

BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 22, 2015

A Regular and Land Meeting was held at the Murdock Administration Complex in Commission Chambers; Room 119, Port Charlotte, Florida.

Members present were: Chair Truex, Commissioner Constance, Commissioner Doherty, Commissioner Deutsch, and Commissioner Duffy. Also in attendance were: County Administrator Sandrock, County Attorney Knowlton, Chief Board Services White, Minutes Clerk Russo, and Minutes Trainee Thomas. The following members were absent: None

The meeting was called to order at 9:00 am.

The Invocation was given by **Chair Truex**, followed by the Pledge of Allegiance.

Changes to the Agenda:

Addition #1: R-6 Accept the terms of Agreement OGC No. 15-0526 between FDEP and Charlotte County to terminate the 1975 Agreement between the Florida Department of Pollution Control and General Development Corporation.
Requested by: Commission Office

Change #1: R-3 Added Water Authority Agenda attachment
Requested by: Utilities

Change #2: E-1 Moved to 10:00 am Public Hearing Item S-1
Requested by: County Attorney

Change #3: P-2 Added Additional Request, RFI Construction, RFI Design and attachments and deleted Drinking Water SRF Form Blank and FDEP SRF Clean Water Form Blank attachments.
Requested by: Utilities

Change #4: R-2 Added Progress Report and Funding Request attachments.
Requested by: Commission Office

Change #5: R-4 Added Cost estimate, revised schedule and Summary attachments.
Requested by: Commission Office

Change #6: D-1 Moved to Regular Agenda, Item R-7
Requested by: Administration

Change #7: N-1 Added Detailed Work Plan Budget and Work Plan
Requested by: Public Works

Commissioner Constance requested R-7 be presented before R-1.

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Proclamations - Commissioner Constance

COMMISSIONER DEUTSCH MOVED TO APPROVE PROCLAMATIONS, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

American Business Women's Day

Marge Szmania spoke to the American Business Women's Association Anniversary, discussed support received for our youth, scholarships, fundraisers, and thanked the Board.

The Hoffer Family Foundation Day

No one present to accept the Proclamation.

Florida Native Plant Month

Andy Taylor and members of the Florida Native Plant Society Mangrove Chapter accepted the Proclamation. Alan Squires, President of the Mangrove Chapter, spoke to 79 members, environmental properties, protection of the native plants, volunteers, Parks, Gardens, adopted ponds, and thanked Public Works and the Board.

Rett Syndrome Month

John Lynch spoke to neurological disorders, remarked on the Foundation's history, and gave statistics of the disorder.

Employee of the Month- August 2015 Tina Nusbaum, Utilities

Joan Brown, Utilities Business Service Manager detailed Tina Nusbaum's background, accomplishments, and noted her commitment to customer service and cost saving.

Employee Recognition

2015 Ambassador Program Graduates, James Burrell, Jr., Facilities Construction and Maintenance; Mindy Collier, Budget and Administrative Services; Maria Conrado, Public Works; Carol Colicchio, Budget and Administrative Services; Jim Darden, Budget and Administrative Services; Kathryn Davis, Budget and Administrative Services; Todd Dunn, Administration; Lisa M. Eby, Administration; Tyler Engmark, Budget and Administrative Services; Tanya Foley, Facilities Construction and Maintenance; Sheri Gillham-Leibman, Budget and Administrative Services; Karly Greene, Public Works; Mike Hammers, Budget and Administrative Services; Catherine Kerallah, Human Resources; Kimberly Lewis-Tison, Community Development; Francine Lisby, Budget and Administrative Services; Suzy Merry, Community

Development; Ken Mills, Administration; Colleen Mullen, Community Development; Elizabeth A. Nocheck, Community Development; Lori North, Human Services; Brian Orlando-Reno, Budget and Administrative Services; David Plautz, Community Services; Stephanie Raucci, Community Development; Fabian Rojas, Budget and Administrative Services; Julia Rudden, County Attorney's Office; Jamie Scudera, Community Development; Brenda Sisk, Community Services; Janina M. Stamoulis, Commission Office; Ivey Winkler, Human Services; Stephanie Yancey, Community Development.

Award Presentations:

County Administrator Sandrock gave background of the Ambassador Program and congratulated the class.

Achievement of Excellence in Procurement Award 2015

Chair Truex presented the Procurement Award to the Purchasing Department with a brief description.

Cigna Wellness Award

Maria Ardolino, Cigna Manager presented the Wellness Award to the Board and gave a brief overview of the Wellness Program.

Combat Wounded Veteran - Richard J. Messier

Recognize Richard J. Messier as this month's Combat Wounded Veteran.

Richard J. Messier thanked the Board, his family, VET brothers, and the Purple Heart Society.

CITIZEN INPUT - AGENDA ITEMS ONLY

Josh Patterson commented on the Restore Act Fund, requested approval of the package, mentioned scientific components, pointed out student research, Florida Sea Grants, Genetic Analysis of the Restoration, and thanked the Board.

Jessica Crane, Conservancy of SWFL spoke to the Restore Act, which established the Gulf Coast Restoration Trust Fund following the Deep Water Horizon Oil Spill, and advised how funds from the clean water act fines were divided into several pots including allocations to affected counties in Florida, including Charlotte County, pointed out suggested fund usage, restoration projects, implementation plans and thanked the Board for their time.

