

BOARD OF COUNTY COMMISSIONERS

JUNE 22, 2017

A Pre-Agenda Meeting was held in preparation for the **June 27, 2017** Regular Meeting at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

The following members were present: Chair Truex, Commissioner Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo. Also in attendance were: County Attorney Knowlton, Deputy County Administrator Shoemaker, Legislative Manager Emily Lewis, Minutes Clerk Light, and various County staff members. The following members were absent: None.

The Meeting was called to order at 1:30 pm

There was Board discussion on the following items:

County Attorney: E-1


Fiscal Services: F1

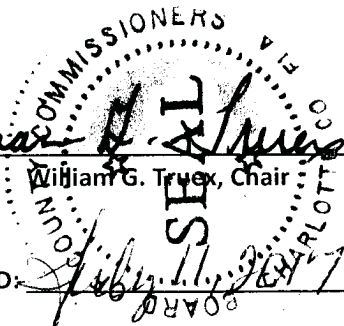
Purchasing: F-2, F-4, F-8

Real Estate Services: F-11

Public Works: N-1, N-2

ADJOURNED: 1:50 pm



William G. Truex, Chair

DATE ADOPTED: July 11, 2017

ATTEST:

ROGER D. EATON, CLERK
OF THE CIRCUIT COURT AND
EX-OFFICIO TO THE BOARD
OF COUNTY COMMISSIONERS

By: Michelle Beaudino
Deputy Clerk

COUNTY OF CHARLOTTE

Board of County Commissioners

18500 Murdock Circle
Port Charlotte, FL 33948
www.CharlotteCountyFL.gov

County Commissioners

Bill Truex, District 3, Chairman
Christopher Constance, District 2
Ken Doherty, District 1, Vice-Chairman
Stephen R. Deutsch, District 4
Joseph Tiseo, District 5



County Administrator

Raymond J. Sandrock

County Attorney

Janette S. Knowlton

Clerk of the Circuit Court

Roger D. Eaton

Regular Meeting

June 27, 2017 9:00 am

18500 Murdock Circle, Commission Chambers, Room #119

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

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

9:00 A.M. Call to Order and Roll Call

Invocation - For those who wish to join, please rise for the invocation

Pastor Brian Stolarczyk
Lutheran Church of the Cross

Pledge of Allegiance

Changes to the Agenda: See separate sheet

Proclamations - Commissioner Stephen R. Deutsch

Amateur Radio Week
Honor Guards Day

Employee Recognition - Commissioner Stephen R. Deutsch

Employee of the Month - May 2017
David Plautz
Community Services

Award Presentations

No Items



CITIZEN INPUT - AGENDA ITEMS ONLY

Anyone wishing to address the Board during this portion of the meeting must fill out a card, state their name for the record, and state which agenda item(s) will be addressed. Remarks shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.



COMMITTEE VACANCIES

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

Early Learning Coalition of Florida's Heartland (ELCFH) is seeking one volunteer to serve on the Board of Directors. This board administers school readiness and voluntary prekindergarten programs in Charlotte, Desoto, Hardee & Highlands Counties. Length of term is 3 years. To obtain an application, please contact Diane Whidden at 941-743-1300 or via email at Diane.Whidden@CharlotteCountyFL.gov.

Environmentally Sensitive Lands Oversight Committee is seeking one Business/Land Development Representative volunteer who must be a Charlotte County resident. Term will expire three years from the date of appointment. To obtain an application, please contact Lisa Eby at 941.743.1300 or email Lisa.Eby@CharlotteCountyFL.gov.

Manasota and Sandpiper Advisory Committee is seeking one volunteer who must be a resident of Manasota Key or Sandpiper Key. Term: one member to serve an unexpired term from appointment until November 30, 2017. For an application contact Diane Clim at 941.743.1956 or email Diane.Clim@CharlotteCountyFL.gov

The following **MSBU/TU Advisory Boards** are seeking volunteers who must be residents of Charlotte County and reside within the Unit. Submit applications to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail MSBU-TU@CharlotteCountyFL.gov.

- **Boca Grande Street & Drainage Unit** is seeking three members to fill vacant unexpired terms. The length of each term will be drawn at the first Advisory Board Meeting to be scheduled at such time a quorum of three members is reached.

