

## BOARD OF COUNTY COMMISSIONERS

NOVEMBER 12, 2019

A Regular Meeting was held at the Murdock Administration Complex in Commission Chambers; Room 119, 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 (Departed at 9:57 am), County Attorney Knowlton, Clerk of the Circuit Court Roger D. Eaton, Deputy County Administrator Flores (Arrived at 9:57 am), and Minutes Clerk Light. The following members were absent: None

**The Meeting was called to order at 9:00 am**

The Invocation was given by **Chair Doherty**, followed by the Pledge of Allegiance.

### Changes to the Agenda

**Deletion #1:** F-11 a) Approve Amendment #5 to Contract #16-295 Manasota Key Beach Renourishment 10 Year Management Plan with Coastal Engineering Consultants, Inc. of Naples, Florida for additional assistance to administer the construction of the initial restoration of the Manasota Key Beach Fill (MKBF) for \$79,299; and b) Authorize the Chairman to sign Amendment #5.

Requested by: Purchasing (Public Works)

**Deletion #2:** F-3 Approve award of Request for Bid #19-559 Construct Mitigation Reef - Manasota Key to CAYO, LLC of Fort Worth, Texas for the total amount of \$6,817,100. This is for the construction of a Mitigation Reef offshore of Manasota Key, Charlotte County, in the Gulf of Mexico.

Requested by: Purchasing (Public Works)

**Deletion #3:** F-13 Approve award of Request for Bid #19-559 Construct Mitigation Reef - Manasota Key to CAYO, LLC of Fort Worth, Texas for the total amount of \$6,817,100. This is for the construction of a Mitigation Reef offshore of Manasota Key, Charlotte County, in the Gulf of Mexico.

Requested by: Transit

**Chair Doherty** interjected on Contract 16-295, Amendment #5, Manasota Key Beach Renourishment 10 Year Management Plan. **Commissioner Constance** questioned reason for deletions. **Commissioner Tiseo** inquired to Contract 16-295, Amendment #5, Manasota Key Beach Renourishment 10 Year Management Plan.

County Administrator Sandrock responded to deletions.

Joanne Vernon, County Engineer replied to Sarasota County contribution and Interlocal Agreement (ILA).

**COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Bill Truex**

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE PROCLAMATIONS, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

**Artist of the Month - Kitt Moran**

Kitt Moran accepted the Proclamation.

**Charlotte County Chamber of Commerce Christmas Parade Day**

Julie Mathis accepted the Proclamation.

**Giving Tuesday**

Marie LaBroise accepted the Proclamation.

**Global Entrepreneurship Week**

Della Booth and Peter Keating accepted the Proclamation.

**Farm-City Week**

Lindsay Harrington, Charlotte Director-DeSoto-Charlotte Farm Bureau along with Ron Hamel, Florida Gulf Coast University's Center for Agribusiness consultant accepted the Proclamation.

**National American Indian Month**

Diana Dulkiewicz accepted the Proclamation.

**Shop Charlotte Month**

Tony Smith accepted the Proclamation.

**Small Business Saturday**

No one present to accept the Proclamation.

**Employee Recognition**

**5 Years:** Johnny Chamberlain, Utilities; Todd Dunn, Public Safety; Jeannine Fettig, Real Estate Services; Lanette Hart, Community Services; Sidney Lowe, Jr., Public Works; Sherri Ouimet, Public Works; Leah Williams, Community Services ; Barbara Yingling, Community Development; **10 Years:** Gordon Burger, Budget and Administrative Services; **15 Years:** Larry Golden, Public Safety; Jeffrey Rathburn, Public Safety;

Cheryl Rigano, Utilities; **20 Years:** Chris Durso, Utilities; Rhiannon Mills, Purchasing; **30 Years:** Peter Casseday, Public Works; Donald Finkelstein, Public Safety; Alisa True, Purchasing; Dennis Moore, Purchasing

### **Veterans Day Video**

Charlotte County honors our employees who have served our country.

Jocene Henderson, Human Services Manager gave a brief overview of Veterans Day Video.

### **Award Presentations**

#### 1. Commissioners' Award for Customer Service - Commissioner Deutsch

Fourth Quarter Commissioners' Award FY18/19

**Commissioner Deutsch** introduced Brian Gleason, Communications Manager, highlighted Mr. Gleason's achievements, and presented Award.

