

**BOARD OF COUNTY COMMISSIONERS**

**SEPTEMBER 26, 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, Commissioner 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 Pastor Daniel Dagan, Hope Apostolic Church, followed by the Pledge of Allegiance.

**Changes to the Agenda**

**Addition #1:** R-5, a) Approve the Subordination Agreement for the BCC loan to the Verandas of Punta Gorda III, LLLP; and b) Authorize the Chairman to execute the Agreement.

Requested by: Human Services

**Change #1:** H-1, Added attachment – Economic Impact Statement Updated.

Requested by: Community Services

**Change #2:** O-1, **Updated wording:** a) Approve **Resolution adopting the FY2024** Tourist Development Council (TDC) meeting dates ~~for Fiscal Year 2023-2024~~; and b) **Authorizing and directing the TDC to review and approve all future TDC schedules.**

Requested by: Tourism Development

**Change #3:** R-4, Added attachment – Water Authority Agenda – Final.

Requested by: Utilities

**Change #4:** R-1, Added attachment – Performance Evaluation, County Administrator, Hector Flores.

Requested by: Administration

**Change #5:** R-2, Added attachment – Performance Evaluation, County Attorney, Janette Knowlton.

Requested by: County Attorney

**Change #6:** R-3, Added attachment – Performance Evaluation, Economic Development Director, Dave Gammon.

Requested by: Economic Development

**Deletion #1:** H-1, Set a Public Hearing to Consider Approving Ordinance Set a public hearing to be held on October 10, 2023, at 10:00 a.m., or as soon thereafter as can be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider an Ordinance Amending and Restating Articles I, II, III and IV of Chapter 1-11, Governing Parks and Recreation, of the Code of Laws and Ordinances of Charlotte County, Florida.

Requested by: County Attorney

**Commissioner Deutsch** commented on Performance Evaluation - County Administrator, Hector Flores, Performance Evaluation - County Attorney, Janette Knowlton, and Performance Evaluation - Economic Development Director, Dave Gammon. **Commissioner Doherty** discussed Performance Evaluation - County Administrator, Hector Flores, Performance Evaluation - County Attorney, Janette Knowlton, and Performance Evaluation - Economic Development Director, Dave Gammon. **Commissioner Tiseo** mentioned Performance Evaluation - County Administrator, Hector Flores, Performance Evaluation - County Attorney, Janette Knowlton, and Performance Evaluation - Economic Development Director, Dave Gammon.

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

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Bill Truex**

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

**MOTION CARRIED 5:0.**

**“Fit For Life” Senior Games Month**

Mike Norton, Recreation Superintendent and Lisa Smithson, Community Services Coordinator accepted the Proclamation.

**Charlotte Harbor Day**

Cheryl Berlon, Chris Connor, Dave Schutz, Dianna Whitman, Richard Whitman, Bruce Wojcik, and Phyllis Wojcik accepted the Proclamation.

**Beirut Peacekeepers Solidarity Month**

**Commissioner Deutsch** accepted the Proclamation.

**Community Planning Month**

Ben Bailey, Community Development Director, Shaun Cullinan, Planning and Zoning Official, Jie Shao, Principal Planner, Elizabeth Nocheck, Senior Planner, and Folakemi Gangbo, Planner accepted the Proclamation.

**Hurricane Ian Resilience Remembrance Day**

Doug Izzo, Lisa Eby, and Jessica Suoza accepted the Proclamation.

**Florida Climate Week**

Proclamation will be mailed to VoLo Foundation.

**Employee Recognition**

Employee of the Month - September 2023

Thomas Falco, Facilities Management

Travis Perdue, Facilities Construction and Maintenance Director highlighted Mr. Falco's career, repair skills, communication, site visit coordination, core values, dedication, work ethic, and presented Award.

**Award Presentations**

Commissioners' Award for Customer Service - Stephen R. Deutsch

Third Quarter Commissioners' Award FY2022-23.

**Commissioner Deutsch** highlighted Mr. Cullinan's customer service skills, experience, Massachusetts Bar, career, and presented Award.

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

Commissioner Stephen R. Deutsch to accept donation from Waste Management; Stephanie Kissinger, Todd Peres.

**Commissioner Deutsch** noted Waste Management, Hurricane Ian, service, and accepted check.

Todd Peres, Waste Management Senior District Manager and Jeff Wedding presented check.

PUBLIC INPUT - AGENDA ITEMS ONLY – None

COMMITTEE VACANCIES

**The Construction Industry Licensing Board** is seeking a volunteer to represent the specialty contractor category. Volunteer must be an active licensed specialty contractor and be a resident of Charlotte County for at least two years. Length of term is until March 22, 2024. Contact Diane Whidden at 941-743-1298 or via email at [Diane.Whidden@CharlotteCountyFL.gov](mailto:Diane.Whidden@CharlotteCountyFL.gov) for an application.

**MPO - Citizens' Advisory Committee (CAC)** is seeking 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 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, October 6, 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, October 16, 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).

• **Alligator Creek Waterway Unit** is seeking one member to fill a position with a term through October 31, 2026.

• **Boca Grande Street & Drainage Unit** is seeking three members to fill positions with terms through October 31, 2024, October 31, 2025, and October 31, 2026.

• **Buena Vista Waterway Unit** is seeking one member to fill a position with a term through October 31, 2026.

• **Burnt Store Village Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.

- **Deep Creek Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Don Pedro & Knight Islands Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Edgewater North Waterway Unit** is seeking two members to fill positions with terms through October 31, 2025, and October 31, 2026.
- **Englewood East Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2024, and October 31, 2026.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2024 and October 31, 2026.
- **Grove City Street & Drainage Unit** is seeking three members to fill positions with terms through October 31, 2024, October 31, 2025, and October 31, 2026.
- **Gulf Cove Street & Drainage Unit** is seeking one member to a fill position with a term through October 31, 2026.
- **Gulf Cove Waterway Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Harbour Heights Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2024.
- **Manasota Key Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Manchester Waterway Utility Unit** is seeking three members to fill positions with terms through October 31, 2024, October 31, 2025, and October 31, 2026.
- **Mid-Charlotte Stormwater Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Northwest Port Charlotte Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Pirate Harbor Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.

- **Pirate Harbor Waterway Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Placida Area Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2024, and October 31, 2026.
- **Rotonda Heights Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Rotonda Lakes Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Rotonda Sands Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025, and October 31, 2026.
- **Rotonda West Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **South Burnt Store Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2024, and October 31, 2026.
- **South Charlotte Stormwater Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **South Gulf Cove Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025, and October 31, 2026.
- **South Gulf Cove Waterway Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Suncoast Waterway Unit** is seeking five members to fill positions with terms through, October 31, 2024, October 31, 2025, and October 31, 2026.
- **West Charlotte Stormwater Unit** is seeking one member to fill a position with a term through October 31, 2026.

#### **REPORTS RECEIVED AND FILED**

Monthly Housing Division Report - July 2023

##### **Human Services**

July 2023 Housing Division Report.

Monthly Housing Division Report - August 2023

##### **Human Services**

August 2023 Housing Division Report.

## CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF D-1, F-1, F-2, F-11, O-1, AND O-2, 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:

July 27, 2023 BCC Pre-Agenda

September 7, 2023 BCC Pre-Agenda

September 7, 2023 Public Hearing on Proposed County Budget FY 2023-2024

September 7, 2023 MSBU Public Hearing Fiscal Year 2023-2024

**Budgeted Action:** No action needed.

### Board of County Commissioners

#### C. Commission Office

##### 1. New Appointments - Affordable Housing Advisory Committee

**Recommended Action:** Appoint Kris Proudfoot and Daniel Hughes to the Affordable Housing Advisory Committee as Banking/Mortgage Banking representatives. Appointment begins immediately and expires on December 31, 2024.

