

MARCH 30, 1999

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, March 30, 1999, at 9:00 a.m.

Present were Commissioners:

Stan Stephens, Chairman  
Gwendolyn Y. Brown, First Vice-Chairman (entered during meeting)  
Joe McClash, Second Vice-Chairman  
Jonathan Bruce, Third Vice-Chairman  
Patricia M. Glass  
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

PUBLIC SERVICE COMMISSION/AREA CODE HEARINGS

David Rothfuss, Assistant County Administrator, reported that the Public Service Commission (PSC) will conduct hearings on April 8, 1999, to discuss reconfiguring the 941 area code. He noted the configuration before the PSC provides for Manatee, Sarasota, and Polk Counties to retain the 941 area code. Counties south of Sarasota would be assigned a new area code. He noted a complaint has been filed requesting the PSC postpone consideration of the reconfiguration, or approve a division on an equitable basis. If successful, this complaint could result in the 941 area code being assigned to counties south of Sarasota.

Teddy N. Williams, County Attorney, outlined the options available.

Motion was made by Mrs. Glass, seconded by Mrs. Harris and carried 6 to 0, to intervene and for the County Attorney to file the appropriate motions.

ZONING

Public hearing (continued from 3/23/99) was held to consider

PDR-98-20(Z)(G) ROBINSON FARMS, INC. ET AL/THE ESTUARY - PDR/CH

A ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE 90-01 (THE FMANATEE COUNTY LAND DEVELOPMENT CODE) RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM **A-1/CH** AND **RSF-1/CH** TO **PDR/CH**; PROVIDING AN EFFECTIVE DATE; AND GENERAL DEVELOPMENT PLAN TO ALLOW 448 RESIDENTIAL UNITS, A GOLF COURSE, CLUBHOUSE, RESTAURANT AND BAR, PRO SHOP, ADMINISTRATIVE OFFICES, CART STORAGE AND OTHER ACCESSORY USES ON 692.9 ACRES, LOCATED ON THE WEST SIDE OF 99TH STREET WEST, BOUNDED TO THE NORTH BY TAMPA BAY AND TO THE WEST BY PERICO BAYOU.

Planning Commission recommended APPROVAL with Stipulations.

GRANTING Special Approval for a project located in the Coastal High Hazard Overlay; RECORD 546-1904  
ADOPTION of the Findings for Specific Approval; and  
GRANTING an alternative to Section 907.9.4.2 of the Land Development Code regarding cul-de-sac lengths.

Mark Barnebey, Chief Assistant County Attorney, advised that additional correspondence has been received since public comment was closed.

Motion was made by Mr. McClash, seconded by Mrs. Stein and carried 6 to 0, to accept the video tape (shown 3/23/99) and written correspondence received after the closing of public comment.

**Dan Lobeck**, representing several area residents, presented reasons for reopening public comment and a letter stating his request.

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(Continued)

Discussion: Procedural question on rights-of-way; Stipulation D(1).

Robert Pederson, Planning Department, presented responses to issues raised on March 23, 1999, regarding transportation; drainage; compatibility, design, and quality of life; school; and environmental. He referenced a site plan to point out the location of single-family attached units, surrounding development, golf holes, open space, etc.

Jerome Gostkowski, Planning Department, submitted a letter (7/28/83) from Philip Davis, Transportation Director, to Larry Frazier, Planning and Development Director, regarding the proposed Riverbay project (Z-83-36), wherein a recommendation was made to include either 9th or 17th Avenue Northwest being constructed as a County standard public road to Perico Island from 99th Street Northwest. He also submitted a copy of plans for the proposed bridge and causeway.

Doug Means, Environmental Management Department, advised that golf course compatibility issues include restoration opportunities; the General Development Plan (GDP) does not show details with regard to the golf course or fairways; and that no buffers are shown throughout the site regarding wetlands. The stipulations do not necessarily make the plan approvable according to the Comprehensive Plan, as the buffers for golf holes 12, 13, and 14 are inconsistent with the Comprehensive Plan.

He referred to a map showing vegetative communities on the northern portion of the site, the mangrove fringe adjacent to Outstanding Florida Waters, and the minimal upland areas at golf holes 12, 13 and 14. Access to these holes is proposed through an existing easement. He reviewed his calculated upland area dimensions and noted the requirement for an additional 50-foot buffer on each side.