**CITIZEN INPUT - AGENDA ITEMS ONLY - None**

### **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.
- **Edgewater North Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2022.
- **Englewood East Non-Urban Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **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, 2020 and October 31, 2021.
- **Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

- **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Harbour Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Harbour Heights Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Manasota Key Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020 and October 31, 2022.
- **Northwest Port Charlotte Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2022.
- **Northwest Port Charlotte Waterway Unit** is seeking three members to fill vacant unexpired terms through October 31, 2020 and October 31, 2020.
- **Pirate Harbor Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Pirate Harbor Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Rotonda Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Rotonda Sands North Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **South Burnt Store Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **West Charlotte Stormwater Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

**Affordable Housing Advisory Committee** is seeking two Charlotte County residents to serve as 1) a citizen who actively serves on the local planning agency and 2) a citizen who is a representative of employers in the county. Please contact the Human Services Housing Division at (941) 833-6500 or submit an application to Colleen.Turner@charlottecountyfl.gov or Doreen.Stoquert@charlottecountyfl.gov.

**Environmentally Sensitive Lands Oversight Committee** is seeking two Charlotte County residents to serve as 1) a citizen who is a community representative, and 2) a citizen with environmental expertise. Please contact the Community Services Department at (941) 235-5000 or submit an application to Jane.Ravella@charlottecountyfl.gov.

**Charlotte County Marine Advisory Committee** is seeking three members-at-large volunteers who must reside in Charlotte County to represent one of the following groups: fishing guides or bait and tackle store

operators; commercial fishing industry (including clamming industry); marina operation industry; personal watercraft industry; marine sales industry; or scuba diving industry. Term is effective January 1, 2020 and will expire in December 31, 2022. To obtain an application, please contact Janina Stamoulis at (941) 743-1300 or email [janina.stamoulis@charlottecountyfl.gov](mailto:janina.stamoulis@charlottecountyfl.gov).

**Tourist Development Council** is seeking one volunteer to represent the tourism industry. The applicant must be a resident of Charlotte County. Volunteer will fill an unexpired term which ends in June, 2022. To obtain an application, please contact Diane Whidden at (941) 743-1300 or via email at [Diane.Whidden@CharlotteCountyFL.gov](mailto:Diane.Whidden@CharlotteCountyFL.gov).

**Barrier Island Fire Service Municipal Service Benefit Unit (MSBU) Advisory Board** is seeking one member to fill vacant unexpired term through Oct. 31, 2022. Applicants must be residents of Charlotte County and reside within the Unit. Submit applications to Public Safety Department, 26571 Airport Road, Punta Gorda, FL. 33982; call 941-833-5610 or email [Todd.Dunn@CharlotteCountyFL.gov](mailto:Todd.Dunn@CharlotteCountyFL.gov).

**REPORTS RECEIVED AND FILED – No Items**

**CONSENT AGENDA**

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-9, O-1, AND P-1, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**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 8, 2019 BCC Regular Meeting  
October 17, 2019 BCC Pre-Agenda  
October 22, 2019 BCC Regular and Land Use Meeting

BUDGETED ACTION: No action needed.

**Board of County Commissioners**

**C. Commission Office**

1. Appointment - Affordable Housing Advisory Committee

RECOMMENDED ACTION: Approve the appointment of Lance Welsh to the Affordable Housing Advisory Committee as a real estate professional for a three term to begin immediately and expire November 30th, 2022. BUDGETED ACTION: No action needed.

2. Appointment - Affordable Housing Advisory Committee

RECOMMENDED ACTION: Approve the appointment of Robin Montesano to the Affordable Housing Advisory Committee as a citizen-at-large for a three term to begin immediately and expire November 30th, 2022. BUDGETED ACTION: No action needed.

3. Appointment - Construction Industry Licensing Board - Consumer Advocate

RECOMMENDED ACTION: Approve the appointment of Louis Greene to the Construction Industry Licensing Board representing the consumer advocate category. Length of term is 4 years with an expiration date of November, 2023. BUDGETED ACTION: No action needed.

4. Re-Appointment - Construction Industry Licensing Board - Licensed Plumber

RECOMMENDED ACTION: Approve the re-appointment of Christopher Knight to the Construction Industry Licensing Board representing the licensed plumber category. Length of term is 4 years with an expiration date of June, 2023. BUDGETED ACTION: No action needed.

