

BOARD OF COUNTY COMMISSIONERS

MARCH 26, 2024

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, Chief Operations Officer DiBerardino, and Minutes Clerk Welsh. The following members were absent: None.

The Meeting was called to order at 9:00 am

The Invocation was given by Pastor Bill Frank, First Baptist Church of Punta Gorda, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: R-5, Murdock Village Community Redevelopment Agency Set a meeting of the Murdock Village Community Redevelopment Agency for April 9, 2024 at 10:00 a.m., or as soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida.

Requested by: County Administration

Change #1: R-2, Added attachment – Presentation; Added attachment – Updated Agenda.

Requested by: Utilities

Change #2: R-3, Added attachment – WCIND Updated Agenda.

Requested by: Community Services

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

Proclamations - Commissioner Bill Truex

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

MOTION CARRIED 5:0.

Water Conservation Month

Dave Watson, Utilities Director accepted the Proclamation.

Easter Egg Event Day

Marc Solomon, Recreation Superintendent and the Easter Bunny accepted the Proclamation.

Welcome Home Vietnam Veterans Day

Commissioner Deutsch along with Daughters of the American Revolution (DAR) Regent Katherine Adamo, Vice Regent Lory Weisensee, Kelly Steinfast, Kathryn Carlson, Sharie Holben and Janet Dietz accepted the Proclamation.

Parliamentary Law Month

Charlotte County Parliamentarians Unit of Florida President Shirley Castonguay and Vice President Joyce Gleason accepted the Proclamation.

Dog Bite Prevention Week

Brian Jones, Animal Control Division Manager and Colby Mazzoni, Animal Control Officer accepted the Proclamation.

National County Government Month

Commissioner Constance accepted the Proclamation.

Employee Recognition

Employee of the Month - February 2024

Roberto Santos
Community Services

Tommy Scott, Community Services Director highlighted Mr. Santos' career, commitment, dedication, and presented the Award.

Award Presentations

PUBLIC INPUT - AGENDA ITEMS ONLY

Tim Ritchie discussed Peace River Authority Allocation Discussion and Water Authority Agenda – April 3, 2024.

Dave Kesselring remarked on Fiscal Year (FY) 2024 Block Public Transit Grant Agreement (PTGA) and Resolution.

Shelly Hobbs commented on State Legislative Session Review – End of 2024 Session.

COMMITTEE VACANCIES

The committee vacancy list below is for informational purposes only. It is not part of the County Commission agenda upon which action is to be taken, and therefore not a topic on which public input is allowed at the beginning of this meeting.

The Agricultural & Natural Resources Advisory Committee is searching for (3) three volunteers who own a business or live in Charlotte County to serve in the following capacities: One volunteer must be in commodity production, the term will begin immediately and expire on December 31, 2027; One volunteer must be in commodity production to fill the unexpired term of Steve Smith, beginning immediately and expiring December 31, 2024; One volunteer must be involved in conservation to fill the unexpired term of David Nielson, beginning immediately and expiring December 31, 2024. Please contact Morgan Cook at Morgan.Cook@charlottecountyfl.gov for more information.

The Environmentally Sensitive Lands Oversight Committee is searching for two Charlotte County residents to fill the following: One volunteer to fill the unexpired term of Jeff Anlauf and must have environmental expertise, the term begins immediately and expires December 31, 2025; One volunteer to serve as a community representative, the term begins immediately and expires December 31, 2026. Please contact Morgan Cook at Morgan.Cook@charlottecountyfl.gov for more information.

The Health Planning Council of Southwest Florida, Inc. is searching for a volunteer who is a resident of Charlotte County and represents health care consumers, medical providers, and administrators who is appointed by Charlotte County. The term is two years, beginning immediately and will expire on December 31, 2024. This is to fill the unexpired term of Jeff Anlauf. The Health Planning Council of Southwest Florida, Inc. (HPCSWF) was authorized by Florida Statute in 1982 to plan for the health care needs of the residents of seven counties - Charlotte, Collier, DeSoto, Glades, Hendry, Lee and Sarasota (Area 8). The responsibility for planning efficient, cost-effective health systems is shared with the Florida Department of Health (DOH), the Agency for Health Care Administration (AHCA), and a statewide network of 11 local health planning councils. Please contact Morgan Cook at Morgan.Cook@charlottecountyfl.gov for more information.

The Beaches and Shores Committee is looking for a volunteer to fill a Member At Large position. Term is effective immediately and will expire in March 2028. Please contact Claudia.Mayo@charlottecountyfl.gov for an application.

The Historical Advisory Committee is looking for volunteers to fill four vacant positions. One organization-based position and three member-at-large positions. Organization must be within Charlotte County and organization must submit a letter of recommendation for the applicant. Terms are effective immediately and will expire in March 2027. Please contact Claudia.Mayo@charlottecountyfl.gov for an application.

The Construction Industry Licensing Board is seeking a volunteer to represent the electrical contractor category. Volunteer must have an active electrical contractor's license and be a resident of Charlotte County for at least two years. Length of term is four years. To obtain an application, please contact Diane Whidden at 941-743-1298 or via email at Diane.Whidden@CharlotteCountyFL.gov.

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.

• **Alligator Creek Waterway Unit** is seeking two members to fill positions with terms through October 31, 2025, and 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, 2025.
- **Deep Creek Non-Urban Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2024.
- **Edgewater North Waterway Unit** is seeking one member to fill a position with a term through October 31, 2025.
- **Englewood East Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2024.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2024.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Grove City Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2024, and October 31, 2025.
- **Harbour Heights Street & Drainage Unit** is seeking three members to fill positions with terms through October 31, 2024, and October 31, 2026.
- **Manasota Key Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2025.
- **Manchester Waterway Utility Unit** is seeking one member to fill a position with a term through October 31, 2024.
- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a position with a term through October 31, 2024.
- **Pirate Harbor Waterway Unit** is seeking one member to fill a position with a term through October 31, 2025.
- **Placida Area 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.
- **South Charlotte Stormwater Unit** is seeking two members to fill positions with terms ending October 31, 2024, and October 31, 2025.

REPORTS RECEIVED AND FILED

CONSENT AGENDA

COMMISSIONER DOHERTY MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF J-2 AND Q-1, SECONDED BY COMMISSIONER DEUTSCH

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 7, 2024 BCC Pre-Agenda

March 12, 2024 BCC Regular Meeting

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment- Deep Creek Non-Urban Street & Drainage Advisory Board

Recommended Action: Approve the appointment of Richard Beierle to fill the unexpired term of Phillip Jacobus on the Deep Creek Non-Urban Street & Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2024.

Budgeted Action: No action needed.

2. Reappointment- Alligator Creek Waterway Advisory Board

Recommended Action: Approve the reappointment of Harry Walberg to the Alligator Creek Waterway Advisory Board. This appointment will be effective immediately and will expire on October 31, 2026.

Budgeted Action: No action needed.

3. Reappointment- Harbour Heights Street & Drainage Advisory Board

Recommended Action: Approve the reappointment of Tom Mettner to the Harbour Heights Street & Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2026.

Budgeted Action: No action needed.

D. County Administration

E. County Attorney

F. Budget and Administrative Services

Fiscal Services

Information Technology

Purchasing

1. 24-098, Approve Ranking, Construction Manager at Risk - William R. Gaines Jr. Veterans Memorial Park and GC Herring Park (Facilities and Construction Maintenance)

Recommended Action: a) Approve the Ranking of firms Request for Proposal #24-098, Construction Manager at Risk - William R. Gaines Jr. Veterans Memorial Park and GC Herring Park: 1st Jon F. Swift, Inc. of Sarasota, Florida; 2nd Florida Premier Contractors, LLC of Punta Gorda, Florida; and 3rd Owen-Ames-Kimball Company of Fort Myers, Florida; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the Contract after completion of negotiations. This is for Construction Manager at Risk services at William R. Gaines Jr. Veterans Memorial Park and GC Herring Park.

Budgeted Action: No action needed. Budgeted in Capital Improvements Projects "Wm. R. Gaines Jr. Veterans Memorial Park Ph 2" and "GC Herring Park Ph 2", each approved in the FY24 budget process. Funding is supplied from the 2020 Sales Tax Extension.

Real Estate Services

Risk Management

Transit

2. FY24 Block Public Transportation Grant Agreement (PTGA) & Resolution

Recommended Action: a) Approve and accept the PTGA between the State of Florida, Department of Transportation (FDOT) and Charlotte County Board of County Commissioners in the amount of \$401,619 for the purpose of using Block Public Transportation program funding for the Agency's eligible administration, management and operational expenses incurred through providing public transportation services within Charlotte County; and b) Approve Resolution authorizing the County Administrator or his designee to enter into, modify or terminate the PTGA; and c) Authorize the Chairman to execute the PTGA and Resolution. **GRT 2024-006 / RES 2024-041**

Budgeted Action: No action needed. Grant funding in the amount of \$401,619 and the required match in the amount of \$401,619 are included in the FY24 budget for 1088 Fund Transit. Grant funding will be provided by Florida Department of Transportation. Matching funds in the amount of \$401,619 will be provided by Local Funds.

