

BOARD OF COUNTY COMMISSIONERS

February 8, 2010

A Pre-Agenda meeting in preparation of the February 9, 2010 Regular Meeting was held at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

Members present were: Chairman Starr, Commissioner Duffy, Commissioner Loftus, Commissioner Cummings, County Administrator Baltz, County Attorney Knowlton, and Administrative Secretary Sandra Colon. The following members were absent: Commissioner Skidmore.

The meeting was called to order at 9:00 AM.

There was Board Discussion held on the following items:

County Attorney:
Agenda Item E-3

Purchasing:
Agenda Items F-3, F-6, F-7, F-8 and F-9

Environmental Services:
Agenda Item J-1

Facilities Construction and Maintenance:
Agenda Item K-1

Public Safety:
Agenda Item Q-2

Public Works:
Agenda Items: R-1, R-2 and R-3

V. Regular Agenda:
Agenda Item Z-1

ADJOURNED: 9:45 AM

Signature on file in Commission Minutes
Chairman

ATTEST:

BARBARA T. SCOTT, CLERK
OF THE CIRCUIT COURT AND
EX-OFFICIO TO THE BOARD
OF COUNTY COMMISSIONERS

By: Signature on file in Commission Minutes
Deputy Clerk

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COUNTY OF CHARLOTTE

Board of County Commissioners

18500 Murdock Circle
Port Charlotte, FL 33948
www.CharlotteCountyFL.com

County Commissioners

Bob Starr, District 1, Chairman
Robert Skidmore, District 3, Vice-Chairman
Adam Cummings, District 2
Richard Loftus, District 4
Tricia Duffy, District 5



County Administrator

Roger Baltz

County Attorney

Janette S. Knowlton

Clerk of the Circuit Court

Barbara T. Scott

Regular Meeting
2/9/2010 9:00:00AM

18500 Murdock Circle, Administration Building, Room 119

The Charlotte County Commission meeting room is accessible to the physically disabled. If you need assistance, please contact our office at 941-743-1392. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Desk.

9:00 A.M. Call to Order and Roll Call

Invocation

Reverend George Cooks
First Macedonia Missionary Baptist Church

Pledge of Allegiance

Changes to the Agenda: See last page

Proclamations/Awards

- I. Citizen Input - Agenda Items Only
- II. Committee Vacancies
- III. Reports Received and Filed
- IV. Consent Agenda
- V. Regular Agenda
- 10:00 A.M. VI. Public Hearing
- VII. Presentation
- VIII. Public Workshop

- IX. Board Workshop
- X. Citizen Input - Any Subject

Proclamations - Commissioner Bob Starr

Arts and Humanities Council Artist of the Month - Ann Friauf

Hazardous Materials Awareness Week

Employee Recognition - County Administrator Roger Baltz

5 Years

Glenda Anderson	Environmental & Extension Services
John Brennan	Utilities
Christine Broughman	Budget & Administrative Services
Joan Brown	Utilities
Joanna Colburn	Building Construction Services
Raymond Desjardins	Information Technology
Richard English	Information Technology
Evelyn Kennedy	Parks, Recreation & Cultural Resources
Jennifer Kern	Fire/EMS
Gayle Moore	Growth Management
Regina Riccardi	Utilities
Barry Strike	Human Services
Katherine "Kay" Tracy	Economic Development
Dale Vadnais	Utilities

10 Years

Jeffrey Keyser	Public Works
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15 Years

Mark Machukas	Utilities
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25 Years

Robert Mendenhall	Building Construction Services
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Not Attending

Ronald Aubel	5 years	Utilities
Charles Witt	5 years	Utilities
Matthew Averbeck	10 years	Fire/EMS
David Benfield	10 years	Fire/EMS
Anthony File	10 years	Fire/EMS
Timothy Costello	20 years	Fire/EMS

Presentations - None



I. CITIZEN INPUT - AGENDA ITEMS ONLY

Anyone wishing to address the Board during this portion of the meeting must state one's name for the record and what agenda subject is to be discussed. Discussion is limited to matters identified on this agenda and each citizen will be allowed no more than three minutes to express an opinion.



II. COMMITTEE VACANCIES

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

Affordable Housing Advisory Committee is seeking two members to serve on the committee. One not-for-profit representative and one real estate professional. Terms are for three years

Boca Grande Street & Drainage Advisory Committee is seeking three volunteers. Two regular three year terms effective February 27, 2010 and one alternate (two year term) effective immediately.

