

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 August 25, 2009**

MEETING CALLED TO ORDER: *Dr. Gwendolyn Y. Brown, Chairman*  
INVOCATION: Lexie Taylor, Manatee Religious Services  
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*

**11:00 A.M.**

51. **44<sup>th</sup> Avenue East, Bradenton**

### 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

#### ADMINISTRATOR

1. **Manatee County Fair** - Execute license agreement with Manatee River Fair Association for three inside exhibit spaces at the 2010 Manatee County Fair

#### AGRICULTURE AND RESOURCE CONSERVATION

2. **Donation** – Accept donation of \$13,500 from Manatee Friends of Extension for use to establish a demonstration garden and green house

#### ATTORNEY

3. **Interlocal Service Boundary Agreement** – Adopt Resolution R-09-205 responding to resolution by City of Anna Maria

#### COMMUNITY SERVICES

4. **Alzheimer's Disease Initiative (ADI)** – Execute Amendment 4 to agreement with West Central Florida Area Agency on Aging, Inc., decreasing agreement amount and revising budget summary
5. **Community Care for the Elderly** - Execute Amendment 4 to agreement with West Central Florida Area Agency on Aging, Inc., decreasing agreement amount and revising budget summary
6. **DUI Court Program** – Approve replacement document for application to State of Florida, Department of Transportation, for provisions for Manatee County DUI Court Program\*

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

7. **Refund** – Authorize refund to West Central Florida Area Agency on Aging, Inc., for overpayment to state for the 2008-09 ADI agreement
8. **West Coast Inland Navigation District (WCIND)** – Adopt Resolution R-09-183 accepting WCIND grants and authorizing execution of funding agreements with WCIND for projects (7)
9. **WCIND Project List** – Authorize Chairman to sign letter to WCIND revising FY 2009-10 funding application project list and requesting balance of county WCIND funding be placed in Manatee County County-wide Navigation Improvement Fund (CNIF)

#### CONVENTION AND VISITORS BUREAU

10. **Conferences** – Approve expenditures for SPORTS Institute Conference and TEAMS Conference, and authorize Joe Pickett to attend the conferences
11. **Tournaments** – Approve expenditures for six sports tournaments: U.S. Ice Skating Trials, AAU Slug-A-Rama Baseball Tournament; Florida State Junior Golf Tournament; AAU Fall Classic Baseball Tournament; YBOA Basketball Tournament; and Bridge Tournament

#### FINANCIAL MANAGEMENT

12. **Budget Amendment Resolution** – Adopt Budget Resolution B-09-035
13. **Budget Amendment Resolution** – Adopt Budget Resolution B-09-036
14. **Engineer of Record** – Execute Addendum 3 to extend agreement for architectural/engineering services with McKim & Creed, PA
15. **Manatee County Fair** - Adopt Resolution R-09-198 authorizing sponsorship of Manatee County Fair Association for multiple functions
16. **Utility Construction and Rehabilitation Services** – Execute agreements with Bay to Bay Contracting; Gator Grading and Paving; Seavy & Associates; Steele and Associates; TLC Diversified; and Woodruff and Sons, Inc.

#### INFORMATION SERVICES

17. **Technology Equipment Hosting Services** – Execute interlocal agreement with Manatee County Sheriff's Office to provide hosting services at the Public Safety Complex\*

#### NEIGHBORHOOD SERVICES

18. **Code Enforcement (Quintanilla)** – Reduce fines to \$4,000, as previously recommended by Special Magistrate, subject to conditions
19. **Code Enforcement (Serrano)** – Reduce fines to \$4,650, as previously recommended by Special Magistrate, subject to conditions
20. **Library Facilities** – Adopt revised Library Facilities Long-Range Development Plan
21. **State Housing Initiative Partnership (SHIP) Annual Report** – Approve and accept SHIP Annual Report and authorize Chairman to sign letter of transmittal and required State forms to transmit annual report for FY 2006-07 through 2008-09

