

BOARD OF COUNTY COMMISSIONERS

MAY 13, 2014

A regular meeting was held at the Murdock Administrative Complex in Room 119, Port Charlotte, Florida.

Members present were: Chairman Doherty, Commissioner Constance, Commissioner Deutsch, Commissioner Duffy, Commissioner Truex, County Administrator Sandrock, County Attorney Knowlton, Chief Deputy Board Services White, Minutes Supervisor Lansing, and Minutes Trainee Russo. The following members were absent: None

The meeting was called to order at 9:00 am.

The Invocation was given by Pastor Steve Glover, Deep Creek Community Church, followed by the Pledge of Allegiance.

Chair Doherty asked for a moment of silence for Guy Maxey, Desoto County Administrator, who had passed away suddenly.

Changes to the Agenda:

Deletion #1 – 10:00 a.m. Public Hearing #4

Conduct a Public Hearing to consider approving an Ordinance amending the territory of the Charlotte Ranchettes Street and Drainage MSBU to include additional properties that receive a benefit from the MSBU.

Requested By Public Works

Change #1 - E-1

Attachment revised, changes redlined.

Requested By Office of the County Attorney

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

Proclamations/Awards

Proclamations- Commissioner Stephen R. Deutsch

Building Safety Month

COMMISSIONER CONSTANCE MOVED TO PROCLAIM THE MONTH OF MAY 2014 AS BUILDING SAFETY MONTH, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

Jim Evetts, Chief Building Official accepted the Proclamation with thanks to the Board.

Artist of the Month - Sharon Yarbrough

COMMISSIONER CONSTANCE MOVED TO PROCLAIM SHARON YARBROUGH AS THE MAY 2014 ARTS AND HUMANITIES COUNCIL ARTIST OF THE MONTH, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

Sharon Yarbrough thanked the Board and Arts & Humanities Council for their support.

Charlotte County Peace Officers Memorial Day

COMMISSIONER CONSTANCE MOVED TO PROCLAIM MAY 20, 2014 AS CHARLOTTE COUNTY PEACE OFFICERS MEMORIAL DAY, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

Lt. Keri DeHart thanked the Board and Law Enforcement.

Civility Month

COMMISSIONER TRUEX MOVED TO PROCLAIM THE MONTH OF MAY 2014 AS CIVILITY MONTH, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0

County Attorney Janette Knowlton accepted the Proclamation and thanked the Board.

El Jobean Pre-Memorial Day Remembrance Celebration

COMMISSIONER CONSTANCE MOVED TO PROCLAIM MAY 24, 2014 AS EL JOBEAN PRE-MEMORIAL DAY REMEMBRANCE CELEBRATION, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

El Jobean Community League Representative accepted the Proclamation and invited everyone to visit the Randy Spence Park on May 24, 2014.

National Public Works Week

COMMISSIONER CONSTANCE MOVED TO PROCLAIM MAY 18 THROUGH 24, 2014 AS NATIONAL PUBLIC WORKS WEEK, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

Dan Quick, Director Public Works, accepted the Proclamation and thanked the Board for the recognition.

National Safe Boating Week

COMMISSIONER CONSTANCE MOVED TO PROCLAIM MAY 17 THROUGH 23, 2014 AS NATIONAL SAFE BOATING WEEK, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

A Representative from U.S. Coast Guard Auxiliary accepted the Proclamation and thanked the Board.

Water Reuse Week

COMMISSIONER CONSTANCE MOVED TO PROCLAIM MAY 18 THROUGH 24, 2014 AS WATER REUSE WEEK, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

A Charlotte County Utilities (CCU) staff member accepted the Proclamation and thanked the Board, fellow CCU Staff Members and Customers.

Veteran Services Office Day

COMMISSIONER CONSTANCE MOVED TO PROCLAIM MAY 13, 2014 AS VETERAN SERVICES OFFICE DAY, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

David Donahue accepted the Proclamation, gave a brief overview of veteran claims, asked that all veterans stand up and be recognized, and thanked the Board.

