

# Charlotte County

Commission Chambers, Room 119  
18500 Murdock Circle  
Port Charlotte, FL 33948  
CharlotteCountyFL.gov



## Regular Meeting

Tuesday, April 28, 2020  
9 a.m.

### Board of County Commissioners

#### **COUNTY COMMISSIONERS**

*Bill Truex, District 3, Chairman*

*Christopher Constance, District 2, Vice Chairman*

*Ken Doherty, District 1*

*Stephen R. Deutsch, District 4*

*Joseph Tiseo, District 5*

#### **COUNTY ADMINISTRATOR**

*Hector Flores*

#### **COUNTY ATTORNEY**

*Janette S. Knowlton*

#### **CLERK OF THE CIRCUIT COURT**

*Roger D. Eaton*

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to 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.

## **9:00 A.M.**

### **Call to Order and Roll Call**

### **Invocation**

If you wish, please rise for the invocation

### **Pledge of Allegiance**

### **Changes to the Agenda**

See separate sheet

### **Proclamations - Commissioner Bill Truex**

#### [Proclamations](#)

Building Safety Month  
Child Care Provider Appreciation Day  
Hibiscus Day  
National Drinking Water Week  
National Physical Fitness and Sports Month  
Tourism Week  
Water Safety Month

### **Employee Recognition**

### **Award Presentations**

## **CITIZEN INPUT - AGENDA ITEMS ONLY**

The Charlotte County Board of County Commissioners will hold its regular meeting on April 28, 2020. Persons wishing to provide public comment will still be allowed to do so, but measures will be in place to limit room capacity and ensure all participants practice safe social distancing.

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.

Alternative means to give comments in writing are available for individuals who cannot or do not wish to attend in person. Written comments may be submitted by either emailing the comments to [BCC\\_PublicComment@CharlotteCountyFL.gov](mailto:BCC_PublicComment@CharlotteCountyFL.gov), or completing a form available at <https://charlottecountyfl-200668.workflowcloud.com/forms/3c1d348f-aa6f-484b-bfd9-c86a82dfbda0>.

Comments must be received for the regular portion of the meeting by 9 a.m., April 28 and for the Public Hearing portion, no later than 10 a.m., April 28. If the comments relate to a public hearing item, those comments will be read by a County staff member to the BCC during the public hearing for that item and a copy will be given to each commissioner and placed in the record. If the comment does not pertain to an agenda item, it will not be read. More information regarding the hearing process and the weight given to written comments in lieu of personal testimony is available at [www.charlottecountyfl.gov/boards-committees/pz](http://www.charlottecountyfl.gov/boards-committees/pz).

## COMMITTEE VACANCIES

- \* [Murdock Village CRA Advisory Committee](#)  
**Murdock Village Community Redevelopment Agency Advisory Committee** is seeking a licensed general contractor to serve on the committee. Volunteer must hold a valid Florida's contractor's license and be a resident of Charlotte County. Term will expire in October 2022. To obtain an application or additional funding information, call 941.743.1309 or email: [Joann.Dillon@CharlottCountyFL.gov](mailto:Joann.Dillon@CharlottCountyFL.gov)
  
- \* [Historical Advisory Committee](#)  
**Historical Advisory Committee** is seeking one member-at-large to serve for a term expiring on September 30, 2020. Must have background in disciplines of architecture, history, urban planning, archaeology or related discipline such as American Studies or American Civilization. Must be a resident of Charlotte County. Meetings are held 2nd Wednesday of each month at 9:00 am at Mid-County Library. For additional information or to obtain an application, call 941.743.1309 or email: [Joann.Dillon@CharlotteCountyFL.gov](mailto:Joann.Dillon@CharlotteCountyFL.gov).

\* [MSBU-MSTU Advisory Board Vacancies](#)

The following **MSBU/TU Advisory Boards** are seeking volunteers who must be both a property owner within and reside within the Unit. Submit applications to Public Works Department, 7000 Florida Street, Punta Gorda, Florida 33950; call 941.575.3600 or e-mail [MSBU-TU@CharlotteCountyFL.gov](mailto:MSBU-TU@CharlotteCountyFL.gov).

