

**COUNTY OF CHARLOTTE
Board of County Commissioners
18500 Murdock Circle
Port Charlotte, FL 33948
www.charlottecountyfl.com**

County Commissioners

Tricia Duffy, District 5, Chairman
Richard Loftus, District 4, Vice-Chairman
Bob Starr, District 1
Adam Cummings, District 2
Robert Skidmore, District 3



County Administrator

Roger Baltz

County Attorney

Janette S. Knowlton

Clerk of the Circuit Court

Barbara T. Scott

AGENDA

Regular Meeting

1/13/2009 9:00 AM

18500 Murdock Circle, Administration Center, Room #119

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The Charlotte County Commission meeting room is accessible to the physically disabled. However, if you need assistance or require auxiliary aids and services please contact our office at 941-743-1392. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Desk.

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

Invocation



Pastor Anthony Wagner Smith
Port Charlotte Seventh Day Adventist Church

Pledge of Allegiance

Changes to the Agenda: See last page.

Special Recognition

- I. Citizen Input - Agenda Items only**
- II. Committee Vacancies**
- III. Reports Received and Filed**
- IV. Consent Agenda**
- V. Regular Agenda**
- VI. Public Hearing**
- VII. Presentation**
- VIII. Public Workshop**
- IX. Board Workshop**
- X. Citizen Input - Any Subject**



Proclamations

-  Arts and Humanities Council Artist of the Month - Jane Dickinson
-  Hazardous Materials Awareness Week
-  John Zeitler Day
-  Martin Luther King, Jr. Day

Employee Recognition

5 Years

Darren Broom	Utilities
Cindy Libby	Human Services
Dwayne Smith	Public Works
Victoria Smith	Purchasing
Gregory Soravilla	Information Technology
Alfred Vowell	Utilities
Marguerite Yeno	Budget

10 Years

James Barrett	Human Services
Richard Hamilton	Information Technology
Michael Koenig	Parks, Recreation & Cultural Resources
Edward Welsh	Parks, Recreation & Cultural Resources
15 Years	
Kristy Hanlon	Environmental & Extension
Frank Shupock	Public Works

Not Attending

Jodi Struble	15 Years	Public Works
Charlotte Krasinski	20 years	Fire/EMS
Steven Story	20 years	Fire/EMS

Presentations

-  Recognition of Florida Department of Environmental Protection (FDEP) 2008 Plant Operations Excellence Award received by Charlotte County Utilities for its Burnt Store Water Treatment Facility.



I. CITIZEN INPUT – AGENDA ITEMS ONLY

Anyone wishing to address the Board during this portion of the meeting must state one's name for the record and what agenda subject is to be discussed. Discussion is limited to matters identified on this agenda and each citizen will be allowed no more than three minutes to express an opinion.



II. COMMITTEE VACANCIES

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

-  **Buena VistaArea Waterway Committee** is seeking one member to serve on the committee. Must be a land owner and reside within the unit. Term is for three years
-  **Construction Board of Adjustments and Appeals** is seeking two members. One electrical contractor and one plumbing contractor. Term is for three years.

-  **Charlotte Ranchettes Street and Drainage Unit Advisory Committee** is seeking one regular and one alternate member to serve. Terms are for two years
-  **Housing Finance Authority** is seeking one member to serve on the committee. Must have knowledge in labor, finance or commerce. Term is four years.
-  **Little Gasparilla Island Advisory** is seeking one volunteer to serve as the Member at Large. This term is effective January 22, 2009 and will expire January 22, 2012.
-  **Manchester Waterway Advisory Committee** is seeking one member to serve on the committee. Must be a land owner and reside within the unit. Term is for three years.
-  **Placida Street & Drainage Unit Advisory Committee** is seeking one volunteer to serve as the alternate member for a two year term. Must be a land owner and reside within the unit.
-  **Rotonda West Street and Drainage Advisory Committee** is seeking two members to serve. Must be land owners and reside within the boundary of the unit. Terms are for three years.
-  **South Gulf Cove Waterway Advisory Committee** is seeking two members to serve. Must be residents and property owners within the unit. Term is three years
-  **South Bridge Waterway Municipal Service Benefit Unit** is seeking one volunteer to serve as a regular member and one volunteer to serve as the alternate member on the new committee. Must be a land owner and reside within the unit.
-  **Town Estates Street & Drainage Unit Advisory Board** is seeking two volunteers as regular members and one volunteer to be an alternate member, effective January 23, 2009. Terms expire January 23, 2012 for regular members and January 23, 2011 for the alternate member.
-  **West Charlotte Stormwater Utility** is seeking one volunteer to serve as a regular member for a three year term, effective immediately. Must be a land owner and reside within the unit.



