

BOARD OF COUNTY COMMISSIONERS

BOOK 77, PAGE 338
JULY 18, 2019

JULY 18, 2019

A Pre-Agenda Meeting was held in preparation for the July 23, 2019 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: Assistant County Administrator Lewis, County Attorney Knowlton, Deputy County Administrator Flores, 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:

Budget and Administrative Services: F-5


Purchasing: F-7, F-8

Human Resources: K-1

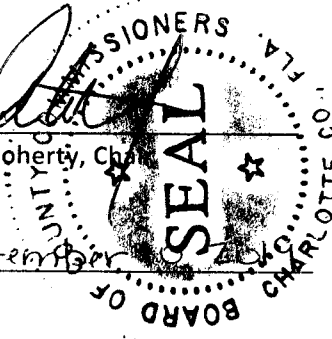
Public Safety: M-2

Regular Agenda: R-1, R-3

ADJOURNED: 1:45 pm

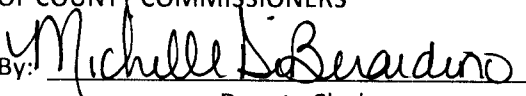

Kenneth W. Doherty, Chair

DATE ADOPTED: September 2019



ATTEST:

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

By: 
Deputy Clerk

COUNTY OF CHARLOTTE

Board of County Commissioners
18500 Murdock Circle
Port Charlotte, FL 33948
www.CharlotteCountyFL.gov

County Commissioners

Ken Doherty, District 1, Chairman
Bill Truex, District 3, 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

July 23, 2019 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, please rise for the invocation

Pastor Bill Frank
First Baptist Church of Punta Gorda

Pledge of Allegiance

Changes to the Agenda: See separate sheet.

Proclamations - Commissioner Bill Truex

Smokey Bear Day

Employee Recognition

Employee of the Month

Anne Shively-June 2019
Community Services

Ambassador Program Graduation

First Name Last Name Department

Amanda	Benton	Budget and Administrative
Lynn	Cadiz	County Attorney's Office
Chris	Carbone	Community Services
Matthew	Couturiaux	Budget and Administrative
Matthew	Desjardins	Budget and Administrative
Scott	Ericson	Budget and Administrative
Carol	Galvin	Budget and Administrative
Gina	Gilbreath	Public Works
Jennifer	Henry	Community Development
Andrew	Hinze	Budget and Administrative
Denise	Kolerski	Budget and Administrative
Larry	Lippel	Public Safety
Xiaodong	Lu	Budget and Administrative
Alan	Marsh	Budget and Administrative
Claudia	Mayo	Budget and Administrative
Robert	Netz	Public Works
Janet	Oquendo	Community Development
Eunice	Ortiz	Utilities
Joshua	Overmyer	Community Development
Rebecca	Owers	Public Works
Amy	Pomeroy	Human Services
Alexander	Powell	Budget and Administrative
Tina	Rankin	Budget and Administrative
Kaitlin	Rodriguez	Budget and Administrative
Lora	Ross	Public Works
Ashley	Turner	Community Services
Willie	Vails	Community Services
Joseph	Weinmann	Public Works
Kimberly	Wilkinson	Community Development
Michael	Wintercorn	Budget and Administrative

Award Presentations

1. Commissioners' Award for Customer Service - Commissioner Constance
Third Quarter Commissioners' Award FY 2018/19 - Sean Doherty



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:

The following **MSBU/TU Advisory Boards** are seeking volunteers who must be both a property owner within 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 one member to fill a vacant unexpired term through October 31, 2020.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Greater Port Charlotte Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021 and October 31, 2022.
- **Grove City Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Harbour Heights Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Manchester Waterway Benefit Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Mid-Charlotte Stormwater Utility Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Northwest Port Charlotte Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2020 and October 31, 2022.
- **Rotonda Sands North Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Rotonda West Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **West Charlotte Stormwater Utility 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, July 23, 2019.



CONSENT AGENDA

Clerk of the Circuit Court

A. Comptroller 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 25, 2019 BCC Regular and Land Use Meeting
July 8, 2019 BCC Pre-Agenda

BUDGETED ACTION:

No action needed.

Board of County Commissioners

C. Commission Office

No Items.

D. County Administration

Administration

No Items.

Public Information Office

No Items.

E. County Attorney

1. Executive Session concerning the civil lawsuit captioned Andre Reece Gordon v. Charlotte County

RECOMMENDED ACTION:

Conduct an Executive Session for July 23, 2019 at 1:30 PM in the Charlotte County Attorney's Office Conference Room to discuss settlement negotiations and strategy related to litigation expenditures concerning the civil lawsuit captioned *Andre Reece Gordon* Case No. 18-1206CA.

BUDGETED ACTION:

No action needed.

F. Budget and Administrative Services

Fiscal Services

1. FY20 and FY21 United Way Agreement

RECOMMENDED ACTION:

- a) Approve United Way of Charlotte County 2-year funding agreement in the amount of \$650,000 per year; and
- b) Authorize the Chairman to sign the funding agreement; and
- c) Authorize the County Administrator, or his designee, to sign documents associated with the approved agreement.

BUDGETED ACTION:

No action needed. Budgeted in the General Fund to be approved in the FY20 and FY21 budget process.

2. Third Quarterly Budget Adjustments

RECOMMENDED ACTION:

Approve Resolution authorizing the budget adjustments that amend the FY18/19 Budget. These adjustments which impact various funds are needed to align the FY18/19 budget with required changes and actual activity.

BUDGETED ACTION:

Approve Resolution authorizing the budget adjustments as listed on Table 1 of the Resolution. These budget adjustments impact various funds in the FY18/19 budget.

3. Law Enforcement Trust Fund Fiscal Year 19

RECOMMENDED ACTION:

Approve the transfer of \$25,000 from the County Law Enforcement Trust Fund to the Sheriff's Law Enforcement Trust Fund checking account.

BUDGETED ACTION:

No action needed. Budget for Law Enforcement Trust Fund approved in the FY19 Budget Process

4. Criminal Justice Education Fiscal Year 19

RECOMMENDED ACTION:

Approve the transfer of \$20,000 to the Sheriff for criminal justice education.

BUDGETED ACTION:

No action needed. Funds are provided in the FY19 budget.

5. Drug Abuse Trust Fund Fiscal Year 19

RECOMMENDED ACTION:

a) Approve Resolution designating Charlotte Behavioral Health Care as a recipient of the Charlotte County Drug Abuse Trust Fund Grant; and

b) Approve the transfer of \$55,000 from the Drug Abuse Trust Fund to Charlotte Behavioral Health Care; and

c) Approve Resolution designating the Charlotte County Sheriff's Office as a recipient of the Charlotte County Drug Abuse Trust Fund Grant; and

d) Approve the transfer of \$20,000 from the Drug Abuse Trust Fund to the Sheriff on behalf of Drug Free Charlotte County.

BUDGETED ACTION:

No action needed. Budget for Drug Abuse Trust Fund approved in the FY19 Budget.

6. Mailing of Notices for a September 9, 2019 Public Hearing to Consider Adoption of a Resolution Increasing the FY 19/20 and Maximum Assessment Rates for the Charlotte County Sanitation Unit MSBU

RECOMMENDED ACTION:

Authorize Mailing of Notice for a September 9, 2019 Public Hearing to consider adoption of a Resolution increasing the FY 19/20 and Maximum Assessment Rates for the Charlotte Sanitation Unit MSBU as follows: Main Sanitation Unit FY 19/20 proposed rate of \$215.73 and a maximum rate of \$340; Boca Grande Unit FY 19/20 proposed rate of \$233.01 with a proposed maximum rate of \$360; and Don Pedro/Knight Island proposed FY 19/20 rate of \$357.84 with a proposed maximum rate of \$575.

BUDGETED ACTION:

No action needed.

Information Technology

No Items.

Purchasing

7. 19-379. Award, Gulf Boulevard Sidewalk and Lighting (Public Works)

RECOMMENDED ACTION:

Approve award of Bid #19-379, Gulf Boulevard Sidewalk and Lighting to the lowest responsive, responsible, bidder V & H Construction of Fort Myers, Florida in the amount of \$1,747,385.85.

BUDGETED ACTION:

A budget adjustment in the amount of \$574,819 is included in the Quarter 3 budget adjustments scheduled for July 23, 2019. The adjustment is to provide additional funding in CIP project "Manasota Key Community Plan", for the award of the Sidewalk & Lighting project. Funding is supplied from assessments in the Manasota Key St/Dr MSTU.

8. 19-481, Piggyback, Website Redesign and Migration (Administration)

RECOMMENDED ACTION:

- a) Approve "Piggyback" for File #19-481, Website Redesign and Migration, with Solodev, for a one-time fee (project completion) of \$175,800, and an annual fee of \$51,331.40 per year, for a 5 year term. This is a piggyback off of the Panhandle Area Educational Consortium (PAEC); and
- b) Approve Resolution and budget adjustment BA19-036 in the amount of \$228,000 to fund additional operating expenses through the end of Fiscal Year.

BUDGETED ACTION:

Approve Resolution and budget adjustment BA19-036 in the amount of \$228,000. Funding is supplied from the General Fund Reserves.

9. 16-334, Change Order #16, Right of Way Landscape Maintenance - Annual (Public Works)

RECOMMENDED ACTION:

Approve Change Order #16 to Contract #16-334, County Right of Way Landscape Maintenance - Annual Contract as awarded to Walker's Service Inc. for additional landscape maintenance in the amount of \$15,630.

BUDGETED ACTION:

No action needed. Budgeted in Englewood St/Dr MSBU and Road & Bridge Infrastructure, as approved in the FY19 budget process. Funding is supplied from assessments in the Englewood St/Dr MSBU unit and gas taxes.

10. 18-501, Work Assignment #7, Construction/Geotechnical Services (Public Works)

RECOMMENDED ACTION:

Approve Work Assignment #7, Contract #18-501 Construction/Geotechnical Services, for Olean Boulevard Widening with Lomski Engineering & Testing in the not-to-exceed amount of \$247,090.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "Olean Blvd Widening", as approved in the FY19 budget process. Funding is supplied from the 2014 Sales Tax Extension.

11. 19-348, Award, Restroom Renovations - Various Park Buildings (Community Services)

RECOMMENDED ACTION:

Approve award of Bid #19-348, Restroom Renovations - Various Park Buildings, to Norman Alexander Contractor, of Punta Gorda, Florida, in the amount of \$173,993.

BUDGETED ACTION:

No action needed. Budgeted in the Community Services Capital Maintenance Plan, as approved in the FY19 budget process and later amended. Funding is supplied from Capital Projects, ad valorem.

Real Estate Services

12. Direct Sale-415 Prince Avenue

RECOMMENDED ACTION:

- a) Approve Resolution authorizing the direct sale of county owned real property located at 415 Prince Avenue, Punta Gorda, Florida; and
- b) Authorize the Chairman to execute the Purchase and Sale Agreement with Douglas Allen Shields, for the disposal of county owned real property located at 415 Prince Ave, Punta Gorda, Florida.

BUDGETED ACTION:

No action needed.

13. District 3, Charlotte County Sheriff's Office (CCSO) FPL Easement

RECOMMENDED ACTION:

Approve Resolution authorizing the Chairman to execute a Non-Exclusive Utility Easement to Florida Power & Light (FPL) to provide electrical service to the new District 3, Charlotte County Sheriff's Office (CCSO) with Evidence and Impound.

BUDGETED ACTION:

No action needed.

14. FPL Easement For Punta Gorda Charlotte Library

RECOMMENDED ACTION:

- a) Approve Resolution accepting the release of the Florida Power & Light Company (FPL) Easement recorded in OR Book 4388, Page 38; and
- b) Authorize the Chairman to execute a new Non-Exclusive Utility Easement to FPL to provide electrical service to the new Punta Gorda Charlotte Library.

BUDGETED ACTION:

No action needed.

Risk Management

No Items.

Transit

No Items.

G. Community Development

1. Annual Update to Impact Fee Schedules

RECOMMENDED ACTION:

Approve the recommended annual update to the impact fee schedules pursuant to 3-3.5-13 of the Charlotte County Code of Laws and Ordinances.

BUDGETED ACTION:

No action needed.

H. Community Services

Parks and Natural Resources

No Items.

Recreation

No Items.

Libraries and Historical

No Items.

Community Services

No Items.

I. Economic Development

No Items.

J. Facilities Construction and Maintenance

No Items.

K. Human Resources

1. IAFF Successor Agreement

RECOMMENDED ACTION:

Approve a three (3) year collective bargaining agreement with Suncoast Professional Firefighters and Paramedics, Local 2546, International Association of Firefighters (IAFF), AFL-CIO, for the period of July 23, 2019 through September 30, 2021, and authorize the Administrator to execute the agreement.

BUDGETED ACTION:

No budget action. This item is budgeted in the Fire Rescue Fund and Emergency Medical Services (EMS) divisions.

L. Human Services

No Items.

M. Public Safety

1. 2019/2020 Emergency Management Preparedness and Assistance Grant

RECOMMENDED ACTION:

- a) Approve the FY19/20 Emergency Management Preparedness & Assistance (EMPA) Base Grant between Charlotte County and the Florida Division of Emergency Management (FDEM) in the amount of \$105,806; and
- b) Authorize the Chairman to sign the agreement; and
- c) Authorize the County Administrator, or his designee, to sign grant-related documents.

BUDGETED ACTION:

No action needed. Grant funds are included in the budget process for FY18/19 Emergency Management operating budget. The County match approved budget is \$105,806.

2. Airport Rescue and Firefighter Training Prop

RECOMMENDED ACTION:

- a) Approve and accept award from the State Fire Marshal in the amount of \$500,000 for the Airport Rescue and Firefighter Training Prop; and
- b) Authorize the Chairman to sign Attachment I of the award letter; and
- c) Authorize the County Administrator, or his designee, to sign the grant contract and all related grant documents.

BUDGETED ACTION:

N. Public Works

1. Florida Department of Environmental Protection (FDEP) Beach Management Funding Assistance (BMFA) Grant Award #19CH1

RECOMMENDED ACTION:

- a) Approve the acceptance of the Florida Department of Environmental Protection (FDEP) Beach Management Funding Assistance (BMFA) Grant Award 19CH1 for the amount of \$417,504.00; and
- b) Authorize the Chairman, or his designee, to sign the attached grant agreement and all necessary grant related documents.

BUDGETED ACTION:

No action needed. Budgeted in the FY20 CIP process in project "Charlotte County Erosion Project FEMA Funds". There is no required match.

2. Florida Department of Environmental Protection (FDEP), Beach Management Funding Assistance (BMFA), #16CH1, Amendment #2

RECOMMENDED ACTION:

- a) Approve Amendment #2 to Agreement #16CH1 for Florida Department of Environmental Protection (FDEP), Beach Management Funding Assistance (BMFA) Program Grant for the Charlotte County Erosion Control project feasibility study reimbursement, design & permitting of beach fill for Manasota Key, and monitoring for Stump Pass/Terminal groin; and
- b) Authorize the Chairman, or his designee, to sign all necessary documents related to the grant amendment.

BUDGETED ACTION:

No action needed. The required match expenses are budgeted in two CIP projects, "Stump Pass Monitoring" and "Stump Pass Maintenance Dredging" as adopted in the FY19 budget process. There is a 54.35% match requirement under Tasks 1.0 Feasibility and 2.0 Design, and a 55.58% required match under Task 4.0 Monitoring.

3. Florida Department of Environmental Protection (FDEP), Beach Management Funding Assistance (BMFA), #17CH1, Amendment # 1

RECOMMENDED ACTION:

- a) Approve Amendment #1 to Agreement #17CH1 for Florida Department of Environmental Protection(FDEP), Beach Management Funding Assistance (BMFA) Program Grant for the Charlotte County Erosion Control project feasibility study reimbursement, design & permitting of beach fill for Manasota Key, and monitoring for Stump Pass/Terminal groin; 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 CIP projects "Stump Pass Monitoring" and "Stump Pass Maintenance Dredging" as adopted in the FY19 budget process. There is a 62.33% match requirement.

