

BOARD OF COUNTY COMMISSIONERS

JULY 21, 2016

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

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

The Meeting was called to order at 1:30 pm

There was Board discussion on the following items:

Purchasing: F-1, F-4, F-5

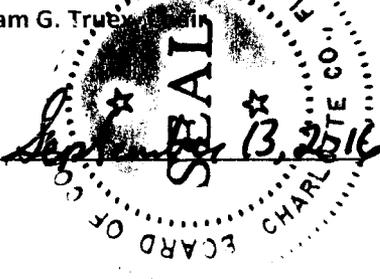
Utilities: P-2

Commission Office: R-8

2:00 P.M. Land Use Public Hearing: U-1, U-2

ADJOURNED: 2:06 pm



William G. Truex, Chair
DATE ADOPTED:  **September 13, 2016**

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

By: 

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. Sandroek

County Attorney

Janette S. Knowlton

Clerk of the Circuit Court

Barbara T. Scott

Regular and Land Use Meeting

July 26, 2016 9:00 am

18500 Murdock Circle, Commission Chambers, Room #119

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

Pledge of Allegiance

Proclamations - Commissioner Ken Doherty

Employee Recognition - Commissioner Ken Doherty

Employee of the Month - June 2016

Stephen Zawacki
Budget and Administrative Services

Award Presentations

Commissioners' Award for Customer Service

Commissioners' Award for Customer Service - Second Quarter 2016 - Roger Davis

Combat Wounded Veteran

Award Certificate of Recognition, Combat Wounded Veteran to Carl W. McNair, United States Marine Corps.



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:

MPO – Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB) is seeking two members to serve for the following positions: one Citizen Advocate – user of Sunshine Ride; and one Economically Disadvantaged. The purpose of the LCB is to identify local service needs and to provide information, advice, and direction to the Community Transportation Coordination of service to be provided to the transportation disadvantaged. Deadline to for submitting application is Thursday, August 18, 2016. Please go online at www.ccmpo.com or contact the MPO for an application. The MPO mailing address is: Charlotte County-Punta Gorda MPO, 25550 Harbor View Road, Suite 4, Port Charlotte, FL 33980. Fax: 941.883.3534 Email: office@ccmpo.com. The MPO Board will elect the above positions at its Monday, August 29, 2016 Meeting.

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

The following **MSBU Advisory Boards** are seeking volunteers who must be residents 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.

- **Alligator Creek Waterway Unit** is seeking one regular member to fill a vacant unexpired term. Term will expire on August 12, 2019.
- **Boca Grande Street and Drainage Unit** is seeking two regular members to fill a vacant unexpired term. Term will expire on April 12, 2019.
- **Burnt Store Village Street and Drainage Unit** is seeking one regular member to fill a vacant unexpired term. Term will expire on April 12, 2019.
- **Gardens of Gulf Cove Street and Drainage Unit** is seeking two regular members to fill a vacant unexpired term. Term will expire on November 12, 2019.
- **Grove City Street and Drainage Unit** is seeking one regular member to fill a vacant unexpired term. Term will expire on February 12, 2019.
- **Gulf Cove Street and Drainage Unit** is seeking one regular member to fill a vacant unexpired term. Term will expire on August 12, 2019.
- **Gulf Cove Waterway Benefit Unit** is seeking one regular member to fill a vacant unexpired term. Term will expire on August 12, 2019.
- **Manchester Waterway Benefit Unit** is seeking one regular member to fill a vacant unexpired term. Term will expire on January 12, 2019.
- **Mid Charlotte Stormwater Utility Unit** is seeking one regular member to fill a vacant unexpired term. Term will expire on May 12, 2019.
- **Northwest Port Charlotte Street and Drainage Unit** is seeking one regular member to fill a vacant unexpired term. Term will expire on December 12, 2019.
- **Northwest Port Charlotte Waterway Unit** is seeking one regular member to fill a vacant unexpired term. Term will expire on June 12, 2019.
- **Pirate Harbor Waterway Unit** is seeking one regular member to fill a vacant unexpired term. Term will expire August 24, 2019.
- **Rotonda West Street & Drainage Unit** is seeking one regular member to fill a vacant term. Term will expire on December 25, 2016.



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:

June 21, 2016 BCC Workshop

July 7, 2016 Pre-Agenda Meeting

July 14, 2016 Tentative Budget Meeting

BUDGETED ACTION:

No action needed.

Board of County Commissioners

C. Commission Office

(1) Appointment - Tourist Development Council

RECOMMENDED ACTION:

Approve the appointment of Ms. Latitia (Tish) A. Sheesley to the Tourist Development Council as a tourism industry member for a four (4) year term. Ms. Sheesley will replace Judy Malbuisson who did not wish to be reappointed. Term is effective immediately and will expire August 28, 2020.

BUDGETED ACTION:

No action needed.

(2) Re-Appointment - Tourist Development Council

RECOMMENDED ACTION:

Approve the reappointment of Ms. Kathy A. Burnam to the Tourist Development Council as a tourism industry member who is an owner or operator of Tourist accommodations in the County. Ms. Burnam has served on this Council and is requesting reappointment. This term is effective immediately and will expire August 28, 2020.

BUDGETED ACTION:

No action needed.

D. Administration

Administration

No Items

Public Information Office

No Items

E. County Attorney

- (1) Set a Public Hearing to be Conducted on September 13, 2016 Regarding Regulation of Newsracks

RECOMMENDED ACTION:

Set a public hearing to be conducted on September 13, 2016 regarding regulation of newsracks.

BUDGETED ACTION:

No action needed.

- (2) Approval of License Agreement with Mark Knofler's Enterprises LLC

RECOMMENDED ACTION:

Approve a License Agreement between Mark Knofler's Enterprises, LLC and Charlotte County allowing certain concession services and ATV use at Englewood Beach.

BUDGETED ACTION:

No action needed.

- (3) Partial Release of Code Enforcement Lien for property at 1995 Kentucky Avenue, Englewood Florida

RECOMMENDED ACTION:

Partial release of a code enforcement lien for consideration in the amount of \$1,000.00 for property at 1995 Kentucky Avenue, Englewood, Florida

BUDGETED ACTION:

No action needed.

F. Budget and Administrative Services

Fiscal Services

No Items

Information Technology

No Items

Purchasing

- (1) 14-327, Change Order #5, Landscape Maintenance - Facilities

RECOMMENDED ACTION:

Approve Change Order #5 to Contract #14-327, Landscape Maintenance County Facilities with Valley Crest Landscape Maintenance of Port Charlotte, Florida to add landscape maintenance at the new Live Oak Point Park, Charlotte Harbor at the unit rates listed below.

BUDGETED ACTION:

No action needed. Funding from General Fund Community Services Parks Maintenance approved in the FY17 budget process.

Purchasing (continued...)

- (2) 16-083, Approve Change Order #1, South Gulf Cove Landscape Maintenance - Annual Contract

RECOMMENDED ACTION:

Request the approval of Change Order #1 to Contract #16-083, South Gulf Cove Landscape Maintenance - Annual Contract as awarded to Valley Crest Landscape Maintenance of Port Charlotte, Florida for pathways on Ingraham and Calumet Boulevards at a per cycle cost of \$1,400.

BUDGETED ACTION:

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

- (3) 16-349 Ranking - Construction Manager at Risk, Ann Dever Memorial and North Charlotte Regional Parks (Facilities)

RECOMMENDED ACTION:

a) Approve ranking of firms for Request for Proposal #16-349, Construction Manager at Risk, Ann Dever Memorial and North Charlotte Regional Parks: 1st – P.J. Hayes Inc. d/b/a Tandem Construction, 2nd – Wharton-Smith, Inc., and 3rd – Jon F. Swift, Inc.; and

b) Approve start of negotiations; and

c) Authorize the Chairman to sign the contract after completion of negotiations. This is for a qualified firm to provide professional Construction Manager (CM) at Risk services as part of a construction team, which includes design consultants, stakeholders, and the County for new facilities at Ann Dever Memorial Regional Park (ADM RP), and North Charlotte Regional Park (NCRP).

BUDGETED ACTION:

No action needed. Budgeted in CIP projects "Ann Dever Memorial Regional Park" and "North Charlotte Regional Park Recreation Center", as approved in the FY16 budget process. Funding is supplied from the 2014 Sales Tax Extension.

- (4) 16-358, Award, Transit Contract Drivers and Bus Washer - Transit

RECOMMENDED ACTION:

a) Approve award of Bid #16-358, Transit Contract Drivers and Bus Washer, to Ameditrans, Inc, of Port Charlotte, FL, at the unit prices listed below for the term October 1, 2016, through and including September 30, 2017; and

b) Authorize County Administrator to approve renewal of two additional one-year terms, at the unit prices stated on the attached for Year 2 and Year 3, by mutual consent.

BUDGETED ACTION:

No action needed. Amount budgeted in FY17 Budget Process.

- (5) 16-407, Approve, Playground Equipment

RECOMMENDED ACTION:

Approve the "Piggyback" purchase for File #16-407, Playground Equipment from Playmore Recreational Products and Services of Fort Myers, FL in the amount of \$390,038.24 from the HGACBuy Cooperative.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "Playground Installation & Retrofit", as approved in the FY16 budget process. Funding is supplied from the Capital Projects fund, ad valorem.

Real Estate Services

(6) County Property Surplus to County needs

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.

(7) 5000 & 5054 Tamiami Trail Acquisition

RECOMMENDED ACTION:

Authorize the Chairman of the Board of County Commissioners for Charlotte County to execute the attached agreement for purchase and sale of real property for the Charlotte Harbor Gateway project.

BUDGETED ACTION:

Approve Budget Amendment BA16-046 in the amount of \$229,000:

- a) Transfer General Fund Ad Valorem reserves to augment Land Acquisition, in the Harbor Walk Sales Tax project; and
- b) Accelerate the Harbor Walk Sales Tax project, reallocating all sales tax funding to Land Acquisition.

(8) Piper Road North Resolution of Necessity

RECOMMENDED ACTION:

Approve the four Resolutions authorizing the acquisition of real property by any legal means for the Piper Road North / Enterprise Charlotte Airport Park Project.

BUDGETED ACTION:

No action needed.

G. Community Development

No Items

H. Community Services

Parks and Natural Resources

No Items

Recreation

(1) Parks Name Adopting Resolution

RECOMMENDED ACTION:

Adopt a resolution to formally re-adopt parks and recreation facility names and revise the names of nine parks and recreation facilities.

BUDGETED ACTION:

No action needed.

Libraries and Historical

No Items

I. Economic Development

(1) Enterprise Zone Development Agency

RECOMMENDED ACTION:

Approve Resolution rescinding Resolution 2012-059 which established the Enterprise Zone Development Agency.

BUDGETED ACTION:

No action needed.

J. Facilities Construction and Maintenance

No Items

K. Human Resources

No Items

L. Human Services

(1) Family Services Tenant Lease Agreement-Charlotte County Public Schools

RECOMMENDED ACTION:

Approve a new 12-month lease agreement for existing tenant, the School Board of Charlotte County New Visions Program at the Family Service Center (FSC).

BUDGETED ACTION:

No action needed.

M. Public Safety

No Items

N. Public Works

(1) Letter of Intent for US Army Corp of Engineers for cooperative funding of Manasota Key Re-nourishment project

RECOMMENDED ACTION:

Approval of Letter of Intent with US Army Corp of Engineers for Manasota Key Beach Erosion study.

BUDGETED ACTION:

No action needed.

O. Tourism Development

No Items

P. Utilities

(1) Loveland Grand Master Lift Station

RECOMMENDED ACTION:

The Utility is seeking authorization from the Board to proceed with the Loveland Grand Master Lift Station & 48" Interceptor project.

BUDGETED ACTION:

No action needed. Project is in planning phase.

(2) Parkside Force Main

RECOMMENDED ACTION:

The Utility is seeking authorization from the Board to proceed with Location #1 for the Parkside Force Main project.

BUDGETED ACTION:

No action needed. Project is in planning phase.

Utilities (Continued...)

(3) Burnt Store Road - Phase 2

RECOMMENDED ACTION:

Set a public hearing for September 27, 2016 at 10:00 a.m., or as soon thereafter to consider the adoption of the proposal Water Facilities Plan for the Burnt Store - Phase 2 project.

BUDGETED ACTION:

No action needed. Project is in planning phase.

(4) Myakka River Bridge Crossing

RECOMMENDED ACTION:

Set a public hearing for September 27, 2016 at 10:00 a.m., or as soon thereafter to consider the adoption of the proposal Water Facilities Plan for the Myakka River Bridge Crossing project.

BUDGETED ACTION:

No action needed. Project is in planning phase.

(5) Ingraham 24" Water Main

RECOMMENDED ACTION:

Set a public hearing for September 27, 2016 at 10:00 a.m., or as soon thereafter to consider the adoption of the proposal Water Facilities Plan for the Ingraham 24" Water Main project.

BUDGETED ACTION:

No action needed. Project is in planning phase.

(6) North Myakka River 24" Water Main Crossing

RECOMMENDED ACTION:

Set a public hearing for September 27, 2016 at 10:00 a.m., or as soon thereafter to consider the adoption of the proposal Water Facilities Plan for the North Myakka River 24" Water Main Crossing project.

BUDGETED ACTION:

No action needed. Project is in planning phase.

Q. Other Agencies

No Items



REGULAR AGENDA

R. Regular Agenda

(1) Utilities

Water Authority Meeting Agenda - July 28, 2016

RECOMMENDED ACTION:

Board discussion and direction of the Peace River Manasota Regional Water Supply Authority (Authority) Board agenda for their July 28, 2016, Board meeting.

(2) Community Services

August 26 WCIND Agenda

RECOMMENDED ACTION:

Board discussion and direction of the West Coast Inland Navigation District (WCIND) Agenda for their August 26th WCIND Board meeting.

Regular Agenda (continued...)

(3) Public Works

Resolution Adopting Residential and Commercial Solid Waste Collection Rates

RECOMMENDED ACTION:

- a) Approve a Resolution adopting the Recommended Order (RO) issued by the Hearing Officer and approving new rates for residential and commercial solid waste collection pursuant to Chapter 4-4 of the County Code of Laws and Ordinances; and
- b) Approve MSBU rates for FY16/17 for the three areas of the Charlotte Sanitation MSBU. Charlotte County area from \$148.04 to the approved maximum rate of \$172 per ERU, Boca Grande area from \$171.92 to the approved maximum rate of \$172 per ERU and Don Pedro/Knights Island area at the current rate of \$338.24 per ERU.

(4) Public Works

Mosquito Control - Next steps in Preparation for Zika

RECOMMENDED ACTION:

Mosquito Control – Response to Commissioners questions regarding Zika and additional services.

(5) County Administration

Discussion and direction on the Gulf Consortium State Expenditure Plan projects

RECOMMENDED ACTION:

Discussion and direction on the Gulf Consortium State Expenditure Plan projects.



PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

(1) Public Works

Conduct a Public Hearing - Slow Speed Minimum Wake Zone near entrance of Coral Creek

Conduct a public hearing to consider approval of an ordinance amending article II, Chapter 3-1 of the Charlotte County Code; amending the size of the slow speed minimum wake zone for vessels operating near the entrance of Coral Creek and South and East of the roadway known as Anglers Way.

(2) Budget and Administrative Services

Third Quarter Budget Adjustments

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



PRESENTATION AGENDA

T. 10:00 A.M.

No Items



1 P.M. 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.

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

(1) Community Development

PA-16-06-10-LS, Revisions to FLU Appendix VI: Developments of Regional Impact

Transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State review agencies for review and comment; this request is to revise Future Land Use (FLU) Appendix VI: Developments of Regional Impact by amending the Sandhill Development of Regional Impact (DRI) development rights and adding Equivalency Matrix to be consistent with the Sandhill DRI Development Order Resolution Number 2014-174; Petition No. PA-16-06-10-LS; Applicant: Charlotte Commons Venture, LLC; providing an effective date.

Legislative

(2) Community Development

PA-16-06-11-LS: Revisions to the Future Land Use Element

Transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State review agencies for review and comment; this request is to rename "Revitalizing Neighborhoods Incentive Density" in the County's Comprehensive Plan to "Incentive Density"; revise Future Land Use (FLU) Policy 1.2.16: Incentive Density (new name); add new FLU Policy 1.2.17: Incentive Density Usage; Petition No. PA-16-06-11-LS; Applicants: Charlotte Commons Venture, LLC & Charlotte County Board of County Commissioners; providing an effective date.

Legislative

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