

JANUARY 18, 2000

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, January 18, 2000, at 9:08 a.m.

Present were Commissioners:

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

One seat was vacant, due to the death of Commissioner Lari Ann Harris.

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 Father William E. Gerhart, St. Phillip's Anglican Church

AGENDA DELETIONS

Ernie Padgett, County Administrator, deleted the Proclamation declaring Blake Hospital Day on January 18, 2000, from the agenda.

CONSENT AGENDA

Motion was made by Mr. McClash, seconded by Mrs. Stein and carried 6 to 0, to approve the Consent Agenda dated January 18, 2000, incorporating the language as stated in the recommended motions in the Agenda Memoranda with a correction to the motion for the Community Services Transit Department staffing table from 138 to 140 positions. Items APPROVED:

CLERK'S CONSENT CALENDAR

BONDS

Accept:

Sheriff's Public Employees and Deputy Sheriff's Blanket Bonds (16 additions; 16 deletions) RECORD S47-983

Buckeye Borrow Pit

1. Agreement with Crescent Moon Enterprises, Inc., insuring compliance of wetland mitigation, site reclamation, haul route restoration (\$113,953.13), and uncompleted wetland mitigation planting (\$53,617.38).
2. Performance Bond: \$113,953.13 and \$53,617.38 (Letters of Credit CM01 and CM02, Brasota Mortgage Company, Inc., surety)

Release:

Release agreement with A & W Holdings of Manatee, Inc., insuring compliance of wetland mitigation (\$40,850), site reclamation (\$29,536), and haul route restoration (\$27,305).
Performance Bond: \$97,691. (Certificate of Deposit 012112050173558, First Union National Bank)

WARRANT LIST

Approve: January 4, 2000 through January 17, 2000
Authorize: January 18, 2000 through January 24, 2000

MINUTES

October 26, 1999 - Regular Meeting

AUTHORIZE CHAIRMAN TO SIGN

Satisfactions of Judgment:

Kellie Miller a/k/a Kellie Rudy, Case 99-2067M
James M. Rickey, Cases 97-4080M, 4645T, 6505M, 6838M; 98-543T
Christopher Wiesner, 99-4560M
Linda Noonan, 99-1703JD

Automatic Backwash Filters Additions - Contract with Westra Construction Corp., \$2,537,000; date Performance/Payment bonds and accept Insurance Certificate (approved 1/04/00).

RECORD S47-984

Partial Release of Special Improvement Assessment Liens:

Projects 3009/5147; 3010/5148; 3012/2411; 5069; 5147

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(Continued)

APPROVE, RATIFY AND CONFIRMParks and Recreation Special Interest Classes Instructor's Agreement:Barry Brinson - Gymnastics RECORD S47-985

Cortez Schoolhouse - Execution of the Florida Community Trust Amended Purchaser's Reconciliation of Total Project Costs (Contract 00-CT-7Q-98-8A-K1-009 approved 10/19/99). RECORD S47-986

ACCEPT

Manatee County School District - Auditor General report on Full-Time Equivalent Students and Student Transportation, FY 1998.

Lakewood Ranch Community Development District 3

Board of Supervisor minutes for the meeting held July 1, 1999.

COUNTY ADMINISTRATORPROCLAMATION

Adopt a Proclamation designating January 18, 2000, as *Peter Warrick Day*. RECORD S47-987

FAIRGROUNDS

Execute amended lease agreement with the Manatee River Fair Association to accommodate the new arena and its operation (original lease dated 4/21/98). RECORD S47-988

SPECIAL ASSESSMENTS - PARCEL SPLITS

Set a public hearing (2/15/00) to consider amending Section 2-2-56.5 of the Code of Laws of Manatee County providing for collection of special assessments upon subdividing a lot or parcel.

