

BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 25, 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, Finance Director Wilder, 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 Bill Frank, First Baptist Church of Punta Gorda, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: R-4 Remove Peter Gerhardt from the Planning and Zoning Board, Board of Zoning Appeals, and Beaches and Shores Advisory Committee.

Requested by: Commission Office

Change #1: E-1 Added attachment, Resolution and Exhibit

Requested by: County Attorney

Change #2: S-1 Added attachment, Capital Improvements Program Schedule

Requested by: Budget and Administrative Services

Change #3: E-2 Updated attachment, Resolution - Red Tide Extension

Requested by: County Attorney

Change #4: R-1 Added attachments, October 2018 Agenda and October Workshop Agenda

Requested by: Utilities

~~**Deletion #1:** R-4 Remove Peter Gerhardt from the Planning and Zoning Board, Board of Zoning Appeals, and Beaches and Shores Advisory Committee.~~

Requested by: Commission Office

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Stephen R. Deutsch

**COMMISSIONER TRUEX MOVED TO APPROVE THE PROCLAMATIONS, SECONDED BY COMMISSIONER DEUTSCH
MOTION CARRIED 5:0.**

Taken Out Of Order

Recovery Month

David Thompson accepted the Proclamation.

Community Planning Month

Shaun Cullinan, Jie Shao, Matt Trepal, Steven Ellis, Elizabeth Nocheck, and Claire Jubb accepted the Proclamation.

Taken Out Of Order

Award Presentations

Commissioner Deutsch presented Commemorative Recognition Lapel Pins to the Board of County Commissioners and Jaha Cummings, City of Punta Gorda Council Member on behalf of the William R. Gaines, Jr. Veterans Memorial Fund for support of the William R. Gaines, Jr. Veterans Memorial Park.

Employee Recognition

Employee of the Month - August - Travis Perdue, Facilities Construction & Maintenance

Roger Warner, Facilities Manager gave a brief description of Mr. Perdue's career, projects, read co-workers comments, and presented Award.

CITIZEN INPUT - AGENDA ITEMS ONLY

Dave Kesselring spoke to Consent Agenda and Board Workshop – Sales Tax Exemption.

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.

- **Alligator Creek Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Boca Grande Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2020 and October 31, 2021.
- **Buena Vista Area Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Burnt Store Village Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through

October 31, 2021.

- **Charlotte Ranchettes Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Deep Creek Non-Urban Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Don Pedro and Knight Islands Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Edgewater North Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Englewood East Non-Urban Street & Drainage Unit** is seeking three members to fill vacant unexpired terms through October 31, 2020 and 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 three members to fill vacant unexpired terms through October 31, 2019 and October 31, 2021.
- **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 three members to fill vacant unexpired terms through October 31, 2019 and October 31, 2021.
- **Harbour Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Harbour Heights Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Manasota Key Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Manchester Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Mid Charlotte Stormwater Utility Unit** is seeking two members to fill vacant unexpired terms 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 four members to fill vacant unexpired terms through October 31, 2019, October 31, 2020 and October 31, 2021.
- **Pirate Harbor Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Pirate Harbor Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **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 three members to fill vacant unexpired terms through October 31, 2020 and October 31, 2021.
- **Rotonda Sands North Street & Drainage Unit** is two members to fill vacant unexpired terms through October 31, 2021.
- **Rotonda West Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **South Burnt Store Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **South Gulf Cove Beautification Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **South Gulf Cove Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **South Gulf Cove Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **West Charlotte Stormwater Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.

Murdock Village Community Redevelopment Agency Advisory Committee is seeking two members to serve-one licensed general building contractor and one real estate broker. Must be residents of Charlotte County Meetings are held quarterly in Murdock at 4:00 p.m. To obtain an application call 743-1309 or email joann.dillon@CharlotteCountyFL.gov.

Historical Advisory Committee is seeking one member to serve as a member-at-large. Must be a resident of Charlotte County and have a background in disciplines of architecture, history, urban planning, archaeology or related discipline such as American Studies or American Civilization. Term is for three years. Committee meets 2nd Wednesday at 9:00am at the Mid-County Library. To obtain an application, call 743-1309 or email joann.dillon@CharlotteCountyFL.gov.

REPORTS RECEIVED AND FILED – No Items.

CONSENT AGENDA

Commissioner Tiseo noted Sales Tax Exemption Workshop location.

