

JULY 6, 1999

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, July 6, 1999, at 9:04 a.m.

Present were Commissioners:

Stan Stephens, Chairman
 Gwendolyn Y. Brown, First Vice-Chairman, entered during meeting
 Joe McClash, Second Vice-Chairman, entered during meeting
 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 Rev. William E. Gerhart, St. Philip's Anglican Church.

AGENDA CHANGES

Ernie Padgett, County Administrator, announced the following changes to the agenda:

- Institute of Internal Auditors' Commitment to Quality Improvement Award - Deferred to August 3, 1999.
- IMC-Agrico/Four Corners Mine Monitoring Program (170-acre addition) - Deferred to July 27, 1999.

(Enter Ms. Brown and Mr. McClash)

COMMISSIONER HARRIS

Mrs. Harris stated she would not be able to attend any of the meetings for the week of July 12, 1999, but would review the tapes.

CONSENT AGENDA

Motion was made by Mr. Bruce, seconded by Mrs. Stein and carried unanimously, to approve the Consent Agenda dated July 6, 1999, with deletion of Change Order 1 with Thomas Marine Construction, Inc., for Coker Gulley Bridge replacement (separate action). Items APPROVED:

CLERK'S CONSENT CALENDAR

BONDS

Accept:

Edgewater Village, Subphase A, Unit 5

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$19,605.30).
2. Performance Bond: \$19,605.30 (Surety Bond 137351, Frontier Insurance Company).
3. Agreement with SMR Communities Joint Venture for final wearing course of asphalt on roadways.
4. Interlocal Agreement with Lakewood Ranch Community Development District 2 to accept completion bonds and required improvements agreement.

Summerfield Village, Subphase D, Unit 1

Agreement (time extension) with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$33,291.18).

River Pointe, Phase 2C

1. Agreement with Centex Homes warranting required improvements (\$36,788.90).
2. Defect security: \$36,788.90 (Surety Bond 5947604, Safeco Insurance Company of America).
3. Agreement with Centex Homes guaranteeing completion of required sidewalks and bikeways (\$19,012.50).
4. Performance Bond: \$19,012.50 (Surety Bond 5947603, Safeco Insurance Company of America).

Arrowhead Subdivision

1. Agreement with Mike Carter II, Inc., warranting required improvements (\$14,567.49).
2. Defect Security: \$14,567.49 (Irrevocable Standby Letter of Credit 109391, The Huntington National Bank).

Release:

Edgewater Village, Subphase A, Unit 5

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$602,835.61).
2. Performance Bond: \$602,835.61 (Surety Bond 123419, Frontier Insurance Company).

Arrowhead Subdivision

1. Agreement with Mike Carter II, Inc., guaranteeing completion of required improvements (\$92,094.08).
2. Performance Bond: \$92,094.08 (Irrevocable Standby Letter of Credit 109133, The Huntington National Bank).

WARRANT LIST

Approve: June 29, 1999 through July 5, 1999

Authorize: July 6, 1999 through July 26, 1999

MINUTES

April 20, and 27, 1999; May 4, 1999

AUTHORIZE CHAIRMAN TO SIGN

Authorization for Payment of Taxable costs - Reinhart & Moreland State of Florida vs. Brian Thomson, 98-6076M

Federal Equitable Sharing Agreement Form and Federal Annual Certification Report - Manatee County Sheriff's Department

Satisfactions of Judgment

Steve and Janet Erdman, Cases 93-998JD, 93-1095JD, 94-884JD, 96-2163J, and 96-2500JD

Janice Kinney, Case 99-399JD

ACCEPT

Enterprise Zone Development Agency - Certificates of Appointment Karen Hartman (Seat 8) and Mary Lancaster (Seat 2)

Lakewood Ranch Community Development District 3 - Proposed Budget FY1999-2000

APPROVE, RATIFY, AND CONFIRM

Parks & Recreation Special Interest Classes Instructor's Agreement

Melissa Watkins - Dance and Acrobatics/Cheerleading

RECORD S47-31

COUNTY ADMINISTRATOR

LAW ENFORCEMENT TRUST FUND

Authorize the Sheriff's Office to expend \$12,500 from the Law Enforcement Trust Fund for Florida Sheriff's Youth Ranches.

FIRST UNION BUILDING

Execute letter to the City of Bradenton Fire Marshal regarding subsequent compliance of the First Union Building with City building and fire code requirements.

FLORIDA DEPARTMENT OF JUVENILE JUSTICE

Accept reimbursement of \$11,203.53 from the Florida Department of Juvenile Justice for installation of telephone and data lines in the Level 10 Facility (at Port Manatee).

BLACKSTONE PARK EXPANSION

Accept the following documents related to the acquisition of property from Manatee Fruit Company:

1. Special Warranty Deed (recorded) from Manatee Fruit Company;
2. Original Title Insurance Policy No. 10 0606 106 00000050 with Chicago Title Insurance Company, in the amount of \$305,000;
3. Closing Statement dated May 13, 1999;
4. Instructions from Seller with respect to disbursement of the proceeds to the Macfarlane Ferguson & McMullen Trust Account (closing agent).

