

BOARD OF COUNTY COMMISSIONERS

APRIL 25, 2016

A Pre-Agenda Meeting was held in preparation for the **April 26, 2016** Regular Meeting at the Murdock Administration Complex in Room B-106, 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, Assistant to the County Administrator Flores, County Attorney Knowlton, Minutes Secretary Russo, and various County staff members. The following members were absent: None

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

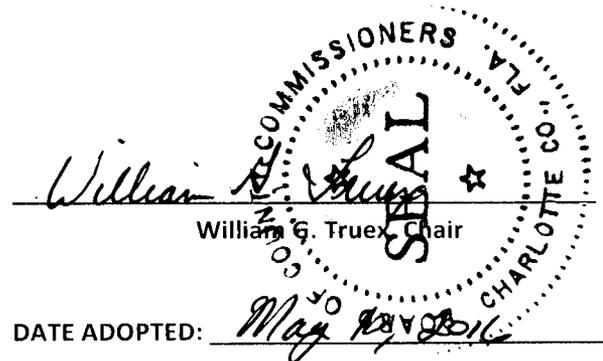
There was Board discussion on the following items:

County Attorney: E-1, E-2, E-3

Fiscal Services: F-1, F-2

Purchasing: F-3, F-4, F-5, F-6, F-7

ADJOURNED: 9:22 am



William G. Truex, Chair

DATE ADOPTED: May 17, 2016

ATTEST:

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

By: Michelle DiBerardino
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

April 26, 2016 9:00 am

18500 Murdock Circle, Commission Chambers, Room #119

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.764.4191, 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

Dr. John Cross
South Biscayne Church

Pledge of Allegiance

Changes to the Agenda: See separate sheet

Proclamations - Commissioner Tricia Duffy

Child Abuse and Neglect Prevention Month
Child Care Provider Appreciation Day
Mental Health Awareness Month
National Drinking Water Week

Employee Recognition - Commissioner Tricia Duffy

Employee of the Month - April 2016

Dawn Anspach
County Attorney

Government Academy - April 2016 Class Graduates:

Sam Besase
Nancy Bundy
Deborah Cope
Dr. Joyce Cream
Bob Dahl
Dave Eastwood
J. Bradford Gamblin
Peter Gerhardt
Jim Kelly
Millada Ann Loewe
Charlie Maddox
Shawn Rourke
Gerry Schreibman
Charles Wolley

Award Presentations

Combat Wounded Veteran

Award Certificate of Recognition, Combat Wounded Veteran to Manuel Gouveia, 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:

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

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.



REPORTS RECEIVED AND FILED

2015 Utilities Department Annual Report.

Clerk of Court's County Investment Report, March 31, 2016.



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:

April 5, 2016 Board Workshop

April 7, 2016 Pre-Agenda

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

(1) Re-Appointment - Burnt Store Village Street and Drainage Advisory Board

RECOMMENDED ACTION:

Approve the re-appointment of Robert Mercier as a regular member to the Burnt Store Village Street and Drainage Advisory Board with the term expiring on April 26, 2020.

BUDGETED ACTION: No action needed.

Commission Office (Continued...)**(2) Re-Appointment - Manchester Waterway Benefit Unit Advisory Board****RECOMMENDED ACTION:**

Approve the re-appointment of Gerald Connelly as a regular member to the Manchester Waterway Benefit Unit Advisory Board with the term expiring January 26, 2020.

BUDGETED ACTION: No action needed.

(3) Appointment - Buena Vista Area Waterway Advisory Board**RECOMMENDED ACTION:**

Approve the appointment of Kenneth Kiley as a regular member to the Buena Vista Area Waterway Unit Advisory Board with the term expiring on April 26, 2020.

BUDGETED ACTION: No action needed.

D. Administration**Administration**

No Items

Public Information Office

No Items

E. County Attorney**(1) Approve and Authorize Chair to Sign an Interlocal Agreement Between Charlotte County, Florida, and the Babcock Ranch Community Independent Special District Providing for Waiver of Bond with Alternate Financial Assurance for Construction of Platted Improvements****RECOMMENDED ACTION:**

Approve and authorize Chair to sign an Interlocal Agreement between Charlotte County, Florida, and the Babcock Ranch Community Independent Special District providing for waiver of bond with alternate financial assurance for construction of platted improvements.

BUDGETED ACTION: No action needed.

(2) Approve and Authorize Chair to Sign the Settlement Between Friends of Cape Haze, Inc., Boca Norte, LLC, Caribbean Bay Mortgage Lender, LLC, and Charlotte County, which will Resolve the Friends of Cape Haze, Inc.'s Challenge to the County's Adopted Comprehensive Plan Large Scale Plan Amendments**RECOMMENDED ACTION:**

Approve and authorize Chair to sign the Settlement Agreement between Friends of Cape Haze, Inc., Boca Norte, LLC, Caribbean Bay Mortgage Lender, LLC, and Charlotte County, which will resolve the Friends of Cape Haze, Inc.'s challenge to the County's adopted Comprehensive Plan Large Scale Plan Amendments, Ordinance Numbers 2016-001, 2016-002, 2016-003, 2016-004, 2016-005, 2016-006, 2016-007 and 2016-008.

