

BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 13, 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, and Minutes Clerk Cash. The following members were absent: None

The Meeting was called to order at 9:00 am

Chair Truex welcomed Senior Pastor John Boutchia and acknowledged remembrance of September 11th.

The Invocation was given by Senior Pastor John Boutchia, Calvary Baptist Church Englewood, followed by the Pledge of Allegiance.

Changes to the Agenda

Change #1: F-9 Updated Amendment #1 to Contract amounts: a) Approve Amendment #1 to Contract #15-287 Veteran's Memorial Park - Construction Manager with Florida Premier Contractors, LLC for the Guaranteed Maximum Price (GMP) for the management/construction phase of the project in the amount of ~~\$612,373~~ \$610,667 and a revised total project amount of ~~\$621,607.63~~ \$619,901.63; and Requested by: Purchasing

Change #2: F-18 Added 13-325 Previous Tabulation attachment
Requested by: Purchasing

Change #3: R-1 Deleted Olean Boulevard Sidewalk and Lighting Evaluation Presentation
Requested by: Public Works

Change #4: T-1 Updated CDC Zika presentation
Requested by: Commission Office

Deletion #1: J-1 Approval of Interlocal Agreement between the City of Punta Gorda and Charlotte County for Site Remediation at 401 Shreve Street
Requested by: Administration

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

MOTION CARRIED 5:0.

Commissioner Doherty inquired about communications with the City of Punta Gorda regarding the Interlocal Agreement.

County Administrator Sandrock advised communications will be conveyed timely.

Proclamations - Commissioner Christopher Constance

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

MOTION CARRIED 5:0.

American Business Women's Day

Marge Szmania accepted the Proclamation.

Artist of the Month - Gloria Nelson

Gloria Nelson accepted the Proclamation.

Misty McDermott Day

Misty McDermott accepted the Proclamation.

National Childhood Cancer Awareness Month

The Proclamation will be mailed to Janet Little-Cooper.

Punta Gorda, Port Charlotte, North Port Association of Realtors 70th Anniversary Day

Bill Dryburgh accepted the Proclamation.

Recovery Month

Jennifer Reed accepted the Proclamation.

Employee Recognition - Commissioner Christopher Constance

5 Years: Jessica Crimando, Community Services; Judith Domzalski, Community Services; Kathleen Harriott, Community Services; Clinton Sherbet, Public Safety; Tony Smith, Utilities; Dawn Tollar, Utilities; **10 Years:** John Hilliard, Public Works; David McLaughlione, Public Works; Duane Smith, Utilities; **15 Years:** Seth Gilgor, Utilities; Frank Roblin, Public Works; Wallace Skiles, Public Works; **20 Years:** John Hagerty, Public Safety; Maggie Horton, Community Development; Christopher Kendrick, Public Safety; **25 Years:** Richard Labousier, Public Works; Kim Snyder, Public Works; Brett Woodward, Public Safety; **30 Years:** Mary Isaacs, Public Safety.

Employee of the Month - July 2016 - Commissioner Constance

Gerry Collins, Community Development

Shaun Cullinan, Community Development Zoning Official highlighted Ms. Collins' exemplary customer service principles.

Award Presentations - Commissioner Truex

NACo Achievement Award

National Association of Counties 2016 Achievement Award, Charlotte County Utilities Department Transformation Initiative

Chair Truex presented the award to Gary Hubbard, Utilities Director and Staff members and commended their team effort.

NACIO Awards of Excellence

National Association of County Information Officers 2016 Awards of Excellence

Elizabeth Billings, Excellence Award for Audiovisual Production-Video Series, News You Can Use

Chair Truex presented the award to Ms. Billings and commended her exceptional efforts.

Todd Dunn, Meritorious Award for Audiovisual Production-Video Series, CCU Reclaimed Water and Snipe Sign Education Video

Chair Truex presented the award to Mr. Dunn and commended his outstanding work.

CITIZEN INPUT - AGENDA ITEMS ONLY

Dave Kesselring spoke to the Harbor Walk Airspace Agreement, State Revolving Fund Loan for Phase 2 sewers, estimated cost and sales tax contributions for lighting, and newsrack insurance policy requirements for vendors.

COMMITTEE VACANCIES

Parks and Recreation Advisory Board is seeking one volunteer who must be a resident of Charlotte County and live in Commission District #3 to fill a three year term. Submit application and resume to Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948; call 941.743.1300 or e-mail Diane.Whidden@CharlotteCountyFL.gov.

REPORTS RECEIVED AND FILED

Clerk of Court's County Investment Report, June 30, 2016.

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF I-1 AND I-3, SECONDED BY COMMISSIONER DOHERTY

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:

July 12, 2016 BCC Regular Meeting & Executive Session
July 19, 2016 BCC Workshop
July 20, 2016 MSBU Public Hearing Event Center
July 21, 2016 BCC Pre-Agenda
July 21, 2016 MSBU Public Hearing - Tringali
July 26, 2016 BCC Regular and Land Use Meeting

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

(1) Appointment-Beaches & Shores Advisory Committee

RECOMMENDED ACTION: Approve the appointment of Peter Gerhardt as the District 1 Representative to the Beaches and Shores Advisory Committee to fill the unexpired term of Gwin R Whitney expiring December 31, 2016. BUDGETED ACTION: No action needed.

D. Administration

Administration - No Items

Public Information Office - No Items

E. County Attorney

(1) Interlocal Agreement with DeSoto County for Water and Sewer Service

RECOMMENDED ACTION: Approve the Interlocal Agreement between Charlotte County and Desoto County for water and sewer service to The Links subdivision. BUDGETED ACTION: No action needed.

AGR2016-047

(2) Rescind Resolution 2012-052 that approved the use of a particular contract for affordable housing

RECOMMENDED ACTION: Rescind Resolution 2012-052. BUDGETED ACTION: No action needed.

F. Budget and Administrative Services

Fiscal Services

(1) Criminal Justice Education FY16

RECOMMENDED ACTION: Approve transfer of \$70,000 to the Sheriff for criminal justice education. BUDGETED ACTION: No action needed. Funds are provided in the FY15/16 budget process.

(2) Law Enforcement Trust Fund

RECOMMENDED ACTION: Approve transfer of \$160,000 from the County Law Enforcement Trust Fund to the Sheriff's Law Enforcement Trust Fund checking account. BUDGETED ACTION: No action needed. Funds are provided in the FY15/16 budget process.

(3) Acceptance of the Florida Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance Grant (JAG) contract numbers 2017-JAGC-2912 and 2017-JAGC-2929

RECOMMENDED ACTION: a) Requesting the Board of County Commissioners accept the Florida Department of Law Enforcement's (FDLE) 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$73,772; and b) Authorize the Chairman, or designee, to sign all necessary documents related to this grant. BUDGETED ACTION: No action needed. Funding for the grant will be budgeted in the Charlotte County Sheriff's Office and the Punta Gorda Police Department's Operating budgets. Human Services portion of the allocation will be added to the FY 17 budget. There is no County match required. **GRT2016-014**

Information Technology - No Items

Purchasing

(4) 08-359, Self-Insured Medical, Dental, Life, Short-term (Risk Management)

RECOMMENDED ACTION: Approve the annual renewal of Contract #08-359, Self-Insured Medical, Dental, Life, Short-Term and Long-Term with CIGNA; at the same terms and conditions, by mutual consent. Term of renewal is for the period October 1, 2016 up to and including September 30, 2017. BUDGETED ACTION: No action needed. Expenditures for this item are budgeted in the Health Insurance Fund.

(5) 10-281, Property & Casualty Insurance Coverage (Risk Management)

RECOMMENDED ACTION: Approve renewal of Contract #10-281 Property & Casualty Insurance Coverage with Florida League of Cities located in Orlando, FL, for the term October 1, 2016 up to and including September 30, 2017 in the amount of \$2,023,874. This is an annual contract for a comprehensive program of self-insurance. BUDGETED ACTION: No action needed.

(6) 11-079 Amendment #2, Fixed Base Automatic Meter Reading System (Utilities)

RECOMMENDED ACTION: a) Approve Amendment #2 to Contract 11-079 Fixed Base Automatic Meter Reading (AMR) System with Mueller Systems LLC of Cleveland, NC to include FDEP's "Supplementary Conditions for Construction Procurement" be incorporated into the Meter AMR project contract; and b) Authorize the Chairman to sign Amendment #2 to include DEP "Supplementary Conditions for Construction Procurement" must be incorporated into the current Meter AMR project contract. BUDGETED ACTION: No action needed.

(7) 14-161, Change Order Approval, Banner Software Upgrade & Migration and Hardware (Budget & Admin)

RECOMMENDED ACTION: Approve Change Order #6 to File #14-161 for Banner System Software Upgrade and Migration, with Hansen Banner LLC of Atlanta, GA, for no additional cost with a time extension until September 16, 2016 for User Acceptance Training (UAT). BUDGETED ACTION: No action needed.

(8) 14-426, Approve Change Order #3 Utility Operational Audit (Utilities)

RECOMMENDED ACTION: Approve Change Order #3 for File #14-426, Utility Operational Audit for Charlotte County Utilities with KPMG LLP of Orlando, Florida, for an additional not-to-exceed amount of \$75,885. This change order is in accordance with the hourly rates established under the Florida State Contract, Management & Consulting Services #973-000-14-01. BUDGETED ACTION: No action needed. Funding from Utilities Operating and Maintenance Fund approved in the FY16 budget process.

(9) 15-287 Veteran's Memorial Park - Construction Manager, Guaranteed Maximum Price (Facilities)

(Change #1) Updated Amendment #1 to Contract amounts: a) Approve Amendment #1 to Contract #15-287 Veteran's Memorial Park - Construction Manager with Florida Premier Contractors, LLC for the Guaranteed Maximum Price (GMP) for the management/construction phase of the project in the amount of \$612,373 \$610,667 and a revised total project amount of \$621,607.63 \$619,901.63; and

RECOMMENDED ACTION: a) Approve Amendment #1 to Contract #15-287 Veteran's Memorial Park - Construction Manager with Florida Premier Contractors, LLC for the Guaranteed Maximum Price (GMP) for the management/construction phase of the project in the amount of \$612,373 and a revised total project amount of \$621,607.63; and b) Authorize the Chairman to sign Amendment #1 to the Contract for the GMP for the construction phase of the Veteran's Memorial Park. BUDGETED ACTION: No action needed. Budgeted in CIP project "Veterans Memorial Park", as approved in the FY16 budget process. Funding is supplied from the 2014 Sales Tax Extension.

(10) 15-364 Amendment #1 - Tourism Creative Services (Tourism)

RECOMMENDED ACTION: a) Approve Amend #1 to Contract 15-364 Tourism Creative Services with Aqua Marketing & Communication, Inc. of St. Petersburg, FL for continuing services in the amount of \$38,500 and a revised contract not to exceed amount of \$188,500; and b) Authorize the Chairman to sign the Amendment. BUDGETED ACTION: Funding from the Tourist Development Trust Fund available in the current FY16 budget and is carried over in the proposed FY17 budget. **RES2016-140**

(11) 16-180, Approve Change Order #2, 2016 County Paving Program (Public Works)

RECOMMENDED ACTION: Request the approval of Change Order #2 to Contract #16-180 - 2016 County Paving Program as awarded to Ajax Paving Industries of Florida LLC in the amount of \$1,999,999.50 for a revised total of \$20,172,408.50. BUDGETED ACTION: No action needed. Budgeted in CIP project "Road & Bridge Paving Program", as approved in the FY16 budget process. Funding is supplied from gas taxes.

(12) 16-225, Award, Harbour Heights Sidewalk & 6" Force Main (Public Works)

RECOMMENDED ACTION: Approve Award of Bid #16-225, Harbour Heights Sidewalk & 6" Force Main, at the unit prices bid to Andrew Sitework LLC of Fort Myers, FL for a total estimated cost of \$1,071,427.35. BUDGETED ACTION: No action needed. Budgeted in MSBU CIP project "Harbour Heights Sidewalks", and Utility CIP "Wastewater Forcemain Replacement", as approved in the FY16 budget process. Funding from MSBU assessments is \$979,144.95, and from the Utility R&R fund is \$92,282.40.

(13) 16-334, Award, County Right of Way Landscape Maintenance - Annual Contract (Public Works)

RECOMMENDED ACTION: a) Approve budget adjustment BA17-001 in the amount of \$660,678 to provide additional funding in various MSBUs and Road & Bridge to award the contract, and authorize change to the FY17 budget effective October 1, 2016; and b) Approve award of Bid #16-334, County Right of Way Landscape Maintenance - Annual Contract to the lowest, responsive, responsible bidder, Walkers Service Inc. of Bradenton, Florida for the period from October 1, 2016 through and including December 31, 2017, at the unit prices indicated on the attached bid tabulation; and c) Authorize the County Administrator to approve renewal options for up to two (2) additional one-year terms, at the same prices, terms and conditions, by mutual consent. BUDGETED ACTION: Approve budget adjustment BA17-001 in the amount of \$660,678 to provide additional funding in various MSBUs and Road & Bridge to award the contract and authorize change to the FY17 budget effective October 1, 2016. Funding is supplied from assessments, gas taxes, and Charlotte Harbor CRA.

(14) 16-359 West County Annex - Construction Manager at Risk (Facilities)

RECOMMENDED ACTION: a) Approve the ranking of firms for Request for Proposal #16-359 Construction Manager at Risk - West County Government Annex: 1st - Florida Premier Contractors of Punta Gorda, FL; 2nd - Halfacre Construction Company of Punta Gorda, FL; and 3rd - Wharton-Smith, Inc. of Punta Gorda, FL; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations, to provide professional Construction Manager (CM) at Risk services as part of the construction team. BUDGETED ACTION: No action needed. Budgeted in CIP project "West County Annex Replacement", as approved in the FY16 budget process. Funding is from the 2014 Sales Tax Extension.

(15) 16-369, Award, Gasoline & Diesel Fuels - Annual Contract (Budget and Admin)

RECOMMENDED ACTION: a) Approve award of Bid #16-369, Gasoline & Diesel Fuels, Supply & Deliver - Annual Contract, to the lowest responsive, responsible bidders: Group A - Tankwagon Deliveries: Edison Oil of Fort Myers, FL; Group B - Transport Deliveries - Gasoline to Palmdale Oil Company of Fort Myers, FL; and Group B - Transport Deliveries - Diesel, Ultra Low Sulfur - Dyed and Diesel, Ultra Low Sulfur to Mansfield Oil Company of Gainesville, Inc. of Gainesville, GA at the unit prices bid with an initial contract term beginning October 1, 2016 through and including September 30, 2017; and b) Authorize the County Administrator to approve renewal options for up to two (2) additional one-year terms at the same prices, terms and conditions, by mutual consent. This is an annual contract to supply all of

Charlotte County's fuel by delivering gasoline and diesel to various County fueling facilities. BUDGETED ACTION: No action needed. Funding from the Vehicle Maintenance Fund approved in the FY17 Budget Process.

(16) 16-387 Ranking - Construction Engineering Services - East Port Water Reclamation Facility Stage 5 Improvements (Utilities)

RECOMMENDED ACTION: a) Approve the sole proposer for Request for Proposal #16-387 Ranking - Construction Engineering Services - East Port Water Reclamation Facility Stage 5 Improvements: 1st - Jones Edmunds & Associates, 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 engineering (CEI) services to assist Charlotte County during the construction of the Construction Engineering Services - East Port Water Reclamation Facility Stage 5 Improvements. Charlotte County will be performing the overall project management and daily construction observation services for this project with Utilities Department Engineering staff located on Old Landfill Road, Port Charlotte, Florida. BUDGETED ACTION: No action needed. Funding from Utilities Renewal/Replacement Fund approved in CIP Reclaimed Water Expansion - Phase 3 in the FY16 Budget Process.

(17) 16-402 Fiberglass Interceptor Tanks - Annual (Utilities)

RECOMMENDED ACTION: a) Award Bid #16-402 Fiberglass Interceptor Tanks - Annual to Alpha General Services, Inc., of Sebring, Florida at the unit prices listed on the attached tabulation for the term October 1, 2016 up to and including September 30, 2017, with option to renew for two (2) additional one-year terms; and b) Authorize the County Administrator to approve annual renewals at the same prices, terms, and conditions. This is an annual contract for purchase of Fiberglass Interceptor Tanks. BUDGETED ACTION: No action needed. Funding from the Utilities Operation and Maintenance Fund in the FY 17 budget process.

(18) 16-409 Water and Wastewater Chemicals - Annual (Utilities)

(Change #2) Added 13-325 Previous Tabulation attachment

RECOMMENDED ACTION: a) Approve award of Bid #16-409 Water and Wastewater Chemicals - Annual, to various vendors on the attached tabulation for the term from October 1, 2016 up to and including September 30, 2017; and b) Authorize County Administrator to approve two (2) additional one-year renewals at the same prices, terms, and conditions by mutual consent. This is an annual contract for water and wastewater chemicals. BUDGETED ACTION: No action needed. Funding from the Utilities Operation and Maintenance Fund to be approved in the FY17 Budget Process.

(19) 16-420 Cleaning Services, Charlotte County Facilities-Annual (Facilities)

RECOMMENDED ACTION: a) Award Bid #16-420 Cleaning Services, Charlotte County Facilities-Annual, to two firms: Group One to At Your Service Cleaning Group, Inc. of Sarasota, FL and Group Two to American Facility Services, Inc. of Alpharetta, GA at the unit prices listed on the attached tabulation, for the term October 1, 2016 up to and including September 30, 2017 with option to renew for two additional one-year terms at the same prices, terms & conditions; and b) Authorize County Administrator to approve annual renewals. This is for cleaning services for Charlotte County Buildings

and Parks. BUDGETED ACTION: No action needed. Funding from various departments available in the proposed FY16/17 Budget.

(20) 16-452 Approve, Maintenance/Repair of 800mhz Communications Infrastructure (Public Safety)

RECOMMENDED ACTION: Approve the renewal Agreement, File #16-452, Maintenance and Repair of 800 Mhz Communications Infrastructure, to Motorola, for the period of October 1, 2016 through and including September 30, 2017 for an annual cost of \$148,315.68. BUDGETED ACTION: No action needed. Budgeted in the Radio Communications Fund and approved in the FY 2016/17 budget process.

(21) 16-465, Award, Microsoft Enterprise License Agreement (Budget & Admin)

RECOMMENDED ACTION: Approve File #16-465, Microsoft Enterprise License Agreement, for the price of \$290,419.22 which this portion was awarded to Software House International (SHI) by the Florida State Contract #252-001-09-1. BUDGETED ACTION: No action needed. Funding from the General Fund - Information Technology approved in the FY16 budget process.

(22) Property Deletions for the month of September, 2016 (Purchasing)

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

Real Estate Services

(23) Bay Heights Park-Boat Ramp-FPL Easement

RECOMMENDED ACTION: Approve attached resolution approving and authorizing the Chairman to execute a Non-Exclusive Underground Utility Easement to Florida Power & Light (FPL). BUDGETED ACTION: No action needed. **RES2016-130**

(24) Resolution to Acquire-Burnt Store Road Phase II

RECOMMENDED ACTION: Approve the Resolution authorizing and directing the voluntary acquisition of the real property or easement interests that may be required for the Burnt Store Road Phase II widening (from Notre Dame Boulevard to Zemel Road) Project. BUDGETED ACTION: No action needed. **RES2016-131**

(25) South County Library-City of Punta Gorda - Utility Easement

RECOMMENDED ACTION: Approve attached resolution approving and authorizing the Chairman to execute the grant of non-exclusive easement to the City of Punta Gorda. BUDGETED ACTION: No action needed. **RES2016-132**

(26) Waterway Access Resolution

RECOMMENDED ACTION: Approve the attached resolution authorizing the acquisition of real property or easement interests in real property of parcels that are required for the access of waterways for canal

maintenance, spoil removal, aquatic weed control, mosquito control, debris removal and spoil sites. BUDGETED ACTION: No action needed. **RES2016-133**

G. Community Development

(1) DRC-PD-80-4EEEE, Final Detail Site Plan Approval for Arby's Kings Highway

RECOMMENDED ACTION: Approve a Resolution of a Final Detail Plan for Arby's, DRC-PD-80-4EEEE. This resolution will allow the construction of a 2,618 s.f. restaurant building with one drive-thru lane. This 1.13+/- acre site is located at 395 Kings Highway on Lot 1 of the Kings Highway Wal-Mart Subdivision in Section 6, Township 40 South, Range 23 East, in Port Charlotte, Florida. It is located in the Sandhill DRI. BUDGETED ACTION: No action needed. Quasi-Judicial **RES2016-139**

H. Community Services

Parks and Natural Resources

(1) WCIND Interlocal Agreement

RECOMMENDED ACTION: Approve the West Coast Inland Navigation District (WCIND) Interlocal Agreement. BUDGETED ACTION: No action needed. Grant funding for the 20% cost share of the failing pilings is included as part of the approved Boater Revolving Fund projects during the FY16/17 budget process. The cost of the fishing pier repairs is included in the FY16/17 budget process as part of the Fishing Piers and Boardwalks CIP. **AGR2016-048**

(2) UF/IFAS Memorandum of Understanding

RECOMMENDED ACTION: Approval of the Memorandum of Understanding between the University of Florida and Charlotte County for Extension Services and authorization for the Chairman to sign the agreement. BUDGETED ACTION: No action needed. Funding from General Fund - Community Services available in the proposed FY 2017 Budget. **AGR2016-049**

Recreation - No Items

Libraries and Historical

(3) Public Library Construction Grant

RECOMMENDED ACTION: a) Approve a resolution authorizing the submission of an application to the Florida Department of State for a Public Library Construction Grant for the South County Library and Archive project; and b) Authorize the Chairman to sign the Certificate of Application; and c) Authorize the County Administrator or his designee to sign other documents associated with this grant. BUDGETED ACTION: No action needed. Authorization to apply for the grant only. Project is budgeted in FY16 approved CIP Project "South County Community Library and Archive". **RES2016-134**

I. Economic Development

(1) Hangar Lease

RECOMMENDED ACTION: Request approval and execution of attached lease for Hangar 115 owned by Charlotte County Airport Authority. BUDGETED ACTION: No action needed. **AGR2016-050**

County Attorney Knowlton passed out new Exhibit A, read provision modifications to Sections 3.1(a) and 3.4(c), and suggested requesting Exhibit A illustrate the tie downs.

Lucienne Pears, Economic Development Director spoke to language in Agreement, access gates, Western Michigan University (WMU) concerns, Airport Authority Administration discussions, aircraft tie-downs, and negotiations. Cody Vaughan-Birch, Assistant County Attorney commented on WMU concerns, limiting access gates for security precautions, and sublease provision in lease agreement.

Chair Truex discussed access gate language, moving forward expeditiously, aircraft tie-downs, Federal Aviation Administration (FAA) and Transportation Security Administration (TSA) response timeframe, WMU approval, and latitude to Staff to meet intent of Board discussion. **Commissioner Constance** inquired about WMU approval. **Commissioner Deutsch** spoke to WMU concerns, Airport Authority and FAA security issues, and Airport Authority upcoming meeting. **Commissioner Doherty** commented on Lease Agreement language. **Commissioner Duffy** discussed appropriate Agreement language.

COMMISSIONER DOHERTY MOVED TO APPROVE AGREEMENT 2016-050 WITH THE LANGUAGE CHANGES READ INTO THE RECORD BY THE COUNTY ATTORNEY, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

RECESS: 9:53 am – 10:01 am

(2) IDA - Manufacturing Board Seat Appointment

RECOMMENDED ACTION: Affirm the appointment of Sunil Samtani to the Charlotte County Industrial Development Authority Board's Manufacturing seat. BUDGETED ACTION: No action needed.

(3) Harbor Walk Phase 1B FDOT Lease Agreement

RECOMMENDED ACTION: Approve the Airspace Agreement for the Harbor Walk Phase 1B project with Florida Department of Transportation (FDOT) and authorize the Chairman to sign the agreement. BUDGETED ACTION: No action needed. **AGR2016-051**

COMMISSIONER DOHERTY MOVED TO APPROVE AGREEMENT 2016-051 FOR THE HARBOR WALK PHASE 1B PROJECT WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND AUTHORIZE THE CHAIRMAN TO SIGN THE AGREEMENT, SECONDED BY COMMISSIONER DEUTSCH

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

J. Facilities Construction and Maintenance

(Deletion #1) (1) Approval of Interlocal Agreement Between the City of Punta Gorda and Charlotte County for Site Remediation at 401 Shreve Street

~~RECOMMENDED ACTION: Approve the Interlocal Agreement with Punta Gorda for site remediation work at 401 Shreve Street. BUDGETED ACTION: No action needed. Project is budgeted in the FY16 approved CIP Project "South County Community Library and Archive."~~

K. Human Resources - No Items

L. Human Services

(1) Annual State Housing Initiatives Partnership (SHIP) report

RECOMMENDED ACTION: a) Board review and approval of the State Housing Initiatives Partnership (SHIP) Annual report for submission to the State of Florida; and b) Authorize the Chairman to sign Certification Form. BUDGETED ACTION: No action needed.

M. Public Safety - No Items

N. Public Works

(1) Resolution Authorizing the County Administrator or his/her designee to execute grant applications, agreements and other documents relating to Arthropod Control

RECOMMENDED ACTION: Adopt a Resolution authorizing the County Administrator or his designee to execute grant applications, agreements, and other documents relating to Arthropod Control. BUDGETED ACTION: No action needed. **RES2016-135**

(2) Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation (FDOT)

RECOMMENDED ACTION: Approve the updated Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation (FDOT). County staff has reviewed the agreement and recommends approval. BUDGETED ACTION: No action needed. Traffic signal maintenance is budgeted in the Greater Charlotte Street Lighting District as proposed in the FY17 budget process. **A.AGR2015-030**

O. Tourism Development

(1) Approve resolution to apply and receive grant funding

RECOMMENDED ACTION: Approve a resolution requiring only Administration approval for the Tourist Development Department dba Charlotte Harbor Visitor & Convention Bureau (VCB) to have the authority to apply for and execute Florida Sports Foundation and VISIT Florida Grants. BUDGETED ACTION: No action needed. **RES2016-136**

P. Utilities

(1) Resolution for SRF Clean Water Loan Program - Design/Planning Loan WW08024 - Charlotte Harbor Water Quality Initiative

RECOMMENDED ACTION: Adopt a Resolution authorizing submission of an application to the Florida Department of Environmental Protection (FDEP) for a loan from the State Revolving Fund (SRF) program to finance the design planning of wastewater and reclaimed water improvements for Phase 2 - Charlotte Harbor Water Quality Initiative (El Jobean, Ackerman Countryman, US41, and Loveland Grand Master Lift Station) authorizing the County Administrator to execute the loan agreement and any other documents required by the loan agreement and any amendments thereto. BUDGETED ACTION: No action needed. Budget adjustment will be done upon execution of the loan agreement. **RES2016-137, AGR2016-052**

(2) Amend SRF Construction Loan Agreement to Include Stage 5 East Port WRF and Deep Creek Sewer Force Main WW080250

RECOMMENDED ACTION: Authorize the County Administrator or designee to execute an Amended SRF Loan Application and Agreement that includes funding for East Port WRF and Deep Creek. BUDGETED ACTION: No action needed. A budget amendment will be completed upon receipt of the executed loan documents. **AGR2016-053**

(3) DEP Agreement No. LP08023 Amendment #2 - East West Spring Lakes

RECOMMENDED ACTION: Authorize Chairman to execute Amendment No. 2 to DEP Agreement No. LP08023 re: additional funding for East West Spring Lake Central Sewer Project. BUDGETED ACTION: No action needed. Budget will be adjusted at the time of award of final contract. **GRT2014-022**

Q. Other Agencies - No Items

Taken Out of Order

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

(1) County Attorney

Conduct a Public Hearing Regarding Regulation of Newsracks

Conduct a public hearing regarding regulation of newsracks in the public rights-of-way. **ORD2016-029**

Pooja Patel, Assistant County Attorney gave a brief overview of the regulations of newsracks in the public right-of-way and responded to Board inquiries.

County Attorney Knowlton spoke to insurance requirements, liability and indemnification.

Chair Truex spoke to indemnification, insurance requirements, newsrack owner identification, and organization of newsracks. **Commissioner Constance** asked about newsrack regulations, abandoned newsracks, damaged newsracks, and newsrack owner identification. **Commissioner Deutsch** discussed

newsrack liability, insurance policy requirements, and newsracks allowed in right-of-way. **Commissioner Duffy** inquired about the insurance policy requirements and newsracks on private property.

Public Hearing

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

MOTION CARRIED: 5:0.

COMMISSIONER DUFFY MOVED TO APPROVE ORDINANCE 2016-029 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; CREATING CHAPTER 3-6, ROADS AND BRIDGES, ARTICLE I, SECTION 3-6-5, NEWSRACKS, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; RELATING TO NEWSRACKS ON THE PUBLIC RIGHTS-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:1., COMMISSIONER DEUTSCH OPPOSED

REGULAR AGENDA

R. Regular Agenda

Chair Truex asked for reconsideration of the Changes to the Agenda in which R-1 was identified as a change but was described as a deletion however the deletion was for an old presentation.

COMMISSIONER CONSTANCE MOVED TO RECONSIDER THE DELETION OF R-1 ON THE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO ADD R-1 BACK ONTO THE AGENDA, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

(1) Public Works

(Change #3) Deleted Olean Boulevard Sidewalk and Lighting Evaluation Presentation

Olean Boulevard - Sidewalk and Lighting

RECOMMENDED ACTION: Discussion and direction for sidewalk and LED lighting on Olean Boulevard.

