

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 September 15, 2009

MEETING CALLED TO ORDER: *Dr. Gwendolyn Y. Brown, Chairman*

INVOCATION: Pastor Bruce Quackenbush, Living Water Christian Fellowship

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.

49. REMARKS BY SHERIFF STEUBE

9:45 A.M.

50. INTERLOCAL SERVICE BOUNDARY

11:00 A.M.

52. MANATEE BEACH PIER

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. **Constitution Week** – September 17-23, 2009
2. **LIVESTRONG Day** – October 2, 2009

ADMINISTRATOR

3. **Florida Green Local Government** – Authorize Director of Agriculture and Resource Conservation to execute documents relating to seeking of a designation of Manatee County as a Florida Green Local Government

ATTORNEY

4. **Nuisance Abatement Ordinance 09-58** – Authorize permission to advertise for public hearing to consider adoption of Ordinance 09-58 relating to abatement of criminal nuisances

Dr. 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. **Supervised Release** – Adopt Budget Amendment Resolution B-09-038, amending the Annual Budget for Manatee County for FY 2009, to provide for three additional positions within the Community Services Department, Probation Division, Pretrial Services Program
6. **Transit Grant Funding** – Execute Subrecipient Agreement with Sarasota County Transportation Authority accepting Job Access and Reverse Commute Grant funds required to extend evening service for routes 1, 3, 6, 8, 9, and 99, and provide Sunday beach shuttle service on Cortez Road to Coquina Beach for two years*

CONVENTION AND VISITORS BUREAU

7. **Arts Festival** – Approve expenditures to reimburse John & Mable Ringling Museum for marketing expenses for promotion of the Ringling International Arts Festival
8. **Uncollectible Accounts** – Approve write-off of uncollectible accounts for accounting purposes
9. **Wedding Festival** – Approve expenditures to reimburse Anna Maria Island Chamber of Commerce for marketing expenses for promotion of the Wedding Festival

FINANCIAL MANAGEMENT

10. **Budget Amendment Resolution** – Adopt Budget Resolution B-09-037
11. **Duette Preserve** – Execute Change Order 1 to agreement with Utility Systems Construction, Inc., for the East County Wellfield Transmission Line Project
12. **Environmental Services** – Execute Addendum 7 with GLE Associates, Inc., and Professional Services Industries, Inc., to extend services for an additional six months
13. **Health Plan** – Approve changes to the 2010 Health Plan and authorize County Administrator or designee to take actions necessary to implement the changes
14. **Marine Rescue Headquarters** – Enter into negotiations to provide design build construction services with Zirkelbach Construction, Inc., and adopt Budget Amendment Resolution B-09-039
15. **Odor Corrosion Control Services** – Execute Addendum 2 to agreement with Siemens Water Technologies Corp.
16. **Portable Emergency Generators** – Award IFB 09-11510V to Southeastern Communication Service, Inc., for Cortez Road & Elwood II Booster Pump Stations, and execute agreement with simultaneous dating of performance/payment bonds and acceptance of insurance certificate
17. **Tax Roll Extension** – Execute letter to Ken Burton, Jr., Manatee County Tax Collector, confirming approval to extend the tax roll prior to completion of Value Adjustment Board hearings

NATURAL RESOURCES

18. **Beach Renourishment** – Adopt Resolution R-09-218 supporting a County application for beach renourishment state funding
19. **Fee Schedule** – Adopt Resolution R-09-210, amending R-08-242, providing for adjustment in user fees for certain recreational activities at the preserves managed and maintained to the Natural Resources Department
20. **National Pollutant Discharge Elimination System** – Authorize Chairman to sign Year 5 Annual Report Form for submission to Florida Department of Environmental Protection as required by permit
21. **Ungarelli Parcel at Palma Sola Bay** – Authorize Chairman to sign Cooperative Agreement with U.S. Department of the Interior, Fish and Wildlife Service to complete an archeological survey followed by exotic plant removal

NEIGHBORHOOD SERVICES

22. **Code Enforcement (Jones CE2008030099)** – Reduce fines to \$1,500, as recommended by Special Magistrate, subject to conditions
23. **Donations** – Accept donations of \$68,491.92 to the Library Division
24. **Library State Aid Grant** – Adopt Resolution R-09-207 authorizing submission of grant application to Florida Department of State, Division of Library and Information Services, and authorize Chairman to execute grant documents

PLANNING

25. **Uncollectible Checks** – Authorize write off of uncollectible checks

PROPERTY MANAGEMENT

26. **Artisan Lakes Master Pump Station** – Accept and record Corrective Warranty Deed from Taylor Woodrow Communities at Artisan Lakes, LLC
27. **EMS Station 13** – Accept and execute Shared Facilities Agreement with Southern Manatee Fire & Rescue District