**D. County Administration**

Administration - No Items

Public Information Office - No Items

**E. County Attorney**

1. Set a Public Hearing for Resolution Electing to Use the Uniform Method of Collecting Non-Ad Valorem Special Assessments

RECOMMENDED ACTION: Set a public hearing for December 10, 2019 at 10:00 a.m., or as soon thereafter in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider adoption of a Resolution electing to use the Uniform Method of Collecting Non-Ad Valorem Special Assessments. BUDGETED ACTION: No action needed.

2. Set a Public Hearing to Consider an Ordinance Amending Chapter 2-5, Offenses - Miscellaneous, Article I, Section 2-5-9, Governing Retail Gas Pump Security Measures

RECOMMENDED ACTION: Set a public hearing for November 26, 2019, at 10:00 a.m. or as soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida to consider an Ordinance amending the code of laws and ordinances of Charlotte County, Florida Chapter 2-5, Offenses - Miscellaneous, Article I, in general, to amend section 2-5-9, Retail Gas Pump Security Measures

requirements for owners and operators of retail gas pumps to strengthen required security measures and reporting requirements. BUDGETED ACTION: No action needed.

3. Resolution Authorizing the Tourist Development Counsel to Review and Recommend Applicants for Membership on the Tourist Development Counsel

RECOMMENDED ACTION: Approve Resolution authorizing and requesting the Charlotte County Tourist Development Council ("TDC") to review applicants for membership on the TDC and make recommendation(s) for appointment to the Board of County Commissioners ("BOCC"). BUDGETED ACTION: No action needed. **RES 2019-143**

**F. Budget and Administrative Services**

Fiscal Services

1. Utility Bad Debt Write Off

RECOMMENDED ACTION: Approve write off of accumulated Utilities uncollectible accounts through September 30, 2019. BUDGETED ACTION: No action needed.

2. Burnt Store Road, Phase 2 - Loan

RECOMMENDED ACTION: Approve a Resolution authorizing the borrowing of up to \$9,150,000 from DNT Asset Trust (a subsidiary of JPMorgan Chase Bank) for Burnt Store Road Ph2 Widening from Notre Dame Blvd to Zemel Rd. BUDGETED ACTION: No action needed. Budgeted in the Road Improvements Fund, CIP project "Burnt Store Rd Phase 2". Loan to be repaid from capital gas taxes. **RES 2019-144**

Information Technology - No Items

Purchasing

~~(Deletion #2) 3. 19-559, Award, Construct Mitigation Reef – Manasota Key (Public Works)~~

~~RECOMMENDED ACTION: Approve award of Request for Bid #19-559 Construct Mitigation Reef—Manasota Key to CAYO, LLC of Fort Worth, Texas for the total amount of \$6,817,100. This is for the construction of a Mitigation Reef offshore of Manasota Key, Charlotte County, in the Gulf of Mexico. BUDGETED ACTION: No action needed. Funded in project "Manasota Key Beach Nourishment," approved in the FY20 budget process. Funding is supplied from the North Manasota Key Beach Renourishment MSBU.~~

4. 15-173, Award, Amendment #5 Design-Burnt Store Rd Phase 2 Widening (Public Works)

RECOMMENDED ACTION: a) Approve Amendment #5 to Contract #2015000173, Design-Burnt Store Road Phase 2 Widening, with Johnson Engineering in the not-to-exceed amount of \$72,300; and b) Authorize the Chairman to sign the Amendment. This is for additional utilities for this project. BUDGETED ACTION: No action needed. Budgeted in Utility CIP project "Burnt Store Phase 2" as budgeted in the FY 20 budget process. Funding is supplied from Utility Capital Projects, to be reimbursed per the Tucker's Point LLC developer agreement.

5. 19-613, Award, Cleaning Services, Charlotte County Facilities - Annual (Facilities)

RECOMMENDED ACTION: a) Approve award of Bid #19-613 Cleaning Services, Charlotte County Facilities-Annual, to Alba Cleaning LLC of Bradenton, Florida at the unit prices listed on the attached tabulation, from January 1, 2020 through and including September 30, 2020 with option to renew for two additional one-year terms at the same prices, terms & conditions; and b) Authorize County Administrator, or his designee, to approve annual renewals. This is for cleaning services at various Charlotte County Facilities. BUDGETED ACTION: No action needed. Funding from various funds approved in the FY20 budget process.

