

BOARD OF COUNTY COMMISSIONERS

May 24, 2010

A Pre-Agenda meeting in preparation of the May 25, 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 Cummings, Commissioner Skidmore, County Administrator Baltz, County Attorney Knowlton, and Administrative Secretary Sandra Colon. The following members were absent: Commissioner Loftus

The meeting was called to order at **9:02 AM**.

There was Board Discussion held on the following items:

Fiscal Services:
Agenda Item F-3

Purchasing:
Agenda Items F-6 and F-7

Real Estate Services:
Agenda Item F-10

Utilities:
Agenda Item S-1

Regular Agenda:
Commission Office:
Agenda Item Z-1

Public Safety:
Agenda Item Z-2

Utilities:
Agenda Item Z-3 - deleted

ADJOURNED: 10:05 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
5/25/2010 9:00 AM

18500 Murdock Circle, Administration Center, 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

Fr. Leo Smith
St. Charles Borromeo 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
- 10:00 A.M. VIII. Public Workshop
- IX. Board Workshop
- X. Citizen Input - Any Subject

Proclamations - Commissioner Robert Skidmore

Civility Month

El Jobean Pre-Veteran's Memorial Day Celebration

Employee Recognition – None

Presentations - 10:00 A.M.

(1) **Utilities** - Present the QualServe Report of Peer Review to the BCC, prepared for Charlotte County Utilities, by a volunteer team of expert national water/sewer utility peers. In addition, a Financial Status Update will be presented by Public Resources Management Group, the financial advisor of Charlotte County Utilities.

(2) **Public Works** - The Florida Department of Transportation (FDOT) has requested to present a status of the U.S. 41 Widening Project.

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 one member to serve on the committee. Volunteer must be a representative of the home building industry. Term is for 3 years.

Construction Industry Licensing Board - is seeking a volunteer to represent the "mechanical contractor" category. Volunteer must be a resident of Charlotte County for at least two years and be a licensed mechanical contractor. Length of term - until June 9, 2013.

Citizens' Advisory Committee (CAC) – 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 4 members to serve on this newly formed committee. 2 members will represent the development community and 2 members will represent local environmental advocacy groups. 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.

Tourist Development Council - is seeking one member to serve. Applicant must be involved in the tourism industry and have demonstrated strong interest in tourist development but is not an owner or operator of lodging facilities or recreational vehicle parks. Term is for four years.

III. REPORTS RECEIVED AND FILED - None

IV. CONSENT AGENDA

Clerk of the Circuit Court

A. Finance Division

(1) **RECOMMENDED ACTION:**

Approve the Clerk's Memorandum.

BUDGETED ACTION: None required.

B. Minutes Division

(1) RECOMMENDED ACTION:

4/22/10 1:30 PM BCC Budget Workshop
4/26/10 9:00 AM BCC Pre-Agenda
4/27/10 9:00 AM BCC Regular Meeting
5/3/10 2:00 PM Joint Meeting – BCC, SB, PG
5/8/10 10:00 AM MSBU Workshop
5/6/10 1:00 PM Budget Workshop
5/10/10 9:00 AM Pre-Agenda

BUDGETED ACTION: None required.

Board of County Commissioners

C. Commission Office – No Items

D. Administration

Administration – No Items.

Public Information Office – No Items.

E. County Attorney – No Items.

F. Budget and Administrative Services

Budget and Administrative Services

- (1) **RECOMMENDED ACTION:** Cancel the Budget Workshop for presentation of the CIP on June 24, 2010 and reschedule for Friday, July 23, 2010 at 10:00 A.M. in Room #119. **BUDGETED ACTION:** None required.
- (2) **RECOMMENDED ACTION:** a) Approve the request for BCC authorization to apply for and accept funds from the United States Department of Justice Bulletproof Vest Partnership, and; b) Authorize the Chair to sign any necessary forms (see attachment A). **BUDGETED ACTION:** Financial Impact Summary Statement: None – This grant is for the reimbursement of expenditures that are made from April 1, 2010 through September 30, 2012 by the Sheriff from the Sheriff's budget and do not include any expenditures made by the Board of County Commissioners.

Fiscal Services

- (3) **RECOMMENDED ACTION:** Approve Budget Amendment #10-A47, Budget Transfer #10-019 and CIP Amendment #10-C05 & #10C06 to allocate existing Impact Fees to the Health & Human Services Building and the Englewood Library Expansion. **BUDGETED ACTION:** Approve CIP Amendment #10-C05 & #10-C06, Budget Transfer #10-019, and Budget Amendment #10-A47 in the amount of \$1,000,000. Funding for this expenditure comes from the Impact Fee Fund.

Information Technology - No Items.

Purchasing

- (4) **RECOMMENDED ACTION:** a) Approve Amendment #1 to Contract 08-188, Ultra Low Toilet Rebate Program with ViewTech Financial Services, Inc., increasing original amount of

\$100,100 by \$21,234.56 for a revised Contract Amount of \$121,334.56; and b) Authorize the Chairman to sign the Amendment. This is for all rebate funds owed and expected by citizens that have already received approval on their applications and/or have applications waiting for final inspections. **BUDGETED ACTION:** Amount budgeted \$114,000 - Funding for this expenditure comes from SWFWMD grant (50%) and CCU's O&M Fund (50%).

- (5) **RECOMMENDED ACTION:** Approve Change Order #1 to Contract #09-242, Medical Supplies for Fire/EMS, to remove line item # 146. Lidocaine, 20mg/ml, which was awarded to Midwest Medical Supply Co., LLC of Earth City, MO, as it can no longer be provided at the unit price bid. Recent changes mandated by the FDA have caused several manufacturers of pre-filled medications to cease production of pre-filled products. Due to this change, Midwest Medical Supply Co., LLC is no longer able to provide that product because their manufacturer no longer produces it. **BUDGETED ACTION:** None required. Funding is provided in the Emergency Medical Services (EMS) operating budget account line for Medical Supplies. FY09/10 budget is \$148,000.
- (6) **RECOMMENDED ACTION:** Approve Sole Source File # 10-235, Renewal of Accela Maintenance, to Accela, Inc. of San Ramon, TX, for the total cost of \$114,024. This is for the renewal of maintenance and support of the Accela software. This software is the newly implemented Land Records Management System that provides permitting, inspections, and code enforcement that can be managed through an easy to use web interface. **BUDGETED ACTION:** None. Funds are available in Building Construction Services, Growth Management, and CCU.
- (7) **RECOMMENDED ACTION:** a) Approve Change Order #2, Contract 09-345, South Gulf Cove Entry Features in the amount of \$59,730, to increase the original contract amount to \$346,115.78 to Holland Landscaping, Inc., of Osprey, FL and b) Approve CIP amendment no. 10-C07 in the amount of \$90,000, for additional curbing, palm trees relocated; and different tile installed. **BUDGETED ACTION:** Funds are available in CIP project C410905, South Gulf Cove Entry Way Signs upon approval of CIP amendment no. 10-C07. Funding is supplied from the South Gulf Cove Streets and Drainage MSBU.

Real Estate Services

- (8) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the release of a portion of a recorded twenty-foot (20') wide canal maintenance easement and a portion of a platted ten-foot (10') wide utility and drainage easement, both located in Port Charlotte Subdivision Section Eight, and further authorizing the Senior Division Manager, Real Estate Services Division, to execute the County Deed releasing said portions of said easements. (Owners: Gary Pikus and Maudeen Pikus as Trustees of the Gary Pikus and Maudeen Pikus Trust Agreement dated 5/11/2005)
BUDGETED ACTION: None

G. Building & Construction Services

No Items.

H. Community Services

Parks and Natural Resources - No Items.

Recreation - No Items.

Libraries and Historical - No Items.

J. Economic Development

- (1) **RECOMMENDED ACTION:** Approve Budget Amendment #10-A46 for \$30,206.68 for new business development staff member for the Economic Development Office.
BUDGETED ACTION: Approve Budget Amendment #10-A46 for \$30,206.68. Funding is from the General Fund Contingency Reserve.
- (2) **RECOMMENDED ACTION:** Approve and adopt a Resolution whereby the BCC authorizes the Charlotte County Industrial Development Authority (IDA) to commit the local match required by the State of Florida's Qualified Targeted Industry (QTI) Tax Refund Incentive Program.
BUDGETED ACTION: None

K. Facilities Construction and Maintenance - No Items.

L. Growth Management

- (1) **RECOMMENDED ACTION:** Authorize Chairman to sign Updated Interlocal Agreement for Coordinated Planning and School Concurrency (ILA). **BUDGETED ACTION:** None
- (2) **RECOMMENDED ACTION:** Set a public hearing for June 8, 2010 for 10 AM or as soon thereafter as it may be heard, per Section 3-9-63 of the County Code, Commercial Access to a street abutting single-family residential Zoning. **BUDGETED ACTION:** None

M. Human Resources - No Items.

N. Human Services - No Items.

P. Public Safety

- (1) **RECOMMENDED ACTION:** Approve the grant agreement between the Florida Division of Emergency Management and Charlotte County that provides \$29,000 for Training and Exercises consistent with the Department of Homeland Security State Strategy guidelines.
BUDGETED ACTION: None required at this time. The Emergency Management budget will be amended once notice of grant award is received. Grant is 100% funded and requires no local match from the County.

Q. Public Works

- (1) **RECOMMENDED ACTION:**
Request the Board approve and authorize the Chairman to sign Consent Order OGC Case No. 10-1305-08-SL in conjunction with a violation of the terms and conditions of the State of Florida granting Charlotte County a Sovereign Submerged Land Easement located in Pirate Harbor Subdivision. **BUDGETED ACTION:** None. Costs of complying with the consent order will be borne by the Pirate Harbor Property Owners Association.

R. Tourism Development - No Items.

S. Utilities

- (1) **RECOMMENDED ACTION:** Set a public hearing for June 8, 2010, at 10:00 a.m., or as soon thereafter as may be heard, to consider revisions to County Code Section 3-8-105(7)c. Waste Discharge Fees.

BUDGETED ACTION: If approved, proposed 2011 budget will be changed to include increased fees.

T. Other Agencies - No Items.

V. REGULAR AGENDA

Z. Regular Agenda

- (1) Commission Office **RECOMMENDED ACTION:** Discussion and direction regarding Charlotte Sports Park. This item is placed on the agenda by Commissioner Skidmore.
- (2) Public Safety **RECOMMENDED ACTION:** Consideration and possible approval of a new County contract between Animal Control and the Animal Welfare League of Charlotte County.
- (3) Utilities **RECOMMENDED ACTION:** Discussion and consideration of approval of the proposed First Amendment to the Water Sale and Storage Agreement between Peace River/Manasota Regional Water Supply Authority, Sarasota County, and Charlotte County.

VI. PUBLIC HEARING AGENDA - 10:00 A.M.

- (1) Real Estate Services **RECOMMENDED ACTION:** Consider adopting a resolution to declare certain real property in Charlotte County be reserved for affordable housing. This action will remove these properties from the County's inventory and be used as affordable housing. Once conveyed for Affordable Housing, these properties will be developed and put back on the County's tax roll. The ad valorem taxes will be determined after the properties are sold and developed.

VII. PRESENTATION AGENDA – No items

VIII. PUBLIC WORKSHOP AGENDA - Public input permitted.

10:00 A.M.

- (1) Growth Management **RECOMMENDED ACTION:** Growth Management staff will conduct a public workshop to solicit comments on the existing ECAP zoning overlay.

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

Tuesday, May 25, 2010, 10:00 a.m., or soon thereafter - Public Hearings - Resolution declaring certain real property in County be reserved for affordable housing, Administration Building, Room #119

Tuesday, May 25, 2010, 10:00 a.m., or soon thereafter - Public Workshop - Enterprise Charlotte Airport Park Zoning Overlay Code, Administration Building, Room #119

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

Thursday, June 3, 2010, 4:00 p.m. - Charter Review Commission Public Hearing, Charlotte Harbor Event & Conference Center, 75 Taylor Street, Punta Gorda

Tuesday, June 8, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Friday, June 11, 2010, 9:00 a.m. - Joint Meeting - BOCC & City of Punta Gorda, Administration Building, Room #119

Tuesday, June 15, 2010, 9:00 a.m. - Board of County Commissioners Land Use Meeting, Administration Building, Room #119

Thursday, June 17, 2010, 4:00 p.m. - Charter Review Commission Public Hearing, Administration Building, Room #119

Tuesday, June 22, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Thursday, July 1, 2010, 4:00 p.m. - Charter Review Commission Public Hearing, Tringali Recreation Center, 3460 North Access Road, Englewood

Monday, July 5, 2010, Independence Day Holiday observed all County Buildings Closed

Thursday, July 8, 2010, 10:00 a.m. - Presentation of Tentative Budget, Administration Building, Room #119

Friday, July 9, 2010, 10:00 a.m. - If needed, Presentation of Tentative Budget, Administration Building, Room #119

Tuesday, July 13, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Thursday, July 15, 2010, 4:00 p.m. - Charter Review Commission Board Meeting, Administration Building, Room #106-B

Tuesday, July 20, 2010, 9:00 a.m. - Board of County Commissioners Land Use Meeting, Administration Building, Room #119

Wednesday, July 21, 2010, 5:01 p.m. - MSBU Public Hearing, Administration Building, Room #119

Thursday, July 22, 2010, 5:01 p.m. - MSBU Public Hearing, Lemon Bay, High School, Englewood

Friday, July 23, 2010, 10:00 a.m. - CIP Presentation [per BOCC approval on 5/25/10 BOCC Meeting], Administration Building, Room #119

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