

MARCH 21, 2000

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, March 21, 2000, at 9:03 a.m.

Present were Commissioners:

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

#### CONSENT AGENDA

Motion was made by Ms. Brown, seconded by Mrs. Glass and carried unanimously, to approve the Consent Agenda dated March 21, 2000. Items APPROVED:

#### CLERK'S CONSENT CALENDAR

##### BONDS

##### Accept:

1. Sheriff's Public Employees and Deputy Sheriff's Blanket Bonds, February 1, 2000 (22 additions, 14 deletions). RECORD S47-1201
2. Sheriff's Public Employees and Deputy Sheriff's Blanket Bonds, March 1, 2000 (11 additions, 11 deletions). RECORD S47-1202

##### Riverwalk Village, Subphase F, Unit 1

1. Agreement with SMR Communities Joint Venture warranting required improvements (\$38,675.52).
2. Defect Security: \$38,675.52 (Surety Bond 150999, Frontier Insurance Company).

##### Preserve at Panther Ridge

Performance Bond: \$6,454.50 (Letter of Credit MBL SB 33433, Regions Bank) in conjunction with agreement guaranteeing completion of required sidewalks and bikeways (2/16/99).

##### Planter's Manor at Greenfield Plantation, Phase III-A

1. Agreement with River Road Plantation Partnership, Ltd. warranting required improvements (\$42,609.37).
2. Defect Security: \$42,609.37 (Letter of Credit 3023470, Bank of America).

##### Parkwood Lakes, Phases I & II

Agreement (new) with P.P.B. Development, Inc. guaranteeing completion of required sidewalks and bikeways (\$3,736.36).

##### Release:

##### Hammock Place

1. Agreement with Copeman Builders Inc. guaranteeing completion of required sidewalks and bikeways (\$2,687.36).
2. Performance Bond: \$2,687.36 (Cashier's Check 063614, American Bank).

##### Riverwalk Village, Subphase F, Unit 1

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$185,482.70).
2. Performance Bond: \$185,482.70 (Surety Bond 135993, Frontier Insurance Company).

##### Preserve at Panther Ridge

Performance Bond: \$6,454.50 (Letter of Credit 54, Regions Bank), accepted 2/16/99.

**Country Creek Subdivision, Phase I**

1. Agreement with Country Creek Properties, Inc. warranting required improvements (\$102,124.60).
2. Defect Security: \$102,124.60 (Letter of Credit STB73-0397, SouthTrust Bank).

**Planter's Manor at Greenfield Plantation, Phase III-A**

1. Agreement with River Road Plantation Partnership guaranteeing completion of required improvements (\$553,921.81).
2. Performance Bond: \$553,921.81 (Letter of Credit 941614, Bank of America, N.A.).

**Inlets of Riverdale (Compass Drive)**

1. Agreement with Gator Asphalt Paving, Inc. warranting required paving and curb work improvements (\$3,500).
2. Defect Security: \$3,500 (Surety Bond 190434462, National Fire Insurance Company of Hartford).
3. Agreement with Wilson Excavators, Inc. warranting required underground utilities improvements (\$4,760.65).
4. Defect Security: \$4,760.65 (Surety Bond B2767557, Reliance Insurance Company).

**Parkwood Lakes, Phases I & II**

Agreement with P.P.B. Development, Inc. guaranteeing completion of required sidewalks and bikeways (\$3,736.36).

**BILLS FOR PAYMENT**

Municipal Code Corp., Supplement 44, Manatee Co. \$ 1,931.49

**REFUNDS**

Neal Communities - Impact Fee	3,685.00
Manatee Joint Venture - Impact Fee	49,345.00
Deseret Farms of Ruskin - DRI 21 Deposit	1,766.00

**WARRANT LIST**

Approve: February 29, 2000 through March 20, 2000  
 Authorize: March 21, 2000 through March 27, 2000

**MINUTES**

November 9, 16, 30, 1999  
 December 7 and 14, 1999 (Regular) and December 9, 1999 (Special)

**AUTHORIZE CHAIRMAN TO SIGN**

**Morgan Johnson Road/Pomello Park Drainage Structure and Water Main Replacement (IFB 99-4160DC)** Contract with D.B. Construction Services, Inc. for \$176,146.60; date performance/payment bonds and accept insurance certificate (approved 2/15/00).

RECORD S47-1203

**SR 55 (US 41) Gateway, Landscaping (IFB 99-4309MP)**

Contract with Gulf Breeze Landscaping, Inc. for \$94,356; accept insurance certificate (approved 2/15/00).

RECORD S47-1204

**Partial Release of Special Improvement Assessment Liens:**

Projects: 3106/5144; 3009/5147; 3102/2502(2); 5075; 3005/5235; 5147; 3100/2509(2); 3009/5147; 3010/5148; 5148; 3103/2502A.

