

BOARD OF COUNTY COMMISSIONERS

APRIL 12, 2016

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

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

The Meeting was called to order at 9:00 am

The Invocation was given by **Commissioner Duffy**, followed by the Pledge of Allegiance.

Changes to the Agenda

Change #1: R-6 Added Beach Concession Discussion and Direction.
Requested by: Commission Office

Change #2: R-2 Added updated Air Show Presentation
Requested by: Tourism Development

Change #3: F-2 Updated Requested Motion/Action and Background
Requested by: Purchasing

Change #4: R-5 Added updated Phase 2 Ackerman Countryman Presentation
Requested by: Utilities

Change #5: R-3 Added Sales Tax Project Presentation
Requested by: Administration

Change #6: S-3 Updated Master Ordinance attachment
Requested by: County Attorney

Change #7: R-2 Added Air Show Marketing Plan, Airshow Application to TDC, and Expense Worksheet
Requested By: Tourism Development

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Stephen R. Deutsch

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

MOTION CARRIED 5:0.

Artist of the Month - Karen Nolan

Karen Nolan accepted the Proclamation.

Autism Awareness Month

Maureen Forensky thanked the Board and gave a brief description of Autism.

Charlotte Stone Crabs Month

Jared Forma accepted the Proclamation.

David Dunn-Rankin Day

Mr. David Dunn-Rankin was not present to accept the Proclamation.

Library Appreciation Month

An unknown representative accepted the Proclamation.

Parliamentary Law Month

Barbara from Charlotte County Parliamentary Unit accepted the Proclamation.

Employee Recognition - Commissioner Stephen R. Deutsch

County Administrator Sandrock announced April as National County Government Month with great thanks to the Board and staff for their high level of services to the Citizens of Charlotte County.

5 Years: David Coble, Public Works; Randal Moore, Public Works; **10 Years:** Gary Grossman, Public Works; William Depremio, Jr., Utilities; **15 Years:** Andrew Mitchell, Public Safety; **20 Years:** Curtiss Owens, Public Safety; **25 Years:** Hung Do, Public Works.

Award Presentations - No Items

CITIZEN INPUT - AGENDA ITEMS ONLY

Keith Sims spoke to his wife having Fibromyalgia, and mentioned handicapped citizens that rely on the beach chair services.

Stanley Hutt commented on behalf of the Ambassador Program, pointed out All Terrain Vehicle (ATV) benefits on the beach, turtles, and the Beach Guy services.

Susan Hutt mentioned regulations, turtles, the Beach Guy, and Spring Lake phase 2 sewers.

Steve Lineberry, Sunrise Kiwanis spoke to vendor tents for the Punta Gorda Air Show, services provided to children, and funding.

Dave Kesselring noted fines, Commissioner voting capabilities, and commented on the Beach Guy issues.

John Wright, Punta Gorda Chamber of Commerce commented on the Punta Gorda Air Show.

Julie Mathis, Punta Gorda Chamber of Commerce expressed support for the funding of the Punta Gorda Air Show and the economic impact.

Peggy Burton detailed the Beach Guy services and commended Mr. Timchula for his community assistance.

Susan Bledsol, Assistant to the Beach Guy pointed out services offered, livelihood, and requested a long term contract.

Cathy Wodey spoke to beach memories and the Beach Guy.

Cheryl LeValley noted statutes, options, and support for the Beach Guy.

Bruce Foster, Punta Gorda business owner commented on the Punta Gorda Air Show, employee statistics, and tourism.

Marty O'Neill expressed support for the Beach Guy, the Punta Gorda Air Show, and commented on County Ordinances.

Mark Timchula, Beach Guy spoke to services offered, vendor contracts, and supplied DVD's to the Board.

Ed Hill, Englewood Chamber of Commerce commended the Beach Guy for unique services, mentioned the East Coast, Tampa area services, and the Punta Gorda Air Show.

Denis Young expressed support for the Beach Guy and noted bad behavior from a Parks & Recreation employee.

Megan Timchula commented on her dad Mr. Timchula's community involvement, services offered, and a dream that was fulfilled.

Tom Parker mentioned the Punta Gorda Air Show, benefits for children to attend camp that cannot afford without the contributions, and expressed support for funding.

COMMITTEE VACANCIES

Boca Grande Street & 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 which will expire on April 2019. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; 941.575.3600 or e-mail Kelly.Louttit@CharlottecountyFL.gov.

Buena Vista Area 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 which will expire on January 2019. 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.

Gardens of Gulf Cove Street & Drainage 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 which will expire on November 2019. 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.

Gulf Cove Waterway Benefit 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 which will expire on August 2019. 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.

Marine Advisory Committee is seeking one volunteer to serve as Member-at-Large to fill an unexpired term that will expire December 31, 2016. To obtain an application, please call Joann Dillon at 941.743.1309 or email Joann.Dillon@CharlottecountyFL.gov.

Mid Charlotte Stormwater Utility Advisory Board is seeking one volunteer who must be resident of Charlotte County and reside within the Unit. Terms: one regular member to serve a three year term which will expire on May 2019. 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.

Murdock Village Community Redevelopment Agency Advisory Committee is seeking one volunteer to serve as Member-at-Large (term will expire November 20, 2018). Applicant must be a resident of Charlotte County. To obtain an application, please call 941.743.1309 or email Joann.Dillon@CharlottecountyFL.gov.

Northwest Port Charlotte Street and Drainage 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 which will expire on December 2019. 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.

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 which will expire on June 2019. 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.

South Gulf Cove Waterway Benefit Unit Advisory Board is seeking one volunteer to serve a regular member for a three year term from the date of the establishment of the Unit. Applicants must be a resident of Charlotte County and reside within the Unit. 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

2015 Community Redevelopment Agency Annual Reports for the following: Charlotte Harbor CRA, Murdock Village CRA, and Parkside CRA

CONSENT AGENDA

COMMISSIONER DOHERTY MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-3, 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: Approve the following minutes:

March 08, 2016 BCC Regular Meeting
March 14, 2016 BCC Workshop
March 15, 2016 BCC Workshop
March 17, 2016 Pre-Agenda
March 22, 2016 Regular and Land Use Meeting

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

(1) Appointment - South Gulf Cove Beautification Advisory Board

RECOMMENDED ACTION: Approve the appointment of Daren "Daz" Jensen as a regular member to the South Gulf Cove Beautification Advisory Board with the term expiring on November 12, 2019.
BUDGETED ACTION: No action needed.

(2) Appointment - South Gulf Cove Beautification Advisory Board

RECOMMENDED ACTION: Approve the appointment of Suzanne Bassett as a regular member to the South Gulf Cove Beautification Advisory Board with the term expiring on November 12, 2019.
BUDGETED ACTION: No action needed.

D. Administration

Administration - No Items

Public Information Office - No Items

E. County Attorney - No Items

F. Budget and Administrative Services

Fiscal Services

(1) Renewal of Pooled Commercial Loan

RECOMMENDED ACTION: Request the Board approve a Resolution authorizing the refinancing of an existing Commercial Paper loan in the amount of \$7,911,000 from the Florida Pooled Commercial Paper Loan Program of the Florida Local Government Finance Commission that was used to fund Burnt Store Road Phase I Construction, the South Bridge Waterway Dredging, the Town Estates Paving, and the Tropical Gulf Acres Paving projects. The loan is secured with a covenant to budget and appropriate non-ad valorem revenues. BUDGETED ACTION: No action needed. Debt service payments included in current and future budget as planned during original borrowing. **RES2016-040**

Information Technology - No Items

Purchasing

(2) 13-242 Accela Maintenance Agreement Amendment #1.

(Change #3) Updated Requested Motion/Action and Background

RECOMMENDED ACTION: a) Approve Amendment #1 to Accela Maintenance Agreement, File #13-242 for Charlotte County's Accela Software Enterprise Program with Accela, Inc. for a period of five (5) years in the amount of \$144,599.46 per year; and b) Authorize the Chairman to sign the attached Amendment for the Maintenance Agreement between the County and Accela. BUDGETED ACTION: No action needed. Funding from the General Fund - IT approved in the FY13 Budget Process.

(3) 14-249 Amend #1-CEI Svs-Gateway Harbor Walk- Phase1A - Public Works

RECOMMENDED ACTION: a) Approve Amendment #1 to Contract 14-249 CEI Services- Gateway Harbor Walk Phase 1A with CDM Smith Inc. of Sarasota, FL in the amount of \$65,257.50 and a revised contract amount of \$312,765.75; and b) Authorize the Chairman to sign Amendment #1 for the extension of the CEI Contract time and services to oversee the construction portion. BUDGETED ACTION: No action needed. Budgeted in CIP Project "Charlotte Harbor Gateway" as approved in the FY16 budget process. Funding is supplied from the Charlotte Harbor CRA, subsequently reimbursed from Local Boater Improvement funds.

