

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
and
NOTICE OF PUBLIC MEETING

9:00 a.m. REGULAR MEETING April 13, 2010

MEETING CALLED TO ORDER: *Donna G. Hayes, Chairman*
INVOCATION: Pastor Paul Scheele, Congregational United Church of Christ
PLEDGE OF ALLEGIANCE

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. **Denim Day** – April 21, 2010
2. **Day of Service** – April 24, 2010
3. **National Crime Victims Rights Week** – April 18-24, 2010
4. **Child Abuse Prevention Month** – April 2010

ATTORNEY

5. **Flood Insurance** – Authorize payment of \$71,774 to renew flood insurance policies
6. **Property Damage Claim** – Approve settlement of property loss claim of Joan Steward Kauffman for \$39,616.90 and authorize spending up to \$15,000 for ground stabilization, and authorize County Attorney or designee to execute all necessary documents to effect the settlement

COMMUNITY SERVICES

7. **Summer Food Program** – Adopt Resolution R-10-060 authorizing submission and acceptance of grant in the amount of \$280,720 from Florida Department of Education for program for children, and authorizing Chairman to execute all necessary grant documents and authorizing the Deputy Director to sign application forms and ESE 198 forms

CONVENTION AND VISITORS BUREAU

8. **Ringling International Arts Fest** – Approve and authorize County Administrator to execute reimbursement agreement with Florida State University for advertising and promotion contingent upon receipt of signed original*

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, 3rd Vice-Chairman
Dr. Gwendolyn Y. Brown, District 2; Ron Getman, District 4; Joe McClash, District 7 At-Large

FINANCIAL MANAGEMENT

- 9. **Budget Amendment Resolution** – Adopt Budget Resolution B-10-034
- 10. **Budget Submission Dates** – Adopt Resolution R-10-064 establishing May 1, 2010, as the due date for the FY 2010-11 budget requests from the Clerk of the Circuit Court, the Sheriff, and the Supervisor of Elections
- 11. **Name Change** – Authorize County Administrator or designee to execute Amendment 1 to agreement with Hostetter Construction Corporation for Bennett Park Design/Build Project for a name change and assignment to Holland Construction Corporation
- 12. **Reclaimed Water Storage Tank** – Award IFB 10-0547OV to Beach Construction Company, Inc., for tank at Southwest Water Reclamation Facility, and authorize County Administrator or designee to execute contract and related documents

NATURAL RESOURCES

- 13. **Charlotte Harbor National Estuary Program (CHNEP)** – Execute FY 2010 funding agreement with Southwest Florida Regional Planning Council for county share funding for CHNEP of \$5,000
- 14. **Pillsbury Temple Mound** – Execute lease agreement with Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for management of the Pillsbury Mound for conservation and protection of natural and historical resources and for resource-based public outdoor activities and education*
- 15. **Tree Trust Fund** – Authorize Neighborhood Services Department to acquire funds from tree trust fund of \$6,666 to provide for landscaping of 9th Street East, and adopt Budget Resolution B-10-036

NEIGHBORHOOD SERVICES

- 16. **Deed Restrictions** – Execute Agreement Regarding Deed Restrictions with United Community Centers, Inc., for conveyance and encumbrance of certain real property

PROPERTY MANAGEMENT

- 17. **63rd Avenue West, Bradenton** – Accept and record Utility Easement from Wayne R. and Laura C. Steele for construction and maintenance of a water meter; Affidavit of Ownership and Encumbrances; Joinder
- 18. **Myakka Elementary Street/Alleyway Vacation** – Adopt Resolution R-10-028-V declaring a public hearing on May 11, 2010, to consider and act upon application to vacate certain rights-of-way completely contained within property owned by Manatee County School Board*
- 19. **Suburban System Waterline** – Accept and record Utility Easement from Zofia Drozdowski Corporation for construction and maintenance of water line at rear of property at 1503 57th Avenue West, Bradenton; Affidavit of Ownership and Encumbrances; Joinder

PUBLIC SAFETY

- 20. **Certificate of Public Convenience and Necessity (COPCN)** – Adopt Resolution R-10-039 authorizing renewal of COPCN with West Coast-Southern Medical Services, Inc., waive application submission requirements for issuance of an expanded COPCN, and execute new certificate*

PUBLIC WORKS

- 21. **Street Lighting MSBU (Oakwood Subdivision)** – Authorize setting public hearing for May 11, 2010, to consider creating a street lighting MSBU for Oakwood Subdivision in Bradenton
- 22. **Traffic Signal Maintenance and Compensation Agreement** – Execute Exhibit “A” to the agreement with Florida Department of Transportation for FY 2010-11

UTILITIES

- 23. **Fee Waivers** – Waive total of \$1,020.51 in service fees assessed to utility customer accounts for returned bank items
- 24. **Uncollectible EMS Accounts** – Adopt Resolution R-10-063 to remove uncollectible accounts for ambulance services totaling \$285,585.42

REPORTS

- 25. **Responses to Board Inquiries** – Accept into the record memos from county departments in response to directives/inquires by the Board: 1) Sale of Bus Passes (B1000267); 2) Erie Road Multi-use Path (B1000721); 3) Extension of Sidewalk from East Bay to Gulf Drive (B1000723); 4) Parking for Robinson Preserve (B1000846)

<p><i>RECOMMENDED MOTION:</i> 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).</p> <p style="text-align: center;">(END CONSENT)</p>

AWARDS/PRESENTATIONS/PROCLAMATIONS

HUMAN RESOURCES

- 26. **April 2010 Employee of the Month** – Present award to **Paula Reid Murphy**, Office Specialist, Public Works Department
- 27. **Retirement Award** – Present award to **Thomas Hirshberg**, Paramedic, Public Safety Department, honoring his 27 years of service with Manatee County Government

NATURAL RESOURCES

- 28. **Honorary Plaque at Emerson Point Preserve** – Presentation by **John MacDonald**, ELMAC member, to recognize the efforts of former mayor and state representative J.J. "Toby" Holland in the successful purchase of Emerson Point Preserve

PROCLAMATIONS (APPROVED WITH CONSENT AGENDA)

- **Denim Day** – April 21, 2010
- **Day of Service** – April 24, 2010
- **National Crime Victims Rights Week** – April 18-24, 2010
- **Child Abuse Prevention Month** – April 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
NOTHING SCHEDULED

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 29-31

PLANNING

- 29. **PDR-05-60(Z)(P) NAP DUKE RANCH, LLC, MML I, LLC, and PGCI I, LLC/SILVERLEAF**
(Miles Gentry, Planning Manager) DTS #20050460
(Continued from 6/04/09, 6/23/09, 8/06/09, 10/01/09, 11/17/09, 12/15/09, 1/26/10, and 3/04/10) (To be continued April 27, 2010)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for a rezone of approximately 263.35 acres at the northwest corner of Old Tampa Road and Chin Road from A/NCO (General Agricultural/North Central Overlay) to the PDR/NCO (Planned Development Residential) zoning district, retaining the North Central Overlay; approving a Preliminary Site Plan for 621 single-family detached units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

30. **LDA-09-03 LOCAL DEVELOPMENT AGREEMENT FOR SILVERLEAF DEVELOPMENT**
(Dave Gustafson, Project Manager) DTS#20090096
(Continued from 11/17/09, 12/15/09, 1/26/10, and 3/04/10) (To be continued to April 27, 2010)

Request: Approval of a Local Development Agreement providing for the issuance of an extended certificate of level of service compliance; providing for dedication of right-of-way and the payment of a proportionate share of the cost to mitigate impacts on public facilities; 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 Silverleaf for which approval is sought pursuant to pending application known as PDR-05-60(Z)(P) (263.35 ± acres). The proposed use of the properties is residential development. Pursuant to the pending zoning request, Silverleaf is seeking approval for 713 residential units, each with a maximum height of 35 feet.

31. **R-10-061 MANATEE COUNTY SCHOOL BOARD – CARUSO ROAD SCHOOL SITE**
GSP-10-01 - (DTS #20100022)

(Sharon Tarman, Planner)

A Resolution of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a General School Plan submitted by the Manatee County School Board – Caruso Road School Site on approximately 75.84 acres, at the northeast corner of S.R. 70 and Caruso Road at 4915, 4925, 5007, 5265 60th St. E., Bradenton; providing for development standards and conditions upon the future consideration of a school site plan, setting forth findings; providing for severability, and providing for 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).

COMMISSIONERS' AGENDA

MCCLASH

- 32. **Erie Road Multi-Use Path** (Commissioner Comments 3/16/10)
- 33. **Parking for Robinson Preserve Trail** (Commissioner Comments 3/16/10)
- 34. **Environmental Impact Statement for "Bone Valley"** (Commissioner Comments 3/16/10)
- 35. **The Villages of Lakewood Ranch South**

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.

Prepared/Revised on 4/8/2010