

BOARD OF COUNTY COMMISSIONERS

JULY 22, 2014

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

Members present were: Chairman Doherty, Commissioner Constance, Commissioner Deutsch, Commissioner Duffy, Commissioner Truex, County Administrator Sandrock, County Attorney Knowlton, Director of Finance Larrivee, Minutes Supervisor Lansing, and Minutes Clerk Russo. The following members were absent: Chief Deputy Board Services White

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

The invocation was given by Pastor Jim Stultz, Peace River Baptist Church, followed by the Pledge of Allegiance.

Changes to the Agenda:

Addition #1 - R-5

Board of County Commissioner (BCC) discussion and direction regarding the establishment of a new East County Stormwater Municipal Service Taxing Unit (MSTU).

Addition #2 - R-6

a) Accept the role as the coordinating unit of government in the Florida Department of Law Enforcement's (FDLE) Edward Byrne Memorial Justice Assistance Grant (JAG) Program and authorize the Chairman to sign the attached Certificate of Participation letter. The County Budget Department Fiscal Division will administer the grant. b) Authorize application for allocated FDLE JAG Edward Byrne Memorial Justice Grants in the amount of \$74,394.00 and c) Authorize the Chair or his designee to sign all necessary documents.

Addition #3 - R-7

a) Discussion and direction regarding the FY14-15 Dept. of Juvenile Justice (DJJ) estimate payment; and b) Approve and ratify Charlotte County's joinder with other counties in a declaratory judgment action challenging the State and DJJ's denial of the County's request for repayment pursuant to Sections 215.26 and 985.686, Florida Statutes. The County will be represented by the Nabors Giblin law firm which is currently representing the County in several other proceedings against DJJ. Attached is a copy of Nabors Giblin's retainer letter.

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

MOTION CARRIED 5:0.

Proclamations/Awards

Proclamations - Commissioner Bill Truex

Artist of the Month - Lionel Lewis

COMMISSIONER CONSTANCE MOVED TO PROCLAIM LIONEL LEWIS AS THE JULY 2014 ARTS AND HUMANITIES COUNCIL ARTIST OF THE MONTH, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

An unidentified Citizen accepted the proclamation and thanked the Board.

Parks and Recreation Month

COMMISSIONER DEUTSCH MOVED TO PROCLAIM THE MONTH OF JULY 2014 AS PARKS AND RECREATION MONTH, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

Tommy Scott, Community Service Director, accepted the proclamation and thanked the Board.

AAUW Tech Trek Camp 2014

COMMISSIONER CONSTANCE MOVED TO PROCLAIM JULY 2014 AS AAUW TECH TREK CAMP MONTH, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Students and an AAUW representative accepted proclamation and thanked the Board.

Employee Recognition - No Items

Award Presentations

Combat Wounded Veterans Recognition - Lee Chalifour, CMSGT, USAF Retired

Commissioner Truex introduced Mr. Chalifour and spoke to his many accomplishments for the recognition.

Lee Chalifour accepted the award, mentioned his military background, and thanked the Board.

I. CITIZEN INPUT -- AGENDA ITEMS ONLY

Scott Andrichak spoke to item F17 and asked about cattails, the vegetation contract, rush orders, project payment summary reports, and invoices.

Bob Aspery, Englewood Home Owner Association Member, thanked the Board, Englewood Water District and Sun Newspaper for addressing the water issues in their area.

Walt Powers, Riverwood Community District Member, spoke in support of the water reuse amendment.

Chair Doherty announced Committee Vacancies and asked for Citizen Participation.

II. COMMITTEE VACANCIES

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

Ackerman Waterway Unit Advisory Committee is seeking six volunteers who must be residents of Charlotte County and reside within the Unit. Terms: five regular members to serve a three year term from the date of appointment and 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

Buena Vista Area Waterway Unit Advisory Committee is seeking two volunteers who must be residents of Charlotte County and reside within the Unit. Terms: two regular members to serve a three 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.

Burnt Store Village Street and Drainage Unit Advisory Committee is seeking one volunteer to serve as a regular member for a three year term from the date of appointment. Applicant must be a resident of Charlotte County and reside within the Unit. 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.

Deep Creek Non-Urban Street & Drainage Unit Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Term: 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.

Gardens of Gulf Cove Street & Drainage Unit Advisory Committee is seeking one volunteer to serve as a regular member for a three year term from the date of appointment. Applicant must be a resident of Charlotte County and reside within the Unit. 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.

Greater Port Charlotte Street and Drainage Advisory Committee is seeking one volunteer who must be a resident of Charlotte County, and reside within the Unit. Terms: one regular member to complete an unexpired term that will expire on December 11, 2015. Submit application to Charlotte County Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-743-3600 or email: MSBU-TU@Charlottefl.com .

Charlotte County is seeking volunteers to serve on the following Committees: Lemon Bay Street and Drainage Unit Advisory Committee is seeking five volunteers who must be residents of Charlotte County and reside within the Unit. Terms: four regular members and one alternate member. The term lengths will be determined at the first regular meeting. 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

Northwest Port Charlotte Waterway Unit Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Terms: one regular member to serve a three 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.

Peace River Shores Street & Drainage Unit Advisory Committee is seeking four volunteers who must be residents of Charlotte County and reside within the Unit. Terms: three regular members to serve a three year term from the date of appointment and 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.

Pirate Harbor Waterway Unit Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Term: one regular member to serve a three 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.

Placida Area Street & Drainage Unit Advisory Committee is seeking two volunteers to serve as regular members for a three year term from the date of appointment. Applicants must be residents of Charlotte County and reside within the Unit. 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.

South Bridge Waterway Unit Advisory Committee is seeking five volunteers who must be residents of Charlotte County and reside within the Unit. Terms: four regular members to serve a three year term from the date of appointment and 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.

South Burnt Store Street and Drainage Unit Advisory Committee is seeking one volunteer to serve as an alternate member for a two year term from the date of appointment. Applicant must be a resident of Charlotte County and reside within the Unit. 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.