Chair Truex mentioned payment to contractor and to follow up with FPL for reimbursement. **Commissioner Deutsch** commented on Florida Power & Light (FPL) involvement and the several unanswered calls to FPL Area Manager Charlotte Miller. **Commissioner Doherty** spoke to change orders, Local Agency Program (LAP) funding, FPL or Tampa Electric Company (TECO), thanked staff for the provided information, and requested Administration and the Legal Division to research for reimbursement of funds from responsible entities involved. **Commissioner Duffy** mentioned the Federal Government involvement and explained wire obstruction.

County Attorney Knowlton noted that all parties need to be researched not just FPL.

COMMISSIONER DOHERTY MOVED TO APPROVE AMENDMENT #1 TO CONTRACT 14-249 WITH PROVISIONS FOR STAFF, ADMINISTRATION, AND LEGAL TO RESEARCH FUNDING SOURCES FROM ALL RESPONSIBLE ENTITIES, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0., COMMISSIONER CONSTANCE ABSTAINED FOR PROPERTY OWNERSHIP (FORM 8B FILED)

(4) 15-354, Work Assignment #7 - Piper Road North

RECOMMENDED ACTION: Approve award of Work Assignment #7 to Contract #15-354, Construction/Geotechnical Testing Services, with Lomski Engineering & Testing, Inc. in the not-to-exceed amount of \$209,800 for services related to the Piper Road North Project. BUDGETED ACTION: No action needed.

(5) 16-079, Award, Fencing, Installation, Maintenance & Repairs - Annual Contract

RECOMMENDED ACTION: a) Approve award Bid of #16-079, Fencing Installation, Maintenance and Repairs - Annual Contract to the lowest responsive bidder, ERS Construction, of Punta Gorda, Florida at the hourly rate bid. Term of contract is from date of award through and including September 30, 2017; and b) Authorize the County Administrator to approve the renewal options for up to two additional one-year terms, at the same prices, terms, and conditions, by mutual consent. BUDGETED ACTION: No action needed; budgeted in various cost centers. Funding for this item comes from various sources as approved in the FY16 budget process.

(6) 16-146, Award, Dredging - Buena Vista Grassy Point

RECOMMENDED ACTION: Approve Award of Bid #16-146, Dredging- Buena Vista Grassy Point, to the lowest responsive, responsible bidder Marine Contracting Group, Inc. of Punta Gorda, FL in the amount

of \$297,514.88. BUDGETED ACTION: No action needed. Budgeted in CIP project "Buena Vista WW Maintenance Dredging", as approved in the FY16 budget process.

(7) 16-247 Sunshine Lake Circulation Pumps - Public Works

RECOMMENDED ACTION: Approve the award of Bid #16-247, Sunshine Lake Circulation Pumps to the sole responsive, responsible bidder, Medora Corporation of Dickinson, ND in the amount of \$172,496.10. BUDGETED ACTION: No action needed. Budgeted in CIP project "Sunshine Lake/Sunrise Waterway Water Quality Project", as approved in the FY16 budget process. Funding is supplied from assessments in the Mid Charlotte Stormwater Unit.

(8) Property Deletions for the month of April, 2016

RECOMMENDED ACTION: Approve deletion of the property inventory items listed on the attached for the month of April, 2016. BUDGETED ACTION: No action needed.

Real Estate Services - No Items

G. Community Development

(1) Resolution Approving TDU-15-10-02, Transfer of Density Units by Newfoundland Five, Inc.

