

MAY 4, 1999

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, May 4, 1999, at 9:03 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 participated via telephone
 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

Invocation by Reverend Father William E. Gerhart of St. Phillip's Anglican Church.

AGENDA CHANGES

Ernie Padgett, County Administrator, noted that **Marble Recreation Complex, YMCA use of Facility on Thursday Evenings**, has been deferred.

CONSENT AGENDA

Upon motion by Mr. Bruce and second by Mrs. Stein, the Consent Agenda dated May 4, 1999, was approved 6 to 0. Items APPROVED:

CLERK OF CIRCUIT COURTBONDSRelease:Arbor Lakes "B" (aka Mote Ranch, Phase II-B)

Rescind release of Defect Security: \$40,768 (Letter of Credit M514295, Barnett Bank) released in error April 27, 1999.

WARRANT LIST

Approve: April 27, 1999 to May 3, 1999

Authorize: May 4, 1999 to May 17, 1999

AUTHORIZE CHAIRMAN TO SIGNSatisfaction of Judgment:

Gloria White, Case 96-2735JD (2)

ACCEPT

Bayshore Gardens Park and Recreation District - Financial Statements and Independent Auditor's Report for Fiscal Year ended September 30, 1998.

Life Insurance Company of North America - Executed Group Policy Agreement, FLK-030029, (CIGNA Group Insurance) for Long Term Disability and Additional Long Term Disability Coverage (approved 12/1/98; effective 1/1/99).

COUNTY ADMINISTRATORBRADEN LAKES MULTI-FAMILY HOUSING REVENUE BONDS

R-99-99 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, APPROVING THE REISSUANCE OF HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA, MULTIFAMILY HOUSING REVENUE BONDS 1985 SERIES C (BRADEN LAKES PROJECT), WITHIN THE MEANING OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, AND PROVIDING AN EFFECTIVE DATE. RECORD S46-2016

HOLIDAY SCHEDULE

Approval to reschedule the New Year's Holiday observance from December 31, 1999, to January 3, 2000.

YULE FEST '99

R-99-91 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE EXPENDITURE OF COUNTY FUNDS IN SUPPORT OF YULE FEST '99, PURSUANT TO MANATEE COUNTY ORDINANCE 97-28. RECORD S46-2017

LAWSUITS

1. **GTE Florida, Inc.**
Settlement with GTE Florida, Inc. for \$17,602.99, including cost of land, attorney's fees and costs for taking parcels 15/16 in the **75th Street West** road project eminent domain matter, Manatee County v. Dozier Hilliard, et al., Case CA 98-1534.
2. **ABC Liquors, Inc., et al.**
Settlement with ABC Liquors, Inc. for \$170,750 (inclusive of attorney's fees but exclusive of costs) for taking parcels 173/773 in the **U.S. 301 Boulevard West** eminent domain matter, Manatee County v. ABC Liquors, Inc., et al., CA 97-4602.
3. **DeBartolo Capital Partnership (DeSoto Square Mall)**
Settlement with DeBartolo Capital Partnership (n/k/a Simon DeBartolo) for \$355,000 (exclusive of attorney's fees, costs, and expenses) for taking parcels 1705; 1805; 1711 A,B,C; 1811 A,B,C; and 205.1 in the **U.S. 301 Boulevard West**, eminent domain matter of Manatee County v. ABC Liquors, Inc., et al., Case CA 97-4602.

WESTMINSTER WOODS - MEDICAID WAIVER REFERRAL AGREEMENT

Execute Assisted Living Medicaid Waiver Referral Agreement with Westminster Woods and West Central Florida Area Agency on Aging, to coordinate Medicaid Waiver assisted living services (2/25/99-6/30/00). RECORD S46-2018

SUMMER FOOD SERVICE PROGRAM

1. **R-99-98** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A GRANT FROM THE FLORIDA DEPARTMENT OF EDUCATION FOR THE 1999 SUMMER FOOD SERVICE PROGRAM FOR CHILDREN (authorize Community Services Department Director to sign **Manatee County School Board Space Use Application Forms**) RECORD S46-2019
2. Execute Florida Department of Education, Food and Nutrition Management, Summer Food Service Program for Children, Application for Participation and Agreement, \$143,552 (6/14/99-8/6/99).
S46-2020 RECORD S46-2021

UNITED WAY OF MANATEE COUNTY - NEEDS ASSESSMENT

Execute agreement with United Way of Manatee County Inc., for a Human Services Needs Assessment conducted by the University of South Florida, \$12,926 (3/1/99-7/30/99). RECORD S46-2022

