

# COUNTY OF CHARLOTTE

## Board of County Commissioners

18500 Murdock Circle

Port Charlotte, FL 33948

[www.CharlotteCountyFL.gov](http://www.CharlotteCountyFL.gov)

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### County Commissioners

Ken Doherty, District 1, Chairman

Joseph Tiseo, District 5, Vice-Chairman

Christopher Constance, District 2

Bill Truex, District 3

Stephen R. Deutsch, District 4



### County Administrator

Raymond J. Sandrock

### County Attorney

Janette S. Knowlton

### Clerk of the Circuit Court

Roger D. Eaton

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## AGENDA

### MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AGENCY

**February 26, 2019, 10:00 AM (or soon thereafter)**

**18500 Murdock Circle, Commission Chambers, Room #119**

Murdock Village Community Redevelopment Agency 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 941.743.1381, TDD/TTY 941.743.1234, or by email to [David.Lyles@charlottecountyfl.gov](mailto:David.Lyles@charlottecountyfl.gov).

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

## Call to Order of the Murdock Village Community Redevelopment Agency and Roll Call

### 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.

## **Agenda Items**

### **1. January 8, 2019 Minutes**

#### **RECOMMENDED ACTION:**

Approve Minutes from MV CRA Meeting of 1/8/2019.

### **2. Resolution to Grant Authority to Murdock Village CRA Executive Director to Close the Sale of Property to Private Equity Group**

#### **RECOMMENDED ACTION:**

Approval of resolution granting authority to the Murdock Village Community Redevelopment Agency's Executive Director and his or her designees to execute documents necessary to close the sale of real property to Private Equity Group, or its assigns, and, to execute a limited assignment of contract rights and duties to Charlotte County.

# Agenda Items

## Community Redevelopment Agency Agenda Item Summary

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### 1 DEPARTMENT MAKING REQUEST

Murdock Village Community Redevelopment Agency

### 2 MEETING DATE

2/26/2019 10:00:00 AM

### 3 REQUESTED MOTION/ACTION

Approve Minutes from MV CRA Meeting of 1/8/2019.

### 4 AGENDA

### 5 IS THIS ITEM BUDGETED ( IF APPLICABLE ) -

**Budget Action**

**Financial Impact Summary Statement**

**Detailed Analysis Attached -**

**Budget Officer-**

### 6 BACKGROUND ( Why is this Action Necessary, and What Action will be accomplished )

#### **ATTACHMENTS:**

Name:

Description:

Type:

📎 [010819\\_Murdock\\_Village\\_CRA\\_Meeting.pdf](#)

January 8, 2019 Minutes

Backup  
Material

**MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AGENCY**

**JANUARY 8, 2019**

A BCC and Ex-Officio as the Governing Board of the Murdock Village Community Redevelopment Agency Meeting was held at the Murdock Administration Complex in Commission Chambers; Room 119, Port Charlotte, Florida.

The following members were present: Chair Doherty, Commissioner Constance, Commissioner Deutsch, Commissioner Tiseo, and Commissioner Truex. Also in attendance were: County Administrator Sandrock, County Attorney Knowlton, Finance Director Wilder, and Minutes Clerk Cash. The following members were absent: None

**The Meeting was called to order at 10:24 am**

**CITIZEN INPUT – AGENDA ITEMS ONLY – None.**

**Agenda Items**

**1. October 9, 2018 Minutes**

RECOMMENDED ACTION: Approve Minutes from MV CRA Meeting of 10/9/18.

**COMMISSIONER TRUEX MOVED TO APPROVE MINUTES FROM MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AGENCY MEETING OF OCTOBER 9, 2018, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**2. MVCRA Transfer Portions of Crestwood and Flamingo Waterways to the County**

RECOMMENDED ACTION: The Board of County Commissioners of Charlotte County, Florida, acting ex-officio as the governing board of the Murdock Village Community Redevelopment Agency, adopt a resolution granting authority to the Murdock Village Community Redevelopment Agency's Executive Director and his or her designees to execute (1) a deed to effect a transfer of fee simple title to portions of Crestwood and Flamingo Waterways from the Murdock Village Community Redevelopment Agency to Charlotte County; and (2) a deed of dedication re-establishing public rights-of-way over the canals and drainage rights for adjacent property owners. **RES 2019-005**

Joshua Hudson, Redevelopment Manager gave a brief overview of MVCRA transferring portions of Crestwood and Flamingo Waterways to the County and responded to Board inquiries.

**Commissioner Deutsch** inquired about closing date.

**COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION 2019-005 GRANTING AUTHORITY TO THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AGENCY'S EXECUTIVE DIRECTOR AND HIS OR HER DESIGNEES TO TRANSFER FEE SIMPLE TITLE TO THE FLAMINGO WATERWAY AND THE CRESTWOOD WATERWAY TO CHARLOTTE COUNTY AND TO REESTABLISH CANAL RIGHTS OF WAY AND DRAINAGE RIGHTS FOR ADJACENT LANDS, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 4:0., COMMISSIONER TISEO ABSTAINED (FORM 8B FILED)**

**ADJOURNED: 10:28 am**

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**Kenneth W. Doherty, Chair**

**DATE ADOPTED:** \_\_\_\_\_

**ATTEST:**

**ROGER D. EATON, CLERK  
OF THE CIRCUIT COURT AND  
EX-OFFICIO OF THE BOARD  
OF COUNTY COMMISSIONERS**

**By:** \_\_\_\_\_  
**Deputy Clerk**

# Community Redevelopment Agency Agenda Item Summary

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## 1 DEPARTMENT MAKING REQUEST

Murdock Village Community Redevelopment Agency

## 2 MEETING DATE

2/26/2019 10:00:00 AM

## 3 REQUESTED MOTION/ACTION

Approval of resolution granting authority to the Murdock Village Community Redevelopment Agency's Executive Director and his or her designees to execute documents necessary to close the sale of real property to Private Equity Group, or its assigns, and, to execute a limited assignment of contract rights and duties to Charlotte County.

## 4 AGENDA

Consent

## 5 IS THIS ITEM BUDGETED ( IF APPLICABLE ) - No

### Budget Action

No action needed.

### Financial Impact Summary Statement

No financial impact

**Detailed Analysis Attached** - No

**Budget Officer-**

## 6 BACKGROUND ( Why is this Action Necessary, and What Action will be accomplished )

The resolution: (1) states that the MVCRA Board of Directors consents to an assignment of the Agreement, at closing, from Private Equity Group, LLC to Murdock Fund, LLC, solely to close the transaction, which was anticipated pursuant to the contract's terms; and (2) authorizes and directs the MVCRA Executive Director or his or her designees to (a) accept in writing such easements as are necessary to close the transaction, (b) execute an escrow agreement pursuant to the Agreement, (c) execute the deed, (d) execute closing documents, including but not limited to affidavits and other closing instruments, and (e) to execute a limited assignment of contract rights and duties to the County; and (3) states that the Executive Director and his or her designees retain authority previously vested pursuant to Charlotte County Resolution No. 2018-23.

## ATTACHMENTS:

Name:	Description:	Type:
<a href="#">RES_MVCRA_Granteeing_Exec_Dir_authority_to_close_Final_02.01.2019.pdf</a>	Resolution	Resolution Letter
<a href="#">RES_2018-023_Granteeing_Authority_to_County_Administrator_for_CHCRA_and_MVCRA.PDF</a>	RES 2018-023	Backup Material

R E S O L U T I O N  
NUMBER 2019-

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A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, ACTING EX-OFFICIO AS THE GOVERNING BOARD OF THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AGENCY, ADOPTING A RESOLUTION GRANTING AUTHORITY TO THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AGENCY'S EXECUTIVE DIRECTOR AND HIS OR HER DESIGNEES TO EXECUTE DOCUMENTS NECESSARY TO CLOSE THE SALE OF REAL PROPERTY TO THE PRIVATE EQUITY GROUP, OR ITS ASSIGNS, AND, TO EXECUTE A LIMITED ASSIGNMENT OF CONTRACT RIGHTS AND DUTIES TO CHARLOTTE COUNTY.

RECITALS

WHEREAS, the County Administrator also acts as Executive Director of the Murdock Village Community Redevelopment Agency ("MVCRA"); and

WHEREAS, pursuant to that certain Agreement for Sale and Purchase (the "Agreement") recorded in Official Record Book 4144, Page at 1064, of the Public Records of Charlotte County, Florida, Charlotte County ("County"), the Murdock Village Community Redevelopment Agency ("MVCRA") agreed to sell, and Private Equity Group, LLC ("PEG"), (collectively, "The Parties") agreed to buy, property located in the Murdock Village Community Redevelopment Area; and

WHEREAS, The Parties intend to close the sale before July 22, 2019; and

WHEREAS, PEG requests that it be permitted to assign the Agreement at closing to a new entity known as "Murdock Fund, LLC"; and

WHEREAS, the MVCRA Board of Directors finds that the assignment will serve the best interests of PEG, the MVCRA and the County; and

WHEREAS, The Parties require additional authority be vested in the Executive Director, or his or her designee, to (a) accept in writing certain easements, (b) execute an escrow agreement, (c) execute the deed, and (d) execute closing documents, including but not limited to affidavits and other closing instruments, and (e) execute a limited assignment of contract rights and duties to the County; and

WHEREAS, the MVCRA Board of Directors finds that delegating limited authority to the Executive Director, including his or her designees, to close the transaction to execute a limited assignment of contract rights to the County serves the best interests of the MVCRA.

NOW THEREFORE, BE IT RESOLVED by the MVCRA Board of Directors:

1. The MVCRA Board of Directors consents to an assignment of the Agreement, at closing, from PEG to Murdock Fund, LLC, solely to close the transaction.