South Gulf Cove Waterway Benefit Unit Advisory Committee is seeking one volunteer to serve as an alternate member for a two year term from the date of appointment. Applicant must be a resident of Charlotte County and reside within the Unit. 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.

Suncoast Waterway Maintenance Unit Advisory Committee is seeking four volunteers who must be residents of Charlotte County and reside within the Unit. Terms: three regular members to serve a three year term from the date of appointment and one alternate member to serve a two year term from the date of appointment. Submit application to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950, call 941.575.3600 or e-mail MSBU-TU@CharlotteFL.com.

Tropical Gulf Acres Street & Drainage Unit Advisory Committee is seeking three volunteers. Terms: two regular members to serve a three year term from the date of appointment and one alternate member to serve a two year term from the date of appointment. Applicants must be residents of Charlotte County and reside within the Unit. 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.

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.

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

The Charlotte Harbor Community Redevelopment Agency Advisory Committee is seeking two (2) volunteers: one volunteer needed to fill a Business Representative vacancy, who must own a business in the Charlotte Harbor CRA; and the second volunteer to fill a Member-at-Large vacancy, who must be a Charlotte County resident. Please send a short resume to Kathy Knee and request an application form. She can be contacted at (941) 764-4941 or by e-mail: Kathy.knee@charlottefl.com or fax number is (941)764-4947.

Tourist Development Council is currently seeking one volunteer who is an owner/operator of motel, hotel, recreational vehicle park or other tourist accommodations located within the county and subject to the tourist tax. Applicants must also reside in Charlotte County. Term is four years. To obtain an application, please call (941) 743-1309 or email joann.dillon@charlottefl.com

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

Don Pedro & Knights Island Street & Drainage Unit Advisory Committee is seeking one volunteer. Applicant must be a resident elector of the Unit and must provide a copy of their voter registration or similar proof of residency on the Island and reside in Zone 3 as shown on the district map. Terms: one regular member to serve a 3 year term from the date of appointment. Submit application, resume and proof of residency to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950, call 941.575.3600 or e-mail MSBU-TU@CharlotteFL.com.

Englewood East Non-Urban Street & Drainage Advisory Committee is seeking one volunteer that must be a resident of Charlotte County and reside within the unit. Term: 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.

Grove City Street & Drainage Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Term: 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.

Gulf Cove Street & Drainage Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Term: one regular member to serve a three 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.

Gulf Cove Waterway Benefit Unit Advisory Committee is seeking two volunteers who must be residents of Charlotte County and reside within the Unit. Terms: one regular member to serve a three year term from the date of appointment and 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.

Harbour Heights Waterway Unit Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Term: one regular member to serve a three 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.

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.

III. REPORTS RECEIVED AND FILED - No Items

IV. CONSENT AGENDA

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

COMMISSIONER CONSTANCE MOVED TO APPROVE THE BALANCE OF THE CONSENT AGENDA WITH THE EXCEPTION OF CONSENT AGENDA ITEMS F4, F5, F10, F13, F17, G1 AND H1, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

Commissioner Constance spoke to item F19, expressed how beneficial the kiosk in the mall will be in the future, and thanked the Riverwood Community for showing support for reuse water.

Clerk of the Circuit Court

A. Finance Division

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

B. Minutes Division

- (1) Minutes
RECOMMENDED ACTION:
May 13, 2014 Regular Meeting
May 27, 2014 Regular and Land Use Meeting
June 10, 2014 Regular Meeting
June 16, 2014 Workshop
June 23, 2014 Pre- Agenda
BUDGETED ACTION: None

Board of County Commissioners

C. Commission Office

- (1) Tourist Development – Capt. Stead appointment.
RECOMMENDED ACTION: Approve the appointment of Mr. Kenneth J. Stead to the Tourist Development Council as a tourism industry member for a four-year term. Mr. Stead will replace Captain Allen who did not wish to be reappointed. Term is effective immediately and will expire in July 2018. BUDGETED ACTION: None

D. Administration

Administration - No Items

Public Information Office - No Items

E. County Attorney

- (1) Crime Stoppers Letter of Agreement
RECOMMENDED ACTION: Approve and authorize the Chairman to sign the attached letter of agreement with Southwest Florida Crime Stoppers Program, Inc. designating them as the County's agent for receiving funds from the State Crime Stoppers Trust Fund pursuant to Sections 16.555 and 938.06, Florida Statutes. BUDGETED ACTION: No action needed.

F. Budget and Administrative Services

Fiscal Services

- (1) Drug Abuse Trust Fund FY14
RECOMMENDED ACTION: Approve a Resolution designating Charlotte Behavioral Health Care, Inc. as the recipient of the Charlotte County Drug Abuse Trust Fund grant, and approve the transfer of \$28,000 from the Drug Abuse Trust Fund to Charlotte Behavioral Health Care to purchase four treatment slots in support of the Charlotte County Drug Court Program. BUDGETED ACTION: Funding from the Drug Abuse Trust Fund approved in the FY13/14 Budget Process. **RES2014-134 (XREF: RES2013-037)**
- (2) Quarterly Budget Adjustments
RECOMMENDED ACTION: Approve the attached list of Budget Adjustments for the Third Quarter FY13/14. These Budget Adjustments which impact various funds are needed to adjust FY13/14 budgets to make fund changes required by the Clerk, to properly reflect changes made to grants, close out funds, and to transfer budgets to the appropriate fund. BUDGETED ACTION: Approve attached Quarterly Budget Adjustments.
- (3) Approval of Continuing Disclosure Certificate for PRRWSA bond refunding
RECOMMENDED ACTION: Board approval of the Continuing Disclosure Certificate in substantially final form, to be executed by the Chairman in connection with each series of publicly offered bonds to be issued by the Peace River Manasota Regional Water Supply Authority (Authority) to refinance prior bond issues. BUDGETED ACTION: No action needed. Funding from the Utilities Operating Fund proposed in the FY15 Budget Process. **AGR2014-034 (XREF: RES2011-229 AGR2005-002 AGR2005-047)**

Information Technology - No Items

Purchasing

- (4) 14-256 Loveland Grand Master Lift Station Design
RECOMMENDED ACTION: a) Approve ranking of firms for Request for Proposal #14-256 Loveland Grand Master Lift Station Design: 1st Johnson Engineering of Port Charlotte; 2nd Jones Edmunds & Associates of Sarasota; and 3rd Southwest Engineering & Design of Punta Gorda; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations. This is for final design and constructions services for the Loveland Grand Master Lift Station. BUDGETED ACTION: No Action Needed. Funding from the Utility System Capital Improvement Fund approved in CIP "Grand Master Lift Station and Gravity Interceptor-Loveland Blvd" in the FY14 Budget Process.

