

APRIL 21, 2014

A Pre-Agenda meeting was held in preparation for the April 22, 2014 Regular Meeting at the Murdock Administrative Complex in Room B-106, Port Charlotte, Florida.

The following members were present: Commissioner Constance, Commissioner Deutsch, Chair Doherty Commissioner Duffy and Commissioner Truex. Also in attendance were: County Administrator Sandrock, Assistant to the County Administrator Flores, County Attorney Knowlton, Minutes Supervisor Lansing, Minutes Trainee Russo, and various County staff members.

The meeting was called to Order at 1:33 p.m.

There was Board discussion on the following items:

County Attorney: E1

Purchasing: F1, F2, F3

Real Estate: F5

Community Development: G1

Human Services: M1, M2

Utilities: R1

Regular Agenda: Z1, Z2, Z3, Z4

Public Hearing: #1

Presentation Agenda: #1

ADJOURNED: 2:02 pm

Ken Doherty, Chair

DATE ADOPTED: _____

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

By: _____
Deputy Clerk

Board of County Commissioners

18500 Murdock Circle
Port Charlotte, FL 33948
www.CharlotteCountyFL.gov



County Commissioners

Ken Doherty, District 1, Chairman
Bill Truex, District 3, Vice-Chairman
Christopher Constance, District 2
Stephen R. Deutsch, District 4
Tricia Duffy, District 5

County Administrator

Raymond J. Sandrock

County Attorney

Janette S. Knowlton

Clerk of the Circuit Court

Barbara T. Scott

Regular Meeting
4/22/2014 9:00:00AM
18500 Murdock Circle, Room #119

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941-764-4191, TDD/TTY 941-743-1234, or by email to Walt.Black@charlottefl.com

9:00 A.M. Call to Order and Roll Call

Invocation - For those who wish to join, please rise for the invocation

Pastor Jim Ammerman
Deep Creek Community 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 Agenda
- 2:00 P.M. VIII. Land Use Public Hearing
- IX. Public Workshop
- X. Board Workshop
- XI. Citizen Input - Any Subject

Proclamations - Commissioner Bill Truex

The Centennial of the Smith-Lever Act Establishing the Cooperative Extension System
Sons of the American Revolution Day
Child Care Provider Appreciation Day
Mental Health Awareness Month
National Drug Court Month
National Drinking Water Week
Charlotte County Travel and Tourism Week
Diane D'Andrea Day
National Day of Prayer

Employee Recognition - Commissioner Bill Truex

Employee of the Month for March, 2014 - Brittany Rainey of Community Services

Government Academy April, 2014 Class Graduates

Donna Barrett
Brian Bitgood
Marsha Bitgood
Richard Cabral
Susan Dupper
Linda Engemann
Lyndon Engemann
Alice Esposito
Lois Gardner
William Jones
Alma Jordan
Kathy Karlen
Bill Karlen
Sandra Landgraf
Fred Landgraf
Bonnie Leroy
Deborah Lilley
Ernie Maresca
Sharon Rask
Jim Rask
Gary Skillicorn
James Thompson
Donna Thompson
Edward Tracy



I. CITIZEN INPUT

Citizen Input - Agenda Items Only

Anyone wishing to address the Board during this portion of the meeting must fill out a card, state their name for the record, and state which agenda item(s) will be addressed. Remarks shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.



II. COMMITTEE VACANCIES

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

Northwest Port Charlotte Street and Drainage Unit Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Terms: one alternate member to serve a two year term from the date of appointment. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail MSBU-TU@CharlotteFL.com.

Little Gasparilla Island Advisory Committee is seeking three volunteers who must be residents of Charlotte County. Terms: one member who is a representative of the Little Gasparilla POA and two at-large members to serve two-year terms from the date of appointment. Submit application and resume to Community Development Department, c/o Elizabeth Nocheck, 18500 Murdock Circle Room 208, Port Charlotte, FL 33948. Call 941.764.4920 or email Elizabeth.Nocheck@CharlotteFL.com.

Marine Advisory Committee is seeking an organization or association to volunteer to serve as a permanent member of the Marine Advisory Committee. Each organization shall be marine oriented and hold regularly scheduled meetings and have a membership of at least 25 persons. Representatives from this organization/association will serve three (3) year terms. The term of the first representative will be effective once the association/organization is approved or as soon thereafter as a selection is made and shall expire December 31, 2016. Please call Gayle Moore at 941.623.1094 for an application form to turn in with your resume or e-mail her at Gayle.Moore@CharlotteFL.com.