VANPOOL COMMUTER PROGRAM

R-99-93 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF CERTAIN LEASE AGREEMENTS WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION. (Vanpool Commuter Program): RECORD S46-2023

1. Lease agreement with Florida Department of Transportation for one 1997 Ford Van VIN:1FDHS24LOVHB97656, \$1 (5/1/99-5/31/99).
RECORD S46-2024
2. Lease agreement (renewal) with Florida Department of Transportation for two 1997 Ford Vans, VIN:1FDHS24LOVHB97656 and VIN:1FDHS24L6VHB97659, \$24 (6/1/99-5/31/00).
RECORD S46-2025

WEST COAST INLAND NAVIGATION DISTRICT

R-99-94 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY FLORIDA APPROVING WEST COAST INLAND NAVIGATION DISTRICT PROJECTS AND AUTHORIZING THE CHAIRMAN TO EXECUTE APPLICATIONS FOR: S46-2026

- S46-2027 **MANATEE COUNTY COUNTYWIDE NAVIGATION IMPROVEMENT** (\$270,507);
 S46-2028 **UNIVERSITY OF FLORIDA SEA GRANT SURVEY** (\$35,249); **ENVIRONMENTAL**
 S46-2029 **MANAGEMENT DEPARTMENT NAVIGATION IMPROVEMENT** (\$17,050); **HOLMES**
 S46-2030 **BEACH POLICE DEPARTMENT NAVIGATION IMPROVEMENT** (\$5,372); **UNITED**
 S46-2031 **STATES COAST GUARD AUXILIARY FLOTILLA #83 BOATING SAFETY AND**
 S46-2032 **EDUCATION** (\$2,284); **UNITED STATES COAST GUARD AUXILIARY FLOTILLA**
 S46-2033 **#85 EDUCATION AND TRAINING, WATER SAFETY AND ENVIRONMENT** (\$2,000);
 S46-2034 **SRQ CIVIL AIR PATROL, CIVIL AIR PATROL** (\$3,300); **ANNA MARIA POWER**
 S46-2035 **SQUADRON DIGITAL CLASSROOM ENHANCEMENTS** (\$1,500); **GULFCOAST WONDER**
 S46-2036 **& IMAGINATION ZONE** (\$2,300); **TERRA CEIA VILLAGE SEABREEZE BOAT**
 S46-2037 **RAMP** (\$20,000); and **MANATEE COUNTY EMERSON POINT PARK DINGHY DOCK**
 (\$30,000)
 (authorizing execution of all documents appropriate to submission of FY 1999-2000 grants, and transmittal letter). RECORD

BUDGET AMENDMENTS

Various Departments (B-99-022)
 Transfer of Funds; Unanticipated Revenue Appropriations
 Supporting Description and Detail Attached RECORD S46-2038

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(Continued)

MATERIALS AND SERVICES

1. **9th Street East** - Award IFB 99-1644DC to the lowest, responsive, responsible bidder, Ajax Paving Industries, Inc., base bid \$4,889,791.24, plus Alternate 2 \$47,850.00, not to exceed \$4,937,641.24; and authorize subsequent execution of contract, acceptance of insurance certificate, and dating of performance/payment bond.
2. **Braden River Park Playground Equipment** - Purchase from State Negotiated Agreement Price Schedule (SNAPS) 650875, one Safari-model playground (delivered and installed) from GameTime/Dominica Recreation Products, Inc., \$26,261.39.
3. **Market Research Program/Convention and Visitors Bureau** - Authorize negotiations with Mid-Florida Marketing & Research, Inc., for research on demographics and economic impact of visitors to the County.
4. **Comm-Link 800 Portable Repeaters** - Approve, ratify and confirm emergency purchase of 6 portable repeaters from Loudoun Communications, Inc., for Information Services Department, in accordance with Emergency Purchase procedure, \$51,270 (State of Emergency pursuant to Governor's Executive Order 99-96, [wild fires]).
5. **Transit Telephone System** - Award IFB 99-1890AA to the lowest responsive, responsible bidder, Sprint-Florida, Inc., \$28,436.71.

