

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 March 24, 2009

MEETING CALLED TO ORDER: *Dr. Gwendolyn Y. Brown, Chairman*
INVOCATION: Rabbi Dennis Bacon, Beth Israel Synagogue
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

9:30 A.M.

35. RMC SOUTH FLORIDA, INC. (CEMEX)

11:30 A.M.

36. DUI COURT PROGRAM

1:30 P.M.

40-42. 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. Water Conservation Month – April 2009

ADMINISTRATOR

2. Public Displays Within County Facilities – Adopt Resolution R-09-80 establishing policy uses of public displays within county facilities*

ATTORNEY

3. Jones Potato Farm Property – Accept into the record original documents from the closing on the acquisition of the Jones Potato Farm property
4. U.S. Highway 301 Improvements – Approve Second Amendment and Supplement to Development Agreement for Design and Engineering with Williams & Herold LLC, as agent for Rowe Ventures LLC

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

COMMUNITY SERVICES

5. **One Stop Resource Center** – Execute non-profit agency services agreement with Community Coalition on Homelessness*
6. **Prescription Program** – Execute Amendment 1 to agreement with Manatee County Rural Health Services, Inc.

FINANCIAL MANAGEMENT

7. **17th Street East Road and Utility Improvements** – Award IFB 08-3280DC to Peter A. Basile Sons, Inc., and authorize subsequent execution of contract with simultaneous dating of performance/payment bonds, and acceptance of insurance certificates
8. **Beach Renourishment** – Execute Addendum 8 to extend agreement for engineering services with Coastal Planning and Engineering, Inc.
9. **Budget Amendment Resolution** – Adopt Budget Resolution B-09-022
10. **Fiber Optical Cable** – Enter into negotiations with MasTec North America, Inc., Communication Group, for purpose of installing and interconnecting fiber optical cable in an extensive telecommunications conduit infrastructure within Manatee County
11. **Landfill Administration and Operations Buildings** – Execute (final) Change Order 1 to contract with D.E. Murphy Constructors, Inc.

HUMAN RESOURCES

12. **Personnel Policy** – Adopt Resolution R-09-078*
13. **Personnel Services** – Execute amendment to interlocal agreement with Court Administration, and authorize adjusting County's staffing levels to reflect the three new grant-funded court positions noted in the Amendment*

NATURAL RESOURCES

14. **Charlotte Harbour National Estuary Program (CHNEP)** – Execute FY 2009 funding agreement with Southwest Florida Regional Planning Council for County share funding of the CHNEP
15. **Seagrass Awareness** – Adopt Resolution R-09-081 supporting efforts of Sister Keys Conservancy and Town of Longboat Key to protect seagrasses in the vicinity of Sister Keys, urging Governor Crist and Florida Legislature to allow for legislation to protect Florida seagrasses, and observe the month of March as Seagrass Awareness Month

NEIGHBORHOOD SERVICES

16. **Code Enforcement (Castro CE2006040097)** - Reduce fines to \$1,500, as previously recommended by Special Magistrate, subject to conditions (as listed on agenda memorandum)
17. **Code Enforcement (Dakin CE2007040070)** – Reduce fines to \$3,100, as previously recommended by Special Magistrate, subject to conditions (as listed on agenda memorandum)
18. **Code Enforcement (Martinez CE2007010151)** – Reduce fines to \$1,000, as previously recommended by Special Magistrate, subject to conditions (as listed on agenda memorandum)

PARKS AND RECREATION

19. **After School Program** – Authorize submission of a Children's Services grant application for after school program

PROPERTY MANAGEMENT

20. **Gulf Drive North, Bradenton Beach** – Accept and record Utility Easement from Sandpiper Resort Co-Op, Inc.; Affidavit of Ownership and Encumbrances; Joinder
21. **Old Tampa Road at Chin Road** – Accept and record Right-of-Way Easement from PGCI, IV, LLC; Affidavit of Ownership and Encumbrances; Joinder
22. **Palma Sola Park Waterline Improvement Project** – Accept and record Right-of-Entry Easements (7)
23. **University Parkway** – Accept and record Pedestrian Sidewalk Easement, Utility Easement, and Warranty Deed from Rising Tide Development, LLC; Affidavit of Ownership and Encumbrances; Joinder and Partial Release
24. **Wares Creek Stormwater Improvement Project** – Execute Contract for Sale and Purchase for a Quit Claim Deed from Margaret C. and John C. Fellows; authorize payment be made payable to Law Office of Paul Blucher*

PUBLIC SAFETY

25. **Hernando deSoto Historical Society Grand Parade** – Approve parade entry applications for EMS and Animal Services Divisions, and execute stand-by agreement for Emergency Medical Services to provide medical coverage during Grand Parade and waive any applicable service fees for non-exclusive stand-by coverage; authorize temporary access to County communication systems for security and safety purposes during event*

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

PUBLIC WORKS

- 26. **No Parking Ordinance 09-18** – Authorize setting public hearing on April 21, 2009, to consider adoption of ordinance creating additional no stopping, standing, or parking zones to include portions of Creekside Trail, Cheswick Street, West Country Club Lane, and Carlyle Lane*
- 27. **Surplus Vehicles** - Classify vehicles which are uneconomical to operate as surplus per Florida Statute §274.05 to enable appropriate and authorized disposition, and authorize disposal

UTILITIES

- 28. **Service Fee Waiver** – Waive fees assessed to utility customer accounts for returned bank items

REPORTS

- 29. **Dashboard Reports** – Accept into the record the Dashboard Report for month of February 2009

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).
(END CONSENT)

AWARDS/PRESENTATIONS/PROCLAMATIONS

PROCLAMATIONS (APPROVED WITH CONSENT AGENDA)

- **Water Conservation Month** – April 2009

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

- **Minutes for Approval:** January 27, February 10, 2009
- 30. **Home Show** – Approve, ratify, and confirm execution by Executive Director or designee of license agreement 29-096 with National Event Management Group, Inc., for event at Manatee Convention and Civic Center
- 31. **United Way Coordinators Breakfast** – Authorize Executive Director or designee to execute license agreement 29-119 with Manatee County Administrator’s Office at Crosley Estate

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

NEIGHBORHOOD SERVICES

- 32. **Code Enforcement Board** – Appoint Marshall I. Sroge to vacancy on Code Enforcement Board

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 - ITEMS 33-34

PROPERTY MANAGEMENT

- 33. **Onahom Farms** – Adopt Resolution R-09-051-V vacating certain platted, 50-foot wide, unimproved rights-of-way in Onahom Farms subdivision*
- 34. **Plantation Bay Estates and Highland Shores, Third Unit** – Adopt Resolution R-09-053-V vacating certain public easements dedicated by the plats

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

9:30 A.M. TIME CERTAIN

ATTORNEY

- 35. **RMC South Florida, Inc. (Cemex)** – Consideration of Special Magistrate recommendation

11:30 A.M. TIME CERTAIN

COMMUNITY SERVICES

- 36. **DUI Court Program** – Authorize Chairman to execute agreements with State of Florida, Department of Transportation, and Manatee Glens Corporation; and adopt Resolution R-09-077 and B-09-023 to establish staffing levels and amend annual budget relative to Manatee County DUI Court Program*

PUBLIC WORKS

- 37. **Streetlights** – Discussion of report on street lighting including basic processes, issues and costs related to installation and maintenance, and methods for installation

NATURAL RESOURCES/ATTORNEY

WARES CREEK STORMWATER IMPROVEMENT PROJECT (ITEMS 38-39)

- 38. **Status Report**
- 39. **Spoil Site Discussion**

1:30 P.M. TIME CERTAIN

PUBLIC WORKS/PROPERTY MANAGEMENT

ALL THINGS PARRISH (ITEMS 40-42)

- 40. **U.S. 301 (C.R. 675 to Moccasin Wallow Road)** – Approve concept of U.S. 301 through Village of Parrish to be a future 4-lane divided facility with adjacent service roads to serve future businesses
- 41. **Fort Hamer Road** – Approve Fort Hamer/U.S. 301 intersection concept and Alternative “C” concept for future Fort Hamer roadway alignment from Erie Road to south of 56th Avenue East/Britt Road
- 42. **Parrish Utilities** – Discussion of utility improvements for Parrish downtown commercial 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 3/19/2009