

**BOARD OF COUNTY COMMISSIONERS**

**December 13, 2010**

A Pre-Agenda meeting in preparation of the December 14, 2010 Regular Meeting was held at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

Members present were: Chairman Starr, Commissioner Constance, Commissioner Deutsch, Commissioner Duffy and 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 9:00 AM.

There was Board Discussion held on the following items:

Purchasing:

Agenda Items F-1, F-2, F-3, F-4, F-5, F-6, F-7 and F-8

Recreation:

Agenda Items H-1 and H-2

Economic Development:

Agenda Item J-1

Human Services:

Agenda Items M-1, M-4, M-5 and M-6

Regular Agenda:

Agenda Items Z-2, Z-5 and Z-6

ADJOURNED: 10:50 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

**COUNTY OF CHARLOTTE**  
**Board of County Commissioners**  
18500 Murdock Circle  
Port Charlotte, FL 33948  
[www.CharlotteCountyFL.com](http://www.CharlotteCountyFL.com)

**County Commissioners**

Bob Starr, District 1, Chairman  
Tricia Duffy, District 5, Vice-Chairman  
Robert Skidmore, District 3  
Christopher Constance, District 2  
Stephen R. Deutsch, District 4



**County Administrator**  
Raymond J. Sandrock

**County Attorney**  
Janette S. Knowlton

**Clerk of the Circuit Court**  
Barbara T. Scott

Regular Meeting  
12/14/2010 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 Tim Goff, 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 Bob Starr**

Arts and Humanities Council Artist of the Month - Sandy Poore

For the Love of Kids Day

Martin Allen Day

Ministers' Invocation Day

Sue Sifrit Day

**Employee Recognition - County Administrator Raymond J. Sandrock**

**5 Years**

Barbara Baster-Cegerenko	Utilities
John Butler	Public Safety
Lloyd Eason	Utilities
Jerry Hernandez	Public Safety
John Keith	Utilities
Rose Mattera	Utilities
Laura Pontbriand	Public Works
Juan Rosario	Budget & Administrative Services
Richard Wack	Utilities
Roger Warner	Facilities
Angela Whitehead	Budget & Administrative Services

**10 Years**

Robert Hebert	Human Services
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**20 Years**

Diane Clim	Building & Growth Management
Kate Czaja	Public Safety

**25 Years**

Robert Powell	Public Works
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**Not Attending**

Edward Leonard, Jr.	5 years	Facilities
Patrick Judy	10 years	Public Safety

**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:**

**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 first and third Monday of each month at 8:30 am in Murdock. Interested persons must hold 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**

**Charlotte Harbor Community Redevelopment Agency Advisory Committee** is seeking one volunteer to serve as the residential representative. Must reside within the community redevelopment area. Effective immediately. Please submit resume to: Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948 or call, 941.743.1300 or fax to: 941.743.1310.

**Little Gasparilla Island Committee** is seeking three volunteers to fill terms expiring January 22, 2011. These are all two year terms. Please submit your resume to the Charlotte County Board of County Commissioners at 18500 Murdock Circle, Port Charlotte, FL 33948 or call 941.743.1300 or fax to 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 457, 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 or fax to (941) 743-1310.

**South Burnt Store Street & Drainage Advisory Committee** is seeking three volunteers to serve; one member to serve as an alternate with a two year term; two members to serve with a three year term. Volunteers must reside within the boundaries of the MSBU. Submit application to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

### III. REPORTS RECEIVED AND FILED

Minutes of the Charlotte Harbor CRA Advisory Committee meeting held on November 18, 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:** Approve Minutes for:  
November 9, 2010, 9:00 a.m., Regular Meeting  
November 15, 2010, 1:00 p.m. Land Use Meeting  
November 16, 2010, 11:00 a.m. Swearing In Ceremony  
November 22, 2010, 9:00 a.m. Pre-Agenda Meeting  
**BUDGETED ACTION:** None

#### Board of County Commissioners

#### C. Commission Office

(1) **RECOMMENDED ACTION:** Re-appoint Robert Pierce as the Florida Shore & Beach Preservation Association representative on the Beaches and Shores Advisory Committee. This term is effective December 31, 2010 and shall expire on December 31, 2014. **BUDGETED ACTION:** None

(2) **RECOMMENDED ACTION:** Appoint Blair McVety as the District 4 representative to the Board of Zoning Appeals. This is a four year term effective immediately and shall expire November 2014. **BUDGETED ACTION:** None

(3) **RECOMMENDED ACTION:** Appoint Katherine Ariens as the District 2 representative to the Board of Zoning Appeals. This is a four year term, effective immediately and expires November 2014. **BUDGETED ACTION:** None

(4) **RECOMMENDED ACTION:** Re-appoint the following people to the Marine Advisory Committee: Captain Ron Blago - Member-at-Large; Captain Tim Lynch - Palm Island Marina - Member-at-Large; Raymond D. Rose - Peace River Squadron, Inc.; Captain Maurice Sabourin - U.S.C.G.A. Flotilla 99 Rotonda; Scott Schermerhorn - Member-at-Large; Mel Staudmyer - Harbor Heights Yacht Club; All terms are for four years and shall expire December 31, 2014; **BUDGETED ACTION:** None

(5) **RECOMMENDED ACTION:** Reappoint John Grubbs to serve on the Suncoast Waterway Advisory Committee for a term of three years. **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 - No Items.**

**Fiscal Services - No Items.**

**Information Technology - No Items.**

#### **Purchasing**

(1) **RECOMMENDED ACTION:** Approve deletion of the property inventory items listed on the attached for the month of December, 2010. **BUDGETED ACTION:** None

(2) **RECOMMENDED ACTION:** Approve termination of File #07-099 WO#60, Babcock Ranch Consumptive Use Permit, Contract 05-042, Engineers of Record-CCU, to Malcolm Pirnie, Inc. **BUDGETED ACTION:** Budget amount for FY2011 General Engineering - \$240,000

(3) **RECOMMENDED ACTION:** a) Approve the Professional Services Library, Request for Proposal #10-335, with 119 firms as listed on the attached, for the period from January 1, 2011 up to and including December 13, 2013, with option to renew for two additional one-year terms; b) Authorize Chairman to sign the Contracts; and c) Authorize the County Administrator to approve the two additional one-year renewals. **BUDGETED ACTION:** None

(4) **RECOMMENDED ACTION:** Approve File #11-072, Lighting-South County Regional Park & Harold Avenue, which is a piggyback onto Clay County Contract RFP#08/09-3, with Musco Sports Lighting, LLC located in Muscatine, Iowa, for the total amount of \$274,714. **BUDGETED ACTION:** The budgeted amount for this project is \$274,714 and is funded in the capital project for "Sports Lighting Replace/Construction." The total budget for all sports replacement in the parks is \$515,629 for FY11. This amount is part of the replacement program for all fields.

**(5) RECOMMENDED ACTION:** a) Award Sole Source File #11-073, Radio System Upgrade, to Motorola, Inc. of Atlanta, Ga. in the amount of \$843,072; and b) Authorize the Chairman to sign the associated agreement. This is for an upgrade of obsolete Motorola controllers. **BUDGETED ACTION:** None Required.

**(6) RECOMMENDED ACTION:** a) Approve the Amendment #1 to Site Lease Agreement for Contract #08-121, Methane Gas Collection - Landfill with GES - Port Charlotte, LLC. Additional land is needed in the proximity to the flare skid for a chiller skid and gas conditioning skid; and b) Approve Utility and Infrastructure Easement **BUDGETED ACTION:** None. No additional costs or revenues.

**(7) RECOMMENDED ACTION:** a) Approve Negotiations for Request for Proposal #10-288, Charlotte Sports Park-Management Services, with the sole submitting Proposer: Ripken-Rays Florida Baseball LLC of Port Charlotte, FL; and b) Authorize the Chairman to sign the contract after completion of negotiations. **BUDGETED ACTION:** None at this time.

**(8) RECOMMENDED ACTION:** Approve award of Bid #10-324, Sandhill DRI Wetland Clearing, to the lowest responsive, responsible bidder, EarthBalance of North Port, FL in the amount of \$126,200.42. **BUDGETED ACTION:** None. \$350,000 is budgeted for construction in CIP project c411010 Sandhill Area Wetland #3 Restoration and Exotic Vegetation. The project total is \$381,000.

#### **Real Estate Services**

**(9) RECOMMENDED ACTION:** Approve the attached Resolution authorizing the release of a portion of a twenty-foot (20') wide utility and drainage easement, located in Port Charlotte Subdivision, Section Ninety-Three, and further authorizing the Senior Division Manager, Real Estate Services Division, to execute a County Deed releasing said portion of said easement. (Owners: Lucile Duchesne) **BUDGETED ACTION:** None

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

#### **G. Building and Growth Management**

**(1) RECOMMENDED ACTION:** Approve the amendment requested by Babcock Property Holdings, LLC replacing existing Exhibit L to the Increment 1 Development Order ("IDO") with Babcock Ranch Community Increment 1 – Phase 1 Master Roadway Improvement Agreement. **BUDGETED ACTION:** None