RECORD S47-32

MARINE RESCUE - CODE ENFORCEMENT FINES

Execute letter to Honorable Thomas M. Gallen, Chief Judge, Twelfth Judicial Circuit, requesting an Administrative Order to implement the collection and disbursement of noncriminal civil penalty fines by the Clerk of the Circuit Court.

RECOVERY OF UNCLAIMED FUNDS

Execute Fund Collection Agreement with CityVest Financial Corp., Inc., to assist the County in recovering unclaimed funds in the amount of \$25,877.94, payable to Manatee County, for a contingency fee of 25 percent.

RECORD S47-33

JULY 6, 1999

(Continued)

SETTLEMENT

Approve settlement in the case of Nancy Westervelt v. Wells, Case CA 97-1769, for \$11,500 and Manatee County's payment of costs of mediation of \$700 to Mediator A. C. Shields, III.

CHILDREN'S SERVICES FUNDING AGREEMENT

Execute Amendment 2 to funding agreement (12/15/98) with Manatee Opportunity Council, Inc., for an increase of \$16,769 in the direct service component of the program (operational) Simplified Intake System for Subsidized Child Care to reduce the waiting list for child day care services (7/1/99-9/30/99). RECORD S47-34

LOCAL LAW ENFORCEMENT BLOCK GRANT

R-99-146 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A LOCAL LAW ENFORCEMENT BLOCK GRANT FROM THE **BUREAU OF JUSTICE ASSISTANCE (BJA)**, U.S. DEPARTMENT OF JUSTICE; DESIGNATING THE PUBLIC SAFETY COORDINATING COUNCIL AS GRANT ADVISORY BOARD AND AUTHORIZING THE CHAIRMAN OR HIS DESIGNEE TO EXECUTE ALL APPROPRIATE DOCUMENTS

(total \$670,637 [Federal \$603,573; Local Match \$67,064] over a two-year period; and authorization to set a public hearing prior to obligation of grant funding). RECORD S47-35

UNCOLLECTIBLE PARATRANSIT ACCOUNTS

R-99-138 RESOLUTION DESIGNATING CERTAIN DELINQUENT ACCOUNTS RECEIVABLE INCURRED BY PARTICULAR RECIPIENTS OF MANATEE PARATRANSIT FROM MARCH 25, 1997, THROUGH JANUARY 26, 1998, AS UNCOLLECTIBLE IN ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES

(designating delinquent accounts receivable as uncollectible, in the amount of \$11). RECORD S47-36

WEST COAST INLAND NAVIGATION DISTRICT AGREEMENTS

Authorize Chairman to sign letter to West Coast Inland Navigation District (WCIND) requesting extension of eligible project agreements with WCIND for one additional year (to 9/30/00), and sign a WCIND Project Extension Request form for each project:

City of Palmetto - M78	Jet Park Navigational Improvement	S47-37
City of Palmetto - M80	Navigation Restoration South of 10th Street West	S47-38
City of Holmes Beach - M81	Boat Ramp	S47-39
City of Holmes Beach/City of Anna Maria - CIP-25	Key Royale Pass Dredging	S47-40
USCG Flotilla 83 - M82	Boating Safety and Education	S47-41
USCG Flotilla 85 - M83	Boating Safety	S47-42
County Wide Navigation Improvements - M86	remaining as follows:	
·	Manatee County Project Management Department McLewis Bayou Dredging	
·	City of Palmetto Navigation Restoration - South of 10th Street West Dredging	
·	Manatee County Project Management Department Manatee Subdivision Dredging	
·	Manatee County Project Management Department Bowlees Creek Dredging	
·	Manatee County Environmental Management Department Navigation Improvement	S47-43
Gulf Coast World of Science - M87	Water Works	S47-44
Anna Maria Power Squadron - M88	Boating Safety and Education	S47-45
Civil Air Patrol - M90	SRQ Civil Air Patrol	S47-46
Manatee County Sheriff's Office - M91	Marine Law Enforcement	S47-47
Longboat Key Police Department - M92	Longboat Key Marine Patrol	
		<u>RECORD</u> S47-48

SEAGRASS SCAR REDUCTION

Execute First Addendum to Agreement (7/7/98) with Tampa Bay Regional Planning Council for an additional five months (to 12/31/99) for seagrass scar reduction efforts in **Miguel Bay** and **Bishops Harbor**. RECORD S47-49

MATERIALS AND SERVICES

1. **APCO Automatic Control Check Valve** - Sole source purchase from Carter & VerPlanck, Inc., for use on the effluent pumping system at the Southwest Wastewater Treatment Plant, \$36,750, which includes installation and eight-hour factory startup.