COMMISSIONER DUFFY MOVED TO APPROVE RANKINGS DEVELOPED BY STAFF FOR PROPOSAL #14-256, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 4:1, COMMISSIONER CONSTANCE OPPOSED.

Commissioner Constance agreed that presentations on this in the future would be beneficial. **Commissioner Truex** commented that he supports the firms that hire staff locally and agrees that a presentation should be required when there is a close call between two firms.

- (5) 14-279 FEMA Risk MAP
RECOMMENDED ACTION: a) Approve ranking of firms for Request for Proposal #14-279, Consultant Services - FEMA Risk MAP: 1st - The Weiler Engineering Corp of Punta Gorda, FL; and 2nd J.R. Evans Engineering of Estero, FL; b) Approve start of negotiations; and c) Authorize Chairman to sign the contract after completion of negotiations. This is for a Consultant to act on behalf of the County during the upcoming FEMA Risk Mapping Assessment Planning (MAP) until acceptance of new Flood Insurance Rate Maps. BUDGETED ACTION: No action needed. Funding from General Fund - BCC Control approved in the FY13/14 Budget Process.

COMMISSIONER CONSTANCE MOVED TO APPROVE, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

Chair Doherty suggested staff review recommended firms for prior experience with Federal Emergency Management Agency (FEMA) Map Challenges to give the Board an opportunity to evaluate the Scope of Services in the contracts before approving. **Commissioner Constance** suggested getting all Commissioner initials before Chair approval.

- (6) #12-099, Approve Change, Knights Island Road Grading
RECOMMENDED ACTION: Approve Change Order #2 to Bid #12-099, Knights Island Road Grading, increasing the amount of the contract by \$119,000 for the addition of new material with a revised contract amount of \$286,419. BUDGETED ACTION: No action needed. Funding from the Don Pedro Knights Island Streets and Drainage MSTU approved in the FY14 budget process.
- (7) #14-294, Award, Stormwater Control Structure - Dorchester 4.89 Waterway
RECOMMENDED ACTION: Approve the award of Bid #14-294, Stormwater Control Structure - Dorchester 4.89 Waterway, to Lovin Construction, of Bradenton, FL for a total cost of \$724,182.90. BUDGETED ACTION: No budget action required. Funding from Mid Charlotte Stormwater MSBU, CIP project "Greater Port Charlotte Stormwater Structure Replacement" approved in the FY14 budget process.
- (8) 14-308 Insecticides & Herbicides- Supply & Deliver
RECOMMENDED ACTION: a) Approve a multi-award by line item of Bid #14-308, Insecticides & Herbicides - Supply and Deliver to the following vendors as indicated on the attached bid tabulation and recommendation sheet: Adapco, Inc. of Sanford, FL; Clark Mosquito Control Products, Inc. of Kissimmee, FL; Helena Chemical Co. of Dade City, FL; Crop Production Services Inc. of Mulberry, FL; Red River Specialties, Inc of Shreveport, LA; Univar USA of Tampa, FL; and HPI Products Inc. dba AllPro Vector Group of Northville, MI, for the period of date of award through and including May 31, 2015. b) Authorize the County Administrator to approve renewal options for up to two (2) one-year terms, at the same prices, terms and conditions, by mutual consent. This is an annual contract to purchase insecticides and herbicides, to be utilized on an "as required" basis by Public Works-Pest Management Division.

BUDGETED ACTION: No action needed. Funding from the Mosquito Control Department budget approved in the Fy14 budget process. Funding is supplied from general revenues.

- (9) #14-349, Award Piggyback, Tire Purchase Program
RECOMMENDED ACTION: a) Approve award of "Piggyback" Goodyear tire purchases off the Florida State Contract #863-000-10-1, Tires; and b) Award of "Piggyback" Bridgestone/Firestone tire purchases off the Florida Sheriff's Association Contract #14/15-06-0131, Tires & Related Services, for File #14-349, Tire Purchase Program. BUDGETED ACTION: No action needed. This item is budgeted in various funds. Costs to be charged back to various departments through the vehicle maintenance fund.
- (10) #14-220, Award, Irrigation Services - Annual Contract
RECOMMENDED ACTION: a) Approve Award of Bid #14-220, Irrigation Services - Annual Contract, at the hourly rates bid to Stahlman-England Irrigation, Inc., of Naples, FL. Term of contract is to be from date of award through and including September 30, 2015; and b) Authorize the County Administrator to approve the renewal options for up to two additional one-year terms, at the same prices, terms, and conditions, by mutual consent. BUDGETED ACTION: No action needed. Budgeted as part of the overall landscape maintenance programs in Road & Bridge, Charlotte Harbor CRA, and various MSBU/TUs during the FY14 budget process.

COMMISSIONER DUFFY MOVED TO KEEP THE ANNUAL CONTRACT #14-220, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 4:1, COMMISSIONER CONSTANCE OPPOSED.