Dr. 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

- 28. **Fleet Services Building** – Execute and record Easement to Florida Power & Light Company for the 66th Street West building
- 29. **Heritage Harbor North Golf Course Clubhouse** – Accept and record Utility Easement from Lennar Homes, LLC; Affidavit of Ownership and Encumbrances
- 30. **Hope Family Services** – Accept and record Utility Easement from Hope Family Services, Inc.; Affidavit of Ownership and Encumbrances
- 31. **Palma Sola Park Waterline Replacement Project** – Accept and record Utility Easement from Raymond and Ina Fromsdorf, and Anthony and Lisa Cali; Affidavit of Ownership and Encumbrances; Consent of Lien Holder
- 32. **Police Athletic League** – Execute Utility Easement to City of Bradenton*
- 33. **Public Roadway and Right-of-Way** – Approve agreement with City of Bradenton to transfer County’s jurisdictional interests in public roadway and right-of-way to City, and authorize Chairman to execute transfer document*
- 34. **Road Plat Map** – Execute and record Specific Purpose Survey in road plat book for a county maintained road designated as 9th Street East, from 44th Avenue East to 8th Street Court East; Affidavit
- 35. **Royal Palm Townhouses** – Accept and record Warranty Deed from Royal Palm, LLC; Affidavit of Ownership and Encumbrances; Partial Release
- 36. **Public Support Facility** – Accept and record Warranty Deed from School Board of Manatee County; Affidavit of Ownership and Encumbrances
- 37. **Whitfield Estates Waterline Project** – Accept and record Right of Entry Easements

PUBLIC SAFETY

- 38. **Comprehensive Emergency Management Plan (CEMP)** – Adopt Resolution R-09-213 to accept Manatee County CEMP dated September 2009

PUBLIC WORKS

- 39. **Ordinance 09-54 No Parking** – Authorize setting public hearing on October 6, 2009, to consider adoption of ordinance instituting and creating a no stopping, standing, or parking zone to include Upper Manatee River Road and Rye Road*
- 40. **University Parkway** – Execute Interlocal Agreement with Sarasota County for the milling and repavement of University Parkway from U.S. 301 to I-75*

UTILITIES

- 41. **Water Treatment Plant Shutter Project** – Execute Modification to Subgrant Agreement with State of Florida , Division of Emergency Management

REPORTS

- 42. **Responses to Board Inquiries** - Accept into the record responses from various County departments to inquiries of the Board of County Commissioners: 1) CO² Monitors (B902375); 2) Streetlights (B901126); 3) Screening applicants (B903188); 4) Sewer Service Snead Island (B903626); 5) Water Reuse Project (B903635)

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

HUMAN RESOURCES

- 43. **September Employee of the Month** – Present award to **Jeffrey Pace**, GIS Spatial Database Administrator, Information Services Department
- 44. **Retirement Award** – Present award to **Edward Eartly**, Solid Waste Enforcement Officer, Utilities Department, honoring his 34 years of service with Manatee County Government

BUILDING

- 45. **Special Recognition Award** – Presentation by Home Builders Association of Manatee/Sarasota County to **Jeff Camden**, Plans Examiner, for his outstanding service to the contractors of Manatee County

PROCLAMATIONS (APPROVED WITH CONSENT AGENDA)

- **Constitution Week** – September 17-23, 2009
- **LIVESTRONG Day** – October 2, 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
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:** August 25, 2009
- 46. **Bad Debts** – Adopt Resolution R-09-202 to write off bad debts for accounting purposes for the Manatee Convention Center and 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
NOTHING SCHEDULED

ADVISORY BOARD/COMMITTEE APPOINTMENTS

CONVENTION AND VISITORS BUREAU

- 47. **Tourist Development Council** – Appoint six persons (4 hoteliers and 2 interested citizens)

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 48

PLANNING

- 48. **LDA-09-04 - LOCAL DEVELOPMENT AGREEMENT FOR SUMMER WOODS DEVELOPMENT**

(Lisa Barrett, Principal Planner)

Request: Approval of a Local Development Agreement providing for the issuance of a five (5) year certificate of level of service compliance; providing for dedication of right-of-way; providing for design, permitting and construction of project entrance improvements including turn lanes; providing for severability, and providing for an effective date. The Local Development Agreement applies to Summer Woods approved as PDR-06-10 (Z)(P) (192 ± acres). The proposed use of the properties is residential development. Pursuant to existing zoning, Summer Woods is approved for 302 residential units, each with a maximum height of 35 feet.

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).

Dr. 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

REGULAR AGENDA

MANATEE SHERIFF'S OFFICE

- 49. **9:30 A.M.**
Remarks by Sheriff Steube regarding Holmes Beach annexation

ATTORNEY

- 50. **9:45 A.M.**
Interlocal Service Boundary Agreement – Adopt Resolution R-09-217 responding to resolution by City of Holmes Beach
- 51. **Port Dolphin Update** – *[MATERIALS TO BE DISTRIBUTED PRIOR TO MEETING]*

NATURAL RESOURCES

- 52. **11:00 A.M.**
Manatee Beach Pier – Authorization to proceed with a replacement pier for Manatee Beach in accordance with recommended design length of 700 ft.

ADMINISTRATOR

- 53. **7th Street Extension, Palmetto**

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 9/10/2009