BUDGETED ACTION: No action needed.

(3) Voluntary Dismissal of DJJ Cost Sharing Lawsuits**RECOMMENDED ACTION:**

Authorize Special Counsel, Nabors, Giblin to execute a Voluntary Dismissal with Prejudice of all pending lawsuits regarding Department of Juvenile Justice (DJJ) cost sharing prior to FY 16-17 and authorize the County Attorney to execute the requisite waiver and release, and take further actions necessary to effectuate same.

BUDGETED ACTION: No action needed.

(4) Funding Agreement - Florida International Airshow**RECOMMENDED ACTION:**

a) Approve the Event Funding Agreement between Charlotte County and Florida International Airshow; and

b) Approve a Resolution authorizing a budget amendment in the amount of \$80,000; and

c) Authorize the Chairman to sign the Funding Agreement.

BUDGETED ACTION:

Approve Budget Adjustment #BA16-033 in the amount of \$80,000.

F. Budget and Administrative Services

Fiscal Services

- (1) Request to Extend Budget Submissions to June 1st

RECOMMENDED ACTION:

Approve extending the budget submission dates to June 1st for the Sheriff's Office and the Clerk of the Circuit Court.

BUDGETED ACTION: No action needed.

- (2) Florida Pooled Commercial Paper Program

RECOMMENDED ACTION:

Request the Board approve a Resolution authorizing the borrowing of \$8,200,000 from the Florida Pooled Commercial Paper Program of the Florida Local Government Finance Commission for scheduled paving programs in Deep Creek, Punta Gorda Non-Urban, Rotonda Heights and Peace River Shores MSBUs. The loan is secured with a government covenant to budget and appropriate non-ad valorem revenues.

BUDGETED ACTION:

No action needed. Future debt service payments will be included in annual MSBU budgets from assessments.

Information Technology

No Items

Purchasing

- (3) 13-383, Change Order #7, Specialty Mowing - Public Works

RECOMMENDED ACTION:

Approve Change Order #7 to Contract #13-383, Specialty Mowing with Walker Services Inc. of Bradenton, Florida, to add landscape maintenance for Burnt Store Road Right-of-Way and retention ponds (new section to County line) in the amount of \$36,380.

BUDGETED ACTION:

No action needed. While the adopted budget in the Specialty Mowing account in Road & Bridge Infrastructure is not adequate to cover this increase, the additional funds needed will be made available through savings in various other accounts that were approved in the FY16 budget process. Funding is supplied from gas taxes.

- (4) 16-250, Award, Annual Contract for Reroofing & Roof Repairs - Facilities

RECOMMENDED ACTION:

a) Approve Award of Bid #16-250, Annual Contract for Reroofing & Roof Repairs, at the labor prices bid to Kuykendall Roofing of Punta Gorda, FL. Term of the contract is to be from Date of Award through and including December 31, 2016; 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.

- (5) 16-231, Award, Stormwater Control Structures - Niagara & Fordham Waterways - Public Works

RECOMMENDED ACTION:

Approve award of Bid #16-231, Stormwater Control Structures - Niagara & Fordham Waterways to the lowest responsive, responsible bidder, Andrew Sitework LLC of Fort Myers, Florida for the total project cost of \$1,555,131.90.

BUDGETED ACTION:

No action needed. The replacement structures are budgeted in CIP project "Greater Port Charlotte Drainage Control Structure Replacement". The utility items are budgeted in CIP project "Water & Sewer Waterway Crossings". Each project was approved in the FY16 budget process. Funding for the structure replacement comes from assessments in the Mid Charlotte Stormwater MSBU; funding for the utility element comes from the Utility Repair and Replacement Fund.

Purchasing (Continued...)

- (6) 15-234, Approve Amendment #1, McGuire Park Renovations - Facilities

RECOMMENDED ACTION:

- a) Approve Amendment #1 to Contract #15-234 McGuire Park Renovations with Kimley-Horn & Associates, Inc. of Sarasota, FL, for part two in the amount not-to-exceed \$136,850; and
b) Authorize the Chairman to sign Amendment #1.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "McGuire Park Phase 1", as approved in the FY16 budget process. Funding is supplied from the 2014 Sales Tax Extension

- (7) 16-242, Award, Burnt Store Village Buffer - Public Works

RECOMMENDED ACTION:

- a) Approve budget adjustment BA16-032, in the amount of \$42,700 to increase CIP project "Burnt Store Village Landscaping Burnt Store Road", and reduce CIP project "Burnt Store Village Cul-de-sac Landscaping"; and
b) Approve award of Bid #16-242, Burnt Store Village Buffer to the lowest responsive, responsible bidder, Jones-Shaffer General Partnership of Punta Gorda, FL for the total project cost \$169,674.75.

BUDGETED ACTION:

Approve budget adjustment BA16-032, in the amount of \$42,700 to increase CIP project "Burnt Store Village Landscaping Burnt Store Road", and reduce CIP project "Burnt Store Village Cul-de-sac Landscaping". Funding is supplied from assessments in the Burnt Store Village Street & Drainage MSBU.

- (8) 14-161, Change Order Approval, Banner Software Upgrade & Migration and Hardware - Information Technology

RECOMMENDED ACTION:

Approve Change Order #5 to File #14-161 for Banner System Software Upgrade and Migration, with Hansen Banner LLC of Atlanta, GA, in the amount of \$61,917.62.

BUDGETED ACTION: No action needed.

Real Estate Services

No Items

G. Community Development

- (1) FP-13-01-01, Coral Caye

RECOMMENDED ACTION:

Approve an Amended Developer's Agreement for Placida Commons, LLC, for Petition FP-13-01-01.

Quasi-Judicial

BUDGETED ACTION: No action needed.

H. Community Services

Parks and Natural Resources

No Items

Recreation

No Items

Libraries and Historical

No Items

I. Economic Development

(1) Murdock Village Land Transfer

RECOMMENDED ACTION:

Set a public hearing for May 10, 2016 at 10:00 a.m., or soon thereafter, to consider the transfer of land from Murdock Village Community Redevelopment Agency to Charlotte County Board of Commissioners.

BUDGETED ACTION: No action needed.

(2) Authorization to apply for grants

RECOMMENDED ACTION:

Request approval to apply for two grants and authorize the Chairman to sign any necessary documents:

1. Community Planning Technical Assistance Grant from the Florida Department of Economic Opportunity (DEO).
2. Recreational Trails Program Grant from the Florida Department of Environmental Protection (DEP).

BUDGETED ACTION:

- 1: DEO Community Planning Technical Assistance Grant -- No action needed at this time.
- 2: DEP Recreational Trails Program Grant -- No action needed at this time.

J. Facilities Construction and Maintenance

No Items

K. Human Resources

No Items

L. Human Services

No Items

M. Public Safety

(1) Hazard Mitigation Grant Application

RECOMMENDED ACTION:

Authorize submission on an on-line application for the Pre-Disaster Mitigation Grant for FY16 for the following projects:

- 1) Fire Station 10 Rebuild
- 2) Generator for Kingsway Elementary School
- 3) Wind retrofit for Port Charlotte Village Clubhouse

BUDGETED ACTION:

No action needed. A budget amendment will be returned to the Board for approval prior to acceptance of the grant.

N. Public Works

(1) US 41 and SR 776 FDOT Maintenance Agreement

RECOMMENDED ACTION:

- a) Approve a three-year agreement with the Florida Department of Transportation (FDOT) for maintenance of US 41 from the Peace River Bridge to South Toledo Blade Boulevard and SR 776 from US 41 to Cornelius Boulevard to include mowing, litter removal, and edging/sweeping; and
- b) Approve a Resolution authorizing the Chair to execute the agreement.

BUDGETED ACTION:

No action needed. The maintenance of the SR 776 right-of-ways have been contracted at an annual cost of \$36,520 and are funded from Road & Bridge gas tax. The FDOT agreement provides for reimbursement for US 41 in accordance with Attachment A, included in the agreement. There is no reimbursement for the assumption of the mowing on SR 776.

Public Works (Continued...)

(2) Speed Limit Ordinance for Various County Roadway Sections

RECOMMENDED ACTION:

Set a public hearing for May 10, 2016 at 10:00 a.m., or soon thereafter as may be heard, to consider approving an ordinance setting new or modifying existing speed limits on various sections of Charlotte County Roadways.

BUDGETED ACTION:

No action needed. Signing and Marking costs were budgeted in the FY16 budget process.

O. Tourism Development

No Items

P. Utilities

(1) Drinking Water SRF Loan Application

RECOMMENDED ACTION:

a) Authorize staff to submit the Drinking Water State Revolving Fund loan application for water main replacement on the East & West Spring Lake Wastewater Expansion Project to the Florida Department of Environmental Protection (FDEP); and
b) Upon receipt of the loan agreement, Staff will request authorization from the Board to enter into the agreement.

BUDGETED ACTION:

No action needed. Subsequent approval of the loan agreement will require a budget adjustment.

Q. Other Agencies

No Items



REGULAR AGENDA

R. Regular Agenda

No Items



PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

(1) Budget and Administrative Services

Second Quarterly Adjustments

a) Conduct a public hearing approving a resolution to adopt budget adjustments that amend the FY15/16 budget. These budget adjustments which impact various funds are needed to align the FY15/16 with required changes and actual activity; and

b) Approve and authorize the Chairman to sign the Arthropod Control Budget Amendment No. 2 for FY15/16 in the amount of \$405,696.

(2) County Attorney

Public Hearing for Adoption of Ordinance Amending Section 3-5-317(a)(2) of Article XIII, Shoreline Protection, of Chapter 3-5 of the Codes of Laws and Ordinances of Charlotte County, Florida

Conduct a public hearing for the Board to consider adoption of an ordinance amending Section 3-5-317(a)(2) of Article XIII, Shoreline Protection, of Chapter 3-5 of the Code to provide for the operation of certain motor-driven vehicles upon the beach of any publicly owned lands.

Legislative

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

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