Construction Board of Adjustments and Appeals is seeking one member to serve as an alternate on the committee for a three year term. This committee meets the first and third Monday of each month at 8:30 a.m. in Murdock. Must be a resident of the county.

Englewood East Street & Drainage Advisory Committee is seeking three volunteers; two regular members for three year terms and one alternate member for a two year term.

Grove City Street & Drainage Unit Advisory Committee is seeking two volunteers; one to serve as a regular member and one volunteer to serve as the alternate member. All terms effective immediately.

Harbour Heights Waterway Maintenance District Advisory Board is seeking two volunteers to serve as regular members for three year terms. Must reside in the unit.

Lemon Bay Street & Drainage Advisory Committee is seeking five volunteers to serve as regular members and one volunteer to serve as the alternate member. All terms effective immediately. Must own property and reside within the unit.

Mid-Charlotte Stormwater Utility Unit is seeking one volunteer to serve as the Suncoast Boulevard Street & Drainage Unit representative. Shall be a resident of his/her respective unit.

MPO – Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB) – is seeking one individual to voluntarily serve on the LCB Board. The purpose of the LCB is to identify local service needs and to provide information, advice, and direction to the Community Transportation Coordination of service to be provided to the transportation disadvantaged. The position is for a person who is recognized by the Florida Association for Community Action (President), representing the economically disadvantaged in the county. Your letter or email of interest stating the position for which you are qualified to represent should be sent to: Charlotte County-Punta Gorda MPO, 25550 Harbor View Road, Suite 4, Port Charlotte, FL 33980. Fax: 941-883-3534 Email: office@ccmpo.com

Manchester Waterway Advisory Committee is seeking two members to serve on the committee. Must be residents and property owners of the unit. Terms are for three years.

Northwest Port Charlotte Street and Drainage Unit Advisory Committee is seeking two regular members and one alternate to serve on the committee. Regular members terms are for three years and the alternate is two years.

Placida Street & Drainage Advisory Committee is seeking one volunteer to serve as a regular member for a three year term, effective Feb. 12, 2010.

South Bridge Waterway Municipal Service Benefit Unit is seeking two volunteers; one regular member and one alternate member. Must own property and live within the unit.



III. REPORTS RECEIVED AND FILED



IV. CONSENT AGENDA

Clerk of the Circuit Court

A. Finance Division

- (1) **RECOMMENDED ACTION:** Approve Clerk's Finance Memoranda.
BUDGETED ACTION: None

B. Minutes Division

- (1) **RECOMMENDED ACTION:** Approve Minutes for:
September 15, 2009, 9:00 a.m. Land Use Meeting
September 21, 2009, 9:00 a.m. Pre-Agenda Meeting
September 22, 2009, 9:00 a.m. Regular Meeting
September 24, 2009, 5:01 p.m. Budget Public Hearing
October 1, 2009, 6:00 p.m. Town Hall Meeting
October 12, 2009, 9:00 a.m. Pre-Agenda Meeting
October 13, 2009, 9:00 a.m. Regular Meeting
October 20, 2009, 9:00 a.m. Land Use Meeting
October 26, 2009, 9:00 a.m. Pre-Agenda Meeting
October 27, 2009, 9:00 a.m. Regular Meeting
November 9, 2009, 9:00 a.m. Pre-Agenda Meeting
November 10, 2009 9:00 a.m. Regular Meeting
BUDGETED ACTION: None

Board of County Commissioners

C. Commission Office

- (1) **RECOMMENDED ACTION:** Approve the appointments to the Affordable Housing Advisory Committee. Ms. Rosanna Goode as the home building industry representative and Ms. Christine Cupp as the residential home building representative. Terms are effective immediately and are for three years
BUDGETED ACTION: None
- (2) **RECOMMENDED ACTION:** Appoint Erik Howard to serve on the Construction Industry Licensing Board representing the professional engineer category. Length of term is four years.
BUDGETED ACTION: None
- (3) **RECOMMENDED ACTION:** Re-appoint Mr. Robert C. Aspery for an additional three year term on the Englewood East Street & Drainage Advisory Committee. Term is effective February 13, 2010 and expires February 13, 2013.
BUDGETED ACTION: None
- (4) **RECOMMENDED ACTION:** Re-appoint the following to the Little Gasparilla Island Community Planning Advisory Committee: Carey Beychok as the Placida Beach Condo Association Representative; Barry Hurt as a Member-at-Large; Paul Holmes as the Little Gasparilla Property Owners Association Representative. These are two year terms effective immediately and shall expire January 22, 2012.
BUDGETED ACTION: None
- (5) **RECOMMENDED ACTION:** Re-appoint Mr. Scott Roberts to continue serving on the Placida Street and Drainage Advisory Committee for another three year term. His current term expires February 12, 2010 and the new term shall expire Feb.12, 2013.
BUDGETED ACTION: None
- (6) **RECOMMENDED ACTION:** On January 12, 2010, the Board of County Commissioners appointed Mr. Robert Kueny as a regular member of the Suncoast Waterway MSBU. It was later discovered that Mr. Kueny did not meet the residency requirement. It is therefore recommended that the Board terminate the appointment of Mr. Robert Kueny due to the residency issue and in his place re-appoint Mr. Edgar Hunt as a regular member. Both Mr. Kueny and Mr. Hunt have been advised of the matter and are in agreement with this recommended action.
BUDGETED ACTION: None
- (7) **RECOMMENDED ACTION:** Re-appoint Mr. George Walker as a regular member to serve a three year term on the Town Estates Street & Drainage Unit Advisory Board. This term is effective immediately and expires Jan. 31, 2012.
BUDGETED ACTION: None

D. Administration

No Items.

E. County Attorney

- (1) **RECOMMENDED ACTION:** Adopt a Resolution permitting Lemon Bay High School Project Graduation parents to conduct a bucket brigade at the Intersection of State Highway 776 and

Placida Road / Pine Road.

BUDGETED ACTION: None

- (2) **RECOMMENDED ACTION:** Set an Executive Session for February 9, 2010 at 2:00 p.m. in the Charlotte County Attorney's Office Conference Room to discuss strategy and related litigation expenditures concerning the lawsuit captioned Rotonda Project, LLC v. Charlotte County, Civil Case No. 07-4374.

BUDGETED ACTION: None

- (3) **RECOMMENDED ACTION:** Approve a Resolution in support of exempting documents or electronic files revealing the official cost estimate of county projects from the requirements of Section 119.07(1), Florida Statutes, the Public Records law.

BUDGETED ACTION: None

F. Budget and Administrative Services

- (1) **RECOMMENDED ACTION:** Cancel Budget Public Hearings on September 9, 2010 and September 23, 2010 and reschedule for Wednesday, September 15, 2010 and Wednesday, September 29, 2010.

BUDGETED ACTION: None

- (2) **RECOMMENDED ACTION:** Schedule Budget Workshops with the Board of County Commissioners to discuss the FY 2010/2011 budget process.

BUDGETED ACTION: None

Fiscal Services

No Items.

Information Technology

No Items.

Purchasing

- (3) **RECOMMENDED ACTION:** a) Approve ranking of firms for Request for Proposal #10-014, Construction Administration Services - ASR Well/Rotonda: 1st Malcolm Pirnie, Inc. located in Sarasota, FL; 2nd Johnson Engineering, Inc. located in Port Charlotte, FL, and 3rd DMK Associates located in Englewood, FL; and
b) Approve start of negotiations; and
c) Authorize the Chairman to sign the contract after completion of negotiations. This is for professional engineering services during construction and certification of an Aquifer Storage and Recovery (ASR) well.

BUDGETED ACTION: Amount Budgeted \$550,000 in CIP project Rotonda Reclaimed Water ASR Wells

- (4) **RECOMMENDED ACTION:** Approve a) Award Bid #10-082, Specialty Mowing-Landscape Maintenance, to John Eisele, Inc., of Rotonda West, FL, for the period from date of award up to and including September 30, 2010, at the unit prices listed on the tabulation sheet; and
b) Authorize County Administrator to approve two one-year annual renewals at the same terms, prices, and conditions. This is an annual contract for specialty mowing and landscape

maintenance of rights-of-way, easements, drainage facilities, medians, treescaped streets, Beach Road, and County-owned vacant lots.

BUDGETED ACTION: None. Mowing and landscaping are budgeted in the appropriate MSBU/TU and the Transportation Trust fund. Funds are supplied from Gas Taxes, the Manasota Key Streets and Drainage MSTU, The Mid, South and West Charlotte Stormwater MSBUs, the Placida Streets and Drainage MSBU, the Rotonda West Streets and Drainage MSBU, and the Greater Port Charlotte Streets and Drainage MSBU.

- (5) **RECOMMENDED ACTION:** a) Approve award of Bid #10-086, Sign Materials - Annual Contract to the lowest responsive, responsible bidder for each group: Group A - Rolled Materials to Custom Products Corporation of Jackson, MS; Group B - Pre-formed Thermoplastic Markings to Flint Trading Inc. of Thomasville, NC; Group C - Raised Pavement Markers to Ennis Paint Inc. of Ennis, TX at the unit prices indicated on the attached Bid Tabulation; and b) Authorize the County Administrator to approve renewal options up to two (2) additional one-year periods, at the same prices, terms and conditions, by mutual consent. The contract period will be effective from date of award through and including December 31, 2010.
BUDGETED ACTION: None
- (6) **RECOMMENDED ACTION:** Approve award of Bid #10-101, Stillwater Youth House Renovation, to Once Source Construction Company of Fort Myers, FL, for a total cost of \$209,104.00
BUDGETED ACTION: None. \$288,645 is available in Hurricane Housing Recovery grant project.
- (7) **RECOMMENDED ACTION:** Approve File #10-152, Purchase of two (2) International Model 7600 SFA 6x4 Trucks from the Florida State Contract #070-700-09-1, Medium & Heavy Trucks with Navistar, Inc. of Duluth, GA, for \$98,378 each with a total cost of \$196,756.
BUDGETED ACTION: Budget Amount \$200,000.
- (8) **RECOMMENDED ACTION:** Approve award of Bid No. 09-291 Piper Road Project to the lowest responsive, responsible bidder: Bonness Inc. of Port Charlotte, FL for the total bid amount of \$7,343,644.89.
BUDGETED ACTION: None. Budgeted in CIP project c410202 Piper Road/Enterprise Charlotte Airport Park
- (9) **RECOMMENDED ACTION:** Authorize staff to amend the definition of "Local Office" for any services requested via the Request for Proposal (RFP) process. The definition used in the Affidavit submitted in response to an RFP would be amended to expand the definition of a "Local Office" to encompass Charlotte County, Sarasota County and Desoto County.
BUDGETED ACTION: None
- (10) **RECOMMENDED ACTION:** Approve deletion of the property inventory items listed on the attached for the month of February, 2010.
BUDGETED ACTION: None

Real Estate Services

No Items.

G. Building & Construction Services

No Items.

H. Economic Development

- (1) **RECOMMENDED ACTION:** Approve the recommendation of the Charlotte County Industrial Development Authority to move the request for \$3,642,000 in Recovery Bonds forward.
BUDGETED ACTION: None

J. Environmental Services

- (1) **RECOMMENDED ACTION:** Approve a Resolution creating a Manatee Advisory Committee for Charlotte County.
BUDGETED ACTION: None

K. Facilities Construction and Maintenance

- (1) **RECOMMENDED ACTION:** Approve Facilities Management project recommendation for application to the American Recovery and Reinvestment Act (ARRA) Energy Efficiency and Conservation Block Grant (EECBG) competitive grant for converting Fire Station #12 to solar power and replacing 9 sports fields with energy efficient lighting.
BUDGETED ACTION: None at this time. Budget will be amended if grant is awarded. The grant application amount is \$984,000.00. \$287,000 is for Fire Station #12, \$697,000 is for Parks, sports field lighting. The matching funds include: Salary \$64,370, Fringe Benefits \$22,076, and costs incurred from Energy and Conservation Strategy \$49,600, for a total of \$136,046. These matching funds have already been budgeted and would have been incurred whether or not the grant funding was pursued. The matching funds were only included in this grant application in order to decrease the funding request and to increase the chances of winning the award.

L. Growth Management

No Items.

M. Human Resources

No Items.

N. Human Services

No Items.

P. Parks, Recreation and Cultural Resources

No Items.

Q. Public Safety

- (1) **RECOMMENDED ACTION:** Approve Amendment # 2 to the Frequency Reconfiguration Agreement (FRA) between Nextel South Corporation and Charlotte County.
BUDGETED ACTION: None required. 100% of funding is provided by Nextel South Corp.
- (2) **RECOMMENDED ACTION:** Set a public hearing for February 23, 2010, at 6:00 p.m. or as soon thereafter as may be heard to consider an Ordinance amending provisions of the County's Animal Control Code.

