

SEPTEMBER 3, 2002

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, September 3, 2002, at 9:02 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
George L. Harris
Joe McClash

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. Frank McGrath, CITI Ministries.

All witnesses and staff giving testimony were duly sworn.

AGENDA

Agenda of September 3, 2002, and agenda update memorandum.

[BC20020903DOC001](#)

CONSENT AGENDA

Motion was made by Mr. Bruce, seconded by Mr. Harris, and carried 7 to 0, to approve the Consent Agenda incorporating the language as stated in the recommended motions in the agenda memoranda, as may have been amended in the supplemental agenda, with the deletion of **Alhambra Drive Bridge over Palma Sola Bay** (separate action) and **MPO Citizen Advisory Committee** (deferred).
Items APPROVED:

[BC20020903DOC002](#)

CLERK'S CONSENT CALENDAR

[BC20020903DOC003](#)

BONDS

Carlyle at the Villages of Palm Aire, Unit 2

Release:

1. Agreement with Taylor Woodrow Communities guaranteeing completion of required sidewalks and bikeways (\$16,818.75).
2. Performance Bond: \$16,818.75 (Surety Bond 20-82-96, American Home Assurance Company).

[BC20020903DOC004](#)

Covered Bridge

Release:

1. Agreement with Covered Bridge Development Corporation warranting required improvements (\$29,169.26).
2. Defect Security: \$29,169.26 (Letter of Credit 9922, SunTrust Bank).

[BC20020903DOC005](#)

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

Release:

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

[BC20020903DOC006](#)

Tara, Phase II, Subphase E

Accept:

Defect Security: \$20,190.99 (Amendment 5 to Letter of Credit 79530126, AmSouth Bank) **extending** expiration date to 11/20/03.

[BC20020903DOC007](#)

Tara, Phase II, Subphase F

Accept:

Defect Security: \$40,006.67 (Amendment 5 to Letter of Credit 79530125, AmSouth Bank) **extending** expiration date to November 20, 2003.

[BC20020903DOC008](#)

Tara, Phase III, Subphase B

Accept:

Defect Security: \$9,992.05 (Amendment 5 to Letter of Credit 79530127, AmSouth Bank) **extending** expiration date to November 20, 2003.

[BC20020903DOC009](#)

REFUNDS

Manatee Joint Venture – Impact Fees

\$ 27,651.00

[BC20020903DOC010](#)

WARRANT LIST

Approved: August 27, 2002 through September 2, 2002

Authorized: September 3, 2002 through September 16, 2002

[BC20020903DOC011](#)

ACCEPT

Manatee County Detention Facility – Contract executed by the Purchasing Director with Port Manatee Ship Repair, Inc., for **jail cell door replacement** with attached Certificate of Liability Insurance, \$62,591 (authorized by Resolution R-01-36). [BC20020903DOC012](#)

Parks and Recreation Special Interest Class Instructor's Agreement:

Volodymyr Sak – Diving Class for Ages Six and Up

[BC20020903DOC013](#)

North River Fire District – Resolution 2002-04, Budget for FY 2002-03, and District Map

[BC20020903DOC014](#)

AUTHORIZE CHAIRMAN TO SIGN

Satisfactions of Judgments:

Alberto Chaviratorres – Case 2001-CF-1246

[BC20020903DOC015](#)

Keith Gaddy – Case 1989-728F B

[BC20020903DOC016](#)

COUNTY ADMINISTRATOR

AGRICULTURE CENTER USAGE POLICY

R-02-245 RESOLUTION ADOPTING GROUNDS/BUILDINGS USAGE POLICY AND PROCEDURES FOR AGRICULTURE CENTER; AND REPEALING PRIOR RESOLUTIONS R-88-02 AND R-86-140. [BC20020903DOC017](#)

LAWSUIT

Approval of a settlement for \$46,060.50, inclusive of the value of the land and improvements taken, severance damages, costs to cure, attorney's fees and experts' fees, with John C. and Amy M. Sage, for taking Parcel 184 in the **63rd Avenue** eminent domain matter of Manatee County v. Virginia W. Lamb, et al., 2001-CA-1142. [BC20020903DOC018](#)

WEST CENTRAL FLORIDA AREA AGENCY ON AGING, INC.

Execution of Amendment 1 to the **Alzheimer's Disease Initiative Grant Program** (7/23/02) with the West Central Florida Area Agency On Aging, Inc., increasing funding to \$148,760 (\$145,110 State funds; \$3,650 Client co-payments). [BC20020903DOC019](#)

STATE HOUSING INITIATIVE PARTNERSHIP

Approval/Acceptance of the State Housing Initiative Partnership (SHIP) **Annual Report**; and execution of the Letter of Transmittal and required State forms to transmit Manatee County's SHIP Annual Report for Fiscal Years 1999-00 through 2001-02 in accordance with *Florida Statute 420.9075*. [BC20020903DOC020](#)

WEST COAST INLAND NAVIGATION DISTRICT

Approval/Acceptance of Project Extension Request forms (executed by the West Coast Inland Navigation District on 7/31/02) extending expiration dates to September 30, 2003:

1. City of Anna Maria - **Lake LaVista Inlet Management Project**, M103A;
2. Project Management Department - **Bay Colony Maintenance Dredging**, M103C;
3. Project Management Department - **Bra-Win Palms Dredging**, M103D;
4. Paradise Bay Restoration Association - **Paradise Bay Restoration Project**, M103F;
5. Planning Department - **Miller's Heritage Trail Access**, M105;
6. University of Florida - **Manatee County Waterway Management System Part II**, M113A;
7. Environmental Management Department - **Navigational Improvements**, M114;
8. Environmental Management Department - **Navigation Markers Identification**, M115;
9. Environmental Management Department - **Blueway Navigation Aid**, M116;
10. Project Management Department - **Inspection Vessel**, M117;
11. Anna Maria Island Power Squadron - **Digital Classroom Enhancements**, M118;
12. U.S. Coast Guard Auxiliary Flotilla 81 - **Boating Safety and Education**, M119;
13. U.S. Coast Guard Auxiliary Flotilla 85 - **Boating Safety and Education**, M120;
14. West Manatee Fire and Rescue District - **Marine 7 Dock**, M121;
15. SRQ Composite Civil Air Patrol - **Civil Air Patrol**, M122;
16. Manatee County Sheriff's Office - **Marine Law Enforcement**, M123; and
17. Gulfcoast Wonder & Imagination Zone - **Water Day Camp**, M125. [BC20020903DOC021](#)

