

BOARD OF COUNTY COMMISSIONERS

April 25, 2011

A Pre-Agenda meeting in preparation of the April 26, 2011 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, County Attorney Knowlton, Assistant County Administrator Shoemaker, and Deputy Clerk Carleton. The following members were absent: Commissioner Skidmore. The meeting was called to order at **9:00 AM**.

**There was Board Discussion held on the following items:**

**County Attorney:**

E-1

**Purchasing:**

F-2

**Real Estate Services:**

F-4, F-5

**Building and Growth Management:**

G-1

**Human Services:**

M-1

**Public Works:**

P-1

**Utilities:**

R-1

**Regular Agenda:**

Z-1

ADJOURNED: 9:55 AM

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Chairman

ATTEST:

BARBARA T. SCOTT, CLERK  
OF THE CIRCUIT COURT AND  
EX-OFFICIO TO THE BOARD  
OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

sfc

**County Commissioners**

Bob Starr, District 1, Chairman  
Tricia Duffy, District 5, Vice-Chairman  
Christopher Constance, District 2  
Robert Skidmore, District 3  
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  
4/26/2011 9:00 AM  
18500 Murdock Circle, 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:** Minister, David Rushlow, Church of Christ Peace River

**Pledge of Allegiance**

**Changes to the Agenda:**

**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 Stephen R. Deutsch

Boating Safety Month  
David Mahon Day  
National Drinking Water Week  
Native Tree and Shrub Preservation Week  
Robert Hendrickson Day

**Employee Recognition** - Commissioner Stephen R. Deutsch  
Dee Hawkins of Fire/EMS is the employee of the month for March 2011.

**Presentations** - None

### 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 currently seeking four members to serve on the committee. One Banking/mortgage banking representative; one home building industry representative; one for profit provider and one Charlotte County essential services personnel. All terms are four years.

**Code Enforcement Board** - is currently seeking one member to serve on the committee. Must be a licensed architect and a resident of the County. Term expires September 2012.

**MPO – Citizens Advisory Committee (CAC)** - is seeking two (2) individuals to voluntarily serve as 1) an Elderly Interest Representative and 2) a Minority Interests Representative. 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](mailto:office@ccmpo.com). Deadline for submitting application is Friday, April 29, 2011. The MPO Board will elect the above positions at their Monday, May 9, 2011, meeting.

**MPO – Bicycle/Pedestrian Advisory Committee (BPAC)** A Charlotte County resident is being sought to voluntarily serve as a representative of the **MPO Bicycle/Pedestrian Advisory Committee (BPAC)** for the following position: Bicycle Club Representative. The purpose of the BPAC is to provide recommendation on bicycle and pedestrian pathways, including their planning and completion. Deadline to for submitting application is Friday, April 29, 2011. 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](mailto:office@ccmpo.com) . The MPO Board will elect the above positions at its Monday, May 9, 2011.

**South Gulf Cove Community Plan Advisory Committee** - is seeking one volunteer to finish an unexpired term. Must reside within the unit. Term effective immediately and shall expire July 24, 2012.

**Construction Board of Adjustments and Appeals** - is seeking one member to serve on the committee. Must be a licensed mechanical contractor and hold a current valid license. Term is effective immediately and will expire in April 2013.

**Housing Finance Authority** - is seeking three volunteers to serve on the committee. Terms are for four years and applicants must be knowledgeable in one of the following fields: labor, finance or commerce. This committee meets quarterly.

### III. REPORTS RECEIVED AND FILED

Charlotte Harbor CRA Advisory Committee 2010 Annual Report.  
Murdock Village CRA Advisory Committee 2010 Annual Report.

### 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:** **BUDGETED ACTION:** None required.

3/08/11 9:00 AM BCC Regular Meeting & Executive Session

3/11/11 9:00 AM BCC/PG Joint Meeting

3/15/11 9:00 AM BCC Regular/Land Use Meeting

3/16/11 6:00 PM BCC/Curmudgeon Meeting

3/21/11 9:00 AM Pre-Agenda Meeting

**Board of County Commissioners**

**C. Commission Office**

- (1) **RECOMMENDED ACTION:** Approve to reappoint John Hitzell as the District # 4 representative on the Parks and Recreation Advisory Committee. The term is effective immediately and shall expire April 20, 2014. **BUDGETED ACTION:** None required.

- (2) **RECOMMENDED ACTION:** Approve the following reappointments to the Housing Finance Authority: Alexander Williams and Jim McClary would like to be reappointed to the Authority. These terms are effective immediately and are for four years. **BUDGETED ACTION:** None required.

**D. Administration**

**Administration**

- (1) **RECOMMENDED ACTION:** Request BCC consideration of requests from the Clerk of the Circuit Court, Sheriff's Office, and Supervisor of Elections to grant a one-time extension for this year, by resolution, of their Proposed FY11/12 Budget submission date from May 1, 2011 to June 1, 2011. **BUDGETED ACTION:** No action at this time.

**Public Information Office - No Items.**

**E. County Attorney**

- (1) **RECOMMENDED ACTION:** Set an Executive Session for April 26, 2011 at 2:00 p.m. in the Charlotte County Attorney's Office Large Conference Room to discuss settlement negotiations and strategy related to litigation expenditures concerning the civil lawsuits captioned Sabbia & Monti Trust v. Charlotte County, et al., Case No. 08-3534-CA and Veteran's Peachland Plaza v. Sabbia & Monti Trust, et al., Case No. 09-2318-CA. **BUDGETED ACTION:** None required
- (2) **RECOMMENDED ACTION:** Approve a Resolution and revised office lease agreement for State Rep. Paige V. Kreegel, M.D. **BUDGETED ACTION:** None required.

**F. Budget and Administrative Services**

**Budget and Administrative Services**

- (1) **RECOMMENDED ACTION:** Cancel BCC Workshop scheduled for June 24, 2011 and reschedule for Monday, August 1, 2011, at 1:30 P.M., in Room #119. **BUDGETED ACTION:** None required.

**Fiscal Services - No Items.**

**Information Technology - No Items.**

**Purchasing**

- (2) **RECOMMENDED ACTION:** Approve Amendment #23 to Contract #01-125, Sarasota/Charlotte County Beach Restoration Study with Coastal Technology Corp., in the amount of \$252,219, to conduct the 2011 Project First-Year Annual Monitoring. Amendment #23 is for the Annual Monitoring Services required by the Florida Department of Environmental Protection (FDEP) permit, in accordance with the attached scope and schedule. **BUDGETED ACTION:** None. Budgeted in FY11 adopted CIP project c390901 Stump Pass Monitoring. Funding is supplied from the Stump Pass Beach Renourishment MSTU/BU.
- (3) **RECOMMENDED ACTION:** a) Approve the split Award of Bid #10-331, Medical Supplies for Fire/EMS, by line item at the unit prices bid to Alliance Medical, Inc., of Jefferson City, MO; Bound Tree Medical, LLC, of Dublin, OH; Ever Ready First Aid and Medical Supply, of Brooklyn, NY; Henry Schein, Inc., of Irmo, SC; Kentron Health Care, Inc., of Springfield, TN; Medical Products Supply, Inc., of Babylon, NY; Midwest Medical Supply Co., LLC, of Earth City, MO; Moore Medical, LLC, of Farmington, CT; Progressive Medical, of Vista, CA; Quad Med, Inc., of Jacksonville, FL, and Southeastern Emergency Equipment, of Youngsville, NC. Term of contract is to be from date of award through and including September 30, 2011; and b) Authorize the County Administrator to approve the renewal options for up to two additional one-year terms, at the same prices, terms, and conditions, by mutual consent. **BUDGETED ACTION:** None, this item is budgeted in the EMS budget, General Fund.