Employee Recognition

10 YEARS: Joseph Bonnerk, Public Works; James Leitz, Public Safety; Anthony Messina, Public Safety; Michael O'Connell, Public Works; Mark Pelletier, Public Safety; Thomas Peters, Public Works; Dwayne Smith, Public Works; Gloyd Stadel III, Public Safety. **15 YEARS:** Felix Hernandez, Public Safety; William MacDonald, Community Services. **20 YEARS:** Danny White, Human Services. **25 YEARS:** John Elias, Public Works; Judy Hunter, Utilities.

Award Presentations

I. CITIZEN INPUT - AGENDA ITEMS ONLY

Susan Hutt spoke to the 1% Sales Tax, stated she wants it defeated, suggested it be put on the November 2014 Ballot, requested additional speaking time per agenda item in the future, mentioned the Sunshine Lake source point, and spoke to CCU.

Scott Andrichak thanked Veterans for their service and suggested a Memorial be built for them now instead of waiting for the Sales Tax Vote, requested Minutes be changed to reflect a question he asked **Chair Doherty** related to a loan application interest rate going from 2.18% to 5%, questioned the Rules of Procedure associated with "Personal Attacks and Annoying" and asked that they be clearly defined.

MAY 13, 2014

Joann Mulveney expressed opposition to the 1% Sales Tax, pointed out Sunrise Waterway is incorrectly labeled on the map as Sunshine Canal, requested it be corrected, indicated that the Adkins Group has never reviewed CCU work orders regarding sewer pipes missing and cracked, mentioned smoke test done by CCU in regards to pipes not being fixed, stated that cast iron pipes still exist, said the test done in May 2012 showed massive smoke coming out of the ground, and requested the Board have CCU perform another smoke test.

Debra Lily spoke to Voter Suppression, gave its definition and opined the Sales Tax Increase should take place at the November 2014 Primary instead of August.

William Bigelow, Tea Party Representative, expressed his opposition to the 1% Sales Tax Extension, read a letter from his organization requesting the Sales Tax Increase vote be part of the November 2014 Primary, and suggested the tax duration be six (6) years not eight (8) years.

Hank Killion thanked Dan Quick, Public Works and the County Administration for making changes regarding speed limit issues he had brought up a few meetings ago.

Lynn Dorler expressed support of the Family Service Center; if Sales Tax Increase passes and requested it to be made a top priority project.

Jay Lyons, American Legion Representative, expressed support for the Sales Tax Increase for a Veterans Park in Rotunda West.

Joe Blaize mentioned a proposal that was submitted with the Cultural Guild for Cultural Center renovations as well as recreational facilities in the West Charlotte area and concluded it did not make the Sales Tax Project list; but is hoping the needs will be recognized in the future.

Wendy Ackinson, Atlas Service and President Elect, Chamber of Commerce, mentioned the Focus Group, projects that would benefit from Sales Tax, and pointed out the list of projects that were considered beneficial from the Sales Tax.

Cosey Ingramen, Second Chance Recovery Homes, gave an overview of programs offer to citizens for future living situations. **Chair Doherty** interrupted and asked that she return later during Citizen Input, Any Subject.

John Vodka, Lemon Bay High School Reserve Officer Training Corps (R.O.T.C), spoke to Sales Tax for the Training Corp Program and opined the need for a facility park location.

Kevin Russell, Focus Group Member described the Sales Tax projects on the November 2014 Ballot; so that all citizens would be given the opportunity to vote.

Andy Stoltz, Vice President Acres Construction, expressed his full support for the Sales Tax Extension placement on November 2014 Ballot and pointed out Focus Group projects.

Eric Toath, President Charlotte County Soccer Association, spoke to supporting the construction of the Concession Stands at South County Regional and Carmalita Park, commented this would enhance more tournaments and revenue for the County, and noted the last tournament brought in approximately \$200 - \$300,000.00.

Tom Rice thanked the Board for appointing him to the Citizens Review Committee and requested that the Sales Tax Extension be put on the November 2014 Ballot with a six (6) year term duration.

