

## SEPTEMBER 17, 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 17, 2002, at 9:08 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

Absent was Commissioner:

Joe McClash (out of town)

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. William E. Gerhart, St. Philip's Anglican Church.

### AGENDA

Agenda of September 17, 2002, and agenda update memorandum.

[BC20020917DOC001](#)

### AGENDA CHANGES

Ernie Padgett, County Administrator, **deferred**: (1) Conceptual design report for **26th Street West at 53rd Avenue West**; and (2) **Tree Ordinance/Tree Preservation**.

[BC20020917DOC002](#)

[BC20020917DOC003](#)

### CONSENT AGENDA

Motion was made by Mr. Harris, seconded by Mrs. von Hahmann, 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 amended in the supplemental agenda with the following changes: (1) **Walk-A-Dog-A-Thon**; (2) **53rd Avenue and 75th Street West and Cortez Road and 43rd Street West Project**; (3) **Sewer Assessment Project: Peacock Lane, Holmes Beach** (all items deleted); (4) **MARS Spencer-Parrish Pipeline Segment**; and (5) **Johnson Middle School Sidewalk Project** (both separate actions). Items APPROVED:

[BC20020917DOC004](#)

[BC20020917DOC005](#)

[BC20020917DOC006](#)

[BC20020917DOC007](#)

### CLERK'S CONSENT CALENDAR

#### BONDS

##### Foxbrook, Phase I

##### Release:

1. Agreement with Cherokee Creek, Inc., guaranteeing completion of required improvements (\$2,847,997.10).
2. Performance Bond: \$2,847,997.10 (Surety Bond 400KB5790, United States Fidelity and Guaranty Company).

[BC20020917DOC008](#)

##### Kingsfield, Phase II

##### Release:

1. Agreement with Centex Homes warranting required improvements (\$96,642.68).
2. Defect Security: \$96,642.68 (Surety Bond 5977493, Safeco Insurance Company of America).

[BC20020917DOC009](#)

##### Lenox Gardens

##### Release:

1. Agreement with Pacific Equity Associates guaranteeing completion of required improvements and temporary construction easement for private improvements (\$64,127.70).
2. Performance Bond: \$64,127.70 (Letter of Credit 9933, SunTrust Bank, Gulf Coast).

[BC20020917DOC010](#)

##### Nu-Gulf Industries, Inc.

##### Accept:

1. Defect Security: \$105,890 (Amendment to Letter of Credit SB 30245, Credit Agricole Indosuez) **extending** expiration date to September 30, 2003.
2. Performance Bond: \$201,250 (Amendment to Letter of Credit SB 30246, Credit Agricole Indosuez) **extending** expiration date to September 30, 2003.

[BC20020917DOC011](#)

##### Sabal Harbour, Phase VIII

##### Release:

1. Agreement with Pulte Homes guaranteeing required improvements and temporary construction easement for private improvements (\$69,941.12).
2. Performance Bond: \$69,941.12 (Surety Bond 6114215, Safeco Insurance Company of America).

[BC20020917DOC012](#)

**Strategic Technologies, Inc.**

**Accept:**

Franchise Bond: \$50,000 (Cable Franchise Bond 929 266 642, The Continental Insurance Company, authorized by Resolution R-01-262). [BC20020917DOC013](#)

**Wal-Mart Super Center 528-00**

**Release:**

1. Agreement with Wal-Mart Stores, Inc., warranting required wetland mitigation system (\$52,091.55).
2. Defect Security: \$52,091.55 (Letter of Credit 920806 and Amendment 1, NationsBank aka Bank of America). [BC20020917DOC014](#)

**WARRANT LIST**

Approved: September 3, 2002 through September 16, 2002

Authorized: September 17, 2002 through September 23, 2002 [BC20020917DOC015](#)

**MINUTES**

July 30, 2002 and August 6, 2002 [BC20020917DOC016](#)

**ACCEPT**

**Computer Consulting Services on Computer Aided Dispatch/911/Records Management System** – Addendum One to Agreement with Cathy Lastinger, extending agreement to November 5, 2003, \$30,000. [BC20020917DOC017](#)