**Real Estate Services**

- (4) **RECOMMENDED ACTION:** Approve the attached Resolution that declares the real property listed on Exhibit "A" to be surplus to County needs and authorizes County staff to dispose of the real property in accordance with the provisions of Florida Statute 125. **BUDGETED ACTION:** None at this time. Any revenue from these properties will be deposited into the appropriate fund to defray any costs that have occurred for maintaining these properties and/or processing costs.
- (5) **RECOMMENDED ACTION:** Approve a Resolution authorizing the Chairman to execute a grant of two (2) utility easements to Florida Power & Light Company, (1) to be located in the Charlotte County Zemel Road Landfill, and (2) to be located in an unpaved area of Zemel Road near Burnt Store Road. **BUDGETED ACTION:** None. Recording fees of approximately \$193.00 will be paid by Solid Waste Enterprise Fund operating account.
- (6) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the release of a portion of a ten-foot (10') wide utility and drainage easement, located in Port Charlotte Subdivision, Section Fifty-One, and further authorizing the Senior Division Manager, Real Estate Services Division, to execute a County Deed releasing said portion of said easement. (Owner: Valerie J. Reed)  
**BUDGETED ACTION:** None

**G. Building and Growth Management**

- (1) **RECOMMENDED ACTION:** Approve the DRC-PD-80-4XXX(MM) Major Modification Resolution permitting Buffalo Garland Associates, RB-3 Associates & Benderson 85-I to develop the Peachland Promenades shopping center. **BUDGETED ACTION:** None

**H. Community Services**

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

**Recreation - No Items.**

**Libraries and Historical - No Items.**

**J. Economic Development**

- (1) **RECOMMENDED ACTION:** Approve to set a public hearing for May 10, 2011, and May 24, 2011, at 10:00 a.m., or as soon thereafter as possible, to consider establishing the Murdock Village Enhancement Zone as authorized under the Section 376.80 Florida Statute - Brownfield program. **BUDGETED ACTION:** None at this time. The Florida Brownfield Redevelopment Economic Incentive program provides bonus tax refunds, of up to \$2,500, for each new job created in a designated brownfield area based on State criteria and the approval of an application. If the local match is waived, the maximum bonus refund is reduced to \$2,000 per qualified job.

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

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

**M. Human Services**

- (1) **RECOMMENDED ACTION:** Approve the attached form of the lease agreement with Peace Lutheran Church for the use of the Stillwater Home property, and authorize the Chairman to execute the lease as soon as the exhibits are finalized. **BUDGETED ACTION:** None

**N. Public Safety - No Items.**

**P. Public Works**

- (1) **RECOMMENDED ACTION:** Approve a Resolution prohibiting fishing on the Coral Creek Bridge and authorizing the Public Works Director or designee in the future to prohibit the use of bridges for fishing when determined to be dangerous or hazardous to the public. **BUDGETED ACTION:** None. Funds for the placement of no fishing signs will be supplied from gas taxes.
- (2) **RECOMMENDED ACTION:** Approve and authorize the Chairman to sign the Third Amendment to the Charlotte Harbor/Gasparilla Sound Water Quality Monitoring Cooperative Agreement (W521) with the Southwest Florida Water Management District. **BUDGETED ACTION:** None. Budgeted in the Mid, South, and West County Stormwater MSBUs. Funding is supplied from the Mid, South, and West County Stormwater MSBUs.

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

**R. Utilities**

- (1) **RECOMMENDED ACTION:** Approve Resolution providing Consent under the Master Water Supply Contract for the Peace River/Manasota Regional Water Supply Authority to enter Charlotte County to construct Segment A of the Phase 2 Interconnect Pipeline for the City of North Port, while withholding approval of proposed Segment B of the Phase 2 Interconnect until after the decision is made whether or not to build Segment B. **BUDGETED ACTION:** None

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

**V. REGULAR AGENDA**

**Z. Regular Agenda**

- (1) Public Works - **RECOMMENDED ACTION:** Choose by ballot two property owner/residents to serve as members on the Deep Creek Street & Drainage Advisory Committee; one to complete a term ending January 13, 2012, and one to serve a three-year term. Terms to begin upon appointment.