RECOMMENDED ACTION: Adopt a Resolution approving TDU-15-10-01, the transfer of 62 units of density to property located at 3426, 3430, 3432, and 3436 Taylor Road, owned by Newfoundland Five, Inc. BUDGETED ACTION: No action needed. Quasi-Judicial **RES2016-041**

H. Community Services

Parks and Natural Resources - No Items

Recreation - No Items

Libraries and Historical - No Items

I. Economic Development

(1) Resolution for Approval of the Ad Valorem Tax Exemption Annual Report Form

RECOMMENDED ACTION: Request approval of the attached Resolution approving the Ad Valorem Tax Exemption annual report form. BUDGETED ACTION: No action needed. **RES2016-042**

J. Facilities Construction and Maintenance - No Items

K. Human Resources - No Items

L. Human Services - No Items

M. Public Safety

(1) Tactical Medic Interlocal Agreement

RECOMMENDED ACTION: Request Chairman to sign the Tactical Medic Interlocal Agreement between the Charlotte County Sheriff's Office and the Board of County Commissioners. BUDGETED ACTION: No action needed. Funding from the General Fund approved in the FY16 Budget Process. **AGR2016-015**

N. Public Works - No Items

O. Tourism Development - No Items

P. Utilities

(1) Parkside CRA - Clean Water SRF Loan Application

RECOMMENDED ACTION: Adopt a resolution authorizing the Charlotte County Utilities department to submit an application to the Florida Department of Environmental Protection (FDEP) for a loan from the State Revolving Fund (SRF) program to finance the construction costs for the Parkside CRA project. BUDGETED ACTION: No action needed. Subsequent approval of the loan will require a budget amendment. **RES2016-043**

Q. Other Agencies - No Items

REGULAR AGENDA

R. Regular Agenda

Taken Out of Order

(6) Commission Office

(Change #1) Added Beach Concession Discussion and Direction.

County Attorney Knowlton suggested setting a public hearing for the next BCC Meeting on April 26, 2016 to approve a revised Ordinance and Agreement and noted upcoming meeting scheduled with the attorney for Mr. Timchula.

Chair Truex requested clarification for month to month Agreement, spoke to statutes, and business model remaining the same. **Commissioner Constance** expressed support for Resolution of revised Agreement. **Commissioner Deutsch** commented on information received and thanked the citizens. **Commissioner Doherty** noted the great services provided by Mr. Timchula and mentioned looking forward to revised Agreement. **Commissioner Duffy** spoke to information received from other Counties for ATV usage on the beaches with regards to the sea turtles, and commended Mr. Timchula for all he does for the community.

County Attorney Knowlton commented on contract length, permit process, and Sarasota County model used.

COMMISSIONER DOHERTY MOVED TO SET THE PUBLIC HEARING FOR APRIL 26, 2016, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

(1) Commission Office

BCC Event Funding Policy

RECOMMENDED ACTION: Discussion and approval of Event Funding Policy

Chair Truex noted event insurance. **Commissioner Constance** thanked staff and the Board for policy change involvement. **Commissioner Doherty** commented on the policy changes, flexibility, and Board involvement. **Commissioner Deutsch** expressed concerns for first year event criteria and requested clarification for event process. **Commissioner Duffy** spoke to events and bad weather issues.

Lorah Steiner, Tourism Director detailed the first year event policy verbiage.

County Attorney Knowlton highlighted criteria, services, changes to the policy and mentioned Chief Deputy Board Services Tommy White suggested adding a requirement for the second year event to provide audited financial statements by the applicants.

COMMISSIONER DEUTSCH MOVED APPROVAL OF THE EVENT FUNDING POLICY WITH CHANGES PROVIDED BY COUNTY ATTORNEY KNOWLTON, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

(2) Tourism Development

(Change #2) Added updated Air Show Presentation

Air Show

RECOMMENDED ACTION: a) Sales Tax presentation b) Board discussion and direction.

Tyler Ezzi, Allstate Insurance gave brief description of the Air Show, history, and support of businesses. Dana Carr, Air Trek, Inc. spoke to Organizational Structure, Organizations Support, Spectator Demographics, Marketing Reach, Marketing Overview, Historic Financial Performance, 2016 Income Breakdown, Expense Breakdown, 2016 County Support Utilization of Funds, Sponsorship Development, Commitment to Tourism, Economic Impact, and Education Partnership.

Chair Truex questioned marketing expenses. **Commissioner Constance** requested clarification on the motion, conservative projections, Airport Authority involvement, expenses, and commended all involved for their work. **Commissioner Deutsch** commented on the Air Show. **Commissioner Doherty** questioned financial, TDC requirements, and requested timing, and deposits. **Commissioner Duffy** spoke to the Air Show being a positive event and suggested it be added to the Sheriff's budget in the future.

COMMISSIONER DEUTSCH MOVED TO APPROVE DIRECTION TO COUNTY ATTORNEY TO DRAFT AN AGREEMENT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

RECESS: 11:02 am – 11:17 am

S. 10:00 A.M. Public Hearing

(1) Purchasing

16-180, Award, 2016 County Paving Program - Public Works

a) Conduct a public hearing and approve resolution authorizing BA16-030 in the amount of \$1,550,000 to fund additional paving in CIP Project "PGNU Paving FY16-20"; and b) Approve the Award of Bid #16-180, 2016 County Paving Program, to the lowest responsive, responsible bidder, Ajax Paving Industries of Florida, LLC of North Venice, Florida for a total project cost of \$18,196,953. **RES2016-044**

Kim Corbett, Senior Division Purchasing Manager gave a brief overview of the Award of Bid #16-180 2016 County Paving Program.

Commissioner Doherty requested information for the paving program.

Public Hearing

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE AWARD OF BID #16-180 AND RESOLUTION 2016-044, SECONDED BY CHAIR TRUEX

MOTION CARRIED 5:0.

(2) Economic Development

Ad Valorem Tax Exemption Ordinance for Cheney Brothers, Inc.

a) Conduct a public hearing to approve an Ordinance granting ad valorem tax exemption to Cheney Brothers, Inc. pursuant to Charlotte County Code Chapter 1-7, Article VII; and b) Authorize Chair to execute the Program Agreement with Cheney Bros for tax exemption as approved in Ordinance 2016-18. **ORD2016-019, AGR2016-016**

Lucienne Pears, Economic Development Director gave a brief overview and background information for the Ad Valorem Tax Exemption Ordinance for Cheney Brothers, Inc.

Commissioner Constance questioned the number of years in effect. **Commissioner Duffy** commented on the tax exemption approval by voters.

Public Hearing

Warren Newell, Cheney Brothers spoke to roadway paving, taxes, project costs, hiring struggles, future land acquisitions, solar power, and commended staff for establishment process.

Scott Andrichak spoke to Cheney Brothers land ad valorem tax exemptions.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2016-018 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, APPROVING AN AD VALOREM TAX EXEMPTION PURSUANT TO CHARLOTTE COUNTY CODE CHAPTER 1-7, ARTICLE VII, FOR CHENEY BROTHERS, INC. AS AN INDUCEMENT TO ESTABLISH AND OPERATE A DISTRIBUTION CENTER AND CREATE NEW JOBS IN CHARLOTTE COUNTY THROUGHOUT THE TERM OF THE AD VALOREM TAX EXEMPTION, AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE THE FUNDING AGREEMENT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Ms. Pears thanked Paul Polk, Charlotte County Property Appraiser for joint partnership with the ad valorem tax exemption process.

(3)County Attorney

(Change #6) County Attorney Updated Master Ordinance

Master Capital and Service Assessment Ordinance

Conduct a public hearing to be held on April 12, 2016 at 10:00 a.m., or soon thereafter, to adopt the amended and restated master capital project and service assessment ordinance. **ORD2016-019**

County Attorney Knowlton gave a brief overview of Master Ordinance and noted verbiage changes.

Public Hearing

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2016-019 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING AND RESTATING CHAPTER 4-1, ARTICLE I, OF THE CHARLOTTE COUNTY CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY,

FLORIDA RELATING TO THE IMPOSITION OF SPECIAL ASSESSMENTS FOR THE PROVISION OF SERVICES, FACILITIES, PROGRAMS AND LOCAL IMPROVEMENTS WITHIN CHARLOTTE COUNTY, FLORIDA; AUTHORIZING THE IMPOSITION AND COLLECTION OF ASSESSMENTS AGAINST PROPERTY WITHIN THE UNINCORPORATED AREA OF CHARLOTTE COUNTY; PROVIDING CERTAIN DEFINITIONS AND DEFINING THE TERMS "ASSESSMENT," "SERVICE ASSESSMENT," AND "CAPITAL ASSESSMENT"; PROVIDING FOR THE CREATION OF ASSESSMENT AREAS; ESTABLISHING THE PROCEDURES FOR IMPOSING ASSESSMENTS; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF ASSESSMENT ROLLS; PROVIDING THAT ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE ASSESSMENT ROLL; PROVIDING THAT THE LIEN FOR AN ASSESSMENT COLLECTED PURSUANT TO SECTIONS 197.3632 AND 197.3635, FLORIDA STATUTES, UPON PERFECTION, SHALL ATTACH TO THE PROPERTY ON THE PRIOR JANUARY 1, THE LIEN DATE FOR AD VALOREM TAXES; PROVIDING THAT A PERFECTED LIEN SHALL BE EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; AUTHORIZING EXEMPTIONS AND HARDSHIPS ASSISTANCE; PROVIDING PROCEDURES FOR COLLECTION OF ASSESSMENTS; PROVIDING A MECHANISM FOR THE IMPOSITION OF ASSESSMENTS ON GOVERNMENT PROPERTY; AUTHORIZING THE ISSUANCE OF OBLIGATIONS SECURED BY ASSESSMENTS AND PROVIDING FOR THE TERMS THEREOF; PROVIDING THAT THE COUNTY'S TAXING POWER SHALL NOT BE PLEDGED; PROVIDING REMEDIES; DEEMING THAT PLEDGED REVENUES SHALL BE CONSIDERED TRUST FUNDS; PROVIDING FOR THE REFUNDING OF OBLIGATIONS; PROVIDING THAT THIS ORDINANCE IS AN ALTERNATIVE MEANS OF IMPLEMENTATION AND FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE LIBERALLY CONSTRUED; PROVIDING FOR CONFLICTS AND CODIFICATION; PROVIDING FOR REPEALING ORDINANCE 99-012 AS CODIFIED IN CHAPTER 4-1, ARTICLE 1 SECTIONS 4-1-1 THROUGH 4-1-6 AND ORDINANCE 12-008 AS CODIFIED IN CHAPTER 4-5, ARTICLE XVI SECTIONS 4-5-361 THROUGH 4-5-418 OF THE CHARLOTTE COUNTY CODE OF LAWS AND ORDINANCES; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

County Attorney Knowlton pointed out verbiage changes to section 2.06.

COMMISSIONER CONSTANCE MOVED THE VERBIAGE CHANGES, SECONDED BY COMMISSIONER DOHERTY.

MOTION CARRIED 5:0.

Taken Out of Order

Regular Agenda

(3) Administration

(Change #5) Added Sales Tax Project Presentation

Sales Tax Projects Update

RECOMMENDED ACTION: a) Sales Tax presentation b) Board discussion and direction.

Travis Mortimer, Capital Projects Manager gave a brief update for the Sales Tax Projects, Active Past Projects, Midway Update, Edgewater Phase 2, and provided website GOEP2.com.

Chair Truex questioned Placida Road, Gasparilla Road, libraries in North Port, and requested research for surrounding counties. **Commissioner Constance** spoke to effects of contracts from project delays, flexibility, City involvement, four lane roads, millennials, and requested a May 2016 Workshop for further discussion. **Commissioner Deutsch** requested completion date clarification for Edgewater project, suggested options for expediting projects, pointed out weather constraints, costs for overtime, and communication with the Board with regard to delays. **Commissioner Doherty** requested clarification for budgeting, permitting, mentioned project scopes, design, costs, McGuire Park, and four lane roadways. **Commissioner Duffy** questioned Family Services renovations, mentioned past discussions, technology, and building structure.

Chuck Koons, Projects Engineer spoke to bridge delays, lack of activity in areas, and weekend work for contractors. Joanne Vernon, County Engineer noted project status update details. Brian Barnes, Projects Engineer commented on rain delays, completion dates, and targets for Gasparilla Road. David Milligan, Facilities Construction & Maintenance Director provided project status, responses from citizens, and completion dates.

RECESS: 1:07 pm - 2:00 pm

BOARD OF COUNTY COMMISSIONERS

APRIL 12, 2016

An Executive Session was held at the Murdock Administration Complex in Commission Chambers, Room 119, Port Charlotte, Florida. The following members were present: Chair Truex, Commissioner Doherty, and Commissioner Duffy. Also in attendance were: County Administrator Sandrock, County Attorney Knowlton and Minutes Secretary Russo.

