

BOARD OF COUNTY COMMISSIONERS

MARCH 27, 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 to order at 9:00 am

The invocation was given by Pastor James Stultz, Peace River Baptist Church, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: R-6 a) Approve Amendment #1 to Contract #17-178, Construction Manager at Risk - Community Development with Wharton-Smith, Inc. of Punta Gorda, FL for the Guaranteed Maximum Price (GMP) for the management/construction phase of the project in the amount of \$2,524,500; and b) Authorize the Chairman to sign Amendment #1 to the Contract for the GMP for the construction phase of Community Development.
Requested by: Purchasing

Addition #2: S-1 Conduct a public hearing to consider approving a Resolution and Emergency Ordinance declaring a temporary state of local emergency due to severe drought conditions and prohibiting the use of certain outdoor burning and the private use of fireworks and sparklers.
Requested by: County Administration

Change #1: F-5 Added Budget Resolution attachment
Requested by: Fiscal Services

Change #2: N-1 Updated Exhibit B and Agreement attachments
Requested by: Public Works

Change #3: R-4 Added Agenda attachment
Requested by: Utilities

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Stephen R. Deutsch

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

MOTION CARRIED 5:0.

Child Abuse Prevention Month

Jill Keim accepted the Proclamation.

Donate Life Month

James Lavery accepted the Proclamation.

National Vietnam War Veterans Day

Major General Richard Carr accepted the Proclamation.

Employee Recognition - No Items.

Award Presentations

1. Combat Wounded Veteran

Award George Fotovich, United States, Army 82nd Airborne, with this month's Combat Wounded Veteran Certificate of Recognition.

Commissioner Deutsch gave a brief overview of Mr. Fotovich's United States Army career and presented the Certificate of Recognition.

CITIZEN INPUT - AGENDA ITEMS ONLY

Richard Jones, International Union of Painters and Allied Trades spoke to Compensation and Classification Study from Archer Company.

COMMITTEE VACANCIES

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

Manasota Key and Sandpiper Key Advisory Committee is seeking three volunteers who must be residents of Manasota Key or Sandpiper Key. Term: three members to serve a two year term from appointment until November 30, 2020. For an application, contact Diane Clim at 941-743-1956 or email Diane.Clim@ChalotteCountyFL.gov.

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.

Burnt Store Village Street & Drainage Unit is seeking one member to fill a vacant unexpired term through October 31, 2019.

Don Pedro Knight Islands Street & Drainage Unit is seeking one member to fill a vacant unexpired term through October 31, 2018.

Englewood East Non-Urban Street & Drainage Unit is seeking two members to fill vacant unexpired terms through October 31, 2018 and October 31, 2020.

Gardens of Gulf Cove Street & Drainage Unit is seeking one member to fill a vacant unexpired term through October 31, 2018.

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.

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.

Placida Area Street & Drainage Unit is seeking one member to fill a vacant unexpired term through October 31, 2019.

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 DEUTSCH MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-2 AND K-1, SECONDED BY COMMISSIONER TRUEX

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:

February 27, 2018 Regular and Land Use Meeting
March 8, 2018 Pre-Agenda
March 13, 2018 Regular Meeting

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

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

RECOMMENDED ACTION: Approve the appointment of Steven Meusel to fill the unexpired term of Joseph Murray on the Englewood East Non-Urban Street & Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2020. BUDGETED ACTION: No action needed.

2. Appointment - Historical Advisory Committee

RECOMMENDED ACTION: Approve the appointment of Patricia A. Winters to the Historical Advisory Committee, representing the Charlotte County Genealogical Society. This appointment will fill the unexpired term of Larry Peck, who resigned. Term is effective immediately and will expire on September 30, 2019. BUDGETED ACTION: No action needed.

3. Appointment - Parks and Recreation Advisory Board

RECOMMENDED ACTION: Approve the appointment of Debra A. Anlauf to the Parks and Recreation Advisory Board as the District 4 Representative, filling the unexpired term of Michael Johnson, who moved

out of Charlotte County. Term is effective immediately and will expire in July 2020. BUDGETED ACTION: No action needed.

D. County Administration

Administration

1. Library Naming

RECOMMENDED ACTION: Approve the name change for South County Library and Archive to Punta Gorda Charlotte Library. BUDGETED ACTION: No action needed.

2. Rescheduling BCC Meetings

RECOMMENDED ACTION: a) Approve rescheduling the April 3, 2018 Utilities Quarterly Update BCC Meeting to May 15, 2018 at 1:00 p.m. in Room 119; and b) Approve rescheduling the July 17, 2018 Monthly Board Workshop to July 18, 2018 at 9:00 a.m. in Room 119; And c) Approve rescheduling the July 17, 2018 Presentation of Tentative Budget to July 18, 2018 at 2:00 p.m. in Room 119; and d) Approve canceling the July 18, 2018 MSBU Public Hearing at 5:01 p.m. in Room 119. 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. 18-280, Approve, Playground Equipment (Community Services)

RECOMMENDED ACTION: a) Approve the "piggyback" purchase for File #18-280, Playground Equipment from BCI Burke Company, LLC of Fond Du Lac, WI for Randy Spence Park in the amount of \$68,682.76; and for Port Charlotte Beach Park in the amount of \$88,656.30 from the HGACBuy Cooperative; and b) Approve the "piggyback" purchase for File #18-280, Playground Equipment from GameTime c/o Dominica Recreation Products, Inc. of Longwood, FL for the Maracaibo Park in the amount of \$145,995.45 from the US Communities Contract #2017001134. BUDGETED ACTION: No action needed. Port Charlotte Beach and Randy Spence Park (\$157,339.06) are budgeted in CIP project, "Park Repairs & Upgrades"; Maracaibo Park (\$145,995.45) is included in the Community Services Capital Maintenance Plan (as amended). Each source was approved in the FY18 budget process.