**Ordinance 00-22 (corrected) - Land Development Code Text Amendment**

RECORD S47-1205

**Satisfactions of Judgement:**

- Kathleen Piergrossi, Case 99-1608JD
- Angela Stanford, Case 99-2276JD
- Marla Rojas, Case 99-1081JD
- Margarita Leon, Case 99-2214JD
- Stephen Contarino, Case 99-2177F
- Mitchell Bright, Case 99-4448M
- Lisa Taylor, Case 99-2377JD

**ACCEPT**

- Resume for Dorothy Rainey,** Planning Department.
- Southern Manatee Fire & Rescue District** - Current map with station locations and Annual Notice of Any Changes (Public Facilities) for Year 2000.
- Housing Finance Authority** - Audited Financial Statements and Independent Auditor's Reports for Year Ended September 30, 1999.
- Revenue Refunding and Improvement Bonds, Series 1999, \$13,580,000 and Series 2000, \$19,170,000** - Bound Volume of Closing Documents (R-99-52 adopted 2/16/99 and R-99-75 adopted 3/23/99).

**APPROVE, RATIFY AND CONFIRM**

**Parks and Recreation Special Interest Classes Instructor's Agreement**  
 Eric Hill - Mu Tau Pankration RECORD S47-1206

MARCH 21, 2000

(Continued)

COUNTY ADMINISTRATOR  
PROCLAMATION

Child Abuse Prevention Month: April 2000.

RECORD S47-1207

MANATEE COUNTY FAIR

Approve renting one additional inside exhibitor space in the Ayers Building at the Manatee County Fair, if available.

ADVISORY BOARD/COMMITTEE ANNUAL REPORT

Accept the 1998-1999 Annual Report of Advisory Boards and Committees as required by Resolution R-99-288.

RECORD S47-1208

CODE ENFORCEMENT CASE - JAIME AND ANTONIA OCHOA

Accept the offer of Jaime and Antonia Ochoa to pay \$1,500 to compromise code enforcement liens in Case CE7060101C and authorize the Public Safety Director or designee to execute the appropriate satisfaction/release document.

LAWSUITS

1. John J. Nevins, et al. - Approve settlement with Circle K Stores, Inc. and RAK Enterprises, Inc., for payments of \$80,000 (for attorney's fees) and \$104,814.92 (for experts' fees and miscellaneous costs), with regard to the taking of Parcel 2512/111, in the State Road 70 eminent domain matter of Manatee County versus John J. Nevins, et al., Case 1995-CA-4342.
2. ABC Liquors, Inc., et al. - Approve settlement with Star Enterprises, G.P., for payment of \$137,511.59 (inclusive of the land and improvements taken, attorney's fees, costs) and the installation by the County of a driveway connection for the remaining property in the U.S. 301 Boulevard West eminent domain matter of Manatee County versus ABC Liquors, Inc., et al., Case 1997-CA-4602.
3. Hidden Hollow Condominium Association, Inc., et al. - Approve settlement with Hidden Hollow Condominium Association, Inc., for payment of \$436,549.58 (inclusive of the land taken, attorney's fees and experts' fees), in the Lockwood Ridge Road eminent domain matter of Manatee County versus Hidden Hollow Condominium Association, Inc., et al., Case 1999-CA-5387.
4. Joy Thomas-Rogers, et al. - Approve settlement with Vision Energy Florida, Inc., for payment of \$55,388.85 (inclusive of the land taken, attorney's fees, but exclusive of experts' fees), for Parcels 60/61, in the 9th Street East eminent domain matter of Manatee County versus Joy Thomas-Rogers, et al., Case 1998-CA-4005.

OUTSIDE COUNSEL

Authorize retaining Mitchell O. Palmer, Esquire and Williams, Parker, Harrison, Dietz and Getzen, as outside counsel for the purposes of meeting the County's legal needs where help is needed; said services to be continued as long as needed in the judgement of the County Attorney, on such reasonable terms as the County Attorney is able to negotiate.

STATE HOUSING INITIATIVE PARTNERSHIP (SHIP) PROGRAM

1. Execute Construction Loan Agreements in accordance with R-96-227, for the following Home Reconstruction Projects:
 

<u>Susie Mae Dixon</u> , 2320 5th Avenue Drive East, \$53,000	
<u>Elizabeth Wesley</u> , 7819 17th Street Court East, \$55,000	
<u>Willie and Ethel Brown</u> , 1504 1st Avenue East, Palmetto,	
\$55,000	S47-1209
<u>Maria Migoya</u> , 2816 8th Street Court West, \$55,000	S47-1210
	RECORD S47-1211
	S47-1212
2. Approve disbursement of funding assistance exceeding \$25,000 in accordance with Manatee County's alternative procurement procedures for new construction projects under the A/D/C (Acquisition/Demolition/Construction) strategy of the Local Housing Assistance Plan for Narcisco Popoca, \$35,000.

MEDICAID WAIVER AGREEMENT

Execute Amendment 2 with West Central Florida Area Agency on Aging, Inc. to establish third quarter Medicaid waiver spending authority with an increase of \$8,492, for the Home and Community-Based Medicaid Waiver program and an increase of \$110,979, for the Assisted Living Medicaid Waiver program.

