

BOARD OF COUNTY COMMISSIONERS

November 8, 2010

A Pre-Agenda meeting in preparation of the November 9, 2010 Regular Meeting was held at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

Members present were: Commissioner Cummings and Commissioner Skidmore, County Administrator Sandrock, County Attorney Knowlton, and Administrative Secretary Sandra Colon. The following members were absent: Chairman Starr, Commissioner Duffy and Commissioner Loftus

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

There was Board Discussion held on the following items:

Fiscal Services:
Agenda Item F-1

Publishing:
Agenda Items F-6 and F-8

Public Hearing Agenda:
To be deleted.

ADJOURNED: 9:12 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
Raymond J. Sandrock
County Attorney
Janette S. Knowlton
Clerk of the Circuit Court
Barbara T. Scott

Regular Meeting
11/9/2010 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 - Ben Shurtliff, Port Charlotte Seventh Day Adventist 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**
- VII. **Presentation**
- VIII. **Public Workshop**
- IX. **Board Workshop**
- X. **Citizen Input - Any Subject**

Proclamations - Commissioner Adam Cummings

Alzheimer's Memory Walk Day
Arts and Humanities Council Artist of the Month - JoAnn Espich
Charlotte County Chamber of the Year Day
Karl Hachmann Day
Lung Cancer Awareness Day
Tampa Bay Rays Day
Veterans' Appreciation Month
Visually Impaired / Blindness Support Day

Employee Recognition - County Administrator Raymond J. Sandrock

5 Years

Faezeh Andrews	Public Safety
Federico Gardini	Public Safety
Gail Karakeian	Fiscal Services
Allan Lightbourn	Utilities
Donald McEachern Jr.	Public Safety
Patricia Moran	Human Resources
Tara Musselman	Public Works
Richard Thorpe	Public Safety

10 Years

George Smith Jr.	Public Works
James Winter	Utilities

15 Years

John Degiovine Jr.	Public Works
Hector Flores	Fiscal Services

20 Years

Raymond Christopher	Public Safety
John Firth Jr.	Public Works
Benjie Hyatt	Utilities

25 Years

Rhonda Richards	Public Safety
John Shields	Public Works

Not Attending

David Cegerenko	5 yrs	Utilities
James Jones	5 yrs	Public Works
Matthew Logan	5 yrs	Public Works
Dennis Moore	5 yrs	Purchasing

Presentations

Presentation to Charlotte County Health Department "Bicycle Friendly Business Award"

I. CITIZEN INPUT - AGENDA ITEMS ONLY

II. COMMITTEE VACANCIES

Charlotte County is seeking volunteers to serve on the following Committees:

Beaches and Shores Advisory Committee is seeking one volunteer for the Member-at-Large position. This is a four year term effective December 31, 2010 and shall expire December 31, 2014. 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.

Construction Industry Licensing Board is seeking a volunteer to represent the "General Contractor" category. Volunteer must be a resident of Charlotte County for at least two years and be a licensed general contractor. Length of term is until January 26, 2014.

MPO- Citizens Advisory Committee is seeking three (3) individuals to voluntarily serve as a South County Mid-County Representative; a Handicapped Interests Representative; and a Minority 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 at its 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: Citizen Advocate; and 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 at its Monday, December 13, 2010

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: Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948 or call 941-743-1300, or e-main BCC@charlottefl.com or fax 941-743-1310.

Murdock Village Community Redevelopment Agency Advisory Committee (MV-CRAAC) is seeking 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.

III. REPORTS RECEIVED AND FILED

Murdock Village CRA Advisory Committee meeting Minutes for October 7, 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

RECOMMENDED ACTION: Approve Minutes for:

October 12, 2010, 9:00 a.m. Regular Meeting

October 18, 2010, 1:00 p.m. Land Use Meeting

October 25, 2010, 9:00 a.m. Pre-Agenda Meeting

BUDGETED ACTION: None

Board of County Commissioners

C. Commission Office

(1) **RECOMMENDED ACTION:** Approve the appointment of Wesley Brumback to fill the vacancy on the Agricultural and Natural Resources Advisory Committee. Mr. Brumback has been nominated by the committee to serve a four year term. **BUDGETED ACTION:** None

(2) **RECOMMENDED ACTION:** Please appoint Ken Dieffenbach to the Marine Advisory Committee as the representative for the Charlotte Coastal Conservation of Florida. This term is effective immediately and shall expire December 31, 2013. **BUDGETED ACTION:** None