III. REPORTS RECEIVED AND FILED

-  December 15, 2008 Charlotte Harbor CRA Advisory Committee Minutes
-  December 12, 2008 Murdock Village Community Redevelopment Agency Advisory Committee Minutes



IV. CONSENT AGENDA

All matters listed under this item are considered routine and action will be accomplished by one motion without separate discussion of each item. If discussion is desired by a member of the Board of County Commissioners, that item(s) will be removed from the Consent Agenda and considered separately.

Clerk of the Circuit Court

A. Finance Division

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

B. Minutes Division



(1) RECOMMENDED ACTION: Approve Minutes for:

- September 9, 2008, 2:00 p.m. Land Use Public Hearings
- September 11, 2008, 5:01 p.m. First Budget Public Hearing
- September 12, 2008 9:00 a.m. Board of County Commissioners/Punta Gorda Joint Meeting
- September 16, 2008 9:00 a.m. Land Use Public Hearings
- September 23, 2008 9:00 a.m. BCC Regular Meeting
- September 23, 2008 2:00 p.m. Executive Session – IUPAT Union Negotiations
- September 24, 2008 1:30 p.m. Executive Session – Rapp v. Charlotte County & Knowlton
- September 25, 2008 5:01 p.m. Final Budget Public Hearing
- October 14, 2008 9:00 a.m. Board of County Commissioners Regular Meeting

BUDGETED ACTION: None

Board of County Commissioners

C. Commission Office



(1) RECOMMENDED ACTION: Approve the reappointments to the Agricultural and Natural Resources Advisory Committee for four year terms: Mr. Matthew Sullivan as the Citrus Production representative, Mr. Alton Cheatham as the Wildlife, Biology/Ecology representative, Mr. Michael W. Jones as the Rural Land Use Environmental representative, and Mr. Chris Hencher as the AG/Water Management representative. These reappointments have been approved by the committee.

BUDGETED ACTION: None



(2) RECOMMENDED ACTION: Appoint Mr. Fred Walters to the Agricultural and Natural Resources Advisory Committee as the Agricultural Realty representative. Mr. Walters will fill the vacancy of Mr. Federer who did not wish to be reappointed. The committee has approved this nomination and term is four years

BUDGETED ACTION: None



(3) RECOMMENDED ACTION: Appoint Bill Truex to serve on the Charlotte County Board of Zoning Appeals as the District III representative. This term is effective immediately and expires December 31, 2012.

BUDGETED ACTION: None



(4) RECOMMENDED ACTION: Re-appoint Audrey Seay as the District #1 representative to the Charlotte County Board of Zoning Appeals. This is a four year term that will expire in December 2012.

BUDGETED ACTION: None



(5) RECOMMENDED ACTION: Appoint Judy Juliano to the Environmentally Sensitive Lands Oversight Committee representing the community representative category. Term expires January 23, 2010.

BUDGETED ACTION: None



(6) RECOMMENDED ACTION: Re-appoint Scott Schermerhorn as the Member-at-Large on the Marine Advisory Committee. This term is effective immediately and expires on December 31, 2011.

BUDGETED ACTION: None



(7) RECOMMENDED ACTION: a) Re-appoint Mr. Michael McClain and Mr. Steve Stump to continue serving on the Manasota Key Street and Drainage MSTU committee. This term is effective immediately and expires January 9, 2012; and
b) Appoint Frank Chappell to the Manasota Key Street & Drainage MSTU as a regular member. This committee has not had a full board and his appointment would bring the committee to that level. The term is effective immediately and expires January 9, 2012.

BUDGETED ACTION: None



(8) RECOMMENDED ACTION: Appoint Mr. George Walker to be a regular member on the Town Estates Street and Drainage Unit Advisory Board. Mr. Walker will be replacing Nancy Parker and fill the vacated term that expires January 23, 2010. Mr. Walker has been serving as the alternate member of this committee.

BUDGETED ACTION: None



(9) RECOMMENDED ACTION: Approve the reappointments of Mrs. Lucille Consol and Mr. John "Jack" Paine to the South Gulf Cove Street and Drainage Unit Advisory Committee for two year terms. Both members wish to continue serving.

BUDGETED ACTION: None

D. Administration



(1) RECOMMENDED ACTION: Set a Joint Meeting with the Charlotte County Board of County Commissioners and the Charlotte County Airport Authority for Wednesday, February 18, 2009 at 1:00 p.m. to be held in Room 119 of the Administration Building.

BUDGETED ACTION: None



(2) RECOMMENDED ACTION: Approve recommendations as stated for re-organization as presented in attached memo.

BUDGETED ACTION: None

E. County Attorney

() No Items

F. Budget Office



(1) RECOMMENDED ACTION:

Set a Board Workshop on Thursday, February 5, 2009 at 2:00 p.m. in Room #119 to discuss the upcoming Budget process.

BUDGETED ACTION: None



(2) RECOMMENDED ACTION: Set workshops in March, April, and May 2009 to review departmental performance based budgets.

BUDGETED ACTION: None

G. Growth Management

() No Items

H. Economic Development



(1) RECOMMENDED ACTION:

Set a public workshop with the Board of County Commissioners sitting as ex-officio governing board of the Charlotte Harbor Community Redevelopment Agency and the Charlotte Harbor Community Redevelopment Agency Advisory Committee for Thursday, February 26, 2009 at 10:00 a.m.

BUDGETED ACTION: None

J. Environmental Services

() No Items

K. Facilities Construction and Maintenance

() No Items

L. General Services



(1) RECOMMENDED ACTION: a) Approve Award of Bid #09-081, Plumbing Contractor - Annual Contract, at the unit prices bid to Ray's Plumbing Inc. of Punta Gorda, FL. Term of the contract is to be from January 14, 2009 through and including December 31, 2009.
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:

None.



(2) RECOMMENDED ACTION: a) Award Bid #09-099, Concrete Sidewalk & Driveway Construction-Repair/Replace, to the responsive, responsible bidder, Coral Sands Construction, LLC of North Port, FL, at the unit costs listed on the attached bid tabulation for the term from date of award through and including December 31, 2009; and
b) Authorize the County Administrator to approve renewal options for up to two additional one-year terms, at the same prices, terms and conditions, by mutual consent.

BUDGETED ACTION:

None



(3) RECOMMENDED ACTION: a) Award Bid #09-100, Fiber Optic Infrastructure - Annual Contract, to Precision Contracting Services, Inc., of Ft. Myers, FL at the unit prices listed on the attached bid form for the term from date of award through December 31, 2009 with option to renew for two additional one-year terms by mutual consent; and
b) Authorize County Administrator to approve renewals.

BUDGETED ACTION: None.



(4) RECOMMENDED ACTION: a) Approve transfer of ownership and assignment of Contract #08-121, from North American Natural Resources–Southeast LLC (“North American”) for Landfill Gas Purchase, to GES–Port Charlotte, LLC, a subsidiary of Global Energy Systems, Inc. (“GES–Port Charlotte) and;b) Authorize the Chairperson to sign the Novation substituting GES–Port Charlotte, for GES–Port Charlotte.North American upon the completion of the transaction between North American and GES Port Charlotte.