Leroy Firman spoke to supporting the Veterans Memorial Park location in Rotunda West, commented that the parks for Veterans are located in other areas of the County; but not in Rotunda, and invited the Board to visit parcels in Rotunda for consideration.

Larry Altenburg, Charlotte County Marine League, spoke to supporting the Sales Tax for the Veteran Park Memorial location in Rotunda.

Andrew Hackelman, American Legion, spoke to the Veteran population, mentioned Florida has the largest population of Veterans, and expressed support for the Veterans Memorial Park to be located in West Charlotte Area.

Bob Humphries spoke in support of the Sales Tax and the proposed Veterans Memorial Park location to be in Rotunda.

Claudette Romano, Woman's Club, spoke to supporting the Sales Tax and the Veterans Memorial Park.

Andy Leonard suggested moving the Sales Tax item to November 2014 Ballot and opined the Veterans Memorial Park being located in Rotunda would benefit the (R.O.T.C.).

Roger Ludky, VFW Member, spoke to the Sales Tax and expressed support for the Veteran Memorial Park.

Jim Dean, Publisher, Harbour Style Magazine, spoke in support of the Sales Tax and asked that it to be put on the November 2014 Ballot.

Joan Fisher requested the Sales Tax be put on the November 2014 Ballot with a four (4) year term only and gave an overview of 2008 projects.

Wayne Berryhill, Charlotte County Softball Association, spoke to the Carmelita Project and Concession Stand.

Recess 10:30 am - 10:43 am

II. PRESENTATION AGENDA

1. CJMHSR Reinvestment Grant

A presentation to the Board of County Commissioners on the Criminal Justice Mental Health Reinvestment Grant outlining the accomplishments of the grant during its three year tenure. Presentation only.

Roger Davis, Financial Consultant III, Fiscal Service Division, provided detail on the item, gave thanks to the Sheriff's Office and Charlotte Behavioral Health Care (CBHC), and introduced Mark Englehart, USF Grant Evaluator. Mr. Englehart explained what the Veterans Program offered and gave information for USF, Veterans Outreach Program, displayed the presentation and provided details for Target Population Purpose, outlined the map for strategic planning, and discussed the Criminal Intervention Program (C.I.T) as related to Charlotte County Officers and Dispatchers being trained to assist with citizen needs.

Vicki Dagostino, Chief Operating Officer, Charlotte Behavioral Health Care, gave an overview of inmates who have benefited from the grants, thanked all involved, spoke on the permanent housing, and program in place; said they are seeking transitional housing, and informed the Board of success rates for diversion programs versus incarceration.

Commissioner Constance spoke to the process provided to inmates in lieu of incarceration.

R. Regular Agenda

1. Sales Tax

County Administration Approval of projects to be funded by the proposed 1% local option sales tax extension. Approval of duration of sales tax extension. Approval of timing of referendum election. Approval of the educational budget.

Tier 1

Chair Doherty requested they review the projects prior to additional discussion. **Commissioner Constance** advised he would abstain from the Olean Boulevard and Harbor Walk projects vote; because of his personal land ownership within the area.

Infrastructure and Utilities: Olean Boulevard Widening

COMMISSIONER DUFFY MOVED TO APPROVE OLEAN BOULEVARD WIDENING, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 4:0, COMMISSIONER CONSTANCE ABSTAINING

Commissioner Duffy opined the widening is critical for economic growth, mentioned her conversation with Congressman Tom Rooney's Office, and explained the Florida Department of Transportation (F.D.O.T.) is delayed due to earmarks and political issues.

Piper Road North

COMMISSIONER DUFFY MOVED TO APPROVE PIPER ROAD NORTH, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0

Schools

COMMISSIONER TRUEX MOVED TO APPROVE SCHOOLS, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED: 5:0

Quality of Life Balance

COMMISSIONER DEUTSCH MOVED TO APPROVE HARBOR WALK AND GATEWAY PROJECT, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 4:0, COMMISSIONER CONSTANCE ABSTAINING

COMMISSIONER DEUTSCH MOVED TO APPROVE REMAINDER OF THE PROJECTS, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0

Commissioner Deutsch pointed out the deletion of the last two items. **Chair Doherty** confirmed the vote was excluding the last two (2) items, the Environmental Park Trailheads and Placida Bunk House Rehabilitation.