G. Community Development

H. Community Services

I. Economic Development

J. Facilities Construction and Maintenance

1. Lease/Agreement - Englewood Community Care Clinic, Inc.

Recommended Action: a) Approve Lease Agreement between Charlotte County and Englewood Community Care Clinic, Inc.; and b) Approve Resolution authorizing the County Administrator, or his designee, to execute amendments, extensions, terminations, assignments, subleases, and novation changes to the Lease Agreement; and c) Authorize the Chairman to sign the Lease Agreement and Resolution. AGR 2024-043 / RES 2024-042

Budgeted Action: No action needed. Budgeted in the General Fund.

2. Cultural Center Replacement

Recommended Action: a) Approve Resolution for budget adjustment BA24-107 in the amount of \$750,000, allocating to Capital Improvement Project "Cultural Center Replacement"; and b) Approve amending Capital Improvement Project "Cultural Center Replacement" to accelerate current year funding; and c) Approve amending Capital Improvement Project "Library Replacement-Port Charlotte" to close and move to the Cultural Center project. RES 2024-043

Budgeted Action: Approve budget adjustment BA24-107 in the amount of \$750,000 amending the FY24 budget for capital improvement project "Cultural Center Replacement" accelerating funding of \$750,000 for master planning. Funding for the adjustment is supplied from the Capital Projects Fund, ad valorem.

Commissioner Constance mentioned process, cost, Charlotte County Historical Center, Cultural Center, and inventory list.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2024-043 FOR BUDGET ADJUSTMENT BA24-107 IN THE AMOUNT OF \$750,000, ALLOCATING TO CAPITAL IMPROVEMENT PROJECT "CULTURAL CENTER REPLACEMENT"; APPROVE AMENDING CAPITAL IMPROVEMENT PROJECT "CULTURAL CENTER REPLACEMENT" TO ACCELERATE CURRENT YEAR FUNDING; AND APPROVE AMENDING CAPITAL IMPROVEMENT PROJECT "LIBRARY REPLACEMENT - PORT CHARLOTTE" TO CLOSE AND MOVE TO THE CULTURAL CENTER PROJECT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

K. Human Resources

L. Human Services

M. Public Safety

N. Public Works

1. Request to Name County-Owned Facility at 18181 Sinatra Avenue

Recommended Action: Approve the request to name the county-owned facility at 18181 Sinatra Avenue, Port Charlotte, Florida as the "J.B. Yard."

Budgeted Action: No action needed. No financial impact.

O. Tourism Development

P. Utilities

Q. Other Agencies

1. Interlocal Agreement between Charlotte County on behalf of the CHNEP and Lee County for Services Supporting CHNEP's Comprehensive Conservation and Management Plan

Recommended Action: a) Approve the Interlocal Agreement between Charlotte County on behalf of the Coastal & Heartland National Estuary Partnership and Lee County for Services Supporting CHNEP's Comprehensive Conservation and Management Plan; and b) Authorize County Chairman to sign Interlocal Agreement.

Budgeted Action: No action needed. Grant funding in the amount of \$850,000 is included in the FY24 budget for Fund 1026, Coastal Heartland & National Estuary Partnership. Grant funding will be provided by United States Environmental Protection Agency in support of this program. There is no local match required. **AGR 2024-044**

Chair Truex noted payments, language, amendments, Coastal and Heartland National Estuary Partnership (CHNEP), host agency, Memorandum of Understanding (MOU), attachments, reference, and process. **Commissioner Constance** spoke to language, CHNEP, compensation, payment and review process, funding, Comprehensive Conservation and Management Plan (CCMP), Lee County, invoices, MOU, clarification, time sensitivity, and supporting documentation. **Commissioner Deutsch** discussed language, options, and exhibits. **Commissioner Doherty** remarked on time sensitivity and clarification. **Commissioner Tiseo** commented on duties, invoices, Lee County, compensation, payments, language, MOU, hold harmless, and dispute process.

Assistant County Administrator Claire Jubb responded to host agency, responsibility, CHNEP, invoices, review process, funding, work plan, policy board, and language.

County Attorney Knowlton interjected on Agreement 2022-093, amendment, Lee County, process, language, and exhibit.

Deputy County Attorney Lori Tetreault replied to Agreement 2022-093, MOU, Interlocal Agreements (ILA), administrative service provider, funding, Environmental Protection Agency (EPA), amendments, language, invoice payments, authority, legal risk, exhibits, reference, attachments, letter, and CHNEP.

Nicole Iadevaia, CHNEP Director of Research and Restoration responded to time sensitivity, funding, projects, Lee County, process, and cost.