2. 18-236, Ranking, Design/Build for Justice Center Forensic Evaluation & Repairs (Facilities)

RECOMMENDED ACTION: a) Approve the ranking of RFP #18-236, Design/Build for Justice Center Forensic Evaluation and Repairs: 1st - Wharton-Smith, Inc. of Punta Gorda, FL; and 2nd - Innovative Masonry Restoration of Prior Lake, MN; and b) Start Negotiations with the 1st ranked firm; and c) Authorize the Chairman to sign the contract after completion of negotiations. BUDGETED ACTION: No action needed. Hurricane costs are being collected in the Hurricane Fund.

Commissioner Constance spoke to Justice Center improvements. **Commissioner Tiseo** commented on public building investments.

COMMISSIONER CONSTANCE MOVED TO APPROVE THE RANKING OF RFP #18-236, DESIGN/BUILD FOR JUSTICE CENTER FORENSIC EVALUATION AND REPAIRS: 1ST - WHARTON-SMITH, INC. OF PUNTA GORDA, FL, 2ND - INNOVATIVE MASONRY RESTORATION OF PRIOR LAKE, MN, START NEGOTIATIONS WITH THE 1ST RANKED FIRM, AND AUTHORIZE THE CHAIRMAN TO SIGN THE CONTRACT AFTER COMPLETION OF NEGOTIATIONS, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

3. 16-159, Amendment #1, Construction Manager At Risk - South County Library & Archive, Guaranteed Maximum Price (Facilities)

RECOMMENDED ACTION: a) Approve Amendment #1 to Contract #16-159 Construction Manager at Risk - South County Library & Archive with Willis Smith Construction of Sarasota, FL for the Guaranteed Maximum Price (GMP) for the management/construction phase of the project in the amount of \$6,169,072 and a revised total contract amount of \$6,238,939; and b) Authorize the Chairman to sign Amendment #1 to the Contract for the GMP for the construction phase of the South County Library & Archive; c) Approve Budget Resolution and Budget Adjustment BA18-020, in the amount Of \$650,000; and d) Approve the interlocal agreement with the City of Punta Gorda for cost sharing the enhanced design. BUDGETED ACTION: Approve budget adjustment BA18-020, in the amount of \$650,000, increasing CIP project "South County Community Library & Archive", to provide for the award of the contract, including contingency. Funding for the adjustment is supplied from the 2014 Sales Tax Extension, reducing the Piper Road North project (\$300,000), as well as contributions from the City of Punta Gorda (\$300,000) and the Friends of the Library (\$50,000). **AGR 2018-011 / RES 2018-031**

4. 16-512, Change Order #1, Myakka Potable Water Booster Station Design and CEI Services (Utilities)

RECOMMENDED ACTION: Approve Change Order #1 to Work Order #3, File #16-512, Myakka Potable Water Booster Station Design and CEI Services, to Stantec Consulting Services, Inc. of Sarasota, FL at no additional cost. This is under the master pre-qualified Consultant Request for Letters of Interest File #15-471. BUDGETED ACTION: No action needed.

Real Estate Services

5. J.B. Yard/Transit Division

(Change #1) Added Budget Resolution attachment

RECOMMENDED ACTION: a) Approve the Resolution that reserves the use of a portion of 19765 Kenilworth Boulevard (also known as the J.B. Yard) for the exclusive use of Charlotte County Transit

Division; and b) Approve Budget Resolution and Budget Adjustment BA18-019 to increase grant revenues (\$365,000) and provide for reserving the land (\$266,500) for use by the Transit Division. BUDGETED ACTION: Approve budget adjustment BA18-019, amending CIP project "Transit Facility" to recognize grant revenue of \$365,000. The adjustment will also provide for the necessary transfer Of \$266,500 for reserving the land for use by the Transit Division. Transportation Development Credits will be used to fulfill the 20% capital grant match requirement. **RES 2018-032 / RES 2018-033**

Risk Management - No Items.

Transit - No Items.

G. Community Development

1. FP-04-05-10, River Club

RECOMMENDED ACTION: Approve a Developer's Agreement and surety for D.R. Horton, for the completion of River Club Subdivision, under Petition #FP-04-05-10. BUDGETED ACTION: No action needed. Quasi-Judicial **AGR 2018-012**

2. FP-04-05-10, River Club

RECOMMENDED ACTION: Approve release of Bond #SLC501189 (fka, SLC500487), to be replaced by Bond #SUR0047110, for D.R. Horton, Inc., under Petition #FP-04-05-10. BUDGETED ACTION: No action needed. Quasi-Judicial

3. FP-05-04-06, Calusa Creek

RECOMMENDED ACTION: Approve a Developer's Agreement and surety for the completion of Calusa Creek Subdivision, under Petition #FP-05-04-06. BUDGETED ACTION: No action needed. Quasi-Judicial **AGR 2018-013**

4. FP-07-02-05, Calusa Creek Phase 1

RECOMMENDED ACTION: Approve a Developer's Agreement and surety for D.R. Horton, Inc., for the completion of Calusa Creek Phase 1 Subdivision, under Petition #FP-07-02-05. BUDGETED ACTION: No action needed. Quasi-Judicial **AGR 2018-014**

5. BY-18-00001, Calusa Creek and Calusa Creek Phase 1

RECOMMENDED ACTION: Approve release of Bond #SLC501189 (fka, SLC500487), to be replaced by Bond #SUR0047110, for D.R. Horton, Inc., under Petition #BY-18-00001. BUDGETED ACTION: No action needed. Quasi-Judicial

H. Community Services

Parks and Natural Resources

1. Renaming Disc Golf Course

RECOMMENDED ACTION: Approve the renaming of South County Regional Park Disc Golf Course to Sheri O'Brien Memorial Disc Golf Course. BUDGETED ACTION: No action needed.

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

1. Compensation and Classification Study from Archer Company

RECOMMENDED ACTION: Approve a new Pay Plan based on results of a recent compensation and classification study by Archer Company for Non-Bargaining and IUPAT Bargaining Unit employees. BUDGETED ACTION: No action needed. Any costs associated with implementation of the new Pay Plan will be budgeted within respective departments' operating budgets.

Commissioner Tiseo requested a recap of new Pay Plan.

Heather Bacus, Human Resources Director recapped new Pay Plan.

COMMISSIONER TISEO MOVED TO APPROVE A NEW PAY PLAN BASED ON RESULTS OF A RECENT COMPENSATION AND CLASSIFICATION STUDY BY ARCHER COMPANY FOR NON-BARGAINING AND IUPAT BARGAINING UNIT EMPLOYEES, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

L. Human Services - No Items.

M. Public Safety - No Items.

N. Public Works

1. FDOT Landscaping Agreement - US 41 between Hancock Avenue and Midway Boulevard

(Change #2) Updated Exhibit B and Agreement attachments

RECOMMENDED ACTION: Approve the Resolution authorizing the Maintenance and Operations Manager to execute the attached landscape maintenance and installation agreement with the Florida Department of Transportation (FDOT) to install landscaping along US 41 from Hancock Avenue to Midway Boulevard. BUDGETED ACTION: No action needed. **AGR 2018-015 / RES 2018-027**

O. Tourism Development - No Items.

P. Utilities - No Items.

Q. Other Agencies - No Items.

REGULAR AGENDA

R. Regular Agenda

Taken Out Of Order

2. Appoint by Ballot - Placida Area Street & Drainage MSBU Advisory Board

Commission Office

Choose by ballot to fill the unexpired term of Scott Roberts on the Placida Area Street & Drainage MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2019.

County Administrator Sandrock announced the ballot majority vote for Stephen Thompson.

COMMISSIONER TRUEX MOVED TO APPOINT BY BALLOT STEPHEN THOMPSON TO THE PLACIDA AREA STREET & DRAINAGE MSBU ADVISORY BOARD, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

1. Appoint by Ballot - Barrier Islands Fire Service MSBU Advisory Board

Commission Office

Choose by ballot five (5) members for the Barrier Islands Fire Service MSBU Advisory Board. This is a newly created Advisory Board with five vacant positions. Term lengths will be drawn at the first regular Advisory Board meeting with one term expiring on October 31, 2019, two terms expiring on October 31, 2020 and two terms expiring on October 31, 2021. This appointment will be effective immediately.

County Administrator Sandrock announced the ballot majority votes for Candyce Cohen, Wendy Dalzell, James Gordon, William Peterson, and Lou Ellen Wilson.

COMMISSIONER TRUEX MOVED TO APPOINT BY BALLOT CANDYCE COHEN, WENDY DALZELL, JAMES GORDON, WILLIAM PETERSON, AND LOU ELLEN WILSON TO THE BARRIER ISLANDS FIRE SERVICE MSBU ADVISORY BOARD, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

3. Guidelines for Funding In-Kind Services

County Attorney

Discussion and approval of Guidelines for Requesting In-Kind Services, Application and Scoring Criteria.

County Attorney Knowlton gave a brief overview of Guidelines for Requesting In-Kind Services, Application, and Scoring Criteria.

Lorah Steiner, Tourism Development Director opined first year events, scoring criteria, and events beyond second year.

Lori Tetreault, Deputy County Attorney noted BOCC Event Development Program Guidelines, Post Event Reports, and events continuing beyond second year.

Chair Doherty discussed scoring criteria. **Commissioner Constance** commented on events continuing beyond second year. **Commissioner Deutsch** mentioned events continuing beyond second year. **Commissioner Tiseo** inquired about first year events and Post Event Reports.

COMMISSIONER TISEO MOVED TO APPROVE GUIDELINES FOR FUNDING IN-KIND SERVICES AND ADD NINETY (90) DAYS TO SECTION ELEVEN (11) FOR PROVIDING A POST EVENT REPORT WITHIN NINETY (90) DAYS OF THE EVENT, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

4. Water Authority Agenda - April 4, 2018

(Change #3) Added Agenda attachment

Utilities

Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agendas for the upcoming April 4, 2018 Meeting and Workshop.

Travis Mortimer, Interim Utilities Director gave a brief overview of the Peace River Manasota Regional Water Supply Authority (Authority) Board agendas for the upcoming April 4, 2018 Meeting and Workshop.

County Administrator Sandrock spoke to Tentative Budget for Fiscal Year 2019 and solar.

Chair Doherty discussed Tentative Budget for Fiscal Year 2019, solar, cooperative funding request, and Bachman phases. **Commissioner Constance** commented on Tentative Budget for Fiscal Year 2019, solar, and recognition of Kevin Morris, Government Engineer of the Year 2018. **Commissioner Deutsch** mentioned Tentative Budget for Fiscal Year 2019 and solar.

5. WCIND Agenda - April 6, 2018

Community Services

Discussion and direction on the West Coast Inland Navigation District (WCIND) agenda for the upcoming April 6, 2018 Meeting.

Tommy Scott, Community Services Director conveyed the Agenda for the West Coast Inland Navigation District (WCIND) upcoming April 6, 2018 Meeting has not been posted therefore there are no discussion items.

Commissioner Deutsch questioned the posting of the Agenda.

(Addition #1) 6. a) Approve Amendment #1 to Contract #17-178, Construction Manager at Risk - Community Development with Wharton-Smith, Inc. of Punta Gorda, FL for the Guaranteed Maximum Price (GMP) for the management/construction phase of the project in the amount of \$2,524,500; and b) Authorize the Chairman to sign Amendment #1 to the Contract for the GMP for the construction phase of Community Development.

Kim Corbett, Purchasing Senior Division Manager gave a brief overview of Amendment #1 to Contract #17-178, Construction Manager at Risk - Community Development with Wharton-Smith, Inc. of Punta Gorda, FL for the Guaranteed Maximum Price (GMP) for the management/construction phase of the project in the amount of \$2,524,500 and responded to Board inquiries.

Commissioner Constance inquired about project location. **Commissioner Truex** affirmed budget, Building Industry Oversight Committee (BIOC) support, and Enterprise Funds.

COMMISSIONER TRUEX MOVED TO APPROVE AMENDMENT #1 TO CONTRACT #17-178, CONSTRUCTION MANAGER AT RISK - COMMUNITY DEVELOPMENT WITH WHARTON-SMITH, INC. OF PUNTA GORDA, FL FOR THE GUARANTEED MAXIMUM PRICE (GMP) FOR THE MANAGEMENT/CONSTRUCTION PHASE OF THE PROJECT IN THE AMOUNT OF \$2,524,500 AND AUTHORIZE THE CHAIRMAN TO SIGN AMENDMENT #1 TO THE CONTRACT FOR THE GMP FOR THE CONSTRUCTION PHASE OF COMMUNITY DEVELOPMENT, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

RECESS: 9:50 am - 10:00 am

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

(Addition #2) 1. Conduct a public hearing to consider approving a Resolution and Emergency Ordinance declaring a temporary state of local emergency due to severe drought conditions and prohibiting the use of certain outdoor burning and the private use of fireworks and sparklers. **ORD 2018-015 / RES 2018-040**

County Attorney Knowlton advised of the declaration for a state of local emergency due to fire conditions, introduced Chief Bill Van Helden, Public Safety Director, and requested a change in the Ordinance Section Five (5).

Chief Van Helden gave a brief overview of Factors to Consider for Burn Ban, Drought Index – Monday (Mean = 481, Max 564), Fire danger Index-Mod-Extreme, Activity, Forecast, Local and Regional Resources, and responded to Board inquiries.

Commissioner Constance spoke to Fire Danger Index-Mod-Extreme.

Public Hearing – None

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2018-040 AND ORDINANCE 2018-015 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR DEFINITIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR A TEMPORARY BAN ON THE USE OR DISCHARGE OF FIREWORKS AND SPARKLERS AND A TEMPORARY BAN ON CERTAIN OUTDOOR FIRES AND BURNINGS IN CHARLOTTE COUNTY DUE TO DROUGHT CONDITIONS AND SEVERE RISK OF FIRE; PROVIDING FOR DURATION; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE, AND THE CHANGE READ INTO THE RECORD, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

PRESENTATION AGENDA

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

RECESS: 10:12 am – 11:03 am

RECESS: 11:05 am – 1:00 pm

1 P.M. CITIZEN INPUT - ANY SUBJECT

Chris Banks spoke to Bayshore Park parking and maintenance.

Linda Holder commented on Bayshore Park parking, Sunseeker Resort, and housing shortage.

Joy Steele discussed Sunseeker Resort.

Jack Thomas noted Sunseeker Resort.

Douglas Tucker spoke to Veterans Boulevard and Orlando Boulevard traffic light and Sunseeker Resort project.

AA. County Administrator:

County Administrator Sandrock introduced Dan Quick, Public Works Director.

Mr. Quick gave a brief update on Midway Boulevard.

Commissioner Constance mentioned timeline. Commissioner Deutsch inquired about budget.

BB. County Attorney:

County Attorney Knowlton referenced Sunseeker Resort, Melbourne property, and parking garage.

CC. Commissioner Comments:

Chair Doherty discussed Constitution Revision Committee (CRC). **Commissioner Constance** spoke to Selection Committee for Department of Health Director and National Association of Counties (NACO) Healthy Counties initiative. **Commissioner Deutsch** opined Bayshore Park, parking garage, CRA vision, and public input. **Commissioner Tiseo** asked about selection process for Department of Health Director. **Commissioner Truex** highlighted the Stepping Up Program and Behavioral Health Summit.

County Attorney Knowlton noted Statute pertaining to selection process for Department of Health Director.

RECESS: 1:28 pm - 2:00 pm

LAND USE PUBLIC HEARING AGENDA

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

Minutes Clerk Cash administered oath for testimony.

1. PV-17-12-09, Grove City

Community Development

Approve a Resolution granting a Plat Vacation to Ainger Creek Properties, LLC, for a portion of Grove City Land Company Subdivision, under Petition #PV-17-12-09. Quasi-Judicial **RES 2018-034**

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

Steven Ellis, Planner II gave a brief overview of PV-17-12-09 – 2017 Aerial Location Map, PV-17-12-09 – Future Land Use Designations, PV-17-12-09 – Zoning Designations, and PV-17-12-09 – Proposed Changes.