Public Safety

COMMISSIONER TRUEX MOVED TO APPROVE PUBLIC SAFETY EXCLUDING SHERIFF FIRING RANGE TRAINING CENTER DISTRICT 3 HQ, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0

David Milligan, Director of Facilities, provided an overview of the Firing Range and gave a summary of changes made to the existing range improvements.

Chair Doherty suggested removal of the Firing Range item until a master plan is developed. **Commissioner Deutsch** requested the range be removed from the list and explained how costly it is to maintain. **Commissioner Duffy** requested summary of changes made to the Firing Range. **Commissioner Constance** mentioned a discussion he had with Sheriff Prummell in regards to future design plans.

Chair Doherty spoke to the Justice Center expansion, noted it is a priority to be put back on the Sales Tax project list and asked County Administrator Raymond Sandrock for his input on phasing cost. Mr. Sandrock gave an overview of costs starting with the planning phase; estimated at \$1,000,000.00. **Commissioner Constance** remarked on the Justice Center Expansion, mentioned he spoke to Barbara T. Scott, Clerk of the Circuit Court, and asked Jon Embury, Administrative Services Manager, to elaborate on the needs for expansion. **Commissioner Deutsch** spoke to his discussion with the Clerk. **Commissioner Truex** mentioned that this project is statutorily needed and indicated that he took a tour of the Justice Center with the Clerk resulting in a conversation about space needs. **Commissioner Constance** inquired of a list of available properties and mentioned the Clerk would have more space after records are converted to microfilm. **Commissioner Duffy** stated she did not realize the urgency for this expansion until today and expressed concerns with the project cost of \$36,000,000.

Jon Embury, Court Administration, described space issues at the Justice Center, gave an overview of the Judicial Master Plans, expressed concerns for lack of space, and urged the Board to consider adding this to the priority project list.

COMMISSIONER DUFFY MOVED TO PLACE JUSTICE CENTER IMMEDIATE NEEDS ON THE SALES TAX LIST; WITH THE REMAINDER OF THE PROJECT TO BE FUNDED BY CIP, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 4:1, COMMISSIONER CONSTANCE OPPOSING

Commissioner Constance expressed concern with the Justice Center project and its timeline. **Commissioner Truex** spoke to the project taking precedence over other projects on the list.

Tier 2

COMMISSIONER CONSTANCE MOVED TO APPROVE THE TIER 2 LIST, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0

MAY 13, 2014

COMMISSIONER DUFFY MOVED TO APPROVE THE DURATION OF THE SALES TAX EXTENSION TO EIGHT (8) YEARS, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 4:0, COMMISSIONER CONSTANCE OPPOSING

COMMISSIONER TRUEX MOVED TO APPROVE THE SALES TAX EXTENSION TO BE PLACED ON THE NOVEMBER 2014 BALLOT, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0

COMMISSIONER DUFFY MOVED TO APPROVE THE \$35,000.00 BUDGET FOR EDUCATION, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0

III. PUBLIC HEARING AGENDA

1. Sales Tax Ordinance

County Attorney

Conduct a Public Hearing to consider approving an Ordinance levying a local sales tax and providing for a referendum election for an extension of the local sales tax, to be held on either the August 26, 2014, primary election or the November 4, 2014, general election. **ORD2014-011**

Deputy Administrator Kelly Shoemaker, asked for Board direction for the Ballot language pertaining to the Sales Tax.

Assistant County Attorney Dan Gallagher, suggested language flexibility.

Chair Doherty suggested revising ballot language to state "Required Justice Center Expansion". **Commissioner Constance** read the language into the record. **Commissioner Duffy** agreed with flexibility and expressed concern with the brochures pertaining to the Justice Center. Related discussion ensued.

COMMISSIONER DUFFY MOVED TO APPROVE THE JUSTICE CENTER EXPANSION LANGUAGE PROVIDED BY STAFF TO BE USED ON THE BALLOT, SECONDED BY COMMISSIONER TRUEX

Commissioner Duffy withdrew her Motion.

COMMISSIONER TRUEX MOVED TO APPROVE THE REVISED BALLOT LANGUAGE TO "REQUIRED JUSTICE CENTER EXPANSION PROJECT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:1, COMMISSIONER CONSTANCE OPPOSING

Scott Andrichak spoke to the Sales Tax, mentioned Delta Strategy, outlined Board Procedures, Agendas, Pre-Agenda's, Workshops, Elections and Representatives of the media, pointed out the different phases of the process and expressed his opposition for the Sales tax.

Marie Orso spoke to the Sales Tax, thanked the Veterans for their service, and expressed her upset with Local, State and Federal Taxes.

MAY 13, 2014

Joan Fisher suggested using the Punta Gorda Library for the Justice Center storage needs in the future, expressed her concern for the Focus Group being "manipulative" with evaluation process for Sales Tax project lists, and thanked the Board for placing the Sales Tax item on the November 2014 Ballot.

Susan Hutt mentioned how the Sales Tax will affect less fortunate citizens the hardest, questioned whether a study was done on how the Sales Tax is used, and thanked the Board for placing it on the November 2014 Ballot.

COMMISSIONER DUFFY MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2014-011 EXTENDING THE LOCAL GOVERNMENT INFRASTRUCTURE SALES SURTAX ("LOCAL SALES TAX") IN CHARLOTTE COUNTY; PROVIDING FOR THE LEVY OF THE LOCAL SALES TAX; PROVIDING FOR REFERENDUM ELECTION; PROVIDING FOR THE DURATION OF THE LOCAL SALES TAX; PROVIDING FOR THE DISTRIBUTION OF REVENUES OF THE LOCAL SALES TAX; PROVIDING FOR THE HOLDING THE REFERENDUM ELECTION; PROVIDING FOR THE BALLOT QUESTION; PROVIDING FOR THE USE OF REVENUES; PROVIDING FOR THE DISSEMINATION OF INFORMATION CONCERNING THE LOCAL SALES TAX; PROVIDING FOR NOTIFICATIONS BY THE COUNTY ATTORNEY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 4:1, COMMISSIONER CONSTANCE OPPOSED

IV. PRESENTATION AGENDA

2. Presentation

Dr. Keith Van de Riet from Florida Atlantic University's School of Architecture will be giving a presentation regarding mangrove and oyster bed restoration.

Dr. Van de Riet introduced Dr. Paul Mankelwitz from The Gaia Institute to discuss the ecosystem and acknowledged the many foundations who helped in the study. Dr. Mankelwitz depicted a video of the mangroves with input on the algae that lies beneath the surfaces, mentioned how the mangroves filter the water traveling through filter feeders such as oyster beds, and depicted maps of the shoreline outlining the erosion that fluctuates with the seawalls.

Commissioner Constance asked about storm surge effects. **Commissioner Truex** inquired if funding was Grant or County funded. Dr. Van de Riet reported it was Grant funded.

Dr. Mankelwitz explained the mangroves will break up the currents during storms which will help.

RECESS: 1:15 pm - 2:15 pm

2. Public hearing to hear proposed changes to Chapter 3-2 of the Charlotte County Code

Community Development

Conduct a Public Hearing to discuss proposed housekeeping changes to Chapter 3-2 of the Charlotte County Code dealing with building and contractor licensing. The definitions of scope of work of some local specialty contractors would be amended to reflect industry changes. Additionally, violations that the county already prosecutes under chapter 489 of the Florida Statutes would be listed within the Charlotte County Code. **ORD2014-012**

MAY 13, 2014

Pooja Patel, Assistant County Attorney, highlighted proposed changes to Ordinance 2014-012 Chapter 3-2-2.

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2014-012 AMENDING SECTION 3-2 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

3. Ordinance Revising Chapter 3-8, Article VIII Concerning OSTDS

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. **ORD2014-013**

Marty Burton, Assistant County Attorney, Highlighted Article VIII Concerning OSTDS.