2. **200-Ton Air Conditioning Chiller (Hensley Public Safety Complex)** - Award IFB 99-2919AA to Air Mechanical & Service Corp., for the furnishing and turnkey installation, not to exceed \$120,826.
3. **Street and Road Sign Materials** - Award IFB 99-2569DC on an as-required basis to the lowest responsive, responsible bidder, Universal Signs & Accessories, estimated amount of \$48,446.90.
4. **Supplemental Lab Services** - Award IFB 99-1477AA to the lowest responsive, responsible multiple bidders: P. E. Lamoreaux & Associates (Section A, Water; Section C, Wastewater and Industrial Compliance), estimated annual amount of \$73,896.21; Savannah Laboratories Environmental Services (Section D, Solid Waste), estimated annual amount of \$47,766; and Precision Environmental Laboratory, Inc., (Sections B and C1, microbiological parameters for all locations), estimated annual amount of \$27,000 for an estimated total of \$148,662.
5. **Wheel Loaders (2)** - Purchase via State Contract from Ringhaver Equipment Co., Inc., for Highway and Stormwater Management Divisions, \$220,836; and classify excess property (Assets 22747 and 22748, Caterpillar Bucket Loaders) as surplus property per Florida Statute 274.05, to enable appropriate and authorized disposition of said property in accordance with Procurement Code 99-37, Article 1-106; and authorization to thereafter dispose of such property.
6. **Fencing (G.T. Bray and Blackstone Park)** - Award IFB 99-3166MP to the lowest responsive, responsible bidder USA Steel Fence Company, for the removal of old fencing and the installation of new fencing at six of the County's softball fields, not to exceed \$27,692.40.

EMERGENCY COMMUNICATIONS CENTER

Issue Change Order 1 to PO 9001802 for carpet for the Emergency Communication Center renovation with Sun Business Systems, Inc., for an increase of \$8,395; adjusted amount not to exceed \$30,365.

PIPE INJECTION SYSTEM CHEMICALS

Approve, ratify and confirm issuance of Change Order 2 to PO P9000922 for pipe injection system chemicals (Prime Flex) with Construction Chemical Corp. for an increase of \$18,954 and adjusted total of \$43,946.10.

CONVENTION AND VISITORS BUREAU

1. Approve, ratify and confirm issuance of Change Order 3 to PO P9002127 for grocery and snack items for resale at the Convention and Visitors Bureau through May 31, 1999, with SYSCO Food Services for an increase of \$7,600 and adjusted total of \$32,580; and
2. Authorize Change Order 4 to add \$27,420 to P9002127 for purchases from SYSCO Food Services through September 30, 1999, for an adjusted, estimated, annual total of \$60,000.

WASTE TIRE REMOVAL SERVICES

Issue Change Order 2 to P8000465 with Wheelabrator Ridge Energy, Inc., for an increase of \$33,400, and a final, one-year extension (5/20/99-5/19/00), adjusted amount not to exceed \$106,200.

JOHNSON MIDDLE SCHOOL SIDEWALK/INTERSECTION IMPROVEMENTS

Execute Change Order 2 to Work Assignment 5 with Post, Buckley, Schuh & Jernigan, Inc., for engineering services (27th Street East at 26th Avenue East), for an increase of \$13,226 and adjusted Work Assignment total not to exceed \$126,220. RECORD 547-50

RECYCLING DROP-OFF SITE SERVICES

Execute Addendum 6 to agreement (5/14/96) with Browning-Ferris Industries Waste Systems (BFI), for an additional six-month period (5/14/99-11/13/99), for an estimated cost of \$5,081 and revised total not to exceed \$34,072. RECORD 547-51

SUPPLEMENTAL SURVEYING SERVICES

Execute Addendum 2 to extend Agreements (8/1/95) for Professional Services for Supplemental Surveying, on an as-required basis, for two years (8/1/99-7/31/01) with Foresight Surveyors, Inc.; Lombardo, Skipper & Foley, Inc.; George F. Young, Inc.; and Zoller, Najjar & Shroyer, Inc. RECORD 547-52-547-55

DONATION - BRADEN RIVER PARK

Accept a donation, in accordance with provisions of Ordinance 86-05 and procedures established by the County Administrator's office, from **Braden River Little League** in the form of clean fill to support the general use practice field project at Braden River Park, with a total value unknown at this time.

GREENS FEE WAIVERS

1. **Greater Sarasota Junior Golf Association** - Parks and Recreation Department to waive fees (\$425) for the nine-hole golf tournament at Manatee County Golf Course on July 19, 1999.

JULY 6, 1999

(Continued)

2. **Manatee County Golf Course Junior Golf Program Tournament** - Parks and Recreation Department to waive fees (\$240) for the nine-hole golf tournament at Manatee County Golf Course on July 24, 1999, with a rain out provision of the next available Saturday.

1999 STATE RANKING FLAG FOOTBALL TOURNAMENT

Parks and Recreation Department to host and administer the 1999 Florida Recreation and Park Association (FRPA) State Ranking Flag Football Tournament (9/11-12/99) at Lakewood Ranch Park.

CITY OF HOLMES BEACH - MULTIUSE FIELD

Parks Maintenance Division to incorporate a regulation soccer field with the Babe Ruth Field being built to make it multiuse (with the City of Holmes Beach to pay any additional costs).

SPRINT 4 MANKIND, INC. BIKE RUN

Authorization for Sprint 4 Mankind, Inc., to conduct a bike ride fundraiser to benefit United Cerebral Palsy on September 4, 1999, at the South Coquina Beach Pavilion from 8:00 a.m. to 11:00 a.m.