Attorney Robert Berntsson, representing the Applicant joined Staff report and discussed the plat.

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 2018-034, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

2. PV-18-01-01, Sunseeker

Community Development

Approve a Resolution granting a Plat Vacation to Sunseeker Florida, Inc. and Charlotte Point Properties, LLC, for portions of Charlotte Harbor Subdivision and Lastinger's Addition to Charlotte Harbor Subdivision, under Petition #PV-18-01-01. Quasi-Judicial **RES 2018-035**

Chair Doherty polled the Board for Ex Parte Disclosures and **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 PV-18-01-01 – 2017 Aerial Location Map, PV-18-01-01 – Future Land Use designations, PV-18-01-01 – Zoning designations, PV-18-01-01 – 2017 Proposed Changes, and Proposed Changes (Aerial) for PV-18-01-01.

Attorney Robert Berntsson, representing the Applicant explained first step, joined Staff report, commented on Harbor Walk Plan, and wetlands.

Commissioner Constance inquired about wetlands and county land.

Public Hearing

Clarke Keller spoke to Sunseeker project, technology incubator, and workforce.

Dianne Quilty, Charlotte Harbor CRA Advisory Board member discussed the Sunseeker Resort.

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE THE RESOLUTION 2018-035, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

3. Sunseeker Developer's Agreement

Community Development

Approve a Developer's Agreement between Sunseeker Florida, Inc., a Florida profit corporation ("SFI"); Charlotte Point Properties, LLC, a Florida limited liability company ("CPP"); Charlotte County, a political subdivision of the State of Florida ("County") and the Charlotte Harbor Community Redevelopment Agency, a public body corporate and politic ("CHCRA") under the laws of the State of Florida established pursuant to Part III of Chapter 163, Florida Statutes. This proposed Developer's Agreement will set forth required Main Street improvements related to the plat vacation and relevant terms governing their development. Legislative **AGR 2018-016**

Claire Jubb, Community Development Director gave a brief overview of Sunseeker Developer's Agreement and responded to Board inquiries.

Commissioner Constance asked about site process and pedestrian access. **Commissioner Tiseo** inquired about building rights, impact fees, pedestrian access, and infrastructure improvements.

Attorney Rob Berntsson, representing the Applicant commented on pedestrian access, future amendments, plat vacation, infrastructure improvements, and Agreement language change.

Public Hearing - None

COMMISSIONER TRUEX MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE DEVELOPER'S AGREEMENT WITH THE MODIFICATIONS READ INTO THE RECORD AT THE MARCH 27, 2018 CHARLOTTE HARBOR COMMUNITY REDEVELOPMENT AGENCY (CRA) MEETING, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

4. DRC-17-00061, Weaver Family Partnership

Community Development

Approve a Resolution for a Final Detail Site Plan for Weaver Family Development for two 12,000 sq. ft. warehouse/office buildings and associated infrastructure. This 9.97+/- acre site is located at 6900 San Casa Blvd., in Section 9 Township 40 South, Range 21 East, in Englewood, Florida. Quasi-Judicial RES 2018-036

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

Maryann Franks, Zoning Coordinator gave a brief overview of DRC-17-00061- 2017 Aerial Image, DRC-17-00061 – Future Land Use Designations, DRC-17-00061 - Zoning Designations, Master Site Plan, Landscape Plan, Building #1, Building #2, and responded to Board inquiries.

Shaun Cullinan, Planning and Zoning Official referenced current structures.

Commissioner Constance inquired about current structures.

Harry Taylor, L & T Engineering Group, Inc., representing the Applicant mentioned timeline and location.

Public Hearing - None

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

MOTION CARRIED 4:0., COMMISSIONER TISEO ABSENT

COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION 2018-036, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 4:0., COMMISSIONER TISEO ABSENT

5. PA-17-12-40, Scinta

Community Development

Approve an Ordinance adopting Petition PA-17-12-40, a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Intensity Industrial (LII) to Low Density Residential (LDR); for property located at 9011 Burnt Store Road, in the Punta Gorda area, containing 4.46± acres; Commission District II; Applicant: Janet Scinta; providing an effective date. Legislative **ORD 2018-010**

Matthew Trepal, Principal Planner gave a brief overview of PA-17-12-40 – Location Map, PA-17-12-40 – 2017 Aerial Image, PA-17-12-40 – Framework, PA-17-12-40 – FLUM Designations, and PA-17-12-40 – Zoning Designations.

Janet Scinta, Applicant noted her availability for questions.