CONSTRUCTION LOAN AGREEMENTS

Execute Construction Loan Agreements in accordance with R-96-227 for the following home reconstruction projects:

1. Jeanester Bryant, \$62,000 (plus \$3,000 demolition); S47-989
2. Maria S. Ruperto, \$60,800 (plus \$3,000 demolition); S47-990
3. Mary Bell, \$52,000 (plus \$3,000 demolition); S47-991
4. J. T. and Amy Hodges, \$69,000 (plus \$3,000 demolition); S47-992
5. Carrie Mae Johnson, \$54,000 (plus \$3,000 demolition); S47-993
6. Delbra Arline, \$51,900 (plus \$3,000 demolition). S47-994

RECORDENTERPRISE ZONE DEVELOPMENT AGENCY

R-00-21 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE RE-APPOINTMENT AND APPOINTMENT OF SEATS 1, 2, 3, 5, 6, 11, 12, AND 13 OF THE ENTERPRISE DEVELOPMENT ZONE AGENCY, AMENDING RESOLUTION R-95-223 (appointing Gwendolyn Brown, Mary Lancaster, Margie Woodson, Diana Lambert, Lawrence Major, Mary Kelly, James A. Hall and Charles Decker, respectively). RECORD S47-995

TRANSIT

1. R-00-26 A RESOLUTION OF THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE SUBMISSION OF A 49 U.S.C. 5311 RURAL OPERATING ASSISTANCE (FORMERLY SECTION 18) GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (authorizing the Chairman or Vice-Chairman to execute the grant application and all appropriate documents [\$21,540/local and \$21,540/federal] 10/01/00 to 9/30/01). RECORD S47-996
S47-997
2. R-00-20 A RESOLUTION FOR THE JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION PROVIDING FOR OPERATING FUNDS IN THE AMOUNT OF \$522,000 TO ADD AN ADDITIONAL BUS TO THE FIXED ROUTE TRANSIT SYSTEM FEBRUARY 12, 2000 TO MARCH 31, 2003 (authorizing the Chairman or Vice-Chairman to enter into, modify, or terminate the JPA; adding a bus to the S.R. 64 east/west corridor; 50/50 participation). RECORD S47-998
S47-999

PERSONNEL STAFFING LEVELS

R-00-24 RESOLUTION ESTABLISHING AUTHORIZED STAFFING LEVEL CHANGES BY JOB CLASSIFICATION FOR THE DEPARTMENT UNDER THE JURISDICTION OF THE BOARD OF COUNTY COMMISSIONERS (Transit/Transit Operator increase from 39 to 41; Community Services 138 to 140). RECORD S47-1000

WEST COAST INLAND NAVIGATION DISTRICT

Execute Amendment Number Three to West Coast Inland Navigation District Project Agreement with the University of Florida for the University of Florida Waterway Management System Survey (CIP-24) extending project one year (11/13/00). RECORD S47-1001

CIVIC CENTER AUTHORITY

R-00-31 A RESOLUTION TO RESCIND RESOLUTION 99-257, WHICH PROVIDED A PROMOTIONAL ACTIVITIES POLICY FOR THE MANATEE COUNTY CIVIC CENTER AUTHORITY. RECORD S47-1002

BUDGET AMENDMENT

Various Departments (B-00-014)
Transfer of Funds; Unanticipated Revenue Appropriations (supporting description and detail attached) RECORD S47-1003

BUDGETS

R-00-33 RESOLUTION ESTABLISHING BUDGET SUBMISSION DATE FOR CERTAIN CONSTITUTIONAL OFFICERS (establishing May 1 each year for budget requests of **Sheriff, Clerk of the Circuit Court and Supervisor of Elections**). RECORD S47-1004

800 MHZ RADIO PARTS

Issue Change Order 1 to Purchase Order P0000522 to Mobex Communications, Inc., for an additional \$10,000 and adjusted total of \$30,000.

EMERSON POINT

Issue Change Order 3 to Purchase Order P9000930 for environmental restoration with Tampa Contracting Services, Inc., for an increase of \$25,000 and adjusted Purchase Order total of \$82,900.

MOLE CRICKET CONTROL

Issue Change Order 1 to Purchase Order P9001763 with Southern States Cooperative, Inc., for additional Chipco Choice treatment of County golf courses, an increase of \$1,260 and adjusted Purchase Order of \$48,510.