Mr. Means submitted letters from Allen Burdett, Department of Environmental Protection; Mark Alderson, Sarasota Bay National Estuary Program; and preapplication notes from a meeting with Southwest Florida Water Management District representatives regarding the request.

He stated it appeared that the buffers on the remainder of the site could be accommodated. An exhibit of golf hole 12 was displayed.

(Depart Mrs. Stein)

Mr. Means addressed comments regarding the golf course association and maintenance standards for enforcement, an integrated pest management plan to address maintenance issues, whether there would be a net ecosystem benefit to the restoration plan, and nitrogen loading.

Sia Mollanazar, Stormwater Management, stated no new ditches have been dug in the area. He outlined existing ditches in this area which were cleaned in the early 1990s within County right-of-way in this area.

(Enter Mrs. Stein)

**Edward Vogler**, representing the applicant, submitted a recommended motion and stipulations. RECORD S46-1905

He addressed school concurrency and impact fee discussions; provisional approval of an evacuation emergency preparedness plan; the cost of a roadway connection from the southern boundary of the property (at 103rd Street) to Manatee Avenue could be up to \$7.2 million; the golf holes plans shown earlier are to scale. He referenced his Stipulation E(1) which requires the golf holes to be constructed as shown. He referred to staff Stipulation E(13) and the Land Development Code (LDC) Section 719.11.1, variable width buffers, and Section 719.11.2 regarding buffers.

Mr. Vogler provided a copy of the statutory definition of "greenway." He noted that applicant's Stipulation D(6) stated they will provide a plan showing location and design of the proposed greenway consistent with this definition and with the Manatee County Bicycle Plan and Resource Guide (8/26/97). He noted their request to be relieved of the financial and permitting uncertainty of connecting the bikepath from the southern boundary of the property to Manatee Avenue in exchange for infilling all the sidewalks around the loop (9th Avenue Northwest to 99th Street West to 17th Avenue Northwest).

(Depart Mrs. Harris during presentation)

**Len Najjar**, Zoller, Najjar & Shroyer, summarized the current and proposed drainage of the site.

(Enter Mrs. Harris during presentation)

**Roy Chapman**, traffic engineer for the applicant, reported on the traffic impact resulting from this project. He stated that a southern entrance/exit (via 103rd Street West) to Manatee Avenue would not be required for traffic concurrency.

(Mr. McClash absent for a portion of presentation)

**Dana West**, Biological Research Associates, referred to a 1975 aerial and to alterations made to the site over the years, as shown in eight photographs. He reviewed the restoration plans. He spoke of the impacts to Perico Bayou and Palma Sola Bay caused by the construction of Manatee Avenue (S.R. 64) and stated the applicant should not be required to create hydraulic openings to relieve the impacts ("flushing" problems).

Discussion: Development at current zoning.

Mr. Lobeck responded to questions regarding concerns of area residents including denial of due process, conflicting concurrency testimony, lack of traffic analysis, the environment, neighborhood capability, cul-de-sacs, school capacity, and drainage. He advised there are new issues which have not been addressed and requested deferral or denial.

Mr. Barnebey addressed reopening public comment.

(Mr. Bruce absent for a portion of discussion)

Mr. West pointed out the fish spawning areas and location of seagrass beds. He also confirmed that plans for golf holes 12, 13, and 14 do not provide a 50-foot buffer between the golf holes and the adjacent OFW and wetlands and mangrove fringe required by the Land Development Code.

Charles Hunsicker, Planning Department, outlined the advantages of using the old Palma Sola Loop Road/Causeway route for the greenway. He also noted that opportunities exist during the construction of the bridge to make gaps in the existing causeway to allow the water flow.

(Mrs. Stein absent for a portion of presentation)

Harry Mendenhall, Transportation Department, reported that it appears to be permissible to use the old Palma Sola Causeway alignment (Palma Sola Loop Road). Currently, the Department of Transportation shows the 103rd Street alignment; however, there is time to reapply and request the Metropolitan Planning Organization (MPO) change that alignment.

Mr. McClash submitted a letter (8/26/97) from Mr. Mendenhall to the MPO, which listed planned project descriptions and advised substantial revisions may occur (location of multipurpose pathways).

Discussion: Taking advantage of this historical type of greenway; size of culverts predicted to be at the Palma Sola Causeway; opportunity to improve water circulation in the bay, etc.