RECORD S47-1213

**TRIP DONATION**

Execute Agreement and Letter of Commitment for Trip Donation with Meal on Wheels Plus of Manatee County, Inc. allowing the County to provide transportation services, \$96,600, for Fiscal Year 1999-2000 (paid by Meals on Wheels) and certifying the County's intent to provide trips as a donation towards Meals on Wheels' local match requirements, \$10,045. RECORD S47-1214

**ARTIFICIAL REEF GRANT PROGRAM**

**R-00-72** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA AUTHORIZING THE SUBMISSION OF A GRANT FOR FEDERAL OR STATE ARTIFICIAL REEF CONSTRUCTION FUNDS THROUGH THE FISH AND WILDLIFE CONSERVATION COMMISSION DIVISION OF MARINE FISHERIES ARTIFICIAL REEF PROGRAM. RECORD S47-1215  
(3 Mile North - Reef "B" - \$50,000) S47-1216

**BUDGET AMENDMENT RESOLUTION**

**VARIOUS DEPARTMENTS** (B-00-020)  
Transfer of Funds; Unanticipated Revenue Appropriations  
Supporting Description and Detail Attached RECORD S47-1217

**TALLEVAST ROAD - APPRAISAL SERVICES**

1. Execute Work Assignment 6 with Dan K. Richardson, dba R & W Enterprises, Inc., not to exceed \$24,900. RECORD S47-1218
2. Execute Work Assignment 8 with Richard W. Bass Associates, Inc., not to exceed \$34,500. RECORD S47-1219

**MATERIALS AND SERVICES**

1. **Aeration System Retrofit (SWRWTP)** - Award IFB 98-4559DC to the lowest responsive, responsible bidder meeting specifications, Beach Construction, Inc., \$2,339,700; authorize subsequent execution of contract, dating of performance/payment bonds and acceptance of insurance certificate.
2. **Betty's Brook Culvert Replacement** - Award IFB 99-2478DC to the lowest responsive, responsible bidder meeting specifications, Lovin Construction, Inc., \$289,947.50; authorize subsequent execution of contract, dating of performance/payment bonds and acceptance of insurance certificate.
3. **Chipco Choice** - Sole source purchase from Southern States Cooperative, Inc. for mole cricket bait, \$53,550.
4. **Computer Hardware and Software** - Purchase via State Contract from Compaq Computer Corporation and Compucom, \$65,120.
5. **Cortez Road Median Landscaping** - Award IFB 99-4597MP to the lowest responsive, responsible bidder meeting specifications, Sun State Landscaping, Inc., \$88,958.55; authorize subsequent execution of contract, dating of performance/payment bonds and acceptance of insurance certificate.
6. **Fire Sprinkler Heads at Jail** - Award IFB 00-5428AA to the lowest responsive, responsible bidder meeting specifications, William F. McDonough Plumbing, Inc., \$70,278.65.
7. **60 KW Portable Generators (2) for Lift Stations** - Award IFB 00-5072AA to the lowest responsive, responsible bidder meeting specifications, Florida Detroit Diesel-Allison, \$43,286.
8. **Screw Conveyors** - Award IFB 99-1298MP to the lowest responsive, responsible bidder, Gulf Contracting, Inc., \$262,680; authorize subsequent execution of contract, dating of performance/payment bonds and acceptance of insurance certificate.
9. **Toro Groundsmaster Mowers (4)** - Sole source purchase from Wesco Turf, Inc., \$47,791.16.

**CROSLEY ESTATE**

1. Issue Change Order 3 to Purchase Order P9002053 with Preservation Services, Inc. for an additional \$471, total not to exceed \$83,831, for the installation of a **limited use, limited access (LULA) elevator.**
2. Execute Change Order 3 (PO P9002065, C/O 4), with Preservation Services, Inc. for additional **masonry and structural repairs**, extend the contract time an additional 115 days with a decrease of \$1,338, adjusted contract amount of \$130,162.25 and a revised completion date of May 30, 2000. RECORD S47-1220
3. Execute Change Order 3 (PO 9002072) with Preservation Services, Inc. for **ornamental woodwork**, increasing the contract time by 171 days and increasing the contract amount by \$21,022 for an adjusted total of \$218,265 and a revised completion date of May 30, 2000. RECORD S47-1221

MARCH 21, 2000

(Continued)

**ENGINEER OF RECORD AND RATE CONSULTANT**

Execute Addendum 3 to extend the agreement with Black and Veatch for professional services for engineer of record and rate consultant, for a period of one year (3/11/00-3/10/01) in accordance with the provisions of the agreement. RECORD 547-1222

**SURPLUS PROPERTY**

1. Classify excess property as surplus per Florida Statute 274.05 to enable appropriate and authorized disposition of said property in accordance with Procurement Code 99-37, Section 1.106; and authorize disposition of such property. RECORD 547-1223
2. R-00-69 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CLASSIFYING THE MULTI-VOLUME SET OF CORPUS JURIS SECUNDUM AS SURPLUS PROPERTY AND AUTHORIZING THE TRANSFER TO MANATEE COMMUNITY COLLEGE. RECORD 547-1224
3. R-00-71 RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES (various equipment to the Manatee County Sheriff). RECORD 547-1225

**HOUSEHOLD HAZARDOUS WASTE COLLECTION AND DISPOSAL**

Execute Addendum 3 to the Household Hazardous Waste Collection and Disposal Agreement with Safety Kleen Corp. to provide additional funding in the estimated amount of \$63,000, for a revised total not to exceed \$338,500. RECORD 547-1226.