FINAL PLATS

Briarwood, Unit 5

1. Final Plat.
2. Mortgagee's Joinder in and Ratification of Subdivision Plat from Southtrust Bank.
3. Agreement with Diamond Homes of Southwest Florida, Inc., Guaranteeing Completion of Required Improvements (\$452,069.15).
4. Performance Bond: \$452,069.15 (Surety Bond 3S 942 248-00, Lumbermens Mutual Casualty Company).
5. Agreement with Diamond Homes of Southwest Florida, Inc., Guaranteeing Completion of Required Improvements (\$461,429.15).
6. Performance Bond: \$461,429.15 (Increase-Decrease Rider dated 4/16/99 to Surety Bond 3S 942 248-00, Lumbermens Mutual Casualty Company).
7. Agreement with Diamond Homes of Southwest Florida, Inc., for Installation of Private Improvements in Subdivisions, Subsequent to Final Subdivision Plat Approval. RECORD S47-56
8. Submission of Briarwood, Unit 5, to Declaration of Covenants, Conditions, Easements and Restrictions for Briarwood, Units 1 and 2, a Subdivision.
9. List of Holdings.
10. Fiscal and Budgetary Information Respecting Briarwood, Unit 5.
11. Maintenance Program.
12. Notice to Buyers.
13. Right of Entry and Compliance with Manatee County Land Development Code.

Quail Run, Phase IV

1. Final Plat.
2. Agreement with Vantage Real Property Holding Corporation f/k/a Vantage Homes, Inc., Guaranteeing Completion of Required Sidewalks and Bikeways (\$14,144).
3. Performance Bond: \$14,144 (Letter of Credit 2012324-10005, Sarasota Bank).
4. Agreement with Vantage Real Property Holding Corporation f/k/a Vantage Homes, Inc. Warranting Required Improvements (\$24,021.40).
5. Defect Security: \$24,021.40 (Letter of Credit 2012324-10006, Sarasota Bank).
6. Agreement with Vantage Real Property Holding Corporation Guaranteeing Completion of Required Improvements (\$1,352).
7. Performance Bond: \$1,352 (Letter of Credit 2012324-10007, Sarasota Bank).
8. Addendum to Conditions and Restrictions for Quail Run, Phase IV with:
 - a. Legal Description
 - b. List of Holdings
 - c. Maintenance Program
 - d. Right of Entry and Compliance with Manatee County Land Development Code
 - e. Notice to Buyers
 - f. Fiscal Program, including a ten-year estimated fiscal program
9. Conservation Easement from Vantage Real Property Holding Corporation. RECORD S47-57
10. Easement from Vantage Real Property Holding Corporation to Florida Power & Light Company. RECORD S47-58

River Club South, Subphase V-A

1. Final Plat.
2. Mortgagee's Joinder in and Ratification of Subdivision Plat from NationsBank, N.A.
3. Agreement with I.D.L. Corporation Guaranteeing Completion of Required Improvements (\$89,883.30).
4. Performance Bond: \$89,883.30 (Letter of Credit 941266, NationsBank, N.A.).
5. Agreement with I.D.L. Corporation Guaranteeing Completion of Required Sidewalks and Bikeways (\$50,580.40).
6. Performance Bond: \$50,580.40 (Letter of Credit 941267, NationsBank, N.A.).
7. Agreement Guaranteeing Completion of Required Improvements and Temporary Construction Easement for Private Improvements with I.D.L. Corporation (\$25,456.20).
8. Performance Bond: \$25,456.20 (Letter of Credit 94120, NationsBank, N.A.).
9. Maintenance Agreement for Right-of-Way Island improvements with River Club Homeowner's Association. RECORD 547-59
10. Maintenance Agreement for Paver Brick with River Club Homeowner's Association. RECORD 547-60
11. Declaration of Protective Covenants, Conditions, Easements and Restrictions of River Club South, Subphase V-A, with:
 - a. River Club Legal
 - b. Phase V-A Legal
 - c. Canopy Tree Specifications
 - d. Homeowners Association Budget
 - e. Fiscal Program
 - f. Notice to Buyers
12. Conservation Easement from I.D.L. Corporation. RECORD 547-61

REZONE - COUNTY-INITIATED

Authorization for staff to initiate rezone from A-1 and RSF-4.5 to IL for B&J Citrus Groves, Inc., and Thomas H. Hume, Jr., for property located at 2015 21st Street Court East.

SPECIAL ASSESSMENT PROJECTS

Set first public hearings on August 3, 1999, at 9:00 a.m., or as soon thereafter, on road and sewer assessment projects:

Road

- 21st Street West (Palmetto) - Project 5075
- Erie Road (Palmetto) - Project 5186
- Marineland Subdivision - Project 5056
- Marineland Subdivision - Project 5130
- McCollums Lake - Project 5034
- Oneco - Project 5148
- Samoset - Project 5147

Sewer

- Orange Ridge - Project 2508
- Marineland Subdivision - Project 2505
- Oneco - Project 5148
- Samoset - Project 5147
- Sunny Shores - Project 2504
- Washington Park - Project 5152

LOCKWOOD RIDGE ROAD

Execute Facilities Relocation Agreement with Florida Power & Light Company for improvements from Tallevast Road to 57th Avenue East, \$127,870. RECORD 547-62

EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE

R-99-142 A RESOLUTION OF THE MANATEE COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF GRANT AGREEMENTS 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, \$147,216.96 total [State \$100,958; Local cash match \$1,421; in-kind match \$44,837.96], accepting Grant Agreement 99CP-07-08-51-01-114 with Department of Community Affairs; and authorizing the Chairman, or Vice-Chairman, to execute all appropriate documents). RECORD 547-63+

