

MARCH 19, 2002

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, March 19, 2002, at 9:06 a.m.

Present were Commissioners:

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

Absent was Commissioner:

George L. Harris (personal reasons)

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 Rev. David A. Elowson, Covenant Church of Trailer Estates.

AGENDA

Agenda of March 19, 2002.

[BC20020319DOC001](#)

CONSENT AGENDA

Motion was made by Mr. McClash, seconded by Mrs. Glass, and carried 5 to 0, to approve the Consent Agenda, incorporating the language as stated in the recommended motions in the agenda memoranda with the exception of: **Flood Mitigation Assistance Program Grant Application** – Carol Loveland (deferred). Items APPROVED:

[BC20020319DOC002](#)

CLERK'S CONSENT CALENDAR

[BC20020319DOC003](#)

BONDS

Harbour Landings

Release:

Agreement with Krizmanich Manatee Holdings, Inc., guaranteeing completion of required improvements and temporary construction easement for private improvements (\$152,500).

Accept:

1. Agreement with Krizmanich Manatee Holdings, Inc., guaranteeing completion of required improvements and temporary easement for private improvements (\$152,500). This agreement will be for a one-year extension secured by a previously accepted letter of credit (SM416300C, 4/24/01).
2. Performance Bond: \$152,500 (Amendment to Letter of Credit SM416300C, First Union), extending expiration to May 22, 2003.

[BC20020319DOC004](#)

Millbrook at Greenfield Plantation, Phase III-B

Release:

1. Agreement with B/W General Contractors, Inc., guaranteeing completion of required improvements (\$350,906.97).
2. Performance Bond: \$350,906.97 (Letter of Credit 5-01-01-50002, Cornerstone Community Bank).

Accept:

1. Agreement with B/W General Contractors, Inc., warranting required improvements (\$26,992.84).
2. Defect Security: \$26,992.84 (Letter of Credit 5-01-01-50003, Cornerstone Community Bank).

[BC20020319DOC005](#)

Rosedale Highlands, Subphase D, Unit 1

Release:

1. Agreement with Newton Development, Inc., guaranteeing completion of required improvements (\$41,500).
2. Performance Bond: \$41,500 (Cashier's Check 1747790, Bank of America).

Accept:

1. Agreement with Newton Development, Inc., guaranteeing completion of required improvements (\$41,500).
2. Performance Bond: \$41,500 (Letter of Credit 3042651, Bank of America).

[BC20020319DOC006](#)

Sabal Harbour, Phase 1-A

Accept:

Defect Security: \$48,897.72 (Amendment 2 to Letter of Credit ATL/P600694, SunTrust Bank), extending expiration to April 1, 2003.

[BC20020319DOC007](#)

Sabal Harbour, Phase 1-B

Accept:

Defect Security: \$12,059.13 (Amendment 2 to Letter of Credit ATL/P600693, SunTrust Bank), extending expiration to April 1, 2003.

[BC20020319DOC008](#)

Summerfield Village, Subphase D, Unit 3

Release:

1. Agreement with SMR Communities Joint Venture warranting required improvements (\$22,801.01).
2. Defect Security: \$22,801.01 (Surety Bond 130194, Frontier Insurance Company).

[BC20020319DOC009](#)

Summerfield Village, Subphase D, Unit 4

Release:

1. Agreement with SMR Communities Joint Venture warranting required improvements (\$14,132.05).
2. Defect Security: \$14,132.05 (Surety Bond 130195, Frontier Insurance Company).

[BC20020319DOC010](#)

Treymore at the Villages of Palm Aire, Unit 2

Release:

1. Agreement with Taylor-Woodrow Communities guaranteeing completion of required improvements and temporary construction easement for private improvements (\$49,227.50).
2. Performance Bond: \$49,227.50 (Surety Bond 20-83-58, American Home Assurance Company).

