

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 -

*** THIS MEETING WILL CONVENE AT 9:30 A.M. INSTEAD OF 9:00 A.M. ***

9:30 a.m. REGULAR MEETING April 7, 2009

MEETING CALLED TO ORDER: *Dr. Gwendolyn Y. Brown, Chairman*
INVOCATION: Pastor Joey Mimbs, Bethel Baptist Church
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

TO THE EXTENT POSSIBLE, THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED

10:30 A.M.

48. **2010 Census**

10:45 A.M.

42. **Ordinance 09-27 Tourist Tax**

11:15 A.M.

49. **Realize Bradenton**

1:30 P.M.

43. **Legislative Update**

1:45 P.M.

44. **Boat Ramp Status Report**

45. **Canal Dredging**

46. **San Remo Shores**

3:00 P.M.

47. **Impact Fees**

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. **Guardian Ad Litem Volunteer Recognition Day** – April 20, 2009
2. **National Arbor Day** – April 24, 2009
3. **Crime Victims' Rights Week** – April 26-May 2, 2009
4. **Child Abuse Prevention Month** – April 2009
5. **Fair Housing Month** – April 2009

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

ATTORNEY

6. **Flood Insurance Policies** – Authorize payment to renew flood insurance policies

COMMUNITY SERVICES

7. **Alzheimer's Disease Initiative** – Execute Amendment 3 to agreement with West Central Florida Area Agency on Aging, Inc.
8. **Community Care for the Elderly** - Execute Amendment 3 to agreement with West Central Florida Area Agency on Aging, Inc.
9. **Emergency Home Energy Assistance** – Adopt Resolution R-09-090 authorizing acceptance of agreement with West Central Florida Area Agency on Aging, Inc.
10. **Home Care for the Elderly** - Execute Amendment 3 to agreement with West Central Florida Area Agency on Aging, Inc.
11. **Specialty License Plate Fund** – Authorize Chairman to sign annual report as required by Department of Highway Safety and Motor Vehicles
12. **Transit Administration Grant** – Adopt Resolution R-09-082 authorizing Chairman to electronically submit and execute Federal Transit Administration grant (maintenance)
13. **Transit Administration Grant** – Adopt Resolution R-09-083 authorizing Chairman to electronically submit and execute Federal Transit Administration grant (capital improvement)

FINANCIAL MANAGEMENT

14. **63rd Avenue East Bridge over Pearce Canal** – Award IFB 09-0748DC to Woodruff & Sons, Inc., and subsequent execution of contract with simultaneous dating of performance/payment bonds, and acceptance of insurance certificates
15. **Budget Amendment Resolution** – Adopt Budget Resolution B-09-024
16. **Trailer Estates Sewer Rehabilitation** – Execute Change Order 3 to contract with Williams Testing, LLC

INFORMATION SERVICES

17. **Fee Waiver** – Waive NSF fee assessed to library patron

NATURAL RESOURCES

18. **Artificial Reef Construction** – Execute agreement with Florida Fish and Wildlife Conservation Commission for reef construction on county's 7-Mile North Artificial Reef, and authorize Chairman or County Administrator to execute all related documents*
19. **Tree Trust Fund** – Authorize Public Works to acquire funds from Tree Trust Fund to provide landscaping needs for Mango Park

NEIGHBORHOOD SERVICES

20. **Donation** – Accept, upon receipt, contribution of \$182,000 from Central Community Redevelopment Agency toward construction of Phase 2, Playground/Parking Lot/Basketball Court/Picnic Pavilion, Norma Lloyd Park Project, and adopt Budget Resolution B-09-025
21. **Economic Development** – Execute funding agreement with Manatee County Chamber of Commerce/Economic Development Council
22. **Housing Trust Fund** – Authorize Chairman to sign letters to Florida Legislature urging restoration of the Sadowski Affordable Housing Trust Fund to its original structure by repealing the cap for purposes of furthering affordable housing in Manatee County
23. **Land Use Agreement** – Execute Land Use Restriction agreement with Joseph Fountain to provide affordable housing

PLANNING

24. **Local Mitigation Strategy** – Authorize transmittal of Draft Local Mitigation Strategy to the Florida Division of Emergency Management for review

PROPERTY MANAGEMENT

25. **17th Street East (U.S. 41 to Canal Road)** – Accept and record Deed from City of Palmetto for right-of-way
26. **17th Street West (Parcel 107/707)** – Execute Contract for Sale and Purchase for a Deed and Temporary Construction Easement from the City of Palmetto
27. **26th Avenue East at 15th Street East** – Accept and record Right of Way Easement from Cindy Dring and George Stolt; Affidavit of Ownership and Encumbrances
28. **Samoset Satellite Lift Station** – Accept and record Utility Easement from School Board of Manatee County; Affidavit of Ownership and Encumbrances

PUBLIC SAFETY

- 29. **Emergency Access Standards** – Authorize setting public hearing on April 21, 2009, to consider adoption of Ordinance 09-22 to clarify and expand the minimum requirements for public safety access standards*

PUBLIC WORKS

- 30. **Franklin Avenue Improvements** – Execute Reimbursement Agreement with Habitat for Humanity*

SUPERVISOR OF ELECTIONS

- 31. **Precinct Changes** – Accept recommendations from Supervisor of Elections Robert Sweat to approve minor boundary change and site for Precinct 48

UTILITIES

- 32. **Fee Waiver** – Waive services fees assessed to utility customer accounts for returned bank items
- 33. **Time Payment Agreements** – Execute and record agreements (5) for facility investment, water connection, and line extension fees
- 34. **Uncollectible EMS Accounts** – Adopt Resolution R-09-084 to remove uncollectible accounts for ambulance services

REPORTS

- 35. **Responses to Board Inquiries** - Accept into the record responses from various County departments to inquiries of the Board of County Commissioners: 1) All Things Parrish (PW-B900502); 2) Boardwalk Project (PW-B900719); 3) Mango Park Sidewalk (PW-B900720); 4) Sarkozy Boat Dock & Lift (B901000); 5) No Fishing Signs (PW-B901001); 6) Multi-Way Stop (PW-B901003)

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

NATURAL RESOURCES

- 36. **Donation** – Accept donation of \$1,000 from **Manatee River Garden Club**, Elizabeth Eaton Fund, for use for purchase of small materials to enhance restoration programs at the County's preserves

ADMINISTRATOR

- 37. **Future of the Region Awards** – Recognition of awards received by Natural Resources and Utilities Departments at the 17th Annual Future of the Region Awards hosted by Tampa Bay Regional Planning Council

PUBLIC WORKS

- 38. **Fleet Masters Award** – Recognition of award received by Manatee County Fleet Services Division from the Association of Equipment Professionals, Construction Equipment Magazine, and AEMP Partners for Growth

HUMAN RESOURCES

- 39. **Gavel Plaque Awards** – Present awards to Commissioners serving as Chairman of various Boards during the year 2008

PROCLAMATIONS (APPROVED WITH CONSENT AGENDA)

- **Guardian Ad Litem Volunteer Recognition Day** – April 20, 2009
- **National Arbor Day** – April 24, 2009
- **Crime Victims' Rights Week** – April 26-May 2, 2009
- **Child Abuse Prevention Month** – April 2009
- **Fair Housing 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

NOTHING SCHEDULED

MANATEE COUNTY COMMUNITY REDEVELOPMENT AGENCY

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

NOTHING SCHEDULED

ADVISORY BOARD/COMMITTEE APPOINTMENTS

NATURAL RESOURCES

- 40. **ELMAC** – Reappoint nine members and appoint one new member to the fifteen-member committee

NEIGHBORHOOD SERVICES

- 41. **South County CRA** – Appoint Lawrence Calder and Cimar Argote to the South County Community Redevelopment Agency Advisory Board for a three year term beginning April 15, 2009

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

[10:45 A.M.]

CONVENTION AND VISITORS BUREAU

- 42. **Ordinance 09-27 Tourist Tax**

An Ordinance of Manatee County, Florida, regarding finance, amending Sec. 2-29-21 of the Code of Laws of Manatee County, Florida, imposing an additional one percent (1%) tourist development tax pursuant to Section 125.0104(3)(n), Florida Statutes; authorizing and limiting the use of the additional one percent (1%) tax for promoting and advertising tourism; and providing an effective date*

REGULAR AGENDA

[1:30 P.M.]

43. **Legislative Update**

[1:45 P.M.]

NATURAL RESOURCES

44. **Boat Ramp Status Report**

PUBLIC WORKS

45. **Canal Dredging** – Discussion and recommendations on:
 * Warner’s West Bayou, Warner’s East Bayou, and Coral Shores
 * Current canal dredging assessment policy
 * Pending projects: Bay Drive, Ibis Lagoon/Highland Shores, Woodland Acres, Warner’s Middle, and Snead Island
46. **San Remo Shores Maintenance Dredging Reimbursement** – Adopt Resolution R-09-092

[3:00 P.M.]

47. **Impact Fees**

OTHER COUNTY BUSINESS

[10:30 A.M.]

48. **2010 Census** – Presentation by Barbara Mabee, Partnership Specialist, Census 2010

[11:15 A.M.]

49. **Realize Bradenton** – Presentation by Mike Kennedy, Executive Director, Bradenton Downtown Development Authority

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 4/2/2009