

BOARD OF COUNTY COMMISSIONERS

April 12, 2010

A Pre-Agenda meeting in preparation of the April 13, 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, Commissioner Skidmore, County Administrator Baltz, County Attorney Knowlton, and Administrative Secretary Sandra Colon. The following members were absent: None

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

There was Board Discussion held on the following items:

Presentations:

Commission Office:

Agenda Item C-3 and C-5

Administration:

Agenda Item D-1

County Attorney:

Agenda Item E-4

Budget and Administrative Services:

Agenda Item F-2

Purchasing:

Agenda Items F-3 and F-4

Real Estate Services:

Agenda Item F-6

Economic Development:

Agenda Item H-1

Growth Management:

Agenda Item L-1

Utilities:

Agenda Item T-1

Regular Agenda:
Agenda Item Z-1

VII Presentation Agenda:

Commissioner Comments:

ADJOURNED: 10:29 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
4/13/2010 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
- 10:00 A.M. VII. Presentation
- VIII. Public Workshop
- IX. Board Workshop
- X. Citizen Input - Any Subject

Proclamations - Commissioner Tricia Duffy

Arts and Humanities Council Artist of the Month - Jill Park

Autism Awareness Month

Children's Week

Fair Housing Month

Johnson Engineering Day

Employee Recognition - County Administrator Roger Baltz

5 Years

Patrick Nolan	Utilities
Todd Taylor	Budget & Administrative Services
Randall Vowell	Public Works / Maintenance & Operations

10 Years

Althea Connor	Human Services
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30 Years

Deborah Arnold	Human Resources
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Not Attending

John Rohling	5 years	Facilities
James DelSolio	10 years	Public Works / Maintenance & Operations
Wanda Pavone	15 years	Fire/EMS
Thomas Garrity	20 years	Fire/EMS
Michael Ewing	20 years	Fleet / Equipment Tech III

Presentations

Discussion of policies at JM Berlin Skate Park. Mrs. Berlin will present issue to Board.

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:

Deep Creek Street & Drainage Unit Advisory Committee is seeking one volunteer to finish an unexpired term. This term expires January 31, 2011.

Englewood East Street & Drainage Advisory Committee - is seeking two volunteers, one volunteer to serve a regular three year term and one volunteer to serve a two year term as the alternate.

Grove City Street & Drainage Advisory Committee is seeking two volunteers; one person to serve a three year term as a regular member and one person to serve a two year term as the alternate member. Terms effective immediately.

Charlotte County is seeking nine members to serve on a newly formed **Manatee Advisory Committee**. Three members shall represent the development community; three members shall represent local environmental advocacy groups and three members shall represent the local fishing and boating community. Committee will engage in public outreach and make recommendations to the Board of County Commissioners to assist in the development of a Manatee Protection Plan.

Pirate Harbor Street & Drainage Unit Advisory Board is seeking one volunteer. Volunteer must be a resident of Charlotte County and reside within the unit. Length of term is until November 11, 2011.

South Gulf Cove Street and Drainage MSBU is seeking one volunteer to serve a two year term as the alternate member.

South Bridge Waterway Municipal Service Benefit Unit is seeking three volunteers. Two regular members and one alternate member.

Tropical Gulf Acres Street and Drainage Unit Advisory Board is seeking one volunteer. Must be a resident of Charlotte County and reside within the unit. Length of term is three years

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

III. REPORTS RECEIVED AND FILED

Charlotte County Utilities 2009 Annual Report, prepared by PB Americas, Inc. and Boyd Environmental Engineering

IV. CONSENT AGENDA

Clerk of the Circuit Court

A. Finance Division

- (1) **RECOMMENDED ACTION:** Approve the Clerk's Memorandum.
BUDGETED ACTION: None

B. Minutes Division

- (1) **RECOMMENDED ACTION:** Approve Minutes for:
March 9, 2010, 9:00 a.m. Regular Meeting
March 9, 2010, 2:00 p.m. Executive Session

March 9, 2010, 2:30 p.m. Executive Session
March 12, 2010, 9:00 a.m. Joint Meeting with the City of Punta Gorda
March 16, 2010, 9:00 a.m. Land Use Meeting
March 16, 2010, 1:00 p.m. Executive Session
March 22, 2010, 9:00 p.m. Pre Agenda
BUDGETED ACTION: None