BUDGETED ACTION: None



(5) RECOMMENDED ACTION: Approve deletion of the property inventory items listed on the attached for the month of January, 2009.

BUDGETED ACTION: None

M. Human Resources

() No Items

N. Human Services



(1) RECOMMENDED ACTION:

- a) Approve The Veranda Senior Housing Project as a County Affordable Multifamily Housing Project, (a partnership with the Punta Gorda Housing Authority); and
- b) Approve the local match in the amount of \$75,000 from the County's State Housing Initiative Partnership Allocation for the coming year.

BUDGETED ACTION: The funds for this match are taken from the State Housing Initiative Partnership Allocation. Therefore there is no impact on county funds.



(2) RECOMMENDED ACTION: Approve the annual Section 5310 Grant and Resolution for FY 2009/10 funding and authorize the Chair to sign all necessary documents. The Section 5310 grant will fund 90% of the purchase of an 18 passenger lift bus replacing a seven year old property with 200,000 miles on it. It also will fund two new eleven passenger commuter type vans for the Transit Division Veterans Van service to Bay Pines Hospital and the Veterans Clinic in Ft Myers.

BUDGETED ACTION:

Cash match of \$13,995.00 will be included in FY 2009/10 Transit budget.



(3) RECOMMENDED ACTION: Approve the annual Section 5311 Grant and Resolution for FY 2009/10 funding and authorize the Chair to sign all necessary documents. The Section 5311 grant provides \$49,200 which will fund approximately 8,575 group trips provided by the Transit Division for Charlotte County residents who live outside the urbanized area.

BUDGETED ACTION:

In-kind match required by grant. Funding breakdown for the in-kind match as follows:

FTA/FDOT Funding @ 100%: \$49,200
County Match in-kind (trips only): \$49,200



(4) RECOMMENDED ACTION: Approve the annual Section 5316 Grant and Resolution for FY 2009/10 funding and authorize the Chair to sign all necessary documents. This program will provide funds for Transportation Disadvantaged county residents who need transportation to work or to job training in our existing Sunshine Ride program.

BUDGETED ACTION: In-Kind match of \$31,200.00 will be displayed in FY 2009/10 Transit Budget.



(5) RECOMMENDED ACTION: Approve the annual Section 5317 Grant and Resolution for FY 2009/10 funding and authorize the Chair to sign all necessary documents. This program will provide funds for Transportation Disadvantaged county residents who are disabled and need transportation for most reasons that are currently in our existing Sunshine Ride program.

BUDGETED ACTION: In-Kind match of \$17,500 will be displayed in FY 2009/10 Transit Budget.



(6) RECOMMENDED ACTION: Set a Board Workshop for Tuesday, January 27, 2009 at 2:00 p.m. or as soon thereafter as may be heard, for the review and consideration of the Local Housing Assistance Plan (LHAP) as brought forward by the Affordable Housing Advisory Committee (AHAC)

BUDGETED ACTION: None

P. Information Technology

() No Items

Q. Parks, Recreation & Cultural Resources

() No Items

R. Public Safety

() No Items

S. Public Works



(1) RECOMMENDED ACTION: Approve and authorize the Chair to sign, Amendment No. 2, Florida Department of Environmental Protection (FDEP) Grant Agreement for Knight Island monitoring for erosion control.

BUDGETED ACTION:

None



(2) RECOMMENDED ACTION: Approve, and authorize the Chair to sign, Amendment No. 5 to Florida Department of Environmental Protection (FDEP) Agreement No. 03CH1 for project costs comprised of design, permitting, construction, and monitoring (physical and environmental) associated with the Knight Island Beach Restoration Project.

