

SEPTEMBER 2, 1986

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, September 2, 1986, at 9:08 a.m.

Present were Commissioners:

Westwood H. Fletcher, Jr., Chairman
Edward W. Chance, Vice-Chairman
Kent G. Chetlain
Maxine M. Hooper
Patricia M. Glass

Also present were:

Ronald H. Rabun, County Administrator
H. Hamilton Rice, Jr., County Attorney
Richard H. Ashley, Chief Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

Invocation by Reverend "Bud" Gillett, First Baptist Church, Palmetto

The meeting was called to order by Chairman Fletcher.

All witnesses/staff giving testimony were duly sworn.

AWARDS

James S. (Doc) Harrison

A Certificate of Appreciation was presented to James S. (Doc) Harrison, Superintendent, Road District III, Public Works Department, Transportation, in recognition of being designated Employee of the Month.

Katie Pierola

A Meritorious Service Award was presented to Katie Pierola, Chairman, Anna Maria Island Beach Action Committee, for her significant contributions to the cause of beach preservation in Florida.

ORDINANCE 86-26, TOURIST DEVELOPMENT

Public hearing (continued from August 19, 1986) was opened for the purpose of considering

ORDINANCE 86-26

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 80-3, THE TOURIST DEVELOPMENT ORDINANCE AS PREVIOUSLY AMENDED; PROVIDING FOR THE IMPOSITION OF AN ADDITIONAL ONE PERCENT TAX ON EACH DOLLAR AND MAJOR FRACTION OF EACH DOLLAR OF THE TOTAL CONSIDERATION CHARGED PERSONS WHO RENT, LEASE OR LET FOR CONSIDERATION LIVING QUARTERS OR ACCOMMODATIONS IN ANY HOTEL, APARTMENT HOTEL, MOTEL, RESORT MOTEL, APARTMENT, APARTMENT MOTEL, ROOMING HOUSE, TOURIST OR TRAILER CAMP, OR CONDOMINIUM FOR A TERM OF SIX MONTHS OR LESS; DELETING CERTAIN PORTIONS OF SECTION 4 OF ORDINANCE 80-3 WHICH PROVIDES FOR THE COMPOSITION OF THE TOURIST DEVELOPMENT COUNCIL AND AMENDING SECTION 4; AMENDING SECTION 8 TO CLARIFY THE EFFECT OF A REFERENDUM TO REPEAL THIS ORDINANCE; AND AMENDING SECTION 3 PROVIDING A TOURIST DEVELOPMENT PLAN FOR MANATEE COUNTY AND PROVIDING FOR THE ALLOCATION OF FUNDS COLLECTED BY THE TOURIST DEVELOPMENT TAX TO THE CIVIC CENTER, TOURIST INFORMATION CENTER, McKECHNIE FIELD, BRADENTON MUNICIPAL AUDITORIUM, GREEN BRIDGE FISHING PIER, HISTORICAL PARK TOURIST INFORMATION CENTER, ADVERTISING AND ADMINISTRATION AND SUPPLIES, BEACH IMPROVEMENTS AND MAINTENANCE, INCLUDING RENOURISHMENT, RESTORATION AND EROSION CONTROL AND SPECIFIC BEACH IMPROVEMENTS IN THE CITY OF ANNA MARIA, THE CITY OF HOLMES BEACH, THE CITY OF BRADENTON BEACH, THE TOWN OF LONGBOAT KEY, AND THE COUNTY OF MANATEE, AND PROVIDING A CONTINGENCY FUND; PROVIDING FOR THE ESTABLISHMENT OF A BEACH EROSION CONTROL TRUST FUND; AND PROVIDING AN EFFECTIVE DATE.

Public hearing was closed.

Motion was made by Mr. Chance to adopt Ordinance 86-26. Motion was seconded by Mrs. Hooper and carried unanimously.

RECORD ORDINANCE S35-597

STREET VACATION: WOODS AT CONQUISTADOR SUBDIVISION, UNIT 1

Public hearing (notice published in The Bradenton Herald August 9, 1986) was opened for the purpose of considering application

R-86-117-V THOMAS A. LEWIS AS PRESIDENT OF LEWIS PROPERTIES, AS GENERAL PARTNER OF PALMA SOLA LIMITED, TO VACATE A PORTION OF WOODS AT CONQUISTADOR SUBDIVISION, UNIT 1 (PLAT BOOK 19, PAGES 86, 87 AND 88, INCLUDING ALL DRAINAGE AND UTILITY EASEMENTS THEREON).