- (11) #14-310, Award, Stormwater Collection System Rehabilitation - Annual
RECOMMENDED ACTION: a) Approve award of Bid #14-310, Stormwater Collection System Rehabilitation, to Layne Inliner LLC, of Sanford, Florida, at the unit prices submitted. Term of contract is October 1, 2014, through and including September 30, 2015; and b) Authorize the County Administrator to approve up to two (2) additional one-year terms at the same prices, terms, and conditions, by mutual consent. This is an annual contract for the rehabilitation of existing storm sewer pipes, utilizing cured-in-place pipe lining on an "as required" basis for the Public Works Department. BUDGETED ACTION: No action needed. Budgeted in Road & Bridge and various MSBU/TUs and approved in the FY2014 budget process.
- (12) #14-114, Ratify and Approve, Fill Dirt - Annual Contract
RECOMMENDED ACTION: Ratify and approve an increase in expenditures for Contract #14-114, Fill Dirt - Annual Contract, as awarded to D.M. Construction Corporation of Punta Gorda, Florida at the unit prices attached for the increase estimated annual expenditure of \$200,000. BUDGETED ACTION: No Action Needed. Funding from Solid Waste Enterprise Fund proposed in FY15 Budget Process.
- (13) #14-024, Approve Change Order #6, 2014 County Paving Program
RECOMMENDED ACTION: Approve Change Order #6 to Contract #14-024, 2014 County Paving Program as awarded to Ajax Paving Industries of Florida, LLC of Nokomis, FL, in the amount of \$175,094 and an addition of five (5) calendar days to the contract time for a revised total of \$10,398,933.29. BUDGETED ACTION: No action needed. Budgeted in CIP "Punta Gorda Non-Urban Paving" in the adopted FY2014 CIP.

Chair Doherty expressed concerns for funding source, discussed the resurfacing program, and inquired the cost for prolonging project.

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGE ORDER #6 CONTRACT #14-024, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 4:1, CHAIR DOHERTY OPPOSED.

- (14) 14-311 Award-North Shore WW/Stormwater Drainage Improvements
RECOMMENDED ACTION: Approve the Award of Bid #14-311, Wastewater / Stormwater Drainage Improvements - North Shore, to the lowest responsive, responsible bidder: GO Underground Utilities, LLC of Lake Placid, FL for the total project amount of \$120,550.50 for the construction of a low pressure sewer collection system, and stormwater drainage improvements in the North Shore Drive and Harper Avenue Wastewater Expansion area. BUDGETED ACTION: No Action Needed. Funding from the Greater Port Charlotte Streets and Drainage MSBU Fund (\$53,990) and Northshore Wastewater MSBU Fund (\$66,560.50) approved in the FY14 Budget Process.
- (15) #14-339, Approve, Carmalita Park Retrofit - Softball Field
RECOMMENDED ACTION: Approve File #14-339, Carmalita Park Retrofit - Softball Field, for sports lighting, which is a piggyback off of the Clay County Contract RFP#13/14-8, with Musco Sports Lighting, LLC, located in Muscatine, Iowa, for the total amount of \$270,000. BUDGETED ACTION: No action needed. Funding from the Capital Projects Fund approved in CIP Sports Lighting Replacement and New Construction the FY14 budget process.
- (16) #14-115, Award, Fencing Maintenance & Repairs - Annual Contract
RECOMMENDED ACTION: a) Authorize the County Administrator to approve award of Bid #14-115, Fencing Maintenance & Repairs - Annual Contract to the lowest responsive, responsible bidder; and b) Authorize the County Administrator to approve renewal options up to two (2) additional one-year terms, at the same prices, terms and conditions, by mutual consent. Contract period is from date of award through and including December 31, 2015. BUDGETED ACTION: No action needed. This item is budgeted in various department budgets.
- (17) 13-070 Sunshine Lake C/O #5
RECOMMENDED ACTION: a) Approve budget adjustment #14-32 in the amount of \$158,100; and b) Approve Change Order #5 to Contract #13-070, Sunshine Lake/Sunrise Waterway Algae Removal, with ProLime for the not-to-exceed amount of \$158,100, due to the presence of a new Little Blue Heron nest at the site. BUDGETED ACTION: Approve budget adjustment #14-32, in the amount of \$158,100 to increase project costs in CIP project "Sunshine Lake/Sunrise Waterway Water Quality Project" as adopted in the FY14 budget process and later amended.

Commissioner Constance stated he would not vote for this due to the mandate by State.

COMMISSIONER TRUEX MOVED TO APPROVE BUDGET ADJUSTMENT, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 4:1, COMMISSIONER CONSTANCE OPPOSED

- (18) Property Deletions - Month of July, 2014
RECOMMENDED ACTION: Approve deletion of the property inventory items listed on the attached for the month of July, 2014. BUDGETED ACTION: No budget action required.

Real Estate Services

- (19) Authorize the Chairman to Execute a Lease with the Sheriff Department at Town Center Mall for its Crime Prevention Unit
RECOMMENDED ACTION: Authorize the Chairman to execute a lease for 3,000 square feet of office space to be utilized by the Sheriff Department at Port Charlotte Town Center Mall.
BUDGETED ACTION: None Required **AGR2014-035**

G. Community Development

- (1) Addition of positions to Community Development
RECOMMENDED ACTION: Approve the addition of a total of seven (7) positions to the Community Development department to address increasing volumes of permits.
BUDGETED ACTION: Approve budget adjustment # BA-14-23 in the amount of \$96,131.

COMMISSIONER DEUTSCH MOVED TO APPROVE SEVEN (7) ADDITIONAL POSITIONS TO COMMUNITY DEVELOPMENT, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

Chair Doherty requested a brief overview of why these positions are necessary. **Commissioner Deutsch** asked to be updated as the positions are filled and notified when future positions are needed. **Commissioner Truex** explained his support for the needed positions.

Clair Jubb, Customer Service Manager, Community Development responded with detailed information as to when the positions were needed and explained the positions would permit growth.

H. Community Services

Parks and Natural Resources - No Items

Recreation - No Items

Libraries and Historical

- (1) Resolution Payne Family Revocable Trust
RECOMMENDED ACTION: Approve resolution accepting a gift of \$100,000 from the Payne Family revocable trust for the Port Charlotte Library. BUDGETED ACTION: No Action Needed. Funding from Payne Family Revocable Trust will be added to the FY15 Budget. **RES2014-135**

Chair Doherty recognized the Payne Family and gave thanks on behalf of the Board.

