

**BOARD OF COUNTY COMMISSIONERS**

**SEPTEMBER 27, 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 Clerk Cash. The following members were absent: None

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

The Invocation was given by **Chair Truex**, followed by the Pledge of Allegiance.

**Changes to the Agenda**

**Addition #1:** R-6 Modify the Effective Date of the increased Distribution/Collection Fees that were to become effective on October 1, 2016

Requested by: Utilities

**Change #1:** S-1 Updated Resolution

Requested by: County Attorney

**Change #2:** S-2 Updated Resolution

Requested by: County Attorney

**Change #3:** S-3 Updated Resolution

Requested by: County Attorney

**Change #4:** S-4 Updated Resolution

Requested by: County Attorney

**Change #5:** R-3 Added Completed Performance Evaluations

Requested by: Commission Office

**Change #6:** R-4 Added Completed Performance Evaluations

Requested by: Commission Office

**Deletion #1:** Combat Wounded Veteran Moved to the October 11<sup>th</sup> Regular Meeting

Requested by: Human Services

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

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Bill Truex**

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

**MOTION CARRIED 5:0.**

**Florida Native Plant Month**

Al Squires and several members of the Florida Native Plant Society accepted the Proclamation.

**Employee Recognition - Commissioner Bill Truex**

Employee of the Month - August 2016 - Leah Williams, Community Services

Tommy Scott, Community Services Director conveyed that Ms. Williams excels in all facets of her job and helped implement a new event that was a tremendous success.

**Award Presentations**

~~(Deletion #1) Combat Wounded Veteran Moved to the October 11<sup>th</sup> Regular Meeting~~

~~Award Certificate of Recognition, Combat Wounded Veteran to Charles H. Lawson, United States Army.~~

**CITIZEN INPUT - AGENDA ITEMS ONLY**

Sandy Slater, South Gulf Cove Beautification MSBU Advisory Committee Chair spoke to South Gulf Cove Master Park Plan, South Gulf Cove Community Plan, San Domingo Park, and MSBU Funds.

**COMMITTEE VACANCIES**

Environmentally Sensitive Lands Oversight Committee is seeking the following volunteers' who must be Charlotte County residents: three Environmental Experts, two Business/Land Development Representatives and two Community Representatives. Terms: members to serve a three year term from the date of appointment. To obtain an application, please contact Lisa Eby at 941.743.1300 or email Lisa.Eby@CharlotteCountyFL.gov. Submit a resume and application by regular mail to Board of County Commissioners, Attn: Commission Assistant, 18500 Murdock Circle, Suite 536, Port Charlotte, FL 33948 or by email to same provided above.

**REPORTS RECEIVED AND FILED - No Items**

**CONSENT AGENDA**

**Chair Truex** highlighted providers of Property Assessed Clean Energy (PACE) funding for energy efficiency improvements. **Commissioner Constance** spoke to finding qualified contractors for the PACE program. **Commissioner Duffy** discussed utilization of solar energy and inquired about solar panels on roofs.

Rafeal Perez, Ygrene Energy Fund commented on implementation of PACE projects.

Mike Antheil, Renovate America, Florida Development Finance Corporation (FDPC) spoke to outreach operations, program development, and contractor training.

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-3 AND J-1, 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:

September 8, 2016 Pre-Agenda Meeting

BUDGETED ACTION: No action needed.

**Board of County Commissioners**

**C. Commission Office**

(1) Appointment - Parks and Recreation Advisory Board, District #3

RECOMMENDED ACTION: Approve the appointment of Holly H. Haynes to the Parks and Recreation Advisory Board representing District #3 with a term expiring on September 27, 2019. BUDGETED ACTION: No action needed.

**D. Administration**

**Administration - No Items**

**Public Information Office - No Items**

**E. County Attorney**

(1) Set a Public Hearing to consider an Ordinance Repealing Ordinance 81-21

RECOMMENDED ACTION: Set a public hearing for Tuesday, October 11, 2016 at 10:00 a.m., or as soon thereafter to consider an Ordinance repealing Ordinance 81-21. BUDGETED ACTION: No action needed.

**F. Budget and Administrative Services**

**Fiscal Services**

(1) Acceptance of the Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) contract award number 2016-DJ-BX-0701

RECOMMENDED ACTION: a) Approve the 2016-DJ-BX-0701 US Department of Justice (DOJ) Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$26,859, with Budget and Administrative Services administering the grant; and b) Authorize the County Administrator to execute all the necessary grant 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. Funding for the County's portion to administer the grant is included in the budget process for FY16/17, in the Fiscal Services Division's salary and benefits accounts. There is no County match required.