**AUTHORIZE FEE WAIVERS (PUBLIC WORKS)**

Waive Fee (\$25) for Marilyn J. Doan due to bank error. [BC20020917DOC018](#)

**AUTHORIZE CHAIRMAN TO SIGN**

**Intersection Improvements – University Parkway at Whitfield Avenue** - Contract with APAC-Florida, Inc., \$675,250.78; date performance/payment bonds, power of attorney, and accept Insurance Certificate (approved 9/3/02). [BC20020917DOC019](#)

**Partial Release of Special Improvement Assessment Liens:**

Projects 3100; 3129 [BC20020917DOC020](#)

**Satisfactions of Judgments:**

Mark Collier – Case 1997-CF-1630 (2)

Dustin Manning – Case 2002-MM-3614 [BC20020917DOC021](#)

**COUNTY ADMINISTRATOR**

**PROCLAMATIONS**

1. A Proclamation designating September 27-29, 2002, as Oktoberfest 2002 was accepted by representatives of the **Great Outdoors Conservancy** and **Mark Barnebey**. [BC20020917DOC022](#)
2. A Proclamation designating September 17, 2002, as United Way 2002-03 Campaign: County Government Kick-off Day was accepted by **Jerry Koontz**, Manatee County United Way President; **Micki Ryan**, United Way Coordinator; and **Michael Briggs**, United Way Regional Vice-President. [BC20020917DOC023](#)
3. A Proclamation designating September 24, 2002, as Kiwanis Club of Bradenton Day. [BC20020917DOC024](#)

**CARENET**

Execution of letter to the Manatee County School Board expressing support for the CareNet Abstinence Education Program during FY 2002-03, \$18,750. [BC20020917DOC025](#)

**LAWSUITS**

1. **Tallevast Road** – Approve Offer of Judgment (Rule 1.442, Florida Rules of Civil Procedure) by Manatee County pursuant to *Florida Statute 73.032* (2002) to **Gadah Enterprises, Inc.**, \$55,000, less the previous deposit of \$7,140 to settle all pending claims against Manatee County, exclusive of attorney's fees and costs and expert fees and costs, subject to apportionment proceedings pursuant to *Florida Statute 73.101* in the eminent domain case of Manatee County v. Elias G. Gadah, et al., Case 2002-CA-464, Parcel 125. [BC20020917DOC026](#)
2. **75th Street West** – Approve Offer of Judgment/Proposal for Settlement (Rule 1.442, Florida Rules of Civil Procedure) by Manatee County pursuant to *Florida Statute 73.032* (2002) to defendant **Martin S. Chichester**, \$1,400 to settle all claims exclusive of attorney's fees and costs with the condition that the offer is subject to apportionment proceedings in the eminent domain case of Manatee County v. Dozier B. Hilliard, et al., Case 1998-CA-1534, Parcel 34. [BC20020917DOC027](#)

**WORKERS' COMPENSATION**

Authorization for the County Attorney to opt out of the managed care arrangement with Johns Eastern Company for workers' compensation. [BC20020917DOC028](#)

**AFFORDABLE HOUSING**

Authorization for the Chairman to endorse a check, \$3,720.61, payable to **Sharon Conley** (homeowner), **Washington Mutual**, and **Manatee County Government** from Cypress Property & Casualty for insurance claim settlement for damages incurred by the homeowner. [BC20020917DOC029](#)

**DONATION**

**R-02-248** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE ACCEPTANCE OF A DONATION FROM THE UNIVERSITY OF SOUTH FLORIDA TO THE COMMUNITY SERVICES DEPARTMENT OF MANATEE COUNTY GOVERNMENT (Community Care for the Elderly Program, \$300). [BC20020917DOC030](#)

**CONSTRUCTION LOAN AGREEMENT**

Execution of a Construction Loan Agreement in accordance with R-96-227 for the Home Reconstruction Project for Margarite Pizarro, \$74,180. [BC20020917DOC031](#)

**HOME REHABILITATION LOAN AGREEMENT**

Execution of a Rehabilitation Loan Agreement in accordance with R-96-227 with Bobby and Shelia Mays, \$41,245.60. [BC20020917DOC032](#)