Recess 10:09 am – 10:18 am

COMMISSIONER DEUTSCH MOVED TO APPROVE RESOLUTION 2014-135 TO ACCEPT THE PAYNE FAMILY GIFT, SECONDED BY CHAIRMAN DOHERTY

MOTION CARRIED 5:0.

I. Economic Development

- (1) IDA - Fill Vacant Bank Chair
RECOMMENDED ACTION: Approve the appointment of James Coalwell, Calusa National Bank, to the Charlotte County Industrial Development Authority. BUDGETED ACTION: No action needed. Not applicable

J. Facilities Construction and Maintenance - No Items

K. Human Resources - No Items

L. Human Services

- (1) Resolution Amending Family Services Center Lease between County and Solstice Consumer Services nka Comprehensive Housing Resources
RECOMMENDED ACTION: Adopt a Resolution amending Family Services Center lease between Charlotte County and Solstice Consumer Services n/k/a Comprehensive Housing Resources, Inc. and authorizing the Chair to sign the lease amendment.
BUDGETED ACTION: No action needed. **RES2014-136 (XREF: AGR2013-003, AGR2013-004)**
- (2) Resolution Amending Family Services Center Lease between County and Boys and Girls Club of Charlotte County
RECOMMENDED ACTION: Adopt a Resolution amending Family Services Center lease between Charlotte County and the Boys and Girls Club of Charlotte County and authorize the Chair to sign the lease amendment. BUDGETED ACTION: No budget action.
RES2014-137 (XREF: AGR2013-014 AGR2007-031, RES2007-059, RES2007-139)
- (3) Resolution Authorizing County Administrator to Acknowledge in Writing Lease Amendments and Novation Changes as to the Family Services Center
RECOMMENDED ACTION: Resolution 2007-141 previously gave the County Administrator authorization to acknowledge lease renewal requests and termination notices in writing on behalf of Charlotte County regarding the Family Services Center. An additional Resolution authorizing the County Administrator to also acknowledge in writing lease amendments and novation changes as to the Family Services Center on behalf of the Board of County Commissioners is now being submitted for approval.
BUDGETED ACTION: No action needed. **RES2014-138**

M. Public Safety - No Items

N. Public Works

(1) Stump Pass Resolution

RECOMMENDED ACTION: Approve and authorize the Chairman to sign the attached Resolution supporting the Charlotte County Erosion Control Project and the County's ability to provide matching funds for design, construction, and annual monitoring of the erosion control project. BUDGETED ACTION: No action needed. Funding from the Stump Pass Beach Renourishment MSTU/BU approved in CIP "Stump Pass Maintenance Dredging", in the FY14 budget process. **RES2014-139 (XREF: RES2013-061)**

(2) FY 2015 Detail Work Plan Budget - Mosquito Control

RECOMMENDED ACTION: Approve and authorize the Chairman to sign the FY 2014/2015 Detail Work Plan Budget for Arthropod (Mosquito) Control pursuant to Section 388.201, Florida Statutes, and Florida Administrative Code Chapter 5E-13. BUDGETED ACTION: No action needed. This is a proposed budget for fiscal year 2015.

O. Tourism Development - No Items

P. Utilities

(1) Amend Riverwood Reuse Agreement

RECOMMENDED ACTION: Board approval and execution of Amendment to "Reclaimed Water Supply Interlocal Agreement" with Riverwood Community Development District (Riverwood), increasing the amount of reclaimed water that Riverwood buys from 0.330 mgd (million gallons per day) to 0.800 mgd. BUDGETED ACTION: No action needed. **AGR2010-029**

(2) Resolution establishing Englewood East Sewer District

RECOMMENDED ACTION: Board approval of Resolution establishing the Englewood East Sewer District, and setting forth the boundaries thereof. BUDGETED ACTION: No Action Needed. Funding will be approved in the FY15 budget process. **RES2014-140 (XREF: AGR2014-033)**

Q. Other Agencies - No Items

V. PUBLIC HEARING AGENDA

(1) Utilities

Public Hearing on Rates for Englewood East Service Area

a) Conduct a public hearing to consider a proposed Schedule fixing Sewer Utility Rates, Fees and Charges for the Charlotte County Englewood East Sewer District, effective October 1, 2014; and b) Approve a Resolution adopting and putting into effect the proposed Schedule fixing Sewer Utility Rates, Fees and Charges for customers within the Charlotte County Englewood East Sewer District, effective with utility bills issued on or after October 1, 2014. **RES2014-141**

Bruce Pomeroy, Englewood East Citizen, passed out handouts to the Board in regards to utility boundaries, asked about sewers, and expressed agreement with Englewood East sewer area rates.

COMMISSIONER DUFFY MOVED TO CLOSE PUBLIC HEARING, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION RES2014-141 ADOPTING AND PUTTING INTO EFFECT A SCHEDULE FIXING SEWER UTILITY RATES, FEES AND CHARGES, FOR CUSTOMERS WITHIN THE CHARLOTTE COUNTY ENGLEWOOD EAST SEWER DISTRICT; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

(2) Economic Development

Conduct a Public Hearing regarding Amendment to Chapter 2-5 Definitions

Conduct a public hearing to consider approving an Ordinance to expand the definition of "developed lots" in community redevelopment areas. **ORD2014-021**

Debrah Forester, Redevelopment Manager, introduced the Amendment for Chapter 2-5 Definitions.

Commissioner Deutsch spoke to lots involved in the Amendment. **Commissioner Constance** inquired about the process for undeveloped lots. **Commissioner Duffy** noted this Ordinance will help fix the Edgewater area where concrete was left on lots from Hurricane Charley.

COMMISSIONER DUFFY MOVED TO CLOSE PUBLIC HEARING, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE ORD2014-021 AMENDING THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA CHAPTER 3-8 ARTICLE II RELATING TO THE REGULATED WATER AND WATEWATER SYSTEM UTILITIES; CLARIFYING APPLICABILITY, EFFECTIVENESS, AND ENFORCEMENT; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

(3) County Attorney

Public Hearing on Ordinance Amending Co. Code Ch. 3-8 Article II concerning regulated utilities

Conduct a public hearing at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an Ordinance amending County Code Chapter 3-8, Article II, concerning the regulated water and wastewater utilities, clarifying applicability, effectiveness, and enforcement. **ORD2014-022 (XREF: ORD2014-013)**

Cardine Roberts spoke to the history of the water district supply conservation, mentioned reclaimed water source report, discussed waste water statistics, and asked the Board to vote against the mandatory hook up.