[BC20020319DOC011](#)

REFUNDS

| | |
|---|------------|
| Dugan Construction, Inc. – Impact Fee | \$1,403.46 |
| Dugan Construction, Inc. – Impact Fee | \$1,403.46 |
| Dugan Construction, Inc. – Impact Fee | \$1,548.37 |
| Dugan Construction, Inc. – Impact Fee | \$1,935.46 |
| Piccadilly Cafeteria – Semi Annual Sewer Rebate | \$4,761.17 |

[BC20020319DOC012](#)

WARRANT LIST

Approved: March 12, 2002 through March 18, 2002
Authorized: March 19, 2002 through March 25, 2002

[BC20020319DOC013](#)

ACCEPT

Applicant & Personal Data Capture and Document Imaging System – Addendum Two to agreement with Image One; reduction of \$1,757.81, adjusted total \$81,543.18.

[BC20020319DOC014](#)

Parks and Recreation Special Interest Class Instructor’s Agreements:

Gabriel Ferrer – Tennis Instruction
John Purdon – Tennis Instruction
Norma Schwartz – Music Instruction

[BC20020319DOC015](#)

AUTHORIZE CHAIRMAN TO SIGN

37th Avenue Drive East, Force Main Relocation – Contract with Spectrum Underground, Inc., \$52,059; date the Performance/Payment Bonds, Power of Attorney and accept Insurance Certificate (approved 3/12/02).

[BC20020319DOC016](#)

Buckeye Road – Contract with Sarasota Land Services, Inc., \$1,611,203.47; date the Performance/Payment Bonds, Power of Attorney, and accept Insurance Certificate (approved 3/12/02).

[BC20020319DOC017](#)

Derelict Vessel Removal Grant – Execute Amendment to Agreement with Florida Fish and Wildlife Conservation Commission; \$6,580, new total of \$21,580 (authorized by Resolution R-01-104, 4/17/01).

[BC20020319DOC018](#)

Partial Releases of Special Improvements Assessment Liens:

Projects 3009; 3121; 5147; and 5264.

[BC20020319DOC019](#)

Satisfaction of Judgment:

Stacy Schaffner – Case 99-CF-2328

[BC20020319DOC020](#)

State of Florida, Annual Local Government Financial Report/Manatee County – Fiscal Year 2000-2001.

[BC20020319DOC021](#)

COUNTY ADMINISTRATOR

ERICA’S SUBDIVISION

Execution of a Mortgagee’s Consent and Joinder of a Subdivision Plat and All Dedications and Reservations Thereon of the Erica’s Subdivision Plat.

[BC20020319DOC022](#)

WEST COAST INLAND NAVIGATION DISTRICT

Execution of Amendment 2 to Agreement with Manatee County Port Authority for West Coast Inland Navigation District (WCIND) Project CIP-28 (**Port Manatee Buoy System**), extending the project for one year (to expire 3/16/03).

[BC20020319DOC023](#)

1912 CORTEZ SCHOOL HOUSE

Execution of Addendum 1 to the Architectural/Engineering Services Agreement with Stevenson Architects, Inc., for the **Historical Rehabilitation Plan**, extending the agreement for one month (to 6/1/02) at no cost.

[BC20020319DOC024](#)

AMBULANCE SERVICES

R-02-73 RESOLUTION APPROVING USER FEES FOR MANATEE COUNTY AMBULANCE SERVICES; ADOPTING BILLING AND COLLECTION PROCEDURES; AND PROVIDING FOR ADJUSTMENTS, PAYMENT PLANS AND FEE WAIVERS (**Rescinding** Resolution R-92-215).

[BC20020319DOC025](#)

BUDGET AMENDMENT

Various Departments

B-02-022

Transfer of Funds; Unanticipated Revenue Appropriations

Supporting Description and Detail Attached

[BC20020319DOC026](#)

DEVELOPMENT OF REGIONAL IMPACT AND LARGE PROJECT REVIEW

1. Execution of Addendum 3 to extend the agreement for **professional services** with URS Corporation for one year (5/2/02-5/1/03). [BC20020319DOC027](#)
2. Execution of Addendum 2 to extend the agreements for **professional services** with King Engineering & Associates, Inc.; Post, Buckley, Schuh & Jernigan, Inc.; and Wade-Trim, Inc., for one year (5/2/02-5/1/03). [BC20020319DOC028](#)

SURPLUS PROPERTY

1. Authorization to classify excess property as surplus per *Florida Statute 274.05* to enable appropriate and authorized disposition of said property in accordance with Procurement Code 99-37, Section 1.106; and authorize disposition of such property.
2. **R-02-53** RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF *CHAPTER 125.38, FLORIDA STATUTES* (computer equipment to the **Florida Highway Patrol**).
3. **R-02-57** RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF *CHAPTER 125.38, FLORIDA STATUTES* (tractor to the **City of Palmetto**).
4. **R-02-63** RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF *CHAPTER 125.38, FLORIDA STATUTES* (typewriters and a copier to **St. Johns Missionary Baptist Church**).
5. **R-02-64** RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF *CHAPTER 125.38, FLORIDA STATUTES* (computer equipment to the **Education Consultants Consortium, Inc.**). [BC20020319DOC029](#)

MATERIALS AND SERVICES

1. **Fuel Cooperative** – Award IFB 02-2038KK to Petroleum Traders Corporation for gasoline and diesel fuel on an as-required unit price basis, \$2,702,218.61. [BC20020319DOC030](#)
2. **LIS Upgrade (Hardware)** – Purchase via State Contract from Gateway Computer Associates, Inc., \$72,369.35. [BC20020319DOC031](#)

INTERIOR DESIGN CONSULTANT

Execution of Agreement with SMRT of Florida, Inc., to provide services for the **Manatee Civic Center** and the **Crosley Mansion**, for a cost range of \$40,000-\$60,000.

[BC20020319DOC032](#)

SOLID WASTE ENGINEERING

Execution of Change Order 1 to Work Assignment 5 with Post, Buckley, Schuh, and Jernigan, Inc., for **gas collection flare system at the Lena Road Landfill**; increase of \$25,000, adjusted total \$226,981.

[BC20020319DOC033](#)

MCLEWIS BAYOU

Execution of Change Order 1 to Work Assignment 99-12 with Wade-Trim, Inc., for engineering services for design and construction services for the **Riverview Boulevard Bridge 134019**; increase of \$2,727, adjusted total \$50,021.

[BC20020319DOC034](#)

TALLEVAST ROAD

Execution of Change Order 3 to Work Assignment 1 with Wade-Trim, Inc., for **engineering services** from U.S. 301 to Lockwood Ridge Road; increase of \$34,674, adjusted total \$596,124.50.

[BC20020319DOC035](#)

REFUNDS

1. Refund \$726.98, minus any current billings, to Racetrac Petroleum of Georgia at service address 6319 State Road 64 East, Bradenton, due to misread billing. [BC20020319DOC036](#)
2. Refund \$1,000 to Lucia M. Taxdal due to customer overpayment. [BC20020319DOC037](#)

FINAL PLATS

Ancient Oaks, Unit 1

1. Final Plat;
2. Mortgagee's Joinder In and Ratification Of a Subdivision Plat and All Dedications and Reservations Thereon from First National Bank of Florida d/b/a West Coast Guaranty Bank;
3. Agreement with Malco Industries, Inc., guaranteeing completion of required improvements, \$2,554,063.14;
4. Performance Bond: \$2,554,063.14 (Letter of Credit 1189, West Coast Guaranty Bank);
5. Agreement with Malco Industries, Inc., guaranteeing completion of required sidewalks and bikeways, \$72,280;
6. Performance Bond: \$72,280 (Letter of Credit 1186, West Coast Guaranty Bank);
7. Agreement with Malco Industries, Inc., guaranteeing completion of required improvements and temporary construction easement for private improvements, \$522,720.88;
8. Performance Bond: \$522,720.88 (Letter of Credit 1188, West Coast Guaranty Bank);
9. Conservation Easement from Malco Industries, Inc.;
10. Maintenance Agreement for Right-of-Way Island with Ancient Oaks Homeowners' Association of Manatee County, Inc.; and
11. Declaration of Maintenance and Land Use Provisions of Ancient Oaks. [BC20020319DOC038](#)

Carlyle at the Villages of Palm Aire, Unit 3A

1. Final Plat. [BC20020319DOC039](#)

Carlyle at the Villages of Palm Aire, Unit 4A

1. Final Plat; and
2. Third Amendment to Declaration of Covenants, Conditions, Restrictions and Easements. [BC20020319DOC040](#)

FLOOD MITIGATION ASSISTANCE PROGRAM

Execution of Flood Mitigation Assistance grant applications to the Federal Emergency Management Agency (FEMA) to mitigate the flood losses for the properties of:

1. Electrodex, Inc., 6209 17th Street East, Bradenton; \$912,563; \$684,422, FEMA; \$228,141, owner; and [BC20020319DOC041](#)
2. Steve and Sharon Pennington, 6621 Jim Davis Road; Parrish, \$149,500; \$112,125 FEMA; \$37,375, owner. [BC20020319DOC042](#)

LENA ROAD LANDFILL

Execution of a Right-of-Way Consent Agreement with Florida Power & Light Company for construction of an access roadway as well as an easement for a 2-inch sanitary sewer force main, \$30,000. [BC20020319DOC043](#)

2002 FLORIDA HERITAGE FESTIVAL

1. Execution of a parade entry application for the EMS Division and to execute a stand-by agreement for EMS to provide medical coverage during the festival and to waive any applicable fees for service for the non-exclusive stand-by coverage as set forth in Resolution R-94-61; and
2. Authorization for organizers of the festival temporarily to access County communication systems during the events for security and safety purposes. [BC20020319DOC044](#)

DEEDS AND EASEMENTS

33rd Street East and State Road 70/Sabal Cove Apartments – Conservation Easement from Micha Land, Ltd., for wetland protection; Affidavit of Ownership and Encumbrances.

(End Consent Agenda)

[BC20020319DOC045](#)

ENTERPRISE ZONE DEVELOPMENT AGENCY

Seat 10

Motion was made by Mr. McClash, seconded by Mrs. Glass, and carried 5 to 0, to reappoint **Chief Garry Lowe** to Seat 10.

Seat 11

Motion was made by Mrs. Glass, seconded by Mr. Bruce, and carried 5 to 0, to reappoint **Mary Kelly** to Seat 11.

Seat 12

Nomination: James Hall - by Mr. Bruce.

By a vote of 5 to 0, **James Hall** was appointed to Seat 12.

Seats 7 and 13

Motion was made by Mr. McClash, seconded by Mrs. Glass, and carried 5 to 0, to reappoint **Fedora Ford** to Seat 7 and appoint **Remonia Lewis** to Seat 13. [BC20020319DOC046](#)

(Enter Ms. Brown)

PUBLIC TRANSPORTATION SYSTEM ANALYSIS

Michael Maholtz, Sarasota-Manatee Metropolitan Planning Organization (MPO), noted the public Transportation System Analysis is an assessment to help meet future travel needs in Manatee and Sarasota Counties. On April 22, 2002, the analysis will be presented to the MPO as part of its Long Range Transportation Plan.

Jacob Riger, Renaissance Planning Group (consultant), gave an overview of the report and outlined the following: alternatives, goals, findings, costs (\$400 million), and implementation, etc.

(Mrs. Glass, Ms. Brown and Mr. McClash were absent for portions of the discussion)

Discussion: Headway times; revenue generated from riders; east County is not included in the implementation process; funding sources; road planning; ridership surveys; University Parkway and U.S. 41 should be added for inter-county transit service; develop an implementation plan for University Parkway; pulse time transfer system; Pinellas County transit system; dedicated lanes are not feasible; will the plan be obsolete in 20 years; behavior modification; etc.

Motion was made Mr. McClash, seconded by Mrs. Glass, and carried 6 to 0, to accept the draft report with changes of addressing feasibility concerns, and adding University Parkway to the list of corridors for bus rapid transit. [BC20020319DOC047](#)

BLACKSTONE PARK COMMUNITY CENTER

Charles Williams explained his vision behind creating a community center at Blackstone Park, and noted the center would accommodate people of all ages. He reported that private funding would be available from his son, Peter Warrick, other athletes, and various companies. He displayed conceptual sketches and stated the center would sponsor after school programs and adult education classes.

Discussion: Would this be County owned; need a budget listing operational costs; \$10-12 million to build; Mayor Larry Bustle of Palmetto supports the concept; corporations could receive tax credits for donations; community meetings; support for Lincoln Park; grant applied for skate park; etc.

Motion was made by Ms. Brown, seconded by Mr. McClash, and carried 6 to 0, to authorize staff to continue to work with Charles Williams and give periodic reports to the Board. [BC20020319DOC048](#)

ADMINISTRATIVE/COMMISSIONERS' COMMENTS

Piney Point Phosphate Facility

Mrs. von Hahmann reported that the Agency on Bay Management announced that a reverse osmosis system would be installed at the Piney Point Phosphate Facility in order to provide higher quality effluent for reuse. She requested working with Federal/State representatives as well as Southwest Florida Water Management District for funding of the system.

Sheriff Substation – East County

Mr. Bruce stated that there has been ongoing dialogue for a Sheriff substation in east County, and he has spoken with representatives of Schroeder Manatee Ranch about a potential site. He suggested a small complex also be considered that offered a variety of needs including voter registration and an office to collect utility payments. He requested the County Administrator investigate this and include the Braden River Fire District in these discussions.

Legislation - House Bill 1609

Mrs. Stein reported she received a telephone call from Representative Michael Bennett requesting that the Board reevaluate its decision regarding the bill (proposed amendments to *Florida Statutes 163.3215/Local Government Development Orders*).

Jeffrey Steinsnyder, Deputy Chief Assistant County Attorney, stated the quasi-judicial process is optional but if the process outlined in statute is not followed; the bill alters the review standards (writ of certiorari) to a de novo hearing.

Discussion: De novo review is significant because the Board is included in the process; bill has been proposed for three legislative sessions; bill difficult to comprehend; representatives do not communicate with the Board as they should regarding growth issues; etc.

Mrs. Stein requested the County Administrator to schedule a meeting with the State Representatives.

Anna Maria Island Trolley

Mr. McClash reported the trolley is now operational and requested staff provide quarterly reports on ridership and marketing measures.

Blackburn Elementary School

Ms. Brown relayed several requests from residents for speed bumps in front of the school.

Security – Administrative Center

Ms. Brown questioned if Board members need identification badges as she was asked to sign in upon entering the building.

Discussion: Security guards are aware of the Commissioners' identities; County Administrator will remind the guards of established policy; signing in without checking identification is not secure.

No Parking Signs

Ms. Brown stated she would like to know if there are any other options in resolving a parking issue besides through a No Parking Ordinance. She reviewed staff's letter to the complainant but requested further research by staff.

Braden Run/Forrester Drive

Mr. Bruce asked for a status report on the request for stop signs at this intersection.

Dredging - Spoil Site

Mrs. von Hahmann informed the Board that a spoil site is located off Cortez Road between 99th and 100th Avenues and the residents did not have any input in the decision of its location.

Mr. Padgett noted that staff has been working on this issue and will bring back a report on the findings/suggestions.

Utility Deposits

Mr. Padgett stated he would bring back a recommendation on returning utility deposits to customers, as currently deposits are held indefinitely. He noted R. B. Shore, Clerk of Circuit Court, has no objection to deposits being returned to customers.

[BC20020319DOC049](#)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 11:35 a.m.
/qa

Minutes Approved: April 16, 2002