**TRANSIT – OPERATING ASSISTANCE**

**R-02-255** A RESOLUTION OF THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE EXECUTION OF THAT CERTAIN JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (total \$1,168,384: State Operating Assistance \$584,192; local \$584,192). [BC20020917DOC033](#)

**MANATEE GLENS**

1. Execution of Amendment One to Agreement with Manatee Glens Corporation for repairs to the **Adolescent Recovery Center**; increase of \$358, adjusted total \$69,533. [BC20020917DOC034](#)
2. Execution of Addendum 9 to the Lease Agreement (9/15/87) with Manatee Glens Corporation on property at 1819 5th Street West, Bradenton, to extend lease one year (to 09/30/03). [BC20020917DOC035](#)

**CITY OF BRADENTON - GOVERNMENT ACCESS TV**

Execution of an Interlocal Agreement with the City of Bradenton to provide for the broadcasting of **City Council Meetings** through the Manatee Government Access (MGA) television station (expiring 9/30/03). [BC20020917DOC036](#)

**SARASOTA/MANATEE METROPOLITAN PLANNING ORGANIZATION**

Execution of FY 2002-03 Memorandum of Agreement with the Sarasota/Manatee Metropolitan Planning Organization, providing for Manatee County Area Transit to conduct **transit-related planning activities** (total \$15,000; federal \$12,000; state \$1,500; and local \$1,500). [BC20020917DOC037](#)

**TRANSPORTATION DISADVANTAGED GRANT**

**R-02-247** A RESOLUTION OF THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE FILING OF A TRANSPORTATION DISADVANTAGED TRUST FUND GRANT APPLICATION WITH THE FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED (total \$432,067: State, \$386,633; local, \$43,207; contributions, \$2,227). [BC20020917DOC038](#)

**BI-COUNTY COMMUTER ASSISTANCE PROGRAM**

Execution of an Interlocal Agreement upon approval and authorization by the Sarasota County Board of County Commissioners (Sarasota County Transportation Authority) (Total \$290,000: State, \$240,000; Manatee County, \$25,000; Sarasota County, \$25,000). [BC20020917DOC039](#)

**WEST COAST INLAND NAVIGATION DISTRICT**

1. Execution of a letter to the West Coast Inland Navigation District requesting **redirection of unused funds**, \$213,540, to Manatee County County-Wide Navigation Improvement Project M126, for use in the funding of County Developed Navigation Improvement Projects:
  - Town of Longboat Key, Canal Access Dredging, M93(A), \$157,140;
  - Emerson Point, Dinghy Dock, M102, \$30,000; and
  - City of Palmetto, Police Department Marine Unit, M124, \$26,400. [BC20020917DOC040](#)
2. **R-02-244** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ACCEPTING WEST COAST INLAND NAVIGATION DISTRICT (WCIND) GRANTS AND AUTHORIZING THE CHAIRMAN TO EXECUTE FY 2002-03 FUNDING AGREEMENTS WITH WCIND FOR THE FOLLOWING AGREEMENTS AND DESIGNATING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE AS PROJECT LIAISON:
  - Manatee County - Countywide Navigational Improvements, M126, \$349,839;
  - Manatee County – Environmental Management Department Navigation Aid Hazardous/Obsolete Marker Removal, M127, \$25,000;
  - Manatee County – Environmental Management Department Boaters Guide Phase I, Manatee River, Terra Ceia Bay, M128, \$6,802;
  - City of Anna Maria – Lake LaVista Inlet Maintenance, M129, \$23,667;
  - Manatee Sail and Power Squadron – Classroom Enhancements, M130, \$980;
  - Anna Maria Power Squadron – Boating Safety and Education, M131, \$2,000;
  - United States Coast Guard Auxiliary Flotilla 85 – Boating Safety and Education, M132, \$3,000;
  - SRQ Civil Air Patrol – Composite Squadron Civil Air Patrol, M133, \$7,000;
  - Town of Longboat Key – Fire and Rescue Boat, M134, \$30,000;
  - Town of Longboat Key – Police Enforcement/Fire and Rescue Enhancement, M135, \$18,000;
  - Manatee County Sheriff’s Office – Marine Patrol Upgrade, M136, \$40,000;
  - City of Bradenton Beach – Police Marine Patrol, M137, \$30,000; and,
  - Gulfcoast Wonder & Imagination Zone – Water Workshop, M138, \$10,100. [BC20020917DOC041](#)