**LENA ROAD LANDFILL**

Approve, ratify and confirm the emergency purchase (EP 00-6212CD) to remove the old and replace with the new First Weigh Model VE52-6011 Vehicle Scale at the Manatee County Landfill furnished by Controls and Weighing Systems, Inc., a total of \$36,190.

**REPETITIVE LOSS PLAN**

Execute contract with Tampa Bay Regional Planning Council for contracting services for the preparation of a Repetitive Loss Plan, based on Federal Emergency Management Agency (FEMA) Floodplain Management Guidelines for 180 calendar days, fixed amount of \$17,957,80. RECORD 547-1227

**MULTIFAMILY HOUSING REVENUE BONDS**

1. R-00-75 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA CONCEPTUALLY APPROVING THE ISSUANCE OF HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA MULTIFAMILY HOUSING REVENUE BONDS, ISSUED FOR THE PURPOSE OF FINANCING THE ACQUISITION AND CONSTRUCTION OF A MULTIFAMILY HOUSING RENTAL PROJECT IN MANATEE COUNTY, FLORIDA, WITHIN THE MEANING OF MANATEE COUNTY ORDINANCES 79-6 AND 91-40 IN AN AMOUNT NOT TO EXCEED \$8,000,000 (Centre Court Apartment Project). RECORD 547-1228
2. R-00-79 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA CONCEPTUALLY APPROVING THE ISSUANCE OF HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA MULTIFAMILY HOUSING REVENUE BONDS ISSUED FOR THE PURPOSE OF FINANCING THE ACQUISITION AND CONSTRUCTION OF A MULTIFAMILY HOUSING RENTAL PROJECT IN MANATEE COUNTY, FLORIDA, WITHIN THE MEANING OF MANATEE COUNTY ORDINANCES 79-6 AND 91-40 IN AN AMOUNT NOT TO EXCEED \$11,230,000 (Sabal Palm Harbor Apartment Project). RECORD 547-1229

**TALKING BOOK PROGRAM**

Execute Interlocal Agreement with Sarasota County to administer the program for Fiscal Year 1999-2000, \$72,012. RECORD 547-1230

**HEARING OFFICER**

Execute agreement with Mark D. Singer to serve as Manatee County Hearing Officer (effective March 8, 2000). RECORD 547-1231

**FINAL PLATS****Block 2, Sabal Harbour, Phase I-B, Revised**

1. Final Plat (previously approved 1/25/00)

**Riverwalk Village, Subphase F, Unit 2 aka Riverwalk Meadow**

1. Final Plat
2. Joinder in Ratification of Subdivision Plat and all Dedications and Reservations from Lakewood Ranch Community Development District 1.
3. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$366,366.72).
4. Performance Bond: \$366,366.72 (Surety Bond 152796, Frontier Insurance Company).

5. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements and temporary construction easement for private improvements (\$23,927.34).
6. Performance Bond: \$23,927.34 (Surety Bond 152798, Frontier Insurance Company).
7. Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$18,954).
8. Performance Bond: \$18,954 (Surety Bond 152797, Frontier Insurance Company).
9. Conservation Easement from Schroeder-Manatee Ranch, Inc.
10. Maintenance Agreement for Right-of-Way Islands with Lakewood Ranch Community Development District 1. RECORD S47-1232
11. Site Access and Drainage Affidavit Right-of-Way Irrigation and Utilization from Schroeder-Manatee Ranch, Inc., Lakewood Ranch Community Development District 1, and Summerfield/Riverwalk Village Association, Inc. RECORD S47-1233
12. Supplemental Declaration.

**MOTE RANCH, PHASE X-B**

1. Final Plat
2. Mortgagee's Joinder in Declaration only from First National Bank of Chicago.
3. Agreement with Lennar Land Partners guaranteeing completion of required improvements (\$753,607.27).
4. Performance Bond: \$753,607.27 (Surety Bond 929097649, Continental Insurance Company).
5. Agreement with Lennar Land Partners guaranteeing completion of required sidewalks and bikeways (\$19,597.50).
6. Performance Bond: \$19,597.50 (Surety Bond 929111543, Continental Insurance Company).
7. Agreement for Installation of Private Improvements in Subdivisions, Subsequent to Final Subdivision Plat Approval with Lennar Mote Ranch, Ltd. RECORD S47-1234
8. Supplemental Amendment to Declaration of Covenants, Conditions, and Restrictions for Mote Ranch.

