

BOARD OF COUNTY COMMISSIONERS
PORT AUTHORITY
CIVIC CENTER AUTHORITY
COMMUNITY REDEVELOPMENT AGENCY
MANATEE COUNTY, FLORIDA

WEBSITE: WWW.MYMANATEE.ORG

Manatee County Administrative Center
Commission Chambers - First Floor - 1112 Manatee Avenue West
Bradenton, Florida 34205

Commission Office: (941) 745-3700
Commission Fax: (941) 745-3790

PLEDGE OF PUBLIC CONDUCT
WE MAY DISAGREE, BUT WE WILL BE RESPECTFUL OF ONE ANOTHER
WE WILL DIRECT ALL COMMENTS TO ISSUES
WE WILL AVOID PERSONAL ATTACKS

- AGENDA -

9:00 a.m. REGULAR MEETING February 10, 2009

MEETING CALLED TO ORDER: *Dr. Gwendolyn Y. Brown, Chairman*
INVOCATION: Pastor Frank Frye, Executive Ministries
PLEDGE OF ALLEGIANCE

ITEMS REMOVED FROM CONSENT AGENDA WILL BE CONSIDERED AT **11:30 A.M.**
THE BOARD WILL GENERALLY RECESS FOR A LUNCH BREAK AT OR NEAR **12:00 P.M.**

ITEMS SCHEDULED FOR TIME CERTAIN

1:30 P.M.

40. **All Things Parrish**

CITIZEN'S COMMENTS

*Comments should be limited to two minutes per person and should concern items on **Consent Agenda**.*

CONSENT AGENDA

THE FOLLOWING ITEMS ARE DETERMINED TO BE ROUTINE IN NATURE AND SHOULD BE CONSIDERED IN A SINGLE MOTION. ITEMS DETERMINED TO WARRANT INDIVIDUAL DISCUSSION SHOULD BE REMOVED FROM THIS LIST PRIOR TO THE MOTION TO ADOPT. SUCH ITEMS SHOULD BE DISCUSSED SEPARATELY.

CLERK OF CIRCUIT COURT

- **Clerk's Consent Calendar:** Approval

PROCLAMATIONS

1. **Gulf Coast Senior Games Week** – February 17-22, 2009
2. **Cortez Festival Days** - February 21 and 22, 2009

ADMINISTRATOR

3. **Jackson Park Drainage Project** – Execute interlocal agreement with City of Palmetto for Manatee County's participation in the Jackson Park Drainage Project*
4. **Mass Mailing Policy** – Rescind mass mailing policy as adopted on October 23, 2001, and instruct County Administrator to adopt, maintain, and revise, as necessary, administrative procedures to ensure mass mail and electronic communications are professionally crafted and properly reflect the official position of Manatee County

ATTORNEY

5. **Settlement Agreement (Robert S. Thomas)** – Approve mediated Settlement Agreement

FINANCIAL MANAGEMENT

6. **Alzheimer's Disease Initiative Respite Services** – Execute Addendum 4 to agreement with Approved Home Health (increase)
7. **Architectural Services** – Enter into negotiations with six top-ranked firms chosen by Selection Committee to provide services on an as-required basis to the County
8. **Budget Amendment Resolution** – Adopt Budget Resolution B-09-018

Gwendolyn Y. Brown, District 2, Chairman

Carol Whitmore, District 6 County-wide, 1st Vice-Chairman; Donna Hayes, District 5, 2nd Vice-Chairman; Larry Bustle, District 1, 3rd Vice-Chairman
John R. Chappie, District 3; Ron Getman, District 4; Joe McClash, District 7 County-wide

- 9. **Budget Submission Date** – Adopt Resolution R-09-049 establishing May 1, 2009, as the due date for FY 2009-2010 budget requests from the Clerk of the Circuit Court, the Sheriff, and the Supervisor of Elections
- 10. **Community Care for the Elderly Respite Services** – Execute Addendum 3 to agreement with Approved Home Health (increase)
- 11. **Erie Road/69th Street East Intersection** – Execute Work Assignment 45 with Keith and Schnars to provide design plans for improvements in accordance with Option 1 as presented to the Board on June 14, 2008
- 12. **Judicial Center** - Execute final Change Order 5 to agreement with Balfour Beatty Construction, LLC for providing Construction Management Services at Risk for development of a Guaranteed Maximum Price (GMP) and schedule for construction, reducing balance due to Construction Manager by the amount of direct owner purchases incorporated into the project work
- 13. **Property with Delinquent Tax** – Award IFB 09-0819TR to Herald Tribune, and authorize Chairman to sign letter notifying Manatee County Tax Collector of Board’s action

INFORMATION SERVICES

- 14. **Bad Debt** – Authorize write off of accounts receivable from one account

NATURAL RESOURCES

- 15. **Emerson Point Preserve** – Authorize inclusion of a restroom facility at the canoe launch at Emerson Point Preserve

PLANNING

- 16. **Final Plat: Cheesman Subdivision** – Approve, execute, and record

PROPERTY MANAGEMENT

- 17. **99th Street Northwest, Bradenton** – Accept Corrective Warranty Deed from Needham B. Jones and Georgia L. Jones as recorded in OR Book 2286, Page 592*
- 18. **122nd Avenue East, Parrish** – Accept Warranty Deed from Joel D. Whidden, Sr., and Bonny L. Whidden for purchase of vacant lot, Seller’s Affidavit and Solicitation
- 19. **Bear Bay Road** – Authorize negotiations for purchase of 40-acre parcel in the Lake Manatee Watershed owned by James E. Hartin and Stefani B. Hartin
- 20. **Peridia Office Park Access Easement** – Adopt Resolution R-09-029-V declaring a public hearing on March 17, 2009, to consider application to vacate portion of a platted access easement *
- 21. **Road Plat Map** – Execute and record Road Plat Book, certification of Right-of-Way Maps for a county maintained road, designated as Sixby Road; Affidavits (3)*
- 22. **U.S. 301 North, Parrish** – Accept and record Utility Easement from United States Postal Service, Affidavit of Ownership and Encumbrances

PUBLIC WORKS

- 23. **44th Avenue East** – Execute Preliminary Engineering Agreement with CSX Transportation, Inc., for preliminary engineering construction of new at-grade crossing connecting 44th Avenue East from 15th Street East to U.S. 301
- 24. **Street Lighting Assessment Roll (Holiday Heights)** – Adopt Resolution R-09-046 modifying assessment roll for Holiday Heights by splitting parcel owned by Ralph G. Curry

UTILITIES

- 25. **Deep Injection Well** – Authorize Chairman to sign and date Certification of Financial Responsibility for Florida Department of Environmental Protection
- 26. **Fee Waiver** – Waive service fees assessed to utility customer accounts for returned bank items
- 27. **Lien Release** – Execute and release liens (2) on satisfied Time Payment Agreements
- 28. **Uncollectible EMS Accounts** – Adopt Resolution R-09-047 to remove uncollectible accounts for ambulance services

REPORTS

- 29. **Nuisance Abatement Annual Report** – Accept into the record report from Neighborhood Services Department, Nuisance Abatement Division, for period from October 2007-September 2008
- 30. **Responses to Board Inquiries** - Accept into the record responses from various County departments to inquiries of the Board of County Commissioners: (1) School Sidewalks, (2) Parking on 34th Ct E, (3) Pothole Repair

<p><i>RECOMMENDED MOTION: I MOVE 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).</i></p> <p>(END CONSENT)</p>

AWARDS/PRESENTATIONS/PROCLAMATIONS

HUMAN RESOURCES

- 31. **February 2009 Employee of the Month** – Present award to **Vikki Comarsh-White**, Benefits Coordinator, Community Services Department

ADMINISTRATOR

- 32. **Manatee County Fair Committee** – Present Certificates of Appreciation to **Tamie Langman** and **Diana Wood**, Co-Chairman, and **Clayton Allen**, **Vikki Comarsh-White**, **Janice Dunbar-Smith**, **Will Reed**, and **Kay Rogers**, for service on the 2009 Manatee County Fair Committee

PROCLAMATIONS (APPROVED WITH CONSENT AGENDA)

- **Gulf Coast Senior Games Week** – February 17-22, 2009
- **Cortez Festival Days** - February 21 and 22, 2009

ADMINISTRATOR

- 33. **“One Bay”** – Presentation by Scott Shimberg of findings from *One Bay* survey

CITIZEN'S COMMENTS

Comments should be limited to two minutes per person and should concern business which may, if appropriate, be placed on a future agenda.

MANATEE COUNTY PORT AUTHORITY

RON GETMAN, CHAIRMAN
DONNA HAYES, FIRST VICE-CHAIRMAN
LARRY BUSTLE, SECOND VICE-CHAIRMAN

THE CONSENT AND REGULAR AGENDA ITEMS FOR ANY PORT AUTHORITY MEETING ARE SET FORTH IN THE PORT AUTHORITY MEETING AGENDA MATERIALS NOTEBOOK. PORT STAFF ASSUMES RESPONSIBILITY FOR DISTRIBUTION OF THE AGENDA FOR THE PORT AUTHORITY MEETING AND HAS COPIES OF THE AGENDA AVAILABLE PRIOR TO AND AT THE COMMENCEMENT OF THE PORT AUTHORITY MEETING

NOTHING SCHEDULED

MANATEE COUNTY CIVIC CENTER AUTHORITY

CAROL WHITMORE, CHAIRMAN
JOE McCLASH, FIRST VICE-CHAIRMAN
JOHN R. CHAPPIE, SECOND VICE-CHAIRMAN

CONSENT AGENDA

- 34. **North River Fire District** – Authorize Executive Director or designee to execute license agreement 29-081 with North River Fire District for awards ceremony on February 27, 2009

RECOMMENDED MOTION: I MOVE TO APPROVE THE CIVIC CENTER CONSENT AGENDA INCORPORATING THE LANGUAGE AS STATED IN THE RECOMMENDED MOTIONS IN THE AGENDA MEMORANDA (AS MAY HAVE BEEN AMENDED IN THE SUPPLEMENTAL AGENDA).
(END CIVIC CENTER CONSENT)

MANATEE COUNTY COMMUNITY REDEVELOPMENT AGENCY

DONNA HAYES, CHAIRMAN
JOHN R. CHAPPIE, FIRST VICE-CHAIRMAN

NOTHING SCHEDULED

ADVISORY BOARD/COMMITTEE APPOINTMENTS

NOTHING SCHEDULED

ADVERTISED PUBLIC HEARINGS
9:00 a.m. or as soon thereafter as same may be heard
SWEARING IN OF STAFF AND PUBLIC WHO WILL GIVE TESTIMONY

PRESENTATIONS UPON REQUEST – ITEM 35

PROPERTY MANAGEMENT

- 35. **Crampton Re-Sub of Cortez Addition to Cortez** – Adopt Resolution R-09-019-V vacating a portion of a platted right-of-way*

RECOMMENDED MOTION: I MOVE TO APPROVE THE PRESENTATIONS UPON REQUEST AGENDA INCORPORATING THE LANGUAGE AS STATED IN THE RECOMMENDED MOTIONS IN THE AGENDA MEMORANDA (AS MAY HAVE BEEN AMENDED IN THE SUPPLEMENTAL AGENDA).

REGULAR AGENDA

ATTORNEY

- 36. **Excess Property Insurance** – Authorize County Attorney to purchase Excess Property, Boiler & Machinery, Crime Coverage and insurance for the Lake Manatee Dam

NEIGHBORHOOD SERVICES

- 37. **Economic Development** – Presentation of Manatee County’s Economic Development Program
- 38. **Port Encouragement Zone** – Discussion

UTILITIES

- 39. **Water Supply Status Report**

PUBLIC WORKS

1:30 p.m.

- 40. **All Things Parrish** – Multi-departmental report/update on County’s activities in the Parrish area

OTHER COUNTY BUSINESS

ADMINISTRATION/COMMISSION COMMENTS

ADJOURN

* Documents have been reviewed by County Attorney’s Office

The Board of County Commissioners of Manatee County, the Manatee County Port Authority, the Manatee County Civic Center Authority, and the Manatee County Community Redevelopment Agency may take action on any matter during this meeting, including but not limited to, those items as set forth within this agenda. The Chair at his/her option may take business out of order if he/she determines that such a change in the agenda’s schedule will expedite the business of the Commission.

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual’s disability status. This non-discrimination policy involves every aspect of the Board’s functions including one’s access to, participation in, employment with, or treatment in, its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802, wait 60 seconds; FAX 745-3790.

PUBLIC NOTICE: According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners (or the other entities that are meeting) with respect to any matter considered at said public hearing/meeting will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Prepared/Revised on 2/5/2009