

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 February 23, 2010**

MEETING CALLED TO ORDER: *Donna G. Hayes, Chairman*  
INVOCATION: Pastor Bill Pierson, JOY Fellowship Ministries  
PLEDGE OF ALLEGIANCE Presentation of Colors by County-wide Honor Guard

**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. **Manatee High Pride Day** – February 23, 2010
2. **Firefighter Appreciation Month** – March 2010
3. **Centennial Anniversary of the Boy Scouts** – March 2010

**ADMINISTRATOR**

4. **City of Anna Maria Annexation** – Support a proposed local bill (special act) annexing unincorporated areas located within the waters of the Gulf of Mexico, Tampa Bay, Lake LaVista entrance, and Bimini Bay into the City of Anna Maria, with contingencies\*
5. **DUI Court Program** – Authorize Chairman to sign letter of support of the Manatee County DUI Court Program to Department of Transportation, as requested by Court Administrator

**ATTORNEY**

6. **Administrative Appeal** – Dismiss Manatee County's administrative appeal of the Amended Recommended Order of the Hearing Officer (2/1/10) in the administrative hearing between Westra Construction Corporation and Manatee County, contingent upon Westra's dismissal of its appeal of the Amended Recommended Order of the Hearing Officer

**COMMUNITY SERVICES**

7. **Health Department** – Execute contract with Florida Department of Health for services to be provided at the Manatee County Health Department
8. **System Advocate** – Execute Amendment 1 to agreement with Sarasota County Board of County Commissioners and Sarasota County Health Department to provide a Family Safety Alliance System Advocate\*

Donna G. Hayes, District 5, Chairman

Carol Whitmore, District 6 At-Large, 1st Vice-Chairman; John R. Chapple, District 3, 2nd Vice-Chairman; Larry Bustle, District 1, 3<sup>rd</sup> Vice-Chairman  
Dr. Gwendolyn Y. Brown, District 2; Ron Getman, District 4; Joe McClash, District 7 At-Large

**CONVENTION AND VISITORS BUREAU**

9. **DeSoto Heritage Festival** – Approve expenditures of \$25,000 to be used to reimburse Hernando DeSoto Historical Society for marketing expenses for the promotion of the DeSoto Heritage Festival
10. **Sports Tournament** – Approve expenditures of \$39,400 for 14 sports tournaments (ISA Softball Tournaments, YBOA Basketball Tournaments, Volleyball & Baseball/Softball Camps, and USSSA Softball Tournaments)

**FINANCIAL MANAGEMENT**

11. **Beach Renourishment** – Authorize County Administrator or designee to execute Addendum 9 to extend agreement with Coastal Planning and Engineering, Inc.
12. **Budget Amendment Resolution** – Adopt Budget Resolution B-10-027

**NATURAL RESOURCES**

13. **Barge Loading Facility** – Authorize use of county-owned barge loading facility at Coquina Beach Bayside by WCIND
14. **Tree Trust Fund** – Authorize Parks and Recreation to acquire funds from Tree Trust Fund for G.T. Bray Entranceway Improvements, and adopt Budget Resolution B-10-028

**NEIGHBORHOOD SERVICES**

15. **Economic Development Incentive (EDI) Grant** - Adopt Resolution R-10-036 finding that "Project Exactech 2010" is approved for an EDI grant up to \$58,000 over a five-year period
16. **Economic Development Incentive (EDI) Grant** - Adopt Resolution R-10-035 finding that "Project HomeTech 2010" is approved for an EDI grant up to \$5,743 over a five-year period
17. **Land Use Agreement** – Execute Land Use and Deed Restriction agreement for the Manatee County Housing Authority, 732 27<sup>th</sup> Avenue West, Bradenton, a Neighborhood Stabilization Program housing development
18. **Letter of Consent** – Execute letter for additional financing pursuant to a Land Use and Deed Restriction agreement with United Community Centers, Inc., for a community center project partially funded by Manatee County Community Redevelopment Block Grant program

**PARKS AND RECREATION**

19. **After School Scholarship Program** – Authorize Parks and Recreation Department to submit a Children Services grant application for program
20. **Neighborhood Teen Program** - Authorize Parks and Recreation Department to submit a Children Services grant application for program
21. **Travel Credit Write Off** – Authorize Parks and Recreation Department to write off an unused airline credit totaling \$343.20

**PROPERTY MANAGEMENT**

22. **44<sup>th</sup> Avenue East Road Improvement Project** – Adopt Resolution R-10-032 authorizing Property Acquisition to conduct pre-suit negotiations and make written offer to purchase certain parcels required for the project before proceeding with eminent domain
23. **Myakka Elementary** – Adopt Resolution R-10-015-V declaring a public hearing on March 30, 2010, to consider and act upon application to vacate certain rights-of-way completely contained within property owned by Manatee County School Board\*
24. **Myakka City Historic School House** – Execute agreement with Myakka City Historical Society\*
25. **Pomello Park Subdivision** – Accept and record Utility and Drainage Easements (3), Affidavits of Ownership and Encumbrances (3)
26. **S.R. 64 East, Bradenton** – Accept and record Conservation Easement from Peoples Gas System, Affidavit of Ownership and Encumbrances
27. **Wares Creek Stormwater Improvement Project** – Adopt Resolution R-10-034 authorizing Property Acquisition to conduct pre-suit negotiations and make written offer to purchase parcel (W294) required for project before proceeding with eminent domain