Public Hearing - None

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-010 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, ADOPTING A SMALL SCALE PLAN AMENDMENT TO THE CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM LOW INTENSITY INDUSTRIAL (LII) TO LOW DENSITY RESIDENTIAL (LDR), FOR PROPERTY LOCATED AT 9011 BURNT STORE ROAD, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT II, CONTAINING 4.46 ACRES MORE OR LESS; PETITION PA-17-12-40; APPLICANT, JANET SCINTA; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

6. Local Amendment to the Sandhill DRI DO, Petition Number LADO-17-12-42

Community Development

Approve a Resolution pursuant to Section J(1)(k) of the Sandhill Development of Regional (DRI) Development Order, Resolution Number 2017-255, and Section 380.06(19)(e)2. F.S., an amendment to the Sandhill DRI Development Order by 1) using the approved equivalency matrix to exchange 12,000

square feet of approved commercial development on Parcel C-19B of Tract 4 of the Sandhill DRI for 44 single-family residential units, 2) using the approved equivalency matrix to exchange 113 multi-family residential units on Parcel R-2 in Tract 4 of the Sandhill DRI for 70 single-family residential units and retain 207 multi-family residential units on Parcel R-2 in Tract 4 of the Sandhill DRI, 3) revising Exhibit B, Map H Note #1 and Map H, Exhibit #2 Notes; and 4) clarifying language under J(1)(a)(v); for 31.28± acres of the property located at 24750 Sandhill Boulevard, in the Port Charlotte area; Commission District I; Petition No. LADO-17-12-42; Applicant: JBCC Development LLC; providing for an effective date. The Sandhill DRI is located south of the Desoto County Line, north of Rampart Boulevard, east of Loveland Boulevard and west of the Deep Creek area; Section 7, Township 40 South, and Range 23 East, in the Port Charlotte area, currently containing a total of 713.12± acres. This application shall not be deemed to be a substantial deviation and does not require the filing of a Notice of Proposed Change. Quasi-Judicial **RES 2018-037**

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

Jie Shao, Principal Planner noted her credentials, asked to be accepted as an expert planner, gave a brief overview of LADO-17-12-42 – Location Map, LADO-17-12-42 – Area Image, LADO-17-12-42 – Framework, LADO-17-12-42 – FLUM Designations, LADO-17-12-42 – Zoning Designations, Proposed Changes, and responded to Board inquiries.

Venkat Vattikuti, Transportation Engineer referenced property at Sandhill Boulevard curve.

Attorney Geri Waksler, representing the Applicant accepted Ms. Shao as an expert planner, discussed equivalency matrix formula, mixed-use development, and property at Sandhill Boulevard curve.

Commissioner Constance commented on traffic impacts and inquired about line on maps at Sandhill Boulevard curve. **Commissioner Tiseo** inquired about traffic impacts.

Public Hearing - None

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION 2018-037, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

7. Major Modification to the Existing Sandhill DRI PD, Z-17-12-43

Community Development

Approve an Ordinance adopting Petition Z-17-12-43 amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification of an existing PD for the Sandhill Development of Regional Impact (DRI) 1) to revise a portion of the concept plan specifically for Parcels C-19B and R-2 of Tract 4 of the Sandhill DRI to be consistent with development rights set forth in Petition

LADO-17-12-42; and 2) to add specific development standards for residential development on Parcels C-19B and R-2 of Tract 4 of the Sandhill DRI; for 31.28± acres of the property located at 24750 Sandhill Boulevard, in the Port Charlotte area; Applicant: JBCC Development LLC. The Sandhill DRI is located south of the DeSoto County Line, north of Rampart Boulevard, east of Loveland Boulevard and west of the Deep Creek area; Section 7, Township 40 South, and Range 23 East, in the Port Charlotte area. Quasi-Judicial **ORD 2018-011**

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

Ms. Shao gave a brief overview of Z-17-12-43 – Location Map, Z-17-12-43 – Area image, Z-17-12-43 – FLUM Designations, Z-17-12-43 – Zoning Designations, Proposed Changes, Sandhill DRI Concept Plan, and responded to Board inquiries.

Attorney Geri Waksler, representing the Applicant spoke to rezoning, intended property use, recreational space, back property, and traffic impacts.

Chair Doherty discussed Sandhill DRI Concept Plan and roadway geometry. **Commissioner Constance** mentioned ingress and egress locations, recreational space, back property, and traffic impacts. **Commissioner Deutsch** inquired about unit sizes.

Public Hearing - None

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-011 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 125.66, FLORIDA STATUTES, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD), WHICH IS A MAJOR MODIFICATION TO THE EXISTING PLANNED DEVELOPMENT (PD) FOR THE SANDHILL DEVELOPMENT OF REGIONAL IMPACT (DRI): (1) TO REVISE A PORTION OF THE CONCEPT PLAN SPECIFICALLY FOR PARCELS C-19B AND R-2 OF TRACT 4 OF THE SANDHILL DRI TO BE CONSISTENT WITH DEVELOPMENT RIGHTS SET FORTH IN PETITION LADO-17-12-42; AND (2) ADD SPECIFIC DEVELOPMENT STANDARDS FOR RESIDENTIAL DEVELOPMENT ON PARCELS C-19B AND R-2 OF TRACT 4 OF THE SANDHILL DRI; FOR 31.28 ACRES OF THE PROPERTY LOCATED AT 24750 SANDHILL BOULEVARD, IN THE SANDHILL DRI, WHICH IS LOCATED SOUTH OF THE DESOTO COUNTY LINE, NORTH OF RAMPART BOULEVARD, EAST OF LOVELAND BOULEVARD AND WEST OF THE DEEP CREEK AREA; SECTION 7, TOWNSHIP 40 SOUTH, AND RANGE 23 EAST, IN THE PORT CHARLOTTE AREA, COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-17-12-43; APPLICANT, JBCC DEVELOPMENT, LLC; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

8. NOPC to Amend the MDO for the Riverwood DRI, NOPC-17-12-44

Community Development

Approve a Resolution pursuant to Section 380.06, Florida Statutes, amending the Master Development Order (MDO) for the Riverwood Development of Regional Impact (DRI) to extend the buildout date to November 11, 2025; for property located generally east of the Myakka River and north of S.R. 776 (Section 29, Township 40 South, Range 21 East), containing 1,288± acres, in the El Jobean area of Charlotte County; Commission District IV, Petition No. NOPC-17-12-44; Applicant: Riverwood Community Development District. Quasi-Judicial **RES 2018-038**

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

Ms. Shao gave a brief overview of NOPC-17-12-44 – 2017 Aerial Location Map, NOPC-17-12-44 – Framework, NOPC-17-12-44 – Future Land Use Designations, NOPC-17-12-44 – Zoning Designations, Proposed Changes, and responded to Board inquiries.

