

BOARD OF COUNTY COMMISSIONERS

JANUARY 23, 2018

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 Doherty, Commissioner Constance, Commissioner Deutsch, Commissioner Tiseo, and Commissioner Truex. Also in attendance were: County Administrator Sandrock, County Attorney Knowlton, Chief Financial Control Officer Larrivee, and Minutes Clerk Cash. The following members were absent: None

The Meeting was called order at 9:00 am

The Invocation was given by Pastor John Boutchia, Calvary Baptist, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: Proclamations Drink out of Anything but Plastic Day
Requested by: Commission Office

Addition #2: R-6 Set an Executive Session for February 13, 2018 at 2:00 p.m. (or as soon thereafter as may be convened) in the Charlotte County Attorney's Office Conference Room to discuss settlement negotiations and strategy related to litigation expenditures concerning the civil lawsuit captioned *Teresa Gould v. Charlotte County*, Case No. 2:16-cv-761-FTN-99-MRM.
Requested by: County Attorney

Change #1: R-3 Updated wording
Requested by: ~~Public Works~~ County Attorney

Change #2: R-5 Added Traffic Calming Guidelines attachment
Requested by: Public Works

Change #3: R-1 Added agenda
Requested by: Community Services

Change #4: R-2 Added Draft agenda
Requested by: Utilities

County Administrator Sandrock added **Addition #3:** R-7 Discussion and direction on C.R. 771.

Chair Doherty corrected **Change #1:** R-3 Requested by: County Attorney.

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

MOTION CARRIED 5:0.

Proclamations/Awards

Proclamations - Commissioner Joseph Tiseo

COMMISSIONER TRUEX MOVED TO APPROVE THE PROCLAMATION, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

(Addition #1) Drink out of Anything but Plastic Day

Tania Garcia and Ed Geary accepted the Proclamation.

Employee Recognition

Employee of the Month - December 2017 - Lynn Lawrence, Community Services

Tommy Scott, Community Service Director gave a brief overview of Ms. Lawrence's role in achieving National Accreditation, Staff quotes, and presented the Award.

Award Presentations – No Items.

CITIZEN INPUT - AGENDA ITEMS ONLY

Sam Besase, Applicant for Rotonda West Street and Drainage MSBU Advisory Board referenced Rotonda issues and his resume.

Greg Horan, Village of Holiday Lake resident spoke to C.R. 771.

Sandra Curanzy commented on C.R. 771.

Vicki Gibson, Village of Holiday Lake Property Manager discussed C.R. 771.

Maureen (Deedee) McGary, Village of Holiday Lake resident spoke to C.R. 771.

Dick Sutton, Village of Holiday Lake Neighborhood Watch Coordinator discussed C.R. 771.

Dave Hood, Village of Holiday Lake resident commented on C.R. 771.

Christine Swain, Village of Holiday Lake resident spoke to C.R. 771.

John Cariddi discussed C.R. 771.

Commissioner Truex mentioned traffic counters on C.R. 771.

COMMITTEE VACANCIES

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

The following **MSBU/TU Advisory Boards** are seeking volunteers who must be residents of Charlotte County and reside within the Unit. Submit applications to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail MSBU-TU@CharlotteCountyFL.gov.

- **Boca Grande Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2018.
- **Buena Vista Area Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Charlotte Ranchettes Unit** is seeking one member to fill a vacant unexpired term through October 31, 2019.
- **Don Pedro & Knights Island Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2018 and October 31, 2020.
- **Englewood East Non-Urban Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2018.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2018 and October 31, 2019.
- **Greater Port Charlotte Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2019 and October 31, 2020.
- **Grove City Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2018.
- **Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2018.
- **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2019.
- **Harbour Heights Waterway Maintenance District** is seeking two members to fill vacant unexpired terms through October 31, 2018 and October 31, 2020.
- **Mid Charlotte Stormwater Utility Unit** is seeking one member to fill a vacant unexpired term through October 31, 2019.
- **Northwest Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2018.
- **Northwest Port Charlotte Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2019 and October 31, 2020.
- **Rotonda Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

REPORTS RECEIVED AND FILED - No Items.