**MATERIALS AND SERVICES**

1. **ASMAC Computerized Controller Irrigation System** – Sole Source purchase of Toro Commercial Equipment from Wesco Turf, Inc., \$82,444. [BC20020917DOC042](#)
2. **CAD/JMS/RMS/E911 System** – Sole Source purchase of improvements from Intergraph Public Safety, Inc., \$85,000. [BC20020917DOC043](#)
3. **Dump Trucks** – Purchase via State Contract six trucks from International Truck and Engine, Inc., \$485,579. [BC20020917DOC044](#)
4. **Fire Sprinkler/Fire Alarm System** – Enter into negotiations with Winginton Fire Systems for an operational system at the County’s Fleet Services building. [BC20020917DOC045](#)

**BUDGET AMENDMENT**

**Various Departments**                      **B-02-038**

Unanticipated Revenue Appropriations  
 Supporting Description and Detail Attached

[BC20020917DOC046](#)

**EMPLOYEE HEALTH BENEFITS**

Authorization for adjustments to the County Insurance Account of Corporate Benefit Services of America, Inc., (CBSA) as of June 2002 in accordance with the bank reconciliation prepared by the Clerk of Circuit Court.

[BC20020917DOC047](#)

**ENVIRONMENTAL SERVICES**

Execution of Addendum 2 to extend Agreements for Professional Environmental Services with GLE Associates, Inc. and Professional Service Industries, Inc., for one year (to 10/23/03).

[BC20020917DOC048](#)

**SURPLUS PROPERTY**

Classification of excess property as surplus property per *Florida Statute 274.05* to enable appropriate and authorized disposition in accordance with Purchasing Code 99-37, Section 1.106; and authorization to dispose of such property (various departments).

[BC20020917DOC049](#)

**ENGINEERING INSPECTION SERVICES**

Execution of Addendum 2 to Contract with Zoller, Najjar & Shroyer, L.C., to extend professional engineering inspection services for one year (to 10/02/03).

[BC20020917DOC050](#)

**LOCKWOOD RIDGE ROAD**

Execution of Change Order 2 to IFB 01-2028DC, with Frederick Derr & Company, Inc. for **improvements from Tallevast Road to Country Oaks Boulevard**; decrease of \$281,691.88, adjusted total \$1,712,488.17; addition of 80 days for a revised completion date of June 16, 2002.

[BC20020917DOC051](#)

**PHOTOGRAMMETRIC MAPPING SERVICES**

Execution of Addendum 1 to Agreement with Aerial Cartographics of America, Inc., I.F. Rooks & Associates, Inc., and Woolpert LLP, for **professional photogrammetric mapping services** for one year (to 10/15/03).

[BC20020917DOC052](#)

**COMPUTER AND ELECTRONIC EQUIPMENT**

Execution of Addendum 1 to the Recycling and Demanufacturing of Computer and Electronic Equipment Agreement with F&F Environmental dba Quicksilver Recycling Services, Inc., **adding items to be recycled and demanufactured.**

[BC20020917DOC053](#)

**TIME PAYMENT AGREEMENTS**

1. **Release of Liens** – Execution of Release of Time Payment Agreement Liens on satisfied agreements with Timothy H. Hoffman and T.A. and Judy Nesland. [BC20020917DOC054](#)
2. **Agreements** - Execution of, and authorization to record, agreements for water and sewer facility investment fees, connection fees, and line extension charges with David and Wendy Sable and Steve J. and Kathleen M. Sharp. [BC20020917DOC055](#)

**UTILITY REFUNDS**

1. Refund \$170.10, minus any current billings, to Sandra W. Foster. [BC20020917DOC056](#)
2. Refund \$340.30, minus any current billings, to Darren K. Whitley. [BC20020917DOC057](#)
3. Refund \$1,828.40 to Kathryn M. O'Brien. [BC20020917DOC058](#)

