

APRIL 16, 2002

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, April 16, 2002, at 9:01 a.m.

Present were Commissioners:

Jonathan Bruce, First Vice-Chairman
Patricia M. Glass, Second Vice-Chairman
Jane W. von Hahmann, Third Vice-Chairman
Gwendolyn Y. Brown
George L. Harris
Joe McClash

Absent was Commissioner:

Amy Stein, Chairman (illness)

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 the Rev. Frank McGrath, retired.

AGENDA

Agenda of April 16, 2002, and agenda update memoranda.

[BC20020416DOC001](#)

CONSENT AGENDA

Motion was made by Mrs. Glass, seconded by Mr. Harris, and carried 6 to 0, to approve the Consent Agenda, incorporating the language as stated in the recommended motions in the agenda memoranda, as may have been modified in the supplemental agenda, with the deletion of: **LaMirada Gardens Funding and Land Use Restriction Agreement** with Germaine Company, Inc. (deferred) and Work Assignment with Rowland, Inc., for **Manhole Rehabilitation Services** (deferred).
Items APPROVED:

[BC20020416DOC002](#)

[BC20020416DOC003](#)

[BC20020416DOC004](#)

CLERK'S CONSENT CALENDAR

BONDS

Accept:

Sheriff's Public Employees and Deputy Sheriff's Blanket Bonds (11 additions, 12 deletions).

[BC20020416DOC005](#)

Lakeridge Falls, Phase 1-A

Release:

1. Agreement with Centex Homes guaranteeing completion of required improvements and temporary construction easement for private improvements (\$2,029,100).
2. Agreement with Centex Homes guaranteeing completion of required improvements and temporary construction easement for private improvements (\$355,172.63).

Accept:

1. Agreement with Centex Homes guaranteeing completion of required improvements and temporary construction easement for private improvements (\$2,029,100). This agreement will be secured by a previously accepted surety bond (6102851, 5/22/01).
2. Agreement with Centex Homes guaranteeing completion of required improvements and temporary construction easement for private improvements (\$355,172.63). This agreement will be secured by a previously accepted surety bond (6102852, 5/22/01).

[BC20020416DOC006](#)

Langley Park

Release:

Agreement with Pacific Equity Associates guaranteeing completion of required improvements and temporary construction easement for private improvements (\$19,488).

Accept:

1. Agreement with Pacific Equity Associates guaranteeing completion of required sidewalk and bikeways and temporary construction easement for private improvements (\$19,488).
2. Performance Bond: \$19,488 (Amendment 1 to Letter of Credit 9914, SunTrust Bank) **extending** expiration to May 25, 2003.

[BC20020416DOC007](#)

Lakewood Ranch Country Club Village, Legacy Boulevard Extension

Release:

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$23,348).
2. Performance Bond: \$23,348 (Surety Bond 929198364, Continental Insurance Company).

[BC20020416DOC008](#)

Mote Ranch, Phase IV-A

Release:

1. Agreement with Lennar Homes, Inc., warranting required improvements (\$20,430.41).
2. Defect Security: \$20,430.41 (Surety Bond 929097634, Continental Insurance Company).

[BC20020416DOC009](#)

River Club South, Phase V-A

Release:

1. Agreement with I. D. L. Corporation guaranteeing completion of required sidewalks and bikeways (\$50,580.40).
2. Performance Bond: \$50,580.40 (Letter of Credit 941267, NationsBank (aka Bank of America)).

Accept:

1. Agreement with I. D. L. Corporation guaranteeing completion of required sidewalks and bikeways (\$50,580.40).
2. Performance Bond: \$50,580.40 (Letter of Credit 3046532, Bank of America).

[BC20020416DOC010](#)

REFUNDS

Dwayne E. Cummings – Application Fee	\$ 866.37
Manatee Joint Venture – Impact Fee	\$ 26,886.00
Manatee Joint Venture – Impact Fee	\$ 31,203.00
Neal Custom Homes – Impact Fee	\$ 3,050.00

[BC20020416DOC011](#)

WARRANT LIST

Approved: April 2, 2002 through April 15, 2002
 Authorized: April 16, 2002 through April 22, 2002

[BC20020416DOC012](#)

MINUTES

March 12, 2002, March 19, 2002, and March 20, 2002.

[BC20020416DOC013](#)

ACCEPT

Public Safety Communication Consultant Services – Addendum 1 with L. Robert Kimball & Associates, Inc., to change Payment 7 from \$8,700 to \$17,400; total remains \$87,000.

[BC20020416DOC014](#)

Cedar Hammock Refuse Disposal Corporation (a division of **Waste Management, Inc., of Florida**) – Statement of revenues and expenses of the solid waste franchise agreement of unincorporated Manatee County (10/1/00 - 12/31/01).

[BC20020416DOC015](#)

Lakewood Ranch Community Development District 1 – Minutes of the Board of Supervisors meetings held January 10, 2002, and February 14, 2002, **and** District’s Audited Financial Statements for year ended September 30, 2001.

