

BOARD OF COUNTY COMMISSIONERS

May 23, 2011

A Pre-Agenda meeting in preparation of the May 24, 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, Commissioner Skidmore, County Attorney Knowlton, County Administrator Sandrock, Assistant County Administrator Shoemaker, and Deputy Clerk Lansing. 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:

Administration: D-1

Budget and Administrative Services: F-1, F-2, F-3, F-4, F-5, F-6, F-7

Purchasing: F-8, F-9, F-10, F-11, F-12, F-13, F-14

Real Estate Services: F-16

Building and Growth Management: G-1

Public Works: P-1

Utilities: R-1

Regular Agenda: Z-1, Z-2

Public Workshop Agenda: #1 Growth Management

***There will be Changes and Additions to the Agenda.**

ADJOURNED: 10:38 AM

Chairman

ATTEST:

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

**By: _____
Deputy Clerk**

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
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
5/24/2011 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: Pastor Steve Glover, Deep Creek Community Church

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**
- 10:00 A.M. VII. **Presentation**
- 10:00 A.M. VIII. **Public Workshop**
- IX. **Board Workshop**
- X. **Citizen Input - Any Subject**

Proclamations - Commissioner Bob Starr

El Jobean Pre-Memorial Day Remembrance Celebration
Mental Health Awareness Month
National Historic Preservation Month
Race Unity Week
Tom Burns Day

Employee Recognition - Commissioner Bob Starr

Employee of the Month - April, 2011 - William Sayers, Public Works

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 three members to serve on the committee. One For-profit provider; One Real Estate Professional; and one Essential Services representative. This committee meets the 4th Wednesday of each month at 9:00am at the Family Services Center.

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 will expire in April 2013.

Code Enforcement Board - is seeking one member to serve on the committee. Must be a licensed architect and a resident of Charlotte County. This term will expire in September 2012.

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.

Housing Finance Authority - is seeking one volunteer to serve on the committee. Term is for four years and applicant must have knowledge of labor, finance or commerce. Committee meets quarterly.

Murdock Village Community Redevelopment Agency Advisory Committee - is seeking one (1) volunteer to fill the following position: One member of the "banking and finance" sector or "appraisal" sector, the latter as defined in Chapter 475, Florida Statute; term to expire September, 2012. Please contact the Commission office at 743-1300, fax: 743-1310 or e-mail: BCC@charlottefl.com

Placida Street & Drainage - is seeking one volunteer to serve a three year term. Volunteer must reside within the boundary of the MSBU. Submit resume to the 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

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

III. REPORTS RECEIVED AND FILED – None

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.

4/19/11 9:00 AM BCC Regular/Land Use Meeting
4/25/11 9:00 AM Pre-Agenda Meeting
4/25/11 2:00 PM Joint Workshop, BCC, PG, School Board

Board of County Commissioners

C. Commission Office

- (1) **RECOMMENDED ACTION:** Approve the appointment of Michael Mansfield to the Affordable Housing Advisory Committee as the home building industry representative. Mr. Mansfield meets the requirements and this term will expire in June 2013. **BUDGETED ACTION:** None required.

D. Administration

Administration

- (1) **RECOMMENDED ACTION:** Approve to cancel three Board of County Commissioners meetings, August 9, 2011, Regular Board Meeting, August 19, 2011, Land Use Meeting, and August 23, 2011 Regular Board Meeting. **BUDGETED ACTION:** None required.

Public Information Office - No Items.

E. County Attorney

- (1) **RECOMMENDED ACTION:** Set an Executive Session for May 24, 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.