William Roberts expressed opposition for required water hook and disruption to yards from water line construction.

Joe Volpe voiced opposition for water hook up on Little Gasparilla Island.

Kathleen Stokes spoke to unhealthy water test results on Little Gasparilla Island, expressed concern for husband; who has kidney issues, to consume the water, mentioned water connection fees ranging from \$4,500.00, and expressed opposition to the proposed water hook up.

William Kirberg mentioned selected water company not paying their taxes and stated his opposition for water hook up on Little Gasparilla Island.

Phil Phillips spoke to cistern systems, pipeline permits, and expressed opposition to water hook up on Little Gasparilla Island.

Jack Boyer pointed out Department of Environmental Protection (DEP) regulation requirements, water testing, rates, and financial audit.

Frank Allen May expressed concerns for fish, water flow interruption, and Island life if pipelines are implemented on Little Gasparilla Island.

Gene Thompson spoke in opposition to water hook up on Little Gasparilla Island.

Scot Andrichak stated he was inspired to speak by residents opposition to water hook up on Little Gasparilla Island and discussed bird nesting fines, fees, and rates.

Kathleen Coppola spoke to cistern systems, concerns for mangroves, rates, and in opposition to water hook up on Little Gasparilla Island.

COMMISSIONER DUFFY MOVED TO CLOSE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Commissioner Deutsch questioned if the hook up was State or County mandated and inquired if water quality testing was the responsibility of the homeowner or the County. **Commissioner Constance** suggested making a Motion to postpone this item for further research. **Commissioner Duffy** thanked the first citizen who spoke at the public hearing and commented on support for cisterns. **Commissioner Truex** agreed that further clarification is needed.

Attorney Knowlton responded that the hook-up requirement is State mandated and explained that not acting on this today will not change the mandate for the sewer connection requirement.

COMMISSIONER CONSTANCE MOVED TO POSTPONE THE ORDINANCE INDEFINITELY, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

R. Regular Agenda

(2) County Attorney 1991 Rebuild Project Presentation RECOMMENDED ACTION: Presentation by Ed dela Parte and expert consultants Jones Edmunds and Raftelis Financial Consultants, Inc. regarding the 1991 Rebuild Project; Board discussion and direction.

Attorney Knowlton spoke to the 1991 Rebuild Project with great detail and introduced financial consultants to give presentation.

Edward de la Parte, de la Parte & Gilbert, P.A., gave a brief overview of the history pertaining to the 1991 Rebuild Project, pointed out characterizations of the Facility Project, rate assessments, and attempts for decrease in cost allocations. Thomas Freidrich, Jones Edmunds Consultant, spoke to the 1991 Facility Rebuild re-rating and capacity detail. Tony Hairston, Raftelis Financial Consultant, provided information on the Master Water Supply Agreement with cost allocation analysis.

Chair Doherty requested firms provide an audit to show where the funds were allocated. **Commissioner Constance** questioned figures, cost allocations, and funding sources. **Commissioner Deutsch** requested clarification on the audit for citizens to have a better understanding. **Commissioner Truex** suggested a joint meeting with all parties involved.

COMMISSIONER DUFFY MOVED TO APPROVE RECOMMENDATIONS FROM CONSULTANTS, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

R. Regular Agenda

(1) County Administrator Agenda Clerk State Legislative Agenda RECOMMENDED ACTION: Discussion and direction regarding the State Legislative Agenda.

Carrie Roth, Bryant Miller Olive Attorneys at Law Firm introduced a priority list of legislative issues for 2015, provided a timeline and an overview of some issues that have not passed and asked for Board direction to prioritization.

Commissioner Truex spoke to Stump Pass being placed on the list. **Commissioner Deutsch** commented on the Groin System being a State issue to keep Lemon Bay pure, discussed River Road and Burnt Store Road being critical evacuation routes. **Commissioner Duffy** inquired of the list process, stated reclaimed water is an issue, requested State funding for the Justice Center, and spoke in support of the River Road and Burnt Store Road projects. **Commissioner Constance** asked if the Department of Environmental Protection (DEP) could assist with Sunshine Lake Waterway, and inquired about funding from Department of Juvenile Justice (DJJ) and Health Department. **Chair Doherty** suggested sorting the list to include special requests.

RECESS: 1:15 pm – 2:15 pm

VII. Land Use Public Hearing

(4) Community Development Ordinance Adopting Petition PA-14-04-07, Small Scale Plan Amendment from LDR to COM Approve an ordinance adopting Petition PA-14-04-07, a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use from Low Density Residential (LDR) to Commercial (COM); for property located at 3051 Holly Avenue and 3060 Placida Road, in the Grove City area, containing 1.17± acres; Petition PA-14-04-07; Applicant: SW Florida Marina Investors, LLC; Commission District III. **ORD2014-022 (XREF: ORD2012-034)**

Jie Shao, Planner III Community Development, introduced the Ordinance with an outlined map of commercial access, discussed zoning regulations, site plan reviews, the comprehensive plan, and mentioned concerns the applicant may have.

Commissioner Truex questioned buffer information on Holly Avenue. **Commissioner Constance** asked for a description of the different buffers. **Commissioner Deutsch** spoke to the egress on the map.

Shaun Cullinan, Planning and Zoning Official, confirmed the review process for allowances per buffer and discussed rezoning and access on local road options for approval.

Robert Berntsson, Big W Law Firm, representing the applicant SW Florida Marina Investors, LLC, spoke to use of the property outlined, discussed the property zoned residential and commercial, advised Holly Avenue is not to be used for commercial purposes, and noted stormwater use.

Melvin Korte requested a complex not be constructed near his home, expressed concern for the noise this will create, expressed upset that this will decrease his property value, and asked that the Board deny this Ordinance.

Arnold Taranto, P.E., handed out copies of his comments previously given to the Planning and Zoning Board, expressed concerns that the zoning change will drastically affect living conditions in the residential area, showed a diagram of property aerial shots, and requested the Board look at the buffer behind the Dollar Store.

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2014-023 ADOPTING A SMALL SCALE AMENDMENT TO THE CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM LOW DENSITY RESIDENTIAL (LDR) TO COMMERCIAL (COM), FOR PROPERTY LOCATED AT 3051 HOLLY AVENUE AND 3060 PLACIDA ROAD, IN THE GROVE CITY AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT III, CONTAINING 1.17 ACRES MORE OR LESS; PETITION PA-14-04-07; APPLICANT, SW FLORIDA MARINA INVESTORS, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

(5) Community Development Ordinance Adopting Petition Z-14-04-08 - SW Florida Marina Investors LLC Rezoning from MHC to CI Approve an Ordinance adopting Petition # Z-14-04-08, amending the Charlotte County Zoning Atlas from Mobile Home Conventional (MHC) to Commercial Intensive (CI), for property located at 3051 Holly Avenue and 3060 Placida Road, in the Grove City area, containing 1.17± acres; Petition No. Z-14-04-08; applicant: SW Florida Marina Investors, LLC; Commission District III.

ORD2014-023

Jie Shao, Planner III, Community Development, introduced the proposed Ordinance confirming her explanation was given on the previous Ordinance presentation.

Rob Bernson, SW Florida Marina Investors, LLC, explained the need for rezoning property, discussed its being in compliance with buffers and the criteria requested. (Applicant waived his public hearing time)

Arnold Taranto, P.E., spoke to eight (8) vacant lots, spot zoning allowances, entrance ways, stormwater issues, and urged the Board to vote against commercial zoning.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC HEARING, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0.

Commissioner Deutsch requested detail for Placida Road to Holly Avenue.

Ms. Shao explained she needed to do further research, addressed concerns from citizens on infrastructure issues, and spoke to following the Comprehensive Plan concerning density.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2014-024 APPROVING AN AMENDMENT TO THE CHARLOTTE COUNTY ZONING ATLAS FROM MOBILE HOME CONVENTIONAL (MHC) TO COMMERCIAL INTENSIVE (CI), FOR PROPERTY LOCATED AT 3051 HOLLY AVENUE AND 3060 PLACIDA ROAD, IN THE GROVE CITY AREA, COMMISSION DISTRICT III, CHARLOTTE COUNTY, FLORIDA, CONTAINING 1.17 ACRES MORE OR LESS; PETITION Z-14-04-08; APPLICANT, SW FLORIDA MARINA INVESTORS, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

(6) Community Development Ordinance Adopting Petition 14-04-09, Small Scale Plan Amendment from AG to LDR Approve an ordinance adopting Petition PA-14-04-09, a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Agriculture (AG) to Low Density Residential (LDR); for property located at 29255 Jones Loop Road, in the Punta Gorda area, containing 9.53± acres; Petition No. PA-14-04-09 ; applicant: TMV Properties, Inc.; Commission District II. **ORD2014-024 (XREF: ORD2012-034)**

Elizabeth Nocheck, Planner II, Community Development introduced the Ordinance and gave a brief description of residential subdivisions and zoning of the sites.

Geri Waksler, McCrory Law Firm, representing TMV Properties, Inc., gave a brief description of land use, and goals for future development.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC HEARING, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2014-025 ADOPTING A SMALL SCALE AMENDMENT TO THE CHARLOTTE COUNTY FLUM SERIES MAP #1 2030 FUTURE LAND USE, FROM AGRICULTURE (AG) TO LOW DENSITY RESIDENTIAL (LDR), FOR PROPERTY LOCATED AT 29255 JONES LOOP ROAD, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT II, CONTAINING 9.53 ACRES MORE OR LESS; PETITION PA-14-04-09; APPLICANT, TMV PROPERTIES, INC.; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

R. Regular Agenda - Continued

3. Utilities

PRMRWSA's Tentative Budget for FY2015 RECOMMENDED ACTION: Discussion and direction on the Peace River Manasota Regional Water Supply Authority's (Authority's) FY 2015 Tentative Budget, which will be presented at the Authority's Budget Hearing on August 25, 2014 in Venice, Florida.

Terri Couture, Utilities Director gave overview of Tentative Budget for FY2015 for Peace River Manasota Regional Water Supply Authority.

Patrick Lehman, P.E., Executive Director, Peace River Manasota Regional Water Supply Authority, informed the Board that the Capital Improvement Program (CIP) projects have been removed from the FY 2015 Tentative Budget, said past requests for all information to be posted on the website has been completed, and pointed out that the hearing will be held at the City of Venice Anderson Center on August 25, 2014 at 1:00 pm.

Chair Doherty spoke to the office location, costs, and questioned what the funding amount was applied for to the State. **Commissioner Constance** questioned Authority website details and requested all figures to be supplied to the Board prior to hearing. **Commissioner Duffy** commented on why the office was not located in a closer proximity for lower costs on the rent.

Mr. Lehman responded to **Chair Doherty** that \$3,000,000.00 was applied for but; \$1,500,000.00 was approved and also mentioned Southwest Florida Water Management District (SWFWMD).

COMMISSIONER TRUEX MOVED TO FOLLOW CONSULTANTS RECOMMENDATIONS AND TO NOT APPROVE THE 2015 WATER AUTHORITY BUDGET, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

5. Administration

East County Stormwater MSTU RECOMMENDED ACTION: BCC Discussion and direction regarding the establishment of a new East County Stormwater MSTU.

Dan Quick, Public Works Director introduced several projects that would benefit from establishing East County Stormwater Municipal Service Taxing Unit (MSTU).

Chair Doherty questioned what the time frame would be if approved today.

Daniel Gallagher, Assistant County Attorney, replied that the MSTU would be available January 1, 2015.