[BC20020416DOC016](#)

Lakewood Ranch Community Development District 2 – Audited Financial Statements for year ended September 30, 2001.

[BC20020416DOC017](#)

Lakewood Ranch Community Development District 3 – Minutes of the Board of Supervisors meeting held February 14, 2002, **and** District’s Audited Financial Statements for year ended September 30, 2001.

[BC20020416DOC018](#)

Southwest Florida Water Management District - Annual Financial Report for FY ended September 30, 2001, **and** Annual Local Government Financial Report for FY 2000-2001.

[BC20020416DOC019](#)

University Place Community Development District – Annual Local Government Financial Report for FY 2000-2001.

[BC20020416DOC020](#)

AUTHORIZE CHAIRMAN TO SIGN

Partial Release of Special Improvements Assessment Liens:

Projects 3009 (2); 3102 (2); 3106 (2); 5144 (2); 5147; 5150.

[BC20020416DOC021](#)

Satisfactions of Judgments:

- Lorie Atwood – Case 98-1718F (2)
- Rogelio Flores Cruz – Case 99-CF-2786
- George Decker – Case 01-CT-2076
- Rafael Hernandez – Case 00-CF-1150
- Ken Hewitt – Case 00-1718F
- Kimberly Gilletto – Case 00-CF-2820
- James Montgomery – Case 93-1482JP (3) and Case 96-6057M
- David Muringer – Case 00-CF-1971
- Terri Walker – Case 01-CJ-1443 and Case 01-CJ-2025

[BC20020416DOC022](#)

APPROVE, RATIFY, AND CONFIRM

Trust for Public Land – Execution of a letter requesting technical advice and assistance to develop a program to finance acquisition of environmentally sensitive land, parks, natural areas and open spaces, and a related ballot measure (referendum) for consideration by voters (based on 1/22/02 presentation by U.R.S. Corporation).

[BC20020416DOC023](#)

COUNTY ADMINISTRATOR

PROCLAMATIONS

1. A Proclamation designating the month of May 2002 as Civility Month was accepted by **Maureen Sikora**, Assistant County Attorney. [BC20020416DOC024](#)
2. A Proclamation designating the week of April 21-27, 2002, as Crime Victims’ Rights Week was accepted by members of the **Manatee County Crime Victims’ Rights Council**. [BC20020416DOC025](#)
3. A Proclamation designating April 21-27, 2002, as National Volunteer Week was accepted by members of **Americorps Promise Fellows**. [BC20020416DOC026](#)
4. A Proclamation designating April 22-28, 2002, as Turn off the Television Week was accepted by **Ed Stanley**, Bradenton Kiwanis Club. [BC20020416DOC027](#)

5. A Proclamation designating April 16, 2002, as Citizens Review Volunteers Day was accepted by **R. B. "Chips" Shore**, Manatee County Clerk of Circuit Court, and **Valerie Fisher**, Citizens Review Supervisor. Mr. Shore presented a plaque to **Ron Hall** in recognition and appreciation of ten years service as a Teen Court Volunteer. [BC20020416DOC028](#)
6. A Proclamation designating the week of April 29-May 5, 2002, as Bible Reading Week was accepted by **Rev. Lawrence Livingston**. [BC20020416DOC029](#)

COUNTY LOGO

R-02-62 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE USE OF THE COUNTY LOGO BY VENDORS DOING BUSINESS WITH MANATEE COUNTY. [BC20020416DOC030](#)

AGRICULTURE AND NATURAL RESOURCES – PROMOTIONAL ITEMS

R-02-93 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE EXPENDITURE OF COUNTY FUNDS FOR THE DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES' EDUCATION AND PROMOTION PROGRAM; AND PROVIDING AN EFFECTIVE DATE. [BC20020416DOC031](#)

LAWSUITS

1. **George King** - Authorization for the County Attorney to file suit or any appropriate legal complaint against George King to enjoin transmission of harassing faxes. [BC20020416DOC032](#)
2. **Lockwood Ridge Road/Sarapalms Subdivision** - Authorization for the County Attorney to take appropriate legal action against Glenbrooke Investment Corporation for its failure to uphold the terms of the Required Improvements Agreement in the amount of \$47,668 for road construction. [BC20020416DOC033](#)
3. **Robert and Gina Valentino v. Manatee County** - Approval, if appropriate, of filing a third-party complaint or designation as "Fabre" defendants against Contract Connection, Inc., and/or Little Tikes, Inc., regarding defective playground equipment sold to Manatee County and installed at G. T. Bray Recreation Complex (Case 2002-CA-0115). [BC20020416DOC034](#)

BAKER ACT TRANSPORTATION EXCEPTION PLAN

Execution of a letter to Bob Holm, Acting Suncoast Region Administrator, Alcohol, Drug Abuse, and Mental Health Program Office, Department of Children and Families (DCF), approving the DCF Suncoast Region **Alcohol, Drug Abuse, and Mental Health Manatee County Baker Act Transportation Exception Plan** dated May 2002. [BC20020416DOC035](#)

HOME REHABILITATION LOAN

Execution of Amendment 1 to Agreement with W. Ken Siders/CMA Builders, Inc., for the rehabilitation of the home of **Paulette Stephens** (1/22/02), increasing the contract by \$4,155, adjusted total \$30,432.50, pursuant to Resolution R-96-227. [BC20020416DOC036](#)

INDIGENT CARE

R-02-95 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE ACCEPTANCE OF A CONTRIBUTION FROM **MANATEE MEMORIAL HOSPITAL & HEALTH SYSTEM** (HOSPITAL) TO THE HUMAN SERVICES DIVISION OF MANATEE COUNTY GOVERNMENT FOR THE PURPOSE OF PAYMENTS TO PHYSICIANS FOR SERVICES PROVIDED FOR INDIGENTS. [BC20020416DOC037](#)

YOUTH SUBSTANCE ABUSE PREVENTION

Execution of an Interlocal Agreement with the University of South Florida to provide a Youth Substance Abuse Prevention Evaluation Project (4/1/02-9/30/02), \$9,376. [BC20020416DOC038](#)

VISIT FLORIDA MARKETING COMMITTEE

Approval of an expenditure of \$2,100 to host the Visit Florida Marketing Committee with a reception and dinner, May 5-6, 2002. [BC20020416DOC039](#)

COUNTYWIDE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

Execution of a National Pollutant Discharge Elimination System (NPDES) Certification Statement for Annual Report Year 4 to comply with the U.S. Department of Environmental Protection permitting requirements (co-applicants: City of Anna Maria, City of Bradenton Beach, City of Holmes Beach, and City of Palmetto). [BC20020416DOC040](#)

AUDITING SERVICES

Execution of an amendment to Letter of Engagement (approved 6/6/00) with Valiente Hernandez, P.A., and Shinn & Company, P.A., to provide auditing services to the County for two additional fiscal years ending September 30, 2003, \$237,000, and September 30, 2004, \$244,000. [BC20020416DOC041](#)

AQUIFER STORAGE AND RECOVERY

Execution of Change Order 1 to IFB 00-5431-MP for Phase 2/Potable Water with Wharton-Smith, Inc., to extend the contract completion date from January 2, 2002, to April 12, 2002, adding 100 calendar days to the contract time. [BC20020416DOC042](#)

BACKFLOW PREVENTION DEVICES/COLD WATER METERS/RECLAIMED WATER METERS

Authorization to issue Change Order 3 to PO P0000782 with Badger Meter, Inc., and PO P0000784 with Hughes Supply; and Change Order 1 to PO P2001056 with Neptune Technology Group, Inc., to extend services through June 3, 2002. [BC20020416DOC043](#)

BUDGET AMENDMENTS

1. **Various** **B-02-025**
Transfer of Funds; Unanticipated Revenue Appropriations
Supporting Description and Detail Attached [BC20020416DOC044](#)
2. **Project Management** **B-02-027**
Transfer of Funds
Supporting Description and Detail Attached [BC20020416DOC045](#)

ECONOMIC DEVELOPMENT COUNCIL

Execution of Addendum 1 to Funding Agreement for FY 2001-2002 with the Economic Development Council of the Manatee Chamber of Commerce, Inc., providing for reallocation of funds for an additional \$10,000 for the Tampa Bay Partnership. [BC20020416DOC046](#)

CHILLER AND AIR CONDITIONING SYSTEMS

Authorization to issue Change Order 2 to PO P2000224 with Air Mechanical & Service Corp. for maintenance and repair services on an as-required basis; increase of \$44,856, adjusted total \$110,556. [BC20020416DOC047](#)

BRIDGE REHABILITATION

Execution of Change Order 1 to Work Assignment 24 with Wade-Trim, Inc., for engineering services for the Countywide Bridge Rehabilitation Report; increase of \$7,103, adjusted total \$60,386. [BC20020416DOC048](#)

EMPLOYEE HEALTH BENEFITS

Acceptance of two bikes and bike helmets as promotional incentives for completing the 2002 Spring cholesterol screening and online Health Risk Assessment. [BC20020416DOC049](#)

EMERGENCY RESCUE AMBULANCES

Execution of Addendum 2 to Agreement with Aero Products, Inc., for emergency rescue ambulances and refurbishment/remount services, on an as-needed basis, extending the agreement from December 10, 2001, to December 9, 2006. [BC20020416DOC050](#)

MATERIALS AND SERVICES

1. **Firewall Replacement** - Limited competition purchase from LURHQ Corporation for an estimated cost of \$59,213. [BC20020416DOC051](#)
2. **Geotechnical Engineering/Soils and Materials Testing Services** - Enter into negotiations with the three top-ranked, short-listed firms: Ardaman & Associates, Inc.; Driggers Engineering Services, Inc.; and Professional Service Industries, Inc. [BC20020416DOC052](#)
3. **Landscaping/Grounds Maintenance** - Award IFB 02-1891RS to the lowest responsible bidder meeting specifications, Central Florida Landscaping, Inc., \$124,176. [BC20020416DOC053](#)
4. **Recycling and Demanufacturing of Computer/Electronic Equipment** - Enter into negotiations with the top-ranked firm, Quicksilver Recycling Services. [BC20020416DOC054](#)
5. **Pump Repair Services** - Award IFB 02-2215AA to the two low, responsive, responsible bidders meeting specifications, Regional Engineering & Service, Inc. (first low bidder), estimated annual amount of \$170,000, and Electro Mechanical South, Inc. (second low bidder), estimated annual amount of \$5,000. [BC20020416DOC055](#)

IFAS SOFTWARE LICENSE AND MAINTENANCE AGREEMENT

Execution of Addendum 2 to Agreement with SunGard Bi-Tech, Inc., to provide an imaging system to Manatee County Finance System (IFAS), \$50,022. [BC20020416DOC056](#)

LIBRARY MATERIALS

Execution of addenda to extend agreements, at no additional cost, to August 31, 2002, with the following vendors for the provision of materials to the County Libraries:

1. **Paperback Books** – Addendum Five with The Booksource, Inc. (primary);
2. **Books, Audios, CD ROMS, Etc.** – Addendum Five with Baker & Taylor Books, Inc. (primary; secondary for Paperback Books);
3. **Library Books, Videos, Books on Cassettes** – Addendum Seven with Ingram Library Services, Inc. (secondary for Paperback Books and Books, etc.); Addendum Nine with Brodart Company for Library Books (secondary for Books, etc.);
4. **Microform/Microfiche** – Addendum Six with ProQuest Information and Learning Company (fka Bell & Howell); and
5. **Subscription Materials** – Addendum Five with EBSCO, Inc. [BC20020416DOC057](#)

SUPERVISORY CONTROL AND DATA ACQUISITION

Execution of Work Assignment EOR-4 with McKim & Creed for **engineering services for construction services** for the Design/Build Project at the three regional wastewater treatment plants, \$77,340. [BC20020416DOC058](#)

TIME PAYMENT AGREEMENTS

1. **Release of Lien** - Execution of Release of Time Payment Agreement Lien on satisfied agreement with Anatoli and Lubomir Komarov. [BC20020416DOC059](#)
2. **Agreement** - Execution of, and authorization to record, for water and sewer facility investment fees, connection fees, and line extension charges with Viergela Joseph. [BC20020416DOC060](#)

UTILITIES REFUNDS/OVERPAYMENTS/FEE WAIVERS

1. Authorization to refund \$32.50 to Wal-Mart Stores, Inc., due to customer paying Manatee County Utilities in error. [BC20020416DOC061](#)
2. Authorization to refund \$1,627.82 to Hardees of Bradenton, 5026 15th Street East, Bradenton, due to customer being charged for solid waste in error. [BC20020416DOC062](#)
3. Waive service fee assessed to Marcella Bell (\$25) for returned bank item.
4. Waive service fee assessed to Coastal Waste Services (\$464.40) for returned bank item. [BC20020416DOC063](#)

RAW WATER PUMP STATION 1, FLOOD CONTROL

Execution of Change Order 1 to IFB 00-5317-MP, Flood Control Improvements, with C.E.M. Enterprises, Inc. (dba Sunshine Painting); decrease of \$15,564.53, adjusted total \$309,435.47; and, an additional 98 calendar days, for a revised completion date of December 3, 2001. [BC20020416DOC064](#)

MULTIFAMILY HOUSING REVENUE BONDS

R-02-34 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CONCEPTUALLY APPROVING THE ISSUANCE OF HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA, MULTIFAMILY HOUSING REVENUE BONDS (**LA MIRADA GARDENS PROJECT**), ISSUED FOR THE PURPOSE OF FINANCING THE ACQUISITION AND CONSTRUCTION OF A MULTIFAMILY HOUSING RENTAL PROJECT IN MANATEE COUNTY, FLORIDA, WITHIN THE MEANING OF MANATEE COUNTY ORDINANCES 79-6 AND 91-40 IN AN AMOUNT NOT TO EXCEED \$7,650,000. [BC20020416DOC065](#)

DONATIONS

1. **Library** – Acceptance of donations in the amount of \$630 (\$375 Library System; \$255 Talking Books Library) given during the FY 2001-02 quarter covering January-March 2002 in accordance with Resolution 86-278 and procedures established by the County Administrator. [BC20020416DOC066](#)
2. **Parks and Recreation** – Acceptance of a donation from Manatee Wildcat Football, Inc., in the form of materials and labor (\$1,200) to expand the roof of the concession stand at the G. T. Bray Park football complex. [BC20020416DOC067](#)

PARKS AND RECREATION - POLICY AND FEE SCHEDULE

R-02-72 RESOLUTION RESCINDING RESOLUTION R-01-195 ESTABLISHING THE POLICY AND FEE SCHEDULE FOR THE MANATEE COUNTY PARKS AND RECREATION DEPARTMENT AND PROVIDING AN EFFECTIVE DATE. [BC20020416DOC068](#)

SUMMER CAMP PROGRAM

Execution of Transportation Agreement with School Board of Manatee County to utilize school buses for field trips. [BC20020416DOC069](#)

FINAL PLATS**Highland Ridge**

1. Final Plat;
2. Mortgagee's Joinder in and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from First National Bank of Florida dba West Coast Guaranty Bank;
3. Agreement with B&B Suncoast Land Development, Inc., guaranteeing completion of required improvements (\$1,528,922.43);
4. Performance Bond: \$1,528,922.43 (Irrevocable Letter of Credit 1199, West Coast Guaranty Bank);
5. Agreement with B&B Suncoast Land Development, Inc., guaranteeing completion of required sidewalks and bikeways (\$58,112.60);
6. Performance Bond: \$58,112.60 (Irrevocable Letter of Credit 1197, West Coast Guaranty Bank);
7. Agreement with B&B Suncoast Land Development, Inc., guaranteeing completion of required improvements and temporary construction easement for private improvements (\$188,117.14);
8. Performance Bond: \$188,117.14 (Irrevocable Letter of Credit 1198, West Coast Guaranty Bank);
9. Conservation Easement from B&B Suncoast Land Development, Inc.;
10. Maintenance Agreement for Right-of-Way Island with Highland Ridge Homeowners' Association of Manatee County, Inc.; and
11. Declaration of Maintenance and Land Use Provisions of Highland Ridge by B&B Suncoast Land Development, Inc. [BC20020416DOC070](#)

University Walk

1. Final Plat;
2. Mortgagee's Joinder in and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from SunTrust Bank;
3. (Mortgagee) Joinder and Consent from SunTrust Bank;
4. Consent from Publix Super Markets, Inc., as Tenant, covering the premises in University Walk Shopping Center, Sarasota, under Lease Agreement (1/27/01);
5. Agreement with University Walk, LLC, guaranteeing completion of required improvements (\$64,534.60);
6. Performance Bond: \$64,534.60 (Irrevocable Letter of Credit 425, SunTrust Bank);
7. Agreement with University Walk, LLC, guaranteeing completion of required improvements and temporary construction easement for private improvements (\$307,884.21);
8. Performance Bond: \$307,884.21 (Irrevocable Letter of Credit 424, SunTrust Bank); and
9. Declaration of Easements, Covenants and Restrictions for University Walk by University Walk, LLC. [BC20020416DOC071](#)

Waterlefe Golf & River Club, Unit 11

1. Final Plat;
2. Mortgagee's Joinder in and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from Fleet National Bank, fka BankBoston, N.A.;
3. Joinder in and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from Waterlefe Community Development District;
4. Agreement with Bay Colony – Gateway, Inc., guaranteeing completion of required improvements and temporary construction easement for private improvements (\$353,542.66);
5. Performance Bond: \$353,542.66 (Surety Bond 45025056, Greenwich Insurance Company);
6. Agreement with Bay Colony – Gateway, Inc., guaranteeing completion of required sidewalks and bikeways and temporary construction easement for private improvements (\$19,281.60);
7. Performance Bond: \$19,281.60 (Surety Bond 45025058, Greenwich Insurance Company);
8. Agreement with Bay Colony – Gateway, Inc., guaranteeing completion of required improvements and temporary construction easement for private improvements (\$12,823.50);

9. Performance Bond: \$12,823.50 (Surety Bond 610233472-8, United States Fire Insurance Company);
10. Agreement with Bay Colony-Gateway, Inc., for the installation and maintenance of publicly owned facilities underlying privately owned lands; and
11. Thirteenth Supplement to the Declaration of Covenants, Restrictions and Easements of Waterlefe Golf and River Club Community by Bay Colony-Gateway, Inc. [BC20020416DOC072](#)

HEARING OFFICER

Execution of an Extension of Agreement with Mark D. Singer to serve as Manatee County Hearing Officer for a one-year term ending April 16, 2003. [BC20020416DOC073](#)

PARTICIPATION PROJECTS

1. **R-02-91** A RESOLUTION MODIFYING THE SPECIAL ASSESSMENT ROLL FOR ROAD ASSESSMENT PROJECT 5069, **15TH, 16TH, 17TH, AND 18TH STREETS WEST** (assigning a new D.P. number to a parcel owned by Oneco Land Company, Inc.). [BC20020416DOC074](#)
2. **R-02-92** A RESOLUTION MODIFYING THE SPECIAL ASSESSMENT ROLL FOR SEWER ASSESSMENT PROJECT 2502, **PALMETTO POINT** (assigning a new D.P. number to a parcel owned by Olaf and Aija Cimermanis). [BC20020416DOC075](#)

LOCKWOOD RIDGE ROAD

R-02-94 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, AUTHORIZING EXECUTION OF A COUNTY INCENTIVE GRANT PROGRAM AGREEMENT AMENDMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION PROVIDING FOR FINANCIAL ASSISTANCE FOR LOCKWOOD RIDGE ROAD FROM TALLEVAST ROAD TO COUNTRY OAKS BOULEVARD AND CHANGING ONLY THE CONSTRUCTION COMPLETION DATE (execution of Amendment with State of Florida Department of Transportation, extending the construction expiration date to July 30, 2002). [BC20020416DOC076](#)

DEEDS AND EASEMENTS

1. **Anna Maria Beach Renourishment Project** – Execution of a Beach Restoration Easement from James D. and Judy Adams, as Trustees; Affidavit of Ownership and Encumbrances; and Joinder from GMAC Mortgage Corporation. [BC20020416DOC077](#)
2. **121st Avenue East, Parrish** – Drainage Easement and Temporary Construction Easement from George and Sandra M. Masengale to install a pipe; and Affidavit of Ownership and Encumbrances. [BC20020416DOC078](#)
3. **Lorraine Road** – Warranty Deed from Manatee River Groves, Inc.; Affidavit of Ownership and Encumbrances; and Partial Release from Farm Credit of Southwest Florida. [BC20020416DOC079](#)

QUAIL RUN SUBDIVISION

Authorization to relocate the speed table on Linden Lane from Lots 43 and 22 to the slough south of 74th Avenue East. [BC20020416DOC080](#)

STREET VACATION – PARKLAND CENTER

R-02-75-V RESOLUTION DECLARING A PUBLIC HEARING ON MAY 21, 2002, AT 9:00 A.M., OR AS SOON THEREAFTER AS SAME MAY BE HEARD, ON APPLICATION BY BENZ RESEARCH AND DEVELOPMENT CORPORATION, TO VACATE A 20-FOOT-WIDE PLATTED DRAINAGE EASEMENT ON LOTS 14 AND 15. [BC20020416DOC081](#)

SOUTHWEST PLANT INJECTION WELL PERMIT

Execution of a Certification of Financial Responsibility guaranteeing the availability of funds in the event that the well has to be closed, plugged, and abandoned (estimated cost \$221,000). [BC20020416DOC082](#)

CODE ENFORCEMENT LIEN

Execution of Partial Release of Lien in Code Enforcement Complaint and File CE805X282, **Linnie V. Walton**; and authorization for Clerk's Office to record Partial Release.

(End Consent Agenda)

[BC20020416DOC083](#)

2002 FAIR COMMITTEE

Certificates of Appreciation for service on the 2002 Fair Committee were presented by County Administrator Ernie Padgett to: **Rob Day, Jackie Duray, Jack Fencil, Paul Hull, Theresa Kersey, Vlasta Karafiatova, Tammy Mirrilees, Marilyn Ott, Cindy Purdy, Teree Sutton, Barbara Tyler, and Al Wallace.** [BC20020416DOC084](#)

CITIZENS' COMMENTS

Adult Entertainment

Brian Moore, an employee at a music store on 14th Street West, advised that a retail lingerie shop was opening next door and expressed concerns of its proximity to a school bus stop.

Discussion: Agenda discussion of specific location; prohibitions of certain businesses operating within a certain distance from a school; documentation that this is a music school; etc.

Sarasota Bay

Sue Maddox, Cortez resident, addressed the lack of access to Sarasota Bay in Cortez and submitted photographs showing public accesses that have been encroached upon or marked by neighbors as private roads.

Discussion: Staff is reviewing five accesses; issues associated with each access; address public accesses in Master Plan for Cortez; etc.

Judicial Center

William R. Wheeler asked what the cost would be for the new judicial center and whether a sales tax would be necessary for funding.

Discussion: Accurate estimate not available as of yet; consultant looking at cost estimates and alternatives; the first meeting of the Judicial Center working group was just held, and three options were identified: **(1)** re-utilization of the existing site (Hensley Public Safety Complex); **(2)** demolition of the existing site with the cost of a new building; and **(3)** an option to be determined based on input gathered from everyone at the existing sites; associated costs and design concepts will be developed for the three options; information is expected to come back in four months; etc.

The Accord

Mr. Wheeler stated he was unable to find a copy of the Accord, an interlocal agreement among the County, the municipalities within the County, and the Manatee County School Board.

Mr. Padgett advised that the County is waiting for all the municipalities to sign the Accord, at which time it will be put on MGA (Manatee Government Access). Following discussion and without objection, the Accord will be put on MGA (and the County website) now.

Code Enforcement

George King submitted copies of faxes, fax cover sheets, and responses to faxes he has sent to County offices and personnel addressing code enforcement issues. He stated he wanted answers to his faxes.

Mr. Padgett noted that a meeting has been scheduled with Mr. King for April 18, 2002, to try to resolve his concerns. [BC20020416DOC085](#)

VALUE ADJUSTMENT BOARD

Motion was made by Mrs. Glass, seconded by Mrs. von Hahmann, and carried 6 to 0, to confirm the appointments of **Mr. Harris**, **Mrs. von Hahmann**, and **Mrs. Glass** to serve on the 2002 Value Adjustment Board, with **Mr. McClash** to serve as alternate.

Motion was made by Mrs. von Hahmann, seconded by Ms. Brown, and carried 6 to 0, to appoint **Mr. Harris** as Chairman of the 2002 Value Adjustment Board. [BC20020416DOC086](#)

STREET VACATIONS**Oakley Subdivision**

Public hearing (continued from 3/26/02) was held to consider

R-02-19-V RESOLUTION ON APPLICATION BY MEDALLION HOMES GULF COAST INC., VACATING A PORTION OF A CERTAIN DRAINAGE EASEMENT ON LOTS 48 AND 49.

Motion was made by Mr. McClash, seconded by Mr. Harris, and carried 6 to 0, to adopt Resolution **R-02-19-V**. [BC20020416DOC087](#)

Richard's Subdivision

Public hearing (Notice in the *Bradenton Herald* 3/18/02 and 3/25/02) was held to consider

R-02-31-V RESOLUTION ON APPLICATION BY C. LARRY AMLONG AND SARAH T. AMLONG, JOSEPH M. CALANDRA AND GAIL AMLONG CALANDRA, AND CURTIS LYLE AMLONG, SR., AND MARY GALE AMLONG VACATING LOTS OF RECORD, ALL OF BLOCK "A" AND BLOCK "H" OF RICHARD'S SUBDIVISION.

Motion was made by Mrs. Glass, seconded by Ms. Brown, and carried 6 to 0, to adopt Resolution **R-02-31-V**. [BC20020416DOC088](#)

Recess/Reconvene. All members present except Mrs. Stein, Mr. Harris, and Mrs. von Hahmann.

TRAFFIC SIGNAL SYSTEM

Harry Mendenhall, Transportation Department, requested support for the Florida Department of Transportation (FDOT) to continue the study of an upgraded traffic signal control system (ITS – Intelligent Traffic System). Mr. Mendenhall noted that an upgraded system should result in savings in time, driver frustration, reduced air pollution, and increased fuel savings.

(Enter Mrs. von Hahmann)

Abdul Hamid, Post, Buckley, Schuh & Jernigan, Inc. (FDOT consultant), used a slide show to review the Sarasota-Manatee Signal Systems Alternatives Analysis completed for FDOT. He stated two Metropolitan Planning Organization (MPO) subcommittees reviewed three alternatives and recommended Alternative 3: an integrated ITS with regional traffic management center and video monitoring (cameras). Mr. Hamid noted that there have been discussions with Time-Warner Cable and Verizon, Inc., to determine cost savings in using private, fiber optic interconnect networks rather than installing a separate, publicly funded system.

(Enter Mr. Harris during presentation; Ms. Brown absent during portion of presentation)

Discussion: Whether system could lower costs of road improvements; projects in the Capital Improvements Program (CIP) that may benefit from the system; level of service improves with implementation of ITS; video monitoring could aid in incident management; cost-sharing, funding, and maintenance/operation costs; public education as to use of cameras; additional equipment to allow preemption by emergency vehicles at intersections; more evidence of level of service improvements; system would absorb funding for two years of transportation improvements; where system fits in budget priorities; cost of system has increased over \$20 million in three years; right-of-way costs not included in estimate; other costs, e.g., business damages; funding sources outside of CIP; funding ITS without affecting current projects; costs for road projects increase if delayed; assurance that use of cameras cannot be abused; etc.

Mr. Hamid addressed: Level of Service based on average speed with no change in traffic volume; information in the study from areas with ITS already installed; and components not in original study resulting in additional costs.

Motion was made by Mr. McClash to approve **Alternative 3** and request FDOT and the MPO to proceed with further study of the preliminary design of an upgraded countywide traffic signal system. The motion was seconded by Mr. Harris.

William Wheeler requested that the roadway be marked to indicate where motorists should stop in order to activate left turn arrows. **Bob Bartz** commended the Board on being a leader in infrastructure improvements.

The motion carried 6 to 0.

[BC20020416DOC089](#)

BRADEN WOODS - STOP SIGNS

Red Childs, Transportation Department, reviewed the request for multi-way stop signs at the intersection of Braden Run and Cypress Circle/Forrester Drive. Mr. Childs stated the studies by the Traffic Management Division indicated that multi-way stop signs were not warranted; therefore, he recommended denial.

Discussion: Fatalities at intersection not reflected in study; intersection is curvilinear and makes line of sight difficult; vehicles speed on these streets; pedestrian activity is not addressed in studies; etc.

Motion was made by Ms. Brown to approve the installation of multi-way stop signs at the intersection of Braden Run and Cypress Circle/Forrester Drive. The motion was seconded by Mrs. Glass and carried 6 to 0.

Richard Sulick, representing the Braden Woods Homeowners Association, showed photographs of an accident at the intersection, and used a map to point out the intersection at the southern end of Braden Run, which has multi-way stop signs.

Wilhelmina McFee stated the study data does not account for the numbers of children on bicycles and scooters traveling through that area.

[BC20020416DOC090](#)

(Depart Mrs. Glass)

2002 GROWTH MANAGEMENT BILL

Carol Clarke, Planning Director, reviewed an analysis of the 2002 Growth Management Bill (CS/SB 1906 and 550) and implications for the County. She reviewed the changes affecting:

1. Education
2. Developments of Regional Impact
3. Comprehensive Plans
4. Water/Reuse
5. Annexation
6. Enterprise Zones

(Enter Mrs. Glass during presentation)

Tedd Williams, Jr., County Attorney, reviewed legislative changes under Comprehensive Plans regarding Aggrieved and Affected/DeNovo. Mr. Williams referred to a draft letter that was to be sent by the Board to Governor Bush, requesting veto of the legislation that would take away local control of land use decisions regarding Solid Waste Facilities.

Jeffrey Steinsnyder, Deputy Chief Assistant County Attorney, addressed the changes under Comprehensive Plans regarding Coastal High Hazard – Density Reductions.

Discussion: Department of Community Affairs Secretary Steve Seibert to attend County Commission meeting on May 7, 2002, to discuss specific points of the legislation; Senator John McKay to speak at Kiwanis Club today regarding the legislative session and growth management legislation; County is already dealing with many of these issues on its own; etc.

[BC20020416DOC091](#)

ONE-HALF CENT SALES SURTAX

Motion was made by Mrs. Glass, seconded by Ms. Brown, and carried 6 to 0, to adopt Resolution **R-02-90** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, SUPPORTING THE IMPOSITION OF A ONE-HALF CENT SALES SURTAX TO BE USED FOR CAPITAL EXPENDITURES FOR SCHOOLS.

[BC20020416DOC092](#)

COMMISSIONERS' COMMENTS**Manasota Basin Board**

Mrs. Glass stated she would attend the Manasota Basin Board meeting on April 17, 2002, to support the budget for the Estuaries Program. She would also encourage matching the research and development funds from the U.S. Department of Agriculture for the MARS (Manatee Agricultural Reuse Supply) Program, and would address the MARS Program in relation to the disposal from the Piney Point phosphate facility.

Orange Park Subdivision

Ms. Brown requested that staff conduct a postcard poll in the subdivision regarding extension of sewer lines, based on recent requests from some residents.

17th Street – Palmetto

Ms. Brown reiterated a request to expedite paving of 17th Street in Palmetto.

G. T. Bray Park

Mr. McClash advised that he received a letter from Steve Dye, Manatee Area Youth Soccer Organization (MAYSO), concerning remodeling the concession stand. Mr. Dye asked whether MAYSO could make payments on their share of the costs. Mr. McClash asked that this item be placed on an agenda for approval.

Discussion: County Administrator already working with Mr. Dye; agreement would need legal review; expedite agreement; etc.

Cuba Trip

Mr. McClash stated he visited Cuba last week, where he presented the Proclamation passed by the Board (12/11/01). Mr. McClash also noted that something similar to a community redevelopment district has been used to renovate Old Havana. He had pictures and videos of his visit to share with the Board.

[BC20020416DOC093](#)

TRAVEL AUTHORIZATION

Mrs. von Hahmann requested permission for Mr. Harris and her to travel to Marco Island on June 26-28, 2002, to attend the Florida Association of Counties (FAC) meeting.

Mr. Padgett requested that the Board approve travel on an annual basis and it was determined to include this in the budget process.

Motion was made by Mr. McClash to approve travel for any Commissioner to the FAC meeting in June. The motion was seconded by Mrs. Glass and carried 6 to 0.

[BC20020416DOC094](#)

(Depart Mrs. Glass and Ms. Brown)

PINEY POINT PHOSPHATE PLANT

Mr. Padgett requested approval of a draft letter to be signed by Congressman Dan Miller, requesting federal assistance to address the Piney Point phosphoric acid plant emergency treatment.

Charlie Hunsicker, Ecosystems Administrator, advised that the State of Florida will invest \$30 million to \$40 million to neutralize the processed water at the plant, allowing for discharge into Tampa Bay. The State has requested the Southwest Florida Water Management District (SWFWMD) and the area governments find a use for this water rather than discharging it into Tampa Bay. Mr. Hunsicker stated the MARS Program would act as the conduit for this water product.

(Enter Ms. Brown)

Mr. Hunsicker stated a reservoir at the Florida Power & Light (FP&L) Parrish Plant could be used as a storage facility. Using a diagram, Mr. Hunsicker pointed out the locations of the Piney Point phosphate plant, the MARS pipeline, and the FP&L plant.

Motion was made by Ms. Brown, seconded by Mr. Harris, and carried 5 to 0, to approve the request.

Discussion: Manasota Basin Board will decide on proposed reuse of treated water for agricultural purposes; whether FP&L will use the water to generate power; replace water currently taken from Little Manatee River by FP&L (10-15 million gallons per day) with treated water from phosphate plant; FP&L water credits; FP&L has continuing consumptive use permits for its needs; rainfall will fill the stack at the phosphate plant until it can be capped and closed entirely in the next decade; etc.

[BCC20020416DOC095](#)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 11:59 a.m.
/tb/dev/rll/klc

Minutes Approved: May 7, 2002