

SEPTEMBER 19, 2000

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, September 19, 2000, at 9:08 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 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. Philip's Anglican Church.

CONSENT AGENDA

Upon motion by Mrs. Glass and second by Mr. Harris, the Consent Agenda dated September 19, 2000, was unanimously approved with the deletion of: (1) appointment of one member to the Historical Commission (deferred); and (2) pre-suit offers in eminent domain cases (separate action). Items APPROVED:

CLERK'S CONSENT CALENDAR

BONDS

Accept:

Sheriff's Public Employee and Deputy Sheriff's Blanket Bonds
 (10 additions; 11 deletions) RECORD S47-2004

Hawthorn Park, Phase III

1. Agreement with Neal Communities, Inc. guaranteeing completion of required sidewalks and bikeways (\$6,435).
2. Amendment (dated 9/6/00) to Letter of Credit 9618 with SunTrust Bank extending the expiration date to September 30, 2001.

Melrose Gardens at Tara, Phase II, Parcel D

Amended Letter of Credit 05-98-0154 (defect security) from First National Bank of Naples, \$19,110.50, extending the expiration date to August 11, 2001.

Oakley Subdivision

1. Agreement with Medallion Homes Gulf Coast, Inc. guaranteeing completion of required sidewalks and bikeways (\$11,622).
2. Performance Bond: \$11,622 (Letter of Credit 008, Flagship National Bank)

Release:

Hawthorn Park, Phase III

Agreement with Neal Communities, Inc. guaranteeing completion of required sidewalks and bikeways (\$6,435).

Oakley Subdivision

1. Agreement with J. David Cassilly, Inc. guaranteeing completion of required sidewalks and bikeways (\$11,622).
2. Performance Bond: \$11,622 (Certificate of Deposit 013222051091471, First Union National Bank, Ft. Myers)

REFUNDS

Panther Ridge Communities Ltd. - Impact Fees \$21,931

WARRANT LIST

Approve: September 5, 2000 through September 18, 2000
 Authorize: September 19, 2000 through September 25, 2000

MINUTES

May 30, 2000 - Special Meeting
 June 6, 13, and 20, 2000 - Regular Meetings

AUTHORIZE CHAIRMAN TO SIGN

Lead Acid Battery Collection - Agreement with Battery USA, Inc. to purchase used batteries at \$.50 each; accept Insurance Certificate (IFB 00-7166 approved 9/5/00). RECORD S47-2005

McLewis Bayou Siltation Boxes - Agreement with Lovin Construction, Inc.
to construct boxes, \$135,150; accept Insurance Certificate
(IFB 00-5939 approved 9/5/00). RECORD S47-2006

Satisfactions of Judgments:

Rogelio Espindola - Case 00-343T
Kim Ruth - Cases 97-4459M and 98-834F(2)
Randall Stover - Case 99-2855T

Partial Release of Special Improvement Assessment Liens:

Projects 3007; 3009(2); 3100; 3102(6); 3103; 3106; 3122(5);
4210(3); 5031; 5144; 5268(2)

APPROVE, RATIFY, AND CONFIRM

Urban Infill and Redevelopment Assistance

Executed grant application to the Department of Community Affairs
(approved 8/22/00). RECORD S47-2007

ACCEPT:

Parrish Fire Control District

Meeting schedule for October 2000 through September 2001 and
Budget for FY 2000-01.

Southwest Florida Water Management District

Meeting calendar for FY 2001 and map depicting the District's
boundaries.

External Auditors

Letter agreement from Shinn & Company, P.A., \$12,000; additional
services for the Sheriff's Office. RECORD S47-2008

Lakewood Ranch Community Development District 2

Minutes from meeting held July 6, 2000.

COUNTY ADMINISTRATOR

LAWSUITS - LOCKWOOD RIDGE ROAD

Approve Mediated Settlement Agreement in the case of Manatee
County v. Saint Barbara's Greek Orthodox Church, et al., 1999-CA-
1981, for \$47,500 as full compensation for land and improvements
taken, expert witness costs of \$8,760, and statutory attorney's
fees pursuant to Florida Statute §73.0922, \$11,814 (owner required
to extend time of temporary construction easements, Parcel 5-1 and
5-2 from 15 to 36 months from date of taking). RECORD S47-2009

TRANSPORTATION DISADVANTAGED GRANT

R-00-230 A RESOLUTION OF THE MANATEE COUNTY BOARD OF COUNTY
COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN
TO ENTER INTO A TRANSPORTATION TRIP/EQUIPMENT GRANT AGREEMENT WITH
THE STATE OF FLORIDA COMMISSION FOR THE TRANSPORTATION
DISADVANTAGED

(Total, \$302,223: State Funds \$272,001; Local Fare Box Revenues
\$30,222). RECORD S47-2010

S47-2011

COMMUNITY CARE ELDERLY

Execution of Amendment 4 to the agreement with West Central
Florida Area Agency on Aging, Inc., decreasing **Case Management** by
\$3,946, decreasing **Core Services** by \$78,054, and establishing unit
costs for the following new services: \$22.54 for **Prescriptions**;
\$45.14 for **Consumables**; \$59.92 for **Chore**; and \$11.73 for **Day Care**.