JULY 6, 1999

(Continued)

EMERGENCY MEDICAL SERVICES - UNCOLLECTIBLE ACCOUNTS

R-99-19 RESOLUTION DESIGNATING CERTAIN DELINQUENT ACCOUNTS RECEIVABLE INCURRED BY PARTICULAR RECIPIENTS OF MANATEE COUNTY EMERGENCY MEDICAL SERVICES FROM OCTOBER 1, 1994, THROUGH SEPTEMBER 30, 1995, AS UNCOLLECTIBLE IN ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES

(designating delinquent accounts receivable included in Exhibit A as uncollectible under the allowance for doubtful accounts procedure, in the amount of \$2,684,881.62). RECORD S47-65

RISK MANAGEMENT - WATER AND WASTEWATER TREATMENT FACILITIES

Accept the June 1999 Risk Management Plan for Manatee County Water and Wastewater Treatment Facilities. RECORD S47-66

TIME PAYMENT AGREEMENTS

Time Payment Agreements for water/sewer facility investment fees, connection fees, and line extension charges with Bonnie L. Lapprich; William Patrick and Alicia Strickland Kennedy; Kathleen E. Sweeney; Geraldine Jones and Betty J. Brown; Evelyn M. and Luther W. McFarland; Patricia L. French; Kimbal H. and Kathleen A. Cummins; and Robert and Carmen Duquette. RECORD S47-67-
S47-74

WASTE TIRE GRANT

Execute agreement with Manatee County School Board for funding a project with conditions set forth by the Florida Department of Environmental Protection Waste Tire Grant Program, not to exceed \$30,069, for 6,000 square yards of synthetic material made from recycled tires for installation on the asphalt track at **Manatee High School**. RECORD S47-75

9TH STREET EAST

Authorize payment of moving cost reimbursement to Silvestre Alonso of \$1,200 resulting from the acquisition of his living quarters which were required due to road improvements from 301 Boulevard to Manatee Avenue East/S.R. 64.

30TH AVENUE WEST

Execute Contracts for Sale and Purchase for Warranty Deeds for improvements to 30th Avenue West, from 26th Street West to 5th Street West:

1. Jose Lucio and Benilda Amaya (Parcel 154), \$76,500. S47-76
2. Edgar Beltran and Reyna Romero (Parcel 164), \$85,000. S47-77
3. Anthony Nicholas and Tonya Michelle Greco (Parcel 164A), \$81,000. S47-78
4. Griselda Mendez (Parcel 156), \$13,600; and Accept Warranty Deed and Affidavit of Ownership and Encumbrances from Griselda Mendez. S47-79+
5. Rafeal and Griselda Mendez (Parcel 156A), \$40,000. RECORD S47-81

LOCKWOOD RIDGE ROAD NORTH

Execute Contracts for Sale and Purchase for Warranty Deeds and Permanent Slope Easements for right-of-way for improvements to Lockwood Ridge Road North, from Tallevast Road to Murray Lane:

1. George A. Bishopric (Parcel 18), \$20,115.98. S47-82
2. Marion Tremaroli-Savage and Marco Gueli, Jr. (Parcel 33), \$426,584.41. RECORD S47-83

NU-GULF INDUSTRIES RIGHT-OF-WAY ACQUISITION

Accept conveyance documents for the dedication of rights-of-way for certain road improvements to State Road 62 and Duette Road and to acquire necessary road right-of-way on behalf of the County:

1. **Fee Simple Deed** from Diane Moore and Clarice Roth, as Trustees of the Dorothy Polk Trust; Diane Moore, as Trustee for Clarice Roth; Clarice Roth, as Trustee for Diane Moore; Durham L. Altman, Individually; David Abeles, as Trustee for Durham L. Altman; Durham L. Altman, as Trustee for CarolAnn Altman; and Durham L. Altman, as Trustee for Michael Altman; Affidavit of Ownership and Encumbrances. RECORD S47-84
2. **Warranty Deed** from David Carlton Turner, Jr., Individually; David Carlton Turner, Jr., Trustee of the 1990 Evelyn T. White Irrevocable Trust; Sarah Lander Frins; Stanton Norman Lander, Jr.; Steven Turner Lander; and Sarah Evelyn Turner White; Affidavit of Ownership and Encumbrances. RECORD S47-85

SARASOTA COMMERCE CENTER (FSP-98-39)

Accept Warranty Deed and Affidavit of Ownership and Encumbrances for the dedication of right-of-way for future road expansion on 15th Street East, between Whitfield Avenue and Tallevast Road from: Nathan Benderson; Nathan Benderson, Ronald Benderson, and David H. Baldauf, as Trustees under a Trust Agreement dated September 22, 1993, known as the Randall Benderson 1993-1 Trust; Wayne M. Ruben; and Herbert Benatovich. RECORD 847-86

GULF AND BAY AND RUBONIA STREET LIGHTING

Set public hearings August 17, 1999, at 9:00 a.m., or as soon thereafter as possible, to consider amending the Special Assessment Roll for the Gulf and Bay Street Lighting Municipal Service Benefit Unit (MSBU), and the Rubonia Street Lighting MSBU.