F. Budget and Administrative Services

Budget and Administrative Services

- (1) **RECOMMENDED ACTION:** Approve \$50,000 from the Boaters Improvement Fund (BIF) to reimburse the Charlotte Harbor Regatta, Inc. for materials to construct 360 feet of floating docks for the 2012 IFDS World Disabled Sailing Championships. **BUDGETED ACTION:** Approve an expenditure of \$50,000 from the Local Boater Improvement Fund for materials to construct 360 ft. of floating docks for the 2012 IFDS World Disabled Sailing Championships. This expenditure is funded by Local Option Boater Fees.
- (2) **RECOMMENDED ACTION:** a) Authorization to submit an application to the E-911 State Grant Program for funding to obtain pre-arrival medical instruction software at the cost of \$85,418.99 (application and 3 quotes attached); and b) authorize the Chair to execute the necessary grant documents and, c) authorize staff to make any changes necessary to submit the grant. **BUDGETED ACTION:** None at this time. If the grant is awarded and accepted, funds will be placed in the enhanced 911 Fund.
- (3) **RECOMMENDED ACTION:** a) Authorization to submit an application to the E-911 State Grant Program for funding to assess and resolve lightning intrusion at all three Charlotte County PSAP's at the cost of \$14,640 (application and 3 quotes attached); and b) authorize the Chair to execute the necessary grant documents; and c) authorize staff to make any changes necessary to submit the grant. **BUDGETED ACTION:** None at this time. If the grant is awarded and accepted, funds will be placed in the Enhanced 911 Fund.
- (4) **RECOMMENDED ACTION:** a) Authorization to submit an application to the E-911 State Grant Program for funding to purchase and install Charlotte County Redundant Fiber Run at the cost of \$197,019.20; and b) authorize the Chair to execute the necessary grant documents; and c) authorize staff to make any changes necessary to submit the grant. **BUDGETED ACTION:** None at this time. If the grant is awarded and accepted, funds will be placed in the Enhanced 911 Fund.
- (5) **RECOMMENDED ACTION:** a) Authorization to submit an application to the E-911 State Grant Program for

funding to obtain Cassidian Upgrade software at the cost of \$103,216; and b) authorize the Chair to execute the necessary grant documents; and c) authorize staff to make any changes necessary to submit the grant. **BUDGETED ACTION:** None at this time. If the grant is awarded and accepted, funds will be placed in the Enhanced 911 fund.

(6) RECOMMENDED ACTION: Approve and adopt the attached Resolution which accepts and approves the Marine Advisory Committee (MAC) recommendations for the West Coast Inland Navigation District (WCIND) and Boater Improvement Fund (BIF) expenditures for the 2011-2012 fiscal year in the amount of \$872,089 and approves the attached applications. **BUDGETED ACTION:** Approve the revenues and expenditures for the WCIND and BIF funds as set forth in the attached resolution. There is no financial impact since these expenditures are funded by WCIND/BIF taxes and fees.

(7) RECOMMENDED ACTION: Approve and authorize the mailing of the required first-class notification of proposed Municipal Services Benefit Unit (MSBU) assessment rates for FY11/12 for those units with a proposed rate increase above the previously established maximum rate or units assessed for the first time. **BUDGETED ACTION:** None. Mailing costs are budgeted in the General Fund - BCC Control, and will be charged back to the appropriate MSBU.

Fiscal Services - No Items.

Information Technology - No Items.

Purchasing

(8) RECOMMENDED ACTION: Approve the Annual Maintenance & Support Fee, File #11-215 for Charlotte County's Accela Software Enterprise Program with Accela, Inc. in the amount of \$127,625.30 for the time frame of June 24, 2011 through and including June 23, 2012. **BUDGETED ACTION:** None. This item is budgeted in the Building Construction Services and Growth Management and IT budgets for FY10/11 and FY11/12.

(9) RECOMMENDED ACTION: Approve the File #11-216, Renewal of Banner Software Maintenance, to Ventyx, Inc., of Atlanta, GA for the cost of \$113,250. Information Technology is requesting the renewal maintenance purchase for the Banner software. This software is the Enterprise Customer Information System used by the utility which handles many aspects of their daily operations. **BUDGETED ACTION:** None. This item is budgeted in the CCU O&M Fund - Computer - \$115,000.

(10) RECOMMENDED ACTION: Approve award Bid #11-180, Sidewalk Construction - Golf Course Boulevard and Fairway Drive, to Bonness, Inc., of Port Charlotte, FL, in the amount of \$111,063.93. This is for the construction of sidewalks on Golf Course Boulevard and on Fairway Drive, as part of the Year One Sales Tax Sidewalk Construction Projects. **BUDGETED ACTION:** None. Funded in FY11 adopted CIP project c410918, Sidewalks 2009 Sales Tax Extension.