6. 17-172, Award, Amendment #4 Justice Center Renovation (Facilities)

RECOMMENDED ACTION: a) Approve Amendment #4 to Contract #2017000172, Justice Center Renovation/Remodeling-Construction Manager at Risk, with Ajax Building Corporation in the amount of \$891,975; and b) Authorize the Chairman to sign the Amendment. BUDGETED ACTION: No action needed. Budgeted in CIP project "Justice Center Renovation & Remodel," as approved in the FY20 budget process. Funding for Amendment #4 is supplied from the 2014 Sales Tax Extension.

7. 19-606, Award, Stormwater Control Structure Haverhill 5.72 Waterway (Public Works)

RECOMMENDED ACTION: Approve award of Request for Bid #19-606 Stormwater Control Structure Haverhill 5.72 Waterway to Thomas Marine Construction, Inc. of Fort Myers, Florida for the total amount of \$1,037,027.78. This construction project is for the removal and installation of a new drainage culvert under Bachmann Boulevard, Haverhill 5.72 Waterway in Charlotte County. BUDGETED ACTION: No action needed. Budgeted in the Mid County Stormwater MSBU as approved in the FY20 budget process. Funding is supplied from the Mid County Stormwater MSBU assessments.

8. 20-066, Award, Purchase of Crane Truck (Utilities)

RECOMMENDED ACTION: Approve award of "piggyback" purchase, File #20-066, Crane Truck, from Palm Peterbilt Truck Centers of Fort Lauderdale, Florida (Piggyback off the Florida Sheriffs Association, Florida Association of Counties and Florida Chiefs Association, Contract # FSA 19-VEH17.0 Specification #46) to purchase a Peterbilt model 337 (upgraded to model 348) Crane Truck with a National model 900A Crane and additional options for Utilities at the cost of \$305,731. This crane truck will service newly constructed Reclaim Pump Stations and Grand Master Lift Stations. BUDGETED ACTION: No action needed. Funding provided by the Utility Operations & Maintenance Fund as approved in the FY20 Budget process.

9. 19-567, Award, Bermont Road Sidewalks (Public Works)

RECOMMENDED ACTION: Approve award of Bid #19-567, Bermont Road Sidewalks, to the lowest responsive, responsible bidder, V & H Construction Inc. of Fort Myers, Florida for the total project amount of \$1,887,367.65. This is for the construction of sidewalks and other appurtenances on the North side and South side of Bermont Road in Charlotte County. BUDGETED ACTION: No action needed. Budgeted in CIP project "Sidewalk Hazard Mitigation," as approved in the FY20 budget process. Funding is supplied from capital gas taxes.

Ms. Vernon spoke to House Bill 41, hazardous walking conditions, Capital Improvements Program (CIP), Gas Tax, timetable, School Board priority, School Transportation Department, Deep Creek Elementary School, sidewalks, Sales Tax, bids, and bus route.



Cheryl Mastin, Senior Contract Specialist replied to bids.

John Elias, Public Works Director interjected on bus and House Bill 41.

**Chair Doherty** commented on projects, County Road 74, House Bill 41, State mandated, Rampart Boulevard, Gas Tax, Bermont Road, funding, Sales Tax, and time sensitive. **Commissioner Constance** discussed needs study, expenses, Gas Tax, Sales Tax, unfunded mandates, timetable, elementary schools, School Board, bus trips, and Dial-A-Ride. **Commissioner Tiseo** mentioned funding source, flexibility, Gas Tax, Sales Tax, and mandate. **Commissioner Truex** noted Bermont Road, school safety, Sales Tax, funding source, and Gas Tax.

**COMMISSIONER CONSTANCE MOVED POSTPONEMENT OF BID 19-567, AWARD, BERMONT ROAD SIDEWALKS FOR TWO WEEKS TO THE NOVEMBER 26, 2019 MEETING, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

10. 19-561, Rescind and Award, Sand Rock and Rip Rap - Annual (Public Works)

RECOMMENDED ACTION: a) Rescind Award of Bid #19-561, Sand, Rock & Rip Rap - Annual, from Nickale Corporation, of Naples, Florida, for their 7 awarded items; and b) Award items to the two next lowest firms: Stan Weeks & Associates, Inc. of Punta Gorda, Florida, and Sitework Supplier, Inc. of Nokomis, Florida at the unit prices attached, with an initial contract term from date of award through and including September 30, 2020; and authorize the County Administrator, or his designee, to approve renewal options for up to two additional one-year terms at the same prices, terms, and conditions, by mutual consent; and c) Correct two Tabulation Typos from Original 10/08/19 Award. BUDGETED ACTION: No Action Needed. Funding from Transportation Trust approved in the FY20 Budget Process.

~~(Deletion #1) 11. 16-295, Amendment #5, Manasota Key Beach Renourishment 10 Year Management Plan (Public Works)~~

~~RECOMMENDED ACTION: a) Approve Amendment #5 to Contract #16-295 Manasota Key Beach Renourishment 10 Year Management Plan with Coastal Engineering Consultants, Inc. of Naples, Florida for additional assistance to administer the construction of the initial restoration of the Manasota Key Beach Fill (MKBF) for \$79,299; and b) Authorize the Chairman to sign Amendment #5. BUDGETED ACTION: No action needed. Funding in CIP project "Manasota Key Beach Nourishment" approved during the FY20 budget process. Funding is supplied from the Manasota Key Beach Nourishment MSBU. Sarasota County will reimburse Charlotte County for their portion of this change order.~~

12. Property Deletions for the Month of November, 2019 (Purchasing)

RECOMMENDED ACTION: Approve the deletion of additional property inventory items listed on the attached for the month of November, 2019. BUDGETED ACTION: No action needed.

**Real Estate Services - No Items**

**Risk Management - No Items**

## Transit

### (Deletion #3) 13. 2020 Summary Resolution

~~RECOMMENDED ACTION: a) Approve Summary Resolution authorizing the County Administrator, or his/her designee, to execute designated Transit Division grant applications, contracts, agreements and grant related documents; and b) Authorize the County Administrator, or his/her designee, to execute grant related Transportation Services Agreements. BUDGETED ACTION: No action needed.~~

### G. Community Development - No Items

### H. Community Services

#### Parks and Natural Resources

##### 1. Larry Taylor Kiwanis Park Naming Resolution

RECOMMENDED ACTION: Approve Resolution renaming Kiwanis Park to Larry Taylor Kiwanis Park.  
BUDGETED ACTION: No action needed. Funding from the General Fund approved in the FY20 budget process. **RES 2019-148**

#### Recreation

##### 2. Charlotte Sports Park Agreement, Amendment #6

RECOMMENDED ACTION: Approve Amendment #6 Charlotte Sports Park Agreement between Charlotte County, Florida and Tampa Bay Rays Baseball, LTD to provide additional funding to be placed in the Capital Reserve Fund and to impose agreed conditions on the use of a county liquor license, including insurance, indemnity and termination provisions. BUDGETED ACTION: No action needed. **A.AGR 2006-053**

#### 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

##### 1. Set a Public Hearing to Create the Rotonda Lakes MSBU Advisory Board

RECOMMENDED ACTION: Set a public hearing for November 26, 2019 at 10:00 a.m., or as soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider approving the creation of the Rotonda Lakes Street & Drainage MSBU Advisory Board. BUDGETED ACTION: No action needed.

## 2. Accept FDOT Grant Supplemental Funding Agreement

RECOMMENDED ACTION: a) Approve FDOT State Funded Grant Supplemental Agreement No. 1 and Resolution between the State of Florida Department of Transportation (FDOT) Transportation Regional Incentive Program (TRIP), and Charlotte County Board of County Commissioners to provide an additional \$3,000,000.00 in funding to assist in the construction to widen Burnt Store Road (Phase II) from Zemel Road to Notre Dame Blvd (Scham Road); and b) Authorize the Chairman, or his designee, to sign all necessary documents related to the supplemental grant agreement; and c) Approve Resolution and budget adjustment BA20-003 in the amount of \$3,000,000 to increase grant funding for the Burnt Store Road Ph 2 road widening project. BUDGETED ACTION: Approve budget adjustment BA20-003, in the amount of \$3,000,000, increasing the FDOT funding contribution in the approved CIP project "Burnt Store Road Ph2 Widening from Notre Dame to Zemel" to \$4,000,000. Although no match is required, local participation for this project per the agreement is \$29,400,000. Local funds will be provided by capital gas tax, road impact fees, and debt proceeds. **AGR 2019-103 / RES 2019-149 / RES 2019-150**

## **O. Tourism Development**

### 1. 2019 Resolution for Golf Carts - Waterfest

RECOMMENDED ACTION: a) Approve Resolution for the temporary use of golf carts by event personnel and designated county staff during Englewood Beach Waterfest on certain designated county roads; and b) Authorize the Chairman to sign the Resolution. BUDGETED ACTION: No action needed. There is no financial component to the request. **RES 2019-151**

**Commissioner Constance** questioned liability.

County Attorney Knowlton replied to Waterfest Resolution and funding.

**COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2019-151 AUTHORIZING THE TEMPORARY USE OF GOLF CARTS BY EVENT PERSONNEL AND DESIGNATED COUNTY STAFF DURING ENGLEWOOD BEACH WATERFEST ON CERTAIN DESIGNATED COUNTY ROADS, IN CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 316.212, FLORIDA STATUTES AND SECTION 2-4-10, CHARLOTTE COUNTY CODE OF LAWS AND ORDINANCES; AND AUTHORIZING THE TEMPORARY USE OF MOTORIZED VEHICLES ON THE BEACH BY EVENT PERSONNEL AND DESIGNATED COUNTY STAFF DURING ENGLEWOOD BEACH WATERFEST ON A DESIGNATED PATCH, IN CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 3-5-317, CHARLOTTE COUNTY CODE OF LAWS AND ORDINANCES, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

## **P. Utilities**

### 1. Tucker's Point Off-Site Utility Agreement- Amended and Restated

RECOMMENDED ACTION: Approve Amended and Restated Tucker's Point Off-Site Utility Agreement.  
BUDGETED ACTION: No action needed. **A.AGR 2018-057**

**Commissioner Constance** commented on offsite utilities extension, Burnt Store Road Phase II, improvements, connection fees, property line, cost, ratepayers, expansion, and service. **Commissioner Tiseo** noted Sunseeker Agreement, onsite improvements credit, utility, and credit schedule.

Craig Rudy, Utilities Director replied to Agreement, credit, connection fees, modeling, parameters, route, customer service, population, Punta Gorda, requirements, and Sunseeker.

Marilyn Miller, Assistant County Attorney responded to Sunseeker, distribution, collection, credits, impact fee, transmission and plant capacity, and credits.

**COMMISSIONER CONSTANCE MOVED TO APPROVE TUCKER'S POINT OFF-SITE UTILITY AGREEMENT 2018-057 AMENDED AND RESTATED, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

**Q. Other Agencies - No Items**

**REGULAR AGENDA**

**R. Regular Agenda - No Items**

**TAKEN OUT OF ORDER**

**PRESENTATION AGENDA**

**T. 10:00 A.M.**

1. Water Quality Programs Presentation by Jennifer Hecker of the Coastal & Heartland National Estuary Partnership.

Jennifer Hecker, Coastal & Heartland National Estuary Partnership gave a presentation on Who We Are, Some of Our Many Partners, The Power of Partnership, Where We Work, What We Do, Assisting Your Objectives Being Met, Coastal Charlotte Harbor Monitoring Network (CCHMN), CHNEP Water Atlas, Native Upland Plantings at Wildflower Preserve, Yucca Pens Hydrological Data Project, Charlotte Harbor Flatwoods Hydrological Modeling Project, Economic Valuation Study, Charlotte County's Support, and responded to Board inquiries.

**Chair Doherty** commented on request and amount increase. **Commissioner Constance** discussed Coastal and Heartland National Estuary Partnership (CHNEP), water atlas, data point, repository, usability, University of South Florida (USF), Ocean Research and Conservation Association (ORCA), agriculture impacts, septic systems, trends, growth, real time data, modeling, Water Authority, sampling, funding, Department of Environmental Protection (DEP), joint efforts, West Coast Inland Navigation District (WCIND), and water quality. **Commissioner Deutsch** mentioned water atlas and septic to sewer program. **Commissioner Tiseo** noted water policy, septic to sewer conversion, resources, water atlas, Governor Ron DeSantis, blue green algae blooms, red tide, key environmental projects, funding request, and Return on

Investment (ROI). **Commissioner Truex** spoke to efforts, funding request, territory, benefit, participation, focus, clean water improvements, and monitoring.

**(Consensus: Direct Administration and Legal to come back to the Board with an Agenda item to increase the amount to \$25,000 a year)**

## **PUBLIC HEARING AGENDA**

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

#### 1. Ordinance Amending Section 1-10-145 of the Code Entitled "Sexually Oriented Businesses"

##### **County Attorney**

Conduct a public hearing to consider an Ordinance amending Section 1-10-145 of the Code entitled "Sexually Oriented Businesses"; to include a requirement for human trafficking public awareness signs to be posted in strip clubs and other adult entertainment establishments. **ORD 2019-024**

Jean Stasio, Assistant County Attorney gave a brief overview of an Ordinance Amending Section 1-10-145 of the Code Entitled "Sexually Oriented Businesses".

