Edgewater Village, Subphase A, Unit 4-A

Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$4,739.28.

Summerfield Village, Subphase D, Unit 1

Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$12,765.40.

Creekwood, Phase II, Subphase E

1. Agreement with Wilma-Creekwood (West) Joint Venture warranting required improvements, \$23,642.92.
2. Defect Security: \$23,642.92 (Surety Bond U08014, Preferred National Insurance Co.).
3. Agreement with Wilma-Creekwood (West) Joint Venture guaranteeing completion of required sidewalks and bikeways, \$13,195.
4. Performance Bond: \$13,195 (Surety Bond U08013, Preferred National Insurance Co.).

REFUNDS

Daniel Development, Inc. - Withdrawn application (Z98-06) \$933.38
 Martin G. Spanial, Sr. - Impact fee refund \$1,935.46

WARRANT LIST

Approve: May 26, 1998 through June 1, 1998
 Authorize: June 2, 1998 through June 15, 1998

MINUTES FOR APPROVAL

April 7, 1998

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

Projects 3009/5147; 5147; 5152; 3100/2509; 5069; 3005/5235

Satisfactions of Judgement:

Joshua Smith, Case 97-5448M
 Billy McLeod, Case 93-1955F
 Robert J. Johnson, Case 93-2235F
 Christopher D. Stewart, Case 90-1621F
 Stephanie Bayless, Case 97-4848M

Local Hazard Mitigation Strategy - Attachment "B" to the Contractual Service Agreement with State of Florida, Department of Community Affairs (R-98-84), as authorized on May 5, 1998. RECORD S46-675

71st Street Storm Drain and Force Main Replacement - Contract with Westra Construction Corporation, IFB 97-3778DC, \$434,688.40 (approved 5/5/98); date Performance/Payment Bonds and accept Insurance Certificate. RECORD S46-676

Glen Creek Stormwater Improvements - Contract with Donto Construction Co., Inc., IFB 97-1570DC, \$494,132 (approved 5/5/98); date Performance/Payment Bonds and accept Insurance Certificate. RECORD S46-677

Child Support Enforcement - Contract with the Department of Revenue for reimbursement to the Sheriff for Service of Process fees, \$27,954 (7/1/98-6/30/99). RECORD S46-678

ACCEPT

Manatee Community College - Operational Audit Report No. 13251 of the District Board of Trustees, Manatee Community College from State of Florida Auditor General, the fiscal year ended June 30, 1997.

Records Destruction Request - Bureau of Archives and Records Management Form Listing County Records for destruction:
 No. 393, Parks and Recreation (G.T. Bray Park)

Authorization to Waive Dishonored Check Fee - Waive fee (\$25) for dishonored check for Barry and Clair Rousseau due to the closing of their utility account.

COUNTY ADMINISTRATOR

STREET VACATION - SNEAD ISLAND/HY KOM PARCEL

R-98-143-V RESOLUTION DECLARING PUBLIC HEARING ON APPLICATION BY MANATEE COUNTY TO VACATE A PORTION OF SNEAD ISLAND ROAD, OR OTHER APPROPRIATE PROPERTY, TO BE HELD JUNE 23, 1998, AT 9:00 A.M., OR AS SOON THEREAFTER AS MAY BE HEARD. RECORD S46-679

LAWUIT: ROBERT PETERS, JR.

Approve settlement amount of \$20,000 with Robert Peters, Jr., in case CA 97-1029.

CITY OF BRADENTON - HOPE VI GRANT

R-98-146 RESOLUTION PROVIDING SUPPORT TO THE CITY OF BRADENTON HOUSING AUTHORITY'S EFFORT AND APPLICATION FOR HOPE VI GRANT FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE REHABILITATION OF THE **ROGERS GARDENS PROJECT** IN THE CITY OF BRADENTON. RECORD S46-680

NEIGHBORLY SENIOR SERVICES

Execute FY 1997/98 funding agreement with Neighborly Senior Services, Inc., d/b/a Neighborly Senior Services of Manatee, not to exceed \$7,000, for assistance with purchase of a vehicle and reimbursement of costs associated with purchase. RECORD S-46-681

BUDGET AMENDMENT

Various Departments (B-98-056)
Item Transfer; Unanticipated Revenue Appropriations (supporting description and detail attached) RECORD S46-682

SOUTHWEST REGIONAL WASTEWATER TREATMENT PLANT

Execute Change Order 1 to Work Assignment 42 with Black & Veatch, for engineering consulting services for aeration system improvements at the Southwest Regional Wastewater Treatment Plant for an increase of \$45,450, for an adjusted Work Assignment total not to exceed \$282,410. RECORD S46-683

BRADENTON MIDDLE SCHOOL RENOVATIONS

Execute Change Order 2 with Tri-Tech Construction for revisions in renovations to the Bradenton Middle School (aka **PAL Charter School**) for a net increase of \$50,322.29, for an adjusted amount of \$691,590.30. RECORD S46-684

MATERIALS AND SERVICES

1. **Bridge Rehabilitation Phase II (16)** - Award Bid 97-3998DC to CEM Enterprises, Inc., d/b/a Sunshine Painting, \$386,876; and subsequent execution of contract and dating performance/payment bond and acceptance of insurance certificate. RECORD S46-685
2. **New Chlorinator Feed System and Removal and Reconditioning of Existing Feed Systems** - Award Bid 98-3650MP to East Side Pump & Supply, Inc., \$75,050.
3. **Construction Debris Materials Reclamation & Recycling Services** - Enter into contract negotiations with the top-ranked firm, Woodruff & Sons, Inc., for providing processing, crushing and recycling services for the Transportation Department.
4. **Polymer Units** - Award IFB 98-5055MP to U.S. Filter/Wallace & Tiernan, not to exceed \$86,776.
5. **Thermoplastic Material** - Award IFB 98-5211DC to Florida Transcor, Inc., on an as-required basis, \$79,550.
6. **Water Treatment Plant Expansion** - Award IFB 98-4597DC to Apollo Construction & Engineering Services, Inc., \$164,098; and subsequent execution of contract and date performance/payment bonds and acceptance of insurance certificate.

SURPLUS PROPERTY

General

Authorization to classify excess property as surplus 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 authorize disposition of such property. RECORD S46-686

R-98-86 RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES RECORD S46-687
(conveying one hard drive to **Manatee Bankers for Affordable Housing, Inc.**).

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(Continued)

R-98-142 RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES RECORD S46-688
(conveying two computers and five monitors to **Manatee Glens Corp.**).

R-98-143 RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES RECORD S46-689
(conveying one computer, one monitor and two printers to **St. Luke Primitive Baptist Church**).

Vehicles

Authorization to classify excess vehicles 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 authorize disposition of such property. RECORD S46-690

GATOR ASPHALT

Execute letter acknowledging the name change of Gator Asphalt Company to **Gator Asphalt Paving, Inc.** RECORD S46-691

LOCKWOOD RIDGE ROAD

Execute Change Order 2 to Work Assignment 18 with **Wade-Trim, Inc.**, for engineering services for the Lockwood Ridge Road Project for an increase of \$8,324.80 and an adjusted Work Assignment total not to exceed \$293,957.65. RECORD S46-692

SURVEYING AND PHOTOGRAMMETRIC MAPPING

Execute contract with **I.F. Rooks & Associates, Inc.**, for professional services for surveying and photogrammetric mapping on an as-required basis for a period of one year with two one year extension options. RECORD S46-693

SARASOTA-MANATEE PROFESSIONAL FIREFIGHTERS AND PARAMEDICS LOCAL 2546

Ratify the Collective Bargaining Agreement with **Sarasota-Manatee Professional Firefighters and Paramedics Local 2546, IAFF**, for represented Public Safety Emergency Medical Services Employees to be effective October 1, 1996 to September 30, 1997. RECORD S46-694

LIBRARY FOUNDATION, INC.

Accept the Library Foundation, Inc., 1997 Annual Report. RECORD S46-695

GREATER SARASOTA JUNIOR GOLF ASSOCIATION

Parks and Recreation to waive the greens fees in order for the **Greater Sarasota Junior Golf Association** to hold Nine Hole Golf Tournament at the Manatee County Golf Course on July 20, 1998.

INMATE LABOR

Execute agreement with the **Florida Department of Corrections** regarding the Interagency/Public Works Agreement for Inmate Work Program (Hardee Correctional Institution) for the Parks and Recreation Department. RECORD S46-696

MANATEE HIGH SCHOOL BASKETBALL CAMP

Parks and Recreation to Co-Sponsor the Manatee County Girls Basketball Camp at Manatee High School from June 15-26, 1998.

ORDINANCE 98-27 - DISASTER EMERGENCY MANAGEMENT

Set public hearing on Ordinance for June 16, 1998, at 9:00 a.m., or as soon thereafter as same may be heard.

EMERGENCY MANAGEMENT

Execute an amendment to agreement 98CP-05-08-51-01-041 (9/30/97, R97-200) with the **Florida Department of Community Affairs, Division of Emergency Management**, for the 1997-98 Emergency Management Preparedness and Assistance Program Base Grant accepting an increase of \$3,746 for a total of \$115,682 (no County match required). RECORD S46-697

FOUR COUNTY EMERGENCY SERVICES INTERLOCAL AGREEMENT

Execute the Four County and Municipal Uniform Interlocal Agreement for Fire Protection, Emergency Medical Services and Specialized Services among **Manatee County, Sarasota County, Charlotte County, and Desoto County**, certain Fire and/or Fire-Rescue Protection Districts/Authorities, and Emergency Service Departments within these counties and the Municipal Corporations described in Exhibit "A" of agreement. RECORD S46-698

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

R-98-137 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 S46-699
S46-700

DEEDS AND EASEMENTS

1. **30th Street East** - Special Warranty Deed from R.I. Waterman Properties, Inc., for additional right-of-way; Affidavit of Ownership and Encumbrances.
2. **Doris Drive** - Temporary Construction Easements from George III and Ann Lisa Davis and James and Millicent B. Dunwoody, for access and replacement of a drainage pipe

EXPERIMENTAL FARM AND CANAL ROADS

Execute Contract for Sale and Purchase for a Warranty Deed from Jesus Ochoa for improvements of Experimental Farm and Canal Roads, \$72,400.

RECORD S46-701

LOCKWOOD RIDGE ROAD

1. Execute Contract for Sale and Purchase for a Warranty Deed from Lizabeth S. and Richard O. Bibler, for improvement, \$6,307; accept Warranty Deed from Lizabeth S. and Richard O. Bibler; Affidavit of Ownership and Encumbrances; Partial Release from Northern Trust Bank of Florida, N.A. RECORD S46-702
2. Accept Warranty Deed and Temporary Construction Easement from Charles V. and Vickie S. Giallombardo, for right-of-way; Affidavit of Ownership and Encumbrances; Partial Release from Barnett Bank, N.A.
3. Execute Contract for Sale and Purchase for a Temporary Construction Easement from Ward Reasoner, for road improvements, \$300; accept Temporary Construction Easement from Ward Reasoner. RECORD S46-703
4. Execute Contract for Granting and Acquiring of a Drainage Easement, and a Temporary Construction Easement from Taylor Woodrow Communities, the improvement \$5,200; accept Drainage Easement and Temporary Construction Easement from Taylor Woodrow Communities; Affidavit of Ownership/Encumbrances. RECORD S46-704

NON-COUNTY MAINTAINED ROADS

Notification of changes to requirements relating to rural road construction, which will be subsequently presented to the Board of County Commissioners.

(End Consent Agenda)

AWARDS AND PROCLAMATIONS

Employee of the Month

Edward Earthley, Public Works Department, Field Collections Coordinator, was presented the June 1998 Employee of the Month Award.