(11) RECOMMENDED ACTION: a) Approve award of Bid #11-159, Stormwater Collection System Rehabilitation, to Reynolds Inliner LLC, of Sanford, Florida, at the unit prices submitted. Term of contract is July 1, 2011, through and including September 30, 2012; and b) authorize the County Administrator to approve up to two additional one-year terms at the same prices, terms, and conditions, by mutual consent. This is an annual contract for the rehabilitation of existing storm sewer pipes, utilizing cured-in-place pipe lining on an "as required" basis for the Public Works Department. **BUDGETED ACTION:** None. Budgeted in the Transportation Trust Fund and various MSBUs. Funding is supplied from gas taxes and various street and drainage MSBUs.

(12) RECOMMENDED ACTION: a) Approve ranking of firms for Request for Proposal #11-152 Design - Burnt Store Decorative Lighting: 1st Florida Transportation Engineering, Inc., of Punta Gorda, FL; and 2nd Kimley-Horn & Associates, Inc., of Sarasota, FL; and b) approve start of negotiations with top ranked firm; and c) authorize Chairman to sign the contract after completion of negotiations; and d) approve CIP amendment 11-C06 in the amount of \$185,000; and e) approve budget transfer 11-027 in the amount of

\$185,000. This is for a firm to design and permit County-approved decorative street lights and landscaping within the Burnt Store Lakes subdivision. **BUDGETED ACTION:** Approval of CIP amendment 11-C06 and budget transfer 11-027 will set up funding for engineer in this project. Construction funding will be part of the FY12 CIP process. Funding is supplied from the Burnt Store Lakes Streets and Drainage MSBU.

(13)RECOMMENDED ACTION: a) Approve Work Assignment #5 South Gulf Cove Park Shoreline Restoration, Contract #09-251, South Gulf Cove Parks Design, in the amount of \$5,850 with David M. Jones Jr. & Associates; and b) authorize Chairman to sign Amendment for Work Assignment #5. This is for professional services for parks, environmental restoration, marine-related improvements, sidewalks and trails, and related ancillary improvements for the community of South Gulf Cove. **BUDGETED ACTION:** None. Budgeted in the Florida Friendly Park Landscape Development Project. This project was adopted as part of the FY10/11 Capital Improvements Program. Funding is provided by the Native Tree Fund.

(14)RECOMMENDED ACTION: a) Approve ranking of Firms for Request for Proposal #11-079 Fixed Base Automatic Meter Reading System: 1st - HD Supply Waterworks, LTD of Sarasota, FL; 2nd - Mueller Systems LLC of Cleveland, NC; and 3rd - Itron, Inc. of Liberty Lake, WA; and b) approve start of Negotiations; and c) authorize the Chairman to sign the contract after successful completion of negotiations for the fixed base automatic meter reading system; and d) approve CIP amendment #11-C05. This project is to obtain the services of a company for a Fixed Base Automatic Meter Reading system (AMR). **BUDGETED ACTION:** Amount budgeted \$400,000. Funding for meter replacements are budgeted in CCU Replacement and Renewal Fund - Equipment. This project is a multi-year, system-wide capital improvement and as required, a CIP project is being established.

(15)RECOMMENDED ACTION: Approve award of Bid #11-187, Combination Sewer Clean – Vacuum Machine for the purchase of two (2) Combination Sewer Clean - Vacuum Machines to the lowest responsive, responsible bidder, Orlando Freightliner of Apopka, FL at the unit cost of \$256,888, for a total cost of \$513,776. The purpose of the bid is to secure a firm price for the purchase and delivery of two (2) Combination Sewer Clean - Vacuum Machines, one (1) unit will be purchased and utilized by the Charlotte County Public Works Department and one (1) will be purchased and utilized by the Charlotte County Utilities in daily operations. **BUDGETED ACTION:** CCU and Public Works each have \$260,000 available.

