

APRIL 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, April 18, 2000, at 9:00 a.m.

Present were Commissioners:

Gwendolyn Y. Brown, First Vice-Chairman
Patricia M. Glass, Second Vice-Chairman
Jonathan Bruce, Third Vice-Chairman
George L. Harris
Joe McClash
Amy Stein (entered during meeting)

Absent was Commissioner: Stan Stephens, Chairman (out of town)

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. Philips Anglican Church

CONSENT AGENDA

Upon motion by Mr. McClash and second by Mr. Harris, the Consent Agenda dated April 18, 2000, was approved 5 to 0, incorporating the language as stated in the recommended motions in the agenda memoranda with the following changes: (1) correct transfer of leave time hours for John Maloney to 93.68 accrued sick leave and 107.9 accrued vacation; (2) Local Housing Assistance/Home Rehabilitation agreement with W. Ken Siders/Kendar Homes, Inc.; and (3) Award bid for boardwalks and platforms at Emerson Point Park (both separate actions). Items APPROVED:

CLERK'S CONSENT CALENDAR

BONDS

Accept:

Sheriff's Public Employee Blanket Bond (15 additions;
8 deletions). RECORD S47-1363

Country Creek Subdivision, Phase I

1. Agreement (time extension) with Country Creek Properties, Inc. guaranteeing completion of required sidewalks and bikeways (\$10,920).
2. Performance Bond: \$10,920 (Letter of Credit 2000-04, Florida Community Bank).

Lakewood Ranch Boulevard-Braden River Bridge

1. Agreement with Lakewood Ranch Community Development District 2 warranting required improvements (\$120,399.70).
2. Defect Security: \$120,399.70 (Surety Bond 149144, Frontier Insurance Company).
3. Agreement with Lakewood Ranch Community Development District 2 warranting required improvements (\$174,242).
4. Defect Security: \$174,242 (Surety Bond 149082, Frontier Insurance Company).

Lakewood Ranch Boulevard - Clubhouse Drive

1. Agreement with Lakewood Ranch Community Development District 2 warranting required improvements (\$3,559.45).
2. Defect Security: \$3,559.45 (Surety Bond 152903, Frontier Insurance Company).
3. Agreement with Lakewood Ranch Community Development District 2 warranting required improvements (\$115,788.86).
4. Defect Security: \$115,788.86 (Surety Bond 149143, Frontier Insurance Company).
5. Agreement with Lakewood Ranch Community Development District 2 for maintenance of Right-of-way Islands. RECORD S47-1364

Edgewater Village, Subphase A, Unit 3

Agreement (time extension) with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$50,528.40).

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(Continued)

Edgewater Village, Subphase A, Unit 5

Agreement (time extension) with SMR Communities Joint Venture guaranteeing completion of required improvements (\$19,605.30).

Edgewater Village, Subphase B, Unit 2

1. Agreement (time extension) with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$40,550.64).
2. Agreement (time extension) with SMR Communities Joint Venture guaranteeing completion of required improvements (\$9,591.40).

Summerfield Village, Subphase C, Unit 12

Agreement (time extension) with SMR Communities Joint Venture guaranteeing completion of required improvements (\$8,145.15).

Riverwalk Village, Cypress Banks, Subphase E

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$19,500).
2. Performance Bond: \$19,500 (Surety Bond 151022, Frontier Insurance Company).
3. Agreement with SMR Communities Joint Venture warranting required improvements (\$23,219.42).
4. Defect Security: \$23,219.42 (Surety Bond 151021, Frontier Insurance Company).
5. Agreement with SMR Communities Joint Venture for final wearing course of asphalt on roadways. RECORD S47-1365
6. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$20,592).
7. Performance Bond: \$20,592 (Surety Bond 151023, Frontier Insurance Company).

River Pointe, Phase I

Agreement with Centex Homes guaranteeing completion of required sidewalks and bikeways (\$4,461.60).

Banyan Bay Corporation

Defect Security: \$20,000 (Surety Bond, 3047139, Fidelity and Deposit Company of Maryland extending expiration date to 5/5/01 for right-of-way utilization permit).

