

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

WEBSITE: [WWW.MYMANATEE.ORG](http://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 June 9, 2009**

MEETING CALLED TO ORDER: *Dr. Gwendolyn Y. Brown, Chairman*  
INVOCATION: Pastor Mark Frazee, Faith Bible 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*

#### **9:30 A.M.**

- **LEGISLATIVE UPDATE BY STATE REPRESENTATIVE GALVANO**

### 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. **National Homeownership Month** – June 2009
2. **Florida Women in Government Week** – June 15-19, 2009

#### **ATTORNEY**

3. **Eminent Domain: 17<sup>th</sup> Street West (Parcels 116/716)** – Approve settlement with Cynthia Theresa Hammonds and Cleveland Junior Hammonds to settle all claims against Manatee County

#### **COMMUNITY SERVICES**

4. **Alzheimer's Disease Initiative** – Execute Amendment 2 to agreement with Meals on Wheels Plus of Manatee, Inc., amending agreement to change contract total for facility based respite
5. **Alzheimer's Disease Initiative** – Adopt Resolution R-09-135 authorizing acceptance of agreement from West Central Florida Area Agency on Aging, Inc., authorizing director of Community Services Department to sign administrative documents required pursuant to grant
6. **Community Care for the Elderly** – Adopt Resolution R-09-134 authorizing acceptance of agreement from West Central Florida Area Agency on Aging, Inc., authorizing director of Community Services Department to sign administrative documents required pursuant to grant
7. **DUI Court Program** – Execute Amendment 2 to agreement with Manatee Glens Corporation\*

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, 3<sup>rd</sup> Vice-Chairman  
John R. Chappie, District 3; Ron Getman, District 4; Joe McClash, District 7 County-wide

8. **Home Care for the Elderly** – Adopt Resolution R-09-133 authorizing acceptance of agreement from West Central Florida Area Agency on Aging, Inc., authorizing director of Community Services Department to sign administrative documents required pursuant to grant
9. **Justice Assistance Grant (JAG)** – Adopt Resolution R-09-124 authorizing submission and acceptance of Edward Byrne Memorial JAG under the American Recovery and Reinvestment Act of 2009, from the Florida Department of Law Enforcement (FDLE), authorizing Chairman to execute all documents related to grant submission and acceptance, authoring director of Community Services Department or designee to execute all documents required in connection with administrative functions of the JAG; and authorize Chairman to sign letter to FDLE approving allocation of funds
10. **Rural Operating Assistance Grant** – Adopt Resolution R-09-137 authorizing Chairman to sign a Joint Participation Agreement for transit projects from Florida Department of Transportation
11. **Transportation Disadvantaged Grant** – Adopt Resolution R-09-138 authorizing Chairman to execute Trip and Equipment Grant application agreement with Florida Commission for the Transportation Disadvantaged

#### FINANCIAL MANAGEMENT

12. **44<sup>th</sup> Avenue East** – Execute Work Assignment 1 with HDR Engineering, Inc., for design of 44<sup>th</sup> Avenue East from 30<sup>th</sup> Street East to 45<sup>th</sup> Street East
13. **Budget Amendment Resolution** – Adopt Budget Resolution B-09-031
14. **Construction Management Services** – Enter into negotiations with Balfour Beatty Construction, Kraft Construction Company, Inc., Peter R. Brown Construction, Inc., and Wright Construction Group for construction management at risk for road and utility projects
15. **Summer Food Service** – Authorize limited competition purchase of food service from the School Board of Manatee County, and authorize Chairman to execute agreement
16. **Transportation Engineering Services** – Execute Addendum 1 to agreements with HDR Engineering, Keith and Schnars, PA, TBE Group, Inc., URS Corporation Southern, and Wade Trim, Inc.
17. **Transportation Planning and Project Review** – Execute agreements with Miller Legg, PBS&J, Renaissance Planning Group, and URS Corporation Southern
18. **Utility Construction and Rehabilitation** – Enter into negotiations with Bay to Bay Contracting, Gator Grading and Paving, MasTech North America, Seavy & Associates, Steele and Associates, TLC Diversified, and Woodruff and Sons, Inc.

#### HUMAN RESOURCES

19. **Equal Employment Opportunity (EEO) Policy** – Adopt Resolution R-09-139 reaffirming the Manatee County EEO Policy Statement

#### NATURAL RESOURCES

20. **Manatee Beach Pier** – Accept staff recommendation to construction the original pier without a 100 ft. extension
21. **Tree Trust Fund** – Authorize Property Management Department to acquire funds to provide for construction of new well and installation of irrigation for new trees at Myakka Park
22. **Tree Trust Fund** – Authorize Property Management Department to acquire funds to provide design, irrigation, and landscaping for the Parrish School House
23. **Work Squad** – Execute contract with State Department of Corrections for deployment of inmate work squads for the Natural Resources Department

#### PARKS AND RECREATION

24. **Food Vendor Rental Fee** – Authorize use of Special Event, Food Vendor Rental Fee to allow food vendor “Snack It To Me” to sell snacks during the summer months at G.T. Bray Park