CONSENT AGENDA

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-1,
SECONDED BY COMMISSIONER DEUTSCH**

MOTION CARRIED 5:0.

Clerk of the Circuit Court

A. Finance 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:

January 4, 2018 Pre-Agenda
January 9, 2018 Regular Agenda

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - Harbour Heights Waterway MSBU Advisory Board

RECOMMENDED ACTION: Approve the appointment of William Brewster to fill the unexpired term of Christopher Alonso on the Harbour Heights Waterway MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2018. BUDGETED ACTION: No action needed.

2. Appointment - Harbour Heights Waterway MSBU Advisory Board

RECOMMENDED ACTION: Approve the appointment of Jeff Good to the Harbour Heights Waterway MSBU Advisory Board. This will be a three year term replacing Joseph Fleming who has chosen not to seek reappointment. This appointment will be effective immediately and will expire on October 31, 2020. BUDGETED ACTION: No action needed.

3. Appointment - Construction Industry Licensing Board - Consumer Advocate

RECOMMENDED ACTION: Approve the appointment Rocco Pennella to the Construction Industry Licensing Board representing the "Consumer Advocate" category. Length of term is four years. BUDGETED ACTION: No action needed.

4. Re-Appointment - Agricultural and Natural Resources Advisory Committee

RECOMMENDED ACTION: Approve the re-appointment of Lindsay Harrington to the Agricultural and Natural Resources Advisory Committee representing Agriculture Land Use. Appointment will be effective immediately and expires December 31, 2021. BUDGETED ACTION: No action needed.

D. County Administration

Administration

1. Schedule March 21, 2018 Joint Meeting with Sarasota County and Reschedule April 19, 2018 Pre- Agenda Meeting

RECOMMENDED ACTION: a) Approve the March 21, 2018 Joint Meeting with Sarasota County at 2:00 p.m. in Room 119; and b) Reschedule the April 19, 2018 Pre-Agenda Meeting to April 23, 2018 at 9:00 a.m. in B106. BUDGETED ACTION: No action needed.

Public Information Office - No Items.

E. County Attorney - No Items.

F. Budget and Administrative Services

Fiscal Services - No Items.

Information Technology - No Items.

Purchasing

1. 15-251, Amendment #3, Design Olean Boulevard Widening (Public Works)

RECOMMENDED ACTION: a) Approve Amendment #3 to Contract 15-251 Olean Boulevard Widening with Florida Transportation Engineering, Inc. of Punta Gorda, FL for a not to exceed amount of \$57,480 for additional services for mid-block crosswalks; and b) Authorize the Chairman to sign Amendment #3 for the incorporation of a mid-block crosswalk at two (2) locations within the project. BUDGETED ACTION: No action needed. Budgeted in CIP project "Olean Blvd Widening", as approved in the FY18 budget process.

COMMISSIONER TRUEX MOVED TO APPROVE AMENDMENT #3 TO CONTRACT 15-251 OLEAN BOULEVARD WIDENING WITH FLORIDA TRANSPORTATION ENGINEERING, INC. OF PUNTA GORDA, FL FOR A NOT TO EXCEED AMOUNT OF \$57,480 FOR ADDITIONAL SERVICES FOR MID-BLOCK CROSSWALKS AND AUTHORIZE THE CHAIRMAN TO SIGN AMENDMENT #3 FOR THE INCORPORATION OF A MID-BLOCK CROSSWALK AT TWO (2) LOCATIONS WITHIN THE PROJECT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0., COMMISSIONER CONSTANCE ABSTAINED (FORM 8B FILED)

2. 18-182, Award Piggyback, Computer Replacement Program (Information Technology)

RECOMMENDED ACTION: Approve the award of a "Piggyback" purchase off the National Joint Powers Alliance Contract #100614, Technology Solutions, for File #18-182, Computer Replacement Program from CDW-G, of Vernon Hills, IL for a total cost of \$157,135. Information Technology (IT) has requested the purchase of computer equipment to be utilized by various County Departments, as part of the ongoing computer refresh program. BUDGETED ACTION: No action needed. Funding from the IT Equipment Replacement Fund as approved in the FY18 Budget Process.

3. 16-363, Amendment #1, Recreation Center Renovations Construction Manager at Risk, Guaranteed Maximum Price (Facilities)

RECOMMENDED ACTION: a) Approve Amendment #1 to Contract #16-363 Recreation Center Renovations Construction Manager at Risk with Jon F. Swift Construction of Sarasota, FL for the Guaranteed Maximum Price (GMP) for the construction management phase of the project in the amount of \$3,380,000; and b) Authorize the Chairman to sign Amendment #1 to the Contract for the GMP for the construction phase of the Recreation Center Renovations; and c) Approve the Resolution and Budget Adjustment BA18-013, in the amount of \$580,000. BUDGETED ACTION: Approve budget adjustment BA18-013, in the amount of \$580,000, increasing CIP project "Recreation Center Additions/Improvements", and decreasing CIP project "Digital Radio System". Funding is supplied from the 2014 Sales Tax Extension. **RES 2018-006**

4. 18-193, Award, Vac-Con Sewer Combination (Utilities)

RECOMMENDED ACTION: a) Award File #18-193, Vac-Con Sewer Combination, as a "Piggyback" purchase off of the Florida Sheriff's Contract FSA17-VEH15.0: Vac-Con Sewer Combination Cleaner Model V311HN/1000 Specification #50 to Southern Sewer Equipment of Fort Pierce, FL for the amount of \$286,982.47; and b) Freightliner 114SD Conventional Chassis, Specification #15 to Lou Bachrodt Freightliner of Pompano Beach, FL for the amount of \$102,650; and c) Approve the property deletion of Asset #30182 to be sold via an on-line auction service with Gov- Deals, Inc. BUDGETED ACTION: No action needed. Funding from the Utility Operations and Maintenance Fund as approved in the FY18 Budget Process.

5. 13-426, Change Order #8, Burnt Store Rd Phase III (Public Works)

RECOMMENDED ACTION: Approve Change Order #8 to Contract #13-426, Burnt Store Road Phase III Construction with Gibbs & Register, Inc. of Winter Garden, FL in the amount of \$300,000. This project was for complete reconstruction of Burnt Store Road from a two (2) lane corridor to a four (4) lane facility from Lee County line to north of Zemel Road, for a total length of +/- 2.62 miles. BUDGETED ACTION: No action needed. Budgeted in CIP project "Burnt Store Road Phase 3", as approved in the FY18 budget process.

6. 18-086, Award, 2018 County Paving Program (Public Works)

RECOMMENDED ACTION: a) Approve award of Bid #18-086, 2018 County Paving Program to the lowest responsive, responsible bidder, Ajax Paving Industries of Florida LLC of North Venice, FL for a total project amount of \$11,878,348.72; and b) Approve Resolution and Budget Adjustment BA18-015, in the amount of \$2,647,189 for Northwest Port Charlotte St/Dr MSBU. BUDGETED ACTION: Approve budget adjustment BA18-015, in the amount of \$2,647,189, increasing the budget allocation for NWPC St/Dr Paving program, as approved in the FY18 Paving Capital Maintenance Plan and to include a 5% contingency. Funding for paving in GPC, Deep Creek, Northwest Port Charlotte and Suncoast Blvd MSBUs was included in the adopted FY18 Capital Maintenance Plan. **RES 2018-007**

7. 17-424, Change Order #1, Turf Maintenance - Annual Contract (Facilities)

RECOMMENDED ACTION: Approve Change Order #1 to Contract #17-424 Turf Maintenance - Various County Facilities - Annual Contract, as awarded to Brightview Landscape Services, Inc. of Port Charlotte, FL for additional turf maintenance in various South Gulf Cove Parks in the amount of \$44,450. BUDGETED ACTION: No action needed.

Real Estate Services

8. Affordable Housing

RECOMMENDED ACTION: Set a public hearing to be held on February 13, 2018, at 10:00 am, or as soon thereafter as may be heard, to consider adopting a resolution to declare certain real property owned by Charlotte County reserved for affordable housing. BUDGETED ACTION: No action needed.

Risk Management - No Items.

Transit - No Items.

G. Community Development - No Items.

H. Community Services

Parks and Natural Resources

1. Resolution Accepting Clock

RECOMMENDED ACTION: Approve the Resolution accepting a gift of a clock by the Lemon Bay Sunrise Rotary to be placed at the Lemon Bay Sunrise Rotary Park BUDGETED ACTION: No action needed. **RES 2018-008**

Recreation - No Items.

Libraries and Historical - No Items.

Environmental Services - No Items.

I. Economic Development - No Items.

J. Facilities Construction and Maintenance - No Items.

K. Human Resources - No Items.

L. Human Services - No Items.

M. Public Safety - No Items.

N. Public Works - No Items.

O. Tourism Development - No Items.

P. Utilities

1. 2018 Authority Water Demand Projections

RECOMMENDED ACTION: Approve the 2018 Charlotte County 20-year projected water demands for submittal to the Peace River/Manasota Regional Water Supply Authority. BUDGETED ACTION: No action needed.

Q. Other Agencies - No Items.

REGULAR AGENDA

R. Regular Agenda

Taken Out Of Order

(Addition #3) R-7 Discussion and direction on C.R. 771.

County Administrator Sandrock conveyed Workshop discussion.

Dan Quick, Public Works Director gave a brief overview of the C.R. 771 and Marathon Boulevard Traffic Study.

Venkat Vattikuti, County Transportation Engineer spoke to traffic data collection, speed study, Florida Department of Transportation (FDOT) traffic signal criteria, and options.

Chair Doherty discussed traffic signal. **Commissioner Constance** mentioned traffic signal. **Commissioner Deutsch** spoke to traffic signal. **Commissioner Tiseo** discussed traffic control devices. **Commissioner Truex** commented on traffic signal.

COMMISSIONER TRUEX MOVED FOR STAFF TO LOOK AT WAYS TO MAKE THE DISCUSSED INTERSECTIONS MORE SAFE, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

RECESS: 9:44 am – 9:53 am

1. WCIND Agenda, January 26, 2018

**(Change #3) Added Agenda
Community Services**

Discussion and direction on the WCIND agenda for the upcoming January 26, 2018 meeting.

Mr. Scott gave a brief overview of the WCIND agenda for the upcoming January 26, 2018 meeting.

Commissioner Constance mentioned Public Navigation Improvement Project, Southwest Florida Water Management District (SWFWMD) projects, Army Corps of Engineers dredging proposal, and WCIND addressing

beaches. **Commissioner Deutsch** commented on derelict boat issue and Army Corps of Engineers dredging proposal.

2. Water Authority Agenda, February 2, 2018

(Change #4) Added Draft Agenda

Utilities

Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agenda for the upcoming February 2, 2018 meeting.

Travis Mortimer, Interim Utilities Director gave a brief overview of the Peace River Manasota Regional Water Supply Authority Board agenda for the upcoming February 2, 2018 meeting.

Chair Doherty discussed Manatee County representative, 5-Year Capital Improvements Program, 20-Year Capital Needs Assessment, Conservation Rate Revision, and solar. **Commissioner Constance** spoke to Manatee County representative and solar. **Commissioner Truex** mentioned solar.

3. Canvassing Board Alternate

(Change #1) Updated Wording

Commission Office

Pursuant to Florida Statute 102.141 ~~the Chairman~~ of the Board of County Commissioners shall appoint a member of the Board of County Commissioners as a substitute member of the county canvassing board.

Chair Doherty spoke to disqualifications, electing a substitute member, and alternate member. **Commissioner Deutsch** inquired about disqualified members.

Paul Stamoulis, Supervisor of Elections clarified disqualified members, Florida Statute, appointment of Chairman's substitute, and Chairman appointing alternate.

COMMISSIONER TRUEX MOVED TO APPOINT COMMISSIONER CONSTANCE TO BE THE CHAIRMAN'S SUBSTITUTE MEMBER OF THE COUNTY CANVASSING BOARD, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0., COMMISSIONER TISEO ABSENT FROM MEETING

CHAIR DOHERTY APPOINTED COMMISSIONER DEUTSCH TO BE THE ALTERNATE MEMBER OF THE COUNTY CANVASSING BOARD

4. Appoint by Ballot - Rotonda West Street & Drainage

Commission Office

Choose by ballot to fill the unexpired term of Robert Barrett on the Rotonda West Street & Drainage MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2020.

County Administrator Sandroock announced the ballot majority vote for Samuel Besase.

COMMISSIONER CONSTANCE MOVED TO APPOINT BY BALLOT SAMUEL BESASE TO THE ROTONDA WEST STREET & DRAINAGE MSBU ADVISORY BOARD, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 4:0., COMMISSIONER TISEO ABSENT FROM MEETING

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. First Quarterly Budget Adjustments

Budget and Administrative Services

Conduct a public hearing approving the Resolution to adopt budget adjustments that amend the FY17/18 budget. These adjustments which impact various funds are needed to align the FY17/18 budget with required changes and actual activity. **RES 2018-009**

Gordon Burger, Budget and Administrative Services Director gave a brief overview of First Quarterly Budget Adjustments.

Public Hearing – None

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0., COMMISSIONER TISEO ABSENT FROM MEETING

COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION 2018-009, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

2. COPCN Boca Grande Fire Control District

County Administration

Conduct a Public Hearing to consider the application of the Boca Grande Fire Control District for a Certificate of Public Convenience & Necessity (COPCN) to provide non-transport Advanced Life Support within the District limits. **RES 2018-010**

Assistant County Administrator Hector Flores gave a brief overview of the application of Boca Grande Fire Control District for a Certificate of Public Convenience & Necessity (COPCN).

Commissioner Constance mentioned Dr. O’Leary, Medical Director. **Commissioner Truex** highlighted the opportunity to better serve.

Public Hearing – None

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION 2018-010, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

PRESENTATION AGENDA

T. 10:00 A.M. - No Items.

RECESS: 10:12 am – 10:34 am

R. Regular Agenda (Continued)

5. Traffic Calming

(Change #2) Added Traffic Calming Guidelines Attachment

Public Works

Approve the Traffic Calming Guidelines for a pilot program.

Mr. Vattikuti gave a brief overview of the Traffic Calming Guidelines and responded to Board inquiries.

County Administrator Sandrock referenced developing policy and setting roadways.

Chair Doherty spoke to draft guidelines, pilot streets, funding source, Petition Form, and Petition Signature Requirements. **Commissioner Constance** discussed draft guidelines, Petition Form, Petition Signature Requirements, and policy development. **Commissioner Truex** commented on suggested pilot streets, funding sources, and draft guidelines.

6. Set an Executive Session

(Addition #2) Set an Executive Session for February 13, 2018 at 2:00 p.m. (or as soon thereafter as may be convened) in the Charlotte County Attorney's Office Conference Room to discuss settlement negotiations and strategy related to litigation expenditures concerning the civil lawsuit captioned *Teresa Gould v. Charlotte County*, Case No. 2:16-cv-761-FTN-99-MRM.

COMMISSIONER TRUEX MOVED TO APPROVE AN EXECUTIVE SESSION FOR FEBRUARY 13, 2018 AT 2:00 P.M., OR AS SOON THEREAFTER AS MAY BE CONVENED, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

RECESS: 10:44 am – 1:00 pm

1 P.M. CITIZEN INPUT - ANY SUBJECT

Former Commissioner Tom D'Aprile spoke to Murdock Village projects and Charlotte Harbor projects.

AA. County Administrator: None

BB. County Attorney: None

CC. Commissioner Comments:

Chair Doherty discussed inmate medical care, Community Redevelopment Agency (CRA) meeting notification guidelines, upcoming Florida Association of Counties (FAC) Legislative Days, Proposal 69 and Proposal 95. **Commissioner Constance** mentioned Joint Metropolitan Planning Organization (MPO) Meeting, Punta Gorda Airport Master Plan Update, inmate medical care, CRA meeting notification guidelines, and Proposition to Proposal 95. **Commissioner Deutsch** commented on CRA meeting notification guidelines, Punta Gorda Airport Master Plan Update, and Proposal 69. **Commissioner Tiseo** spoke to inmate medical care, CRA meeting notification guidelines, and Tallahassee trip. **Commissioner Truex** discussed inmate medical care and CRA meeting notification guidelines.

County Attorney Knowlton referenced CRA meeting notification guidelines and Home Rule Charter.

Emily Lewis, Legislative Manager summarized Legislative updates, Proposal 69, and Proposal 95.

(Consensus: For Staff to research inmate incarceration medical care policy process and bring back to the Board)

COMMISSIONER TRUEX MOVED TO SUBMIT LETTERS IN OPPOSITION TO PROPOSITION 69 AND PROPOSITION 95, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

RECESS: 1:36 pm - 2:06 pm

LAND USE PUBLIC HEARING AGENDA

U. 2:00 P.M. Land Use Public Hearing

1. SV-17-09-07, Humboldt

Community Development

Approve a Resolution granting a Street Vacation to Michael and Joni Katz for an undeveloped portion of Humboldt Road, under Petition #SV-17-09-07. Legislative **RES 2018-011**

Steven Ellis, Planner II gave a brief overview of SV-17-09-07, SV-17-09-07 – 2017 Aerial Location Map, SV-17-09-07 – Future Land Use Designations, SV-17-09-07 – Zoning Designations, SV-17-09-07 – Proposed Changes Map, Proposed Changes for SV-17-09-07, and responded to Board inquiries.

Shaun Cullinan, Planning and Zoning Official spoke to surrounding property.

Chair Doherty queried Applicant to address the Board and Applicant declined.

Commissioner Constance inquired about right-of-way and surrounding property. Commissioner Tiseo asked about surrounding property notifications. Commissioner Truex noted surrounding property notifications.

Public Hearing - None

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION 2018-011 GRANTING A STREET VACATION TO MICHAEL AND JONI KATZ, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

2. FP-15-07-02, Coco Bay

Community Development

Approve Final Plat and Developer's Agreement for Island Lake Estates, LLC, for Coco Bay Subdivision, under Petition #FP-15-07-02. Quasi-Judicial **AGR 2018-004**

Minutes Clerk Cash administered oath for testimony.

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

Mr. Ellis gave a brief overview of FP-15-07-02 – 2017 Aerial Map, FP-15-07-02 – Future land Use Designations, FP-15-07-02 – Zoning Designations, and FP-15-07-02 – Proposed Changes Map.

Commissioner Constance inquired about infrastructure.

Todd Rebol, Banks Engineering representing the Applicant detailed the infrastructure.

Public Hearing – None

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE FINAL PLAT AND DEVELOPER'S AGREEMENT 2018-004, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

3. Development Agreement Between Charlotte County and Private Equity Group, L.L.C.

Community Development

Approve a Development Agreement between Charlotte County and Private Equity Group for property in the Murdock Village Community Redevelopment Area. Legislative **AGR 2018-005**

Mr. Cullinan gave a brief overview the Development Agreement between Charlotte County and Private Equity Group for property in the Murdock Village Community Redevelopment Area.

Public Hearing

Don Schrotenboer, Private Equity Group, LLC discussed assignability of contracts and project moving forward.

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE DEVELOPMENT AGREEMENT 2018-005 WITH THE ORDINANCE NUMBER BEING ADDED, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0., COMMISSIONER TISEO ABSTAINED (FORM 8B FILED)

4. Z-17-12-37, Deleting the Charlotte Harbor Community Development Code No-fill Area

Community Development

Approve an Ordinance pursuant to Section 125.66, Florida Statutes, amending Section 3-9-47 Charlotte Harbor Community Development Code; amending Section 3-9-47(b), Definitions, by deleting the definition of "No-fill area"; amending Sections 3-9-47(f)(9)a. and 3-9-47(f)(10)a. by deleting provisions relating to minimization of fill in no-fill areas; repealing the no fill area map that was adopted by and attached to Ordinance 96-011; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners. Legislative **ORD 2018-001**

Matthew Trepal, Principal Planner gave a brief overview of Z-17-12-37, Proposed Revisions, Charlotte Harbor CRA – FEMA Zones & Contour Lines, and responded to Board inquiries.

Commissioner Constance inquired about Contour Lines and inconsistencies.

Public Hearing

Attorney Robert Berntsson spoke to Charlotte Harbor Code and No Fill Zone map.

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2018-001 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9, ZONING, ARTICLE II, DISTRICT REGULATIONS, SECTION 3-9-47, CHARLOTTE HARBOR COMMUNITY DEVELOPMENT CODE, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY AMENDING SECTION 3-9-47, DEFINITIONS, BY DELETING THE DEFINITION OF "NO-FILL AREA"; AMENDING SECTIONS 3-9-47(F)(9)A. AND 3-9-47(F)(10)A. BY DELETING PROVISIONS RELATING TO MINIMIZATION OF FILL IN NO-FILL AREAS; REPEALING THE NO FILL AREA MAP THAT WAS ADOPTED BY AND ATTACHED TO ORDINANCE 96-011; PETITION Z-17-12-37; APPLICANT, BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

5. Z-17-11-36, Revisions to the ECAP Code

Community Development

Approve an Ordinance adopting Petition Z-17-11-36, a text amendment to amend Charlotte County Code Chapter 3-9, by revising Section 3-9-48, Enterprise Charlotte Airport Park (ECAP), clarifying the intent of the code; providing for revised definitions; providing for revised permitted uses and structures; providing for revised use standards; providing for revised permitted accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for revised development standards; providing for revised landscaping standards; providing for revised signs; providing for design standards; providing for deviations; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners. Legislative **ORD 2018-002**

Jie Shao, Principal Planner gave a brief overview of Petition Z-17-11-36, Enterprise Charlotte Airport Park (ECAP) – 2017 Aerial, The proposed revisions will achieve the following purposes, and Detailed Proposed Revisions.

Commissioner Tiseo noted outreach workshop.

Public Hearing

Attorney Geri Waksler, representing the Charlotte County Economic Development Partnership (EDP) mentioned the Ordinance change.

Attorney Robert Berntsson commented on positive development and growth.

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-002 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9, ZONING, ARTICLE II, DISTRICT REGULATIONS, SECTION 3-9-48, ENTERPRISE CHARLOTTE AIRPORT PARK (ECAP), OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, CLARIFYING THE INTENT OF THE CODE; PROVIDING FOR REVISED DEFINITIONS; PROVIDING FOR REVISED PERMITTED USES AND STRUCTURES; PROVIDING FOR REVISED

USE STANDARDS; PROVIDING FOR REVISED PERMITTED ACCESSORY USES AND STRUCTURES; PROVIDING FOR CONDITIONAL USES AND STRUCTURES; PROVIDING FOR PROHIBITED USES AND STRUCTURES; PROVIDING FOR SPECIAL EXCEPTIONS; PROVIDING FOR REVISED DEVELOPMENT STANDARDS; PROVIDING FOR REVISED LANDSCAPING STANDARDS; PROVIDING FOR REVISED SIGNS; PROVIDING FOR DESIGN STANDARDS; PROVIDING FOR DEVIATIONS; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PETITION Z-17-11-36; APPLICANT, BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

6. Z-17-04-10, Revisions to Section 3-9-85, Signs

Community Development

Approve an Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-85, Signs; providing for revised definitions; providing for revised purpose; providing for revised provisions for signs on public property; providing for revised general provisions, providing for revised provisions for signage in non-residential districts; providing for formatting; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners. Legislative **ORD 2018-003**

Mr. Cullinan gave a brief overview of Revisions to Section 3-9-85, Signs, Proposed Revisions, Consistency with Reed vs. Town of Gilbert, Major Changes, Phase-down points, Housekeeping, and responded to Board inquiries.

Commissioner Tiseo asked about transition period.

Public Hearing

Attorney Robert Berntsson mentioned round table discussions.