Mr. Vogler stated the applicants would not stipulate to anything they could not perform. He stated there is a restrictive covenant in the deed whereby it would be necessary to obtain the consent of the Nature Conservancy.

Discussion: Proposed elevations of property or structures; road elevations; staff Stipulation E(1) to relocate three golf holes; no attached housing on northwest peninsula; variable road right-of-way could accommodate improvements without impacting banyan tree or mango trees; limiting construction on Sundays; trips added on 99th Street; 9th Avenue Northwest at Hawthorn Park; whether stipulations include issues such as water retainage; whether it would be possible to have stipulation requiring that right-of-way be dedicated for a greenway to replace right-of-way that has been vacated; Stipulation T(11); traffic study; ownership of canal, etc.

(Ms. Brown and Mrs. Harris absent for a portion of discussion)

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(Continued)

Recess/Reconvene. All members present except Ms. Brown.

Mr. Pederson submitted alternative language by staff and by applicant for **Stipulation T(8)**. RECORD S46-1906

(Enter Ms. Brown)

Mr. Barnebey recommended amending staff **Stipulation T(8)**: add "The applicant may, at the time of Preliminary Site Plan, propose an alternative location for this facility within the project, subject to Board approval" and eliminate last sentence.

**Motion - Failed**

Motion was made by Mrs. Stein, and seconded by Mr. Bruce, to postpone the decision on this general development plan and rezoning until such time as the Board hears rights-of-way vacation application. Motion **failed** 2 to 5, with Mrs. Harris, Ms. Brown, Mrs. Glass, Mr. Stephens, and Mr. McClash voting nay.

Staff recommended including applicant's **Stipulation D(6)**.

Mr. Pederson recommended amending **Stipulation E(1)** to add: "At a minimum, these golf holes shall be constructed in substantial conformance with Stipulation E(13)."

Discussion: Whether LDC Section 719.11.2 allows for variable buffers; Environmental Management Director and Planning Director should have input and agree with this decision; etc.

**Motion - Stipulation E(1) Failed**

Motion was made by Mr. Bruce and seconded by Mrs. Stein to accept staff **Stipulation E(1)** to move golf holes 12, 13, and 14 from the coastal fringe. Motion **failed** 3 to 4, with Mrs. Harris, Ms. Brown, Mrs. Glass, and Mr. Stephens voting nay.

**Transportation Issues**

Mr. Gostkowski pointed out an error in the matrix (page 31, staff report) for 99th Street and advised that 11 trips per day was correct; however, it was not an increase of 100 percent as reported.

Mr. Pederson read the applicant's addition to **Stipulations T(5), T(6) and T(7)** submitted by Mr. Vogler.

Discussion: Staff suggested two years and applicant is asking to move forward in 12 months with a limited portion of the project, etc.

Mr. Barnebey recommended adding "all fees and costs" to **Stipulations T(5), T(6), T(7)**.

Mr. Pederson recommended amending staff **Stipulation T(8)** to read: "The applicant shall construct the multipurpose path ... within the project subject to the Board of County Commissioners approval."

Discussion: Easement could provide as much use as right-of-way; maintenance responsibilities; applicant would prefer an easement; the Bicycle and Pedestrian Advisory Committee will be involved in review before being brought back before the Board; applicant does not want to build the multipurpose path off their property; etc.

**Motion - Stipulation T(8) Failed**

Motion was made by Mr. McClash and seconded by Mr. Bruce to accept staff's recommend language as amended (that applicant build the multipurpose path from their property to Manatee Avenue) regarding **Stipulation T(8)**.

Discussion: MPO funds approximately \$200,000; construction costs.

Mr. McClash amended his motion to include "Subject to MPO authorization, the applicant shall be entitled to reimbursement of MPO funding that is allocated for the MPO enhancement project for the multipurpose path."

Motion **failed** 3 to 4, with Mrs. Harris, Ms. Brown, Mrs. Glass and Mr. Stephens voting nay.

**Motion - Stipulation T(8) Carried**

Motion was made by Mr. McClash to accept the applicant's **Stipulation T(8)** with the inclusion of: "The applicant may, at the time of preliminary site plan, propose an alternative location for this facility within the project, subject to Board of County Commission approval." Motion was seconded by Ms. Brown and carried unanimously.

Mr. Pederson reviewed **Stipulation T(9)** regarding cul-de-sacs as recommended by staff and an alternative recommended by the applicant.

