

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 May 11, 2010**

MEETING CALLED TO ORDER:  
INVOCATION:  
PLEDGE OF ALLEGIANCE

*Donna G. Hayes, Chairman*  
Major Bob Parker, Salvation Army

**ITEMS SCHEDULED FOR TIME CERTAIN**

*TO THE EXTENT POSSIBLE, THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED*

**10:30 A.M.**

48. **MANATEE BEACH CONCESSION**

**1:30 P.M.**

52. **CENTEC EQUIPMENT**

**1:45 P.M.**

**PORT AUTHORITY MEETING**

**2:00 P.M.**

50. **CARUSO ROAD SCHOOL SITE**

51. **TRANSPORTATION PROJECT PRIORITIES**

**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. **RED (Renew, Energize and Donate) Day** – May 13, 2010
2. **National AmeriCorps Week** - May 8-15, 2010
3. **Tourism Week** – May 8-16, 2010
4. **Manatee County Law Enforcement Week** - May 10-16, 2010
5. **National Salvation Army Week** – May 10-16, 2010
6. **Emergency Medical Services Week** – May 16-22, 2010
7. **Drug Court Month** – May 2010
8. **Teen Pregnancy Prevention Month** – May 2010

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

**ADMINISTRATOR**

9. **“Get Ready Tampa Bay”** – Adopt Resolution R-10-086 authorizing Manatee County to become a charter member of “Get Ready Tampa Bay,” an initiative of the Tampa Bay Regional Planning Council, authorizing County Administrator to sign attached charter

**ATTORNEY**

10. **Eminent Domain: 17<sup>th</sup> Street East (Parcel 122)** – Approve settlement with Leon and Patricia Simpson
11. **Eminent Domain: 17<sup>th</sup> Street East (Parcel 135)** – Approve settlement with Jimmy D. Green
12. **Lawsuit** - Opt out of class action lawsuit: *The County of Monroe, Florida v. Priceline.com, Inc., et al.*, Case 09-100004-CIV-MOORE/SIMONTON
13. **Transfer of Jurisdiction** – Execute agreement with City of Bradenton, Florida, to complete a transfer of jurisdiction in a certain public road and right-of-way over the roadway known as 13<sup>th</sup> Street West required for Manatee County’s construction of the proposed Downtown Bus Transfer Station
14. **Workers Compensation Claim** – Approve settlement with Beatrice Mullins for \$134,000 and allow County Attorney or designee to execute all documents related to settlement

**COMMUNITY SERVICES**

15. **Community Care for the Elderly** – Execute amendment 2 to agreement with West Central Florida Area Agency on Aging, Inc., incorporating pass through language from the Department of Elder Affairs
16. **Emergency Home Energy Assistance Program** – Execute amendment 1 to agreement with West Central Florida Area Agency on Aging, Inc., decreasing funding amount and replacing Budget Summary to reflect the decrease
17. **Justice Assistance Grant** – Execute amendment 1 to agreement with Manatee Glens Corporation to remove American Recovery and Reinvestment Act (ARRA) funds from agreement for Drug Court services, adjusting total funding amount and number of units of service to be provided, and execute agreement with Manatee Glens Corporation utilizing ARRA funds in the amount of \$207,288
18. **Transportation Disadvantaged Grant** – Adopt Resolution R-10-087 authorizing Chairman to execute a grant application agreement with Florida Commission for the Transportation Disadvantaged
19. **West Coast Inland Navigation District** – Adopt Resolution R-10-071 approving projects (as listed on agenda memo) and authorizing Chairman to execute Projects Applications and letters

**FINANCIAL MANAGEMENT**

20. **15<sup>th</sup> Street East (at 26<sup>th</sup> Avenue East) Intersection** – Authorize County Administrator or designee to execute change order 1 to agreement with Gator Grading & Paving, LLC, decreasing contract to \$1,520,097.58 and adding 78 calendar days
21. **Budget Amendment Resolution** – Adopt Budget Resolution B-10-039
22. **G.T. Bray Recreation Center** – Authorize County Administrator or designee to execute change order 1 to agreement with Halfacre Construction, Inc., increasing contract amount to \$3,426,042.60
23. **Interfund Loan** – Adopt Resolution R-10-076, rescinding R-07-042, nullifying obligations related to the interfund loan from the MSTU Fund to the Building Department Fund (originally approved February 6, 2007)
24. **Name Change** – Authorize County Administrator or designee to execute amendment 1 to agreement for Transportation Engineering Services (RFP 07-0759TC) to change name from Keith and Schnars, PA to CivilSurv Design Group, Inc.
25. **Pirate City Property Taxes** – Authorize payment to City of Bradenton for \$27,061.72 as return of county portion of county property taxes paid on Pirate City property
26. **Transportation Engineering Services** – Authorize County Administrator or designee to execute addendum 2 to extend agreements with CivilSurv Design Group, Inc., HDR Engineering, Inc., Cardno TBE Group, Inc., and URS Corporation Southern to provide services on an as-required basis with two remaining one-year extension options
27. **Transportation Planning and Project Review** - Authorize County Administrator or designee to execute addendum 1 to extend agreement with no fee increases with PBS&J, Renaissance Planning Group, and URS Corporation Southern to provide services on an as-required basis with two remaining one-year extension options

Donna G. Hayes, District 5, Chairman

**NEIGHBORHOOD SERVICES**

- 28. **Code Enforcement (Bates-CE2006060012)** – Reduce fines on case to \$11,035, as recommended by Special Magistrate on March 24, 2010, subject to conditions\*
- 29. **Code Enforcement (Private Equity Capital, fka Koenigs-CE2007030643)** – Rescind fines in the amount of \$149,300 as recommended by Special Magistrate on March 24, 2010, and authorize Neighborhood Services Director to sign release of liens if fines are rescinded\*
- 30. **Economic Development Incentive** – Adopt Resolution R-10-081, finding “Project IMG Academies” is approved for an economic development incentive grant up to \$65,000 to be paid over a five-year period
- 31. **Qualified Target Industry Program** – Adopt Resolution R-10-085 finding that “Project Blaze” is approved as a qualified applicant and providing matching funds as a local participant in the Qualified Target Industry Tax Refund Program and approval for an Economic Development Incentive Grant

**PLANNING**

- 32. **Final Plat: Lakewood Ranch Country Club Village West** – Approve, execute, and record

**PROPERTY MANAGEMENT**

- 33. **19<sup>th</sup> Street East, Ellenton** – Adopt Resolution R-10-083V declaring a public hearing on June 8, 2010, to consider and act upon application to vacate an improved right-of-way\*
- 34. **29<sup>th</sup> Street East Railroad Crossing** – Execute Contract for Purchase for an Easement from Florida Power & Light Company for an easement required for the improvements to 29<sup>th</sup> Street East
- 35. **Shared Facilities Agreement** – Execute agreement with City of Bradenton Fire Department to provide facilities for a County Emergency Medical Service unit at 2901 59<sup>th</sup> Street West, Bradenton\*
- 36. **Wares Creek Stormwater Improvement Project** – Adopt Resolution R-10-073 authorizing Property Acquisition to conduct pre-suit negotiations and make written offers to purchase certain parcels defined as Parcel E121 and Parcel E123 required for the project, before proceeding with eminent domain
- 37. **Wares Creek Stormwater Improvement Project (Parcel E120.2)** – Execute Contract for Sale and Purchase for an Access and Maintenance Easement from Calvin R. and Barbara S. Brueckner

**PUBLIC WORKS**

- 38. **Orange Ridge Bullock Elementary School** – Adopt Resolutions R-10-078 and R-10-079, and execute Transportation Post Project Maintenance Agreement and Locally Funded Agreement with Florida Department of Transportation

**UTILITIES**

- 39. **Fee Waivers** – Waive \$590 in service fees assessed to utility customer accounts for returned bank items
- 40. **Indoor Water Conservation Project** – Execute cooperative funding agreement with Southwest Florida Water Management District and adopt Budget Resolution B-10-040 amending the annual budget for Manatee County\*
- 41. **Uncollectible EMS Accounts** – Adopt Resolution R-10-074 to remove uncollectible accounts for ambulance services totaling \$235,110.86

*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**

- 42. **Employee of the Month** – Present award to **Travis Latimer**, Senior Building Trades Worker, Property Management Department

**PROCLAMATIONS (APPROVED WITH CONSENT AGENDA)**

- **RED Day** – May 13, 2010
- **National AmeriCorps Week** - May 8-15, 2010
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Dr. Gwendolyn Y. Brown, District 2; Ron Getman, District 4; Joe McClash, District 7 At-Large

**MANATEE RIVER FAIR ASSOCIATION**

- **Presentation of Certificate of Appreciation**

**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**

LARRY BUSTLE, CHAIRMAN  
RON GETMAN, FIRST VICE-CHAIRMAN  
DR. GWENDOLYN Y. BROWN, SECOND VICE-CHAIRMAN

THE CONSENT AND REGULAR AGENDA ITEMS FOR ANY PORT AUTHORITY MEETING ARE SET FORTH IN THE PORT AUTHORITY MEETING AGENDA MATERIALS NOTEBOOK. PORT STAFF ASSUMES RESPONSIBILITY FOR DISTRIBUTION OF THE AGENDA FOR THE PORT AUTHORITY MEETING AND HAS COPIES OF THE AGENDA AVAILABLE PRIOR TO AND AT THE COMMENCEMENT OF THE PORT AUTHORITY MEETING

**AGENDA PREPARED AND DISTRIBUTED BY PORT AUTHORITY STAFF**

**MANATEE COUNTY CIVIC CENTER AUTHORITY**

CAROL WHITMORE, CHAIRMAN  
LARRY BUSTLE, FIRST VICE-CHAIRMAN  
JOE McCLASH, SECOND VICE-CHAIRMAN

**CONSENT AGENDA**

- 43. **Minutes for Approval:** January 26, February 23, 2010
- 44. **Bridge Tournament** – Authorize Executive Director or designee to execute license agreement 30-142 with Suncoast Bridge Association for a tournament on February 14-20, 2011

*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**

*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 45-47**

**ATTORNEY**

- 45. **Refinancing Port Manatee Loan** – Conduct a TEFRA public hearing and adopt Resolution R-10-088 for the refinancing of a \$10,000,000 loan for a warehouse and dredging at Port Manatee by the Manatee County Port Authority

**PROPERTY MANAGEMENT**

- 46. **Myakka Elementary Street Vacation** – Adopt Resolution R-10-069V vacating certain platted rights-of-way completely contained within property owned by Manatee County School Board and waive application fee of \$800\*

**PUBLIC WORKS**

- 47. **Oakwood Subdivision Street Lighting MSBU** – Adopt Ordinance 10-038 establishing a street lighting MSBU, and execute agreement with Property Appraiser and Tax Collector for collection of assessments for the project

*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).*

Donna G. Hayes, District 5, Chairman

## REGULAR AGENDA

**FINANCIAL MANAGEMENT**

48. **10:30 A.M. TIME CERTAIN**  
**Manatee Beach Concession** – Adopt concession license agreement with United Park Services, Inc., and authorize County Administrator or designee to execute same\*
49. **Revenue Refunding Bonds** – Adopt Resolution R-10-091 amending R-10-072 to eliminate the requirement for bond issuance and a surety, and to reduce the debt service reserve requirement to zero, for the Manatee County Revenue Refunding Bonds, Series 2010\*

**PUBLIC WORKS**

**2:00 P.M. TIME CERTAIN**

50. **Caruso Road School Site** – Presentation by FDOT Secretary Cann, regarding traffic signal for school at 66<sup>th</sup> Street East (*REQUEST MADE VIA MOTION AT MEETING ON 4/13/10*)
51. **Transportation Project Priorities** – Approve project priorities for funding using surplus American Recovery and Reinvestment Act funds allocated to county, and authorize Chairman to transmit approved priority projects to Sarasota/Manatee Metropolitan Planning Organization

## REPORTS

**NEIGHBORHOOD SERVICES**

52. **1:30 P.M. TIME CERTAIN**  
**Centec Equipment** – Presentation by Brian Lichterman, AICP, Vision Planning & Design

## 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 5/6/2010