#### PROPERTY MANAGEMENT

25. **Cooper Creek Office Campus** – Accept and record Warranty Deed and Utility Easement from Dick Road-Blend-All Hotel Development, Inc., Walden Avenue-Blend-All Hotel Development, Inc., and WR-I Associates, Ltd., Affidavit of Ownership and Encumbrances
26. **Crystal Lakes Subdivision** – Accept and record Warranty Deed from Crystal Lakes Homeowners Association of Manatee, Inc., Affidavit of Ownership and Encumbrances
27. **El Conquistador Parkway** – Accept and record Special Warranty Deed from SBC Developments, LLLP, Affidavit of Ownership and Encumbrances, Partial Release of Mortgage\*
28. **McLeod Commercial** – Accept and record Drainage Easement from MGM of West Florida, LLC, Affidavit of Ownership and Encumbrances

- 29. **University Park Center** – Accept and record Right-of-Way Easement from Tramlaw, LLC, Affidavit of Ownership and Encumbrances
- 30. **Whitfield Estates Waterline Project** – Accept and record Right of Entry Easements (20) from property owners in Whitfield Estates Subdivision

**PUBLIC WORKS**

- 31. **Surplus Equipment** - Adopt Resolution R-09-140 authorizing donation of excess property to Manatee County Girls Club, Inc.; and classify property which is uneconomical to upgrade or repair as surplus per Florida Statute §274.05 to enable disposition in accordance with Purchasing Code 99-37, Section 1.106, and authorize disposal
- 32. **University Parkway** – Adopt Resolution R-09-127 authorizing Chairman to execute Local Agency Program agreement with Florida Department of Transportation for the resurfacing of University Parkway from U.S. 301 to I-75\*

**UTILITIES**

- 33. **Fee Waiver** – Waive service fees assessed to utility customer accounts for returned bank items
- 34. **Lien Release** – Execute and release lien on satisfied time payment agreement
- 35. **Peace River/Manasota Regional Water Supply Authority (PR/MRWSA)** – Accept FY 2009-10 Tentative Budget for PR/MSRWSA and approve membership contribution and assessment from Manatee County to provide administrative support for the Water Planning Alliance, provide funding for Authority Governance and Financial Feasibility Study
- 36. **Rain Barrels** – Donate six rain barrel kits to School District of Manatee County for use at the G.D. Rogers Garden Elementary School
- 37. **Uncollectible EMS Accounts** – Adopt Resolution R-09-130 to remove uncollectible accounts for ambulance services

**REPORTS**

- 38. **Responses to Board Inquiries** - Accept into the record responses from various County departments to inquiries of the Board of County Commissioners: 1) Village of Cortez

*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**

**PRESENTATION**

- 39. **Fire Science Program** – Presentation by students of Firefighter Tech Prep team from Manatee Technical Institute

**HUMAN RESOURCES**

- 40. **June 2009 Employee of the Month** – Present award to **David Gagliano**, Senior Fleet Maintenance Technician, Public Works Department
- 41. **Employee Suggestion Award** – Present “Award of Recognition” to **Jay Moore**, Irrigation Technician, Parks and Recreation Department, for his suggestion to use a hand-held GPS system for accurate record of valve locations

**PROCLAMATIONS (APPROVED WITH CONSENT AGENDA)**

- **National Homeownership Month** – June 2009
- **Florida Women in Government Week** – June 15-19, 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

**REGULAR AGENDA**

- 42. **Impact Fee Study** - Discussion

**MANATEE COUNTY CIVIC CENTER AUTHORITY**

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

**CONSENT AGENDA**

- **Minutes for Approval:** March 24, 2009
- 43. **Antique Show** – Authorize Executive Director or designee to execute license agreement 29-166 with Service Club of Manatee County
- 44. **Awards Banquet** – Approve, ratify, and confirm execution by Executive Director or designee of license agreement 29-174 with Manatee County Public Safety, Division of EMS
- 45. **Banquet** – Approve, ratify, and confirm execution by Executive Director or designee of license agreement 29-187 with Manatee County Community Services

*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**

**BOARD OF COUNTY COMMISSIONERS**

- 46. **Value Adjustment Board** – Elect two members of the Board to the 2009 Value Adjustment Board, one of whom shall be elected to serve as Chairman, the other as alternate; and appoint one homestead property owner to serve as the citizen representative

**NEIGHBORHOOD SERVICES**

- 47. **Affordable Housing Advisory Committee** – Reappoint members to Seats 1, 3, 5, 7, 9, and 11, and adopt Resolution R-09-125 confirming reappointments

**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 48-49**

**PUBLIC WORKS**

- 48. **Ordinance 09-33 - No Parking**  
 An Ordinance of Manatee County, Florida, amending Section 2-22-22 of the Manatee County Code; creating additional no stopping, standing or parking zones to include portions of Ft. Hamer Road; requiring the erection of appropriate signs; providing for codification; providing for severability; and providing an effective date\*

**PLANNING**

**49. PDMU-05-19(Z)(G)(R) – Northwest Sector**

(Katie LaBarr, Principal Planner) **(Continued from June 4, 2009)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving an amended Zoning Ordinance to delete Condition S(3) b. which requires a minimum unit size for single-family detached residences of 1,200 square feet. The development has been approved for 4,422 residences, 200,000 square feet of commercial space, 105,000 square feet of office space and a 120 bed group care home on 1,518.9 ± acres, generally east of Lakewood Ranch Boulevard, south of 44th Avenue East, north of SR 70, and west of Lorraine Road; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

*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**

**NATURAL RESOURCES**

**50. Twenty-First Century Group, Inc.** – Execute Letter Agreement with Twenty First Group, Inc., amending contract for federal legislative services

**51. WCIND** - Follow up to Work Session on June 2, 2009

**OTHER COUNTY BUSINESS**

- **Legislative Update by State Representative Bill Galvano**

**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 6/4/2009