**BAD DEBT WRITE-OFF**

1. Authorization for Parks and Recreation Department to write off the annual bad debt totaling \$35 for FY 2002. [BC20020917DOC059](#)
2. Authorization for Animal Services Division to write off bad checks dated January and December 2001 (4), and in March 2002 (2), totaling \$770. [BC20020917DOC060](#)

**PARKS AND RECREATION DEPARTMENT - POLICY AND FEE SCHEDULE**

**R-02-246** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING PARAGRAPHS A. AND B. OF PART III OF RESOLUTION R-02-72 TO PROVIDE A REVISED FEE SCHEDULE FOR THE MANATEE COUNTY PARKS AND RECREATION DEPARTMENT AND PROVIDING AN EFFECTIVE DATE. [BC20020917DOC061](#)

**IMPACT FEE CREDIT**

Execution of Credit Authorization CA-01-09(T) **and** Final Authorization of Transportation Credit for Patrick & Susan Kennedy/Kennedy & Associates for right-of-way on Tallevast Road, \$9,180. [BC20020917DOC062](#)

**FINAL PLATS**

**Burnt Tree Subdivision**

1. Final Plat;
2. Notice to Buyers; and
3. Agreement with Rupert H. and Norma L. Kennedy to defer completion of required sidewalks. [BC20020917DOC063](#)

**Callis Subdivision**

1. Final Plat; and
2. Notice to Buyers. [BC20020917DOC064](#)

**Vogel's 5 Subdivision**

1. Final Plat;
2. Mortgagee's Joinder in and Ratification of a Subdivision Plat and all Dedications and Reservations Thereon from Riley E. Winans, II and Ethel Mae Winans;
3. Notice to Buyers; and
4. Agreement with Frank and Patricia Vogel to defer completion of required sidewalks. [BC20020917DOC065](#)

**2002 NEIGHBORHOOD ENHANCEMENT GRANTS**

Execution of Neighborhood Enhancement Grant Program agreements (9/17/02-9/17/03) with:

1. Braden Castle Park Home Owners Association, \$2,500;
2. Colony Cove Mobile Home Association, \$2,450;
3. Fourth Bayshore Condominium Association, \$2,200;
4. Hillsmere Drive Beautification Committee, \$2,015;
5. Palma Sola Village Homeowners Association, \$2,500;
6. Second Bayshore Condominium Association, \$2,500;
7. Terra Ceia Manor Homeowners Association, Inc., \$1,930;
8. Virginia Palms Condominium Association, \$145; and
9. Whitfield-Ballentine Manor Association, Inc., \$2,500.

[BC20020917DOC066](#)

**UTILITY RELOCATION AGREEMENTS**

1. **R-02-235** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, AUTHORIZING EXECUTION OF AN UTILITIES AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE ADJUSTMENT, CHANGE OR RELOCATION OF CERTAIN UTILITIES LOCATED ALONG **S.R. 55 (U.S. 19) FROM WEST OF U.S. 41 TO I-275** (execution of Utility Work Agreement). [BC20020917DOC067](#)
2. **R-02-234** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, AUTHORIZING EXECUTION OF AN UTILITIES AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE ADJUSTMENT, CHANGE OR RELOCATION OF CERTAIN UTILITIES LOCATED ALONG **S.R. 45 AT U.S. 41 BUSINESS (14TH STREET) AND 44TH AVENUE** (execution of Utility Work Agreement). [BC20020917DOC068](#)
3. **R-02-233** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, AUTHORIZING EXECUTION OF AN UTILITIES AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE ADJUSTMENT, CHANGE OR RELOCATION OF CERTAIN UTILITIES LOCATED ALONG **S.R. 45 (U.S. 41) FROM SARASOTA/MANATEE COUNTY LINE TO BOWLEES CREEK** (execution of Utility Work Agreement). [BC20020917DOC069](#)

**ANIMAL STERILIZATION PROGRAM**

Execution of an Amendment to Agreement with the Humane Society of Manatee County **extending** joint animal sterilization program for one year (to 09/30/03). [BC20020917DOC070](#)

**57TH AVENUE WEST**

Execution of Contract for Sale and Purchase for a Temporary Construction Easement from Ishak Aoudi, for right-of-way at 1115 57th Avenue West, \$400. [BC20020917DOC071](#)