COMMISSIONER CONSTANCE MOVED TO TABLE ITEM UNTIL THIS AFTERNOON TO GATHER THE INFORMATION NEEDED AND ADJUST LANGUAGE IN AGREEMENTS GOING FORWARD, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

COMMISSIONER TISEO MOVED TO APPROVE INTERLOCAL AGREEMENT 2024-044 BETWEEN CHARLOTTE COUNTY ON BEHALF OF THE COASTAL & HEARTLAND NATIONAL ESTUARY PARTNERSHIP AND LEE COUNTY FOR SERVICES SUPPORTING CHNEP'S COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN; AND AUTHORIZE COUNTY CHAIRMAN TO SIGN INTERLOCAL AGREEMENT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

REGULAR AGENDA

R. Regular Agenda

1. Peace River Authority Allocation Discussion

Utilities

Discussion and direction on the Peace River Manasota Regional Water Supply Authority Allocation.

Mr. Watson highlighted Peace River Authority Allocation Discussion.

Tom Friedrich, Jones Edmunds Senior Consultant gave a brief overview of 50-Year Water Use Permit Schedule, External Support of Water Use Permit (WUP) Ensures Success, Water Demands, Water Needs and Timeline, Recommended Next Steps, Early Commitment of 1 to 3 Million Gallons Per Day (MGD) Annual Average Daily Flow (AADF) from Peace River Manasota Regional Water Supply Authority (PRMRWSA), and Recommendation.

Chair **Truex** mentioned Early Commitment of 1 to 3 MGD AADF from PRMRWSA, redundancy, reverse osmosis (RO) plants, cost, water quality, treatment options, City of Punta Gorda, water use permits, and modification. **Commissioner Constance** spoke to saline injections, water quality and supply, aquifers, RO plants, modification, Babcock Ranch, External Support Of WUP Ensures Success, surface water expansion project, Bermont Road, growth, Manatee County, and Sarasota County. **Commissioner Doherty** noted 50-Year Water Use Permit Schedule, Recommend Next Steps, redundancy, Water Needs and Timeline, cost, rates, surface water expansion and brackish water RO projects, Early Commitment of 1 to 3 MGD AADF from PRMRWSA, allocation, and reservoir. **Commissioner Tiseo** discussed Water Needs and Timeline, projected growth rate, redundancy, Babcock Ranch Water Supply, Recommended Next Steps, and construction cost.

County Administrator Flores responded to rate model and budget.

Eric Howard, Johnson Engineering replied to aquifers, treatment process, water quality and sources, Southwest Florida Water Management District (SWFWMD), Babcock Ranch, Lee County Utilities, cost, infrastructure, RO plants, External Support Of WUP Ensures Success, and PRMRWSA.

2. Water Authority Agenda - April 3, 2024

Utilities

(Change #1) Added attachment – Presentation; Added attachment – Updated Agenda.

Discussion and direction on the Peace River Manasota Regional Water Supply Authority Board agenda for the upcoming April 3, 2024 Meeting.

Mr. Watson highlighted Water Authority Agenda – April 3, 2024.

Mike Coates, PRMRWSA Executive Director gave a brief overview of Background on Regional Demand, Supply & Capacity Allocations, Future Water Supply Procedure: Summary, Customer Demand Projections, Exhibit C – New Water Supply Demands, New Supply Development & Assignment of Allocations, Customer Projections for New Regional Supply (2024-2044), Master Water Supply Contract (MWSC) New Water Supply Demands (Annual Average Day), MWSC – Water Allocation (Exhibit “B”), Exhibit “F” Cost Allocation Percentages (by Supply Project), Exhibit “H” Water Allocation by Project, DeSoto Payment – History & Intent, MWSC Exhibit “A” (Approved 2015), Contract Methodology, Proposed Methodology, Exhibit “A” – DeSoto Payment, Master Water Supply Contract Revisions – Clean-Up, Process for Amending Master Water Supply Contract, and Motions.

Chair Truex remarked on Exhibit “A” – DeSoto Payment, data, negotiations, rate payers, and postponement. Commissioner Constance mentioned Customer Projections for New Regional Supply (2024-2044), DeSoto County, MWSC New Water Supply Demands (Annual Average Day), MWSC – Water Allocation (Exhibit “B”), Manatee County, supply options, MWSC Exhibit “A” (Approved 2015), Exhibit “A” – DeSoto Payment, Process for Amending Master Water Supply Contract, postponement, and City of North Port. Commissioner Deutsch commented on Proposed Methodology, DeSoto County, Contract Methodology, Process for Amending Master Water Supply Contract, and intent. Commissioner Doherty noted MWSC Exhibit “A” (Approved 2015), Master Water Supply Contract, Contract Methodology, Master Water Supply Contract, DeSoto Payment – History & Intent, property tax and values, Proposed Methodology, rate payers, and proposal. Commissioner Tiseo spoke to Exhibit “A” – DeSoto Payment, DeSoto Payment – History & Intent, Proposed Methodology, Contract Methodology, Master Water Supply Contract, DeSoto Payment – History & Intent, property tax, language, Process for Amending Master Water Supply Contract, April 3, 2024 Water Authority Agenda, and postponement.