Ronald Rabun, County Administrator, requested the public hearing be continued to September 9, 1986, in order to consider it simultaneously with the final subdivision plat of Forest at El Conquistador.

William E. Lowe, Attorney representing an adjacent property owner, expressed concern that restrictive covenants appertaining to those lots being vacated will also be vacated. He requested that no action be taken until replatting documents are made available and assurance is given that existing restrictions will be no less restrictive.

Jim Staples, Land Acquisition, stated the reason for the vacation and replat is to rearrange the lots to a different configuration and to correct alignment of a drainage easement.

Robert Shapiro, Attorney representing adjacent property owners, expressed concern regarding drainage and requested continuation of the hearing so that he could review all information.

Motion was made by Mrs. Hooper, seconded by Mr. Chetlain and carried unanimously, to continue the public hearing on R-86-117-V to September 16, 1986, at 9:00 a.m., or as soon thereafter as same might be heard.

GREEN BRIDGE FISHING PIER/CONCESSION BUILDING

Michael F. Pascuzzi, Parks and Recreation Director, reported that Miller's Dutch Kitchen has offered to donate a building, valued at approximately \$12,000-\$15,000, for use as a concession on the Green Bridge Fishing Pier. Meade Housemoving has offered to move the building to a site chosen by the County, store it for two months, and locate it on the new pier site, at a total anticipated cost of \$3,700.

Mr. Chance moved to accept the donation from the Millers and authorize the expenditure of \$3,700 to move the building as described by Mr. Pascuzzi. Motion was seconded by Mrs. Glass and carried unanimously.

LINCOLN SCHOOL AREA/ENTERPRISE ZONE

Kenneth Rogers, Office of Affirmative Action/Equal Employment Opportunity, submitted correspondence from the Florida Department of Community Affairs dated August 15, 1986, regarding requirements for submission of enterprise zone applications.

Motion was made by Mrs. Hooper, seconded by Mr. Chetlain and carried unanimously, to enter the correspondence into the record.

He referred to a proposed (draft) resolution

R-86-205 DESIGNATING AN "ENTERPRISE ZONE" IN THE COUNTY PURSUANT TO CHAPTER 290, FLORIDA STATUTES; STATING THE PURPOSE OF THE DESIGNATION OF AN ENTERPRISE ZONE; ADOPTING A PROGRAM OF LOCAL PARTICIPATION TO BE CONDUCTED IN THE ENTERPRISE ZONE IF GRANTED STATE APPROVAL; AND FOR OTHER PURPOSES.

and noted that the enterprise zone configuration conceptually approved June 17, 1986 had been corrected to reflect sufficient residential zoning. He stated that the zoning delineated on the map attached to the resolution complies with the Statute and observes annexation by the City of Palmetto of parcels bordering U.S. Highway 41 and 17th Street East (Memphis Road). It also embraces more of the land in the Lincoln School area.

During discussion it was recommended that the resolution contain a commitment by the Board to apply for Federal funds for use in the enterprise zone area.

Mr. Chance moved approval in concept of the draft resolution with such changes that to the Board may be advisable, with direction that final resolution be drafted for action by the Board on September 4, 1986, but no later than September 9, 1986. Motion was seconded by Mrs. Glass and carried unanimously.

SEA AMBULANCE PROGRAM

Jim Engelhardt, Assistant County Administrator, recommended approval of the participation of Emergency Medical Service (EMS) personnel in Explorer Post 76 Sea Ambulance Program, and to instruct the Director of Public Safety to formulate and present plans for the development of a wholly owned and operated Manatee County Sea Ambulance Program, to include estimated nonrecurring and recurring costs.

Discussion: County liability; utilizing boats presently used for other purposes/acquiring additional boat; degree of participation of EMS; additional personnel required, etc.

The County Attorney referred to his memorandum of July 10, 1986 regarding County liability, insurance coverage, etc.

Jimmie Hamrick, Assistant Public Safety Director, reviewed current procedures for water rescue incidents and emphasized the need for the program.

Lt. Tom Gallon, Explorer Post 76 Advisor, requested approval to proceed and recommended the County eventually operate the entire service as part of EMS.

Mr. Chance moved to authorize staff to further explore the participation of the County in providing this service to the citizens of the community and submit a report to the Board. Motion was seconded by Mrs. Glass and carried unanimously.

Recess/Reconvene. All members present except Mr. Chance.