**DEEDS AND EASEMENTS**

**Manatee Avenue and 75th Street West** – Warranty Deed from John F. Brand for the southwest corner; Affidavit of Ownership and Encumbrances. [BC20020917DOC072](#)

**RYE ROAD BRIDGE**

Execution of Sovereign Submerged Lands Easement with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for conveyance of public access over the Manatee River required for the Rye Road bridge replacement. [BC20020917DOC073](#)

**STATE HIGHWAY SYSTEM**

1. **State Highway Lighting and Maintenance Compensation Agreement**  
**R-02-254** RESOLUTION AUTHORIZING EXECUTION AND TRANSMISSION OF STATE HIGHWAY LIGHTING AND MAINTENANCE COMPENSATION AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION FOR COUNTY-MAINTAINED STREET LIGHTING ON THE STATE HIGHWAY SYSTEM (execution of agreement for County-maintained street lighting, \$27,825). [BC20020917DOC074](#)
2. **Traffic Signal Maintenance and Compensation Agreement**  
**R-02-253** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN TO EXECUTE A TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (execution of agreement for County-maintained traffic signals, \$21,238). [BC20020917DOC075](#)

**STREET VACATIONS**

1. **Pomello Park Subdivision**  
**R-02-208V** RESOLUTION DECLARING A PUBLIC HEARING ON OCTOBER 15, 2002, AT 9:00 A.M., OR AS SOON THEREAFTER AS MAY BE HEARD, ON APPLICATION BY MARTIN V. AND ELDA M. PEREZ TO VACATE CERTAIN PLATTED TRACTS IN POMELLO PARK SUBDIVISION. [BC20020917DOC076](#)
2. **Warner's Subdivision**  
**R-02-210V** RESOLUTION DECLARING A PUBLIC HEARING ON OCTOBER 22, 2002, AT 9:00 A.M., OR AS SOON THEREAFTER AS MAY BE HEARD, ON APPLICATION BY MARY M. LASSETER AND MEGAN M. MILLER TO VACATE A PLATTED LOT IN WARNER'S SUBDIVISION. [BC20020917DOC077](#)

(End Consent Agenda)

**BRADEN RIVER LITTLE LEAGUE**

**Bob Cross**, Braden River Little League All-Stars Manager, received a plaque from Bill Ward, Parks and Recreation Department, for winning the **2002 Florida State Little League Championship**.

Motion was made by Mr. Bruce, seconded by Mrs. Glass, and carried 6 to 0, for the Parks and Recreation Department to honor the Braden River Little League All-Stars for winning the 2002 Florida State Little League Championship (Proclamation to be on a future agenda). [BC20020917DOC078](#)

**PDR-96-15(P) MANATEE RIVER LAND PARTNERSHIP/MANATEE RIVER PLANTATION**

**Patricia Petruff**, representing the Parrish Civic Association, requested reconsideration of action September 10, 2002, regarding the Preliminary Site Plan for Manatee River Land Partnership/Manatee River Plantation. Her request relates to the Special Approvals granted.

**Caleb Grimes**, attorney representing the developer, also requested reconsideration, specifically related to the stipulation regarding lot sizes on the perimeter of the project.

Motion was made by Mr. Harris and seconded by Mrs. Glass to reconsider **PDR-96-15(P)**. Following discussion, the motion carried 6 to 0. [BC20020917DOC079](#)

**CITIZENS' COMMENTS**

**Value Adjustment Board**

**Claire Brown** discussed the process to dispute property tax assessments. She displayed a map of neighboring parcels listing the current per-acre assessments.

Staff will provide a report at the October 1, 2002, meeting and explain how the assessments of the parcels identified by Ms. Brown were determined.

**Gulf Coast Research and Education Center**

**Mark Barnebey**, School Board Attorney, read a letter from the School Board expressing interest in acquiring the property currently occupied by the University of Florida Agricultural Center (S.R. 70 and Caruso Road), and encouraged the County to pursue acquisition for subsequent transfer to the School Board for use as a school site.

Discussion: Center to occupy site for three more years; begin preliminary site work; etc.

