

OCTOBER 19, 2017

A Pre-Agenda Meeting was held in preparation for the **October 24, 2017** Regular and Land Use Meeting at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

The following members were present: Commissioner Constance, Commissioner Deutsch, and Commissioner Tiseo. Also in attendance were: County Administrator Sandrock, Assistant County Administrator Flores, County Attorney Knowlton, Minutes Clerk Light, and various County staff members. The following members were absent: Chair Truex and Commissioner Doherty.

The Meeting was called to order at 1:30 pm

There was Board discussion on the following items:

Purchasing: F-2

Parks and Natural Resources: H-1

Tourism Development: O-1

Regular Agenda: R-2

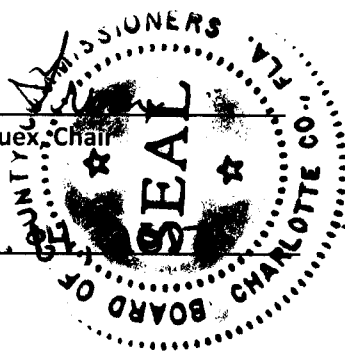
10:00 AM Public Hearing: S-1

Land Use Public Hearing Agenda: U-1

ADJOURNED: 1:42 pm

William G. Truex
 William G. Truex, Chair

DATE ADOPTED: Nov. 24, 2017



ATTEST:

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

By: Michelle DiBardino
Deputy Clerk

COUNTY OF CHARLOTTE

Board of County Commissioners

18500 Murdock Circle

Port Charlotte, FL 33948

www.CharlotteCountyFL.gov

BOOK 75, PAGE 619
OCTOBER 19, 2017

County Commissioners

Bill Truex, District 3, Chairman
Ken Doherty, District 1, Vice-Chairman
Christopher Constance, District 2
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 and Land Use Meeting

October 24, 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- If you wish to join, please rise for the invocation

No Minister

Changes to the Agenda: See separate sheet.

Proclamations/Awards

Pledge of Allegiance

Proclamations - Commissioner Joseph Tiseo

Frank Weikel Day

Employee Recognition - Commissioner Joseph Tiseo

Employee of the Month - September 2017

Trish Sturgess

Community Services

Award Presentations



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:

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.

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.

- **Alligator Creek Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Boca Grande Street & Drainage Unit** is seeking two 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.
- **Buena Vista Area Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Charlotte Ranchettes Unit** is seeking one member to fill a vacant unexpired term through October 31, 2019.
- **Englewood East Non-Urban Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2018.
- **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.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2018.
- **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Harbour Heights Waterway Maintenance District** is seeking two members to fill vacant unexpired terms through October 31, 2018 and October 31, 2020.
- **Manchester Waterway Benefit Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Mid Charlotte Stormwater Utility Unit** is seeking one member to fill a vacant unexpired term. The length of each term will be drawn at the next Advisory Board meeting.
- **Northwest Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2018.

- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Rotonda Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Rotonda West Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **South Burnt Store Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.



REPORTS RECEIVED AND FILED



CONSENT AGENDA

Clerk of the Circuit Court

A. Finance Division

1. Finance

RECOMMENDED ACTION:

Approve the Clerk's Financial Memorandum.

BUDGETED ACTION:

No action needed.

B. Minutes Division

1. Minutes

RECOMMENDED ACTION:

Approve the following Minutes:

September 19, 2017 First Budget Hearing

September 26, 2017 BCC Regular and Land Use Meeting

September 26, 2017 Final Budget Hearing

October 05, 2017 BCC Pre-Agenda

BUDGETED ACTION:

No action needed.

Board of County Commissioners

C. Commission Office

1. Re-Appointment - Don Pedro & Knight Islands Street & Drainage MSTU Advisory Board

RECOMMENDED ACTION:

Approve the re-appointment of Timothy Malone to the Don Pedro & Knight Islands Street & Drainage MSTU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2018.

BUDGETED ACTION:

No action needed.

2. Appointment - Historical Advisory Committee

RECOMMENDED ACTION:

Approve the appointment of Mr. Kent L. Kretzler to the Historical Advisory Committee as a Member-at-Large Representative. Term is effective immediately and will expire September 2020.

BUDGETED ACTION:

No action needed.

D. County Administration

Administration

No Items.

Public Information Office

No Items.

E. County Attorney

1. Retention of Nabors, Giblin & Nickerson, P. A.-Gator Dredging

RECOMMENDED ACTION:

- a) Authorize the County Attorney to retain the legal services of Nabor, Giblin & Nickerson, P. A. ("Nabors, Giblin") to assist in the analysis and defense of the claim of Waterfront Property Services, LLC, d/b/a Gator Dredging ("Gator Dredging") which seeks additional compensation associated with the dredging of Alligator Creek; and
- b) Authorize the County Attorney to retain the consulting and expert witness services of Coastal Engineering Consultants, Inc. ("Coastal Engineering"), to assist with the analysis and defense of this claim; and
- c) Authorize the County Attorney to sign both retainer agreements.

BUDGETED ACTION:

No action needed.

F. Budget and Administrative Services

Fiscal Services

No Items.

Information Technology

No Items.

Purchasing

1. 14-195, Amendment #2, Manasota Key Master Plan (Public Works)

RECOMMENDED ACTION:

- a) Approve Amendment #2 to Contract #14-195, Manasota Key Master Plan Design with The Weiler Engineering Corp. of Punta Gorda for an additional \$22,500. This amendment is for the preparation of 90% Plan Redesign for lighting from HPS to LED; and
- b) Authorize the Chairman to sign Amendment #2.

BUDGETED ACTION:

No action needed. Budgeted in CIP project, "Manasota Key Community Plan", as approved in the FY17 budget process. Funding comes from assessments in the Manasota Key MSTU.

2. 18-021, Change Order #2, Final Debris Disposal (Hurricane Irma Debris)

RECOMMENDED ACTION:

Approve Change Order #2 to the Sole Source File #18-021, Final Debris Disposal (Hurricane Debris) for West and Partial North County, with Charlotte Organix, LLC of Placida, FL. for debris disposal at the cost of \$6.00 per cubic yard for debris and \$10.00 per cubic yard for chips amending the not-to-exceed amount to \$500,000.

BUDGETED ACTION:

No action needed. Hurricane costs are being collected in the hurricane fund.

Real Estate Services

No Items.

Risk Management

No Items.

Transit

No Items.

G. Community Development

No Items.

H. Community Services

Parks and Natural Resources

1. Coastal Partnership Initiative Grant Application

RECOMMENDED ACTION:

Approve the submittal of the Department of Environmental Protection's Coastal Partnership Initiative Program Grant for the Cedar Point Environmental Center Educational Display with Community Services administrating the grant.

BUDGETED ACTION:

A budget amendment will be returned to the Board, if awarded. The grant requires a 100% (1:1) match which will be provided from the Natural Resources operating budget.

Recreation

No Items.

Libraries and Historical

No Items.

Environmental Services

No Items.

I. Economic Development

No Items.

J. Facilities Construction and Maintenance

No Items.

K. Human Resources

No Items.

L. Human Services

1. MOA Crisis Center of Tampa Bay, Inc & Charlotte 2-1-1

RECOMMENDED ACTION:

- a) Approve the agreement between Crisis Center of Tampa Bay Inc. and Charlotte County 2-1-1; and
- b) Authorize the County Administrator to approve any changes or renewals.

BUDGETED ACTION:

No action needed. Funding is provided in the FY17/18 211 operating budget. The grant is 100% funded and there is no local match required by the County.

M. Public Safety

1. Homeland Security Grant Agreement

RECOMMENDED ACTION:

- a) Approve the grant contract between the Florida Division of Emergency Management and Charlotte County in the amount of \$14,102 for training consistent with Homeland Security State Strategy guidelines; and
- b) Approve the Resolution and Budget Adjustment BA18-003 in the amount of \$14,102 to provide for grant funding; and
- c) Authorize the Chair, or designee, to sign any grant related documents.

BUDGETED ACTION:

Approve budget adjustment BA18-003 in the amount of \$14,102 for training. The grant is 100% funded and there is no local match required by the County.

2. EMS Pre-Hospital Grant Application

RECOMMENDED ACTION:

- a) Approve and authorize the Chairman to sign an application for an Emergency Medical Services County Grant from the Florida Department of Health for EMS training and equipment in the amount of \$23,953; and
- b) Approve the Resolution certifying that the EMS County Grant funds received shall be used to improve and expand the County's pre-hospital EMS system and will not be used to supplant existing County EMS budget allocations.

BUDGETED ACTION:

A budget amendment will be returned to the Board once the letter of award is received. The grant is 100% funded and there is no local match required by the County

3. Set a Public Hearing to Consider an Ordinance Amending the Charlotte County Code Relating to Emergency Management

RECOMMENDED ACTION:

Set a public hearing for Tuesday, November 14, 2017 at 10:00 a.m. or as soon thereafter as may be heard, to consider an Ordinance amending the Charlotte County Code Relating to Emergency Management.

BUDGETED ACTION:

No action needed.

N. Public Works

1. Resolution Recommending Appointment of Scott Schermerhorn as Mosquito Control Director

RECOMMENDED ACTION:

Approve the Resolution Recommending the Appointment of Scott Schermerhorn as Mosquito Control Director.

BUDGETED ACTION:

No action needed.

O. Tourism Development

1. Waterfest 2017 In-Kind Services Funding Agreement

RECOMMENDED ACTION:

- a) Approve the Event Funding Agreement between Charlotte County and Englewood Beach Waterfest, Inc., for in-kind services not to exceed \$50,000; and
- b) Approve the Resolution and Budget Amendment BA18-006 in the amount of \$50,000; and
- c) Authorize the Chairman to sign the Funding Agreement and Resolution.

BUDGETED ACTION:

Approve budget adjustment BA18-006 in the amount of \$50,000 from General Fund Contingency Reserves to General Fund - BCC Control.

P. Utilities

No Items.

Q. Other Agencies

No Items.



REGULAR AGENDA

R. Regular Agenda

1. Veterans Blvd. Access

Commission Office

Discussion and direction on Veterans Boulevard Access.

2. Select by Ballot For Recommendation - Punta Gorda Community Redevelopment Agency

Commission Office

Select by ballot a representative for recommendation to the Punta Gorda City Council, to serve on the Punta Gorda Community Redevelopment Agency for a four year term commencing November 17, 2017.

3. 17-315, Award, Harbor Boulevard Enhancement Project (Public Works)

Purchasing

- a) Approve Award of Bid #17-315, Harbor Boulevard Enhancement Project to Bonness, Inc. of Naples, FL for a total cost of \$7,253,668.72; and
- b) Approve the Resolution and Budget Adjustment BA18-004, in the amount of \$888,246 increasing FY18 adopted CIP projects "Parkside-Harbor, US41 to Olean" (Utility \$609,324), and "Parkside Harbor Blvd Improvements (Roadway \$278,922).



PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

No Items.



PRESENTATION AGENDA

T. 10:00 A.M.

1. CHNEP Update

Charlotte Harbor National Estuary Program Update by Jennifer Hecker, Executive Director.



1 P.M. 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.



LAND USE PUBLIC HEARING AGENDA

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

1. PP-17-07-06, Babcock 1B2

Community Development

Approve Preliminary Plat for a subdivision to be named Babcock Ranch Community Phase 1B2, for Babcock Property Holdings, LLC, under Petition PP-17-07-06.

Quasi-Judicial

2. PP-06-04-03, KensingtonLakes

Community Development

Approve a two-year extension for the Preliminary Plat approval for Standard Pacific of FL, GP, for Kensington Lakes Subdivision, under Petition #PP-06-04-03.

Quasi-Judicial

3. FP-17-06-05, Casper I

Community Development

Approve Preliminary and Final Plat for Ainger Landing, Inc., for a Minor Subdivision to be named, Casper I, under Petition #FP-17-06-05.

Quasi-Judicial

4. Transmit Petition PA-17-07-20-LS to DEO - Parkside Community Revitalization Plan Text Amendment

Community Development

Transmit a Large Scale Plan Amendment to the Department of Economic Opportunity for review and comments; the request is to amend the Future Land Use (FLU) Element, FLU Appendix II: Future Land Use Map Series, and FLU Appendix IV: Revitalization Plans to create the Parkside Community Revitalization Plan; Petition No. PA-17-07-20-LS; Applicant: Charlotte County Board of County Commissioners, Commission District 4 & 5.

Legislative

5. Revisions to the Table of Contents of the County's LDRs, Z-17-07-21A

Community Development

Approve an Ordinance amending Charlotte County Code Chapter 3-9, by renumbering Section 3-9-26.1, Use Table – Environmental and Agricultural Districts to Section 3-9-26.2; renumbering Section 3-9-26.2, Use Table – Residential Districts to Section 3-9-26.3; renumbering Section 3-9-26.3, Use Table – Commercial Districts to Section 3-9-26.4; renumbering Section 3-9-26.4, Use Table – Industrial Districts to Section 3-9-26.5, and creating new Section 3-9-26.1, Prohibited Uses; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Legislative

6. Revisions to the County's LDR by Revising Sec. 3-9-2 and Adding New Sec. 3-9-26.1, Z-17-07-21B

Community Development

Approve an Ordinance of the Board of Commissioners of Charlotte County, Florida, providing that the Code of Laws and Ordinances of Charlotte County, Florida, be amended by revising Section 3-9-2, Rules of Construction; Definitions, to provide for the definition of Medical Marijuana Treatment Center Dispensing Facilities; adding new Section 3-9-26.1, Prohibited Uses, to provide such uses as prohibited uses under all zoning districts, and to provide intent and restrictions; providing for conflict with other Ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Legislative

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