

BOARD OF COUNTY COMMISSIONERS

October 25, 2010

A Pre-Agenda meeting in preparation of the October 26, 2010 Regular Meeting was held at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

Members present were: Chairman Starr, Commissioner Cummings, Commissioner Duffy, Commissioner Loftus, Commissioner Skidmore, County Administrator Sandrock, County Attorney Knowlton, and Administrative Secretary Sandra Colon. The following members were absent: None The meeting was called to order at 9:05 AM.

There was Board Discussion held on the following items:

Purchasing:

Agenda Item F-2

Real Estate Services:

Agenda Item F-7

Building and Growth Management:

Agenda Item G-3

Public Works:

Agenda Item P-1

Regular Agenda:

Two (2) items to be added:

Community Services

Economic Development

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

sc/jl

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
Raymond J. Sandroek

County Attorney
Janette S. Knowlton

Clerk of the Circuit Court
Barbara T. Scott

Regular Meeting
10/26/2010 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
- VI. Public Hearing
- 9:00 A.M. VII. Presentation
- VIII. Public Workshop
- IX. Board Workshop
- X. Citizen Input - Any Subject

Proclamations - Commissioner Robert Skidmore

Charlotte County Read-Aloud Month
El Jobean Pre-Veterans' Day Remembrance

Employee Recognition - None

Presentations

The Charlotte Harbor Visitor & Convention Bureau has received the state of Florida's top tourism marketing achievement, a "Flagler" for its ECONomical Summer Escapes Campaign.



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 three members to serve. One representative from the home building industry, one "for-profit provider" representative and one Charlotte County Essential Services representative. Terms are for three 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**

Construction Board of Adjustments and Appeals - is seeking one member to serve as an alternate. This committee meets on the 1st and 3rd Monday of each month at 8:30 am in Murdock. Interested person must be holding a current construction industry license. Term is for three 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 one volunteer, must be a resident of Charlotte County and has maintained residency for 24 months. The Commissioners will nominate three names to the governor and one 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, or e-mail BCC@charlottefl.com or fax (941) 743-1310.**

Marine Advisory Committee - is seeking 3 members to serve as Members-at-Large. These are three year terms effective December 31 2010 and expiring December 31, 2013. **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 send e-mail to BCC@charlottefl.com**

MPO- Citizens Advisory Committee - is seeking two (2) individuals to voluntarily serve as a 1) South County Mid-County Representative; and 2) Handicapped Interests Representative. Deadline for submitting application is Tuesday, November 30, 2010. **Send a letter or e-mail of interest to: Charlotte County-Punta Gorda MPO, 25550 Harbor View Road, Suite 4, Port Charlotte, FL 33980. Fax: 941-883-3534. E-mail: office@ccmpo.com. The MPO Board will elect the above positions Monday, December 13, 2010**

Transportation Disadvantaged Local Coordinating Board - is seeking two (2) individuals 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 positions are: 1) Citizen Advocate; and 2) Citizen Advocate User. **Your letter or email of interest stating the position for which you are qualified 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. The MPO Board will elect these above positions Monday, December 13, 2010**

Murdock Village Community Redevelopment Agency Advisory Committee - is seeking three volunteers: one in the category of General Contractor; one in the category of Property Owner; these are both three year terms effective immediately and expiring September 20, 2013. One volunteer representing the Banking, Financial or Appraisal Sector (as defined in Chapter 475, Florida Statutes) to finish an unexpired term due to a resignation. This term is effective immediately and shall expire September 20, 2012. **Submit your resume to the Charlotte County Commission office, 18500 Murdock Circle, Port Charlotte, FL 33948 or call (941) 743-1300; fax (941) 743-1310 or send e-mail to BCC@charlottefl.com**

Recreation and Parks Advisory Committee - is seeking one volunteer to fill an unexpired term for a Member-At-Large position. Appointment is effective immediately and shall expire on June 14, 2012. Submit your resume to: The Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948 or call (941) 743-1300, fax to (941) 743-1310 or e-mail to BCC@charlottefl.com.



