

**BOARD OF COUNTY COMMISSIONERS**

**MAY 22, 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 (Departed at 2:30 pm), Assistant County Administrator Flores (Arrived at 2:30 pm), County Attorney Knowlton, Clerk of the Circuit Court and County Comptroller Roger D. Eaton, 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 **Commissioner Deutsch**, followed by the Pledge of Allegiance.

**Changes to the Agenda**

**Change #1:** R-1 Added Agenda  
Requested by: Utilities

**Addition #1:** R-2 Approve the Resolution Declaring an End to Burn Ban and Repealing Resolution 2018-042.  
Requested by: County Attorney

**Change #2:** E-1 Added Scope of Services  
Requested by: County Attorney

**Change #3:** D-1 Updated effective date to June 27, 2018  
Requested by: County Administration

**Change #4:** I-1 Added Final Grant Agreement  
Requested by: Economic Development

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

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Bill Truex**

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

**MOTION CARRIED 5:0.**

**13th Army Band of the Florida National Guard Day**

Travis Mortimer accepted the Proclamation.

**El Jobean Pre-Memorial Day Remembrance Celebration**

Commissioner Deutsch accepted the Proclamation.

**Emergency Medical Services Week**

Deputy Chief Michael Davis and Captain Nathan McManus accepted the Proclamation.

**National Garden Week**

Carolyn Houston, Vinita Jones, Suzanne McCormick, Carolyn Savary, Sue Killion, and others accepted the Proclamation.

**National Public Works Week**

John Elias, Ravi Shanka Kamarajugadda, Rob Powell, Tara Musselman, Karly Greene, Tracy Doherty, Sean Horan, Patrick Ferriter, Robert Netz, Todd Martin, Christopher Andersch, Joanne Vernon, Scott Schermerhorn, Richard Allen, and Venkat Vattikuti accepted the Proclamation.

**Summer Camp Month**

Jill Boyd accepted the Proclamation.

**Employee Recognition**

**Employee of the Month - April 2018 - Kathy Brantley, Human Resources**

Heather Bacus, Human Resources Director gave a brief overview of Ms. Brantley's customer service dedication, leadership, and presented award.

**Ambassador Program Graduation**

Cathy Kerallah, Human Resources Specialist explained the Ambassador Program and presented certificates to the graduates.

Christy Barnes, Budget and Administrative Services; Shannon Carter, Budget and Administrative Services; Julie Couturiaux, Facilities; Denise Davison, Public Works; Crystal Diff, Community Services; Stacia Eason, Public Works; Lloyd Eason, Utilities; Kellyann Eller, Community Development; Judith Fauly, Administration; Elie Fischhof, Budget and Administrative Services; Thomas Freimark, Budget and Administrative Services; Patrick Fuller, Public Safety; Gail Gursky, Community Development; Kathleen Harriott, Community Services; Jennifer Henderson, Utilities; Carrie Hussey, Human Services; Ross Iglesias, Budget and Administrative Services; Lindsey Johnson, Public Works; Danielle Jorge, Public Works; Jammie Leibman, Budget and Administrative Services; Amy Lemieux, Community Services; Charles Lindback, Human Services; Syndi Merriman, County Attorney's Office; Casey Rodman, Community Development; Roberto Santos, Community Services; Marc Solomon, Community Services; Barbara Yingling, Community Development; Vitaliy Zhigulin, Community Services.

## **Award Presentations**

### **1. Commissioners' Award for Customer Service - Commissioner Constance**

Second Quarter Commissioners' Award FY2017/2018 - Larry Brown

**Commissioner Constance** noted Mr. Brown's US Air Force career, Veterans' services, co-worker comments, and presented award.

## **CITIZEN INPUT - AGENDA ITEMS ONLY**

Joan Fischer spoke to 2018 Authorize Mailing-MSBU assessment rates and authorization for the Economic Development Director to travel to Farnborough International Airshow.

Hank Killion, West County Stormwater Municipal Service Benefit Units (MSBU) Chairman spoke to South Gulf Cove lock assessment and repair.

## **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 both a property owner within 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, 2021.