**(2) RECOMMENDED ACTION:** Approve Amended Developer's Agreement for Brookwood Calusa Creek, LLC, Petition #FP-05-04-06. Since the development infrastructure is not complete, the applicant requests that the Developer's Agreement be amended to extend the completion date. **BUDGETED ACTION:** None

**(3) RECOMMENDED ACTION:** Approve Amended Developer's Agreement for Brookwood Calusa Creek, LLC, Petition #FP-07-02-05. Since the development infrastructure is not complete, the applicant requests that the Developer's Agreement be amended to extend the completion date. **BUDGETED ACTION:** None

#### **H. Community Services**

**Parks and Natural Resources - No Items.**

**Recreation**

**(1) RECOMMENDED ACTION:** Approval and authorization for staff to draft an addendum to the Agreement with the Tampa Bay Rays for the landscape maintenance of the common grounds at the Charlotte Sports Park. This addendum will be presented to the Board for approval at the January 11, 2011 Board meeting. **BUDGETED ACTION:** The budgeted amount for FY11 for Lawn Maintenance for the common areas at the Sports Park is \$17,880. This is budgeted in the Sports Park Maintenance and Operations budget.

**(2) RECOMMENDED ACTION:** Approve and authorize the Chairman to sign, an Interlocal Agreement between Charlotte County and the School Board of Charlotte County to use the other's facilities on an as needed and as available basis. **BUDGETED ACTION:** None needed currently. The School Board uses County facilities far more than the County uses School Board facilities. Any invoicing for the difference in reciprocal use will fall to the School Board.

**Libraries and Historical - No Items.**

**J. Economic Development**

**(1) RECOMMENDED ACTION:** Approve an alternate Economic Development Ad Valorem Tax Exemption application and annual report. **BUDGETED ACTION:** None

**K. Facilities Construction and Maintenance - No Items.**

**L. Human Resources - No Items.**

**M. Human Services**

**(1) RECOMMENDED ACTION:** Approve resolution granting authority to County Attorney's Office, Real Estate Services, and the Housing Division to generate and execute all appropriate documents for the acceptance of 15 grant-funded properties from the Housing Corporation of Charlotte County funded under County grants and maintained as affordable housing rental properties to this point in time. **BUDGETED ACTION:** Under these grants, the cost for the initial properties acquisition has been expensed. There are no other acquisition costs, excepting those related to closing costs by a closing agent for the County.

**(2) RECOMMENDED ACTION:** Approve membership on the Community Action Agency Advisory Board: a) Re-appoint three Elected Officials or Representatives: Phil Wickstrom; Frank Desguin; and Alleen Miller, and b) Re-appoint two members from the Business/Private Sector: Mary (Dee) Rutko and Kim Gaut; and appoint two new members from the Business/Private Sector: Peter Burnett and Paul Froeschle. **BUDGETED ACTION:** None

**(3) RECOMMENDED ACTION:** Approve the Memorandum of Agreement with the Commission on the Transportation Disadvantaged and County Resolution, and authorize the Chair to sign all necessary documents. This is a necessary step to assure continued grand funding to Transit programs. **BUDGETED ACTION:** This Memorandum is a necessary step in the grant process, and must be renewed every five (5) years for the County's Sunshine Ride grant approval. **(4)**

**RECOMMENDED ACTION:** Approve the annual Section 5310 Federal Grant and County Resolution for FY 2011/2012, and authorize the Chair to sign all necessary documents. **BUDGETED ACTION:** Cost of Vehicles:

Federal Transit Administration funding @ 80%	137,022.40
Florida Dept. of Transportation funding @10%	17,127.80
County Match @ 10%	<u>17,127.80</u>
Total Cost	\$171,278.00

**(5) RECOMMENDED ACTION:** Approve the annual Section 5311 Federal Grant and County Resolution for FY 2011/2012, and authorize the Chair to sign all necessary documents. **BUDGETED ACTION:** Grant will be reflected in FY 2011/2012 Budget for Human Services Transit Division: \$54,829

**(6) RECOMMENDED ACTION:** Approve the annual Section 5316 Federal Grant and County Resolution for FY 2011/2012, and authorize the Chair to sign all necessary documents. **BUDGETED ACTION:** Grant will be reflected in FY

2011/2012 Budget for Human Services Transit Division: \$31,200

**(7) RECOMMENDED ACTION:** Approve the annual Section 5317 Federal Grant and County Resolution for FY 2011/2012 funding, and authorize the Chair to sign all necessary documents. **BUDGETED ACTION:** Grant will be reflected in FY 2011/2012 budget for Human Services Transit Division: \$17,500