**MOTE RANCH, PHASE IV-C**

1. Final Plat
2. Mortgagee's Joinder in Declaration only from First National Bank of Chicago.
3. Agreement with Lennar Land Partners guaranteeing completion of required improvements (\$1,080,550.51).
4. Performance Bond: \$1,080,550.51 (Surety Bond 929097651, Continental Insurance Company).
5. Agreement with Lennar Land Partners guaranteeing completion of required sidewalks and bikeways (\$20,120.10).
6. Performance Bond: \$20,120.10 (Surety Bond 929111544, Continental Insurance Company).
7. Agreement for Installation of Private Improvements in Subdivisions, Subsequent to Final Subdivision Plat Approval with Lennar Mote Ranch, Ltd. RECORD S47-1235
8. Supplemental Amendment to Declaration of Covenants, Conditions, and Restrictions for Mote Ranch.

**AVALON AT THE VILLAGES OF PALM-AIRE, UNIT 2**

1. Final Plat
2. Agreement with Taylor Woodrow Communities guaranteeing completion of required improvements and temporary construction easement for private improvements (\$169,115.24).
3. Performance Bond: \$169,115.24 (Surety Bond 20-83-05, American Home Assurance Company).
4. Agreement with Taylor Woodrow Communities guaranteeing completion of required improvements and temporary construction easement for private improvements (\$113,984.50).
5. Performance Bond: \$113,984.50 (Surety Bond 20-83-57, American Home Assurance Company).
6. Third Amendment to Declaration of Covenants, Conditions, Restrictions, and Easements for Avalon at the Villages of Palm-Aire.

**GATES CREEK SUBDIVISION**

Execute participation agreement with Centex Homes for sanitary sewer installation, \$5,729.10. RECORD S47-1236

MARCH 21, 2000

(Continued)

**FORCE MAIN REHABILITATION**

1. Accept proposal of Westra Construction Corporation to complete work on the Force Main 14D and 15D Sanitary Sewer Reconstruction Project, \$630,250.
2. Execute Tender Agreement with Capitol Indemnity Corporation, as surety. RECORD S47-1237
3. Execute a completion contract with Westra Construction Corporation for Force Main 14D and 15D Sanitary Sewer Reconstruction Project, in the same form as the original construction contract entered into with Steven A. Clapper and Associates, Inc. (1/5/99). RECORD S47-1238
4. Authorize the Purchasing Manager to issue a Notice of Proceed to Westra Construction Corporation and take all other actions deemed necessary within his authority to accomplish final completion of the referenced project.

**FLOOD MITIGATION ASSISTANCE PROGRAM**

Execute grant application to the Department of Community Affairs to retrofit the home of Earl Harvill (802 39th Avenue West) pending the review of the final grant application by the County Administrator or designee. RECORD S47-1239

**FEDERAL DISASTER RELIEF FUNDS**

1. **R-00-74** A RESOLUTION OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT BETWEEN THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE STATE OF FLORIDA, DEPARTMENT OF COMMUNITY AFFAIRS TO RECEIVE PUBLIC ASSISTANCE FOR ELIGIBLE DISASTER RELIEF ACTIVITIES RESULTING FROM **HURRICANE IRENE** AND DESIGNATING COUNTY ADMINISTRATOR'S OFFICE AS DESIGNATED APPLICANT'S AGENT  
(Authorizing execution of Disaster Relief Funding Agreement with Department of Community Affairs [Grantee]; FEMA Project Application No: 081-99081-00). RECORD S47-1240  
S47-1241
2. **R-00-70** A RESOLUTION OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT BETWEEN THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE STATE OF FLORIDA, DEPARTMENT OF COMMUNITY AFFAIRS TO RECEIVE PUBLIC ASSISTANCE FOR ELIGIBLE DISASTER RELIEF ACTIVITIES RESULTING FROM **HURRICANE FLOYD** AND DESIGNATING COUNTY ADMINISTRATOR'S OFFICE AS DESIGNATED APPLICANT'S AGENT  
(Authorizing execution of Disaster Relief Funding Agreement with Department of Community Affairs [Grantee]; FEMA Project Application No. 081-00000). RECORD S47-1242  
S47-1243

**DUETTE VOLUNTEER FIRE DEPARTMENT**

Execute agreement with Duette Volunteer Fire Department for the County to provide financial support (\$14,800; 10/1/99-9/30/00); in return, the fire department will provide emergency response services on County-owned watershed property. RECORD S47-1244

**FEE WAIVER**

Placement of four 20-yard roll-offs at 7532 Linden Lane, for the **Linden Lane Area Residents Group** on March 25, 2000; waive service and tipping fees at the Landfill.

**EMPLOYEE UNIFORMS**

Approve, ratify, and confirm the purchase of new uniforms for Public Works' employees from Unifirst Corporation, \$51,657.91.