**Buena Vista Area Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

**Charlotte Ranchettes Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

**Englewood East Non-Urban Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.

**Gardens of Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.

**Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2019.

**Grove City Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2020 and October 31, 2021.

**Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.

**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, 2021.

**Northwest Port Charlotte Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2019 and October 31, 2021.

**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, 2021.

**Rotonda Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

**South Gulf Cove Beautification Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.

**South Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

**Parks and Recreation Advisory Board** is seeking one volunteer who must be a resident of Charlotte County to fill an at-large position. Term will expire four years from date of appointment. To obtain an application, please contact Lisa Eby at 941-743-1300 or e-mail Lisa.Eby@CharlotteCountyFL.gov.

**REPORTS RECEIVED AND FILED – No Items.**

#### **CONSENT AGENDA**

**Commissioner Constance** referenced the Economic Development Director traveling to Farnborough International Airshow back-up material.

**COMMISSIONER TRUEX MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF D-1 AND F-7, SECONDED BY COMMISSIONER CONSTANCE**

**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:

April 23, 2018 Annual Joint Workshop  
April 24, 2018 Regular and Land Use Meeting  
May 3, 2018 Pre-Agenda

BUDGETED ACTION: No action needed.

**Board of County Commissioners**

**C. Commission Office**

1. Appointment - Buena Vista Waterway MSBU Advisory Board

RECOMMENDED ACTION: Approve the appointment of George Chamberlain, Jr. to fill the unexpired term of Kenneth Kiley on the Buena Vista Waterway Advisory Board. This appointment will be effective immediately and will expire on October 31, 2019. BUDGETED ACTION: No action needed.

2. Appointment - Affordable Housing Advisory Committee

RECOMMENDED ACTION: Approve the appointment of Alecia A. Cunningham to the Affordable Housing Advisory Committee as an advocate for Low-Income persons. Effective immediately 05/22/2018 and expiring 5/22/2021. BUDGETED ACTION: No action need.

**D. County Administration**

**Administration**

1. Utility Director

**(Change #3)** Updated effective date to June 27, 2018

RECOMMENDED ACTION: Approve the appointment of Craig Rudy as Utility Director, effective July 11, 2018. BUDGETED ACTION: No action needed.

**Chair Doherty** commented on applicant. **Commissioner Constance** spoke to the interview process. **Commissioner Tiseo** inquired about application process. **Commissioner Truex** mentioned the interview process.

County Administrator Sandrock highlighted Mr. Rudy's career, leadership skills, project management, and interview process.

**COMMISSIONER TISEO MOVED TO APPROVE THE APPOINTMENT OF CRAIG RUDY AS UTILITY DIRECTOR, EFFECTIVE DATE JUNE 27, 2018, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

2. June 5, 2018 El Jobean Sewer MSBU Methodology

RECOMMENDED ACTION: Approve the El Jobean Sewer MSBU Methodology Workshop on June 5, 2018 at 12:30 p.m. in Room 119. BUDGETED ACTION: No action needed.

3. Revise June 19, 2018 Monthly Workshop

RECOMMENDED ACTION: a) Approve the title change of June 19, 2018 Monthly Workshop to Strategic Plan Update; and b) Approve the location change of 18500 Murdock Circle, Commission Chambers, Room 119 to Port Charlotte Beach Complex, 4500 Harbor Blvd. BUDGETED ACTION: No action needed.

**Public Information Office - No Items.**

**E. County Attorney**

1. Extension of Contract with Peter Ravella Consulting, LLC

**(Change #2) Added Scope of Services**

RECOMMENDED ACTION: Authorize the County Attorney to continue to extend through May the current contract with Peter A. Ravella Consulting, LLC (PARC) for finalization of the beach renourishment assessment methodology. BUDGETED ACTION: No action needed. Funding from Project "Manasota Key North Beach Nourishment" approved in the FY18 Budget Process. Funding is supplied from BP Settlement Funds.

**F. Budget and Administrative Services**

**Fiscal Services**

1. 2018 Authorize Mailing-MSBU

RECOMMENDED ACTION: a) Approve and authorize the mailing of the required first-class notification of proposed Municipal Services Benefit Unit (MSBU) assessment rates for FY18/19 for properties assessed for the first time in the Charlotte County Sanitation Unit; and b) Approve a proposed four percent (4%) across the board rate increase for Charlotte County Fire Rescue Dept. BUDGETED ACTION: No action needed. Mailing costs are budgeted in the General Fund - BCC Control, and will be charged back to the appropriate MSBU.