**Information Technology - No Items**

**Purchasing**

(2) 16-412, Ranking, Economic Development Marketing Services (Economic Development)

RECOMMENDED ACTION: a) Approve ranking of firms for Request for Proposal #16-412, Economic Development Marketing Services - Annual: 1st - Marketing Alliance, Inc. of Punta Gorda, Florida; 2nd - Redevelopment Management Associates, Inc., and 3rd - Grapevine Communications International, Inc.; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations. This is for an annual contract with a full service economic development marketing firm that can provide strategic planning, develop and execute marketing initiatives targeted to Site Selectors, Business and Industries considering expansions and relocations, Commercial Developers, and key audiences in an effort to support the Charlotte County Economic Development mission. BUDGETED ACTION: No action needed.

(3) 15-406, Approve, Amendment #1 - Guaranteed Maximum Price, Jail Infirmery Construction Manager at Risk (Facilities)

RECOMMENDED ACTION: a) Approve the Resolution authorizing budget adjustment #BA17-011 in the amount of \$1,958,000 to provide additional funding to award the amended contract, and authorize change to the FY17 budget effective October 1, 2016; and b) Approve Amendment #1 to Contract #15-406, Jail Infirmery Construction Manager at Risk with Wharton-Smith Inc. of Punta Gorda, Florida, for the Guaranteed Maximum Price (GMP) for the management/construction phase railing portion of the project in the amount of \$1,958,000; and c) Authorize the Chairman to sign Amendment #1 to the Contract for the GMP for the construction phase of this portion of the contract. BUDGETED ACTION: Approve the Resolution authorizing budget adjustment #BA17-011 in the amount of \$1,958,000 to provide additional funding to award the amended contract, and authorize change to the FY17 budget effective October 1, 2016. Funding for this phase of the project comes from General Fund, ad valorem. **RES2016-149**

David Milligan, Facilities Construction and Maintenance Director explained project uniqueness, options considered, research performed, installation, safety concerns, and warranties.

**Chair Truex** discussed safety concerns and railing system. **Commissioner Constance** spoke to design plans, installation, safety concerns, and warranties. **Commissioner Deutsch** commented on railing material, safety concerns, and cost. **Commissioner Doherty** discussed cost and railing design. **Commissioner Duffy** inquired about the cost and railing materials.

**COMMISSIONER DUFFY MOVED TO APPROVE RESOLUTION 2016-149, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

(4) 15-441, Approve, Change Order #3 - Utility Improvements-Parkside CRA (Public Works)

RECOMMENDED ACTION: Approve Change Order #3 to Contract #15-441 Utility Improvements-Parkside CRA with Andrew Sitework LLC of Fort Myers, Florida in the amount of \$729,143.14 and add an additional 150 calendar days to the contract time. BUDGETED ACTION: No action needed. Budgeted in CIP project, "Parkside CRA Multi-use Trails & Greenway", Phase 1, West Tarpon to Ambrose Lane, as approved in the FY16 budget process. Funding comes from the Parkside Redevelopment Fund.

(5) 16-180, Approve, Change Order #3 - 2016 County Paving Program (Public Works)

RECOMMENDED ACTION: a) Approve the Resolution authorizing budget adjustment #BA17-010 in the amount of \$210,276 to provide additional funding in the Rotonda Meadows & Villas St./Dr. MSBU to award Change Order #3 including contingency, and authorize change to the FY17 budget effective October 1, 2016; and b) Request the approval of Change Order #3, to Contract #16-180, 2016 County Paving Program as awarded to Ajax Paving Industries of Florida LLC in the amount of \$3,267,380.44 and add an additional 60 days to the contract time. BUDGETED ACTION: Approve the Resolution authorizing budget adjustment #BA17-010 in the amount of \$210,276 to provide additional funding in the Rotonda Meadows & Villas St./Dr. MSBU to award Change Order #3 including contingency, and authorize change to the FY17 budget effective October 1, 2016. Funding is supplied from MSBU assessments. **RES2016-150**

**Real Estate Services - No Items**

**Risk Management**

(6) Revised Tri-Party Confidentiality Agreement

RECOMMENDED ACTION: Approve the revised Tri-Party Confidentiality Agreement between Charlotte County, BenTek, and CareHere. BUDGETED ACTION: No action needed. **A.AGR2016-042**

**G. Community Development - No Items**

**H. Community Services**

**Parks and Natural Resources**

(1) USDA Contract for Iguanas

RECOMMENDED ACTION: Approve and authorize the Chairman to execute a renewal agreement with the United States Department of Agriculture (USDA) to provide Iguana control in the Charlotte County portion of Boca Grande (Gasparilla Island). The MSBU Advisory Committee has requested and approved funding for this contract. BUDGETED ACTION: No action needed. Funding from the Boca Grande Streets and Drainage MSBU approved in the FY16 budget process in the amount of \$78,000. **AGR2016-054**

(2) USDA Contract Agreement for Feral Swine

RECOMMENDED ACTION: Approve and authorize the Chairman to renew a Cooperative Service Agreement with United States Department of Agriculture (USDA) for the control of feral hogs on County conservation lands starting October 1, 2016. BUDGETED ACTION: No action needed. Funding will come from General Fund - Community Services / Environmental Land Management included in the Proposed FY17 Budget Process. **AGR2016-055**

**Recreation**

(3) Fifth Amendment to Stadium Lease Agreement

RECOMMENDED ACTION: Approve the Fifth Amendment to the Stadium Lease Agreement between Charlotte County and CBI Baseball and authorize the Chairman to sign. BUDGETED ACTION: No action needed. **A.AGR2008-034**

(4) Charlotte Sports Park Improvements

RECOMMENDED ACTION: Approve the Charlotte Sports Park Improvements list for a total estimated cost of \$105,800. This is an annual process between the County and the Tampa Bay Rays per the Charlotte Sports Park Agreement. BUDGETED ACTION: No action needed. Funding from the Stadium Improvement Fund included in the Proposed FY17 Budget Process.

**Libraries and Historical**

(5) State Aid to Libraries

RECOMMENDED ACTION: a) Approve the grant agreement application with the Florida Department of State to apply for FY16/17 State Aid to Libraries Program; and b) Authorize the Chair to sign the State Aid to Libraries Grant Agreement for FY16/17. BUDGETED ACTION: No action needed. Grant funds are included in the budget process for FY16/17 in the Library Administration budget. There is no match required by the County. **GRT2016-015**

**I. Economic Development**

(1) PACE Provider - Ygrene

RECOMMENDED ACTION: Approve Ygrene as an additional Approved Provider of PACE funding. BUDGETED ACTION: No action needed. **RES2016-151/AGR2016-056**

(2) PACE Provider - Florida Development Finance Corporation

RECOMMENDED ACTION: Approve Florida Development Finance Corporation (FDPC) as an additional Approved Provider of PACE funding. BUDGETED ACTION: No action needed. **RES2016-152/AGR2016-057**

**J. Facilities Construction and Maintenance**

(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". **AGR2016-058**

Mr. Milligan detailed elevation determination and fill sources.

**Commissioner Doherty** asked about elevation selection for fill, fill sources, and reducing days.

**COMMISSIONER DOHERTY MOVED TO APPROVE AGREEMENT 2016-058, SECONDED BY COMMISSIONER DUFFY**

**MOTION CARRIED 5:0.**

**K. Human Resources - No Items**

**L. Human Services**

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

RECOMMENDED ACTION: a) Approve the Resolution and new 12-month lease agreement for an existing tenant, the School Board of Charlotte County New Visions Program at the Family Service Center (FSC), with the option of renewing this lease for two separate additional terms of 12-months each; and b) Authorize the County Administrator, or his designee, to execute amendments, extensions, terminations, and novation changes to the Lease Agreement on behalf of the County. BUDGETED ACTION: No action needed. **RES2016-153/AGR2016-059**

(2) Civil Citation Program

RECOMMENDED ACTION: a) Accept award for community services of the Civil Citation Youth Grant in the amount of \$33,682.50 from the Florida Department of Juvenile Justice; and b) Authorize the County Administrator, or designee, to sign the agreement and any future extensions, renewals or amendments. BUDGETED ACTION: No action needed. Grant funds will be approved in the FY16/17 budget process in the Special Grants Fund. There is no County match required.

**M. Public Safety**

(1) 2016 State Homeland Security Grant

RECOMMENDED ACTION: a) Approve the grant contract between the Florida Division of Emergency Management and Charlotte County in the amount of \$87,632 for planning and training consistent with Homeland Security State Strategy guidelines; and b) Approve the Resolution authorizing budget adjustment

#BA17-002 in the amount of \$87,632 to provide for grant funding, and authorize change to the FY17 budget effective October 1, 2016; and c) Authorize the Chair, or designee, to sign any grant related documents. BUDGETED ACTION: Approve the Resolution authorizing budget adjustment #BA17-002 in the amount of \$87,632 for planning and training, and authorize change to the FY17 budget effective October 1, 2016. The grant is 100% funded and there is no local match required by the County. **GRT2016-016/RES2016-154**

(2) 2016/2017 CERT Grant

RECOMMENDED ACTION: a) Approve the grant agreement between the Florida Division of Emergency Management and Charlotte County in the amount of \$7,600 to fund the Citizen Corps and Community Emergency Response Team (CERT) Program; and b) Approve the Resolution authorizing budget adjustment #BA17-003 in the amount of \$7,600 to provide for grant funding, and authorize change to the FY17 budget effective October 1, 2016; and c) Authorize the Chair, or designee, to sign any grant related documents. BUDGETED ACTION: Approve the Resolution authorizing budget adjustment #BA17-003 in the amount of \$7,600 for training and equipment, and authorize change to the FY17 budget effective October 1, 2016. County match of 100% will be provided by in-kind hours of Emergency Management staff. **RES2016-155**

**N. Public Works**

(1) SWFWMD Cooperative Funding Initiative for replacement of Greater Port Charlotte Water Control Structure

RECOMMENDED ACTION: a) Approve the 2018 SWFWMD Cooperative Funding Initiative Application requesting \$450,000 50% match) for replacement of Greater Port Charlotte Water Control Structure ELK 4.56 Located East of Harbor Blvd, at the Elkcam Waterway at Peachland Blvd.; and b) Authorize the County Administrator to execute any and all documents related to submission of the grant application. BUDGETED ACTION: No action needed. Construction is budgeted in CIP project "Greater Port Charlotte Drainage Control Structure Replacement". The project funding will be amended upon award of the grant. Funding for the match will be provided from assessments in the Mid Charlotte Stormwater unit.

(2) 2016 Charlotte County Erosion Control Project

RECOMMENDED ACTION: Approve and authorize the Chairman to sign the Resolution supporting the Charlotte County Erosion Control Project and the County's ability to provide matching funds for design, permitting, construction, and annual monitoring of the Erosion Control Project including the new segment on Manasota Key. BUDGETED ACTION: No action needed. Funding from three projects "Manasota Key Beach Restoration", "Stump Pass Dredging" and "Stump Pass Monitoring", approved in the FY17 budget process. Funding is supplied from the Stump Pass/Beach Renourishment MSBU, Stump Pass/Beach Renourishment MSTU, and the BP Settlement Fund. **RES2016-156**

**O. Tourism Development - No Items**

**P. Utilities**

(1) SWFWMD Grant Funds Reclaimed Water Expansion Phase III

RECOMMENDED ACTION: Authorize staff to apply to Southwest Florida Water Management District (SWFWMD) for \$311,250 in matching funds to be received in FY18 to continue the Charlotte County Reclaimed Water

Expansion. BUDGETED ACTION: No action needed. Grant revenue will be recognized during the FY18 Budget Process.

(2) Clean Water SRF Construction Loan - Loveland Grand Master Lift Station & Interceptor

RECOMMENDED ACTION: Approve the Resolution authorizing the Charlotte County Utilities department to submit an application to the Florida Department of Environmental Protection (FDEP) for a construction loan from the State Revolving Fund (SRF) program to finance the construction of the Loveland Grand Master Lift Station & Interceptor project and 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. Upon execution of loan a budget amendment will be necessary. **RES2016-157**

(3) Clean Water SRF Construction Loan - Burnt Store Phase 2 Widening Project

RECOMMENDED ACTION: Approve the Resolution authorizing the Charlotte County Utilities department to submit an application to the Florida Department of Environmental Protection (FDEP) for a construction loan from the State Revolving Fund (SRF) program to finance the construction of the Burnt Store Phase 2 Widening Project and authorizing the County Administrator to execute the loan agreement and any other documents required by the loan agreement and any other amendments thereto. BUDGETED ACTION: No action needed. Upon execution of loan a budget amendment will be necessary. **RES2016-158**

(4) Clean Water SRF Construction Loan - Morningstar Force Main Project

RECOMMENDED ACTION: Approve the Resolution authorizing the Charlotte County Utilities department to submit an application to the Florida Department of Environmental Protection (FDEP) for a construction loan from the State Revolving Fund (SRF) program to finance the construction of the Morningstar Force Main Project and authorizing the County Administrator to execute the loan agreement and any other documents required by the loan agreement and any other amendments thereto. BUDGETED ACTION: No action needed. Upon execution of loan a budget amendment will be necessary. **RES2016-159**

**Q. Other Agencies - No Items**

**REGULAR AGENDA**

**R. Regular Agenda**

(1) Utilities

Water Authority Meeting Agenda

RECOMMENDED ACTION: Board discussion and direction on Peace River Manasota Regional Water Supply Authority (Authority) Board agenda items to be discussed on Oct. 5, 2016 during the Authority Board of Directors Meeting.

Gary Hubbard, Utilities Director gave a brief overview of the Peace River Manasota Regional Water Supply Authority Board Agenda for the October 5, 2016 Authority Board of Directors Meeting.

**Chair Truex** commented on the State Lobbyist Services Selection and recent Mosaic incident. **Commissioner Constance** discussed 'Classification & Pay Plan' Pay Range Indexing, award contract for Peace River Intake Dredge Project to Marine Contracting Group, Inc., State Lobbyist Services Selection, Southwest Florida Water Management District FY 2018 Cooperative Funding Applications, Annual Review of Executive Director, and Governor's Emergency Rule regarding public notification. **Commissioner Deutsch** spoke to recent Mosaic incident. **Commissioner Doherty** commented on the State Lobbyist Services Selection. **Commissioner Duffy** discussed the State Lobbyist Services Selection, and recent Mosaic incident.

**RECESS: 9:56 am – 10:03 am**

**Taken Out of Order**

(2) Community Services

Construction and Operational Costs of MSBU parks

RECOMMENDED ACTION: Discussion and direction on the construction and operational costs of MSBU parks.

Mr. Scott gave a brief overview of South Gulf Cove Community Plan/Parks History with MSBU's, San Domingo Park as of July 2016, Preliminary Master Plan, Construction Cost Estimate, San Domingo Park, 30' Pavilion and Bathrooms, On-going operational costs of parks currently funded by MSBU's, and responded to Board inquiries.

**Chair Truex** discussed annual operating costs, public access parks, Parks Master Plan, 20 year Capital Improvements Projects (CIP), and San Domingo Park. **Commissioner Constance** spoke to historical perspective, annual costs, funding options, impact fees, Parks Master Plan, and funding options. **Commissioner Deutsch** inquired about boat access to San Domingo Park and St. Paul Linear Park. **Commissioner Doherty** commented on South Gulf Cove Community planning efforts, MSBU laws, neighborhood parks, Parks Master Plan, 20 year CIP, and funding options. **Commissioner Duffy** spoke to South Gulf Cove Community MSBU and funding options.

County Administrator Sandrock discussed funding options.

County Attorney Knowlton commented on the 2002 Community Plan and funding options.

Gordon Burger, Budget and Administrative Services Director spoke to impact fees.

(3) County Administration

**(Change #5) Added Completed Performance Evaluations**

Performance Evaluation - County Administrator, Raymond J. Sandrock

RECOMMENDED ACTION: Discussion of County Administrator, Raymond Sandrock's annual performance evaluation.

**COMMISSIONER DOHERTY MOVED TO APPROVE COUNTY ADMINISTRATOR, RAYMOND SANDROCK'S ANNUAL PERFORMANCE EVALUATION AND A SALARY INCREASE WHICH IS EXACTLY THE SAME AS ALL OTHER EMPLOYEES, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

(4) County Attorney

**(Change #6)** Added Completed Performance Evaluations

Performance Evaluation - County Attorney, Janette Knowlton

RECOMMENDED ACTION: Discussion of County Attorney, Janette Knowlton's annual performance evaluation.

**COMMISSIONER DOHERTY MOVED TO APPROVE COUNTY ATTORNEY, JANETTE KNOWLTON'S ANNUAL PERFORMANCE EVALUATION AND A SALARY INCREASE WHICH IS EXACTLY THE SAME AS ALL OTHER EMPLOYEES, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**Chair Truex** referenced the vast responsibilities of the County Attorney and County Administrator. **Commissioner Duffy** expressed the challenging job of the County Attorney and County Administrator.

(5) County Administration

LED Lighting

RECOMMENDED ACTION: Discussion and direction on LED Lighting.

Dan Quick, Public Works Director gave a brief overview of HPS Street Lights (High Pressure Sodium) vs LED Street Lights (Light Emitting Diodes), Existing Street Lights, HPS Street Lights, HPS vs LED Street Lights, LED Street Lights, LED Street Light Conversion, LED Street Lights, converting current projects, and responded to Board inquiries.

**Chair Truex** discussed Florida Department of Transportation (FDOT) requirements, savings, light clarity, and current projects. **Commissioner Constance** spoke to lightening damage and conversion plan. **Commissioner Deutsch** commented on savings. **Commissioner Doherty** discussed converting current projects, lighting system infrastructure, and design changes. **Commissioner Duffy** spoke to converting current projects.

**COMMISSIONER DUFFY MOVED APPROVAL OF ESTABLISHING A POLICY TO INSTALL LED LIGHT HEADS ONLY ON ALL NEW ROAD PROJECTS, ESTABLISHING A BUDGET TO CONVERT THE COUNTY'S ENTIRE HPS STREET LIGHT SYSTEM WITH A STANDARDIZED LED LIGHT SOURCE, FOR STAFF TO GET COST INFORMATION, SPEAK WITH CURRENT DESIGN CONSULTANTS AND PREPARE CHANGE ORDERS TO BRING BACK TO THE BOARD FOR AUTHORIZATION TO PROCEED CONVERTING LIGHTS ON CURRENT PROJECTS, HARBOR BOULEVARD, AARON STREET, GERTRUDE AVENUE, PIPER ROAD, AND ELKCAM BOULEVARD TO LED, SECONDED BY COMMISSIONER DEUTSCH**

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

**(Addition #1)** (6) Utilities

Modify the Effective Date of the increased Distribution/Collection Fees that were to become effective on October 1, 2016.

Mr. Hubbard gave a brief overview to modify the effective date of the increased Distribution/Collection Fees that were to become effective on October 1, 2016 and responded to Board inquiries.

**Chair Truex** discussed understandable resolutions, timeline, line extensions, fee structures, existing lines, and Florida Power and Light (FPL) model. **Commissioner Constance** inquired about current costs and fee structures. **Commissioner Doherty** spoke to the timeline and fee structures. **Commissioner Duffy** commented on FPL model and fee structures.

**COMMISSIONER DUFFY MOVED TO APPROVE THE EFFECTIVE DATE OF THE INCREASED FEES FOR DISTRIBUTION/COLLECTION FROM OCTOBER 1, 2016 TO MAY 1, 2017, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED**

**RECESS: 11:33 am – 1:00 pm**

**Taken Out of Order**

**PUBLIC HEARING AGENDA**

**S. 10:00 A.M. Public Hearing**

(1) Utilities

**(Change #1) Updated Resolution**

Burnt Store Phase 2 Project - DWSRF

a) Conduct public hearing to review and consider adoption of the proposed Water Facilities Plan for the Burnt Store Phase 2 Project; and b) Approve the Water Facilities Plan for the Burnt Store Phase 2 Project; and c) Approve the Resolution authorizing the loan application and loan agreement for the DWSRF loan for the Burnt Store Phase 2 Project. **RES2016-160**

Mr. Hubbard gave a brief overview of the proposed Water Facilities Plan for the Burnt Store Phase 2 Project and responded to Board inquiries.

**Commissioner Constance** commented on project route. **Commissioner Duffy** inquired about the Southwest Florida Water Management District (SWFWMD) grant.

**Public Hearing**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2016-160, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

(2) Utilities

**(Change #2)** Updated Resolution

Myakka River Bridge Crossing - DWSRF

a) Conduct public hearing to review and consider adoption of the proposed Water Facilities Plan for the Myakka River Bridge Crossing; and b) Approve the Water Facilities Plan for the Myakka River Bridge Crossing; and c) Approve the Resolution authorizing the loan application and loan agreement for the DWSRF loan for the Myakka River Bridge Crossing. **RES2016-161**

Mr. Hubbard gave a brief overview of the proposed Water Facilities Plan for the Myakka River Bridge Crossing and responded to Board inquiries.

**Commissioner Deutsch** inquired about the booster station.

**Public Hearing**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2016-161, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

(3) Utilities

**(Change #3)** Updated Resolution

Ingraham 24" Water Main - DWSRF

a) Conduct public hearing to review and consider adoption of the proposed Water Facilities Plan for the Ingraham 24" Water Main; and b) Approve the Water Facilities Plan for the Ingraham 24" Water Main; and c) Approve the Resolution authorizing the loan application and loan agreement for the DWSRF loan for the Ingraham 24" Water Main. **RES2016-162**

Mr. Hubbard gave a brief overview of the proposed Water Facilities Plan for the Ingraham 24" Water Main and responded to Board inquiries.

**Commissioner Constance** asked about coordination with Gasparilla Road widening project and potential lines. **Commissioner Deutsch** inquired about project timing affecting Gasparilla Road.

**Public Hearing**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2016-162, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

(4) Utilities

**(Change #4)** Updated Resolution

North Myakka River 24" Water Main Crossing – DWSRF

a) Conduct public hearing to review and consider adoption of the proposed Water Facilities Plan for the North Myakka River 24" Water Main; and b) Approve the Water Facilities Plan for the North Myakka River 24" Water Main; and c) Approve the Resolution authorizing the loan application and loan agreement for the DWSRF loan for the North Myakka River 24" Water Main. **RES2016-163**

Mr. Hubbard gave a brief overview of the proposed Water Facilities Plan for the North Myakka River 24" Water Main and responded to Board inquiries.

**Commissioner Deutsch** asked about unworkable pipes. **Commissioner Doherty** inquired about existing water main and cement pipes.

**Public Hearing**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2016-163, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**RECESS: 11:33 am – 1:00 pm**

**PRESENTATION AGENDA**

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

**1 P.M. CITIZEN INPUT - ANY SUBJECT**

Susan Hutt commented on project change orders, public records requests, and park bathroom.

**AA. County Administrator:**

County Administrator Sandrock reviewed upcoming workshops.

**Chair Truex** inquired about Airport Rescue Fire Fighting Operations. **Commissioner Constance** discussed the December Workshop. **Commissioner Deutsch** spoke to the Airport Rescue Fire Fighting Operations. **Commissioner Doherty** commented on the Airport Rescue Fire Fighting Operations. **Commissioner Duffy** asked about the Airport Rescue Fire Fighting Operations.

**(Board Consensus: To move the Workshop scheduled on December 20, 2016 to December 6, 2016)**

**BB. County Attorney:**

County Attorney Knowlton thanked the Board for their continued support.

**CC. Commissioner Comments:**

**Chair Truex** spoke to Direct Potable Reuse (DPR), Vietnam Wall of Southwest Florida, discussions at the 16 County Ecosystem Summit, Endangered Species Act, and handed out the U.S. Army Corps of Engineers Integrated Delivery Schedule (IDS). **Commissioner Constance** discussed Governor's Zika Fund, Staff evaluations, Constitutional Revision Commission, photos of the Vietnam Wall of Southwest Florida, and Endangered Species Act. **Commissioner Doherty** mentioned discussions at the Annual Florida Water Forum, IDS, and 16 County Ecosystem Summit. **Commissioner Duffy** noted nitrogen issues, Regional Planning Council, and fertilizer.

**(Board Consensus: Give Staff direction to work on getting the County Health Department reserve funds provided to the Governor's Zika Fund to be spent in Charlotte County)**

**RECESS: 1:49 pm – 2:09 pm**

**LAND USE PUBLIC HEARING AGENDA**

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

(1) Community Development

SV-16-04-03, Calderaro

Approve a Resolution granting a Street Vacation to Gary Calderaro for Petition SV-16-04-03. Legislative **RES2016-164**

Steven Ellis, Planner II gave a brief overview of Petition SV-16-04-03 and responded to Board inquiries.

**Commissioner Constance** inquired about the corner property.

**Public Hearing**

**COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2016-164, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

(2) Community Development

FP-16-05-03, RaceTrac at Winchester

Approve Preliminary and Final Plat for a Minor Subdivision to be named, RaceTrac at Winchester, for RaceTrac Petroleum, Inc., for Petition FP-16-05-03. Quasi-Judicial

Minutes Supervisor DiBerardino administered oath for testimony.

**Chair Truex** polled the Board for Ex Parte Disclosures and **Commissioner Doherty** advised he submitted the required forms to the Clerk's Office.

Mr. Ellis gave a brief overview of Petition FP-16-05-03 and responded to Board inquiries.

John Wojdak, Delisi Fitzgerald, Inc. representing RaceTrac Petroleum, Inc. referenced the minor subdivision.

**Commissioner Constance** inquired about the plat map.

**Public Hearing**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE PETITION FP-16-05-03, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

(3) Community Development

PP-16-06-04, Babcock Ranch Community Phase 1B1

Approve Preliminary Plat for a subdivision to be named, Babcock Ranch Community Phase 1B1, for Babcock Property Holdings, LLC, for Petition PP-16-06-04. Quasi-Judicial

Minutes Supervisor DiBerardino administered oath for testimony.

**Chair Truex** polled the Board for Ex Parte Disclosures and **Commissioner Doherty** advised he submitted the required forms to the Clerk's Office.

Mr. Ellis gave a brief overview of Petition PP-16-06-04 and responded to Board inquiries.

**Commissioner Constance** inquired about surrounding sites.

Attorney Robert Berntsson representing the Babcock Ranch Community spoke to the plat road connection and Babcock Ranch Community progress.

#### **Public Hearing**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DUFFY MOVED TO APPROVE PETITION PP-16-06-04, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

(4) Community Development

#### SV-16-05-04, Fleming

Approve a Resolution granting a Street Vacation for Donel and Susan Law, for Petition SV-16-05-04. Legislative **RES2016-165**

Mr. Ellis gave a brief overview of Petition SV-16-05-04 and responded to Board inquiries.

**Chair Truex** spoke to surrounding lots and lot access. **Commissioner Constance** discussed water line in right-of-way, lot access, and surrounding lots. **Commissioner Doherty** commented on the utility easement width and water line in right-of-way. **Commissioner Duffy** inquired about lot access.

Mr. Hubbard detailed the utility easement and water line in right-of-way.

#### **Public Hearing**

Clint Baker advised that he has no objection to the petition.

**COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2016-165 SUBJECT TO THE REMOVAL OF THE CONDITION THAT IS NOTED IN THE DRAFT RESOLUTION, SECONDED BY COMMISSIONER DUFFY**

**MOTION CARRIED 5:0.**

(5) Community Development

An Ordinance Adopting PA-16-02-01-LS, an Amendment to Future Transportation Series Map #7: Bicycle and Pedestrian Ways (South and East County)

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment to amend the Future Transportation Series Map #7: Bicycle and Pedestrian Ways (South and East County) to add the Babcock Trail Alignment; Petition No. PA-16-02-01-LS; Applicant: Charlotte County Board of County Commissioners. Legislative **ORD2016-030**

Matthew Trepal, Principal Planner gave a brief overview of Petition PA-16-02-01-LS and responded to Board inquiries.

**Commissioner Constance** spoke to the existing trail. **Commissioner Doherty** inquired about State Road 31.

**Public Hearing**

**COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2016-030 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING CHARLOTTE COUNTY FUTURE TRANSPORTATION SERIES MAP #7: BICYCLE AND PEDESTRIAN WAYS (SOUTH AND EAST COUNTY) TO ADD THE BABCOCK TRAIL ALIGNMENT; PETITION NUMBER PA-16-02-01-LS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION, WITH THE CORRECT ADDRESS FOR THE REGIONAL PLANNING COUNCIL, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

(6) Community Development

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

Approve an Ordinance adopting Petition PA-16-06-10-LS, a large scale plan amendment 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. Legislative **ORD2016-031**

Shaun Cullinan, Planning and Zoning Official gave a brief overview of Petition PA-16-06-10-LS and responded to Board inquiries.

Attorney Geri Waksler representing Charlotte Commons Venture, LLC spoke to the Sandhill DRI Development Order.

**Public Hearing**

**COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2016-031 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, ADOPTING A TEXT AMENDMENT TO CHARLOTTE COUNTY'S COMPREHENSIVE PLAN, FUTURE LAND USE (FLU) APPENDIX VI: DEVELOPMENTS OF REGIONAL IMPACT, BY AMENDING THE SANDHILL DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT RIGHTS AND ADDING AN EQUIVALENCY MATRIX TO THE SANDHILL DEVELOPMENT OF REGIONAL IMPACT (DRI); PETITION NUMBER PA-16-06-10-LS; APPLICANT: CHARLOTTE COMMONS VENTURE, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY CHAIR TRUEX**

**MOTION CARRIED 5:0.**

(7) Community Development

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

Approve Ordinances adopting Petition PA-16-06-11-LS, a Large Scale Plan Amendment 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. Legislative **ORD2016-032/ORD2016-033**

Mr. Cullinan, gave a brief overview of Petition PA-16-06-11-LS, Proposed Changes, Purpose of Amendment, when this can be used, Incentive Density, Calculations, Specific Proposed Language, West County and Coastal High Hazard Protections, Developer Initiated Portion, and responded to Board inquiries.

**Chair Truex** discussed intended use. **Commissioner Constance** inquired about the PowerPoint presentation, and spoke to incentive units, intended use, and density units. **Commissioner Doherty** asked about intended use. **Commissioner Duffy** spoke to density units.

County Attorney Knowlton noted that the PowerPoint presentation was initially presented to the Board on July 26, 2016 at the Regular and Land Use Meeting.

Attorney Geri Waksler representing Charlotte Commons Venture LLC reviewed revisions to the future land use element and responded to Board inquiries.

Public Hearing

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

MOTION CARRIED 5:0.

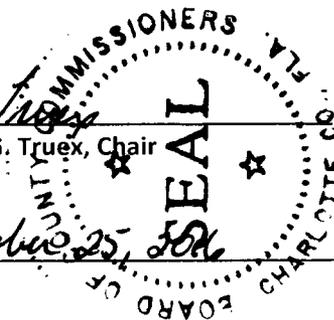
COMMISSIONER DUFFY MOVED TO APPROVE ORDINANCE 2016-032 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3) FLORIDA STATUTES, ADOPTING A TEXT AMENDMENT TO THE COUNTY'S COMPREHENSIVE PLAN RENAMING "REVITALIZING NEIGHBORHOODS INCENTIVE DENSITY (RAPID)" TO "INCENTIVE DENSITY"; REVISING FUTURE LAND USE (FLU) POLICY 1.2.16: INCENTIVE DENSITY ADDING ITEM 2 WITHIN NEW FLU POLICY 1.2.17: INCENTIVE DENSITY USAGE; PETITION NUMBER PA-10-06-11-LS; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DUFFY MOVED TO APPROVE ORDINANCE 2016-033 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, ADOPTING A TEXT AMENDMENT TO THE COUNTY'S COMPREHENSIVE PLAN ADDING ITEM 3 WITHIN NEW FLU POLICY 1.2.17: INCENTIVE DENSITY USAGE; PETITION NUMBER PA-10-06-11-LS; APPLICANTS: CHARLOTTE COMMONS VENTURE, LLC AND THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ORDINANCE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

ADJOURNED: 3:11 pm

  
William G. Truex  
William G. Truex, Chair  
DATE ADOPTED: October 25, 2016

ATTEST:

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

By: Michelle DiBerardino  
Deputy Clerk