County Attorney Knowlton interjected on DeSoto Payment – History & Intent, property tax, Proposed Methodology, Exhibit “A” – DeSoto Payment, MWSC New Water Supply Demands (Annual Average Day), Master Water Supply Contract, Master Water Supply Contract Revisions – Clean-Up, Process for Amending Master Water Supply Contract, concerns, and postponement.

Doug Nansen, PRMRWSA General Counsel replied to Master Water Supply Contract, Contract Methodology, DeSoto Payment – History & Intent, property value, Proposed Methodology, Process for Amending Master Water Supply Contract, time sensitivity, exhibits, and negotiations.

County Administrator Flores responded to timing, Process for Amending Master Water Supply Contract, and June 5, 2024 PRMRWSA Board Meeting.

3. West Coast Inland Navigation District April 5, 2024 Agenda

Community Services

(Change #2) Added attachment – WCIND Updated Agenda.

Discussion and direction on the West Coast Inland Navigation District (WCIND) agenda for the upcoming meeting on April 5, 2024.

Justin McBride, West Coast Inland Navigation District Executive Director highlighted WCIND April 5, 2024 Agenda.

4. Appoint by Ballot- Construction Industry Licensing Board

Commission Office

Select by ballot one member to the Construction Industry Licensing Board representing the electrical contractor category. Length of term is four years.

County Administrator Flores announced ballot majority for John Donlan.

COMMISSIONER CONSTANCE MOVED TO APPOINT BY BALLOT JOHN DONLAN TO THE CONSTRUCTION INDUSTRY LICENSING BOARD, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

(Addition #1) 5. Murdock Village Community Redevelopment Agency

County Administration

Set a meeting of the Murdock Village Community Redevelopment Agency for April 9, 2024 at 10:00 a.m., or as soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida.

COMMISSIONER DOHERTY MOVED APPROVAL TO SET A MEETING OF THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AGENCY FOR APRIL 9, 2024 AT 10:00 A.M., OR AS SOON THEREAFTER AS MAY BE HEARD, IN ROOM 119 AT 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. Ordinance to Reduce the Speed Limit on a Portion of Carmalita Street from 45 Miles Per Hour to 35 Miles Per Hour from 650 Feet East of Education Avenue to Florida Street

Public Works

Conduct a public hearing to consider approving an ordinance to reduce the speed limit on a portion of Carmalita Street from 45 miles per hour to 35 miles per hour from 650 feet East of Education Avenue to Florida Street. **ORD 2024-005**

John Elias, Public Works Director highlighted Ordinance to Reduce the Speed Limit on a Portion of Carmalita Street from 45 Miles Per Hour to 35 Miles Per Hour from 650 Feet East of Education Avenue to Florida Street.

Commissioner Constance discussed swales and public safety.

Public Input

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

MOTION CARRIED 5:0

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2024-005 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 CARMALITA STREET 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 No Thru Vehicles Over Six Wheels from Utilizing Westchester Boulevard from Loveland Boulevard East to Oakview Drive, and on Oakview Drive from Harborview Road North to Westchester Boulevard

Public Works

Conduct a public hearing to consider approving an ordinance to prohibit no thru vehicles over six wheels from utilizing Westchester Boulevard from Loveland Boulevard East to Oakview Drive, and on Oakview Drive from Harborview Road North to Westchester Boulevard. ORD 2024-006

Mr. Elias highlighted Ordinance to Prohibit No Thru Vehicles Over Six Wheels from Utilizing Westchester Boulevard from Loveland Boulevard East to Oakview Drive, and on Oakview Drive from Harborview Road North to Westchester Boulevard.

Public Input

Duane Siegfried spoke in support of Ordinance to Prohibit No Thru Vehicles Over Six Wheels from Utilizing Westchester Boulevard from Loveland Boulevard East to Oakview Drive, and on Oakview Drive from Harborview Road North to Westchester Boulevard.

Marge Alden spoke in support of Ordinance to Prohibit No Thru Vehicles Over Six Wheels from Utilizing Westchester Boulevard from Loveland Boulevard East to Oakview Drive, and on Oakview Drive from Harborview Road North to Westchester Boulevard.

Bruce Kelly spoke in support of Ordinance to Prohibit No Thru Vehicles Over Six Wheels from Utilizing Westchester Boulevard from Loveland Boulevard East to Oakview Drive, and on Oakview Drive from Harborview Road North to Westchester Boulevard.

Patricia Warren spoke in support of Ordinance to Prohibit No Thru Vehicles Over Six Wheels from Utilizing Westchester Boulevard from Loveland Boulevard East to Oakview Drive, and on Oakview Drive from Harborview Road North to Westchester Boulevard.

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

MOTION CARRIED 5:0.

Commissioner Tiseo remarked on public input and attendance.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-006 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING ARTICLE II, CHAPTER 2-4, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; AMENDING SECTION 2-4-24 TO PROVIDE FOR THE PROHIBITION OF VEHICLES OVER SIX WHEELS ON WESTCHESTER BOULEVARD FROM LOVELAND BOULEVARD EAST TO OAKVIEW DRIVE AND FROM OAKVIEW DRIVE FROM HARBORVIEW ROAD NORTH TO WESTCHESTER BOULEVARD IN CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR PENALTIES FOR VIOLATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

1. State Legislative Session Review - End of 2024 Session

Review of 2024 State Legislative Session and update on Charlotte County priorities.

Eve Sweeting, Legislative Manager gave a brief overview of Guiding Principles, Appropriations Requests: Appropriations Issues, Appropriations Issues – Not Funded, Support Requests: Appropriations Issues, Funding Highlights, The Numbers, Support Issues, Public Health & Safety, Growth Management, Finance, Tax, & Administration,

Chair Truex commented on timeframe, Appropriations Requests: Appropriations Issues, design, Public Health & Safety, Senate Bill (SB) 184, Growth Management, and Building Department staff. Commissioner Constance mentioned Appropriations Requests: Appropriations Issues, future requests, and funding. Commissioner Tiseo noted Appropriations Requests: Appropriations Issues, projects, timeframe, funding, Growth Management, permitting process, Preemption & Mandates, SB 280, requirements, regulations, housing inventory, workforce, and Charlotte County Junior Commission Program.

Deputy County Administrator Emily Lewis replied to Appropriations Requests: Appropriations Issues, negotiations process, and funding.

RECESS: 11:38 am – 1:00 pm

1 P.M. PUBLIC INPUT - ANY SUBJECT

Tim Ritchie, March Against Mosaic Founder and President remarked on Mosaic Riverview fire, acidic wastewater, discharges, PRMRWSA, administrative hearing, master mining application, phosphate mining, seagrass, and building permits.

Gabriel DeGuzman discussed Virginia B. Andes Volunteer Community Clinic, volunteering, scheduling, accessibility, transportation, Charlotte County Transit, and challenges.

AA. County Administrator Comments

County Administrator Flores commented on State Legislative Agenda Presentation and Ms. Sweeting's efforts.

BB. County Attorney Comments - None

CC. Economic Development Director Comments - None

DD. County Commissioner Comments

Chair Truex mentioned Lemon Bay High School, school zones, surveillance monitoring systems, enforcement, Charlotte County Junior Commission Program, student involvement and engagement, activities, and facility tours. **Commissioner Constance** spoke to Charlotte County Historical Center items, Punta Gorda Library, inventory, Charlotte County Junior Commission Program, community involvement, activities, and engagement. **Commissioner Doherty** noted Charlotte County Transit, scheduling, opportunities, improvements, Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB), and Metropolitan Planning Organization (MPO) meetings. **Commissioner Deutsch** discussed Charlotte County Historical Center items, Charlotte County Junior Commission Program, participation, Charlotte County Transit, Virginia B. Andes Volunteer Community and Mobile Medical Clinics, scheduling, ribbon cutting, Military Heritage Museum, and Welcome Home Vietnam Veterans Day. **Commissioner Tiseo** remarked on Charlotte County Junior Commission Program, activities, volunteer efforts, Virginia B. Andes Community Clinic, Family Services Center, non-profit partnerships, Human Services, Mobile Medical Clinic, ribbon cutting, facility tours, and staff efforts.

Deputy County Administrator Lewis responded to Charlotte County Historical Center items, Mid-County Library, Historical Division, Bayshore Facility, preservation, inventory, Blue Line, school zone cameras, and Charlotte County Sheriff's Office (CCSO).

RECESS: 1:45 pm – 2:00 pm

2 P.M. LAND USE AGENDA

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY - None

Consent Agenda

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

MOTION CARRIED 5:0.

UA1. FP-21-04-11, Heritage Landing Phase II-B

Community Development

Approve a Bond Reduction request and First Amendment to Development Agreement to reduce the amount of the approved surety provided under Letter of Credit No. FGAC-21623, issued by Fidelity Guaranty and Acceptance Corp., in the amount of \$3,537,132.50 to \$182,325.00. The site contains 196.11± acres and is generally located northwest of Burnt Store Road (Rd), south of Poppy Field Loop, and east of the Peace River, in the South County area, and within the Heritage Landing Development of Regional Impact (DRI). Located in Commission District II.