MATERIALS AND SERVICES

1. Advertising 1999 Delinquent Property Taxes - Select the lowest responsible, responsive bidder meeting specifications, the Bradenton Herald, \$9,450; and authorize the Chairman to sign a letter notifying the Tax Collector of the action.
2. Drug Testing Reagents/Drug Court - Sole source purchase from Syva Co. for an estimated \$60,000.
3. Thermoplastic Applicator System - Award IFB 99-3563DC to the lowest responsive, responsible bidder meeting specifications, Florida Transcor, Inc., for a pavement marking system, \$30,475.
4. Library Computers - Approve, ratify and confirm **emergency purchase** of computers with Gateway, Inc., in accordance with emergency purchase procedures, \$95,784.

BAYSHORE WATER DISTRIBUTION IMPROVEMENTS

Execute Change Order 1 to IFB 98-4606DC (final) with Woodruff and Sons, Inc., for the Bayshore area, a net decrease of \$12,987.47 and adjusted contract of \$100,255.93; and extension of the contract completion date to March 1, 1999. RECORD S47-1005

FLEET MAINTENANCE FACILITY

Execute Change Order 1 to IFB 98-6544DC (no cost) with Cummings Construction for renovations; extending construction 30 days with a revised completion date of November 20, 1999. RECORD S47-1006

LANDFILL REFUSE COMPACTORS

Execute Total Cost Agreements (A and B) with Ringhaver Equipment Company for the purchase of two 826G compactors, total cost not to exceed \$845,242; authorize Chairman to date the performance bonds subsequently. RECORD S47-1007
S47-1008

PARKS ARCHITECTURAL AND ENGINEERING SERVICES

Execute Addendum 1 to Agreement with Wade-Trim, Inc., on an as-required basis for one year (2/2/00 to 2/1/01). RECORD S47-1009

SEWER LINE REHABILITATION

Execute Work Assignment 12 with Insituform Technologies, Inc., for 3rd Street West, between 53rd and 57th Avenues West, not to exceed \$101,594. RECORD S47-1010

TROPICAL SHORES SEWER AND ROAD IMPROVEMENTS

Execute Change Order 3 to IFB 99-1303DC (no cost), with Woodruff and Sons, Inc., for an additional 49 days to construction time and revised completion date of January 12, 2000. RECORD S47-1011

WORKERS COMPENSATION INSURANCE PROGRAM

Addendum 2 to Agreement (4/6/99) with Johns Eastern Company, Inc., to change a portion of subparagraph 5c, which addresses fee basis, for administrative services for the County's self-insured program. RECORD S47-1012

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(Continued)

ROCKY BLUFF BRANCH LIBRARY

Execute revised lease agreement with Ackerman Family Limited Partnership for rental of additional property at \$2,819.60 per month (1/1/00 through 12/31/00). RECORD S47-1013

FLOTILLA 81 FACILITY

R-00-30 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING A LEASE WITH FLOTILLA 81, INC.; AND ESTABLISHING CERTAIN CONDITIONS PRECEDENT (authorizing execution of a lease to permit a building at G.T. Bray Park, upon completion of final plans and proof of adequate funding to complete and operate the facility). RECORD S47-1014

FINAL PLATS**Cedar Village Office Park**

1. Final Plat
2. Agreement with Frye General Contracting, Inc., guaranteeing completion of required sidewalks and bikeways (\$6,740).
3. Performance Bond: \$6,740 (Letter of Credit 7014740-51, Community Bank of Manatee)
4. Agreement with Frye General Contracting, Inc., for temporary construction easement and private improvements (\$57,540).
5. Performance Bond: \$57,540 (Letter of Credit 7014740-50, Community Bank of Manatee)
6. Conservation Easement from Frye General Contracting, Inc. RECORD S47-1015
7. Maintenance and Right of Entry Agreement, from Frye General Contracting, Inc. RECORD S47-1016
8. Right of Entry and Compliance with Manatee County Land Development Code by Frye General Contracting, Inc. RECORD S47-1017
9. Declaration of Cross-Easements, Restrictions and Covenants by Frye General Contracting, Inc.

River Point of Manatee, Unit 3

1. Final Plat
2. Seventh Amendment to Declaration of Covenants, Conditions and Restrictions for River Point of Manatee

Sabal Harbour, Phase V

1. Final Plat
2. Agreement with Pulte Homes Corporation guaranteeing completion of required improvements (\$539,575.40).
3. Performance Bond: \$539,575.40 (Letter of Credit ATL/P600808 and Amendment 1, SunTrust Bank)
4. Agreement with Pulte Home Corporation guaranteeing completion of sidewalks and bikeways (\$42,199.56).
5. Performance Bond: \$42,199.56 (Letter of Credit ATL/P600806 and Amendment 1, SunTrust Bank)
6. Conservation Easement from Pulte Home Corporation RECORD S47-1018
7. Supplement Number 4 to Declaration of Covenants for Sabal Harbour

Shades of Magnolia Manor

1. Final Plat
2. Notice to Buyers

Summerfield Village Neighborhood Center

1. Final Plat
2. Joinder in and Ratification of Subdivision Plat and all Dedications and Reservations Thereon with Lakewood Ranch Community Development District 1.
3. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$340,732.08).
4. Performance Bond: \$340,732.08 (Surety Bond 147494, Frontier Insurance Company)
5. Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$18,499.65).
6. Performance Bond: \$18,499.65 (Surety Bond 147493, Frontier Insurance company)
7. Agreement and Temporary Construction Easement for Private Improvements with SMR Communities Joint Venture (\$191,549.10).
8. Performance Bond: \$191,549.10 (Letter of Credit S997086, Northern Trust Bank)
9. Conservation Easement from Schroeder-Manatee Ranch, Inc. RECORD S47-1019
10. Site Access and Drainage Affidavit, Right-of-way Irrigation and Utilization from Schroeder-Manatee Ranch, Inc.
11. Declaration of Covenants and Restrictions of Summerfield Village Neighborhood Center.

DEEDS AND EASEMENTS

17th Street Court East - Drainage Easement from Marvin and Patricia P. Bills for drainage; Affidavit of Ownership and Encumbrances; Joinder from Suncoast Schools Federal Credit Union.
 RECORD S47-1020

TRAFFIC SIGNAL MAINTENANCE

Execute Traffic Signal Maintenance and Operation Order 105 with the Florida Department of Transportation for the installation of traffic signals at S.R. 45 (U.S. 41) and Experimental Farm Road (49th Street East), Palmetto.
 RECORD S47-1021

INSURANCE - EMPLOYEE HEALTH BENEFITS

Execute Amendment Number Three to Employee Health Benefits Plan Third Party Administrator Agreement (TPA) with Robey-Barber Insurance Services Corporation assigning the TPA to Corporate Benefit Services of America, Inc., excluding Section II, Paragraph B2.
 RECORD S47-1022

(End Consent Agenda)

MILLENNIUM COMMUNITIES CERTIFICATION

A plaque proclaiming Manatee County as a millennium community was presented by Betty Chambliss and Kim Lyday of the Bradenton Herald.

This designation from the White House Millennium Council authorizes use of the National Millennium logo on promotional materials and websites.

MYAKKA CITY FIRE DISTRICT

Ernie Padgett, County Administrator, requested appointment of one member to the Myakka City Fire District Board of Commissioners to replace Hugh Taylor who resigned September 21, 1999.

Nominations: Marvin Taylor - by Mr. Bruce

Motion was made by Mr. Bruce to cast a unanimous ballot for **Marvin Taylor.** Motion was seconded by Mrs. Stein and carried 6 to 0.

CHILDREN'S SERVICES ADVISORY BOARD

Motion was made by Mr. McClash, seconded by Mrs. Stein, and carried 6 to 0, to appoint **Judge Peter Dubensky** to the Children's Services Advisory Board representing the Family Law Division.

STREET VACATION - HARDIN AVE

Public hearing (Notice in the Bradenton Herald 12/17 & 12/24/99) was held to consider

R-00-07-V RESOLUTION VACATING A PORTION OF HARDIN AVENUE, WEST OF GAY STREET, FROM THE PLAT OF MIDWAY ESTATES BY APPLICATIONS OF ALDINA L.C., AS TRUSTEE OF THE CARAGH LAND TRUST, AND THE AIRPORT COMMERCE CENTER, INC.

Motion was made by Mr. Bruce, seconded by Mrs. Stein and carried 6 to 0, to adopt R-00-07-V.
 RECORD S47-1023

ORDINANCE 00-02 - MUNICIPAL SEPARATE STORM SEWER SYSTEM

Public hearing (Notice in the Bradenton Herald 1/8/00) was held to consider

ORDINANCE 00-02 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RELATING TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4); PROVIDING FOR INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR NPDES PERMITS; PROHIBITING AND LIMITING CERTAIN DISCHARGES, SPILLS AND DUMPING TO THE SYSTEM; PROVIDING FOR INSPECTIONS AND MONITORING; PROVIDING FOR ADMINISTRATIVE ORDERS; PROVIDING FOR ENFORCEMENT, PENALTIES AND CIVIL REMEDIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AREAS EMBRACED; AND PROVIDING FOR FILING OF ORDINANCE AND AN EFFECTIVE DATE.

Karen Collins-Fleming, Environmental Management Department (EMD) Director, outlined features of the NPDES Ordinance, which prohibits discharge to MS4 not composed entirely of stormwater, unless the discharger has a valid NPDES permit.

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(Continued)

Discussion: Interlocal agreements with municipalities; whether HAZMAT will respond to EMD; enforcement and monitoring of pollutants within municipalities; yard waste blowing into the stormwater system; using GATV to educate the public regarding rules; penalties and provisions for ticketing; adding language "**prohibiting dumping yard waste directly or indirectly into the MS4**", to Section 5 of the Ordinance.

William R. Wheeler and **Remonia Lewis** spoke regarding monitoring discharge to ponds and prohibiting leaf blowers.

Discussion: County to monitor county-owned ponds and conveyance systems.

Jeffrey Steinsnyder, Assistant County Attorney, recommended language for the ticketing system for Section 9 of the ordinance, Civil Remedies, ... "including suit for injunctive relief", add "**or a citation pursuant to Section 125.69, Florida Statutes.**"

Motion was made by Ms. Brown and seconded by Mr. McClash to adopt Ordinance 00-02.

Discussion: Including language to prohibit dumping into the MS4 and the ticketing system provisions.

Motion, including the language changes, carried 6 to 0. RECORD S47-1024

ANNUAL REPORT

John Bodnecker, representing Ernst and Young, presented the Manatee County Comprehensive Annual Financial Report (CAFR) dated September 30, 1999, concluding that the County is in a strong financial position.

Discussion: Distribution of Constitutional Officers' funds; requiring more detailed compliance of the constitutional officers; reviewing Constitutional Officers' budgets, revenue, checks and balances, purchasing methods; general fund; surplus funds.

