

APRIL 15, 2009

The Board of County Commissioners, Manatee County, Florida, met in JOINT SESSION with the Council of Governments at the Manatee Central Library, 1301 Barcarrota Boulevard West, Bradenton, Florida, at 4:00 p.m.

Present were Commissioners:

Carol Whitmore, First Vice-Chairman
Lawrence E. Bustle, Jr., Third Vice-Chairman
John R. Chappie
Joe McClash

Absent were Commissioners:

Gwendolyn Y. Brown, Chairman
Donna Hayes, Second Vice-Chairman
Ron Getman

Also present were:

Ed Hunzeker, County Administrator
Jim Minix, Jr., Chief Assistant County Attorney
Susan G. Romine, Board Records Manager,
representing R. B. Shore, Clerk of Circuit Court

AGENDA

Agenda of April 15, 2009.

[BC20090415DOC001](#)

AGENDA DELETIONS

Ms. Whitmore announced that the presentation by Tom Nolan on the Sunshine State Survey Report would be rescheduled.

[BC20090415DOC002](#)

CROSS DEPUTIZATION

Sheriff Brad Steube addressed deputizing police officers, as discussed at the January 21, 2009, Council of Governments meeting. He noted that there had been special circumstances in the past, particularly at Groover's Market in Palmetto, wherein there was an agreement with the City of Palmetto. He noted that Kingfish Boat Ramp in Holmes Beach was also discussed.

Sheriff Steube advised that he did not support deputizing police officers due to the liability and the costs. He was not willing to assume the liability of actions of police officer, and the cost to deputize an officer is \$950 annually per person for liability insurance. Inasmuch as there were Mutual Aid Agreements with the jurisdictions, he and former Sheriff Charles Wells determined that deputizing police officers was not necessary. In 2006 a deputy made an arrest, under the agreement, at Groover's Market, and the State Attorney declined to prosecute, as they determined the agreement was invalid. There are 30 officers deputized for specific reasons.

Discussion: Must be a witness to people consuming alcoholic beverages in the parking lot; County Ordinance on loitering was determined to be vague and unconstitutional; arrests are being made under the open alcoholic container ordinance within 300 feet of Groover's Market; make buy/busts arrests; video buys; if police officer is sued, the city attorney will represent the Sheriff, and he is not willing for that to happen; etc.

The Sheriff stated the liability is too grave for the Sheriff to assume, if the Cities of Palmetto and Holmes Beach want to provide law enforcement for Groover's Market and Kingfish Boat Ramp, the cities could annex those properties; however, the spike in crime statistics would be high.

David Zaccagnino, City of Holmes Beach Commissioner, noted the cities contract with the Sheriff and the Sheriff assumes that liability. He noted a recent accident on the Anna Maria Island Bridge and the time it took for the proper law enforcement entity to respond.

Mary Lancaster, City of Palmetto Commissioner, clarified that if she sees illegal activity at Groover's Market, that she could sign an affidavit as to the activity. She was directed to call 911 or Ron Couch, District Captain with the Sheriff.

Mayor Shirley Bryant, City of Palmetto, noted that Ann Marie Harper, Neighborhood Services Department, has been working with the owner of Groover's Market.

[BC20090415DOC002](#)

MANATEE COUNTY FILM COMMISSION

Jessica Grace, Marketing and Public Relations for the Convention & Visitors Bureau, discussed standardizing the film permit process throughout the county and the six municipalities. This would allow them to work with production companies, and expedite the process. She noted that larger jurisdictions have adopted this process.

Discussion: Some offices are closed on Friday; cross boundaries for filming; consensus to ask the city commissions to discuss this; etc.

Robert Siekmann, Town of Longboat Key Commissioner, questioned if Sarasota County uses a county-wide permit.

Kelly Fores, Film Commissioner, stated that she works with the Sarasota Film Commission; however, to her knowledge there is not a county-wide permit in Sarasota County.

John Monetti, City of Holmes Beach Commissioner, suggested obtaining sample permits.

Discussion: There is no connection to the Sarasota Film Festival, as that is a venue for completed films; looking for bringing film crews to the area; cities will bring an update at the next Council of Governments meeting; etc. [BC20090415DOC003](#)

ENVIRONMENTAL/EDUCATIONAL FACILITY

Harry Kinnan, School Board Member, recognized the Tampa Bay Regional Planning Council award in the environmental category for Robinson Preserve. He stated there could be an environmental education component to it; therefore, he recommended that the County Administrator and the School Superintendent confer. The Emerson Point outdoor educational facility could be enhanced. He also suggested that the Anna Maria Elementary School could become an area for a marine educational component.

Mr. McClash stated the Valentine House at Robinson Preserve could be used for educational classes; however, the Botanical Park facility is conducive to more students. [BC20090415DOC002](#)

ANNA MARIA ISLAND BRIDGE

Chris Piazza, Florida Department of Transportation (FDOT), used a slide presentation to review the options for the Anna Maria Island Bridge from which respondents chose. Options included no bridge replacement, bridge rehabilitation, or a bridge replacement. Under bridge replacement, the options were a low, medium-level drawbridge, or high-level fixed bridge, with north or south alignments, and typical sections A (one sidewalk) or B (two sidewalks). The survey showed support for a high-level fixed bridge with a south alignment, and typical section B. He recommended submitting that recommendation to the U.S. Coast Guard.

(Ms. Whitmore absent for a portion of presentation; Mr. Bustle presiding in her absence.)

Ms. Whitmore emphasized that the Board of County Commissioners does not take action in the selection process. She noted that the County Commission had requested federal funding of \$16 million for design of the bridge, but did not include the type of design. She also noted that the Metropolitan Planning Organization will vote on this, and the Coast Guard will make the final determination.

Mr. Zaccagnino addressed the on and off ramps of the bridge and any safety issues with the eastern driveway into Kingfish Boat Ramp. Mr. Piazza assured him that safety factors had been addressed.

Discussion: Commitment from FDOT to work on design concepts; design committee will be established; etc.

Sandy Haas-Martin, Holmes Beach City Commissioner, thanked FDOT for its cooperation during the recent bridge rehabilitation. [BC20090415DOC004](#)

ARTISAN AVENUE

Wayne Poston, City of Bradenton Mayor, introduced Rick Fawley and Cliff Walters, who have worked on a plan to connect the Village of the Arts to the Manatee River waterfront, via 11th Street West (proposed concept of Artisan Avenue). He noted that he, Mr. Fawley, Mr. Walters, Mike Carter, and the County Administrator worked as a committee on this concept.

Cliff Walters requested feedback on the plan to be presented by Mr. Fawley.

Rick Fawley indicated that the Realize Bradenton, Downtown by Design, and the mobility study dovetailed with this concept. The downtown lacks a thoroughfare to connect the Village of the Arts to the waterfront. Artisan Avenue would provide a walkway and encourage infill, mixed-use development, and infill existing surface parking lots with sustainable development.

Discussion: Nine property owners in the corridor; in the Community Redevelopment Agency area; Downtown Development Agency support; Mike Carter in support; Peninsular Telephone Building used for records storage; private investment via public/private partnerships; public perception of downtown; funding sources; development agreements; getting people to walk by ground-level retail; redesign County Commission parking area to retail shops; courtyard behind Mike Carter's building; renovate the second floors of the Merrill Lynch building; finishing the Courthouse Courtyard Square; close 11th Street West between 6th Avenue and 8th Avenue West; redevelopment of the City Center site; trolley system for those who did not want to walk; start with the County area, and go north and south; etc. [BC20090415DOC005](#)

COMMENTS

Ms. Whitmore announced that **Lee Rothenberg** was elected as the new mayor of the Town of Longboat Key, and introduced **Gene Jaleski**, new Town of Longboat Key Commissioner. She questioned if any jurisdiction had a large meeting room to host these meetings, and questioned if a day other than Wednesday would be better for the members. She noted that County Commissioner Gwen Brown could not attend on Wednesdays. Mayor Poston offered to host a meeting at Pirate City.

Mayor Fran Barford, City of Anna Maria, offered use of the Anna Maria Island Community Center for these meetings.

Jane Pfeilsticker, School Board member, advised that Manatee Community College has become a four-year college, the State College of Florida. [BC20090415DOC002](#)

PALMETTO ELEMENTARY SCHOOL

Tim McGonegal, School Board Superintendent, introduced **Mike Pendley**, School Board representative, who submitted a handout regarding a new Palmetto Elementary School. The original plans to expand the school at its present site have not come to fruition; therefore, it was determined to be more cost efficient to build a new school.

Mr. Pendley outlined the new site, which is the existing Boys and Girls Club at the intersection of 10th Street West and 17th Avenue West. He stated the goal is to open the facility by August 2010. For this to happen, construction must begin by June 10, 2009, and the property closing by June 1, 2009.

Mark Barnebey, on behalf of the School Board, reviewed the participation matrix, the phases, and the eight parties involved to realize this project. He outlined Phases I-A and I-B, and Phase II. The parties to this project are the Boys and Girls Club, Just for Girls, the School Board, the City of Palmetto, the Palmetto Community Redevelopment Agency, Manatee Fruit, Manatee County, and the North River Little League.

Discussion: Stormwater ponds; cross-use of the fields, gymnasium, etc.; lights at Blackstone Park; the North River Little League wants to retain their fields and facilities; capital funds to purchase the property; extension of 10th Street West; property exchanges necessary; ball fields; maintenance of the ball fields; impact fees; ownership of property under the ball fields; etc.

Mayor Shirley Bryant, City of Palmetto, stated the City is in agreement with the steps of the matrix. The goal is a safer environment for the students. She noted that the North River Little League wants to know where they will play.

Ed Hunzeker, County Administrator, noted the complex transactions necessary for this to happen.

Mr. McClash recommended rebuilding at the current Palmetto Elementary site, and busing the students to another facility during construction, which was done during renovations of King Middle School. He also addressed: the County should own the ball field property; school impact fees; school half-cent sales tax; no cost to the County; should the ball fields move to the soccer field sites; and he wanted the North River Little League issues resolved before June 1st.

Mr. Barnebey responded to the ball field issues. He outlined the three issues to be decided: 1) will the County continue to maintain the ball fields; 2) who will own the underlying fee; and 3) to the extent there are cost overruns [over the \$900,000] could they be shared.

Mr. Hunzeker announced that the issues will be on the County Commission agenda on Tuesday, April 21, 2009.

Mr. Chappie questioned the cost overruns.

Bob Gause, School Board member, questioned relocating the lighting structures. Mr. Barnebey explained that the existing lights do not meet current standards.

Discussion: Light spill over; School Board lost \$100 million in its capital budget; hole in the middle of the property at the current Palmetto Elementary site; use the Babe Ruth field in Holmes Beach, etc. (Depart Mr. McClash)

Chuck Hague and **Tom Kirker**, representing the North River Little League, addressed the issues of moving the league. If the league must cease operations for a time, they requested space to store equipment.

Tim Knowles, representing the Boys and Girls Club, acknowledged the amount of time in this process. [BC20090415DOC006](#)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 6:08 p.m.
/sgr

Minutes Approved: May 19, 2009