

NOVEMBER 19, 2002

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, November 19, 2002, at 9:07 a.m.

Present were Commissioners:

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

Also present were:

Jeffrey Steinsnyder, Deputy Chief Assistant County Attorney
Susan G. Romine, Board Records Supervisor,
representing R. B. Shore, Clerk of Circuit Court

Invocation by Rev. Douglas Aldrink, Bradenton Christian Reformed Church.

All witnesses and staff giving testimony were duly sworn.

AGENDA

Agenda of November 19, 2002, and agenda update memorandum.

[BC20021119DOC001](#)

COMMUNITY REDEVELOPMENT AGENCY

Public hearing (Notices in the *Bradenton Herald* 11/8/02 and the *Sarasota Herald-Tribune* 11/9/02) was opened to consider

R-02-312 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; DECLARING THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY TO BE THE COMMUNITY REDEVELOPMENT AGENCY OF THE COMMUNITY REDEVELOPMENT AREA OF **14TH STREET WEST**; AND PROVIDING AN EFFECTIVE DATE.

Mr. Bruce moved to continue the hearing to 1:30 p.m., or as soon thereafter as may be heard. The motion was seconded by Mr. McClash and carried 7 to 0.

[BC20021119DOC002](#)

OATH OF OFFICE

The Honorable Charles E. Williams, Circuit Judge, administered the Oath of Office to **Gwendolyn Y. Brown**, District 2 Commissioner.

The Honorable Robert A. Farrance, County Judge, administered the Oath of Office to **Ronald D. Getman**, District 4 Commissioner, and **Patricia M. Glass**, District 6 Commissioner.

[BC20021119DOC003](#)

Recess/Reconvene. All members present except Ms. Brown.

CONSENT AGENDA

Motion was made by Mr. Bruce, 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). Items APPROVED:

CLERK'S CONSENT CALENDAR

[BC20021119DOC004](#)

REFUNDS

PETZ Development, Inc. – Impact Fee

\$4,991.00

[BC20021119DOC005](#)

WARRANT LIST

Approved: November 12, 2002 through November 18, 2002

Authorize: November 19, 2002 through December 2, 2002

[BC20021119DOC006](#)

ACCEPT

Florida Development Finance Corporation - Annual Report for year ending June 30, 2002.

[BC20021119DOC007](#)

Southwest Florida Water Management District – Five-Year Capital Improvements Plan and Proposed Five-Year Water Resource Development Work Program.

[BC20021119DOC008](#)

AUTHORIZE FEE WAIVERS (PUBLIC WORKS)

Waive Fee (\$25) for Lillian Bos due to fraudulent activity on bank account.

Waive Fee (\$25) for Gwendolyn M. Buzbee due to fraudulent activity on bank account.

[BC20021119DOC009](#)

COUNTY ADMINISTRATOR

YOUTH HUNT PROGRAM

Authorization for Conservation Lands Management Department to hold the first annual Youth Hunt at Duette Park on December 7 and 8, 2002, and waive standard fees for all youth participants.

[BC20021119DOC010](#)

SURPLUS PROPERTY

R-02-318 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO THE HOUSING AUTHORITY OF THE **CITY OF BRADENTON** (property at 204 13th Avenue West, Bradenton, \$100). [BC20021119DOC011](#)

43RD STREET WEST AT CORTEZ ROAD

Execution of Work Assignment T1 with Wade-Trim, Inc., for **design and construction** for the 43rd Street West/Cortez Road intersection, \$307,123. [BC20021119DOC012](#)

SANITARY SEWER LINE REPLACEMENT

Execution of Work Assignment 6 with Azurix North America Underground Infrastructure, Inc., for rehabilitation of sewer mains at System 3C - Bradenton Beach, \$89,340. [BC20021119DOC013](#)

BUDGET AMENDMENT

Various Departments

B-03-009

Transfer of Funds; Unanticipated Revenue Appropriations
Supporting Description and Detail attached [BC20021119DOC014](#)

BUCKEYE ROAD

Execution of Change Order 1 to IFB 02-1015DC with Sarasota Land Services, Inc., for **roadway improvements**; decrease of \$66,140.41, adjusted total \$1,545,063.06. [BC20021119DOC015](#)

BLACKBURN ELEMENTARY SCHOOL SIDEWALK

Execution of Change Order 1 to Work Assignment 99-23 with Wade-Trim, Inc., for **design and construction of sidewalk along Ellenton-Gillette Road** from Mansion Memorial Cemetery to U.S. 301; increase \$13,228, adjusted total \$56,723. [BC20021119DOC016](#)

HOUSEHOLD HAZARDOUS WASTE

Execution of Addendum 1 incorporating the assumption and assignment of the agreement (8/6/02) from Safety-Kleen (Bartow), Inc., to **Clean Harbors Environmental Services, Inc.** [BC20021119DOC017](#)

MATERIALS AND SERVICES

1. **Logue Road Bridge Replacement** – Award IFB 02-5099DC to Pittsfield Construction, Inc., \$330,041; authorize subsequent execution of contract with simultaneous dating of performance/payment bonds; and accept insurance certificate. [BC20021119DOC018](#)
2. **Tara Lift Station** – Award IFB 02-5766DC to TLC Diversified, Inc., \$123,282; authorize subsequent execution of contract with simultaneous dating of performance/payment bonds; and accept insurance certificate. [BC20021119DOC019](#)
3. **Uniform Purchase and Rental** – Award IFB 02-3328AA per Section (11 sections), S & R Uniforms Inc., Cintas Corporation, UniFirst Corporation, Lillia D’Urso, and Manatee Apparel Graphics, annual estimate \$460,975. [BC20021119DOC020](#)

WATER AND WASTEWATER TREATMENT CHEMICALS

Issue Change Order 1 to Purchase Order P3000168, effecting a name change from Dravo Lime, Inc., to **Carmeuse Lime & Stone, Inc.** [BC20021119DOC021](#)

WORKERS COMPENSATION

Execution of Addendum 4 to Agreement (4/6/99) with Johns Eastern Company, Inc., to extend the agreement from October 1, 2002, to September 30, 2003, \$89,328. [BC20021119DOC022](#)

TRAILER ESTATES MOBILE HOME PARK

Execution of Work Assignment 23 with Insituform Technologies, Inc., for **storm sewer rehabilitation**, \$52,081. [BC20021119DOC023](#)

UNEMPLOYMENT INSURANCE

Execution of Addendum 2 to Agreement with DeGroot Management Services, Inc., for **cost control services** to extend the agreement for one year (1/1/03-12/31/03), \$3,600. [BC20021119DOC024](#)

FINAL PLAT

Blue Moon Ranch

1. Final Plat;
2. Mortgagee’s Joinder in and Ratification of Subdivision Plat and All Dedications and Reservations Thereon with First South Bank;
3. Agreement to Defer Completion of Required Sidewalks with Leigh M. Simons fka Lee M. Murphy; and
4. Notice to Buyers. [BC20021119DOC025](#)

CORTEZ ROAD

Execution of Potable Water Participation Agreement with Splash SunFun Beachwear, Inc., to oversize potable water mains on west Cortez Road, \$14,700. [BC20021119DOC026](#)

LIGHT DETECTION AND RANGING (LIDAR)

Execution of an Agreement for Joint Participation In Mitigation Program To Develop Digital Elevation Models with Florida International University Board of Trustees for Light Detection and Ranging (LIDAR) models for emergency management purposes, \$133,000 cash, \$66,500 in-kind match. [BC20021119DOC027](#)

DEEDS AND EASEMENTS

1. **301 Park of Commerce** – Acknowledgment of Partial Release of Easement to Monana Corporation, releasing the County’s interest in a Temporary Water Line Easement. [BC20021119DOC028](#)
2. **Johnson Middle School Sidewalk** – Warranty Deed from Jordan M. Manning; Affidavit of Ownership and Encumbrances; Partial Release from Ray Ingram and Associates, Inc. [BC20021119DOC029](#)