Real Estate Services

(16)RECOMMENDED ACTION: Authorize the Chair to sign the attached Tenant Estoppel, Attornment and Subordination Certificate, required as a result of the pending sale of the property located at 3280 Tamiami Trail, Port Charlotte, FL 33948. A portion of the building at that location is currently being occupied by the Charlotte County Sheriff's Office. **BUDGETED ACTION:** None. There is no change in the existing lease per this item.

G. Building and Growth Management

(1) RECOMMENDED ACTION: Approve a resolution establishing a special magistrate to hear code enforcement cases; dissolving the code enforcement board; authorizing the code enforcement board chair to sign outstanding orders; authorizing the county attorney to enter into a contract with a special magistrate and providing for an effective date. **BUDGETED ACTION:** The department currently pays an attorney to advise the code enforcement board so funds are budgeted.

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 - No Items.

P. Public Works

- (1) **RECOMMENDED ACTION:** Approve to set a public hearing for June 14, 2011, at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an Ordinance prohibiting the parking of vehicles on the east side of Torrence Street, from SR 776 to Ester Avenue, and on the south side of Ester Avenue, from Torrence Street west approximately 525 feet. This amended Ordinance would extend the no parking prohibition to both sides of Torrence Street and Ester Avenue. **BUDGETED ACTION:** None. Cost of "No Parking" signs of approximately \$480 will be supplied from the Greater Port Charlotte Street and Drainage MSBU.

Q. Tourism Development - No Items.

R. Utilities

- (1) **RECOMMENDED ACTION:** Authorize staff to submit application for FDEP grant (USEPA Sec 319 of the Federal Clean Water Act) to implement projects to reduce nonpoint sources of pollution (NPS) in Charlotte Harbor through the extension of wastewater services to the North Shore Drive area. **BUDGETED ACTION:** If grant is awarded to Charlotte County, Grant Contract will be brought to the BCC for approval and will include a budget amendment.

S. Other Agencies - No Items.

V. REGULAR AGENDA

Z. Regular Agenda

- (1) Community Services - **RECOMMENDED ACTION:** Board discussion and direction to replace parking meters.
- (2) County Attorney - **RECOMMENDED ACTION:** Consider appeal of Daniel Likness from an order of the Construction Industry Licensing Board.

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

- (1) Economic Development - **RECOMMENDED ACTION:** Conduct a public hearing to approve a resolution to create the Murdock Village Enhancement Zone.

VII. PRESENTATION AGENDA - 10:00 A.M.

- (1) Public Works - **RECOMMENDED ACTION:** Presentation by the Solid Waste Operations Division of Public Works on the "Keep Charlotte Beautiful" programs.
- (2) Public Works - **RECOMMENDED ACTION:** The Florida Department of Transportation (FDOT) has recently concluded its Project Development & Environmental Study (PD&E), with respect to the proposed widening of US 41 from four lanes to six lanes between Enterprise Drive in Charlotte County to Sumter Boulevard in the City of North Port.

VIII. PUBLIC WORKSHOP AGENDA - 10:00 A.M.

- (1) Growth Management - **RECOMMENDED ACTION:** Hold a public workshop and provide direction to staff regarding possible changes to the County's sign code, Chapter 3-9, Article III, Code of Laws and Ordinances.

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

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

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

Thursday, July 14, 2011, 1:30 p.m. **Budget Public Hearing - Presentation of Tentative Budget**

Friday, July 15, 2011, 1:30 p.m. **Budget Public Hearing - Presentation of Tentative Budget [if needed]**

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

Wednesday, July 20, 2011, 5:01 p.m. **MSBU Public Hearing,** Murdock Administration Building, Room #119

Thursday, July 21, 2011, 5:01 p.m. **MSBU Public Hearing,** Tringali Recreation Center, 3460 N. Access Road, Englewood

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

Monday, August 1, 2011, 1:30 p.m. **BCC Workshop**, Murdock Administration Building, Room #119

Tuesday, August 23, 2011, Board of County Commissioners **Land Use Meeting**, Murdock Administration Building, Room #119