

BOARD OF COUNTY COMMISSIONERS

MARCH 07, 2019

A Pre-Agenda Meeting was held in preparation for the **March 12, 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 (via telephone conference), Commissioner Constance (via telephone conference), Commissioner Deutsch, and Commissioner Tiseo. Also in attendance were: Assistant County Attorney Miller, County Administrator Sandrock, Deputy County Administrator Flores, Minutes Clerk Light, and various County staff members. The following members were absent: Commissioner Truex.

The Meeting was called to order at 1:30 pm

There was Board discussion on the following items:

County Attorney: E-1, E-2

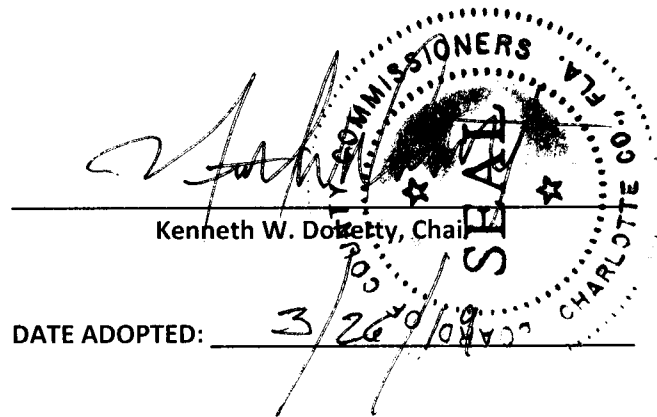
Purchasing: F-1, F-2, F-3, F-4, F-5, F-6, F-7, F-8

Community Services: H-1, H-2

Regular Agenda: R-1

10:00 A.M. Presentation Agenda: T-1

ADJOURNED: 1:57 pm



Kenneth W. Doherty, Chair

DATE ADOPTED: 3/26/19

ATTEST:

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

By: Michelle Berardo
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

March 12, 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 Stephen R. Deutsch

Artist of the Month - Judy Lee
Florida Surveyors and Mappers Week

Employee Recognition

Years of Service

Name

Department

5 Years

Agustin Mancia Utilities
Ashley Yaccarino Utilities

15 Years

Catherine Edwards Community Services
Conroy Williams Utilities

20 Years

Mary Hill Public Works
David Milligan Facilities
Martin Simone Budget & Admin
 Services

25 Years

Thomas Bowman Public Safety
Kenneth Coblentz Public Safety
Scott Humphreville Public Safety

Award Presentations

1. 2018 Water Distribution System Award

Plaque presentation to the Utilities Department from the Florida Section of American Water Works Association, 2018, Achievement of Outstanding Water Distribution Service Award.



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.
- **Charlotte Ranchettes Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Greater Port Charlotte Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2019 and October 31, 2021.

- **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, 2019.
- **Mid-Charlotte Stormwater Utility Unit** is seeking two members to fill vacant unexpired terms through October 31, 2019 and October 31, 2020.
- **Northwest Port Charlotte Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2020 and October 31, 2021.
- **Rotonda Sands North Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Rotonda West Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2019.



REPORTS RECEIVED AND FILED



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:
February 12, 2019 BCC Regular Meeting
February 12, 2019 BCC Budget Workshop
February 19, 2019 BCC Workshop
February 21, 2019 Pre-Agenda
BUDGETED ACTION:
No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - Charlotte Harbor Community Redevelopment Agency Advisory Committee

RECOMMENDED ACTION:

Approve the appointment Edward C. Toth to serve as a member-at-large on the Charlotte Harbor Community Redevelopment Agency Advisory Committee. Term is effective immediately.

BUDGETED ACTION:

No action needed.

D. County Administration

Administration

No Items.

Public Information Office

No Items.

E. County Attorney

1. Interlocal Agreement with Punta Gorda for Buckley's Pass MSBU Assessments

RECOMMENDED ACTION:

Approve the Interlocal Agreement with the City of Punta Gorda for the Buckley's Pass dredge project.

BUDGETED ACTION:

No action at this time. A public hearing will be held on May 21, 2019 to establish an MSBU and rates for the MSBU to pay the County's share of the project costs. An MSBU budget will be adopted as part of the FY20 budget process.

2. Buckley's Pass Initial Assessment Resolution

RECOMMENDED ACTION:

Approve the Initial Assessment Resolution relating to creation of the Buckley's Pass MSBU.

BUDGETED ACTION:

No action needed. The MSBU budget will be developed as part of the FY20 budget adoption process.

F. Budget and Administrative Services

Fiscal Services

No Items.

Information Technology

No Items.

Purchasing

1. 19-018, Charlotte Harbor Event Center Management Services (Community Services)

RECOMMENDED ACTION:

- a) Approve the sole submitting firm for Request for Proposal #19-018, Charlotte Harbor Event Center Management Services, with SMG of West Conshohocken, Pennsylvania; and
- b) Approve the start of negotiations; and

c) Authorize the Chairman to sign the Contract after completion of negotiations. This is to provide management services for the Charlotte Harbor Event and Conference Center located in Punta Gorda, Florida.

BUDGETED ACTION:

No action needed. Funding from the Charlotte Harbor Event Center Fund will be approved in the FY20 Budget Process.

2. 19-227, Award, Contractor/Builder - Annual Contract (Facilities)

RECOMMENDED ACTION:

a) Approve award of Bid #19-227, Contractor/Builder - Annual Contract, at the hourly rate bid to ERS Construction of Punta Gorda, Florida. Term of Contract is to be from date of award through and including December 31, 2019; and

b) Authorize the County Administrator to approve the renewal options for up to two additional one-year terms, at the same prices, terms, and conditions by mutual consent.

BUDGETED ACTION:

No action needed. Funding from various funds approved in the FY19 budget process.

3. 19-034, Award Change Order #1, Control Structures and Bank Restoration (Public Works)

RECOMMENDED ACTION:

Approve Change Order #1 for File #19-034, Control Structure and Bank Restoration, to V & H Construction, Inc. of Fort Myers, Florida, for the amount of \$102,847.50.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "Water Control Structures Irma Damage Restoration" as adopted in the FY19 budget process. Expenses will be reimbursed at 75% using grant funds with 25% provided by the corresponding MSBU fund.

4. 19-142, Award, Myakka Booster Pump and EL Jobean Vacuum Station (Utilities)

RECOMMENDED ACTION:

a) Approve award of Bid #19-142 Myakka Booster Pump and EL Jobean Vacuum Station, to the sole responsive, responsible bidder, Poole & Kent Company of Miami, Florida in the amount of \$2,881,200; and

b) Approve Resolution and budget adjustment BA19-023, in the amount of \$1,007,822 increasing the FY19 adopted CIP projects "Charlotte Harbor Water Quality Initiative Phase II - El Jobean" and "Myakka Potable Water Booster Station" for construction, including contingency.

BUDGETED ACTION:

Approve Resolution and budget adjustment BA19-023, in the amount of \$1,007,822 increasing the FY19 adopted CIP projects "Charlotte Harbor Water Quality Initiative Phase II - El Jobean" and "Myakka Potable Water Booster Station" for construction, including contingency. The Myakka Booster Station received an SRF loan, which will be paid back by Water Connection Fees. The El Jobean Vacuum Station will be paid by the BP Settlement Fund and Grants.

5. 19-282, Award, Air Vacuum Equipment EL Jobean Sewer (Utilities)

RECOMMENDED ACTION:

Approve award of sole source File #19-282 Air Vacuum Equipment for EL Jobean Sewer to Aqseptence Group Inc., of Rochester, Indiana in the amount of \$326,922.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "Charlotte Harbor Water Quality Initiative Ph II - El Jobean," adopted as part of the FY19 budget, and subsequently amended on March 12, 2019 with item F-3 Myakka Booster Pump and El Jobean Vacuum Station. Funding for this expenditure comes from the BP Settlement Fund and Grants.

6. 19-156, East Port Water Reclamation Facility Expansion (Utilities)

RECOMMENDED ACTION:

- a) Approve ranking of firms for Request for Proposal #19-156, East Port Water Reclamation Facility Expansion: 1st - Jones Edmunds; and 2nd Stantec Consulting Services, Inc; and
- b) Approve start of negotiations; and
- c) Authorize the Chairman to sign the contract upon completion of negotiations. This is for engineering, design, and construction administration for the expansion of the East Port Water Reclamation Facility.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "East Port Water Reclamation Facility Expansion," approved by the Board on November 27, 2018. Funding for this expenditure will come from debt proceeds to be paid back by Utility rates.

7. 19-177, Ranking-Construction Manager (CM) at Risk, William R. Gaines Jr. Veterans Memorial Park (Facilities)

RECOMMENDED ACTION:

- a) Approve ranking of firms for Request for Proposal #19-177 Construction Manager (CM) at Risk, William R. Gaines Jr. Veterans Memorial Park: 1st – Jon F. Swift, Inc., 2nd – P.J. Hayes, Inc. dba Tandem Construction, and 3rd – Florida Premier Contractors, LLC.; and
- b) Approve start of negotiations; and
- c) Authorize the Chairman to sign the contract after completion of negotiations. This is for a qualified firm to provide professional Construction Manager (CM) at Risk services as part of a construction team, which includes various design and engineering consultants, and the County.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "William R. Gaines Jr. Veterans Memorial Park", as part of the FY19 budget process, and subsequently amended. Funding is supplied from the Capital Projects Fund Ad Valorem and the 2009 Sales Tax Extension Fund.

8. Property Deletions for the Month of February, 2019 (Purchasing)

RECOMMENDED ACTION:

Approve the deletion of the property inventory items listed on the attached for the month of February, 2019.

BUDGETED ACTION:

No action needed.

Real Estate Services

No Items.

Risk Management

No Items.

Transit

No Items.

G. Community Development

No Items.

H. Community Services

Parks and Natural Resources

No Items.

Recreation

1. North Charlotte Regional Park Budget Adjustment

RECOMMENDED ACTION:

- a) Approve budget adjustment BA19-022 in the amount of \$299,739 to fund additional operating expenses and staffing (4 Full time, 5 Part time, and 2 Seasonal) through the end of the fiscal year; and
- b) Approve the addition of 1 vehicle to Charlotte County Fleet

BUDGETED ACTION:

Approve budget adjustment #BA19-022 in the amount of \$299,739.

Libraries and Historical

No Items.

Community Services

2. Guidelines for Requesting In-Kind Services

RECOMMENDED ACTION:

Approval of Second Amended Guidelines for Requesting In-Kind Services

BUDGETED ACTION:

No action needed.

I. Economic Development

1. Re-Appointments - Industrial Development Authority

RECOMMENDED ACTION:

Approve the re-appointments of Cathy Sanders and Todd Rebol to the Charlotte County Industrial Development Authority.

BUDGETED ACTION:

No action needed.

J. Facilities Construction and Maintenance

1. Lease - Congressman Steube

RECOMMENDED ACTION:

- a) Approve District Office Lease and District Office Lease Attachment for Congressman Greg Steube; and
- b) Approve Resolution authorizing the Chairman to sign and execute the District Office Lease and District Office Lease Attachment.

BUDGETED ACTION:

No action needed. Funding from the General Fund approved in the FY19 budget process.

K. Human Resources

No Items.

L. Human Services

No Items.

M. Public Safety

1. Charlotte County Fire and EMS Fees for Services

RECOMMENDED ACTION:

Approve Resolution allowing the Fire Department to charge fees for services independent of running emergency calls. These fees will typically be for special events when fire or EMS services are needed to support that event.

BUDGETED ACTION:

No action needed. Revenue was budgeted in the Fire/EMS budget during the FY2019 budget process.

N. Public Works

No Items.

O. Tourism Development

No Items.

P. Utilities

1. Off-Site Utility Agrmt MRT Lawn Service

RECOMMENDED ACTION:

Approve Off-Site Utility Agreement between the County and the Developer MRT Lawn Service, Inc.

BUDGETED ACTION:

No action needed. Budgeted in CIP project "Water Transmission & Wastewater Collection Reimbursement" as adopted in the FY19 budget process. Funding is supplied from Utility Water and Sewer Connection Fees.

Q. Other Agencies

No Items.



REGULAR AGENDA

R. Regular Agenda

1. Appoint by Ballot - Construction Industry Licensing Board - Specialty Contractor

Commission Office

Select by ballot, a volunteer, to serve on the Construction Industry Licensing Board representing the "Specialty Contractor" category. Term expiration is March 22, 2020, filling an unexpired term vacated by Mr. Carleton Strong, Sr. who resigned.

2. State Appropriation Request

Commission Office

a) Discussion and direction on the state appropriation request for the Southwest Florida Regional Emergency Shelter; and

- b) Remove from 6.b. the wording "in partnership with Charlotte County" and remove from 15.a. "and has made this one of their top legislative priorities" on the attached Appropriations Project Request; and
- c) Funding level



PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

No Items.



PRESENTATION AGENDA

T. 10:00 A.M.

1. State of the Airport

State of the Airport presented by James W. Parish, CEO of Punta Gorda Airport.

2. Choices and Chances

"Choices and Chances," a CC-TV film exploring the challenges facing our youth, premieres March 30-31 at Regal Cinema Town Center 16, followed by community showings by various organization throughout the County and region. Ticket are available at Choices-and-Chances.eventbrite.com, watch the trailer at youtu.be/uODoiKBKWs.



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. Ordinance for PA-18-12-44; Helphenstine

Community Development

Approve an Ordinance adopting PA-18-12-44 amending the Charlotte County Future Lane Use Map from Low Density Residential (LDR) to Commercial (COM) for a 2.6-acre property located at 1321 Duncan Road, in Commission District I; applicants Robert and Sharon Helphenstine; and providing an effective date.

Legislative

2. Ordinance for Z-18-12-45

Community Development

Approve an Ordinance adopting Z-18-12-45 amending the Charlotte County Zoning Atlas from Manufactured Home Conventional (MHC) to Commercial General (CG) for a 2.6-acre parcel located at 1321 Duncan Road, in Commission District I; applicant Robert and Sharon Helphenstine; and providing an effective date.

Quasi-Judicial

3. Neslund Rural Community Mixed Use, Petition Number PA-18-02-05-LS

Community Development

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State agencies for review and comment; this request is to amend 1) Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Agriculture (AG) to Rural Community Mixed Use (RCMU), increasing density from 120 units to 1,384 units, and 2) FLU Appendix VIII: Rural Community Mixed Use Master Plans by adding Neslund Rural Community Mixed Use Master Development Plan; for property located north of the Lee County Line, south of Zemel Road, east of Tamiami Trail (US 41) and west of I-75, in the South County area, containing 1,203.84± acres; Petition No. PA-18-02-05-LS; Applicant: Richard Neslund, Neslund Family Ltd. Partnership II; providing an effective date.

Legislative

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