

BOARD OF COUNTY COMMISSIONERS

JULY 11, 2017

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 Tiseo. Also in attendance were: County Administrator Sandrock, County Attorney Knowlton, 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 **Commissioner Doherty**, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: Awards Presentation FACERS Award - 2017 Local Agency/State Agency Collaboration Project of the Year

Requested by: Economic Development

Addition #2: R-3 Board discussion and direction on participating in the Florida County Commissioners White House Conference on July 27, 2017

Requested by: Commission Office

Change #1: H-1 Added updated License Agreement

Requested by: County Attorney

Change #2: N-1 Added updated Ordinance

Requested by: County Attorney

Change #3: S-1 Added Resolution with updated Exhibits and updated MV Plan Amendment

Requested by: Economic Development

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Joseph Tiseo

COMMISSIONER CONSTANCE MOVED TO APPROVE THE PARKS AND RECREATION MONTH PROCLAMATION, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Parks and Recreation Month

Marc Solomon accepted the Proclamation.

Employee Recognition - Commissioner Joseph Tiseo

5 Years: Scott Morris, Public Safety; Judith Plante, Public Works; William Thornton, Utilities; Robert Weaver, Public Works; **10 Years:** Michael Brucci, Public Safety; Richard Kuhar, Public Safety; Andrew Miller, Public Safety; James Ritch, Public Safety; Lynne Stickley, Public Safety; **20 Years:** Patrick Ferriter, Public Works.

Award Presentations

2017 FAC Presidential Scholarship

Commissioner Chris Constance, newly installed President of the Florida Association of Counties (FAC), will present the 2017 FAC Presidential Scholarship.

Commissioner Constance presented the 2017 FAC Presidential Scholarship to Evan Flores.

(Addition #1) FACERS Award - 2017 Local Agency/State Agency Collaboration Project of the Year

Debrah Forester, Redevelopment Manager presented the Florida Association of County Engineers and Road Superintendents (FACERS) Collaborative Project of the Year Award to the Board of County Commissioners for the Harborwalk Phase 1A project.

CITIZEN INPUT - AGENDA ITEMS ONLY

Robert Krannig discussed Medical Marijuana Dispensaries.

Susan Hutt spoke to the Sewer Master Plan, Medical Marijuana Dispensaries, State of Florida Department of Economic Opportunity CDBG Contract, and Florida County Commissioner White House Conference.

COMMITTEE VACANCIES

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

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.

Murdock Village Community Redevelopment Agency Advisory Committee is seeking a member-at-large to serve on the committee. Must be a resident of Charlotte County. Meetings are held quarterly on the second Monday of the month (January, April, July and October) in Murdock at 5 p.m, and as called. To obtain and application, please email: Joann.Dillon@CharlotteCountyFL.gov or call 743-1309.

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.

·**Deep Creek Non-Urban Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2019.

·**Englewood East Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2018 and 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.

·**Grove City Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

·**Harbour Heights Waterway Maintenance District** is seeking one member to fill a vacant unexpired term through October 31, 2018.

·**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

COMMISSIONER DOHERTY MOVED TO APPROVE THE CONSENT AGENDA WITH NO EXCEPTIONS, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Chair Truex mentioned Oyster Creek Environmental Park License Agreement, Sewer Master Plan, and Medical Marijuana Dispensaries. **Commissioner Constance** referenced the Sewer Master Plan.

Clerk of the Circuit Court

A. Finance Division

(1) Finance

RECOMMENDED ACTION: Approve the Clerk's Finance Memorandum. BUDGETED ACTION: No action needed.

B. Minutes Division

(1) Minutes

RECOMMENDED ACTION: Approve the following Minutes:

June 13, 2017 BCC Regular and Land Use Meeting
June 20, 2017 BCC Workshop
June 22, 2017 BCC Pre-Agenda

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

(1) Appointment - Gulf Cove Street & Drainage MSBU Advisory Board

RECOMMENDED ACTION: Approve the appointment of Gary C. Grosskopf to the Gulf Cove Street & Drainage Unit Advisory Board. The term will be effective immediately and will expire on October 31, 2020. BUDGETED ACTION: No action needed.

(2) Re-Appointment - Englewood East Non-Urban Street & Drainage Unit Advisory Board

RECOMMENDED ACTION: Approve the re-appointment of Joseph H. Murray to the Englewood East Non-Urban Street & Drainage Unit MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2020. BUDGETED ACTION: No action needed.

D. Administration

(1) Civil Air Patrol Funding Request

RECOMMENDED ACTION: Approve the Resolution authorizing budget adjustment BA17-056 in the amount of \$3,000 which would increase the funding agreement between the Civil Air Patrol and Charlotte County to a total of \$21,500. **BUDGETED ACTION:** Approve Budget Adjustment BA17-056 in the amount of \$3,000 from Boater Revolving Fund Contingency Reserves. There is no local match required. **RES 2017-173**

Public Information Office - No Items

E. County Attorney - No Items

F. Budget and Administrative Services

Fiscal Services - No Items

Information Technology - No Items

Purchasing

(1) 16-218, Amendment #1, Charlotte County Sewer Master Plan (Utilities)

RECOMMENDED ACTION: a) Approve the Interlocal Agreement between Charlotte County and the City of Punta Gorda for Sewer Master Planning by including the City's sewer service project within the County-wide Sewer Master Plan; and b) Approve Amendment #1 to Contract #16-218, Sewer Master Plan, with Jones Edmunds & Associates, for additional master planning services to include the City of Punta Gorda, in the amount of \$89,000, plus extend the contract completion date to December 31, 2017; and c) Authorize the Chairman to sign the Interlocal Agreement between Charlotte County and the City of Punta Gorda and sign Amendment #1. **BUDGETED ACTION:** No action needed. Budgeted in CIP project "Charlotte County Utilities Department Sewer Master Plan," as approved in the FY17 budget process. Funding for County portion of the project is provided from SRF and Utility Operating fund. The City will be submitting payment to the Utility Operating fund for the cost associated with their portion of the project. **AGR 2017-040**

(2) 17-390 Capital Construction Program Management Office Assessment (Administration)

RECOMMENDED ACTION: a) Approve the Award of File #17-390 for the piggyback of Capital Construction Program Management Office Assessment services from KPMG LLP, Orlando, Florida under the State of Florida's State Term Contract #973-000-14-01 for a total cost of \$123,000; and b) Approve the Resolution and budget adjustment BA17-055 in the amount of \$123,000. **BUDGETED ACTION:** Approve budget adjustment BA17-055 to transfer \$123,000 from the general fund reserve to cover the cost of the Capital Construction Program Management Office Assessment services from KPMG LLP. **RES 2017-174**

(3) Property Deletions for the month of July, 2017 (Purchasing)

RECOMMENDED ACTION: Approve the deletion of the property inventory items listed on the attached for the month of July, 2017. **BUDGETED ACTION:** No action needed.

Real Estate Services - No Items

G. Community Development - No Items

H. Community Services

Parks and Natural Resources

(1) Oyster Creek Environmental Park License Agreement

(Change #1) Added updated License Agreement

RECOMMENDED ACTION: To approve the License Agreement between Hidden Waters Property Owner's Association, Inc. and Charlotte County to install a pedestrian entrance into the Oyster Creek Environmental Park.
BUDGETED ACTION: No action needed. **AGR 2017-041**

Recreation - No Items

Libraries and Historical - No Items

I. Economic Development

(1) Set a Public Hearing to Consider an Ordinance Repealing Ordinance 2007-087 the Murdock Village MSTU

RECOMMENDED ACTION: Set a Public Hearing for July 25, 2017, at 10:00 a.m., or as soon thereafter as may be heard, to consider an ordinance repealing Ordinance 2007-087 which established the Murdock Village MSTU.
BUDGETED ACTION: No action needed.

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) Set a Public Hearing to Consider an Ordinance Amending Section 2-4-10 of the Charlotte County Code of Laws and Ordinances relating to Operation of Golf Carts

(Change #2) Added updated Ordinance

RECOMMENDED ACTION: Set a Public Hearing for July 25, 2017 at 10:00 a.m. or as soon thereafter as may be heard, to consider an ordinance amending Section 2-4-10 of the Charlotte County Code of Laws and Ordinances relating to Operation of Golf Carts. BUDGETED ACTION: No action needed.

O. Tourism Development - No Items

P. Utilities

(1) State of Florida Department of Economic Opportunity CDBG Contract # 16DB-OK-09-18-01-N 20

RECOMMENDED ACTION: Authorize the Chairman to approve and execute voluntary termination letter pertaining to the State of Florida Department of Economic Opportunity CDBG Contract # 16DB-OK-09-18-01-N 20. BUDGETED ACTION: No action needed. Budgeted in two CIP projects: "Parkside CRA Multi-use Trails & Greenway" and "Parkside Gertrude and Aaron Street Improvements." These projects will be moved to FY18, and allow for application of other grant opportunities.