STREET VACATION: MULVEE SUBDIVISION

R-99-149-V RESOLUTION DECLARING A PUBLIC HEARING ON AUGUST 3, 1999, AT 9:00 A.M., OR AS SOON THEREAFTER AS POSSIBLE, ON APPLICATION BY SCHOOL BOARD OF MANATEE COUNTY, TO VACATE THE ENTIRE PLAT OF MULVEE SUBDIVISION, LOCATED BETWEEN 5TH AND 9TH STREETS EAST AND 33RD AND 35TH AVENUES EAST. RECORD 847-87

(End Consent Agenda)

NATIONAL FLOOD INSURANCE PROGRAM AWARD

George Devenport, Building Official, presented the Board with a plaque from the Federal Emergency Management Agency (FEMA) in recognition of Manatee County receiving and maintaining a Class 7 in FEMA's National Flood Insurance Program Community Rating System (CRS) for enhanced floodplain management.

Elaine Barker and **Christina Burton**, Building Department staff, were commended for coordinating this effort.

INDUSTRIAL DEVELOPMENT BONDS - G. G. SCHMITT & SONS, INC.

Public hearing (Notice in the Bradenton Herald 6/21/99) was held to consider the proposed issuance and sale of not exceeding \$2,550,000 of Industrial Development Bonds by the Florida Development Finance Corporation (FDIC) to finance the acquisition of land and construction of a facility located at 7230 15th Street East, to be used to manufacture marine hardware. The operator of the project will be G. G. Schmitt & Sons, Inc.

R-99-145 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, APPROVING THE ISSUANCE OF NOT TO EXCEED \$2,550,000 IN INDUSTRIAL DEVELOPMENT BONDS BY FLORIDA DEVELOPMENT FINANCE CORPORATION TO FINANCE THE ACQUISITION OF LAND AND CONSTRUCTION OF A FACILITY TO BE USED TO MANUFACTURE MARINE HARDWARE WITHIN MANATEE COUNTY (G. G. SCHMITT & SONS, INC.) WITHIN THE MEANING OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; PROVIDING THE CONSENT OF THE COUNTY PURSUANT TO THE INTERLOCAL AGREEMENT; RESCINDING RESOLUTION R-99-131; AND PROVIDING AN EFFECTIVE DATE.

Patricia McVoy, Assistant County Attorney, advised this is a repeat of the TEFRA hearing held on June 15, 1999 (for Resolution R-99-131). The address in the June 15 public hearing notice was incorrectly noticed as the 1700 Block of 15th Street, as the project is at 7230 15th Street East.

Motion was made by Mr. Bruce to adopt Resolution R-99-145 confirming the TEFRA hearing and providing for the consent of the Board to the issuance of the bonds for the project. Motion was seconded by Mrs. Stein and carried unanimously. RECORD 847-88

Recess/Reconvene. All members present.

MANATEE GLENS - COMPUTER EQUIPMENT

Cheri Coryea, Community Services, requested execution of a funding agreement with Manatee Glens Corporation, Inc., to purchase computer equipment and software in the amount of \$226,568. The original equipment list totaled \$268,971. The immediate items (Attachment A to agreement) will allow the agency to operate at its current level and make it Y2K compliant. A request for additional network software and Y2K upgrades (estimated at \$42,000) will be brought back.

JULY 6, 1999

(Continued)

Motion

Mrs. Harris moved approval of the item. Motion was seconded by Mrs. Glass.

Motion - Amended

Following discussion, Mrs. Glass amended the motion to include the additional amount (estimated \$42,000) so that the system is Y2K compatible and the agency can move forward. Mrs. Harris agreed.

Discussion: Concern of preferential treatment to a not-for-profit organization; setting precedent; why staff pared the items; recommendation of the Health Care Advisory Committee, etc.

Tedd Williams, County Attorney, recommended that Ms. Coryea furnish a copy of the list outlining the additional equipment to be included.

Mary Ruiz, Executive Director of Manatee Glens, stated the immediate items are related to the productivity of information system staff, while the additional software and upgrades will make the system easier to maintain.

Fred Loveland, Community Services Director, advised there are sufficient funds in the General Health Care Trust Fund to support the entire request. He stated that a contract for the corrected amount of \$268,971 would be prepared for execution.

Motion, as amended, carried 6 to 1, with Mr. McClash voting nay.

RECORD S47-89

MANATEE GLENS - ROOF REPAIRS

Motion was made by Mrs. Glass, seconded by Ms. Brown and carried unanimously, to: (1) authorize execution of a funding agreement with Manatee Glens Corporation, Inc., in the amount of \$179,499 for the roof and associated repairs to **Manatee Glens Hospital** at 2020 26th Avenue East; and (2) authorize execution of Addendum 1 to the lease (9/28/92) with Manatee Glens Corporation, Inc., to allow County funding to be provided for repair costs.

RECORD S47-90
S47-91

POTABLE WATER AND WASTEWATER RATES

Len Bramble, Public Works Director, requested authorization to set a public hearing on September 7, 1999, to consider modification of the potable water and wastewater rates to fund capital improvements to the system. Staff plans to recommend a six percent increase.

Motion

Mrs. Glass moved to approve the request. Motion was seconded by Mrs. Stein.

