

JULY 7, 1998

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, July 7, 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 (entered during meeting)  
 Lari Ann Harris  
 Amy Stein (entered during meeting)

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

Invocation by Reverend Tom Otto, Ellenton United Methodist Church

CONSENT AGENDA

Upon motion by Mrs. Harris and second by Ms. Brown, the Consent Agenda dated July 7, 1998, was approved 5 to 0, incorporating the language in the recommended motions in the agenda memoranda. Items APPROVED:

CLERK OF CIRCUIT COURT

CONSENT CALENDAR

BONDS

Accept:

Sheriff's Public Employees Bond (22 Additions; 42 Deletions).

RECORD S46-807

Legacy Golf Course and Maintenance Facility

1. Agreement with SMR Communities Joint Venture guaranteeing performance of a wetland mitigation security system (\$71,472.50).
2. Performance Bond: \$71,472.50 (Surety Bond 121721, Frontier Insurance Company).

Turnbury Park Apartments

1. Agreement with Turnbury Park Apartments, Ltd., guaranteeing performance of a wetland mitigation security system (\$6,210).
2. Performance Bond: \$6,210 (Surety Bond 3S 924-594-00, Lumbermans Mutual Casualty Company).

Summerfield Village, Subphase D, Units 1-4

1. Agreement with SMR Communities Joint Venture guaranteeing performance of a wetland mitigation system (\$61,122.50).
2. Performance Bond: \$61,122.50 (Surety Bond 121722, Frontier Insurance Company).

WARRANT LIST

Approve: June 24, 1998 through July 6, 1998

Authorize: July 7, 1998 through July 21, 1998

MINUTES FOR APPROVAL

May 5, 1998 - Regular Meeting

AUTHORIZE CHAIRMAN TO SIGN

Bradenton Railroad Depot Acquisition

Project progress and expenditure report (Period 1) for the Division of Historical Resources grant (pursuant to R-98-47 adopted 2/17/98).

RECORD S46-808

Judgments

Marthel Mitchell - Cases 90-2246T; 96-3482T

Fernando Mejias - Case 97-1854M

Richard T. Crane - Case 96-3173F

Partial Release of Special Improvement Assessment Liens

Projects 760; 3003/2504; 3011-2506 (2)

ACCEPT

South County Youth and Recreation Center - Internal Revenue Service Form 990 for year ending February 28, 1998, for South County Youth and Recreation Center, Inc.

West Manatee Fire Rescue District - Amended meeting schedule for meetings of the Anna Maria and West Side Fire Districts (August 1998-January 1999).

Lakewood Ranch Community Development District 3 - Minutes of the Board of Supervisors meeting held April 2, 1998.

**COUNTY ADMINISTRATOR**  
**PUBLIC SAFETY COORDINATING COUNCIL**

Appoint Major Ron Getman, representing the Florida Highway Patrol, as ex officio member of the Public Safety Coordinating Council; and authorize the Chairman to execute letter of appointment.

**CLAIM SETTLEMENT**

Move to reject settlement demand of inmate Ralph Halsey for \$90,000, and counter-offer \$4,000, plus waiver of sums owed to Manatee County (\$7,300), regarding a fall outside a jail shower.

**ANNUAL ADVISORY BOARD REPORT**

Accept the 1997 Annual Report (pursuant to R-92-288) of advisory boards and committees (32) with no recommendation to sunset any of them.

RECORD S46-809

**UNIVERSAL CABLE FRANCHISE**

Confirm intent that Universal Cable pay the County a three percent cable television franchise fee until the Board determines an increase to the maximum federal allowance.

**ADVISORY BOARD DISCLOSURE FORMS**

Waive provisions of F.S. 112.313(3) and F.S. 112.313(7) pertaining to standards of conduct for public officers, pursuant to F.S. 112.313(12) as to advisory boards (conflict of interest): **Children's Services Advisory Board** members Judge Scott Brownell, Gary Knuckles, Juanine Lowery, Joseph Miller, Edwin Mulock, Berniece Scott, Clayton Sutton, Dr. George VanBuren, Timothy Vining, John Vita; and the **Accessibility Task Force** members Edward Lopacki, Arline Allen, Ann Whealton, Dixie Grubbs, and Walter "Scott" Reed.

