

BOARD OF COUNTY COMMISSIONERS

September 26, 2011

A Pre-Agenda meeting in preparation of the September 27, 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:

County Attorney: E-2 (Board Consensus was received to pull off the 9/27/11 Agenda)

Budget and Administrative Services: F-1

Purchasing: F-4, F-5

Real Estate Services: F-13, F-14

Regular Agenda: Z-1 & Z-2 (Addition #1 -Executive Session)

ADJOURNED: 9:41 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

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

Regular Meeting
9/27/2011 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 Peter Burnett - Port Charlotte International 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 |
| 10:00 A.M. | VII. | Presentation |
| | VIII. | Public Workshop |
| | IX. | Board Workshop |
| | X. | Citizen Input - Any Subject |

Proclamations - Commissioner Stephen R. Deutsch
Community Planning Month
Howard Hartfelder Day
Musclemania Day

Employee Recognition – None



II. COMMITTEE VACANCIES

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

Marine Advisory Committee - is seeking one volunteer to serve as a Member-at-Large. This term is effective January 1, 2012 and shall expire on December 31, 2014. Please send letter requesting consideration along with a short resume of qualifications to: Pam Alexander, 18400 Murdock Circle, Port Charlotte, FL 33948; email to: pam.alexander@charlottefl.com or fax to 941-764-4108.

MPO – Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB) – 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 for: 1) **Elderly Interests Representative (a person over 60 years of age); and 2) Local Private for Profit Transportation Industry.** Please send a letter or e-mail stating your interest in and qualifications for your respective LCB positions by October 14, 2011 to: Charlotte County-Punta Gorda MPO, 25550 Harbor View Road, Suite 4, Port Charlotte, FL 33980. Fax: 941-883-3534 Email: office@ccmpo.com.



III. REPORTS RECEIVED AND FILED



IV. CONSENT AGENDA

Clerk of the Circuit Court

A. Finance Division

- (1) **RECOMMENDED ACTION:**
Approve Clerk's Memorandum.
BUDGETED ACTION: None required.

B. Minutes Division - No Items.

Board of County Commissioners

C. Commission Office

- (1) **RECOMMENDED ACTION:** Approve Roxann Read's request to have her name considered by Governor Rick Scott as the third name submitted from the Charlotte County Board of County Commissioners to fill an expired term on the Children's Services Council.
BUDGETED ACTION: None required.
- (2) **RECOMMENDED ACTION:** Reappoint members to the Historical Advisory Committee for another three year term: Vernon Peebles as the Member-at-Large, and Margie Sue Blackwell

as the Punta Gorda Historical Society Representative. The Lemon Bay Historical Society representative will be vacant as Esther Horton does not wish to be reappointed. Terms will expire on September 30, 2014. **BUDGETED ACTION:** None required.

D. Administration

Administration

- (1) **RECOMMENDED ACTION:** Approval of Amendment to Stone Crabs Stadium Lease Agreement.
BUDGETED ACTION: None

Public Information Office - No Items.

E. County Attorney

- (1) **RECOMMENDED ACTION:** Authorize the County Attorney to take all necessary and appropriate legal action against Joan Bent to recover damages due to her negligence in connection with the purchase and removal of a Trane Chiller.
BUDGETED ACTION: No action needed. Any funds collected will be deposited into the appropriate account to reimburse for repairs.
- (2) **RECOMMENDED ACTION:** Set a public hearing for October 11, 2011 at 10:00 a.m., or as soon thereafter as may be heard, to consider an ordinance prohibiting person from occupying public sidewalks. **BUDGETED ACTION:** None

F. Budget and Administrative Services

Budget and Administrative Services

- (1) **RECOMMENDED ACTION:** Approve and authorize the Chair of the Charlotte County BCC to execute the FY 2010/2011 County/State Department of Health contract for the operation of the Charlotte County Health Department. **BUDGETED ACTION:** No action needed. Funding is provided through the County Health Unit millage rate of 0.0907 which provides the \$1,213,200 budgeted in the Charlotte County Health Department Fund as the County's share of this contract.
- (2) **RECOMMENDED ACTION:** Approve and authorize the Commission Chair to sign the attached grant certification for the Supervisor of Elections to meet the State requirement to receive Charlotte County's share of the 2011 Legislature appropriated funds to be distributed to State Supervisors of Elections for federal election activities. **BUDGETED ACTION:** No action needed. A 15% County match or \$3,115.19 is required to receive the monies. The Supervisor of Elections FY2011/2012 budget contains sufficient amount of funds to cover the required match which will be used for the specific purposes designated in the grant.

Fiscal Services - No Items.

Information Technology - No Items.