Discussion: Rate increases should not include items to expand the system for growth; Facility Investment Fees (FIFs) should be examined to pay for growth related items; examine the Southeast Plant expansion as to how many residential customers would be served by the expansion and the funds per residential customer to pay for the plant; broad-based report and justification for the six percent increase; seeking a source for matching funds to complete the MARS project; whether growth is paying for itself; schedule public hearing in November to allow seasonal customers to attend; one hearing will be held, etc.

Motion - Amended

Mr. McClash amended the motion (friendly amendment) to move the public hearing date to November 9, 1999, at 9:00 a.m., or as soon thereafter as may be heard. Motion was seconded by Mrs. Stein.

Discussion: Needs and plans of staff to institute the rate increase if it is voted for; issue is not time sensitive; ordinance will reference the effective date; information as to the amount of impact fees paid by Sarasota County, etc.

Motion, as amended, carried unanimously.

Y2K STATUS REPORT

Diane Frenz, Information Services Director, gave an update on Y2K preparations noting the State has determined that the County is 76 percent complied.

She stated that a financial management system has been implemented for the Property Appraiser and the Sheriff's Office in addition to hardware upgrades, which are still under way. Monthly meetings continue to be held with various agencies throughout the County. Ms. Frenz advised that the 800 MHz system has been upgraded and final testing should be complete by the end of July. The CADD 911 and Records Management systems remain on target, and the utilities billing system is to be installed in September.

It was requested that the Peace River Cooperative attend the meetings.

CITY OF PALMETTO ANNEXATION

Jeffrey Steinsnyder, Assistant County Attorney, advised that on June 21, 1999, the City of Palmetto adopted Ordinance 644, which annexed certain property off 20th Avenue East and Memphis Road (Yelvington parcel). The voluntary annexation creates a narrow finger of municipal land extending into unincorporated lands out to Memphis Road. Staff has determined that the annexation does not meet the statutory definitions of a compact or contiguous annexation.

Mr. Steinsnyder stated there is legal basis to challenge the annexation; however, legal staff does not have a position on whether or not to proceed. Mr. Steinsnyder advised that formal notice of the annexation was not provided to the County Administrator within the statutory time.

Carol Clarke, Planning Director, stated that staff received a notice in advance of the annexation.

Discussion: Annexation ordinances must indicate the ability to provide water and sewer services; recourse following annexation.

No action was taken.

COURT ADMINISTRATOR - BAILIFFS

Walt Smith, Court Administrator, requested authorization to add 1.5 new Bailiff positions to the Sheriff's Office staffing level based on an additional judge being assigned in July, in addition to a part-time hearing officer for child support enforcement hearings. He stated the Sheriff will absorb the cost for the balance of FY 1998-1999 within its operating budget. The annual costs (\$66,057.95) will be budgeted in the Sheriff's FY 1999-2000 operating budget.

Mr. McClash moved approval of the item. Motion was seconded by Mrs. Stein and carried unanimously.

DOWNTOWN DEVELOPMENT AUTHORITY - 14TH STREET WEST PROJECT

Stephen Thompson, member of the Downtown Development Authority (DDA), stated the DDA is undertaking an improvement project on 14th Street West (Business U.S. 41) within the City of Bradenton. He stated there is an opportunity for the City and County to work on an aesthetic plan for 14th Street to benefit the entire community. The area includes 14th Street from Cortez Road to downtown Bradenton.

Kimber Bereiter, Swan, Moody & Associates (DDA consultant), displayed: (1) roadway design elements; (2) City of Bradenton Community Redevelopment 14th Street West Project Schedule; (3) 14th Street West Constraints and Opportunities; (4) 14th Street West Crosswalk; and (5) 14th Street West/21st Avenue West intersection. Several changes include making the sidewalks handicap accessible as well as new light features and streetscaping for a more pedestrian-friendly environment.

Ms. Bereiter presented three design alternatives, each a variation of one concept to add paver brick to enhance the streetscapes. She displayed before and after images of the improvements.

JULY 6, 1999

(Continued)

Bill Theroux, DDA Executive Director, stated that a design alternative was selected by the 14th Street community. The DDA has scheduled a meeting next month with businesses and residences along 14th Street to receive input on the design plans and to advise of the cost restraints.

He stated the DDA discussed with Florida Power & Light the possibility of installing underground utilities on the east side of the street. Sidewalk improvements are planned from 9th Avenue West, south to Cortez Road. County participation is anticipated from 26th Avenue West, south to Cortez Road.

Discussion: Costs of the alternatives from \$850,000 to \$1.5 million; possible funding sources (Community Redevelopment Agency [CRA], T-21 funds, grants); CRA can bond the project; whether there is opportunity for a special taxing district in the County; law enforcement substation on 14th Street; DDA committed \$20,000 for façade grants, etc.

Dutch Powers, President of 14th Street Business Association, stated the Association has been working with the Sheriff's Office and Bradenton Police Department to eliminate and prevent undesirable activities.

Mr. Stephens asked the County Attorney to investigate the matter of special taxing districts. Mr. McClash asked staff to report on whether separate taxing districts or a combined district would be required.

COKER GULLEY BRIDGE

Inasmuch as Coker Gulley Bridge was replaced by the County, Mr. McClash requested Project Management staff contact the Florida Department of Transportation for reimbursement of a portion of replacement costs. Mr. McClash also asked that the information regarding the priorities for bridge replacement, based on the ranking of the Key Royale Bridge, be brought back.