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

- (1) Economic Development - **RECOMMENDED ACTION:** Conduct a Public Hearing to approve revisions to the boundary of Enterprise Charlotte Airport Park Brownfield Area Designation and rename the area to the ECAP Enhancement Zone.
- (2) Public Works - **RECOMMENDED ACTION:** Consider approving an Ordinance amending the territory of the Greater Port Charlotte Street & Drainage MSBU to add properties in the Viscaya Lakes area that have been accepted by the County for maintenance.
- (3) Public Works - **RECOMMENDED ACTION:** Consider approving an Ordinance amending the Harbour Heights Street and Drainage MSBU to add properties to the Unit. These properties have been receiving benefits but have not previously been assessed as part of the MSBU.
- (4) Public Works - **RECOMMENDED ACTION:** Consider approving an Ordinance amending the territory of the Punta Gorda Non-Urban Street and Drainage MSBU to provide for various corrections and additions to the territory of the Unit as well as the inclusion of the Creek Side Subdivision into the Unit.
- (5) Public Works - **RECOMMENDED ACTION:** Consider approving an Ordinance creating the Rotonda West Beautification municipal service benefit unit (MSBU). The creation of a new MSBU to fund beautification projects was requested by the Rotonda West Street & Drainage MSBU as well as the Property Owners Association so that beautification projects can be completed.
- (6) Public Works - **RECOMMENDED ACTION:** Consider approving an ordinance correcting the legal description of the territory of Stump Pass MSTU. This is part of the annual MSBU/MSTU review. This ordinance will correct an error in the legal description of the territory of the Unit.

- (7) Public Works - **RECOMMENDED ACTION:** Consider approving an ordinance amending the Suncoast Boulevard Street & Drainage MSBU to provide for an improved and corrected description of the properties within the Unit, create an advisory board and to bring the provisions of the MSBU into conformity with other MSBUs.

**VII. PRESENTATION AGENDA - No Items**

**VIII. PUBLIC WORKSHOP AGENDA - No Items**

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

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

Thursday, April 28, 2011, 1:30 p.m. **Focus Area Workshop** - FY2011/12 Budget, Murdock Administration Building, Room #119

Tuesday, May 3, 2011, 10:00 a.m. **MSBU Workshop**, Murdock Administration Building, Room #119

Thursday, May 5, 2011, 1:30 p.m. **Focus Area Workshop** - FY2011/12 Budget, Murdock Administration Building, Room #119

Tuesday, May 10, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room #119

Thursday, May 12, 2011, 1:30 p.m. **Focus Area Workshop** - FY2011/12 Budget, Murdock Administration Building, Room #119

Tuesday, May 17, 2011, 9:00 a.m. Board of County Commissioners **Land Use Meeting**, Murdock Administration Building, Room #119

Tuesday, May 24, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room #119

**Monday, May 30, 2011, All County Buildings Closed in Observance of Memorial Day**

Friday, June 10, 2011 9:00 a.m. **Joint Meeting, Board of County Commissioners and City of Punta Gorda**, Murdock Administration Building, Room #119

Tuesday, June 14, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room #119

Tuesday, June 21, 2011, 9:00 a.m. Board of County Commissioners **Land Use Meeting**, Murdock Administration Building, Room #119

Friday, June 24, 2011, 1:30 p.m. **Budget Public Hearing - CIP Presentation** to BCC, Murdock Administration Building, Room #119

Tuesday, June 28, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room #119

**Monday, July 4, 2011, All County Buildings Closed in Observance of Independence Day**

Tuesday, July 12, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room #119

Tuesday, July 19, 2011, 9:00 a.m. Board of County Commissioners **Land Use Meeting**, Murdock Administration Building, Room #119

Tuesday, July 26, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room #119