BUDGETED ACTION: None



(3) RECOMMENDED ACTION: Approve and authorize the Chair to sign, a Resolution and Locally Funded Agreement (LFA) FM# 422439 1 32/52/62 01 with the State of Florida Department of Transportation (FDOT) for the US 41 Mega Sidewalk Project.

BUDGETED ACTION:

None



(4) RECOMMENDED ACTION: Approve, and authorize the Chair to sign, a Resolution and Memorandum of Agreement (MOA) with the Florida Department of Transportation (FDOT) for the intersection improvements at SR 776 and Coliseum Boulevard.

BUDGETED ACTION: None



(5) RECOMMENDED ACTION: Set a public hearing for Tuesday, January 27, 2009, at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an ordinance to establish "No Trucks Over 6 Wheels" zones on various County roadways located in an area near CR 771 and Rotonda Circle in west Charlotte County.

BUDGETED ACTION: None



(6) RECOMMENDED ACTION: Approve the Cooperative Service Agreement with the USDA to reduce damage caused by the invasive black spiney-tailed iguana on Gasparilla Island.

BUDGETED ACTION: None.

T. Real Estate Services



(1) RECOMMENDED ACTION: Approve the attached Resolution approving the release of a recorded twenty-foot (20') wide drainage easement, located in a certain portion of Section 19, Township 40 South, Range 23 East. (Owner: Phoenix Harbor Cove, Inc., a Florida corporation)

BUDGETED ACTION: None



(2) RECOMMENDED ACTION: a) Approve the attached Resolution authorizing the Chair to execute the Lease Agreement for space at 1655 Tamiami Trail, Unit 6, Port Charlotte, FL 33948 (Murdock Medical Park), for the Employee Health Center; and
b) Approve Budget Transfer #09-005 for \$15,106 to cover the lease costs for February 1, 2009 through September 30, 2009.

BUDGETED ACTION:

Approve Budget Transfer #09-005 for \$15,106.



(3) RECOMMENDED ACTION: Approve the attached Resolution of Necessity for the acquisition of an easement required for the installation of a public water improvements adjacent to Kings Highway.

BUDGETED ACTION:

None

V. Tourism Development

() No Items

W. Utilities



(1) RECOMMENDED ACTION: a) Approve the 2009 - 2010 Charlotte County 20-year projected water demands for submittal to the Peace River/Manasota Regional Water Supply Authority (Authority);
b) Reallocate 0.5 mgd of Hydraulic Capacity in the 36" Regional Transmission System water main back to the Authority for purchase by all Authority customers in FY 2010; and
c) Transfer 2.0 mgd of Charlotte County's available water to the Redistribution Pool, for purchase by all Authority customers in FY 2010.

BUDGETED ACTION: None



X. Building Construction Services

(1) RECOMMENDED ACTION: Approve Amended Developer's Agreement for FP 02-11-8 Kings Gate Phase 5 subdivision.

BUDGETED ACTION:

None



(2) RECOMMENDED ACTION: Set a public workshop for Tuesday, January 27, 2009 at 2:00 p.m. to discuss the proposed Green Building Ordinance.

BUDGETED ACTION: None

Y. Other Agencies

() No Items



V. REGULAR AGENDA

Z. Regular Business



(1) RECOMMENDED ACTION: Discussion and direction of proposed federal legislative agenda.

BUDGETED ACTION: None



(2) RECOMMENDED ACTION: Select by ballot two people to fill the terms that are expiring on January 31, 2009 for the Deep Creek Non-Urban Street & Drainage Advisory Committee. These are three year terms that will expire in 2012.

BUDGETED ACTION: None



(3) RECOMMENDED ACTION: Discussion and Direction of the proposed Economic Stimulus Projects.

BUDGETED ACTION: None



(4) RECOMMENDED ACTION:

Set three State of the County Town Hall Meetings as follows:
January 29, 2009 at Tringali Recreation Center, 6:00 p.m. - 8:30 p.m.
February 4, 2009 at Murdock Administration Center, Room 119, 6:00 p.m. - 8:30 p.m.
February 11 at the Event and Conference Center, 6:00 p.m. - 8:30 p.m.