Construction Board of Adjustments and Appeals is seeking the following volunteers: one general building contractor, one mechanical contractor, one architect, one member to serve as an alternate. The alternate must be a licensed member of the construction industry. Terms are for three years. Committee meets 1st and 3rd Monday of each month at 8:30 a.m. in Murdock. For an application call 941.743.1300 or email Joann.Dillon@CharlotteFL.com.

Affordable Housing Advisory Committee is seeking the following volunteers to serve: one residential home builder, one for-profit provider, one real estate professional. Terms are for three years. The committee meets 3rd Wednesday of each quarter. For an application, please call Joann Dillon at 941.743.1300 or email: assistant@CharlotteFL.com

The Code Enforcement Board is seeking one (1) volunteer to serve as a Member-at-Large to finish an unexpired term. Applicant must be a resident of Charlotte County. This term expires August 26, 2014. Please contact the Commission Office for an application form at 941.743.1300 or send e-mail to Bonnie.Stoner@CharlotteFL.com.

The Parkside Land Use Advisory Committee is seeking five (5) volunteers as follows: One (1) owner of residential property who resides in the Parkside CRA; Two (2) commercial property owners in the Parkside CRA; and Two (2) representatives from land use, planning or construction (this would include a licensed architect, a registered landscape architect, a general contractor, or an AICP Planner or an individual with five (5) years of work experience in land use planning). Please contact Kathy Knee for an application form at (941) 764-4941 or by e-mail: Kathy.Knee@CharlotteFL.com.



III. REPORTS RECEIVED AND FILED

Charlotte County Utility's (CCU's) 2013 Annual Report.



IV. CONSENT AGENDA

Clerk of the Circuit Court

A. Finance Division

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

B. Minutes Division

- (1) **RECOMMENDED ACTION:**
Approve Minutes for:
February 7, 2014 BCC Meeting with Sarasota County
March 11, 2014 BCC Regular Meeting
March 17, 2014 BCC Meeting with Punta Gorda
March 18, 2014 BCC Workshop
April 7, 2014 Pre-Agenda
BUDGETED ACTION: None

Board of County Commissioners

C. Commission Office

- (1) **RECOMMENDED ACTION:**
Approve the re-appointment of Mel R. Rathbun as a regular member to the Gardens of Gulf Cove Street and Drainage Unit Advisory Committee for a term of three years from the date of appointment.
BUDGETED ACTION: None
- (2) **RECOMMENDED ACTION:**
Approve the re-appointment of Lee J. Phillips as a regular member to the Harbour Heights Waterway Unit Advisory Committee to serve a three year term from the date of appointment.
BUDGETED ACTION: None
- (3) **RECOMMENDED ACTION:**
Approve the re-appointment of George H. Kearns as a regular member to the Deep Creek Non-Urban Street & Drainage Unit Advisory Committee for a three year term from date of appointment.
BUDGETED ACTION: None
- (4) **RECOMMENDED ACTION:**
Approve the re-appointment of Michael Shaughness as an alternate member to the Alligator Creek Waterway Advisory Committee for a two year term from the date of appointment.
BUDGETED ACTION: None
- (5) **RECOMMENDED ACTION:**
Approve the reappointment of Mr. John Hitzel as the District #4 representative on the Charlotte County Parks and Recreation Advisory Committee. Mr. Hitzel has been serving as the District #4 representative and wishes to continue serving. Term will expire in April 2017.
BUDGETED ACTION: None

D. Administration

Administration

No Items.

Public Information Office

No Items.

E. County Attorney

(1) RECOMMENDED ACTION:

Set a public hearing for May 13, 2014, at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an Ordinance providing for a referendum election to be held in conjunction with either the 2014 primary or general election for the extension of the one percent (1%) local sales tax by the voters of Charlotte County.

BUDGETED ACTION: No action needed.

F. Budget and Administrative Services

Fiscal Services

No Items.

Information Technology

No Items.

Purchasing

(1) RECOMMENDED ACTION:

a) Approve ranking of firms for Request for Proposal #14-195, Manasota Key Master Plan Design; 1st The Weiler Engineering Corp. of Punta Gorda, and 2nd Charlotte Engineering & Surveying, Inc. of Port Charlotte; and
b) Approve start of negotiations; and
c) Authorize Chairman to sign the contract after completion of negotiations. This is for design and permitting of priorities identified in the Manasota Key Conceptual Master Plan.

BUDGETED ACTION:

No action needed. Budgeted in the Manasota Key Street & Drainage fund and approved in CIP "Manasota Key Community Plan", in the FY14 budget process.

(2) RECOMMENDED ACTION:

a) Approve Amendment #13 to Contract #06-190 Project Management-Dredging Projects with Coastal Engineering Consultants, Inc. of Naples, FL, in the amount of \$18,692; and
b) Authorize Chairman to sign Amendment. This is for additional construction administration and observation for the Northwest Port Charlotte Dredging project.

