

BOARD OF COUNTY COMMISSIONERS

NOVEMBER 27, 2017

A Pre-Agenda Meeting was held in preparation for the **November 28, 2017** Regular and Land Use 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 Administrator Sandrock, Assistant County Administrator Flores, County Attorney Knowlton, Minutes Clerk Cash, and various County staff members. The following members were absent: None

The Meeting was called to order at 9:00 am

There was Board discussion on the following items:

Purchasing: F-1, F-2, F-3, F-4, F-6, F-7, F-8

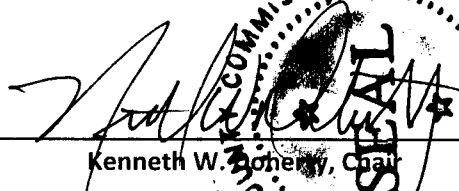
Other Agencies: Q-1


Regular Agenda: R-2

10:00 A.M. Public Hearing: S-1, S-2

2:00 P.M. Land Use Public Hearing: U-9, U-10

ADJOURNED: 9:31 am


Kenneth W. Doherty, Chair



DATE ADOPTED: December 12, 2017

ATTEST:

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

By: Michelle DiBernardino
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
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

November 28, 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

Lois Virgo
First Church of Christ, Scientists

Changes to the Agenda: See separate sheet.

Proclamations/Awards

Pledge of Allegiance

Elect Chairman and Vice-Chairman

Proclamations - Commissioner Christopher Constance

Chamber of Commerce Christmas Parade Day

Community Garden Month

Patrick Lewis Day

Employee Recognition

Employee of the Month - October 2017

Alexandria "Alex" Brehony

Community Services

Award Presentations

1. Combat Wounded Veteran

Award Edward Baker, United States Army, with this month's Combat Wounded Veteran Certificate of Recognition.



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 through October 31, 2018.
- **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.
- **Edgewater North Waterway 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.
- **Grove City Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2018.
- **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 through October 31, 2019.
- **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

Clerk of Court's County Investment Report, June 30, 2017.



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:
October 24, 2017 Regular and Land Use Meeting
November 9, 2017 Pre-Agenda Meeting

BUDGETED ACTION:

No action needed.

Board of County Commissioners

C. Commission Office

1. Appointments - Gardens of Gulf Cove Street & Drainage MSBU Advisory Board

RECOMMENDED ACTION:

Approve the appointments of Lucille Breen and Thomas Sullivan to vacant terms on the Gardens of Gulf Cove Street & Drainage MSBU Advisory Board. These terms will be effective immediately. The length of the terms will be drawn at the first regular Advisory Board meeting after this appointment.

BUDGETED ACTION:

No action needed.

2. Appointment - Manchester Waterway MSBU Advisory Board

RECOMMENDED ACTION:

Approve the appointment of Michael Wilde to the Manchester Waterway Unit MSBU Advisory Board. This will be a three year term replacing Michael McGarry who has chosen not to seek reappointment. This appointment will be effective immediately and will expire on October 31, 2020.

BUDGETED ACTION:

No action needed.

3. Appointment - South Burnt Store Street & Drainage MSBU Advisory Board

RECOMMENDED ACTION:

Approve the appointment of Gerald Laxton to the South Burnt Store Street & Drainage MSBU Advisory Board. This will be a three year term replacing Robert Pietrasanta who has chosen not to seek reappointment. This appointment will be effective immediately and will expire on October 31, 2020.

BUDGETED ACTION:

No action needed.

4. Re-Appointment - Alligator Creek Waterway Unit MSBU Advisory Board

RECOMMENDED ACTION:

Approve the re-appointment of Ed Minzer to the Alligator Creek Waterway Unit MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2020.

BUDGETED ACTION:

No action needed.

D. County Administration

Administration

No Items.

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. 17-431, Consultant, Sanitation Collections & Related Services (Public Works)

RECOMMENDED ACTION:

- a) Approve the sole submitting firm for Request for Proposal #17-431, Consultant - Sanitation Collections & Related Services with NewGen Strategies & Solutions of Austin, TX; and
- b) Approve the start of negotiations; and
- c) Authorize the Chairman to sign the contract after completion of negotiations for a Consultant for sanitation collections and related services.

BUDGETED ACTION:

No action needed at this time. A budget adjustment will be completed when the cost is known to distribute the costs among the sanitation MSBUs.

2. 18-085, Award, Purchase Two Ambulances (Public Safety)

RECOMMENDED ACTION:

- a) Approve File #18-085, for the Purchase of two (2) Freightliner M2 AEV Type 1 Ambulance including Optional Stryker Power Load with new unit installed at AEV factory, from Emergency, Tactical, Rescue (ETR) Vehicles of Altamonte Springs, FL; piggyback off the Florida Sheriff's Association Contract #FS16-VEF12.0, Specification #03, at a unit cost of \$298,454 each for a combined total cost of \$596,908 before trade-in. Pricing includes Stryker Power Pro XT Cot, Performance Load Compatibility, steer lock, foot end 02 bottle holder, fowler 02 bottle holder w/pad, 3 stage IV pole, equipment hook, flat head end storage pouch, base storage net, backrest storage pouch, XPS, and Stryker Performance load; and
- b) Authorize the Trade-in of two (2) 2007 Freightliners (Ambulances PN 31203 and PN 31204 for a trade-in allowance of \$5,750/each totaling \$11,500).

BUDGETED ACTION:

No action needed. Budgeted in the Countywide Equipment Replacement Plan as approved in the FY18 budget process.

3. 18-087, Award, Two E-One Cyclone Custom Pumpers (Public Safety)

RECOMMENDED ACTION:

- a) Approve File #18-087, for the purchase of two (2) 2018 E-One Level II Custom Rescue Pumpers on a Cyclone II Chassis, from Hall-Mark RTC, Inc, of Ocala, FL; piggybacking off the Florida Sheriff's Association Contract #FSA16-VEF12.0 Specification #20, at a unit cost of \$610,101.76 for a combined total cost of \$1,220,203.52; and
- b) Authorize the Trade-in of two (2) E-One Cyclone Pumpers (Pumper PN #26025 and PN 27600 for a trade in allowance of \$15,000/each totaling \$30,000).

BUDGETED ACTION:

No action needed. Budgeted in the Countywide Equipment Replacement Plan as approved in the FY18 budget process.

4. 16-420, Change Order #10, Cleaning Services, Charlotte County Facilities (Facilities)

RECOMMENDED ACTION:

Approve Change Order #10 to Contract #16-420 Cleaning Services, Charlotte County Facilities-Annual with At Your Service Cleaning Group, Inc. of Sarasota, FL, for adding services at existing location: South County Annex, 410 Taylor Street, Punta Gorda, FL, 33950 for increase from current once per week cleaning services for \$981.17 per month at the facility for an additional \$381.33 per month for a new total monthly price of \$1,362.50.

BUDGETED ACTION:

No action needed. Funding from various departments approved in the FY18 Budget Process.

5. 10-156, Amendment #1, Sidewalk Design - Sales Tax Project (2nd Year) (Public Works)

RECOMMENDED ACTION:

a) Approve Amendment #1 to Contract 10-156, Sidewalk Design - Sales Tax Project (2nd Year) with Giffels-Webster Engineers, Inc. of Englewood, FL for additional design services with an increase to the contract amount of \$19,482.51; and

b) Authorize the Chairman to sign Amendment #1 for additional sidewalk design services.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "Sidewalks 2009 Sales Tax Extension", as approved in the FY18 budget process.

6. 17-310, Contract, MSBU/MSTU Methodology (Public Works)

RECOMMENDED ACTION:

Approve Contract #17-310, Public Works MSBU/MSTU Methodology, with Government Services Group, Inc. of Tallahassee, Florida, in the amount of \$259,895.

This is for review of current methodology for Public Works Municipal Services Benefits Units and Municipal Services Taxing Units (MSBU/MSTU).

BUDGETED ACTION:

No action needed. Funding will be supplied from savings in other accounts in the County Transportation Trust Fund, Road Maintenance and Operations and The Utility Operations and Maintenance budget.

Real Estate Services

7. Proposed Disposal of Remnant Parcel

RECOMMENDED ACTION:

Authorize the Chairman to execute the Purchase and Sale Agreement with David C. Hallam and Jennifer J. Hallam, husband and wife, for the disposal of a portion of County owned real property located at 3590 Port Charlotte Blvd, Charlotte County.

BUDGETED ACTION:

No action needed.

8. Veteran's Memorial Wall Easement

RECOMMENDED ACTION:

Authorize the Chairman execute an Ingress and Egress and Parking easement to the City of Punta Gorda adjacent to the Veterans Memorial Wall.

BUDGETED ACTION:

No action needed.

Risk Management

No Items.

Transit

No Items.

G. Community Development

No Items.

H. Community Services

Parks and Natural Resources

No Items.

Recreation

No Items.

Libraries and Historical

No Items.

Environmental Services

No Items.

I. Economic Development

No Items.

J. Facilities Construction and Maintenance

1. Lease - Englewood Community Care Clinic

RECOMMENDED ACTION:

Approve a Resolution and Lease Agreement with Englewood Community Care Clinic, Inc. to lease space at the West County Annex used for providing community health care.

BUDGETED ACTION:

No action needed.

K. Human Resources

No Items.

L. Human Services

No Items.

M. Public Safety

No Items.

N. Public Works

1. FDOT Highway Beautification Council Grant Acceptance SR-35

RECOMMENDED ACTION:

a) Approve the Resolution accepting the Florida Highway Beautification Council (FHBC) Grant (FPID 440965-1) in the amount of \$70,058 (with a Charlotte County match of \$71,500) for the gateway improvements planned at the US 17 and Desoto County line location, and;
b) Authorize the Chair to execute the FHBC Grant, Landscape, Construction, and Maintenance Memorandum of Agreement.

BUDGETED ACTION:

No action needed. Funding for the match is budgeted in CIP project, "Landscaping Gateways, Entry Features and Thoroughfares", as approved in the FY18 budget process.

2. FDOT Highway Beautification Council Grant Acceptance SR-45

RECOMMENDED ACTION:

a) Approve the Resolution accepting the Florida Highway Beautification Council (FHBC) Grant (FPID 440964-1) in the amount of \$69,000 (with a Charlotte County match of \$70,825) for the gateway improvements planned at the US41 and Lee County line location, and;
b) Authorize the Chair to execute the FHBC Grant, Landscape, Construction, and Maintenance Memorandum of Agreement.

BUDGETED ACTION:

No action needed. Funding for the match is budgeted in CIP project, "Landscaping Gateways, Entry Features and Thoroughfares", as approved in the FY18 budget process.

O. Tourism Development

No Items.

P. Utilities

No Items.

Q. Other Agencies

1. Tax Collector Conduct County Business at Branch Office

RECOMMENDED ACTION:

Approve a Resolution establishing a branch office at 21229-A Olean Boulevard, Port Charlotte, FL to conduct county business by the Charlotte County Tax Collector.

BUDGETED ACTION:

No action needed.



REGULAR AGENDA

R. Regular Agenda

1. Debris Clean-up Update

County Administration

Update on County Hurricane Irma debris clean-up.

2. Water Authority Agenda - December 6, 2017

Utilities

Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agendas for the upcoming December 6, 2017 Meeting and Workshop.

3. Appoint by Ballot - Edgewater North Waterway Unit MSBU Advisory Board

Commission Office

Choose by ballot to fill the unexpired term of Lucius Anthony on the Edgewater North Waterway Unit MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2019.



PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. Ingram 24" Water Main - DWSRF

Utilities

- a) Conduct a public hearing to review and consider adoption of the proposed Water Facilities Plan for the Ingram 24" Water Main; and
- b) Approve the Water Facilities Plan for the Ingram 24" Water Main; and

- c) Approve the Resolution authorizing the loan application and loan agreement for the DWSRF loan for the Ingram 24" Water Main.
2. Ordinance Amending Chapter 4-3.5 Pertaining to the Integrated Shoreline Management MSTU
Public Works
Conduct a public hearing to consider an ordinance amending Part IV, Chapter 4-3.5, Article VII, Charlotte County Code of Laws and Ordinances pertaining to the Integrated Shoreline Management Municipal Service Taxing Unit.



PRESENTATION AGENDA

T. 10:00 A.M.

No Items.



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. FP-17-07-06, Babcock 1B2
Community Development
a) Approve Final Plat for Babcock Property Holdings, LLC for a subdivision to be named, Babcock Ranch Community Phase 1B2, under Petition #FP-17-07-06; and
b) Approve the Resolution designating all roads in the Babcock Ranch Community Division Phase 1B2 as roads where golf carts may be operated, provided such golf cart operation is in compliance with Section 2-4-10 of the Charlotte County Code of Laws and Ordinances.
Quasi-Judicial
2. FP-17-01-01, Villa Milano Phase 4, 5 & 6
Community Development
Approve Final Plat for Maronda Homes, Inc. of FL for Villa Milano Phases 4, 5 & 6 Subdivision under Petition #FP-17-01-01; and Approve a Developer's Agreement.
Quasi-Judicial
3. DRC-17-00006, RaceTrac
Community Development
Approve a Resolution for Final Detail Site Plan for RaceTrac Petroleum Inc. RaceTrac Petroleum Inc. is requesting a Final Detail Plan approval for a small 488 sq. ft. expansion to the existing building, an addition of outdoor patio seating as well as create an additional access to the road. This 1.22 +/- acre site is located at 24401 Sandhill Bldg., Lot 9, Sandhill Crossings Subdivision, in Section 6, Township 40 South, Range 23, in Port Charlotte,

Florida. This site is located in the Sandhill DRI. (This modification is to the original DRC-PD-80-04UU)

Quasi-Judicial

4. DRC-17-00030, Popeye's

Community Development

Approve a Resolution for Final Detail Site Plan for Popeye's Restaurant, DRC-17-00030. Sandhill Kings LLC is requesting a Final Detail Site Plan approval for Popeye's. This resolution will allow the construction of a 2,506 sq. ft., 66 seat Popeye's restaurant with drive-thru and associated infrastructure. This 0.99+/- acre site is located at 24471 Sandhill Blvd., Parcel A, Sandhill Commons, in Section 6, Township 40 South, Range 23 East in Port Charlotte, Florida. This site is in the Sandhill DRI.