COMMISSIONER TRUEX MOVED TO APPROVE THE CONSENT AGENDA, 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:

September 6, 2018 BCC Pre-Agenda
September 10, 2018 BCC First Budget Public Hearing

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - Affordable Housing Advisory Committee

RECOMMENDED ACTION: Approve the appointment of Kurt Pentelecuc to the Affordable Housing Advisory Committee as the liaison for the Not-for-profit Provider to fill a vacancy, term ending September 25, 2021.
BUDGETED ACTION: No action needed.

2. Appointment - Manasota Key and Sandpiper Key Advisory Board

RECOMMENDED ACTION: Approve the appointment of Betsy (Elizabeth) McCallum to the Manasota and Sandpiper Key Advisory Committee to fill a vacancy, term ending November 30, 2022. BUDGETED ACTION: No action needed.

D. County Administration

Administration

1. Set a Board Workshop - Sales Tax Extension

RECOMMENDED ACTION: Approve the Sales Tax Extension Workshop on October 30, 2018 at 3:00 p.m., in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida. BUDGETED ACTION: No action needed.

Public Information Office - No Items.

E. County Attorney

1. Beaches and Shores Rules of Procedure

(Change #1) Added attachment, Resolution and Exhibit

RECOMMENDED ACTION: Adopt Resolution amending Beaches & Shores Rules of Procedure. BUDGETED ACTION: No action needed. **RES 2018-129**

2. Red Tide Extension

(Change #3) Updated attachment, Resolution – Red Tide Extension

RECOMMENDED ACTION: Approve Resolution extending the Red Tide State of Local Emergency. BUDGETED ACTION: **RES 2018-130**

F. Budget and Administrative Services

Fiscal Services - No Items.

Information Technology - No Items.

Purchasing

1. 16-218, Amendment #3, Charlotte County Sewer Master Plan (Utilities)

RECOMMENDED ACTION: a) Approve Amendment #3 to Contract #16-218, Sewer Master Plan, with Jones Edmunds & Associates, for additional services for the not-to-exceed amount of \$48,500 to complete Phase 2, a financing and funding plan for the City of Punta Gorda's Sewer Master Plan; and b) Authorize the Chairman to sign Amendment #3 for the additional services to complete Phase 2 of the City of Punta Gorda's Sewer Master Plan. BUDGETED ACTION: No action needed. Budgeted in CIP project "Charlotte County Utilities Department Sewer Master Plan," as approved in the FY18 budget process. Funding for County portion of the project is provided from SRF and Utility Operating fund. The City will be submitting payment to the Utility Operating fund for the cost associated with their portion of the project.

2. 18-589, Award, Microsoft Enterprise License Agreement (Information Technology)

RECOMMENDED ACTION: Approve File #18-589, Microsoft Enterprise License Agreement, for the price of \$369,588.45, which this portion was awarded to CDW, LLC by the Sourcewell formerly National Joint Power

Alliance (NJPA) # 100614CDW. Year Two of Three Year Microsoft Enterprise Agreement Number E8086011. BUDGETED ACTION: No action needed. Funding from the General Fund - IT Operations Budget as approved in the FY18 Budget Process.

3. 18-509, Award, Vehicles - Annual Contract (Fleet)

RECOMMENDED ACTION: a) Approve award of Bid #18-509, Vehicles - Annual Contract, for a 4.06% discount off of Ford Factory Invoice, and a 0% mark-up on dealer installed options, to Bartow Ford. Term of contract is from October 1, 2018 through and including September 30, 2019; and b) Authorize the County Administrator to approve the renewal options for up to two additional one-year terms, at the same prices, terms, and conditions, by mutual consent. This annual contract allows for the purchase of Ford vehicles on an 'as needed' basis. BUDGETED ACTION: No action needed. Funding was approved during the FY2018 budget process.

4. 18-598, Approve, South County Regional Park Soccer Sports Lighting Upgrade (Facilities)

RECOMMENDED ACTION: Approve File #18-598, South County Regional Park Soccer Sports Lighting Upgrade, a piggyback off of the Clay County Contract RFP #13/14-8, Various Equipment and Amenities for Parks and Playgrounds, with Musco Sports Lighting, LLC, located in Muscatine, Iowa, for the total amount of \$272,500. BUDGETED ACTION: No action needed. Budgeted in the Community Services Capital Maintenance Plan, as approved in the FY19 budget process.

5. 15-403, Amendment #2, Design Recreation Centers - Ann Dever Memorial and North Charlotte Regional Park (Facilities)

RECOMMENDED ACTION: a) Approve Amendment #2 to Contract #15-403 Design Recreation Centers-Ann Dever Memorial and North Charlotte Regional Parks with Fleischman Garcia of Sarasota, Florida for a not to exceed amount of \$221,000 for the Aquatic Center at North Charlotte Regional Park; and b) Authorize the Chairman to sign Amendment #2 to the contract in the amount of \$221,000; and c) Approve Resolution and budget adjustment BA19-002 in the amount of \$250,000 to provide funding in a new CIP project entitled "North Charlotte Regional Park Aquatic Center", to include supplemental funding in FY20, and authorize change to the FY19 budget effective October 1, 2018. BUDGETED ACTION: Approve budget adjustment BA19-002 in the amount of \$250,000, allocating 2014 Sales Tax reserves to the North Charlotte Regional Park Aquatic Center and authorize change to the FY19 budget effective October 1, 2018. Additional committed funds will be allocated in a future budget action or with the FY20 budget process. **RES 2018-131**

6. 16-349, Amendment #2, Construction Manager At Risk - Ann Dever Memorial and North Charlotte Regional Parks (Facilities)

RECOMMENDED ACTION: a) Approve Amendment #2 to Contract #16-349 Construction Manager at Risk - Ann Dever Memorial and North Charlotte Regional Parks with P.J. Hayes, Inc. d/b/a Tandem Construction of Sarasota, Florida for the North Charlotte Aquatic Center and the management/construction phase of the project in the amount of \$30,396.68; and b) Authorize the Chairman to sign Amendment #2 to the Contract for the North Charlotte Aquatic Center. BUDGETED ACTION: No action needed. Budgeted in CIP project "North Charlotte Regional Park Aquatic Center", as approved in amendment BA19-002, on September 25, 2018.

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

1. Execution of State Aid to Libraries Grant by the County Administrator

RECOMMENDED ACTION: Approve Resolution authorizing the County Administrator to execute State Aid to Libraries Grant applications, agreements and related documents. BUDGETED ACTION: No action needed. RES 2018-132

Environmental Services - No Items.

I. Economic Development

1. Set a Meeting of the Murdock Village CRA for October 9, 2018 at 10:00 a.m.

RECOMMENDED ACTION: Set a Murdock Village Community Redevelopment Agency meeting on October 9, 2018 at 10:00 a.m., or as soon thereafter in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida.
BUDGETED ACTION: No action needed.

J. Facilities Construction and Maintenance - No Items.

K. Human Resources - No Items.

L. Human Services

1. Execution of Grant Applications by the County Administrator

RECOMMENDED ACTION: Approve Resolution authorizing execution of all designated Human Services grant applications, agreements and any related documents by the County Administrator or his or her designee.
BUDGETED ACTION: No action needed. RES 2018-133

M. Public Safety - No Items.

N. Public Works

1. Approval to Apply for Grant Funding from Southwest Florida Water Management District (SWFWMD) – Cooperative Funding Initiative (CFI) for FY 2020

RECOMMENDED ACTION: a) Request approval and authorization to apply for South West Florida Water Management District (SWFWMD) Fiscal Year 2020 Cooperative Funding Initiative for construction/replacement of the Mid County Stormwater Control Unit Elkcam Water Control Structure (ELK 4.56), located east of Harbor Blvd., at the Elkcam waterway at Peachland Blvd.; and b) Authorize the County Administrator or his designee to sign all necessary documents related to submission of the grant application, and electronic submittal of application via SWFWMD portal. BUDGETED ACTION: No action needed. A budget amendment and CIP will be brought back to the Board for approval if awarded. The grant requires a 50% Local Cost Share in the amount of \$450,000.00.

O. Tourism Development - No Items.

P. Utilities - No Items.

Q. Other Agencies

1. Property Appraiser Request to Extend 2018 Tax Roll

RECOMMENDED ACTION: Approve Tax Collector's request (on behalf of the Property Appraiser) to extend the 2018 Tax Roll to the Tax Collector before the Value Adjustment Board completes its final meetings. BUDGETED ACTION: No action needed.

REGULAR AGENDA

R. Regular Agenda

1. Water Authority Agenda - October 5, 2018

(Change #4) Added attachments, October 2018 Agenda and October 2018 Workshop Agenda

Utilities

Discussion and direction on the Peace River Manasota Regional Water Supply Authority Board Agenda for the upcoming October 5, 2018 Meeting.

Craig Rudy, Utilities Director gave a brief overview of the Peace River Manasota Regional Water Supply Authority Board Agenda for the October 5, 2018 Meeting.

Chair Doherty spoke to videotaping meeting, Closed Door Attorney – Client Session, Workshop Agenda, Mosaic mining, and red tide. **Commissioner Constance** spoke to Mosaic mining and red tide. **Commissioner Deutsch** spoke to red tide.

2. Health Department Contract FY19

Budget and Administrative Services

Request the Board give direction and discussion on the FY19 Charlotte County/State of Florida Department of Health contract for the operation of the Charlotte County Health Department. **AGR 2018-050**

Gordon Burger, Budget and Administrative Services Director gave a brief overview of the Fiscal Year 2019 Charlotte County / State of Florida Department of Health contract for the operation of the Charlotte County Health Department and responded to Board inquiries.

Dr. Joseph Pepe, Interim Charlotte County Health Department Administrator spoke to quarterly updates and funding.

Alberto Perez, Charlotte County Health Department Financial and Accounting Director spoke to Attachment II, revenue/expenditures, and quarterly updates.

Chair Doherty mentioned funding, services, and facility maintenance. **Commissioner Constance** spoke to Attachment II, revenue/expenditures, and quarterly updates. **Commissioner Tiseo** commented on funding and services.

COMMISSIONER DEUTSCH MOVED TO APPROVE THE CHARLOTTE COUNTY / STATE OF FLORIDA DEPARTMENT OF HEALTH CONTRACT FOR FISCAL YEAR 2019 WITH THE REVISED FIGURE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

3. Appoint by Ballot - Marine Advisory Committee

Commission Office

Appoint by ballot one member to serve as member-at-large on the Marine Advisory Committee, to fill the unexpired term of Mr. John Davidson, who resigned. The committee reviewed two applications and voted to nominate Ms. Susan Bareither. Recommendation is attached as well as ballot.

COMMISSIONER DEUTSCH MOVED TO APPROVE SUSAN BAREITHER TO SERVE AS MEMBER-AT-LARGE ON THE MARINE ADVISORY COMMITTEE, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

~~(Deletion #1)(Addition #1) R-4. Remove Peter Gerhardt from the Planning and Zoning Board, Board of Zoning Appeals and Beaches and Shores Advisory Committee.~~

RECESS: 9:42 am – 10:00 am

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. 2019 Capital Improvement Program Schedule

(Change #2) Added attachment, Capital Improvements Program Schedule

Budget and Administrative Services

Conduct a public hearing to consider adopting an Ordinance updating and modifying the Capital Improvements Program Schedule FY18/19 through FY23/24. **ORD 2018-037**

Mr. Burger gave a brief overview of updating and modifying the Capital Improvements Program Schedule Fiscal Year 2018 / 2019 through Fiscal Year 2023 / 2024.

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 2018-037, OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AUTHORIZING AN APPROVING MODIFICATIONS TO THE CAPITAL IMPROVEMENT SCHEDULE OF THE CHARLOTTE COUNTY COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3177(3) (B), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

2. Water and Sewer Municipal Code 3-8

County Attorney

Conduct a public hearing to consider an Ordinance repealing and amending certain provisions in Chapter 3-8 of the Charlotte County Code of Laws and Ordinances relating to mandatory connections. **ORD 2018-038**

Marilyn Miller, Assistant County Attorney gave a brief overview of repealing and amending certain provisions in Chapter 3-8 of the Charlotte County Code of Laws and Ordinances relating to mandatory connections and responded to Board inquiries.

Commissioner Deutsch asked about verbiage. **Commissioner Tiseo** mentioned the 1:00 pm Citizens Input.

Public Hearing

Ryan Sharp, Americans Party of Florida Vice-President discussed water line mandatory connections, septic tanks, and sewers.

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-038 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, REPEALING CERTAIN SECTIONS CONTAINED IN THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, ARTICLES I, II, AND V IN CHAPTER 3-8, "WATERS AND SEWERS" RELATING TO THE REGULATION ON INVESTOR-OWNED WATER AND SEWER UTILITIES; AMENDING SECTIONS 3-8-41 AND 3-8-42 AND ADDING A NEW SECTION 3-8-43 RELATING TO UTILITY AVAILABILITY AND

MANDATORY CONNECTION TO WATER AND SEWER SYSTEMS; AMENDING SECTION 3-8-231, 3-8-232, AND 3-8-233 IN ARTICLE VII OF CHAPTER 3-8 RELATING TO THE AVAILABILITY AND MANDATORY CONNECTION TO THE COUNTY-OWNED WATER UTILITY; REPEALING SECTIONS 3-8-234 AND 3-8-235; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 5:0.

3. Retail Gas Pump Security Measures, Section 2-5-9

Community Development

Conduct a public hearing to approve the creation of Section 2-5-9 of the Charlotte County Code of Laws and Ordinances entitled Retail Gas Pump Security Measures, establishing security measures and requirements for owners and operators of retail gas pumps. **ORD 2018-039**

Shaun Cullinan, Planning and Zoning Official gave a brief overview of Retail Gas Pump Security Measures, Why, Key points, Enforcement, and responded to Board inquiries.

Claire Jubb, Community Development Director commented on new pumps.

Commissioner Constance spoke to violations and technology. **Commissioner Deutsch** inquired about costs and new pumps. **Commissioner Tiseo** spoke to technology and new pumps.

Public Hearing

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-039 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA AMENDING THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA CHAPTER 2-5, OFFENSES – MISCELLANEOUS, ARTICLE I, IN GENERAL, TO CREATE SECTION 2-5-9, RETAIL GAS PUMP SECURITY MEASURES ESTABLISHING SECURITY MEASURES REQUIREMENTS FOR OWNERS AND OPERATORS OF RETAIL GAS PUMPS; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

4. Tourism Development Tax

County Attorney

Conduct a public hearing to consider adopting an Ordinance updating and modifying Sections 1-7-46(d) and 1-7-48(a) to correct references to Florida Statutes Chapter 212, to Delete Provisions Concerning the County Tax Collector's Promulgation of Rules and Forms and to Expand the Eligibility Requirements for the membership of the Charlotte County Tourist Development Council. **ORD 2018-040**

Jean Stasio, Assistant County Attorney gave a brief overview of the updating and modifying of Sections 1-7-46(d) and 1-7-48(a) to correct references to Florida Statutes Chapter 212, to Delete Provisions Concerning the County Tax Collector's Promulgation of Rules and Forms and to Expand the Eligibility Requirements for the membership of the Charlotte County Tourist Development Council.

Chair Doherty noted the State Legislative Session. **Commissioner Constance** mentioned business owners. **Commissioner Truex** commented on Englewood businesses.

Public Hearing

Joan Fischer discussed outside eligibility and red tide.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2018-040 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA PERTAINING TO TOURIST DEVELOPMENT TAX; AMENDING SECTION 1-7-46(D), ARTICLE IV OF THE CODE TO CORRECT REFERENCES TO CHAPTER 212, AND TO DELETE THE PROVISION CONCERNING THE COUNTY TAX COLLECTOR'S PROMULGATION OF RULES AND FORMS; AMENDING SECTION 1-7-48(A), ARTICLE IV, TO EXPAND THE ELIGIBILITY REQUIREMENTS FOR THE MEMBERSHIP OF THE CHARLOTTE COUNTY TOURIST DEVELOPMENT COUNCIL; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE., SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

County Attorney Knowlton conveyed an upcoming Executive Session.

Lori Tetreault, Deputy County Attorney noted the International Union of Painters and Allied Trades (IUPAT) Executive Session is not subject to Sunshine Laws.

Chair Doherty questioned Executive Session time certain.

PRESENTATION AGENDA

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

RECESS: 10:33 am – 1:00 pm

1 P.M. CITIZEN INPUT - ANY SUBJECT

Susan Hutt spoke to Lake Okeechobee, red tide, sewers, and septic systems.

Mark Mason mentioned illegal camping on privately owned unmaintained vacant lots and Mosaic mining.

Stuart Stegall commented on squatters on privately owned unmaintained vacant lots.

Carol Abarbanell discussed the library system and feral hogs.

Dave Kesselring spoke to Tampa sewage, red tide, and Change Memorandum item to Remove Peter Gerhardt from the Planning and Zoning Board, Board of Zoning Appeals, and Beaches and Shores Advisory Committee.

AA. County Administrator: None

BB. County Attorney: None

CC. Commissioner Comments:

Chair Doherty mentioned trespassing on privately owned vacant parcels, Bachmann Boulevard parcel, November Land Use Meeting, 16 County Coalition Ecosystem Summit, and Florida Association of Counties (FAC) November Policy Conference. **Commissioner Constance** commented on trespassing on privately owned vacant parcels, Bachmann Boulevard parcel, 2021 Charlotte County's 100th Anniversary, red tide, and November Land Use Meeting. **Commissioner Deutsch** discussed red tide, water quality, and air quality sampling. **Commissioner Tiseo** spoke to feral hogs, trespassing on privately owned vacant parcels, and South Florida Water Management District (SFWMD). **Commissioner Truex** mentioned Health Department air quality efforts, trespassing on privately owned vacant parcels, Crisis Intervention Team Training (CIT), and Small County Coalition dinner.

County Administrator Sandrock commented on 2021 Charlotte County's 100th Anniversary.

County Attorney Knowlton spoke to trespassing on privately owned vacant parcels.

RECESS: 1:45 pm – 2:00 pm

LAND USE PUBLIC HEARING AGENDA

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

1. DRC-18-00026 Tire Kingdom

Planning and Zoning

Approve Final Detail Site Plan for Foresite Group for a 6,488 sq. ft. Tire Kingdom with 8-service bays and associated infrastructure. **RES 2018-134**

Quasi-Judicial

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 noted her Professional Qualifications in Staff Report Exhibit 1, gave a brief overview of Location Map - DRC-18-00026, 2017 Aerial Image, Zoning Designations, Site Plan, Landscape Plan, and Elevation Map.

Jim Tredwell, TBC Corporation, representing the Applicant accepted Ms. Franks as a planning expert, spoke to landscape plan, building type, elevations, and environmental due diligence.

Commissioner Constance asked about environmental issues. **Commissioner Deutsch** inquired about side street.

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 2018-134, DRC-18-00026 FINAL DETAIL SITE PLAN FOR FORESITE GROUP FOR A TIRE KINGDOM, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

2. A Small-scale Plan Amendment, PA-18-06-30

Community Development

Approve an Ordinance adopting Petition # PA-18-06-30, a small-scale plan amendment to Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Resource Conservation (RC) to Commercial (COM); for property located at 13000 and 13012 Fishery Road, and 14001 Gasparilla Road, in the Placida Revitalizing Neighborhood; containing 0.78± acres; Commission District III; Petition No. PA-18-06-30; Applicant: Placida Point LLC. **ORD 2018-041**

Legislative

Chair Doherty stated there will be one Public Hearing for both Petitions PA-18-06-30 and Z-18-06-31-TDU.

Jie Shao, Principal Planner noted her Professional Qualifications in Staff Report Exhibit 1, gave a brief overview of PA-18-06-30 and Z-18-06-31-TDU (The Village & Marina at Boca Grande), Location Map, Site Image, Framework, FLUM Designations, Zoning Designations, Proposed FLUM designations, Proposed Zoning Designations, Surrounding Uses, Subject Site photos, PD Concept Plan, Placida Community Plan, Service Area Delineation Area, CGMU Land Use Exhibit, and Modification of Development Standards Under the PD.

Attorney Robert Berntsson, representing the Applicant accepted Ms. Shao as a planning expert, discussed the comprehensive plan, small scale plan amendment, community needs, proposed use, rezoning, historical and archeological study, drainage, marina, and mangrove preservation.

Commissioner Tiseo inquired about open space, proposed use, drainage, marina, and mangrove preservation. **Commissioner Truex** commented on project site plan.

Public hearing for Petitions PA-18-06-30 and Z-18-06-31-TDU - None

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-041 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 RESOURCE CONSERVATION (RC) TO COMMERCIAL (COM), FOR PROPERTY LOCATED AT 13000 AND 13012 FISHERY ROAD, AND 14001 GASPARILLA ROAD IN THE PLACIDA REVITALIZING NEIGHBORHOOD, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT III, CONTAINING 0.78 ACRES, MORE OR LESS; PETITION PA-18-06-30; APPLICANT, PLACIDA POINT LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

3. PD Rezoning, Z-18-06-31-TDU

Community Development

Approve an Ordinance adopting Petition # Z-18-06-31-TDU, a rezoning to the Charlotte County Zoning Atlas from Industrial Intensive (II)(6.07± acres), Residential Multi-family (RMF-5)(5.03± acres), Residential Single-family 3.5 (RSF-3.5)(0.92± acres), and Environmentally Sensitive(ES) (1.18± acres) to Planned Development (PD); increasing the density from 23 units to 60 units; for property located at 13000, 13010, 13012, 13050, 13060, 13070, 13080, 13090, 13100, 13120, and 13130 Fishery Road, 13120 Pier Road, and 14001 Gasparilla Road, in the Placida Revitalizing Neighborhood; containing 13.20± acres; Commission District III; Petition No. Z-18- 06-31-TDU; Applicant: Placida Point LLC. **ORD 2018-042**

Quasi-Judicial

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 Deutsch spoke to concept plan.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2018-042 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM INDUSTRIAL INTENSIVE (II) (6.07± ACRES), RESIDENTIAL MULTI-FAMILY (RMF-5) (5.03± ACRES), RESIDENTIAL SINGLE FAMILY 3.5 (RSF-3.5) (0.92± ACRES), AND ENVIRONMENTALLY SENSITIVE (ES) (1.18± ACRES) TO PLANNED DEVELOPMENT (PD); INCREASING THE DENSITY FROM 23 UNITS TO 60 UNITS; FOR PROPERTY LOCATED AT 13000, 13010, 13012, 13050, 13060, 13070, 13080, 13090, 13100, 13120, AND 13130 FISHERY ROAD, 13120 PIER ROAD, AND 14001 GASPARILLA ROAD, IN THE PLACIDA REVITALIZING NEIGHBORHOOD CONTAINING 13.20± ACRES; COMMISSION DISTRICT III, CHARLOTTE COUNTY, FLORIDA; PETITION Z-18-06-31-TDU; APPLICANT, PLACIDA POINT LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

4. Large Scale Plan Amendment to FLU Policies 1.2.3 & 1.2.6, PA-18-05-26-LS

Community Development

Approve an Ordinance adopting Petition # PA-18-05-26-LS, a large-scale plan amendment to Future Land Use (FLU) Policy 1.2.3: Service Area Delineation and FLU Policy 1.2.6: Expansion of the Urban Service Area; Applicant: Charlotte County Board of County Commissioners. **ORD 2018-043**

Legislative

Ms. Shao gave a brief overview of PA-18-05-26-LS (Adoption Hearing), FLU Policy 1.2.3: Service Area Delineation, FLU Policy 1.2.6: Expansion of the Urban Service Area, and responded to Board inquiries.

Commissioner Tiseo inquired about urban service area amendment process.

Public Hearing

Attorney Geri Waksler, representing OB4, LLC commented on urban service area.

Attorney Robert Berntsson, representing Alligator Creek Estates mentioned considerations.

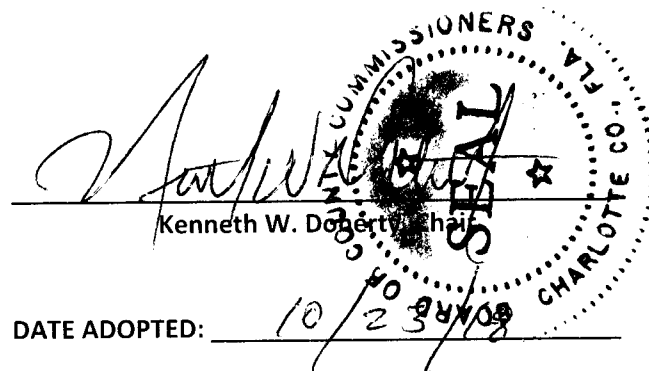
COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-043 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA ("BOARD"), PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, AMENDING THE COUNTY'S COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE (FLU) POLICY 1.2.3: SERVICE AREA DELINEATION AND FLU POLICY 1.2.6: EXPANSION OF THE URBAN SERVICE AREA; PETITION PA-18-05-26-LS; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

ADJOURNED: 2:55 pm


Kenneth W. Doherty
DATE ADOPTED: 10/23/18

ATTEST:

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

By: Michelle DeBerardino
Deputy Clerk