**PUBLIC WORKS**

28. **Myakka City** – Execute Interlocal Agreement for right-of-way improvements with the School Board of Manatee County to remediate trace amounts of petroleum located within County right-of-way\*
29. **Paradise Bay Estates** – Authorize Chairman to sign Utility Participation Agreement with Paradise Bay Estates, Inc.
30. **Surplus Equipment** - Adopt Resolution R-10-033 authorizing donation to Victorious Life Christian Center, 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

**REPORTS**

31. **Dashboard Reports** - Accept into the record the Dashboard Report for month of January 2010

*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**

32. **Retirement Award** – Present award to **Robert H. Martin**, Emergency Medical Technician, Public Safety Department, honoring his 12 years of services with Manatee County Government

**PROCLAMATIONS** (APPROVED WITH CONSENT AGENDA)

- **Manatee High Pride Day** – February 23, 2010
- **Firefighter Appreciation Month** – March 2010
- **Centennial Anniversary of the Boy Scouts Firefighter Appreciation Month** – March 2010

**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**

NOTHING SCHEDULED

**MANATEE COUNTY COMMUNITY REDEVELOPMENT AGENCY**

NOTHING SCHEDULED

**ADVISORY BOARD/COMMITTEE APPOINTMENTS**

**COMMUNITY SERVICES**

33. **Historical Commission** – Confirm appointment of eight members, Joe King, Joe Kennedy, Jeb Mulock, Michael Wood, Jan Greene, Maryann Lawler, Thomas Harrison, and Bill Howard, to the Manatee County Historical Commission as nominated by the Manatee County Historical Commission

**NATURAL RESOURCES**

34. **Environmental Lands Management and Acquisition Advisory Committee** – Appoint John Neal to open position on ELMAC at-large category

**NEIGHBORHOOD SERVICES**

35. **14<sup>th</sup> Street CRA Advisory Board** – Appoint Holly Clouse for a three-year term beginning February 24, 2010

**ADVERTISED PUBLIC HEARINGS**

**PRESENTATIONS UPON REQUEST – ITEMS 36-37**

**PLANNING**

36. **PDPI-09-13(Z)(P) PATRON HOLDINGS/FB ENERGY – SOLAR BIOMASS INTEGRATED POWER PLANT**

**(To be continued to a date to be determined)**

(Lisa Barrett, Planning Manager) DTS #20090275

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land

Donna G. Hayes, District 5, Chairman

Development Code), relating to zoning within the unincorporated area; providing for a rezone of 47.92± acres, at 11551 and 11805 US 41 North, from PDEZ (Planned Development Encouragement Zone) to the PDPI (Planned Development Public Interest) zoning district; retaining the PDEZ zoning district on property located west of the railroad track (1.40± acres); approving a Preliminary Site Plan on 49.32± acres for the declared use of an Electricity Generating Facility using biomass fuels (Heavy Utility Use), with accessory buildings totaling 28,400 square feet; subject to stipulations as conditions of approval consistent with Ordinance No. 09-31 (i.e. Plan Amendment No. PA-09-08); setting forth findings; providing a legal description; providing for severability, and providing an effective date.

- 37. **Local Mitigation Strategy (LMS)** – Adopt Resolution R-10-037 approving the Manatee County Local Mitigation Strategy

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).

**PRESENTATIONS SCHEDULED - ITEMS 38-39**

**PLANNING**

- 38. **PDMU-96-01(G)(R7) COOPER CREEK CENTER MASTER SIGNAGE PLAN**

(Lisa Barrett, Planning Manager) DTS#20090304

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding Land Development, amending Ordinance PDMU-96-01(G)(R6) pertaining to stipulations of approval regarding signs to allow a master sign plan for the Cooper Creek DRI, providing for Specific Approvals as applicable; and to update the buildout date; approving a master sign plan. Cooper Creek is generally located northwest of University Parkway and I-75 intersection (604.68 ± acres); subject to stipulations as conditions of approval; setting forth findings; providing for severability, and providing an effective date.

- 39. **ORDINANCE 10-26 PERSONAL WIRELESS SERVICE FACILITIES**

(Sarah Schenk, Deputy County Attorney) (Sharon Tarman, Planner)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; providing findings; amending Chapter 7 of the Land Development Code, development standards of general applicability; amending Section 704.59 and renaming it Personal Wireless Service Facilities (PWSF); amending definitions; amending development standards and establishing siting preferences; providing for consistency with the Florida Statutes; amending Figure 6.1 community service uses, to clarify the development process required for Personal Wireless Service Facilities (PWSF); amending other provisions as necessary for internal consistency; providing for codification; providing for severability; and providing an effective date.

**REGULAR AGENDA**

NOTHING SCHEDULED

**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.