ORDINANCE 00-01 - ANIMAL SERVICES ORDINANCE

Public hearing (Notice in the *Bradenton Herald* 1/7/00) was opened to consider

ORDINANCE 00-01 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, RELATED TO ANIMAL CONTROL AND ANIMAL CRUELTY; DEFINITIONS; PROVIDING FOR THE DIVISION OF ANIMAL SERVICES; REQUIRING THE VACCINATION OF DOGS, CATS AND FERRETS; REQUIRING THE LICENSING AND TAGGING OF DOGS, CATS AND FERRETS; PROVIDING FOR THE ESTABLISHMENT OF FEES FOR LICENSING AND TAGS; PROHIBITING ANIMALS AT LARGE; DIRECT CONTROL OF DOGS AND CATS; PROHIBITING THE ABANDONMENT OF ANIMALS; PROVIDING FOR THE REMOVAL AND IMPOUNDMENT OF ABANDONED ANIMALS; PROHIBITING ALLOWING DOGS TO CAUSE INJURY TO PERSON, PROPERTY OR OTHER ANIMALS; PROVIDING FOR THE SECURE RESTRAINT OR CONFINEMENT OF DANGEROUS DOGS; PROVIDING FOR THE DEVELOPMENT OF SPECIFICATIONS AND FOR STANDARDS FOR THE RESTRAINT AND CONFINEMENT OF DANGEROUS DOGS; PROHIBITING ALLOWING DOGS AND CATS TO DEFECATE UPON PUBLIC OR PRIVATE PROPERTY WITHOUT REMOVAL; PROHIBITING THE KEEPING OR HARBORING OF ANIMALS WHOSE NOISE DISCOMFORTS THE PEACE AND QUIET OR ENDANGERS THE HEALTH, SAFETY AND WELFARE OF OTHERS; PROHIBITING CRUELTY TO ANIMALS; DEFINING AND PROHIBITING CERTAIN ACTS OF ANIMALS IN VEHICLES; PROVIDING FOR THE REMOVAL OF ANIMALS FROM UNATTENDED VEHICLES; PROVIDING FOR THE QUARANTINE OF BITE ANIMALS; PROHIBITING VACCINATING, EUTHANIZING OR KILLING A SUSPECTED BITE ANIMAL; PROVIDING FOR THE IMPOUNDMENT OF ANIMALS; PROVIDING FOR DISPOSITION OF UNCLAIMED ANIMALS; PROHIBITING INTERFERENCE WITH AN ANIMAL SERVICES OFFICER; PROVIDING FOR THE ISSUANCE OF CIVIL CITATIONS; PROVIDING FOR THE ISSUANCE OF CIVIL CITATIONS FOR SEPARATE VIOLATIONS; PROVIDING THAT THE WILLFUL REFUSAL TO SIGN AND ACCEPT A CITATION CONSTITUTES A MISDEMEANOR OF THE SECOND DEGREE; PROVIDING A THIRTY (30) DAY TIME PERIOD FOR PAYING THE CIVIL PENALTY OR REQUESTING A HEARING; PROVIDING FOR COUNTY COURT TO ISSUE ORDER TO SHOW CAUSE FOR PERSONS TO EXPLAIN WHY ACTION ON A CITATION HAS NOT BEEN TAKEN; PROVIDING ADDITIONAL PROCEDURES FOR ENFORCEMENT; PROVIDING THAT THIS ORDINANCE SHALL BE APPLICABLE IN THE INCORPORATED AND UNINCORPORATED AREAS OF MANATEE COUNTY; PROVIDING FOR THE REPEAL OF MANATEE COUNTY ORDINANCE 90-32 AND 95-29; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Tedd Williams, County Attorney, requested continuance of the public hearing for additional review by his office.

Motion was made by Mrs. Glass, seconded by Ms. Brown, and carried 6 to 0, to continue Ordinance 00-01 until February 1, 2000, at 9:00 a.m. or as soon thereafter as may be heard.

(Note: Accompanying Resolution R-00-08 establishing fine amounts was also continued to 2/1/00).

ORDINANCE 00-04 - NO THROUGH TRUCKS

Public hearing (Notice in the Bradenton Herald 12/19/99) was held to consider

ORDINANCE 00-04 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 84-06; TO REGULATE THE TRAVEL OF CERTAIN THROUGH TRAFFIC ON TARA BOULEVARD; IT BEING A COUNTY-MAINTAINED ROADWAY LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; REQUIRING THE ERECTION OF APPROPRIATE SIGNS; PROVIDING FOR VIOLATIONS AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

Harry Mendenhall, Transportation Department, recommended the Ordinance be denied since Tara Boulevard is a designated thoroughfare and that trucks should be allowed to traverse this roadway.

Don Smith, Wilbur Wachter, Ally Shuford, Luke Leonard, Jerry Skinner, Maury Krowitz and James Johnson, residents of Tara, spoke in favor of the ordinance referring to safety issues; i.e., speeding, blind spots, pedestrians, and golf carts; construction traffic; ambience of neighborhood; and noise.

Patricia Petruff, representing Power Corporation, developer of Tara, recommended denial stating that use of Tara Boulevard is necessary to complete Phase 3 of the Tara project. She concluded that monitoring and enforcement could create problems. She outlined a map depicting completed and not-completed areas of Tara Boulevard.

Robert Lombardo, Engineer for Tara, stated the Development Order requires a four-lane thoroughfare road. He suggested that bushes in the medians could be pruned to avoid blind spots.

Discussion: Use of Linger Lodge Road or Braden River Road as alternative construction routes; increasing law enforcement; liability if Ordinance adopted; installing stop signs at certain intersections with Tara Boulevard to slow traffic; Ordinance would not prohibit construction/local traffic for Tara; speeding on Tara Boulevard; crossing guard for elementary school; traffic-striping for calming effect, etc.