BUDGETED ACTION:

No action needed. Budgeted in Northwest Port Charlotte Waterway fund and approved in CIP "Northwest Port Charlotte Exterior Channel Dredging", in the FY14 budget process.

(3) RECOMMENDED ACTION:

Approve Change Order #3 to Contract 14-024, 2014 County Paving Program as awarded to Ajax Paving Industries of Florida, LLC of Nokomis, Florida in the amount of \$577,973.13 for a revised total amount of \$9,760,086.03.

BUDGETED ACTION:

No action needed. Budgeted in Greater Port Charlotte Street & Drainage fund and approved in CIP "Greater Port Charlotte (GPC) Road Paving Program", in the FY14 budget process.

(4) RECOMMENDED ACTION:

- a) Approve Amendment #5 to Contract #05-193, Engineering Services - Pirate Harbor Waterway, with Coastal Engineering Consultants in the amount of \$124,600 for a revised total contract amount of \$396,486.16; and
- b) Authorize the Chairman to sign the Amendment when completed. This contract was for professional services in applying for separate standard general permits for dredging a 2,300-foot channel and removing rock in the Pirate Harbor Waterway System.

BUDGETED ACTION:

No action needed. Funding from the Pirate Harbor Waterway MSBU in CIP Pirate Harbor Rock Ledge/Maintenance Dredging approved in the FY14 CIP Process.

Real Estate Services

(5) RECOMMENDED ACTION:

Board of County Commissioners (Board) approval of attached Resolution designating one (1) platted lot in Charlotte Harbor owned by Charlotte County for future use as affordable housing, and authorizing the transfer of the parcel to Habitat for Humanity, Inc., a Florida nonprofit entity.

BUDGETED ACTION:

No action needed.

G. Community Development

(1) RECOMMENDED ACTION:

Set a public hearing for Tuesday, May 13th, 2014, at 10:00 a.m., or as soon thereafter to hear proposed changes to Section 3-2 of the Charlotte County Code. The definitions of scope of work of some local specialty contractors would be amended to keep up with industry changes. Additionally, violations that are found in chapter 489 of the Florida Statutes would be created under the Charlotte County Code in place of the code's present reference to chapter 489.

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

(1) RECOMMENDED ACTION:

Approve a memorandum of understanding between the Charlotte County Board of County Commissioners and the Charlotte County Homeless Coalition.

BUDGETED ACTION:

No action needed. Cost of implementing the CIS data base is budgeted in the Information Technology Maintenance Budget for FY14.

(2) RECOMMENDED ACTION:

Approve a Resolution authorizing acquisition of property located at 429 Showalter Avenue in Punta Gorda, Florida, to fulfill State Housing Initiatives Partnership (SHIP) Program requirements.

BUDGETED ACTION:

No action needed. Funding from the Human Services Department SHIP Program Housing Budget was approved in the FY14 Budget process. Purchase will be with 100% grant funds, with no local match required.

N. Public Safety

No Items.

P. Public Works

No Items.

Q. Tourism Development

No Items.

R. Utilities

(1) RECOMMENDED ACTION:

Board of County Commissioners (Board) approval of Resolution amending Res. No. 2010-019, which adopted new County Environmental Health Fee Schedules, by deleting the \$115 five-year permit fee for managed septic systems within the East & West Spring Lake Wastewater MSBU (MSBU), as these septic systems are in the process of being replaced with a new central wastewater system.

BUDGETED ACTION:

No action needed.

S. Other Agencies

No Items.



V. REGULAR AGENDA

Z. Regular Agenda

- | | |
|---------------------------|---|
| (1) Administration | Discussion and direction regarding the 2014 Federal Legislative Agenda. |
| (2) Commission Office | Select by ballot one regular member to the Harbour Heights Street and Drainage Advisory Committee for a term of three years from the date of appointment. |
| (3) Community Development | This item is being brought before the Board of County Commissioners in response to a Florida Land Use Dispute Resolution Act (FLUDRA) request. The Act allows for these types of settlement agreements in order to address certain land use disputes without the need for litigation, but is a very seldom used process. This negotiated settlement agreement addresses Code Enforcement violations with respect to both Florida Building Code and Charlotte County Zoning Code related issues for a number of properties owned by Mr. Jan Musil. Staff is bringing forward this agreement for consideration. |
| (4) Community Development | Discussion, direction and possible approval of a resolution providing for a special magistrate and sunseting of the code enforcement board under chapter 1-2, Charlotte County Code. |



VI. PUBLIC HEARING AGENDA

10:00 A.M.