- **Boca Grande Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Buena Vista Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Harbour Heights Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2020 and October 31, 2021.
- **Harbour Heights Waterway Unit** is seeking three members to fill vacant unexpired terms through October 31, 2020, October 31, 2021, and October 31, 2022.
- **Northwest Port Charlotte Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2020 and October 31, 2022.
- **Northwest Port Charlotte Waterway Unit** is seeking three members to fill vacant unexpired terms through October 31, 2020 and October 31, 2022.
- **Pirate Harbor Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Rotonda Lakes Street & Drainage Unit** is seeking five members to fill vacant unexpired terms through October 31, 2020, October 31, 2021, and October 31, 2022.
- **Rotonda Sands North Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **West Charlotte Stormwater Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

## REPORTS RECEIVED AND FILED

[2018-2019 CRA Annual Reports](#)

## CONSENT AGENDA

Clerk of the Circuit Court

**A. Comptroller Division**1. [Finance](#)**Recommended Action:**

Approve the Clerk's Finance Memorandum.

**Budgeted Action:**

No action needed.

**B. Minutes Division**1. [Minutes](#)**Recommended Action:**

Approve the following minutes:

March 24, 2020 BCC Regular and Land Use Meeting

April 7, 2020 BCC Special Meeting

April 9, 2020 BCC Pre-Agenda

**Budgeted Action:**

No action needed.

**Board of County Commissioners****C. Commission Office**1. [Appointment - Northwest Port Charlotte Waterway MSBU Advisory Board](#)**Recommended Action:**

Approve the appointment of Tim Fisher to fill a vacant position on the Northwest Port Charlotte Waterway MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2022.

**Budgeted Action:**

No action needed.

2. [Supervisor of Elections Fed Election Cybersecurity Grant](#)**Recommended Action:**

a) Approve Supervisor of Election's request re: 2019-2020 Federal Election Cybersecurity Grant authorizing County matching funds of \$2,366.98; and

b) Authorize the Chair to execute the Certificate Regarding Matching Funds and take such further action to effectuate same.

**Budgeted Action:**

No action needed.

**D. County Administration**

1. [Set Strategic Focus Update](#)**Recommended Action:**

Set a Strategic Focus Update on May 19, 2020, at 3:00 p.m., in Room 119, at 18500 Murdock Circle, Port Charlotte, Florida.

**Budgeted Action:**

No action needed.

E. **County Attorney**1. [Set a Public Hearing to Consider an Ordinance Amending the General Ordinances and Special Acts Chapter 1-10 of the Code entitled "Licenses and Business Regulations"](#)**Recommended Action:**

Set a public hearing for May 12, 2020 at 10:00 a.m., or soon thereafter, to consider an ordinance amending Chapter 1-10 of the Code entitled "Licenses and Business Regulations"; to include a requirement for human trafficking public awareness signs to be posted in additional business establishments.

**Budgeted Action:**

No action needed.

2. [Executive Session: CC v A2 Group Inc and Fidelity & Deposit Co.](#)**Recommended Action:**

Set **and conduct** an Executive Session for Tuesday, April 28, 2020 at ~~11:00 a.m.~~ **12:00 p.m.**, or as soon thereafter as may be held, in the Charlotte County ~~Attorney's Office~~ **Administration** Conference Room to discuss settlement negotiations or strategy related to litigation expenditures in this civil lawsuit captioned CC v A2 Group Inc and Fidelity & Deposit Co.

**\*\*Change, Updated wording, 4/23/2020\*\***

**Budgeted Action:**

No action needed.

3. [Extension 6 of State of Local Emergency - COVID-19](#)**Recommended Action:**

Approve Resolution extending the State of Local Emergency related to the Novel Coronavirus Disease 2019 (COVID-19)

**Budgeted Action:**

No action needed.

F. **Budget and Administrative Services****Fiscal Services**

1. [Amended and Restated Contract with Medical Examiner](#)

**Recommended Action:**

Approve the amended and restated contract with District 22 Medical Examiner Dr. Riazul Imami.

**\*\*Change, Added attachment - Redline Amended and Restated Agreement, 4/24/2020\*\***

**Budgeted Action:**

No action needed. No financial impact.

2. [Marine Advisory Committee FY 2021 Funding Recommendation](#)

**Recommended Action:**

a) Approve Resolution which funds the West Coast Inland Navigation District (WCIND) and Boater Improvement Fund (BIF) expenditures for fiscal year 2021 in the amount of \$641,814; and

b) Approve Resolution which governs the management of the Boater Revolving Fund and supersedes Resolution 98-1100AO; and

c) Authorize the County Administrator, or his designee, to sign all necessary grant documents and subrecipient agreements.

**Budgeted Action:**

No action needed. Funding will be budgeted in the Boater Revolving Fund in the FY2021 budget process. Matching funds are required at 50% for boater safety/education and boater recreation projects qualifying for WCIND funding and would be paid out of the Boater Revolving Fund - Local.

**Information Technology**

**Purchasing**

3. [20-265, Approve Ranking, Canal Sediment Removal \(Public Works\)](#)

**Recommended Action:**

a) Approve ranking of firms for Request for Proposal #20-165, Canal Sediment Removal: 1st - Johnson Engineering of Port Charlotte, Florida; and 2nd - Landshore Enterprises of North Venice, Florida; and

b) Approve Start of Negotiations; and

c) Authorize the Chairman to sign the contract after completion of negotiations; and

d) Authorize County Administrator to approve optional two additional one-year renewals.

**Budgeted Action:**

No budget action needed. No financial impact.

4. [20-275 Approve Ranking, Construction Manager at Risk - Charlotte County Transit Facility \(Facilities Construction and Maintenance\)](#)

**Recommended Action:**

- a) Approve the ranking of firms for Request for Proposal 20-275, Construction Manager at Risk - Charlotte County Transit Facility: 1st - Wharton-Smith of Punta Gorda, Florida, 2nd - Gates Construction of Sarasota, Florida; and 3rd - Owen-Ames-Kimball Company of Fort Myers, Florida; and
- b) Approve start of Negotiations; and
- c) Authorize the Chairman to sign the Contract after completion of negotiations for a Professional Construction Manager (CM) to become part of the construction team, which includes design consultant and the County.

**Budgeted Action:**

No action needed. Grant funding in the amount of \$60,000 and the required match in the amount of \$12,000 are included in the FY20 budget for Budget & Administrative Services Transit Division. Grant funding will be provided by Federal Transit Administration (FTA). Matching funds in the amount of \$12,000 will be provided from Transportation Development Credits (TDC). TDC will be used as a "soft match", which allows the federal share to be reimbursed up to 100% as authorized by Chapter 53 of the Title 49 U.S.C. .

5. [14-256, Amendment #3, Loveland Grand Master Lift Station Design, \(Utilities\)](#)

**Recommended Action:**

Approve Amendment #3 to Contract #14-256, Loveland Grand Master Lift Station Design, with Johnson Engineering, Inc. of Port Charlotte, Florida in the amount of \$217,316.

**Budgeted Action:**

No action needed. Budgeted in CIP project "Grand Master Lift Station and Gravity Interceptor - Loveland Blvd Midway to Olean" as approved in the FY20 budget process. Funding is supplied from a Florida Department of Environmental Protection State Revolving Fund loan and Sewer Connection Fees.



6. [20-352, Award, Sand Road Maintenance/Grooming - Don Pedro/Knights Island - Annual Contract \(Public Works\)](#)

**Recommended Action:**

- a) Approve award of Request for Bid #20-352 Sand Road Maintenance/Grooming - Don Pedro/Knights Island - Annual Contract to Kelley Enterprises Inc. of Englewood, Florida at the unit prices indicated on the bid tabulation for the period from May 1, 2020 through and including December 31, 2020; and
- b) Authorize the County Administrator, or his designee, to approve renewal options for up to two (2) additional one-year terms, at the same prices, terms and conditions, by mutual consent.
- c) Approve Resolution for budget adjustment BA20-020 in the amount of \$462,671 for Don Pedro Knight Island road maintenance.

**Budgeted Action:**

Approve budget adjustment BA20-020 in the amount of \$462,671. Additional funding is needed for road maintenance and will be provided from the Don Pedro Knight Island Street and Drainage MSTU taxes.

7. [20-416, Piggyback, Purchase of Ford K1C Transit Minibuses \(Transit\)](#)

**Recommended Action:**

- a) Approve award of Piggyback purchase, File #20-416, Purchase of Ford K1C Transit Minibuses, for the purchase of five (5) Ford K1C Transit Minibuses in accordance with the Florida Department of Transportation Contract #TRIPS-15-MB-NB to Nations Bus Corp., of Inglewood, California, in the amount of \$57,857 each for one (1) bus and \$53,293 each for four (4) buses, for a total purchase price of \$271,029; and
- b) Approve for Auction Asset 34138, Bus, which was purchased in 2013.

**Budgeted Action:**

No action needed. Grant funding in the amount of \$264,797 and the required match of \$52,959 is included in the FY20 budget for Transit. Grant funding will be provided by Federal Transit Administration (FTA) Section 5307 grant. Matching funds in the amount of \$52,959 will be provided from Transportation Development Credits as a "soft match," which allows the federal share to be reimbursed up to 100% as authorized by Chapter 53 of the Title 49 U.S.C. Additional local match in the amount of \$6,232 comes from the Interfund Trf-General fund.

**Real Estate Services**

**8. [2415 Dumont Drive - Surplus Parcel Disposal \(Fire/EMS\)](#)****Recommended Action:**

Approve Resolution authorizing County staff to dispose of County owned real property located at 2415 Dumont Drive in accordance with the provisions of Florida Statute 125.38.

**\*\*Change, Added attachment - Revised Resolution, 4/24/2020\*\***

**\*\*Change, Added attachment - Revised Resolution, Highlighted version, 4/27/2020\*\***

**Budgeted Action:**

No action needed.

**Risk Management****Transit****9. [FY20 Block Public Transportation Grant Agreement Resolution](#)****Recommended Action:**

Approve Resolution authorizing the execution of the Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation.

**Budgeted Action:**

No action needed.

**10. [FY20 Section 5311 Public Transportation Grant Agreement Resolution](#)****Recommended Action:**

Approve Resolution authorizing the execution of the Section 5311 Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation

**Budgeted Action:**

No action needed.

**11. [FY20 Section 5310 Public Transportation Grant Agreement Resolution](#)****Recommended Action:**

Approve Resolution authorizing the execution of the Section 5310 Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation.

**Budgeted Action:**

No action needed.

**G. Community Development****H. Community Services**

1. [2020 Florida Recreation & Park Association Agency Award](#)

**Recommended Action:**

- a) Approve letter of support for the nomination of Parks and Natural Resources for an Agency of Excellence Award for Environmental Sustainability; and
- b) Authorize the Chairman to sign the letter.

**Budgeted Action:**

No action needed. No additional impact.

I. **Economic Development**

J. **Facilities Construction and Maintenance**

K. **Human Resources**

L. **Human Services**

M. **Public Safety**

1. [State Homeland Security Grant](#)

**Recommended Action:**

- a) Approve grant contract between the Florida Division of Emergency Management and Charlotte County in the amount of \$62,088 for training consistent with Homeland Security State Strategy guidelines; and
- b) Approve Resolution for budget adjustment #BA20-018 in the amount of \$62,088 to provide for grant funding; and
- c) Authorize the County Administrator, or designee, to sign any grant related documents.

**Budgeted Action:**

Approve budget adjustment #BA20-018 in the amount of \$62,088 for training. The grant is 100% funded and there is no local match required by the County. Funding for this expenditure is provided within Emergency Management Division, in the professional services account

N. **Public Works**

1. [Airport Runway Extension](#)

**Recommended Action:**

- a) Approve interlocal agreement between Charlotte County and Charlotte County Airport Authority; and
- b) Authorize Chairman to sign agreement.

**Budgeted Action:**

No budget action needed. No financial impact.

**2. [Set a Public Hearing to create the South Charlotte Stormwater MSBU Advisory Board](#)****Recommended Action:**

Set a public hearing for May 12, 2020 at 10:00 a.m., or as soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider approving the creation of the South Charlotte Stormwater MSBU Advisory Board.

**Budgeted Action:**

No action needed and no financial impact.

**O. Tourism Development****P. Utilities****1. [El Jobean Collection System FDEP Loan Application](#)****Recommended Action:**

a) Approve submittal of State of Florida Department of Environmental Protection (FDEP) State Revolving Construction Loan Application for El Jobean Collection System Project; and

b) Adopt Resolution authorizing County Administrator, or his designee, to execute the loan agreement, any amendments to the loan agreement, and any other documents required for the loan.

**Budgeted Action:**

No action needed. Future loan will be repaid by the El Jobean MSBU Base Rates and Assessments. The project has been previously reviewed by the Finance Committee.

**Q. Other Agencies**

## REGULAR AGENDA

**R. Regular Agenda****1. [Sales Tax 2020 Tier 2 Selection](#)****County Administration**

Discussion and direction on the 2020 Sales Tax Tier 2 list.

**\*\*Change, Added Attachment - Updated Presentation, 4/23/2020\*\***

**2. [COVID-19 Response Update](#)****County Administration**

Update on Charlotte County's COVID-19 response.

**\*\*Added, 4/23/2020\*\***

**\*\*Change, Added Attachment - Presentation, 4/28/2020\*\***

**3. [Airport Rescue and Firefighting Facility Update](#)****Commission Office**

Discussion and direction on the Airport Rescue and Firefighter Facility **Agreement** (ARFF).

**\*\*Added, 4/23/2020\*\***

**\*\*Change, Added attachments, 4/24/2020\*\***

**\*\*Change, Updated wording, 4/27/2020\*\***

**4. [2018-2019 CRA Annual Reports](#)****Commission Office**

Discussion of 2018-2019 CRA annual Reports.

**\*\*Added, 4/27/2020\*\***

**5. [Schedule COVID-19 Special Meeting](#)****County Administration**

Approve scheduling a Special Meeting for a COVID-19 update on May 5, 2020 at 1:30 p.m., in Room 119 at 18500 Murdock Circle, Port Charlotte.

**\*\*Added, 4/27/2020\*\***

**6. [Ambitrans Certificate of Public Convenience and Necessity \(COPCN\) Application Renewal](#)****Recommended Action:**

a) Grant a 60-day extension of time to Ambitrans Medical Transport, Inc. to renew their Certificate of Public Convenience and Necessity (COPCN) consistent with the State's extension of time from May 1 to July 1, 2020; and

b) Waive the 90-day filing requirement for receipt of Ambitrans' application; and

c) Set a public hearing for June 23, 2020 at 10:00 a.m., or soon thereafter as may be heard, to consider the COPCN renewal application of Ambitrans Medical Transport, Inc. to provide non-emergency advanced life support and basic life support ambulance service throughout Charlotte County.

**\*\*Added, 4/27/2020\*\***

**Budgeted Action:**

No action needed.

## PUBLIC HEARING AGENDA

**S. 10:00 A.M. Public Hearing****1. [Second Quarter Budget Adjustments](#)****Budget & Admin Services**

Conduct a public hearing approving the Resolution to adopt budget adjustments that amend the FY19/20 budget. These adjustments which impact various funds are needed to align the FY19/20 budget with required changes and actual activity.

## PRESENTATION AGENDA

- T. 10:00 A.M. Presentations**
- AA. County Administrator Comments**
- BB. County Attorney Comments**
- CC. Economic Development Director Comments**
- DD. County Commissioner Comments**

### **County Commissioners**

Bill Truex, District 3, Chairman  
Christopher Constance, District 2, Vice Chairman  
Ken Doherty, District 1  
Stephen R. Deutsch, District 4  
Joseph Tiseo, District 5

### **Board of County Commissioners Schedule of Future Closures/Hearings/Workshops**

[Schedule](#)