

BOARD OF COUNTY COMMISSIONERS

August 22, 2011

A Pre-Agenda meeting in preparation of the August 23, 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 Carleton. 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

Purchasing: F-2, F-3, F-4, F-5

Real Estate Services: F-8, F-9

Public Works: P-1, P-2

Regular Agenda: Z-2 & Z-3 (Deleted from this Agenda), Z-4, Z-5

ADJOURNED: 10:30 AM

Chairman

ATTEST:

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

**By: _____
Deputy Clerk**

sfc

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

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

Regular Meeting
8/23/2011 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 Jason Hawk, Church of the Nazarene

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 Christopher Constance

Charlotte County Day @ Tropicana Field
David Donohew Day

National Recovery Month
Patriot Day in Charlotte County
Franz Ross Park YMCA 10th Anniversary Celebration Week

Employee Recognition - None

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:

Greater Port Charlotte Street and Drainage Advisory Committee - is seeking two volunteers; one regular member for a three year term; and one alternate member for a two year term. Volunteers must reside within the boundary of the MSBU. Submit resume to Charlotte County Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call (941-743-1300; fax: (941-637-9265) or email msbu@charlottefl.com

Historical Advisory Committee - is currently seeking three members to serve on the committee. These are three year terms and require the following: (1) member of the Lemon Bay Historical Society; (1) member of the Punta Gorda Historical Society; and (1) member-at-large. Terms will expire September 30, 2014. 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.

III. REPORTS RECEIVED AND FILED

Minutes from the July 11, 2011 Charlotte Harbor CRA Advisory Committee meeting.
County Investment Report for the quarter ended, June 30, 2011.

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:** Approve Minutes for:
July 12, 2011 9:00 AM Regular Meeting
July 14, 2011 1:30 PM Presentation of Tentative Budget
July 15, 2011 10:00 AM Joint Meeting/BCC/Airport Authority
July 19, 2011 9:00 AM Regular/Land Use Meeting
July 20, 2011 5:01 PM MSBU Public Hearing
July 21, 2011 8:00 AM Economic Development Director Interviews
BUDGETED ACTION: None required.

Board of County Commissioners

C. Commission Office

- (1) **RECOMMENDED ACTION:** Approve to appoint Edward E. Callahan to the Code Enforcement Board to finish the unexpired term of the Architect representative. This term shall expire on September 30, 2012. **BUDGETED ACTION:** None required.
- (2) **RECOMMENDED ACTION:** Approve the reappointment of Alan LeBeau, who has been serving in this capacity and whose term expires August 20, 2011, as the General Contractor Representative to the Code Enforcement Board. This is a three year term that shall expire on August 20, 2014. **BUDGETED ACTION:** None required.
- (3) **RECOMMENDED ACTION:** Approve to appoint Michael Beers to serve on Peace River Shores Street & Drainage Advisory Committee. The term is for one year from date appointed. **BUDGETED ACTION:** None required.

D. Administration

Administration

- (1) **RECOMMENDED ACTION:** a) Waive the need to seek a quote based, in part, upon the finding of unique circumstances with Ripken, b) Approve to have Ripken Design conduct a market and feasibility study on a Youth Sports Complex in Charlotte County; and c) Approve Budget Transfer # 11-038 in the amount of \$18,725 to allocate the County's funding. **BUDGETED ACTION:** Approval of Budget Transfer # 11-038. Funding provided by General Fund – Contingency Reserves.

Public Information Office - No Items.

E. County Attorney

- (1) **RECOMMENDED ACTION:** Approve the settlement concerning roadway damages at Gasparilla & Sawyer caused by Southwest Florida Cable Construction, Inc. and authorize the Chair to execute the Release. **BUDGETED ACTION:** None
- (2) **RECOMMENDED ACTION:** Set an Executive Session for August 23, 2011 at 2:00 p.m. in the Charlotte County Attorney's Office Large Conference Room to discuss settlement negotiations or strategy related to litigation expenditures concerning the civil lawsuit captioned Grant Medical Transportation, Inc. v. Charlotte County and Ameditrans; Case No. 10-4027-CA. **BUDGETED ACTION:** None

F. Budget and Administrative Services

Budget and Administrative Services

- (1) **RECOMMENDED ACTION:** Approve the attached revised Reserve Policy and the Reserve Policy Resolution. **BUDGETED ACTION:** No action necessary.

Fiscal Services - No Items.

Information Technology - No Items.

Purchasing

- (2) **RECOMMENDED ACTION:** Approve renewal of Contract #09-292, Tourism Advertising & Public Relations Implementation with Smith Advertising and Associates for the term October 1, 2011, up to and including September 30, 2012, in the amount not-to-exceed \$255,850. This is an annual contract for the procurement of marketing services for the Tourist Development Bureau in promoting Charlotte as a travel destination. **BUDGETED ACTION:** None. Budgeted in the Tourist Development Fund.
- (3) **RECOMMENDED ACTION:** a) Approve Amendment #2 to Contract #2008000248, Food and Beverage Services-Event Center, with Centerplate; and b) Authorize the Chairman to sign the Amendment. This is for a revision to terms regarding the annual minimum rent guarantee for years four and five. **BUDGETED ACTION:** None. Revenue is budgeted in the Event Center budget.
- (4) **RECOMMENDED ACTION:** Approve the Termination of Contract #09-084, Annual Contract for Contractor/Builder, with Gasparilla Construction of Placida, FL. This is an annual contract for miscellaneous contractor/builder services to be performed on an as needed basis, which was originally approved by the Board on February 24, 2009. **BUDGETED ACTION:**
- (5) **RECOMMENDED ACTION:** a) Approve ranking of firms for Request for Proposal #11-197 Bio-Diesel Feedstock System - East Port Water Reclamation Facility: 1st Ranked – Affordable Bio Feedstock of Kissimmee, FL; and 2nd Ranked - National Grease Recovery, LLC of Fort Lauderdale, FL; and b) Approve start of negotiations with top ranked firm; and c) Authorize Chairman to sign the contract after completion of negotiations. This is for a firm to provide a means of producing bio-diesel feedstock from brown grease. **BUDGETED ACTION:** None, anticipated reduction in expenditures.
- (6) **RECOMMENDED ACTION:** Approve award of Bid #11-257 Sidewalk Construction - Alton Road with General Contracting Services, Inc., of Placida, Florida in the total amount of \$337,644.51. This is for construction of sidewalks on Alton Road as part of the Year One Sales Tax Projects. **BUDGETED ACTION:** None. Funded in FY11 adopted CIP project c410918, Sidewalks Sales Tax Extension. Funding is supplied from the 2009 Sales Tax Extension Fund.
- (7) **RECOMMENDED ACTION:** a) Approve Amendment # 3 to Contract #08-121, Methane Gas Collection-Landfill with GES-Port Charlotte, LLC; b) Approve Amendment #2 to Site Lease Agreement with GES-Port Charlotte, LLC; c) Approve Amendment #1 to Utility and Infrastructure Easement Agreement with GES-Port Charlotte, LLC; d) Approve Notice and Consent of Assignment; and e) Authorize Chairman to sign the Amendments and Notice and Consent of Assignment. This Contract is for an efficient and effective means of methane gas collection at the Zemel Road landfill, originally approved by the Board on April 22, 2008. **BUDGETED ACTION:** None. There are no anticipated costs to the Solid Waste Fund.

Real Estate Services

- (8) **RECOMMENDED ACTION:** Approve a Resolution authorizing the Chairman of the Board of County Commissioners to execute the Contract for Sale and Purchase of Real Property located at 4335 Sibley Bay Street, Port Charlotte. **BUDGETED ACTION:** None. Funds are provided by the SHIP Grant at 100%. Funds have been budgeted in FY2011.
- (9) **RECOMMENDED ACTION:** Approve the attached resolution authorizing the Chairman of the Board of County Commissioners to execute a Letter of Concurrence for Setback Waiver for Banana Bay 1, LLC. **BUDGETED ACTION:** None