A.AGR 2022-038

Quasi-Judicial

UA2. FP-21-09-18, Heritage Station

Community Development

Approve a Bond Reduction request and First Amendment to Development Agreement to reduce the amount of the approved surety provided under Bond No. GM220461 in the amount of \$4,505,973.73 to \$1,505,575.28 for the completion of the remaining infrastructure for Heritage Station. The site contains 85.47± acres and is generally located north of Yacht Club Boulevard, south of River Birch Court, west of Burnt Store Road, east of Jolly Rodger Boulevard, in the Punta Gorda area. Located in Commission District II. **A.AGR 2023-041**

Quasi-Judicial

Public Hearing

UB1. SV-23-11-07, Jeffrey M Devine 15-ft Unnamed Alley

Community Development

Approve Resolution of Street Vacation to vacate the unnamed 15-foot alleyway lying between Lots A through G and the remainder of Lot 1, Block 29, Holyman's Subdivision, as recorded in Plat Book 1, Page 22, of the Public Records of Charlotte County, Florida, consisting of 3,123± square feet, to bring the existing structures, such as the swimming pool, carport, detached garage, etc., constructed within and adjacent to the alley into compliance with the required setbacks of the MHC zoning district and allow for more developable space on the properties. The proposed area to be vacated lies in between and within the properties located at 27492 Cleveland Avenue (Ave) and 27502 Cleveland Ave. The site is generally located north and parallel to Cleveland Ave, north and perpendicular to Beechwood Street, south of Riverside Drive and parallel to Griffith Ave, within the Punta Gorda area. Located in Commission District II. **RES 2024-044**

Legislative

Jenny Shao, Zoning Coordinator gave a brief overview of SV-23-11-07: Location Map, 2023 Aerial Location Map (Full Range), 2023 Aerial Location Map (Mid-Range), Aerial Location Map, 2022 Google Earth Image, Future Land Use Map (FLUM) Designations, Zoning Designations, 1,000' Mailed Notice Area Map, Proposed Changes, Property Ownership, and Proposed Changes (Aerial).

Jeffrey Devine, Applicant commented on Planning and Zoning Board, recommendations, fee refund, platting discrepancy, modifications, and requested approval.

Chair Truex mentioned plat, purpose, Proposed Changes (Aerial), and recommendations. **Commissioner Constance** spoke to property taxes, Proposed Changes (Aerial), intended purpose, plat, and recommendations. **Commissioner Deutsch** noted Resolution and fee refund. **Commissioner Doherty** discussed permitting process.

Commissioner Tiseo remarked on building permits, process, Zoning review, survey, and Planning and Zoning Board.

Public Input

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

MOTION CARRIED 5:0.

Shaun Cullinan, Planning and Zoning Official responded to plat, intended purpose, permitting requirements, nonconforming structures, Planning and Zoning Board, and recommendations.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2024-044 TO VACATE THE UNNAMED 15-FOOT ALLEYWAY LYING BETWEEN LOTS A THROUGH G AND THE REMAINDER OF LOT 1, BLOCK 29, HOLYMAN'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 22, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, CONSISTING OF 3,123± SQUARE FEET, AND GENERALLY LOCATED NORTH AND PARALLEL TO CLEVELAND AVE, NORTH AND PERPENDICULAR TO BEECHWOOD STREET, SOUTH OF RIVERSIDE DRIVE AND PARALLEL TO GRIFFITH AVE, WITHIN THE PUNTA GORDA AREA. LOCATED IN COMMISSION DISTRICT II, CHARLOTTE COUNTY, FLORIDA; PETITION SV-23-11-07, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB2. CDD-24-01, Establishment of the Starling Community Development District (CDD)

Community Development

Adopt an ordinance of the Board of County Commissioners of Charlotte County, Florida, pursuant to Chapter 190, Florida Statutes, amending Part IV, Municipal Service Benefit and Taxing Units, Chapter 4-3.5 Municipal Service Districts, by creating new Article XX: Starling Community Development District (CDD); providing for new Section 4-3.5-250, Authority; providing for new Section 4-3.5-251, District Name; providing for new Section 4-3.5-252, District External Boundaries; providing for new Section 4-3.5-253, District Powers and Functions; providing for new Section 4-3.5-254, Board of Supervisors; providing for additional requirements; and providing for severability; Petition No. CDD-24-01; Applicant: Taylor Morrison of Florida, Inc.; providing for an effective date. The proposed CDD includes three parcels. One parcel is located at 14100 Burnt Store Road and two parcels are located south of Notre Dame Boulevard, east of Burnt Store Road and west of Green Gulf Boulevard, in the Burnt Store Area Plan area, in the Punta Gorda area, and in Commission District II. The site contains 296.63± acres. Located in Commission District II. **ORD 2024-007**

Legislative

Jie Shao, Principal Planner gave a brief overview of Request, Community Development District (CDD)-24-01: Location Map, Area Image, Framework, FLUM Designation, Zoning Designations, History of the Property, and Table 1: Starling CDD Proposed Facilities and Services.

Wesley Haber, Applicant Representative joined in Staff Report and requested approval.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2024-007 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO CHAPTER 190, FLORIDA STATUTES, AMENDING PART IV, MUNICIPAL SERVICE BENEFIT AND TAXING UNITS, CHAPTER 4-3.5 MUNICIPAL SERVICE DISTRICTS, BY CREATING NEW ARTICLE XX: STARLING COMMUNITY DEVELOPMENT DISTRICT (CDD); PROVIDING FOR NEW SECTION 4-3.5-250, AUTHORITY; PROVIDING FOR NEW SECTION 4-3.5-251, DISTRICT NAME; PROVIDING FOR NEW SECTION 4-3.5-252, DISTRICT EXTERNAL BOUNDARIES; PROVIDING FOR NEW SECTION 4-3.5-253, DISTRICT POWERS AND FUNCTIONS; PROVIDING FOR NEW SECTION 4-3.5-254, BOARD OF SUPERVISORS; PROVIDING FOR ADDITIONAL REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB3. TLDR-23-03, Revisions to Section 3-9-100.1: Buffers:

Community Development

Approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9: Zoning, Article IV: Site Design Standards and Requirements, Section. 3-9-100.1: Buffers, by revising (d) Special Provisions (1), and Exhibit 2: Table of Minimum Buffer Requirements, to remove the buffer requirement for storage yards located on properties zoned Industrial General (IG) or Industrial Intensive (II), which abut properties zoned IG or II; providing for a fencing requirement for such uses and amending subsection (d) Special provisions. (1) to remove such buffer requirement; providing for conflict with other Ordinances; providing for inclusion in the Charlotte County Code; providing for conflict with other Ordinances; providing for severability; and providing for an effective date; Application Number: TLDR-23-03; Applicant: Charlotte-Desoto Building Industry Association. ORD 2024-008

Legislative

Mr. Cullinan gave a brief overview of Proposed Changes, Exhibit 2: Table of Minimum Buffer Requirements, and (d) Special provisions.

Chair Truex commented on buffering, industrial properties, security, and requirements. Commissioner Constance mentioned requirements. Commissioner Tiseo noted exterior and interior buffering, commercial properties, fencing requirements, Proposed Changes, and Staff Report.

Attorney Rob Berntsson, Applicant Representative spoke to special exceptions, storage yards, industrial properties, security, buffers, Charlotte DeSoto Building Industry Association (CDBIA), and requested approval.

Public Input

Harry Taylor, L & T Engineering Group spoke in favor of TLDR-23-03, Revisions to Section 3-9-100.1: Buffers, discussed storage yards and landscape perimeter.

Shan Swelland, CDBIA Treasurer spoke in favor of TLDR-23-03, Revisions to Section 3-9-100.1: Buffers, remarked on requirements, cost, challenges, benefits, Ordinance, and landscaping.

Zac Extejt spoke in favor of TLDR-23-03, Revisions to Section 3-9-100.1: Buffers, commented on Murdock Village, industrial properties, Ordinance, West Port, and requirements.

Blair McVety, Board of Zoning Appeals Member spoke in favor of TLDR-23-03, Revisions to Section 3-9-100.1: Buffers, mentioned Ordinance, requirements, and industrial properties.


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

MOTION CARRIED 5:0.

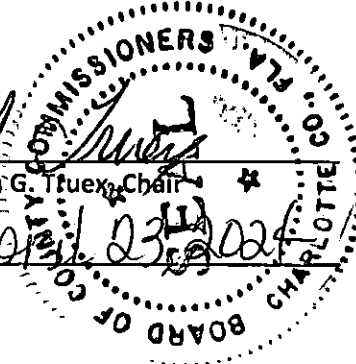
COMMISSIONER DOHERTY MOVED TO APPROVE AN ORDINANCE 2024-008 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9, ZONING, ARTICLE IV: SITE DESIGN STANDARDS AND REQUIREMENTS, SECTION 3-9-100.1: BUFFERS, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA ("CODE") BY (1) REVISING EXHIBIT 2: TABLE OF MINIMUM BUFFER REQUIREMENTS, TO REMOVE THE BUFFER REQUIREMENT FOR STORAGE YARDS LOCATED ON PROPERTIES ZONED INDUSTRIAL GENERAL (IG) OR INDUSTRIAL INTENSIVE (II), WHICH ABUT PROPERTIES ZONED IG OR II; AND (2) AMENDING SUBSECTION (D)(1), SPECIAL PROVISIONS, TO REMOVE SUCH BUFFER REQUIREMENT; PROVIDING FOR A FENCING REQUIREMENT FOR SUCH USES; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

ADJOURNED: 2:36 pm




 William G. Tuex, Chair

DATE ADOPTED: April 23, 2024


ATTEST:

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

By: 
_____ Deputy Clerk