- **Charlotte Ranchettes Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

- **Englewood East Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

- **Gardens of Gulf Cove Street & Drainage Unit** is seeking four members to fill vacant unexpired terms. The length of each term will be drawn at the first Advisory Board meeting to be scheduled at such time a quorum of three members is reached.

- **Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

- **Mid Charlotte Stormwater Utility Unit** is seeking two members to fill vacant unexpired terms. The length of each term will be drawn at the next Advisory Board meeting.

- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2019.

- **Rotonda Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

- **South Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2018.

- **West Charlotte Stormwater Utility Unit** is seeking one member to fill a vacant unexpired term through October 31, 2018.


REPORTS RECEIVED AND FILED

No Items


CONSENT AGENDA

Clerk of the Circuit Court

A. Finance Division

- (1) Finance
RECOMMENDED ACTION:
Approve the Clerk's Finance Memorandum.
BUDGETED ACTION: No action needed.

B. Minutes Division

- (1) Minutes
RECOMMENDED ACTION:
Approve the following Minutes:
May 23, 2017 Regular and Land Use Meeting
May 30, 2017 Strategic Focus Area Workshop #4
June 5, 2017 Strategic Focus Area Workshop #3
June 6, 2017 Strategic Focus Area Workshop #5
June 8, 2017 Pre-Agenda
BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

- (1) Appointment - Board of Zoning Appeals and Planning & Zoning Board
RECOMMENDED ACTION:
Approve the appointment of Peter Gerhardt to the Board of Zoning Appeals and the Planning and Zoning Board as the District 1 representative. This appointment is effective immediately and will expire November 2020.
BUDGETED ACTION: No action needed.
- (2) Appointment - Charlotte Harbor Community Redevelopment Agency
RECOMMENDED ACTION:
Approve the appointment of Dianne Quilty to the Charlotte Harbor Community Redevelopment Agency as an at-large member.
BUDGETED ACTION: No action needed.
- (3) Appointment - Early Learning Coalition of Florida's Heartland
RECOMMENDED ACTION:
Approve the appointment of Victoria Carpenter, Director of Human Services to the Early Learning Coalition of Florida's Heartland, Inc. Board of Directors for a three year term effective July 1, 2017.
BUDGETED ACTION: No action needed.

D. Administration

Administration

- (1) Charlotte County YMCA Lease Agreements

RECOMMENDED ACTION:

Approve the Resolution authorizing the County Administrator, or his designee, to execute amendments, extensions, terminations and novation changes to any current lease agreements with the Charlotte County Family Young Men's Christian Association, Inc., A/K/A Charlotte County YMCA.

BUDGETED ACTION: No action needed.

Public Information Office

No Items

E. County Attorney

- (1) Set a Public Hearing to consider an Ordinance amending Chapter 2-5 of the Code of Laws and Ordinance Governing Security Alarm Systems

RECOMMENDED ACTION:

Set a Public Hearing for Tuesday, July 11, 2017 at 10:00 a.m. or as soon thereafter as may be heard, to consider an Ordinance amending Chapter 2-5, Article VI, Sections 2-5-141, 2-5-142, and 2-5-145 of the Code of Laws and Ordinances of Charlotte County, Florida governing security alarm systems.

BUDGETED ACTION: No action needed.

F. Budget and Administrative Services

Fiscal Services

- (1) 2017 Bulletproof Vest Partnership Allocation

RECOMMENDED ACTION:

a) Approve applying for the Fiscal Year 2017 Bulletproof Vest Partnership (BVP) award on behalf of the Charlotte County Sheriff's Office; 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 Operating budget. There is a 50% match requirement that will be met by the Sheriff's Office.

Information Technology

No Items

Purchasing

- (2) 05-193, Amendment #7, Pirate Harbor (Public Works)

RECOMMENDED ACTION:

a) Approve Amendment #7 to Contract #05-193, Engineering Services – Pirate Harbor Waterway, with Coastal Engineering Consultants in the amount of \$18,230; and
b) Authorize the Chairman to sign the Amendment when completed.

This Amendment is to assist the County prepare for, attend, and present the Project Details to the Board of Trustees of the Internal Improvement Fund (BTIIF) hearing in Tallahassee.

BUDGETED ACTION:

No action needed. Budgeted in the adopted FY17 Capital Maintenance Schedule. Funding for this expenditure is provided by Pirate Harbor St/Dr MSBU assessments.

Purchasing (Continued...)**(3) 17-306, Award, Spring Lake Plumbing Contract C - Phase 1 (Utilities)****RECOMMENDED ACTION:**

a) Approve the award of Bid #17-306, Spring Lake Plumbing Contract C - Phase 1, to the lowest responsive, responsible bidder, Rohaley and Sons Plumbing Contractors, Inc. of Fort Myers, Florida for a total project cost of \$300,825; and

b) Approve the Resolution and Budget Adjustment BA17-049 in the amount of \$300,825 to increase CIP project "Spring Lake MSBU Wastewater Expansion."

BUDGETED ACTION:

Approve budget adjustment BA17-049 in the amount of \$300,825 to increase CIP project "Spring Lake MSBU Wastewater Expansion" as adopted in the FY17 budget process, and subsequently amended. Funding is supplied from Utility Operating Fund.

(4) 17-357, Award, Purchase of Articulating Dump Truck (Public Works - Solid Waste)**RECOMMENDED ACTION:**

a) Approve the award of a "Piggyback" Purchase, File #17-357, Articulating Dump Truck, from Flagler Construction Equipment LLC, of Davey, Florida ("Piggyback off the Florida Sheriffs Association, Florida Association of Counties and Florida Chiefs Association, Contract # FSA 16-VEH14.0 Specification #61) for a total cost of \$490,669 to purchase a Volvo A35G Articulating Dump Truck with options for Solid Waste; and

b) Approve the property deletion of Asset #33903 (John Deere 370E) to be sold via an on-line auction service with Gov-Deals, Inc.

BUDGETED ACTION:

No action needed. Budgeted Heavy Equipment Replacement Plan, as approved in the FY17 budget process. Funding comes from the Charlotte County Landfill Fund.

(5) 17-076, Award, Landfill Communications Tower (Public Safety)**RECOMMENDED ACTION:**

Approve the award of Bid #17-076, Landfill Communications Tower, to Peak Power Services, Inc., of Tampa, Florida, at the project amount of \$311,450.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "Public Safety Radio System Upgrade", as approved in the FY17 budget process. Funding for this phase of the project comes from the Radio Communications fund.

(6) 17-274, Award, McGuire Park Renovations-Construction (Facilities)**RECOMMENDED ACTION:**

a) Approve the award of Bid #17-274, McGuire Park Renovations-Construction with the lowest responsive, responsible Bidder: West Construction, Inc. of Lantana, Florida in the amount of \$1,461,380; and

b) Approve the Resolution and Budget Adjustment BA17-052 in the amount of \$581,369 to provide additional funding in the "McGuire Park Phase 1" CIP project.

BUDGETED ACTION:

Approve budget adjustment BA17-052 in the amount of \$581,369, to provide additional funding in the "McGuire Park Phase 1" project. This includes \$114,000 for splash pad, Phase 2, approved by the Board at its meeting of July 26, 2016, but the budget was not adjusted at that time. Funding comes from the "McGuire Park Phase 1" project in the 2014 Sales Tax Extension fund of \$880,011, and the Capital Projects fund of \$581,369. Capital Projects Fund to be reimbursed in part from Park Impact Fees (\$183,164).

Purchasing (Continued...)