G. Community Development

- (1) **RECOMMENDED ACTION:** Approve a Developer's Agreement for GR-Serenity Cove, LLC, for Petition #PV-10-10-03. **BUDGETED ACTION:** None

- (2) **RECOMMENDED ACTION:** Approve termination of a Development Agreement between Earthsource, Inc., Babcock Florida Company, and Charlotte County relating to Group III Excavation Permit # 01-EX-03.
BUDGETED ACTION: None

H. Community Services

Parks and Natural Resources

- (1) **RECOMMENDED ACTION:** Authorize the Chairman to sign the revised Grant Contract for the Shell Creek Delta Parcel Land Acquisition, Section 6 Grant Agreement between U.S. Fish and Wildlife Commission and Charlotte County with an extended term date. **BUDGETED ACTION:** None

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:** Adopt a resolution approving a negotiated two percent (2%) Consumer Price Index (CPI) increase for solid waste hauling services as provided by sanitation franchisee Waste Management of Florida, Inc. **BUDGETED ACTION:** Funding for this expense comes from the sanitation rate assessment. There will be no increase in 2011 rates for residential customers.
- (2) **RECOMMENDED ACTION:** Authorize the Solid Waste Division of Public Works to enter into contract negotiations with Waste Management of Florida, Inc., and to bring the results back to the Board for consideration. **BUDGETED ACTION:** None

Q. Tourism Development - No Items.

R. Utilities - No Items.

S. Other Agencies - No Items.

V. REGULAR AGENDA

Z. Regular Agenda

- (1) Commission Office - **RECOMMENDED ACTION:** Choose by ballot two (2) volunteers: one (1) volunteer per category to sit on the Code Enforcement Board. One member shall serve as the Appraiser/Engineer and the other shall serve as the Member-At-Large. Both terms are for three (3) years; both are effective immediately and both shall expire August 26, 2014.
- (2) Economic Development - **RECOMMENDED ACTION:** Discussion and direction regarding office space for the Economic Development Office (EDO).

- (3)** Real Estate Services - **RECOMMENDED ACTION:** Consider approving the attached Resolution authorizing the execution of an Addendum to Lease Agreement for office space located at 18501 Murdock Circle, Port Charlotte, to be occupied by the Economic Development Office.
- (4)** Public Safety - **RECOMMENDED ACTION:** Discussion of Barrier Island (Station # 10) Fire Survey results and Direction on fire assessment rates.
- (5)** Administration - **RECOMMENDED ACTION:** Discussion and direction to set the State legislative priorities for the 2012 legislative session.
- (6)** County Attorney - **RECOMMENDED ACTION:** Approve a Resolution establishing and fixing the boundaries of the five County Commission Districts in Charlotte County, Florida, in response to the census reports and in accordance with the Florida Constitution and Florida Statutes.

VI. PUBLIC HEARING AGENDA - No Items.

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

Monday, September 5, 2011, All County Buildings closed for Labor Day Observance

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

Tuesday, September 13, 2011, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Building, Room #119

Thursday, September 15, 2011, 5:01 p.m., **First Budget Public Hearing**, Murdock Administration Building, Room # 119

Tuesday, September 20, 2011, 9:00 a.m., Board of County Commissioners **Land Use** Meeting, Murdock Administration Building, Room #119

Tuesday, September 27, 2011, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Building, Room #119

Thursday, September 29, 2011, 5:01 p.m., **Final Budget Public Hearing**, Murdock Administration Building, Room #119

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

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

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

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

Friday, November 11, 2011, All County Building Closed in Observance of Veterans Day

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

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

**Thursday, November 24, 2011, All County Building Closed in Observance of Thanksgiving Day
Friday, November 25, 2011, All County Building Closed in Observance of Thanksgiving Holiday**

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

Tuesday, December 13, 2011, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Building, Room #119

Tuesday, December 20, 2011, 9:00 a.m., Board of County Commissioners **Land Use** Meeting, Murdock Administration Building, Room #119

**Friday, December 23, 2011, All County Building Closed in Observance of Christmas Holiday
Monday, December 26, 2011, All County Building Closed in Observance of Christmas Holiday**