OBSTETRICAL SERVICES/INDIGENTS

Motion was made by Mrs. Glass, and seconded by Mr. Chetlain, to approve issuance of a Request for Bids for obstetrical services for eligible low-income women.

(Enter Mr. Chance)

Motion carried unanimously.

GTE BUILDING LEASE

Sim Smith, Purchasing Director, (memorandum August 28, 1986) requested authorization to negotiate sole source purchase/lease of the building formerly occupied by GTE, 315 75th Street West, Bradenton, for the purpose of consolidating the engineering and administrative functions for Utilities and Transportation.

Mrs. Glass moved to authorize negotiation for sole source purchase/lease (per Ordinance 84-02) and subsequent execution by the Chairman of lease agreement between the County of Manatee and Dan S. Blalock, Trustee for Landlord, for a not to exceed amount of \$160,000. Motion was seconded by Mr. Chance and carried unanimously.

(NOTE: Action reconsidered later in meeting.)

PALMETTO WATER & SEWER SYSTEM

The County Administrator submitted a report (memorandum 8/29/86) outlining a conceptual approach to the purchase of the Palmetto Water and Sewer System, noting it is to be discussed by the Palmetto City Council at a meeting in the evening. The report was developed in coordination with City staff as a basis for discussion in an effort to resolve all outstanding lawsuits between Manatee County and the City of Palmetto, to better serve other outlying areas adjacent to this service area, and to provide quality water and sewer service and rate stability to the citizens of Palmetto.

Jim Seuffert, Office of Management and Budget, emphasized the concept is a framework for negotiations and does not constitute a monetary offer. He stated the City is considering three alternatives:

1. Expand their sewer treatment plant, continue to purchase water from the County, and buy additional excess capacity;
2. Expand their sewer treatment plant and develop their own water supply; or
3. Sell their system to the County.

Charles Hunsicker, Deputy Director of Public Works, addressed the effect the purchase would have on the County 201 Facilities Plan and EPA Grant. Since the Palmetto system is not included in the Plan, a determination must be made as to what must be done to allow the grant-funded North Treatment Plant to process wastewater from the City.

If the purchase is not affected, wastewater services could be provided to Snead Island by construction of a package treatment plant, by way of a force main, or through a wastewater treatment exchange. He submitted a copy of a letter (dated August 18, 1986) from the Public Works Director responding to request of the Bradenton Yacht Club (Snead Island) for county wastewater services, and outlining options.

Discussion followed.

Chuck Sufeld, Snead Island, submitted photos of the "Elmore" property (annexed to City of Palmetto) located across from the Bradenton Yacht Club. He referred to a map of properties contiguous to the City which have been, or may be, annexed and requested the Board direct a letter to the City of Palmetto advising that annexation to the Bradenton Yacht Club is illegal.

(Note: The subject of annexation considered later in meeting.)

Motion was made by Mrs. Hooper, seconded by Mr. Chetlain and carried unanimously, to accept the photos into the record.

Mr. Chetlain moved approval of the conceptual approach to negotiation for (purchase of) the Palmetto water and sewer system and that the Board send a representative to the City Council meeting tonight to convey the desires of the Board in this matter. Motion was seconded by Mrs. Glass and carried unanimously.

SNEAD ISLAND (RIGHT-OF-WAY USE PERMIT - HY KOM)

Charles Hunsicker advised that Hy Kom Developers had submitted application for a right-of-way use permit for installation of a water distribution line, connected to and maintained by the City of Palmetto, via 17th Street (a County maintained road) to the Sunset Pointe Beach Club on Emerson Point, Snead Island. Although the developers have agreed to comply with specific conditions imposed by the County, he recommended the permit be issued only if design drawings are redone to meet those conditions, together with any other changes deemed necessary, and stipulates as to a defect security.
(Depart Mr. Fletcher; Mr. Chance presiding)

Mrs. Glass moved to defer the item until discussions with the City of Palmetto have been accomplished (purchase of Palmetto water and sewer system). Motion was seconded by Mrs. Hooper and carried unanimously.

ANNEXATION: RULES/REGULATIONS

Dick Maddox and Chuck Sufeld, Snead Island, requested that the subject of annexation as it relates to the Bradenton Yacht Club be placed on a future agenda.

Recommendation: General discussion be held regarding legislation and rules/regulations pertaining to annexation.