**Information Technology - No Items.**

**Purchasing**

2. 16-420, Change Order #13, Cleaning Services, Charlotte County Facilities (Facilities)

RECOMMENDED ACTION: Approve Change Order #13 to Contract #16-420 Cleaning Services, Charlotte County Facilities-Annual with At Your Service Cleaning Group, Inc. of Sarasota, FL, to add cleaning services

at the new West County Annex Building for \$1,875 per month. BUDGETED ACTION: No Action Needed. Amount Budgeted in FY18.

3. 18-284, Award, Forrest Nelson Boulevard Force Main Replacement (Utilities)

RECOMMENDED ACTION: Approve the Award of Bid #18-284, Forrest Nelson Boulevard Force Main Replacement, to the lowest, responsive, responsible bidder, Cobb Site Development, Inc., of Wauchula, FL, for the total bid price of \$562,410.25. BUDGETED ACTION: No action needed. Budgeted in the Utilities Capital Maintenance plan, as approved in the FY18 budget process. Funding is supplied from the Utility Renewal and Replacement Fund.

4. 16-334, Approve Change Order #11, Right of Way Landscape Maintenance - Annual (Public Works)

RECOMMENDED ACTION: Approve Change Order #11 to Contract #16-334, County Right of Way Landscape Maintenance - Annual Contract as awarded to Walker's Service Inc. for additional landscape maintenance in the amount of \$215,825. BUDGETED ACTION: No action needed. Budgeted in Road and Bridge Infrastructure and various MSBU's as approved in the FY18 Budget Process. Funding is supplied from gas taxes (\$168,448), Placida St/Dr MSBU assessments (\$23,080), and South Gulf Cove St/Dr MSBU assessments (\$24,297).

5. 18-394, Piggyback, Purchase One (1) John Deere Excavator (Public Works-M&O)

RECOMMENDED ACTION: a) Approve the award of a "Piggyback" Purchase, File #18-394 John Deere Excavator, from Dobbs Equipment LLC (fka Nortrax, Inc.) of Riverview, Florida, Piggyback off the Florida Sheriffs Association and Florida Association of Counties, Contract # FSA 17-VEH15.0 Specification #41, for a total cost of \$367,428.40 to purchase a John Deere 300G Excavator with options for Public Works-Maintenance and Operations; and b) Approve the property deletion of Asset #32114 (Kobelco SK295LC Excavator) to be sold via an on-line auction service with Gov-Deals, Inc. BUDGETED ACTION: No action needed. Budgeted in the Heavy Equipment Plan, as approved in the FY18 budget process.

6. 02-201 Amendment #7 Airport Commerce Park Piper Rd Design (Public Works)

RECOMMENDED ACTION: a) Approve Amendment #7 to Contract #02-201, Airport Commerce Park Design (Piper Road), with Johnson Engineering in the not-to-exceed amount of \$53,685; and b) Authorize Chairman to sign the Amendment. This is for additional engineering and design services required for signalization of the intersection at Piper Road at Henry Street. BUDGETED ACTION: No action needed. Budgeted in CIP project "Piper Road North/ECAP", as approved in the FY18 budgeted process and later amended. Funding is supplied from the 2014 Sales Tax Extension.

7. 17-414, Amendment #1, South Gulf Cove Lock Assessment and Repair (Public Works)

RECOMMENDED ACTION: a) Approve Amendment #1 to Contract #17-414 South Gulf Cove Lock Assessment and Repair with Electro Hydraulic Machinery, Inc. for Phase Two for the repair and parts replacement in the amount of \$360,084; and b) Authorize the Chairman to sign Amendment #1 to the Contract for the repair phase of the South Gulf Cove Lock Assessment and Repair. c) Approve budget Amendment BA18-025 in the amount of \$210,487. BUDGETED ACTION: Approve budget adjustment BA18-025 in the amount of \$210,487 to provide additional funding in the South Gulf Cove Waterway MSBU. Funding is supplied from the South Gulf Cove Waterway Mtc. MSBU assessments. **RES 2018-059**

**Chair Doherty** discussed Gulf Cove Lock, stormwater MSBU policy, and waterway MSBU policy. **Commissioner Constance** spoke to stormwater MSBU policy and waterway MSBU policy. **Commissioner Deutsch** commented on the Gulf Cove Lock. **Commissioner Tiseo** inquired about the Gulf Cove Lock.

**COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION 2018-059 BUDGET AMENDMENT BA18-025 IN THE AMOUNT OF \$210,487, AMENDMENT #1 TO CONTRACT #17-414 SOUTH GULF COVE LOCK ASSESSMENT AND REPAIR WITH ELECTRO HYDRAULIC MACHINERY, INC. FOR PHASE TWO FOR THE REPAIR AND PARTS REPLACEMENT IN THE AMOUNT OF \$360,084, AND AUTHORIZE THE CHAIRMAN TO SIGN AMENDMENT #1 TO THE CONTRACT FOR THE REPAIR PHASE OF THE SOUTH GULF COVE LOCK ASSESSMENT AND REPAIR, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**Real Estate Services - No Items.**

**Risk Management - No Items.**

**Transit - No Items.**

**G. Community Development - No Items.**

**H. Community Services**

**Parks and Natural Resources - No Items.**

**Recreation - No Items.**

**Libraries and Historical - No Items.**

**Environmental Services - No Items.**

**I. Economic Development**

1. Award, Florida Job Growth Grant Funding

**(Change #4) Added Final Grant Agreement**

**RECOMMENDED ACTION:** a) Accept award of \$800,000 from Florida Job Growth Grant Fund for Piper Road North Water Line extension; and b) Approve Budget Resolution and Budget Adjustment BA18-026, in the amount of \$800,000; and c) Authorize County Administrator or his designee to execute associated grant related documents. **BUDGETED ACTION:** Approve budget adjustment BA18-026, in the amount of \$800,000, increasing CIP project "Piper Road North", as amended, to recognize grant funding for the design and construction of a water line. **RES 2018-060 / RES 2018-061 / GRT 2018-004**

2. Authorize the Economic Development Director to travel to Farnborough International Airshow

**RECOMMENDED ACTION:** Authorize the Economic Development Director to travel to the Farnborough International Airshow. **BUDGETED ACTION:** No action needed. Funding from Economic Development Budget approved in the FY18 Budget Process.



**J. Facilities Construction and Maintenance - No Items.**

**K. Human Resources - No Items.**

**L. Human Services - No Items.**

**M. Public Safety**

1. 2018/2019 EMPA Grant

RECOMMENDED ACTION: Approve the FY18/19 Emergency Management Preparedness & Assistance (EMPA) Base Grant between Charlotte County and the Florida Division of Emergency Management (FDEM) in the amount of \$115,806. BUDGETED ACTION: No action needed. Grant funds are included in the budget process for FY18/19 Emergency Management operating budget. The County match approved budget is \$115,806. **GRT 2018-005**

**N. Public Works - No Items.**

**O. Tourism Development - No Items.**

**P. Utilities**

1. Resolution Authorizing Execution of SRF Loan Agreement Amendments for the County's Sewer Master Plan

RECOMMENDED ACTION: Adopt a Resolution authorizing the County Administrator to execute amendments to the SRF Loan Agreement for the County's Sewer Master Plan. BUDGETED ACTION: No action needed. Funding from the Utility Operations and Maintenance Fund as approved in the FY18 Budget Process. **A.AGR 2016-083 / RES 2018-062**

**Q. Other Agencies - No Items.**

**REGULAR AGENDA**

**R. Regular Agenda**

1. Water Authority Agenda - May 30, 2018

**(Change #1) Added Agenda**

Utilities

Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agendas for the upcoming May 30, 2018 Meeting.

Travis Mortimer, Interim Utilities Director gave a brief overview of the Peace River Manasota Regional Water Supply Authority Board agendas for the upcoming May 30, 2018 Meeting and responded to Board inquiries.

**Chair Doherty** commented on the pre-agenda meeting schedule, 5-year Capital Improvement Plan (CIP), 20-year Capital Needs Assessment (CAN), and videotaping meetings. **Commissioner Constance** mentioned 5-year CIP, 20-year CAN, and videotaping meetings.

**(Addition #1) R-2 Approve the Resolution Declaring an End to Burn Ban and Repealing Resolution 2018-042. RES 2018-064**

Chief Bill Van Helden, Public Safety Director gave a brief overview of the Burn Ban repeal request and responded to Board inquiries.

**Commissioner Constance** questioned the fire index.

**COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2018-064 DECLARING AN END TO THE BURN BAN, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**RECESS: 9:57 am - 1:00 pm**

**PUBLIC HEARING AGENDA**

**S. 10:00 A.M. Public Hearing - No Items.**

**PRESENTATION AGENDA**

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

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

Ann Jordan queried private road maintenance.

**LAND USE PUBLIC HEARING AGENDA**

**AA. County Administrator:**

County Administrator Sandrock introduced Joanne Vernon, County Engineer to discuss East-West Spring Lake paving plans following the utility installations.

Ms. Vernon gave a brief overview of the paving plan timeline.

**Commissioner Constance** discussed US 41 service road paving and Easy Street paving.

**BB. County Attorney: None.**

**CC. Commissioner Comments:**

**Chair Doherty** spoke to moving vehicle digital signage, Gulf Consortium meeting, solar, Southwest Florida Regional County Summit invitation, and Water Authority permit. **Commissioner Constance** commented

on moving vehicle digital signage, Gulf Consortium meeting, solar, Southwest Florida Regional County Summit invitation, Water Authority permit, and Solid Waste Facility disposal fees. **Commissioner Deutsch** discussed Memorial Day events, William R. Gaines, Jr. Veterans Memorial Park fundraising event, moving vehicle digital signage, and Gulf Consortium meeting. **Commissioner Tiseo** mentioned non-profits and moving vehicle digital signage. **Commissioner Truex** commented on Federal Emergency Management Agency (FEMA) Partner Strategy session.

County Administrator Sandrock spoke to Southwest Florida Regional County Summit invitation and Solid Waste Facility disposal fees.

Shaun Cullinan, Planning and Zoning Official discussed moving vehicle digital signage.

Emily Lewis, Legislative Manager reviewed the Gulf Consortium meeting.

**RECESS: 1:38 pm – 2:00 pm**

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

1. NOPC Application to Amend the Increment One Development Order (IDO) for the Murdock Center Development of Regional Impact (DRI)

Community Development

Approve a Resolution pursuant to Section 380.06, Florida Statutes, amending the Development Order for Increment 1 of the Murdock Center Development of Regional Impact (DRI) to extend the buildout date to March 1, 2022 to match the buildout date of the Master Development Order of the Murdock Center DRI; for property located in the general vicinity of Quesada Avenue and Cochran Boulevard, in the Port Charlotte area; containing 315± acres; Commission District V, Petition No. NOPC-18-02-04; applicant: Avesta Properties, LLC. Quasi-Judicial **RES 2018-063**

**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. Cullinan noted his credentials, asked to be accepted as an expert planner, gave a brief overview of NOPC-18-02-04, NOPC-18-02-04 – Area Image, and responded to Board inquiries.

Attorney Rob Berntsson, representing the Applicant accepted Mr. Cullinan as an expert planner, discussed increments, extension, buildout, and monitoring reports.

**Commissioner Constance** inquired about the increment layout and buildout. **Commissioner Tiseo** asked about monitoring reports and increments.

**Public Hearing – None**

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

MOTION CARRIED 5:0.

COMMISSIONER DEUTSCH MOVED TO APPROVE RESOLUTION 2018-063, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

2. Z-17-09-30, Sattar/S&S Money

Community Development

Approve an Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD). This is a major modification of an existing PD to revise the conditions of approval, for property located at 23371 Harborview Road, in the Port Charlotte area, containing 1.52±acres; Commission District I; Petition No. Z-17-09-30; Applicant: Abdool Zaheer Sattar; providing an effective date. Quasi-Judicial **ORD 2018-017**

**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.

Matthew Trepal, Principal Planner noted his credentials, asked to be accepted as an expert planner, gave a brief overview of Z-17-09-30, Z-17-09-30 – Location Map, Z-17-09-30 – Site Image, Z-17-09-30 – Framework, Z-17-09-30 – FLUM Designations, Z-17-09-30 – Zoning Designations, and responded to Board inquiries.

Mr. Cullinan spoke to Board of Zoning Appeals (BZA) landscaping conditions, permitting, and code compliance.

Thomas David, Assistant County Attorney spoke to Quasi-Judicial hearing evidence.

James Herston, Herston Engineering Services, Inc. representing the Applicant accepted Mr. Cullinan as an expert planner, discussed rezoning use, Staff's conditions, and BZA landscaping conditions.

**Chair Doherty** questioned Quasi-Judicial hearing evidence. **Commissioner Tiseo** inquired about surrounding residential property and BZA landscaping conditions. **Commissioner Truex** asked about BZA compliance timeline.

**Public Hearing - None**

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-017 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD), FOR PROPERTY

LOCATED AT 23371 HARBORVIEW ROAD, IN THE CHARLOTTE HARBOR AREA, CONTAINING 1.52 ACRES MORE OR LESS, COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-17-09-30; APPLICANT, ABDPOOL ZAHEER SATTAR; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

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

3. Ordinance Adopting Petition No. PA-18-02-06, Trout Property Holdings, LLC

Community Development

Approve an Ordinance adopting Petition PA-18-02-06, amending the Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Commercial (COM) for Lots 1 & 2; for property located at 4021 Duncan Road, in the Punta Gorda area, containing 1± acres; Commission District I. Legislative **ORD 2018-018**

**Chair Doherty** questioned Public Hearings for related Petition Numbers PA-18-02-6 and Z-18-02-07.

County Attorney Knowlton advised that there can be one Public Hearing for related Petition Numbers PA-18-02-6 and Z-18-02-07.

Mr. Cullinan noted his credentials, asked to be accepted as an expert planner, gave a brief overview of PA-18-02-6 & Z-18-02-07, PA-18-02-6 & Z-18-02-07 – Location Map, PA-18-02-6 & Z-18-02-07 – Area Image, PA-18-02-6 & Z-18-02-07 – Framework, PA-18-02-6 & Z-18-02-07 – FLUM Designations, PA-18-02-6 & Z-18-02-07 – Proposed FLUM Designations, PA-18-02-6 & Z-18-02-07 – Zoning Designations, PA-18-02-6 & Z-18-02-07 – Proposed Zoning Designations, Master Concept Plan, and responded to Board inquiries.

Scott Morrison, Morrison Engineering and Construction, Inc., representing the Applicant accepted Mr. Cullinan as an expert planner, staff report with conditions, noted neighborhood petition signatures, guard tower, boat ramp, and additional structures.

**Commissioner Constance** inquired about guard tower, boat ramp, and previous structures.

**Public Hearing for Petition Numbers PA-18-02-6 and Z-18-02-07 - None**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-018 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 DENSITY RESIDENTIAL (LDR) TO COMMERCIAL (COM) FOR LOTS 1 AND 2 OF SABAL PALM PARK, LOCATED AT 4021 OR 4043 DUNCAN ROAD, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT I, CONTAINING 1.0 ACRE MORE OR LESS;**

PETITION PA-18-02-06; APPLICANT, TROUT PROPERTY HOLDINGS, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

4. Ordinance Adopting Petition No. Z-18-02-07, Trout Property Holdings, LLC

Community Development

Approve an Ordinance adopting Petition Z-8-02-07, amending the Charlotte County Zoning Atlas from Commercial General (CG) and Manufactured Home Conventional (MHC) to Planned Development (PD); for property located at 4021 or 4043 Duncan Road, in the Punta Gorda area, containing 1.97± acres; Commission District I; Petition No. Z-18-02-07; applicant: Trout Property Holdings, LLC. Quasi-Judicial **ORD 2018-019**

**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.

**COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2018-019 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM MANUFACTURED HOME CONVENTIONAL (MHC) AND COMMERCIAL GENERAL (CG) TO PLANNED DEVELOPMENT (PD), FOR PROPERTY LOCATED AT 4021 OR 4043 DUNCAN ROAD, IN THE PUNTA GORDA AREA, CONTAINING 1.97 ACRES MORE OR LESS, COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-18-02-07; APPLICANT, TROUT PROPERTY HOLDINGS, LLC; PROVIDING AN EFFECTIVE DATE, AND WITH CONDITIONS A THROUGH G AS PROPOSED, SECONDED BY COMMISSIONER TRUEX**

MOTION CARRIED 5:0.

5. Z-18-04-17, Amendments to Section 3-9-100.3, Tree Requirement to add item f

Community Development

Approve the Revisions to the Land Development Regulations referencing tree removal standards, based on the findings and analysis in the Planning Division staff report dated May 1, 2018, and the evidence presented at the public hearing. Legislative **ORD 2018-020**

Mr. Cullinan gave a brief overview of Z-18-04-17, Current Regulations, Application, and Proposed Changes.

**Commissioner Doherty** referenced tree removal permitting.

**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 2018-020 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9, ZONING, ARTICLE IV, SITE DESIGN STANDARDS AND REQUIREMENTS, SECTION 3-9-100.3, TREE REQUIREMENTS, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY AMENDING SUBSECTION (G)(1) UNDER SECTION 3-9-100.3, TO ADD ITEM F; PETITION Z-18-04-17; 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 DEUTSCH

MOTION CARRIED 5:0.

6. Z-18-04-18, Amending Chapter 3-5, Planning and Development by creating new Article XXV, Declaration of Unity of Title

Community Development

Approve the Revisions to Chapter 3-5, Planning and Development referencing "Unity of Title" based on the findings and analysis in the Planning Division staff report dated May 1, 2018, and the evidence presented at the public hearing. Legislative **ORD 2018-021**

Marilyn Miller, Assistant County Attorney gave a brief overview of Z-18-04-18, Proposed Regulations, and responded to Board inquiries.

**Chair Doherty** inquired about existing Street and Drainage MSBU's and methodology. **Commissioner Constance** spoke to existing Street and Drainage MSBU's and methodology.

**Public Hearing**

Joseph Torrenti opined combined lots.

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

MOTION CARRIED 5:0.

COMMISSIONER TRUOX MOVED TO APPROVE ORDINANCE 2018-021 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, CREATING ARTICLE XXV, "DECLARATION OF UNITY OF TITLE" IN CHAPTER 3-5, PLANNING AND DEVELOPMENT, IN THE CHARLOTTE COUNTY CODE OF LAWS AND ORDINANCES; CREATING SECTION 3-5-541, "PURPOSE AND APPLICABILITY;" SECTION 3-5-542, "DEFINITIONS;" SECTION 3-5-543, "APPLICATION REQUIREMENTS;" SECTION 3-5-544, "APPROVAL PROCEDURE;" AND SECTION 3-5-545, "RELEASE OF DECLARATION OF UNITY OF TITLE;" PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

7. Z-18-04-24, Amending Chapter 2-1, Emergencies, by creating new Section 2-1-44, Removal of storm shutters

Community Development

Approve Petition No. Z-18-04-24; Creating Section 2-1-44, Removal of Storm Shutters, based on the findings and analysis in the Planning Division staff report dated April 26, 2018, and the evidence presented at the public hearing. Legislative **ORD 2018-022**

Mr. Cullinan gave a brief overview of Z-18-04-24, Example, Proposed Standards, and responded to Board inquiries.

**Commissioner Constance** inquired about removal timeframe.

**Public Hearing - None**

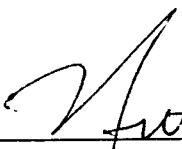
**COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH**

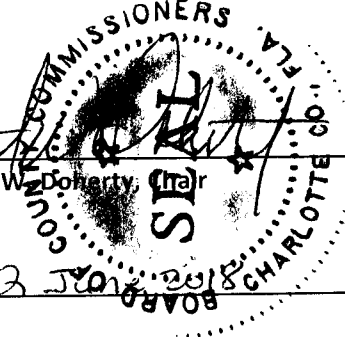
**MOTION CARRIED 5:0.**

**COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2018-022 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 2-1, EMERGENCIES, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY CREATING NEW SECTION 2-1-44, REMOVAL OF STORM SHUTTERS, UNDER DIVISION 1, GENERALLY, OF ARTICLE III, EMERGENCY MANAGEMENT PROVIDING FOR REQUIREMENTS OF UNPERMITTED STORM SHUTTERS; PETITION Z-18-04-24; 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 TRUOX**

**MOTION CARRIED 5:0.**

**ADJOURNED: 2:56 pm**

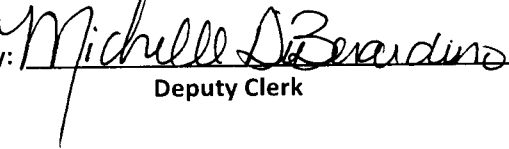
  
\_\_\_\_\_  
Kenneth W. Doherty, Chair

  
The seal is circular with the text "BOARD OF COUNTY COMMISSIONERS" around the top and "CHARLOTTE COUNTY, FLORIDA" around the bottom. In the center, there is a large "S" and a star.

DATE ADOPTED: 13 JUNE 2018

ATTEST:

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

By:   
Deputy Clerk