Charlotte Ventola thanked the Board for their Support of the Multi-Year Implementation Plan for the Direct Component of the Restore Funds.

Dr. Phillip Stevens expressed support for the Restoration Act, gave a brief overview of the projects, pointed out goals, water quality, fish and wildlife, habitat for snook fish, and thanked the Board.

Howard Kunik, Punta Gorda City Manager commented on the Vietnam Wall project, provided history of past project discussions, costs, land development, State Grants, and the Annual Operating Budget.

Betty Staugler, Sea Grant spoke in support of the Restoration Act, mentioned work with Dr. Patterson, Bay Scallop monitoring, volunteer researchers, project success rate, and hatchery results.

Don Mucilli noted opportunities for Waterfest, fundraising, youth benefits, and commented on future events.

Ed Hill, Chamber of Commerce commented on Waterfest, community involvement, event benefits, volunteer requests, business involvement, Chamber of Commerce support, and tourism.

Bobbie Marquis, Weston's Resort General Manager spoke to the Waterfest Event, positive feedback received from businesses, last year's success, community support, and planning participation.

Ken Kuenzie, WENG Radio Station Owner gave a brief overview of broadcasting influence, past event participation, successful communication, and offered his support for Waterfest.

Susan Hutt commented on the Firing Range, Budget issues, CCU, County positions, and Waterfest.

Vito Baseglia spoke to Waterfest, funding, commented on expense record keeping, and thanked the Board for doing a wonderful job.

COMMITTEE VACANCIES

Murdock Village Community Redevelopment Agency Advisory Committee is seeking two volunteers who must be a resident of Charlotte County. Terms: one Member at Large and one licensed Real Estate Broker, as defined in Chapter 475 Florida Statutes (Part I). Both terms are for three years, effective September 20, 2015 and shall expire September 20, 2018. Please contact the Commission Office for an application: 941.743.1300 or send an e-mail to Assistant.Commissioner@CharlotteCountyFL.gov requesting an application form. Then submit a resume along with the application form by regular mail to: Board of County Commissioners Attn: Commission Assistant 18500 Murdock Circle, Port Charlotte, FL 33948 or by e-mail to same address above.

Rotonda West Street & Drainage Unit Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Term: one regular member to serve a three year term from the date of appointment. Submit application to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950, call 941.575.3600 or e-mail Kelly.Louttit@CharlotteCountyFL.gov.

REPORTS RECEIVED AND FILED

Clerk of Court's County Investment Report, June 30, 2015

CONSENT AGENDA

COMMISSIONER DEUTSCH MOVED TO APPROVE THE BALANCE OF THE CONSENT AGENDA WITH THE EXCEPTION OF ITEM N-3, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Clerk of the Circuit Court

A. Finance Division

(1) Finance

RECOMMENDED ACTION: Approve the Clerk's Finance Memorandum. BUDGETED ACTION: No action needed. B. Minutes Division

B. Minutes Division

(1) Minutes

RECOMMENDED ACTION: Approve the following minutes:
July 14, 2015 BCC Workshop
July 23, 2015 MSBU Meeting-Tringali
September 3, 2015 Pre-Agenda Meeting

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

(1) Appointment - Gulf Cove Streets and Drainage Advisory Committee

RECOMMENDED ACTION: Appoint G. Warren Fishpaw as a regular member to the Gulf Cove Street and Drainage Advisory Committee for a term of three years from the date of appointment. BUDGETED ACTION: No action needed.

(2) Appointments - Peace River Shores Street and Drainage Unit Advisory Committee

RECOMMENDED ACTION: Appoint Robert M. Davis and William Donahue as regular members to the Peace River Shores Street & Drainage Unit Advisory Committee for a three year term from date of appointment. BUDGETED ACTION: No action needed.

(3) Re-Appointment Peace River Shores Street and Drainage Unit Advisory Committee

RECOMMENDED ACTION: Re-appoint Michael Beers as a regular member to the Peace River Shores Street & Drainage Unit Advisory Committee for a three year term from date of appointment. BUDGETED ACTION: No action needed.

(4) Re-Appointment - Greater Port Charlotte Street and Drainage Unit Advisory Committee
RECOMMENDED ACTION: Re-appoint Gary Farino as a regular member to the Greater Port Charlotte Street & Drainage Unit Advisory Committee for a three year term from the date of appointment. BUDGETED ACTION: No action needed.

D. Administration

(Change #6) D-1 Moved to Regular Agenda, Item R-7 Requested by: Administration (1) State Legislative Agenda

RECOMMENDED ACTION: Approve the 2016 State Legislative Agenda. BUDGETED ACTION: No action needed.