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-003 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9, ZONING, ARTICLE III, SPECIAL REGULATIONS, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY REVISING SECTION 3-9-85, SIGNS; PROVIDING FOR REVISED DEFINITIONS; PROVIDING FOR REVISED PURPOSE; PROVIDING FOR REVISED PROVISIONS FOR SIGNS ON PUBLIC PROPERTY; PROVIDING FOR REVISED GENERAL PROVISIONS, PROVIDING FOR REVISED PROVISIONS FOR SIGNAGE IN NON-RESIDENTIAL DISTRICTS; PROVIDING FOR FORMATTING; PETITION Z-17-04-10; APPLICANT, BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

7. PA-17-12-41-LS, A text amendment to revise FLU Policies 1.2.9 & 1.2.12

Community Development

Approve an Ordinance adopting an amendment to the County's Comprehensive Plan. Petition PA- 17-12-41-LS is a subsequent plan amendment to the County's Comprehensive Plan involving the requirements identified in the Settlement Agreement for DOAH Case No. 17-004480GM. Legislative **ORD 2018-004**

Ms. Shao gave a brief overview of PA-17-12-41-LS (Adoption Hearing), FLU Policies 1.2.9: TDU Sending Zones, and 1.2.12: Prohibited Receiving Zones.

Public Hearing

Percy Angelo, representing Friends of Cape Haze, Inc. commented on Amendments, public input, Transfer of Density Units (TDU), and provided packet.

Attorney Robert Berntsson, representing the Interveners referenced the settlement.

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-004 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, ADOPTING A TEXT AMENDMENT TO CHARLOTTE COUNTY'S COMPREHENSIVE PLAN TO AMEND FUTURE LAND USE (FLU) POLICY 1,2,9: TDU SENDING ZONES, PER THE SETTLEMENT AGREEMENT IN DOAH CASE NO. 17-004480GM; PETITION NO. PA-17-12-41-LS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF THE ADOPTED ORDINANCE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

8. Z-18-01-01, Delete Section 3-5-27

Community Development

Approve an Ordinance adopting Petition Z-18-01-01, a text amendment to amend Charlotte County Code by repealing Ordinance Number 87-17, Ordinance Number 91-50, Resolution Number 86-1, and Resolution Number 86-152; Establishing procedures for filing amendments to the County's Comprehensive Plan set forth in Florida Statutes and Section 3-9-10. Amendments, whichever is applicable; providing for conflict with other ordinances, providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners. Legislative **ORD 2018-005**

Ms. Shao gave a brief overview of Z-18-01-01 and Proposed Revisions.

Public Hearing

Percy Angelo, representing Friends of Cape Haze discussed review process, Section 3-9-10, and Amendment.

Attorney Robert Berntsson mentioned Code change, procedural issues, and public participation.

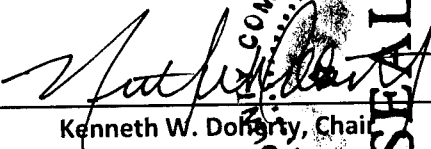
COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER TRUOX MOVED TO APPROVE ORDINANCE 2018-005 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY REPEALING ORDINANCE NUMBER 87-17, ORDINANCE NUMBER 91-50, RESOLUTION NUMBER 86-1, AND RESOLUTION NUMBER 86-152; ESTABLISHING PROCEDURES FOR FILING AMENDMENTS TO THE COUNTY'S COMPREHENSIVE PLAN SET FORTH IN FLORIDA STATUTES AND SECTION 3-9-10, AMENDMENTS, WHICHEVER IS APPLICABLE; PETITION Z-18-01-01; APPLICANT, BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

ADJOURNED: 3:13 pm



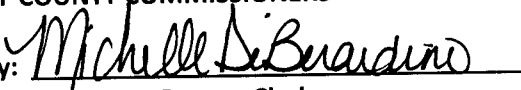
Kenneth W. Doherty, Chair

COMMISSIONERS
FLA.
STAR
CHARLOTTE CO.

DATE ADOPTED: 2/13/2018

ATTEST:

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

By: 

Deputy Clerk