Board of County Commissioners

C. Commission Office

- (1) **RECOMMENDED ACTION:** Approve the appointment of Cecy Cowger Glenn as the not for profit representative on the Affordable Housing Advisory Committee for a three year term.
BUDGETED ACTION: None
- (2) **RECOMMENDED ACTION:** Reappoint Douglas Buuck and Mike Szuba to the Charlotte Ranchettes Street and Drainage Unit Advisory Board. Length of terms: 3 years.
BUDGETED ACTION: None
- (3) **RECOMMENDED ACTION:** Approve a resolution adopting revised Department of Health Fee Schedules.
BUDGETED ACTION: None
- (4) **RECOMMENDED ACTION:** Approve the reappointment of Captain Ralph Allen to the Tourist Development Council for a four-year term. Captain Allen's term has expired and was advertised.
BUDGETED ACTION: None
- (5) **RECOMMENDED ACTION:** Set a public hearing for April 27, 2010, at 10:00 a.m., or as soon thereafter as may be heard, to adopt an Ordinance prohibiting acts of Aggressive or Obstructive Panhandling; providing for restrictions on public loitering.
BUDGETED ACTION: None

D. Administration

- (1) **RECOMMENDED ACTION:** Set a Public Hearing for April 27, 2010 at 10:00 a.m. or as soon thereafter as may be heard, to consider the application of Ambitrans Medical Transport, Inc. for a certificate of public convenience and necessity to provide non-emergency advanced life support and basic life support ambulance service throughout Charlotte County.
BUDGETED ACTION: None
- (2) **RECOMMENDED ACTION:** Approve a Resolution to support the Local Jobs for America Act.
BUDGETED ACTION: None

E. County Attorney

- (1) **RECOMMENDED ACTION:** Approve a Resolution opposing Amendment 4.
BUDGETED ACTION: None
- (2) **RECOMMENDED ACTION:** Approve a of Resolution opposing the proposed state constitutional amendment "TABOR" which limits growth in state and local government revenues by the combined rate of inflation and population.
BUDGETED ACTION: None

- (3) **RECOMMENDED ACTION:** Approve a Resolution in support of legislation for PACE (Property Assessed Clean Energy) programs and initiatives. PACE programs are programs that can be created by local and state governments through energy financing districts to allow property owners to voluntarily pay for energy retrofits to their properties over a set number of years. The benefits of PACE programs and initiatives include the elimination of upfront cost barriers for energy retrofits, providing long term repayment periods, and structuring payments as annual tax surcharges or special assessments.
BUDGETED ACTION: None
- (4) **RECOMMENDED ACTION:** Approve a full and final settlement in the amount of \$89,500 in the lawsuit captioned: William E. Clement v. Charlotte County, Case No. 07-926-CA
BUDGETED ACTION: None
- (5) **RECOMMENDED ACTION:** Approve a full and final settlement in the amount of \$30,000 in the lawsuit captioned Patrick Turley as Father and Natural Guardian of Minor Aidan Turley v. Charlotte County, a political subdivision of the State of Florida v. Teri Turley as Mother and Natural Guardian of Minor Aidan Turley; Case No. 06-1870-CA
BUDGETED ACTION: None

F. Budget and Administrative Services

- (1) **RECOMMENDED ACTION:** Approve the attached interlocal agreement with the City of Punta Gorda for the City's use of digital in-car audio video equipment purchased by the County with funds from the Edward Byrne Memorial Justice Assistance Grant Program. Edward Byrne Memorial Justice Assistance Grant Program (JAG) funds were used by the County to purchase items for the City of Punta Gorda Police Department as agreed upon in the grant proposal. The equipment included the aforementioned digital in-car audio video equipment which will be used by the City Police Dept. in their patrol cars.
BUDGETED ACTION: None. There is no financial impact since this was equipment was already purchased with grant funding and no further purchases are involved.
- (2) **RECOMMENDED ACTION:** a) Approve a Resolution authorizing the creation of a special revenue fund for the Charlotte Harbor Event and Conference Center per the governmental Accounting Standards Board Statement (GASB) pronouncement 54; and
b) Approve Budget Amendment #10-A45 in the amount of \$946,000 and approve Budget Transfer #10-018 in the amount of \$526,000.
BUDGETED ACTION: Approve Budget Amendment #10-A45 in the amount of \$946,000; approve Budget Transfer #10-018 in the amount of \$526,000.

Fiscal Services

No Items.

Information Technology

No Items.

Purchasing

- (3) **RECOMMENDED ACTION:** a) Approve Amendment #1 to Contract 08-188, Ultra Low Flow Toilet Rebate Program, amending article 3.1 of the agreement increasing the contract not-to-exceed amount from \$100,100 to \$214,120 with the original unit prices remaining the

same; and

b) Authorize Chairman to sign the Amendment.

BUDGETED ACTION: Amount Budgeted \$114,020

- (4) **RECOMMENDED ACTION:** Approve the award of Bid #10-162, Rotonda River Water Structures, to Custom Built Marine Construction, Inc., of Stuart, Florida, for a total cost of \$320,861.63 to secure services for the installation of water control structures, to include steel sheet pilings with concrete weir caps and bank and channel protection aprons.