Public Information Office - No Items

E. County Attorney

(1) Approve an Ordinance to dissolve the Children's Services Council Advisory Board

RECOMMENDED ACTION: Approve an Ordinance to dissolve the Children's Services Council Advisory Board. BUDGETED ACTION: No action needed. **ORD2015-039**

F. Budget and Administrative Services

Fiscal Services

(1) Acceptance of the Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) contract award number 2015-DJ-BX-0969

RECOMMENDED ACTION: a) Request the Board to accept the 2015-DJ-BX-0969 US Department of Justice (DOJ) Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$26,024, with Budget and Administrative Services administering the grant; and b) Authorize the County Administrator to execute all the necessary grant documents related to this grant. BUDGETED ACTION: No action needed. Funding for the grant will be budgeted in the Charlotte County Sheriff's Office and the Punta Gorda Police Department's Operating budgets. Funding for the County's portion to administer the grant, is included in the budget process for FY 15/16, in the Fiscal Services Division, in the salary and benefits accounts. There is no County match required.

Information Technology - No Items

Purchasing

(2) #14-410, Amendment #1, Airport Rd. Annex Master Plan-Design

RECOMMENDED ACTION: Approve Amendment #1 to Contract #14-410, Airport Road Annex Master Plan - Design with Wilder Architecture, Inc. for additional design services for a not-to-exceed amount of \$369,687 and a revised contract amount not-to-exceed \$589,107 for the design of a fully baffled firing range. BUDGETED ACTION: No action needed. Funding from the Capital Projects Fund approved in CIP Airport Annex in the FY15 budget process.

(3) #15-446, Award, Microsoft Enterprise License Agreement

RECOMMENDED ACTION: Approve File #15-446, Microsoft Enterprise License Agreement, for the price of \$289,591.42 which this portion was awarded to Software House International (SHI) by the Florida State Contract #252-001-09-1. BUDGETED ACTION: No action needed. Funding from IT Maintenance - General Fund approved in the FY15 Budget Process.

(4) #15-356, Award, Rotonda West Decorative Lighting

RECOMMENDED ACTION: Approve the award of Bid #15-356, Rotonda West Decorative Lighting to the lowest responsive, responsible, bidder, Solo Electric Inc., of Port Charlotte, Florida in the amount of \$225,069.60. BUDGETED ACTION: No action needed. Budgeted in CIP project "Rotonda West Bridge Lighting" as approved in the FY15 budget process.

(5) #15-364, Ranking, Tourism Creative Services

RECOMMENDED ACTION: a) Approve start of negotiations with top ranked firm, Aqua Marketing & Communication, Inc. of St. Petersburg, for Request for Proposal #15-364, Tourism Creative Services for the term October 1, 2015 up to and including September 30, 2016, with option to renew for two additional one-year terms; and b) Authorize Chairman to sign Contract after successful negotiations have been completed provided it does not exceed \$150,000; and c) Authorize the County Administrator to approval the annual renewals. BUDGETED ACTION: No action needed. Funding from the Tourist Development Tax Trust Fund approved in the FY15 budget process.

(6) #15-382, Award, Supply Asphalt Concrete - Annual Contract

RECOMMENDED ACTION: a) Approve award of Bid #15-382 Supply Asphalt Concrete - Annual Contract, to Ajax Paving Industries of Florida, LLC of North Venice, Florida, at the unit prices indicated on the attached bid tabulation; and b) Authorize the County Administrator to approve renewal options up to two additional one-year terms at the same prices, terms and conditions, by mutual consent. The contract period will be effective from October 1, 2015 through and including September 30, 2016. BUDGETED ACTION: No action needed. Budgeted in Road & Bridge and various MSBU/TUs in "Road & Bridge materials" as approved in the annual budget process.

(7) #15-447, Award, Piggyback, Excavator and Trailer for CCU

RECOMMENDED ACTION: Approve the Award of File #15-447, for the Piggyback Purchase of One John Deere 85G Excavator, One John Deere NPK PH-4 Hammer attachment, and One Eager Beaver 10HDB Trailer to Nortrax of Lutz, FL, under the Florida Sheriffs Association Contract #14-12-0904, for a total cost of \$134,424. BUDGETED ACTION: No action needed. Funding from CCU Operations and Maintenance Fund approved by the Board during the July 28th meeting.

(8) #15-458, Award, Purchase of Sewer Vacuum Truck

RECOMMENDED ACTION: Approve the "Piggyback", Purchase, File #15-458, Sewer Vacuum Truck, from Lou Bachrodt Freightliner, of Pompano Beach, FL ("Piggyback" off the Florida Sheriffs Association, Florida Association of Counties, and Florida Fire Chiefs Association, Contract #14-12-0904, Specification #14), for a total cost of \$221,212. to purchase a 2015 Freightliner 4X6 Tandem Axle Truck with a 4,000 gallon vacuum system for Charlotte County Utilities (CCU). BUDGETED ACTION: No action needed.

Funding from CCU Operations and Maintenance Fund approved by the Board during the July 28th meeting.

(9) #15-367, Award, Safety Mow-North & West County

Walkers Service, Inc. of Bradenton, FL; and West County to Pro Evergreen Unlimited, Inc. of Homestead, at the unit prices listed on the attached for the term October 1, 2015 up to and including September 30, 2016; and b) Authorize County Administrator to approve two additional one-year terms at the same prices, terms, and conditions by mutual consent. This is an annual contract for safety mowing of roadway rights-of-way, easements, and drainage facilities. BUDGETED ACTION: No action needed. Budgeted in various MSBU/TU and Road & Bridge work programs as approved in the annual budget process.

(10) #08-121, Methane Gas Collection - Landfill - Membership Change

RECOMMENDED ACTION: Approve the Consent and Agreement which: a) Notes, upon acquisition by Fortistar Methane 3 Holdings, LLC, the change in the name of the Green Gas Port Charlotte, LLC facility to Port Charlotte Energy, LLC; and b) Consents to the transfer of the membership interests of Fortistar Methane 3 Holdings, LLC to Fortistar Methane 3, LLC a wholly-owned affiliate of Fortistar; and c) Consents to the inclusion and collateral assignment of Contract No. 2008000121, as amended, and the related Site Lease Agreement, as amended, within the Fortistar Methane 3 Portfolio, to finance, among other things, acquisition of the project and certain related expenses; and Approve the Memorandum of Lease to be recorded as notice of Port Charlotte Energy, LLC's lease hold interest; and Authorize the Chairman to sign these documents. BUDGETED ACTION: No action needed.

Real Estate Services

(11) Deed Conveyance of Real Property Located at 4255 Placida Road

RECOMMENDED ACTION: Approve a Resolution to accept the conveyance to the County of a parcel of land located along Placida Road to be included within the Placida Road Right-of-Way. BUDGETED ACTION: No action needed. **RES2015-0102**

G. Community Development

(1) FP-14-10-01, Family Dollar at Heritage Lake Park

RECOMMENDED ACTION: Approve Final Plat for Family Dollar at Heritage Lake Park Subdivision for HRES Heritage Lake, LLC for Petition #FP-14-10-01. Quasi-Judicial BUDGETED ACTION: No action needed.

(2) FP-04-09-20, Sawgrass Pointe Unit 4

RECOMMENDED ACTION: Approve a Bond Release for Centex Homes for Sawgrass Pointe Unit 4 Subdivision, under Petition #FP-04-09-20. Quasi-Judicial BUDGETED ACTION: No action needed.

H. Community Services

Parks and Natural Resources

(1) USDA and Charlotte County Agreement for Iguana Control

RECOMMENDED ACTION: Approve and authorize the Chairman to execute a renewal agreement with the United States Department of Agriculture (USDA) to provide Iguana control in the Charlotte County portion of Boca Grande (Gasparilla Island). The MSBU Advisory Committee has requested and approved funding for this contract. BUDGETED ACTION: No action needed. Funding from the Boca Grande Streets and Drainage MSBU approved in the FY15 budget process in the amount of \$75,494. **AGR2015-046**

Recreation - No Items

Libraries and Historical

(2) State Aid to Libraries

RECOMMENDED ACTION: a) Approve a grant agreement application with the Florida Department of State for State Aid to Libraries Program FY16; and b) Authorize the Chair to sign the State Aid to Libraries Grant Agreement for FY16. BUDGETED ACTION: No action needed. The State Aid to Libraries Grant is budgeted in FY16. Funding for this expenditure comes from FL Dept. of State. No match is required as the amount awarded is based on local Library funds expended in the prior year. **GRT2015-015**

I. Economic Development - No Items

J. Facilities Construction and Maintenance - No Items

K. Human Resources

(1) IAFF Successor Agreement

RECOMMENDED ACTION: Approve a three year collective bargaining successor agreement with Suncoast Professional Firefighters and Paramedics, Local 2546, International Association of Firefighters (IAFF), AFL-CIO, for the period of October 1, 2015 through September 30, 2018, and authorize the Administrator to execute the agreement. BUDGETED ACTION: No action needed. Budgeted in Fire Rescue and Emergency Medical Services operating budgets in the FY15/16 budget process. **AGR2015-047**

L. Human Services - No Items

M. Public Safety - No Items

N. Public Works

(1) Annual Certified Budget for Mosquito Control

RECOMMENDED ACTION: Request the Board approve and authorize the Chairman to execute the Mosquito Control Annual Certified Budget with the Florida Department of Agriculture and Consumer

Services. BUDGETED ACTION: No action needed. Funding from the Mosquito Control Department budget approved in the FY16 budget process. Funding is supplied from general revenues.

(2) Approve Amendment 5 to amended Interlocal Agreement with Lee County for Solid Waste Collection and Disposal from Gasparilla Island RECOMMENDED ACTION: Approve Amendment 5 to the Amended Interlocal Agreement with Lee County for Solid Waste Collection and Disposal from Gasparilla Island BUDGETED ACTION: No action needed. **A.AGR990760AO**

(3) Inactive Advisory Boards

RECOMMENDED ACTION: Set a public hearing for October 13, 2015 at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an ordinance to abolish multiple MSBU Advisory Boards that have been inactive for more than one year. BUDGETED ACTION: No action needed. No financial impact.

COMMISSIONER DOHERTY MOVED TO SET A PUBLIC HEARING FOR OCTOBER 13, 2015 AT 10:00 A.M., OR AS SOON THEREAFTER AS MAY BE HEARD TO CONSIDER APPROVING AN ORDINANCE TO ABOLISH MULTIPLE MSBU ADVISORY BOARDS THAT HAVE BEEN INACTIVE FOR MORE THAN ONE YEAR, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

Commissioner Constance spoke to setting the Public Hearing. **Commissioner Doherty** mentioned Lemon Bay and Punta Gorda Non-Urban MSBU, spoke to past Public Hearing testimony, and requested staff clarification for the MSBU reinstatement process.

County Attorney Knowlton commented on the process. Assistant County Attorney Smith spoke to the Advisory Board sunset provision and detailed time frame.

O. Tourism Development - No Items

P. Utilities

(1) SWFWMD Grant Funds Reclaimed Water Expansion Phase III

RECOMMENDED ACTION: Authorize staff to apply to Southwest Florida Water Management District (SWFWMD) for \$2,066,000 in matching funds to be received in FY17 to continue the Charlotte County Reclaimed Water Expansion. SWFWMD approved partial funding of phase 3 in FY14 and FY16 is pending. BUDGETED ACTION: No action needed. This is for the FY17 budget cycle and, if awarded will be added to the CIP budget for that fiscal year.

(2) FDEP Clean and Drinking Water SRF RFI RECOMMENDED ACTION: Authorize staff to submit Request for Inclusion (RFI) Forms to the Florida Department of Environmental Protection (FDEP) to be placed on the priority funding list for Clean Water (wastewater) State Revolving Fund (SRF) and Drinking Water Facilities SRF projects in Charlotte County. Staff will subsequently bring back to the Board a request for authorization to submit the applications to the program as part of the FDEP submittal process. BUDGETED ACTION: No action needed. Subsequent approval of the loan will require a budget amendment.

Q. Other Agencies - No Items

S. 10:00 A.M. Public Hearing

(Change #2) S-1 Moved to 10:00 A.M. Public Hearing Approve an Ordinance to dissolve the Children's Services Council Advisory Board **RECOMMENDED ACTION:** Approve an Ordinance to dissolve the Children's Services Council Advisory Board. **BUDGETED ACTION:** No action needed. **ORD 2015-039**

County Attorney Knowlton gave a brief overview of Ordinance 2015-039.

Public Hearing: No Public Comments

COMMISSIONER DUFFY MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED: 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2015-039 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA REPEALING ARTICLE VI, SECTION 4-3.5-71 THROUGH 4-3.5-79 OF THE CODE OF LAWS AND ORDINANCES, CHARLOTTE COUNTY, FLORIDA (ORDINANCE 91-59), THEREBY DISSOLVING THE CHILDREN'S SERVICES COUNCIL, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

R. Regular Agenda

(Change #6) D-1 Moved to Regular Agenda, Item R-7 Requested by: Administration

Emily Lewis, Legislative Manger gave a brief overview including slides of Key Dates, Timeline, and the 2016 Legislative Program.

Chair Truex elaborated on the summary pages for the Legislative Agenda, commented on the Business Plan necessity for the Visitor's Center, suggested adding Article 5, and mentioned staff direction. **Commissioner Constance** noted a past meeting with Representative Caldwell, outlined projects, suggested funding requests be part of the Legislative Program, discussed the market study for the Visitor's Center, and recommended the Vietnam Wall be added to the funding request. **Commissioner Deutsch** thanked **Commissioner Duffy** for her support with the Vietnam Veteran Wall project and suggested it not be put on the Legislative Agenda. **Commissioner Doherty** spoke to the format for the policy statements, business plan for the Visitor's Center and commented on the additional request for the Vietnam Wall Fund request. **Commissioner Duffy** opined the Legislative Agenda is too long, mentioned FDOT assistance, the Visitor's Center, and the Punta Gorda Chamber of Commerce.

County Administrator Sandrock recommended an outside feasibility business plan be done and detailed past efforts of Summit communication.

Tommy White, Chief Board Services commented on the Clerk's appreciation for Article 5.

COMMISSIONER DOHERTY MOVED TO APPROVE THE LEGISLATIVE PRIORITIES WITH THE FUNDING AMOUNTS, SUPPORT DOCUMENTS, ARTICLE 5, REMOVAL OF THE VISITORS CENTER FUNDING REQUEST AT THIS TIME, AND TO SEEK COOPERATION FROM FDOT TO DELAY THE SALE OF PROPERTY FOR THE VISITORS CENTER, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0. (COMMISSIONER DEUTSCH was not in the room)

RECESS: 10:39 am - 10:51 am

Commissioner Deutsch requested his vote count for the record to reflect opposed. (4.1., Commissioner Deutsch Opposed)

(1) County Administration

Presentation and Approval of the Multi-Year Implementation Plan for the Direct Component of the RESTORE funds

RECOMMENDED ACTION: a) Presentation of the Multiyear Implementation Plan process, the projects submitted and the ranking process; and b) Approval to submit the Multiyear Implementation Plan with the four projects chosen and ranked by the RESTORE Act Advisory Board to Treasury Department.

Mindy Collier, Restore Act Coordinator spoke to the Advisory Board adoption request by the Board and introduced Caitlin Weber, Restore Act Advisory Board Chair.

Ms. Weber gave a brief overview of the Charlotte County Multi-Year Implementation Plan, detailed the Application Process, Project Overview, Project Scoring, Project Selection, Summary of Selected Projects, Charlotte County Utilities, Harbor Walk, and Fisheries Monitoring.

Chair Truex requested staff clarification for project funds from the clean water act fines pots, percentages for qualifying funds, spoke to fisheries, and process information. Commissioner Constance thanked the Committee, commented on funds, infrastructure restrictions, and future funding. Commissioner Deutsch suggested putting some projects through. Commissioner Doherty expressed appreciation for Committee involvement and commented on the schedule.

Ms. Collier explained other county Multi-Year Implementation Plan timelines and informed the Board of matched funding for the projects.

COMMISSIONER CONSTANCE MOVED TO ACCEPT THE REPORT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSINER DOHERTY MOVED TO TABLE THE ITEM UNTIL NOVEMBER 24, 2015 FOR FURTHER FUNDING RESEARCH AND TIMELINES, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

(2) Tourist Development

Englewood Beach Waterfest 2015

RECOMMENDED ACTION: Presentation by Englewood Beach Waterfest 2015.

Ken Stead, Englewood Chamber of Commerce President gave a brief update of Englewood Beach Waterfest 2015, spoke to the Organizational Structure, Schedule of Events, Commitment to Water Resources, Paddle Sports, OPA/APBA Offshore World Championship, Bud Light Race Village, Three Days of Racing, Activities in Race Village and Englewood Beach, Commitment to Public Safety, Parking and Transportation, Local Charities, Economic Impact, and Tourism, and commented on Sponsorship Development, Major Sponsors, and Funding Requests.

Commissioner Constance requested clarification for grants received, funding, and boat traffic. **Commissioner Deutsch** commented on the excellent efforts brought forward from the community and the Englewood Chamber of Commerce. **Commissioner Doherty** requested clarification on the funding request discrepancy. **Commissioner Duffy** commended the Englewood Chamber for the great team effort, community involvement, and suggested the County pay for Sheriff, Fire, EMS, Parks, and Recreation costs.

COMMISSIONER DUFFY MOVED TO APPROVE THE COUNTY COST COVERAGE IN THE AGREEMENT FOR SHERIFF, FIRE, EMS, AND PARKS AND RECREATION FOR THE ENGLEWOOD WATERFEST 2015, SECONDED BY CHAIR TRUEX FOR DISCUSSION

Chair Truex mentioned he abstained from the vote because of his involvement in the Englewood Incubation Center, Inc., and requested adding FWC costs to the Motion. **Commissioner Duffy** agreed to add the FWC costs to the Motion.

County Attorney Knowlton suggested not paying for Public Safety for precedence purposes. County Administrator Sandrock advised the Parks and Recreation costs are for public bathrooms, staff costs, and the length of the event.

Chair Truex opined the BP settlement funds were an option, suggested consider the funds already awarded for the loss of tourism, and asked for related legal direction. **Commissioner Constance** asked for County Attorney Knowlton to state her reservations and spoke to policies. **Commissioner Duffy** mentioned possible cost reduction options from the Sheriff in past discussions.

County Attorney Knowlton requested the Agreement state that the County will pay the Sheriff directly and with a "not to exceed amount of \$31,050".

Lorah Steiner, Tourism Development Director spoke to Tourism Development Committee (TDC) donation, attraction process development, and funding program.

County Administrator Sandrock spoke to BP Fund Allocation and Workshop Agenda.

MOTION CARRIED 4:0., CHAIR TRUEX ABSTAINED (due to involvement in the Englewood Incubation Center, Inc. Form 8B Filed)

(3) Utilities

Water Authority Agenda October 7, 2015

RECOMMENDED ACTION: Board discussion and direction on Peace River Manasota Regional Water Supply Authority (Authority) Board Agenda items to be discussed on October 7, 2015 during the Authority Board of Directors Meeting.

Gary Hubbard, Utilities Director spoke to the Water Authority Agenda.

Commissioner Constance spoke to a schedule conflict for next Water Authority Meeting, announced **Commissioner Doherty** would attend in his absence, questioned Diane R. Salz Consultant Services, interim ranking item on Water Authority Agenda, and suggested audio recordings be added to Water Authority Agenda for discussion. **Commissioner Doherty** mentioned consultant process, recommended Request for Proposal (RFP) options, and discussed "not to exceed" language. **Commissioner Duffy** questioned the Pipeline, RO Plant, water usage purpose, total cost of the project, and commented on non-support of the Pipeline and negative usage of Taxpayers money.

Mike Coates, Peace River Water Authority Deputy Director commented on Diane R. Salz Agreement for Legislative Services, ranking, and bidding process. Attorney Doug Manson, Peace River Water Authority Legal Counsel confirmed the terms of the Agreements.

County Administrator Sandrock confirmed an email received from Mr. Coates.

Howard Kunik, Punta Gorda City Manager spoke to the RO Plant Project, Agreement, Southwest Florida Water Management District (SWFWMD) involvement, project timeline, and budget allocations.

Tara Poulton, Government Affairs Program Manager confirmed the Final Agreement has not been signed.

Chair Truex requested Board direction and commented on ranking. **Commissioner Constance** recommended that any Documents or Agenda Items that reference the Phase 1 Pipeline should be worded as the Punta Gorda Integrated RO Pipeline. **Commissioner Doherty** commented on a dialogue clarifying changes to be drafted before the next Water Authority Meeting.