CONVENTION AND VISITORS BUREAU

Approval of FY 2002-03 **Marketing Plan** for the Convention and Visitors Bureau. [BC20020903DOC022](#)

15TH STREET EAST WATER MAIN

Execution of Work Assignment 1 with URS Corporation for design and construction of a 12-inch water main along the east side of 15th Street, \$55,664. [BC20020903DOC023](#)

UNCOLLECTIBLE ACCOUNTS

Write off bad debts in Water/Sewer Fund 401 (\$169,460.02) and in Solid Waste Fund 480 (\$74,876.80) for FY 2001-02. [BC20020903DOC024](#)

SURPLUS PROPERTY

1. Classify excess property as surplus property per *Florida Statute 274.05* to enable appropriate and authorized disposition of said property in accordance with Purchasing Code 99-37, Section 1.106; and authorization to thereafter dispose of such property;
2. **R-02-218** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CLASSIFYING CERTAIN TANGIBLE PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE DONATION THEREOF PURSUANT TO *SECTION 274.05, FLORIDA STATUTES* (computer equipment to **Manatee County Sheriff**);
3. **R-02-219** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CLASSIFYING CERTAIN TANGIBLE PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE DONATION THEREOF PURSUANT TO *SECTION 274.05, FLORIDA STATUTES* (computer and office equipment to **Casa La Atarraya**);

4. **R-02-239** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CLASSIFYING CERTAIN TANGIBLE PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE DONATION THEREOF PURSUANT TO *SECTION 274.05, FLORIDA STATUTES* (paper folder to **Reflections of Manatee, Inc.**);
5. **R-02-240** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CLASSIFYING CERTAIN TANGIBLE PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE DONATION THEREOF PURSUANT TO *SECTION 274.05, FLORIDA STATUTES* (miscellaneous furniture and equipment to **Florida Highway Patrol**);
6. **R-02-241** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CLASSIFYING CERTAIN TANGIBLE PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE DONATION THEREOF PURSUANT TO *SECTION 274.05, FLORIDA STATUTES* (computer equipment to **Casa La Atarraya**). [BC20020903DOC025](#)

MATERIALS AND SERVICES

1. **G.T. Bray Fitness Center Addition** – Award IFB 02-2436DC to Tri-Tech Construction and Design, Inc., \$151,632.50; and authorize subsequent execution of contract with simultaneous dating of performance/payment bonds, and acceptance of Insurance Certificate. [BC20020903DOC026](#)
2. **Liquid Sodium Hypochlorite** – Award IFB 02-5374RS to Allied Universal Corp., \$839,740. [BC20020903DOC027](#)
3. **Re-Fueler-Diesel Powered** – Award IFB 02-3268JS to Construction Lubrication Equipment, Inc., \$92,052. [BC20020903DOC028](#)
4. **Landscape Maintenance/Roadway and Storm Water Collection Areas** – Award IFB 02-3293RS to Paramount Lawn Proficiency (Zones 1 and 2), \$211,969.44; and Southern Service Companies (Zone 3), \$127,330; annual total \$339,299.44; and authorize subsequent execution of contracts. [BC20020903DOC029](#)
5. **Intersection Improvements/University Parkway at Whitfield Avenue** – Award IFB 02-2924DC to APAC-Florida, Inc., \$675,250.78 (Alternates A1 and B2); and authorize subsequent execution of contract with simultaneous dating of performance/payment bonds, and acceptance of Insurance Certificate. [BC20020903DOC030](#)

M & J ROAD

Award IFB 02-2737BS to Ajax Paving Industries, Inc., \$1,096,162.90; and authorize subsequent execution of contract with simultaneous dating of performance/payment bonds, and acceptance of Insurance Certificates (contract submitted). [BC20020903DOC031](#)

LAKESWOOD RANCH PARK

1. Execution of Change Order 1 to Work Assignment 10 with Wade-Trim, Inc., for design, permitting, and construction of **restroom/maintenance building**; increase of \$18,933, adjusted total \$43,930. [BC20020903DOC032](#)
2. Execution of Change Order 2 (Final) to IFB 00-7117DC with E.T. Mackenzie Company of Florida, Inc., for construction of **potable water and sewer mains**; decrease of \$69,628, adjusted total \$144,159. [BC20020903DOC033](#)

MANATEE AGRICULTURAL REUSE SUPPLY

Execution of Change Order 1 to Work Assignment M-13 with McKim & Creed, Inc., for survey and design modifications to relocate two **pump stations**; increase of \$24,966, adjusted total \$344,916. [BC20020903DOC034](#)

30TH AVENUE WEST

Execution of Change Order 1 to Work Assignment 02-28 with Ardaman & Associates, Inc., for **soils and materials testing of the Wares Creek box culvert backfill**; increase of \$946, adjusted total \$34,534. [BC20020903DOC035](#)

WHITFIELD ESTATES

Execution of Work Assignment 22 with Insituform Technologies, Inc., for storm sewer rehabilitation at: **(1)** Wee Burn Drive to 516 Whitfield Avenue; **(2)** 343 Magellan Drive to seawall; and **(3)** 864 Alderwood Way to creek; \$68,881. [BC20020903DOC036](#)

TALLEVAST ROAD

Execution of Change Order 4 to Work Assignment 1 with Wade-Trim, Inc., for **engineering services** from U.S. 301 to Lockwood Ridge Road; increase of \$37,493, adjusted total \$633,617.50. [BC20020903DOC037](#)