Q. Other Agencies - No Items

REGULAR AGENDA

R. Regular Agenda

(1) Commission Office

Appoint by Ballot - South Gulf Cove Waterway MSBU Advisory Board

RECOMMENDED ACTION: Choose by ballot to fill the unexpired term of Tom Ireland on the South Gulf Cove Waterway Unit Advisory Board. This appointment will be effective immediately and will expire on October 31, 2018.

COMMISSIONER CONSTANCE MOVED TO APPOINT BY BALLOT C. DALE RITCHHART TO THE SOUTH GULF COVE WATERWAY UNIT ADVISORY BOARD, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

(2) Community Development

Discussion and possible action regarding Medical Marijuana Dispensaries

RECOMMENDED ACTION: That the Board of County Commissioners direct the County Administrator's Office to direct County staff on the crafting of regulations regarding Medical Marijuana Dispensaries in unincorporated Charlotte County.

Shaun Cullinan, Planning and Zoning Official gave a brief overview of Medical Marijuana Treatment Center Dispensing Facilities, Legislation, Pharmacy Code Reference, Neighboring Jurisdictions, Discussion Points, and responded to Board inquiries.

Joshua Moyer, Assistant County Attorney discussed the Charter Rule pertaining to City of Punta Gorda.

Chair Truex spoke to federal law, buffers, legislature preemptions, access, and dispensary districts. **Commissioner Constance** discussed neighboring jurisdictions, legislative changes, access, and dispensary districts. **Commissioner Deutsch** commented on City of Punta Gorda and access. **Commissioner Doherty** mentioned FAC Annual Conference, legislature preemptions, next legislative session, Home Rule, and federal law. **Commissioner Tiseo** spoke to voters, dispensary locations, registry, access, and zoning.

COMMISSIONER DOHERTY MOVED TO DIRECT STAFF TO CRAFT THE APPROPRIATE REGULATIONS TO BAN MEDICAL MARIJUANA DISPENSARIES IN CHARLOTTE COUNTY, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 4:1., COMMISSIONER TISEO OPPOSED

(Addition #2) (3) Commission Office

Board discussion and direction on participating in the Florida County Commissioners White House Conference on July 27, 2017

Chair Truex affirmed conference benefits. Commissioner Constance summarized conference schedule and Charlotte County priorities. Commissioner Doherty conveyed Charlotte County priorities. Commissioner Tiseo expressed conference importance.

Recess: 10:00 am – 10:10 am

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

(1) Economic Development

(Change #3) Added Resolution with updated Exhibits and updated MV Plan Amendment

Murdock Village Community Redevelopment Area Plan Revisions

Conduct a public hearing to consider revisions to the Murdock Village Community Redevelopment Plan and adoption of a resolution approving the amendment. **RES 2017-178**

Public Hearing

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2017-178, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

PRESENTATION AGENDA

T. 10:00 A.M - No Items

CITIZEN INPUT - ANY SUBJECT - None

AA. County Administrator:

County Administrator Sandrock inquired about upcoming Workshop Agenda and waste hauling contract Request for Proposal (RFP) process.

Chair Truex discussed the Utilities Line Extension Policy. Commissioner Doherty mentioned the Utilities Line Extension Policy.

BB. County Attorney: None


CC. Commissioner Comments:

Chair Truex commented on Lemon Bay Street and Drainage MSBU Public Hearing, Barrier Islands Fire Service Unit MSBU Public Hearing, Florida Representatives' Speed Dating Meeting, Florida Association of Counties (FAC) Annual Conference, Sarasota County Indigent Care Florida Supreme Court decision, and commended the Economic Development Department staff and FAC Presidential Scholarship recipient Evan Flores. Commissioner Constance mentioned State Road 31 and State Road 74 intersection, FAC Annual Conference, Sarasota County Indigent Care Florida Supreme Court decision, Peace River Manasota Regional Water Supply Authority (PRMRWSA), and commended FAC Presidential Scholarship recipient Evan Flores. Commissioner Deutsch discussed committee and board quorums and Florida Representatives Speed Dating Meeting. Commissioner Doherty spoke to PRMRWSA, State Road 31 and State Road 74 intersection, Lemon Bay Street and Drainage MSBU Public Hearing, and commended FAC Presidential Scholarship recipient Evan Flores. Commissioner Tiseo commended FAC Presidential Scholarship recipient Evan Flores.

ADJOURNED: 10:40 am

William G. Tiseo
William G. Tiseo

DATE ADOPTED: 09/19/2017



ATTEST:

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

By: Michelle DiBernardino
Deputy Clerk