44TH AVENUE EAST

Execute Change Order 5 to Work Assignment 1 with Kimley-Horn and Associates, Inc., for engineering services for 44th Avenue East from U.S. 301 to 15th Street East, increase of \$29,446, and adjusted Work Assignment total of \$889,254. RECORD S46-2039

ENVIRONMENTAL SERVICES

Execute Addendum Two to Agreement for Professional Services for environmental services with ATC Group Services, Inc., d/b/a ATEC Associates, Inc., extending services one year (5/20/99-5/19/00). RECORD S46-2040

SURPLUS PROPERTY

Classify excess property per Florida Statute 274.05 to enable appropriate and authorized disposition of said property in accordance with Procurement Code 84-02, Section 8.108, and authorization to thereafter dispose of such property. RECORD S46-2041

SURPLUS VEHICLES

Classify excess vehicles as surplus property per Florida Statute 274.05 to enable appropriate and authorized disposition of said property in accordance with Procurement Code 84.02, Section 8.108, and authorization to thereafter dispose of such property. RECORD S46-2042

FLEET MAINTENANCE MANAGEMENT SYSTEM

Execute agreement for a Fleet Maintenance Management System with CCG Systems, Inc., for software, data conversion, installation and integration, not to exceed \$75,200. RECORD S46-2043

HOUSEHOLD HAZARDOUS WASTE COLLECTION AND DISPOSAL

Execute Addendum Two to Agreement with Safety-Kleen Corp., to extend agreement for one year (5/6/99-5/5/00) on an as-required basis, \$109,500, total not to exceed \$275,500. RECORD S46-2044

LIBRARY MATERIALS

1. Execute Addenda 3 to agreements with The Booksource, Inc., for paperback books; EBSCO, Inc., for subscription materials; and UMI Company, Inc., for microform; extending agreements (5/14/99-5/13/00), and amending Attachment "C" to authorize the Contract Administrator to execute future contract extensions. S46-2045
S46-2046 RECORD S46-2047
2. Execute Addenda 4 to agreements with Baker & Taylor Books, Inc., for books, audios, CD ROM's, etc.; Ingram Library Services, Inc., for library books, videos and books on cassettes; extending the agreements for one year (5/14/99-5/13/00), and combining two agreements, for each vendor, into one comprehensive agreement by amending Attachment "A" - Scope of Services; Attachment "B" - Compensation and Attachment "C" - Special Conditions; and the Brodart Company for library books, videos, CD ROM's, etc. extending the agreement (5/14/99-5/13/00) and amending paragraph one of Attachment "C" to allow renewal agreements to be executed by the designated representative of the County. RECORD S46-2048
S46-2049 S46-2050

ODOR AND CORROSION CONTROL SERVICE

Execute Agreement for Odor and Corrosion Control Services for lift stations and wastewater treatment systems with U.S. Filter Davis Process (5/15/99-5/14/01) and accept insurance certificate, estimated cost \$750,000. RECORD S46-2051

SEWER LINE REHABILITATION

1. Execute Work Assignment 7 for sanitary sewer line rehabilitation at 9th Street East with Insituform Southeast, Inc., \$60,960. RECORD S46-2052
2. Execute Work Assignment 8 for sanitary sewer line rehabilitation at Palma Sola Boulevard with Insituform, Southeast, Inc., \$73,905. RECORD S46-2053

GLEN CREEK

Execute Final Change Order to contract with Donto Contracting Company, Inc., IFB 97-1570DC, for an increase of 131 days (to 3/31/99) and a decrease of \$7,024.43 for an adjusted contract of \$487,107.57. RECORD S46-2054

TRANSPORTATION AND PROJECT MANAGEMENT ADMINISTRATION BUILDING

Execute Change Order Number Two to Work Assignment 13 with Jerry N. Zoller for architectural/engineering services for a final site plan for the 26th Avenue East Complex and **Transportation and Project Management Departments** building addition and alternate **911/EOC Facility** for an increase of \$99,185 and adjusted Work Assignment not to exceed \$208,800. RECORD S46-2055

BEVERAGE AND SNACK MACHINE CONCESSIONS

Execute License Agreement with Bradenton Vending Service for Beverage and Snack Food Vending Machine Concessions for **G. T. Bray Park Complex, East Bradenton Pool, Pride Park, and Park Maintenance Building**. RECORD S46-2056

PALMA SOLA BOTANICAL PARK - MAY FESTIVAL

Parks and Recreation Department to co-sponsor a May Festival with the Palma Sola Botanical Park Foundation, May 8, 1999.

SUMMER CAMP TRANSPORTATION

Execute agreement with the School Board of Manatee County to utilize school buses for the Summer Camp Program (field trips, etc.) offered by Parks and Recreation (FY 1999). RECORD S46-2057

FINAL PLAT - SABAL HARBOUR, PHASE III

1. Final Plat;
2. Supplement Number 2 to Declaration of Covenants, Conditions and Restrictions of Sabal Harbour by Pulte Home Corporation;
3. Agreement with Pulte Home Corporation guaranteeing completion of required improvements (\$834,974.56);
4. Performance Bond: \$834,974.56 (Letter of Credit P600616, SunTrust Bank);
5. Agreement with Pulte Home Corporation guaranteeing completion of required sidewalks and bikeways (\$48,031.69);
6. Performance Bond: \$48,031.69 (Letter of Credit P600615, and Amendment 1, SunTrust Bank).

UNIVERSITY COMMONS

Execute Participation Agreement with PhyMatrix, Inc., for University Commons D.R.I. waterline installation near Tuttle Avenue (from Hunters Grove Subdivision southward), not to exceed \$39,780. RECORD S46-2058

NO COST SPAY/NEUTERING PROGRAM

R-99-92 A RESOLUTION OF THE BOARD OF THE COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING THE MANATEE COUNTY SPAYING AND NEUTERING PROGRAM; AMENDING SECTION 2 OF RESOLUTION R-99-61, PROVIDING FOR INCOME LIMITATIONS FOR OWNERS QUALIFIED TO PARTICIPATE IN THE PROGRAM; ESTABLISHING CERTAIN REQUIREMENTS RELATED TO ANIMALS THAT MAY BE SPAYED AND NEUTERED UNDER THE PROGRAM; PROVIDING FOR PAYMENT OF VETERINARIANS PROVIDING SERVICES UNDER THE PROGRAM AND REQUIREMENTS RELATED THERETO; PROVIDING FOR THE ADMINISTRATIVE IMPLEMENTATION OF THE PROGRAM; RESCINDING AND REPLACING RESOLUTION R-99-61; AND PROVIDING AN EFFECTIVE DATE. RECORD S46-2059

EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE

R-99-106 A RESOLUTION OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT FOR COMPETITIVE AWARDS FROM THE EMERGENCY MANAGEMENT, PREPAREDNESS, AND ASSISTANCE COMPETITIVE GRANT PROGRAMS

(Transportable Emergency Operation Center, \$147,210.53: State, \$100,951.57; Local cash match, \$1,421/in-kind match, \$44,837.96; and execute appropriate documents). RECORD S46-2060

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(Continued)

FEE WAIVERS

1. **Florida West Coast Railroad Museum, Inc.** - Authorize 20-yard roll-off dumpster at 83rd Street East, Parrish, May 15-16, 1999, for a Civil War program; waiver of service and tipping fees.
2. **Anna Gayle Resource Center** - Authorize two 20-yard roll-off dumpsters at 2112 3rd Avenue East, May 15, 1999, for clean up by the North County Action Team; waiver of service and tipping fees.

IMPERIAL LAKEWOODS GOLF CLUB

Execute agreement with Imperial Lakewoods Golf Club for reclaimed water for five years (ending 2/28/03). RECORD S46-2061

DEEDS AND EASEMENTS

1. **57th Avenue West/27th Street West** - Warranty Deed from Time Warner Entertainment-Advance/Newhouse Partnership for right-of-way for future road improvements; Affidavit of Ownership and Encumbrances.
2. **Lockwood Ridge Road** - Execute Contract for Sale and Purchase for a Warranty Deed with Lock Realty Corporation VI, \$3,000; Warranty Deed from Lock Realty Corporation VI, for right-of-way and Affidavit of Ownership and Encumbrances. RECORD S46-2062
3. **State Road 62/State Road 39** - Warranty Deed from J&R Hooker Enterprise, Inc. (Duette Country Store, PDC-98-10), for right-of-way on S.R. 62 at S.R. 39 and Affidavit of Ownership and Encumbrances; Partial Release from Community Bank of Manatee.
4. **State Road 64/Duette Road (Nu-Gulf Industries)** - Quitclaim Deed and Affidavit of Ownership from D. A. Troiano for right-of-way on S.R. 64 at Duette Road; Warranty Deed and Affidavit of Ownership and Encumbrances from Rob Whaley and Elizabeth Whaley for right-of-way on S.R. 64 and Duette Road.

ST. JOHNS WATER MANAGEMENT DISTRICT

Execute agreement with the St. Johns River Water Management District for the Removal of Materials from the Manatee County Water Treatment Plant for the Lake Apopka Restoration Project: Soil Amendment Application. RECORD S46-2063

(End Consent Agenda)

AWARDS/PRESENTATIONS/PROCLAMATIONS**Employee of the Month**

A Certificate of Appreciation was presented to **Larry Adams**, Animal Services Supervisor, as April, 1999, Employee of the Month.

Karen Windon, Public Safety Director; Kris Weiskopf, Division Manager; and Rita Dralus, Citizens Action Center, congratulated Mr. Adams.

Employee Suggestion Awards

A Certificate of Merit was presented to **Richard W. Kall**, Facilities Management, for his suggestion to place signage on the Courthouse.

Our Daily Bread of Bradenton, Inc.

Carol Clarke, on behalf of Dr. Claire Warhola, presented a Certificate of Appreciation to the Board for contributions to Our Daily Bread of Bradenton, Inc. RECORD S46-2064

Manatee County Police Week

Motion was made by Mr. McClash, seconded by Mrs. Stein and carried 6 to 0, to adopt a Proclamation to designate the week of May 14, 1999, as Manatee County Police Week. RECORD S46-2065

Letter Carriers/United States Postal Service Food Drive Day

Upon motion by Mr. Bruce and second by Mrs. McClash, a Proclamation was adopted 6 to 0, designating May 8, 1999, as National Association of Letter Carriers/United States Postal Service Food Drive Day.

(Enter Ms. Brown)

RECORD S46-2066

Les Stroup, Food Drive Coordinator, accepted the Proclamation.

(Depart Mrs. Stein)

Teen Pregnancy Prevention Awareness Month

Motion was made by Mrs. Glass, seconded by Mr. McClash and carried 6 to 0, to adopt a Proclamation designating the month of May 1999, as Teen Pregnancy Prevention Awareness Month. RECORD S46-2067

Kim Thornburg, Coalition to Prevent Teen Pregnancy Prevention, accepted the Proclamation and provided diplomas and pencils.

(Enter Mrs. Stein)

ORDINANCE 99-37: PURCHASING CODE

Public hearing (Notice in the Bradenton Herald 4/23/99) was opened to consider

ORDINANCE 99-37 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, ADOPTING A PURCHASING CODE FOR MANATEE COUNTY FOR THE PURPOSE OF ESTABLISHING CRITERIA, REGULATIONS AND PROCEDURES FOR THE PURPOSE OF SECURING PERSONAL PROPERTY (Advertised as SUPPLIES), SERVICES, CONSTRUCTION AND REAL PROPERTY; PROVIDING DEFINITIONS; PROVIDING FOR PUBLIC ACCESS TO PURCHASING INFORMATION; PROVIDING THE AUTHORITY FOR THE FORMULATION OF REGULATIONS AND PROCEDURES TO IMPLEMENT THE PROVISIONS OF THE PURCHASING CODE; ESTABLISHING THE OFFICE AND THE AUTHORITY AND DUTIES OF THE PURCHASING DIRECTOR; PROVIDING FOR THE DELEGATION TO OTHER COUNTY OFFICIALS OF SUCH AUTHORITY AND DUTIES; PROVIDING SANCTIONS FOR UNAUTHORIZED PURCHASES OR CONTRACTS; PROVIDING THAT UNAUTHORIZED PURCHASES OR CONTRACTS SHALL NOT BE BINDING ON THE COUNTY; PROVIDING METHODS OF SOURCE SELECTION; PROVIDING FOR TYPES OF CONTRACTS AND CONTRACT ADMINISTRATION; PROVIDING FOR PROCEDURES TO ASSURE MAXIMUM COMPETITION; PROVIDING GROUNDS, PROCEDURES AND AUTHORITY FOR DEBARMENT OR SUSPENSION FROM CONSIDERATION FOR AWARD OF CONTRACTS; PROVIDING FOR SUPPLY MANAGEMENT; PROVIDING AUTHORIZATION FOR THE TRANSFER AND DISPOSAL OF SURPLUS PROPERTY; PROVIDING FOR COOPERATIVE PURCHASING AND INTERGOVERNMENTAL RELATIONS; PROVIDING FOR AFFIRMATIVE ASSISTANCE TO SMALL AND DISADVANTAGED BUSINESSES; PROVIDING FOR APPEALS AND REMEDIES; PROVIDING ETHICAL STANDARDS AND SANCTIONS AND PENALTIES FOR VIOLATION THEREOF; REPEALING ALL PRIOR ORDINANCES AND FOR THE REPEAL OF ANY CONFLICTING RESOLUTIONS, REGULATIONS, PROCEDURES AND POLICIES RELATING TO PROCUREMENT; PROVIDING AN EFFECTIVE DATE.

Rob Cuthbert, Purchasing Manager, stated most of the changes were "housekeeping" changes.

Discussion: Previously known as Procurement Code; Board has not received copies and not had a chance to review changes, etc.

Patricia McVoy, Assistant County Attorney, advised that the language has been simplified and allows more flexibility for policy decisions. She advised that the Ordinance can be applied to other County agencies (i.e. Port or Civic Center Authority). The revision also includes exclusions that have become consistent with County policy.

Discussion: Diversity in construction delivery systems; disposition of property with little value; Purchasing Director; ethics and public contracting (Article 3); source selection and contract formation information; solicitation documents; reinstatement of suspended or debarred contractor; intergovernmental relations; supply management; definition of personal property; lobbying; parameters defined for contact with County during solicitation period; definition of conspiracy; small and disadvantaged businesses; utilization of a chief procurement officer and/or a board to determine purchases, etc.

(Mrs. Stein absent for a portion of discussion)

Hamilton Rice, representing Republic Services and Suncoast Sanitation, expressed concern that the bidding process prohibits a vendor with an existing contract from having contact with the County regarding a project under bid (Section 3-102), once solicitation of a bid for the second project has begun. The vendor may have contact with the County regarding the existing contract.

Tedd Williams, County Attorney, advised that once a Request for Proposal (RFP) is issued, all participants are required to follow the rules set forth in the new proposal.

Discussion: Provisions may prohibit re-negotiation with the same vendors; re-advertise public hearing and continue, etc.

Ms. Brown moved to continue this public hearing until May 11, 1999, and requested a special meeting to be held at 9:00 a.m. Motion was seconded by Mrs. Glass and carried unanimously.

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(Continued)

PARRISH - ROAD PAVING

Paul Jones requested that Parrish roads be paved. He noted that some property owners lack the means to enter into a participation project.

(Note: Discussed later in the meeting)

(Depart Mr. McClash)

ORDINANCE 99-31: MANDATORY SOLID WASTE COLLECTION

Public hearing (Notice in the Bradenton Herald 4/20/99) was held to consider

ORDINANCE 99-31 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING SECTIONS 23, 24 AND 25 OF ORDINANCE 85-11 (MANATEE COUNTY'S MANDATORY SOLID WASTE COLLECTION ORDINANCE); PROVIDING FOR RENEWAL OF FRANCHISE AGREEMENTS WITH AUTHORIZED COLLECTORS; PROVIDING FOR THE COUNTY'S ACCEPTANCE OF PROPOSALS FROM APPLICANTS TO PROVIDE COLLECTION SERVICES; PROVIDING FOR THE COUNTY'S DESIGNATION OF SERVICE AREAS; AND PROVIDING AN EFFECTIVE DATE.

David Brangaccio, Public Works Department, advised that this Ordinance is designed to bring the Ordinance into conformance with State Statute regarding solid waste collection.

(Depart Mrs. Stein)

Mitchell Palmer, Assistant County Attorney, outlined the following changes that coincide with State guidelines:

1. Allow the County to choose a franchise for 15 years, with an option for an additional 15 years (Section 23).
2. Add Request for Proposals (RFP) as an option to use in selecting a franchise hauler (Section 24.G.).
3. The Board would not be required to hold a public hearing to determine the parameters of a service district or collection area (Section 25).
4. The Board may create as many service areas as deemed necessary (Section 25).

(Enter Mrs. Stein; Mrs. Glass absent for a portion of presentation)

Mr. Palmer advised that a corrected signature page is forthcoming to amend the second paragraph to read:

"As provided in Sections 5 and 9 hereof, ..."

Motion was made by Mrs. Stein to adopt Ordinance 99-31, with the added change noted by Mr. Palmer. Motion was seconded by Mrs. Harris and carried 6 to 0.

RECORD S46-2068

COMMUNITY DEVELOPMENT BLOCK GRANT - SYLVAN OAKS AND PARRISH

Fred Loveland, Community Services Director, stated that the deadline for Community Development Block Grant (CDBG) applications is the end of June. He asked the Board to consider a joint application for the Sylvan Oaks drainage project and the Parrish road-paving project (discussed 4/20/99).

Discussion: Determining which project would score the most points; cost of both projects may exceed grant limit; County would have to pay the shortfall; revenue sharing, etc.

Tony Collins, Community Services Department, referred to a handout that delineated the potential costs of both projects and advised that staff has analyzed how each project would rank. He advised that the Sylvan Oaks drainage project would score the highest because it is in an Enterprise Zone. By combining the Sylvan Oaks project with the Parrish project, the score would be almost as high. On its own, the Parrish road-paving project would have the lowest score.

(Enter Mr. McClash)

Discussion: Wild fires in the Everglades; estimate of shortfall; SHIP funds; 20 points for every \$100,000 the County contributes; damage to personal property gives higher points in the ranking system, etc.

Speaking in favor of the Parrish Paving Project were:

Rev. Fletcher Lawson, Jr.

Aaron Hall

William Cone

John Hooey

James Sims

Stan Herbets

Discussion: If roads paved before sewer installed, roads have to be torn out install sewers, etc.

Janet McAfee, Project Management Director, displayed aerial maps of the Parrish and Sylvan Oaks areas. She stated there are no sewer lines in or close to Parrish. Not all residents of the Parrish area are financially able to participate in a sewer participation project.