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2014-013 AMENDING CHAPTER 3-8 ARTICLE VIII OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, RELATING TO ON-SITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS; DELETING SPECIFIC REQUIREMENTS FOR OPERATION AND MAINTENANCE ENTITIES, AND CLARIFYING SPECIFIC LICENSE AND PERMIT REQUIREMENTS; PROVIDING FOR SEVERABILITY AND INCLUSION IN THE CHARLOTTE COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

(DELETION #1) 4. Public Hearing - Amend the Territory and Ordinance for Charlotte Ranchettes Street and Drainage Unit

Public Works Conduct a Public Hearing to consider approving an Ordinance amending the territory of the Charlotte Ranchettes Street and Drainage MSBU to include additional properties that receive a benefit from the MSBU.

5. Public Hearing: Amend the Territory in the Ordinance of the Greater Port Charlotte Street and Drainage Unit

Public Works

Conduct a Public Hearing to consider approving an Ordinance amending the territory of the Greater Port Charlotte Street and Drainage MSBU to include additional properties that receive a benefit from the MSBU. **ORD2014-014**

Dan Quick, Director Public Works, highlighted the Greater Port Charlotte Street and Drainage Unit Ordinance.

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2014-014 AMENDING ARTICLE VII, CHAPTER 4-6 OF THE CODE OF LAWS AND ORDINANCES, CHARLOTTE COUNTY FLORIDA, BY PROVIDING FOR THE ADDITION OF PROPERTIES TO THE GREATER PORT CHARLOTTE STREET AND DRAINAGE MUNICIPAL SERVICE BENEFIT UNIT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0

V. REPORTS RECEIVED AND FILED

VI. CONSENT AGENDA

Chair Doherty polled the Board for Consent Agenda Items to be pulled for discussion.

COMMISSIONER TRUEX MOVED TO APPROVE THE BALANCE OF THE CONSENT AGENDA WITH THE EXCEPTION OF CONSENT AGENDA ITEMS N2 AND N4, SECONDED BY COMMISSIONER DUFFY.

MOTION CARRIED 5:0

Clerk of the Circuit Court

A. Finance Division

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

B. Minutes Division

(1) RECOMMENDED ACTION: Approve Minutes for:

March 25, 2014 Regular Meeting
April 8, 2014 Regular Meeting
April 21, 2014 Pre-Agenda Meeting
April 22, 2014 Sales Tax Workshop
April 28, 2014 Joint Meeting with City of Punta Gorda and the School Board

BUDGETED ACTION: None

Board of County Commissioners

C. Commission Office

1. Appointment - Pirate Harbor Waterway Advisory Committee

(1) RECOMMENDED ACTION: Appoint Van C. Stockwell as an alternate member to the Pirate Harbor Waterway Unit Advisory Committee for a two year term from the date of appointment. BUDGETED ACTION: None

D. Administration

Administration- No Items

Public Information Office- No Items

E. County Attorney

1. Revisions to the Board Rules of Procedures (May 13, 2014 meeting).

(1) RECOMMENDED ACTION: Approve revisions to the Board's Rules of Procedures. BUDGETED ACTION: None

F. Budget and Administrative Services

Fiscal Services- No Items

Information Technology- No Items

Purchasing

1. 13-383 Specialty Mowing C/O #3

(1) RECOMMENDED ACTION: Approve Change Order #3 to Contract #13-383 Specialty Mowing with Walker Services Inc. for an annual increase of \$9,680 for a revised total contract amount of \$360,839. This is for additional mowing cycles for locations recently acquired by Public Works Maintenance & Operations for maintenance. BUDGETED ACTION: No Budget action required. Budgeted in Road and Bridge Infrastructure and approved in the FY 14 budget process.

2. #14-208, Award, Construct Concession Stands

(1) RECOMMENDED ACTION: Approve the award of Bid #14-208, Construct Concession Stands to the lowest, responsive, responsible bidder, Punta Gorda Construction Management of Punta Gorda, FL (best and final offer) in the amount of \$844,995.00. This bid is for the Construction of Concession Stands, Bathroom Remodel, Parking Lot, and Site Improvements at the Carmalita Park and the South County Regional Park. BUDGETED ACTION: No action needed. Funding from Capital Projects Fund, in the South County Regional Park and Concession Stands CIP's approved in the 2014 budget process.

3. #14-024, Change Order #3, 2014 County Paving Program

(1) 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 and the addition of 20 calendar days to the contract time for a revised total of \$9,760,086.03. BUDGETED ACTION: No action needed. Budgeted in Greater Port Charlotte Street & Drainage MSBU and approved in CIP "Greater Port Charlotte (GPC) Road Paving Program", in the FY14 budget process.

4. Property Deletions - Month of May, 2014

(1) RECOMMENDED ACTION: Approve deletion of the property inventory items listed on the attached for the month of May, 2014. BUDGETED ACTION: No budget action required.

Real Estate Services

5. Maintained Right of Way Dundee Rd

- (1) RECOMMENDED ACTION: Authorize the Chair of the Board of County Commissioners to sign the attached survey showing a portion of Dundee Road in Charlotte County, Florida that has been regularly maintained by the County for more than seven (7) years. BUDGETED ACTION: No action needed.

6. Grant of Utility and Access Easement to Embarq (dba CenturyLink) - Gasparilla Road

- (1) RECOMMENDED ACTION: Resolution approving and authorizing the Chairman to execute a grant of a variable width Utility and Access Easement to Embarq Florida, Inc. d/b/a/ CenturyLink to be located on a portion of Tract "U", Port Charlotte Subdivision, Section 95, and a portion of Parcel 6, both lying in portions of Sections 4 and 5. Township 41 South, Range 21 East, off Gasparilla Road (also known as County Road 771).
BUDGETED ACTION: No action needed. **RES2014-112 / AGR2014-022**

7. Resolution to Approve Billboard License Agreement

- (1) RECOMMENDED ACTION: Approve a resolution authorizing the Chair to execute the attached License Agreement with Pri-Car, LLP for the relocation of a billboard structure.
BUDGETED ACTION: None required. Budgeted in approved FY14 CIP "Burnt Store Road Phase 3" as approved in the FY14 Budget process. **RES2014-113 / AGR2014-023**

8. Resolution authorizing the acquisition of real property required for the implementation of the Chamberlain Boulevard Master Lift Station.

- (1) RECOMMENDED ACTION: Approve a resolution authorizing the acquisition of real property and/or easement interests in real property that may be required for the implementation of the Chamberlain Master Lift Station.
BUDGETED ACTION: None **RES2014-114**

G. Community Development

1. Renewal of the Community Development Lien Relief Program

- (1) RECOMMENDED ACTION: The Lien Relief Program, established under Resolution No. 2012- 036, provides owners or potential owners of properties a method to reduce code enforcement liens in return for bringing their properties into compliance. The program will sunset on July 1, 2014. The department has found this to be a highly successful program and recommends its amendment and extension.
BUDGETED ACTION: None **RES2014-115**

H. Community Services

Parks and Natural Resources- No Items

Recreation- No Items

Libraries and Historical- No Items

I. Economic Development- No Items

J. Facilities Construction and Maintenance- No Items

K. Human Resources- No Items

L. Human Services

1. MOA Board of County Commissioners and Flairs

- (1) RECOMMENDED ACTION: a) Approve an Agreement between the Florida Alliance of Information and Referral Services (FLAIRS) and Charlotte 211 and, b) Approve Budget Amendment #BA14-26 accepting grant funds in the amount of \$1,832.00. BUDGETED ACTION: Approve Budget Amendment #BA14-26 in the amount of \$1,832 for the Human Services-211 FY 2014 budget as a result of receiving these grant funds. No County match is required. **AGR2014-018**

2. Local Housing Assistance Plan (LHAP) Approval for submission

RECOMMENDED ACTION: Adopt Resolution approving new three-year Local Housing Assistance Plan (LHAP) as required by State Housing Initiatives Partnership (SHIP) Program Act, and authorizing Chairman to sign any documents and certifications required by the Florida Housing Finance Corporation (FHFC). BUDGETED ACTION: None is required. **RES2014-116**