III. REPORTS RECEIVED AND FILED

In response to Paragraph 6 of Resolution No. 2002-185, which requires that the Negotiating Committee provide the Board with a list and short summary of all claims or lawsuits settled pursuant to the provisions of the Resolution, attached is the County Attorney's Report to the Board of County Commissioners of claims paid out not exceeding \$25,000.



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:

9/21/10 9:00 AM BCC Regular/Land Use Meeting
9/27/10 9:00 AM Pre-Agenda Meeting
9/28/10 9:00 AM BCC Regular Meeting
9/29/10 5:01 PM Final Budget Public Hearing
10/11/10 9:00 AM Pre-Agenda Meeting
BUDGETED ACTION: None required

Board of County Commissioners

C. Commission Office

(1) RECOMMENDED ACTION:

Approve the letter of support for Charlotte County Health Department's application to become a Federally Qualified Health Center (FQHC). **BUDGETED ACTION:** None required.

D. Administration

Administration - No Items.

Public Information Office - No Items.

E. County Attorney

(1) RECOMMENDED ACTION: Set an Executive Session for October 26, 2010 at 2:00 p.m. in the Charlotte County Attorney's Office Conference Room to discuss settlement negotiations or strategy sessions related to litigation expenditures regarding the lawsuit concerning the civil case captioned Sherri King v. Charlotte County, Case No. 09-6610-CA. **BUDGETED ACTION:** None required

(2) RECOMMENDED ACTION: Set an Executive Session for October 26, 2010 at 2:00 p.m. or as soon thereafter as the first executive session concludes in the Charlotte County Attorney's Office Conference Room to discuss settlement options or strategy related to litigation expenditures concerning the civil case captioned Charlotte County v. Hoot Gibson, et al., Case No. 09-6821-CA. **BUDGETED ACTION:** None required

(3) RECOMMENDED ACTION: Set an Executive Session for October 26, 2010 at 3:00 p.m. in the Charlotte County Attorney's Office Large Conference Room to discuss settlement negotiations, strategy sessions related to litigation expenditures concerning the civil case captioned Charlotte Harbor Golfland, Inc. v. Charlotte County, Case No. 09-189-CA. **BUDGETED ACTION:** None required

F. Budget and Administrative Services

Budget and Administrative Services - No Items.

Fiscal Services

(1) RECOMMENDED ACTION:

Approve extension of the 2010 Tax Roll from the Property Appraiser to the Tax Collector in accordance with Section 197.323 F.S prior to Value Adjustment Board completion of its final meetings. **BUDGETED ACTION:** None Required

Information Technology - No Items.

Purchasing

(2) RECOMMENDED ACTION: Approve award Bid #10-305, Elevator Modernization to the lowest, responsive, responsible bidder General Elevator Sales & Service Inc., of Fort Myers, Florida for a total project cost of \$192,636. The purpose of this bid is to secure the services of a Contractor licensed in the State of Florida to furnish all materials, labor, equipment and incidentals required to successfully complete the modernization of three (3) traction elevators located at Charlotte County Administration Complex, Building A, 18500 Murdock Circle, Port Charlotte, Florida. **BUDGETED ACTION:** The budget for FY11 for Elevator upgrades for the County Administration Building is \$341k. The award came in at \$192k. This expense is budgeted in the Capital Projects Fund c190101.390.100393001.191401.519.63.0001, account line Improvements Other Than Buildings. Funding is from ad valorem, Capital Projects Fund.

(3) RECOMMENDED ACTION:

Approve award of Bid #10-252, Greater Port Charlotte Stormwater Control Structures, to the lowest responsive, responsible bidder, Zep Construction Inc., of Fort Myers, FL in the amount of \$2,602,480.44. This project is for the services of a Contractor to provide the installation of stormwater control structures located at Quesada Avenue at Lionheart Waterway, Kenilworth Boulevard at Sunset Waterway, and Midway Boulevard at Fordham Waterway. **BUDGETED ACTION:** None. \$2,998,000 is budgeted in CIP project C390304 Greater Port Charlotte Drainage Structure Replacement. Utility work related to the Lionheart Waterway is in CIP project C369501 Water and Sewer Waterway Crossings. Funds are supplied from the Mid-Charlotte Stormwater Utility District and CCU's Renewal and Replacement Fund.

(4) RECOMMENDED ACTION: a) Approve ranking of firms for Request for Proposal #10-308, Engineers of Record - Solid Waste with the following firms: HDR Engineering, Inc. of Sarasota, FL; Post, Buckley, Schub & Jernigan, Inc. (PBS&J) of Sarasota, FL; and SCS Engineers of Tampa, FL. for the term from January 1, 2011 through and including December 31, 2013; and b) Approve start of Negotiations; and c) Authorize the Chairman to sign the contracts; and d) Authorize the County Administrator to approve the renewal of two (2) additional one-years terms, by mutual consent, at the same terms and conditions. This proposal is to obtain the services of qualified and experienced engineering firms to act as Engineers of Record for the Solid Waste Division of Public Works for solid waste-related professional

services. **BUDGETED ACTION:** Amount Budgeted \$185,000. Funding for this expenditure comes from Solid Waste Enterprise Fund.

Real Estate Services

- (5) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the release of a portion of a ten-foot (10') wide utility easement and a portion of a thirty-seven foot (37') wide drainage easement, both located in Holiday Mobile Estates, Third Addition, and further authorizing the Senior Division Manager, Real Estate Services Division, to execute the County Deed releasing said portions of said easements. (Owners: Paul R. and Lauren Khouri) **BUDGETED ACTION:** None
- (6) **RECOMMENDED ACTION:** Authorize the Chair of the Board of County Commissioners to approve the attached survey showing a portion of Bayshore Road and Laura Street in Charlotte County, Florida that has been continuously maintained by the County for more than four (4) years. **BUDGETED ACTION:** None
- (7) **RECOMMENDED ACTION:** a) Approve the Resolution authorizing the Chairman to execute the Purchase and Sale Agreement with Fifth Third Bank, an Ohio banking corporation, for the fee simple acquisition of 14+/- acres (9+/- acres uplands) of real property located in the Placida area of Charlotte County, adjacent to the County's Placida Park Boat Ramp, further described in the accompanying Exhibit; and authorizing the closing of the transaction; and b) Approve Budget Transfer 11-001 in the amount of \$3,050,000 from the Capital Project Fund Reserves; and c) Approve CIP Amendment 11-C01 in the amount of \$3,050,000. **BUDGETED ACTION:** Approve Budget Transfer 11-001 and CIP Amendment 11-C01 in the amount of \$3,050,000 from the Capital Project Fund reserves to cover the purchase of land adjacent to the County's Placida Park Boat Ramp. This purchase will be covered by CIP Environmental Lands .05 mils reserve and CIP reserve for Capital Outlay. \$1,258,891 is in the CIP Environmental Lands .05 millage reserve and \$1,791,109 is in the CIP reserve for Capital Outlay, for a total of \$3,050,000. Land purchase is \$3,000,000 and closing costs and administrative charges will be approximately \$50,000.

G. Building and Growth Management

- (1) **RECOMMENDED ACTION:** Approve a Development Agreement regarding access to certain properties along Veterans Boulevard (located at the northeast corner of Veterans Boulevard and Atwater Street) with Hagefen, LLC. **BUDGETED ACTION:** None
- (2) **RECOMMENDED ACTION:** Approve a Final Plat for Centex Homes for Petition #FP-10-03-02. Centex Homes has applied for a re-plat of Sawgrass Pointe at Riverwood Unit 4. **BUDGETED ACTION:** None

- (3) **RECOMMENDED ACTION:** Approve the recommendation and Order of the Charlotte County Code Enforcement Board (the "Board") and order the demolition of an unsafe, vacant dwelling. **BUDGETED ACTION:** No Action - Item is funded.

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. Human Resources - No Items.

M. Human Services - No Items.

N. Public Safety

(1) **RECOMMENDED ACTION:**

Approve of Amendment # 5 to the Frequency Configuration Agreement (FRA) for FCC Rebanding between Charlotte County and Nextel South Corp. Amendment # 5 revises the scope of work to include additional programming and labor services to be provided by Motorola for the project. **BUDGETED ACTION:** None required. 100% funding is provided by Nextel South Corp.

(2) **RECOMMENDED ACTION:**

Approve of the FY10/11 Emergency Management Preparedness & Assistance (EMPA) Base Grant Agreement between Charlotte County and the Florida Division of Emergency Management (FDEM) in the amount of \$77,043. **BUDGETED ACTION:** None required. Grant funds are included in the FY10/11 Emergency Management operating budget. The requirement for the County's minimum level of funding, as outlined in the agreement, is included in the FY10/11 Emergency Management operating budget.

P. Public Works

(1) **RECOMMENDED ACTION:**

Approve and authorize Chairman to sign, the Rampart Boulevard Extension Right-of-Way Agreement with Benderson Development Company, LLC. This agreement between Benderson Development and Charlotte County outlines process, procedure and provides for transportation impact fee credits be granted to Benderson Development associated with acquisition of additional right-of-way. **BUDGETED ACTION:** None. Funded in CIP project C410742, Rampart Blvd Widening. The project total is \$31,163,000. Funding for the project is from gas taxes, road impact fees, and a developer contribution.

(2) **RECOMMENDED ACTION:**

Approve and execute Arthropod Control Budget Amendments # 10-A56 and # 11-A03; to adjust the Mosquito Control Certified budget as required by the Florida State Department of

Agriculture to reflect an increase in the interest earned and grant revenue for FY 2009/2010 and FY 2010/2011.

BUDGETED ACTION: Increase Interest Earning budget by \$285.99 and increase Grant Revenue by \$1,115.90 for FY 2009/2010. Increase beginning balance for FY 2010/2011 and Operating Supplies for FY 2010/2011. Increase Mosquito Control Budget by \$1,401.89 in FY 2009/2010. Increase Mosquito Control Budget by \$3,273.71 in FY 2010/2011.

Q. Tourism Development - No Items.

R. Utilities

(1) **RECOMMENDED ACTION:** Approval of Board Resolution amending previous CCU Rate Resolution No. 2010-086 to correct a scrivener error. **BUDGETED ACTION:** None

S. Other Agencies - No Items.



V. REGULAR AGENDA

Z. Regular Agenda

(1) County Administration **RECOMMENDED ACTION:** Discussion and direction to set the legislative priorities for the 2011 legislative session.



VI. PUBLIC HEARING AGENDA - No Items.



VII. PRESENTATION AGENDA - No Items.



VIII. PUBLIC WORKSHOP AGENDA - No Items.

Public input permitted.



IX. BOARD WORKSHOP AGENDA - No Items.

No public input.



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, November 9, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, 18500 Murdock Circle, Room #119

Thursday, November 11, 2010, Veterans Day All County Buildings Closed

*Tuesday, November 15, 2010, 1:00 p.m. - Board of County Commissioners **Land Use Meeting**, Administration Building, 18500 Murdock Circle, Room #119*

Tuesday, November 23, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, 18500 Murdock Circle, Room #119

Thursday, November 25, 2010, Thanksgiving Day All County Buildings Closed

Friday, November 26, 2010, Day after Thanksgiving Observed All County Buildings Closed

*Friday, December 10, 2010, **Joint City County Meeting**, Administration Building, 18500 Murdock Circle, Room #119*

Tuesday, December 14, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, 18500 Murdock Circle, Room #119

*Tuesday, December 21, 2010, 9:00 a.m. - Board of County Commissioners **Land Use Meeting**, Administration Building, 18500 Murdock Circle, Room #119*

Friday, December 24, 2010, Christmas Eve Observed All County Buildings Closed

Monday, December 27, 2010 after Christmas Holiday Observed All County Buildings Closed