#### PLANNING

22. **Final Plat: Forest Creek Phase IIB, Revised Portion** – Approve, execute, and record

#### PROPERTY MANAGEMENT

23. **12<sup>th</sup> Street East Sidewalk** – Accept and record Pedestrian Sidewalk Easement from Robert G. Becker, Affidavit of Ownership and Encumbrances
24. **17<sup>th</sup> Street West Road Improvement Project** – Authorize execution of lease renewal agreement with Bible Baptist Church of Palmetto of church property for a period of seven weeks, extending date of surrender of possession from August 1 to September 25, 2009\*
25. **Dude Ranch Acres** – Execute Contract for Purchase for a Utility Easement from Joseph E. Poirier required for construction of a lift station on Caruso Road
26. **Erie Road** – Accept Warranty Deed and Quit Claim Deed from Erie Park, LLC
27. **Honda Cars of Bradenton** – Accept and record Pedestrian Sidewalk and Street Lighting Easement; Utility Easement; and Conservation Easement from Bradenton Automotive Company; Affidavit of Ownership and Encumbrances; Joinder
28. **Lorraine Road** – Accept and record Utility Easements (2) from Risen Savior Evangelical Lutheran Church; Affidavit of Ownership and Encumbrances; Joinder
29. **Palma Sola Park** – Accept and record Right of Entry Easements (6) required for the waterline improvement project
30. **Vacant Church Structure** – Execute and record Agreement for Extension of County-owned Structure with King of Kings Baptist Church, LLC\*
31. **Wares Creek Stormwater Improvement Project (Parcel E192)** – Execute Contract for Sale and Purchase for a Quit Claim Deed from Flavian and Josephine Casey
32. **Whitfield Estates Waterline Project** – Accept and record Right of Entry Easements (18)

Gwendolyn Y. Brown, District 2, Chairman

**PUBLIC WORKS**

- 33. **Advanced Transportation Management System (ATMS)** – Adopt Resolution R-09-197 authorizing Chairman to execute Second Amendment to Joint Project Agreement with Florida Department of Transportation to install conduit for communications network of Manatee County ATMS Project
- 34. **Non-Ad Valorem Assessment Rolls for 2009** – Adopt Resolution R-09-128 providing for certification of non-ad valorem assessments pursuant to the uniform method for the levy, collection, and enforcement of non-ad valorem assessments for annual special assessment payments due with payment of 2009 ad valorem taxes
- 35. **Surplus Equipment** – Adopt Resolutions R-09-181 and R-09-196 authorizing donation to Senior Friendship Centers and Manatee County Rural Health Services; and classify property which is uneconomical to upgrade or repair as surplus per Florida Statute §274.05 to enable appropriate and authorized disposition, and authorize disposal
- 36. **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**

- 37. **Bad Debt** – Authorize write off of bad debt from Water/Sewer Fund 401 and Solid Waste Fund 480
- 38. **Fee Waiver** – Waive service fees assessed to utility customer accounts for returned bank items
- 39. **Lien Release** – Execute and release lien on satisfied time payment agreements (5)
- 40. **Uncollectible EMS Accounts** – Adopt Resolution R-09-199 to remove uncollectible accounts for ambulance services
- 41. **Uncollectible EMS Accounts** – Adopt Resolution R-09-203 to remove uncollectible accounts for ambulance services

**REPORTS**

- 42. **Dashboard Reports** - Accept into the record dashboard report for month of July 2009
- 43. **Responses to Board Inquiries** - Accept into the record responses from various County departments to inquiries of the Board of County Commissioners: 1) Primus Racing (B700771); 2) Dissolution of CDD (B804543); 3) Donations of Excess Produce (B900453); 4) Playground Equipment at Beach (B903186)

*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**

**PUBLIC WORKS**

- 44. **Government Engineer of the Year** – Present award to **Sage Kamiya**, Transportation Systems Engineer, with award from the American Society of Civil Engineers-SunCoast Branch