COMMISSIONER DUFFY MOVED TO APPROVE THE ESTABLISHMENT OF A NEW COUNTY STORMWATER MSTU, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 4:1, COMMISSIONER DEUTSCH OPPOSED.

RECESS: 3:50 pm – 4:00 pm

4. Purchasing

#14-141 Concrete Box Culverts - Little Farm Road RECOMMENDED ACTION: a) Approve budget adjustment #14-011 to increase the total construction by \$315,438 to \$577,438 and allow for the transfer of \$577,438 from General Fund Reserves to the South County Stormwater MSBU to pay for the project. b) Approve award of Bid #14-141, Concrete Box Culverts - Little Farm Road to the lowest responsive responsible bidder, Lovin Construction of Bradenton, Florida in the amount of \$437,969.44. The purpose of this bid is to secure the services of a firm for the installation of concrete box culverts with headwalls, wingwalls, and roadway reconstruction.

Kim Corbett, Senior Division Manager, Purchasing, gave an overview on budget adjustment #14-011 increase for box culverts.

Chair Doherty expressed concern for additional expenses, requested an explanation for the increases, and requested a tracking system from Ray Sandrock, County Administrator for project. **Commissioner Duffy** questioned staff on itemized costs. **Commissioner Constance** suggested moving this item towards the State for assistance because of the drainage issues and requested detailed information for the scope of work for inspection service in the Contract. **Commissioner Truex** indicated that the project costs are increasing and disagreed with the amount being spent on testing.

Joanne Vernon, Assistant County Engineer, Community Development, spoke to inspectors need to inspect when required on an hourly basis. Dan Quick, Public Works Director, provided information on the process for monitoring the project, elaborated on piping for culverts, and provided details on Department of Environmental Protection (DEP) requirements.

COMMISSIONER TRUEX MOVED TO APPROVE NEGOTIATIONS WITH CONTRACTOR BASED ON BUDGET RESTRICTIONS, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 3:2, COMMISSIONER CONSTANCE, COMMISSIONER DEUTSCH OPPOSED

6. Fiscal Services

a) Accept the role as the coordinating unit of government in the Florida Department of Law Enforcement's (FDLE) Edward Byrne memorial Justice Assistance Grant (JAG) Program and authorize the Chairman to sign the attached Certificate of Participation letter. The County Budget Dept., Fiscal Division will administer the grant. b) Authorize application for allocated FDLE JA Edward Byrne memorial Justice Grants in the amount of \$74, 394; and c) Authorize the Chair or his designee to sign all necessary documents.

Daniel Gallagher, Assistant County Attorney, gave a brief overview of the role needed for grant approval, and authorization request.

COMMISSIONER DUFFY MOVED TO APPROVE CHAIR DOHERTY'S SIGNATURE FOR THE CERTIFICATE OF PARTICIPATION LETTER AND APPLICATION FOR JUSTICE ASSISTANCE GRANT, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

7. County Attorney

a) Discussion and direction regarding the FY14-15 Dept. of Juvenile Justice (DJJ) estimate payment; and
b) Approve and ratify Charlotte County's joinder with other counties in a declaratory judgment action challenging the State and DJJ's denial of the County's request for repayment pursuant to Sections 215.26 and 985.686, Florida Statutes. The County will be represented by the Nabors Giblin law firm which is currently representing the County in several other proceedings against DJJ. Attached is a copy of Nabors Giblin's retainer letter. **GRT2014-013**

Dan Gallagher, Assistant County Attorney, introduced DJJ items for Board discussion and direction.

COMMISSIONER CONSTANCE MOVED TO DIRECT STAFF TO PAY ZERO, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0.

Mr. Gallagher requested direction to write a letter to withhold payment.

COMMISSIONER CONSTANCE MOVED THAT THE LETTER BE WRITTEN BY CHAIR DOHERTY, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Mr. Gallagher requested approval to ratify joinder.

COMMISSIONER CONSTANCE MOVED TO APPROVE AND RATIFY CHARLOTTE COUNTY'S JOINDER WITH OTHER COUNTIES IN A DECLARATORY JUDGMENT ACTION CHALLENGING THE STATE AND DJJs DENIAL OF THE COUNTY'S REQUEST FOR REPAYMENT PURSUANT TO SECTIONS 215.26 AND 985.686, FLORIDA STATUTES, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

PRESENTATION AGENDA - No Items

PUBLIC WORKSHOP AGENDA - No Items

BOARD WORKSHOP AGENDA - No Items

VIII. Citizen Input - Any Subject

Scott Andrichak spoke to the cattail contract being signed by Joanne Vernon, discussed domestic violence, and questioned a public record document pertaining to **Commissioner Deutsch**.

AA. County Administrator:

Mr. Sandrock asked for CCU to explain rate changes and provide updated forms.

Joan Brown, Business Services Manager, Charlotte County Utilities, discussed the enhancements for bill payment features on the Charlotte County Utility website, explained the testing process that was used for the Pilot Program, mentioned that the system went live on July 1, 2014 for payment options, and gave comparisons of several companies that were looked at.

Jennifer Clore-Pingleton, Customer Account Specialist, Charlotte County Utilities, gave an overview of the systems staging site and narrated the different screens for enrollment and payment options.

Chair Doherty asked if Electronic Fund Transfer (EFT) function is still available to customers and thanked CCU for the presentation. **Commissioner Duffy** suggested offering a no charge benefit be given to customers that use the Easy Pay method.

BB. County Attorney:

Attorney Knowlton announced she is working on an Ordinance to update a Tow Truck Fee Resolution and noted it would be brought back to the Board.

CC. Commissioner Comments:

Commissioner Truex asked for Little Gasparilla Island issues to be reviewed going forward and asked for Board Consensus to represent Charlotte County with Florida Association of Counties (FAC) regarding Florida Emergency Management Agency (FEMA) discussions. **(CONSENSUS TO ALLOW COMMISSIONER TRUEX TO REPRESENT CHARLOTTE COUNTY WITH FAC.**

ADJOURNED: 5:30 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