

MARCH 29, 2011

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, at 9:00 a.m.

Present were Commissioners:

Carol Whitmore, Chairman
John R. Chappie, First Vice-Chairman
Lawrence E. Bustle, Jr., Second Vice-Chairman
Michael Gallen, Third Vice-Chairman
Robin DiSabatino
Donna Hayes
Joe McClash

Also present were:

Ed Hunzeker, County Administrator
Tedd Williams, Jr., County Attorney
Susan G. Romine, Board Records Director,
representing R. B. Shore, Clerk of Circuit Court

Invocation by Pastor Barbara Gilbert, Manasota SOLVE Ministry.

AGENDA

Agenda of March 29, 2011, and agenda update memorandum.

[BC20110329DOC001](#)

PROCLAMATIONS

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

1. A Proclamation designating March 28-April 2, 2011, as **Tobacco Free Florida Week** accepted by **Carolyn Angiolillo**, Parks and Recreation Department. [BC20110329DOC002](#)
2. A Proclamation designating April 4-10, 2011, as **National Public Health Week** accepted by **Dr. Jennifer Bencie**, and **Megan Jordon**, Manatee County Health Department. [BC20110329DOC003](#)
3. A Proclamation designating April 2011, as **National Minority Health Month** accepted by **Dr. Jennifer Bencie**, and **Megan Jordon**, Manatee County Health Department. [BC20110329DOC004](#)
4. A Proclamation designating April 2011 as **Fair Housing Month** accepted by **Denise Thomas**, Neighborhood Services Department. [BC20110329DOC005](#)
5. A Proclamation designating April 2011 as **Guardian Ad Litem Volunteer Recognition Month** accepted by **Bea Carlson**. [BC20110329DOC006](#)
6. A Proclamation designating April 2011 as **Water Conservation Month** accepted by **Mark Simpson**, Utilities Department. [BC20110329DOC007](#)
7. A Proclamation designating April 2011 as **Donate Life Month** accepted by **Ms. Whitmore**. [BC20110329DOC008](#)
8. A Proclamation designating April 2011 as **National County Government Month** accepted by **Brenda Rogers**, Community Services Director, and **Andy Huffman**, Veterans Services Officer. [BC20110329DOC009](#)

FUTURE OF THE REGION AWARD

Cindy Turner, Parks and Recreation Director, announced the new **G. T. Bray Recreation Center/Administration Building** received the Recognition of Honorable Mention award presented at the 19th Annual Future of the Region Awards hosted by the Tampa Bay Regional Planning Council. A portion of the building was funded with ad valorem taxes (36 percent) and the remaining was funded with impact fees. An average of 300 participants uses the facility per day.

[BC20110329DOC010](#)

CONSENT AGENDA

Motion was made by Mr. McClash, seconded by Mrs. Hayes, 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 deletion of:

- **Numeric Nutrient Criteria** – Resolution **R-11-091** opposing the U.S. Environmental Protection Agency’s proposed criteria (deferred); [BC20110329DOC011](#)
- **Driver Education Safety Trust Fund** (separate action);
- **Tree Trust Fund/Duette Preserve** – Acquisition of funds to purchase and install slash pine trees; and Budget Amendment Resolution **B-11-045** (deferred); [BC20110329DOC012](#)
- **Ungarelli Preserve Restoration Activities** (separate action);
- **West Coast Inland Navigation District/Countywide Navigation Projects** (separate action); and
- **Manatee Glens Property Conveyance** (separate action).

Items APPROVED:

CLERK’S CONSENT CALENDAR

[BC20110329DOC013](#)

REFUNDS

Amrry Services & Permits LLC – Impact Fee Refund	\$1,728.50
Milton J. Wood Company – Technical Error	\$913.16
Utilities Customer 64463-130831 – Incorrect Billing	\$1,500.00

WARRANT LIST

[BC20110329DOC014](#)

March 15, 2011, through March 28, 2011

[BC20110329DOC015](#)

MINUTES

February 22, and March 3, 2011.

[BC20110329DOC016](#)

ACCEPT

1. **Crisis Intervention Specialist/Counselor** – Corrected Program Description due to scrivener’s error in the Funding Agreement with Manatee Children’s Services, Inc. The Program Description had incorrect language regarding appropriate staff qualifications, counseling supervision, and documentation of counseling services (approved 11/9/10). [BC20110329DOC017](#)
2. **Public Utilities Revenue Improvement Bonds** – Series 2010 A (\$17,925,000); Series B (\$45,300,000); Series C (\$6,720,000); and Series D (\$8,190,000). Closing Date December 29, 2010.
(Note: CD Rom available for review) [BC20110329DOC018](#)

Administrative Contract Adjustments (Pursuant to Resolution R-07-189):

17th Street West – U.S. 41/Business 41 – Adjustment 2 to Contract with McLeod Land Services, Inc.; additional 24 calendar days for a revised completion date of March 17, 2011. [BC20110329DOC019](#)

Contract Documents (Pursuant to Manatee County Code, Chapter 2-26):

1. **Community Care For the Elderly – Emergency Alert Response Services** – Addendum One to Agreement with ADT Security Services, Inc.; decrease of \$3,000, adjusted total \$11,610. [BC20110329DOC020](#)
2. **Department of Housing and Urban Development Assessments, Plans and Reports** – Agreement with Wade Trim, Inc., to provide professional services on an as-needed basis. [BC20110329DOC021](#)
3. **Manatee County Convention Center – HVAC and Control Replacement Project** – Contract with Air Mechanical and Service Corporation, \$1,697,762; Performance Bond, Labor and Material Payment Bond, and Insurance Certificate. [BC20110329DOC022](#)
4. **Private Branch Exchange Maintenance Services** – Addendum Four to Agreement with Southeastern Telecom, Inc., **extending** the agreement for one year (1/1/11-12/31/11). [BC20110329DOC023](#)
5. **Land Development Code Update** – Agreement with Land Design Innovations, Inc., to provide professional planning services relating to the development of a new Manatee County Land Development Code, \$43,685. [BC20110329DOC024](#)

COUNTY ADMINISTRATOR
ACCEPTANCE OF GIFTS

R-11-058 A RESOLUTION OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE ACCEPTANCE OF GIFTS OF REAL, PERSONAL AND INTANGIBLE PERSONAL PROPERTY; PROVIDING THAT NO GIFT OF REAL, PERSONAL OR INTANGIBLE PERSONAL PROPERTY SHALL BE ACCEPTED EXCEPT IN ACCORDANCE WITH THE PROVISIONS OF THIS RESOLUTION; PROVIDING FOR THE DEVELOPMENT OF ADMINISTRATIVE PROCEDURES FOR THE ACCEPTANCE OF GIFTS OF PERSONAL PROPERTY WITH A VALUE BELOW \$10,000; PROVIDING FOR THE DEVELOPMENT OF ADMINISTRATIVE PROCEDURES NECESSARY FOR THE IMPLEMENTATION OF THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

9TH STREET EAST (53RD AVENUE EAST TO 57TH AVENUE EAST) [BC20110329DOC025](#)

Authorization to execute and record Subordination of Utility Interests and Agreement for Reimbursement for Additional Facility Relocations with Tampa Electric Company, dba TECO Peoples Gas, as successor by mergers to Southern Gas and Electric Corporation, in connection with the road improvement project, in the eminent domain case of Manatee County v. Bradenton THCI Holding Company, et al., Case 2009-CA-3661. [BC20110329DOC026](#)

CODE ENFORCEMENT – SYNOVUS BANK OF TAMPA BAY, FKA MONTLEA DUNNE LLC

Authorization to reduce the fines in **Case CE2006070660** to \$1,500 (as recommended by the Special Magistrate on 2/23/11) subject to the following conditions: (1) reduced fines shall be paid within 30 days or will revert to the original fine of \$98,605; (2) recording fees of \$20 shall be collected; and (3) authorization for the Building and Development Services Director to sign satisfaction of liens if the fines are paid.

BUDGET AMENDMENTS

1. **Community Services/Aging Services Programs** **B-11-047**
Supporting Description and Detail Attached [BC20110329DOC027](#)
2. **Various Departments** **B-11-037**
Supporting Description and Detail Attached [BC20110329DOC028](#)
- Supporting Description and Detail Attached [BC20110329DOC029](#)

FEDERAL EMERGENCY MANAGEMENT AGENCY

1. Authorization to repay \$103,052.18 (to reclassify Federal Emergency Management Agency funds from Hurricane Charley to Hurricane Jeanne) of the original funds received in accordance with a request from the State of Florida, Division of Emergency Management, to pay claimed expenses to Manatee County under the Hurricane Jeanne event; and
2. **Budget Amendment**
Financial Management **B-11-042**
Supporting Description and Detail Attached [BC20110329DOC030](#)

COURTHOUSE CHILLER PIPING

Authorization for the County Administrator or his designee to execute Change Order 3 to contract with B & I Contractors, Inc.; decrease of \$32,690, adjusted total \$1,135,513; and an additional 30 calendar days for a revised completion date of April 16, 2011. [BC20110329DOC031](#)

SOUTHWEST AND SOUTHEAST WATER RECLAMATION FACILITIES

Award IFB 10-3586-OV to Brandes Design-Build, Inc., for improvements to the Reclaimed Water Automation at the Southwest Water Reclamation Facility and the Southeast Water Reclamation Facility (SEWRF), and for replacement of the Variable Frequency Drive at the SEWRF, \$1,754,000; **and** authorization for the County Administrator or his designee to execute the contract documents, with acceptance of the payment/performance bonds and certificate of insurance. [BC20110329DOC032](#)

TREE TRUST FUND

1. Authorization for the Parks and Recreation Department to acquire funds from the Tree Trust Fund to purchase and install trees at **Creekwood Park**, \$62,166; and
2. **Budget Amendment** **B-11-039**
Natural Resources/Parks and Recreation
Supporting Description and Detail Attached [BC20110329DOC033](#)

3. Authorization for the Natural Resources Department to acquire funds from the Tree Trust Fund to provide a buffer screen between **Robinson Preserve** and adjacent homeowners, \$16,300; and

4. **Budget Amendment**

Natural Resources **B-11-038**

Supporting Description and Detail Attached

[BC20110329DOC034](#)

ECONOMIC DEVELOPMENT INCENTIVE GRANTS

1. **R-11-087** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY FINDING THAT **PROJECT BUILD** BE APPROVED FOR AN ECONOMIC DEVELOPMENT INCENTIVE (EDI) GRANT FOR FISCAL YEARS 2011-2012 THROUGH 2015-2016, AND PROVIDING FOR AN EFFECTIVE DATE. [BC20110329DOC035](#)
2. **R-11-088** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY FINDING THAT **PROJECT GATEWAY** BE APPROVED FOR AN ECONOMIC DEVELOPMENT INCENTIVE (EDI) GRANT FOR FISCAL YEARS 2011-2012 THROUGH 2015-2016, AND PROVIDING FOR AN EFFECTIVE DATE. [BC20110329DOC036](#)
3. **R-11-089** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, **RESCINDING** RESOLUTION R-10-207 AND FINDING THAT “**PROJECT GRAND**” BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO *§288.106, FLORIDA STATUTES*, AND PROVIDING LOCAL FINANCIAL SUPPORT FOR PARTICIPATION IN THE QUALIFIED TARGET INDUSTRY (QTI) TAX REFUND PROGRAM, APPROVAL FOR A LOCAL ECONOMIC DEVELOPMENT INCENTIVE (EDI) GRANT, AND APPROVAL FOR A TRANSPORTATION IMPACT FEE REFUND (TIFR) FOR FISCAL YEAR 2011-2012 THROUGH 2015-2016, AND PROVIDING FOR AN EFFECTIVE DATE.

NEIGHBORHOOD STABILIZATION PROGRAM

[BC20110329DOC037](#)

Execution of Funding Approval and Grant Agreement with the U. S. Department of Housing and Urban Development for the 2011 Neighborhood Stabilization Program 3, B-11-UN-12-0010, \$3,321,893.

[BC20110329DOC038](#)

DEEDS AND EASEMENTS

1. **5410 14th Street West** – Utility Easement and Affidavit of Ownership and Encumbrances from Racetrac Petroleum, Inc. [BC20110329DOC039](#)
2. **2515 Cortez Road West** – Right-of-Way Easement and Affidavit of Ownership and Encumbrances from Royal Palm Car Wash LLC; and Joinder from Gateway Bank of Southwest Florida. [BC20110329DOC040](#)
3. **14950 Golf Course Road** – Utility Easement from Florida West Coast Resource Conservation and Development Council, Inc., and Affidavit of Ownership and Encumbrances. [BC20110329DOC041](#)
4. **Holiday Heights (Phase 3)/5124 21st Street West** – Utility Easement and Affidavit of Ownership and Encumbrances from Lewis R. and Jeanette B. Gallo. [BC20110329DOC042](#)

15TH STREET EAST/301 BOULEVARD AT 51ST AVENUE EAST

R-11-085 A RESOLUTION OF MANATEE COUNTY, FLORIDA, DELEGATING THE AUTHORITY TO MAKE PRE-SUIT OFFERS IN EMINENT DOMAIN CASES FOR THE RIGHT-OF-WAY REQUIRED FOR THE 15TH STREET EAST (301 BOULEVARD) AT 51ST AVENUE EAST ROAD RIGHT-OF-WAY IMPROVEMENT PROJECT, PARCELS ARE 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 PROPERTIES SOUGHT TO BE ACQUIRED

(Property Owners: Casa Restauracion Salem of Palmetto, Inc., \$7,650; John M. Walls Trust, \$7,200; Robert W. and Mary F. Flanders, \$1,200, \$12,600, \$20,600; Daryl L. Brown, \$10,600, \$100; John L. Legault, \$500; and Urban Car Wash No. 1 LLC, \$3,550, \$4,050, \$3,500). [BC20110329DOC043](#)

69TH STREET EAST

1. **Erie Road Intersection** – Execution of Contract for Purchase of a Warranty Deed with Earl Stancil, Jr., and Catherine A. Stancil, \$111,173.33 inclusive of attorney fees and costs; **and** authorization for the check to be made payable to Blucher Law Group LLC for closing. [BC20110329DOC044](#)

2. **Rail Grade Crossing** - Execution of Stipulation of Parties with Florida Power and Light Company and Florida Department of Transportation for the closure of 69th Street East Highway-Rail Grade Crossing Number 624600-C and the opening of a new crossing on realigned 69th Street East. [BC20110329DOC045](#)

NAVD88 VERTICAL CONTROLS DENSIFICATION

1. Execution of Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) for implementation of the NAVD88 Project (N151), \$150,000 (\$75,000 SWFWMD; \$75,000 County); and
2. **Budget Amendment**
Property Management Department **B-11-040**
Supporting Description and Detail Attached [BC20110329DOC046](#)

WARES CREEK STORMWATER IMPROVEMENT PROJECT

1. Acceptance of Access and Maintenance Easement and Affidavit of Ownership and Encumbrances from Eugene Shultis, Sr., Carol Shultis (fka Carol Spurk), Julia Thornton Willis, and June Louise West (Parcel E116.2). [BC20110329DOC047](#)
2. Acceptance of Access and Maintenance Easement and Affidavit of Ownership and Encumbrances from Traci Lynn Roark, Brian R. Shultis, and Brad E. Shultis (Parcel E119.2). [BC20110329DOC048](#)
3. Execution of Contract for Sale and Purchase for a Warranty Deed from George C. Perreault LT 2 LLC, \$338,700; **and** authorization to reimburse George C. Perreault for attorney fees and costs, \$1,510 (Parcel W281.1). [BC20110329DOC049](#)

ANIMAL SERVICES

R-11-025 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, WHICH IMPLEMENTS MANATEE COUNTY ORDINANCE 06-18 PROVIDING A LICENSEE FEE FOR DOGS AND CATS; PROVIDING FOR A FEE FOR THE REDEMPTION OF IMPOUNDED ANIMALS; PROVIDING FEES FOR VARIOUS OTHER SERVICES; ESTABLISHING FEES FOR THE ADOPTION OF DOGS AND CATS; **REPEALING** RESOLUTION R-10-142; PROVIDING FOR AN EFFECTIVE DATE. [BC20110329DOC050](#)

ADVANCED TRAFFIC MANAGEMENT SYSTEM - PHASE II RETIMING STUDY

R-11-086 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, AUTHORIZING EXECUTION OF LOCAL AGENCY PROGRAM (LAP) AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADVANCED TRAFFIC MANAGEMENT SYSTEM (ATMS) PHASE II RETIMING STUDY
FPN: 430057-1-38-01
(Local Agency Program Agreement with Florida Department of Transportation, \$900,000). [BC20110329DOC051](#)

RUBONIA STREET LIGHTING

R-11-082 A RESOLUTION MODIFYING THE ASSESSMENT ROLL FOR THE RUBONIA STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT (MSBU)
(splitting a parcel owned by Juanita Harris and JoAnn Myrick). [BC20110329DOC052](#)

SURPLUS PROPERTY

1. Authorization to classify property which is uneconomical to upgrade or repair as surplus per *Florida Statute 274.05* to enable appropriate and authorized disposition of said property, and authorization to thereafter dispose of such property; and
2. RESOLUTIONS 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 STATUTE*

R-11-064 - Cabinets to **North River Fire District**; and

R-11-083 - Computer equipment to **Victorious Life Christian Center**. [BC20110329DOC053](#)

TIME PAYMENT AGREEMENTS

1. Execution of Time Payment Agreements for water/sewer facility investment fees, connection and line extension charges with Encanacion Gonzales, Jr.; Oswaldo Guerrero Carranco and Juana Guerrero-Perez; Philip M. Greber; John J. Velardi; Andres Ramirez, Alicia Ramirez, Gustavo Ramirez, and Andrea Ramirez; Santos Raul

Vasquez-Cantarero; Arlis A. and Connie L. Albritton; and Willie J. Holloway.
[BC20110329DOC054](#)

2. Execution of Time Payment Agreements for water/sewer facility investment fees, connection and line extension charges with Serilus and Ydenise Fleurissaint; Rosa Mae Johnson; John Edward and Carol Ann Gillis; Juan Carlos and Beatriz A. Cervantes; J. Ryan Routh; Bravita LLC; Thomas A. and Tara R. Takacs; Michael A. George; and Harris Loyd Glasgow.
[BC20110329DOC055](#)

DASHBOARD REPORTS

Acceptance of the Dashboard Report for February 2011.

[BC20110329DOC056](#)

(End Consent Agenda)

CITIZENS' COMMENTS

Sandra Ripberger, Sierra Club, and **Mary Sheppard** voiced their support regarding the restoration of the Ungarelli Preserve (item heard later in the meeting).
[BC20110329DOC057](#)

Alan Prather spoke on behalf of Manatee Glens and expressed concern regarding the reverter clause (item heard later in the meeting).
[BC20110329DOC058](#)

STREET VACATION - TROPICANA MANUFACTURING, INC.

Public hearing (No Notice provided, and continued from 1/25/11), was continued pursuant to a request by the counsel for Tropicana Manufacturing Company, Inc.

(Depart Mr. Gallen)

Motion was made by Mr. McClash, seconded by Mr. Chappie, and carried 6 to 0, to continue the public hearing for Resolution **R-10-101** on application by Tropicana Manufacturing, Inc., to vacate certain public rights-of-way on 12th Street Court East and 13th Avenue East to September 20, 2011, at 9:00 a.m., or as soon thereafter as may be heard.
[BC20110329DOC059](#)

(Enter Mr. Gallen)

ORDINANCE 11-12 - GIFTS

Public hearing (Notice published) was held to consider

ORDINANCE 11-12

AN ORDINANCE PROVIDING FOR REPEAL OF ORDINANCE 86-5; AND PROVIDING AN EFFECTIVE DATE.

Motion was made by Mr. McClash, seconded by Mrs. DiSabatino, and carried 7 to 0, to ADOPT **Ordinance 11-12.**
[BC20110329DOC060](#)

CDBG ANNUAL ACTION PLAN

Public hearing (Notice published) was held to consider proposed changes regarding the HOME funding agreements in the 2010-11 Action Plan and Proposed Use of Funds, and Proposed Budget, \$431,719.

Motion was made by Mr. Bustle, seconded by Mrs. DiSabatino, and carried 7 to 0, to adopt Resolution

R-11-059 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE 2010-11 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN

(Authorizing County Administrator, or designee, to execute HOME funding agreements and authorize payments up to the maximum allowable funding for Federal CDBG program activities).
[BC20110329DOC061](#)

Recess/Reconvene. All members present.

GERALDSON COMMUNITY FARMS

Charlie Hunsicker, Natural Resources Director, introduced two members from the Florida West Coast Resource Conservation and Development Council (RC&D); **Laura Morton**, Activities Coordinator and **Jacob Leech**, Executive Director. RC&D is seeking support for a grant from the Selby Foundation for the completion of a barn at Geraldson Community Farm.

Mr. Leech utilized a slide presentation to outline the RC&D 2010 Annual Report and the history and accomplishments of the Geraldson Community Farm.

Ms. Whitmore submitted photographs of the Geraldson Community Farm.

Motion was made by Mr. McClash, seconded by Mr. Chappie, and carried 7 to 0, to accept the report; and authorize the Chairman to send a letter in support of RC&D's fundraising.

[BC20110329DOC062](#)

ERIE ROAD MULTI-USE PATH

Mr. McClash displayed an aerial and maps outlining the proposed Greenway Trails, noting that FP&L owns the rail system. Manatee County has been advocating the use of the railway corridor for mass transit and a multi-use trail/greenway next to the railway.

Discussion: Future goals; funding the project; public/private partnership(s); etc.

Motion was made by Mr. Chappie and seconded by Mr. McClash, to authorize the Chairman to send a letter to FP&L indicating an interest to work an arrangement for the Board to utilize the railway adjacent to Erie Road (69th Street East) for future multi-use path or mass transit on the railway. Following discussion, the motion carried 7 to 0.

[BC20110329DOC063](#)

DRIVER EDUCATION SAFETY TRUST FUND

Rob Eschenfelder, Deputy County Attorney, addressed a request for an agreement with the School Board for FY 2010-11 Driver Education Safety Trust Fund Program for \$135,475. Without this funding, the program would cease, as the School Board does not have funding.

Discussion: Use of funds; review future funding; how much time students spend on road; etc.

Motion was made by Mr. McClash to execute the FY 2010-11 Dori Slosberg Driver Education Safety Trust Fund Agreement with the School Board of Manatee County, \$135,475; and Adoption of Budget Amendment **B-11-043**, with a report coming back showing the number of students that have received services. The motion was seconded by Mrs. DiSabatino and carried 7 to 0.

[BC20110329DOC064](#)

UNGARELLI PRESERVE (Continued)

Mr. Hunsicker stated the Southwest Florida Water Management District (SWFWMD) would not be responsible for any costs above the amount of the grant for the restoration activities. Manatee County would be required to complete the restoration project at the costs incurred, including overruns, and any added elements. He submitted a revision to Section Three of the Funding Agreement.

Sarah Schenk, Deputy County Attorney, discussed the revision to Section Three of the Funding Agreement.

Motion was made by Mr. McClash, seconded by Mr. Chappie, and carried 7 to 0, to execute a cooperative funding agreement with Southwest Florida Water Management District for restoration activities at Ungarelli Preserve, \$150,000 (SWFWMD), and \$28,357 (County) with the additional language as submitted; and Adoption of Budget Resolution **B-11-044** amending the annual budget for FY 2010-11.

[BC20110329DOC065](#)

WEST COAST INLAND NAVIGATION DISTRICT

Mr. Hunsicker explained a boat purchased in 2005 was not intended to be used as a work boat. The boat lacks storage space for equipment and shelter for staff in the event of a storm, and does not function well as a dive boat; therefore, he recommended approval of:

1. Execution of a letter to West Coast Inland Navigation District (WCIND) to purchase a vessel, trailer, motors, and marine electronics for the Natural Resources Department to be used by the Marine Resources Coordinator to perform navigation improvements, not to exceed \$140,000;
2. Execution of WCIND agreement for this project; and
3. Adoption of Budget Resolution **B-11-035**.

Motion was made by Mr. McClash, seconded by Mr. Chappie, and carried 7 to 0, to approve the recommendation.

Discussion: Was project included in Capital Improvement Program; review WCIND funds; maintain waterways and channels; WCIND funding source; etc.

(Gavel to Mr. Chappie, presiding)

Motion was made by Ms. Whitmore and seconded by Mr. McClash, to request WCIND for either a three or five-year spending plan.

Discussion: WCIND needs a plan for spending funds; County allocates funds, not WCIND; review previous actions of the Board; Skyway Boat Ramp; Board's authority limitations; how WCIND operates; regional plans of WCIND; intent of other jurisdictions in WCIND; etc.

Ed Hunzeker, County Administrator, stated he is reviewing the most recent audit from WCIND, and supports sending a letter to WCIND requesting any recommendations as to where funds should be allocated in Manatee County.

Discussion: Eligible expenditures outlined in Florida Statute; take care of navigational needs first; review other projects with needs; etc.

Ms. Whitmore **rescinded** her motion.

Mr. Hunzeker stated he would write a letter to the WCIND Executive Director asking for participation in any discussions pertaining to WCIND funds. [BC20110329DOC066](#)

(Gavel to Ms. Whitmore, presiding)

MANATEE GLENS (Continued)

The Property Management Department (by agenda memo 3/11/11) recommended adoption/approval of:

1. **R-11-074** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING CONVEYANCE OF COUNTY PROPERTY TO MANATEE GLENS CORPORATION, A NON-PROFIT CORPORATION, FOR THE PURPOSES OF PROMOTING PUBLIC OR COMMUNITY INTEREST AND WELFARE.
2. Execution of Contract for Sale and Purchase of Real Property to Manatee Glens Corporation (1819 5th Street West, Bradenton), \$10.
3. Record Deed to Manatee Glens Corporation.
4. Record Permanent Easement from Manatee Glens Corporation to Manatee County.

Discussion: Intended use of property; include reverter clause in contract; etc.

Rodney Wade, Deputy County Attorney, explained pursuant to *Florida Statute Section 689.18* a reverter clause can be included in the contract. During negotiations Manatee Glens stated it would not accept the property if a reverter clause was part of the contract.

Mr. Hunzeker stated the County does not have a need for this property. This is part of the program of divesting the County of unnecessary properties.

Discussion: There is an ongoing need for Manatee Glens; utilize the reverter clause on a case-by-case basis; yearly appropriation of funds to Manatee Glens; review other options; Manatee Glens plans to mortgage the property; etc.

(Mrs. Hayes absent for a portion of discussion)

Motion was made by Mr. Chappie, seconded by Mr. Bustle, and carried 6 to 1, with Mr. McClash voting nay, to approve the recommendation. [BC20110329DOC067](#)

COMMISSIONERS' COMMENTS

Lakewood Ranch Commercial Property

Mrs. Hayes distributed a report from Michael Saunders & Company outlining the market trends during the fourth quarter of 2010, noting commercial businesses are still progressing in the Lakewood Ranch area. [BC20110329DOC068](#)

Lakewood Ranch Premiere Sports Campus

Mrs. Hayes attended the grand opening of the Lakewood Ranch Premiere Sports Campus. [BC20110329DOC069](#)

Honore Avenue Street Lights

Mrs. Hayes referred to a letter sent from **Edward Kramer** stating the street lights on Honore Avenue (north of University Parkway) were installed incorrectly, which she sent to the County Attorney. She requested Commissioners receive an update of any findings. [BC20110315DOC070](#)

Eternity Temple Church

Mr. Gallen attended the dedication of the basketball court and playground built by the congregation of Eternity Temple Church. [BC20110329DOC069](#)

Palmetto Boat Ramps

Mr. Gallen recommended contacting the City of Palmetto regarding vacant property for sale that the County may be able to reserve for future boat ramps. [BC20110329DOC069](#)

Metropolitan Planning Organization

Mr. Gallen stated the Multi Modal Emphasis Corridor was discussed at the Metropolitan Planning Organization (MPO) meeting.

Mr. McClash also attended the MPO meeting and was concerned about spending in excess of \$10 million on two projects on U.S. 41: (1) right-of-way lighting from 53rd Avenue to 63rd Avenue; and (2) signalization at Bayshore Gardens Parkway. [BC20110329DOC069](#)

Sidewalks

Mr. McClash stated the installation of sidewalks should be included in the approval process for projects along U.S. 41 if they are not already installed. [BC20110329DOC069](#)

Mayor of Longboat Key

Mr. Chappie congratulated Commissioner Jim Brown on his becoming Mayor of Longboat Key. [BC20110329DOC069](#)

Noise Abatement

Mr. Chappie noted Rick Piccolo, Chief Executive Officer of Sarasota-Bradenton International Airport, has agreed to make a presentation to the Council of Governments on Noise Abatement.

Mrs. DiSabatino recommended perspective buyers/lessees research noise regulations prior to purchasing/leasing property. [BC20110329DOC069](#)

IMG Academy

Mr. Chappie commented on expansion plans at IMG Academy and the important role the facility plays in the County. [BC20110329DOC069](#)

BOB SIEKMANN

Mr. Chappie gave kudos to **Bob Siekmann**, former Longboat Key Commissioner, for his years of service.

Motion was made by Mr. McClash, seconded by Mrs. Hayes, and carried 7 to 0, for the Chairman to write a letter to Mr. Siekmann thanking him for serving as Commissioner of Longboat Key. [BC20110329DOC071](#)

COMMISSIONERS' COMMENTS (Continued)

Legislative Session

Mr. Chappie commented on the County Commissioners' lobbying efforts in Tallahassee.

Discussion: Made formal request to meet with Governor Rick Scott; need for beach renourishment; etc. [BC20110329DOC069](#)

Fort Hamer Road – Sidewalks

Ms. Whitmore stated there are sidewalks from the Fort Hamer rowing facility to Old Tampa Road with the exception of one small area. [BC20110329DOC069](#)

“We the Kings” Rock Band

Ms. Whitmore stated on October 11, 2011, a proclamation will be presented to “We the Kings” rock band, noting all members of the band reside in Bradenton. [BC20110329DOC069](#)

Land Use Rules

Ms. Whitmore suggested allowing builders leverage in home designs in an effort to keep from having the homes in a particular area from looking alike. [BC20110329DOC069](#)

Homeless Coalition

Ms. Whitmore explained during one of her visits to the Homeless Coalition, there was a man dying in the lobby. A four-year resident physician arranged to send the man to a Hospice facility. [BC20110329DOC069](#)

Fighter Wing Reunion

Mr. Bustle announced that he will be attending a Fighter Wing Reunion and will be unable to attend the County Commission meeting on April 12, 2011. [BC20110329DOC069](#)

Employment Status

Mrs. DiSabatino clarified her real estate license is on referral status with Michael Saunders & Company. [BC20110329DOC069](#)

Beautification

Mrs. DiSabatino noted there is a need for beautification plans around the Sarasota/Bradenton International Airport, U.S. 41, and Bayshore Gardens. [BC20110329DOC069](#)

Trailer Estates

Mrs. DiSabatino recently attended a Town Hall meeting at Trailer Estates, and the next meeting is on April 14, at the Bayshore Gardens Recreation Center. [BC20110329DOC069](#)

Tampa Bay Area Regional Transportation Authority (TBARTA)

Mrs. DiSabatino promoted Port Manatee and the Sarasota/Bradenton International Airport at the last TBARTA meeting in an effort to get the items on an agenda. [BC20110329DOC069](#)

Bicycles for the Homeless

Mrs. DiSabatino noted Osprey Property Management donated a 2,200-square-foot warehouse for bicycle repairs. The bicycles are donated to the homeless. [BC20110329DOC072](#)

Ramada Waterfront Hotel

Mrs. DiSabatino announced the Ramada Waterfront Hotel is having a ribbon cutting ceremony tonight. [BC20110329DOC073](#)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 12:03 p.m.
/vt/vj

Minutes Approved: May 5, 2011