**N. Public Safety**

**(1) RECOMMENDED ACTION:** Pursuant to Charlotte County Ordinance 2010-027, approve the following representatives listed below from each hospital to serve on the Medical Advisory Committee. **BUDGETED ACTION:** None

Charlotte Regional Medical Center  
Primary: Shannon McKusick, RN  
Alternate: Dr. Ken Stiles

Englewood Community Hospital  
Primary: Marie Graham, RN  
Alternate: Dr. Raymond James

Fawcett Memorial Hospital  
Primary: Nancy Reyes, RN  
Alternate: Dr. Sam Williams

Peace River Regional Medical Center  
Primary: Dr. Robert Leyrer  
Alternate: Dayna Bloch, RN

**P. Public Works – No Items.**

**Q. Tourism Development - No Items.**

**R. Utilities - No Items.**

**S. Other Agencies - No Items.**

**V. REGULAR AGENDA**

**Z. Regular Agenda**

**(1) Commission Office -** Please choose by ballot and appoint one person to serve as the Member-at-Large on the Beaches and Shores Advisory Committee. The term is effective December 31, 2010 and shall expire December 31, 2014.

**(2) Economic Development -** Approve Resolution identifying locally designated targeted industries.

**(3) Budget and Administrative Services -** Presentation of the plan for the FY2011/2012 Budget Process. The presentation will outline the proposed Budget Process for FY2011/2012, an overview of a Two Year Budget Process and a discussion on the existing Focus Areas.

**(4) Public Safety -** New hurricane evacuation zone presentation.

(5) Public Works Discussion and direction regarding the attached agreement with Seminole Gulf Railroad (SGLR) to increase the width of the railroad crossing and adding another side track in conjunction with the widening of North Jones Loop Road as part of the Burnt Store Road Widening Project, Phase I.

(6) Commission Office - Discuss Commission committee assignments.

#### **VI. PUBLIC HEARING AGENDA**

**10:00 A.M.**

(1) Economic Development - Conduct a public hearing to discuss and adopt an ordinance pursuant to Section 125.35, Florida Statutes; creating new section 1-1-16 to the Code of Laws and Ordinances of Charlotte County, Florida; providing for alternative disposition standards and procedures for County-owned lands for economic development purposes; providing competitive qualifying standards; providing for public notice; providing for form of acquisition; providing for negotiation procedures; providing for adherence to local land use regulations; providing for severability; and, providing for an effective date.

(2) 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.

(3) County Attorney- Conduct a public hearing to consider the Appeal of Nicholas Ross Jakimer of the Construction Industry Licensing Board (CILB) Order upholding the issuance of a citation for unlicensed contracting.

#### **VII. PRESENTATION AGENDA - No Items.**

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

#### **IX. BOARD WORKSHOP AGENDA - No public input.**

**2:00 P.M.**

Conduct a Board Workshop for the BCC to provide direction and input to the Interim Administrator of the Charlotte County Health Department.

#### **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  
Tricia Duffy, District 5, Vice-Chairman  
Robert Skidmore, District 3  
Christopher Constance, District 2  
Stephen R. Deutsch, District 4

**Schedule of Future Closures/Hearings/Workshops**

**Tuesday, December 21, 2010, 1:00 p.m. - Board of County Commissioners Land Use Meeting, Administration Building, 18500 Murdock Circle, Room #119 - CANCELLED**

**Friday, December 24, 2010, Christmas Eve (observed) All County Buildings Closed**

**Monday, December 27, 2010 Christmas Holiday (observed) All County Buildings Closed**

**Tuesday, December 28, 2010, Board of County Commissioners Regular Meeting, Administration Building, 18500 Murdock Circle, Room #119 - CANCELLED**

**Monday, January 3, 2011, New Year's Day (observed) All County Buildings Closed**

*Tuesday, January 11, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room # 119*

**Monday, January 17, 2011, Martin Luther King, Jr. Day, All County Buildings Closed**

*Tuesday, January 18, 2011, 9:00 a.m. Board of County Commissioners Land Use Meeting, Murdock Administration Building, Room # 119*

*Tuesday, January 25, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room # 119*

*Tuesday, February 8, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room # 119*

*Tuesday, February 15, 2011, 9:00 a.m. Board of County Commissioners Land Use Meeting, Murdock Administration Building, Room # 119*

**Monday, February 21, 2011, President's Day, All County Buildings Closed**

*Tuesday, February 22, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room # 119*

*Tuesday, March 8, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room # 119*

*Tuesday, March 15, 2011, 9:00 a.m. Board of County Commissioners Land Use Meeting, Murdock Administration Building, Room # 119*

*Tuesday, March 22, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room # 119*