

BOARD OF COUNTY COMMISSIONERS

APRIL 25, 2023

A Regular and Land Use Meeting was held at the Murdock Administration Complex in Commission Chambers; Room 119, Port Charlotte, Florida.

The following members were present: Chair Truex (departed at 10:37 am), Vice Chair Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo. Also in attendance were: County Administrator Flores, County Attorney Knowlton, and Minutes Clerk Johnston. The following members were absent: None.

The Meeting was called to order at 9:00 am

The Invocation was given by Fr. Thomas Carzon, San Pedro Catholic Church, followed by the Pledge of Allegiance.

**Changes to the Agenda**

**Change #1:** Proclamations, Updated Proclamation Order.

Requested by: Commission Office

**Change #2:** F-6, Added attachment – Updated Amendment 11 to Contract No. 2016000295.

Requested by: Commission Office

**Change #3:** R-1, **Updated wording:** In-Kind Event Funding Application – 2023 Florida International Airshow a) Review and ~~score approve the~~ In-Kind Event **Application Funding**; and **b) If an average score of 60 is reached, approve In-Kind Funding** in the amount of \$50,000 for the **2023** Florida International Airshow; and c) Authorize the Chairman to sign the Event Funding Agreement.

Requested by: County Attorney

**Change #4:** R-2, **Updated wording:** In-Kind Event Funding Application – 2023 Englewood Beach Waterfest a) Review and ~~score approve the~~ In-Kind Event **Application Funding**; and **b) If an average score of 60 is reached, approve In-Kind Funding** in the amount of \$50,000 for the **2023** Englewood Beach Waterfest; and c) Authorize the Chairman to sign the Event Funding Agreement.

Requested by: County Attorney

**Change #5:** P-1, Added attachments – 1<sup>st</sup> Amendment Peace River MWSC Jun 2008 New 2009 Exhibit C, and 2<sup>nd</sup> Amendment Peace River MWSC 2015.

Requested by: Utilities

**Change #6:** F-1, Added attachment – Updated Reserve Policy.

Requested by: Budget & Administrative Services

**Deletion #1:** N-1, Completion Agreement for Improvements to Burnt Store Road between Lennar Homes and Charlotte County a) Approve Completion Agreement for Improvements to Burnt Store Road between Lennar Homes and Charlotte County; and b) Authorize the chairman to sign the Completion Agreement.

Requested by: Public Works

**Chair Truex** commented on Manasota Key Beach Renourishment 10 Year Management Plan Amendment 11. **Commissioner Constance** discussed Manasota Key Beach Renourishment 10 Year Management Plan Amendment 11.

John Elias, Public Works Director responded to language and scrivener's error.

**COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Joseph Tiseo**

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE PROCLAMATIONS, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

**(Change #1)** Updated Proclamation Order.

**Hibiscus Day**

Dianne Munson accepted the Proclamation.

**Charlotte County Travel & Tourism Week**

Tourism Development Director Sean Doherty, Public Relations Manager Lois Croft, Administrative Services Coordinator Brynja Phipps, and Sales and Sports Marketing Manager Sean Walter accepted the Proclamation.

**Building Safety Month**

Community Development Director Ben Bailey and Deputy Building Official Jack McStravic accepted the Proclamation.

**National Foster Care Awareness Month**

Rick Jacobs, Executive Director and Karole Davis, Partner Engagement Officer accepted the Proclamation.

**Drinking Water Week**

Utilities Director Dave Watson, Plant Operator Tom Hill, Field Supervisor Duane Smith, Utilities Field Supervisor Tony Smith, Field Supervisor Bill Hanfelder, and Chief Plant Operator James Lynch accepted the Proclamation.

**Economic Development Week**

Proclamation will be mailed to Amanda Benton, Business Recruitment Coordinator.

**National Physical Fitness & Sports Month**

Proclamation will be mailed to Kathy Koroschetz, Parks and Recreation Senior Administrative Assistant.

**National Small Business Week**

Proclamation will be mailed to Ms. Benton.

**Mental Health Awareness Month**

Proclamation will be mailed to Kelly Pomerville, Charlotte Behavioral Health Care.

**Water Safety Awareness Month**

Proclamation will be mailed to Paul DeMello.

**Water Safety Month**

Proclamation will be mailed to Marc Solomon, Recreation Superintendent.

**Employee Recognition**

Employee of the Month - March

Michelle Oquendo, Community Development

Mr. Bailey highlighted Ms. Oquendo's career, Accela, conversion, organizational skills, planning, department coordination, and presented Award.

Employee of the Year 2022

Karen McNulty, Human Resources

Heather Bacus, Human Resources Director highlighted Ms. McNulty's career, customer service, contribution, and presented Award.

Ambassador Program Graduation

Anthony Aquirre, Information Technology; Amanda Baez, County Attorney's Office; Colleen Barbour, Human Resources; Katherine Dykeman, Human Resources; Megan Hamrick, Fiscal Services; Weston Holm, Community Services; Brittney Holston, Community Development; Jeremiah Lanford, Public Works; Staci MacDonald, Fiscal Services; Glinda Pruitt, County Attorney's Office; Jessica Reynolds, Public Works; Heath Rittenhouse, Utilities; Fabian Rojas, Information Technology; Julie Ryder, Community Development; John Sanguinet, Fiscal Services; Jenny Shao, Community Development; Carole Thomas, Public Safety; Jason Thompson, Community Services; Anne Tien, Facilities; Haley Tustin, Facilities; Marie Valeus, Community Development; and Michael Vessels, Community Development.

**Award Presentations**

Check Presentation for the Veterans Memorial at the William R. Gaines Jr. Veterans Memorial Park

Commissioner Stephen R. Deutsch to accept donation from KE Babcock Holdings, LLC.; Lucienne Pears, Vice President, Economic and Business Development.

**Commissioner Deutsch** mentioned Babcock Ranch, wildlife, community, housing, high school, projects, Edison Award, and accepted donation.

**PUBLIC INPUT - AGENDA ITEMS ONLY**

Tim Ritchie noted Annual Authority Water Demand Projections.

**COMMITTEE VACANCIES**

**The Construction Industry Licensing Board** is seeking a volunteer to represent the general contractor category. Volunteer must be an active licensed general contractor and be a resident of Charlotte County for at least two years. Length of term is four years. Contact Diane Whidden at 941-743-1298 or via email at Diane.Whidden@CharlotteCountyFL.gov for an application.

**The Construction Industry Licensing Board** is seeking a volunteer to represent the mechanical/HVAC category. Volunteer must be a licensed, active mechanical/HVAC contractor and be a resident of Charlotte County for at least two years. Length of term is until June 26, 2026. Contact Diane Whidden at 941-743-1298 or via email at Diane.Whidden@CharlotteCountyFL.gov for an application.

**The Marine Advisory Committee** is looking for five volunteers to fill a Member-At-Large, Port Charlotte Yacht Club, Harbor Heights Yacht Club, U.S.C.G.A Flotilla 98 Charlotte Harbor and Charlotte Harbor Yacht Club position. The term is effective immediately and will expire on December 31, 2025. Please contact Claudia.Mayo@charlottecountyfl.gov for an application.

**MPO - Citizens' Advisory Committee (CAC)** is seeking one Mid County Representative; one At-Large and one West County Representative. These individuals must be a resident of Charlotte County to serve on the CAC. The CAC reviews and makes recommendations on transportation plans and projects that the MPO Board will consider.

**MPO - Bicycle/Pedestrian Advisory Committee (BPAC)** is seeking one South County and one Mid-County Representative. These individuals must be a resident of Charlotte County to serve on the BPAC. The BPAC reviews and makes recommendations on transportation plans and projects that the MPO Board will consider. Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB) is seeking one volunteer representing the Children at Risk; and one "Disabled representative who is Disabled. The purpose of the LCB is to identify local service needs and to provide information, advice, and direction to the Community Transportation Coordination of service to be provided to the transportation disadvantaged.

The deadline for submitting an application is Friday, April 28, 2023. Please go online at [www.ccmpto.com](http://www.ccmpto.com) or contact the MPO for an application. The MPO mailing address is Charlotte County-Punta Gorda MPO, 18500 Murdock Circle, Port Charlotte, Florida 33948. Fax: 941-883-3534 Email: [office@ccmpo.com](mailto:office@ccmpo.com). The MPO Board will elect the above positions at its Monday, May 15, 2023 Meeting.

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 four members to fill vacant unexpired positions with terms through October 31, 2024, and October 31, 2025.
- **Edgewater North Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **Englewood East Street & Drainage Unit** is seeking three members to fill vacant unexpired positions with terms through October 31, 2023, and October 31, 2024.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2024, and October 31, 2025.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2023.
- **Gulf Cove Street & Drainage Unit** is seeking one member to a fill vacant unexpired position with a term through October 31, 2024.
- **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **Harbour Heights Street & Drainage Unit** is seeking three members to fill vacant unexpired positions with terms through October 31, 2023, October 31, 2024, and October 31, 2025.

- **Harbour Heights Waterway Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2023, and October 31, 2024.
- **Manchester Waterway Utility Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **Mid-Charlotte Stormwater Utility Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **Rotonda Heights Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2024.
- **Rotonda Sands Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **South Burnt Store Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2024, and October 31, 2025.
- **South Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **Suncoast Waterway Unit** is seeking five members to fill vacant unexpired positions with terms through October 31, 2023, October 31, 2024, and October 31, 2025.

#### REPORTS RECEIVED AND FILED

Monthly Housing Division Report - March 2023

Unified PPI Plan - 2022 Evaluation Report

#### CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-1, F-2, F-6, AND P-1, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

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 28, 2023 BCC Regular and Land Use Meeting

April 6, 2023 BCC Pre-Agenda

April 11, 2023 BCC Regular Meeting

**Budgeted Action:** No action needed.

Board of County Commissioners

**C. Commission Office**

1. Appointment - South Burnt Store Street & Drainage Advisory Board

**Recommended Action:** Approve the appointment of Thomas Freimark to fill the unexpired term of Bob Reichert on the South Burnt Store Street & Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2025.

**Budgeted Action:** No action needed.

2. Appointment - Boca Grande Street & Drainage Advisory Board

**Recommended Action:** Approve the appointment of George Castrucci to fill the unexpired term of Robert Elliot on the Boca Grande Street & Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2024.

**Budgeted Action:** No action needed.

3. Appointment - Englewood East Non-Urban Street & Drainage Advisory Board

**Recommended Action:** Approve the appointment of John Gammel to fill the unexpired term of Edward Zubal on the Englewood East Non-Urban Street & Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2024.

**Budgeted Action:** No action needed.

**D. County Administration**

**E. County Attorney**

**F. Budget and Administrative Services**

**Fiscal Services**

**1. Revised Reserve Policy**

**(Change #6)** Added attachment – Updated Reserve Policy.

**Recommended Action:** Approve the revised Reserve Policy.

**Budgeted Action:** No action needed.

**Chair Truex** spoke to correction. **Commissioner Constance** commented on language and correction.

Rick Arthur, Fiscal Services Manager replied to changes and correction.

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE REVISED RESERVE POLICY WITH EDIT OF INCORRECT PERCENTAGE, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**Information Technology**

**Purchasing**

**2. 23-312, Award, Hurricane Ian Permanent Repairs - Gillot Boulevard (Public Works)**

**Recommended Action:** Approve award of Request for Bid 23-312, Hurricane Ian Permanent Repairs – Gillot Boulevard to V & H Construction, Inc. of Fort Myers, Florida for the total project amount of \$977,142. This is for the services of a Contractor to furnish all material, labor, equipment, and all other associated appurtenances required to successfully complete the construction and replacement of infrastructure damage along Gillot Boulevard at Mitchell Waterway in Port Charlotte.

**Budgeted Action:** No action needed. A 4th quarter Budget Adjustment will be brought to the Board for approval. Hurricane costs are being collected in the hurricane fund. Funding is anticipated to be 75% reimbursable from FEMA (Federal Emergency Management Agency) with a 12.5% match paid by the FDEM (Florida Department of Emergency Management) and 12.5% match by County local funds.



**Commissioner Constance** discussed summary sheet, project scope, Federal Emergency Management Agency (FEMA), Florida Department of Emergency Management (FDEM), and repairs. **Commissioner Tiseo** mentioned bidder, FEMA, requirements, bidding process, and reimbursement.

Mr. Elias responded to repairs, challenges, and project scope.

**COMMISSIONER CONSTANCE MOVED TO APPROVE AWARD OF REQUEST FOR BID 23-312, HURRICANE IAN PERMANENT REPAIRS – GILLOT BOULEVARD TO V & H CONSTRUCTION, INC. OF FORT MYERS, FLORIDA FOR THE TOTAL PROJECT AMOUNT OF \$977,142. THIS IS FOR THE SERVICES OF A CONTRACTOR TO FURNISH ALL MATERIAL, LABOR, EQUIPMENT, AND ALL OTHER ASSOCIATED APPURTENANCES REQUIRED TO SUCCESSFULLY COMPLETE THE CONSTRUCTION AND REPLACEMENT OF INFRASTRUCTURE DAMAGE ALONG GILLOT BOULEVARD AT MITCHELL WATERWAY IN PORT CHARLOTTE, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

3. 23-356, Award, Bunker Gear and Accessories - Annual Contract (Public Safety)

**Recommended Action:** a) Approve award of Request for Bid #23-356, Bunker Gear and Accessories – Annual Contract as follows: Group A - Bunker Gear and Group B - Helmets and Hardware to the lowest responsive, responsible bidder, Bennett Fire Products Company of Woodstock, Georgia; and Group C - Boots to the lowest responsive, responsible bidder, Municipal Emergency Services Inc. of Sandy Hook, Connecticut at the unit prices indicated; and b) Authorize the County Administrator, or his designee, to approve renewal options up to two additional one-year terms at the same prices, terms and conditions, by mutual consent. The Contract period shall be from Date of Award through and including December 31, 2023.

**Budgeted Action:** No action needed. Budgeted in the Fire Rescue Fund - Fire budget as approved in the FY2023 budget process. Funding for this expenditure comes from Fire Rescue MSBU assessments.

4. 22-162, Approve, Amendment 1, Construction Manager at Risk, Port Charlotte Beach Recreation Center (Facilities)

**Recommended Action:** a) Approve Amendment #1 to Contract No. 22-162 Construction Manager (CM) at Risk, Port Charlotte Beach Recreation Center with P.J. Hayes, Inc., d/b/a Tandem Construction in the amount of \$27,001; and b) Authorize the Chairman to sign Amendment #1 to the Contract for the Construction Manager at Risk, Port Charlotte Beach Recreation Center.

**Budgeted Action:** No action needed. A quarterly budget adjustment will be brought forward in the Quarter 2 budget adjustments scheduled for April 25, 2023, adding a new Capital Improvements Project titled "Port Charlotte Beach Pool," in the amount of \$4,500,000. Funding is supplied from the 2020 Sales Tax Extension.

5. 23-189, Award, Storm Debris Clearing - Water Flow Obstruction (Public Works)

**Recommended Action:** a) Approve award of Request for Bid #23-189, Storm Debris Clearing - Water Flow Obstruction, to Aftermath Disaster Recovery, Inc. of Van Alstyne, TX at the unit prices bid from date of award

through and including December 31, 2023; and b) Authorize the County Administrator or his designee to approve renewal options up to two additional 1-year terms at the same prices, terms, and conditions by mutual consent.

**Budgeted Action:** No action needed. Hurricane cost are being collected in the Hurricane Fund. Financial Impact: Funding is supplied form county General Revenues, with anticipated coat sharing/ reimbursement form FEMA and State.

6. 16-295, Approve, Amendment 11, Manasota Key Beach Renourishment 10 Year Management Plan (Public Works)

**(Change #2)** Added attachment – Updated Amendment 11 to Contract No. 2016000295.

**Recommended Action:** a) Approve Amendment #11 to Contract No. 16-295 Manasota Key Beach Renourishment 10-Year Management Plan with Coastal Engineering Consultants, Inc. of Bonita Springs, Florida for additional services with a change order to increase contract total by \$220,097; and b) Authorize the Chairman to sign Amendment #11.

**Budgeted Action:** No action needed. Budgeted in the Public Works MSBU/TU Dredging CMP as approved in the FY23 budget process. Grant funding comes from the Florida Department of Environmental Protection and will be reimbursed at 35.65% of eligible invoices with local share being supplied by the Manasota Key Beach Nourishment MSBU, Tourist Development, Boater Improvement Fund-local, and the Growth Increment Fund. Sarasota County will reimburse Charlotte County for their portion of this change order.

**Commissioner Constance** noted amendment and contract.

Mr. Elias remarked on contract.

COMMISSIONER CONSTANCE MOVED TO APPROVE AMENDMENT #11 TO CONTRACT NO. 16-295 MANASOTA KEY BEACH RENOURISHMENT 10-YEAR MANAGEMENT PLAN WITH COASTAL ENGINEERING CONSULTANTS, INC. OF BONITA SPRINGS, FLORIDA FOR ADDITIONAL SERVICES WITH A CHANGE ORDER TO INCREASE CONTRACT TOTAL BY \$220,097; AND AUTHORIZE THE CHAIRMAN TO SIGN AMENDMENT #11, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Real Estate Services

Risk Management

Transit

G. Community Development

H. Community Services

I. Economic Development

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

M. Public Safety

1. Memorandum of Understanding (MOU) between Charlotte County and Charlotte County Homeless Coalition (CCHC)

**Recommended Action:** This MOU will allow CCHC to partner with the County to allow their facilities to be used during inclement weather events. It will also ensure CCHC is provided funding from the County in the event of opening their facility for these types of events. **AGR 2023-067**

**Budgeted Action:** No action needed. Budgeted annually in the general fund as part of the Human Services, Housing and Financial Stability program (HFSP) budget.

N. Public Works

~~(Deletion #1) 1. Completion Agreement for Improvements to Burnt Store Road between Lennar Homes and Charlotte County~~

~~**Recommended Action:** a) Approve Completion Agreement for Improvements to Burnt Store Road between Lennar Homes and Charlotte County; and b) Authorize the chairman to sign the Completion Agreement.~~

~~**Budgeted Action:** No action needed. Budgeted in the Transportation Fund, Public Works Maintenance and Operations budget as approved in the FY2023 budget process. Funding for expenditures come from the Gas Tax.~~

O. Tourism Development

P. Utilities

1. Annual Authority Water Demand Projections

**(Change #5)** Added attachments – 1<sup>st</sup> Amendment Peace River MWSC Jun 2008 New 2009 Exhibit C, and 2<sup>nd</sup> Amendment Peace River MWSC 2015.

**Recommended Action:** Approve the 2022 Charlotte County 20-year projected water demands for submittal to the Peace River/Manasota Regional Water Supply Authority.

**Budgeted Action:** No action needed.

Mr. Watson highlighted Annual Authority Water Demand Projections.

**Chair Truex** spoke to projections, usage, and commitments. **Commissioner Constance** commented on projections, annual average daily demand (AADD), Master Water Supply Contract, usage, commitment, postponement, potable water, permits, Department of Environmental Protection (DEP), Babcock Ranch, May 16, 2023 Workshop, May 23, 2023 Regular and Land Use Meeting, South County, Burnt Store Plant, and City of Punta Gorda. **Commissioner Deutsch** discussed development, water quality, and projections. **Commissioner Doherty** mentioned Master Water Supply Contract, Comprehensive Plan, projections, Future Water Supply Procedure, language, Babcock Ranch, permit, average use, May 16, 2023 Workshop, DEP, process, timeframe, May 23, 2023 Regular and Land Use Meeting, and Peace River Manasota Regional Water Supply Authority (PRMRWSA). **Commissioner Tiseo** noted usage commitment, Master Water Supply Contract, Comprehensive Plan, data, projections, and PRMRWSA.

County Attorney Knowlton interjected on Comprehensive Plan, Master Water Supply Contract, documents, language, projections, usage commitment, PRMRWSA, and postponement.

Mike Coates, PRMRWSA Executive Director replied to postponement, new supply development, usage, commitment, and financing.

**COMMISSIONER CONSTANCE MOVED TO POSTPONE TO THE SECOND MEETING IN MAY AND SCHEDULE SUBJECT FOR THE WORKSHOP TO DIVE DEEPER TO GET MORE INFORMATION, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

**Q. Other Agencies**

## **REGULAR AGENDA**

**R. Regular Agenda**

1. In-Kind Event Funding Application - 2023 Florida International Airshow

**Tourism Development**

**(Change #3) Updated wording:** In-Kind Event Funding Application – 2023 Florida International Airshow a) Review and ~~score~~ approve the In-Kind Event **Application Funding**; and b) **If an average score of 60 is reached, approve In-Kind Funding** in the amount of \$50,000 for the **2023** Florida International Airshow; and c) Authorize the Chairman to sign the Event Funding Agreement.

a) Review and approve the In-Kind Event Funding in the amount of \$50,000 for the Florida International Airshow; and b) Authorize the Chairman to sign the Event Funding Agreement. **AGR 2023-068**

Mr. Doherty highlighted In-Kind Event Funding Application - 2023 Florida International Airshow.

**Chair Truex** spoke to scoring and business plan. **Commissioner Deutsch** commented on Airshow Economic Impact Report 2019. **Commissioner Doherty** discussed Airshow Economic Impact Report 2019, scoring, and Florida International Airshow (FIAS) 2021 Post Event Report (PER).

County Administrator Flores responded to FIAS-2021 PER and announced scoring average was more than requirement.

**COMMISSIONER CONSTANCE MOVED TO APPROVE IN-KIND EVENT FUNDING IN THE AMOUNT OF \$50,000 FOR THE 2023 FLORIDA INTERNATIONAL AIRSHOW; AND AUTHORIZE THE CHAIRMAN TO SIGN THE EVENT FUNDING AGREEMENT 2023-068, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

2. In-Kind Event Funding Application - 2023 Englewood Beach Waterfest

**Tourism Development**

**(Change #4) Updated wording:** In-Kind Event Funding Application – 2023 Englewood Beach Waterfest a) Review and score ~~approve the In-Kind Event Application Funding;~~ and b) **If an average score of 60 is reached, approve In-Kind Funding** in the amount of \$50,000 for the **2023** Englewood Beach Waterfest; and c) Authorize the Chairman to sign the Event Funding Agreement.

a) Review and approve In-Kind Event Funding in the amount of \$50,000 for Englewood Beach Waterfest; and b) Authorize the Chairman to sign the Event Funding Agreement. **AGR 2023-069**

Mr. Doherty highlighted In-Kind Event Funding Application - 2023 Englewood Beach Waterfest.

**Chair Truex** mentioned scoring, criteria, and 2022 admission. **Commissioner Constance** inquired to budget year. **Commissioner Doherty** noted Waterfest 2021 Economic Impact Report, 2022-PER-Waterfest-Final, scoring, and criteria. **Commissioner Tiseo** spoke to scoring, criteria, 2022-PER-Waterfest-Final, requirements, and COVID-19.

County Administrator Flores replied to 2022-PER-Waterfest-Final and announced scoring average was more than requirement.

Steve Gardner, Englewood Beach Waterfest President remarked on Hurricane Ian, general admission, 2022-PER-Waterfest-Final, Waterfest 2021 Economic Impact Report, return on investment (ROI), COVID-19, and red tide.

County Attorney Knowlton interjected on In-Kind Event Funding Application.

**COMMISSIONER CONSTANCE MOVED TO APPROVE IN-KIND EVENT FUNDING IN THE AMOUNT OF \$50,000 FOR 2023 ENGLEWOOD BEACH WATERFEST; AND AUTHORIZE THE CHAIRMAN TO SIGN THE EVENT FUNDING AGREEMENT 2023-069, SECONDED BY COMMISSIONER DOHERTY**

MOTION CARRIED 5:0.

3. NACo Board of Directors Position - FAC Representative

**Commission Office**

Approve a letter of recommendation for Commissioner Christopher G. Constance to seek the Florida Association of Counties (FAC) representative seat on the Board of Directors for the National Association of Counties (NACo).

**COMMISSIONER TISEO MOVED TO APPROVE A LETTER OF RECOMMENDATION FOR COMMISSIONER CHRISTOPHER G. CONSTANCE TO SEEK THE FLORIDA ASSOCIATION OF COUNTIES (FAC) REPRESENTATIVE SEAT ON THE BOARD OF DIRECTORS FOR THE NATIONAL ASSOCIATION OF COUNTIES, SECONDED BY COMMISSIONER DOHERTY**

MOTION CARRIED 5:0.

**PUBLIC HEARING AGENDA**

**S. 10:00 A.M. Public Hearing**

1. Speed Limit Ordinance Change on a Segment of Bermont Road from Wilson Drive to Happy Hollow Road

**Public Works**

Conduct a public hearing to consider approving a Speed Limit Change on a segment of Bermont Road from Wilson Drive to Happy Hollow Road. **ORD 2023-017**

Mr. Elias highlighted Speed Limit Ordinance Change on a Segment of Bermont Road from Wilson Drive to Happy Hollow Road.

**Commissioner Constance** commented on striping. **Commissioner Deutsch** discussed traffic, speed limit, and no passing zones. **Commissioner Tiseo** mentioned traffic calming, signing, enforcement, radar feedback, data, striping, and turn lanes.

**Public Input**

Tim Ritchie spoke in favor of Speed Limit Ordinance Change on a Segment of Bermont Road from Wilson Drive to Happy Hollow Road, noted Bermont Road, traffic, car speeds, and public safety.

Signe Ialuna spoke in favor of Speed Limit Ordinance Change on a Segment of Bermont Road from Wilson Drive to Happy Hollow Road, commented on traffic, enforcement, speed limit reductions, safety, Florida Highway Patrol (FHP), and Charlotte County Sheriff's Office (CCSO).

**COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH**

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2023-017 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PURSUANT TO SECTION 2-4-41, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; AMENDING THE SPEED LIMIT ON CERTAIN PORTIONS OF BERMONT ROAD IN CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR PENALTIES FOR VIOLATION; PROVIDING THAT THE SPEED LIMIT IS NOT AFFECTED BY NAME OR ROAD DESIGNATION CHANGE; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR INCORPORATION OF EXHIBITS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

2. Ordinance to Prohibit the Parking of Vehicles in the Medians

**Public Works**

Conduct a public hearing to consider approving an ordinance to prohibit the parking of vehicles in the medians on a segment of Rotonda Boulevard West from Boundary Boulevard to Parade Circle, on Rotonda Boulevard North from Boundary Boulevard to Parade Circle, on Rotonda Boulevard East from Boundary Boulevard to Parade Circle, on Edgewater Drive from Gardner Drive to Harbor Boulevard, on Enterprise Drive from US41 to Market Circle, on Gillot Boulevard from Holton Terrace to Bluestone Street, on Sunnybrook Road from Desoto Drive to Broadpoint Drive, and on Broadpoint Drive from Sunnybrook Road to Rushmore Avenue. **ORD 2023-018**

Mr. Elias highlighted Ordinance to Prohibit the Parking of Vehicles in the Medians.

**Public Input**

Sam Besase spoke against Ordinance to Prohibit the Parking of Vehicles in the Medians, discussed Rotonda area, bike lanes, no parking, signage, medians, landscaping, and issues.

Hank Killion spoke against Ordinance to Prohibit the Parking of Vehicles in the Medians, mentioned Rotonda area, parking, medians, Hurricane lan, and contractors.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Chair Truex noted Gillot Boulevard, medians, parking, Rotonda area, speed limit, line of sight, and travel and bike lanes. **Commissioner Constance** remarked on Edgewater Drive, medians, parking, traffic, line of sight, and Enterprise Drive. **Commissioner Deutsch** spoke to CCSO, parking, Rotonda area, and Enterprise Drive. **Commissioner Doherty** commented on safety, Ordinance, and language. **Commissioner Tiseo** discussed data, accidents, parked vehicles, median, line of sight, safety, Enterprise Drive, and West County.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2023-018 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; CREATING SECTION 2-4-81 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, TO PROHIBIT PARKING OF VEHICLES ON MEDIANS WITHIN PORTIONS OF EDGEWATER DRIVE, ENTERPRISE DRIVE, GILLOT BOULEVARD, SUNNYBROOK ROAD, AND BROADPOINT DRIVE IN CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR PENALTIES FOR VIOLATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

#### PRESENTATION AGENDA

T. 10:00 A.M. Presentations

RECESS: 10:37 am – 1:00 pm

#### 1 P.M. PUBLIC INPUT - ANY SUBJECT

Richard Russell discussed water plants, funding, impact fees, traffic, counts, demand, cost, and home rentals.

Tim Ritchie mentioned water projections, growth, traffic, accidents, Mosaic, phosphate mining, health concerns, 2024 elections, DeSoto County, City of Punta Gorda, and sediment testing.

Patricia Niles noted Live Local Act, workforce and affordable housing, Sunseeker, Allegiant, Florida Department of Transportation (FDOT), and flight requirements.

Matthew Rhineberger, Septic Sucks spoke to Charlotte Park, City of Punta Gorda, and septic to sewer conversion.

Jennifer White commented on Tropical Gulf Acres, homeless camps, CCSO, enforcement, process, and trailers.

**Taken Out Of Order**

**AA. County Administrator Comments - None**

**BB. County Attorney Comments**

County Attorney Knowlton discussed newly appointed Sarasota County Attorney Joshua Moye.

**CC. Economic Development Director Comments - None**

**DD. County Commissioner Comments**

**Vice Chair Constance** mentioned building heights, Sunseeker, Charlotte Harbor Community Redevelopment Agency (CRA), Allegiant, incentives, Burnt Store Coalition, Burnt Store Road, Lee County, Ordinance, left turns,



Vincent Avenue, traffic, roundabouts, capacity, Babcock Ranch, public safety, speed and noise control, City of Cape Coral, storage facilities, moratorium, Taylor Road, buffering, Municipal Service Benefit Unit (MSBU), Metropolitan Planning Organization (MPO), Affordable Housing Law, language, Emergency Operations Center (EOC) expansion, Kings Highway/Harborview Road intersection improvements, and Veterans Boulevard improvements. **Commissioner Deutsch** noted Code Enforcement, process, human waste, Florida Department of Health (FDOH), Tropical Gulf Acres, trailers, rules and regulations, Hurricane Ian, State legislation, impact fees, housing needs, Home Rule, Sunseeker, incentives, storage facilities, ROI, Affordable Housing Law, language, and Florida Association of Counties (FAC). **Commissioner Doherty** spoke to PRMRWSA, utilities, cost, cooperative funding, Southwest Florida Water Management District (SWFWMD), surrounding counties, Home Rule, Charter Review Committee, Rotonda, Memorandum of Understanding (MOU), Public Works, Deep Creek, private drainage system, Port Charlotte Village, infrastructure, Vincent Avenue, Affordable Housing Law, rulemaking, and Department of Economic Opportunity (DEO). **Commissioner Tiseo** commented on vacation rentals, pre-emption, rezoning, growth, housing, Orange County, Affordable Housing Law, building heights, density, Sunseeker, Sun news article, opinion piece, incentives, Charlotte Harbor CRA, property rights, Burnt Store Road, Lee County, left turns, code, signals, Vincent Avenue, City of Cape Coral, storage moratorium, rights, and FAC.

RECESS: 1:47 pm – 2:00 pm

## 2 P.M. LAND USE AGENDA

### PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY - None

#### Consent Agenda

COMMISSIONER DEUTSCH MOVED TO APPROVE THE LAND USE CONSENT AGENDA, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

UA1. DRC-22-00236, Heritage Landing

#### Community Development

Banks Engineering is requesting a modification to the previously approved Final Detail Site Plan for Heritage Landing. The project consists of sub-phasing the previously approved Phase II B (DRC-21-00083) for 174 single family lots and 200 multi-family units into four phases. Additionally, sub-phase II-B-3 North is proposing infrastructure changes and will consist of 46 multi-family units, 13 more than previously approved. This sub-phase II-B-3 North project site is 6.80 ± acres of an 890.7 ± acre site and is located at 14181 Heritage Landing Boulevard, Punta Gorda in Section 17, Township 42, Range 23 E. Located in Commission District II. **RES 2023-059**

#### Quasi-Judicial

UA2. FP-18-04-04, West Port

#### Community Development

Approve a Bond Release for the Final Plat of a residential subdivision named, West Port. The site is 434.68± acres and generally located south of Tamiami Trail, north of El Jobean Road, east of Bowman Terrace, and west of Flamingo Blvd, in the Port Charlotte area. Located in Commission District IV.

**Quasi-Judicial**

UA3. CSZ-23-01, Ridgeway Partners IV LLC

#### **Community Development**

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of Sending Zones located at 26126 and 26136 Northern Cross Road, in the Port Charlotte area; within Commission District I; containing 0.99± acres; for calculation and severance of ten density units, in accordance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-23-01; Applicant: Ridgeway Partners IV LLC, providing an effective date. Located in Commission District I. **RES 2023-060**

**Quasi-Judicial**

UA4. TDU-23-01, Farrell Communities Punta Gorda, LLC

#### **Community Development**

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of ten density units onto a Receiving Zone located at 6546 Grant Street and 1902 Carmalita Street, in the Punta Gorda area and Commission District II, containing 55.92 acres (the property contains 54.56± acres and the vacated platted street contains 1.36± acres); in compliance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. TDU-23-01; Applicant: Farrell Communities Punta Gorda, LLC; providing an effective date. Located in Commission District II. **RES 2023-061**

**Quasi-Judicial**

UA5. FP-22-02-06, Babcock Ranch Community Neighborhood School

#### **Community Development**

Approve a Final Plat for a subdivision to be named, Babcock Ranch Community Neighborhood School. There will be no bond or Development Agreement associated with this plat. The proposed subdivision is to consist of 20 tracts for roadways, utilities, drainage, school, shelter, parks and future development. The site contains 67.00± acres and is generally located south of Bermont Road, north of the County line with Lee County, west of the County line with Glades County, and east of SR 31. The site is located within the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 1, the East County area. Located in Commission District I.

Quasi-Judicial

Public Hearing

UB1. SV-22-11-05, East Coast Marble Inc. Unnamed Alleyway

Community Development

Approve a Resolution of Street Vacation to vacate a portion of the unnamed 15-foot alleyway, consisting of 1,875± square feet or 0.04± acres, adjacent to 2505 Broadpoint Drive and 2493 Broadpoint Drive, to allow for more developable space on the property. The total area to be vacated is 1,875± square feet or 0.04± acres and is generally located north of Rushmore Avenue, south of Adams Street, east of Sulstone Drive and West of Broadpoint Drive, within the Punta Gorda area. Located in Commission District I. **RES 2023-062**

Legislative

Jenny Shao, Planning and Zoning Project Coordinator gave a brief overview of SV-22-11-05, Location Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, 2022 Google Earth Image, Future Land Use Map (FLUM) Designations, Zoning Designations, 1000' Buffer Map, Proposed Changes, and Proposed Changes (Aerial).

**Vice Chair Constance** inquired to alleyways. **Commissioner Tiseo** discussed Broadpoint Drive, zoning, and uses.

Public Input

**COMMISSIONER DOHERTY MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 4:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2023-062 OF STREET VACATION TO VACATE A PORTION OF THE UNNAMED 15-FOOT ALLEYWAY, CONSISTING OF 1,875± SQUARE FEET OR 0.04± ACRES, ADJACENT TO 2505 BROADPOINT DRIVE AND 2493 BROADPOINT DRIVE, TO ALLOW FOR MORE DEVELOPABLE SPACE ON THE PROPERTY. THE TOTAL AREA TO BE VACATED IS 1,875± SQUARE FEET OR 0.04± ACRES AND IS GENERALLY LOCATED NORTH OF RUSHMORE AVENUE, SOUTH OF ADAMS STREET, EAST OF SULSTONE DRIVE AND WEST OF BROADPOINT DRIVE, WITHIN THE PUNTA GORDA AREA. LOCATED IN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 4:0.**

UB2. CPE-23-01, PD Concept Plan Extension

Community Development

Approve an Ordinance, pursuant to Section 3-9-45, Planned Development, under Chapter 3-9, Zoning, of the County's Land Development Regulations, to extend the time limitation of the PD Concept Plan approved via Ordinance Number 2007-063, for property located at 26901 or 27001 Zemel Road; in the Punta Gorda area,

Florida, containing 338.02± acres; Commission District II; Petition No. CPE-23-01; Applicant: Lindner Mark L Trustee; providing for an effective date. Located in Commission District II. **ORD 2023-019**

**Quasi-Judicial**

Minutes Clerk Johnston administered oath for testimony.

**Vice Chair Constance** polled the Board for Ex Parte Disclosures. **Commissioner Deutsch, Commissioner Doherty,** and **Commissioner Tiseo** advised they submitted the required forms to the Clerk's Office.

Jie Shao, Principal Planner provided credentials, gave a brief overview of Request, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, Planned Development (PD) Concept Plan, and requested correction to Exhibit A label from nine pages to seven pages.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, joined in Staff Report, mentioned Transfer of Density Units (TDU), history, PD, Concept Plan, expiration date, determination letter, Governor's Emergency Orders, future project, roadway improvements, Zemel Road, code, railway, and requested approval.

**Vice Chair Constance** noted PD, expiration, timeframe, extension, density units, development, growth, impact fees, Geographic Information System (GIS), Request, Burnt Store corridor, and study. **Commissioner Doherty** spoke to PD, zoning, approvals, process, Concept Plan, Burnt Store plan, project, infrastructure, and extension. **Commissioner Tiseo** commented on past code, expiration dates, PD, Concept Plan, Burnt Store Road and Corridor, water needs, site plan, opinion, maintenance cost, capacity, concurrency, development, railway, and uses.

County Attorney Knowlton interjected on opinion.

Assistant County Attorney Thomas David replied to opinion, error, Concept Plan, Governor's Emergency Orders, code, expiration, final detail site plan, requirements, and extensions.

Shaun Cullinan, Planning and Zoning Official remarked on PD, code, uses, expiration, Concept Plans, workshops, development, modern subdivisions, platted lots, wetlands, rights, infrastructure, density, and studies.

**Public Input**

**COMMISSIONER DOHERTY MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH**


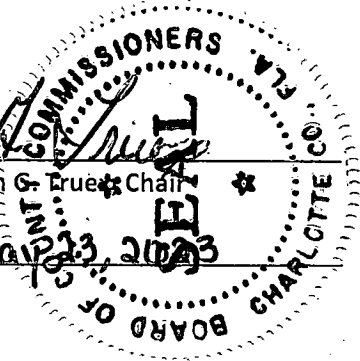
**MOTION CARRIED 4:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2023-019 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PURSUANT TO SECTION 3-9-45, PLANNED DEVELOPMENT, UNDER CHAPTER 3-9, ZONING, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, APPROVING THE REQUEST TO EXTEND THE TIME LIMITATION OF THE PLANNED DEVELOPMENT (PD) CONCEPT PLAN APPROVED VIA ORDINANCE NUMBER 2007-063, FOR PROPERTY GENERALLY LOCATED AT 26901 OR 27001 ZEMEL ROAD, IN THE PUNTA GORDA AREA; CONTAINING 338.02± ACRES; COMMISSION DISTRICT II; PETITION**

CPE-23-01; APPLICANT: LINDNER MARK L TRUSTEE; PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

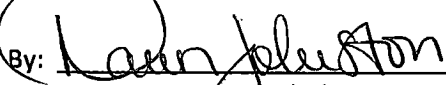
MOTION CARRIED 4:0.

ADJOURNED: 2:46 pm

  
\_\_\_\_\_  
William G. True, Chair  
DATE ADOPTED: May 23, 2023  


ATTEST:

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

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