Quasi-Judicial

5. Ordinance Adopting PA-17-07-23, Circle-K Stores

Community Development

Approve an Ordinance adopting PA-17-07-23, a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Commercial (COM); for properties located at 20341 Midway Boulevard, 20321 Albury Drive and 20329 Albury Drive, in Port Charlotte, containing 35,596 square feet (0.81± acres); Commission District V; Applicant: Circle K Stores, Inc.; providing an effective date.

Legislative

6. Ordinance Adopting Z-17-07-24, Circle-K Stores

Community Development

Approve an Ordinance adopting an amendment to the Charlotte County Zoning Atlas from Residential Single-family-3.5 (RSF-3.5) to Commercial General (CG); for properties located at 20341 Midway Boulevard, 20321 Albury Drive and 20329 Albury Drive, in Port Charlotte, containing 35,596 square feet (0.81± acres); Commission District V; Petition No. Z-17-07-24; Applicant: Circle K Stores, Inc.; providing an effective date.

Quasi-Judicial

7. A rezoning from Planned Development (PD) to PD for the Tern Bay DRI PD - Z-17-07-22

Community Development

Approve an Ordinance adopting Petition Z-17-07-22, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification of an existing PD for the Tern Bay Development of Regional Impact (DRI) 1) to revise the PD concept plan (PD-90-6), which was adopted via Resolution No. 91-262, to be consistent with Map H adopted via Resolution No. 2017-144 ; 2) to add development standards to be consistent with requirements set forth in Resolution Number 2017-144 and the County's Land Development Regulations; for property located northwest of Burnt Store Road, in portions of Sections 13, 17, 18, 19, and 20, Township 42 South, Range 23 East, containing 1,778± acres, in the Burnt Store area, Charlotte County; Commission District II; Petition No. Z-17-07-22; Applicant: Tern Bay CDD Acquisitions, LLC.

Quasi-Judicial

8. Local Amendment to the Sandhill DRI Development Order (DO) - LADO-17-08-27

Community Development

Approve a Resolution adopting Petition LADO-17-08-27, pursuant to Section 380.06(19)(e)2, Florida Statutes, an amendment to the Sandhill Development of Regional Impact (DRI) Development Order by adding some specific sign requirements to allow one additional pole sign between 40 feet and 80 feet in height to be located on Lot 1 of King's Highway Wal-Mart within Parcel 5-18 of Tract 5 of the Sandhill DRI, and reflecting the extension of the expiration date of this Development Order per Governor's Executive Orders; for property

located south of the DeSoto County Line, north of Rampart Boulevard, east of Loveland Boulevard and west of the Deep Creek area; Section 7, Township 40 South, and Range 23 East, in the Port Charlotte area, currently containing a total of 713.12± acres; Commission District I; Petition No. LADO-17-08-27; Applicant: Carisch Brothers LP/Badgerland Burger Company, LLC/dba Culver's of Port Charlotte; providing an effective date. This application does not require the filing of a Notice of Proposed Change.

Quasi-Judicial

9. Large Scale Plan Amendment to amend Future Land Use (FLU) Appendix II: Future Land Use Map (FLUM) Series - PA-17-06-19-LS

Community Development

Transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State review agencies for review and comment; this request is to amend Future Land Use (FLU) Appendix II: Future Land Use Map (FLUM) Series, by revising FLUM Series Map #14: Coastal High Hazard Areas and Evacuation Routes; Petition No. PA-17-06-19-LS; Applicant: Charlotte County Board of County Commissioners.

Legislative

10. Text Amendment to revise Section 3-9-2, Rules of Construction; Definitions - Z-17-09-29

Community Development

Approve an Ordinance providing that the Code of Laws and Ordinances of Charlotte County, Florida, be amended by revising Section 3-9-2, Rules of Construction; Definitions, 1) to revise the definition of "Building, Height of", 2) to delete the definition of "Hotel, Motel, Motor hotel, Motor Lodge, or Tourist Court", and 3) to add new definition of "Hotel, motel, inn"; providing for conflict with other Ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners; providing for conflict with other Ordinances; providing for severability; and providing for an effective date. Petition Number: Z-17-09-29.

Legislative

AA. County Administrator

BB. County Attorney

CC. Commissioner Comments