M. Public Safety- No Items

N. Public Works

1. JPA with FDOT for Signal Timing Analysis and Implementation 431336-1-38-01

- (1) RECOMMENDED ACTION: Approve a Joint Participation Agreement (JPA) with the Florida Department of Transportation for a Signal Timing Analysis and Implementation project (431336-1-38-01) that provides for reimbursement of expenses up to \$200,000; and b) Approve a Resolution authorizing the Chairman to execute the JPA. The implementation of this project is in the best interest of both parties and will be most practical, expeditious, and economical for the County to perform the services to complete the project. BUDGETED ACTION: No budget action required. Budgeted in Road Improvements and approved in CIP "Signal Timing Analysis & Implementation - FDOT Transportation Improvement Program", in the FY14 budget process. **AGR2014-019 / RES2014-117**

2. Sunshine Lake / Sunrise Waterway 04.08.14

- (1) RECOMMENDED ACTION: Approve the Cooperative Funding Agreement between the Southwest Florida Water Management District (SWFWMD) and Charlotte County to provide for cost sharing in the Sunshine Lake/Sunrise Waterway Nutrient Source Evaluation project. BUDGETED ACTION: No action necessary. Funding from Mid

Charlotte Stormwater approved in CIP "Sunshine Lake/Sunrise Waterway Water Quality Project" in the FY2014 budget process, as amended. **AGR2014-020**

Commissioner Constance requested that a revision be made to reflect Sunrise Canal to be written as Sunrise Waterway.

COMMISSIONER CONSTANCE MOVED TO APPROVE WITH CHANGES TO PAGE 19 OF THE SUMMARY SHEET TO STATE SUNSHINE WATERWAY NOT SUNRISE CANAL, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED: 5:0

3. Set a Public Hearing: Ordinance Revising Speed Limits on various Roadway Segments

(1) **RECOMMENDED ACTION:** Set a Public Hearing for May 27, 2014, at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an Ordinance amending the speed limits on various roadways located within Charlotte County. The attached Ordinance sets forth the roadway locations and the proposed speed limits for each roadway. **BUDGETED ACTION:** No budget action required. Funding for sign installation and maintenance is included in the work plans for all Street & Drainage MSBUs as well as for Road & Bridge. The work plans are part of the overall area budgets which were adopted in the FY14 budget process.

4. Harbor Boulevard Enhancements

(1) **RECOMMENDED ACTION:** Seeking Board approval of the following design elements for the Harbor Boulevard Enhancement Project as recommended by Staff and the Design Team:

1. Lighting: Option 1 (Recommended by Staff and Design Team)

2. Gateway Feature: Option 1 (Recommended by Staff and Design Team)

3. Access Management Plan as submitted (Recommended by Staff and Design Team)

BUDGETED ACTION: No budget action required. Funded in CIP "Parkside - Harbor Boulevard - US 41 to Olean Boulevard" approved in the FY14 budget process.

COMMISSIONER DEUTSCH MOVED TO APPROVE HARBOR BOULEVARD ENHANCEMENTS, SECONDED BY COMMISSIONER TRUOX

MOTION CARRIED: 4:0, COMMISSIONER CONSTANCE ABSTAINING

5. Joint Participation Agreement for Construction Engineering Inspection Services at SR 776/CR 771

(1) **RECOMMENDED ACTION:** Approve the Joint Participation Agreement with the Florida Department of Transportation for Construction Engineering Inspection (CEI) Services at SR 776/CR 771, and approve a Resolution authorizing the Chairman of the Board to execute the Agreement. **BUDGETED ACTION:** No action needed. Funding from the 2008 Sales Tax Extension approved in CIP "CR771 (Gasparilla Rd) - SR776 - to Rotonda Blvd East." **AGR2014-021 / RES2014-118**

O. Tourism Development- No Items

P. Utilities- No Items

Q. Other Agencies- No Items

VII. CITIZEN INPUT - ANY SUBJECT