

APRIL 21, 1977

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION, in the Courthouse, Bradenton, Florida, on Thursday, April 21, 1977, at 9:05 a.m.

Present were Commissioners Louis E. Driggers, Chairman
 Dan P. McClure, Vice Chairman
 L.H. Fortson, Jr.
 Lamar S. Parrish

Also present John D. Sands, Deputy Clerk
 E.N. Fay Jr, County Attorney

Commissioner Dierks was absent.

The meeting was called to order by Chairman Driggers.

MOBILEHOME PARKS - PROPOSED LEGISLATION

Bill Fay, County Attorney, previously instructed by the Board to research Florida Statutes for a law already on the books, as well as the proposed House Bill 281 and Senate Bill 223, and make recommendations, reported as follows:

Chapter 83, Florida Statute, pertaining to Mobilehome Owner-Tenants, gives certain rights to tenants of mobilehome parks, and the proposed legislation, under discussion at this time, is an act to increase some of the functions of mobilehome parks and tenants, in addition to rights already in the law. The present law concerns mobilehome parks containing at least 50 dwelling units. The proposed act would amend the law to include any number of units. He further stated that he would hesitate to make any recommendation concerning position the Board should take on the proposed legislation, due to the bills still being in Committee.

Among those present and speaking in favor of the proposed legislation were:

Henry Van Enger, president of Federation of Mobilehome Owners Association;
Ernie Stengle, Trailer Villa;
Norman Geisel
Andy Arbor

and those opposing:

Bill Hutson, president of Manatee Chapter of Florida Mobile Home Association.

Mr. McClure made motion that the Board adopt Proposed Resolution Regarding Legislation Creating a State Commission Involving Mobile Home Parks and submit it to local legislative delegation in Tallahassee.

The motion died from lack of a second.

The matter was discussed, but no further action was taken.

FIRST CITY FEDERAL BUILDING: PROPOSAL TO PURCHASE

Mr. Parrish made motion that the County submit a formal offer of \$400,000 for the purchase of the former First City Federal Building, including the parking lot north of the building and the parking lot located across 9th Street West (to the east of the building). The motion was seconded by Mr. Fortson and carried unanimously.

Chairman Driggers advised that James J. Heagerty, President of First City Federal Savings and Loan Association would present the County's offer to his Board of Directors at their meeting this afternoon.

Mrs. Cullom Walker, Chairman of Library Board, advised that the Library Board unanimously urges the Board of County Commissioners to approve all proposals and documents necessary to expedite construction of the Library Building.

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LIBRARY BUILDING: CHANGE ORDER

Doug Croll, Architect, submitted Change Order No. 4 from Roger B. Hall, General Contractor and recommended approval. He itemized the "shut-down costs" and the "start up costs" totaling \$171,695.37, bringing new contract sum to \$1,731,689.95, with completion date of December 26, 1977. Leonard Najjar, Resident Project Engineer, also endorsed acceptance of the Change Order; Phil Place, Director of Library System concurred.

Motion made by Mr. McClure to approve:

Change Order No 4: Addition to contract \$171,695.37
Roger B. Hall, General Contractor - Library Building

Motion seconded by Mr. Parrish and carried unanimously.

Chairman Driggers advised that, although Mr. Dierks was absent, he had discussed this Change Order with him previously and he concurred with approval for payment.

LIBRARY BUILDING: BOND - ROGER B. HALL

Bill Fay, County Attorney, referred to letter from Henry J. Chunka, Surety Department of CNA Insurance Company, dated 4/15/77, advising that upon the Contractor's acceptance, and execution of the Change Order, the Insurance Company's Bond No. 558-29-23, would be in full force and effect.

Motion was made by Mr. McClure that the letter confirming the bond for general contractor be accepted. Motion seconded by Mr. Parrish and carried unanimously.

LIBRARY BUILDING: WAIVE PERMIT FEES

Leonard Najjar, Resident Project Engineer, requested the Board waive County Permit Fees before construction begins on the Library Building.

Motion by Mr. McClure that County Permit Fees be waived as recommended by the Resident Project Engineer. Motion seconded by Mr. Parrish and carried unanimously.

LIBRARY BUILDING: BILLS FOR PAYMENT

Doug Croll submitted additional Architectural and Engineering bills for payment in connection with Library Building construction as follows: (statement dated April 7, 1977)

For Services: September 3, 1976 to December 31, 1976	
On Account of Stop Work Order	\$18,301.27
January 1, 1977 to February 28, 1977	
On Account of Stop Work Order	\$ 7,087.76

The Director of the Library System, the County Attorney and the Resident Project Engineer recommended approval.

Motion made by Mr. McClure that bills for architectural and engineering services on Library Building in the amounts of \$18,301.27 and \$7,087.76 be approved for payment. Motion seconded by Mr. Parrish and carried unanimously.

Statement from Douglas Croll, dated April 20, 1977, for architectural and engineering services from February 28, 1977 to March 31, 1977, and legal fees (\$980.00) in the total amount of \$3,650.43 was deferred pending research by the County Attorney.

HEALTH DEPARTMENT BUILDING: CHANGE ORDERS/BILLS FOR PAYMENT

Doug Croll submitted:

- 1) Change Order No. 3: increase to contract \$1,880.00
(Builder's risk insurance policy; re-route sewer line; add, footing course; box exposed ductwork)

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- 2) Change Order No. 4: increase to contract 465.00
(Revisions -Electrical and telephone)
- 3) Application and Certificate for Payment No.
4 to Bill Halfacre, Inc., contractor 21,631.00
- 4) Bill for architectural services (4/13/77)
Croll/Ranon, Bernardo, McIntosh & Ramirez 46.16
in connection with alterations and additions to the Health Department Building and requested approval.

Motion was made by Mr. McClure that Change Orders be approved and authorized executed and bills approved for payment, as submitted and outlined by Mr. Croll. Motion was seconded by Mr. Fortson and carried unanimously.

MYAKKA CITY SUBDIVISION: VACATE STREETS

Charles Carrington, Director of Planning and Development advised that proper access had been proven, and the Planning Department now had no objection to the vacation of certain streets in Myakka City Subdivision, as petitioned by Johnnie E. and Marlen McDonald (April 12, 1977).

Motion made by Mr. McClure that request be granted and the appropriate Resolution be adopted, to vacate certain streets in Myakka City Subdivision. Motion was seconded by Mr. Parrish and carried unanimously.

RESOLUTION RECORDED

S-2-27

MANATEE COUNTY UTILITIES SYSTEM: INSURANCE

Chris Angelidis, Director, Manatee/Utilities System, stated that the Liability Insurance Coverage for MCUS employees was due for renewal May 17, 1977, and recommended immediate action. Following lengthy discussion as to whether to renegotiate with present carrier, negotiate with new carrier, self insurance and restrictions and limitations of self-insurance, action was deferred pending further research.

ELEVATED WATER STORAGE TANK: BIDS

Herb Hayes, of Russell & Axon, Engineers, submitted tabulation of bids received April 18, 1977, on
Water System Improvements/Section I
Elevated Storage Tank
Part A - Elevated Tank & Appurtenances
Part B - On Site and all Off-Site Work & Appurtenances
Project No. 630-761-01 (7692-1).

As follows:

	<u>Base Bid</u>	<u>Alternate Bid</u>
	<u>Part A</u>	<u>Part A</u>
PDM HYDROSTORAGE	\$579,800.00	No Bid
UNIVERSAL TANK & IRON WORKS, INC	No Bid	\$612,850.00
CHICAGO BRIDGE AND IRON CO.	No Bid	\$683,000.00
	<u>Base Bid</u>	<u>Alternate Bid</u>
	<u>Part B</u>	<u>Part B</u>
RUSTY PLUMBING INC	\$133,425.28	No Bid
WOODRUFF & SONS, INC	\$138,767.00	No Bid

Mr. Hayes recommended awarding bids as follows:

Part A - PDM Hydrostorage	\$579,800.00	360 days
Part B - Rusty Plumbing	\$133,425.28	365 days

Motion by Mr. McClure to award bids on elevated water storage tank, Part A to DPM Hydrostorage, and Part B to Rusty Plumbing Co, as re-

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commended by Herb Hayes. Motion was seconded by Mr. Fortson and carried unanimously.

201 FACILITY - SOUTH COUNTY (CITY OF BRADENTON): DEEP WELL INJECTION
Chris Angelidis submitted a copy of a letter from Southwest Florida Water Management District giving criteria on deep well injection as a means of wastewater disposal.