Release:**Country Creek Subdivision, Phase I**

1. Agreement with Country Creek Properties, Inc. guaranteeing completion of required sidewalks and bikeways (\$62,556).
2. Performance Bond: \$62,556 (Letter of Credit STB73-0497, Southtrust Bank of the Suncoast).

Edgewater Village, Subphase A, Unit 2

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$22,226.10).
2. Performance Bond: \$22,226.10 (Surety Bond 08020087, Fidelity and Deposit Company of Maryland).

Edgewater Village, Subphase A, Unit 3

Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$50,528.40).

Edgewater Village, Subphase B, Unit 1

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$10,304.59).
2. Performance Bond: \$10,304.59 (Surety Bond 8019461, Fidelity and Deposit Company of Maryland).

Edgewater Village, Subphase A, Unit 5

Agreement with SMR Communities Joint Venture for required improvements (\$19,605.30).

Edgewater Village, Subphase B, Unit 2

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$40,550.64).
2. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$9,591.40).

Summerfield Village, Subphase C, Unit 12

Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$8,145.15).

Riverwalk Village, Cypress Banks, Subphase E

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$195,726.05).
2. Performance Bond: \$195,726.05 (Surety Bond 143570, Frontier Insurance Company).

3. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements and temporary construction easement for private improvements (\$142,368.77).
4. Performance Bond: \$142,368.77 (Letter of Credit S997065, Northern Trust Bank).

River Pointe, Phase I

Agreement with Centex Homes guaranteeing completion of required sidewalks and bikeways (\$4,461.60).

Parkwood lakes, Phases V-VII

Agreement with P.P.B. Development, Inc. warranting required improvements (\$29,970.48).

Chaparral II, Phase II (aka Mote Ranch, VII)

1. Agreement with Lennar Mote Ranch, Ltd. guaranteeing completion of required sidewalks and bikeways (\$8,644.35).
2. Performance Bond: \$8,644.35 (Letter of Credit S970377 with Amendments 001 and 002, SunTrust Bank, Miami).

Chaparral II, Phase III (aka Mote Ranch, VII)

1. Agreement with Lennar Mote Ranch, Ltd. guaranteeing completion of required sidewalks and bikeways (\$18,404.10).
2. Performance Bond: \$18,404.10 (Letter of Credit S970379 with Amendments 001 and 002, SunTrust Bank, Miami).

REFUNDS

All State Homes, Inc. - Impact Fees	\$1,935.46
Nohl Crest Homes - Impact Fees	2,239.50
GCA Chemical - Interlibrary Loan	14.50
Rosedale Construction, Inc. - Building Permit	689.65

WARRANT LIST

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

AUTHORIZE CHAIRMAN TO SIGN

Satisfactions of Judgment:

- Worlie Spearman - Case 97-2628F(2)
- Dan Sanders - Case 98-3948T(2)
- Faye Randall - Cases 99-2010JD and 99-2105JD
- Sandra Youngman - Case 96-3783T(2)
- George Tebbetts - Case 97-1218F

Partial Release of Special Improvement Assessment Liens:

Projects 3005/5235; 3100/2509(3); 3102/2502(2); 3010/5148;
 3104/8601; 3011/2506; 5031; 3106/5144

Aeration System Retrofit (SWRWTP) - Contract with Beach Construction, Inc., \$2,339,700; accept performance/payment bonds and insurance certificate (approved 3/21/00). RECORD 547-1366

Betty's Brook Culvert Replacement - Contract with Lovin Construction, Inc., \$289,947.50; accept performance/payment bonds and insurance certificate (approved 3/21/00). RECORD 547-1367

Screw Conveyors - Contract with Gulf Contracting, Inc., \$262,680; accept performance/payment bonds and insurance certificate (approved 3/21/00). RECORD 547-1368

1999 NCHIP Subgrant Program and 1999 Byrne Formula - Grant applications with Department of Community Affairs (DCA) for a Criminal Justice Electronic Filing System, \$246,500 (no local matching funding required for NCHIP); \$228,539 for Byrne Program with 25 percent local matching funds, \$475,039. RECORD 547-1369 547-1370

APPROVE, RATIFY AND CONFIRM

Parks and Recreation Special Interest Classes Instructor's Agreement

Ruth Mazin - Financial Workshop RECORD 547-1371

ACCEPT

Parrish Fire Control District - Financial Report for the year ending September 30, 1999, and the Annual Local Government Financial Report, Fiscal Year 1998-99.

Southwest Florida Water Management District - Comprehensive Annual Financial Report for Fiscal Year ended September 30, 1999, and Annual Local Government Financial Report, Fiscal Year 1998-99.

Lakewood Ranch Community Development Districts 1, 2 and 3 - Minutes of the Board of Supervisors, February 3, 2000.

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(Continued)

COUNTY ADMINISTRATORPROCLAMATIONS

Adopt Proclamation designating April 18, 2000, as **William "Butch" Hughes Day**. RECORD S47-1372
 Adopt Proclamation designating April 30, 2000, as **Operation S.E.E.D. Day**. RECORD S47-1373
 Adopt Proclamation designating April 24-28, 2000, as **Children's Week** and April 27, 2000, as **Children's Day**. RECORD S47-1374
 Adopt Proclamation designating May 14, 2000, as **Million Mom March Day**. RECORD S47-1375

REFLECTIONS OF MANATEE

Execute letter (3/29/00) to the Bureau of Historic Preservation supporting the grant application of Reflections of Manatee, Inc. to continue to purchase and restore historical structures for public use.

FLORIDA WORLD WAR II VETERANS MEMORIAL

R-00-94 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, SUPPORTING THE PURPOSES OF THE FLORIDA WORLD WAR II VETERANS MEMORIAL ACT AND REQUESTING EXPEDITED FUNDING ACTIVITIES, INCLUDING JOINT ACTIVITIES WITHIN AND BETWEEN THE MEMBERSHIP, AND PARTICIPATION AS INDIVIDUALS AND AS MEMBERS OF THIS BOARD, TO INSURE COMPLETION OF THE MEMORIAL AT THE EARLIEST POSSIBLE DATE. RECORD S47-1376

WORKERS' COMPENSATION CLAIM

Accept \$25,000 offer and authorize payment to Geoffrey Wiggins to settle claim and collect reimbursement (from insurance carrier).

BUILDING PERMIT FEES

Amend R-94-80 (and R-93-276) by adding the following to the beginning of the **Miscellaneous Section of Attachment A, The Building Permit Fee**: "Permits issued on the basis of permits by affidavit are assessed at one-half the normal permit fee." This reduction does not apply to fees assessed by other County departments or agencies. RECORD S47-1377

ELECTRONIC MONITORING

Execute Amendment 1 to the agreement (10/2/90) with BI Incorporated (fka Guardian Technologies, Inc.) reducing the rental and monitoring service charges from \$6 to \$3 per day for probation monitoring devices. RECORD S47-1378

SHIP LOCAL HOUSING ASSISTANCE

Disburse funding assistance exceeding \$25,000 in accordance with R-96-227 (Alternative Procurement Procedures) for new construction projects under the Acquisition/Demolition/Construction (A/D/C) strategy of the Local Housing Assistance Plan for SHIP-eligible applicants, Crisostomo and Coinda Rivera-Rojas, \$35,000.

PLANT MANATEE BEAUTIFUL

Execute Tree Maintenance Agreement with Keep Manatee Beautiful, Inc. to participate in planting projects at two cemetery sites (Adams/Rogers and New Memphis) during April 2000. RECORD S47-1379

PERSONNEL

Transfer 93.68 hours of accrued sick leave and 107.9 hours of accrued vacation from the Sheriff's office to the Board of County Commissioners for John J. Maloney, hired by the Community Services Department effective April 10, 2000.

WEST COAST INLAND NAVIGATION DISTRICT

- Execute funding agreement with Port Manatee (by Director) for Navigation Development Project, \$25,000; funds allocated from the West Coast Inland Navigational District (WCIND) Capital Improvement Fund (CIP 28; 3/17/00-3/16/01). RECORD S47-1380
- Execute funding agreements FY 1999-00 with:
 - Town of Longboat Key - Canal Access Drainage (M93 [A]), \$157,140; RECORD S47-1381
 - Mt. Vernon Condominium Association - Phase III Maintenance Dredging (M93 [B]), \$110,000. RECORD S47-1382

BEACH RESTORATION GRANT

Execute Amendment 3 to Contract C-6338 with the Florida Department of Environmental Protection to extend terms and conditions of the Beach Erosion Control/Anna Maria Island Beach Restoration Project to December 1, 2001. RECORD S47-1383

BUDGET AMENDMENTSVARIOUS DEPARTMENTS

(B-00-023)

Transfer of Funds; Unanticipated Revenue Appropriations Supporting description and detail attached. Sheriff's Budget Amendment 00-01. RECORD S47-1384

HOUSEHOLD HAZARDOUS WASTE COLLECTION AND DISPOSAL

Execute Addendum 4 to agreement with Safety Kleen Corp. extending services for one year (5/6/00-5/5/01), \$204,944, revised total not to exceed \$543,444; and amend Attachment "A", Scope of Services, Paragraph A, General Overview (adding "alternative sites as designated by the County"). RECORD 847-1385

LENA ROAD LANDFILL

Issue Change Order 2 to Purchase Order P0000652 for Goodwin Constructors, Inc. for an adjusted PO not to exceed \$1,010,270 for excavation of an additional 250,000 cubic yards of dirt.

LIBRARY MATERIALS

Execute Addendum 5 to agreement with Brodart Company to provide materials (books, videos, CD ROMS, etc.) during the renewal period (5/14/00-5/13/01), not to exceed \$80,000. RECORD 847-1386

LOCKWOOD RIDGE ROAD

Execute Work Assignment 00-12 with Ardaman & Associates, Inc. for construction materials testing, Tallevast Road to 57th Avenue East, not to exceed \$50,245. RECORD 847-1387

SOUTHEAST REGIONAL WASTEWATER TREATMENT PLANT

Execute Change Order 1 to Work Assignment M4 with McKim & Creed for engineering design services for a MARS pipeline to the Spencer-Parrish Road/S.R. 62 reclaimed water main, \$223,182, adjusted total not to exceed \$666,782. RECORD 847-1388

TALKING BOOK SERVICES

Execute Addendum 1 to agreement with Keystone Systems, Inc. to renew services one year (6/1/00 through 5/31/01), \$9,552, revised total not to exceed \$52,643. RECORD 847-1389

MATERIALS AND SERVICES

1. **Backflow Prevention Devices and Water Meters:**
 - a. **Rescind** award IFB 99-3285KK to U.S. Filter Distributor Groups B, L, & M for \$31,220 (1/4/00); and
 - b. **Award** to the second lowest bidders, Ferguson Underground, \$11,734.90 Group B, and Hughes Supply, \$6,413 Group M.
2. **Informix Licenses** - Approve, Ratify, and Confirm emergency purchase from Enterprise Resource Planning for increased users of the Tresun System, \$29,088.
3. **Sod, Fertilizer, Seed, and Mulch** - Award IFB 99-4626MP to the lowest responsive, responsible multiple bidders (per group) meeting specifications, \$495,000: Hydro Grass Seeding, Inc. Groups A, B, C, D, and E, and Rick Richards, Inc. Group F.
4. **Trucks (11)** - Purchase via State contract and Florida Sheriffs' Association, and Association of Counties Contract, for various departments, \$439,580, including an administrative fee of \$150 to the Sheriffs' Association: Navistar International Transport Corp., \$374,048; Hill Kelly Dodge, \$39,085; Duval Ford, \$26,297.
5. **Water and Sewer Supplies:**
 - a. **Rescind** award IFB 99-2656KK to U.S. Filter Distributors for Groups D, F, and Q, \$60,432.30 (9/21/99), and
 - b. **Award** to the second lowest bidder, Hughes Supply, \$65,548.

DUETTE PARK

Authorize the **Hardee Correctional Institution** to use the park for training K-9 tracking dogs.

IMPACT FEES

Execute Credit Authorization and Final Credit Authorization CA-00-02(T) for Discount Auto Parts, Inc. for eligible right-of-way dedication on 15th Street East, \$7,850. RECORD 847-1390

FEE WAIVER

Place four 20-yard roll-offs at appointed sites May 5-7, 2000, for the **Onwego Park/Glen Park Homeowners** group neighborhood cleanup day; waive appropriate landfill service and tipping fees.

IMPERIAL LAKES ESTATES

Execute easement agreement with Imperial Lakes Estates Master Association, Inc. to accept maintenance and operation of the water lines, fire hydrants, water meters, and associated potable water appurtenances within the easement property; and accept the Bill of Sale (dedication of lines to the County). RECORD 847-1391

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(Continued)

DEEDS AND EASEMENTS

1. **15th Street East** - Warranty Deed and Affidavit of Ownership and Encumbrances from Discount Auto Parts, Inc. for right-of-way south of 63rd Avenue East. RECORD S47-1392
2. **26th Street West** - Warranty Deed and Affidavit of Ownership and Encumbrances from Flagship National Bank for dedication of right-of-way at the southwest corner of 60th Avenue West. RECORD S47-1393
3. **Hagle Park Waterline Extension** - Utility Easement and Affidavit of Ownership and Encumbrances from Connie Edwards for a five-foot easement to connect to the new system; Joinder from Crossland Mortgage Corporation. RECORD S47-1394
4. **Lake Manatee Watershed** - Warranty Deed from James R. and Janice C. Swafford for 13.33 acres of sensitive land to protect water quality within the watershed. RECORD S47-1395
5. **Tuttle Avenue** - Warranty Deed and Affidavit of Ownership and Encumbrances from Health Care Reit, Inc. (Life Care of Sarasota FSP-98-107) for right-of-way north of University Parkway; Joinder from Life Care Health Resources, Inc. RECORD S47-1396
6. **Palmetto Dunes** - Permanent Utility Easement and Affidavit of Ownership and Encumbrances from Palmetto Dunes, Ltd. for a 14-inch waterline installed five feet onto private property at the intersection of U.S. 41 and U.S. 301. RECORD S47-1397
7. **Whitfield Industrial Avenue** - Drainage Easement and Affidavit of Ownership and Encumbrances from Boone Distributors, Inc. for maintenance of a drainage ditch in Whitfield Industrial Park north of Whitfield Avenue and west of new U.S. 301; Joinder from SunTrust Bank. RECORD S47-1398

30TH AVENUE WEST

1. Contract for Sale and Purchase for a Warranty Deed from Judith L. Johnson for right-of-way, \$196,061. RECORD S47-1399
2. Warranty Deed and Affidavit of Ownership and Encumbrances from Judith L. Johnson. RECORD S47-1400

BUCKEYE ROAD

1. Contract for Sale and Purchase for a Warranty Deed from Hecht Properties, Ltd. for right-of-way, \$57,400. RECORD S47-1401
2. Warranty Deed and Affidavit of Ownership and Encumbrances from Hecht Properties, Ltd. RECORD S47-1402

STREET VACATIONS

1. **R-00-43-V** RESOLUTION DECLARING A PUBLIC HEARING ON MAY 16, 2000, AT 9:00 A.M. OR AS SOON THEREAFTER AS MAY BE HEARD BY APPLICATION OF CLOSE HOMES, INC., TO VACATE A PORTION OF LOT 12 AND ENTIRE LOT 13 **LEFFINGWELL RECAPITULATION OF THE SUBDIVISION OF THE ESTATE OF SUSAN M. LEFFINGWELL** VACATION AND ANNULMENT OF PLATS SUBDIVIDING LAND. RECORD S47-1403
2. **R-00-65-V** RESOLUTION DECLARING A PUBLIC HEARING ON MAY 16, 2000, AT 9:00 A.M. OR AS SOON THEREAFTER AS MAY BE HEARD BY APPLICATION OF MANATEE JOINT VENTURE TO VACATE **MITCHELL ROAD** RIGHT-OF-WAY AND ADJOINING LIMITED ACCESS RIGHT-OF-WAY. RECORD S47-1404

LOCKWOOD RIDGE ROAD

1. Contract for Sale and Purchase for a Warranty Deed from the Milford Meyer Desenberg, III, Revocable Living Trust for right-of-way and stormwater pond site from Tallevast Road to University Parkway, \$499,000. RECORD S47-1405
2. Warranty Deed and Affidavit of Ownership from Milford Meyer Desenberg, III, Revocable Living Trust. RECORD S47-1406

COUNTYWIDE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

Execute National Pollutant Discharge Elimination System (NPDES) Certification Statement for Annual Report Year 2 to comply with the U.S. Department of Environmental Protection permitting requirements (Volumes I and II with co-applicants: City of Anna Maria, City of Bradenton Beach, City of Holmes Beach, and the City of Palmetto). RECORD S47-1407
S47-1408

POMELLO PARK

Execute Agreement and Cashier's Check as Performance and Defect Security Warranting Required Improvements with PT Partnership as a condition of Right-of-Way Permit 230-98-151 (correcting conflicting reference dates for return of the surety [\$3,980.40, First National Bank of Manatee Cashier's Check 949376], which will transfer to new agreement).

STATE SOVEREIGNTY SUBMERGED LANDS

R-00-98 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, OPPOSING THE CONVEYANCE TO PRIVATE OWNERSHIP OF STATE SOVEREIGNTY SUBMERGED LANDS (urging legislators to vote against House Bill 1807 and Senate Bill 1824, and the Governor to veto the legislation if passed).

RECORD S47-1409

RIVER WILDERNESS DISPUTE RESOLUTION

Authorize the County Attorney or his designee to sign a Letter of Engagement with Richard E. Davis, Esquire to serve as Special Master for Dispute Resolution DR-00-01.

RECORD S47-1410

(End Consent Agenda)

Note: Reconsidered later in the meeting to open public hearings.

LOCAL HOUSING ASSISTANCE - HOME REHABILITATION

After Mr. McClash declared a conflict of interest, motion was made by Mrs. Glass, seconded by Mr. Bruce, and carried 4 to 0, to execute a contract with W. Ken Siders (dba Kendar Homes, Inc.) to rehabilitate a home owned by Nancy M. Hill, \$4,019.40.

RECORD S47-1411

EMPLOYEE OF THE MONTH

A plaque was presented to **Mike Gore**, Landfill Supervisor, Public Works Department, as the April 2000 Employee of the Month in recognition of outstanding service to the County.

RETIREMENT AWARD

A clock plaque was presented to **Robert Hall**, Utilities Engineer, Public Works Department, honoring 18 years of service to the County.

PROCLAMATIONS

A Proclamation designating April 18, 2000, as **William "Butch" Hughes Day** was presented to Butch Hughes.

A Proclamation designating April 30, 2000, as **Self Empowerment and Enrichment Day (Operation S.E.E.D. Day)** was presented to Bernice Scott.

A Proclamation designating April 24 through April 28, 2000, as **Children's Week** and April 27, 2000, as **Children's Day** was presented to representatives of Project Child Care and children from The Growing Place.

A Proclamation designating May 14, 2000, as **Million Mom March Day** was presented to Janet Hoffman and Rose Brown.

(Enter Mrs. Stein)

CITIZENS' COMMENTSPerico Island (Arvida) Development

Joy Courtney of Holmes Beach requested the County do everything possible to make sure the project, located in the City of Bradenton, is compatible with the area.

Kenneth Crayton, Perico Island, opposed the high-rise condominiums (130-140 feet) along the shoreline and recommended a resolution to oppose the project as proposed. He submitted a computer rendering depicting the view of the buildings from the Anna Maria Island bridge.

James Schrader, Coral Shores, stated concerns of access and recommended the Board oppose development of the area as proposed.

(Note: Action later in the meeting)

Elections Office - Insurance Settlement

Bob Ranick questioned whether the matter regarding the settlement of \$100,000 by Hartford Insurance to pay for part of the \$400,000 embezzlement would be on a future agenda (removed from 4/4/00 agenda).

Tedd Williams, County Attorney, responded that the Release document from the insurance company needed language revisions and stated a copy would be sent to Mr. Ranick when completed.

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CONSENT AGENDA - RECONSIDERED

Motion was made by Mr. McClash, seconded by Mr. Bruce and carried 6 to 0, to reconsider approval of the Consent Agenda to open the public hearings.

ZONING

Public hearings (Notices in the *Bradenton Herald* and *Sarasota Herald Tribune* 3/17/00) were opened to consider

LDA-99-01 TWIN RIVER/GAMBLE CREEK, L.C.

(CONTINUED TO 5/2/00 AT 9:00 A.M.)

Request: Local Development Agreement to secure development rights and mitigate the drainage (Gamble Creek cleaning), transportation (reconstruction of Golf Course Road Bridge and transportation improvements), infrastructure impacts (sewer connection and upsizing) for a mixed use development of 550 residential lots, a daycare, and a church on 1,224 acres located on the south side of Golf Course Road, east of the Gamble Creek, west of Rye Road, and north of the Manatee River.

PDR-99-02 (Z) (G) [ADVERTISED AS PDR-99-12 (Z) (G)] GAMBLE CREEK, L.C./TWIN RIVER - PDR AND PLAN (CONTINUED TO 5/2/00 AT 9:00 A.M.)

Request: Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from **A** and **A/CH** to **PDR** and retaining Coastal High Hazard Area overlay; providing an effective date; **and General Development Plan** to allow 550 residential units, residential support uses (day care and church), and a project sales office on 1,224 acres located on the south side of Golf Course Road, east of Gamble Creek, and north of the Manatee River.

ORDINANCES

Public hearings (Notices in the *Bradenton Herald* 4/6/00) were held to consider

ORDINANCE 00-32 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 98-11; REGULATING THE STOPPING, STANDING OR PARKING OF MOTOR VEHICLES ON **29TH AVENUE WEST**; IT BEING A COUNTY MAINTAINED STREET 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.

and

ORDINANCE 00-31 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 **36TH AVENUE EAST, 45TH STREET EAST, AND MANATEE OAKS SUBDIVISION**; ALL BEING COUNTY MAINTAINED STREETS 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.

RECORD S47-1412
RECORD S47-1413

Upon motion by Mr. Bruce and second by Mrs. Stein, the Consent Agenda as amended including the public hearings and incorporating the language as stated in the recommended motions in the agenda memoranda, was approved 6 to 0.

(End Consent Agenda)

Recess/Reconvene. All members present except Mr. Stephens.

TOURISM

Larry White, Executive Director of the Convention and Visitors Bureau, recommended the County's designation on the "Visit Florida" maps be moved from the Central West (St. Petersburg, Tampa, and Clearwater) to the Southwest Region (Ft. Myers, Naples, etc.) for tourism promotion purposes only. He submitted a letter from the Sarasota County Tourist Development Council to Visit Florida, requesting the change.

Mrs. Glass moved that the Chairman send a letter to Visit Florida requesting the change. Motion was seconded by Mrs. Stein and carried 6 to 0.

LAKWOOD RANCH PARK

Danny Hopkins, Parks and Recreation Director, requested conceptual approval for a building (concession/storage/restroom) to be built by a non-profit organization (Braden River Soccer Club) and directing staff to work with the County Attorney's office to develop the appropriate legal agreements. He recommended lease modifications include that the Braden River Soccer Club be the primary user with latitude by Parks and Recreation to lease the facility when it is not being used by the Club; the lease terms would be ten years with 10-year renewals.

Motion was made by Mr. McClash and seconded by Mr. Bruce to approve the request. The motion carried 6 to 0.

PERICO ISLAND (ARVIDA) DEVELOPMENT

Norm Luppino, Planning Department, reviewed changes that Arvida has made to the Site Plan being submitted to the City of Bradenton for development of the Perico Island property. He referred to building setbacks and designs, access, wetlands, transportation, hurricane facilities, etc., and compared applicable City and County Comprehensive Plan policies addressing the changes. RECORD S47-1414

Discussion: Protecting shoreline, waterfront vistas, and environment; relaying comments/concerns to the City; keeping buildings below tree lines; comment to City that State mandate is to reduce density in coastal areas; only 496 trips available for 794 units; height limitations; whether staff has reviewed/commented on the recent City Comprehensive Plan amendments to DCA; encouraging design to resemble Perico development to the south; site under County policies until annexed by the City; water impact fees/line extension; water pressure; stormwater run-off from buildings; wetland mitigation/buffers; commercial development not a part of current site plan.

Jerome Gostkowski, Planning Department, pointed out differences in the City traffic analysis, i.e., building types as to trips generated, peak hour factors, and intersection analysis without backup materials, etc. He recommended the traffic analysis be certified by an engineer.

Motion was made by Mrs. Stein and seconded by Mr. McClash, to send a letter of concern today to the City of Bradenton Planning Commission, Council, and Mayor, including the four items at the top of page 3 that the City's Comprehensive Plan recommendations are not compatible with the development; the bay vista and lack of compatibility of the proposed high rise structures versus something more similar to what exists at Perico on the south side; State mandate is to direct populations away from vulnerable coastal areas and that the project, as proposed, is not compatible with a maximum density of three dwelling units per acre and not similar to average densities that are historically approved; public safety issues with the lack of two means of access; questionable data in the traffic study, which should not form the basis of the land use approval until resolved.

Discussion: Including concerns of water pressure and various other water issues, etc.; attaching five-page handout (County Comprehensive Plan policies) and a list of transportation concerns to the letter.

Mrs. Stein and Mr. McClash agreed to include the items under discussion in the letter and the motion carried 6 to 0.

Mr. McClash requested that staff review the City's Comprehensive Plan, which is being amended, to submit comments and recommendations, i.e., vistas, densities, environment, etc., for possible compatibility with the County Plan.

EMERSON POINT

Charles Hunsicker, Planning Department, responded regarding the design plans for the elevated boardwalks and platforms for the Emerson Point Conservation Park. He referred to an aerial and pointed out the trail areas (designated with red broken lines). The project completion date for public use and a tour by the Tampa Bay Regional Planning Council during a national conference, is June 20, 2000.

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(Continued)

Mr. McClash moved to award IFB 00-6181MP to the lowest responsive, responsible bidder, Bayshore Construction, Inc. not to exceed \$181,233.73. Motion was seconded by Mrs. Stein and carried 6 to 0.

SCHOOL IMPACT FEES

Motion was made by Mrs. Glass and seconded by Mr. Harris, to authorize the County Attorney to bring back all of the various and necessary papers, options, and allowances so that a decision can be made to move forward regarding school impact fees.

Discussion: Determining specifics and criteria; including School Board and the Cities of Bradenton and Palmetto in discussions; researching other counties that have school impact fees; assessing growth; alternative fees, i.e., hurricane shelter or district fees; education should be local issue; notifying local legislative delegation.

Jim Seuffert, Financial Management Director, reported that State legislation is pending that would prohibit school impact fees and buy out counties that have fees and those that could levy fees. He recommended a letter be sent to the local legislative delegation.

Motion carried 6 to 0.

Mr. Bruce moved to authorize the County Administrator to send a letter to the local delegation and other State representatives stating the County's concerns with regard to continuing with the prohibition of school impact fees. Mrs. Stein seconded the motion which carried 6 to 0.

COMMISSIONERS' COMMENTS**Street Lights**

Ms. Brown requested lights at 2nd Avenue and 24th Street East, Palmetto.

Canal Road and 17th Street East

Ms. Brown repeated a previous request for a traffic signal at Canal Road and 17th Street.

Landfill

Mr. Harris relayed a complaint regarding the long lines at the Landfill scales and requested that scale operations be streamlined to expedite trucks across the scales, i.e., flat fees for vans, pickup trucks.

MEETING ADJOURNED

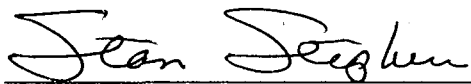
There being no further business, the meeting was adjourned.

Attest:

APPROVED:



Clerk



Chairman 7/25/00

Adj: 11:23 a.m.