BUDGETED ACTION: None



VI. PUBLIC HEARING AGENDA

10:00 A.M.



(1) RECOMMENDED ACTION: Consider approving an ordinance extending the residential and commercial impact fee rollbacks for an additional six months.

BUDGETED ACTION: None



VII. PRESENTATION AGENDA

(No Items
)



VIII. PUBLIC WORKSHOP AGENDA

Public input permitted.

(No Items
)



IX. BOARD WORKSHOP AGENDA

No public input.

2:00 P.M.



(1) RECOMMENDED ACTION: Update the Board on status of Impact fee ordinance changes requested at March 11, 2008 Board of County Commissioners meeting.
Provide update on
a) Status quo impact fee update,
b) Tiered impact methodolgy and fee rate schedule as the method for assessing transportation impact fees; and
c) Single residential unit methodology to assess residential impact fees. Further, seek Board direction on incorporating any of these changes into existing Impact Fee Ordinance.
BUDGETED ACTION: None



X. CITIZEN INPUT – ANY SUBJECT

Note: Anyone wishing to address the Board during this portion of the meeting must state his/her name for the record and may address his/her comments to items that were or were not discussed during the meeting. Each citizen will be allowed no more than three minutes to express his/her opinion.

AA. County Administrator:

BB. County Attorney:

CC. Commissioner Comments:

County Commissioners

Tricia Duffy, District 5, Chairman
Richard Loftus, District 4, Vice-Chairman
Bob Starr, District 1
Adam Cummings, District 2
Robert Skidmore, District 3



Schedule of Future Closures/Hearings/Workshops



Monday, January 19, 2009 – All County Buildings closed for Martin Luther King, Jr., Day

Tuesday, January 20, 2009, 9:00 a.m. - Board of County Commissioners, Land Use Public Hearings, Administration Building, Room #119

Tuesday, January 27, 2009, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Tuesday, February 10, 2009, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Monday, February 16, 2009 – All County Buildings closed for President's Day

Tuesday, February 17, 2009, 9:00 a.m. - Board of County Commissioners, Land Use Public Hearing, Administration Building, Room #119

Tuesday, February 24, 2009, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Thursday, February 26, 2009, 10:00 a.m. – Joint Meeting/BCC & Charlotte Harbor CRA Advisory Board, Administration Building, Room #119

Tuesday, March 10, 2009, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Tuesday, March 17, 2009, 9:00 a.m. - Board of County Commissioners, Land Use Public Hearing, Administration Building, Room #119

Tuesday, March 24, 2009, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Tuesday, April 14, 2009, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Tuesday, April 21, 2009, 9:00 a.m. - Board of County Commissioners, Land Use Public Hearing, Administration Building, Room #119

Tuesday, April 28, 2009, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Tuesday, May 5, 2009, 10:00 a.m. - MSBU Workshop, Administration Building, Room # 119

Tuesday, May 12, 2009, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Tuesday, May 19, 2009, 9:00 a.m. - Board of County Commissioners, Land Use Public Hearing, Administration Building, Room #119

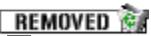
Tuesday, May 26, 2009, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119

Monday, May 25, 2009 – All County Buildings closed for Memorial Day



ADDENDUMS

 **(1)** **SUMMARY: BUDGETED ACTION:** None **RECOMMENDED ACTION:** Approve Clerk's Finance Memoranda.

 **(3)** **SUMMARY: BUDGETED ACTION:** None. **RECOMMENDED ACTION:** a) Award Bid #09-100, Fiber Optic Infrastructure - Annual Contract, to Precision Contracting Services, Inc., of Ft. Myers, FL at the unit prices listed on the attached bid form for the term from date of award through December 31, 2009 with option to renew for two additional one-year terms by mutual consent; and b) Authorize County Administrator to approve renewals.