Discussion: Septic tanks need repairs in Parrish, etc.

Motion by Mrs. Stein to submit a grant application for a joint Parrish/Sylvan Oaks CDBG combined project. Motion was seconded by Mr. Bruce and carried 6 to 1, with Mr. Stephens voting nay.

Discussion: Factor low/moderate income residents into grant application; timing is critical; Sylvan Oaks could be completed this year and Parrish paving next year; Lincoln Park; make Parrish homeowners aware of sewer hook-up costs; flooding around Civic Center; cooperative effort with City of Palmetto; Parrish project does not include drainage improvements, etc.

Recess/Reconvene. All present except Ms. Brown.

MEDICAL SERVICES TO INMATES

Ernie Padgett, County Administrator, advised that the Board executed a contract (7/28/98) with Manatee County Rural Health Services, Inc., and the Sheriff to provide medical services to inmates. All parties reviewed staffing patterns, responsibilities, and facility requirements. Budgetary figures for FY 1998-99 have become available and support the need for an increase in funding.

Motion was made by Mrs. Glass to authorize execution of Amendment Number One to the Agreement for Inmate Medical Services Between Manatee County, the Manatee Sheriff's Office, and Manatee County Rural Health Services, Inc., increasing the funding by \$622,136, for a total not to exceed \$2,581,162 (8/17/98-9/30/99), for the administration and operation of all medical services provided to inmates under the custody and control of the Manatee County Sheriff's Office. Motion was seconded by Mrs. Stein.

(Enter Ms. Brown)

Discussion: The County has the lowest per capita cost per inmate per year for health services compared to seven surrounding counties; Immigration and Naturalization Service and the State refund a portion of costs; basic care for treatment as required by statute, etc.

Motion carried unanimously.

RECORD S46-2069

75TH STREET WEST

Rob Cuthbert, Purchasing Manager, outlined three bid options that have been submitted for improvements to 75th Street West:

- 1. Woodruff & Sons, Inc. 330 days \$5,157,309.95
- 2. Woodruff & Sons, Inc. 248 days \$5,357,309.95
- 3. Gator Asphalt & Paving 165 days \$5,913,960.95

Mr. McClash moved to approve Option 1 and award IFB 98-5152DC, Roadway improvements to 75th Street West, to the lowest responsive, responsible bidder, Woodruff & Sons, Inc., \$5,157,309.95, and authorize Chairman to subsequently execute contract, date performance/payment bond, and accept Insurance Certificate. Motion was seconded by Mrs. Harris and carried unanimously.

YMCA LICENSE - MARBLE RECREATION COMPLEX

Daniel Hopkins, Parks and Recreation Director, outlined the YMCA license renewal and recommended a five percent rate increase for use of the John H. Marble Recreation Complex.

Mr. McClash moved to approve the recommendation. Motion was seconded by Mrs. Stein and carried unanimously.

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(Continued)

LAKE MANATEE WATERSHED

Charles Hunsicker, Planning Department, provided a handout of the slide presentation to address land management goals in the Lake Manatee Watershed. He reported on the pollution of Lake Manatee and the surrounding watershed, and explained the need for protection from surface run-off. He explained that nitrogen loading causes algae, and stated it would benefit the County to purchase additional land around Lake Manatee and the watershed area to control run-off pollution.

He outlined Southwest Florida Water Management District guidelines for the consumption of water.

(Mrs. Glass absent for a portion of the presentation)

Discussion: Whether study can be done to determine where nitrogen is coming from; managing nitrogen levels; cooperation of farmers and ranchers; report on how much money can be saved by controlling nitrogen; cost of property; national assessment of agricultural producers and run-offs was published, etc.

John Zimmerman, Public Works Department, advised they will continue to monitor the nitrogen levels throughout the watershed every month.

Recess/Reconvene. All members present, Mrs. Harris present via telephone.

TURNER RANCH

Charles Hunsicker, Planning Department, presented a handout regarding and application to the Florida Communities Trust (FCT) for acquisition of the Turner Ranch property in northeast Manatee County. Acquisition would provide long-term surface water quality protection for the Lake Manatee drinking water supply by assuring that natural areas are maintained in a manner to protect the quality water flowing to the lake. The property has groundwater permits for 8 mgd for the agricultural activities. The ranch consists of 2,500 acres, 1,500 of which are under production with tomatoes. The Turner family also has a cattle operation.

Mr. Hunsicker stated that by the year 2005 there may be a shortfall of potable water in Manatee County. If this land is acquired, the Consumptive Use Permits will also be acquired, which would help meet the needs of an additional 8 mgd by 2020.

Mr. Hunsicker stated that no appraisals have been performed. He outlined four options to address funding shortfalls, including revenue bonds, two FCT funding cycles, partnership acquisition, and fee simple interest for a portion of the site (native range).

(Mrs. Stein absent for a portion of the discussion)

Discussion: 20 miles from water treatment plant; Consumptive Use Permits (CUP); future use of CUPs in the east County wellfield, etc.

John Zimmerman, Public Works Department, stated that the County uses 12 mgd on an average basis and 13.5 mgd on a maximum monthly basis. He stated the East County Wellfield had permits for phosphate mining quantities (20 mgd), which expired in 1990. The permitted capacity for the East County Wellfields was obtained from existing agriculture permits, which were converted into the permits for the County.

Discussion: Availability of C.I.P. funds; FCT funds may be as high as \$2.2 million; shortfall options; revenue bonds; private party purchase of portions; well permit more valuable than nitrogen reduction to watershed lands; missed opportunities to purchase acreage in watershed; FCT cycle closes June 2, 1999; revised population projections; lack of water projected by 2020; MARS project; sale of water to Sarasota County; Peace River Water Management District; whether only a portion of property can be purchased to reduce deficit (if grant is approved); budget impacts; watershed protection versus water permits, etc.

Steve Minnis, Southwest Florida Water Management District (SWFWMD), advised that SWFWMD concurs that there will be a water shortage by the year 2020. In order to manage the water supply properly, there must be rotation between ground and surface water sources. He recommended purchase the Turner property.

Discussion: One source of water would never be drawn down to depletion; Southern Water Use Cautionary Area (SWUCA); Sarasota and Tampa are repairing damage done by depletion; Manatee is building capacity for the future; phosphate under Turner Ranch with mining potential; place nitrogen problem on future agenda, etc.

Mr. McClash moved authorization for staff to prepare the grant applications for the Florida Communities Trust for acquisition of the Turner property in the Lake Manatee Watershed Area. Motion was seconded by Mrs. Glass and carried unanimously.

53RD AVENUE WEST

Janet McAfee, Project Management Director, advised that the School Board approved an Interlocal Agreement on May 3, 1999, for improvements to 53rd Avenue West, from 34th Street to 43rd Street West (based on stipulations in PDPI-98-03, Lee Middle School adopted 2/2/99). The School Board will forward the agreement for execution.

Motion was made by Mr. Bruce to authorize execution of the Interlocal Agreement with the School Board of Manatee County, Florida, for improvements to 53rd Avenue West from 34th Street West to 43rd Street West. Motion was seconded by Ms. Brown and carried unanimously.

RECORD S46-2070

COMMISSIONERS' COMMENTS

Terra Ceia Property

Mr. McClash requested an update on acquisition of property around the Terra Ceia property through the Conservation and Recreation Land (CARL) program.

Citizens Award Program

Mr. McClash suggested the County develop a program to award citizens who make suggestions for the good of the County.

Warner's Bayou - New Dock

Mr. McClash requested staff investigate a new dock on Warner's Bayou next to the 59th Street Boat Ramp. He advised the mangroves have been trimmed and there is a new piling on the east side of Warner's Bayou.

Estuary Property

Mr. McClash met with several governmental agencies with interests in The Estuary property (PDR-98-20(Z)(G) Robinson Farms, Inc., 3/30/99). Those agencies indicated that permitting should not be a problem.

Gas Flow Pipeline Project

Mrs. Stein announced a public meeting May 4, 1999, at the Civic Center at 5:00 p.m. on a gas flow pipeline.

John H. Marble Recreation Complex

Mr. Bruce commended staff for their work on the John H. Marble Recreation Complex.

Public/Private Participation - Millenium Projects

Mr. Stephens requested Mr. Padgett work with Craig Wells of the Bradenton Herald on Millenium projects that may be eligible for Federal funding when related to public/private projects.

State Road 70 - Traffic Signal Timing

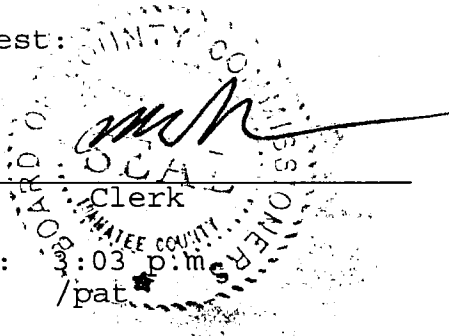
Mr. Stephens expressed concern regarding the timing of traffic lights on S.R. 70 (U.S. 301 eastward). He requested they be checked.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


Clerk
3:03 p.m.
/pat


Chairman 7/6/99

Adj: