

MAY 16, 2000

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, May 16, 2000, at 9:05 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
 Tedd 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 May 16, 2000, with deletion of **Prom 2000 Safe Ride Home** (separate action). Items APPROVED:

CLERK'S CONSENT CALENDAR

BONDS

Accept:

Sheriff's Public Employees and Deputy Sheriff's Blanket Bonds
 (16 additions; 11 deletions) RECORD S47-1489

Sabal Harbour, Phase III

1. Agreement with Pulte Home Corporation, warranting required improvements (\$39,882.43).
2. Defect Security: \$39,882.43 (Letter of Credit ATL/P600858, SunTrust Bank).

Parkwood Lakes, Phase V-VII

1. Agreement (one-year **extension**) with P.P.B. Development, Inc., guaranteeing completion of required sidewalks and bikeways (\$19,604).
2. Performance Bond: \$19,604 (Letter of Credit 1108, dated 4/19/00, West Coast Bank).

Lakewood Ranch Country Club Village, Subphase D, Unit 1 (aka Spyglass)

1. Agreement with Neal Communities Country Club Homes, Inc., guaranteeing completion of required sidewalks and bikeways and temporary construction easement for private improvements (\$6,597.50).
2. Performance Bond: \$6,597.50 (Letter of Credit '9931, SunTrust Bank, Gulf Coast).

Riverwalk Village, Subphase E

1. Agreement with SMR Communities Joint Venture, warranting required improvements (\$30,595.80).
2. Defect Security: \$30,595.80 (Surety Bond 151024, Frontier Insurance Company).
3. Agreement with SMR Communities Joint Venture, for final wearing course of asphalt on roadways.
4. Agreement with SMR Communities Joint Venture, guaranteeing completion of required improvements (\$14,787.50).
5. Performance Bond: \$14,787.50 (Surety Bond 151025, Frontier Insurance Company).

Lakewood Ranch Country Club Village, Subphase D, Unit 5 (aka Oakmont)

Agreement (time extension) with SMR Communities Joint Venture, guaranteeing completion of required improvements (\$9,146.22).

River Club South, Subphase III

1. Agreement with Manatee Joint Venture, guaranteeing completion of required sidewalks and bikeways (\$11,856).
2. Performance Bond: \$11,856 (Letter of Credit S00-19, Republic Bank).

Hammock Place II

Amended Defect Security: \$32,907.35 (Amendment 1 to Letter of Credit 995220-1, First National Bank and Trust) extending expiration date to April 25, 2001.

River Pointe, Phase 3

1. Agreement with Centex Homes, warranting required improvements (\$3,569).
2. Defect Security: \$3,569 (Surety Bond 5977494, Safeco Insurance Company of America).

Release:**Sabal Harbour, Phase III**

1. Agreement with Pulte Home Corporation, guaranteeing completion of required improvements (\$834,974.56).
2. Performance Bond: \$834,974.56 (Letter of Credit P600616, SunTrust Bank).

Parkwood Lakes, Phase V-VII

1. Agreement with P.P.B. Development, Inc., guaranteeing completion of required sidewalks and bikeways (\$19,604).
2. Performance Bond: \$19,604 (Letter of Credit 1108, dated 5/5/98, West Coast Bank).

Lakewood Ranch Country Club Village, Subphase D, Unit 1 (aka Spyglass)

1. Agreement with Neal Communities Country Club Homes, Inc., guaranteeing completion of required improvements (\$526,305.65).
2. Performance Bond: \$526,305.65 (Letter of Credit 9908, SunTrust Bank, Gulf Coast).

Riverwalk Village, Subphase E

1. Agreement with SMR Communities Joint Venture, guaranteeing completion of required improvements (\$21,287.50).
2. Performance Bond: \$21,287.50 (Surety Bond 137352, Frontier Insurance Company).

Lakewood Ranch Country Club Village, Subphase D, Unit 5 (aka Oakmont)

Agreement with SMR Communities Joint Venture, guaranteeing completion of required improvements (\$9,146.22).

River Club South, Subphase III

1. Agreement with Manatee Joint Venture, guaranteeing completion of required sidewalks and bikeways (\$66,917.50).
2. Performance Bond: \$66,917.50 (Letter of Credit S96-22, Republic Bank).

Summerfield Village, Subphase D, Unit 4

1. Agreement with SMR Communities Joint Venture, guaranteeing completion of required sidewalks and bikeways (\$26,651.30).
2. Performance Bond: \$26,651.30 (Surety Bond 116748, Frontier Insurance Company).

Gates Creek, Unit II

1. Agreement with Centex Homes, guaranteeing completion of required sidewalks and bikeways (\$18,915).
2. Performance Bond: \$18,915 (Surety Bond 5911397, Safeco Insurance Company of America).

Glenn Lakes, Phase 4

1. Agreement with Centex Homes, guaranteeing completion of required sidewalks and bikeways (\$22,895.60).
2. Performance Bond: \$22,895.60 (Surety Bond 5900980, Safeco Insurance Company of America).

Lakewood Ranch Country Club, Subphase D, Unit 2

1. Agreement with SMR Communities Joint Venture, guaranteeing completion of required sidewalks and bikeways (\$11,305.79).
2. Performance Bond: \$11,305.79 (Sidewalk Bond 08065003, Fidelity and Deposit Company of Maryland).

Lakewood Ranch Country Club, Subphase C, Unit 2

1. Agreement with SMR Communities Joint Venture, guaranteeing completion of required sidewalks and bikeways (\$10,239.45).
2. Performance Bond: \$10,239.45 (Surety Bond 112217, Frontier Insurance Company).

Braden Crossings, Phase I-A

1. Agreement with Pulte Home Corporation, warranting required improvements (\$36,189.07).
2. Defect Security: \$36,189.07 (Letter of Credit P600260 and Amendment 1 ATL/P600260, SunTrust Bank).

Gates Creek, Unit 3

1. Agreement with Centex Homes, guaranteeing completion of required sidewalks and bikeways (\$26,325).
2. Performance Bond: \$26,325 (Surety Bond 5927959, Safeco Insurance Company of America).

MAY 16, 2000

(Continued)

REFUNDS

Albert Suggs - Impact Fee \$1,761.57

WARRANT LIST

Approve: May 2, 2000 through May 15, 2000

Authorize: May 16, 2000 through May 29, 2000

AUTHORIZE CHAIRMAN TO SIGN**Satisfactions of Judgment:**

Willie King - Case 2000-5JD,C

Sandra Denise Parker - Case 97-3201T

Daisey L. Walker - Case 97-1170

Steven Alexander - Cases 90-1970F and 90-2415F

Robert E. Eubanks - Case 00-56F

Gerald Griffis - Case 99-1631JD

Partial Releases Special Improvement Assessment Liens:Projects 3001/2504; 3004/2507(2); 3007/2508; 3008/2508(2);
3009/5147; 3100/2509/5152; 4102/3904; 5062; 5074; 5080; 5147**ACCEPT****Ordinance 670** - Annexing 1601 21st Street West (owned by V. William Kaklis) into the city limits of the City of Palmetto.**Whitfield Fire Control District** - Annual Local Government Financial Report for Fiscal Year 1998-99.**Intergovernmental Cooperative Agreement** - Filing of agreement between the Sarasota Manatee Airport Authority and Public Risk Management of Florida, to participate in the Group Health Benefits Program.

RECORD S47-1490

Peace River/Manasota Regional Water Supply Authority - Tentative Budget for Fiscal Year 2000-01.

Resume for M. Troy Salisbury, Planning Department.

U.S. 301 between I-75 and Erie Road - Fully executed Joint Project Agreement with Florida Department of Transportation, for utility accommodation work (approved 9/7/99).

RECORD S47-1491

APPROVE, RATIFY AND CONFIRM**Parks and Recreation Special Interest Classes Instructor's Agreement**

John Purdon - Tennis

RECORD S47-1492

EPA Grant for MARS program - Signature for the rural assistance grant application authorized by R-95-86.**AUTHORIZE FEE WAIVERS (PUBLIC WORKS)**

- | | | |
|----|--|------|
| 1. | Ed Iwanowski - due to stolen checkbook | \$30 |
| 2. | Kelly Gutshall - due to stolen purse | 30 |
| 3. | Cheryl Ellis - due to stolen purse | 25 |
| 4. | Latiki Poole - due to stolen purse | 25 |
| 5. | Joyce Hatcher - due to check cut in half | 25 |

COUNTY ADMINISTRATOR**PROCLAMATIONS**

- Adopt Proclamation designating May 2000 as **Foster Parent Appreciation Month.** RECORD S47-1493
- Adopt Proclamation designating May 2000 as **National Drug Court Month.** RECORD S47-1494
- Adopt Proclamation designating May 21-27, 2000, as **Public Works Week.** RECORD S47-1495
- Adopt Proclamation designating July 3-9, 2000, as **Bible Reading Week.** RECORD S47-1496
- Adopt Proclamation designating May 16, 2000, as **Susan G. Romine Day.** RECORD S47-1497

ANIMAL SERVICES

Approve correction of scrivener's error in Resolution R-00-08.

RECORD S47-1498

LAWSUIT: LORETTA SAMISReject proposed settlement offer of \$55,000 in the case of Loretta Samis v. Manatee County, Case 1999-CA-004119.**COMMUNITY CARE FOR THE ELDERLY**Execute Amendment 1 to agreement with Meals on Wheels Plus of Manatee, Inc., to change contract total from \$76,200 to \$100,569, for the service of home delivered meals.

RECORD S47-1499

COMMUNITY CONTRIBUTION TAX INCENTIVE PROGRAM**R-00-108** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE CERTIFICATION OF THE **HISPANIC AMERICAN ALLIANCE** AS AN ELIGIBLE SPONSOR UNDER THE COMMUNITY CONTRIBUTION TAX INCENTIVE PROGRAM.

RECORD S47-1500

STATE HOUSING INITIATIVE PROGRAM

1. Execute Construction Loan Agreements in accordance with R-96-227, for the following Home Reconstruction Projects:
 - Willie Mae Stephens, 104 12th Street West, Palmetto, \$55,000. RECORD S47-1501
 - Charles Jackson, 337 11th Street, Palmetto, \$55,600 RECORD S47-1502
2. Approve disbursement of funding assistance exceeding \$25,000 in accordance with Manatee County alternative procurement procedures for new construction projects under the Acquisition/Demolition/Construction Strategy of the Local Housing Assistance Plan for Latrice Dozier, 601 27th Avenue West, Bradenton, \$34,348.

INDIGENT PRESCRIPTION SERVICES

Execute Amendment One to agreement with Manatee County Rural Health Services, Inc., to provide additional prescription services for Community Care for the Elderly (CCE) clients, as well as additional state funds for an increase to the Indigent Prescription Program, \$80,904, and increasing the total to \$356,988. RECORD S47-1503

BUS SHELTER

Execute agreement with Wal-Mart Stores, Inc., to install a bus shelter at the Wal-Mart Super Center located at 2911 53rd Avenue East. RECORD S47-1504

SARASOTA/MANATEE METROPOLITAN PLANNING ORGANIZATION

Execute Fiscal Year 1999-2000 Memorandum of Agreement with Sarasota/Manatee Metropolitan Planning Organization, for Manatee County Area Transit to conduct transit-related planning activities (Federal \$12,000, State \$1,500 and Local \$1,500). RECORD S47-1505

VAN POOL

Execute lease extension (to 11/30/00) with Florida Department of Transportation, for two van pool vehicles, \$2 per month. RECORD S47-1506

26TH STREET WEST

Execute Work Assignment 99-05 with Wade-Trim, Inc., for engineering services for conceptual design for sidewalks and street lights along 26th Street West from Manatee Avenue to Cortez Road, not to exceed \$87,187. RECORD S47-1507

44TH AVENUE EAST

Execute Change Order 6 to Work Assignment 1 with Kimley-Horn and Associates, Inc., for engineering services for the 44th Avenue East Project from U.S. 301 to 15th Street East, increase of \$83,685 and adjusted total not to exceed \$972,939. RECORD S47-1508

MATERIALS AND SERVICES

1. **Aerial Lift Truck** - Sole source purchase from Baker Equipment Engineering Company, \$94,380.
2. **Beach Rake** - Sole source purchase from PG Greiner, Inc., \$58,875.
3. **Fire Alarm/Convention and Civic Center** - Purchase from SecurityLink from Ameritech, not to exceed \$33,376.
4. **Sanitary Tanker Pumping Service** - Award IFB 00-5956MP on an as required unit price basis to the lowest responsive, responsible bidder meeting specifications, Elmore Environmental Services, Inc., estimated annual cost of \$93,995.
5. **Logue Road Bridge Rehabilitation** - Award IFB 00-5389DC to the lowest responsive, responsible bidder meeting specifications, Thomas Marine Construction, Inc., \$44,770; authorize subsequent execution of contract, dating of performance/payment bonds and acceptance of insurance certificate.

BUDGET AMENDMENT RESOLUTION

Various Departments (B-00-024)

Transfer of Funds; Unanticipated Revenue Appropriations
Supporting Description and Detail Attached RECORD S47-1509

CONSTRUCTION INSPECTIONS

Execute Work Assignment 6 with Zoller, Najjar & Shroyer, L.C., for professional engineering services for construction inspections by the Building Department, on an as required basis over 138 calendar days, total not to exceed \$36,000. RECORD S47-1510

ALCOHOLIC BEVERAGES - CIVIC CENTER

1. Approve, ratify and confirm Change Order 3 to Purchase Order P0000037 from Southern Wine and Spirits, for alcoholic beverages for resale at the Manatee County Convention and Civic Center (through 5/16/00), \$5,000 increase, adjusted purchase order total \$26,500; and

MAY 16, 2000

(Continued)

2. Authorize Change Order 4 to add \$20,600 to P0000037 for purchases from Southern Wine and Spirits (through 9/30/00), for an adjusted, estimated, annual purchase order total of \$47,100.

GROCERY AND SNACK ITEMS - CIVIC CENTER

1. Approve, ratify and confirm the issuance of P0000056 to Sysco Food Services, for groceries and snack items for resale at the Manatee County Convention and Civic Center (through 5/16/00), \$28,000; and
2. Authorize Change Order 1 to add \$22,000 to P0000056 for purchases from Sysco Food Services (through 9/30/00), for an adjusted, estimated, annual purchase order total of \$50,000.

NORTH REGIONAL WATER TREATMENT PLANT

Execute Final Change Order 2 to IFB 98-6268DC with Apollo Construction & Engineering Services, Inc., for effluent pump station piping, decrease of \$3,500 and addition of 60 contract days for revised contract of \$75,520.45 and revised completion date of April 30, 2000. RECORD S47-1511

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 Purchasing Code 99-37, Section 1.106; and adopt RECORD S47-1512
2. R-00-115 RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES (obsolete bus parts to the Manatee County Sheriff). RECORD S47-1513

GEOTECHNICAL ENGINEERING AND SOILS AND MATERIALS TESTING

Execute Addendum 1 to extend Agreements with Ardaman & Associates, Inc. and Professional Service Industries for professional services for one year (5/18/00-5/17/01) in accordance with the provisions of the Agreement. RECORD S47-1514
S47-1515

LAKWOOD RANCH BOULEVARD BRIDGE

Execute Change Order 1 to Work Assignment 14 with Wade-Trim, Inc., for engineering services for construction inspections for the bridge over the Braden River, \$10,500 increase and adjusted total not to exceed \$59,324. RECORD S47-1516

MANHOLE REHABILITATION

1. Execute Change Order 1 to Work Assignment 4 with Rowland, Inc., for sanitary sewer line manhole rehabilitation services, \$750 increase, adjusted total not to exceed \$36,805.40. RECORD S47-1517
2. Execute Work Assignment 5 with Rowland, Inc., for sanitary sewer line manhole rehabilitation services, not to exceed \$40,097.70. RECORD S47-1518

SURVEYING AND PHOTOGRAMMETRIC MAPPING

Execute Addendum 2 to extend agreement with I. F. Rooks & Associates, Inc., for professional services for surveying and photogrammetric mapping for one year (6/2/00-6/1/01), in accordance with the provisions of the agreement. RECORD S47-1519

TROPICAL SHORES

Execute (Final) Cost Change Order 4 to IFB 99-1303DC with Woodruff & Sons, Inc., for sewer and road improvements, decrease of \$198,764.95 for revised contract of \$1,052,785.28. RECORD S47-1520

IMPACT FEE CREDIT

Execute Credit Authorization CA-99-18(T), Manatee Joint Venture and Final Authorization of Transportation Credit for eligible right-of-way dedication on S.R. 64 and Rye Road (Mill Creek, Phase VI), \$4,495. RECORD S47-1521

SPECIAL ASSESSMENTS

1. Set second public hearings on July 18, 2000, at 9:00 a.m., or as soon thereafter, on road and canal dredging assessment projects:
Special Road Assessment Project 6033660 - Pomello Park
Canal Dredging Assessment Project 6003600 - Bowlees Creek
2. R-00-92 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING POLICIES FOR THE COLLECTION OF SPECIAL ASSESSMENTS WHEN A LOT OR PARCEL AGAINST WHICH A SPECIAL ASSESSMENT LIEN HAS BEEN ESTABLISHED IS SUBDIVIDED; AND PROVIDING AN EFFECTIVE DATE. RECORD S47-1522

PUBLIC WORKS - INTERFUND LOAN

R-00-100 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, AUTHORIZING AN INTERFUND LOAN FOR TEMPORARY FINANCING OF VARIOUS PUBLIC WORKS PROJECTS (In the amount of \$5,000,000 from Solid Waste to Public Works). RECORD S47-1523

DRUG FREE COMMUNITIES

Execute agreement with the Mayor's Drug Free Communities Committee, Inc., for improvements in the South County/Oneco Area; \$50,000 for community signage, fencing around two ponds, street lighting engineering and design. RECORD S47-1524

WARE'S CREEK

Execute a Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) on behalf of the Manasota Basin Board, for the Ware's Creek and the U.S. Army Corporation of Engineers Conveyance System Construction improvements (cash contribution by SWFWMD, \$346,000). RECORD S47-1525

ELECTRONIC MEDIA IN COUNTY BUILDINGS

R-00-78 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, SETTING FORTH CERTAIN FINDINGS OF FACT; AUTHORIZING ELECTRONIC MEDIA TO MAKE CERTAIN INSTALLATIONS IN MANATEE COUNTY BUILDINGS TO AID IN DISSEMINATING DISASTER OR EMERGENCY INFORMATION AND OTHER GOVERNMENT INFORMATION TO THE PUBLIC; SETTING FORTH CERTAIN TERMS, CONDITIONS AND LIMITATIONS RELATED TO SUCH INSTALLATIONS; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO ESTABLISH RULES AND PROCEDURES. RECORD S47-1526

REFUNDS

1. \$507.76 to Boschert Bud Stables, Inc., account 52782-52657, due to billing error.
2. \$1,527.72 to Mike Carter Construction, Inc., account 31156-30992, due to \$1,000 overpayment in December and \$600 deposit applying to final bill.
3. \$950.88 minus any current billings to Centex Homes, Inc., account 23583-23529, due to utility overpayment.
4. \$7,155 to Cortez Apartments, Ltd., due to customer submitting a security bond to cover and replace the existing deposits.

FEE WAIVERS

1. Waive service fees assessed to the following utility customers for returned bank items: Sandra Ritchie, \$25; Raymond Fuchs, \$25; Willard Dickson, \$25; Daniel Griffin, \$30; Jim Piko, \$25; John Rekkas, \$40; Michael Richard, \$25; Stanley Warfel, \$25; James Iannello, \$25; Alois Svitak, \$25; Ralph Winnow, \$25; William Salisbury, \$30; Andrew Waldron, \$30; J. G. Heselton, \$25; Annie Knapp, \$30; Russell Hepp, \$25.
2. Place 12, 20-yard roll-offs at the appointed site on Saturday, May 27, 2000, for the Annual Community Clean-up Day for the Tallevast Community Association, Inc., and waive appropriate service and tipping fees at the landfill.

DEEDS AND EASEMENTS

1. 30th Avenue West - Right-of-way Easement from Diocese of Venice; Affidavit of Ownership and Encumbrances. RECORD S47-1527
2. U.S. 301 and Mark Avenue - Conservation Easement from Edward L. McKinzie and Jacqueline McKinzie; Joinder from Louis J. M. Bellemare and Lois Lynn Bellemare; Affidavit of Ownership and Encumbrances. RECORD S47-1528
3. 60th Avenue East (North River Shoppes) - Warranty Deed from Buffalo-Anderson Associates, LLC, Wayne M. Ruben and WR-I Associates, Ltd.; Pedestrian Sidewalk Easement from Buffalo-Anderson, LLC and WR-I Associates, Ltd.; Affidavits of Ownership and Encumbrances. RECORD S47-1529

30TH AVENUE WEST

1. Approve payment of expert fees incurred to produce a cost to cure plan on Parcel 150 designated as a total acquisition for the road improvement of 30th Avenue West, \$9,939; and
2. Authorize Finance to make a check payable to Paul A. Blucher, P.A., Trust Account, \$9,939.

WEST COAST INLAND NAVIGATION DISTRICT

R-00-122 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, APPROVING WEST COAST INLAND NAVIGATION DISTRICT PROJECT AND AUTHORIZING THE CHAIRMAN TO EXECUTE AN APPLICATION FOR THE MANATEE COUNTY SHERIFF'S OFFICE MARINE PATROL PROJECT

(Execute application, \$3,100 and letter).

RECORD S47-1530
S47-1531

MAY 16, 2000

(Continued)

CROSLY ESTATE - HISTORIC PRESERVATION GRANT

R-00-107 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES UNDER THE SPECIAL CATEGORY PROGRAM FOR RESTORATION OF THE CROSLY ESTATE

(Execute all related documents and authorize the County Administrator or designee to execute all administrative documents connected hereto).

RECORD S47-1532

(End Consent Agenda)

PROM 2000 - SAFE RIDE HOME

Tedd Williams, County Attorney, stated that this item was not reviewed by the County Attorney's Office.

Amy Bouchard, Public Safety, noted that two vehicles would be used to transport students and one extension would be forwarded to cell phones.

Motion was made by Mr. Harris, seconded by Mrs. Glass and carried unanimously, to find that the Prom 2000 - Safe Ride Home Program serves a public purpose.

PROCLAMATIONS AND AWARDS**Foster Parent Appreciation Month**

Ms. Brown read the Proclamation designating May 2000 as **Foster Parent Appreciation Month**. Katrina Wright, Lifelink Child and Family Services, accepted the Proclamation.

National Drug Court Month

Mr. Harris presented the Proclamation designating May 2000 as **National Drug Court Month** to Chief Circuit Judge Thomas Gallen; Rob Bendus, Assistant Court Administrator; and June Schmidt, Drug Court Representative.

Public Works Week

Mrs. Glass read the Proclamation designating May 21-27, 2000, as **Public Works Week**. Len Bramble, Public Works Director, accepted the Proclamation.

Bible Reading Week

Mr. Bruce read the Proclamation designating July 3-9, 2000, as **Bible Reading Week**. Elder Lawrence C. Livingston accepted the Proclamation and distributed a brochure advertising the event.

Susan G. Romine Day

Mr. Stephens read the Proclamation designating May 16, 2000, as **Susan G. Romine Day**. Mrs. Romine accepted the Proclamation.

Retirement Award

Larry Mau, Transportation Director, and Keith Sinkler, Highway Superintendent, presented a plaque to **Carol Howell** for her 19 years of service and dedication.

PLANNING COMMISSION APPOINTMENT

Robert Pederson, Planning Department, reported that, due to the resignation of Patrick McGinnis, the Planning Commission has a vacant seat. He stated 17 applications had been received.

Rex Jensen, Schroeder-Manatee Ranch, Inc., requested appointment of Jeffrey Orenstein.

Nominations

Jeffrey Orenstein	-	by Mr. Bruce
Roger Rollins	-	by Ms. Brown
Brian Herron	-	by Mrs. Stein
John Logalbo	-	by Mr. Stephens
Donald Sheehy	-	by Mr. Harris

Motion was made by Ms. Brown, seconded by Mr. Bruce and carried unanimously, to close the nominations.

Votes were received for the nominees with Jeffrey Orenstein receiving two votes and John Logalbo receiving three votes.

Another vote was taken with Jeffrey Orenstein receiving the majority of votes. Mr. Orenstein was appointed to the Planning Commission.

CONSENT AGENDA - PUBLIC HEARINGS

ORDINANCE 00-26 - ELECTRICAL CODE

Public hearing (continued from 5/2/00) was held to consider

ORDINANCE 00-26 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING SECTION 2-6-3 OF THE MANATEE COUNTY CODE OF ORDINANCES RELATING TO ELECTRICAL CODE; ADOPTING THE 1999 EDITION OF THE NATIONAL ELECTRICAL CODE AND LOCAL AMENDMENTS TO SAID CODE; PROVIDING STANDARDS FOR ELECTRICAL CONSTRUCTION IN FLOODPLAIN; PROVIDING FOR ADMINISTRATION OF THE NATIONAL ELECTRICAL CODE; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. RECORD S47-1533

CABLE TELEVISION FRANCHISES - CONSOLIDATION

Public hearing (Notice in the *Bradenton Herald* 5/4/00) was held to consider entering into an agreement to consolidate two cable television franchises granted by the Manatee County Board of Commissioners to Cablevision Industries of Florida, Inc. ("CVI"), and Paragon Communications dba Paragon Cable, both of which have been acquired by Time Warner Entertainment Advance/Newhouse Partnership ("TWEAN").

TIME WARNER CABLE FRANCHISE TRANSFER

RECORD S47-1534

Public hearing (Notice in the *Bradenton Herald* 5/4/00) was held to consider Time Warner Inc.'s application for Franchise Authority Consent to Assignment or Transfer of Control of Cable Television Franchise (FCC Form 394) in connection with the stock-for-stock merger of Time Warner Inc. and America Online, Inc., as it may affect the cable television franchise held by Time Warner Entertainment Advance/Newhouse Partnership ("TWEAN").

STREET VACATION: MITCHELL ROAD

Public hearing (Notice in the *Bradenton Herald* 4/26 and 5/3/00) was held to consider

R-00-66V RESOLUTION VACATING THE MITCHELL ROAD RIGHT-OF-WAY AND ADJOINING LIMITED ACCESS RIGHT-OF-WAY BY APPLICATION OF MANATEE JOINT VENTURE. RECORD S47-1535

STREET VACATION: ESTATE OF SUSAN M. LEGGINGWELL

Public hearing (Notice in the *Bradenton Herald* 4/26 and 5/3/00) was held to consider

R-00-44V RESOLUTION VACATING A PORTION OF THE PLAT OF THE LEFFINGWELL RECAPITULATION OF THE SUBDIVISION OF THE ESTATE OF SUSAN M. LEFFINGWELL BY APPLICATION OF CLOSE HOMES INC. RECORD S47-1536

ORDINANCE 00-28 - LAKEWOOD RANCH COMMUNITY DEVELOPMENT DISTRICT

(CONTINUED TO 5/23/00 AT 9:00 A.M.)

Public hearing (Notice not advertised) was opened to consider Amendment 2 to Ordinance 94-07, as amended expanding the boundaries of Lakewood Ranch Community District 1.

Motion was made by Mr. Bruce, seconded by Mr. Harris and carried unanimously, to approve the Consent Agenda public hearings with the recommended motion as outlined in the staff report.

(Depart Mrs. Glass)

MADER ELECTRIC, INC.

Public hearing (Notice in the *Bradenton Herald* 5/1/00) was held to consider the proposed reissuance under Federal Income Tax Law of the \$2,700,000 variable/fixed rate Industrial Development Revenue Bonds, Series 1998 (Mader Electric, Inc.).

Motion was made by Ms. Brown, seconded by Mr. Harris and carried 5 to 0, with Mr. McClash **abstaining** due to an open account with Mader Electric, Inc., to adopt

R-00-105 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, APPROVING THE REISSUANCE OF THE COUNTY'S OUTSTANDING \$2,700,000 VARIABLE/FIXED RATE INDUSTRIAL DEVELOPMENT REVENUE BONDS, SERIES 1998 (MADER ELECTRIC, INC., PROJECT) WITHIN THE MEANING OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; APPROVING THE SALE AND LEASE OF CERTAIN PROPERTY RELATING TO THE PROJECT THAT WAS FINANCED WITH THE PROCEEDS OF THE BONDS; AUTHORIZING THE MODIFICATION OF THE BONDS AS DESCRIBED IN THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

RECORD S47-1537

MAY 16, 2000

(Continued)

(Enter Mrs. Glass)

CITIZENS' COMMENTSAlgae Bloom - Northwest Bradenton

David Rothfuss, Assistant County Administrator, reported that Sia Mollanazar, Transportation Department, has contacted the Department of Environmental Protection (DEP) regarding permits for removal of algae material on the shore of the Manatee River, which is causing health problems for the residents. Mr. Rothfuss stated the Health Department is also involved. He stated the Environmental Management Department has taken samples and is awaiting the analysis. He presented a video depicting the algae on shore.

Discussion: Immediate remedy and future prevention; letter from doctor citing resident having respiratory problems.

Mr. Rothfuss explained that a proposal had been received to conduct an evaluation of wind currents, water currents and hydrologic impact on the jetty to determine if insertion of a culvert would enhance the tidal shore flushing in the affected area.

Richard and Arlene Greene, Ellen Riley, Daniel Nettuno, Sr., Mary Collandra, John Taaffe and Susanna Calzadilla, spoke about the stench and fumes radiating from the algae and how their family members are suffering from respiratory problems. They requested help in alleviating the problem as well as contacting DEP for assistance.

Discussion: Natural occurrence; contacting the Tampa Bay Estuary Program; physically moving the algae; additional call for permits; etc.

Mr. McClash stated he had a meeting in Tallahassee the next day and requested that staff prepare a presentation to be submitted to Kirby Green, DEP.

Perico Island (Arvida) Development

Gail Cole, Mayor of City of Bradenton Beach, reported that the Arvida development on Perico Island (in the City of Bradenton) would affect the evacuation time for the City of Bradenton Beach and the other coastal communities. He questioned whether the proposed plan is consistent with the Comprehensive Plans of the City of Bradenton and Manatee County. He addressed flooding problems in the Palma Sola Causeway area, increased traffic on Manatee Avenue and the potential adverse impact on the environment in the Perico area.

Discussion: Compare City and County Comprehensive Plans for consistency of the site plan; Tampa Bay Regional Planning Council as a consultant; work session regarding growth issues; less shelter space; etc.

Ann Rogers asked to have the action of the City of Bradenton reviewed and that it be placed on the next agenda to determine a plan of action.

Kenneth Crayton confirmed he is part of a group that filed a petition against the Department of Community Affairs and the City of Bradenton for the illegal use of the Comprehensive Plan by approving the Arvida project. He invited the County to intervene in the petition.

(Depart Mrs. Glass)

Jay Hill supported the previous speakers.

Recess/Reconvene. All present except Mr. McClash.

AUDITING SERVICES

Jim Seuffert, Financial Management Director, stated the Audit Selection Committee is comprised of constitutional officers and a member of the Board of County Commissioners. The Committee forwards three proposals to the County Commission for consideration.

(Enter Mr. McClash during the presentation)

R. B. Shore, Clerk of Circuit Court and on behalf of the Audit Selection Committee, reported all governmental units will have to meet stringent accounting standards under the Governmental Accounting Standards Board (GASB) 34. The Request for Proposal (RFP) requires the chosen firm to complete total control audits of all the constitutional officers.

Alex White and Ronald Conrad, Deloitte and Touche, submitted a presentation and emphasized the experience of their staff in working with the public sector, as well as Manatee County.

Donald "Chip" Jones, Sue Pessano, Emmitt Lang and Chuck Price, KPMG, gave an account of their experience in working with governmental entities and how having assigned personnel in close proximity would enable them to be attentive to the County's needs.

(Mrs. Stein absent for portion of presentation)

Recess/Reconvene. All present except Mrs. Stein.

Byron Shinn, Shinn, Meadowcroft, and Company, P.A., stated that effective June 1, 2000, Robert Armstrong would become an owner in the firm due to a merger of their companies. His company, along with Mr. Armstrong and Mr. Valiente, comprise the local firm.

(Enter Mrs. Stein during the presentation)

Robert Armstrong, co-engagement partner of Armstrong, Burke and Company, P.A., stated the audit team has over 25 years of experience in working with county and municipal governments.

Jose Valiente, ValienteHernandez P.A., stated his partner, Gil Hernandez, and Mr. Armstrong would be the audit co-engagement partners.

Bob Blondel, with ValienteHernandez P.A., was present for questions.

Discussion: Software to be used; timeframe for completion; organization responsible for supporting the change to GASB 34; financial impact of implementing GASB 34; self-disclosure of legal issues; requirements of the RFP; national firm affecting bond rating; guidelines under GASB 34.

Rob Cuthbert, Purchasing Manager, reported that a self-disclosure requirement was reviewed by the Audit Selection Committee.

Kim Umana, Finance Director, noted that completing the financial statements in a timely manner protects the County's bond rating.

Mr. Stephens acknowledged a comment submitted by Mr. Shore (Audit Selection Committee minutes 5/8/00) regarding his concern with the local firm meeting the time frame as listed in the RFP.

Susan Romine, Deputy Clerk, read the votes and stated the local firm received the lowest score (first place), with a tie between KPMG and Deloitte and Touche.

Motion was made by Mr. Harris to rank KPMG in second place. The motion was seconded by Mr. Bruce and carried 5 to 2, with Mrs. Stein and Mr. McClash voting nay.

75TH STREET ROAD PROJECT - VILLAGE GREEN

Janet McAfee, Project Management Director, reviewed the history of the 75th Street project and the progress by using various pictures and sketches. She stated there are differences between the east and west sides of the project, such as sidewalks, right-of-ways, and landscaping; representatives of Village Green have requested County assistance in addressing impacts.

Ms. McAfee listed three options to address the impacts: (1) do nothing (2) plantings or (3) privacy fences or walls. She stated discussions would be necessary to decide who pays for the landscaping and how the work will be done. She recommended waiting until the sidewalks and curbs are in to make a final decision, using other road projects for comparison purposes and working with the Village Green Homeowners Association, as some improvements may be on private property.

Discussion: Cost for shrubs or layout designs; landscaping both sides on the road; landscaping included in original project plan; height of shrubs; type of landscaping behind Albertsons; area between 18th and 11th Avenues; cost estimates to be presented; etc.

(Mr. Bruce absent for a portion of discussion)

MAY 16, 2000

(Continued)

(Depart Mr. McClash)

UNIVERSITY PARKWAY AND LOCKWOOD RIDGE ROAD

Ms. McAfee stated meetings have taken place to discuss operation and level of service at the intersection of University Parkway and Lockwood Ridge Road. She reviewed a conceptual intersection plan noting dual left-turn lanes and additional right turns.

(Enter Mr. McClash)

Ms. McAfee addressed moving a traffic signal on Lockwood Ridge Road at Country Oaks Boulevard, south to the Wal-Mart entrance, to address access issues to the University Square Shopping Center. She noted that the cost of the project would be approximately \$2.5 million.

Discussion: Portion of cost for Manatee County; cost too expensive; growth predictions of area; time frame for completing project; etc.

Edward O'Keefe, Country Oaks Homeowners Association, submitted a letter requesting a new traffic light to accommodate the traffic.

Motion was made by Mr. Bruce, seconded by Mr. McClash and carried unanimously, to approve the conceptual design for the intersection of University Parkway and Lockwood Ridge Road.

RIVER WILDERNESS COUNTRY CLUB PHASE III - DISPUTE RESOLUTION

Tedd Williams, County Attorney, requested that a Commissioner serve as representative at the dispute resolution proceeding for River Wilderness (PDR-98-17(P), 2/22/00). A date has not been set.

Mr. Stephens appointed Mr. McClash, with Mr. Harris as the alternate.

COMMISSIONERS' COMMENTS**Canal Road and 17th Street East**

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

Duette Fire Department

Mrs. Glass asked if the County would assist the Department in obtaining funds for a new fire truck.

Mr. Padgett stated he would review the request.

15th Street East and 44th Avenue East

Mr. McClash stated this intersection should be designed to allow access to the industrial area to the east. He would like to have this issue come back with a conceptual design.

Growth Issues

Mr. McClash requested that elected officials and their planning staffs be invited to the Work Session on 5/30/00 to address the impacts to the various islands.

Mrs. Glass suggested that a separate work session be held for Anna Maria Island to discuss specific issues.

Water Shortage

Mr. McClash asked for an update on the County's water supply. He suggested that the County enact water restrictions, which would include restrictions on use of reclaimed water.

69th Street Intersection - Parrish

Mrs. Stein requested traffic counts at this intersection due to heavy traffic and the narrow road with ditches on both sides.

Airport Authority

Mr. Harris reported that a member of the Airport Authority resigned and the Board should take a position of having the position filled immediately.

MAY 16, 2000

(Continued)

PDR-99-21(Z)(P) - Raleigh Trust/WaterOak

Mr. Stephens noted that he will not be present at the meeting (5/23/00 at 5:00 p.m.) due to a schedule conflict. The Board agreed to hear the item and postpone the vote until the next meeting.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:



Clerk



Chairman 8/1/00

Adj: 3:49 p.m.
/qa