- | | |
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| (1) County Attorney | Conduct a public hearing to consider and adopt an Ordinance revising County Code Chapter 3-8, Article VIII, concerning On-Site Sewage Treatment and Disposal System (OSTDS) requirements. |
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VII. PRESENTATION AGENDA

10:00 A.M.

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| (1) Commission Office | Presentation regarding the Englewood Archives. |
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VIII. LAND USE PUBLIC HEARING AGENDA

2:00 P.M.

(1) RECOMMENDED ACTION:

Approve an ordinance adopting Petition # PA-13-10-12-LS, amending the Charlotte County FLUM Series Map #1: 2030 Future Land Use, from DRI Mixed Use (DRI) to Low Density Residential (LDR); applying an annotation to the 2030 Future Land Use Map allowing a maximum of 234 residential dwelling units on the site; for property located at 2414 Loveland Boulevard and 24051 Suncoast Boulevard, in the Port Charlotte area, containing 50± acres; Applicant: Charlotte County Board of County Commissioners; Commission District I.

Legislative

BUDGETED ACTION: None

(2) RECOMMENDED ACTION:

Approve an Ordinance adopting Petition Z-14-01-01, amending the Charlotte County Zoning Atlas from Planned Development (PD) to Residential Multi-family 3.5 (RMF-3.5); for property located south of San Casa Drive and east of Placida Road (C.R. 775), in the Englewood area, containing 169.68± acres; Petition Z-14-01-01; Applicant: Placida 169 Holdings, LLC; Commission District III.

Quasi-Judicial

BUDGETED ACTION: None



IX. PUBLIC WORKSHOP AGENDA

Public input permitted.

No Items



X. BOARD WORKSHOP AGENDA

No public input.

No Items.



XI. CITIZEN INPUT - ANY SUBJECT

Anyone wishing to address the Board during this portion of the meeting must state their name for the record. Remarks, on any County related subject, shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.

AA. County Administrator:

BB. County Attorney:

CC. Commissioner Comments:

Ken Doherty, District 1, Chairman
Bill Truex, District 3, Vice-Chairman
Christopher Constance, District 2
Stephen R. Deutsch, District 4
Tricia Duffy, District 5

Board of County Commissioners

Schedule of Future Closures/Hearings/Workshops

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APRIL 21, 2014

Thursday, May 08, 2014, 1:30 p.m., Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Tuesday, May 13, 2014, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, May 20, 2014, 09:00am, Board of County Commissioners Monthly Workshop, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Tuesday, May 20, 2014, 01:30pm, Board of County Commissioners Budget Workshop, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Thursday, May 22, 2014, 1:30 p.m., Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Monday, May 26, 2014, All County Buildings Closed for Memorial Day

Tuesday, May 27, 2014, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, May 27, 2014, 2:00 p.m., Board of County Commissioners Land Use Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Thursday, June 05, 2014, 1:30 p.m., Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Tuesday, June 10, 2014, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Monday, June 16, 2014, 05:30pm, Community Feedback Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, June 17, 2014, 9:00 a.m., Board of County Commissioners Monthly Workshop, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Thursday, June 19, 2014, 1:30 p.m., Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Tuesday, June 24, 2014, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, June 24, 2014, 2:00 p.m., Board of County Commissioners Land Use Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Thursday, July 03, 2014, 1:30 p.m., ****CANCELED**** Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Friday, July 4, 2014, All County Buildings Closed for Independence Day

Tuesday, July 08, 2014, 9:00 a.m., ****CANCELED**** Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, July 15, 2014, 9:00 a.m., Board of County Commissioners Monthly Workshop, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Thursday, July 17, 2014, 1:30 p.m., Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Monday, July 21, 2014, 1:30 p.m., Presentation of Tentative Budget, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Monday, July 21, 2014, 05:30pm, Community Feedback Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, July 22, 2014, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Board of County Commissioners

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APRIL 21, 2014

Schedule of Future Closures/Hearings/Workshops (Continued...)

Tuesday, July 22, 2014, 2:00 p.m., Board of County Commissioners Land Use Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Wednesday, July 23, 2014, 5:01pm, MSBU Public Hearing, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Thursday, July 24, 2014, 5:01pm, MSBU Public Hearing, Tringali Community Center, 3460 N. Access Road, Unit #1, Englewood

Thursday, August 07, 2014, 1:30 p.m., ****CANCELED**** Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Tuesday, August 12, 2014, 9:00 a.m., ****CANCELED**** Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, August 19, 2014, 9:00 a.m., ****CANCELED**** Board of County Commissioners Monthly Workshop, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Thursday, August 21, 2014, 1:30 p.m., ****CANCELED**** Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Tuesday, August 26, 2014, 9:00 a.m., ****CANCELED**** Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, August 26, 2014, 2:00 p.m., ****CANCELED**** Board of County Commissioners Land Use Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte