

MARCH 17, 2016

A Pre-Agenda Meeting was held in preparation for the March 22, 2016 Regular and Land Use Meeting at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

The following members were present: Commissioner Constance via Teleconference, Commissioner Deutsch and Commissioner Doherty. Also in attendance were: County Administrator Sandrock, Deputy County Administrator Shoemaker, Assistant County Attorney Miller, Minutes Secretary Russo, and various County staff members. The following members were absent: Chair Truex and Commissioner Duffy.

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

There was Board discussion on the following items:

Administration: D-1

Purchasing: F-4

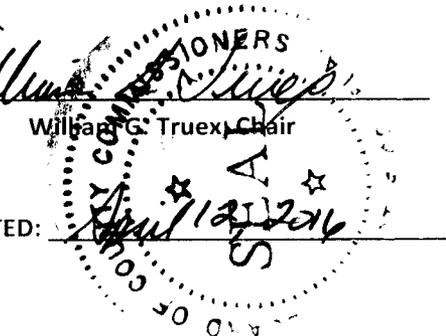
Real Estate Services: F-6

Community Development: G-1

Regular Agenda: R-3

Land Use Public Hearing: T-1

ADJOURNED: 1:53 pm



William G. Truex, Chair

DATE ADOPTED: _____

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

March 22, 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 941.764.4191, TDD/TTY 941.743.1234, or by email to Raymond.Carter@CharlotteCountyFL.gov.

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

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

Pastor Sheppard
Tri-City Baptist Church

Pledge of Allegiance

Changes to the Agenda: See separate sheet

Proclamations - Commissioner Bill Truex

Donate Life Month
Florida Surveyors and Mappers Week
Florida Water Conservation Month
Try Transit Day

Employee Recognition - Commissioner Bill Truex

Employee of the Month - February, 2016
Richard Lisenbee
Public Works

Employee Recognition

Gina Gilbreath
Public Works

Award Presentations

2015 Plant Operations Excellence Award

Outstanding Operation through Dedicated Professionalism
Medium Community Water System
South DEP District
2015

Combat Wounded Veteran

Award Certificate of Recognition, Combat Wounded Veteran to William P. Carrier, United States Army.



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:

Burnt Store Village Street and Drainage Unit Advisory Board is seeking two volunteers who must be residents of Charlotte County and reside within the Unit. Terms: two regular members to serve a three year term from date of establishment of the Unit. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail: Kelly.Louttit@CharlotteCountyFL.gov.

Don Pedro & Knights Island Street & Drainage Unit Advisory Board is seeking one volunteer who must be a resident elector of the Unit and must provide a copy of their voter registration or similar proof of residency on the Island and reside in Zone 2 as shown on the district map. Terms: one regular member to serve a three year term from the date of the establishment of the Unit. Submit application, resume and proof of residency to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950, call 941.575.3600 or e-mail Kelly.Louttit@CharlotteCountyFL.gov.

Marine Advisory Committee is seeking one volunteer to serve in the capacity of Member at Large. This term will fill an unexpired term and will expire December 31, 2016. Please call the Commission Office at 941.743.1300 for an application form to turn in with your resume.

Northwest Port Charlotte Waterway Unit Advisory Board is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Terms: one regular member to serve a three year term from the date of establishment of the Unit. Submit application and resume 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

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:

Approve the following minutes:

February 16, 2016 BCC Workshop

February 23, 2016 Regular and Land Use Meeting

March 7, 2016 Pre-Agenda

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

(1) Re-Appointment - Harbour Heights Waterway Unit Advisory Board

RECOMMENDED ACTION:

Approve the re-appointment of Joseph Fleming as a regular member to the Harbour Heights Waterway Unit Advisory Board with the term expiring on November 22, 2019.

BUDGETED ACTION: No action needed.

(2) Re-Appointment - Manasota Key Street and Drainage Unit Advisory Board

RECOMMENDED ACTION:

Re-appoint BarbaraJean (BJ) Galberaith as a regular member to the Manasota Key Street & Drainage MSTU Unit Advisory Board with the term expiring on November 22, 2019.

BUDGETED ACTION: No action needed.

(3) Re-Appointment - Greater Port Charlotte Street and Drainage Advisory Board

RECOMMENDED ACTION:

Re-appoint Bob Logan as a regular member to the Greater Port Charlotte Street and Drainage Unit Advisory Board with the term expiring on November 22, 2019.

BUDGETED ACTION: No action needed.

D. Administration

Administration

(1) US Treasury Department-Direct Component Funding Certifications

RECOMMENDED ACTION:

a) Authorize the Chair to sign a letter to the US Treasury Department designating the County Administrator or his designee to submit applications once they have been completed; and

b) Authorize the Chair to sign the Direct Component Funding Certifications.

BUDGETED ACTION: No action needed.

Public Information Office

No Items

E. County Attorney

(1) Master Capital and Service Assessment Ordinance

RECOMMENDED ACTION:

Set a public hearing on April 12, 2016 at 10:00 a.m. or soon thereafter as may be heard to adopt the amended and restated master capital project and service assessment ordinance.

BUDGETED ACTION: No action needed.

(2) Executive Session concerning the civil lawsuit captioned Maxcy Development Group Holdings- Waterford Estates, Inc. v. Charlotte County and Sheriff Bill Prummell.

RECOMMENDED ACTION:

Set an Executive Session for March 22, 2016 at 3:00 p.m. in the Charlotte County Attorney's Office Conference Room to discuss settlement negotiations and strategy related to litigation expenditures concerning the civil lawsuit captioned Maxcy Development Group Holdings- Waterford Estates, Inc. v. Charlotte County and Sheriff Bill Prummell, Case No. 15-0259-CA.

BUDGETED ACTION: No action required.

(3) Executive Session concerning the civil lawsuit captioned Caroline Murray and Robert Murray v. Charlotte County.

RECOMMENDED ACTION:

Set an Executive Session for April 12, 2016 at 2:00 PM in the Charlotte County Attorney's Office Conference Room to discuss settlement negotiations and strategy related to litigation expenditures concerning the civil lawsuit captioned Caroline Murray and Robert Murray v. Charlotte County, Case No. 14-1851CA.

BUDGETED ACTION: No action required.

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: Request 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-4-H3-208.

BUDGETED ACTION: No action needed.

Information Technology

No Items

Purchasing

(2) 16-249, Piggyback Purchase, John Deere Bulldozer - Public Works Solid Waste

RECOMMENDED ACTION:

a) Approve resolution authorizing budget adjustment BA16-026, in the amount of \$65,000 to increase CIP project "Landfill Bulldozer", and reduce CIP project "Commercial Landscape Debris Facility"; and
b) Approve the Award of File #16-249, for the Piggyback Purchase of One (1) John Deere 850K Bulldozer Canopy Tractor for the Public Works - Solid Waste Division to Nortrax of Tampa, FL, under the Florida Sheriffs Association Contract #15-13-0904, Specification #35 for a total cost of \$366,972; and

c) Approve the property deletion of Asset #33457 to be sold via an on-line auction service with Gov-Deals, Inc.

BUDGETED ACTION:

Approve resolution authorizing budget adjustment BA16-026, in the amount of \$65,000 to increase CIP project "Landfill Bulldozer", and reduce CIP project "Commercial Landscape Debris Facility". Funding is supplied from Solid Waste service fees.

Purchasing (continued...)

- (3) 16-080, Award, Secure Parking Area - Administration Complex
RECOMMENDED ACTION:
Approve the Award of Bid #16-080, Secure Parking Area - Administration Complex, to the lowest responsive, responsible bidder, Tarpon Bay General Contracting, of Port Charlotte, FL, for the total amount of \$166,000.
BUDGETED ACTION:
No action needed. Budgeted in CIP Project "Safety & Security Improvements" as approved in the FY16 budget process. Funding is supplied from Capital Projects, ad valorem.
- (4) 16-212, Award, SR 776/US 41 Gateway Landscape - Public Works
RECOMMENDED ACTION:
a) Approve resolution authorizing budget adjustment BA16-027, in the amount of \$81,000 to increase CIP project "SR776/US41 Gateway Landscaping", and reduce CIP project "Roadside Landscaping"; and
b) Approve the award of Bid #16-212, SR 776/US 41 Gateway Landscape to the lowest responsive, responsible bidder, Valley Crest Landscape Maintenance Inc., of Port Charlotte, Florida in the amount of \$319,693.76.
BUDGETED ACTION:
Approve resolution authorizing budget adjustment BA16-027, in the amount of \$81,000 to increase CIP project "SR776/US41 Gateway Landscaping", and reduce CIP project "Roadside Landscaping. Funding is supplied from Native Tree Fund, with reimbursement of \$100,000 upon completion and acceptance of the project, coming from a Florida Highway Beautification Council grant.
- (5) 96-314, Amend #6, Midway Blvd Widening-Design - Public Works
RECOMMENDED ACTION:
a) Approve Amendment #6 to Contract #96-314, Midway Boulevard Widening-Engineering Services in the amount of \$10,980 for a revised Contract Amount of \$2,810,395; and
b) Authorize Chairman to sign the Amendment. This is for the design of 48-inch Utility gravity sewer and water line extension/replacement down Loveland Boulevard.
BUDGETED ACTION:
No action needed. Funding from Utilities Wastewater Connection Fee Fund approved in CIP Grand Master Lift Station and Gravity Interceptor - Loveland Blvd in the FY16 Budget Process.

Real Estate Services

- (6) County Property - Surplus
RECOMMENDED ACTION:
Approve the attached Resolution that declares the real property listed on Exhibit "A" to be surplus to County needs and authorizes County staff to dispose of the real property in accordance with the provisions of Florida Statute 125.
BUDGETED ACTION: No action needed.

G. Community Development

- (1) Resolution to Extend DRIs Buildout Dates
RECOMMENDED ACTION:
Approve a Resolution to amend the buildout dates to the Development Orders of Babcock Ranch Community Master Development of Regional Impact (DRI), Babcock Ranch Community DRI Increment I, Murdock Center Master DRI and Increment IV, Sandhill DRI and Tern Bay DRI.
Legislative
BUDGETED ACTION: No action needed.

H. Community Services

Parks and Natural Resources

No Items

Recreation

- (1) Ripken-Rays Concession Agreement Transfer to CBI

RECOMMENDED ACTION:

Approve the Novation of the Master Concession Agreement No. 2009-010 between Charlotte County and Ripken-Rays for assignment to CBI-Rays.

BUDGETED ACTION: No action needed

Libraries and Historical

No Items

I. Economic Development

- (1) Economic Development Office Lease Addendum

RECOMMENDED ACTION:

Request execution of the attached Addendum #6 to the Economic Development Office lease for the property located at 18501 Murdock Circle, Suite 302.

BUDGETED ACTION:

No action needed. Funding for General Fund - Economic Development approved in the FY16 budget process.

- (2) Set a Public Hearing to consider an Ordinance granting ad valorem tax exemption to Cheney Brothers pursuant to Charlotte County Code Chapter 1-7, Article VII

RECOMMENDED ACTION:

Set a Public Hearing for April 12, 2016 at 10:00 a.m. or soon thereafter, to consider an Ordinance granting ad valorem tax exemption to Cheney Brothers pursuant to Charlotte County Code Chapter 1-7, Article VII.

BUDGETED ACTION: No action needed.

- (3) Joint workshop with BCC and Enterprise Charlotte Economic Council

RECOMMENDED ACTION:

Approve setting a workshop with the Enterprise Charlotte Economic Council for April 7, 2016 at 3:00 p.m., in Room B-106.

BUDGETED ACTION: No action needed.

J. Facilities Construction and Maintenance

No Items

K. Human Resources

No Items

L. Human Services

No Items

M. Public Safety

No Items

N. Public Works

- (1) Hayward Canal Area Waterway MSBU - Bathymetric Survey

RECOMMENDED ACTION:

Approve resolution authorizing BA16-023 to transfer \$25,000 within the Hayward Canal Area MSBU to fund a bathymetric survey in the current fiscal year.

BUDGETED ACTION:

Approve resolution authorizing Budget Adjustment BA16-023 in the amount of \$25,000 to fund a bathymetric survey within the Hayward Canal Area Waterway. Funding is supplied from assessments in the Hayward Canal Area Waterway MSBU.

- (2) North Manasota Key Beach Renourishment

RECOMMENDED ACTION:

a) Authorize using \$1.5M of BP settlement funds to complete the design and permitting of a beach renourishment project on Manasota Key.

b) Approve resolution authorizing BA16-028 in the amount of \$1,500,000 to fund design and permitting for Capital Improvement Project "North Manasota Key Beach Renourishment".

BUDGETED ACTION:

Approve resolution authorizing Budget Adjustment BA16-028 in the amount of \$1,500,000, advancing funds from the BP Settlement Fund Reserves, to fund design and permitting for Capital Improvement Project "North Manasota Key Beach Renourishment".

O. Tourism Development

No Items

P. Utilities

No Items

Q. Other Agencies

No Items



REGULAR AGENDA

R. Regular Agenda

- (1) Community Services

WCIND Meeting Agenda, March 25, 2016

RECOMMENDED ACTION:

Board discussion and direction on West Coast Inland Navigation District (WCIND) agenda items to be discussed on March 25, 2016 during the WCIND Board Meeting.

- (2) Utilities

Water Authority Meeting Agenda, April 6, 2016

RECOMMENDED ACTION:

Board discussion and direction on Peace River Manasota Regional Water Supply Authority (Authority) Board agenda items to be discussed on April 6, 2016 during the Authority Board of Directors Meeting.

- (3) Commission Office

US 41 and Murdock Circle Intersection - Turn Lane Improvements

RECOMMENDED ACTION:

Authorize the County to complete the design for US 41 and Murdock Circle Intersection - Turn Lane Improvements. Coordinate with the State for the construction funds.

- (4) Commission Office

TDC Event Funding Program and Application

RECOMMENDED ACTION:

Discussion and direction of the TDC event funding program and application.



PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

No Items

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

(1) Community Development

Creating New Section 3-9-85.1: Billboards

Approve an Ordinance to amend Chapter 3-9, Zoning, by creating new Section 3-9-85.1, Billboards; providing for definition; providing for requirements of repair, refurbishment and replacement; providing for conflict with other ordinances; providing for severability; and providing an effective date. Applicant: Charlotte County Board of County Commissioners.

Legislative

(2) Community Development

SV-15-12-03, Lighthouse Baptist Church

Approve a Resolution for Lighthouse Baptist Church of North Port Florida, Inc. to vacate a portion of Palmer Avenue.

Legislative



PRESENTATION AGENDA

U. 10:00 A.M.

(1) Youth Summit Presentation

Presentation of the 2015 Charlotte County Youth Summit Report by Ronni Hemstreet, Senior at Charlotte High School and Ali Medico, Senior at Lemon Bay High School.

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



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 P.M. Citizen Input

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**

Tuesday, April 05, 2016	09:00am	Board of County Commissioners Monthly Workshop	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Thursday, April 07, 2016	01:30pm	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, April 12, 2016	09:00am	Board of County Commissioners Regular Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte
Tuesday, April 19, 2016	09:00am	**RESCHEDULED** Board of County Commissioners Monthly Workshop	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Thursday, April 21, 2016	01:30pm	**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	09:00am	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, April 26, 2016	09:00am	Board of County Commissioners Regular and Land Use Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte
Thursday, May 5, 2016	01:30pm	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, May 10, 2016	09:00am	Board of County Commissioners Regular Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte
Tuesday, May 17, 2016	09:00am	Board of County Commissioners Monthly Workshop	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Thursday, May 19, 2016	01:30pm	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

~~Murdock Administration Center,
18500 Murdock Circle,
Commission Chambers Room
#119, Port Charlotte~~

Tuesday, May 24, 2016	09:00am	Board of County Commissioners Regular and Land Use Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte
Thursday, June 9, 2016	01:30pm	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, June 14, 2016	09:00am	Board of County Commissioners Regular Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte
Tuesday, June 21, 2016	09:00am	Board of County Commissioners Monthly Workshop	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Thursday, June 23, 2016	01:30pm	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, June 28, 2016	09:00am	Board of County Commissioners Regular and Land Use Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte
Thursday, July 7, 2016	01:30pm	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, July 12, 2016	09:00am	Board of County Commissioners Regular Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte
Tuesday, July 19, 2016	09:00am	Board of County Commissioners Monthly Workshop	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Thursday, July 21, 2016	01:30pm	Board of County Commissioners Pre-Agenda Meeting	Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte
Tuesday, July 26, 2016	09:00am	Board of County Commissioners Regular and Land Use Meeting	Murdock Administration Center, 18500 Murdock Circle, Commission Chambers Room #119, Port Charlotte