

BOARD OF COUNTY COMMISSIONERS

May 10, 2010

A Pre-Agenda meeting in preparation of the April 27, 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:

County Attorney:
Agenda Item E-1

Budget and Administrative Services:
Agenda Item F-1

Purchasing:
Agenda Item F-3, F-5 and F-6

Real Estate Services:
Agenda Item F-10

Community Services:
Agenda Item H-2

Regular Agenda:
Utilities:
Agenda Item Z-1 deleted

Public Works:
Agenda Item Z-2

ADJOURNED: 9:35 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
5/11/2010 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

Pastor Rich Webb
Maranatha Fellowship

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
- VI. Public Hearing
- VII. Presentation
- VIII. Public Workshop
- IX. Board Workshop
- X. Citizen Input - Any Subject

Proclamations - Commissioner Adam Cummings

Arts and Humanities Council Artist of the Month - Patricia Anderson Turner

Charlotte County Travel and Tourism Week

Earl Drayton Farr, Jr. Day

Hurricane Awareness Days

National Historic Preservation Month

National Public Works Week

Employee Recognition - County Administrator Roger Baltz

5 Years

Michael Branscome	Public Works
Sean Doherty	Tourism
John Knezevic	Public Works
Selena Lavallee	Utilities
Marc Solomon	Community Services
Kevin Swanguarin	Public Works

10 Years

Sharon Cavanaugh	Human Services
Joseph Mercer	Community Services

20 Years

Kevin Edwards	Information Technology
Kim Sternal	Facilities Construction & Maintenance

Not Attending

Eric Benson	20 years	Fire/EMS
Charles Holbrook	20 years	Fire/EMS
Joseph Madison	20 years	Fire/EMS
Wendy Norman	20 years	Fire/EMS
Richard Standafer	25 years	Fire/EMS

Presentations

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:

Citizens' Advisory Committee - is seeking a Charlotte County resident to voluntarily serve as a representative of the MPO Citizens' Advisory Committee (CAC) for the following position: South County Representative. The CAC reviews transportation plans and projects that the MPO Board will consider. Your letter or email of interest stating the positions 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

Manatee Advisory Committee is seeking a total of 9 members to serve on this newly formed committee. 3 members will represent the development community; 3 members will represent local environmental advocacy groups and 3 members will 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

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 Harbor Community Redevelopment Agency Advisory Committee meeting Minutes for April 19, 2010.

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:** April 13, 2010, 9:00 a.m. Regular Meeting
April 15, 2010, 1:30 p.m. Budget Workshop
April 20, 2010, 9:00 a.m. Land Use Meeting
BUDGETED ACTION: None

Board of County Commissioners

C. Commission Office

No Items.

D. Administration

Administration

No Items.

Public Information Office

No Items.

E. County Attorney

- (1) **RECOMMENDED ACTION:** Discussion and direction on whether or not to opt out of a class action lawsuit filed in federal court in Monroe County regarding the collection of tourist development taxes from online travel companies.

BUDGETED ACTION:

The attorneys took this case on a contingency fee basis. If there is a favorable outcome, attorney's fees and costs would be deducted from any recovery.

F. Budget and Administrative Services

Budget and Administrative Services

- (1) **RECOMMENDED ACTION:** Approve a Resolution authorizing the borrowing of an amount not to exceed \$7,015,000 from the Pooled Commercial Paper Loan Program of the Florida Local Government Finance Commission in order to re-finance a loan (A-7-2) previously made to finance various capital improvements within the County. The loan matures on June 1, 2010. This follows the original plan to obtain the favorable short-term financing and renew it for the remaining payoff term of the MSBUs from when the projects were completed.

BUDGETED ACTION: Principal and interest payments are budgeted in FY 10 in Public Works for previous paving projects (MSBUs) for various locations and CCU for the Rotonda Villas and Springs Project if appropriate.

Fiscal Services

No Items.

Information Technology

No Items.

Purchasing

- (2) **RECOMMENDED ACTION:** Request termination of Contract #09-258a, Additional Elder Care Support Services, with Arcadia Healthcare.
BUDGETED ACTION: None
- (3) **RECOMMENDED ACTION:** Approve the Sole Source File#10-222, Routematch Software Upgrade, to Routematch Software, Inc. in the amount of \$354,272. This is for an upgrade to an existing software/hardware system for Dial-a-Ride and Sunshine Ride.
BUDGETED ACTION: None
- (4) **RECOMMENDED ACTION:** Approve Change Order #8 to Contract #99-126, Manchester Waterway Lock Removal Ecosystem Management Permitting, with EarthBalance in the amount of \$4,500, for a revised total contract amount of \$609,475, for additional dredging done within specifications and permits.
BUDGETED ACTION: None - Funding of \$3,735 is supplied from the Manchester Waterway MSBU and \$765 from the Ackerman Waterway MSBU.
- (5) **RECOMMENDED ACTION:** a) Approve ranking of firms for Request for Proposal #10-167, Annual Financial Audit-Board of County Commissioners: 1st-Cherry, Bekaert & Holland, LLP of Orlando, Florida; 2nd-Purvis, Gray and Company, LLP of Sarasota, Florida; and 3rd-KPMG, LLP of Tampa, Florida; and
b) Approve Start of Negotiations; and
c) Authorize the Chairman to sign the contract after completion of negotiations to provide professional Annual Financial Audit Services for the Board of County Commissioners as

required by Florida Statute 11.45.

BUDGETED ACTION: None

- (6) **RECOMMENDED ACTION:** a) Approve ranking of firms for Request for Proposal #10-168, Annual Financial Audit-Constitutional Officers: 1st-Ashley, Brown & Company, CPA's of Punta Gorda , Florida; 2nd-Purvis, Gray and Company, LLP of Sarasota, Florida; and 3rd-KPMG, LLP of Tampa, Florida; and
b) Approve Start of Negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations to provide professional Annual Financial Audit Services for the Constitutional Officers as required by Florida Statute 11.45

BUDGETED ACTION: None

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

BUDGETED ACTION: None

Real Estate Services

- (8) **RECOMMENDED ACTION:** Conduct a public hearing May 25, 2010, at 10:00 a.m., or as soon thereafter as may be heard, to consider adopting a resolution to declare certain real property in Charlotte County be reserved for affordable housing.

BUDGETED ACTION: None

- (9) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the Chair of the Charlotte County Board of County Commissioners to approve the agreement for exchange of the County's interest in two platted lots for the interest in one privately owned platted lot owned by Charlotte County Habitat for Humanity Inc., located in Charlotte County, Florida.

BUDGETED ACTION: None

- (10) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the Chairman of the Charlotte County Board of County Commissioners to grant Embarq Florida Inc., DBA Centurylink a twenty foot by thirty foot (20'x30') wide permanent utility easement for the installation of cabinets for housing fiber optic cables in a certain portion of a Park Strip, Port Charlotte Subdivision located near the intersection of US-41 and Gardner Drive.

BUDGETED ACTION: None

- (11) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the release of a portion of a six-foot (6') wide utility and drainage easement, located in Port Charlotte Subdivision Section Seventy-One, and further authorizing the Senior Division Manager, Real Estate Services Division, to execute the County Deed releasing said portion of said easement. (Owners: Florence H. Bradley, Trust dated June 6, 2005)

BUDGETED ACTION: None

- (12) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the release of a ten-foot (10') wide sanitary sewer easement; and a twenty-foot (20') wide utility, ingress/egress easement; and a thirty-five foot by thirty-five foot (35' X 35') sanitary sewer easement, all located in Sibley's Central Addition to Charlotte Harbor (Owners: Bimmel, L.L.C. , a Florida limited liability company)

BUDGETED ACTION: None

- (13) **RECOMMENDED ACTION:** Approve, and authorize the Chairman to execute, the attached Sovereignty Submerged Lands Easement from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for construction of a pedestrian bridge over

Coral Creek (Cape Haze Pioneer Trail)
BUDGETED ACTION: None

G. Building & Construction Services

No Items.

H. Community Services

Parks and Natural Resources

- (1) **RECOMMENDED ACTION:** a) Approve a Transportation Post Project Maintenance Agreement ("Agreement") with the Florida Department of Transportation (FDOT) for the Cape Haze Pioneer Trail Expansion, and
b) Adopt a Resolution approving said Agreement and authorizing the Chairman to execute said Agreement.
BUDGETED ACTION: None; budgeted within Parks Maintenance.
- (2) **RECOMMENDED ACTION:** Approve an agreement with the Veteran's of Foreign Wars Post 5690 to further improve and maintain a Veteran's Memorial Walkway at North Charlotte Regional Park.
BUDGETED ACTION: Budgeted within the North Charlotte Regional Park.

Recreation

No Items.

Libraries and Historical

No Items.

J. Economic Development

No Items.

K. Facilities Construction and Maintenance

No Items.

L. Growth Management

- (1) **RECOMMENDED ACTION:** Approve Final Plat, Developer's Agreement, and Surety Bond for FP-07-05-11 Kings Gate Phase 7B.
BUDGETED ACTION: None
- (2) **RECOMMENDED ACTION:** Set a Public Hearing for May 25, 2010 at 10:00 a.m., or as soon thereafter as may be heard, to solicit public comment for possible revisions to the Enterprise Charlotte Airport Park (ECAP) Zoning Overlay Code.
BUDGETED ACTION: None

M. Human Resources

No Items.

N. Human Services

- (1) **RECOMMENDED ACTION:** a) Approve the Transportation Disadvantaged Trust Fund application;
and

b) Authorize the Chairman to sign all necessary documents

BUDGETED ACTION: The State grant for the Transportation Disadvantaged of \$272,743 and the required match of \$30,305 for a total of \$303,048 is included in the Sunshine Ride budget for County fiscal year 2010/2011.

P. Public Safety

No Items.

Q. Public Works

(1) **RECOMMENDED ACTION:** a) Approve a Transportation Post Project Maintenance Agreement (Agreement) between the Florida Department of Transportation (FDOT) and Charlotte County requiring the County to maintain sidewalks on Cochran Blvd. after they have been constructed by FDOT, and

b) Approve a Resolution authorizing the Chairman to execute the Agreement on behalf of Charlotte County.

BUDGETED ACTION: None.

R. Tourism Development

No Items.

S. Utilities

No Items.

T. Other Agencies

No Items.

V. REGULAR AGENDA

Z. Regular Agenda

(1) Utilities

Discussion and direction regarding bulk water service interconnect between Charlotte County and three (3) private Barrier Island utilities - Bocilla, Knight Island and Little Gasparilla Island Utilities.

(2) Public Works

Discussion and direction regarding preliminary design features for the Placida Widening Project.

VI. PUBLIC HEARING AGENDA

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

Thursday, May 13, 2010, 1:30 p.m. - Budget Workshop, 18500 Murdock Circle, Administration Center, Administration Conference Room #119, Port Charlotte

Tuesday, May 18, 2010, 9:00 a.m. - Board of County Commissioners Land Use Meeting, Administration Building, Room #119, Port Charlotte

Thursday, May 20, 2010, 1:30 p.m. - Budget Workshop , 18500 Murdock Circle, Administration Center, Administration Conference Room #119, Port Charlotte

Thursday, May 20, 2010, 4:00 p.m. - Charter Review Commission Board Meeting, Administration Building, Room #119, Port Charlotte

Tuesday, May 25, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119, Port Charlotte

Monday, May 31, 2010, Holiday Closing - Memorial Day all County Buildings Closed