

**BOARD OF COUNTY COMMISSIONERS**

**JANUARY 26, 2016**

A Regular and Land Use 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 Sandroock, County Attorney Knowlton, Chief Deputy Board Services White, and Minutes Clerk Russo. The following members were absent: None

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

The Invocation was given by Father Ian Hammett, Holy Trinity Greek Orthodox Church, followed by the Pledge of Allegiance.

**Changes to the Agenda**

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

**Change #2:** V-1 Added Ballot attachment  
Requested by: Budget and Administrative Services

**Addition #1:** R-4 Added Discussion on Department of Juvenile Justice  
Requested by: Commission Office

**Deletion #1:** R-2 Deleted Peace River Manasota Regional Water Supply  
Requested by: County Attorney

**Proclamations - Commissioner Stephen R. Deutsch**

**COMMISSIONER DOHERTY MOVED TO APPROVE THE PROCLAMATIONS, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**Drink Out of Anything but Plastic Day - Tania Garcia**

Unknown representative accepted the Proclamation and thanked the Board, staff, schools, parents and teachers.

**National Wear Red Day - Marie Peleck**

Bayfront American Heart Association representative accepted the Proclamation.

**Commissioner Deutsch** mentioned the monthly meetings for the Purple Hearts and suggested participation in the schools to hear the history.

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

**Commissioner Deutsch** presented the award to Herman Stapleton.

Mrs. Stapleton thanked the Board on behalf of Mr. Stapleton.

#### **Employee Recognition - Commissioner Stephen R. Deutsch**

##### **Employee of the Month - December 2015 - Jerry Mallet - Public Safety**

Marianne Taylor, Public Safety Director gave a brief overview for Jerry Mallet, detailed his background, commented on the Community rating system, cost savings, and recognition for the top 20 ranking and emergency management understanding.

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

**Commissioner Doherty** gave a brief overview of the County Engineer process, department history, and background information for Ms. Vernon.

Joanne Vernon thanked the board and staff.

**Chair Truex** commended Ms. Vernon for her abilities and staff support.

#### **Award Presentations**

#### **CITIZEN INPUT - AGENDA ITEMS ONLY**

Susan Hutt spoke to design contracts for sewers, infrastructure, project costs, utility rate increases, transit grant application, Lucienne Pears, Economic Development Director, and future contracts for employees.

Dave Kesselring commented on Clerk's Finance Memo, pointed out transit portion, stadium improvements, capital projects, Sales Tax Extension, Health Insurance Trust Fund, Demolition Contract, Cape Haze Renovations, and sidewalks.

Josh Patterson spoke to restoration projects, bay scallops, sea grants, genetic tools, technology, and suggestions for a Master's Program for student thesis.

#### **COMMITTEE VACANCIES**

#### **REPORTS RECEIVED AND FILED - No Items**

**CONSENT AGENDA**

**COMMISSIONER DOHERTY MOVED TO APPROVE THE BALANCE OF THE CONSENT AGENDA WITH THE EXCEPTION OF ITEM P-1, SECONDED BY COMMISSIONER DEUTSCH**

**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**

(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.

(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**

(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. **RES2016-008**

**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. **AGR2016-006**

**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. **GRT2016-001**

(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. **RES2016-009**

(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. **RES2016-010 / GRT2016-002**

(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. **RES2016-011 / GRT2016-003**

(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. **RES2016-012 / GRT2016-004**

**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.

(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 cover 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**

**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 #BA16016 in the amount of \$8,638. BUDGETED ACTION: Approve budget adjustment #BA16016 in the amount of \$8,638. County match of 100% will be provided by in-kind hours of Emergency Management staff. **RES2016-013 / GRT2016-005**

**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. **RES2016-014**

(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. **RES2016-015 / AGR2016-007**

**O. Tourism Development - No Items**

**P. Utilities**

(1) Authority Water Demand 20 Year 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.

Gary Hubbard, Utilities Director spoke to projections, low and high beber, capacity requirements, annual projections, and maintenance of methodology.

**Chair Truex** pointed out past years consensus statistics and suggested moving forward. **Commissioner Constance** spoke to the utility population match up, Beber comparison to the National Consensus, and suggested clarification from staff for comparisons to other counties. **Commissioner Deutsch** commented on past history of consensus data, demographics, and federal estimates. **Commissioner Doherty** commented on no issues with holding off for further information from staff. **Commissioner Duffy** suggested moving forward with the projection.

**COMMISSIONER CONSTANCE MOVED TO POSTPONE APPROVAL FOR TWO WEEKS FOR FURTHER INFORMATION, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED: 3:2 COMMISSIONER DEUTSCH, AND COMMISSIONER DUFFY OPPOSED**

**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.

Mindy Collier, Restore Act Coordinator gave a brief overview on the Restore Act Direct Component, Gulf Cost Restoration Trust Fund, Spill Impact Component, Direct Component Process, Multiyear Implementation Plan (MYIP), grant funds, Charlotte County RESTORE Act Transocean, and Multiyear Implementation Plan (MYIP) Timeline.

Caitlin Weber, Restore Act Advisory Board spoke to the (MYIP) Projects, funding, map of the projects, Overview of the MYIP Projects, Time Constraints, Florida Trust Fund Allocations in other Counties, Overview of Plans Approved by Treasury, Pasco County Approved Projects, Hernando County Approved Projects, Pinellas County Approved Projects, and Monroe County Pending Projects.

**Chair Truex** spoke to public comment, Coral Creek restoration, water quality, hatcheries, and fishery monitoring importance. **Commissioner Constance** commented on research, hard work, pointed out land ownership conflicts for voting with Harbor Walk, spoke to Pot 3 availability, Bay Scallop restoration, future Oyster restoration, and Fishery monitoring. **Commissioner Deutsch** thanked the Restore Act Advisory Board for all the hard work and commented on the process. **Commissioner Doherty** requested clarification for future changes if needed.

COMMISSIONER DEUTSCH MOVED TO APPROVE THE MULTIYEAR IMPLEMENTTION PLAN (MYIP),  
SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED: 4:0 COMMISSONER CONSTANCE ABSTAINED (FORM 8B FILED)

RECESS: 10:05 am - 10:15 am

~~{Deletion #1} (2) Deleted Peace River Manasota Regional Water Supply Requested by: 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.~~

(Change #1) (3) Added Agenda attachment

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.

Gary Hubbard, Utilities Director spoke to the Utilities Water Authority Agenda for January 28, 2016 and  
detailed changes.

**Chair Truex** questioned the ranking process. **Commissioner Constance** commented on past meetings,  
bid policy changes, strategic plans, monetized assets, rankings, director involvement, and process of  
elimination. **Commissioner Deutsch** spoke to Legislative updates and county priorities.

(Addition #1) (4) Added Discussion on Department of Juvenile Justice

Emily Lewis, Legislative Manager gave a brief overview of the Department of Juvenile Justice.

**Chair Truex** requested staff clarification from Roger Davis, Sr. Financial Analyst for the Juvenile Justice  
savings. **Commissioner Constance** spoke to the 50/50 split being a positive then the past.  
**Commissioner Deutsch** commented on the equitable and fair process.

COMMISSIONER CONSTANCE MOVED TO ACCEPT THE JUVENILLE JUSTICE, SECONDED BY  
COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

RECESS: 11:15 - 1:00 PM

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. **RES2016-016**

Gordon Burger, Budget and Administrative Services Director gave a brief overview of Budget Adjustment BA16-011.

**Public Hearing**

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

**MOTION CARRIED 4:0.**

**COMMISSIONER CONSTANCE MOVED APPROVAL OF THE BUDGET ADJUSTMENT BA16-011, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 4:0.**

(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. **RES2016-017**

Mr. Hubbard gave a brief overview of the Utility Rates and commented on the proposed changes will not affect existing customers, explained Benefits for the General Public, Proposed Line Extension Charges, Line Extension Charge per ERC, Additional Line Extension Charge greater than 500 feet, Additional Charge for Road Restoration, Connection Costs, Residential Water Fees, Typical Line Extensions (LPS), Low Pressure Sewer Tank Installation, Sewer Service Installation Charge, Residential Sewer Fees, Optional Phase-In of Proposed Water Fees, Optional Phase in of Proposed Sewer Fees, Optional Phase in of Proposed LPS Fees, Financing Options, Reclaimed Water User Rates, Miscellaneous Fees, and Recommendations.

**Chair Truex** commented on estimated costs, West County, and Placida project. **Commissioner Constance** requested clarification for the Delta LPS Tank costs. **Commissioner Deutsch** asked for the Builder Population responses. **Commissioner Duffy** thanked Mr. Hubbard for his presentation, outreach efforts, and commented on Spring Lake.

**Public Hearing**

Ed Pazmino spoke to leach field issues, hook up to county sewer history, pointed out pipes, electric bill, and detailed the process.

Mike Martin, State Farm Agent in Punta Gorda commented on policy classes, fire hydrants, savings for homeowners, and fire hydrant benefits.

**COMMISSIONER DUFFY MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

Assistant County Attorney Miller mentioned changes to clauses in detail. Mr. Hubbard spoke to Mr. Pazmino involvement, expressed appreciation, and followed up with guarantees of corrections to be made to his situation.

**Chair Truex** pointed out water lines and customer service process. **Commissioner Constance** spoke to customer satisfaction, efforts to make issues correct, and lower rates. **Commissioner Deutsch** commented on Builder's recommendations, phase 3 options, and impact on citizens. **Commissioner Doherty** spoke to options and rates for customers. **Commissioner Duffy** commented on Mr. Pazmino's experience with CCU and initially gave his information to Mr. Hubbard.

**COMMISSIONER DUFFY MOVED TO APPROVE OPTION 2, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION LOST 2:3 CHAIR TRUEX, COMMISSIONER DOHERTY, AND COMMISSIONER DEUTSCH OPPOSED**

**COMMISSIONER DEUTSCH MOVED TO APPROVE OPTION 3, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 4:1 COMMISSIONER CONSTANCE OPPOSED**

**PUBLIC HEARING AGENDA**

**CITIZEN INPUT - ANY SUBJECT**

**1:00 P.M. CITIZEN Input Any Subject**

Richard Van Acker spoke to scrub jay lots and fees.

Susan Hutt commented on husband's employment with the County, past employees, hostile work environments, and mentioned Tina Powell.

Scott Andrichak mentioned Giffels-Webster, design completion numbers, project numbers, Banks Engineering, and spoke to rankings.

Kathleen Coppola spoke to sewer projects, commended Mr. Hubbard, suggested no new projects, and pointed out chemicals to water supply.

**AA. County Administrator:**

Emily Lewis, Legislative Manager spoke to preliminary budgets timeline, water funding list release, DJJ, DRI bill, Senate Bill amendments, and TIFF program for Economic Development.

County Administrator Sandrock commented on job descriptions for the Health Department position, Cultural Center / Family Service Center will be back in March for discussion at the workshop, and announced upcoming baseball events.

BB. County Attorney:

CC. Commissioner Comments:

Chair Truex supplied information to the Board for the Florida Department of Health job description, commented on the Ambassador Program, dress code for baseball games, ticket policy, and parking policies. Commissioner Constance spoke to availability with calendar of events, Attorney Doug Manson legal invoices, and Greek Festival. Commissioner Deutsch mentioned wind damage from recent weather conditions, commended Waste Management for their cooperation with the Beach Complex, and spoke to being elected Chairman for the West Coast Inland Navigation District (WCIND). Commissioner Doherty mentioned looking forward to a busy week in Tallahassee and announced the 8<sup>th</sup> Annual Hands Across the Harbor event. Commissioner Duffy commented on attorney fees, facelift 41, citizen feedback, and Public Works department assistance.

Recess: 1:45 pm - 2:00 pm.

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.

Shaun Cullinan, Planning and Zoning Official detailed the Large Scale Plan Amendment Petition Number PA-15-07-08-LSm Revisions to the County's Comprehensive Plan – Part 1.

Commissioner Constance pointed out changes not included in the packet.

Public Hearing:

Percy Angelo, Friends of Cape Haze spoke to encroachments, DRI's, density, and hearings.

Deb Highsmith commented on goals, policies, procedures, language in the contract, Smart Charlotte, framework, FLU Policy, access to Public Water Lines, Public Right of Way, linkage strategies, recommended languages, Water Shed overlay, and mentioned Hillsborough County.

Richard Flint, Friends of Cape Haze Chairman spoke to disappointment with past litigation and mentioned future litigation.

Attorney Geri L. Waksler mentioned past meetings, review of the comprehensive plan, duplications of regulation, modifications to the comprehensive plan, discussions, changes, and supports the revisions.

Attorney Rob Berntsson, commented on support to staff, reviews of the comprehensive plan, State agencies, revisions, and urged the Boards approval for adoption of the changes.

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

**MOTION CARRIED 5:0.**

**Chair Truex** clarified density units, transfers, requirements for different areas, and environmental hazardous substances. **Commissioner Constance** requested staff clarification for hazardous materials and hazardous substances terminology, commented on area transfers, and density. **Commissioner Deutsch** spoke to the process citizens wanted to protect their property, and staff efforts to comply with federal or state requirements. **Commissioner Doherty** mentioned the work balance, regulatory language, duplications from past plans, pointed out the review process, and control of the comprehensive plan. **Commissioner Duffy** commented on the hard work from staff with the comprehensive plan and mentioned upset citizens.

Mr. Cullinan responded to Board inquiries.

**Consensus to add generalize the hazardous substances or materials verbiage**

**COMMISSIONER DUFFY MOVED APPROVAL OF AN ORDINANCE 2016-001 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, 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 SET FORTH IN THE FUTURE LAND USE (FLU) ELEMENT OF CHARLOTTE COUNTY'S COMPREHENSIVE PLAN, AND CHANGING THE NAME TO CHARLOTTE 2050 COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE WITH CHANGES TO THE DEPARTMENT OF COMMUNITY AFFAIRS TO THE DIVISION OF EMERGENCY MANAGEMENT, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED APPROVAL OF AN ORDINANCE 2016-002 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING FUTURE LAND USE (FLU) POLICY 6.2.11: NATURAL RESOURCE CONNECTIONS ITEM 3A. SET FORTH IN THE FUTURE LAND USE (FLU) ELEMENT OF CHARLOTTE**

COUNTY'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH  
MOTION CARRIED 5:0.

COMMISSIONER DUFFY MOVED APPROVAL OF AN ORDINANCE 2016-003 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING FUTURE LAND USE (FLU) POLICY 6.3.1: INTERCONNECTION, FLU POLICY 6.3.11: ESTABLISHED FLOWWAYS, AND FLU POLICY 6.3.12: GREENWAYS PLAN SET FORTH IN THE FUTURE LAND USE (FLU) ELEMENT OF CHARLOTTE COUNTY'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED APPROVAL OF AN ORDINANCE 2016-004 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING POLICIES RELATED TO THE BABCOCK DEVELOPMENT SET FORTH IN THE FUTURE LAND USE (FLU) ELEMENT OF CHARLOTTE COUNTY'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0.

COMMISSIONER DUFFY MOVED APPROVAL OF AN ORDINANCE 2016-005 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING FLU APPENDIX I: LAND USE GUIDE OF CHARLOTTE COUNTY'S COMPREHENSIVE PLAN 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 LOW DENSITY RESIDENTIAL (LDR), MEDIUM DENSITY RESIDENTIAL (MDR) AND HIGH DENSITY RESIDENTIAL (HDR) LAND USE CATEGORIES; REDEFINING GENERAL RANGE OF USES, REMOVING SPECIAL PROVISION ITEM 3., AND DELETING A 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; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

COMMISSIONER CONSTANCE MOVED AN AMENDMENT FOR VERBAGE FOR DISPOSAL OF HAZARDOUS OR TOXIC MATERIALS OR SUBSTANCES OR WASTE OR PETROLEUM PRODUCTS, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:1. COMMISSIONER DUFFY OPPOSED FOR THE AMENDMENT

COMMISSIONER DOHERTY MOVED APPROVAL OF AN ORDINANCE 2016-006 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING FLU APPENDIX III, DEFINITIONS OF CHARLOTTE COUNTY'S COMPREHENSIVE PLAN BY DELETING THE DEFINITION OF "SMART GROWTH" AND AMENDING THE

DEFINITIONS OF "STRIP COMMERCIAL" AND "URBAN SPRAWL"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH  
MOTION CARRIED 5:0.

COMMISSIONER DUFFY MOVED APPROVAL OF AN ORDINANCE 2016-007 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING THE NATURAL RESOURCES (ENV) ELEMENT OF CHARLOTTE COUNTY'S COMPREHENSIVE PLAN BY REVISING SOME POLICIES UNDER ENV GOAL 1 AND ENV GOAL 2; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED APPROVAL OF AN ORDINANCE 2016-008 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING COASTAL PLANNING (CST) POLICY 3.2.5: DEVELOPMENT REQUIRING SPECIAL NEEDS ASSISTANCE, SET FORTH IN THE COASTAL ELEMENT OF CHARLOTTE COUNTY'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Chair Truex explained requirements for facilities. Commissioner Constance requested clarification for language in the ordinance and suggested language revisions.

Mr. Cullinan responded to board inquiries in detail and explained zoning items. Claire Jubb, Community Development Director commented on floodplain regulations for assisted living facilities and evacuation plans.

COMMISSIONER DOHERTY MOVED APPROVAL OF MAP NAME CHANGE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

RECESS: 3:00 pm – 3:20 pm

#### PUBLIC WORKSHOP AGENDA

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

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

#### BOARD WORKSHOP AGENDA

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

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

V. 2:00 P.M.

**(Change #2)**(1) Added Ballot attachment Requested by: Budget and Administrative Services

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.

Kim Corbett, Senior Division Purchasing Manager gave a brief overview of the presentation process for the Design Wastewater Expansion Phase 2.

**Giffels-Webster Engineers, Inc.**

Johnathon Cole, Giffels-Webster Engineers, Inc. gave a brief overview of the presentation for Proposal #16-008 in detail.

**Commissioner Constance** questioned engineering for the gravity system on Edgewater, lift stations, vacuum systems, and cost differences. **Commissioner Duffy** commented on a great presentation, requested clarification for vacuum systems, sewers, gravity on Edgewater, Spring Lake project, and cost savings.

**Johnson Engineering, Inc.**

Christopher Beers, Johnson Engineering gave a brief overview of the presentation for Proposal #16-008 in detail.

**Commissioner Duffy** spoke to vacuum systems, traditional gravity, pressure differential, plans, and permitting. **Commissioner Doherty** requested clarification for the engineer of record and questioned vacuum system experience.

**Stantec**

Tom Christ, Stantec gave a brief overview of the presentation for Proposal #16-008 in detail.

**Chair Truex** requested clarification for time savings, low pressure, and canal crossings. **Commissioner Duffy** commented on phone interviews, selection committee, and quantity of vacuum projects. **Commissioner Doherty** spoke to experience, type of vacuum systems, asked who the engineer of record would be, sealing, and group work together on projects.

**Chair Truex** announced Giffels-Webster was ranked first with Johnson Engineering and Stantec tied for second ranking.

Ms. Corbett advised that a second round of ballots would be administered to break the tie between Johnson Engineering and Stantec.

**Chair Truex** announced that Stantec was ranked second.

ADJOURNED: 5:00 pm

*William G. Truex*  
William G. Truex, Chair



DATE ADOPTED: *February 23, 2016*

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

By: *Michelle DiBernardino*  
Deputy Clerk