

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  
and  
NOTICE OF PUBLIC MEETING

**9:00 a.m. REGULAR MEETING December 1, 2009**

MEETING CALLED TO ORDER: *Dr. Gwendolyn Y. Brown, Chairman*  
INVOCATION: Pastor Al Davis, Consuming Fire International Ministries  
PLEDGE OF ALLEGIANCE

ITEMS SCHEDULED FOR TIME CERTAIN

**10:00 A.M.**

- **Ringling International Arts Festival**

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. **Vikki Comarsh-White Day** – December 1, 2009
2. **Lincoln Memorial High School Alumnus Week** – December 14-20, 2009

**ADMINISTRATOR**

3. **TBARTA Funding** – Adopt Resolution R-09-270 requesting legislation authorizing non charter counties that are part of a regional transportation authority (such as TBARTA) to levy the up to one percent transportation system surtax authorized by Section 212.055(1), Florida Statutes

**ATTORNEY**

4. **9<sup>th</sup> Street East Road Improvement Project** - Adopt Resolutions R-09-235, R-09-237, R-09-239, R-09-251, R-09-253, R-09-255, and R-09-257 amending Resolutions R-09-032, R-09-034, R-09-036, R-09-038, R-09-040, R-09-042, and R-09-044, respectively, which determined determining public purpose and necessity, and Resolutions R-09-236, R-09-238, R-09-240, R-09-252, R-09-254, R-09-256, and R-09-258 amending Resolutions R-09-033, R-09-035, R-09-037, R-09-039, R-09-041, R-09-043, and R-09-045, respectively, authorizing use of eminent domain "quick take" proceedings, in the acquisition of certain parcels of privately owned realty, as related to the proposed improvements to 9th Street East Road Improvement Project from 53<sup>rd</sup> Avenue East to 57<sup>th</sup> Avenue East

Dr. Gwendolyn Y. Brown, District 2, Chairman

Carol Whitmore, District 6 At-Large, 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 At-Large

**COMMUNITY SERVICES**

5. **Children's Services Funding** – Approve Children's Services Annual Plan/Report for FY 2011 and authorize announcement of availability of approximately \$8,900,000 of Children's' Services Dedicated Millage Funding for services to children in Manatee County for FY 2011
6. **Elderly and Persons with Disabilities Program** – Adopt Resolution R-09-269 authorizing Chairman to sign a 5310 grant application for transit projects and accept funds from Florida Department of Transportation and expenditure of funds pursuant to grant award
7. **Non-Profit Agency Funding** – Authorize Chairman to execute agreements (7) with respective agencies totaling \$187,930
8. **Non Urbanized Area Program** - Adopt Resolution R-09-268 authorizing Chairman to sign a 5311 grant application for transit projects and accept funds from Florida Department of Transportation and expenditure of funds pursuant to grant award
9. **Senior Santas Tour of Lights** – Execute agreement with State College of Florida for the 2009 Senior Santas Tour of Lights to be held December 17-20, 2009

**FINANCIAL MANAGEMENT**

10. **Budget Amendment Resolution** – Adopt Budget Resolution B-10-014
11. **Hybrid Diesel-Electric Buses** – Authorize purchase of four buses for Transit Division from Gillig Corporation utilizing the Central Florida Regional Transportation Authority Consortium (LYNX) Contract
12. **Manasota Basin Board** – Approve project rankings for FY 2011 Manasota Basin Board Cooperative Funding applications, adopt Resolution R-09-264 authorizing electronic submission of applications to Southwest Florida Water Management District, and authorizing Chairman to execute all related documents

**NATURAL RESOURCES**

13. **Bay Partners Grant** – Authorize application to Sarasota Bay Estuary Program for Bay Partners grant in the amount of \$3000 for education programming, and authorize County Administrator to execute documents related to award and acceptance
14. **"Tree City USA" Certification** - Authorization for the Environmental Lands Management Acquisition Advisory Committee (ELMAC), serving as the Tree Advisory Board, to apply for certification as a "Tree City USA"

**NEIGHBORHOOD SERVICES**

15. **Neighborhood Enhancement Grant Funding** – Accept funding recommendations for 2008-09 and authorize director of Neighborhood Services Department to enter into agreements with grant recipients to complete the projects

**PARKS AND RECREATION**

16. **Fee Waiver** – Authorize Parks and Recreation Department to facilitate and waive fees for the annual Anna Maria Island Household Hazardous Waste/E-scrap Collection event at Coquina Beach on January 20, 2010

**PROPERTY MANAGEMENT**

17. **57<sup>th</sup> Street East, Bradenton** – Accept and record Drainage Easement and Warranty Deed from Manatee Church of God; Affidavit of Ownership and Encumbrances
18. **Corrective Resolution** – Adopt Corrective Resolution R-09-131-V declaring public hearing on January 12, 2010, to consider and act upon application to vacate certain unimproved rights of way in Pomello Park
19. **Florida Energy Regulatory Commission Project** – Execute Contract for Sale of a Permanent Easement and Temporary Construction Easement with Florida Gas Transmission Company, LLC for property located south of S.R. 62 and east of C.R. 39\*
20. **Heritage Harbour** – Accept and record Utility Easement from Lennar Homes, LLC; Affidavit of Ownership and Encumbrances
21. **Suburban System Waterline Project** – Accept and record Right of Entry Easements from Witaya P. Supharat, Marin Suparatana, and Richard D. Fisher
22. **Wares Creek Stormwater Project (Parcel E105.2)** – Adopt Resolution R-09-266 authorizing Property Acquisition to conduct pre-suit negotiations and make a written offer to purchase an Access and Maintenance Easement with Christopher E. Constantino, Ralph F. Constantino, and Donnatta Constantino-Lowenhaupt before proceeding with eminent domain\*

**PUBLIC SAFETY**

- 23. **Street Numbering Waiver** – Approve request by HRK Holdings LLC for a waiver of street numbering requirement to allow named streets to be utilized in their industrial development fka Piney Point Phosphate

**UTILITIES**

- 24. **Lien Release** – Execute and release liens (13) on satisfied time payment agreements

<p><i>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).</i></p> <p><b>(END CONSENT)</b></p>
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<b>AWARDS/PRESENTATIONS/PROCLAMATIONS</b>
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**HUMAN RESOURCES**

- 25. **2009 Employee of the Year** – Present award to **Vikki Comarsh-White**, Benefits Coordinator, Community Services Department, and **Proclamation** (APPROVED WITH CONSENT AGENDA) designating December 1, 2009, as “Vikki Comarsh-White Day”
- 26. **Employee Suggestion Award** – Present “Award of Recognition” to **Stacey Stinton**, Administrative Assistant, Public Works Department

**PROCLAMATION** (APPROVED WITH CONSENT AGENDA)

- **Lincoln Memorial High School Alumnus Week** – December 14-20, 2009

**10:00 A.M. TIME CERTAIN**

- **Ringling International Arts Festival** – Presentation by John McKay, former state Senator and Vice-Chairman of the Board of Trustees of Ringling Museum of Art

<b>CITIZEN'S COMMENTS</b>
<i>COMMENTS SHOULD BE LIMITED TO TWO MINUTES PER PERSON AND SHOULD CONCERN BUSINESS WHICH MAY, IF APPROPRIATE, BE PLACED ON A FUTURE AGENDA.</i>

<b>MANATEE COUNTY PORT AUTHORITY</b>
NOTHING SCHEDULED

<b>MANATEE COUNTY CIVIC CENTER AUTHORITY</b>
NOTHING SCHEDULED

<b>MANATEE COUNTY COMMUNITY REDEVELOPMENT AGENCY</b>
DONNA HAYES, CHAIRMAN
JOHN R. CHAPPIE, FIRST VICE-CHAIRMAN

**CONSENT AGENDA**

- 27. **Minutes for Approval:** September 22 and October 6, 2009
- 28. **Records Management Compliance Statement** – Appoint Karen Stewart, Economic Development Division Manager, as the Records Management Liaison Officer for the CRA, and authorize CRA Chairman to certify the Community Redevelopment Agency is in compliance with Records Management Law by signing statement attesting to the Agency's compliance with records disposition laws, rules, and procedures