**INDIGENT CARE - PHYSICIAN REIMBURSEMENT**

**R-98-186** A RESOLUTION OF THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING MANATEE COUNTY COMMUNITY SERVICES DEPARTMENT TO ADJUST COMPENSATION TO PHYSICIANS BEING REIMBURSED IN ACCORDANCE WITH PROVISIONS CONTAINED WITHIN THE INDIGENT CARE AGREEMENT

RECORD S46-810

(from 100 to 175 percent of Medicaid rate; effective 7/7/98).

**TRAVEL - CONVENTION AND VISITORS BUREAU**

Expend \$4,150 for the Director of Convention and Visitors Bureau to travel to Montreax, Switzerland, to join the USA Switzerland Committee at the Travel Trade Workshop 98, October 27-29, 1998, as a part of the CVB FY 98-99 marketing plan.

**TAMPA BAY ESTUARY PROGRAM GRANT**

**R-98-179** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING A GRANT FROM THE TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) FOR REDUCING PROPELLER SCARRING OF SEAGRASSES IN MIGUEL BAY AND BISHOP HARBOR

(execute Intergovernmental Agreement on behalf of the Tampa Bay Estuary Program; TBRPC, \$16,000, County \$8,000; and Environmental Protection Agency Certification form).

RECORD S46-811  
S46-812

**BUDGET AMENDMENTS**

**VARIOUS DEPARTMENTS** (B-98-059)

Transfer of Funds; Unanticipated Revenue Appropriations Supporting description and detail attached

RECORD S46-813

**44TH AVENUE EAST**

Execute Change Order 4 to Work Assignment 1 with Kimley-Horn & Associates, Inc., for engineering services, U.S. 301 to 15th Street East, for an increase of \$220,407 and adjusted contract not to exceed \$859,808.

RECORD S46-814

**BRADENTON MIDDLE SCHOOL RENOVATIONS**

Execute Change Order 3 with Tri-Tech Construction, Inc., for revisions in renovations (PAL Charter School) for an additional 30 days, and a net increase of \$13,312.58 and adjusted contract of \$704,902.88.

RECORD S46-815

**COKER GULLY ROAD BRIDGE**

Execute Change Order 1 to Work Assignment 16 with Wade-Trim, Inc., for engineering services with an increase of \$14,812 and adjusted amount not to exceed \$39,783.

RECORD S46-816

**MATERIALS AND SERVICES**

1. **Carbon Silos** - Award IFB 98-4585MP to the lowest responsive, responsible bidder meeting specifications, FUSE, Inc., \$447,824, for new silo and upgrade of existing silo; and subsequently execute contract, date performance/payment bond, and accept insurance certificate.

JULY 7, 1998

(Continued)

2. **Electrical Supplies** - Award IFB 98-5705KK on an as-required basis to lowest responsive, responsible bidders meeting specifications for an estimated cost of \$86,693.86:  

Cameron & Barkley	Graybar Electric Co.
Consolidated Electric Supply	Quality Electric Supply
Electronic Equipment	Louis Pryor Supply, Inc.
3. **Articulated Rubber Tired Wheel Loader and Rubber Tired Backhoe Loader** - Award IFB 98-5689SV to lowest responsive, responsible bidders meeting specifications not to exceed \$229,938, Coastline Equipment (\$149,948); and Neff Machinery (\$79,990).
4. **Highway Maintenance Management System** - Negotiate with top-ranked firm, Hansen Information Technologies, Inc., for a new system.
5. **Lakewood Ranch Ball Field Fencing** - Award IFB 98-5997DC to the lowest responsive, responsible bidder meeting specifications, Smith Fence Company, \$102,699.
6. **Lakewood Ranch Sports Field Lighting** - Award IFB 98-5996MP to the lowest responsive, responsible bidder meeting specifications, M. Gay Constructors, Inc., \$145,300.
7. **Pickup Trucks** - Award IFB 98-5730SV to the lowest responsive, responsible bidder, Bill Graham Ford, for three 1999 super duty trucks, \$102,600.
8. **Water Distribution Improvements** - Award IFB 98-4606DC for the Bayshore area, to the lowest responsive, responsible bidder meeting specifications, Woodruff & Sons, Inc., \$113,243.40; and subsequently execute contract, date performance/payment bonds and accept insurance certificate.
9. **Water and Sewer Supplies** - Award IFB 98-5217KK on an as required basis to the lowest responsive, responsible bidders meeting specifications for an estimated cost of \$734,797.83:  

Corcel Corp.	Kennedy Valve
Ferguson Underground	SEMSCO
Florida Industrial Products	Sunstate Meter & Supply, Inc.
Hughes Supply, Inc.	U.S. Filter
Jim & Slims Tools Supply	

**SURPLUS PROPERTY**

1. Classify property as surplus per Florida Statute 274.05 to enable appropriate and authorized disposition in accordance with Procurement Code 84.02, Section 8.108 (various computer and Lifepack equipment); and adopt RECORD S46-817  
R-98-173 RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES  
 (conveying excess computer equipment to St. Luke Primitive Baptist Church). RECORD S46-818
2. Classify excess vehicles (and backhoe) as surplus property; and authorize disposition. RECORD S46-819

**LAND INFORMATION SYSTEM HARDWARE AND SOFTWARE**

Execute Addendum 1 to the land information system master service agreement for maintenance with Geopower Technologies, Inc., for 24 months (10/1/97-9/30/99), not to exceed \$71,210. RECORD S46-820

**MANHOLE REHABILITATION**

Addendum 1 to agreement with Rowland, Inc., for a one-year extension (7/29/98-7/28/99) on an as-required basis. RECORD S46-821

**PALMA SOLA SANITARY SEWER EXTENSION**

Execute Change Order 1 to IFB 97-2695DC with Nichter Contracting Corp. for replacement of a force main, for an increase of \$19,020, and an adjusted contract of \$70,972. RECORD S46-822

**REFUSE COMPACTOR**

Award IFB 98-5437SV to the lowest responsive, responsible bidder meeting specifications, Ringhaver Equipment Co., \$357,719; and simultaneously execute Total Cost Agreement. RECORD S46-823

**SEWER LINE REHABILITATION**

Addendum 1 to agreement with Insituform Southeast, Inc., extending services one year (to 7/28/99) on an as-required basis. RECORD S46-824

**DIGITAL SCANNING SERVICES**

Execute agreement with CADD Centers of Florida to scan record drawings and media backup files for Public Works. RECORD S46-825

**TALLEVAST ROAD**

Execute Change Order 1 to Work Assignment 1 with Wade-Trim, Inc., for engineering services, U.S. 301 to Lockwood Ridge Road, \$10,440, and adjusted total not to exceed \$518,871.50. RECORD S46-826

**DUETTE PARK**

1. Approve Division of Forestry's annual work plan and budget for FY 1997-98, \$22,900; and execute letter acknowledging approval.

- 2. Execute residential lease (2649 Rawls Road, Parrish) and lead paint disclosure with Paul Danny Smith, Park Ranger, for period of employment beginning July 15, 1998. RECORD S46-827  
S46-828

**PERSONNEL STAFFING LEVELS**

- 1. **R-98-151** RESOLUTION ESTABLISHING AUTHORIZED STAFFING LEVEL CHANGES BY JOB CLASSIFICATION FOR DEPARTMENTS UNDER THE JURISDICTION OF THE BOARD OF COUNTY COMMISSIONERS (Increase **Transportation** from 193 to 200 for drainage). RECORD S46-829
- 2. **R-98-155** RESOLUTION ESTABLISHING AUTHORIZED STAFFING LEVEL CHANGES BY JOB CLASSIFICATION FOR DEPARTMENTS UNDER THE JURISDICTION OF THE BOARD OF COUNTY COMMISSIONERS (Increase **Parks and Recreation Department** from 168 to 172). RECORD S46-830

**SUMMER CAMP TRANSPORTATION**

Execute agreement with Manatee County School Board for use of school buses to transport participants on out-of-County events during the Parks and Recreation Department 1998 summer camp. RECORD S46-831

**FLORIDA PLANNING AND ZONING ASSOCIATION**

Pay membership for Board of Zoning Appeals members (7) and Planning Commission members (7), \$420.

**CITY OF PALMETTO - ANNEXATION**

Execute letter to the City of Palmetto stating no objection to annexation of property at 2419 Bayshore Road (Ordinance 615).

**STREET NUMBERING WAIVER**

Permit Environmental Biotech, Inc. to use a street name (Biotech Way) for the access road into their development (f/k/a Pick & Pete Lane).

**MCLEWIS BAYOU BRIDGE**

Execute Sovereign Submerged Lands Easement with the Board of Trustees of the Internal Improvement Trust Fund for bridge construction. RECORD S46-832

**MANALEE SUBDIVISION DREDGING**

Set first public hearing on August 18, 1998, at 9:00 a.m., or as soon thereafter as possible, to establish a Municipal Service Benefit Unit for canal dredging.