- (7) 17-253, Charlotte Harbor Walk-Boardwalk and Piers Project (Public Works - Engineering)
RECOMMENDED ACTION:
 a) Approve the award of Bid #17-253, Charlotte Harbor Gateway - Boardwalk and Piers Project, with the lowest responsive, responsible Bidder: Manhattan Road & Bridge Company of Fort Myers, Florida in the amount of \$4,537,661.10.
 b) Approve the Resolution and Budget Adjustment BA17-051 in the amount of \$1,391,322, increasing CIP project "Charlotte Harbor Gateway 1B".
BUDGETED ACTION:
 Approve budget adjustment BA17-051 in the amount of \$1,391,322, increasing CIP project "Charlotte Harbor Gateway 1B". Funding comes from a FDOT Enhancement Grant (\$3,916,702), FDEP Grant (\$200,000), RESTORE Grant (\$218,487), BIF Funds (\$202,472). There is no county match.
- (8) 17-215, Ranking, CEI Services-Charlotte Harbor Walk Phase 1B (Public Works - Engineering)
RECOMMENDED ACTION:
 a) Approve the ranking of Firms for Request for Proposal #17-215, Construction Engineering Inspection (CEI) Services for Charlotte Harbor Walk Phase 1B: 1st - CDM Smith, Inc. of Sarasota, Florida; 2nd - AECOM Technical Services, Inc. of Fort Myers, Florida; and 3rd - KCCS, Inc. of Fort Myers, Florida; and
 b) Approve the start of negotiations; and
 c) Authorize the Chairman to sign the contract after completion of negotiations for Construction Engineering Inspection (CEI) services.
BUDGETED ACTION:
 No action needed. Budgeted in CIP project "Charlotte Harbor Gateway, Harbor Walk Phase 1B", as approved in the FY17 budget process. Funding will come from a FDOT Grant, a WCIND Grant and TIF funds, as needed.
- (9) 17-364, Approve, Sand and Grit Removal Burnt Store WRF Process Tanks (Utilities)
RECOMMENDED ACTION:
 a) Approve an agreement with Florida Department of Environmental Protection for the Small Community Wastewater Treatment Grant in the amount of \$90,100; and
 b) Approve the award of Sole Source File #17-364 Sand/Grit Removal Burnt Store WRF Process Tanks to U.S. Submergent Technologies of Sarasota, Florida in the amount of \$180,200; and
 c) Authorize the County Administrator or designee to sign any grant related documents.
BUDGETED ACTION:
 No action needed. Funding comes from CCU Operations and Maintenance Fund approved in the FY17 budget process with grant funding covering 50% of the project cost. There is a grant match of 50% required.

Real Estate Services

- (10) Easement Acquisition - 829 Tamiami Trail
RECOMMENDED ACTION:
 Approve the purchase agreement for the acquisition of an easement interest for a lift station and underground utilities.
BUDGETED ACTION:
 No action needed. Funding from the Utility Operations and Maintenance Fund – Engineering Budget approved in the FY17 Budget Process.
- (11) Sheriff Lease: Crime Prevention Unit
RECOMMENDED ACTION:
 Approve the lease for 1,000 square feet of office space to be utilized by the Sheriff Department (Crime Prevention Unit) at Port Charlotte Town Center Mall.
BUDGETED ACTION: No action needed.

Real Estate Services (Continued...)**(12) Easement Acquisition - 4210 Pinecrest****RECOMMENDED ACTION:**

Approve the purchase agreement for the acquisition of an easement interest for underground drainage purposes.

BUDGETED ACTION:

No action needed. The easement is associated with drainage work being done by Public Works which was budgeted in the Punta Gorda Non-Urban work plan during the FY17 budget process. The funding for this expenditure comes from MSBU assessments.

G. Community Development

No Items

H. Community Services**Parks and Natural Resources**

No Items

Recreation

No Items

Libraries and Historical

No Items

I. Economic Development**(1) Set a Public Hearing - Murdock Village Community Redevelopment Area Plan Revisions****RECOMMENDED ACTION:**

Set a public hearing for July 11, 2017 at 10:00 a.m., or as soon thereafter as may be heard to consider revisions to the Murdock Village Community Redevelopment Area Plan.

BUDGETED ACTION: No action needed.

(2) FDOT Supplemental Agreement**RECOMMENDED ACTION:**

a) Approve the Supplemental Agreement with Florida Department of Transportation to increase the grant award funding by \$1,391,322 to construct the Charlotte Harbor - Harbor Walk 1B Project and extend the project completion date to December 31, 2018; and

b) Authorize the County Engineer, or their designee, to execute and to submit the required documents to FDEP in order to receive their Notice to Proceed.

BUDGETED ACTION:

No action needed. Budget Adjustment BA17-051 is included with the action to award the construction contract for Charlotte Harbor Gateway 1B. Funding is supplied from the supplemental agreement to the FDOT Enhancement Grant. There is no county match.

J. Facilities Construction and Maintenance

No Items

K. Human Resources

No Items

L. Human Services

No Items

M. Public Safety

No Items

N. Public Works**(1) Florida Highway Beautification Council Grants****RECOMMENDED ACTION:**

- a) Approve the submittal of two Highway Beautification Council Grant applications to the Florida Department of Transportation to request funding in the amount of \$63,000 (with a Charlotte County match of \$75,525) for the US 41 at the Sarasota County Line location and \$41,000 (with a Charlotte County match of \$47,700) at the Tucker's Grade at I-75 location; and
- b) Approve the Resolution authorizing the Charlotte County Public Works Maintenance & Operations Manager to execute the applications, grant agreements, and any other necessary documents.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "Gateway and Entry Features" as approved in the FY17 budget process. If the grants are awarded, budget adjustments will be completed along with grant acceptance. Funding for the county match comes from Capital Projects Fund, ad valorem.

(2) Amendment #1 to Sunshine Lake/Sunrise Waterway LP0802A**RECOMMENDED ACTION:**

- a) Approve the State of Florida Department of Environmental Protection, Division of Water Restoration Assistance Agreement No. LP0802A, Amendment No. 1 to the contract; and
- b) Authorize the Chairman or his designee to sign all necessary documents related to the grant amendment.

BUDGETED ACTION:

No action needed. Budgeted in the dredging capital maintenance program in sub-project "Sunshine Lake/ Sunrise Waterway Water Quality Project", as approved in the FY17 budget process. Funding comes from the Mid Charlotte Stormwater Unit, to be reimbursed in full from the FDEP grant (no match required).

O. Tourism Development

No Items

P. Utilities**(1) Interlocal Agreement with the City of Cape Coral for Water, Sewer & Reclaimed Water Service****RECOMMENDED ACTION:**

Approve the Interlocal Agreement with the City of Cape Coral for Water, Sewer & Reclaimed Water Service.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "Water Transmission/Wastewater Collection Reimbursement," as approved in the FY17 budget process and subsequently amended. Funding is provided from Sewer Connection Fee Fund.

(2) Second Amendment to Reclaimed Water Supply Interlocal Agreement with Riverwood Community Development District**RECOMMENDED ACTION:**

Approve the Second Amendment to Reclaimed Water Supply Interlocal Agreement between Charlotte County and Riverwood Community Development District

BUDGETED ACTION: No action needed.

Q. Other Agencies

No Items



REGULAR AGENDA

R. Regular Agenda

No Items


PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

- (1) Budget and Administrative Services
Charlotte County Sanitation MSBU
Conduct a public hearing to consider approving the Resolution adopting the final assessment for first time assessed properties and an amended assessment roll, to assess for the first time twelve (12) properties in the Charlotte County Sanitation Municipal Service Benefit Unit (MSBU) for FY17/18.
- (2) Budget and Administrative Services
Placida Area Street and Drainage MSBU
Conduct a public hearing to consider approving the Ordinance expanding the purpose of the assessment and to adopt a non-ad valorem assessment roll for the Placida Area Street and Drainage Municipal Service Benefit Unit (MSBU) for FY17/18.
- (3) Public Works
Communications Facilities in Public Rights-of-Way Ordinance
Conduct a public hearing to consider an Ordinance regulating communications facilities in public rights-of-way.
- (4) County Attorney
Rescind Declaration of State of Local Emergency Burn Ban 2017
Conduct a public hearing to consider approving the Resolution rescinding the prior declaration of local state of emergency and the Ordinance rescinding Ordinance No. 2017-021, which imposed a temporary burn ban and the use/discharge of fireworks and sparklers due to drought conditions and severe risk of fires.


PRESENTATION AGENDA

T. 10:00 A.M.

- (1) Unclaimed Property Program Update
Florida Department of Financial Services' Unclaimed Property Program by James W. Jacobs.


CITIZEN INPUT - ANY SUBJECT

Anyone wishing to address the Board during this portion of the meeting must state their name for the record. Remarks, on any County related subject, shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.

AA. County Administrator:

BB. County Attorney:

CC. Commissioner Comments:

Bill Truex, District 3, Chairman
Ken Doherty, District 1, Vice-Chairman
Christopher Constance, District 2
Stephen R. Deutsch, District 4
Joseph Tiseo, District 5