<p><i>RECOMMENDED MOTION: I MOVE TO APPROVE THE CRA CONSENT AGENDA INCORPORATING THE LANGUAGE AS STATED IN THE RECOMMENDED MOTIONS IN THE AGENDA MEMORANDA (AS MAY HAVE BEEN AMENDED IN THE SUPPLEMENTAL AGENDA).</i></p> <p><b>(END CRA CONSENT)</b></p>
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**ADVISORY BOARD/COMMITTEE APPOINTMENTS**

**COMMUNITY SERVICES**

29. **Children’s Services Advisory Board** – Appoint two persons to fill two vacant positions

**NEIGHBORHOOD SERVICES**

30. **Code Enforcement Board** – Appoint one person to fill vacant position

**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 31-35**

**ATTORNEY**

31. **ORDINANCE 09-65 ALCOHOLIC BEVERAGE RELATED REGULATIONS**

An Ordinance of Manatee County, Florida, amending Section 2-3-2 of Chapter 2-3 of the Manatee County Code entitled Alcoholic Beverage Related Regulations and providing for hours of sale for “operators” of alcoholic beverage establishments; providing for severability; providing for codification; and providing an effective date.

32. **RESOLUTION R-09-265 CITY OF BRADENTON INDUSTRIAL DEVELOPMENT REVENUE BONDS**

Conduct TEFRA public hearing to consider adoption of Resolution R-09-265 approving an interlocal agreement for, and the issuance of, \$10,000,000 Industrial Development Revenue Bonds by the City of Bradenton for the benefit of Manatee County Rural Health Services, Inc.

33. **RESOLUTION R-09-267 HOUSING FINANCE AUTHORITY MORTGAGE REVENUE BONDS**

Conduct TEFRA public hearing to consider adoption of Resolution R-09-267 for the issuance of \$25,000,000 Single Family Mortgage Revenue Bonds by the Manatee County Housing Finance Authority

**NEIGHBORHOOD SERVICES**

34. **CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)**

Conduct public hearing to receive citizen comment on the Community Development Block Grant and Home Investment Partnership Program Draft 2008/2009 CAPER

**PUBLIC WORKS**

35. **RESOLUTION R-09-129 NON-AD VALOREM ASSESSMENTS**

Adopt Resolution R-09-129 declaring an intent to place road paving, sanitary sewer, storm water, street lighting, canal dredging, drainage improvement and landscape beautification projects on the tax bills as non-ad valorem assessments commencing in 2010

*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**

**PROPERTY MANAGEMENT**

36. **Construction Services** – Report regarding intent of Utilities Department to work with Property Management Department to remove 18,000 sq. ft. of outdated, functionally obsolete structures and consolidate various divisions into an approximately 16,000 sq. ft. structure at the 66<sup>th</sup> Street Utilities Complex

**ADMINISTRATOR**

37. **2010 Legislative Platform** – Approve the 2010 State Legislative Platform and Policy Statements

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 elect not to convene, if no business is scheduled; however, each reserves the right to take action on any matter during its meeting, including items not set forth within this agenda. The Chair of each governing body at his/her option may take business out of order if he/she determines that such a change in the schedule will expedite the business of the governing body.

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 11/25/2009

Dr. Gwendolyn Y. Brown, District 2, Chairman

Carol Whitmore, District 6 At Large, 1st Vice-Chairman; Donna Hayes, District 5, 2nd Vice-Chairman; Larry Bustle, District 1, 3<sup>rd</sup> Vice-Chairman  
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