(Depart Mrs. Stein)

Discussion: Concerns of Emergency Medical Services, etc.

**Motion - Stipulation T(9) Carried**

Motion was made by Ms. Brown, seconded by Mrs. Harris and carried 6 to 0, to approve the applicant's **Stipulation T(9)** as approved by the Planning Commission.

**Motion - Stipulation T(11) Failed**

Motion was made by Mr. Bruce and seconded by Mr. McClash to approve **Stipulation T(11)** with an amendment to the second sentence, which shall read: "No construction traffic shall occur on holidays, and no construction traffic shall occur on Sundays."

(Enter Mrs. Stein)

Discussion: Division of construction traffic and enforcement; Stipulations T(5), (6), and (7); penalizing all workers by eliminating construction traffic on Sunday; limiting heavy use only; using 17th Avenue Northwest until roadways are improved; etc.

Motion **failed** 3 to 4, with Mrs. Harris, Ms. Brown, Mrs. Glass, and Mr. Stephens voting nay.

**Motion - Stipulation T(11) Carried**

Motion was made by Mr. McClash to approve **Stipulation T(11)** with the inclusion (to the third sentence) of "no heavy construction truck traffic shall be allowed on Sundays." Ms. Brown seconded the motion, which carried 7 to 0.

Mr. Pederson referred to the applicant's aerial to indicate the location of two canals, one on and one off the subject property. He stated additional language could be added to **Stipulation E(16)** to allow an easement for opening the canal to make for an interconnection to the bay (regarding the "flushing" problem), if permissible.

Mr. Vogler outlined their objections to this proposal.

Discussion: Concerns over the quality of the Tampa Bay water; request staff to investigate with the MPO and make a formal statement that this engineering work could alleviate a serious problem.

**Motion - Stipulation E(16) Failed**

Motion was made by Mr. McClash to add language to **Stipulation E(16)** that, "If permissible, the applicant shall grant an easement on his property to effectuate a connection between Palma Sola Bay and Perico Bayou for the interconnection. As part of this wetland restoration enhancement plan, the applicant shall evaluate the efficacy of a connection between Perico Bayou and Palma Sola Bay." Motion was seconded by Mrs. Stein.

Mr. McClash amended his motion to read, "If permissible, the applicant shall grant an easement on its property to effectuate a connection between Palma Sola Bay and Perico Bayou for the interconnect ditch." Mrs. Stein amended her second.

Ms. Clarke suggested alternative language, "As part of its wetland restoration and enhancement plan, the applicant shall evaluate the efficacy of the connection between Perico Bayou and Palma Sola Bay." Mr. McClash did not include that in his amendment.

Mr. Vogler stated this would be unacceptable. They could agree with language suggested by Ms. Clarke.

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(Continued)

The motion **failed** 3 to 4, with Mrs. Harris, Ms. Brown, Mrs. Glass, and Mr. Stephens voting nay.

Motion - Stipulation E(16)

Mrs. Glass moved to add to **Stipulation E(16)**, "As part of this wetland restoration and enhancement plan, the applicant shall evaluate the efficacy of a connection between Perico Bayou and Palma Sola Bay." Motion was seconded by Ms. Brown.

Discussion: Whether there is an action plan involved; if regulatory process, add "for purposes of" and describe; information to be provided with final site plan with restoration and enhancement plan; etc.

Motion carried 7 to 0.

Recess/Reconvene. All members present.

Motion

Based upon the staff report, evidence presented, comments made at the public hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, Mrs. Glass moved to adopt Manatee County Zoning Ordinance **PDR-98-20(Z)(G)**, approve the General Development Plan with Stipulations D(1) through D(5), as recommended by staff; D(6), as recommended by the applicant; E(1), as recommended by the applicant and modified by staff; E(2) through E(15), as recommended by staff; E(16), as recommended by the Planning Commission and modified by the Board; E(17) and E(18), as recommended by staff; S(1), as recommended by staff; T(1) through T(4), as recommended by staff; T(5), T(6), and T(7), as modified by the applicant's request and adding the phrase "fees and" to Paragraph 2 as discussed by the Board; T(8), with the amendment language approved by the Board during the hearing; T(9), as recommended by the applicant; T(10), as recommended by staff; T(11), as approved by Board modification; T(12), as proposed by the applicant; granting Special Approval for a project located in the Coastal High Hazard Overlay; adopting the Findings for Specific Approval for Section 907.9.4.2, as approved by the Planning Commission with the inclusion of "with the inclusion of the 110-foot diameter turnarounds at 800-foot intervals, the public purpose and intent of the regulation has been satisfied to an equivalent degree"; and grant an alternative to Section 907.9.4.2 of the Land Development Code. Motion was seconded by Mrs. Harris and carried 6 to 1, with Mrs. Stein voting nay. RECORD 846-1907

Public hearing (continued from 3/23/99) was held to consider

**PDR-98-21(Z)(G) - ANGELES MORTGAGE INVESTMENT TRUST/CREEKSIDE OAKS**  
AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM **RSMH-6** AND **GC** TO **PDR**; PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A GENERAL DEVELOPMENT PLAN TO ALLOW 401 SINGLE-FAMILY UNITS AND 90 MULTIFAMILY UNITS ON 220.47 ACRES, LOCATED AT THE NORTHEAST CORNER OF U.S. 301 AND ERIE ROAD. Planning Commission recommended APPROVAL with 22 Stipulations;

RECORD 846-1908

Staff recommended 23 Stipulations.

RECORD 846-1909

GRANTING Special Approval for a project (1) transferring density from wetlands; and (2) located adjacent to a perennial stream in the RES-9 Future Land Use Category.

Erika Barrett, Planning Department, reviewed the site plan and area zoning maps. She noted the following issues would be addressed: drainage, traffic, side yard setbacks, and vacation of existing easements at the northwest corner of the site.

Mark Barnebey, Chief Assistant County Attorney, stated the right-of-way or easement exists across the northwest portion of the property (as discussed 3/23/99). He noted the plat of Tamiami Farms was signed in 1926 by the County Engineer and the County Attorney, which complied

with the standards at the time. He stated there was an application to vacate the right-of-way in the 1970s; however, there is no evidence of action upon the application or a vacation.

Sia Mollanazar, Stormwater Management, addressed drainage issues, particularly in the Colony Cove area. Referring to the general development plan, he pointed out that the parcel is located at the starting point of three creeks (Cedar Drain, Wade Canal and Slaughter Canal). He stated a recent study revealed the culvert within Colony Cove (designed by Colony Cove engineers) was too small and there was a five-foot header differential for a 25-year event. Due to the downstream flooding, the site is required to restrict the stormwater discharge rate to 50 percent of the predevelopment rate. He stated the floodplain within the parcel is less than 100 feet wide and contained in the wooded preserve area.

Motion was made by Mrs. Stein to allow acceptance of written correspondence into the record. The motion was seconded by Ms. Brown and carried 7 to 0. Mrs. Stein submitted three letters in opposition and three letters voicing concerns from surrounding residents.

Discussion: Flooding will be reduced by the restricted discharge rate; retention ponds; high water line; identification of water table; establish ground water level; single-family development will have more green space; a manufactured home park would contain a higher number of units and more impervious area; Colony Cove is privately owned property; easements would have to be obtained for maintenance; who should pay for improvements; flooding in Colony Cove does not extend to U.S. 301 or any County road; benefits of improvement would be within the private property; stipulation taking into consideration a contribution for the improvement; do we have a legal right to ask the corporation to improve drainage problem.

Mr. Mollanazar stated there are two alternatives to address flooding: (1) require the 50 percent reduction; or (2) request the developer to take care of the deficiencies downstream. He recommended the 50 percent reduction unless time was provided to investigate that downstream improvement was a viable solution.

Mr. Barnebey explained the flooding issues are: (1) whether or not the improvements are related to this particular project; and (2) if the cost of impacts are roughly proportional to the impacts caused by the development. Based on the lack of information to answer these questions, he noted he would be hesitant to require that the corporation make improvements.

Discussion: Combining the alternatives; FEMA funds not available for storm damage to Colony Cove in 1988 due to the private ownership; U.S. 301 road improvements and drainage; public rights to drainage; stormwater management plan, etc.

Jerome Gostkowski, Transportation Department, stated the U.S. 301 road project will address drainage, but not the Colony Cove problem.

Regarding reduced side yard setbacks, Ms. Barrett stated staff required a 7.5-foot side yard setback with the minimum proposed lot size of 60-feet by 110-feet.

Addressing traffic issues, Ms. Barrett referred to the general development plan pointing out the northwest entrance to the site, stating the entrance will line up with the Colony Cove entrance. She noted residents of Colony Cove are concerned about traffic trespassing through their development. She stated staff requested this entrance location to make it a full intersection; however, the applicant was willing to relocate the entrance.

Referring to the zoning map, Ms. Barrett addressed the right-of-way issue, and noted that Stipulation 21 has been amended to require that the right-of-way must be vacated or a new plan must be presented.

Mr. Barnebey suggested using the staff recommended Stipulation 21 and **add** the words "**or easements**" after every reference to "right-of-way."

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(Continued)

Discussion: Reason for 7.5-foot setback; 5-foot utility easement on both side and rear property lines of the lot; relocation of entrance is preferred; draft new stipulation, etc.

**Mike Singletary**, applicant, stated he was willing to relocate the northwest entrance.

Carol Clarke, Planning Director, recommended additional Stipulation:

24. The northerly access shall be relocated to be offset from the access point across Erie Road, unless there is a gated private access across the street.

Discussion: If intersections are offset, warrants for a traffic signal may not be met; gate at Colony Cove entrance has not been allowed; Stipulation 24 provides flexibility that this will not have to come back for public hearing; private road sign, etc.

Mrs. Stein submitted a report regarding the U.S. 301 improvement schedule.

**Tim Hix**, adjacent property owner, questioned if the County would be responsible for the success or failure of the 50 percent reduction in the stormwater discharge rate.

Mr. Mollanazar indicated the 50 percent reduction will handle a moderate storm. He noted that if ground saturation has already taken place, flooding will occur whether the property was developed or not.

Based upon the staff report, evidence presented, comments made at the public hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and Manatee County Land Development Code, as conditioned herein, Mrs. Stein moved to adopt Manatee County Zoning Ordinance **PDR-98-21(Z)(G)**; and approve the General Development Plan with Stipulations 1 through 20; Stipulation 21 as recommended by staff with the addition of the words "or easements" after each reference to rights-of-way; and Stipulations 23 and 24 as added by staff; granting Special Approval for a project (1) transferring density from wetlands; and (2) located adjacent to a perennial stream in the RES-9 Future Land Use Category, as recommended by the Planning Commission. Motion was seconded by Mrs. Harris.

Discussion: Density far below what could be requested and approved; net density 2.29 du/acre; etc.

**Motion - Amended**

Mrs. Stein moved to amend Stipulation 23 to add "**and holidays.**" Motion was seconded by Mrs. Harris, and carried 7 to 0.

**Motion for Approval - Carried**

Following discussion, motion, as amended, carried 7 to 0.

RECORD 846-1910

**COMMISSIONERS' COMMENTS**

**SaraBay Woods - Ditch Cleaning**

Mrs. Harris stated the SaraBay Woods Homeowners' Association has cleaned out a major brush and tree area behind the subdivision along Queen Palm Lane (an area which is jurisdictional between the County and School Board) for health, safety, and welfare purposes. She noted they paid for dumpsters to clear the debris, but have requested a waiver of landfill tipping fees.

(Depart Mrs. Glass)

Mrs. Harris moved to authorize the Chairman to sign a letter to the chairman of the SaraBay Woods Homeowners' Association waiving tipping fees for lawn debris only. The motion was seconded by Ms. Brown and carried 6 to 0.

**34th Street West Improvement Project**

Mrs. Harris relayed a request from her district advisory board to fence the retention ponds on the campus of Manatee Community College. Advisory board members are concerned the ponds, which were part of the 34th Street West improvement project, are a liability to the County.

**Disposition:** Staff to review and make recommendation.

Perico Causeway (Old Palma Sola Causeway)

Mr. McClash requested pursuing the permit for the Perico Causeway connection (as discussed earlier in the day under PDR-98-20(Z)(G) Robinson Farms, Inc. et al./The Estuary). He stated this action would expedite obstacles and define the associated costs. He requested the same action be taken with regard to the Perico and Palma Sola issue.

**Disposition:** Staff to review and make recommendation of the process.

State Budget

Mr. Stephens discussed the action taken in the legislature regarding balancing the State budget by use of intangible tax funds, which will take revenue sharing away from counties. He stated the Florida Association of Counties and the League of Cities oppose this action. If the action succeeds, it will impact Manatee County by \$1.5 million dollars this year and approximately \$6 million dollars next year.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Chairman 6/15/99

Adj: 4:25 p.m.  
/apm/njh