2. The Executive Director or his or her designees are authorized and directed, with full force and complete authority, to (a) accept in writing such easements as are necessary to close the transaction, (b) execute an escrow agreement pursuant to the Agreement, (c) execute the deed, (d) execute closing documents, including but not limited to affidavits and other closing instruments, and (e) to execute a limited assignment of contract rights and duties to the County. Furthermore, the Executive Director and his or her designees retain authority previously vested pursuant to Charlotte County Resolution No. 2018-23.

3. This Resolution shall take effect immediately upon signing.



4. If any provision of this Resolution is invalidated by a Court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this Resolution, which shall have the full force and effect of law.

PASSED AND DULY ADOPTED this 26th day of February 2019.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA  
ACTING EX-OFFICIO AS THE GOVERNING  
BOARD OF THE MURDOCK VILLAGE  
COMMUNITY REDEVELOPMENT AGENCY

By: \_\_\_\_\_  
Kenneth W. Doherty, Chairman

ATTEST:  
Roger D. Eaton, Clerk of the Circuit  
Court and Ex-Officio Clerk of the  
Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By: \_\_\_\_\_  
Janette S. Knowlton, County Attorney  
LR 2016-0507 \_\_\_\_\_



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RESOLUTION  
NUMBER 2018-023

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, ADOPTING A RESOLUTION GRANTING AUTHORITY TO THE COUNTY ADMINISTRATOR AND HIS OR HER DESIGNEES TO TAKE ANY NECESSARY ACT TO FACILITATE DEVELOPMENT OF PROPERTIES WITHIN THE CHARLOTTE HARBOR COMMUNITY REDEVELOPMENT AGENCY'S AND THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AGENCY'S COMMUNITY REDEVELOPMENT AREAS.

RECITALS

WHEREAS, the County Administrator also acts as Executive Director of the Charlotte Harbor Community Redevelopment Agency ("CHCRA") and the Murdock Village Community Redevelopment Agency ("MVCRA"); and

WHEREAS, the CHCRA and MVCRA have entered into, and will enter into, agreements to sell, purchase or otherwise develop properties within the community redevelopment areas; and

WHEREAS, Board of County Commissioners recognizes that the County Administrator and his or her designees require authority to take the following actions that will not require the expenditure of County, CHCRA or MVCRA funds, with the exception described in paragraph (c) below:

- (a) apply or co-apply for permits or leases, on behalf of the County or third parties, to the County, the State of Florida, or, agencies; and
- (b) reserve, amend or vacate any easements or right-of-way; and
- (c) pay the assignment fee (transfer fee) and the corresponding annual lease payment for submerged land leases not to exceed \$5,000.00; and

1 (d) take necessary steps to close pending or future transactions.

2 NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners  
3 of Charlotte County, Florida:

4 1. The County Administrator and his or her designees are authorized and  
5 directed, with full force and complete authority, to take the following actions so long as  
6 they do not require the expenditure of County, CHCRA or MVCRA funds, with the  
7 exception described in paragraph (c) below:

8 (a) apply or co-apply for permits or leases, on behalf of the County or third  
9 parties, to the County, the State of Florida, or, agencies; and

10 (b) reserve, amend or vacate any easements or right-of-way; and

11 (c) pay the assignment fee (transfer fee) and the corresponding annual lease  
12 payment for submerged land leases not to exceed \$5,000.00; and

13 (d) take necessary steps to close pending or future transactions.

14 2. The authority granted by this resolution is granted upon adoption of this  
15 Resolution and shall continue to be in force until the acts contemplated are complete.

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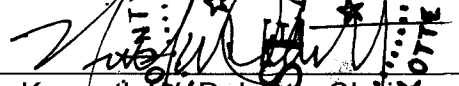
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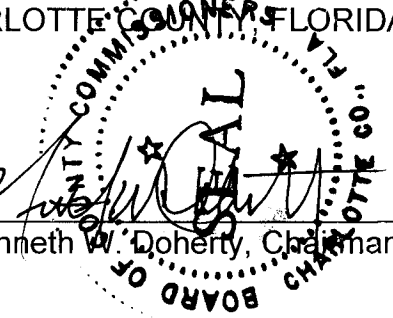
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PASSED AND DULY ADOPTED this 27 day of Feb., 2018.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA,

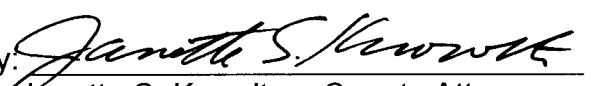
By:   
Kenneth W. Doherty, Chairman



ATTEST:  
Roger D. Eaton, Clerk of the Circuit  
Court and Ex-Officio Clerk to the  
Board of County Commissioners

By:   
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By:   
Janette S. Knowlton, County Attorney

LR2018-0159 