4. Recommended Order in the Waste Management Rate Case and Approving the 4th Amendment to the Waste Management Agreement

RECOMMENDED ACTION:

- a) Approve Resolution adopting the Recommended Order (RO) issued by the Hearing Officer and approving new solid waste collection rates for residential and commercial solid waste collection pursuant to Chapter 4-4 of the County Code of Laws and Ordinances; and
- b) Approve the 4th Amendment to 2008 Amendment of Charlotte County Sanitation Unit Amended Trash Collection Agreement

BUDGETED ACTION:

Approve the proposed FY19/20 rates as listed above to include in the August mailing of the notices for a Public Hearing to be held on September 9, 2019. Funding for the Waste Management contract is supplied from the Charlotte Sanitation MSBU.

O. Tourism Development

No Items.

P. Utilities

1. Sunseeker Phase 1A Sewer Utility Service Agreement

RECOMMENDED ACTION:

Approve Sewer Utility Service Agreement between the County and Sunseeker Florida Inc.

BUDGETED ACTION:

No action needed. Credit to be provided to developer. Funding is supplied from Utility Sewer Connection Fees.

Q. Other Agencies

No Items.



REGULAR AGENDA

R. Regular Agenda

1. Punta Gorda CRA Presentation
Economic Development
Presentation of Punta Gorda CRA.
2. Murdock Village CRA Presentation
Economic Development
Presentation of Murdock Village CRA.
3. Water Authority Agenda - July 31, 2019
Utilities
Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agenda for the upcoming July 31, 2019 Meeting.
4. Centennial Planning Presentation
County Administration
a) Presentation on Charlotte County Centennial logo options; and
b) Discussion and direction on the Centennial logo.
5. External Projects to be Submitted for Consideration for the 2020 Sales Tax Program
County Administration
Discussion and direction on process for external projects to be submitted for consideration for the 2020 sales tax program.



PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. Alligator Creek Waterway MSBU Final Assessment Resolution
Public Works
Conduct a public Hearing to consider approving the Final Assessment Resolution for the Alligator Creek Waterway MSBU.
2. Repeal the Duplicative County Code Sections of the Alligator Creek Waterway MSBU
Public Works
Conduct a public hearing to consider approving an Ordinance repealing the duplicative County Code Sections of the Alligator Creek Waterway MSBU.



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-19-05-05, WJH2
Community Development
Approve Preliminary and Final Plat for a 2-lot Minor Subdivision for WJH, LLC, under Petition #FP-19-05-05.
Quasi-Judicial
2. FP-19-05-06, WJH4
Community Development
Approve Preliminary and Final Plat for a 4-lot Minor Subdivision for WJH, LLC, under Petition #FP-19-05-06.
Quasi-Judicial
3. FP-19-04-04, Babcock Greenway
Community Development
Approve Final Plat for Babcock Property Holdings, LLC for a subdivision to be named Babcock Ranch Community Greenway Boulevard, under Petition #FP-19-04-04.
Quasi-Judicial
4. Ordinance Adopting Small Scale Plan Amendment, Petition Number PA-19-03-05, San Casa Development
Community Development
Approve an ordinance adopting Petition No. PA-19-03-05. This small scale plan amendment is to amend the Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Low Intensity Industrial (LI); for property located at 6530 and 6600 San Casa Drive, in the Englewood area; containing 8.9± acres; Commission District III; Applicants: Lake Hurst Holdings, LLC, and San Casa Investments, LLC; providing an effective date.
Legislative
5. Ordinance Adopting Petition No. Z-19-03-06-TDU, a rezoning from PD to PD, San Casa Development
Community Development

Approve an ordinance adopting Petition No. Z-19-03-06-TDU. This rezoning is to amend the Charlotte County Zoning Atlas from Planned Development (PD) to PD in order to have a mixture of Low Intensity Industrial uses and residential development, increasing density from one unit to 14 units (the existing PD allows for up to 41 single-family homes); for property located at 6530, 6600, 6640, and 6650 San Casa Drive, in the Englewood area; containing 19.9± acres; Commission District III; Applicants: Casa Sand, LLC, Lake Hurst Holdings, LLC, and San Casa Investments, LLC; providing an effective date.

Quasi-Judicial

AA. County Administrator

BB. County Attorney

CC. Commissioner Comments

County Commissioners

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