**MCLEWIS BAYOU DREDGING**

Set first public hearing on August 18, 1998, at 9:00 a.m., or as soon thereafter as possible, to establish a Municipal Service Benefit Unit for canal dredging.

**STATE ROAD 70**

**R-98-178** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, AUTHORIZING EXECUTION OF A JOINT PROJECT AGREEMENT AMENDMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION PROVIDING FOR ADDITIONAL REIMBURSEMENT FOR THE LAND ACQUISITION ON STATE ROAD 70 (providing an additional \$1,100,000 for right-of-way). RECORD S46-833  
S46-834

**EMERGENCY MEDICAL SERVICES - ELECTRONIC WIRE TRANSFERS**

Execute electronic media claims enrollment form and Railroad Part B Medicare Program application to allow Emergency Medical Services (EMS) to bill Medicare for ambulance services. RECORD S46-835  
S46-836

**EMS PRE-HOSPITAL GRANT AGREEMENTS**

Execute agreements with the following fire districts to reimburse proportionate grant shares for FY 1997-98 (10/1/97-9/30/98):

Anna Maria Fire District, \$468	S46-837
Braden River Fire Control and Rescue District, \$382	S46-838
Cedar Hammock Fire Control District, \$8,885.79	S46-839
City of Bradenton Fire Department, \$5,196.80	S46-840
North River Fire District, \$1,145	S46-841
Parrish Fire Control District, \$189	S46-842
Southern Manatee Fire and Rescue District, \$7,422.30	S46-843
Trailer Estates Fire Control District, \$82	S46-844
Westside Fire Control District, \$1,025.09	S46-845

**ORDINANCE 98-38 - SUBSISTENCE DURING EMERGENCIES**

Set a public hearing on August 4, 1998, at 9:00 a.m., or as soon thereafter as same may be heard, for Ordinance 98-38 for provision of basic subsistence to employees and volunteers restricted to the workplace during bona fide declared emergencies and threatened emergencies (**rescinding** Ordinance 98-09 adopted 6/2/98).

**ORDINANCE 98-27 - EMERGENCY MANAGEMENT POWERS**

Set a public hearing on August 4, 1998, at 9:00 a.m., or as soon thereafter as same may be heard, for Ordinance 98-27, establishing emergency management powers and a post emergency recovery plan during disasters.

JULY 7, 1998

(Continued)

**REFUNDS**

Refund cash bond of \$4,620 to Casa Del Rey, Inc., for water and solid waste deposits, which were replaced with a surety bond.

**MOVING EXPENSE REIMBURSEMENTS - 9TH STREET EAST**

Pay expenses for relocation of living quarters required for road improvements on 9th Street East from 301 Boulevard to Manatee Avenue West, as follows: Donethea Carter, \$775; Mary Love Martin and Johnny Smith, \$775; Eulah B. Pugh, \$775; Solomon Williams, \$1,325; Mary Alice Wilson, \$1,200; Joann Jarrett and Dwight A. Jones, \$775, plus rental assistance of \$7,518.

**DEEDS AND EASEMENTS**

1. **9th Street East** - Warranty Deed from Spartan Supply Company, Inc., for right-of-way between 301 Boulevard and S.R. 64; Affidavit of Ownership and Encumbrances.
2. **Mendoza Road** - Warranty Deed from Genesis Communities, Inc., for right-of-way west of Victory Road; Affidavit of Ownership and Encumbrances; and Partial Release from Roy M. Speer Trust.
3. **Manatee Avenue West** - Warranty Deed from Manatee Avenue Storage Partnership, L.L.P., for right-of-way between 51st and 55th Streets West; Affidavit of Ownership and Encumbrances; and Partial Release from AmSouth Bank of Florida.
4. **69th Avenue West/U.S. 41** - Temporary Construction Easement from Rantoy Enterprises for driveway improvements between the Anna Maria Oyster Bar and new right-of-way area on U.S. 41.
5. **Cortez Road/51st Street West** - Utility Easement from Wal-Mart Stores, Inc., required to maintain a sanitary sewer force main; Affidavit of Ownership and Encumbrances.
6. **9th Street West/S.R. 45** - Temporary Construction Easements to Florida Power & Light Company and Manasota Commercial Construction Co., Inc., to install a temporary power pole and line across the parking lot at 323 9th Street West.