**DEEDS AND EASEMENTS**

1. **Hazelhurst Subdivision (8th Street Court East)** - Utility Easements, Affidavits of Ownership and Encumbrances and Joinder from Regions Bank from:
  - a. Anthony L. and Lavesia D. Harrell; S47-1245
  - b. Donald and April Spicer-McPherson; and, S47-1246
  - c. Graciano Sanchez, Jr. and Emilia Rodriguez. RECORD S47-1247
2. **Carpet Depot (14th Street West)** - Utility Easement from Edward Hurter and Richard Serino; Joinder from Southtrust Bank; Affidavit of Ownership and Encumbrances. RECORD S47-1248
3. **Wauchula Road** - Right-of-Way Easement from Splish Splash Inc.; Joinder from Regions Bank N.A. fka Liberty National Bank; Affidavit of Ownership and Encumbrances. RECORD S47-1249

**PALMETTO DUNES**

Execute Contract for Sale and Purchase for a Permanent Utility Easement from Palmetto Dunes, Ltd. to cover an existing waterline located along U.S. 41, \$24,500. RECORD S47-1250

**63RD AVENUE WEST**

1. Execute Contract for Sale and Purchase for Warranty Deed from Regene Stahler for right-of-way, \$90,000. RECORD S47-1251
2. Warranty Deed from Regene Stahler; Affidavit of Ownership and Encumbrances. RECORD S47-1252

**66TH STREET WEST STORAGE YARD**

**R-00-68** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE DISPOSAL OF CONSTRUCTION DEBRIS FROM THE 66TH STREET WEST STORAGE YARD BY DONATION AT NO CHARGE AS SURPLUS PROPERTY HAVING NO COMMERCIAL VALUE  
(donation to Woodruff & Sons, Inc.). RECORD S47-1253

**FLORIDA HERITAGE FESTIVAL**

Donate the cost of County personnel labor and the use of County lighting equipment during the 2000 Florida Heritage Seafood Fest on April 8-9, 2000, on Barcarrota Boulevard.

**SETTLEMENT OFFER**

Reject the settlement offer of Ahmed Aburahmah set forth in agenda memorandum dated March 21, 2000, and the County Administrator to make a counter-offer, in his discretion, pursuant to his authority as County Administrator.

**SOLID WASTE, YARD WASTE, AND RECYCLING COLLECTION SERVICES**

1. Reconsider action approved at the Board of County Commissioners meeting of February 29, 2000, authorizing staff to enter into negotiations with Waste Management, Inc. for the purpose of providing solid waste and recycling collection services.
2. Authorize the County Administrator in place of staff to enter into negotiations with Waste Management, Inc. for the purpose of providing solid waste and recycling collection services.

(End Consent Agenda)

**AWARDS AND PROCLAMATIONS**

**Employee of the Month**

Mike Lilly, Public Works Department, was presented the March 2000 Employee of the Month Award by Len Bramble, Public Works Director, and several co-workers spoke on his behalf.

**Retirement Award**

Larry Mau, Transportation Director, and the Board of County Commissioners presented a plaque to Ralph Steele, Highway Superintendent, for 39 years of service and dedication.

**ORDINANCE 00-30 - MANATEE AND SEAGRASS BED PROTECTION**

Public hearing (Notice in the Bradenton Herald 3/1/00) was held to consider

**ORDINANCE 00-30** AN ORDINANCE OF MANATEE COUNTY, FLORIDA AMENDING MANATEE COUNTY ORDINANCE 99-03 RELATING TO VESSEL CONTROL, WATER SAFETY, ENVIRONMENTAL PROTECTION AND NOISE ABATEMENT; DESIGNATING CERTAIN SEAGRASS BEDS WITHIN SUBMERGED LANDS IN MANATEE COUNTY, FLORIDA AREAS OF REGULATED WATER ACTIVITIES; LIMITING AND RESTRICTING THE OPERATION OF VESSELS WITHIN SAID AREAS OF REGULATED WATER ACTIVITIES; AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA TO CONTRACT OUT THE OPERATION AND MAINTENANCE OF SAID AREAS OF REGULATED WATER ACTIVITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

David Rothfuss, Assistant County Administrator, reviewed the agenda memorandum dated March 13, 2000.

Maureen Sikora, Assistant County Attorney, was available for questions.

Gloria Rains, representing ManaSota 88, stated the Port Authority should have received a letter from the National Oceanic Atmospheric Administration (NOAA), stating that the Board cannot go forward with this item until several issues are resolved.



MARCH 21, 2000

(Continued)

Motion was made by Mrs. Glass, seconded by Ms. Brown and carried unanimously, to adopt Ordinance 00-30.

RECORD S47-1254

CITIZENS' COMMENTSPerico Island Development

**Kenneth Crayton** listed concerns regarding the proposed development (in the City of Bradenton) including increased traffic and the strip mall.

(Note: Discussed later in the meeting.)

Census 2000

**Desiree Garcia** submitted a map and two videotapes and requested the County hire Spanish-speaking census takers to assist the Hispanic population in completing their census forms.

State Road 70 - 22nd and 24th Streets East

**Barbara Miles** requested the traffic signal at the 24th Street intersection at S.R. 70 become full service to protect the school children in the area and control increasing traffic.

(Depart Mrs. Stein)

Mr. Bruce reported that he spoke with Chuck Lovell, Florida Department of Transportation, who stated the intersection could become full service and that consideration could be made to change the hours of operation for the school crossing light at 22nd Street East.