**CONVENTION AND VISITORS BUREAU**

- 45. **Donation** - Accept donation of \$30,000 from the Crosley Estate Foundation to be used toward Crosley rehabilitation projects

**ADMINISTRATOR**

- 46. **TBARTA Master Plan Update** – Presentation by Bob Clifford, Executive Director

**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**

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:** June 9 and June 23, 2009
- **Summer Recess Document Approval** – Accept documents pursuant to Resolution R-09-161
- 47. **Sarasota Orchestra Association** – Authorize Executive Director or designee to execute license agreement 29-200 with Sarasota Orchestra Association dba Florida West Coast Symphony for an event on April 13-14, 2010

*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

NOTHING SCHEDULED

## ADVISORY BOARD/COMMITTEE APPOINTMENTS

NOTHING SCHEDULED

## ADVERTISED PUBLIC HEARINGS

### PRESENTATIONS UPON REQUEST - ITEMS 48-49

#### UTILITIES

48. **Ordinance 09-53 Debris Collection**

An Ordinance of Manatee County, Florida, amending Chapter 2-16, Code of Ordinances, entitled "Garbage and Trash" by amending Article II thereof, entitled "Collection" by creating Section 2-16-45, entitled "Debris Collection on Private Roadways During an Emergency," which provides for debris removal in private community streets to allow for public safety operations; providing for severability; providing for codification; providing an effective date.

#### PUBLIC WORKS

49. **Street Lighting Municipal Service Benefit Units (MSBU)** – Report on the 12 existing street lighting MSBU projects and the new method for calculating indirect costs, followed by **Public Hearings** for each project to adopt resolutions to amend assessment roll and provide certification of non-ad valorem assessments for annual special assessment payments due with payment of 2009 ad valorem taxes\*

<u>Project Names</u>	<u>Resolutions</u>
a. <b>Holiday Heights</b>	<b>R-09-172; R-09-194</b>
b. <b>28<sup>th</sup> Avenue East</b>	<b>R-09-064; R-09-185</b>
c. <b>Hernando Avenue</b>	<b>R-09-058; R-09-184</b>
d. <b>Gulf and Bay Estates</b>	<b>R-09-170; R-09-192</b>
e. <b>Pic-Town Estates</b>	<b>R-09-171; R-09-193</b>
f. <b>Rubonia</b>	<b>R-09-152; R-09-186</b>
g. <b>Cape Vista</b>	<b>R-09-153; R-09-187</b>
h. <b>Tropical Harbor</b>	<b>R-09-154; R-09-188</b>
i. <b>Sylvan Oaks</b>	<b>R-09-155; R-09-189</b>
j. <b>29<sup>th</sup> Street East and Apollo Park</b>	<b>R-09-156; R-09-190</b>
k. <b>Lake Park</b>	<b>R-09-157; R-09-191</b>
l. <b>Sunny Shores</b>	<b>R-09-173; R-09-195</b>

*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).

Gwendolyn Y. Brown, District 2, Chairman

**REGULAR AGENDA**

**PUBLIC WORKS**

- 50. **49<sup>th</sup> Avenue East, Ellenton** – Report on status of future corridor alignment
- 51. **11:00 A.M. TIME CERTAIN**  
**44<sup>th</sup> Avenue East, Bradenton** – Report on project status (1<sup>st</sup> Street East to 45<sup>th</sup> Street East)

**NATURAL RESOURCES**

- 52. **Environmental Property Acquisition** – Authorize County Attorney to prepare Purchase Option Agreement with contingencies for property on the upper Braden River owned by Clifford and Lesa Hirsch\*

**ATTORNEY**

- 53. **Port Dolphin** – *[AGENDA MATERIALS WILL BE DISTRIBUTED UNDER SEPARATE COVER]*
- 54. **Annual Report** – Present and accept into the record the Twenty-Fifth Annual Report of the County Attorney’s Office

**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 8/20/2009