

JANUARY 21, 2016

A Pre-Agenda Meeting was held in preparation for the **January 26, 2016** Regular and Land Use Meeting at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

The following members were present: Chair Truex, Commissioner Constance, Commissioner Deutsch, and Commissioner Doherty. Also in attendance were: County Administrator Sandrock, Assistant County Administrator Flores, County Attorney Knowlton, Minutes Clerk Russo, and various County staff members. The following members were absent: Commissioner Duffy.

The meeting was called to order at 1:30 pm.

There was Board discussion on the following items:

Proclamations:

Administration: D-1

Fiscal Services: F-1

Purchasing: F-8, F-10

Public Works: N-2

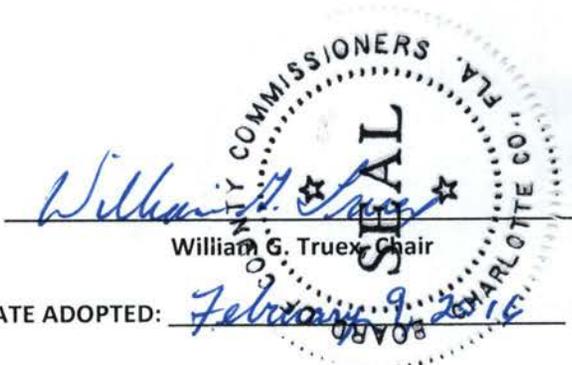
Utilities: P-1

Regular Agenda: R-2, R-3

10:00 A.M. Public Hearing: S-1

Presentation Agenda: V-1

ADJOURNED: 2:10 pm


William G. Truex, Chair
DATE ADOPTED: February 9, 2016

ATTEST:

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

By: Michelle DiBernardino
Deputy Clerk

COUNTY OF CHARLOTTE

Board of County Commissioners

18500 Murdock Circle
Port Charlotte, FL 33948
www.CharlotteCountyFL.gov

County Commissioners

Bill Truex, District 3, Chairman
Christopher Constance, District 2, Vice-Chairman
Ken Doherty, District 1
Stephen R. Deutsch, District 4
Tricia Duffy, District 5



County Administrator

Raymond J. Sandrock

County Attorney

Janette S. Knowlton

Clerk of the Circuit Court

Barbara T. Scott

Regular and Land Use Meeting

January 26, 2016 9:00 am

18500 Murdock Circle, Commission Chambers, Room #119

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to Terri.Hendriks@CharlottecountyFL.gov.

9:00 A.M. Call to Order and Roll Call

Invocation - For those who wish to join, please rise for the invocation

Father Ian Hammett
Holy Trinity Greek Orthodox Church

Pledge of Allegiance

Changes to the Agenda: See separate sheet

Proclamations - Commissioner Stephen R. Deutsch

Drink Out of Anything but Plastic Day – Tania Garcia
National Wear Red Day – Marie Peleck

Employee Recognition – Commissioner Stephen R. Deutsch

Employee of the Month – December 2015
Jerry Mallet
Public Safety

Award Presentations

Combat Wounded Veteran – Herman "Harry" Stapleton – Commissioner Stephen R. Deutsch
Award Certificate of Recognition, Combat Wounded Veteran to Herman "Harry" Stapleton

Commissioners' Award for Customer Service – Commissioner Ken Doherty
Commissioners' Award for Customer Service – Fourth Quarter 2015 – Joanne Vernon



CITIZEN INPUT - AGENDA ITEMS ONLY

Anyone wishing to address the Board during this portion of the meeting must fill out a card, state their name for the record, and state which agenda item(s) will be addressed. Remarks shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.



COMMITTEE VACANCIES

Charlotte County is seeking volunteers to serve on the following Committees:

No Items



REPORTS RECEIVED AND FILED

No Items



CONSENT AGENDA

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

(1) Minutes

RECOMMENDED ACTION:

December 8, 2015 BCC Regular and Land Meeting
January 5, 2016 Economic Development Director Interviews
January 7, 2016 BCC Pre-Agenda

BUDGETED ACTION:

No action needed.

Board of County Commissioners

C. Commission Office

(1) Appointment-West Charlotte Stormwater Utility Advisory Board

RECOMMENDED ACTION:

Appoint Geoffrey Norton to the West Charlotte Stormwater Utility Unit Advisory Board as a regular member to serve a three year term from the date of the establishment of the Unit.

BUDGETED ACTION:

No action needed.

Commission Office (Continued...)