The Executive Session was called to order at 2:00 pm

The opening of the public portion of the Executive Session was announced. County Attorney Janette Knowlton informed the attorney/client portion of the Executive Session would be held in the County Attorney's Conference Room, advised the purpose of the session is to discuss the lawsuit captioned Caroline Murray and Robert Murray v. Charlotte County Case No. 14-1851CA, and stated the following would be in attendance: **Chair Truex, Commissioner Constance, Commissioner Deutsch, Commissioner Doherty, Commissioner Duffy**, County Administrator Sandrock, County Attorney Knowlton, and Assistant County Attorney Philip Fairman.

EXECUTIVE SESSION RECESS: 2:00 pm – 2:35 pm

The Executive Session was reconvened and closed in Room 119 with **Chair Truex, Commissioner Doherty, Commissioner Duffy**, County Attorney Knowlton, and Minutes Secretary Russo present.

ADJOURNED: 2:35 pm

(4) Utilities

East and West Spring Lakes Project Update

RECOMMENDED ACTION: Provide an update to the Board of County Commissioners for the East and West Spring Lakes Project.

Gary Hubbard, Utilities Director gave a brief overview of the East and West Spring Lakes Project with detailed information.

Chair Truex commented on the process. **Commissioner Constance** questioned the vacuum station. **Commissioner Deutsch** requested clarification for the vacuum station generator. **Commissioner Doherty** spoke to odor control and plumbers.

(5) Utilities

(Change #4) Added updated Phase 2 Ackerman Countryman Presentation

Phase 2 – Ackerman Countryman Project Update

RECOMMENDED ACTION: Provide an update to the Board of County Commissioners for the Phase 2 – Ackerman Countryman Project.

Gary Hubbard gave brief overview of Phase 2 Ackerman Countryman Presentation, Project Description, Occupied & Vacant Units, Status of Project, Proposed Project Timetable, Estimated Annual Assessment, Proposed Sewer Expansion Funding, Proposed Water Expansion Funding, MSBU, Annual Sewer Assessment Projection Breakdown, Annual Water Assessment Projection Breakdown, Onsite Septic Failures, On Lot Connections, Connections to be made, Pending Discussion Points, and Project Public Outreach.

County Attorney Knowlton informed the Board of a Meeting scheduled for April 15, 2016 with the Department of Health.

T. 2:00 P.M. Land Use Public Hearing - No Items

PRESENTATION AGENDA

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

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

PUBLIC WORKSHOP AGENDA

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 spoke to new position request rescheduled for April 26, 2016, mentioned hiring process, budget amendment and the Peace River Wildlife Center.

Chair Truex spoke to evaluation of positions and options for Peace River Wildlife Center. **Commissioner Constance** noted parking meters, citizen input for safety positions, and commented on Peace River Wildlife Center requests. **Commissioner Deutsch** pointed out past requested information for boat ramps, parking, and commented on Cheney Brothers property. **Commissioner Doherty** requested more information for the Peace River Wildlife Center costs, grants, and design. **Commissioner Duffy** mentioned Marketing Graphics Design position, parking fee position, and suggested elimination.

BB. County Attorney: None

CC. Commissioner Comments:

Chair Truex announced vacancy for Advisory Council member, event for Community Unit, vendors, grant opportunities, and the diversion program. **Commissioner Constance** spoke to the Punta Gorda Housing authority vacant lot, National Association of Counties (NACO) meeting, Peace River Water Authority contract renewal issue, and Health Department disqualified applicants. **Commissioner Deutsch** commented on past events. **Commissioner Doherty** spoke to the upcoming Washington D.C. trip. **Commissioner Duffy** requested clarification of services provided for Peace River Water Authority contract renewal, commented on the Punta Gorda Overlay project and the Promenades.

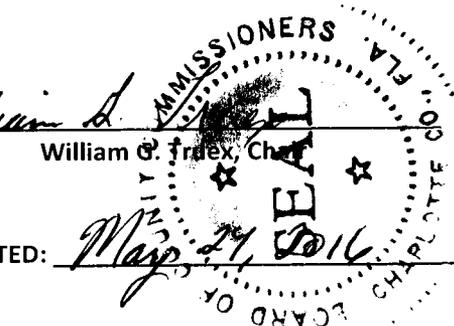
County Administrator Sandrock mentioned a past conversation with Kim Barnhill.

ADJOURNED: 3:54 pm



William G. Truex, Chair

DATE ADOPTED: May 21, 2016



ATTEST:

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

By: 

Deputy Clerk