WATER AND SEWER SUPPLIES

Approve, ratify, and confirm name change of vendor from SEMSCO to **Ferguson Enterprises, Inc.**, for the contract for water and sewer supplies on an as-needed basis; all terms and conditions to remain unchanged. [BC20020903DOC038](#)

MANATEE COUNTY WATER TREATMENT PLANT

Execution of Work Assignment EOR-2 with McKim & Creed, Inc., for engineering services for **sludge dewatering system**, \$220,000. [BC20020903DOC039](#)

STATE AID TO LIBRARIES

R-02-215 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION OF THE FY 2002-03 STATE AID APPLICATION TO THE FLORIDA DEPARTMENT OF STATE, DIVISION OF LIBRARY AND INFORMATION SERVICES (10/1/02–9/30/03; and authorize execution of grant documents). [BC20020903DOC040](#)

BICYCLE/PEDESTRIAN PROGRAM

Execution of Memorandum of Agreement with Sarasota/Manatee Metropolitan Planning Organization, \$11,000, defining the County's role in the planning activities as related to the Bicycle/Pedestrian Program to receive Federal Highway Administration (PL) Section 112 funds, and authorize staff to transmit. [BC20020903DOC041](#)

FINAL PLATS

Braden Woods Subdivision, Phase VI-A

- 1. Final Plat;
- 2. Agreement with River Club Properties, Inc., guaranteeing completion of required sidewalks and bikeways (\$2,165.80);
- 3. Performance Bond: \$2,165.80 (Cashier's Check 12435059, SouthTrust Bank); and
- 4. Notice to Buyers. [BC20020903DOC042](#)

Covered Bridge Estates, Phase 3-A

- 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. Mortgagee's Joinder in and Ratification of Subdivision Plat and all Dedications and Reservations Thereon from Diamond-Bar Inc., as general partner for Diamond Bar Partnership, Ltd.;
- 4. Agreement with Covered Bridge Development Corp. guaranteeing completion of required improvements (\$149,448);
- 5. Performance Bond: \$149,448 (Letter of Credit 1217, First National Bank of Florida dba West Coast Guaranty Bank);
- 6. Agreement with Covered Bridge Development Corp. guaranteeing completion of required sidewalks and bikeways (\$33,035.08);
- 7. Performance Bond: \$33,035.08 (Letter of Credit 1218, First National Bank of Florida dba West Coast Guaranty Bank);
- 8. Agreement with Covered Bridge Development Corp. guaranteeing completion of required improvements and Temporary Construction Easement for Private Improvements (\$32,445);
- 9. Performance Bond: \$32,445 (Letter of Credit 1219, First National Bank of Florida dba West Coast Guaranty Bank);
- 10. Agreement with Covered Bridge Development Corporation guaranteeing completion of required improvements and Temporary Construction Easement for Private Improvements (\$22,948.40);
- 11. Performance Bond: \$22,948.40 (Letter of Credit 1228, First National Bank of Florida dba West Coast Guaranty Bank);
- 12. Supplemental Declaration Number 3 to the Covenants, Conditions and Restrictions for Covered Bridge Estates; and
- 13. Maintenance Agreement with Covered Bridge Estates Community Association, Inc., for Right-of-Way Island. [BC20020903DOC043](#)

IMPACT FEE CREDITS

- 1. Execution of Final Authorization of Transportation Credit (Phase 2), Dick Road-Blend-All Hotel Dev., Inc. Walden Avenue Blend-All Hotel Dev., Inc. and WR-I Associates, Ltd./Benderson Development Company, Inc., for eligible road construction cost for **Honore Avenue**, per Credit Authorization CA-01-02(T), \$1,575,244.50. [BC20020903DOC044](#)
- 2. Execution of Final Authorization of Transportation Credit (Phase 2), Cove Partnership #4, Ltd., for eligible road construction cost on U.S. 301 at Old Tampa Road (**Parkwood Square**), per Credit Authorization CA-00-07(T), \$344,915.66. [BC20020903DOC045](#)

2002 NEIGHBORHOOD ENHANCEMENT GRANTS

Execution of Neighborhood Enhancement Grant Agreements (County grant amount) with: Bayshore Gardens Crime Watch, \$600; Estuaries I Condominium Association, \$2,325; Flamingo Cay Homeowners Association, \$1,230; Golf Lakes Residents Association, Inc., \$2,500; Manatee Oaks Homeowners Association, \$1,870; Mill Creek Homeowners Association, \$1,220; Mote Ranch Homeowners Association, \$2,240; Perico Island Homeowners Association, \$2,500; San Remo Shores Association, Inc., \$2,380; and Southeast Residents Association (SERA), \$790. [BC20020903DOC046](#)

2002 AD VALOREM ASSESSMENT ROLLS

R-02-86 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CONFIRMING ANNUAL SPECIAL ASSESSMENT PAYMENTS DUE WITH THE PAYMENT OF 2002 AD VALOREM TAXES FOR ALL SPECIAL ASSESSMENT LIENS IMPOSED FROM JANUARY 1, 1986 TO DECEMBER 31, 1989 (list of Road, Sewer, and EPA projects attached as Exhibit A). [BC20020903DOC047](#)

2002 NON-AD VALOREM ASSESSMENT ROLLS

R-02-87 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE CERTIFICATION OF NON-AD VALOREM ASSESSMENTS PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS FOR ANNUAL SPECIAL ASSESSMENT PAYMENTS DUE WITH THE PAYMENT OF 2002 AD VALOREM TAXES (list of projects attached as Exhibit A). [BC20020903DOC048](#)

ANIMAL SERVICES

- 1. **R-02-206** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE DIRECTOR OF THE PUBLIC SAFETY DEPARTMENT TO APPROVE DISBURSEMENTS FROM THE GENERAL DONATION ACCOUNT FOR PUBLIC SAFETY. [BC20020903DOC049](#)
- 2. **R-02-164** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, WHICH IMPLEMENTS MANATEE COUNTY ORDINANCE 00-01 PROVIDING A LICENSE FEE FOR DOGS, CATS, AND FERRETS; PROVIDING FOR A FEE FOR THE REDEMPTION OF IMPOUNDED ANIMALS; PROVIDING FOR PROCEDURES FOR REIMBURSEMENT OF REDEMPTION FEES; PROVIDING FOR A FEE FOR BOARDING CHARGES FOR IMPOUNDED ANIMALS; ESTABLISHING FEES FOR THE ADOPTION OF DOGS AND CATS; RESCINDING RESOLUTION R-01-206 AND PROVIDING AN EFFECTIVE DATE. [BC20020903DOC050](#)

DEEDS AND EASEMENTS

1. **63rd Avenue East Bridge** – Warranty Deed and Utility Easement from Robert Walton for right-of-way (Parcel 104) for the bridge over Pearce Canal (Parcels 804A and 804B); Affidavit of Ownership and Encumbrances. [BC20020903DOC051](#)
2. **Buttonwood Sewer Rehabilitation/Right-of-Way Acquisition** – Temporary Construction Easement from Joseph P. McClash. [BC20020903DOC052](#)

MANATEE AGRICULTURAL REUSE SYSTEM

R-02-242 RESOLUTION OF MANATEE COUNTY, FLORIDA, DELEGATING THE AUTHORITY TO MAKE PRE-SUIT OFFERS IN EMINENT DOMAIN CASES FOR THE **MOCCASIN WALLOW SEGMENT OF THE RECLAIMED WATER TRANSMISSION MAIN PROJECT**, PARCELS IDENTIFIED AS EXHIBIT "A", TO THE COUNTY ADMINISTRATOR OR HIS DESIGNEE, SUBJECT TO APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS, FOR THE AMOUNT UP TO THE APPROVED APPRAISED VALUE OF THE PROPERTY SOUGHT TO BE ACQUIRED
(**Property Owners:** Chapman; Prairie Creek Citrus, Inc.). [BC20020903DOC053](#)

WASTE TIRE GRANT AGREEMENT

R-02-236 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A WASTE TIRE GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE WASTE TIRE PROCESSING PROGRAM
(and execution of the agreement, \$39,079; 10/1/02-9/30/03). [BC20020903DOC054](#)

(End Consent Agenda)

ALHAMBRA DRIVE BRIDGE OVER PALMA SOLA

Following discussion as to the possibility of using more innovative designs and in-house staff, and the options for small bridge replacement, the item was deferred for a report at the next meeting.

[BC20020903DOC055](#)

AWARDS/PRESENTATIONS

Employee of the Month

Diane Loccisano, County Administrator's Office, was presented a plaque as Employee of the Month for September 2002 by Vera Dragisic of the County Administrator's Office. [BC20020903DOC056](#)

Florida Water and Pollution Control Operator Association Safety Award

David Shulmister, Wastewater Division Manager, presented State safety award plaques from the Florida Water and Pollution Control Operator Association to staff of the **North Regional Wastewater Plant** for Class B wastewater plants, and to staff of the **Southeast Regional Wastewater Plant** for Class A wastewater plants. [BC20020903DOC057](#)

PROPERTY ASSESSMENTS

Claire Brown voiced concern regarding the appraisal of her property as compared to other properties on Lockwood Ridge Road. She submitted maps of surrounding properties with per-acre assessment rates and noted that petitioners are not allowed to speak during the Value Adjustment Board appeal process.

Discussion: Separate procedures govern the Value Adjustment Board; procedures allow for petitioners to speak before the Special Master, but not the Value Adjustment Board; County Administrator's office should examine the rationale behind the appraiser's value methods; County pays high price when eminent domain is involved; etc.

The information will be forwarded to the Property Appraiser for a report at the next meeting.

(**Note:** Additional discussion later in the meeting.)

[BC20020903DOC058](#)

Recess/Reconvene. All members present except Mrs. Glass.

PUBLIC HEARINGS - CONSENT AGENDA

PARTICIPATION PROJECTS

Pomello Park II

Public hearing (Notice in the *Bradenton Herald* 8/14/02) was held to consider

R-02-173 A RESOLUTION CONFIRMING ADOPTION OF A SPECIAL ROAD ASSESSMENT ROLL AND ESTABLISHING SPECIAL ASSESSMENT LIENS FOR ROAD ASSESSMENT PROJECT 6033661 ON **62ND AVENUE EAST, 63RD AVENUE EAST, 209TH STREET EAST AND 213TH STREET EAST** IN POMELO PARK

(**Note:** The Proof of Publication contains additional language); and

Adoption of:

R-02-223 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE CERTIFICATION OF NON-AD VALOREM ASSESSMENTS PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS FOR ANNUAL SPECIAL ASSESSMENT PAYMENTS DUE WITH THE PAYMENT OF 2002 AD VALOREM TAXES. [BC20020903DOC059](#)

Pomello Park III

Public hearing (Notice in the *Bradenton Herald* 8/14/02) was held to consider

R-02-174 A RESOLUTION CONFIRMING ADOPTION OF A SPECIAL ROAD ASSESSMENT ROLL AND ESTABLISHING SPECIAL ASSESSMENT LIENS FOR ROAD ASSESSMENT PROJECT 6033662 ON **65TH AVENUE EAST AND 217TH EAST** IN POMELO PARK, PHASE III

(**Note:** The Proof of Publication contains additional language); and

Adoption of:

R-02-224 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE CERTIFICATION OF NON-AD VALOREM ASSESSMENTS PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS FOR ANNUAL SPECIAL ASSESSMENT PAYMENTS DUE WITH THE PAYMENT OF 2002 AD VALOREM TAXES. [BC20020903DOC060](#)

35th Street East

Public hearing (Notice in the *Bradenton Herald* 8/14/02) was held to consider

R-02-172 A RESOLUTION CONFIRMING ADOPTION OF A SPECIAL ROAD ASSESSMENT ROLL AND ESTABLISHING SPECIAL ASSESSMENT LIENS FOR ROAD ASSESSMENT PROJECT 5101460 ON **35TH STREET EAST**, SOUTH OF S.R. 70

(**Note:** The Proof of Publication contains additional language); and

Adoption of:

R-02-222 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE CERTIFICATION OF NON-AD VALOREM ASSESSMENTS PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS FOR ANNUAL SPECIAL ASSESSMENT PAYMENTS DUE WITH THE PAYMENT OF 2002 AD VALOREM TAXES. [BC20020903DOC061](#)

29th Street West

Public hearing (Notice in the *Bradenton Herald* 8/14/02) was held to consider

R-02-176 A RESOLUTION CONFIRMING ADOPTION OF A SPECIAL ROAD AND SEWER ASSESSMENT ROLL AND ESTABLISHING SPECIAL ASSESSMENT LIENS FOR ROAD ASSESSMENT PROJECT 6038860 AND SEWER ASSESSMENT PROJECT 6038880 ON **29TH STREET WEST**

(**Note:** The Proof of Publication contains additional language); and

Adoption of:

R-02-225 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE CERTIFICATION OF NON-AD VALOREM ASSESSMENTS PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS FOR ANNUAL SPECIAL ASSESSMENT PAYMENTS DUE WITH THE PAYMENT OF 2002 AD VALOREM TAXES. [BC20020903DOC062](#)

McLewis Bayou

Public hearing (Notice in the *Bradenton Herald* 8/14/02) was held to consider

R-02-190 A RESOLUTION CONFIRMING ADOPTION OF A SPECIAL CANAL DREDGING ASSESSMENT ROLL AND ESTABLISHING SPECIAL ASSESSMENT LIENS FOR **CANAL DREDGING** ASSESSMENT PROJECT 6009900 - MCLEWIS BAYOU

(**Note:** The Proof of Publication contains additional language); and

Adoption of:

R-02-227 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE CERTIFICATION OF NON-AD VALOREM ASSESSMENTS PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS FOR ANNUAL SPECIAL ASSESSMENT PAYMENTS DUE WITH THE PAYMENT OF 2002 AD VALOREM TAXES.

Janet McAfee, Project Management Director, explained that properties on Riverview Boulevard north of the bridge were counted as 1.67 units, for an assessment of \$16,520.23; and the properties south of the bridge were counted as one unit, for an assessment of \$9,912.12. [BC20020903DOC063](#)

Manatee Subdivision

Public hearing (Notice in the *Bradenton Herald* 8/14/02) was held to consider

R-02-189 A RESOLUTION CONFIRMING ADOPTION OF A SPECIAL CANAL DREDGING ASSESSMENT ROLL AND ESTABLISHING SPECIAL ASSESSMENT LIENS FOR **CANAL DREDGING** ASSESSMENT PROJECT 6038701 IN MANALEE SUBDIVISION

(**Note:** The Proof of Publication contains additional language); and

Adoption of:

R-02-226 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE CERTIFICATION OF NON-AD VALOREM ASSESSMENTS PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS FOR ANNUAL SPECIAL ASSESSMENT PAYMENTS DUE WITH THE PAYMENT OF 2002 AD VALOREM TAXES.

Wayne Watson, resident, read a statement and displayed a photograph depicting a muck-filled retention pond in Manatee Subdivision. **Carl Noack**, **John Martin**, and **Richard Lenerise**, residents, were concerned with who would maintain the canal, and the quality of the project for the cost.

Tom Yarger, Project Management, stated that the residents voted for a dredging depth of 3.5 feet below mean low water. He confirmed the actual dredge depth to be 4.2 feet at an average low tide.

Discussion: The County does not maintain the canals; report on any blowouts; silt box problems; nearby pond will be looked at by the maintenance staff; look at the stormwater culverts; when dredging is completed near a wall it is at the owner's cost; do the silt boxes have regularly scheduled maintenance; etc. [BC20020903DOC064](#)

(Enter Mrs. Glass)

ORDINANCE 02-55 – TURN REGULATIONS

Public hearing (Notice in the *Bradenton Herald* 8/21/02) was held to consider

ORDINANCE 02-55 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 92-51; REGULATING THE TURNING OF MOTOR VEHICLES ON **43RD STREET WEST, CREEKWOOD BOULEVARD AND TUTTLE AVENUE**; ALL BEING COUNTY MAINTAINED ROADWAYS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; REQUIRING THE ERECTION OF APPROPRIATE SIGNS; PROVIDING FOR VIOLATIONS AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

[BC20020903DOC065](#)

ORDINANCE 02-52 – NO PARKING

Public hearing (Notice in the *Bradenton Herald* 8/21/02) was held to consider

ORDINANCE 02-52 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 02-40; TO RESCIND PARKING RESTRICTIONS ON **WILLOW STREET**; AMENDING ORDINANCE 98-11; TO RESCIND PARKING RESTRICTIONS ON **17TH STREET EAST/MEMPHIS ROAD (PALMETTO)**, AND REGULATING THE STOPPING, STANDING OR PARKING OF MOTOR VEHICLES ON **7TH AVENUE EAST (PALMETTO), 17TH STREET EAST, 21ST STREET EAST, 21ST STREET WEST, 25TH STREET EAST (PALMETTO); 57TH AVENUE EAST, RYE ROAD (PARRISH/BRADENTON) AND WILLOW STREET**; ALL BEING COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; REQUIRING THE ERECTION OF APPROPRIATE SIGNS; PROVIDING FOR VIOLATIONS AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

Harry Mendenhall, Transportation Department, clarified that the agenda should read 57th Avenue East instead of 47th Avenue East, and noted that the Proof of Publication is correct. [BC20020903DOC066](#)

GARBAGE RATES

Public hearing (Notice in the *Bradenton Herald* 8/11/02) was held to consider

R-02-182 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. [BC20020903DOC067](#)

Mr. Bruce moved to approve the presentations upon request agenda incorporating the language as stated in the recommended motions in the agenda memoranda. The motion was seconded by Mrs. von Hahmann and carried 7 to 0.

(End Public Hearings - Consent Agenda)

UTILITIES - RESIDENTIAL SECURITY DEPOSITS

Public hearing (Notice in the *Bradenton Herald* 8/23/02) was held to consider

R-02-221 A RESOLUTION AMENDING MANATEE COUNTY RESOLUTION R-01-66 ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ON MARCH 27, 2001, RELATING TO RATES, FEES, AND CHARGES FOR POTABLE WATER, RECLAIMED WATER, AND WASTEWATER SERVICES OF THE MANATEE COUNTY PUBLIC WORKS DEPARTMENT; AMENDING SECTION 13.01 OF RESOLUTION R-01-66 ENTITLED "SECURITY DEPOSITS" BY CREATING SUBSECTION 13.01d. TO PROVIDE FOR RETURN OF INDIVIDUALLY METERED RESIDENTIAL WATER DEPOSITS; PROVIDING FOR EFFECT OF RESOLUTION R-01-66; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion was made by Mr. Bruce, seconded by Mrs. von Hahmann, and carried unanimously, to adopt Resolution **R-02-221**. [BC20020903DOC068](#)

DORI SLOSBERG DRIVER EDUCATION SAFETY ACT

Desiree Morel, on behalf of State Representative Irving Slosberg, stated that the Florida Legislature passed the "Dori Slosberg Driver Education Safety Act" during the 2002 Legislative Session to fund successful driver education programs in county schools. The Act is named after Representative Slosberg's 14-year-old daughter, who was killed in an automobile accident. Ms. Morel requested Manatee County adopt an ordinance, which would allow for a \$3.00 surcharge on all civil traffic violations.

The County Attorney's office was directed to prepare the appropriate document for Board approval.

[BC20020903DOC069](#)

ORDINANCE 02-53 – SPEED LIMITS

Public hearing (Notice in the *Bradenton Herald* 8/21/02) was held to consider

ORDINANCE 02-53 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 02-41; TO RESCIND THE ESTABLISHED SPEED LIMIT ON **27TH STREET EAST/CIRCUS STREET**; AMENDING ORDINANCE 84-05; TO PROHIBIT THE TRAVEL OF VEHICLES AT SPEEDS IN EXCESS OF THE ESTABLISHED LIMIT ON **12TH STREET WEST, 27TH STREET EAST/CIRCUS STREET, 67TH AVENUE DRIVE WEST, CLEMSON STREET, LAKEWOOD RANCH BOULEVARD, LOCKWOOD RIDGE ROAD, AND ON STREETS LOCATED IN FOREST PINES SUBDIVISION**; ALL BEING COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; REQUIRING THE ERECTION OF APPROPRIATE SIGNS; PROVIDING FOR VIOLATIONS AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

Harry Mendenhall, Transportation Department, stated that staff does not recommend the speed limit changes for Lakewood Ranch Boulevard, which is a major thoroughfare road. A speed study conducted at three locations on Lakewood Ranch Boulevard indicated that 85 percent of vehicles traveled at or below the average of 45 miles per hour (MPH).

Discussion: Additional traffic signals will be needed on Lakewood Ranch Boulevard; temporary traffic signal near Summerfield has not been replaced with a permanent signal; Summerfield residents support Lakewood Ranch Boulevard speed change; Lakewood Ranch developers request reduced speed for a consistent 35 mph speed limit along the entire boulevard; etc.

Gril Palmer, resident on 27th Street East, spoke in favor of reduced speed on 27th Street East as the street is narrow and the four-way stop is ignored. **John Moreland** requested 27th Street East be designated a no passing zone and that signs be posted in front of Wakeland Elementary School. Mr. Moreland was referred to the Transportation Director regarding corrective measures, e.g., striping the lanes, etc.

(**Note:** See the next item)

Motion by Mrs. von Hahmann to adopt Ordinance **02-53** was seconded by Mrs. Glass and carried 7 to 0. [BC20020903DOC070](#)

ORDINANCE 02-54 – NO THROUGH TRUCKS

Public hearing (Notice in the *Bradenton Herald* 8/21/02) was held to consider

ORDINANCE 02-54 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 84-06; TO REGULATE THE TRAVEL OF CERTAIN THROUGH TRAFFIC ON **27TH STREET EAST (ADVERTISED AS WEST) AND 51ST AVENUE EAST**; ALL BEING COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; REQUIRING THE ERECTION OF APPROPRIATE SIGNS; PROVIDING FOR VIOLATIONS AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Mendenhall recommended denial of the request for **27th Street East** due to insignificant traffic study results, and the street being a designated thoroughfare with an industrial use in the area.

Discussion: Unresolved level of service designation with City of Bradenton regarding 27th Street East; County Planning Department calculations indicate a Level of Service F for 27th Street East; restricting truck travel on thoroughfare roadways; improvements on 27th Street East are needed; County can stripe 27th Street East; consider joint funding participation with the City; shifting the traffic problem to 15th Street East; 13th Avenue East turn is not functional for large trucks; etc.

(Mr. Harris absent for a portion of discussion)

Speaking in opposition to restricting truck traffic on 27th Street East were **Ron Webb** and **Gril Palmer**.

Timothy Powell spoke in favor of restricting truck traffic. He also complained that Waste Management garbage trucks are speeding on 27th Street East, as well as dropping garbage. The County Administrator was directed to contact Waste Management to relay the complaints.

Inez Ware requested the heavy vehicular traffic on 27th Street East be rerouted.

Motion – Letter to City of Bradenton

Following discussion, motion was made by Mr. McClash to authorize the Chairman to send a letter to the City requesting they work with County staff to make improvements to 27th Street East (i.e., a traffic signal with yellow flashing lights at night). Motion was seconded by Mr. Bruce and carried 7 to 0.

May Patterson spoke in favor of truck restrictions on 27th Street East.

Motion – Ordinance 02-54

Motion was made by Mr. McClash to adopt Ordinance **02-54** with exclusion of 27th Street East (as recommended by staff). Following discussion, the motion carried 6 to 1, with Ms. Brown voting nay.

[BC20020903DOC071](#)

Recess/Reconvene. All members present.

TREE REMOVAL – VARIOUS PROJECTS

Joaquin Servia, Planning Department, stated several residents raised issues at the previous meeting (8/27/02) regarding removal of trees in the Ancient Oaks, Lexington (fka Meadowpond), and Whitney Meadows subdivisions. He gave an overview of each project subsequent to Board approval:

Whitney Meadows (Buskirk PDR-00-18[Z][P])

- Approved February 27, 2001, with Stipulations, none addressing tree removal/replacement
- Final site plan contained a detailed tree inventory and landscape plan

Mr. Servia displayed a site plan and photographs and stated that during the course of project construction, 20 palms and three oak trees along the right-of-way were removed. The trees were not part of the preserved plan, but were to remain. The new property owner was advised that a revised landscape plan showing replacement of the oak tree canopy is required.

Discussion: Tree replacement ratios should mirror Land Development Code (LDC) wetland mitigation ratios; LDC does not contain mechanism to address a penalty for violation of tree removal; staff requires on-site tree replacement versus a Tree Trust Fund contribution; require developer to replace the tree canopy on site even if it means losing buildable lots; base penalty factor on the value of the tree; LDC mitigation ratios for trees that are removed with a permit; rights-of-way and platted lots of record are exempt from tree protection under LDC; distinction between County right-of-way and underlying ownership of land; etc.

(Mrs. von Hahmann absent for a portion of discussion)

Mr. Servia stated that the oak tree at Lot 72 is actually sitting on Tract A, a landscape buffer area.

Erika Barrett, Planning Department, stated that the 42-inch oak tree at Lot 71 was discussed with the project agent and it was agreed the tree would be preserved.

Discussion: Ensure easements are in place for those trees that should be preserved; County ability to require a tree protection easement; a steep, on-site mitigation ratio for willful violators; draft an amendment to the LDC; etc.

Lexington (fka Meadowpond PDR-01-06[Z][P])

- Approved October 23, 2001, with Stipulations
- Stipulation 10 required a 25-foot roadway buffer along U.S. 301 to achieve 80 percent opacity and that existing indigenous vegetation remain to meet maximum buffering requirements
- Stipulation 31 ordered removal of all nuisance exotics and preservation of the oaks and wax myrtles within the 25 feet of additional right-of-way to be dedicated;
- Preliminary Site Plan and landscape plan were approved indicating existing tree groupings; neither Preliminary Site Plan nor landscape plan showed any trees to be removed

Using a site plan and slides, Mr. Servia stated that trees and vegetation were removed along 25 feet of the additional right-of-way to be dedicated. There was no tree survey, as none of the trees were slated for removal. A site check revealed trees and vegetation were removed within existing right-of-way, along with an undetermined quantity of exotics within additional right-of-way.

Discussion: Why a stop work order was not issued; vegetation content of right-of-way is unknown, as it was not included in the plans; observations were brought to staff's attention by nearby citizens; form a volunteer group to monitor projects; etc.

(Mrs. Glass absent for a portion of discussion)

Doug Means, Environmental Management Department, displayed an aerial map delineating the existing right-of-way line and area vegetation, which was not documented, other than by the aerial. A subsequent site check revealed a stockpile of materials consisting of mostly palms, along with wax myrtles, saw palmettos, and Brazilian peppers.

Discussion: Environmental Management does not monitor tree protection; tree protection is preservation/conservation; the area was cleared in order to install silt barriers; site plans and aerials indicate property boundaries but exclude rights-of-way; adding infrastructure sometimes necessitates tree removal; incorporate parameters at the design phase of preliminary approval; etc.

Ancient Oaks (DB Associates PDR-96-02[Z][G])

- Approved September 26, 1996
- Issues involve tree removal and a swale adjacent to agricultural property

Jerome Gostkowski, Planning Department, displayed photographs and an aerial map highlighting the swale, pond, wetland, and outfall structure at the northeast corner of the site. During project construction, a ditch block in the south end of the swale was removed and grading was done.

Dorothy Rainey, Planning Department, displayed a General Development Plan (GDP) and provided a chronological outline of the project, landscape buffer requirements, an analysis of tree surveys since 1996, and the total number of trees to be removed/replaced on site. She stated that the GDP showed "engineering intent" that no drainage design was specifically required by LDC Section 508.3.2. A standard, 15-foot greenbelt buffer was required. She highlighted areas where trees will be planted.

Discussion: Ratio of slope embankment; public and private improvements (landscaping) are bonded; Certificates of Occupancy cannot be issued until private improvements are installed; 176 cabbage palms were removed, but never depicted or documented on a tree survey; whether cabbage palms are considered trees; etc.

Ms. Rainey advised that the initial tree survey, based on an aerial, showed a total of 775 trees being removed, 239 of which were pines. The most recent survey (October 1991) broke out the total trees removed and to be planted into three phases. Overall totals counted 561 oaks, 18 pines, 7 other, and 1,347 cabbage palms, for a total of 1,933 to be removed. The new plan achieves replacement partially through relocation and replanting on site.

Debbie Massey, Robert Mayhew, Valrie Massey, and Kim Anderson commented on the number of trees removed, lack of buffering, and the slope of the swale. It was recommended that staff meet with the Masseys to review the slope plans and drainage swale. Debbie Massey questioned the point at which a site plan amendment becomes an administrative decision.

Bob Gause, representing Lexington subdivision, displayed directional photographs to address the issue of tree removal and stated that none of the vegetation was deliberately removed.