Extension Water School Graduation

Awards were presented to the Water School Graduates (50) for completing this Extension Service educational program.

RECORD S46-705

National Homeownership Week

Upon motion by Mrs. Harris, and second by Ms. Brown, a Proclamation was unanimously adopted designating June 6-13, 1998, as Manatee County National Homeownership Week.

RECORD S46-706

CONVENTION & VISITORS' BUREAU

Larry White, Convention and Visitor's Bureau, introduced **Denise Angelliotti** and **Ulrich Blauen**, from Global Contact, which represents Manatee County in Germany.

CITIZENS' COMMENTS

Port Seagrass

Doris M. Schember, ManaSota 88, expressed concerns that expansion of Port Manatee would destroy seagrass areas.

(Note: This item was discussed under the Port agenda.)

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(Continued)

S.W.A.M.P. Critters

Ed Mulock submitted a booklet outlining the s.w.a.m.p. critters (Special Wishes and Magical Play) program, which provides opportunities for terminally ill and handicapped children to attend summer camp. He requested County assistance in finding an affordable parcel of land for the program to lease for the camp.

Disposition: Referred to the County Administrator.

Recess/Reconvene. All members present.

ORDINANCE 98-25: PORT AUTHORITY DEBT SERVICE

Public hearing (Notice in the Bradenton Herald 5/21/98) was held to consider

ORDINANCE 98-25 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE USE OF COUNTY NON AD VALOREM REVENUES TO MAKE UP DEBT SERVICE DEFICIENCIES OF CERTAIN OBLIGATIONS OF THE MANATEE COUNTY PORT AUTHORITY WHEN AND IF SUCH DEFICIENCIES SHOULD EVER EXIST; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Ernest Marshall, Federation Manatee County Home Owners Association, inquired regarding the following concerns: adoption of Ordinance before Resolution R-98-145; what projects are being financed; maximum reserve; sales tax; ad valorem taxes; race track funds; bond anticipation notes; non ad valorem taxes, etc.

Speaking in opposition were: **Larry Patterson** and **John Patterson**, who discussed repayment of the bond and ad valorem taxes.

Discussion: Local option sales tax; indirect costs paid to County; taxes paid by Port tenants, etc.

Ed Sheffield and **Mark Temple**, Port Tenants Association, stated the Port tenants pay over \$500,000 in property tax.

Motion was made by Mr. McClash, and seconded by Mr. Stephens, to adopt Ordinance 98-25. Motion carried 6 to 1, with Mrs. Stein voting nay.

RECORD 846-707

COMMERCIAL PAPER LOAN PROGRAM

Public (TEFRA) hearing (Notice in the Bradenton Herald 5/13/98) was held in connection with the issuance by the Manatee County Port Authority of not exceeding \$15,000,000 in aggregate principal amount of the authority's revenue note, draw No. A-1-1 as part of the Florida Local Government Finance Commission Pooled Commercial Paper Loan Program, Series B (amt issue) for the purpose of financing the costs of certain additions, extensions and improvements at Port Manatee. The proceeds of the Note will be used to finance all or a portion of the costs of: (1) Cargo Transit Warehouse and Cruise Terminal Facilities; (2) Intermodal Container Yard; (3) Berth 5 Improvement; (4) Berth 12 Improvements; (5) Berth 12 Cruise Terminal; (6) Berth 4 Creation; (7) Cold Storage Warehouse; (8) Channel Dredging; (9) Container Cranes; (10) Channel Dredging; (11) Channel Dredging; (12) Intermodal Transportation Facilities; (13) Land Acquisition; (14) Cold Storage Conversion.

Motion was made by Mr. McClash, seconded by Mr. Bruce and carried unanimously, to incorporate into this TEFRA hearing the previous comments and questions made in the Joint Board of County Commissioners and Port Authority meeting.

(Note: See Port Minute Book 3 Page 273.)

(Mr. Stephens absent for a portion of presentation.)

Mr. Marshall expressed concerns regarding: debt ratio; financial drain; giving the money back to the community; phosphate mining; odors; orimulsion; jail sales tax revenue; creating jobs in county, etc.

R. B. Shore, Clerk of the Circuit Court, stated the Commercial Paper Loan Program is the least expensive financing option for the County.

Discussion: Debt service ratio; Port is economically sound, etc.

Motion was made by Ms. Brown and seconded by Mr. Stephens, to adopt Resolution R-98-145 confirming the TEFRA hearing:

R-98-145 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, APPROVING THE ISSUANCE, WITHIN THE MEANING OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, OF THE NOT EXCEEDING \$15,000,000 MANATEE COUNTY PORT AUTHORITY REVENUE NOTE, DRAW NO. A-1-1, TO BE ISSUED IN CONNECTION WITH THE POOLED COMMERCIAL PAPER LOAN PROGRAM, SERIES B (AMT ISSUE) OF THE FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION FOR THE PURPOSE OF FINANCING AND REFINANCING CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO PORT MANATEE; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERLOCAL AGREEMENT BY AND BETWEEN MANATEE COUNTY, FLORIDA AND THE MANATEE COUNTY PORT AUTHORITY; AUTHORIZING THE PROPER OFFICERS OF THE COUNTY TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE FOR THIS RESOLUTION.

RECORD S46-708
S46-709

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

Recess/Reconvene. All members present.

ORDINANCE 98-21 - SKATEBOARD PROHIBITED

Public hearing (Notice in the Bradenton Herald 5/15/98) was held to consider (Depart Mrs. Harris)

ORDINANCE 98-21 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE PREVENTION OF PERSONAL INJURIES AND PROPERTY DAMAGE AT PUBLIC BUILDINGS BY PROHIBITING THE USE OF SKATES, SKATEBOARDS, SCOOTERS, COASTERS AND SIMILAR DEVICES ON COUNTY OWNED OR LEASED PROPERTY, EXCEPT IN DESIGNATED AREAS; PROHIBITING BICYCLE RIDING, SKATEBOARDING, AND SKATING IN COUNTY-OPERATED PARKING GARAGES; PROVIDING FOR PENALTIES; AND PROVIDING FOR NOTICE.

(Proof of Publication included: REGULATING PERSONS USING SKATES AND SKATEBOARDS ON PUBLIC SIDEWALKS AND IN ROADWAY CROSSWALKS)

William Henry, Assistant County Attorney, stated the purpose of Ordinance 98-21 is to prevent personal injury and property damage to public buildings. The maximum fine is \$50.

Motion was made by Ms. Brown, seconded by Mr. McClash, to adopt Ordinance 98-21.

(Enter Mrs. Harris)

Discussion: Prohibited areas.

Following discussion, the motion carried unanimously.

RECORDS46-710

ORDINANCE 98-09 - EMERGENCIES AND TIMES OF PROTECTIVE MEASURES

Public hearing (Notice was not properly advertised) was held to consider

ORDINANCE 98-09 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AUTHORIZING AND APPROVING THE EXPENDITURE OF PUBLIC FUNDS FOR THE PURCHASE OF BASIC SUBSISTENCE FOR MANATEE COUNTY EMPLOYEES AND REGULAR SERVICE EMERGENCY OPERATIONS CENTER (EOC) VOLUNTEERS AND FOR THE REIMBURSEMENT OF MANATEE COUNTY EMPLOYEES AND REGULAR SERVICE EOC VOLUNTEERS WHO PURCHASE BASIC SUBSISTENCE AS A RESULT OF THEIR RESTRICTION TO THE WORKPLACE DURING THE COURSE OR IMMINENT THREAT OF BONA FIDE COUNTY-WIDE EMERGENCIES AND DURING THE COURSE OF PROTECTIVE MEASURES UNDERTAKEN PURSUANT TO THE THREAT OF BONA FIDE COUNTY-WIDE EMERGENCIES; PROVIDING FOR LIMITATIONS ON SUCH EXPENDITURES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECORD S46-711

Karen Windon, Public Safety Director, requested adoption of Ordinance 98-09.

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(Continued)

Motion was made by Mrs. Harris, seconded by Ms. Brown and carried unanimously, to adopt Ordinance 98-09.

(Note: Ordinance to be properly advertised and adopted under a different ordinance number.)

Recess/Reconvene. All members present.

PERICO ISLAND ANNEXATION

Michael Wood, Planning Department, submitted a revised Option B letter to the City of Bradenton regarding annexation of the northern portion of Perico Island, which would result in an enclave of County lands.

Motion

Motion was made by Mrs. Stein and seconded by Mr. Bruce, to authorize execution of the revised Option B letter to the City of Bradenton.

Discussion: Combine Options A and revised B letters to create an Option C letter; enclave/conclave issue, etc.

Substitute motion

Mr. Bruce made a substitute motion to combine the language of both letters (Options A and revised B) into one letter. Motion was seconded by Mr. McClash.

Mrs. Stein requested the letter contain the first and second paragraphs of the revised Option B letter; paragraphs two, three, and four of Option A letter; conclude with third paragraph of revised Option B; and change Sincerely to "Respectfully."

Mrs. Glass requested taking out the word Sincerely and put the word "Submitted."

Mr. Williams requested adding language expressing "As you may be aware, Chapter 164.103, Florida Statutes, may require Manatee County to give notice of its intent to file suit to oppose this annexation, and therefore, in an abundance of caution, you are notified of Manatee County's intent to file suit to oppose this annexation should it be approved by the Bradenton City Council."

Motion (with amendments as requested) carried unanimously.

SARASOTA-MANATEE METROPOLITAN PLANNING ORGANIZATION

Harry Mendenhall, Transportation Department, advised of the changes to the "Any Fund" Category Major Improvement Project Priorities and the "Enhancement Fund" Project Priorities of the annual priority project listings of the Sarasota-Manatee Metropolitan Planning Organization.

Motion was made by Mr. Stephens and seconded by Mrs. Harris, to approve the annual priority project listings for Manatee County under the "Any Fund," and the "Enhancement Fund" categories and execution of the transmittal letter for submission to the Sarasota-Manatee Metropolitan Planning Organization.

Discussion: 30th Avenue and U.S. 41 redesignation.

Motion carried unanimously.

RECORDS46-712

MEDITERRANEAN FRUIT FLIES (MEDFLIES)

Ernie Padgett, County Administrator, advised that Ned Davis of the Department of Environmental Protection has requested a public meeting on June 4, 1998, at the Civic Center regarding spraying malathion for eradication of the medflies.

ONE-CENT SALES SURTAX

Mr. Padgett briefed the Board on a meeting he attended regarding the issue of a one-cent sales surtax. He advised the School Board would like a joint meeting on June 15, 1998, to discuss a referendum.

Discussion: City and County needs; 30 day project list, etc.

Inasmuch as a County project list would not be available by June 15, no action was taken.

HAWTHORN PARK COMMUNITY ASSOCIATION

Mitchell Palmer, Assistant County Attorney, requested authorization to file and to prosecute a lawsuit regarding unpaid utility billings (\$17,250.53) for irrigation water supplied to Hawthorn Park Subdivision.

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried unanimously, to approve the request.

WADING BIRD SUBDIVISION

Mr. Williams requested a rescheduling of the public hearing date for PDR-97-12(Z) (P) MCFARLAND AND BUTLER/WADING BIRD GOLF AND COUNTRY CLUB to Tuesday, June 30, 1998, at 6:00 p.m.

Motion was made by Mr. McClash, seconded by Mr. Bruce and carried unanimously, to approve the request.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

[Signature]
Clerk
3:01 p.m.
17ag
COMMISSIONERS

[Signature]
Chairman 8/4/98