MANATEE AGRICULTURE REUSE

R-02-314 A RESOLUTION OF MANATEE COUNTY, FLORIDA, DELEGATING THE AUTHORITY TO MAKE PRE-SUIT OFFER IN EMINENT DOMAIN CASES FOR THE **SOUTHEAST TO SOUTHWEST** RECLAIMED WATER TRANSMISSION MAIN PROJECT, PARCEL IDENTIFIED AS PARCEL 817, PROPERTY OWNER, BROOKWOOD COMMERCIAL ASSOCIATES, LTD., 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. [BC20021119DOC030](#)

(End Consent Agenda)

PUBLIC HEARINGS – CONSENT AGENDA

Mrs. Glass moved to approve the presentations upon request incorporating the motions in the agenda memoranda as modified by the changes discussed at this hearing. The motion was seconded by Mrs. von Hahmann and carried 7 to 0.

LAND DEVELOPMENT CODE

Public hearing (Notices in the *Bradenton Herald* and the *Sarasota Herald-Tribune* 11/8/02) was opened to consider

ORDINANCE 02-46 (CONTINUED TO 12/17/02)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING CERTAIN PROVISIONS OF THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); REGARDING SMALL BOAT MANUFACTURING; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Planning Commission recommended ADOPTION.

[BC20021119DOC031](#)

LOCAL DEVELOPMENT AGREEMENT

Public hearing (Notices in the *Bradenton Herald* and the *Sarasota Herald-Tribune* 11/8/02) was held to consider

LDA-02-01 – CHELSEA OAKS/CARGOR PARTNERS III

LOCAL DEVELOPMENT AGREEMENT PROVIDING FOR PARTICIPATION IN TRANSPORTATION IMPROVEMENTS, SEWER COLLECTION LINES AND WATER DISTRIBUTION LINES FOR CHELSEA OAKS AND PROVIDING FOR AN EXTENDED CERTIFICATE OF LEVEL OF SERVICE FOR THE PROJECT. THE SITE IS LOCATED ON 108.91 ACRES ON THE EAST SIDE OF FORT HAMER ROAD, WEST OF THE GAMBLE CREEK, AND NORTH OF THE MULHOLLAND ROAD.

Planning Commission recommended ADOPTION.

[BC20021119DOC032](#)

COMPREHENSIVE PLAN AMENDMENTS

Public hearing (Notices in the *Bradenton Herald* and the *Sarasota Herald-Tribune* 11/8/02) was held to consider

ORDINANCE 02-02 - PALMETTO BUSINESS PARK

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP **IL** (46.8 ACRES); **IH** (37.7 ACRES); **IH/CEA**; **IH/CEA/CSVA** (65.1 ACRES) AND **RES-6/CEA** AND **RES-6/CEA/CSVA** (28.6) TO **RES-9** (84.5 ACRES) AND **RES-1/CEA** AND **RES-1/CEA/CSVA** (65.1 ACRES) AND **RES-3/CEA** AND **RES-3/CEA/CSVA** (28.6 ACRES) FOR A TOTAL ACREAGE OF 178.20 ACRES, LOCATED IN THE 2001 BLOCK OF U.S. 301, PALMETTO, BETWEEN CANAL ROAD AND 24TH AVENUE EAST, BEGINNING APPROXIMATELY 600 FEET SOUTH OF U.S. 301 AND CONTINUING SOUTH TO MANATEE RIVER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(**PA-02-02** – Property Owner: **Palmetto Business Park**)

[BC20021119DOC033](#)

Public hearing (Notices in the *Bradenton Herald* and the *Sarasota Herald-Tribune* 11/8/02) was held to consider

ORDINANCE 02-04

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED (THE 2020 MANATEE COUNTY COMPREHENSIVE PLAN); PROVIDING FOR A TEXT AMENDMENT TO THE FUTURE LAND USE ELEMENT **REMOVING ELECTRICAL GENERATION FACILITIES AS A POTENTIAL USE WITHIN THE AG/R FUTURE LAND USE CATEGORY**; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (COUNTY-WIDE).