Motion was made by Mr. Bruce and seconded by Mrs. Stein, to adopt Ordinance 00-04.

Discussion: Increasing speeding fines; Ordinance would eliminate most non-local trucks and encourage use of alternative routes.

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

Recess/Reconvene. All members present (one seat was vacant).

STATE ROAD 43/U.S. 301 IMPROVEMENTS

Chris Smith, Florida Department of Transportation Project Manager, presented a status report for the two miles of improvements on U.S. 301 between 60th Avenue East and Erie/Old Tampa Road, Ellenton. He stated the plans are being finalized for the July 2000 letting; however, one utility company is requesting the project be scheduled for September so facilities can be redesigned to address a gas main.

Discussion: Ridgewood concerns of limited access to U.S. 301 at the shopping center and the Roaring 20's Restaurant.

ORDINANCE 00-05 - SPEED LIMITS

Public hearing (Notice in the *Bradenton Herald* 12/19/99) was held to consider

ORDINANCE 00-05 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 84-05; TO PROHIBIT THE TRAVEL OF VEHICLES AT SPEEDS IN EXCESS OF THE ESTABLISHED LIMIT ON **46TH PLAZA EAST AND TARA BOULEVARD** (VERSION 1); ALL BEING COUNTY-MAINTAINED ROADWAYS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; REQUIRING THE ERECTION OF APPROPRIATE SIGNS; PROVIDING FOR VIOLATIONS AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

Harry Mendenhall, Transportation Department, recommended that 25-mph be established on 46th Plaza East and that Tara Boulevard be excluded (Version 2).

Lester Clayton, Manatee Oaks Homeowners Association, spoke in support of 25-mph on 46th Plaza East, and noted they will be coming back to request a 25-mph limit within the entire subdivision.

Motion was made by Mr. Bruce and seconded by Mrs. Stein, to adopt Ordinance 00-05 (Version 1). Voting nay were Ms. Brown, Mr. McClash, and Mr. Stephens. Motion was defeated.

Mr. McClash moved to adopt Ordinance 00-05 (Version 2 reducing speed to **25-mph on 46th Plaza East**). Motion was seconded by Ms. Brown and carried 6 to 0. RECORD S47-1025

CITIZENS' COMMENTS

Edward Stanley requested the South County Branch Library be renamed to the **Lari Ann Harris Branch Library**.

Disposition: Referred to staff.

51ST STREET WEST

Chuck Haugh, Wildewood Springs, submitted a petition (276 signatures) requesting the opening of 51st Street West, from Cortez Road to 53rd Avenue West to lessen the use of 43rd Street West.

Also speaking in favor of the extension were: **Robert Nunamacher**, **Annette Defabrizio**, and **Jim Atwood** of Highland Lakes Subdivision.

Mr. Atwood submitted a petition with 164 signatures requesting the project be given top priority on the CIP.

Items of concern: traffic, speeding, and late night noise on 43rd Street West; traffic congestion at Cortez Road and 43rd Street West; dangerous cross-street near Applebees.

Discussion: Improvements/land acquisition scheduled in the CIP for 2003; realignment of 51st and 43rd Streets.

Recess/Reconvene. All members present (one seat was vacant).

PARKS AND RECREATION - YOUTH LEAGUE MANUAL, FEES, AND LICENSES

Daniel Hopkins, Park and Recreation Department Director, stated the youth league program has expanded with the opening of the Braden River, Lakewood Ranch, and Buffalo Creek district parks. He recommended the following resolutions to coordinate day-to-day responsibilities of the facilities and to achieve an accepted level of service:

R-00-27 RESOLUTION GRANTING CERTAIN AUTHORITY TO THE DIRECTOR OF THE MANATEE COUNTY PARKS AND RECREATION DEPARTMENT TO ESTABLISH POLICY AND PROCEDURES FOR THE IMPLEMENTATION OF ITS **YOUTH LEAGUE MANUAL** AND PROVIDING AN EFFECTIVE DATE;

R-00-28 RESOLUTION RESCINDING RESOLUTION R-99-214 ESTABLISHING **POLICY AND FEE SCHEDULE** FOR THE MANATEE COUNTY PARKS AND RECREATION DEPARTMENT AND PROVIDING AN EFFECTIVE DATE; and

R-00-29 RESOLUTION RESCINDING RESOLUTION R-95-53 GRANTING AUTHORITY TO THE COUNTY ADMINISTRATOR OR HIS/HER DESIGNEE TO ENTER INTO **CONCESSION LICENSES WITH NOT-FOR-PROFIT ORGANIZATIONS**.

Mr. Hopkins referred to concessions utility fee (changed to \$40 per month); damage fee (increased to \$100); lights (\$100 per event); and late payment fee for youth leagues (\$100 flat fee).

Discussion: Inclusion in manual that written acknowledgment for park use requests will be within seven days/tournament response within 30 days; hold harmless clause; posting park reservations information for the general public to view; light policy.

Mr. McClash moved to adopt R-00-27, R-00-28, and R-00-29 with the inclusion of language regarding department response to use applications. Motion was seconded by Mr. Bruce and carried 6 to 0.

RECORD S47-1026
S47-1027
S47-1028

EMINENT DOMAIN - 53RD AVENUE WEST

Motion was made by Mrs. Glass and second by Mr. Bruce, to adopt

R-00-22 A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA (53rd Avenue West, Project 3168; **Bollettieri, Inc.**, Parcels 8, 8-1, and 8-Lake; **Benderson Development Company, Inc.**, Parcels 12 and 12-UE; **Robert Berne, et al.**, Parcel 18; and **NB/85 Associates, et al.**, Parcel 24);

and

R-00-23 A RESOLUTION AUTHORIZING USE OF "QUICK TAKING" CONDEMNATION PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.

Discussion: Incorporating future right-of-way needs when reviewing site designs to avoid eminent domain/quick take proceedings; designating specific locations for retention ponds on site plans.

Motion carried 6 to 0.

RECORD S47-1029
S47-1030

FEE WAIVER

Motion was made by Mrs. Glass, seconded by Mr. Bruce, and carried 6 to 0, to waive landfill fees for the Manatee County Fair Association for the fair during January 2000.

COMMISSIONERS' COMMENTS

Tribute to Lari Ann Harris

Mr. Stephens announced that Government Access Television was paying tribute to the late Commissioner Lari Ann Harris for four days.

Mrs. Glass stated that Robinson Tree Farm would like to plant a tree in memory of Mrs. Harris.

Disposition: Refer to the County Administrator to determine location.

Blanche Daughtery

Ms. Brown advised that Blanche Daughtery, a former educator who was 100 years old, had passed away.

Tara Boulevard Stop Signs

Mr. Bruce requested that staff bring back an agenda item regarding multi-way stops along Tara Boulevard.

Discussion: Doubling speeding fines and trimming trees on Tara Boulevard; using community service-type personnel, i.e., meter maids, to monitor speeding; parking surplus Sheriff's vehicles in area; addressing county-wide needs for public safety, etc.

Mrs. Glass requested an analysis, at budget time, of the enforcement capabilities in the Sheriff's Department.

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(Continued)

Noise Ordinance Enforcement

Mr. McClash requested a report on the number of citations issued for noise; i.e., boom boxes, vehicle stereos, etc., since the noise ordinance (99-20) was adopted.

51st Street West Improvements

Mr. McClash recommended that staff meet with residents to look at ramifications of the extension from Cortez Road to 53rd Avenue West through their community.

City of Palmetto - Water Surcharge

Mrs. Stein recommended the County Administrator attend the meeting of the Palmetto City Council to discuss the water surcharge for residents receiving county water within the city.

MEETING ADJOURNED

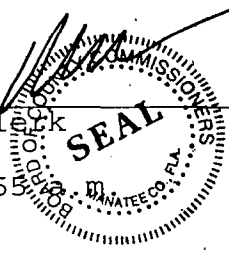
There being no further business, the meeting was adjourned.

Attest:

APPROVED:

Clerk

SEAL



Adj: 11:55 a.m.
/jr

Stan Stephen

Chairman

5/2/00