Motion was made by Mr. McClash, seconded by Ms. Brown and carried unanimously, to authorize execution of Change Order 1 (Final) to IFB 98-5821DC with Thomas Marine Construction, Inc., for a net increase of \$27,897.01 and an adjusted contract amount of \$282,612.01.

RECORD 847-92

UNIVERSITY COMMONS - DRI 19

Public hearing (continued from 6/29/99) was opened to consider

Z-89-46(C)(R2) UNIVERSITY COMMONS/DRI 19

A REVISED ZONING ORDINANCE FOR UNIVERSITY COMMONS TO: (1) EXTEND THE PROJECT BUILDOUT DATE BY AN ADDITIONAL THREE YEARS AND 364 DAYS (SIX YEARS AND 364 DAYS CUMULATIVELY); AND (2) APPROVE MODIFICATIONS TO RECONCILE THE PROPOSED AMENDMENT AND PREVIOUS AMENDMENTS INTO ONE DOCUMENT, WHICH SHALL SERVE AS THE ZONING ORDINANCE FOR UNIVERSITY COMMONS, LOCATED ON 268 ACRES AT THE NORTHEAST AND NORTHWEST INTERSECTIONS OF UNIVERSITY PARKWAY AND TUTTLE AVENUE.

Motion was made by Mrs. Glass, seconded by Ms. Brown and carried unanimously, to continue the public hearing for Z-89-46(C)(R2) to July 27, 1999, at 9:00 a.m., or as soon thereafter as same may be heard, in these chambers.

Public hearing (continued from 6/29/99) was opened to consider

ORDINANCE 99-38 DETERMINATION OF WHETHER THE FOLLOWING PROPOSED MODIFICATIONS TO THE UNIVERSITY COMMONS DRI DEVELOPMENT ORDER CONSTITUTE A SUBSTANTIAL DEVIATION, PURSUANT TO SECTION 380.06, FLORIDA STATUTES, FOR UNIVERSITY COMMONS, A DEVELOPMENT OF REGIONAL IMPACT, DRI 19, ALSO KNOWN AS TBRPC DRI 190: (1) EXTEND THE PROJECT BUILDOUT DATE BY AN ADDITIONAL THREE YEARS AND 364 DAYS (SIX YEARS AND 364 DAYS CUMULATIVELY); AND (2) APPROVE MODIFICATIONS TO RECONCILE THE PROPOSED AMENDMENT AND PREVIOUS AMENDMENTS INTO ONE DOCUMENT, WHICH SHALL SERVE AS THE DEPARTMENT ORDER FOR UNIVERSITY COMMONS, LOCATED ON 268 ACRES AT THE NORTHEAST AND NORTHWEST INTERSECTIONS OF UNIVERSITY PARKWAY AND TUTTLE AVENUE.

Motion was made by Ms. Brown, seconded by Mrs. Glass and carried unanimously, to continue Ordinance 99-38 to July 27, 1999, at 9:00 a.m., or as soon thereafter as same may be heard, in these chambers.

COMMISSIONERS' COMMENTS

Exhaust Brakes - Mr. Bruce asked for a report from the County Attorney regarding restricting the use of exhaust brakes, also known as "jake" brakes, on semitractor trailer trucks in residential areas.

Speed Limits in Construction Zones - Mr. McClash stated the 25 mph speed limit signs along the construction area of 75th Street West are visible after hours when construction work is not underway. He asked the County Administrator to report on who is responsible for setting the speed limits and requested the reduced speed limit signs be covered when construction is not in progress.

Emerson Point Management Plan - Mr. McClash asked for an update from the County Administrator on specific improvement projects. Mr. Stephens advised Mr. McClash that the issue was addressed during his vacation.

Transit Buddy System - Mrs. Harris commended the County Administrator and Transit staff for expeditiously implementing the new Transit Trainer position to assist riders of the transit system (previously requested by Mrs. Harris).

Animal Control - Mrs. Glass noted the increase in activity concerning animal control issues. She asked when the leash law would be coming back for strengthening. Mrs. Brown asked that the concerns of the Animal Control Advisory Board be included.

Building Department/Permit Delays - Mr. Stephens noted that the "quickie" permits are now taking as long as regular permits. He asked for a report on the Building Department's fee-driven activities, the department's backlog, staffing levels, and suggested resolutions.

Discussion: Examine the permitting process of other counties; recent acceleration of development in Manatee County; inadequate manpower to review/issue permits.

Mr. McClash asked staff to bring back a policy recommendation regarding turn around times for permits.

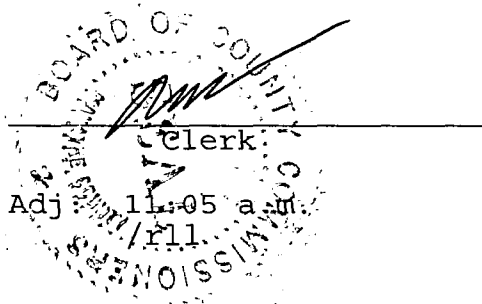
Disposition: County Administrator to present a report during the July 13, 1999, budget work session.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


Clerk:
Adj. 11:05 a.m.
7/11/99
COMMISSIONERS


Chairman 8/24/99