(**PA-02-04** – Text Amendment)

[BC20021119DOC034](#)

Public hearing (Notices in the *Bradenton Herald* and the *Sarasota Herald-Tribune* 11/8/02) was held to consider

ORDINANCE 02-07

ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR AN AMENDMENT DELETING FISCAL YEAR 2002 AND APPLICABLE DATA, AND ADDING FISCAL YEAR 2007 AND APPLICABLE DATA TO TABLES 10-1, 10-2, 10-3, AND 10-4 OF THE **CAPITAL IMPROVEMENTS ELEMENT**; PROVIDING FOR AN AMENDMENT TO TABLE 10-1, SCHEDULE OF CAPITAL IMPROVEMENT PROJECTS, FY 2002-2006, INVOLVING REVISIONS TO SCOPE, FORMAT, TIME FRAME, COSTS, FUNDING SOURCES, AND CONTENT TO TRANSPORTATION PROJECTS, DRAINAGE PROJECTS, AND MASS TRANSIT PROJECTS; PROVIDING FOR COUNTERPART AMENDMENTS TO TABLE 10-2, GENERAL GOVERNMENT FUNDING OF CAPITAL IMPROVEMENTS, FY 2002-2006; TABLE 10-3, ENTERPRISE OPERATIONS FUNDING OF CAPITAL IMPROVEMENTS, FY 2002-2006; TABLE 10-4, SUMMARY OF REVENUES AND EXPENDITURES FOR CAPITAL PROJECTS, FY 2002-2006; PROVIDING FOR THE AMENDMENT OF RELATED INFORMATION NECESSARY TO IMPLEMENT THE CHANGES TO THE CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-02-07 – Capital Improvements Element)

[BC20021119DOC035](#)

Public hearing (Notices in the *Bradenton Herald* and the *Sarasota Herald-Tribune* 11/8/02) was held to consider

ORDINANCE 02-08

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR AN AMENDMENT TO THE TRAFFIC CIRCULATION SUB-ELEMENT, PROVIDING FOR AN UPDATE OF THE **TRAFFIC CIRCULATION MAP** SERIES AND TABLE 5-1; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (COUNTY-WIDE).

(PA-02-08 – Traffic Circulation Sub-Element)

Carol Clarke, Planning Director, noted that the changes to the agenda memorandum contain a modification to the right-of-way adjustments to increase Creekwood Boulevard from Williams Creek to 44th Avenue East from 84 feet to 90 feet.

Discussion: 45th Street East to Morgan Johnson Road link construction; amend Comprehensive Plan to eliminate that section; link is not in the 2025 Metropolitan Planning Organization financially feasible plan; bring back report to include deletion of this link; both plans must be consistent; etc.

[BC20021119DOC036](#)

Public hearing (Notices in the *Bradenton Herald* and the *Sarasota Herald-Tribune* 11/8/02) was held to consider

ORDINANCE 02-09

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR AN AMENDMENT TO INCLUDE THE PORTION OF THE **PEACE RIVER WATERSHED** LOCATED IN MANATEE COUNTY WITHIN THE WATERSHED OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

(PA-02-09 – Overlay Map Amendment)

Patricia Petruff, on behalf of IMC Phosphates Inc., voiced concern that: **(1)** this policy initiative should be coordinated with other counties as landowners in Manatee County would be required to comply with much more stringent requirements than other counties with larger portions of the Watershed; and **(2)** the impact assessment study of the Peace River Watershed conducted by the Central Florida Regional Planning Council, which will be presented December 4, 2002, be reviewed prior to implementation of this policy. She also suggested careful consideration of the language regarding impacts at the water supply (Lake Manatee, Lake Evers, Peace River water supply, intake valve, etc.).

(Enter Ms. Brown)

Discussion: Other counties are aware of this ordinance; water quality/water quantity is included in the amendment; consistency for all types of uses within the watershed; letters should be sent to all other local governments within the Peace River Watershed to adopt similar amendments; etc.

Mary Sheppard thanked the Board for adopting this amendment.

[BC20021119DOC037](#)

Public hearing (Notices in the *Bradenton Herald* and the *Sarasota Herald-Tribune* 11/8/02) was held to consider

ORDINANCE 02-10

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR A TEXT AMENDMENT TO ESTABLISH THE **PEACE RIVER WATERSHED** WITHIN MANATEE COUNTY AS A WATERSHED OVERLAY DISTRICT AND MODIFICATIONS RELATED TO PHOSPHATE MINING; ESTABLISHING ACCEPTED SOURCE FOR PERENNIAL STREAM; UPDATING DEPARTMENTAL NAMES AND REFERENCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

(PA-02-10 – Text Amendment)

Patricia Petruff requested that her previous comments be included in this hearing.

[BC20021119DOC038](#)

Public hearing (Notices in the *Bradenton Herald* and the *Sarasota Herald-Tribune* 11/8/02) was held to consider

ORDINANCE 02-13

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR AN APPROVAL OF AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE 2020 MANATEE COUNTY COMPREHENSIVE PLAN FROM **AG/R** TO **P/SP(1)** FOR A SITE GENERALLY LOCATED NORTH OF STATE ROAD 62, NORTH TO THE COUNTY LINE, AND EAST OF SAFFOLD ROAD; INCLUSIVE OF THE EXISTING FLORIDA POWER AND LIGHT POWER PLANT, THE COOLING POND AND SURROUNDING PROPERTY (7,036 ACRES); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(**PA-02-13** – Property Owner: **Florida Power and Light**)

[BC20021119DOC039](#)

(End Public Hearings – Consent Agenda)

LAWSUIT: FOSTER V. MANATEE COUNTY

William Henry, Chief Assistant County Attorney, referred to: **(1)** an aerial map depicting the land in question, which is a three-foot-wide strip of land running along the east edge of 72nd Street Northwest on the Manatee River; **(2)** a portion of the original 1957 plat; **(3)** Certificate from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida; **(4)** map of the two parcels referenced in the Certificate; and **(5)** a diagram of the site by the County surveyor. He reviewed the history of the lawsuit.

Mr. Henry noted that subsequent to the lawsuit Mr. Foster sold the strip of land to Kendar MarSac Homes. He advised that the County, as holder of the right-of-way, is the only upland riparian owner of any interest, which abuts the built-up parcel. He reviewed the settlement proposal by Kendar MarSac Homes to repair the seawall and develop the County land into a park.

Doris Wright, Hillsmere Drive Beautification Committee, referred to a presentation from one year ago (11/13/01) and opposed the County giving public land to private developers. **Jim Dowd** and **Mary Sheppard** supported the comments made by Ms. Wright. **S. J. Cantalino** questioned the seawall repair cost.

Bob Schermer, attorney representing Kendar MarSac Homes, referred to a rendering and distributed a settlement offer, which would resolve the ownership issue without continuing the lawsuit.

Dan Sack, of Kendar MarSac Homes, stated this proposed settlement would permit the County to take ownership of the property if boat slips are leased to Kendar MarSac Homes. He referred to pictures depicting the necessary seawall repairs and reviewed the improvement costs.

Discussion: Right-of-way easement; deed was not transferred; negotiated settlement proposal; Kendar MarSac would own the boat docks but would improve the property including the County property; seawall cap repair; only the Board can release property that is in County ownership; appraisal of property; safety issues will be addressed following the litigation; does the Land Development Code provide for 10 boat slips at this site; commercial value of parcel; no parking to support a boat launch area; claim to this property is through dedication of a plat; riparian rights; staff should review notices from the tax collectors office as to tax parcels available; etc.

Following discussion, Mrs. von Hahmann moved to authorize the County Attorney to proceed with the lawsuit and reject the applicant's offer to settle. The motion was seconded by Mrs. Glass and carried 7 to 0.

[BC20021119DOC040](#)

CITIZENS' COMMENTS

Sales Tax Committee/Referendum

Mary Sheppard, speaking on behalf of John McDonald, read a letter (11/12/02) from the **Environmental and Conservation Summit Co-Chairs** indicating the results of the summit held on October 29, 2002. Regarding the proposed sales tax referendum, she noted that the group feels the referendum should be solely for land acquisition.

Discussion: Polls to be taken regarding the referendum; Sales Tax Committee formed by the County Administrator; efforts may be futile; lack of communication; target date could be revisited; timing is not good; community interest; revenue percentages; committee is seeking funding for a scientific poll to measure sentiments; poll may indicate 2003 is not the right time; etc.

Ernie Padgett, County Administrator, explained that Cliff Walters is the facilitator of the Sales Tax Committee until a Chairman is appointed, in order to insure a citizen initiative. The committee was informed that the tax dollars would have to be shared with the municipalities, with 77 percent going to the County.

[BC20021119DOC041](#)

Ridgewood Oaks – Waste Collection

Jefferson Asbury, representing Ridgewood Oaks, stated that the heavy trucks of Waste Management are contributing to roadway deterioration in Ridgewood Oaks. Consideration has been given to contract another waste hauler to provide recycling services; however, residents must continue to pay for non-service. He requested assistance in getting some relief for the residents.

Discussion: Exemption exceptions; private streets below county standards; place item on December 3, 2002, agenda; etc.

[BC20021119DOC042](#)

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

COMMUNITY REDEVELOPMENT AREA – SOUTH COUNTY (FKA PRIDE PARK)

Public hearing (no Notices provided) was opened to consider

R-02-313 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; FINDING THAT THE CONDITIONS IN AN AREA OF UNINCORPORATED MANATEE COUNTY KNOWN AS SOUTH COUNTY MEET THE CRITERIA DESCRIBED IN SECTION 163.340(8), FLORIDA STATUTES, AS AMENDED; FINDING THAT THE AREA IN UNINCORPORATED MANATEE COUNTY KNOWN AS SOUTH COUNTY CONSTITUTES A BLIGHTED AREA; FINDING OF NECESSITY FOR THE REHABILITATION, CONSERVATION, OR REDEVELOPMENT, OR A COMBINATION THEREOF, OF THE AREA IN UNINCORPORATED MANATEE COUNTY KNOWN AS SOUTH COUNTY; FINDING OF NEED FOR A COMMUNITY REDEVELOPMENT AGENCY IN MANATEE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

Mr. McClash moved that the public hearing be continued to December 3, 2002, at 9:00 a.m., or as soon thereafter as may be heard. The motion was seconded by Mrs. von Hahmann and carried 6 to 0.

(Enter Mr. Bruce)

[BC20021119DOC043](#)

COMMUNITY REDEVELOPMENT AGENCY

Public hearing (no Notices provided) was opened to consider

R-02-317 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA; RELATING TO COMMUNITY REDEVELOPMENT; DECLARING THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY TO BE THE COMMUNITY REDEVELOPMENT AGENCY OF THE COMMUNITY REDEVELOPMENT AREA FOR **SOUTH COUNTY**; AND PROVIDING AN EFFECTIVE DATE.

Mrs. von Hahmann moved that the public hearing be continued to December 3, 2002, at 9:00 a.m., or as soon thereafter as may be heard. The motion was seconded by Mr. McClash and carried 7 to 0.

[BC20021119DOC044](#)

STREET VACATION – 45TH AVENUE EAST

Public hearing (continued from 11/5/02) was opened to consider

R-02-198-V A RESOLUTION ON APPLICATION BY CLIFFORD & KIMBERLY WALKER AND DAVID & JUDITH RAINS VACATING A PORTION OF A NON-MAINTAINED, 50-FOOT WIDE, PLATTED RIGHT-OF-WAY IN ROYAL PALM GARDENS SUBDIVISION.

Mr. McClash moved that the public hearing be continued to January 7, 2003. The motion was seconded by Mrs. von Hahmann and carried 7 to 0.

[BC20021119DOC045](#)

COMMUNITY REDEVELOPMENT AGENCY

The public hearing (continued from earlier in the meeting) was held to consider

R-02-312 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; DECLARING THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY TO BE THE COMMUNITY REDEVELOPMENT AGENCY OF THE COMMUNITY REDEVELOPMENT AREA FOR **14TH STREET WEST**; AND PROVIDING AN EFFECTIVE DATE.

Mrs. Brown moved to adopt Resolution **R-02-312**. The motion was seconded by Mr. McClash and carried 7 to 0.

(Depart Mrs. Glass)

LAND DEVELOPMENT CODE AMENDMENT

Public hearing (Notices in the *Bradenton Herald* 11/8/02 and the *Sarasota Herald-Tribune* 11/9/02) was held to consider

ORDINANCE 02-48

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING CERTAIN PROVISIONS OF THE MANATEE COUNTY LAND DEVELOPMENT CODE (ORDINANCE 90-01, AS AMENDED); REGARDING **WETLANDS, WETLAND MITIGATION, WETLAND BUFFERS, AND CONSERVATION EASEMENTS**; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Planning Commission recommended ADOPTION.

Bill O'Shea, Environmental Management Department, reviewed additional or revised language from the concerns voiced at the first hearing. The following revision was agreed upon for the last sentence of Section 719.11.1: Wetland buffer encroachments authorized under this section of the code, shall be compensated for on the same wetland or wetland system, and that compensation shall be of equal or better quality.

Mr. McClash moved to adopt **Ordinance 02-48** incorporating the language change. The motion was seconded by Mrs. von Hahmann and carried 6 to 0.

[BC20021119DOC046](#)

COMMISSIONERS' COMMENTS

Imagine Manatee

Ms. Brown requested a list of meeting sites and dates for the Imagine Manatee public meetings.

Centennial Celebration

Mrs. Stein advised that City of Bradenton Mayor Wayne Poston issued an invitation to the Centennial Celebration at City Hall on December 7-8, 2002.

Manatee River Watershed Stakeholders Workshop

Mrs. Stein stated handouts from the Manatee River Watershed Stakeholders Workshop would be supplied to all Commissioners and noted that it was an excellent workshop. [BC20021119DOC047](#)

Gold Tree

Mr. Bruce referenced a letter (11/18/02) from **Gold Tree Co-Op, Inc.**, relating to their on-going request for a traffic signal at the entrance to the Gold Tree Mobile Home Community Park at Lockwood Ridge Road and 57th Avenue East. He requested that the Transportation Department reexamine the intersection and conduct traffic counts to determine the need for signalization.

[BC20021119DOC048](#)

Tangelo Park – 9th Street West (Waste Collection)

Mr. Bruce advised there is a stub out to the north in Tangelo Park that is a private road, which is being damaged by the large Waste Management trucks. Residents are requesting assistance to resolve this situation without losing service.

Discussion: Staff to contact Waste Management and explore the possibility of an extra charge to provide service on these streets via a pickup truck and bring back costs; explore alternatives; etc.

Retention Ponds

Mrs. von Hahmann noticed on the recent bus tour that many of the retention ponds are covered by heavy green algae. She asked if there are corrective measures that can be taken to prevent or correct the problem.

Discussion: EMD to provide a report; treatment of algae blooms; etc.

Tomato Festival

Mrs. von Hahmann invited everyone to attend the Tomato Festival this weekend and noted that the Tomato Queen contest is Friday, November 22, 2002, at 6:00 p.m. [BC20021119DOC049](#)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 4:10 p.m.
/njh

Minutes Approved: January 7, 2003