**Annexation**

**Jay Grafton**, Federation of Manatee County Community Associations, discussed the requirements of the annexation process, noting differences between voluntary and municipality-initiated actions, and emphasized the need for accountability. He will provide written recommendations to the Legislature, with a copy to the Board. [BC20020917DOC080](#)

**SARASOTA/MANATEE METROPOLITAN PLANNING ORGANIZATION**

The floor was opened for nominations for a Manatee County representative for a three-year term on the Citizen Advisory Committee of the Sarasota/Manatee Metropolitan Planning Organization.

Nomination: Harold Crapo, Jr. – by Mr. Bruce

Motion was made by Mrs. Glass to close nominations and appoint **Harold Crapo, Jr.** The motion was seconded by Mr. Bruce and carried 6 to 0. [BC20020917DOC081](#)

**PEACE RIVER/MANASOTA WATER SUPPLY AUTHORITY**

**Doug Manson**, Peace River/Manasota Regional Water Supply Authority, discussed the components comprising an Agreement in Principle between the Authority, Charlotte County, and IMC Phosphates Company.

(Depart Ms. Brown)

The Agreement was proposed to outline principles related to the permit application filed by IMC to mine at the Manson Jenkins property, and to address concerns regarding mining the Altman Tract and the Ona Mine in the Peace River Basin. A final agreement to resolve pending litigation and facilitate cooperation in the future, consistent with the Agreement, will be developed. The Authority is seeking endorsement of the Agreement by Manatee, Sarasota, and Charlotte counties.

**Recess/Reconvene.** All members present except Mr. McClash.

Karen Collins-Fleming and Rob Brown, Environmental Management Department, provided input as to the content of the Agreement.

(Ms. Brown absent for portion of discussion)

**Pat Lehman** and **Ray Pilon**, Peace River/Manasota Regional Water Supply Authority, were available to answer questions.

Motion was made by Mr. Bruce and seconded by Mr. Harris to endorse the Agreement in principle between the Peace River/Manasota Regional Water Supply Authority, Charlotte County, and IMC Phosphate Company. Following discussion, Mr. Bruce **withdrew** the motion.

Motion was made by Mrs. von Hahmann and seconded by Mrs. Stein to see the process of this agreement in principle, taking into consideration all the concerns of our sister counties (Charlotte and Sarasota County), and staff and County Attorney's comments, before supporting this agreement.

Mr. Manson and Mr. Lehman discussed the action taken by Sarasota and Charlotte County.

Following discussion the motion carried 6 to 0. [BC20020917DOC082](#)

(Gavel to Mr. Bruce, presiding)

**BRADENTON BEACH SCENIC HIGHWAY**

Motion was made by Mrs. Stein to authorize the Bradenton Beach Scenic Highway Entity to proceed in acquiring grant funds to construct a multi-use pathway at Coquina/Cortez Beach (Gulf side) from 7th Street South to Leffis Key. The motion was seconded by Mrs. von Hahmann and carried 6 to 0.

(Mrs. Stein presiding)

Greg Fagan, Parks and Recreation Department, presented Bradenton Beach Mayor **John Chappie**, who thanked the Board for their support and introduced **Harry Brown**, Chairman of the Bradenton Beach Scenic Highway Entity. [BC20020917DOC083](#)

(Gavel to Mr. Bruce presiding)

**LEGISLATION - ANNEXATION**

Motion was made by Mrs. Stein to transmit recommended statutory changes for annexation to the Florida Legislature as outlined in the annexation issues and survey responses to the Florida Association of Counties. The motion was seconded by Mr. Harris.

Jim Minix, Assistant County Attorney, explained that input to the Legislature was required pursuant to statute.

Discussion: Share recommendations with municipalities; discuss with Joint Planning Commission; comments to Legislature from Florida League of Cities; County Attorney to prepare draft of suggested changes; etc.

Following discussion, the motion carried 6 to 0.

[BC20020917DOC084](#)

(Mrs. Stein presiding)

**COMMERCIAL PROPERTY INSURANCE**

Motion was made by Mr. Bruce to authorize the County Attorney to bind coverage and to renew excess commercial property insurance and other commercial policies, and to expend up to \$1.8 million dollars for premium payments. The motion was seconded by Mr. Harris and carried 6 to 0.

[BC20020917DOC085](#)

**MINIMUM TAX BILL**

Jim Seuffert, Financial Management Director, submitted Resolution

**R-02-262** RESOLUTION ESTABLISHING MINIMUM TAX BILL AMOUNT AT \$15.00 AND PROVIDING FOR RESCISSION OF RESOLUTION ADOPTED MAY 14, 1981, ESTABLISHING MINIMUM TAX BILL OF \$5.00.

Motion was made by Mr. Harris, seconded by Mr. Bruce, and carried 6 to 0, to adopt **R-02-262**.

[BC20020917DOC086](#)

**POT-BELLIED PIGS**

Carol Clarke, Planning Director, explained that notification of this presentation was not conveyed to an individual who expressed interest in participating in the discussion regarding a Land Development Code amendment to allow pot-bellied pigs in residential areas.

Motion was made by Mr. Bruce, seconded by Mr. Harris, and carried 6 to 0, to defer this item to the meeting of October 1, 2002.

[BC20020917DOC087](#)

**MARS SPENCER-PARRISH PIPELINE SEGMENT**

Janet McAfee, Project Management Director, discussed the no-cost Change Order 1 to IFB 01-4517BS with Stately Contractors, Inc., for an addition of 67 calendar days to contract completion, for a revised completion date of November 15, 2002.

(Gavel to Mr. Bruce presiding)

Motion was made by Mrs. Stein, seconded by Mr. Harris, and carried 6 to 0, to authorize execution of the Change Order. [BC20020917DOC088](#)

(Mrs. Stein presiding)

**JOHNSON MIDDLE SCHOOL SIDEWALK**

Motion was made by Ms. Brown to authorize execution of a Contract for Sale and Purchase for a Temporary Construction Easement from Paula A. Harris, for construction of a sidewalk on 26th Avenue East, Parcel 2A, at a cost of \$38. The motion was seconded by Mrs. von Hahmann and carried 6 to 0.

[BC20020917DOC089](#)

**FLORIDA POWER AND LIGHT**

A draft letter to Governor Bush supporting the efforts of Florida Power and Light to obtain the permit for the re-burn technology (approved 9/10/02) was presented. [BC20020917DOC090](#)

**IMMIGRATION AND NATURALIZATION SERVICE**

Ernie Padgett, County Administrator, referenced an article in the *Bradenton Herald* regarding action (9/3/02) to decline participation in the U.S. Marshal's Service Cooperative Assistance Program for Immigration and Naturalization Service detainees. The program would grant the County \$9.3 million to build a facility (two pods, 256 beds). Mr. Padgett discussed the reasons why the recommendation was made to the Board to reject the funds.

Discussion: 20-year contract; insufficient funds to build facility; Judicial Center issue; staffing of corrections officers; consequences if contract with INS is terminated; safety concerns; etc.

[BC20020917DOC091](#)

**PURCHASING ORDINANCE – LOCAL VENDORS**

Mr. Padgett reported that staff was reviewing the current ordinance relative to awarding bids. He noted a large landscaping project that could not be awarded to a local vendor due to the current policy.

[BC20020917DOC092](#)

**COMMISSIONERS' COMMENTS**

**Cortez Road – Mowing**

Mrs. von Hahmann mentioned that the sidewalks along Cortez Road are covered in grass clippings, creating a safety concern. She requested that the issue be addressed with the party responsible.

**S.R. 70 Landscaping**

Mr. Bruce requested staff pursue grant opportunities for highway beautification of S.R. 70.

**U.S. 301 Landscaping**

Mrs. Stein requested that efforts continue on landscape beautification plans for U.S. 301.

**17th Street, Palmetto**

Ms. Brown requested the status of this road project.

**Homeless/Central Library**

Ms. Brown acknowledged a response to her previous request for information regarding the homeless at the Central Library, but wanted to ensure that the ordinance is being enforced.

[BC20020917DOC093](#)

**MEETING ADJOURNED**

There being no further business, the meeting was adjourned.

Adj: 11:32 a.m.  
/tb/qa/ml

Minutes Approved: November 5, 2002