- (2) Appointment- Don Pedro and Knights Island Street and Drainage Advisory Board

RECOMMENDED ACTION:

Appoint Dean Beckstead to Don Pedro & Knight Island Street and Drainage Advisory Board as a regular member for a three year term from the date of establishment of the Unit.

BUDGETED ACTION:

No action needed.

D. Administration

Administration

- (1) Approve the addition of one Inspector and Part-Time Administrative Assistant II

RECOMMENDED ACTION:

- a) Request Board approval of one additional position for a Building Inspector for the Building Division of Community Development; and
- b) Approve Resolution authorizing Budget Adjustment #BA16-014 in the amount of \$41,144; and
- c) Authorize the addition of one vehicle to the County fleet; and
- d) Request Board approval of one additional part time position for an Administrative Assistant II for the Emergency Medical Services Division of Public Safety; and
- e) Approve Budget Adjustment #BA16-021 in the amount of \$13,943.

BUDGETED ACTION:

Approve Budget Adjustment #BA16-014 in the amount of \$41,144. Approve Budget Adjustment #BA16-021 in the amount of \$13,943.

Public Information Office

No Items

E. County Attorney

- (1) Acceptance of Plaintiff's Proposal for Settlement in the case captioned: Sophia Nocochea v. Charlotte County, Case No. 15-769CA

RECOMMENDED ACTION:

Acceptance of Plaintiff's Proposal for Settlement, filed on January 4, 2016, in the civil lawsuit captioned *Sophia Necochea v. Charlotte County, (Case No. 15-769CA)* whereby Charlotte County pays Sophia Necochea **\$65,000.00** in full and final settlement of her personal injury lawsuit and authorize County Attorney to execute all requisite documents to effectuate settlement.

BUDGETED ACTION:

No action needed.

- (2) Approval of Agreement Between Charlotte County and Lucienne Pears for Employment – Economic Development Director

RECOMMENDED ACTION:

Approve the Agreement between Charlotte County and Lucienne Pears for Employment – Economic Development Director, and authorize the Chairman to sign the Agreement upon approval of the Board.

BUDGETED ACTION:

No action needed.

F. Budget and Administrative Services

Fiscal Services

- (1) Signature on Certificate of Acceptance of Subgrant Award and Certification of Conflict of Interest with the Florida Department of Law Enforcement

RECOMMENDED ACTION:

Requesting that the Chairman of the Board of County Commissioners sign the Certificate of Acceptance of Subgrant Award and Certification of Conflict of Interest with the Florida Department of Law Enforcement for award 2016-JAGC-CHAR-3-H3-140.

BUDGETED ACTION:

No action needed.

- (2) Acceptance of E911 State Grant

RECOMMENDED ACTION:

- a) Request Board approval to accept award of a non-matching E911 State Grant for an additional upgrade to the 911 telephone system; and
- b) Approve Budget Adjustment # BA16-017 in the amount of \$162,641; and
- c) Authorize the Chairman to sign grant related documents.

BUDGETED ACTION:

Approve budget adjustment #BA16-017 in the amount of \$162,641.

- (3) Section 5310 Transit Grant Application

RECOMMENDED ACTION:

- a) Approve the County Resolution that summarizes the Federal Section 5300 grants and other associated Transit grants and agreements; and
- b) Approve annual Section 5310 Federal Transit Grant for FY16/17 requesting Operating funds in the amount of \$52,500 for Charlotte County Transit to perform Transportation Disadvantaged operations; and
- c) Approve the request FY16/17 Capital funds in the amount of \$131,324 for two Mini-Vans, 8 passenger seats, 2 wheelchair positions including lifts and replacement vehicles; and
- d) Authorize the Chair or his designee to sign all necessary documents.

BUDGETED ACTION:

No action needed. Grant funds in the amount of \$52,500 and the required cash match of \$52,500 are included in the FY16/17 Operating budget; Capital Grant funds in the amount of \$118,191 and the required 10% cash match of \$13,133 will be included in the FY 2016/17 budget for the Budget and Administrative Services Transit Division.

- (4) Section 5311 Transit Grant Application

RECOMMENDED ACTION:

- a) Approve the County Resolution and annual Section 5311 Federal Transit Grants for FY16/17 requesting Operating funds in the amount of \$82,855 for Charlotte County Transit to perform Rural trips; and
- b) Request Capital funds in the amount of \$125,000 for construction of a new Transit facility; and
- c) Authorize the Chair or his designee to sign all necessary documents.

BUDGETED ACTION:

No action needed. Grant funds in the amount of \$82,855 and the required cash match of \$82,855 are included in the FY16/17 Operating Budget under Budget and Administrative Services Transit Division. Capital Grant funds in the amount of \$100,000 and the required 10% match of \$12,500 from Florida Department of Transportation (FDOT) and 10% Local funds \$12,500 will be included in the FY 2016/17 budget for the Budget and Administrative Services Transit Division.

(5) Section 5339 Transit Grant Application

RECOMMENDED ACTION:

- a) Approve County Resolution for annual Section 5339 Federal Transit Grant for FY16/17 requesting funds in the amount of \$264,375 for the Construction of a New Transit Facility; and
- b) Authorize the Chair or his designee to sign all necessary documents.

BUDGETED ACTION:

No action needed. Grant funds in the amount of \$264,375 and the required 10% match of \$29,375 will be included in the FY 2016/17 budget for the Budget and Administrative Services Transit Division.

Information Technology

No Items

Purchasing

(6) 16-039, Award, Demolition - Commercial/Residential Structures Including Mobile Homes - Annual Contract

RECOMMENDED ACTION:

- a) Approve award of Bid #16-039, Demolition - Commercial/Residential Structures Including Mobile Homes - Annual Contract to the lowest responsive, responsible bidder, Southwest Builders Inc. of Cape Coral, Florida for the period from date of award through and including December 31, 2016, at the unit prices indicated on the bid tabulation; and
- b) Authorize the County Administrator to approve renewal options for up to two (2) additional one-year terms, at the same prices, terms and conditions, by mutual consent.

BUDGETED ACTION:

No action needed. Funding from the General Fund/Code Compliance approved in the FY16 Budget Process.

(7) 16-068, Award, Cape Haze Pioneer Trail Renovations

RECOMMENDED ACTION:

- a) Approve budget adjustment BA16-015 in the amount of \$155,000; and
- b) Approve the award of Bid #16-068, Cape Haze Pioneer Trail Renovations to the lowest responsive, responsible bidder, Zep Construction Inc., of Port Charlotte, Florida in the amount of \$380,052.88.

BUDGETED ACTION:

Approve budget adjustment BA16-015, in the amount of 155,000 to increase approved CIP project "Cape Haze Pioneer Trail", and reduce CIP project "Bay Heights Park". The increase to the Cape Haze Pioneer Trail project will provide sufficient funds to award the contract and provide the necessary contingency.

(8) 16-069, Award, South Burnt Store Sidewalk Construction

RECOMMENDED ACTION:

Approve the award of Bid #16-069, South Burnt Store Sidewalk Construction, to the lowest responsive, responsible bidder, V&H Construction, Inc. of Fort Myers, FL, for the total amount of \$638,636.25.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "South Burnt Store Sidewalks (Burnt Store Lakes)", as approved in the FY16 budget process.

Purchasing (Continued...)

(9) 16-083, Award, South Gulf Cove Landscape Maintenance - Annual Contract

RECOMMENDED ACTION:

a) Approve award of Bid #16-083, South Gulf Cove Landscape Maintenance - Annual Contract to the lowest, responsive, responsible bidder, Valley Crest Landscape Maintenance of Port Charlotte, Florida for the period from date of award through and including December 31, 2016, at the unit prices indicated on the bid tabulation; and

b) Authorize the County Administrator to approve renewal options for up to two (2) additional one-year terms, at the same prices, terms and conditions, by mutual consent.

BUDGETED ACTION:

No action needed. While the adopted budget in the Specialty Mowing account is not adequate to over this award, additional funding will be made available through savings in various other accounts, as approved in the FY16 budget process.

(10) 16-169, Award, All Terrain Walking Excavator

RECOMMENDED ACTION:

Approve "Piggyback" purchase off of the Florida Sheriff's Association Contract #15-13-0904, Specification #36 and award File #16-169, All Terrain Walking Excavator as awarded to Menzi Sales USA Inc. of Lakeland, Florida in the amount of \$382,195.90.

BUDGETED ACTION:

No action needed. Budgeted in CIP "Excavator/Crawler (Replacement)" as approved in the FY16 budget process.