BUDGETED ACTION: None. Budgeted in CIP project c410808 Rotonda West Weir Replacement.

- (5) **RECOMMENDED ACTION:** Approve deletion of the property inventory items listed on the attached for the month of April, 2010.

BUDGETED ACTION: None

Real Estate Services

- (6) **RECOMMENDED ACTION:** Accept the donation of 4 lots as described on the attached sheets (see Exhibit "A", Pages 1 and 2) entitled Lot Donation to Charlotte County.

BUDGETED ACTION: none - Recording fees will be paid out of BCC Controlled - General Fund

G. Building & Construction Services

No Items.

H. Economic Development

- (1) **RECOMMENDED ACTION:** Approve removal of County Administrator, Roger Baltz from the Economic Development Working Group.

BUDGETED ACTION: None

J. Environmental Services

No Items.

K. Facilities Construction and Maintenance

No Items.

L. Growth Management

- (1) **RECOMMENDED ACTION:** Approve a bond reduction for C2FS-Coral Creek, LLC, from \$2,659,601.98 to \$659,968.65, for Landings at Coral Creek Subdivision, Petition FP-05-12-13.

BUDGETED ACTION: None

M. Human Resources

No Items.

N. Human Services

No Items.

P. Parks, Recreation and Cultural Resources

No Items.

Q. Public Safety

- (1) **RECOMMENDED ACTION:** Set a public hearing for April 27, 2010 at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an ordinance to provide for inclusion of appointment of registered nurse emergency room directors on the Medical Advisory Committee; deleting references to the emergency medical director contract; revising the functions of the committee including but not limited to deleting the authority to hear appeals of disciplinary actions against emergency medical personnel and designating the frequency and location of meetings; providing for inclusion in the charlotte county code; providing for severability; and providing an effective date. **BUDGETED ACTION:** None

R. Public Works

No Items.

S. Tourism Development

No Items.

T. Utilities

- (1) **RECOMMENDED ACTION:** Approve Chairman to sign the Florida Department of Environmental Protection (FDEP) Consent Order approving a settlement for a violation of FAC Rule 62-555.520, failure to obtain the correct permit.
BUDGETED ACTION: None. The \$1900 penalty will be paid from other current charges and obligations. The Penalty funding comes from Operating and Maintenance Fund.

U. Other Agencies

No Items.

V. REGULAR AGENDA

Z. Regular Agenda

- (1) Building and Construction Services Discussion and direction from the Board of County Commissioners with respect to a proposed increase in fees relating to building permits.

VI. PUBLIC HEARING AGENDA

10:00 A.M.

- (1) Public Works Conduct to consider approving an Ordinance creating an Advisory Board for the Boca Grande Street and Drainage MSBU Committee.
- (2) Public Works Conduct a Public Hearing to consider approving an ordinance creating the South Gulf Cove Beautification MSBU.

VII. PRESENTATION AGENDA

10:00 A.M.

Professional Tarpon Tournament Series Presentation to the Board of County Commissioners

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

Thursday, April 15, 2010, 1:00 p.m. – **Charter Review Commission Sub-Committee Meeting**, 18500 Murdock Circle, Administration Center, Administration Conference Room #538, Port Charlotte

Thursday, April 15, 2010, 1:30 p.m. - Board of County Commissioners **Budget Workshop** – Efficient & Effective Government/Growth Management, Administration Building, Room #119, Port Charlotte

Thursday, April 15, 2010, 3:00 p.m. – **Charter Review Commission Sub-Committee Meeting**, 18500 Murdock Circle, Administration Center, Administration Conference Room #106-B, Port Charlotte

Thursday, April 15, 2010, 4:00 p.m. – **Charter Review Commission Regular Meeting**, 18500 Murdock Circle, Administration Center, Administration Conference Room #106-B, Port Charlotte

Tuesday, April 20, 2010, 9:00 a.m. - Board of County Commissioners **Land Use** Public Hearings, Administration Building, Room #119, Port Charlotte

Thursday, April 22, 2010, 1:30 p.m. - Board of County Commissioners **Budget Workshop** - Human Services/Fiscal/Financial Planning, Administration Building, Room #119, Port Charlotte

Tuesday, April 27, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119, Port Charlotte

Thursday, April 29, 2010, 1:30 p.m. - Board of County Commissioners **Budget Workshop** - Water Resources, Administration Building, Room #119, Port Charlotte

Thursday, April 29, 2010, 4:00 p.m. – **Charter Review Commission Sub-Committee Meeting**, 18500 Murdock Circle, Administration Center, Administration Conference Room #106-B, Port Charlotte