Purchasing

- (3) **RECOMMENDED ACTION:** Approve the award of Bid #11-290, Kiwanis Park Boardwalk Improvements, to the lowest responsive, responsible bidder, Dave Foote Environmental

Construction Inc., of Fort Myers, FL for a total project cost of \$249,711. The purpose of this bid is to secure the services of an experienced, licensed Contractor to remove and construct new boardwalks, bridges, trail, sidewalk, parking and other improvements at Kiwanis Park located at 3100 Donora Street, Port Charlotte, Florida. **BUDGETED ACTION:** No action needed. Funding is provided by the Capital Projects Fund, project part of the approved FY10/11 CIP.

- (4) **RECOMMENDED ACTION:** Approve Change Order to Contract #10-128, Cleaning Services - Charlotte County Facilities, with Superior Cleaning, Inc., increasing the service provided to the Family Services Center for an annual increase of \$9,163.20, effective October 1, 2011 through September 30, 2012. This is an annual contract for cleaning services at various Charlotte County Facilities originally approved by the Board on March 3, 2010. **BUDGETED ACTION:** No action needed. The funding is from the General Fund and is budgeted in Facilities - Family Services.
- (5) **RECOMMENDED ACTION:** a) Approve award Bid #11-291 Safety Mowing - South County to Walker Services, Inc., of Bradenton, FL, at the unit prices listed for the term October 1, 2011, up to and including September 30, 2012; and b) Authorize County Administrator to approve two additional one-year renewals at the same prices, terms, and conditions, by mutual consent. This is an annual contract for mowing of roadway rights-of-way, easements, and drainage facilities in the South County area. **BUDGETED ACTION:** No action needed. Budgeted in various MSBUs and the Transportation Trust Fund. Funding is supplied from gas taxes and various street and drainage MSBUs.
- (6) **RECOMMENDED ACTION:** a) Approve award of Bid #11-275, Supply Asphalt Concrete - Annual Contract, to Ajax Paving Industries of Florida, LLC of Nokomis, Florida, as indicated on the bid form; and b) Authorize the County Administrator to approve renewal options up to two additional one-year terms at the same prices, terms and conditions, by mutual consent. The contract period will be effective from October 1, 2011, through and including September 30, 2012. This is an annual contract to supply asphalt concrete products to the Maintenance & Operations Division of the Public Works Department on an "as required" basis. **BUDGETED ACTION:** No action needed. Item will be placed into inventory and charged to the Transportation Trust Fund or the appropriate MSBU/TU as used.
- (7) **RECOMMENDED ACTION:** a) Approve ranking of firms for Request for Proposal #11-278 Land Lease-Composting Bio-Solids Facility: 1st - Synagro-WWT, Inc. of Baltimore, MD; and 2nd - PHE Group, LLC of Port Charlotte, FL; b) Approve start of negotiations with top-ranked firm; and c) Authorize Chairman to sign the contract after completion of negotiations. This is for lease of land at the Zemel Road Landfill for the purpose of providing a bio-solid composting facility. **BUDGETED ACTION:** No Action Needed - Revenue to be generated for Solid Waste Enterprise Fund. Once lease payment is established, Budget will be adjusted to reflect additional revenue to the Solid Waste Enterprise Fund.
- (8) **RECOMMENDED ACTION:** a) Approve award of Bid #11-274, Asphalt Repairs for CCU - Annual Contract to Better Roads Inc. of Naples, Florida at the unit prices as indicated on the bid form; and b) Authorize the County Administrator to approval renewal options up to two (2) additional one-year terms at the same prices, terms and conditions, by mutual consent. The Contract period will be effective from October 1, 2011 through and including September 30, 2012. This is an annual contract for the services to repair and/or replace asphalt along selected roads within Charlotte County. **BUDGETED ACTION:** No Action Needed - Amount Budgeted in FY2012 - \$122,352
- (9) **RECOMMENDED ACTION:** Approve renewal of Contract #10-281 Property & Casualty Insurance Coverage with Florida League of Cities located in Orlando, FL, for the term October

1, 2011 up to and including September 30, 2012. This is an annual contract for a comprehensive program of self insurance. **BUDGETED ACTION:** None

- (10) **RECOMMENDED ACTION:** a) Approve ranking of firms for Request for Proposal #11-271, Design Bridge - Harborview Road at Desoto Canal: 1st-Charlotte Engineering & Surveying, Inc. of Port Charlotte, FL; 2nd-DMK Associates, Inc. of Englewood, FL; and 3rd-Johnson Engineering, Inc., of Port Charlotte, FL; b) Approve start of negotiations with the firms; and c) Authorize the Chairman to sign the contract after completion of negotiations, for the design of the replacement bridge on Harborview Road at Desoto Canal. **BUDGETED ACTION:** No action needed. Funded in approved CIP project C410809, Desoto Canal Bridge Replacement. Amount budgeted for Engineering is \$350,000. Funding is supplied from gas taxes.
- (11) **RECOMMENDED ACTION:** a) Approve award of Bid #11-260, Water Quality Analysis, to Benchmark EnviroAnalytical of North Port, FL at the unit prices listed on the attached tabsheet for the term October 1, 2011 up to and including September 30, 2012; and b) Authorize the Administrator to approve two additional one year renewals at the same prices, terms, and conditions, by mutual consent. This is an annual contract for the procurement of water testing services to be utilized by three of Charlotte County's Divisions/Departments **BUDGETED ACTION:** No action needed. Funding for the following amounts is budgeted for FY 2012: CCU - \$152,599; MSWMD - \$6,500; Stormwater - \$132,000. Funding for this expenditure comes from the Utilities Operations and Maintenance Fund - contract services; Solid Waste Enterprise Fund - contract services; and Stormwater portion comes from the Mid, South, and West County Stormwater MSBUs (\$44,000 each).
- (12) **RECOMMENDED ACTION:** Approve the Renewal Agreement, File #11-334, Maintenance and Repair of 800 MHz Communication Infrastructure, to Motorola, for the period from October 1, 2011 through and including September 30, 2012, for an annual cost of \$148,315.80. This Agreement provides for the maintenance and repair of the County's 800 MJZ communication infrastructure. **BUDGETED ACTION:** No action needed. This item is budgeted in the Radio Communications FY11/12 budget.

Real Estate Services

- (13) **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 Chapter 125, Florida Statutes. **BUDGETED ACTION:** No action needed. This item is requesting approval to allow these surplus properties to be disposed of through the bid process.
- (14) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the Chair of the Charlotte County Board of County Commissioners to approve the agreement for exchange of the County's interest in eight platted lots for the interest in seven privately owned platted lots owned by Charlotte County Habitat for Humanity Inc., located in Charlotte County, Florida. **BUDGETED ACTION:** No action needed. The land swap is considered an even exchange based on the market value of the properties.

G. Community Development

- (1) **RECOMMENDED ACTION:** Approve an interlocal agreement between the City of Punta Gorda and Charlotte County to provide for the design, permitting, right-of-way acquisition, and construction of sidewalks on Aqui Esta Drive, between Magdalena Drive and US 41. This contract, which will be administered by the City, will be funded 50% by the City and 50% by the County, up to a maximum of \$250,000 each. **BUDGETED ACTION:** No action needed.

Funded in approved CIP project C 419301 Aqui Esta. This project was approved as part of the FY10/11 CIP process. Charlotte County's share is funded from gas taxes.

(2) RECOMMENDED ACTION:

Approve a Resolution to enter into an Urban and Community Forestry Grant Memorandum of Agreement and a Maintenance Memorandum of Agreement with the State of Florida, Department of Agriculture and Consumer Services, Division of Forestry. **BUDGETED ACTION:** No action needed. If approved, the \$20,000 program cost will provide \$10,000 grant funds and a \$10,000 County match from the Charlotte County Native Tree Fund.

(3) RECOMMENDED ACTION: Authorize Chairman to execute the Updated Interlocal Agreement for Coordinated Planning and School Concurrency. **BUDGETED ACTION:** No action needed.

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

- (1) RECOMMENDED ACTION:** a) Approve the EMS County Grant application for grant funds in the amount of \$11,868 to be used to improve and expand the County's pre-hospital Emergency Medical Services (EMS) system; b) Approve a Resolution stating the County will not use the grant funds to supplant existing County EMS budget allocations; and c) Authorize BCC Chair to sign any grant related documents. **BUDGETED ACTION:** No action needed. The EMS budget will be amended when approval of the grant applications is received.

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) Administration

RECOMMENDED ACTION: Discussion and direction regarding the funding of the Civil Air Patrol, Cadet Program, for \$6,000.

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

(1) County Attorney

RECOMMENDED ACTION: Hear proposed changes to the Charlotte County Code of Laws and Ordinances specifically dealing with firearms pursuant to § 790.33, Florida Statutes.

(2) County Attorney

RECOMMENDED ACTION: Consider approving an ordinance relating to pain management clinics.

PRESENTATION - 10:00 A.M.

(1) Commission Office

RECOMMENDED ACTION: Hepatitis C Health Concern and Potential Health Issues by Dr. Mark Asperilla.



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. Economic Development Director

DD. Commissioner Comments:

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

Board of County Commissioners
Schedule of Future Closures/Hearings/Workshops

Wednesday, September 28, 2011, 1:00 p.m., **Joint Meeting** Board of County Commissioners and City of North Port

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**, Board of County Commissioners 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 h