(3) **RECOMMENDED ACTION:** Appoint Francis J. "Frank" Clancy to the Murdock Village Community Redevelopment Agency Advisory Committee as the Property Owner Representative and Erik L. Howard as the General Contractor Representative. These are both three year terms effective immediately and expiring September 20, 2013. **BUDGETED ACTION:** None

(4) **RECOMMENDED ACTION:** Appoint Fred Pazona to the Parks and Recreation Advisory Board to finish an unexpired term scheduled to expire June 14, 2012. **BUDGETED ACTION:** None

(5) **RECOMMENDED ACTION:** Approve the letter of support for Charlotte County Health Department's application to

become a Federally Qualified Health Center (FQHC) and select a BCC representative to sit on the FQHC Board of Directors. County Administration recommends David Johnston, budget analyst, as the County's representative to serve. **BUDGETED ACTION:** None

D. Administration

Administration - No Items.

Public Information Office - No Items.

E. County Attorney

- (1) **RECOMMENDED ACTION:** Approve initiation of all necessary and appropriate legal action against Bayshore Ventures LTD to foreclose a county lien in the amount of \$39,305.00 dollars on the property owned by Bayshore Ventures LTD located at 1460 Maryknoll Road S., Englewood, Florida. **BUDGETED ACTION:** None
- (2) **RECOMMENDED ACTION:** Request the Board set a public hearing for November 23, 2010, at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an ordinance amending Article IV, Parking Generally, and Article V Parking Areas and Zones, of Chapter 2-4, Charlotte County Code. **BUDGETED ACTION:** None
- (3) **RECOMMENDED ACTION:** Approve a settlement in the amount of \$50,000 in the lawsuit captioned: Sherrri King v. Charlotte County; Case No. 09-6610-CA and authorize the Chairman and County Attorney to execute the Settlement Agreement and Mutual Release and take any other necessary actions in furtherance of the settlement. **BUDGETED ACTION:** None

F. Budget and Administrative Services

Budget and Administrative Services - No Items.

Fiscal Services

- (1) **RECOMMENDED ACTION:** Amendments and transfers which impact various funds are required to complete the Fiscal Year 2009/2010 budget closing process. a) Approve Budget Amendments on attachment A totaling \$6,497,435; and b) Approve Budget Transfers on Attachment B. **BUDGETED ACTION:** Approval of Budget Amendments referenced on Attachment A and Budget Transfers referenced on Attachment B.

Information Technology - No Items.

Purchasing

- (2) **RECOMMENDED ACTION:** Approve deletion of the property inventory items listed on the attached for the month of November, 2010. **BUDGETED ACTION:** None
- (3) **RECOMMENDED ACTION:** Approve Amendment #2 to Contract #03-442, Engineering Services for Winchester Boulevard Phase III Improvements, with Wilbur Smith Associates, Inc., of Sarasota, FL, for plan updates, modifications, quantities verification/adjustments, permits and environmental issues in the amount of \$283,227.63 and a revised contract amount of \$975,280.79. **BUDGETED ACTION:** None. Budgeted in CIP project C419302, Winchester Corridor South-Phase 3, project total is \$27,731,000.
- (4) **RECOMMENDED ACTION:** a) Approve ranking of firms for Request for Proposal #10-314, Design - Rotonda West Entry Features: 1st DMK Associates located in Venice, FL; 2nd Kimley-Horn & Associates located in Sarasota, FL; and 3rd Johnson Engineering, Inc. located in Port Charlotte, FL; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations. This is for the design of a multi-function entry feature for Rotonda West. **BUDGETED ACTION:** None. \$45,000 is budgeted for engineering in CIP project C411114 Rotonda West Pathway Around Parade Circle, project total is \$180,000.
- (5) **RECOMMENDED ACTION:** Approve the award of Bid #10-337, Charlotte County Erosion Control - Stump Pass Dredging, to Southwind Construction Corporation from Evansville, IN, in the amount of \$3,763,066.10. **BUDGETED**

ACTION: None. The FY11 CIP contains \$4,695,000 for construction in project c390404, Stump Pass Maintenance Dredge.

- (6) **RECOMMENDED ACTION:** Approve File #11-020, Debt Collection Services, to "piggyback" off of the Pasco County Government, Request for Proposal #09-154, with NCS Plus, Inc., of New York, NY for a period of one (1) year commencing from January 1, 2011, through and including December 31, 2011; and b) Authorize the County Administrator to approve renewal options for up to three additional one-year terms, at the same prices, terms and conditions, by mutual consent. **BUDGETED ACTION:** None. Funding is budgeted in various departments and used as needed.
- (7) **RECOMMENDED ACTION:** a) Approve the termination of File #09-372, Microsoft 3-Year Volume License Renewal, effective November 9, 2010; b) Approve File #11-026, Microsoft Enterprise 3-Year License Restructure, for the price of \$319,860.36, for 1st year, with a term of November 9, 2010, through and including November 8, 2013, which this portion was awarded to Software House International (SHI) by the Florida State Contract #252-001-09-1, and c) Authorize the County Administrator to approve the annual renewal payments for second and third year. **BUDGETED ACTION:** None
- (8) **RECOMMENDED ACTION:** a) Approve Amendment #1 to Contract #08-170, Survey of Historical Resources-Phase II, with Environmental Services, Inc of Jacksonville, Florida, for Phase III Archaeological Surveys in the amount of \$18,700 and a revised contract amount of \$56,200; and b) Authorize the Chairman to sign the Amendment. **BUDGETED ACTION:** This expense for \$18,700 is split funded in the Historical Center's departmental budget for \$9,500 and in the FCT Required Improvements capital project for \$9,200. The budget for FY11 for other contractual services in the Historical Center is \$42,695, 0001.794501.575.34.0001 and for the FCT capital project \$100,000, c721101.630.06300 3001.794602.575.34.0001
- (9) **RECOMMENDED ACTION:** a) Approve File No. 11-028, to "Piggyback" the Los Angeles County Contract #MA-IS-1140050, Office Supplies, Supply & Deliver, with Independent Stationers Inc. of Indianapolis, IN, per the contract terms as specified on the attached documentation for the period from January 1, 2011 through and including August 31, 2013; b) Authorize the County Administrator to approve renewal options of two (2) additional one-year terms at the same prices terms and conditions, by mutual consent and only if this option of renewal is exercised by Los Angeles County in accordance with the Contract terms. **BUDGETED ACTION:** Budgeted within each department's budget.

Real Estate Services

- (10) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the release of a portion of a twenty-foot (20') wide canal maintenance easement, located in Port Charlotte Subdivision, Section Fifty-Five, and further authorizing the Senior Division Manager, Real Estate Services Division, to execute a County Deed releasing said portion of said easement. (Owners: Robert L. and Diana M. Harlow) **BUDGETED ACTION:** None

G. Building and Growth Management - No Items.

H. Community Services

Parks and Natural Resources

- (1) **RECOMMENDED ACTION:** Approve the attached contract with Charlotte Harbor Environmental Center, Inc. (CHEC) to provide environmental programs and services to Charlotte County's Cedar Point Environmental Center (Park). **BUDGETED ACTION:** This expense is budgeted in the Natural Resources Department budget under 0001.310721.537.49.0001, Other Current Charges. The budget for this account line is \$159,643 for FY11, the expense for this contract is \$26,180.

Recreation

- (2) **RECOMMENDED ACTION:** a) Approve stadium improvements listed; and b) Approve Budget Transfer #11-002 in the amount of \$224,119. **BUDGETED ACTION:** Approve Budget Transfer #11-002 in the amount of \$224,119. This will be needed to fund the FY11 stadium improvement projects.

Libraries and Historical

- (3) **RECOMMENDED ACTION:** Approve partnership agreement between Charlotte County Genealogical Society and Charlotte County. **BUDGETED ACTION:** None

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 - No Items.

P. Public Works

- (1) **RECOMMENDED ACTION:** Approve and authorize the Chairman to sign the Cooperative Funding Agreement between the Southwest Florida Water Management District and the County for the Charlotte Harbor Redevelopment Area Watershed Management Plan (L486), to ensure that the consultant meet the requirements for permitting from the Southwest Florida Water Management District. **BUDGETED ACTION:** None

- (2) **RECOMMENDED ACTION:** Approve and authorize the Chairman to sign the attached Ninth Amendment of the Cooperative Agreement between Charlotte County and the Southwest Florida Water Management District (SWFWMD) project for the Greater Port Charlotte Flood Protection Management Plan - Implementation (K280), for Greater Port Charlotte Drainage Control Structure Replacement. **BUDGETED ACTION:** None. Budgeted in CIP project C390304 Greater Port Charlotte Drainage Control Structure Replacement, project total is \$41,608,000.

Q. Tourism Development - No Items.

R. Utilities - No Items.

S. Other Agencies - No Items.

V. REGULAR AGENDA

Z. Regular Agenda

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

- (1) Economic Development - Conduct a Public Hearing to discuss amending Chapter 1-7, Article V, Economic Development Incentive Program, of the Code of Laws and Ordinances of Charlotte County to offer new and revised incentives to new and expanding businesses.

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

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, 1:00 p.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