Mrs. Glass moved to authorize staff to place the discussion of annexation on the agenda of September 16, 1986. Motion was seconded by Mrs. Hooper and carried unanimously.

SCHROEDER-MANATEE/SMR GOLF PROPERTIES, PURCHASE OF

Richard A. Wilford, Public Works Director, referred to the 1982 agreement between the County and SMR Golf Properties, Inc., for lease of 442 acres of land for solid waste disposal, and subsequent authorization by the Board to have the property appraised and to enter into negotiations for purchase. Since that time, however, additional acreage (319 acres) has come into consideration.

He pointed out that acquisition of the property would provide for savings over the term of existing lease, extension of the useful life of the landfill, additional lands for effluent disposal, ground cover materials for the landfill at substantial savings, acquisition of necessary lands at less than appraised prices, and additional buffer lands to insure an environmentally safe landfill operation.

He submitted and recommended approval of an agreement for County purchase of 761 acres from Schroeder-Manatee, Inc. and SMR Golf Properties at a total price of \$4,095,000 or \$5,381 per acre (average appraised value \$5,791 per acre).

The County Attorney stated he would not recommend entering into the agreement under its present terms.

It was recommended that action be deferred until Board members have had an opportunity to be briefed by the Attorney's office and Mr. Wilford has discussed the agreement further with Mr. Rice. Mr. Chetlain so moved. Motion was seconded by Mrs. Glass and carried unanimously.

RECESS/RECONVENE

The Vice-Chairman declared the meeting recessed until 1:30 p.m.

The Board reconvened at 1:35 p.m. with all members present except Mr. Chetlain.

BRADENTON FINANCIAL CENTER

David Rothfuss, Assistant County Administrator, submitted a draft form of an agreement for lease of interim office space in the Bradenton Financial Center and requested direction as to any lease provisions the Board may wish to further negotiate. He referred to memorandum dated August 30, 1986 from the County Administrator outlining provisions/cost estimates, and memorandum dated August 29, 1986, from Tedd N. Williams, Chief Assistant County Attorney, addressing specific lease provisions.

(Enter Mr. Chetlain)

Discussion: Lease of additional space on 5th floor; insurance provisions; operating/renovation costs (including telecommunications, etc); taxes; option periods and interim rental costs; possible subsidy from Downtown Development Authority; comparison of lease/operating costs for Financial Center versus Professional Building, etc.

Tedd Williams stated they have reviewed the draft lease agreement and that it is anticipated another meeting between legal counsel and representatives of the Financial Center will be necessary in order to present a final draft.

Motion was made by Mrs. Glass to proceed with the negotiations. Motion was seconded by Mr. Chance and carried unanimously.

CEMETERIES (PRIVATELY OWNED)/MAINTENANCE

Jim Engelhardt, Assistant County Administrator, reviewed memorandum of August 28, 1986 (from Ron Rabun) concerning the problem of maintenance of various cemeteries within the County where no owners or heirs can be found. It was recommended that where ownership cannot be identified, no maintenance will be performed until or unless appropriate steps are taken to acquire the property.

Discussion: Adoption of policy; individuals sentenced to community service work provide maintenance; formulating an advisory group to identify problems, submit recommendations, etc.

Mrs. Glass moved that staff catalogue and identify ownership of cemeteries within Manatee County, and where ownership cannot be identified or where it is clearly private property, that maintenance not be performed until, or unless, appropriate steps are taken to acquire the property (or properties) for maintenance. Motion was seconded by Mr. Chetlain and carried unanimously.

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mrs. Hooper, seconded by Mrs. Glass, the County Administrator's Consent Agenda was unanimously approved after deletion of (1) Work Authorization 87-1 with Camp, Dresser & McKee; (2) Agreement with University Park Commerce, Inc., to construct a concrete box culvert on Tallevast Road Extension.

Items APPROVED included:

CENTRAL SERVICES

Bahia and St. Augustine Sod; Fertilizer - Award Bid No. 86-135 to Logue Sod Service, on as required unit price basis.

UTILITIES Survey Equipment (P/WKS)-

1. Award Bid No. 86-131 to Florida Level & Transit, total cost not to exceed \$22,039.
2. Southeast Subregional Wastewater Treatment Facilities: Execution of Change Order to Supplemental Work Authorization No. 5 with Camp, Dresser & McKee; decrease contract \$79,526.
RECORD: CONTRACT FILE 3241
3. Southwest Subregional Wastewater Treatment Facilities: Execution of Change Order to Supplemental Work Authorization No. 6 with Camp, Dresser & McKee; Increase contract \$79,526.
RECORD: CONTRACT FILE 3242
4. North County Sewerage System: Execution of Work Authorization No. 13 with Larson Engineering, Inc., for engineering services during construction, \$263,538.
RECORD: CONTRACT FILE 3268

ROAD PARTICIPATION PROJECTS

1. Project No. 5025 (Cortez Gardens) - Award Bid No. 86-77 to Apac-Florida, Inc., not to exceed \$647,322.58; subsequent execution of contract; authorization to issue notice to proceed after execution of contract and receipt of performance bond and insurance certificates.
2. Project No. 5056 (Magnolia Manor) - Award Bid No. 86-78 to Hewitt Contracting Co. for Alternate A (shell base and asphaltic process), not to exceed \$441,952.98; subsequent execution of contract; authorization to issue notice to proceed after execution of contract and receipt of performance bond and insurance certificates.

SURPLUS PROPERTY

Classify excess property as surplus property per Florida Statute 274.05 to enable disposition, as outlined on Vehicle/Equipment List.

RECORD LIST S35-598

CIVIC CENTER

Adoption of

R-86-195 RESOLUTION APPROVING THE CONTRACT BETWEEN MANATEE COUNTY CIVIC CENTER AUTHORITY AND JIM HALSEY COMPANY, INC. (FORESTER SISTERS).

RECORD RESOLUTION S35-599

EMS AMBULANCE SERVICE

Approval of cancellation of bills currently in existence for EMS ambulance transportation of rape victims not in need of medical assistance, \$478.00.

SPACE UTILIZATION COMMITTEE

Approve, ratify and confirm recommendations of the Space Utilization Committee regarding the Public Safety Complex Parking Deck, as set forth in memorandum of August 21, 1986 from the County Administrator.

COMMUNITY SERVICES

1. District VI Alcohol, Drug Abuse and Mental Health Plan, Fiscal years 1986-1989 - Chairman to sign letter of approval.
2. Older Americans Title IIIB - Execution of County submittal for Annual Request for proposal to West Central Florida Area Agency on Aging (Homemaker Program \$77,512)

AFFIDAVIT FOR ACCESS

Stefan R. Cocciolone, 4516-4th Avenue NE, Riverdale Revised.

DEEDS & EASEMENTS

Southeast Sewage System - Utility Easement from Manatee Dairies; Partial Release of Lien from Federal Land Bank of Columbia.

PARKS & RECREATION

1. Holmes Beach Groin Restoration - Execution of Final Change Order No. 2 with Hendry Corp., \$6,500 increase; execution and acceptance of final reconciliation agreement and other final documents; final pay estimate No. 6, \$47,550.
RECORD: CONTRACT FILE 3348
2. 59th Street Park - Execution of Work Assignment No. 3, Phase III Services, with Zoller, Najjar & Shroyer, \$75,000.
RECORD: CONTRACT FILE 3349
3. Artificial Fishing Reef Program - Execution of Agreement with Department of Natural Resources for funding \$20,000 for transporting material to the 3-mile and 7-mile Reefs.
RECORD: CONTRACT FILE 3347

BUDGET AMENDMENTS

Adoption of budget resolutions amending the 1985-86 Budget to provide for the receipt and appropriation of unanticipated revenues, decrease to reflect actual amount of revenue and for item to item transfers:

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<u>CENTRAL SERVICES</u>	(B-86-212)	
From: Central Services Administration		
To: Courier		\$ 13,000
		<u>RECORD RESOLUTION</u> S35-600
<u>PARKS & RECREATION</u>	(B-86-213/1)	
<u>Increase Revenue</u>		
Racquet Center (Transfer from 303)		
<u>Increase Expenditure</u>		
Racquet Center (Office/Operating Supplies; Equipment)		\$ 47,350
		<u>RECORD RESOLUTION</u> S35-601
<u>PARKS & RECREATION</u>	(B-86-213/2)	
From: 59th Street Park Clay Courts		
To: Parks Capital Project/Center		\$ 47,350
		<u>RECORD RESOLUTION</u> S35-602
<u>PARKS & RECREATION</u>	(B-86-214)	
From: 59th Street Park Clay Courts		
To: 59th Street Park/Improvements		\$ 12,650
		<u>RECORD RESOLUTION</u> S35-603
<u>PUBLIC WORKS (Utilities)</u>	(B-86-215)	
From: Road Maintenance; Engineering/ Drainage; Aquatic Weed; Reserve for Seventh Cent Gas Tax		
To: Engineering & Administration; Road Districts I, II, III, IV; Mowing; County Wide Services; Road Gang; Engineering; Road Maintenance; Traffic Control; Land Acquisition		\$293,794
		<u>RECORD RESOLUTION</u> S35-604
<u>PUBLIC WORKS (Landfill)</u>	(B-86-216)	
From: Landfill		
To: Reserve for Contingency		\$ 4,927
		<u>RECORD RESOLUTION</u> S35-605
<u>PUBLIC WORKS (Transit)</u>	(B-86-217)	
From: Para-Transit		
To: County Transit Division		\$ 19,687
		<u>RECORD RESOLUTION</u> S35-606
<u>PUBLIC WORKS (Utilities)</u>	(B-86-218)	
<u>Increase Revenue</u>		
MCPUD Construction Trust Fund		
<u>Increase Expenditures</u>		
Administration		\$ 128,781
		<u>RECORD RESOLUTION</u> S35-607
<u>PUBLIC WORKS (Utilities)</u>	(B-86-219)	
From: Flood Land		
To: North Waste Water Treatment Plant		\$ 87,869
		<u>RECORD RESOLUTION</u> S35-608
<u>PUBLIC WORKS (Utilities)</u>	(B-86-220)	
From: North Waste Water Treatment Plant; Southeast Waste Water Treatment Plant		
To: North Waste Water Treatment Plant/Land		\$1,264,650
		<u>RECORD RESOLUTION</u> S35-609
<u>PUBLIC WORKS (Utilities)</u>	(B-86-221/1)	
From: Utilities/Retained Earnings		
To: Transfers/Sewer FIF Constr.		\$ 80,000
		<u>RECORD RESOLUTION</u> S35-610
<u>PUBLIC WORKS (Utilities)</u>	(B-86-221/2)	
<u>Increase Revenue</u>		
Sewer FIF Construction		
<u>Increase Expenditures</u>		
Sewer Reconstruction		\$ 80,000
		<u>RECORD RESOLUTION</u> S35-611

<u>PUBLIC WORKS (Utilities) (B-86-222)</u>		
From:	Surplus Construction/Retained Earnings; Sewer Line Participation	
To:	Administration Building Annex; Estech Property Purchase	\$ 296,774
		<u>RECORD RESOLUTION S35-612</u>
<u>CENTRAL SERVICES (B-86-223)</u>		
	<u>Decrease Revenue</u>	
	General Fund	
	<u>Decrease Expenditures</u>	
	Construction Design	\$ 429,700
		<u>RECORD RESOLUTION S35-613</u>
<u>LAND & NATURAL RESOURCES (B-86-224)</u>		
	<u>Increase Revenue</u>	
	General Fund	
	<u>Increase Expenditures</u>	
	Agriculture	\$ 5,482
		<u>RECORD RESOLUTION S35-614</u>
<u>PUBLIC SAFETY (B-86-225)</u>		
From:	General Fund	
To:	Civil Defense	\$ 2,245
		<u>RECORD RESOLUTION S35-615</u>
<u>PUBLIC WORKS (Highway) (B-86-226)</u>		
From:	West Bradenton Zone	
To:	Golf Course Road	\$ 60,000
		<u>RECORD RESOLUTION S35-616</u>
<u>CLERK COURT WORK (B-86-227)</u>		
From:	General Fund/Reserve	
To:	Clerk Court Work/Cost	\$ 50,000
		<u>RECORD RESOLUTION S35-617</u>
<u>COMMUNITY SERVICES (B-86-228)</u>		
From:	General Fund/Reserve	
To:	Human Services - Medicaid	\$ 120,000
		<u>RECORD RESOLUTION S35-618</u>
<u>COURTS (B-86-229)</u>		
From:	General Fund/Reserve	
To:	Circuit Court - Court Costs	\$ 20,000
		<u>RECORD RESOLUTION S35-619</u>
<u>GENERAL COUNTY (B-86-230)</u>		
From:	General Fund/Reserve	
To:	General County/Medical	\$ 15,000
		<u>RECORD RESOLUTION S35-620</u>
<u>FAIR GROUNDS (B-86-231/1)</u>		
	<u>Increase Revenue</u>	
	Building Capital Projects/Transfer from 001	
	<u>Increase Expenditures</u>	
	Snyder Building	\$ 20,000
		<u>RECORD RESOLUTION S35-621</u>
<u>FAIR GROUNDS (B-86-231/2)</u>		
From:	General Fund/Reserve	
To:	Transfers/to 310	\$ 20,000
		<u>RECORD RESOLUTION S35-622</u>
<u>PUBLIC SAFETY (B-86-232)</u>		
From:	General Fund/Reserve	
To:	Civil Defense/Contributions	\$ 15,000
		<u>RECORD RESOLUTION S35-623</u>
<u>SHERIFF (B-86-233)</u>		
From:	General Fund/Reserve	
To:	General County/Bldg Maint	\$ 3,000
		<u>RECORD RESOLUTION S35-624</u>

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SHERIFF (B-86-234)
 From: General Fund/Reserve
 To: Sheriff/Medical

\$ 61,000
RECORD RESOLUTION S35-625

(End Consent Agenda)

BEKER/LAND ACQUISITION

Bond Referendum, \$12,000,000

The County Attorney submitted for consideration

R-86-160 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING AND ORDERING THE HOLDING OF A BOND REFERENDUM IN MANATEE COUNTY, FLORIDA, ON THE QUESTION OF ISSUING NOT MORE THAN \$12,000,000 GENERAL OBLIGATION BONDS TO FINANCE THE ACQUISITION OF LANDS IN MANATEE COUNTY TO HELP PROTECT LAKE MANATEE AS A SOURCE OF PUBLIC DRINKING WATER; PROVIDING FOR AUTHORIZATION AND ISSUANCE OF BONDS UPON APPROVAL OF QUALIFIED ELECTORS; PROVIDING AN EFFECTIVE DATE.

He noted that the question would read: "Shall Manatee County issue not exceeding \$12,000,000 General Obligation Bonds to acquire watershed lands and protect Lake Manatee as a source of public drinking water, including but not limited to, approximately 4,000 acres of Beker's Phosphate Mine Site, such bonds to be payable from ad valorem taxes levied and collected in Manatee County, at not exceeding the legal interest rate, maturing within 40 years from the date of issuance?"

Mrs. Glass suggested that a comma and the words "in an amount" be inserted after the word "issue" and that a comma be inserted after the figure "\$12,000,000" (to read: "Shall Manatee County issue, in an amount not exceeding \$12,000,000, General Obligation Bonds . . .").

Motion was made by Mr. Chetlain, and seconded by Mr. Chance, to adopt R-86-160 authorizing a Bond Referendum on issuing not more than \$12,000,000 General Obligation Bonds to acquire Watershed Lands in Manatee County (Beker Watershed Lands), and adding the words and commas as outlined by Mrs. Glass, unless Bond Counsel has a problem with that addition. Motion carried unanimously.

RECORD RESOLUTION S35-626

Special Counsel

Mr. Chetlain moved approval of employment of George Harrison as Special Counsel to assist with title examination and the acquisition contract. Motion was seconded by Mrs. Hooper and carried unanimously.

PUBLIC SAFETY COMPLEX/CONSTRUCTION DEFICIENCIES

Tedd Williams, Chief Assistant County Attorney, reported on construction deficiencies at the Public Safety Complex. He submitted correspondence from W. R. Frizzell Architects dated August 22, 1986, outlining the status of problems with detention electronics/communications, kitchen range hood and roof, summarized as follows:

Kitchen Range Hood

The architects have ordered corrective measures regarding improper installation of the range hood and will assume full responsibility for paying for that correction.

Detention Electronics/Communications

Wells Fargo has been working on fire alarm system and smoke detector and were to start on the electronic communication system. Hobbs Construction, contractor, allegedly will not spend any more money on these corrections but would authorize Wells Fargo to proceed only if payment is made from retainage being held by Manatee County.

Roof

Test reports indicate insulation not installed in accordance with the manufacturer's requirements; if so, roof does not meet Building Code and reinstallation of new roof will be necessary to meet contract requirements. Architect recommends Board authorize additional testing of roof to determine whether the insulation was incorrectly installed.

Discussion: Length of time it is taking to correct deficiencies, initiating lawsuit against the architect and/or contractor and/or Clerk of Works, inferior workmanship and materials, lack of adherence to specifications, unforeseen structure problems in future years, lack of sufficient funds in retainage to pay the subcontractors, etc.