Mr. McClure stated for the record that he was UNALTERABLY OPPOSED TO DEEP WELL INJECTION. He moved that this subject never be broached again unless there is a four-fifths vote of this Board to even remotely consider deep well injection. Chairman Driggers stepped down to second the motion and it carried unanimously.

201 FACILITY: ALTERNATIVE

Since the Board has rejected deep well injection, Mr. McClure made a motion that Mr. Angelidis be instructed to actively pursue an alternative method of feasibly disposing of this wastewater. Motion seconded by Mr. Parrish and carried unanimously.

Mr. Angelidis said he was working with Department of Environmental Regulations, Southwest Florida Water Management District and the Consulting Engineers, in an attempt to find an alternative method of wastewater disposal and was pursuing the landspread method, based on economics and feasibility.

MCUS TRUCKS: ADVERTISE FOR BIDS

Mr. Angelidis requested permission to advertise for two pick up trucks as replacements for old vehicles in the Utilities Department.

Motion by Mr. McClure that the Purchasing Director be authorized to advertise for bids on two pickup trucks for the Manatee County Utilities System. Motion was seconded by Mr. Parrish and carried unanimously.

HIGHWAY DEPARTMENT: BACKHOE (MCUS)

Mr. Angelidis reported that the Backhoe on loan from the Highway Department was being used very effectively for increasing ditchlines at the sewer plant. He said that a maintenance report would be forthcoming.

CONSTRUCTION TRUST FUND

Upon motion by Mr. McClure, seconded by Mr. Fortson, Resolution was unanimously adopted authorizing payment of bills as follows:

PROJECT CONSTRUCTION TRUST FUND ACCOUNT

State Loan # 2, Payment #12 (4/21/77)

Lanzo Construction Co.	\$261,303.73
Lanzo Construction Co.	223,202.65
Woodruff & Sons Inc	39,315.29
Scott-Cole Mech. Constr. & Castcrete	14,144.00
Scott-Cole Mech. Constr & Island Bank	48,625.73
Earl R & Louella Mae Griffin	175.00
Manatee County Utilities Sys \$24.4 R&R	11,918.73
Manatee County Utilities Sys \$24.4 R&R	573.08
Ardaman & Associates, Inc	66.00
Ardaman & Associates, Inc	104.00
Russell & Axon	13,861.15
Russell & Axon	3,926.23

RESOLUTION RECORDED

S-2-28

MCUS EASEMENT (GRIFFIN)

Acceptance of Easement in Palma Sola Park Subdivision, from Earl R. & Louella Mae Griffin, was deferred. (No original of the deed was submitted)

SEWER REVENUE BONDS: PURCHASE

Motion made by Mr. McClure that the Bonding Agent be authorized to proceed with purchase of \$5,000 of 5.90% Sewer Revenue and Assessment Bonds at purchase price of 99%. Motion was seconded by Mr. Fortson and carried unanimously.

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CONSTRUCTION TRUST FUND

Upon motion by Mr. Fortson, seconded by Mr. McClure, Resolutions were unanimously adopted authorizing payment of bills as follows:

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 C-9

Heyl & Patterson, Inc

\$76,154.09
RESOLUTION RECORDED S-2-29

Requisition No. 11.650 D-50

Russell & Axon (5 bills) Total

32,565.51
RESOLUTION RECORDED S-2-30

Requisition No. 11.650 B-95

MCUS 13.5 R&R Account

22,340.47
RESOLUTION RECORDED S-2-31

CHANGE ORDERS:

SEWERAGE PROJECT: PART "F": SECTIONS I, II, III, IV, V

Bill Fay, County Attorney, submitted following Change Orders in connection with Sanitary Sewerage Project F, (No. 6681-6) and recommended approval of increases or decreases of contracts as submitted.

CHANGE ORDER NO. 5:	Section I - Lanzo Constr. Co.	\$192,232.20 (increase)
CHANGE ORDER NO. 2:	Section II - Woodruff & Sons	7,175.20 (increase)
CHANGE ORDER NO. 3:	Section III - Scott-Cole	37,409.50 (decrease)
CHANGE ORDER NO. 4:	Section IV - Lanzo Constr Co	31,529.70 (decrease)
CHANGE ORDER NO. 5:	Section IV - Lanzo Constr Co	158,416.61 (decrease)
CHANGE ORDER NO. 3:	Section V - Woodruff & Sons	15,000.00 (decrease)

Motion by Mr. Fortson that Change Orders as outlined by the County Attorney be approved. Motion seconded by Mr. McClure and carried unanimously.

WATER SYSTEM - REPORT - INTERIM FINANCING

Chris Angelidis reported that the Reservoir has been operating recently very satisfactorily, even under adverse conditions due to dry weather and excessive pumping. He stated that certain projects must be accomplished to maintain good water service, such as: 1) Elevated Water Storage Tank (North County); 2) Transmission Line to West Manatee Area; 3) Transmission*Island Communities and 4) Major Lines from Booster No. 2 to the Whitfield and Bayshore Gardens areas.

Russell Hawkes, Financial Agent, referred to interim borrowing for recommended Improvement Programs prior to a bond issue being ready. He advised that surplus revenue from last bond issue is already committed to ongoing contracts. He submitted his proposal for new financial arrangements. No action was taken at this time.

MCUS IMPROVEMENT LIEN: CITY OF HOLMES BEACH

Mr. Fortson made motion that Release of Improvement Lien, Certificate No. 342915, City of Holmes Beach, which has been fully satisfied, be accepted and execution authorized. Motion was seconded by Mr. McClure and carried unanimously.

COUNTY DEPOSITORY: PALMETTO FEDERAL SAVINGS

John Sands submitted a Depository Agreement between the County and Palmetto Federal Savings and Loan Association which had been previously approved by the Board, but signatures had been improperly affixed, and requested execution of corrected agreement.

Motion by Mr. McClure that Depository Agreement with Palmetto Federal Savings & Loan Association be accepted and authorized executed by the Chairman. Motion was seconded by Mr. Parrish and carried unanimously.

*Insert: Line down 53rd Street to 75th Street and possibly a second line to the Island

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LAWSUIT: GARST VS MANATEE COUNTY

The County Attorney asked the Board to reconsider his letter of April 15, 1977, which authorized his office to represent the Board and the Commissioners, as individuals, in the lawsuit

STATE OF FLORIDA, ex rel., CLAFLIN GARST, JR., County
Court Judge, vs MANATEE COUNTY

and to approve RETURN OF THE RESPONDENTS TO THE ALTERNATIVE WRIT OF MANDAMUS in this suit. He explained that this Return is necessary to give reasons for settlement of the suit, which includes reference to the fact that the Board exercised its judgement in authorizing payment in full in the amount of \$625.00 to Donald B. Haddock, attorney, for legal services to Judge Garst.

Motion was made by Mr. McClure to comply with request of the County Attorney and approve the Response in connection with suit of Judge Garst vs Manatee County. Motion was seconded by Mr. Parrish and carried unanimously.

15AA2
LAWSUIT: IZAAC WALTON LEAGUE VS MANATEE COUNTY, PORT AUTHORITY, ET AL

The Board accepted for file, a Certificate of Service submitted by the County Attorney in connection with the Resolution Modifying a Portion of a DRI Development Order and a Resolution Granting Special Exception Approving Master Plan, adopted April 12, 1977.

The County Attorney read the letter he had written the Board on April 20, 1977, concerning the Lawsuit Re:

Manatee Chapter of Izaak Walton League of America and John H. Rains Jr. vs Manatee County, Manatee County Port Authority and E.N. Fay Jr, of Mann; Fay and Price, as County and Port Authority Attorney, and J.E. Jaudon as Director of Port Manatee, Case No. CA-77-622 in the Circuit Court of Manatee, Florida

and recommending that his office be authorized to take whatever legal action is necessary to protect the interests of the County.

Motion made by Mr. McClure that the County Attorney be authorized to take whatever legal action necessary to protect the interests of the County as outlined in his letter of April 20, 1977. Motion was seconded by Mr. Parrish and carried unanimously.

MONTGOMERY ROBERTS BUILDING

Jim Doss appeared before the Board to offer the Montgomery Roberts Building on West Manatee Avenue as an alternative to be considered if the purchase of the former First City Federal Bank Building failed to come to fruition.

Mr. Doss was assured that his proposal, along with any others that might be submitted, would be considered at a future work session.

MEETING ADJOURNED

There being no further business, the meeting was declared adjourned.

Attest:



Clerk

APPROVED:

7/19/77


Chairman