Attorney Scott Rudacille, representing the Applicant indicated buildout timeline.

Commissioner Tiseo inquired about monitoring reports.

Public Hearing - None

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION 2018-038, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

9. NOPC to Amend the IDOs for the Riverwood DRI Increment One and Increment Two, NOPC-17-12-45

Community Development

Approve a Resolution pursuant to Section 380.06, Florida Statutes, amending the Development Orders (DO) for the Riverwood Development of Regional Impact (DRI) Increment One to extend the buildout date to November 11, 2025; for property located generally east of the Myakka River and north of S.R. 776 (Section 29, Township 40 South, Range 21 East), containing 872.53± acres, in the El Jobean area of Charlotte County; Commission District IV, Petition No. NOPC-17-12-45; applicant: Riverwood Community Development District. Approve a Resolution pursuant to Section 380.06, Florida Statutes, amending the Development Orders (DO) for the Riverwood Development of Regional Impact (DRI) Increment Two to extend the buildout date to November 11, 2025; for property located generally east of the Myakka River and north of S.R. 776 (Section 29, Township 40 South, Range 21 East), containing 309± acres, in the El Jobean area of Charlotte County; Commission District III, Petition No. NOPC-17-12-45; applicant: Riverwood Community Development District. Quasi-Judicial **RES 2018-039 / RES 2018-041**

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

Ms. Shao gave a brief overview of NOPC-17-12-45 – 2017 Aerial Location Map, NOPC-17-12-45 – Framework, NOPC-17-12-45 – Future Land Use Designations, NOPC-17-12-45 – Zoning Designations, and Proposed Changes.

Attorney Scott Rudacille, representing the Applicant agreed with Staff report and asked for approval.

Public Hearing - None

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION 2018-039 AND RESOLUTION 2018-041, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

10. Large Scale Plan Amendment to Amend CST Policy 1.4.7, PA-17-12-39-LS

Community Development

Transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State review agencies for review and comment; the request is to amend Coastal Planning (CST) Policy 1.4.7: Manatee Protection Plan to reflect that the Board of County Commissioners accepted the Manatee Protection Plan on February 14, 2017; Petition No. PA-17-12-39-LS; Applicant: Charlotte County Board of County Commissioners. Legislative

Ms. Shao gave a brief overview of PA-17-12-39-LS and CST Policy 1.4.7: Manatee Protection Plan (MPP).

Public Hearing - None

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE TRANSMITTING A LARGE SCALE PLAN AMENDMENT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) AND OTHER STATE REVIEW AGENCIES FOR REVIEW AND COMMENT, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

11. Ordinance Adopting Petition No. Z-18-01-03, Mailed Notice Requirements

Community Development

Approve an Ordinance amending Charlotte County Code Chapter 3-9, Zoning; Article I, In General; amending the title of Section 3-9-6 Board of zoning appeals (BZA) powers and duties, procedures; amending Section 3-9-6.2, Special Exceptions, subsection (e)(2) Mailed Notice; and subsection (g)(3) Request for Continuance from the Zoning Official or BZA; amending Section 3-9-6.3, Variances, subsection (f)(2) Mailed Notice, subsection (g)(3) Request for Continuance from the Zoning Official or BZA; and amending Section 3-9-10, Amendments, subsections (a) Generally, (b) Initiation of proposals for amendments, and (e) Mailed Notice; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Legislative **ORD 2018-012**

Ken Quillan, Planner III gave a brief overview of Z-18-01-03, Z-18-01-03 – Example A, Z-18-01-03 – Example B, Z-18-01-03 – Example C, and responded to Board inquiries.

Ms. Jubb explained mailing notification costs.

Commissioner Constance commented on disclosure. **Commissioner Tiseo** spoke to mailing notification distances, costs, and transparency.

Public Hearing - None

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2018-012 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9, ZONING, ARTICLE 1, IN GENERAL, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY AMENDING THE TITLE OF SECTION 3-9-6 BOARD OF ZONING APPEALS (BZA) POWERS AND DUTIES, PROCEDURES; AMENDING SECTION 3-9-6.2, SPECIAL EXCEPTIONS, SUBSECTION (E)(2) MAILED NOTICE, AND SUBSECTION (G)(3) REQUEST FOR CONTINUANCE FROM THE ZONING OFFICIAL OR BZA; AMENDING SECTION 3-9-6.3, VARIANCES, SUBSECTION (F)(2) MAILED NOTICE, AND SUBSECTION (G)(3) REQUEST FOR CONTINUANCE FROM THE ZONING OFFICIAL OR BZA; AND AMENDING SECTION 3-9-10, AMENDMENTS, SUBSECTIONS (A) GENERALLY, (B) INITIATION OF PROPOSALS FOR AMENDMENTS, AND (E) MAILED NOTICE; PETITION Z-18-01-03; 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.

