

BOARD OF COUNTY COMMISSIONERS

JULY 26, 2016

A Regular and Land Use 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, and Minutes Secretary Russo. The following members were absent: None

The Meeting was called to order at 9:00 am

The Invocation was given by Pastor Bill Frank, First Baptist Church Punta Gorda, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: R-6 a) Approve ranking of firms for Request for Proposal #16-363, Construction Manager at Risk, Recreation Center Renovations: 1st - Jon F. Swift, Inc., 2nd - Owen-Ames-Kimball, and 3rd - Willis A. Smith Construction; 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 various design and engineering consultants, and the County for three (3) existing recreation centers: Harold Avenue Park, 23400 Harold Avenue, Port Charlotte, Florida; South County Regional Park, 670 Cooper Street, Punta Gorda, Florida; and Tringali Community Park, 3460 North Access Road, Englewood, Florida. Requested by: Purchasing

Addition #2: R-7 a) Approve Award of Bid #16-411, Materials for Sewer Connections - Annual Contract, at the unit prices bid to Ferguson Waterworks of Port Charlotte, Florida. Term of contract is to be 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. Requested by: Purchasing

Addition #3: R-8 Board discussion and direction on U.S. Department of Transportation's Notice of Proposed Rulemaking (NPRM) on Metropolitan Planning Organization and Planning Area Reform. Requested by: Commission Office

Addition #4: R-9 Discussion and decision on McGuire Park, Phase II. Requested by: Commission Office

Addition #5: R-5 Gulf Consortium State Expenditure Plan Update. Requested by: Administration

Change #1: R-1 Added Agenda. Requested by: Utilities

Change #2: R-3 Added Presentation.

Requested by: Public Works

Deletion #1: L-1 Family Services Tenant Lease Agreement Charlotte County Public Schools.

Requested by: Human Services

Commissioner Constance questioned Addition #5 for late addition to Agenda.

Deputy County Administrator Shoemaker responded to Board inquiries.

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

MOTION CARRIED 5:0.

Proclamations – No Items

Employee Recognition - Commissioner Ken Doherty

Employee of the Month - June 2016 Stephen Zawacki, Budget and Administrative Services

Lacey Solomon, Parks and Recreation Sr. Coordinator gave a brief overview of new software system that was implemented by Stephen Zawacki.

Award Presentations

Commissioners' Award for Customer Service

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

Chair Truex presented the Customer Service Award with detailed background and accomplishments to Roger Davis.

Roger Davis, Fiscal Services Senior Financial Analyst thanked staff for the acknowledgement.

Combat Wounded Veteran

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

Commissioner Doherty presented the Combat Wounded Veteran Award with detailed background information.

CITIZEN INPUT - AGENDA ITEMS ONLY

David Kesselring spoke to the Newsrack Ordinance, rights, regulations, and mentioned real estate.

COMMITTEE VACANCIES

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.

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.Loustit@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 are 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

COMMISSIONER DOHERTY MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-4 and F-7, SECONDED BY COMMISSIONER DUFFY

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:

June 21, 2016 BCC Workshop
July 07, 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. **AGR2016-045**

(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.

(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.

Commissioner Deutsch requested information for Class C license, bidding process, health insurance, and employee rates.

Kim Corbett, Purchasing Senior Division Manager spoke to contracts, bids, and rates. Richard Kolar, Sr. Fleet and Transit Division Manager responded to Board inquiries. Gordon Burger, Budget & Administrative Services Director, commented on past BCC decisions for costs and detailed contract history.

COMMISSIONER CONSTANCE MOVED TO APPROVE AWARD OF BID #16-358, SECONDED BY COMMISSIONER DOHERTY

MOTION APPROVED 4:1., COMMISSIONER DEUTSCH OPPOSED

(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 **RES2016-111**

(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, allocating all sales tax funding to Land Acquisition. **AGR2016-046**

COMMISSIONER DOHERTY MOVED TO APPROVE AGREEMENT 2016-046, SECONDED BY CHAIR TRUEX

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

(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. **RES2016-112 – RES2016-115**

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. **RES2016-116**

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. **RES2016-117**

J. Facilities Construction and Maintenance - No Items

K. Human Resources - No Items

L. Human Services

~~(Deletion #1) Family Services Tenant Lease Agreement Charlotte County Public Schools Requested by: Human Services~~

~~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.

(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

(Change #1) Added Agenda

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.

Gary Hubbard, Utilities Director spoke to Water Authority July 18, 2018 Agenda.

Chair Truex pointed out cost breakdowns. **Commissioner Constance** questioned contract services, legal services, legislative monitoring services, spoke to evaluation forms, and pointed out past Water Authority discussions. **Commissioner Duffy** requested clarification for consultant and legislative costs.

(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.

Tina Powell, Parks & Natural Resources Manager detailed future meetings.

Commissioner Deutsch commented on Joint Meeting with Sarasota, requested the beach Renourishment on Manasota Key be added to the WCIND Agenda, and pointed out funding.

(3) Public Works

(Change #2) Added Presentation

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. **RES2016-118**

Dan Quick, Public Works Director introduced Robert J. Ori, Public Resources Management Group, Inc. Vice President.

Mr. Ori gave a brief overview of the Solid Waste Collection Rates, Solid Waste Residential Rate Overview, Two Primary Cost Components, Residential Service - Rates included on Property Tax Bill, Collection Service Provided by Waste Management Inc. of Florida (WMI), Current Residential Collection Rates Charged by WMI, Rates NOT Adjusted Since October 2011 - 5 Years, County Solid Waste Ordinance Chapter 4-4, County Must Review Rates Every 3 Years, Ordinance Also Provides for "Annual Index" of Rates (in Non-Review Periods), WMI Requested Rate Increase, County Review and Settlement, Performed Detailed Review of Rate Request, Parties Negotiated Monthly Collection Rate Settlement, Residential Service Rates Trend Analysis, Proposed Rates Comparable to Inflation Over Time, Residential Collection Rate Comparisons, Commercial Rate Comparison, Commercial Rate Impact, Residential Solid Waste Assessment, Rate Case Timeline, and Recommendations.

Chair Truex requested index graph information, commended Waste Management for team playing and efforts to all citizens of Charlotte County. **Commissioner Constance** questioned settlement information, customer comments, and pick up frequencies. **Commissioner Deutsch** commended Waste Management for doing a great job and commented on response times for citizens. **Commissioner Duffy** pointed out customer satisfaction and commended staff interaction with Waste Management for a job well done for all involved.

COMMISSIONER DEUTSCH MOVED TO APPROVE RESOLUTION 2016-118, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

RECESS: 10:14 am - 10:24 am

County Administrator Sandrock pointed out contract terms. County Attorney Knowlton suggested Attorney Miller read the Procurement Codes.

(Board Consensus: To allow staff to enter into negotiations for the best interest of the Charlotte County Citizens)

(4) Public Works

Mosquito Control - Next steps in Preparation for Zika

RECOMMENDED ACTION: Mosquito Control - Response to Commissioners questions regarding Zika and additional services.

Scott Schermerhorn, Mosquito and Aquatic Weed Control Manager detailed mosquito control and introduced Beth Kovach, Senior Biologist.

Mr. Schermerhorn gave a brief overview of Combatting Zika in Charlotte County, Outstanding Issues, Aedes aegypti & Aedes albopictus, Breeding Habitats of aegypti & albopictus, Charlotte County State Lands, Biologically productive and ecologically sensitive lands, Should Zika become an epidemic in Charlotte County, Charlotte County Florida Mosquito Control Zika Federal and State Funding Request, Fog Truck Fleet, Need for Proper Laboratory Equipment, How to Deal with Zika, Mosquito Control Preparation, ULV Spraying, Ground Fogging Areas, Aerial Treatment, Federal/State Funds for Zika, Charlotte County Mosquito Control Actual Monetary Requests, Operational Philosophy, and Charlotte County Mosquito Control & Aquatic Weed Control Comparison to Neighboring Counties. Ms. Kovach commented on Container Breeding and Breeding Habits.

Chair Truex commented on guidelines, procedures, previous presentations, and larvicide. **Commissioner Constance** spoke to the Zika Virus, precautions, preparation, State Policy, and suggested Emily Lewis, Legislative Manager obtain information from State resources. **Commissioner Deutsch** suggested State involvement, questioned budget figures, and property breakdown for spraying. **Commissioner Doherty** commended staff for doing a great job and thanked everyone for the informative facts. **Commissioner Duffy** mentioned homeowner tips for water requirements for mosquito control.

(5) County Administration

(Addition #5) Added handout and Power Point

Discussion and direction on the Gulf Consortium State Expenditure Plan projects

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

Mindy Collier, Restore Act Coordinator spoke to Gulf Consortium State Expenditure Plan, recent information received, Goals of the Initial Project Nomination, Eligible Activities, Eligible Projects, Council Comprehensive Plan Objectives, 25% Infrastructure Limitation, and Fine Print. Gary Hubbard, Utilities Director pointed out the Water Quality Monitoring Program would fall under Gulf Consortium as well.

Chair Truex commented on funding, compliance issues, beach erosion, economic issues, and projects. **Commissioner Constance** questioned funding, spoke to utilization of funds for sewers, pointed out infrastructure, hardship loans, and bonding. **Commissioner Deutsch** spoke to sewers, costs, and hardship loans. **Commissioner Doherty** mentioned project lists, September Agenda, and keeping simplicity for financial models. **Commissioner Duffy** stated sewer support, beach renourishment issues, and commented on hardship loans.

(6) Purchasing

(Addition #1) a) Approve ranking of firms for Request for Proposal #16-363, Construction Manager at Risk, Recreation Center Renovations: 1st - Jon F. Swift, Inc., 2nd - Owen-Ames-Kimball, and 3rd - Willis A. Smith Construction; 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 various design and engineering consultants, and the County for three (3) existing recreation centers: Harold Avenue Park, 23400 Harold Avenue, Port Charlotte, Florida; South County Regional Park, 670 Cooper Street, Punta Gorda, Florida; and Tringali Community Park, 3460 North Access Road, Englewood, Florida.

Ms. Corbett gave brief overview of ranking of firms for Proposal #16-363 and negotiations.

COMMISSIONER DUFFY MOVED TO APPROVE REQUEST FOR PROPOSAL #16-363, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

(7) Purchasing

(Addition #2) a) Approve Award of Bid #16-411, Materials for Sewer Connections - Annual Contract, at the unit prices bid to Ferguson Waterworks of Port Charlotte, Florida Term of contract is to be 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.

Ms. Corbett gave brief overview of Award of Bid #16-411 and renewal options.

Chair Truex requested matching information.

COMMISSIONER DOHERTY MOVED APPROVAL FOR AWARD OF BID #16-411, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

(8) Commission Office

(Addition #3) Board discussion and direction on U.S. Department of Transportation's Notice of Proposed Rulemaking (NPRM) on Metropolitan Planning Organization and Planning Area Reform.

Bob Harrington, Metropolitan Planning Organization (MPO) Director gave an overview of reforms, pointed out application deadline, and provided meeting time and date information.

Commissioner Constance suggested to add this to upcoming project discussions and commented on government regulatory agenda for participation. **Commissioner Deutsch** spoke to MPO cooperation and surrounding area involvement. **Commissioner Doherty** commented on government involvement and requested State process.

COMMISSIONER DEUTSCH MOVED TO HAVE CHAIR DRAFT A LETTER WITH BOARD SUGGESTIONS AND FEEDBACK ALONG WITH BACK UP INFORMATION FROM MR. HARRINGTON, SECONDED BY CHAIR TRUOX

MOTION CARRIED 5:0.

(9) Commission Office

(Addition #4) Discussion and decision on McGuire Park, Phase II

Travis Mortimer, Capital Projects Manager gave a brief overview of McGuire Park Phase II, Scope, Acquisition, Milestones, Phase I Plan, Master Plan, and Splash Pad Detail Phase I & Phase II. David Milligan, Facilities Construction & Maintenance Director noted splash pad water depth, drains, sprayer features, water bucket, twin pumps, budgets, and benchmarks.

Chair Truox questioned present value and suggested funding discussions. **Commissioner Constance** spoke to bridge ownership and added elements. **Commissioner Deutsch** spoke to project provisions. **Commissioner Doherty** requested clarification for pumps, elements, triggers for square footage, and determination for total size. **Commissioner Duffy** spoke to citizen inquiries for splash pads and Phase II.

COMMISSIONER DUFFY MOVED TO ADD ELEMENT 21 TO THE MCGUIRE PARK PROJECT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

County Administrator Sandrock requested Board direction for funding, sales tax projects, options, capital reserves discussion and suggested bringing discussion back in September. **Commissioner Constance** questioned CRA and TIFF funding. **Commissioner Doherty** was in favor of discussion in September with feedback from engineers as well. **Commissioner Duffy** spoke to CRA funding concerns.

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. **ORD2016-028**

Venkat Vattikuti, County Transportation Engineer gave a brief overview of slow speed minimum wake zone near entrance of Coral Creek.

Public Hearing:

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2016-028 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING ARTICLE II, CHAPTER 3-1 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; ESTABLISHING A SLOW SPEED MINIMUM WAKE ZONE FOR VESSELS OPERATING AN UNNAMED WATERWAY NEAR THE ENTRANCE OF CORAL CREEK; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

(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. **RES2016-119**

Mr. Burger gave a brief overview of Third Quarter Budget Adjustments in detail.

Public Hearing:

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2016-119, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0.

PRESENTATION AGENDA

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

RECESS: 12:10 pm - 1:00 pm

1 P.M. CITIZEN INPUT - ANY SUBJECT

Susan Hutt mentioned sewers, news report on clean water, questions asked at the MSBU Hearings, tourism, Gulf Consortium funds, septic systems, and hardship programs.

Karen Rizzo spoke to vacationing in Florida, sewers, acreage, municipal bonds, and water quality.

Paul Rizzo commented on sewer funding for Ackerman project, land development, existing septic systems, costs, estimates, bonds, and financial burdens.

Reg Knarzer pointed out expert opinions for septic systems, mentioned spills, sewers, and high water bills.

AA. County Administrator:

County Administrator Sandrock commented on Splash Pad costs and grants from the State.

BB. County Attorney: None

CC. Commissioner Comments:

Chair Truex noted NACO conference attended, public safety discussions, military affairs, and commended CCTV and Utilities for awards received. **Commissioner Constance** commented on MPO and Water Authority Meeting. **Commissioner Deutsch** mentioned upcoming WCIND meeting and wished everyone a safe vacation. **Commissioner Duffy** spoke to sewers, septic systems, General Development, water sampling, water quality results, State regulations, permits, funding, and legislative involvement.

RECESS: 1:28 pm - 2:00 pm

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

Shaun Cullinan, Community Development Planning & Zoning Official gave a brief overview of PA-16-06-10-LS Revisions to FLU Appendix VI: Developments of Regional Impact.

Attorney Geri Waksler spoke to Sandhill DRI amendment, development plans, proposed changes, matrix, Comprehensive Plan and requested Board approval.

Commissioner Constance requested clarification to DRI and changes.

Mr. Cullinan responded to Board inquiries.

Public Hearing

Julianne Thomas, Conservancy of SWFL spoke to equivalency matrix, policies, questioned maximums, and language changes for consistencies.

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

MOTION CARRIED 5:0.

Mr. Cullinan spoke to provisions in detail and density clarification.

COMMISSIONER DUFFY MOVED APPROVAL OF PA-16-06-10-LS, SECONDED BY COMMISSIONER DOHERTY

MOTION APPROVED 5:0.

(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

Mr. Cullinan spoke to PA-16-06-11-LS Revisions to the Future Land Use Element in detail, Rationale for taking this separately, Proposed Changes, Purpose of Amendment, When this can be used, Multi Family Incentive Density, Calculations, Specific Proposed Language, West County and Coastal High Hazard Protections, and Developer Initiated Portion.

Chair Truex questioned the process, spoke to Rotonda multi-family units, total maximums, and single family parcels. **Commissioner Constance** requested clarification for density, categories, rentals, and transportation impacts. **Commissioner Doherty** noted past work on DRI's, parcels, multiple owners, density, transportation impacts, and conversions. **Commissioner Duffy** commented on student housing, questioned workforce, and market rates.

Attorney Geri Waksler spoke to Comprehensive Plan, amendments, extensions, contracts, conversion table, DRI's, impact fees, equivalency matrix, and TDU's.

Public Hearing:

Ms. Thomas spoke to concerns, revitalizing neighborhoods, verbiage, rapid density, allowances, and matrix.

Lucienne Pears, Economic Director commended Community Development and Legal for all their work, mentioned the unavailability of student housing, Western Michigan, strategic planning, and pointed out skilled workforce deficiency.

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

MOTION CARRIED 5:0.

Commissioner Constance questioned verbiage in the Ordinance.

Mr. Cullinan responded to Board inquiries with the verbiage.

COMMISSIONER DUFFY MOVED TO APPROVE PA-16-06-11-LS, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

ADJOURNED: 2:51 pm


William S. Truex, Clerk
DATE ADOPTED: September 13, 2016

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

By: Michelle Brandino
Deputy Clerk