**Commissioner Truex** commented on immigration, Customs and Border Control, human trafficking, airports, and over the road truck drivers.

##### **Public Hearing - None**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2019-024 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE GENERAL ORDINANCES AND SPECIAL ACTS ARTICLE V ENTITLED "SEXUALLY ORIENTED BUSINESSES", SECTION 1-10-145 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; TO INCLUDE A REQUIREMENT FOR HUMAN TRAFFICKING PUBLIC AWARENESS SIGNS TO BE POSTED IN STRIP CLUBS AND OTHER ADULT ENTERTAINMENT ESTABLISHMENTS; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

#### 2. Fourth Quarter Budget Adjustments

##### **Budget and Administrative Services**

Conduct a public hearing approving the Resolution to adopt 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. **RES 2019-152**

Gordon Burger, Budget and Administrative Services Director gave a brief overview of Fourth Quarter Budget Adjustments.

**Public Hearing - None**

**COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

**COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2019-152 BUDGET ADJUSTMENTS AND AMENDMENTS TO THE FISCAL YEAR 2018-2019 CHARLOTTE COUNTY ADOPTED BUDGET, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

**CITIZEN INPUT - ANY SUBJECT**

Michael Zarzano discussed water, permit renewal, Mosaic, phosphate mining, Resolution, and Desoto County.

Michelle Hubbs noted Human Trafficking Ordinance.

Tim Ritchie spoke to Desoto County, Mosaic, phosphate mining, Peace River, real time water monitoring machines, wastewater treatment facility center, sand dust, Coastal & Heartland National Estuary Partnership (CHNEP), and permit renewal.

Cynthia Compton mentioned water toxins, Mosaic, CHNEP, and pornography.

**AA. County Administrator - None**

**BB. County Attorney - None**

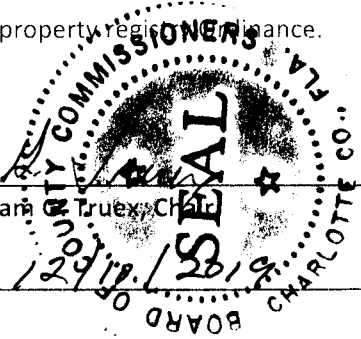
**CC. Commissioner Comments**

**Chair Doherty** discussed Resolution, Administration, past events, harbor and river impacts, design and monitoring requirements, data, Department of Environmental Protection (DEP), discussion, permit, geologist, approval criteria, Veterans Events, Laishley Park, Veteran and First Responders facility, and land donation. **Commissioner Constance** commented on Mosaic, Resolution, jurisdiction, permit renewal, watershed, mining, gypstack, Mulberry, geology, sinkhole, engineers, meeting discussion, legal, bonding, financing, disaster, degradation, catastrophic events, mitigation, Sheriff's Department range, Surety Bond, design, aquifer, phosphorous, and short term vacation rentals. **Commissioner Deutsch** spoke to minimum housing pre-rental inspection program, smoke detector inspection, safety issue, Bed Tax, Mosaic, lawsuit, violations, Federal requirements, strip mining, reclamation sites, impacts of local rivers, and William R.

Gaines, Jr. Veterans Memorial Park. **Commissioner Tiseo** mentioned Desoto County, Mosaic, permit, Resolution, joint meeting, Charlotte Harbor Environmental Committee (CHEC), presentation, money, programs, sinkhole, aquifer, Peace River discharge, short term vacation rentals, Florida Statute 509.032, lodging, safety checks, inspections, safety standards, registration, Post 113 in Rotonda West, and veterans. **Commissioner Truex** noted Coastal & Heartland National Estuary Partnership, Mosaic, funding, vacation rentals requirements, registry, cost, fees, and revenue collection.

County Attorney Knowlton responded to vacation rentals and rental property registration.

ADJOURNED: 11:01 am

  
\_\_\_\_\_  
William G. Truex, Chair  
DATE ADOPTED: 12/19/2019

ATTEST:

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

By: Michelle DiBerardino  
Deputy Clerk