(Consensus to rank firms in order of preference)

(4) Commission Office

Vietnam Wall Presentation

RECOMMENDED ACTION: Presentation by Vietnam Wall Committee.

Bill Akins gave a brief update of the Vietnam Wall project status.

Commissioner Constance spoke to cost for etching, engraving, and samples. **Commissioner Deutsch** commented on the volunteer work and fundraisers. **Commissioner Doherty** questioned requested funds and allocations. **Commissioner Duffy** commended the work for the Vietnam Project.

COMMISSIONER DEUTSCH MOVED TO DIRECT THE COUNTY ATTORNEY TO FORM AN AGREEMENT TO ALLOCATE FUNDS FOR THE \$50,000 DONATION TOWARD THE VIETNAM WALL PROJECT, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

(5) Commission Office

Punta Gorda Housing Authority Parcel

RECOMMENDED ACTION: Discussion and direction on the Punta Gorda Housing Authority parcel adjacent to the Justice Center.

Hector Flores, Assistant to the County Administrator spoke to updated Housing Authority parcel information related to the Justice Center and Housing and Urban Development (HUD) Sealed Bid details.

Commissioner Constance spoke to appraisal clauses and HUD communication with the Housing Authority. **Commissioner Deutsch** commented on economic differences and appraisals.

Paul Payette, Real Estate Services Senior Division Manager mentioned the quantitative adjustments, market values, and commented on property comparisons for Fort Myers.

COMMISSIONER CONSTANCE MOVED TO APPROVE A LETTER TO BE DRAFTED BY CHAIR TRUEX TO LEGISLATIVE DELEGATES, PUNTA GORDA HOUSING AUTHORITY, AND HUD FOR THE PARCEL PRICING, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

(Addition #1) R-6 Accept the terms of Agreement OGC No. 15-0526 between FDEP and Charlotte County to terminate the 1975 Agreement between the Florida Department of Pollution Control and General Development Corporation. Requested by: Commission Office

Dan Quick, Public Works Director gave a brief overview of Agreement OGC No. 15-0526.

COMMISSIONER DEUTSCH MOVED TO APPROVE TERMS OF AGREEMENT OGC NO. 15-0526, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

PUBLIC HEARING AGENDA

1 P.M. Citizen Input - Any Subject

Zac Extejt thanked the Board for their support for seawalls.

Susan Hutt spoke to the Punta Gorda Housing Authority, lawsuits, Lakeworth Sewers, proposal for water testing, noted no response received from emails sent to the County, CCU articles, water bills, landlord water responsibilities, and Team Parkside.

Ian Vincent thanked the Board for the Scrub Jay Fee Schedule and commented on teacher employment.

Todd Rebel updated the Board on commercial development, positive progress for the County, and site improvements.

George Claribush spoke to damaged roadways, depicted photos, and mentioned tree trimming clean up issues.

RECESS: 1:20 pm - 2:00 pm

T. 2:00 P.M. Land Use Public Hearing

(1) Community Development

STN-15-00001, Pear St

Approve a Resolution granting a Street Name Change for Robert H. Bertsson for Petition #STN-15-00001. Legislative **RES2015-0103**

Steven Ellis, Community Development Planner gave a brief overview of the proposed change for Petition STN-15-00000.

Attorney Rob Bertsson pointed out issues with the street location, utilities, and deliveries.

Public Hearing: No Public Comments

COMMISSIONER DOHERTY MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY CHAIR TRUEX

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2015-0103 AND ADOPTION OF PETITION STN-15-00001, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

(2) Community Development

PA-15-02-01-LS, Crimson Tamiami Trail Holdings LLC

Approve an ordinance adopting Petition PA-15-02-01-LS, amending the Charlotte County FLUM Series Map #1: 2030 Future Land Use, from High Intensity Industrial (HII) (357.7± acres), Preservation (PR) (12.87± acres), and Commercial (COM) (45.36± acres) to Low Density Residential (LDR) with an annotation to the 2030 Future Land Use Map to limit the overall density of the site to 999 units; for property located at the northwest portion of the interchange of I-75 and Tuckers Grade, in the Punta Gorda area, containing 415.93± acres; Commission District II; Petition No. PA-15-02-01-LS; Applicant: Crimson Tamiami Trail Holdings LLC; providing an effective date. Legislative **ORD2015-040**

Jie Shao, Community Development Principal Planner gave a brief overview of Petition PA-15-02-01-LS.

Commissioner Constance requested staff clarification for commercial access. **Commissioner Deutsch** asked about breakaway gates. **Commissioner Doherty** questioned the limited right of way and commercial access.

Public Hearing:

Shaun Cullinan, Planning and Zoning Official spoke to preservation funding sources and conservation easements.

Attorney Geri Waksler provided detailed requests and requirements for applicant Crimson Tamiami Trail Holdings, LLC.

Todd Rebol, Banks Engineering spoke to the concept plan, project site information, regulations, and commercial access.

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2015-040 AND ADOPTION OF PETITION PA-15-02-01-LS, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

(3) Community Development

An Ordinance Adopting Petition No. PA-15-04-04-LS - TRA Text Amendments

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment to amend the Transportation (TRA) Element by revising TRA Policy 1.3.4: Airport Ground Access, to ensure that all roadway work within the ECAP Overlay shall have no negative impact on access to the airport; Petition No. PA-15-04-04-LS; Applicant: Charlotte County Board of County Commissioners; providing an effective date. Legislative **ORD2015-041**

Matthew Trepal, Community Development Principal Planner gave a brief overview of Petition No. PA-15-04-04-LS.

Public Hearing: No Public Comments

COMMISSIONER DOHERTY MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2015-041 AND ADOPTION OF PETITION PA-15-04-04-LS, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

(4) Community Development

An Ordinance Adopting PA-14-10-14-LS - Water Supply Facilities Work Plan

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment to amend the Potable Water and Sanitary (WSW) sub element of the Infrastructure Element to update the Water Supply Facilities Work Plan; to amend ICE Policy 1.1.11: Coordination with Water Management Districts to reference the adopted Water Management District regional water supply plans; and to amend CIE Policy 1.1.8: Financially Feasible CIE Schedule to remove a reference to deleted Chapter 9J-5, F.A.C.; Petition No. 14-10-14-LS; Applicant: Charlotte County Board of County Commissioners. Countywide. Legislative **ORD2015-042**

Mr. Trepal gave a brief overview of Ordinance Adopting Petition PA-14-10-14-LS.

Public Hearing: No Public Comments

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2015-042 AND ADOPTION OF PETITION PA-14-10-14-LS, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

PRESENTATION AGENDA

U. 10:00 A.M - No Items

V. 2:00 P.M. - No Items

PUBLIC WORKSHOP AGENDA - Public input permitted.

W. 10:00 A.M. - No Items

X. 2:00 P.M. - No Items

BOARD WORKSHOP AGENDA - No public input.

Y. 10:00 A.M. - No Items

Z. 2:00 P.M. - No Items

AA. County Administrator:

County Administrator Sandrock mentioned the Joint Meeting with Sarasota on November 3, 2015 at the Anderson Building in Venice, FL, noted Agenda topics will consist of River Road, Department of Health, Restore Act Update, Regional Joint Projects, Englewood Waterfest, and spoke to the upcoming Regional Summit meeting.

Chair Truex spoke to Stump Pass and Beach AND Nourishment for an updated discussion with Sarasota. **Commissioner Constance** suggested having a Water Authority discussion added to the Agenda. **Commissioner Doherty** spoke to adding the future of the RPC discussion to the Agenda.

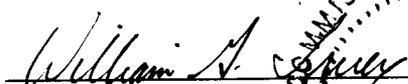
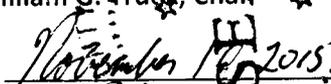
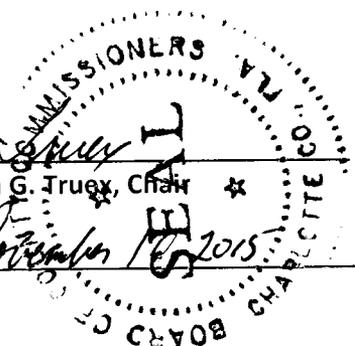
BB. County Attorney:

County Attorney spoke to Advisory Board re-establishment for MSBU limitations, confirmed the Minutes would reflect a correction to include would be made for **Commissioner Deutsch** vote on Item R-7, and commented on Global Advisory Alternates.

CC. Commissioner Comments:

Chair Truex mentioned the Unity Event at the Punta Gorda Event Center, noted good communication throughout the County, thanked Rev. Anderson, and the Board, and remarked on the success of the past Economic Development event in North Port. **Commissioner Deutsch** commented on Charlotte Harbor CRA, traffic issues, visibility, and suggested U-Turn options. **Commissioner Doherty** spoke to Waters of the United States, Rules of Limitations, DEP Funding, Babcock Ranch, and RPC building discussion. **Commissioner Constance** mentioned comments from the RPC meeting, announced the "Lets Eat Englewood" event will be held September 25, 2015 through October 8, 2015, spoke to Harbor Walk improvements, visibility issues, opined Winchester Avenue should be on Google Maps, HCP Density items, and informed the Board that Lee County does not have a Health Department Director. **Commissioner Duffy** commented on RPC building discussions, landlord responsibilities for utility payments, and commended **Chair Truex** for doing an excellent job.

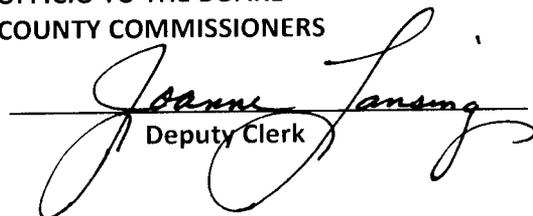
ADJOURNED: 3:12 pm


William G. Truex, Chair *
DATE ADOPTED:  November 16, 2015


ATTEST:

BARBARA T. SCOTT, CLERK
OF THE CIRCUIT COURT AND
EX-OFFICIO TO THE BOARD
OF COUNTY COMMISSIONERS

By:


Deputy Clerk