Real Estate Services

No Items

G. Community Development

No items

H. Community Services

Parks and Natural Resources

No Items

Recreation

No Items

Libraries and Historical

No Items

I. Economic Development

No Items

J. Facilities Construction and Maintenance

No Items

K. Human Resources

No Items

L. Human Services

No Items

M. Public Safety

(1) Community Emergency Response Team Grant

RECOMMENDED ACTION:

- a) Request board approval of the grant agreement between Charlotte County and Florida Division of Emergency Management in the amount of \$8,638 to fund the Citizen Corps and Community Emergency Response Team (CERT) Program and authorize Chair to sign any related documents; and
- b) Request board approval Resolution for budget adjustment #BA16-016 in the amount of \$8,638.

BUDGETED ACTION:

Approve budget adjustment #BA16-016 in the amount of \$8,638. County match of 100% will be provided by in-kind hours of Emergency Management staff.

N. Public Works

(1) Resolution for authorization of Board Chairman to sign FAA submittals for Mosquito Control

RECOMMENDED ACTION:

- a) Authorize the Chairman to sign the attached correspondence required by the Federal Aviation Administration (FAA) to allow for the dispersal of Mosquito control agents over congested areas of Charlotte County from June 1, 2016 through May 30, 2017; and
- b) Approve a resolution authorizing the Chairman to sign future annual authorizations in years hence to dispense insecticides as a routine endeavor to maintain compliance with Title 14 Code of Federal Regulations (CFR 14) Federal Aviation Regulations FAR Part 137.51(b)1) and Mosquito Control Policies.

BUDGETED ACTION:

No action needed.

(2) FDOT-County Maintenance Agreement for Orlando Boulevard Safe Routes to School Sidewalk Project

RECOMMENDED ACTION:

- a) Approve a Transportation Post Project Maintenance Agreement (Agreement) between Florida Department of Transportation (FDOT) and Charlotte County for the Kingsway Elementary Safe Routes to School Sidewalk Project (on Orlando Boulevard between Veterans and Peachland Boulevard) that will be constructed by FDOT, known as Financial Project No. 430926-1-52-01, FAP No. 8886-585-A; and
- b) Adopt a Resolution approving the Agreement and authorizing the Chairman to execute the Agreement. Two (2) original agreements will be needed.

BUDGETED ACTION:

No action needed. Funding for maintenance will be from the Greater Port Charlotte Street & Drainage Unit as approved in the FY16 budget process.

O. Tourism Development

No Items

P. Utilities

(1) Authority Water Demand 20 Yr Projections-2016

RECOMMENDED ACTION:

Approve the 2016 Charlotte County 20-year projected water demands for submittal to the Peace River/Manasota Regional Water Supply Authority.(Water Authority)

BUDGETED ACTION:

No action needed.

Q. Other Agencies

No Items



REGULAR AGENDA

R. Regular Agenda

- (1) County Administration
RESTORE Act Multiyear Implementation Plan (MYIP)
RECOMMENDED ACTION:
Board Approval to submit the Multiyear Implementation Plan (MYIP) with the four projects chosen and ranked by the RESTORE Act Advisory Board to the Treasury Department.

- (2) County Attorney
Peace River Manasota Regional Water Supply Authority Consent Resolution
RECOMMENDED ACTION:
Approve a resolution that provides conditional consent to the Water Supply Authority for the construction of the Phase I interconnect pipeline in Charlotte County.

- (3) Utilities
Water Authority Agenda Jan 28, 2016
RECOMMENDED ACTION:
Board discussion and direction on Peace River Manasota Regional Water Supply Authority (Authority) Board agenda items to be discussed on January 28, 2016 during the Authority Board of Director's Meeting.



PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

- (1) Budget and Administrative Services
Budget Adjustment BA16-011
 - a) Conduct a public hearing to consider approving budget adjustments that amend the FY15/16 budget; and
 - b) Approve Resolution and Budget Adjustments as listed on Table 1 of the Resolution.

- (2) Utilities
Conduct PH on Utilities Rates
Conduct public hearing to consider, revising Utilities rates, fees and charges pursuant to proposed rate adjustment presentation from July 21, 2015 Board of County Commissioners (Board) workshop.

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

(1) PA-15-07-08-LS, Revisions to the County's Comprehensive Plan - Part 1

RECOMMENDED ACTION:

Approve ordinances adopting Petition PA-15-07-08-LS, a large scale plan amendment to amend:
1) Future Land Use (FLU) Element by amending FLU Goal 1, FLU Goal 2, FLU Goal 3, FLU Goal 4, and FLU Goal 5, and some objectives and policies under FLU Goal 1, FLU Goal 2, FLU Goal 3, FLU Goal 4, FLU Goal 5, and FLU Goal 6; amending the Babcock related policies; amending FLU Policy 6.2.11: Natural Resource Connections item 3a., FLU Policy 6.3.1: Interconnection, FLU Policy 6.3.11: Established Flowways, and FLU Policy 6.3.12: Greenways Plan; 2) FLU Appendix I: Land Use Guide by amending the plan amendment standards of review; adding sub-neighborhood commercial to the Low Density Residential (LDR), Medium Density Residential (MDR) and High Density Residential (HDR) land use categories with specific development standards; replacing "recreational vehicle" with "recreational vehicle park" within the LDR, MDR and HDR land use categories; redefining general range of uses, removing Special Provision item 3., and deleting sub-category within the Commercial land use category; amending Special Provisions within the Office and Institutional (OI) land use category; and amending U.S. 41 Mixed Use (41MU) and Babcock Mixed Use (BMU) land use categories; 3) FLU Appendix III, Definitions by deleting the definition of "Smart Growth" and amending the definitions of "Strip Commercial" and "Urban Sprawl"; 4) Natural Resources (ENV) Element by amending some policies under ENV Goal 1 and ENV Goal 2; 5) Coastal Planning (CST) Policy 3.2.5: Development Requiring Special Needs Assistance; and rename the County's Comprehensive Plan to Charlotte 2050; Petition No. PA-15-07-08-LS; Applicant: Charlotte County Board of County Commissioners.

Legislative

BUDGETED ACTION:

No action needed.



PRESENTATION AGENDA

U. 10:00 A.M.

No Items

V. 2:00 P.M.

(1) 3:00 P.M. Presentations 16-008 Design - Wastewater Expansion Phase 2

Presentations for Request for Proposal #16-008, Design - Wastewater Expansion Phase 2 with a 15-minute presentation by each presenter to be held in the following order: Giffels-Webster, Johnson Engineering, and Stantec Consulting.



PUBLIC WORKSHOP AGENDA

Public input permitted.

W. 10:00 A.M.

No Items

X. 2:00 P.M.

No Items



BOOK 74, PAGE 118
JANUARY 21, 2016

BOARD WORKSHOP AGENDA

No public input.

Y. 10:00 A.M.

No Items

Z. 2:00 P.M.

No Items



CITIZEN INPUT - ANY SUBJECT

Anyone wishing to address the Board during this portion of the meeting must state their name for the record. Remarks, on any County related subject, shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.

1:00 P.M. Citizen Input Any Subject

AA. County Administrator:

BB. County Attorney:

CC. Commissioner Comments:

Bill Truex, District 3, Chairman
Christopher Constance, District 2, Vice-Chairman
Ken Doherty, District 1
Stephen R. Deutsch, District 4
Tricia Duffy, District 5

**Board of County Commissioners
 Schedule of Future Closures/Hearings/Workshops**

Thursday, February 04, 2016	01:30 pm	** RESCHEDULED **Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Monday, February 08, 2016	09:00 am	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, February 09, 2016	09:00 am	Board of County Commissioners Regular Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte
Tuesday, February 16, 2016	09:00 am	Board of County Commissioners Monthly Workshop	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Thursday, February 18, 2016	01:30 pm	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, February 23, 2016	09:00 am	Board of County Commissioners Regular and Land Use Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte
Thursday, March 03, 2016	01:30 pm	** RESCHEDULED **Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Monday, March 07, 2016	09:00 am	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, March 08, 2016	09:00 am	Board of County Commissioners Regular Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte
Monday, March 14, 2016	09:00 am	Board of County Commissioners Monthly Workshop	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, March 15, 2016	09:00 am	Board of County Commissioners Monthly Workshop	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Thursday, March 17, 2016	01:30 pm	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, March 22, 2016	09:00 am	Board of County Commissioners Regular and Land Use Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte

~~JANUARY 21, 2016~~

Tuesday, April 05, 2016	09:00 am	Board of County Commissioners Monthly Workshop	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Thursday, April 07, 2016	01:30 pm	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, April 12, 2016	09:00 am	Board of County Commissioners Regular Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte
Tuesday, April 19, 2016	09:00 am	**RESCHEDULED** Board of County Commissioners Monthly Workshop	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Thursday, April 21, 2016	01:30 pm	**RESCHEDULED** Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Monday, April 25, 2016	09:00 am	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, April 26, 2016	09:00 am	Board of County Commissioners Regular and Land Use Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte