

BOARD OF COUNTY COMMISSIONERS

June 21, 2010

A Pre-Agenda meeting in preparation of the June 22, 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 Loftus, Commissioner Loftus, County Administrator Baltz, County Attorney Knowlton, and Administrative Secretary Sandra Colon. The following members were absent: None

The meeting was called to order at **9:03 AM**.

There was Board Discussion held on the following items:

Commission Office:
Agenda Item C-2

Budget and Administrative Services:
Agenda Items F-1, F-2 and F-3

Purchasing:
Agenda Items F-4, F-5 AND F-6

Growth Management:
Agenda Item L-1

Regular Agenda:
Utilities:
Agenda Item Z-1

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
6/22/2010 9:00:00AM
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 - Commissioner Starr

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

Amateur Radio Week

Bob Alexander Day

Michael Schulze Day

Parks and Recreation Month

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 8 members to serve on the committee. One representative from each of the following categories: Advocate for Low-Income People; For-Profit Provider; Home Building Industry; Planning & Zoning Board Member; Citizen who resides in the County; Charlotte County employer; Charlotte County essential service personnel and one banking/mortgage rep. Terms are effective immediately and are for 3 years. Submit resume to the Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948, or call 941-743-1300, or e-mail BCC@charlottefl.com or fax 941-743-1310.

Children's Services Council is seeking two (2) volunteers, who must be residents of Charlotte County and have maintained residency for 24 months. The Commissioners will nominate six names to the Governor and two will be selected by the Governor for appointment. Submit resume to the Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948 or call (941) 743-1300; fax: (941)743-1310 or e-mail to BCC@charlottefl.com.

Historical Advisory Committee is seeking an at-large member to serve on the committee. An at-large member should represent disciplines of architecture, history, urban planning, archaeology or related disciplines such as American Studies or American Civilization. This term will expire in September 2010. Submit resume to the Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948, or call 941-743-1300, or e-mail BCC@charlottefl.com or fax 941-743-1310.

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. Submit resume to the Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948, or call 941-743-1300, or e-mail BCC@charlottefl.com or fax 941-743-1310.

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: Elderly Interests 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

Murdock Village CRA Advisory Committee is seeking one volunteer who shall be a licensed real estate broker, as defined in Chapter 475, Florida Statutes (Part I). The term is to finish an unexpired three year term, effective immediately and expiring September 20, 2012. Submit resume to the Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948 or call (941) 743-1300; fax: (941)743-1310 or e-mail to BCC@charlottefl.com.

Pirate Harbor Street & Drainage Advisory Committee is seeking six volunteers. Volunteers must reside within the Unit. One member to serve a one-year term; two members to serve two-year terms; and, two members to serve three-year terms. Will be selected by lot at the first meeting by members. The alternate member will serve

a two-year term and be selected by the BCC. Submit resume to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call (941) 575-3600; fax: (941)637-3600 or e-mail to colleen.barbour@charlottefl.com.

Pirate Harbor Waterway Advisory Committee is seeking two volunteers for two-year terms. One regular member to fill an existing term which expires November 2011. One alternate member to serve a two-year term. Volunteers must be residents of Charlotte County and reside within the Unit. Submit resume to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call (941) 575-3600; fax: (941)637-3600 or e-mail to colleen.barbour@charlottefl.com.

South Gulf Cove Community Plan Advisory Committee is seeking four (4) volunteers. Must reside in or own property within the boundaries of the South Gulf Cove Community planning area. Terms are for two years, effective on July 24, 2010. Submit resume to the Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948 or call (941) 743-1300; fax: (941)743-1310 or e-mail to BCC@charlottefl.com.

South Burnt Store Street & Drainage Advisory Committee is seeking one regular member to complete a two year term that expires March 10, 2012. Volunteers must reside within the district. Submit resume to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call (941) 575-3600; fax: (941)637-3600 or e-mail to colleen.barbour@charlottefl.com

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 and is an owner or operator of lodging facilities or recreational vehicle parks. Term will expire in May 2012. Submit resume to the Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948, or call 941-743-1300, or e-mail BCC@charlottefl.com or fax 941-743-1310.

III. REPORTS RECEIVED AND FILED

IV. CONSENT AGENDA

Clerk of the Circuit Court

A. Finance Division

- (1) **RECOMMENDED ACTION:** Approve the Clerk's Finance Memorandum.
BUDGETED ACTION: None required.
- (2) **RECOMMENDED ACTION:** Approve Sixth (6th) Supplement to Standby Bond Purchase Agreement for the Utility Series 2003A and 2003B Variable Rate Bond Issue with Bank of America, N.A. for a fee of 80 basis points guaranteed for a three (3) year term. **BUDGETED ACTION:** No budget action is required in that the cost is currently budgeted in debt service (interest cost) of the 2003A and 2003B bonds. Bonds mature through 2021 final maturity date (12 years remaining.)

B. Minutes Division

- (1) **RECOMMENDED ACTION:** Approve Minutes for:
May 11, 2010, 9:00 a.m., Regular Meeting
May 13, 2010, 1:30 p.m., Budget Workshop
May 18, 2010, 9:00 a.m., Land Use Meeting
BUDGETED ACTION: None

Board of County Commissioners

C. Commission Office

- (1) **RECOMMENDED ACTION:** Approve the reappointment of Julie Mathis to the Charlotte County Tourist Development Council for a four year term. **BUDGETED ACTION:** None required
- (2) **RECOMMENDED ACTION:** Approve a Resolution adopting Department of Health Fee Schedule for new Dental Clinic. **BUDGETED ACTION:** Funds are in hand to initiate the program, and the program is projected to be financially self-sustaining from fees charged to the clients using the services.
- (3) **RECOMMENDED ACTION:** Set a public hearing for July 13, 2010, at 10:00 a.m., or as soon thereafter as may be heard, to adopt an ordinance prohibiting camping on lands without the express permission of the owner. **BUDGETED ACTION:** None

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:** a) Approve the attached Resolution adopting the Marine Advisory Committee (MAC) recommendations for West Coast Inland Navigation District (WCIND) expenditures for the 2010-2011 fiscal year as set forth in attachment "A" in the amount of \$392,475; and b) Accept the MAC recommendations for the Boater Improvement Fund fee expenditures as in attachment "A" of \$208,681 for a total of \$601,156 expenditures from the Boater Improvement Fund and c) Authorize the Chairman to sign all necessary documents. **BUDGETED ACTION:** Approve the revenues and expenditures for the WCIND and BIF fee funds as set forth in the attached resolution and attachment "A". If approved revenues and expenditures will be budgeted in the Boaters' Improvement Fund for FY10/11. These expenditures are funded by WCIND/BIF taxes and fees and will be in the FY10/11 adopted budget.
- (2) **RECOMMENDED ACTION:** a) Authorize submission of an application to the Edward Byrne Memorial Justice Assistance Grant Program to apply for the Charlotte County allocation of \$57,024 as set forth in attachment 1; and b) Authorize the Chair to execute the necessary grant documents. **BUDGETED ACTION:** None
- (3) **RECOMMENDED ACTION:** a) Approve letter of commitment agreeing to pay Florida Healthy Kids Corp. an estimated \$3,937 local match for children not qualifying for federal funding; b) Authorize Chairman to sign the letter of commitment; c) Authorize Chairman to sign contract upon review and approval by the County Attorney. **BUDGETED ACTION:** None - Funds will be budgeted in the Charlotte County Health Department Fund for FY 2010.

Fiscal Services - No Items.

Information Technology - No Items.

Purchasing

(4) **RECOMMENDED ACTION:**

Award Bid #10-179, Burnt Store Road Widening-Phase I, to the lowest, responsive, responsible bidder, Bonness, Inc. of Port Charlotte, FL for the total amount of \$10,135,637.15. This is for the widening of Burnt Store Road from approximately 1,400 feet south of Notre Dame Boulevard to North Jones Loop Road. **BUDGETED ACTION:** None. Budgeted in CIP project c419901 Burnt Store Rd Safety and Widening Phase 1. Funding is supplied from gas taxes, road impact fees, an FDOT grant, and the 2002 sales tax extension.

- (5) **RECOMMENDED ACTION:** a) Approve split "per package" award of Bid #10-216, Wastewater Collection System Relining-Annual, per the unit prices bid to the following firms: Package A -Williams Testing, LLC, of Sarasota, FL, Package B - Reynolds Inliners, LLC of Sanford, FL, Package C - Miller Pipeline Corporation, of Indianapolis, IN, Package D - SAK Construction, LLC, of O'Fallon, MO, Package E - Select Environmental Services, Inc., of Thonotosassa, FL, and Package G - Chaz Equipment Company, Inc., of Wellington, FL, with an initial contract term beginning from date of award through and including December 31, 2011; and b) Authorize the County Administrator to approve renewal options for up to two additional one-year terms, at the same prices, terms and conditions, by mutual consent. **BUDGETED ACTION:** FY 2011 Budget \$1,000,000 & FY 2012 Budget \$1,000,000

- (6) **RECOMMENDED ACTION:** Award Bid #10-238, Alligator Creek Alignment Dredging to Marine Contracting Group, Inc. of Punta Gorda, FL, in the amount of \$196,081.88. **BUDGETED ACTION:** None. Budgeted in project c390502, Alligator Creek S Curve and Dredging

- (7) **RECOMMENDED ACTION:** a) Approve a multi-award by line item of Bid #10-203, Pesticides & Herbicides - Supply and Deliver to the following vendors as indicated on the attached bid tabulation and recommendation sheet: Alligare LLC of Opelika, AL; Clark Mosquito of Kissimmee, FL; Adapco, Inc. of Sanford, FL; B&G Chemical of Dallas, TX; Helena Chemical of Dade City, FL; Gil Manufacturing of Montgomery, AL; Univar of Fort Myers, FL; and Crop Production of Mulberry, FL, for the period from date of award through and including April 30, 2011. b) Authorize the County Administrator to approve renewal options for up to two (2) one-year terms, at the same prices, terms and conditions, by mutual consent. This is an annual contract to purchase insecticides and herbicides, to be utilized on an "as required" basis by Public Works-Pest Management Division. **BUDGETED ACTION:** None. Original purchase will be paid from General Revenues and charged to the appropriate MSBU/TU as used.

Real Estate Services

- (8) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the Chairman of the Charlotte County Board of County Commissioners to execute grant of right of way easements to Flamingo Waterway Corporation. **BUDGETED ACTION:**

G. Building & Construction Services

- (1) **RECOMMENDED ACTION:** Set a public hearing for July 27, 2010, at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an ordinance to adopt the International Property Maintenance Code with changes to reflect existing Charlotte County code. **BUDGETED ACTION:**

None required.

H. Community Services

Parks and Natural Resources - No Items.

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:** Authorize the County Administrator to sign grant forms allowing acceptance of the \$25,000 Environmental Justice Small Grant for the creation of an urban wetland in Port Charlotte. **BUDGETED ACTION:** None at this time.

M. Human Resources - No Items.

N. Human Services - No Items.

P. Public Safety

- (1) **RECOMMENDED ACTION:** Approve a Resolution adopting the 2010 Comprehensive Emergency Management Plan as the Comprehensive Emergency Management Plan for Charlotte County. **BUDGETED ACTION:** None Required. There is no financial impact.

Q. Public Works - No Items.

R. Tourism Development - No Items.

S. Utilities

- (1) **RECOMMENDED ACTION:** Approve the accumulated Utility Uncollectible Accounts through March 31, 2010. These accounts are all inactive with terminated utility service. They are technically considered Bad Debts as of March 31, 2010 for accounting purposes, not an actual forgiveness of debt; it allows for the proper matching of revenues and expenditures. **BUDGETED ACTION:** None. Balance sheet adjustment must be recorded in the Utilities O & M Fund as this bookkeeping entry. Bookkeeping entry to adjust the Balance Sheet is necessary in the Utilities O & M Fund.

T. Other Agencies - No Items.

V. REGULAR AGENDA

Z. Regular Agenda

- (1) Utilities
Discussion and direction from Board to approve or not approve the Peace River/Manasota Regional Water Supply Authority's (Authority) FY 2011 Tentative Budget. The budget will be presented at the Authority's Budget Hearing on July 29, 2010.
- (2) Public Works
Staff is seeking direction and discussion with respect to completing the Winchester Boulevard South Roadway project.
- (3) County Attorney
Discussion and direction regarding tax abatement programs based on BCC's discussion at the joint meeting with the City of Punta Gorda, and consider approving a Resolution calling for a referendum on whether the County may grant economic development ad valorem tax exemptions to new and existing businesses pursuant to Sec. 196.1995, Florida Statutes. Attached are copies of Sarasota, Collier, Martin and Hendry County ordinances.

VI. PUBLIC HEARING AGENDA

10:00 A.M.

- (1) Growth Management
Conduct a public hearing to consider approval of granting access from a commercial site, to Azalea Drive, a residential street, subject to the following conditions:
a) Reduce the current 36 feet driveway width to 24 feet by inserting a median in the center, separating the two-way traffic through the Azalea Drive driveway. Median shall be a minimum of 25' in length. b) Restrict truck traffic via Azalea Driveway from project.

VII. PRESENTATION AGENDA

10:00 A.M.

- (1) Budget and Administrative Services
Provide an update to the BCC regarding the Retrofit Roadshow, PACE, and the outcomes of the Climate communities Climate Summit.
- (2) Human Services
Jay Goodwill from the University of South Florida Center for Urban Transportation Research (CUTR), under contract with the Florida Department of Transportation, will provide the Board of County Commissioners with information, observations and conclusions on fares of Dial-a-Ride, the Charlotte County public paratransit service.

VIII. PUBLIC WORKSHOP AGENDA - Public input permitted. - **No Items**

IX. 10:00 A.M. BOARD WORKSHOP AGENDA - No public input.

Conduct Board workshop to consider options for the assessment of impact fees.

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, 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

Tuesday, July 6, 2010, 9:00 a.m. **SmartCharlotte 2050 Comprehensive Plan Public Hearing**, Murdock Administration Building, Room #119

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

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

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

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

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

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

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

Friday, July 23, 2010, 10:00 a.m. - **CIP Presentation**, Administration Building, Room #119, Port Charlotte

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