**Budgeted Action:** No action needed.

#### D. County Administration

##### 1. Second Addendum to the Agreement for Purchase and Sale Between Charlotte County and Palladium Investment Company, LLC

**Recommended Action:** Recommend Board approve and authorize Chairman to execute the second addendum to the Agreement for Purchase and Sale between CHARLOTTE COUNTY ("Seller"), and PALLADIUM INVESTMENT COMPANY, LLC, a New Jersey limited liability company ("Buyer") for the purposes of constructing 600 multifamily rental units at varying levels of affordability. The addendum accomplishes the following: a) Extends the deadline for the Buyer to make application for development approvals from 120 days after the expiration of the inspection period to 270 days after the end of the inspection period. The effect of this is to change the date that development approvals must be applied for from on or about 5/11/2023 to 10/8/2023; and b) Extends the due date for the county's obligated date to provide wastewater service from August 2024 to June 30, 2025; and c) Amends the Land Use Restriction Agreement (LURA) to conform with the new Utilities installation date of June 30, 2025. **A.AGR 2022-103**

**Budgeted Action:** No action needed.

**COMMISSIONER DOHERTY MOVED TO APPROVE AND AUTHORIZE CHAIRMAN TO EXECUTE THE SECOND ADDENDUM TO THE AGREEMENT 2022-103 FOR PURCHASE AND SALE BETWEEN CHARLOTTE COUNTY ("SELLER"), AND PALLADIUM INVESTMENT COMPANY, LLC, A NEW JERSEY LIMITED LIABILITY COMPANY ("BUYER") FOR THE PURPOSES OF CONSTRUCTING 600 MULTIFAMILY RENTAL UNITS AT VARYING LEVELS OF AFFORDABILITY. THE ADDENDUM ACCOMPLISHES THE FOLLOWING: A) EXTENDS THE DEADLINE FOR THE BUYER TO MAKE APPLICATION FOR DEVELOPMENT APPROVALS FROM 120 DAYS AFTER THE EXPIRATION OF THE INSPECTION PERIOD TO 270 DAYS AFTER THE END OF THE INSPECTION PERIOD. THE EFFECT OF THIS IS TO CHANGE THE DATE THAT DEVELOPMENT APPROVALS MUST BE APPLIED FOR FROM ON OR ABOUT MAY 11, 2023 TO OCTOBER 8, 2023; AND B) EXTENDS THE DUE DATE FOR THE COUNTY'S OBLIGATED DATE TO PROVIDE WASTEWATER SERVICE FROM AUGUST 2024 TO JUNE 30, 2025; AND C) AMENDS THE LAND USE RESTRICTION AGREEMENT (LURA) TO CONFORM WITH THE NEW UTILITIES INSTALLATION DATE OF JUNE 30, 2025, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED**

##### 2. BCC Schedule Change

**Recommended Action:** Approve the following BCC Meeting schedule changes: a) Reschedule the Utilities Quarterly Meeting scheduled for October 17, 2023 at 2:00 p.m. to October 10, 2023 at 1 p.m.; and b) Cancellation of the October 17, 2023, 9:00 a.m. Monthly Workshop; and c) Add a joint meeting of BCC with the city of Punta Gorda on November 21, 2023 at 1:00 p.m., in Room 119 at 18500 Murdock Circle, Port Charlotte.

**Budgeted Action:** No action needed.



**E. County Attorney**

**F. Budget and Administrative Services**

**Fiscal Services**

**1. FY24 Not For Profit Funding Agreements**

**Recommended Action:** a) Approve the Not-for-Profit funding agreements for Charlotte Behavioral Health Care, Inc. in the amount of \$1,948,361; Charlotte Harbor Environmental Center, Inc. in the amount of \$37,500; Military Heritage Museum, Inc. in the amount of \$22,500; United Way of Charlotte County in the amount of \$916,546; and Coastal & Heartland National Estuary Program funding request in the amount of \$25,000; and b) Authorize the Chairman to sign the funding agreements; and c) Authorize the County Administrator to sign documents associated with the approved agreements. **AGR 2023-174 / AGR 2023-175 / AGR 2023-176 / AGR 2023-177**

**Budgeted Action:** No action needed. Budgeted in the General Fund - BCC Control - Aids to Private Orgs and Grants and Aid accounts to be approved in the FY2024 budget process.

**Commissioner Constance** spoke to Charlotte Harbor Environmental Center, Inc. (CHEC), purchase orders, budgets, costs, increase, funding, contract, grants, operations, and maintenance. **Commissioner Doherty** commented on CHEC, contract, funding, requests, and partners. **Commissioner Tiseo** discussed CHEC, funding, services, contract, renewal, and value.

Michael Bednar, CHEC Chief Executive Officer (CEO) mentioned Agreement, Cedar Point property, cost, services, value, funding, budget, exhibits, partners, and benefit package.

County Administrator Flores responded to CHEC, contract, renewal, and purchase orders.

County Attorney Knowlton interjected on CHEC, contract, and discussion.

**COMMISSIONER TISEO MOVED TO APPROVE THE NOT-FOR-PROFIT FUNDING AGREEMENTS FOR CHARLOTTE BEHAVIORAL HEALTH CARE, INC. IN THE AMOUNT OF \$1,948,361; CHARLOTTE HARBOR ENVIRONMENTAL CENTER, INC. IN THE AMOUNT OF \$37,500; MILITARY HERITAGE MUSEUM, INC. IN THE AMOUNT OF \$22,500; UNITED WAY OF CHARLOTTE COUNTY IN THE AMOUNT OF \$916,546; COASTAL & HEARTLAND NATIONAL ESTUARY PROGRAM FUNDING REQUEST IN THE AMOUNT OF \$25,000; AUTHORIZE THE CHAIRMAN TO SIGN THE FUNDING AGREEMENTS; AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN DOCUMENTS ASSOCIATED WITH THE APPROVED AGREEMENTS, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**2. Health Department Contract**

**Recommended Action:** Approve and authorize the Chairman to execute the FY24 Charlotte County/State of Florida Department of Health contract for the operation of the Charlotte County Health Department. **AGR 2023-178**

**Budgeted Action:** No action needed. Budgeted in the Health Department Fund - Health Department budget to be approved in the FY2024 budget process. Funding for the expenditure comes from General Fund Ad valorem Revenues.

Joseph Pepe, Florida Department of Health (FDOH) Administrator gave a brief overview of Spending Plan, Revenue & Expenses – Fiscal Year (FY) 2023-24, Board of County Commissioners (BOCC) Expenditures - Fiscal Year End (FYE) 2022-2023, BOCC Expenditures - FYE 2023-2024, Year to Year Revenue Per Source - FY 2019-2020 to FY 2023-2024, Expenditure Distribution Per FY - FY 2019-2020 to FY 2023-2024, Revenue vs. Expenditures by County Comparison, and Total full-time equivalent (FTE) Comparison by County - FY 2023-2024.

**Commissioner Constance** noted budget, BOCC Expenditures – Fiscal Year End (FYE) 2022-2023, Charlotte Behavioral Health Care, and funding. **Commissioner Tiseo** spoke to Year to Year Revenue Per Source - FY 2019-2020 to FY 2023-2024.

Rick Arthur, Fiscal Services Manager replied to budget.

Mark Boccacchio, FDOH Finance and Accounting Director responded to Special Public Assistance Grant Funds.

**COMMISSIONER CONSTANCE MOVED TO APPROVE AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE FISCAL YEAR 2024 CHARLOTTE COUNTY/STATE OF FLORIDA DEPARTMENT OF HEALTH CONTRACT 2023-178 FOR THE OPERATION OF THE CHARLOTTE COUNTY HEALTH DEPARTMENT, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

### Information Technology

#### Purchasing

#### 3. 23-494, Approve, Ranking, Strategic Asset Management Plan (Administration)

**Recommended Action:** a) Approve ranking of firms for Request for Proposal #23-494, Strategic Asset Management Plan: 1st - The Woodhouse Partnership North America Ltd.; 2nd – Stantec Consulting Services Inc.; and 3rd - Veith Engineering & Business Solutions, LLC.; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations. This is for a qualified firm to assist in the implementation an Asset Management Program by developing a Strategic Asset Management Plan for the County.

**Budgeted Action:** No action needed.

4. 21-397, Approve Change Order #1, In-Home Elder Care & Support Services (Human Services)

**Recommended Action:** Approve Change Order #1 to Contract #21-397, In-Home Elder Care & Support Services, to increase the reimbursement rates to our senior services program vendors.

**Budgeted Action:** No action needed.

5. 23-617, Award, Water and Wastewater Chemicals - Annual Contract (Utilities)

**Recommended Action:** a) Approve award of Request for Bid #23-617, Water and Wastewater Chemicals - Annual Contract to various vendors, on the attached tabulation, for the first term of October 1, 2023, through and including, September 30, 2024; and b) Authorize County Administrator to approve two additional one-year terms, at the same prices, terms and conditions, by mutual consent.

**Budgeted Action:** No action needed. Budgeted in the Utilities Operations and Maintenance Fund - Operations budget as proposed in the FY2024 budget process. Funding for this expenditure comes from user fees.

6. 23-698, Award Piggyback, Playground Equipment and Sun Shades - Ann and Chuck Dever Regional Park (Community Services)

**Recommended Action:** Approve Piggyback of File #23-698, Playground Equipment and Sun Shades - Ann and Chuck Dever Regional Park per the Omnia Partners Group Contract#2017001135, which was awarded to Kompan, Inc. of Austin, Texas for a total cost of \$488,430.57.

**Budgeted Action:** No action needed. Budgeted in the Community Services Capital Maintenance Plan approved in the FY23 budget process. Funding is supplied from Capital Projects ad valorem.

7. 22-439, Award, Request for Bid, Disposal of Waste Tires - Annual Contract (Public Works - Solid Waste)

**Recommended Action:** a) Retroactively approve award of Request for Bid, Disposal of Waste Tires – Annual Contract, awarded to Tire Shredders of America of Tampa, Florida at the unit prices submitted through September 30, 2024; and b) Authorize County Administrator, or his designee, to approve renewal options for up to one additional one-year periods at the same prices, terms and conditions, by mutual consent.

**Budgeted Action:** No action needed. Budgeted in the Enterprise Fund - Public Works Solid Waste Landfill budget as approved in the FY2023 budget process. Funding for the expenditure comes from Fees.

8. 23-579, Award, Irrigation Services - Annual Contract (Community Services)

**Recommended Action:** a) Approve award of Request for Bid #23-579, Irrigation Services - Annual Contract, to Stahlman-England Irrigation, Incorporated, of Naples, Florida, at the unit rate submitted. The term of contract is from October 1, 2023, through and including September 30, 2024; and b) Authorize the County Administrator to approve the renewal options for up to two additional one-year terms, at the same prices, terms, and conditions by mutual consent.

**Budgeted Action:** No action needed. Budgeted in the General Fund - Parks Maintenance and Natural Resources budget as proposed in the FY2024 budget process. Funding for this expenditure comes from ad valorem.

9. 23-588, Award, Manasota Key Roadway Lighting Maintenance - Annual Contract (Public Works)

**Recommended Action:** a) Approve award of Request for Bid #23-588, Manasota Key Roadway Lighting Maintenance - Annual Contract to the lowest responsive, responsible bidder, Kennedy Electric Company of Punta Gorda, Inc. of Punta Gorda, Florida at the unit price per hour indicated, for a period from October 1, 2023 through and including September 30, 2024 with the option to renew for two additional one-year terms, at the same prices, terms and conditions; and b) Authorize the County Administrator to approve renewal options for up to two one-year terms, at the same prices, terms and conditions, by mutual consent.

**Budgeted Action:** No action needed. Budgeted in the Transportation Fund - Public Works Engineering as approved in the FY2023 budget process. Funding for the expenditure comes from Gas Tax.

10. 11-079, Approve Amendment 3, Fixed Base Automatic Meter Reading System (Utilities)

**Recommended Action:** a) Approve Amendment #3 to Contract #11-079, Fixed Base Automatic Meter Reading (AMR) System, with Mueller Systems, LLC of Cleveland, North Carolina, extending the contract up to and including September 30, 2025 and revising the unit pricing schedule; and b) Authorize the Chairman to sign Amendment #3.

**Budgeted Action:** No action needed. Budgeted as part of the utility maintenance and operations budget - operations fund as part of the FY24 budget process. This expenditure is paid from utility rate revenues.

Real Estate Services

11. Direct Sale - Parcel ID# 412006330003

**Recommended Action:** Approve Resolution authorizing a direct sale of property in accordance with the provisions of Florida Statute 125.35(2). **RES 2023-175**

**Budgeted Action:** No action needed.

**Commissioner Constance** commented on appraisal and applicant offer.

Stephen Kipa, Real Estate Services Manager remarked on appraisal.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2023-175 AUTHORIZING A DIRECT SALE OF PROPERTY IN ACCORDANCE WITH THE PROVISIONS OF FLORIDA STATUTE 125.35(2), SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

Risk Management

Transit

G. Community Development

H. Community Services

(Deletion #1) 1. Set a Public Hearing to Consider Approving Ordinance

(Change #1) Added attachment – Economic Impact Statement Updated.

~~Recommended Action:~~ Set a public hearing to be held on October 10, 2023, at 10:00 a.m., or as soon thereafter as can be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider an Ordinance Amending and Restating Articles I, II, III and IV of Chapter 1-11, Governing Parks and Recreation, of the Code of Laws and Ordinances of Charlotte County, Florida.

~~Budgeted Action:~~ No action needed. No financial impact.

I. Economic Development

1. Reappointment - Industrial Development Authority Board Members

**Recommended Action:** Approve the reappointment of Jeff Brown and Rob Humpel to the Charlotte County Industrial Development Authority for a term of four years.

**Budgeted Action:** No action needed.

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

M. Public Safety

1. Public Emergency Medical Transportation Program Letter of Agreement and Intergovernmental Transfer Questionnaire

**Recommended Action:** a) Authorize participation in the Public Emergency Medical Transportation (PEMT) supplemental program for Medicaid managed care organizations (MCOs); and b) Approve the Letter of Agreement (LOA) and Intergovernmental Transfer Questionnaire with the State of Florida Agency for Health Care Administration (AHCA) relating to an intergovernmental transfer to the State. **AGR 2023-179**

**Budgeted Action:** No action needed. Budgeted in the General Fund - Emergency Medical Services budget to be approved during the FY2024 budget process. Funding for this expenditure comes from the General Fund.

**N. Public Works**

1. Florida Department of Transportation (FDOT) Emergency Relief (ER) Program Grant Application for Gillot Blvd for Hurricane Ian Repairs

**Recommended Action:** a) Approve the Detailed Damage Inspection Report (DDRI) which serves as the grant application for FDOT-ER funding; and b) Approve Resolution authorizing administrative approval of the grant award. **GRT 2023-081 / RES 2023-176**

**Budgeted Action:** No action needed. If approved, a budget adjustment will be brought to the Board. Hurricane costs are being collected in the hurricane fund with 80% of costs reimbursed through the FDOT-ER program for FHWA roads, and 20% as required county match.

**O. Tourism Development**

1. FY 2023-2024 TDC Meeting Schedule

**(Change #2) Updated wording:** a) Approve **Resolution adopting the FY2024** Tourist Development Council (TDC) meeting dates ~~for Fiscal Year 2023-2024~~; and b) **Authorizing and directing the TDC to review and approve all future TDC schedules.**

**Recommended Action:** a) Approve Resolution adopting the FY2024 Tourist Development Council (TDC) meeting dates for Fiscal Year 2023-2024; and b) Authorizing and directing the TDC to review and approve all future TDC schedules. **RES 2023-177**

**Budgeted Action:** No action needed.

**Commissioner Constance** discussed meeting conflict.

County Attorney Knowlton responded to flexibility.

Assistant County Attorney Glinda Pruitt remarked on Resolution and flexibility.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2023-177 ADOPTING THE FISCAL YEAR 2024 TOURIST DEVELOPMENT COUNCIL (TDC) MEETING DATES FOR FISCAL YEAR 2023-2024; AND AUTHORIZING AND DIRECTING THE TDC TO REVIEW AND APPROVE ALL FUTURE TDC SCHEDULES, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

2. Marketing Plan and Resolution Approval

**Recommended Action:** a) Approve Resolution adopting the FY2024 Punta Gorda/Englewood Beach Visitor & Convention Bureau's ("VCB") Marketing Plan; and b) Authorizing and directing the Tourist Development Council ("TDC") to review and approve all future VCB Marketing Plans to be implemented utilizing tourist development tax revenues. **RES 2023-178**

**Budgeted Action:** No action needed. Budgeted in the Tourism Development Fund budget and will be approved during the FY2024 budget process.

**Commissioner Constance** mentioned Tourist Development Council (TDC) meetings, marketing plan, and budget. **Commissioner Tiseo** noted marketing plan, tax revenues, and taxpayer dollars.

Sean Doherty, Tourism Development Director responded to marketing plan and Resolution.

County Attorney Knowlton interjected on workshop.

COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2023-178 ADOPTING THE FISCAL YEAR 2024 PUNTA GORDA/ENGLEWOOD BEACH VISITOR & CONVENTION BUREAU'S ("VCB") MARKETING PLAN; AND AUTHORIZING AND DIRECTING THE TOURIST DEVELOPMENT COUNCIL ("TDC") TO REVIEW AND APPROVE ALL FUTURE VCB MARKETING PLANS TO BE IMPLEMENTED UTILIZING TOURIST DEVELOPMENT TAX REVENUES, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

**P. Utilities**

1. SWFWMD Cooperative Funding Initiative Smart Meter Replacement

**Recommended Action:** a) Authorize staff to apply electronically to Southwest Florida Water Management District (SWFWMD) through the grants.gov portal for the Cooperative Funding Initiative (CFI) Program application pertaining to the Water Conservation Smart Technology Project; and b) Authorize the Chairman to execute the Funding Support Letter for online submittal to SWFWMD; and c) Approve Resolution authorizing the County Administrator, or his designee, to prepare, and execute a grant agreement and any amendments thereto to SWFWMD pertaining to the Water Conservation Smart Technology Project; and d) Authorize the Chairman to execute the Resolution. **RES 2023-179**

**Budgeted Action:** No action needed. A budget amendment will be brought to the Board for approval, if awarded. There is a required County match of 51% in the amount of \$894,826. Grant funding will be provided by Florida Department of Environmental Protection. Matching funds in the amount of \$894,826 will be provided from the Utilities Operation and Maintenance Fund.

**Q. Other Agencies**

**Taken Out Of Order**

**PUBLIC HEARING AGENDA**

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

1. Conduct a Public Hearing to Consider a Hospital Assessment Resolution

**Commission Office**

Pursuant to the Charlotte County Local Participation Fund Ordinance Number 2021-025, as adopted on July 13, 2021, conduct a public hearing to consider a Resolution setting the rate of collection pertaining to applicable hospital properties for a payment due upon receipt of invoice. **RES 2023-180**

**Commissioner Constance** highlighted Conduct a Public Hearing to Consider a Hospital Assessment Resolution and spoke to Ambitrans. **Commissioner Tiseo** commented on special assessments and Ambitrans.

Colleen Ernst, Adelanto HealthCare Ventures discussed hospitals, Medicaid, reimbursement, and special assessment.

**Public Input**

Kat Pellegrino discussed Ambitrans.

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

**MOTION CARRIED 5:0.**

**COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2023-180 SETTING THE RATE OF COLLECTION PERTAINING TO APPLICABLE HOSPITAL PROPERTIES FOR A PAYMENT DUE UPON RECEIPT OF INVOICE, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

2. Amend Historical Advisory Committee Composition



**County Attorney**

Conduct a public hearing to consider an ordinance governing the Historical Advisory Committee, amending the provision related to member composition. **ORD 2023-039**

**Public Input**

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

**MOTION CARRIED 5:0.**

Chair Truex mentioned committee appointments. **Commissioner Constance** noted committee appointments. **Commissioner Tiseo** spoke to committee appointments.

County Attorney Knowlton interjected on committee appointments, memberships, and recommendations.

**COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2023-039 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 1-11, ARTICLE V OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, GOVERNING THE HISTORICAL ADVISORY COMMITTEE; PROVIDING FOR A CHANGE IN COMPOSITION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

3. Reserve Certain County-Owned Real Property for Affordable Housing

**Budget & Admin Services**

Conduct a public hearing to consider adopting Resolution to declare certain County-owned real property surplus to County needs and reserved for affordable housing. **RES 2023-181**

Mr. Kipa highlighted Reserve Certain County-Owned Real Property for Affordable Housing.

**Commissioner Tiseo** commented on Florida Statutes.

**Public Input**

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

**MOTION CARRIED 5:0.**

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2023-181 TO DECLARE CERTAIN COUNTY-OWNED REAL PROPERTY SURPLUS TO COUNTY NEEDS AND RESERVED FOR AFFORDABLE HOUSING, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

4. Conduct a Public Hearing to Adopt FY 2024 Capital Improvements Program

**Budget & Admin Services**

Conduct a public hearing to consider adopting an Ordinance updating and modifying the Capital Improvements Program Schedule FY23/24 through FY28/29. **ORD 2023-040**

Mr. Arthur highlighted Conduct a Public Hearing to Adopt FY 2024 Capital Improvements Program.

**Public Input**

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2023-040 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AUTHORIZING AND APPROVING MODIFICATIONS TO THE CAPITAL IMPROVEMENT SCHEDULE OF THE CHARLOTTE COUNTY COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3177(3)(B), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

**REGULAR AGENDA**

**R. Regular Agenda**

**Taken Out Of Order**

4. Water Authority Agenda - October 4, 2023

**Utilities**

**(Change #3)** Added attachment – Water Authority Agenda – Final.

Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agenda for the upcoming October 4, 2023 Meeting.

Dave Watson, Utilities Director highlighted Water Authority Agenda – October 4, 2023.

**Chair Truex** discussed Projects for State of Florida Grant Funding (Local Funding Initiatives). **Commissioner Constance** mentioned Projects for State of Florida Grant Funding (Local Funding Initiatives), Peace River Reservoir 3, and price increases. **Commissioner Doherty** noted Projects for State of Florida Grant Funding (Local Funding Initiatives). **Commissioner Tiseo** spoke to Projects for State of Florida Grant Funding (Local Funding Initiatives) and price increases.

**(Addition #1) 5. County Loan Subordination Agreement – Verandas III**

**Human Services**

- a) Approve the Subordination Agreement for the BCC loan to the Verandas of Punta Gorda III, LLLP; and
- b) Authorize the Chairman to executed the Agreement. **AGR 2023-180 / AGR 2023-181**

Colleen Turner, Human Services Manager highlighted County Loan Subordination Agreement – Verandas III.

**Chair Truex** commented on Florida Housing Finance Corporation Subordination Agreement and requirements. **Commissioner Deutsch** discussed Florida Housing Finance Corporation closing experience and affordable housing. **Commissioner Doherty** mentioned Florida Housing Finance Corporation Subordination Agreement and County Attorney Office review. **Commissioner Tiseo** noted Subordination Agreement, senior lender, lease hold mortgage lien, affordable housing process, and fees.

Brian Evian, Norstar Development replied to priority position, property improvements, Housing Authority, and government shut down.

**COMMISSIONER TISEO MOVED TO APPROVE THE SUBORDINATION AGREEMENT 2023-180 FOR THE BCC LOAN TO THE VERANDAS OF PUNTA GORDA III, LLLP; AUTHORIZE THE CHAIRMAN TO EXECUTED THE AGREEMENT; AND ALONG WITH THE COUNTY ATTORNEY OFFICE REVIEW OF THE FLORIDA HOUSING FINANCE CORPORATION SUBORDINATION AGREEMENT 2023-181, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED**

**PRESENTATION AGENDA**

**T. 10:00 A.M. Presentations**

**RECESS: 10:43 am – 1:00 pm**

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

Richard Russell spoke to Governor DeSantis, Florida Cabinet, conservation footprint, 23243 Harper Avenue, new apartments, hazardous flood zone, Sunseeker, drinking water tank, Hurricane Idalia, clogged culvert, flooding, drainage issues, and sidewalks.

John Everson commented on BOCC, Sunseekers, hazardous flood zone, Federal Emergency Management Agency (FEMA), water tower, Harper Avenue, drinking water tank, Hurricane Idalia, clogged culvert, flooding, increased taxes, and impact fees.

#### **Taken Out Of Order**

#### **R. Regular Agenda (Continued)**

##### 1. Performance Evaluation - County Administrator, Hector Flores

#### **County Administration**

**(Change #4)** Added attachment – Performance Evaluation, County Administrator, Hector Flores.

Discussion of County Administrator, Hector Flores' annual performance evaluation.

**Chair Truex** discussed Hurricane Ian, recovery, efforts, County staff, and leadership. **Commissioner Doherty** mentioned County staff, process, and County Charter. **Commissioner Tiseo** noted challenges, COVID-19, Hurricane Ian, recovery, inflation, scores, and County staff.

County Attorney Knowlton replied to County Charter, process, Sunshine Law, and backup information.

**COMMISSIONER DOHERTY MOVED TO APPROVE COUNTY ADMINISTRATOR, HECTOR FLORES' ANNUAL PERFORMANCE EVALUATION, RECOMMEND SALARY BE ADJUSTED TO BE CONSISTENT WITH OTHER STAFF MEMBERS, AND RECEIVE IT AT THE SAME TIME AS HAS BEEN DONE IN THE PAST, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

##### 2. Performance Evaluation - County Attorney, Janette Knowlton

#### **County Attorney**

**(Change #5)** Added attachment – Performance Evaluation, County Attorney, Janette Knowlton.

Discussion of County Attorney, Janette Knowlton's annual performance evaluation.

**Chair Truex** spoke to Hurricane Ian, recovery, efforts, County staff, and leadership. **Commissioner Doherty** commented on County staff, process, and County Charter. **Commissioner Tiseo** discussed challenges, COVID-19, Hurricane Ian, recovery, inflation, scores, and County staff.

County Attorney Knowlton responded to County Charter, process, Sunshine Law, and backup information.

**COMMISSIONER DOHERTY MOVED TO APPROVE COUNTY ATTORNEY, JANETTE KNOWLTON'S ANNUAL PERFORMANCE EVALUATION, RECOMMEND SALARY BE ADJUSTED TO BE CONSISTENT WITH OTHER STAFF MEMBERS, AND RECEIVE IT AT THE SAME TIME AS HAS BEEN DONE IN THE PAST, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

3. Performance Evaluation - Economic Development Director, Dave Gammon

**Economic Development**

**(Change #6)** Added attachment – Performance Evaluation, Economic Development Director, Dave Gammon.

Discussion of Economic Development Director, Dave Gammon's annual performance evaluation.

**Chair Truex** mentioned Hurricane Ian, recovery, efforts, County staff, and leadership. **Commissioner Doherty** noted County staff, process, and County Charter. **Commissioner Tiseo** spoke to challenges, COVID-19, Hurricane Ian, recovery, inflation, scores, and County staff.

County Attorney Knowlton remarked on County Charter, process, Sunshine Law, and backup information.

**COMMISSIONER DOHERTY MOVED TO APPROVE ECONOMIC DEVELOPMENT DIRECTOR, DAVE GAMMON'S ANNUAL PERFORMANCE EVALUATION, RECOMMEND SALARY BE ADJUSTED TO BE CONSISTENT WITH OTHER STAFF MEMBERS, AND RECEIVE IT AT THE SAME TIME AS HAS BEEN DONE IN THE PAST, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**Taken Out Of Order**

**AA. County Administrator Comments**

County Administrator Flores commented on recognition, County staff, and Emergency Operations Center (EOC).

**BB. County Attorney Comments**

County Attorney Knowlton discussed County staff, support, Property Assessed Clean Energy (PACE), Leon County, and motion.

**CC. Economic Development Director Comments**

**DD. County Commissioner Comments**

Chair Truex mentioned Live Local Act, affordability, Area of Median Income (AMI), Florida Association of Counties (FAC), septic systems, drain field carbon layer, study, Metropolitan Planning Organization (MPO), City of Punta Gorda, traffic signalization, Home Depot, artificial intelligence (AI), Auto Renew program, and planning review. **Commissioner Constance** noted septic systems, drain field carbon layer, study, and AI. **Commissioner Doherty** spoke to Live Local Act, Coastal and Heartland National Estuary Partnership (CHNEP) Policy Committee Meeting, septic systems, drain field carbon layer, FDOH, Department of Environmental Protection (DEP), study, and nitrogen removal. **Commissioner Tiseo** commented on Legislative Agenda, Live Local Act, affordability, AMI, SHIP funding, FAC, MPO, City of Punta Gorda, traffic signalization, Home Depot, AI, planning review, technology, and taxpayer savings.

County Attorney Knowlton remarked on Florida Association of County Attorneys (FACA), Growth Management Subcommittee, and Live Local Act.

**RECESS: 1:30 pm – 2:00 pm**

**2 P.M. LAND USE AGENDA**

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

**Consent Agenda**

Minutes Clerk Johnston administered the oath for testimony.

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

**MOTION CARRIED 5:0.**

UA1. DRC-22-00158, Turnleaf Phase I

**Community Development**

Barraco and Associates, Inc is requesting PD Final Detail Site Plan approval for Turnleaf Phase I. The project consists of single-family detached, single-family attached, and multi-family units with a total of 483 units, as well as supporting utility, roadway, and surface water management infrastructure. This project site is 295.1± acres and is located at 13250 and 13280 Burnt Store Rd, Punta Gorda in Section 09, Township 42, Range 23 in Commission District II. **RES 2023-182**

**Quasi-Judicial**

UA2. DRC-23-00106, Heritage Landing, Little Pod A

**Community Development**

Banks Engineering is requesting a PD Final Detail Site Plan approval for Heritage Landing, Little Pod A. The project consists of seven 4-unit coach homes (28 units). This project site is 4.43± acres of an 890.74± acre site and is located south of Heritage Landing Boulevard, and northwest of Burnt Store Road, Punta Gorda, Florida in Section 17, Township 42 South, Range 23 East within Heritage Landing DRI. Located in Commission District II. **RES 2023-183**

**Quasi-Judicial**

UA3. DRC-23-00118, Heritage Landing Phase II-B-3 North

**Community Development**

Banks Engineering is requesting PD Final Detail Site Plan approval for Heritage Landing Phase II-B-3 North. The project consists of adding units to the previously approved Phase II B in Heritage Landing. The total density for DRC-22-00236 (Phase II B) included 174 single-family units and 213 multi-family units. Phase II B was broken into 4 phases, IIB-1, IIB-2, IIB-3 South and IIB-3 North. The current density of IIB-3 North is 46 units, and 76 additional multi-family units are proposed for a total of 122 units. This project site is 6.80± acres of an 890.74± acre site and is located at 14200 Heritage Landing Blvd, Punta Gorda, Florida in Section 17, Township 42 South, Range 23 East within the Heritage Landing DRI. Located in Commission District II.

**RES 2023-184**

**Quasi-Judicial**

**Public Hearing**

UB1. PP-23-03-05, The Bend at Alligator Creek

**Community Development**

Approve a Preliminary Plat for a subdivision to be named, The Bend at Alligator Creek, consisting of 89 single-family lots and seven tracts. The site contains 26.22± acres and is generally located north of Acline Road, southwest of Taylor Road, and west of Indian Springs Cemetery Road, within the Punta Gorda area. Located in Commission District II.

**Quasi-Judicial**

**Chair Truex** 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.

Jenny Shao, Project Planning and Zoning Coordinator provided credentials, gave a brief overview of PP-23-03-05, Location Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), Aerial Location Map, 2022 Google Earth Image, Future Land Use Map (FLUM) Designations, Zoning Designations, 1000' Notification Area Map, Proposed Changes, and Proposed Changes (Aerial).

Attorney Derek Rooney, Applicant Representative joined in Staff Report and accepted Ms. Shao as an expert.

**Public Input**

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE A PRELIMINARY PLAT FOR A SUBDIVISION TO BE NAMED, THE BEND AT ALLIGATOR CREEK, CONSISTING OF 89 SINGLE-FAMILY LOTS AND SEVEN TRACTS. THE SITE CONTAINS 26.22± ACRES AND IS GENERALLY LOCATED NORTH OF ACLINE ROAD, SOUTHWEST OF TAYLOR ROAD, AND WEST OF INDIAN SPRINGS CEMETERY ROAD, WITHIN THE PUNTA GORDA AREA. LOCATED IN COMMISSION DISTRICT II, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB2. PV-23-04-02, Portion of Rotonda Villas Subdivision

### Community Development

Approve a Resolution of Plat Vacation to vacate a portion of the Rotonda Villas Subdivision generally consisting of Lots 12 through 22 in Block 17, Lots 5 and 7 through 13 in Block 18, and a portion of the unpaved Harring Way, in order to create acreage parcels containing a total of 354,742± square feet or 8.14± acres. The site is generally located along Harring Way, west of Rotonda Trace, east of Sedan Road and south of Madtom Way, in the Placida and the West County area, and located in Commission District III. **RES 2023-185**

### Legislative

Ms. Shao gave a brief overview of PV-23-04-02, Property Ownership, Location Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), Aerial Location Map, 2022 Google Earth Image, FLUM Designations, Zoning Designations, 1000' Notification Area Map, and Proposed Changes.

**Commissioner Constance** discussed zoning and plans. **Commissioner Doherty** mentioned plat. **Commissioner Tiseo** noted Resolution.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, spoke to access, cul-de-sacs, easements, ownership, Resolution, restrictive covenants, right of way (ROW), and plans.

### Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2023-185 OF PLAT VACATION TO VACATE A PORTION OF THE ROTONDA VILLAS SUBDIVISION GENERALLY CONSISTING OF LOTS 12 THROUGH 22



IN BLOCK 17, LOTS 5 AND 7 THROUGH 13 IN BLOCK 18, AND A PORTION OF THE UNPAVED HARRING WAY, IN ORDER TO CREATE ACREAGE PARCELS CONTAINING A TOTAL OF 354,742± SQUARE FEET OR 8.14± ACRES. THE SITE IS GENERALLY LOCATED ALONG HARRING WAY, WEST OF ROTONDA TRACE, EAST OF SEDAN ROAD AND SOUTH OF MADTOM WAY, IN THE PLACIDA AND THE WEST COUNTY AREA, AND LOCATED IN COMMISSION DISTRICT III, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB3. SV-23-06-04, John Bloodsworth 12' Unnamed Alleyway

### Community Development

Approve a Resolution of Street Vacation to vacate a 12' unnamed alleyway between Commercial Street and Myakka Avenue, and adjacent to lots 54 through 58 of El Jobean Subdivision Ward 1, as recorded in Plat Book 2, Page 30. The site contains 2,019± square feet or 0.05± acres and is generally located northwest of Commercial Street, southeast of Myakka Avenue, and west of Kerrigan Circle, within the Port Charlotte area and located in Commission District IV. **RES 2023-186**

### Legislative

Ms. Shao gave a brief overview of SV-23-06-04, Property Ownership, Location Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), Aerial Location Map, 2022 Google Earth Image, FLUM Designations, Zoning Designations, 1000' Notification Area Map, Proposed Changes, Proposed Changes (Aerial), and Proposed Charlotte County Utilities (CCU) Easement.

**Commissioner Constance** commented on alleyway. **Commissioner Doherty** discussed Proposed CCU Easement. **Commissioner Tiseo** mentioned Proposed CCU Easement.

Mr. Cullinan replied to Proposed CCU Easement, alleyway, and plats.

### Public Input

John Bloodsworth, Applicant Representative noted CCU easement.

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

MOTION CARRIED 5:0.

**COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2023-186 OF STREET VACATION TO VACATE A 12' UNNAMED ALLEYWAY BETWEEN COMMERCIAL STREET AND MYAKKA AVENUE, AND ADJACENT TO LOTS 54 THROUGH 58 OF EL JOBEAN SUBDIVISION WARD 1, AS RECORDED IN PLAT BOOK 2, PAGE 30. THE SITE CONTAINS 2,019± SQUARE FEET OR 0.05± ACRES AND IS GENERALLY LOCATED NORTHWEST OF COMMERCIAL STREET, SOUTHEAST OF MYAKKA AVENUE, AND WEST OF KERRIGAN**

CIRCLE, WITHIN THE PORT CHARLOTTE AREA AND LOCATED IN COMMISSION DISTRICT IV, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

UB4. 23LAD-00000-00003, Amendment to the Murdock Center Increment II DRI DOs

### **Community Development**

Approve a Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, Code of Laws and Ordinances, Charlotte County, Florida, amending Development Orders (DOs), Resolution Number 2009-166 and Resolution Number 2020-175, for Increment II of the Murdock Center Development of Regional Impact (DRI), to 1) add "Land Use Equivalency Matrix" as Exhibit 6; 2) use the new Land Use Equivalency Matrix by exchanging approved 82,894.69 square feet of commercial/shopping center for property located within the "Regional Mall" for 722 multi-family dwelling units (Mid-Rise); 3) amend Exhibit 2 "Project Summary" to reflect changes of development rights; and 4) reflect the extension of the expiration date and buildout date of this DO per the Governor's Executive Orders, for property generally located at the intersection of Tamiami Trail (U.S. 41) and El Jobean Road (S.R. 776), in the Port Charlotte area, containing 132.4± acres; Commission District IV, Petition No. 23LAD-00000-00003; Applicant: Avery Port Charlotte, LLC; providing an effective date. Located in Commission District IV. **RES 2023-187**

### **Quasi-Judicial**

**Chair Truex** 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 Proposed Amendments, 1000' Notification Map, Area Image, Framework, FLUM Designations, Zoning Designations, Land Use Equivalency Matrix, Murdock Center Increment II Development Summary (Map H), and New Dates.

**Commissioner Deutsch** spoke to residential units mix. **Commissioner Tiseo** commented on Land Use Equivalency Matrix.

Attorney Rob Berntsson, Applicant Representative noted Murdock Center Development of Regional Impact (DRI), impact fees, redevelopment, mixed uses, Land Use Equivalency Matrix, building square footage, units, and accepted Ms. Shao as an expert.

Mr. Cullinan replied to impact fees, Murdock Center DRI, credits, Ordinance, Land Use Equivalency Matrix, entitlements, utilization, transportation, and uses.

### **Public Input**

Sharon Pineo mentioned Smart City, patterns, and placement.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2023-187 PURSUANT TO SECTION 380.06(7), FLORIDA STATUTES (F.S.) AND SECTION 3-9-10.1, DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER (DO) AMENDMENT PROCESS AND PROCEDURE UNDER CHAPTER 3-9, ZONING, CODE OF LAWS AND ORDINANCES, CHARLOTTE COUNTY, FLORIDA, AMENDING DEVELOPMENT ORDERS (DOS), RESOLUTION NUMBER 2009-166 AND RESOLUTION NUMBER 2020-175, FOR INCREMENT II OF THE MURDOCK CENTER DEVELOPMENT OF REGIONAL IMPACT (DRI), TO 1) ADD "LAND USE EQUIVALENCY MATRIX" AS EXHIBIT 6; 2) USE THE NEW LAND USE EQUIVALENCY MATRIX BY EXCHANGING APPROVED 82,894.69 SQUARE FEET OF COMMERCIAL/SHOPPING CENTER FOR PROPERTY LOCATED WITHIN THE "REGIONAL MALL" FOR 722 MULTI-FAMILY DWELLING UNITS (MID-RISE); 3) AMEND EXHIBIT 2 "PROJECT SUMMARY" TO REFLECT CHANGES OF DEVELOPMENT RIGHTS; AND 4) REFLECT THE EXTENSION OF THE EXPIRATION DATE AND BUILDOUT DATE OF THIS DO PER THE GOVERNOR'S EXECUTIVE ORDERS, FOR PROPERTY GENERALLY LOCATED AT THE INTERSECTION OF TAMIAAMI TRAIL (U.S. 41) AND EL JOBEAN ROAD (S.R. 776), IN THE PORT CHARLOTTE AREA, CONTAINING 132.4± ACRES; COMMISSION DISTRICT IV, PETITION NO. 23LAD-00000-00003; APPLICANT: AVERY PORT CHARLOTTE, LLC; PROVIDING AN EFFECTIVE DATE. LOCATED IN COMMISSION DISTRICT IV, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB5. PD-23-00002, Residential Development within Murdock Center Increment II DRI

#### Community Development

Approve an ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Commercial General (CG) to Planned Development (PD), in order to have residential development up to 250 dwelling units, increasing the base density from 0 units to 250 units; requesting 250 units of Incentive Density for the proposed residential development; and also requesting to adopt the "Detail PD Concept Plan"; for property located at 1441 Tamiami Trail, Unit 901, containing 7.01± acres, in the Port Charlotte area and within the boundary of the Murdock Center Increment II Development of Regional Impact (DRI); Commission District IV; Petition No. PD-23-00002; Applicant: Avery Port Charlotte, LLC; providing an effective date. Located in Commission District IV. Approve a Resolution to reserve 250 Incentive Density units for the subject property located at 1441 Tamiami Trail, Unit 901, containing 7.01± acres, in the Port Charlotte area and within the boundary of the Murdock Center Increment II Development of Regional Impact (DRI). Located in Commission District IV. **ORD 2023-041 / RES 2023-188**  
**Quasi-Judicial**

Chair Truex 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.

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, 1000' Notification Map, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, Proposed Zoning Designations, General Planned Development (PD) Concept Plan, West and North Elevations, Landscape Plan, and Resolution.

**Chair Truex** noted parking, commercial property, accessibility, and vacant lots. **Commissioner Constance** spoke to traffic, flow, development rights, entitlements, density, zoning, mixed use, commercial square footage, Port Charlotte Town Center Mall, ownership, and accessibility. **Commissioner Deutsch** commented on market rate rents, housing need, taxpayers, services, Charlotte Fire/EMS, equipment, shopping, malls, changes, mixed use, concept, walkable/livable community, commercial, and traffic. **Commissioner Doherty** discussed commercial conversion, mixed use, and zoning. **Commissioner Tiseo** mentioned policy, density, usage, affordable housing, incentives, Murdock Center DRI, Port Charlotte Town Center Mall, ownership, schools, walkable/livable community, elevation, tax base, landscape, parking, blight, rights, and matrix.

Mr. Cullinan responded to policy changes, incentive density, equivalency matrix, affordability, Murdock Center DRI, mixed use, zoning, PD, Port Charlotte Town Center Mall, ownership, and Sarasota County.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, noted PD, apartment mixes, market rent, traffic, flow, entitlements, development rights, density, and zoning.

#### **Public Input**

Sharon Pineo spoke to United Nations (UN) 2030 Agenda, 15-minute city, captive audience, multi-story units, Charlotte Fire/EMS, retraining, taxpayer responsibility, and impacts.

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2023-041 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM COMMERCIAL GENERAL (CG) TO PLANNED DEVELOPMENT (PD), IN ORDER TO HAVE RESIDENTIAL DEVELOPMENT UP TO 250 DWELLING UNITS, INCREASING THE BASE DENSITY FROM 0 UNITS TO 250 UNITS; REQUESTING 250 UNITS OF INCENTIVE DENSITY FOR THE PROPOSED RESIDENTIAL DEVELOPMENT; AND ALSO REQUESTING TO ADOPT THE DETAIL PD CONCEPT PLAN; FOR PROPERTY LOCATED AT 1441 TAMIAMI TRAIL, UNIT 901, CONTAINING 7.01± ACRES, IN THE PORT CHARLOTTE AREA AND WITHIN THE BOUNDARY OF THE MURDOCK CENTER INCREMENT II DEVELOPMENT OF REGIONAL IMPACT (DRI); COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION PD-23-00002; APPLICANT, AVERY PORT CHARLOTTE, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED**

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2023-188 TO RESERVE 250 INCENTIVE DENSITY UNITS FOR THE SUBJECT PROPERTY LOCATED AT 1441 TAMIAMI TRAIL, UNIT 901, CONTAINING 7.01± ACRES, IN THE PORT CHARLOTTE AREA AND WITHIN THE BOUNDARY OF THE MURDOCK CENTER INCREMENT II DEVELOPMENT OF REGIONAL IMPACT (DRI). LOCATED IN COMMISSION DISTRICT IV, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

UB6. TCP-23-01, Revisions to FLU Appendix VI: Developments of Regional Impact – the Murdock Center DRI

### Community Development

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State agencies for review and comment; this request is to revise Future Land Use (FLU) Appendix VI: Developments of Regional Impact by 1) adding a Land Use Equivalency Matrix to Increment II of the Murdock Center Development of Regional Impact (DRI) which will allow the conversion of approved commercial square footage to other uses within this DRI; and 2) amending the Murdock Center DRI development rights to a) decrease "Retail/office" from 2,699,000 - 2,685,591 square feet to 2,541,588.31 - 2,557,512.31 square feet and increase multi-family units from 1,812 units to 2,534 units; and b) reflect the new development rights as established in Increment II Development Order (DO) by adding "Regional Mall" of 630,605.31 square feet, "Theater" of 70,000 square feet, "Peripheral Development" of 440,500 square feet, and 722 "Multi-family" (Mid-Rise) Units; Petition No. TCP-23-01; Applicant: Avery Port Charlotte, LLC; this amendment will also update the Land Use Equivalency Matrix for Increment IV DO and update development rights as established in Increment IV DO by adding "Retail" of 515,749 square feet, "Office" of 44,076 square feet, and "Mini-Warehouse" of 155,730 square feet; and concurrently removing 150 "Hotel Rooms", 150 units of "Senior Adult Housing", and 125 units of "Assisted Living", which has been adopted by the Board via Resolution Number 2022-145; Commission Districts IV & V; providing an effective date. The Murdock Center DRI is located within Commission Districts IV & V.

### Legislative

Ms. Shao gave a brief overview of Proposed Changes, Murdock Center DRI, FLU Appendix VI: Development of Regional Impact, Land Use Equivalency Matrix, and Increment IV.

**Chair Truex** remarked on uses. **Commissioner Constance** commented on Murdock Center DRI, Regional Planning Council (RPC), Comprehensive Plan, and uses. **Commissioner Deutsch** discussed Harbor Boulevard and residential units. **Commissioner Tiseo** mentioned Land Use Equivalency Matrix, Comprehensive Plan, mixed use, vision, market, and Murdock Center DRI.

Mr. Cullinan replied to Land Use Equivalency Matrix, Murdock Center DRI, entitlements, utilization, transportation, uses, Comprehensive Plan, and RPC.

Attorney Rob Berntsson, Applicant Representative noted Murdock Center DRI, Comprehensive Plan, uses, Increment IV, and requested approval of transmittal.

**Public Input**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE TRANSMITTAL OF A LARGE SCALE PLAN AMENDMENT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) AND OTHER STATE AGENCIES FOR REVIEW AND COMMENT; THIS REQUEST IS TO REVISE FUTURE LAND USE (FLU) APPENDIX VI: DEVELOPMENTS OF REGIONAL IMPACT BY 1) ADDING A LAND USE EQUIVALENCY MATRIX TO INCREMENT II OF THE MURDOCK CENTER DEVELOPMENT OF REGIONAL IMPACT (DRI) WHICH WILL ALLOW THE CONVERSION OF APPROVED COMMERCIAL SQUARE FOOTAGE TO OTHER USES WITHIN THIS DRI; AND 2) AMENDING THE MURDOCK CENTER DRI DEVELOPMENT RIGHTS TO A) DECREASE "RETAIL/OFFICE" FROM 2,699,000 - 2,685,591 SQUARE FEET TO 2,541,588.31 - 2,557,512.31 SQUARE FEET AND INCREASE MULTI-FAMILY UNITS FROM 1,812 UNITS TO 2,534 UNITS; AND B) REFLECT THE NEW DEVELOPMENT RIGHTS AS ESTABLISHED IN INCREMENT II DEVELOPMENT ORDER (DO) BY ADDING "REGIONAL MALL" OF 630,605.31 SQUARE FEET, "THEATER" OF 70,000 SQUARE FEET, "PERIPHERAL DEVELOPMENT" OF 440,500 SQUARE FEET, AND 722 "MULTI-FAMILY" (MID-RISE) UNITS; PETITION NO. TCP-23-01; APPLICANT: AVERY PORT CHARLOTTE, LLC; THIS AMENDMENT WILL ALSO UPDATE THE LAND USE EQUIVALENCY MATRIX FOR INCREMENT IV DO AND UPDATE DEVELOPMENT RIGHTS AS ESTABLISHED IN INCREMENT IV DO BY ADDING "RETAIL" OF 515,749 SQUARE FEET, "OFFICE" OF 44,076 SQUARE FEET, AND "MINI-WAREHOUSE" OF 155,730 SQUARE FEET; AND CONCURRENTLY REMOVING 150 "HOTEL ROOMS", 150 UNITS OF "SENIOR ADULT HOUSING", AND 125 UNITS OF "ASSISTED LIVING", WHICH HAS BEEN ADOPTED BY THE BOARD VIA RESOLUTION NUMBER 2022-145; COMMISSION DISTRICTS IV & V; PROVIDING AN EFFECTIVE DATE. THE MURDOCK CENTER DRI IS LOCATED WITHIN COMMISSION DISTRICTS IV & V, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

UB7. CSZ-23-04, Deep Creek Park CSZ

**Community Development**

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of a Sending Zone, located at 25555 Sandhill Boulevard; containing 5.45± acres; for calculation and severance of 81 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-23-04; Applicant: Charlotte County Board of County Commissioners; providing an effective date. Located in Commission District I. **RES 2023-189**

## Quasi-Judicial

Chair Truex 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.

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, Location Map, 1000' Mailed Notice Map, Area Image, Framework, Coastal High Hazard Area (CHHA), Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, and Proposed Zoning Designations.

**Public Input for Petition Number CSZ-23-04, Deep Creek Park CSZ, Petition Number PAS-23-00003, Deep Creek Park, and Petition Number Z-23-47-16, Deep Creek Park**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2023-189 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, APPROVING A PETITION FOR CERTIFICATION OF A SENDING ZONE, LOCATED AT 25555 SANDHILL BOULEVARD; CONTAINING 5.45± ACRES; FOR CALCULATION AND SEVERANCE OF 81 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-23-04; APPLICANT: CHARLOTTE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING AN EFFECTIVE DATE. LOCATED IN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

UB8. PAS-23-00003, Deep Creek Park

## Community Development

Approve an ordinance, pursuant to Section 163.3187, Florida Statutes, adopting a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from High Density Residential (HDR) to Parks and Recreation (PKR); for property located at 25555 Sandhill Boulevard, in the Port Charlotte area, containing 5.45± acres; Commission District I; Petition No. PAS-23-00003; Applicant: Tina Powell, Charlotte County Parks & Natural Resources Divisions Manager; providing an effective date. Located in Commission District I. **ORD 2023-042**

## Legislative

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, Location Map, 1000' Mailed Notice Map, Area Image, Framework, CHHA, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, and Proposed Zoning Designations.

Public Input for Petition Number CSZ-23-04, Deep Creek Park CSZ, Petition Number PAS-23-00003, Deep Creek Park, and Petition Number Z-23-47-16, Deep Creek Park

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2023-042 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, ADOPTING A SMALL SCALE PLAN AMENDMENT TO CHANGE CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM HIGH DENSITY RESIDENTIAL (HDR) TO PARKS AND RECREATION (PKR); FOR PROPERTY LOCATED AT 25555 SANDHILL BOULEVARD, IN THE PORT CHARLOTTE AREA, CONTAINING 5.45± ACRES; COMMISSION DISTRICT I; PETITION NO. PAS-23-00003; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

UB9. Z-23-47-16, Deep Creek Park

#### Community Development

Approve an ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family 15 (RMF-15) to Parks and Recreation (PKR), for property located at 25555 Sandhill Boulevard, in the Port Charlotte area, containing 5.45± acres; Commission District I; Petition No. Z-23-47-16; Applicant: Tina Powell, Charlotte County Parks & Natural Resources Divisions Manager; providing an effective date. Located in Commission District I. **ORD 2023-043**

#### Quasi-Judicial

Chair Truex 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.

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, Location Map, 1000' Mailed Notice Map, Area Image, Framework, CHHA, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, and Proposed Zoning Designations.

Public Input for Petition Number CSZ-23-04, Deep Creek Park CSZ, Petition Number PAS-23-00003, Deep Creek Park, and Petition Number Z-23-47-16, Deep Creek Park

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

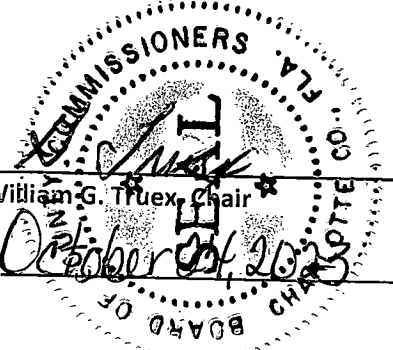
MOTION CARRIED 5:0.



COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2023-043 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 125.66, FLORIDA STATUTES, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL MULTI-FAMILY 15 (RMF-15) TO PARKS AND RECREATION (PKR), FOR PROPERTY LOCATED AT 25555 SANDHILL BOULEVARD, IN THE PORT CHARLOTTE AREA, CONTAINING 5.45± ACRES; COMMISSION DISTRICT I; PETITION NO. Z-23-47-16; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

ADJOURNED: 3:39 pm

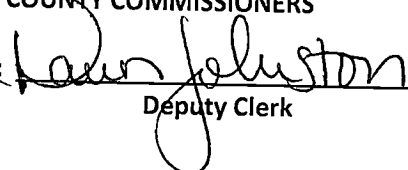
  
The seal is circular with a dotted border. The outer ring contains the text "COMMISSIONERS" at the top, "FLA." on the right, "BOARD OF" at the bottom, and "CHARLOTTE COUNTY" on the left. In the center is a stylized emblem. Below the seal, the text "William G. Truex, Chair" is printed. A signature "William G. Truex" is written over the seal and the printed name. Below the seal, the text "DATE ADOPTED: October 04, 2023" is written in cursive.

William G. Truex, Chair  
DATE ADOPTED: October 04, 2023

ATTEST:

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

By:

  
Dawn Johnston  
Deputy Clerk