12. Revisions to Table of Contents of the County's Land Development Regulations, Z-17-01-03A

Community Development

Approve Petition Z-17-01-03A adopting an Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Chapter 3-9, Zoning, by adding Article V, Environmental Requirements and Other Requirements; creating new Section 3-9-150, Transfer of Density Units (TDU) under Article V;

providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners. Legislative **ORD 2018-013**

Ms. Shao gave a brief overview of Z-17-01-03A and Z-17-01-03B, Timeline, Proposed Changes, Addressing Public Comments, and responded to Board inquiries.

County Attorney Knowlton summarized procedures for related items Z-17-01-03A and Z-17-01-03B.

Chair Doherty discussed related item procedures. **Commissioner Constance** spoke to the public hearings and incentive density. **Commissioner Tiseo** asked about the public hearings.

Public Hearing

Percy Angelo, Friends of Cape Haze, Inc. commented on incentive density, TDU Code, and 2011 Settlement.

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-013 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9, ZONING, BY ADDING ARTICLE V, ENVIRONMENTAL REQUIREMENTS AND OTHER REQUIREMENTS; CREATING NEW SECTION 3-9-150, TRANSFER OF DENSITY UNITS (TDU) UNDER ARTICLE V; PETITION Z-17-01-03A; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR ADOPTION; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

13. Revisions to the TDU Code, Z-17-01-03B

Community Development

Approve Petition Z-17-01-03B adopting an Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Part III, Land Development and Growth Management, Chapter 3-5, Planning and Development, of the Code of Laws and Ordinances of Charlotte County, Florida, by deleting Article XX, Transfer of Density Units, and amending Article V, Environmental Requirements and Other Requirements of Chapter 3-9, Zoning, by creating new Section 3-9-150, Transfer of Density Units (TDU); providing for intent; providing for revised definitions; providing for revised applicability; providing for revised Sending Zones (SZ); providing for revised Receiving Zones (RZ); providing for covenant requirement; providing for revised procedure; providing for effective date of the Certification or TDU; providing for revised appeal; providing for waiver; providing for Land Acquisition Trust Fund (LATF); providing for new 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 2018-014**

Public Hearing

Wayne Winkelman, Friends of Cape Haze, Inc. provided a handout, mentioned Settlement Agreement language, incentive density, TDU rules, and Department of Community Affairs Settlement.

Jack Johnson, Friends of Cape Haze, Inc. commented on Charlotte County Comprehensive Plan, Placida Road traffic volume, Coastal High Hazard Areas, incentive density, and TDU certification.

Percy Angelo, Friend of Cape Haze, Inc. discussed 2011 Settlement Agreement, incentive density, TDU certification, Planned Development (PD) issues, and public input.

Attorney Geri Waksler spoke to TDU Ordinance, PD provision, and DRI provision.

Attorney Rob Berntsson noted TDU Ordinance, DRI provision, and 2011 Settlement Agreement.

Jim Cooper mentioned PD zoning, receiving zones, compatibility, transparency, Table of Contents, and Table of Definitions.

Andy Dodd commented on timeline, density unit certification, DRI density, and administrative surrender of certificates.

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

MOTION CARRIED 5:0.

Ms. Shao discussed public comments, revitalization plan, incentive density, stripping density, PD zoning, and round table process.

Ms. Jubb spoke to incentive density, revitalization plan, and round table process.

County Attorney Knowlton mentioned stripping density.


Chair Doherty commented on Comprehensive Plan consistency. **Commissioner Constance** inquired about public comments, county density, stripping density, and PD zoning. **Commissioner Deutsch** discussed density unit issues. **Commissioner Tiseo** commented on round table process. **Commissioner Truex** spoke to density movement.

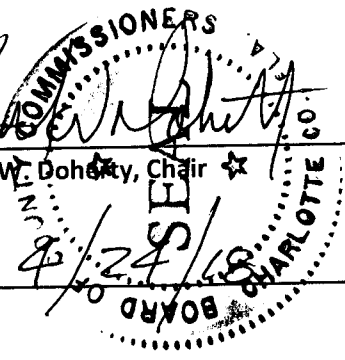
COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-014 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING PART III, LAND DEVELOPMENT AND GROWTH MANAGEMENT, CHAPTER 3-5, PLANNING AND DEVELOPMENT, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY DELETING ARTICLE XX, TRANSFER OF DENSITY UNITS, AND AMENDING ARTICLE V, ENVIRONMENTAL REQUIREMENTS AND OTHER REQUIREMENTS OF CHAPTER 3-9, ZONING, BY CREATING NEW SECTION 3-9-150, TRANSFER OF DENSITY UNITS (TDU); PROVIDING FOR INTENT; PROVIDING FOR REVISED DEFINITIONS; PROVIDING FOR REVISED APPLICABILITY; PROVIDING FOR REVISED SENDING ZONES (SZ); PROVIDING FOR REVISED RECEIVING ZONES (RZ); PROVIDING FOR COVENANT REQUIREMENT; PROVIDING FOR REVISED PROCEDURE; PROVIDING FOR EFFECTIVE DATE OF THE CERTIFICATION OR TDU; PROVIDING FOR LIMITED RELIEF;

PROVIDING FOR WAIVER, PROVIDING FOR LAND ACQUISITION TRUST FUND (LATF); PROVIDING FOR NEW FORMATTING; PETITION Z-17-01-03B; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR ADOPTION; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

ADJOURNED: 4:30 pm



Kenneth W. Doherty, Chair ☆
DATE ADOPTED: 3/24/18


ATTEST:

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

By: Michelle DiBenedetto
Deputy Clerk