RECORD S47-2012

INDIGENT PRESCRIPTION SERVICES

Execution of Amendment 2 to the FY 1999-00 agreement with the
Manatee County Rural Health Services, Inc., to increase funding
from \$356,988 to \$381,388 (increase of \$24,400). RECORD S47-2013

MEDICAL SERVICES TO INMATES

Execution of Amendment 1 to the contract with the Manatee County
Sheriff's Office and Manatee County Rural Health Services to
increase funding \$74,533, total not to exceed \$2,620,526, for the
administration and operation of all medical services to inmates
under the custody and control of the Sheriff. RECORD S47-2014

PARATRANSIT UNCOLLECTIBLE ACCOUNTS

R-00-226 RESOLUTION DESIGNATING CERTAIN DELINQUENT ACCOUNTS
RECEIVABLE INCURRED BY A PARTICULAR RECIPIENT OF MANATEE COUNTY
PARATRANSIT FROM OCTOBER 1, 1992, THROUGH JUNE 30, 1997, AS
UNCOLLECTIBLE IN ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING
PRINCIPLES (\$478.25). RECORD S47-2015

SEPTEMBER 19, 2000

(Continued)

WEST COAST INLAND NAVIGATION DISTRICT FUNDING

1. Execution of Amendment 2 to agreements with the West Coast Inland Navigation District (WCIND) extending the agreement to September 30, 2001, with the following recipients:
 - City of Anna Maria - Lake LaVista Inlet Management; (M86F) RECORD S47-2016
 - Anna Maria Power Squadron - Boating Safety (M88); and RECORD S47-2017
 - Manatee County Sheriff - Marine Law Enforcement (M91). RECORD S47-2018
2. Execution of Amendment 1 to agreements with WCIND extending the agreement to September 30, 2001, with the following recipients:
 - Town of Longboat Key - Canal Dredging (M93A); RECORD S47-2019
 - Mt. Vernon Condominium Association - Phase III Maintenance Dredging (M93B); RECORD S47-2020
 - City of Holmes Beach - Police Navigation Improvement (M95); RECORD S47-2021
 - Coast Guard Auxiliary Flotilla 83 - Boating Safety and Education (M96); RECORD S47-2022
 - Coast Guard Auxiliary 85 - Education, Water Safety and Environment (M97); RECORD S47-2023
 - SRQ Civil Air Patrol (M98); RECORD S47-2024
 - Anna Maria Power Squadron - Digital Classroom Enhancements (M99); and RECORD S47-2025
 - Gulf Coast Wonder & Imagination Zone - Water Works/Wading into Wetlands (M100). RECORD S47-2026

MANATEE MEMORIAL HOSPITAL AUDIT

Letter of Engagement with Christopher, Smith, Leonard, Bristow, Stanell & Wells, P.A., for the indigent care program with Manatee Hospitals and Health Systems, Inc., not to exceed \$11,870.

RECORD S47-2027**BOWLEES CREEK CANAL DREDGING**

Execution of Change Order 1 to Work Assignment 16 with Boyle Engineering Corporation for preliminary engineering and permitting review services, Phase II, for an increase of \$1,808 and adjusted total not to exceed \$26,805.

RECORD S47-2028**BUDGET AMENDMENT****B-00-035**

Item Transfers/Unanticipated Revenue Appropriations
(Detailed description attached)

RECORD S47-2029**CAPITAL IMPROVEMENT PROGRAM**

R-00-207 A RESOLUTION TO ADOPT A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM AND A POLICY REGARDING THE ADMINISTRATION OF THE FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM (FY 2001-2005). RECORD S47-2030

MATERIALS AND SERVICES

1. **Carpet and Vinyl Tile** - Award IFB 00-6993CD to the lowest responsive, responsible bidder meeting specifications, Carpet Direct, Inc., for the Administration Building 5th floor, \$27,931.40.
2. **Unemployment Insurance** - Negotiate with the top-ranked firm, DeGroot Management Services, Inc., for cost control services.

DATA INFORMATION ROUTERS

Approve, ratify, and confirm emergency Change Order to Purchase Order PO 0002193 with GTE Florida Inc., for an increase of \$786.18 and adjusted amount of \$34,677.51 for the Sheriff; and authorize a name change from GTE Florida, Inc., to Verizon Florida, Inc., resulting from the merger with Bell Atlantic.

CORAL SHORES CANAL DREDGING

Execution of Change Order 1 to Work Assignment 17 with Boyle Engineering Corporation for preliminary engineering and permitting review services for an increase of \$5,519, adjusted total not to exceed \$57,327.

RECORD S47-2031**EMERGENCY MEDICAL SERVICES**

Execution of Addendum 1 to agreements with Erndine E. Ekren and S. Wayne Ekren to extend professional consulting services-billing adjustors agreements to December 31, 2000, for \$17,160 and revised total not to exceed \$34,320.

RECORD S47-2032
S47-2033

METROPOLITAN STATISTICAL AREAS

Execution of a letter to the Federal Office of Management and Budget opposing removal of references to Bradenton or Manatee County from the title of the local Metropolitan Statistical Area and linking County data to Charlotte County. RECORD S47-2034

PERSONNEL POLICY

R-00-166 A RESOLUTION OF THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTIONS IV, VI, VII, AND XX OF THE MANATEE COUNTY PERSONNEL POLICY RULES AND PROCEDURES MANUAL (Emergency Situations/Compensation Procedures and Holiday Pay Administrative Timecard Procedures). RECORD S47-2035

FINAL PLATS

Palma Sola Park, T.P.C.L.

1. Plat
2. Mortgagee's Joinder in Declaration only from NationsBank, N.A.

Regal Oaks Subdivision

1. Plat
2. Mortgagee's Joinder in Declaration only from Bank of America, N.A.
3. Agreement with Diamond Homes of Southwest FL, Inc., guaranteeing completion of required improvements (\$33,475).
4. Performance Bond: \$33,475 (Surety Bond KO 6183414, Indemnity Insurance Company of North America)
5. Agreement with Diamond Homes of Southwest FL, Inc., guaranteeing completion of required sidewalks and bikeways (\$44,479.50).
6. Performance Bond: \$44,479.50 (Surety Bond KO 6183323, Indemnity Insurance Company of North America)
7. Agreement with Diamond Homes of Southwest FL, Inc., warranting required improvements (\$79,283).
8. Defect Security: \$79,283 (Surety Bond KO 618330A, Indemnity Insurance Company of North America)
9. Agreement and Temporary Construction Easement for Private Improvements with Diamond Homes of Southwest FL, Inc., (\$161,617.30).
10. Performance Bond: \$161,617.30 (Surety Bond KO 6183311, Indemnity Insurance Company of North America)
11. Agreement with Regal Oaks Homeowners' Association, Inc., for maintenance of right-of-way island. RECORD S47-2036
12. Declaration of Protective Covenants, Conditions and Restrictions for Regal Oaks.
13. Right of Entry and Compliance with the Manatee County Land Development Code.

LENA ROAD LANDFILL

Execution of a Consent Agreement with the Florida Department of Environmental Protection in settlement of the gas collection and control facility emission guidelines and compliance (County to complete an in-kind project totaling \$81,942). RECORD S47-2037

EMERGENCY SHELTER FACILITIES

Execution of Intergovernmental agreement with the School Board to retrofit school shelters for emergency evacuation facilities; and delegation of project management to the School Board (Hazard Mitigation Grant Program to shutter Haile Middle School). RECORD S47-2038

WASTE TIRE RECYCLING AND EDUCATION GRANT

R-00-210 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE EXECUTION AND SUBMISSION OF AN EDUCATION/RECYCLING GRANT APPLICATION AND AGREEMENT (PART II) TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE WASTE REDUCTION/RECYCLING PROGRAM (accepting \$66,798 State funds and authorizing the Chairman or Vice-Chairman to execute documents). RECORD S47-2039

REFUNDS

1. To Neal Mazzei, \$135, for a utility service connection fee for MCPWD lift station RTU 159 set up in error.
2. To Manatee County Facilities Management/Juvenile Justice Facility, \$1,000, due to an overpayment from the State of Florida for utility service connection fees.

TIME PAYMENT AGREEMENTS

Execution of and record agreements for Facility Investment Fees, connection, and line extension charges with Marie E. Benoit and Angelo A. Trapuzzano; Wilbert and Joyce Hinkle; Charles N. and Betty W. Stevens; Charles A. and Holly C. Gullett; Maria Gallop; Terry and Melissa Rauch; Otis W. Joiner; William T. Koeppe; and John and Shirley Vos. RECORD S47-2040

SEPTEMBER 19, 2000

(Continued)

CITY OF BRADENTON

Execution of a letter of support for and concurrence with the applications (2) from the City of Bradenton for funding under the County Incentive Grant Program of the Florida Department of Transportation for 3rd Avenue West Connection and 9th Avenue East.

DEEDS AND EASEMENTS

1. Summerfield Hollow, Cypress Banks, Subphase 2, Subphase J - Conservation Easement, previously recorded, from Schroeder-Manatee Ranch, Inc., to protect wetlands on a parcel south of S.R. 70 and west of Lakewood Ranch Boulevard, and record Affidavit of Ownership and Encumbrances. RECORD S47-2041
2. Lakewood Ranch Town Center Office Park - Conservation Easement from University Professional Center, Inc., previously recorded, to protect wetlands on Enterprise Circle, and record Affidavit of Ownership and Encumbrances; record Joinder from Community National Bank of Sarasota County. RECORD S47-2042
3. Tallevast Industrial Park - Drainage and Utility Easement and Affidavit of Ownership and Encumbrances from Wyatt Enterprises, Inc., for Tract 8. RECORD S47-2043

STREET VACATION

R-00-197-V RESOLUTION DECLARING A PUBLIC HEARING ON OCTOBER 24, 2000, BY APPLICATION OF MOUNT RAYMOND BAPTIST CHURCH, INC., TO VACATE CERTAIN RIGHTS-OF-WAY IN HOUGHTON'S ADDITION TO NEW MEMPHIS SUBDIVISION. RECORD S47-2044

FLORIDA INTRA-STATE HIGHWAY SYSTEM - S.R. 70

R-00-236 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, SUPPORTING A REQUEST TO THE FLORIDA STATE LEGISLATURE FOR SPECIAL FUNDING FOR THE IMPROVEMENT OF THE S.R. 70 CORRIDOR OF THE FLORIDA INTRA-STATE HIGHWAY SYSTEM TO A MULTILANE FACILITY (and authorization to submit the Resolution to the Sarasota/Manatee Metropolitan Planning Organization, Florida Department of Transportation, and the Florida State Legislature). RECORD S47-2045

EXTERNAL AUDITORS

Execute Release of Claim against Ernst & Young, LLP, which includes an indemnity and hold harmless agreement in settlement of a contract dispute for services for audit of the Supervisor of Elections (in substantial conformance with the draft attached to the Agenda Memorandum; executed by R. B. Shore, Clerk of Circuit Court). RECORD S47-2046

HURRICANE GORDON

R-00-241 RESOLUTION RESCINDING DECLARATION OF LOCAL EMERGENCY (rescinding R-00-1000 adopted 9/16/00). RECORD S47-2047

PROCLAMATIONS

County Government Kick-off Day for United Way 2000-2001
Proclamation designating September 19, 2000, as County Government Kick-off Day. RECORD S47-2048

National Alcohol and Drug Addiction Recovery Month
Proclamation designating September 2000 as National Alcohol and Drug Addiction Recovery Month. RECORD S47-2049

Stormwater Pollution Prevention Week
Proclamation designating the week of September 17, 2000, as Stormwater Pollution Prevention Week. RECORD S47-2050

Fire Prevention Week and Fallen Firefighter's Memorial Day
Proclamation designating the week of October 8-14, 2000, as Fire Prevention Week and October 14, 2000, as Fallen Firefighter's Memorial Day. RECORD S47-2051

(End Consent Agenda)

PROCLAMATIONS

County Government Kick-off Day for United Way 2000-2001
Accepting the Proclamation designating September 19, 2000, as County Government Kick-off Day were Jerry Koontz, Executive Director, and Kelly Viera, Campaign Director, from United Way and County Coordinators, Micki Ryan and Maria Prieto.

National Alcohol and Drug Addiction Recovery Month

Present to accept the Proclamation were representatives from Manatee Glens.

Stormwater Pollution Prevention Week

Accepting the Proclamation was Karen Collins-Fleming, Environmental Management Department Director.

Fire Prevention Week and Fallen Firefighter's Memorial Day

Representatives from the Fire Chief's Association and fire services accepted the Proclamation.

RETIREMENT AWARD

Larry Mau, Transportation Department Director, presented a retirement plaque to **Gene Wingate**, Chief Equipment Operator, honoring his 36 years of service to the County.

AFFIRMATIVE ACTION ADVISORY COMMITTEE

Garry Dye, Human Resources Director, requested appointment of four employees to the Affirmative Action Advisory Committee.

Motion was made by Mr. McClash, seconded by Mrs. Stein, and carried unanimously, to appoint **Linda Shinneman, Kass Bessette, Larry Leinhauser, and Denise Thomas.**

FLOODPLAIN MANAGEMENT PLAN

Public hearing (Notice in the *Bradenton Herald* 9/5/00) was held to consider

R-00-179 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ADOPTING THE **2000 FLOODPLAIN MANAGEMENT PLAN** (REPETITIVE LOSS) AS REQUIRED BY THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) (amending Plan adopted 9/26/96; and authorizing transmittal to the National Flood Insurance Program and Community Rating System).

George Devenport, Building Official, submitted a revised Page 36, Section 11.8.1 for the **Status** paragraph.

Mr. Bruce moved to adopt **R-00-179** (as revised). Motion was seconded by Mrs. Stein and carried unanimously. RECORD S47-2052

INDIGENT CARE

Public hearing (Notice in the *Bradenton Herald* 9/9/00) was held to consider

ORDINANCE 00-54 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 90-63, WHICH AMENDED ORDINANCE 84-16, WHICH CREATED THE MANATEE COUNTY HEALTH CARE SYSTEM (TRUST AND AGENCY FUNDS); AMENDING SECTION 1, PROVIDING DEFINITIONS TO AMEND THE DEFINITION OF "INDIGENT CARE AGREEMENT", TO INCLUDE AN ADDENDUM TO THE AGREEMENT TO PROVIDE REIMBURSEMENT FOR ELIGIBLE SERVICES TO QUALIFIED INDIVIDUALS BETWEEN THE COUNTY AND MANATEE HOSPITALS AND HEALTH SYSTEMS, TO REVISE CERTAIN PROVISIONS AND EXTEND THE TERM THEREOF; AMENDING SECTION 6, TO DELETE THE ANNUAL FIVE PERCENT (5 PERCENT) RETENTION OF INVESTMENT EARNINGS IN THE SPECIAL HEALTH CARE FUND AND PERMIT THE EXPENDITURE OF UP TO SEVENTY-FIVE PERCENT (75 PERCENT) OF THE INVESTMENT EARNINGS TO MAKE PAYMENTS IN ACCORDANCE WITH THE ADDENDUM TO THE INDIGENT CARE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Cheri Coryea, Community Services Department, submitted an **Addendum** to the Indigent Care Agreement with Manatee Memorial Hospital extending the agreement to February 28, 2001, and providing other changes; and

R-00-235 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING AN ADJUSTMENT IN COMPENSATION TO PHYSICIANS BEING REIMBURSED IN ACCORDANCE WITH PROVISIONS CONTAINED WITHIN THE INDIGENT CARE AGREEMENT.

Ms. Coryea outlined changes to the Indigent Care Agreement, which included: extending the termination date to February 28, 2001; references to Capitation Formula Calculations; levels of proof for Categories A and B; increase hospital cap to 55 percent of net income; increase compensation to physicians for medical services from one to three follow-up visits after discharge from the hospital

SEPTEMBER 19, 2000

(Continued)

Ms. Coryea stated \$318,508 would be paid to the hospital for services in FY 1989-90 and FY 1992-93 above reimbursable levels dictated by a flawed Capitation Formula. Funding of \$150,000 not expended in FY 1999-00 to emergency room physicians, due to difficulty in determining patient eligibility, will be provided. Funding of \$75,000 will be provided for the term of the extension to compensate physicians based on a system of physician on-call per diem. (If approved, the County's total FY 2000-01 projected payment to the hospital will increase from \$1,670,767 to \$1,847,844.)

Discussion: Eliminating the five percent reinvestment plan; inflation; only using funds within the Health Care Trust Fund; County funds to supplement indigent health care; reviewing funding alternatives for future agreements; seeking financial advisor review for long-range planning; hospital and doctors agree with interim agreement, but long-term issues need to be discussed; etc.

Motion was made by Mrs. Glass, seconded by Ms. Brown, and carried unanimously, to adopt **Ordinance 00-54**, execute the **Addendum to the Indigent Care Agreement**, and adopt **R-00-235**.

RECORD S47-2053

(Note: Additional discussion later in the meeting.)

S47-2054

S47-2055

PARTICIPATION PROJECT - BRYN MAWR CANAL DREDGING

Public hearing (continued from 9/5/00) was held to consider

ORDINANCE 00-43 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, ESTABLISHING A MUNICIPAL SERVICE BENEFIT UNIT WHICH SHALL BE KNOWN AS THE **BRYN MAWR CANAL DREDGING MUNICIPAL SERVICE BENEFIT UNIT (MSBU)**; PROVIDING DEFINITIONS; IDENTIFYING ALL PROPERTY INCLUDED IN THE MSBU; PROVIDING A GOVERNING BODY FOR THE MSBU; ESTABLISHING THE SERVICES AND FACILITIES TO BE PROVIDED FOR WITHIN THE MSBU; PROVIDING FOR THE LEVY, COLLECTION, AND ENFORCEMENT OF SPECIAL ASSESSMENTS IN ACCORDANCE WITH THE UNIFORM METHOD TO FUND THE FACILITIES AND SERVICES PROVIDED FOR THE MSBU; PROVIDING AN ALTERNATIVE METHOD FOR THE ENFORCEMENT AND COLLECTION OF SUCH SPECIAL ASSESSMENTS; PROVIDING FOR A SEPARATE ACCOUNTING OF FUNDS; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE, THE CORRECTION OF SPECIAL ASSESSMENTS AND THE INCREASE IN SPECIAL ASSESSMENTS BEYOND THE MAXIMUM RATE AUTHORIZED; PROVIDING FOR CURTAILMENT OF SERVICES; PROVIDING FOR THE CORRECTION OF ERRORS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

(and authorizing an agreement with the Property Appraiser and Tax Collector for collection of special assessments for this project).

Janet McAfee, Project Management Director, outlined the project history and referred to an area map depicting stormwater siltation outfall and how staff determined County responsibility. Five letters and one e-mail in opposition were submitted. She advised that 66 2/3 percent of property owners favor the project.

Ms. McAfee submitted options for financing over five years at 7.5 percent interest: (1) a 20-year County contribution with a cost of \$4,864.78 per unit (\$1,212.40 annual payment); (2) a 40-year County contribution for a cost of \$4,177.08 per unit (\$1,032.43 annual payment); and (3) a County contribution for special circumstances costing \$2,457.17 per unit (\$607.33 annual payment).

Speaking in favor of the project were: **Art Childs**, who presented a report regarding drainage problems and requested maximum County funding; **Walter Dann** and **Susan Dann**, who showed a video of the stormwater flow and run-off; **John Candreva**; and **Joyce Fisher**.

Speaking in opposition, if the County does not pay the larger portion of the assessment, were **Barbara Meluch** and **Coleman Pratt**.

Discussion: Silt boxes will be installed with dredging project; County has 14 current dredging projects; projects take one to two years to set for public hearing and a like time to obtain permits; etc.

Motion was made by Mr. Harris and seconded by Mr. McClash to adopt **Ordinance 00-43** with the option, including the contribution of special circumstances, and execute the **Agreement** with the Property Appraiser and Tax Collector. The motion carried unanimously. RECORD S47-2056 S47-2057

Recess/Reconvene. All members present.

STREET VACATION - BONNIE BRAE SUBDIVISION

Public hearing (continued from 9/5/00) was held to consider

R-00-129-V A RESOLUTION VACATING THE PLAT OF BONNIE BRAE SUBDIVISION BY APPLICATION OF THE SALVATION ARMY (2316 53rd Avenue East/S.R. 70 near U.S. 301).

Jim Staples, Transportation Department, stated this was continued to clarify property use and previous dedication of rights-of-way.

Major Allen Satterlee, representing The Salvation Army, referred to a rendering and advised that the proposed building will be used as a worship center/church and will not be used for social services or a homeless shelter. He stated that a meeting with residents to address concerns was held last evening.

Tedd Williams, County Attorney, advised that neither the use nor the ownership of the land should be a consideration of the vacation.

Motion was made by Mrs. Glass to adopt **R-00-129-V** to vacate the plat of Bonnie Brae Subdivision effective upon acceptance by Manatee County of right-of-way easements granted by the applicant for those portions of the existing platted rights-of-way that lie within the right-of-way setback lines of S.R. 70 and 24th Street East. Motion was seconded by Mr. Bruce and carried unanimously. RECORD S47-2058

SOLID WASTE RATES

Public hearing (Notice in the *Bradenton Herald* 9/7/00) was held to consider

R-00-195 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ESTABLISHING REVISED RATES, FEES, AND CHARGES FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES BASED ON A FRANCHISE AGREEMENT FOR UNINCORPORATED MANATEE COUNTY; PROVIDING DEFINITIONS; PROVIDING FOR SERVICE RATES AND CHARGES; PROVIDING FOR LANDFILL TIPPING FEES; PROVIDING FOR SPECIAL CHARGES; PROVIDING FOR SECURITY DEPOSITS; PROVIDING FOR ROLL-OFF CONTAINER SERVICE BILLING; PROVIDING FOR CHARGE ACCOUNTS; PROVIDING FOR DELINQUENT ACCOUNTS; PROVIDING FOR SERVICE REQUESTS; PROVIDING FOR MISCELLANEOUS MATTERS; REPEALING AND SUPERSEDING PRIOR AND CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE
(**rescinding** R-99-238 and all conflicting Resolutions).

Dan Schlandt, Financial Management Department, reported that residential rates for solid waste, yard waste, and recycling would be decreased. Commercial rates would be decreased except for certain services.

Mr. Schlandt stated the new franchise agreement provides for mandatory multifamily recycling, with Waste Management as the exclusive franchise provider. Four mobile home parks, with recycling programs in effect prior to September 1, 2000, are exempt from fees.

Discussion: Condominium associations will be charged \$1.97 per unit for recycling; encourage multifamily units to recycle; working with municipalities to encourage participation; illegal dumping; etc.

Mr. McClash requested deletion of language "must have required significant capital investment by the single owner or association," in Section d. 2 of the Resolution.

SEPTEMBER 19, 2000

(Continued)

John Bauman, Golf Lakes Residents' Association, outlined the park recycling program.

Motion was made by Mr. Bruce to adopt R-00-195, as amended, revising rates, fees, and charges for mandatory solid waste collection to reflect the award of a new franchise agreement. Mrs. Stein seconded the motion, which carried unanimously. RECORD S47-2059

CITIZENS' COMMENTS

Manatee Subdivision Dredging - Wayne Watson stated that permits have been issued and assessments are on the tax bills, but the dredging project has not been started.

Discussion: State agencies slow to permit as agencies do not favor dredging; etc.

(Depart Mrs. Glass)

Ms. McAfee reported the project will commence at the end of the year.

Eminent Domain/Lockwood Ridge Road - Claire Brown referred to the settlement agreement in the case of Manatee County v. Saint. Barbara's Greek Orthodox Church, et al., regarding attorneys fees and settlement by mediation. She submitted a copy of \$73,091-92.

(Depart Mr. Harris and Mr. Bruce)

Recess/Reconvene. All members present.

LIABILITY INSURANCE

William Henry, Chief Assistant County Attorney, requested authorization to renew excess liability and workers' compensation insurance policies with Ranger Insurance Company, including automobile, general liability, and public official coverage, for \$233,000 in premiums.

Motion was made by Mr. Bruce, seconded by Mrs. Stein and carried 7 to 0, to approve the request.

PROPERTY INSURANCE

Mr. Henry requested authorization to renew a commercial insurance package through Arthur J. Gallagher & Co. to protect the financial assets of the County in the event of catastrophic losses to cover excess property, boiler and machinery, the Lake Manatee Dam, crimes, and data processing equipment, for a total of \$935,204 (Option 1).

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

INDIGENT CARE (Continued)

R. B. Shore, Clerk of Circuit Court, stated he and Jim Seuffert, Financial Management Director, plan to meet with the Financial Advisors to review the indigent care ordinance regarding investment procedures for the Hospital Trust Fund.

Recess/Reconvene. All members present except Mr. Harris and Mr. Bruce.

2001 STATE LEGISLATIVE APPROPRIATIONS

Mr. Seuffert recommended approval of requests for the 2001 State Legislative appropriations for funds. He outlined direct appropriation requests for: Ware's Creek Flood Control, Civic Center, Emerson Point Educational Facility, 66th Street ball fields, Moccasin Wallow Road improvements, S.R. 64 improvements, special needs evacuation shelters, and hurricane shelter retrofit.

He recommended the following projects be **added**: Medical Examiner Facility/Regional Crime Lab, Senior Center, Health Department funding and school nurses, and Florida Highway Patrol staffing.

(Enter Mr. Bruce)

Discussion: Deleting Moccasin Wallow Road improvements; applying grant funds to University Parkway, S.R. 70 or another road with Level of Service (LOS) deficiency; Moccasin Wallow Road in CIP; seeking Medical Examiner facility funding from county sheriffs and other law enforcement agencies; identifying Senior Center as "Senior Resource Center" with County contributions of construction and operation; designating S.R. 70 a regional road regarding the four lanes across the State; etc.

Mr. McClash moved approval with the understanding that the Moccasin Wallow Road issue will be brought back as well as other changes made at this meeting. Motion was seconded by Mrs. Stein and carried 6 to 0.

CORTEZ ROAD

Carol Clarke, Planning Director, requested Board direction regarding a plan by the Florida Department of Transportation (FDOT) to construct a third lane on Cortez Road from 119th Street West to the Cortez Bridge. She displayed a site plan depicting turning problems at 119th Street.

She referred to concerns of the Cortez Waterfronts Florida Committee in a letter (7/27/00) to FDOT as follows: pedestrian safety; speeding traffic; entering Cortez Road from 127th Street West; vehicles blocking 119th Street during the red light; and the striping only allows left turns onto the north portion of 119th Street. Alternative solutions to the three lanes were supplied. Ms. Clarke recommended that a letter be sent to FDOT requesting they defer action until alternatives are reviewed.

Discussion: Number of pedestrians crossing the road; improvements needed for safety; asking FDOT to proceed with design improvements incorporating the community's concerns; bridge is two lanes; pedestrian crossings with lights; traffic calming; turn storage areas; sidewalks; stacking lane at 127th Street; speed limits; seeking approval from MPO; letter to FDOT to proceed; etc.

Motion was made by Mr. McClash to ask FDOT to proceed with consideration of items in the letter dated July 27, 2000, from the Cortez Waterfronts Florida Committee. Mrs. Stein seconded the motion, which carried 6 to 0.

SPANISH PARK SUBDIVISION

Don Stillwell, Transportation Department, relayed a request from residents of the Spanish Park Subdivision for County landscaping maintenance of the roadway median on 11th Avenue West. He reported on the improvements needed with an initial cost of \$15,000 with an annual cost of \$1,500. He recommended denial, as it would set a precedent.
(Depart Ms. Brown)

Discussion: How median was maintained previously; lift station in median; County policy to maintain areas around lift stations; advising residents of grant funds; etc.

Disposition: Referred to the County Administrator.

EMINENT DOMAIN PRE-SUIT OFFERS

Discussion was held regarding adoption of

R-00-228 A RESOLUTION OF MANATEE COUNTY, FLORIDA, DELEGATING THE AUTHORITY TO MAKE PRE-SUIT OFFERS IN EMINENT DOMAIN CASES FOR THE PROJECTS DESCRIBED IN "EXHIBIT A" ATTACHED HERETO, TO THE COUNTY ADMINISTRATOR OR HIS DESIGNEE, SUBJECT TO APPROVAL BY THE MANATEE COUNTY ATTORNEY OR HIS DESIGNEE, FOR THE AMOUNT UP TO THE APPROVED APPRAISED VALUE OF THE PROPERTY SOUGHT TO BE ACQUIRED.

Discussion: Should offers be approved by the Board; Board directed staff to streamline the process; action would only save two to three weeks; parameters for making decisions; affects only projects identified in the CIP and Exhibit A to the resolution; etc.

SEPTEMBER 19, 2000

(Continued)

Motion

Motion was made by Mrs. Glass and seconded by Mr. Stephens to adopt Resolution R-00-228.

Motion - Amended

Mr. McClash moved to amend the motion to remove the word "binding" from the third WHEREAS clause and to change language in Paragraph 1. from "approval of the County Attorney or his designee" to "**approval of the Board of County Commissioners.**" Motion was seconded by Mrs. Stein.

(Enter Ms. Brown)

Discussion: Allows seller to receive a written sale offer/contract approved by the Board; process could eliminate public awareness for comments; negotiations with sellers hold up the process; etc.

Vote on Amendment

The amendment carried 4 to 2, with Mrs. Glass and Mr. Stephens voting nay.

Vote on Motion

The motion, as amended, carried 5 to 1, with Mr. Stephens voting nay.

RECORD S47-2060

VETERAN SERVICES

Cheri Coryea, Community Services, introduced Dale Keen, the new Veteran Services Manager.

Mr. Keen outlined the Veterans' Day Program and reported on the veteran's clinic in Ellenton, noting that additional staff is needed.

COMMISSIONERS' COMMENTS

Creekwood Shopping Center - Mr. Bruce requested a County Attorney opinion as to whether interneighborhood ties are a vested right.

EMS Billing Process - Mr. McClash requested a report regarding ambulance services, i.e., length of time between service and billing, and whether the proper person or entity is being billed.

The County Administrator advised the billing process has been moved to the Financial Management Department.

Regency Subdivision - Mrs. Stein requested that staff bring back information for the Regency Homeowners Association regarding gaps in sidewalks installed by the developer.

Metropolitan Planning Organization - Mrs. Glass recommended that transportation issues for FY 2000-25 be placed on an agenda for discussion and recommendations.

Discussion: Including City of Bradenton and School Board in discussions; listing priorities; etc.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:



Clerk



Chairman 1-16-01

Adj: 2:47 p.m.
/jr