BUDGETED ACTION: None

R. Public Works

- (1) **RECOMMENDED ACTION:** Set a public hearing for February 23, 2010, at 6:00 p.m. or as soon thereafter as may be heard, to consider approving an Ordinance adding Woodland Estates aka Harborside Woods to the Burnt Store Village Street and Drainage MSBU.
BUDGETED ACTION: None. Funding for recording fees is supplied by the Burnt Store Village Streets and Drainage MSBU.
- (2) **RECOMMENDED ACTION:** Set a public hearing for February 23, 2010, at 6:00 p.m. or as soon thereafter as may be heard, to consider creating an MSBU for Pirate Harbor Street and Drainage issues.
BUDGETED ACTION: None. Funding for recording fees is supplied by the South Burnt Store Streets and Drainage MSBU.
- (3) **RECOMMENDED ACTION:** Set a public hearing for February 23, 2010, at 6:00 p.m. or as soon thereafter as may be heard to consider approving an Ordinance to remove Pirate Harbor and Woodland Estates aka Harborside Woods from the South Burnt Store Street and Drainage MSBU.
BUDGETED ACTION: None. Funding for recording fees is supplied by the South Burnt Store Streets and Drainage MSBU.

S. Tourism Development

No Items.

T. Utilities

No Items.

U. Other Agencies

No Items.

V. REGULAR AGENDA

Z. Regular Agenda

- (1) Parks, Recreation & Cultural Resources Request the Board of County Commissioners consideration of approval for the Tampa Bay Rays to partner with Mosaic on the naming rights for the stadium at Charlotte Sports Park. This agreement provides for the County to receive \$77,250 for stadium and maintenance operations. The \$77,250 shall grow 3% annually for the term of this agreement. The agreement between the Tampa Bay Rays and Mosaic is for a 15 year term. The name is to be Mosaic Field at Charlotte Sports Park.
- (2) Commission Office Select by ballot one person to serve as the At-Large

Representative on the Little Gasparilla Island Community Planning Advisory Committee, vacated by the resignation of Rande Ridenour. This is a two year term effective immediately and expiring on January 22, 2012.

(3) Commission Office

Select by ballot one person to serve a three year term as a regular member of the Manasota Key Street & Drainage MSTU and one person to serve a two year term as the alternate member on this committee. Both terms effective immediately with the regular member's term expiring January 9, 2013 and the alternate's term expiring January 23, 2012.

(4) Commission Office

Select by ballot three members to serve on the Northwest Port Charlotte Waterway Advisory Committee. Terms are for three years and all volunteers meet the criteria for serving on the committee.

(5) Commission Office

Select by ballot three (3) people to serve on the Harbour Heights Street and Drainage Unit Advisory Committee as regular members. All terms are effective February 13, 2010 and shall expire February 13, 2013.



VI. PUBLIC HEARING AGENDA

10:00 A.M.

(1) Public Works

Conduct a public hearing to consider amending an ordinance to reduce the speed limit on Elmira Boulevard, between Beacon Drive and Kings Highway, to 35 miles per hours (mph).

(2) Public Works

Conduct a public hearing to consider approving an Ordinance to create an Advisory Board for the Peace River Shores Street and Drainage MSBU.

(3) Public Works

Conduct a public hearing to consider amending an Ordinance to include adjacent properties to the Airport Commerce Center into the Punta Gorda Non-Urban Street and Drainage MSBU.



VII. PRESENTATION AGENDA

No Items.



VIII. PUBLIC WORKSHOP AGENDA

Public input permitted.

No Items



IX. BOARD WORKSHOP AGENDA

No public input.

No Items.

X. CITIZEN INPUT - ANY SUBJECT

Anyone wishing to address the Board during this portion of the meeting must state his/her name for the record and may address his/her comments to items that were or were not discussed during the meeting. Each citizen will be allowed no more than three minutes to express his/her opinion.

AA. County Administrator:

BB. County Attorney:

CC. Commissioner Comments:

Bob Starr, District 1, Chairman
Robert Skidmore, District 3, Vice-Chairman
Adam Cummings, District 2
Richard Loftus, District 4
Tricia Duffy, District 5

Schedule of Future Closures/Hearings/Workshops

Monday, February 15, 2010, All County Buildings Closed for President's Day

Tuesday, February 16, 2010, 9:00 a.m. - Board of County Commissioners Land Use Meeting, Administration Building, Room #119

Thursday, February 18, 2010, 4:00 p.m. - Charter Review Commission Meeting, 18500 Murdock Circle, Administration Center, Room #106-B

Tuesday, February 23, 2010, 6:00 p.m.- Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Tuesday, March 9, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Friday, March 12, 2010, 9:00 a.m. - City of Punta Gorda/Board of County Commissioners **Joint Meeting**, Administrative Building, Room #119

Tuesday, March 16, 2010, 9:00 a.m. - Board of County Commissioners Land Use Meeting, Administration Building, Room #119

Thursday, March 18, 2010, 4:00 p.m. - Charter Review Commission Meeting, 18500 Murdock Circle, Administration Center, Room #106-B

Tuesday, March 23, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119