

JANUARY 22, 2018

A Pre-Agenda Meeting was held in preparation for the **January 23, 2018** Regular and Land Use Meeting at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

The following members were present: Chair Doherty, Commissioner Constance, Commissioner Deutsch, Commissioner Tiseo, and Commissioner Truex. 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: None.

**The Meeting was called to order at 8:00 am**

There was Board discussion on the following items:

**Administration: D-1**


**Purchasing: F-6, F-7**

**Real Estate Services: F-8**


**Parks and Natural Resources: H-1**

**Regular Agenda: R-3**

**ADJOURNED: 8:13 am**

  
 \_\_\_\_\_  
 Kenneth W. Doherty, Chair

DATE ADOPTED: 2/13/18



ATTEST:

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

By: Michelle DiBerardino  
Deputy Clerk

# COUNTY OF CHARLOTTE

Board of County Commissioners

18500 Murdock Circle

Port Charlotte, FL 33948

[www.CharlotteCountyFL.gov](http://www.CharlotteCountyFL.gov)

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JANUARY 22, 2018

## County Commissioners

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



## County Administrator

Raymond J. Sandrock

County Attorney

Janette S. Knowlton

Clerk of the Circuit Court

Roger D. Eaton

## Regular and Land Use Meeting

January 23, 2018 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](mailto: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, please rise for the invocation

Pastor John Boutchia  
Calvary Baptist

### Pledge of Allegiance

**Changes to the Agenda:** See separate sheet.

### Proclamations/Awards

#### Proclamations

-

#### Commissioner

Joseph  
Tiseo

#### Employee Recognition

Employee of the Month - December 2017

Lynn Lawrence

Community Services

#### Award Presentations



## **CITIZEN INPUT - AGENDA ITEMS ONLY**



### **COMMITTEE VACANCIES**

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

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](mailto:MSBU-TU@CharlotteCountyFL.gov).

- **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.
- **Don Pedro & Knights Island Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2018 and October 31, 2020.
- **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 two members to fill vacant unexpired terms through October 31, 2018 and October 31, 2019.
- **Greater Port Charlotte Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2019 and October 31, 2020.
- **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, 2019.
- **Harbour Heights Waterway Maintenance District** is seeking two members to fill vacant unexpired terms through October 31, 2018 and 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 two members to fill vacant unexpired terms through October 31, 2019 and October 31, 2020.
- **Rotonda Heights 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 Finance Memorandum.

**BUDGETED ACTION:**

No action needed.

#### B. Minutes Division

1. Minutes

**RECOMMENDED ACTION:**

Approve the following minutes:

January 4, 2018 Pre-Agenda

January 8, 2018 Regular Agenda

**BUDGETED ACTION:**

No action needed.

### Board of County Commissioners

#### C. Commission Office

1. Appointment - Harbour Heights Waterway MSBU Advisory Board

**RECOMMENDED ACTION:**

Approve the appointment of William Brewster to fill the unexpired term of Christopher Alonso on the Harbour Heights Waterway MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2018.

**BUDGETED ACTION:**

No action needed.

2. Appointment - Harbour Heights Waterway MSBU Advisory Board

**RECOMMENDED ACTION:**

Approve the appointment of Jeff Good to the Harbour Heights Waterway MSBU Advisory Board. This will be a three year term replacing Joseph Fleming 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 - Construction Industry Licensing Board - Consumer Advocate

**RECOMMENDED ACTION:**

Approve the appointment Rocco Pennella to the Construction Industry Licensing Board representing the "Consumer Advocate" category. Length of term is four years.

**BUDGETED ACTION:**

No action needed.

4. Re-Appointment - Agricultural and Natural Resources Advisory Committee

**RECOMMENDED ACTION:**

Approve the re-appointment of Lindsay Harrington to the Agricultural and Natural Resources Advisory Committee representing Agriculture Land Use. Appointment will be effective immediately and expires December 31, 2021.

**BUDGETED ACTION:**

No action needed.

## D. County Administration

### Administration

1. Schedule March 21, 2018 Joint Meeting with Sarasota County and Reschedule April 19, 2018 Pre-Agenda Meeting

**RECOMMENDED ACTION:**

- a) Approve the March 21, 2018 Joint Meeting with Sarasota County at 2:00 p.m. in Room 119; and
- b) Reschedule the April 19, 2018 Pre-Agenda Meeting to April 23, 2018 at 9:00 a.m. in B106.

**BUDGETED ACTION:**

No action needed.

### 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. 15-251, Amendment #3, Design Olean Boulevard Widening (Public Works)

**RECOMMENDED ACTION:**

- a) Approve Amendment #3 to Contract 15-251 Olean Boulevard Widening with Florida Transportation Engineering, Inc. of Punta Gorda, FL for a not to exceed amount of \$57,480 for additional services for mid-block crosswalks; and
- b) Authorize the Chairman to sign Amendment #3 for the incorporation of a mid-block crosswalk at two (2) locations within the project.

**BUDGETED ACTION:**

No action needed. Budgeted in CIP project "Olean Blvd Widening", as approved in the FY18 budget process.

2. 18-182, Award Piggyback, Computer Replacement Program (Information Technology)

**RECOMMENDED ACTION:**

Approve the award of a "Piggyback" purchase off the National Joint Powers Alliance Contract #100614, Technology Solutions, for File #18-182, Computer Replacement Program from CDW-G, of Vernon Hills, IL for a total cost of \$157,135.

Information Technology (IT) has requested the purchase of computer equipment to be utilized by various County Departments, as part of the ongoing computer refresh program.

**BUDGETED ACTION:**

No action needed. Funding from the IT Equipment Replacement Fund as approved in the FY18 Budget Process.

3. 16-363, Amendment #1, Recreation Center Renovations Construction Manager at Risk, Guaranteed Maximum Price (Facilities)

**RECOMMENDED ACTION:**

- a) Approve Amendment #1 to Contract #16-363 Recreation Center Renovations Construction Manager at Risk with Jon F. Swift Construction of Sarasota, FL for the Guaranteed Maximum Price (GMP) for the construction management phase of the project in the amount of \$3,380,000; and
- b) Authorize the Chairman to sign Amendment #1 to the Contract for the GMP for the construction phase of the Recreation Center Renovations; and
- c) Approve the Resolution and Budget Adjustment BA18-013, in the amount of \$580,000.

**BUDGETED ACTION:**

Approve budget adjustment BA18-013, in the amount of \$580,000, increasing CIP project "Recreation Center Additions/Improvements", and decreasing CIP project "Digital Radio System". Funding is supplied from the 2014 Sales Tax Extension.

4. 18-193, Award, Vac-Con Sewer Combination (Utilities)

**RECOMMENDED ACTION:**

- a) Award File #18-193, Vac-Con Sewer Combination, as a "Piggyback" purchase off of the Florida Sheriff's Contract FSA17-VEH15.0: Vac-Con Sewer Combination Cleaner Model V311HN/1000 Specification #50 to Southern Sewer Equipment of Fort Pierce, FL for the amount of \$286,982.47; and
- b) Freightliner 114SD Conventional Chassis, Specification #15 to Lou Bachrodt Freightliner of Pompano Beach, FL for the amount of \$102,650; and
- c) Approve the property deletion of Asset #30182 to be sold via an on-line auction service with Gov-Deals, Inc.

**BUDGETED ACTION:**

No action needed. Funding from the Utility Operations and Maintenance Fund as approved in the FY18 Budget Process.

5. 13-426, Change Order #8, Burnt Store Rd Phase III (Public Works)

**RECOMMENDED ACTION:**

Approve Change Order #8 to Contract #13-426, Burnt Store Road Phase III Construction with Gibbs & Register, Inc. of Winter Garden, FL in the amount of \$300,000. This project was for complete reconstruction of Burnt Store Road from a two (2) lane corridor to a four (4) lane facility from Lee County line to north of Zemel Road, for a total length of +/- 2.62 miles.

**BUDGETED ACTION:**

No action needed. Budgeted in CIP project "Burnt Store Road Phase 3", as approved in the FY18 budget process.

6. 18-086, Award, 2018 County Paving Program (Public Works)

**RECOMMENDED ACTION:**

- a) Approve award of Bid #18-086, 2018 County Paving Program to the lowest responsive, responsible bidder, Ajax Paving Industries of Florida LLC of North Venice, FL for a total project amount of \$11,878,348.72; and
- b) Approve Resolution and Budget Adjustment BA18-015, in the amount of \$2,647,189 for Northwest Port Charlotte St/Dr MSBU.

**BUDGETED ACTION:**

Approve budget adjustment BA18-015, in the amount of \$2,647,189, increasing the budget allocation for NWPC St/Dr Paving program, as approved in the FY18 Paving Capital Maintenance Plan and to include a 5% contingency. Funding for paving in GPC, Deep Creek, Northwest Port Charlotte and Suncoast Blvd MSBUs was included in the adopted FY18 Capital Maintenance Plan.

7. 17-424, Change Order #1, Turf Maintenance - Annual Contract (Facilities)

**RECOMMENDED ACTION:**

Approve Change Order #1 to Contract #17-424 Turf Maintenance - Various County Facilities - Annual Contract, as awarded to Brightview Landscape Services, Inc. of Port Charlotte, FL for additional turf maintenance in various South Gulf Cove Parks in the amount of \$44,450.

**BUDGETED ACTION:**

No action needed.

**Real Estate Services**

8. Affordable Housing

**RECOMMENDED ACTION:**

Set a public hearing to be held on February 13, 2018, at 10:00 am, or as soon thereafter as may be heard, to consider adopting a resolution to declare certain real property owned by Charlotte County reserved for affordable housing.

**BUDGETED ACTION:**

No action needed.

**Risk Management**

No Items.

**Transit**

No Items.

**G. Community Development**

No Items.

**H. Community Services**

**Parks and Natural Resources**

1. Resolution Accepting Clock

**RECOMMENDED ACTION:**

Approve the Resolution accepting a gift of a clock by the Lemon Bay Sunrise Rotary to be placed at the Lemon Bay Sunrise Rotary Park

**BUDGETED ACTION:**

No action needed.

**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**

No Items.

**M. Public Safety**

No Items.

**N. Public Works**

No Items.

**O. Tourism Development**

No Items.

**P. Utilities**

1. 2018 Authority Water Demand Projections

**RECOMMENDED ACTION:**

Approve the 2018 Charlotte County 20-year projected water demands for submittal to the Peace River/Manasota Regional Water Supply Authority.

**BUDGETED ACTION:**

No action needed.

**Q. Other Agencies**

No Items.



**REGULAR AGENDA**

**R. Regular Agenda**

1. WCIND Agenda, January 26, 2018

**Community Services**

Discussion and direction on the WCIND agenda for the upcoming January 26, 2018 meeting.

2. Water Authority Agenda, February 2, 2018

**Utilities**

Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agenda for the upcoming February 2, 2018 meeting.

3. Canvassing Board Alternate

**Commission Office**

Pursuant to Florida Statute 102.141 the Chairman of the Board of County Commissioners shall appoint a member of the Board of County Commissioners as an alternate member of the county canvassing board.

4. Appoint by Ballot - Rotonda West Street & Drainage

**Commission Office**

Choose by ballot to fill the unexpired term of Robert Barrett on the Rotonda West Street & Drainage MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2020.

5. Traffic Calming

**Public Works**

Approve the Traffic Calming Guidelines for a pilot program.



**PUBLIC HEARING AGENDA**

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

1. First Quarterly Budget Adjustments

**Budget and Administrative Services**



Conduct a public hearing approving the Resolution to adopt budget adjustments that amend the FY17/18 budget. These adjustments which impact various funds are needed to align the FY17/18 budget with required changes and actual activity.

2. COPCN Boca Grande Fire Control District

**County Administration**

Conduct a Public Hearing to consider the application of the Boca Grande Fire Control District for a Certificate of Public Convenience & Necessity (COPCN) to provide non-transport Advanced Life Support within the District limits.



## **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. SV-17-09-07, Humboldt

**Community Development**

Approve a Resolution granting a Street Vacation to Michael and Joni Katz for an undeveloped portion of Humboldt Road, under Petition #SV-17-09-07.

**Legislative**

2. FP-15-07-02, Coco Bay

**Community Development**

Approve Final Plat and Developer's Agreement for Island Lake Estates, LLC, for Coco Bay Subdivision, under Petition #FP-15-07-02.

**Quasi-Judicial**

3. Development Agreement Between Charlotte County and Private Equity Group, L.L.C.

**Community Development**

Approve a Development Agreement between Charlotte County and Private Equity Group for property in the Murdock Village Community Redevelopment Area.

**Legislative**

4. Z-17-12-37, Deleting the Charlotte Harbor Community Development Code No-fill Area

**Community Development**

Approve an Ordinance pursuant to Section 125.66, Florida Statutes, amending Section 3-9-47 Charlotte Harbor Community Development Code; amending Section 3-9-47(b), Definitions, by deleting the definition of "No-fill area"; amending Sections 3-9-47(f)(9)a. and 3-9-47(f)(10)a. by deleting provisions relating to minimization of fill in no-fill areas; repealing the no fill area map that was adopted by and attached to Ordinance 96-011; providing for conflict with other ordinances;

providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

**Legislative**

5. Z-17-11-36, Revisions to the ECAP Code

**Community Development**

Approve an Ordinance adopting Petition Z-17-11-36, a text amendment to amend Charlotte County Code Chapter 3-9, by revising Section 3-9-48, Enterprise Charlotte Airport Park (ECAP), clarifying the intent of the code; providing for revised definitions; providing for revised permitted uses and structures; providing for revised use standards; providing for revised permitted accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for revised development standards; providing for revised landscaping standards; providing for revised signs; providing for design standards; providing for deviations; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

**Legislative**

6. Z-17-04-10, Revisions to Section 3-9-85, Signs

**Community Development**

Approve an Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-85, Signs; providing for revised definitions; providing for revised purpose; providing for revised provisions for signs on public property; providing for revised general provisions, providing for revised provisions for signage in non-residential districts; providing for formatting; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

**Legislative**

7. PA-17-12-41-LS, A text amendment to revise FLU Policies 1.2.9 & 1.2.12

**Community Development**

Approve an Ordinance adopting an amendment to the County's Comprehensive Plan. Petition PA-17-12-41-LS is a subsequent plan amendment to the County's Comprehensive Plan involving the requirements identified in the Settlement Agreement for DOAH Case No. 17-004480GM.

**Legislative**

8. Z-18-01-01, Delete Section 3-5-27

**Community Development**

Approve an Ordinance adopting Petition Z-18-01-01, a text amendment to amend Charlotte County Code by repealing Ordinance Number 87-17, Ordinance Number 91-50, Resolution Number 86-1, and Resolution Number 86-152; Establishing procedures for filing amendments to the County's Comprehensive Plan set forth in Florida Statutes and Section 3-9-10. Amendments, whichever is applicable; 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**

**County Commissioners**

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