**HIGHWAY LIGHTING**

**R-98-185** A RESOLUTION AUTHORIZING EXECUTION OF A HIGHWAY LIGHTING AGREEMENT FOR THE ADJUSTMENT, RELOCATION AND/OR INSTALLATION OF A CERTAIN LIGHTING SYSTEM WITHIN THE RIGHT-OF-WAY LIMITS HEREINAFTER DESCRIBED, AND PROVIDING WHEN THIS RESOLUTION SHALL TAKE EFFECT (agreement with Florida Department of Transportation for a lighting system on S.R. 45/U.S. 41 between Manatee/Sarasota County line and 69th Avenue West/Bay Drive). RECORD S46-846  
S46-847

**LOCKWOOD RIDGE ROAD**

Execute Contract for Sale and Purchase for a Warranty Deed with William J. and Jan M. Mauck for road expansion (Tallevast Road to 45th Street East), \$143,750. RECORD S46-848

**CARLTON ROAD**

1. **R-98-156** A RESOLUTION OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS TO RECONVEY LANDS NOT USED FOR PURPOSE SPECIFIED (convey previously accepted IMC-Agrico right-of-way [regarding street vacation R-93-67-V], which DEP had determined to be wetlands, in exchange for new right-of-way).
2. Statutory Warranty Deed from IMC-Agrico Company; Affidavit of Ownership and Encumbrances.
3. Execute Deed to IMC-Agrico Company. RECORD S46-849

**STREET VACATIONS**

1. **R-98-119-V** RESOLUTION DECLARING A PUBLIC HEARING ON AUGUST 25, 1998, AT 9:00 A.M., OR AS SOON THEREAFTER AS MAY BE HEARD, TO CONSIDER APPLICATION BY HOWARD A. AND SHARON L. SPRY, TO VACATE A PORTION OF A DRAINAGE AND UTILITY EASEMENT IN **BAY LAKE ESTATES, PHASE II**. RECORD S46-850
2. **R-98-97-V** RESOLUTION DECLARING A PUBLIC HEARING ON AUGUST 25, 1998, AT 9:00 A.M., OR AS SOON THEREAFTER AS MAY BE HEARD, TO CONSIDER APPLICATION BY CURTIS F. AND VIRGINIA H. PERRY, ET AL, TO VACATE VARIOUS PORTIONS OF **SOUTH BRADEN CASTLE CAMP SUBDIVISION**. RECORD S46-851

**LAWSUITS - MARSHALLS' BRADEN RIVER MOBILE HOME PARK**

Extend a formal Offer of Judgment up to \$550,000 in the S.R. 70 eminent domain matter of Manatee County v. Marshalls' Braden River Mobile Home Park, Inc., Case CA 95-4541, for right-of-way.

(End Consent Agenda)

AWARDS

Employee of Month

A plaque was presented to **Bill Ward**, Parks and Recreation Department, as July 1998 Employee of the Month for coordinating and promoting recreation division programs for children and adults.

Safety Award

A plaque was presented to **Timothy Harper**, Transportation Department, recognizing his contributions to workplace safety and coordination of the East County Highway Maintenance safety meetings.

(Enter Mr. Stephens)

Team Award - Emerson Point

Charles Hunsicker, Planning Department, presented a video depicting progress of the Emerson Point project and presented meritorious service plaques to **Jay Fortney**, **Gene Helfrick**, **Art Waldren**, **Jim Russell**, **Linda Fagan**, and **Cliff Wellslager**, Facility Management Department, for their dedication, craftsmanship, and efforts. **Maggie Marr**, Financial Management Department, was recognized for grant services.

Meritorious Service

A plaque was presented to **Jay Moyles**, Public Safety Department, for volunteering his time and artwork for Emerson Point Park signage. A rendering of the major entrance sign was unveiled.

DONATION - EMERSON POINT PARK

Mr. Hunsicker advised of a \$6,700 cash donation from Browning Ferris of North America, Inc. (BFI), towards construction of the entry gate and sign at Emerson Point Park.

**Ken Forbes**, representing BFI, expressed the desire to continue with a corporate sponsorship.

1998 MASTER GARDENER PROGRAM

Richard Aalberg, Agriculture and Natural Resources, presented graduation certificates to 1998 Master Gardeners Millie Bostic, Tom Buehler, Elaine Byers, Cricket Clifton, Carol Cozan, Barbara Erbele, Dan Gregan, Barbara Hoffman, Jo Knoedler, David Rogerson, Karol Schuyler, Betty Thomas, and Joanne Webster.

PROCLAMATION

Upon motion by Mrs. Harris and second by Ms. Brown, a Proclamation was adopted 6 to 0, designating July 19, 1998, as **Sgt. Mike Kenyan and Deputy Corky Day** in recognition of Sgt. Kenyan and his pet cougar Corkey, whose birthday is July 19.

Sgt. Kenyan and Deputy Corky were present to accept the Proclamation. RECORD S46-852

CITIZENS' COMMENTS

Code Enforcement Settlement

**Dawn Worley** requested payment from the County of \$2,148 regarding settlement of a Code Enforcement fine to withdraw her appeal; however, she would not sign a release to the County.

**Teddy N. Williams**, County Attorney, requested that Mr. and Mrs. Worley withdraw the appeal and sign a release, which would waive the right to bring suit against the County.

(Enter Mrs. Stein)

Discussion: Reviewing language in release to determine Mrs. Worley's objections; release is standard procedure regarding settlements; hold harmless clause.

(Note: Continued later in meeting.)

Our Family Ranch, Inc. - Bingo License

**Deanna Boyd** read an autobiography by **Joadie Ann Merriman**, a resident of Our Family Ranch, describing the positive affect the ranch has had on her life. She advised that proceeds from bingo games held at South County Youth Center support the ranch and children who live there.

(Note: Further discussion later in the meeting.)

JULY 7, 1998

(Continued)

One Cent Sales Tax

William Wheeler spoke in favor of the one-cent sales tax for funding flood control and requested the Board not include the School Board in the referendum. He suggested that necessary steps be taken to require election of the school superintendent.

OUR FAMILY RANCH BINGO LICENSE

William Henry, Assistant County Attorney, reported on Our Family Ranch, Inc., a not-for-profit organization, which conducts bingo games on County property at the John Marble Complex (a/k/a South County Youth Center).

He advised that Our Family Ranch (OFR) had not existed three years as a charitable organization, pursuant to Florida bingo statute 849.0931. The County was not aware that OFR existed (6/93) for less than two years when it authorized a license for bingo games (6/95). This was a violation of state statute and grounds for automatic termination of the County license.

Mr. Henry outlined options to address the matter: (1) do nothing; (2) revoke the license, but allow reapplication; (3) notify OFR to cease and desist conducting illegal bingo games; (4) allow to "show cause" why license should not be terminated; (5) terminate the license.

Discussion: Whether the organization was aware of the violation; funding from illegal bingo games; County liability; number of jackpots; submission of tax returns to County; OFR not licensed as foster care facility; terminate license by letter; ratify current license as organization now meets three-year requirement; new application would allow County to review license requirements; whether termination of OFR license would affect the South County Youth Center license, etc.

Motion was made by Mr. Bruce and seconded by Ms. Brown, to terminate the license with Our Family Ranch to conduct bingo games, and send a letter to Our Family Ranch advising of the termination.

Discussion: Whether a vote is necessary to terminate license; notify to cease and desist operation; operation now legal/allow bingo to continue; determining whether OFR has nonprofit [501(c)(3)] status; address tax returns and other concerns prior to reissuing license, etc.

Motion carried 5 to 2, with Mr. McClash and Mrs. Stein voting nay.

RECORD S46-853

ORDINANCE 98-30: NO PARKING

Public hearing (Notice in the Bradenton Herald 6/25/98) was held to consider

**ORDINANCE 98-30** AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 98-11; REGULATING THE STOPPING, STANDING OR PARKING OF MOTOR VEHICLES ON 17TH STREET COURT EAST; 18TH STREET EAST, 34TH AVENUE EAST, 35TH STREET WEST, 36TH STREET WEST, HOLLY AVENUE, AND ON SHEPHERD STREET; ALL BEING COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

(Depart Mrs. Harris and Mr. McClash)

Harry Mendenhall, Transportation Department, advised that in addition to regulating parking on various streets as requested by petitions, Ordinance 98-11 is being amended concerning Holly Avenue and Shepherd Street to regulate parking during specific hours and days.

Ms. Brown moved to adopt Ordinance 98-30. Motion was seconded by Mr. Bruce and carried 5 to 0.

RECORD S46-854

ORDINANCE 98-31: SPEED LIMITS

Public hearing (Notice in the Bradenton Herald 6/25/98) was held to consider

**ORDINANCE 98-31** 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 21ST AVENUE WEST, UPPER MANATEE RIVER ROAD, AND ON STREETS LOCATED IN COPPERFIELD SUBDIVISION AND

**CORTEZ VILLAGE SUBDIVISION; ALL BEING COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.**

(Note: 21st Avenue West not properly advertised.)

Mr. Mendenhall stated letters and petitions were received from area residents requesting the speed limits.  
(Enter Mrs. Harris)

He referred to a letter from **Karen Bell** of Cortez, requesting the speed limit be reduced on 123rd Street Court only, for the community center.  
(Enter Mr. McClash)

Discussion: Lowering speed to 20 mph in Cortez; school zones are 20 mph; protection of children.

**Jan VonHahmann** and **Mary Fulford Green**, Cortez residents, requested 20 mph in Cortez Village due to short streets with no sidewalks and increased traffic. They recommended two-way stop signs be replaced with four-way stops.

Motion was made by Mr. McClash, seconded by Mr. Stephens and carried unanimously, to adopt Ordinance 98-31 with a speed limit of 20 mph for Cortez Village. RECORD S46-855

**Recess/Reconvene.** All members present except Mrs. Stein, Mr. Stephens and Mr. McClash.

**ORDINANCE 98-32: NO THROUGH TRUCKS**

Public hearing (Notice in the Bradenton Herald 6/25/98) was held to consider

**ORDINANCE 98-32** AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 84-06; TO REGULATE THE TRAVEL OF CERTAIN THROUGH TRAFFIC ON **BETTS ROAD** AND **SINGLETERY ROAD** IN MYAKKA CITY; ALL BEING COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

Mr. Mendenhall advised that the Highway Maintenance Division requested this ordinance due to road damage caused by the volume of cut-through truck traffic between S.R. 70 and Verna Road in Sarasota County.

Mrs. Harris moved adoption of Ordinance 98-32. Motion was seconded by Ms. Brown and carried 4 to 0. RECORD S46-856  
(Enter Mrs. Stein).

**ORDINANCE 98-23: COMPREHENSIVE PLAN AMENDMENT**

Public hearing (continued from 6/23/98) was held to consider

**ORDINANCE 98-23** 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 1998 AND APPLICABLE DATA, AND ADDING FISCAL YEAR 2003 AND APPLICABLE DATA TO TABLES 12-1, 12-2, 12-3, AND 12-4, OF THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR AMENDMENT TO TABLE 12-1, SCHEDULE OF CAPITAL IMPROVEMENT PROJECTS, FY 1998-2002, 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 1998-2002; TABLE 12-3: ENTERPRISE OPERATIONS FUNDING OF CAPITAL IMPROVEMENTS, FY 1998-2002; TABLE 12-4: SUMMARY OF REVENUES AND EXPENDITURES FOR CAPITAL PROJECTS, FY 1998-2002 TO REFLECT AMENDMENTS TO SCOPE, FORMAT, TIME FRAME, COSTS, FUNDING SOURCES, AND CONTENT OF SAID TABLE 12-1; 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-98-06 - Capital Improvements Element Update)**.  
Planning Commission recommended ADOPTION.



JULY 7, 1998

(Continued)

(Enter Mr. Stephens)

Michael Wood, Planning Department, addressed concerns raised in a previous meeting as to State and Comprehensive Plan policies regarding potable water concurrency and current capacity. He submitted information referencing policies.

(Enter Mr. McClash; depart Mr. Stephens)

Discussion: Need to reference "permitted" water availability; work session to discuss future water plan; level of service calculations; whether water plant can be permitted up to water capacity; amount of water which could be pumped for daily use; Comprehensive Plan amendments regarding water are tied to plant capacity; water treatment capacity, demand, and sources figure into daily availability; Duette Park water supply source (wellfields), etc.

(Depart Ms. Brown during discussion.)

John Zimmerman, Public Works Department, advised that permitting only allows for a justified amount and not total plant capacity or proposed future use, until needed.

(Enter Mr. Stephens and Ms. Brown.)

Mr. Wood outlined additional language on Table 12-1/Transportation (bottom of page 12, staff report) \*Funds allocated for Old Tampa Road represent an alternative roadway improvement to be made that may alleviate traffic conditions in the area served by Old Tampa Road.

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. Harris moved to transmit Manatee County **Ordinance 98-23 (PA-98-06)**, with amended language (Table 12-1/Potable Water, bottom of page 7) "permitted water availability", to the Florida Department of Community Affairs; **and** authorize the Chairman to sign the letter of transmittal. Motion was seconded by Mr. McClash and carried unanimously. RECORD S46-857

**Recess/Reconvene.** All members present.**CHILDREN'S SERVICES EVALUATION PROJECT**

Cheri Coryea, Community Services Department, submitted the final evaluation reports from the University of South Florida for projects funded through the Children's Services Tax.

Ms. Coryea and **Barbara Chadsey**, University of South Florida, outlined projects covered by the reports:

- Part I - Implementation of Simplified Child Care System
- Part II - Implementation/Counseling Services
- Part III - YMCA Middle School, Before and After School Programs

Motion was made by Mr. Bruce, seconded by Mr. McClash and carried unanimously, to accept the final reports. RECORD S46-858

Discussion: After school recreational programs; survey of children to determine best programs; whether after school transportation is being considered for participants, etc.

**CODE ENFORCEMENT SETTLEMENT** (Continued)

The County Attorney advised that staff met with Dawn Worley and a settlement may be brought back at the next Board meeting.

**CORTEZ ROAD LANDSCAPING**

Janet McAfee, Project Management Director, reported on the Cortez Road landscaping and irrigation project consisting of 2.8 miles and 12 medians from 75th Street West to 119th Street West.

She outlined a bid from Marvin's Garden and Landscape Service of \$326,849.36 noting there is a \$66,000 shortfall to fund construction. She advised that Keep Manatee Beautiful committed to pursue donations for the project.

Ms. McAfee recommended to award the bid at a future board meeting and to allow Keep Manatee Beautiful to obtain donations to help with construction costs.

Mr. McClash moved to approve the recommendation. Motion was seconded by Ms. Brown and carried unanimously.

Disposition: Staff to bring back report regarding other median landscape projects.

**LEGISLATION - SUNCOAST WORKFORCE DEVELOPMENT BOARDS**

Mrs. Glass relayed a request of the Suncoast Workforce Development Board, Inc., to send a letter to Congressman Dan Miller supporting continued funding for the **Summer Youth Employment and Training Program** (Title IIB of the Job Training Partnership Act), the **Youth Opportunities Program**, and the **Low Income Home Energy Assistance Program**.

Motion was made by Ms. Brown, seconded by Mr. Stephens and carried unanimously, to approve the request.

**COMMISSIONERS' COMMENTS**

**Tourist Information Center Signage**

Mr. Bruce suggested a billboard on I-75 (similar to one in Alachua County) to draw attention to the center.

Disposition: Referred to the County Administrator.

**Drag Racing and Vandalism**

Mr. Bruce reported that people are gathering at the Whitfield Industrial Park, Saunders Road Industrial Park and Airport Commerce Center on weekends late in the evening to race. He stated the Sheriff is aware of the racing and vandalism activities.

**Street Vacation - Bayshore Gardens**

Mrs. Harris requested the County Administrator review the possibility of waiving street vacation fees for residents on 21st, 22nd, and 23rd Streets West off Bay Drive, who are experiencing (nuisances/vandalism) difficulties. There were no objections.

**Traffic Control**

Mrs. Harris recommended that funding be negotiated during the budget process to obtain laptop computers for the Sheriff's deputies for direct communication from County staff.

Discussion: Complaints often take days for response; using telephone; discussing at work session.

Disposition: Refer to County Administrator.

**Public Safety**

Mrs. Harris requested the Sheriff be notified when staff meets with other public safety providers to discuss 800 MHz radios.

Disposition: Refer to County Administrator.

**Firefighters Recognition**

Ms. Brown requested that special recognition be given to firefighters and volunteers for their roles in combating recent fires on the east coast of Florida.

**County Commission Meeting**

The Chairman announced that the Board meeting of July 21, 1998, would be cancelled.

**MEETING ADJOURNED**

There being no further business, the meeting was adjourned.

Attest:

APPROVED

*[Signature]*  
Clerk  
12:06 p.m.  
JUL 10 1998

*[Signature]*  
Chairman 8/25/98