Discussion: Process was followed and intent was to preserve the trees; installation of silt barrier does not grant random tree removal; majority of tree removal occurred within the existing U.S. 301 right-of-way; Mr. Gause to bring back to the Board what the developer was committed to with regard to the screening plan and what has taken place since; etc.

Dave McNabb, representing Ancient Oaks, displayed photographs of the Ancient Oaks project and stated that the developer complied with the stipulations, and that extra effort was made to save trees. [BC20020903DOC072](#)

Recess/Reconvene. All members present except Mr. Bruce and Mrs. von Hahmann.

EXCESS LIABILITY AND WORKERS' COMPENSATION INSURANCE

Motion was made by Mr. McClash, seconded by Mrs. Glass, and carried 5 to 0, to purchase Excess Liability and Workers' Compensation insurance policies, \$262,000. [BC20020903DOC073](#)

IMPACT FEES – AFFORDABLE HOUSING

Fred Loveland, Community Services Director, reported on impact fees with respect to Manatee County's Affordable Housing Program, and the effect of impact fee increases on the affordable housing market (requested 8/20/02).

(Enter Mrs. von Hahmann and Mr. Bruce)

He advised that State Housing Initiative Partnership (SHIP) funds may be used to pay for impact fees for SHIP-eligible construction projects including replacement of single-family structures where there is an increase in the number of bedrooms, in-fill site development, and residential project development. Approximately \$13,000 of SHIP funding was reserved to offset the cost of impact fees for affordable housing projects during the 2001-02 SHIP funding cycle.

Discussion: Number of developers that express interest to construct affordable housing; \$400,000 was reserved this year for single-family projects; must be qualified buyers under program; policy change is needed; etc.

Mrs. Stein submitted a hand-drawn diagram as an example in the development of a brochure.

(**Note:** Further discussion following the next item)

[BC20020903DOC074](#)

LOCAL HOUSING ASSISTANCE PLAN

Motion was made by Mr. McClash, seconded by Mr. Harris, and carried 7 to 0, to adopt

R-02-243 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING RESOLUTION R-00-89 TO PROVIDE FOR REVISIONS TO THE LOCAL HOUSING ASSISTANCE PLAN (2000-2003).

[BC20020903DOC075](#)

IMPACT FEES – AFFORDABLE HOUSING (Continued)

Chuck Johnson stated the affordable housing need is greater than that which is being provided. **Suzie Walters**, President of Habitat for Humanity, reiterated that the affordable housing need is great. She was directed to meet with the County Administrator to determine what may be available as a result of foreclosures, property transferred to County, etc. **Lee Martin**, contractor, stated it is very difficult to pre-qualify individuals under the Program due to the high cost of homes.

Discussion: Funds set aside to offset impact fees for affordable housing are limited; few affordable housing developments are underway; developers need incentives; etc.

U.S. MARSHALS SERVICE/IMMIGRATION AND NATURALIZATION SERVICE

Motion was made by Mr. McClash, seconded by Mr. Harris, and carried 7 to 0, to approve the recommendation of the County Administrator (9/3/02 memorandum) to decline participation in the United States Marshals Service Cooperative Assistance Program (providing capital funds to units of local government for the renovation/construction of detention facilities for use by Immigration and Naturalization Service).

[BC20020903DOC076](#)

CANVASSING BOARD

Mrs. Stein asked the Board to appoint **Mr. Bruce** to the Canvassing Board in her place to avoid any possible allegations of wrongdoing.

Mr. McClash moved approval. The motion was seconded by Mr. Harris and carried 7 to 0.

[BC20020903DOC077](#)

PROPERTY APPRAISALS/VALUE ADJUSTMENT BOARD

(Continued from earlier in the meeting)

Patricia McVoy, Assistant County Attorney, reminded the Board of the Ex Parte communication ruling. She explained the hearing process through the use of Special Master and how streamlined it has become. She also briefly advised the Board of the proposed legislative changes for 2003.

(Depart Mr. Harris)

COMMISSIONERS' COMMENTS

Phosphate Mining - Reverse Osmosis

Mrs. von Hahmann asked if the Board would be interested in inviting the individuals, who gave a presentation regarding Piney Point, to explain the educational programs that are being offered within the school system relating to phosphate mining and reverse osmosis.

Transportation Staff

Mrs. von Hahmann expressed thanks to Transportation staff for resolving a problem in an efficient manner at the beach over the weekend.

Gulf Coast Research and Education Center

Mr. Bruce stated that the School Board is interested in working with the County on acquisition of the property for a school, along with a County park facility (discussed 8/6/02).

Disposition: The County Administrator will schedule a joint meeting with the School Board.

[BC20020903DOC078](#)

Palm Aire – Conservatory Area

Mr. Bruce relayed a request from Palm Aire residents (e-mail from Herb Quinn) for the County to consider purchasing the former Conservatory site. He requested the matter be put on a future agenda for discussion.

[BC20020903DOC079](#)

Lockwood Ridge Road

Mr. Bruce referred to a letter (8/26/02) regarding the narrowing of Lockwood Ridge road at Country Oaks Boulevard, which is a dangerous situation. He asked if it could just be paved.

Disposition: The County Administrator advised that staff is working on this.

[BC20020903DOC080](#)

Building Heights

Mr. McClash stated that the 35-foot height limit needs review and that it should be based on base flood elevation. He also stated that he has heard that plans have been submitted for a 13-story building in the El Conquistador area. He questioned the validity of the information and noted that a project of this magnitude does not meet County criteria.

46th Street Court East

Ms. Brown asked if staff could look into paving 46th Street Court East (Elwood Park). Mr. Bruce stated that the residents on 51st Street East originated the request to continue the paving to the end.

911 Memorial

Ms. Brown asked that staff be allowed to wear red/white/blue on September 11 and to consider that day as a dress down day. There were no objections.

[BC20020903DOC081](#)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 3:15 p.m.
/tb/ml/qa/rll

Minutes Approved: October 15, 2002