Brian Barnes, Public Works Project Engineer gave a brief overview of sidewalks from Aaron Street to Harbor Boulevard and responded to Board inquiries.

Commissioner Doherty asked for clarification of sidewalk lighting locations. **Commissioner Duffy** inquired about impacting Fawcett Hospital.

COMMISSIONER DOHERTY MOVED TO ADD TO THE ROAD WIDENING PROJECT THE REPLACEMENT OF THE EXISTING 6' SIDEWALK ADJACENT TO THE BACK OF THE CURB ON THE NORTH SIDE OF OLEAN BOULEVARD BETWEEN AARON STREET AND HARBOR BOULEVARD, SECONDED BY COMMISSIONER DUFFY

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

Mr. Barnes gave a brief overview of LED lighting on Olean Boulevard and responded to Board inquiries.

Chair Truex discussed additional costs, eliminating light bleeding, and LED light effectiveness. Commissioner Deutsch inquired about LED lighting operational and electricity usage savings, lifespan of LED lights and safety benefit. Commissioner Doherty spoke to LED lighting on Harbor Boulevard. Commissioner Duffy asked about type of lighting on Harbor Boulevard.

COMMISSIONER DOHERTY MOVED TO APPROVE INSTALLATION OF LED LIGHTING ON OLEAN BOULEVARD FROM US 41 TO EASY STREET AS A PART OF THE WIDENING PROJECT, SECONDED BY COMMISSIONER DEUTSCH

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

Mr. Barnes gave a brief update of the proposed extension of Olean Boulevard from Harbor Boulevard to Easy Street Cross Section and responded to Board inquiries.

Commissioner Doherty inquired about lane assignments. Commissioner Duffy asked about the church parking lot bridge.

PRESENTATION AGENDA

T. 10:00 A.M.

(1) Zika 101 - CDC Update

(Change #4) Updated CDC Zika Presentation

RECOMMENDED ACTION: None.

Commissioner Constance gave a brief CDC update on What is Zika virus disease (Zika), Where has Zika virus been found, Zika and the United States, How is Zika transmitted, What are the symptoms, How does the Zika virus affect people, How does Zika affect pregnancies, How does the Zika affect fetuses and infants, Zika Pregnancy Registry, Does Zika cause Guillain-Barre syndrome (GBS), How is Zika Diagnosed, How is Zika treated, What to do after getting Zika, Preventing Mosquito Bites, What is CDC Doing, and mentioned Dr. Lepore, Charlotte County Health Department Administrator working on Zika issue with Scott Schermerhorn, Mosquito and Aquatic Weed Control Manager.

Mr. Schermerhorn discussed self-accountability, vertical transmission, Governor petitioning for funds, and community education.

Chair Truex spoke to citizen concerns relating to property values.

CITIZEN INPUT - ANY SUBJECT

AA. County Administrator: None

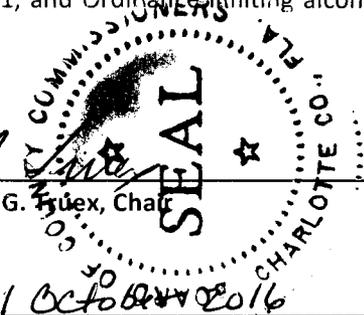
BB. County Attorney: None

CC. Commissioner Comments:

Chair **Truex** discussed attending Leadership Florida, opioid addiction, Drug Free Charlotte event, legalized medical marijuana, and Canvassing Board. **Commissioner Constance** read letter from Surgeon General regarding opioid epidemic, showed photos of National September 11th Memorial and Museum, commented on Vietnam Wall of Southwest Florida, legalized medical marijuana, and Regular Board Meeting on November 8, 2016. **Commissioner Deutsch** spoke to the timeline for Florida Department of Transportation (FDOT) resurfacing US 41. **Commissioner Doherty** discussed attending the Florida Association of Counties Policy Conference with **Commissioner Constance** and Emily Lewis, legalized medical marijuana, and Canvassing Board. **Commissioner Duffy** spoke to opioid addiction, National September 11th Memorial and Museum, FDOT helping with Facelift 41, and Ordinance limiting alcohol consumption in public right-of-ways.

ADJOURNED: 11:18 am


William G. Truex, Chair



DATE ADOPTED: 11 October 2016

ATTEST:

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

By: Michelle D. Beaudino
Deputy Clerk