Motion: Letter of Complaint

Mr. Chetlain moved that staff draft a letter of complaint to the Department of Professional Regulations (DPR) citing the problems with the architectural firm of W. R. Frizzel and with the general contractor, Hobbs Construction, in their failure to perform, and request they (DPR) initiate an investigation into those allegations; copies to be sent to Frizzel Architects and Hobbs Construction. Motion was seconded by Mrs. Hooper and carried unanimously.

Motion: Roof Tests

Upon recommendation by Mr. Williams that action be taken regarding testing of the roof, Mr. Chance moved the Board accept staff's recommendation to perform whatever tests are necessary on the roof (installation of insulation) to determine whether or not it was constructed properly in accordance with specifications for the purposes of notifying the surety on the status of the roof. Motion was seconded by Mrs. Glass and carried unanimously.

Motion: Detention/Electronics Repairs

Mr. Chance moved that Wells Fargo be authorized to proceed with the repairs on the Detention/Electronics in the Public Safety Complex and that staff come back with a recommendation on payment of construction costs. Motion was seconded by Mrs. Glass and carried unanimously.

TRAVEL AUTHORIZATION

Upon motion by Mr. Chance, seconded by Mrs. Hooper, request for authority to travel was unanimously approved for H. Hamilton Rice, Jr., to Tallahassee, September 8, 1986.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Chance, seconded by Mrs. Hooper, the Clerk's Amended Consent Calendar was unanimously approved. (Note: Amended to include acceptance/release of Bonds)

BONDS

Meadors Subdivision

Release:

Performance Bond \$77,758: Letter of Credit, 1st Federal S/L of Florida

Accept:

Defect Security \$6,646.50: Letter of Credit #61091913, 1st Federal S/L of Florida

Agreement Warranting Required Improvements \$6,646.50: Kent R. Morris

BILLS FOR PAYMENT:

Camp, Dresser & McKee - Water/Sewer Rate Revisions	\$1,198.80
" " " - Annual Report	1,892.83

Refunds:

Elsa Garcia - Ticket Refund (Transit)	7.00
Air Comfort - HARV Permit	588.25
Starburst Novelty - Peddlers Permit	2,250.00
CDM Corp - Building Permit	125.70
Guillermo Ruiz - Street Vendor Permit	250.00
Clifton Consolidated Corp - Plumbing/Electric Permits	16.55

WARRANT LIST

Approve: August 26, 1986 to September 1, 1986

Authorize: September 2, 1986 to September 8, 1986

MINUTES FOR APPROVAL

July 24, 29, and 31, 1986

EXECUTION BY CHAIRMAN:

Partial Release of Special Improvement Assessment Liens:

- Ronald M. & Demaras L. Davies - Project No. 5048
- Milton C. & Mary V. Schwindler - Project No. 5024
- Mark & Emily Mason - Project No. 5019
- Olive J. Rothmeyer - Project No. 667
- Vernon R. & Betty J. Rider - Project No.,. 5019

APPROVE, RATIFY & CONFIRM:

Parks & Recreation Special Interest Classes Instructor's Agreement:
Lemuel D. Miller - Karate

RECORD: CONTRACT FILE 3234

MEADORS SUBDIVISION

Accept public improvements for County maintenance.

SEPTEMBER 2, 1986

(Cont'd)

GTE BUILDING LEASE

Regarding action taken earlier in the meeting to lease the building formerly occupied by GTE, a question was raised as to whether a less expensive location could be found.

Motion was made by Mr. Chance, seconded by Mr. Chetlain and carried unanimously, to reconsider action taken earlier regarding lease of the GTE Building.

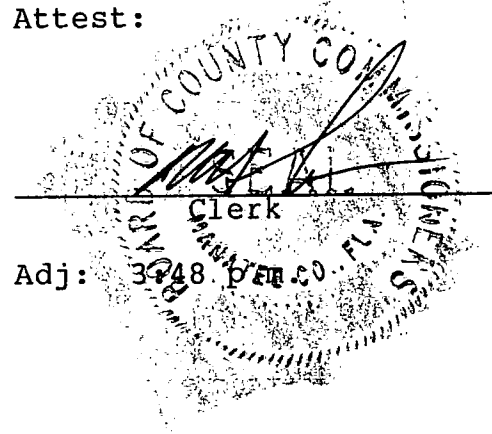
Upon motion by Mr. Chance, seconded by Mr. Chetlain and carried unanimously, staff was directed to look at other sites.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

 Clerk
Adj: 3948. per. co.


Chairman 10/28/86