University Parkway at Whitfield Avenue

**John Barry**, resident of University Park Country Club, commended the Board for setting up the traffic study analysis and requested approval of the conceptual design for improvements at the intersection of University Parkway and Whitfield Avenue.

(Note: Discussed later in the meeting.)

(Enter Mrs. Stein)

911 - Cell Phones

**William Wheeler** noted that in several cities, used or reconditioned cell phones can be bought to call 911 for emergency purposes only at no charge to the user. He requested that Manatee County investigate making this service available for the residents.

AIRBOAT REGULATIONS

**William Stamm** submitted a copy of the proposed amendment to Ordinance 99-67 and **John Routh** addressed concerns about accessing certain areas defined in the Airboat Ordinance.

**Patricia Scarlett** submitted petitions and requested that owners of airboats be able to use their airboats from 8 a.m. to 6 p.m.

Motion was made by Mrs. Stein and seconded by Mr. Harris, to place the topic of Airboat Regulations on a future agenda for discussion.

Discussion: Meetings with William Henry, Chief Assistant County Attorney, regarding the prohibitions listed in the ordinance; accessing the channel from the Manatee River.

Motion carried unanimously.

FLATFORD SWAMP - IRRIGATION RUNOFF

**Ernie Padgett**, County Administrator, stated this item would be deleted from the agenda, as Manatee County is not part of the negotiations with neither the Southwest Florida Management District nor a landowner for the irrigation runoff to Lake Manatee.

PERICO ISLAND DEVELOPMENT

**Carol Clarke**, Planning Director, reviewed the history and land use of the proposed site (in the City of Bradenton) while using a Future Land Use Map and a City of Bradenton Comprehensive Plan Map.

Discussion: Access roads; traffic analysis and its requirement in the Land Development Code; concurrency status.

(Depart Mr. Harris)

Norm Luppino, Planning Department, described the location of the site and, while using a site plan map, pointed out the mangrove wetland, which divides the property. He noted that the plan proposes 4-, 6-, 7-, and 10-story multifamily buildings.

Mr. Luppino reviewed the density and listed three areas of concern: setbacks from the jurisdictional wetlands, commercial compatibility with the City of Bradenton Comprehensive Plan, and access roads.

(Enter Mr. Harris during presentation)

Discussion: Height of buildings; access points; City review of plan; concurrency numbers; comments from the State of Florida; maximum amount of density; clubhouse as shelter; hurricane evacuation routes; 10-story building safety issues; waterline; Regional Planning Council reviewing the Comprehensive Plan Amendment.

Mr. Luppino stated there are three options for access points:

1. Two means of access to two separate roadways (preferred);
2. Access to same roadway with a separation over 300 feet; and,
3. Two, 24-foot-wide roadways that are spaced 22 feet apart.

(Depart Mrs. Glass)

Mr. Stephens requested that Mr. Luppino compare the County and the City Comprehensive Plans, set up a meeting to discuss the differences with the City of Bradenton staff and bring back a report to the Board.

Mr. Bruce requested comments from staff on the Pine Island proposal.

(Enter Mrs. Glass)

UNIVERSITY PARKWAY AT WHITFIELD AVENUE

Janet McAfee, Project Management Director, requested approval of the proposal for the intersection of University Parkway at Whitfield Avenue, as well as permission to add an interim turning lane.

**Jeff Trim**, Wade-Trim, Inc., stated that at the public meeting on February 17, 2000, suggestions were made including more green time for the left turning lanes and adding pavement to the southbound turn lane from Whitfield to University Parkway (he presented a photograph depicting the area and also used an aerial map).

Discussion: Safety of two left-turn lanes from University Parkway to Whitfield Avenue; acceleration lane; right-of-way; dedicated turn arrow for westbound drivers; cost of \$225,000; tentative schedule to begin June 2001; residents request beginning in January 2001; etc.

**Herbert Quinn**, representing the Palm-Aire Community Action Council, commended the Board for prompt attention to the intersection.

Motion was made by Mr. Bruce, seconded by Mr. Harris and carried 7 to 0, to approve the conceptual design improvements to the intersection of University Parkway at Whitfield Avenue.

17TH AVENUE WEST - ONE-WAY STREET REVERSAL

Harry Mendenhall, Transportation Department, reported that petitions have been received from 17th Avenue West residents to reverse the one-way direction to eastbound and petitions from residents to keep the one-way westbound per Ordinance 99-47. He stated that suggestions have been made for a multiway stop at 18th Avenue West and 43rd Street West, or a four-way stop at 26th Avenue West and 43rd Street West.

Mr. Mendenhall stated that if the goal is to reduce traffic on 17th Avenue West, the road should remain one-way westbound. If the goal is to maintain traffic flow and safety, 17th Avenue West should be made one-way eastbound. He stated that if the latter goal is preferred, then all the mailboxes would have to be moved with the cost to the County.

Mr. Stephens requested Mr. Mendenhall review placing a stop sign at 26th Avenue and 43rd Street West and bring back findings to the Board at a later date.

MARCH 21, 2000

(Continued)

S.R. 70 AT 22ND STREET COURT EAST AND 24TH STREET EAST

Motion was made Mr. Bruce and seconded by Mr. McClash, to authorize the execution of a letter to the Florida Department of Transportation requesting signalization at the intersections of S.R. 70 at 22nd Street East and S.R. 70 at 24th Street East.

Mr. Mendenhall stated the letter and agenda memorandum should be corrected to say 22nd Street Court East instead of 22nd Street East.

Following discussion, the motion, as corrected, carried unanimously.

AUDITOR SELECTION COMMITTEE

Mrs. Glass volunteered to be the representative to the External County Auditor Selection Committee.

COMMISSIONERS' COMMENTSEmergency Shelters

Mrs. Stein requested the County Attorney's office be a participant in reviewing alternatives for emergency shelters and shelter expansion to the extent they involve the Comprehensive Plan.

Mrs. Glass stated she would like an inventory of potential shelter sites not yet accessed and a poll taken to find out what plan people have in case of an evacuation.

Mr. McClash expressed concern that new schools were not being built to shelter standards and questioned how much it would take to bring them up to shelter standards.

Immigration and Naturalization Service (INS) Facility

Mr. McClash requested that all prisoners who may be involved or associated with terrorist activities be housed only at the Port Stockade (as opposed to the INS Facility in the Hensley Public Safety Complex downtown).

Mr. Padgett stated he spoke with the Sheriff regarding this issue and he has agreed to the request.

Canal Road and 17th Street East

Ms. Brown requested a traffic light at Canal Road and 17th Street East, and a count of the number of accidents at the intersection.

Census

Ms. Brown reported that Head Start staff has been out promoting and assisting the Hispanic and minority neighborhoods in filling out Census forms.

Animal Services Ordinance - Nuisance Animals

Mr. Harris reported that **George Blake**, an area resident, has been trapping nuisance animals with his own traps and due to the new fees associated with the Ordinance (00-01) has stopped. Mr. Harris inquired if there are other areas experiencing the same problem and stated the Ordinance should be readdressed regarding the fees.

Mr. Padgett recommended Animal Services give the Board a status report at the next meeting.

611 Emergency Line

Mr. Harris inquired if the County could investigate instituting a 611 line for non-emergency calls.

Mr. Padgett noted that a community in Texas has a 611 line and a report would be prepared for the Board.

Land Use Policy

Mrs. Glass requested that a policy against erroneous information be adopted due to a recent newspaper article regarding variances. She stated the public should be informed that variances are not always granted and that stipulations are added instead.

Better Manatee Day

Mr. Bruce declared Better Manatee Day a success and suggested a letter of appreciation signed by the Chairman, be presented to the **East Manatee Kiwanis Club**, the **YMCA**, and **Parks and Recreation** for their participation.

Public Safety Complex

Mr. Bruce made an appeal to improve the appearance of the Public Safety Complex so that it may fit in with the downtown area scenery.

GAVEL AWARDS

Gavel Awards were presented to Mr. Stephens, Mr. Harris (for his wife, the late Lari Ann Harris), Mrs. Glass, and Ms. Brown for serving as Chairmen of various boards.

Recess/Reconvene. All present except Mrs. Stein and Ms. Brown.

COOPERATIVE EXTENSION OFFICE BUILDING

Rob Cuthbert, Purchasing Manager, was available for questions for this item, which was continued from February 29, 2000.

(Enter Mrs. Stein and Ms. Brown)

**Chuck Knight** and **Roberta Meade-Curry**, representing Lyman, Davidson and Dooley, Inc., outlined their qualifications and submitted a handout.

Tedd Williams, County Attorney, reviewed the criteria under the Consultants Competitive Negotiations Act and the RFP.

**Michael Bryant**, representing Fawley Bryant Architects, submitted a handout and placed emphasis on staying within the budget and keeping on schedule for projects.

Discussion: Florida House being a Green Design; expense of the Green Design; Green Design environmentally sound and efficient; allocated funds for project; project as example model to others on Green Design.

(Depart Mrs. Stein)

Brenda Rogers, Agriculture and Natural Resources Director, and Sam Love, Facilities Management Director, discussed the Green Design.

Recess/Reconvene. All present.

**Gregory Dungan**, **Matt Ross**, **Hugo Linares** and **Todd Sweet**, representing SMRT, spoke of their experience with various Green Design projects and presented depictions of the finished products as well as a handout listing their staff members.

**Jerry Zoller** and **Richard Bedford**, Zoller, Najjar and Shroyer, submitted several handouts displaying their work and gave a brief history of their relationship with the County on past projects.

All of the presenters were asked questions regarding their experience and qualifications.

Discussion: Vote and ranking process.


Jane Roak, Deputy Clerk, read the votes.

Motion was made by Mr. Harris, seconded by Ms. Brown and carried unanimously, to authorize staff to negotiate with the lowest firm (Jerry N. Zoller) and, if an agreement is not reached, to move to the second lowest firm (SMRT).

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

  
Clerk

APPROVED:

  
Chairman 7/25/00

Adj: 3:09 p.m./qa