

BOARD OF COUNTY COMMISSIONERS

OCTOBER 23, 2018

A Regular and Land Use Meeting was held at the Murdock Administration Complex in Commission Chambers; Room 119, Port Charlotte, Florida.

The following members were present: Chair Doherty, Commissioner Constance, Commissioner Deutsch, Commissioner Tiseo, and Commissioner Truex. Also in attendance were: County Administrator Sandrock, County Attorney Knowlton, 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 Daniel Dagan, Pentecostals of Englewood, followed by the Pledge of Allegiance.

Changes to the Agenda

Change #1: F-11 Added attachment - Budget Resolution
Requested by: Public Works

Change #2: L-2 Added attachments, Agreement – Changes reflected in color and Agreement Revised - Signed
Requested by: Human Services

Change #3: F-1 Updated wording in Background, In October 2013 the Board approved Resolution No. 2013-077 for various energy efficient capital improvements within the county to include interior, exterior and sports lighting and controls; HVAC systems and related equipment; water conservation; electric motors; building envelope/insulation upgrades; and pool geothermal and salt generation systems. The initial borrowing (A-6-1) was for \$3,700,000 ~~to be amortized over a period of 10 years with a balloon payment of \$2,720,000 in year 5.~~ as a 5 year loan with an option to refinance the balloon payment of \$2,720,000 in the 5th year for an additional 5 year period.
Requested by: Administration

Change #4: Added Proclamation, United States Navy Day
Requested by: Administration

Deletion #1: U-5 ~~Approve an Ordinance adopting Petition Z-18-07-32, amending the Charlotte County Zoning Atlas from Planned Development (PD) to Residential Estate 5 (RE-5) (18.96± acres) and Residential Estate 1 (RE-1) (1± acres); for property located at 6530, 6600, 6640, and 6650 San Casa Drive, in the Englewood area; containing 19.96± acres; Commission District III; Applicants: Lake Hurst Holdings, LLC, San Casa Investments, LLC and Casa Sand, LLC.~~
Requested by: Community Development

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Ken Doherty

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

MOTION CARRIED 5:0.

Cops and Goblins Day

Sheriff Prummell, Claudette Bennett, and Trish Sturgess accepted the Proclamation.

Giving Tuesday

Marie LaBrosse and Loretta Martin accepted the Proclamation.

Global Entrepreneurship Week

Peter Keating, FGCU Small Development Center and Robin Roleson, Southwest Florida Career and Service Center, both Charlotte County Entrepreneurial Support Organization members accepted the Proclamation.

National Adoption Awareness Month

Nadereh Salim, Children's Network of Southwest Florida, LLC Chief Executive Officer accepted the Proclamation.

Veterans' Appreciation Month

Commissioner Deutsch accepted the Proclamation.

(Change #4) Added Proclamation, United States Navy Day

Travis Mortimer accepted the Proclamation.

Employee Recognition

Award Presentations

1. Commissioners' Award for Customer Service – Commissioner Doherty

Fourth Quarter Commissioners' Award FY 2017/18 - Kim Corbett

Commissioner Doherty gave a brief overview of Ms. Corbett's career, Achievement of Excellence in Procurement recognition, and presented Award.

2. Employee of the Month

September 2018 - Jie Shao, Community Development

Shaun Cullinan, Planning and Zoning Official gave a brief overview of Ms. Shao's career, Fishery project, and presented Award.

3. Toastmasters Competent Leader and Competent Communicator

Recognize the hard work and dedication of the Charlotte County employees that have completed their Toastmasters manuals: Jill Ayers, Tracy Doherty, Todd Dunn, Elaine Jones, Ellen Frances Pinder, and Elizabeth Tracy.

4. Government Academy Graduation

Jeff Anlauf, Ann Bursa, Margaret Dennis, Maria Di Pompo, Douglas English, Susan Gervais, Robert Hardy, Kimberly Kapela, Joseph Leister, Marianne L Lilly, Jacqueline Martin, Justin Medina, Robert Napolitano, Vincent Napolitano, Linda Powers, Russell Reynolds, Richard Russell, Eugene Shabanov, Dawn Slater, Fred Stiteler, Jeanne Teter, and Kim Wilder.

CITIZEN INPUT - AGENDA ITEMS ONLY

Janet Dietz spoke to Resolution Approving TDU-18-03-02, Transfer of Density Units by Clint Baker.

Brian Evjen, Norstar Development USA discussed Punta Gorda Housing Authority Loan for Verandas Phase III.

Attorney Geri Waksler, representing Norstar Development USA commented on Punta Gorda Housing Authority Loan for Verandas Phase III.

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.

- **Charlotte Ranchettes Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.

- **Edgewater North Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.

- **Englewood East Non-Urban Street & Drainage Unit** is seeking two 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 two members to fill vacant unexpired terms through October 31, 2019 and October 31, 2021.
- **Grove City Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **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 four members to fill vacant unexpired terms through October 31, 2019, October 31, 2020 and October 31, 2021.
- **Pirate Harbor Waterway 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 seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Rotonda West Street & Drainage Unit** is seeking one member to fill a vacant unexpired term 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 one member to fill a vacant unexpired term through October 31, 2021.
- **South Gulf Cove Waterway** is seeking one member to fill a vacant unexpired term through October 31, 2019.

Beaches and Shores Advisory Committee is seeking one volunteer to serve as the member-at-large. Volunteer must be residents/electors of Charlotte County and have coastal knowledge or technical expertise in beach management or beach preservation. Term is four years, expiring on December 31,

2021. Committee meets the first Thursday of each month at 9:00 am in Murdock. To obtain an application, please contact Joann Dillon at 941-743-1309 or Email Joann.Dillon@CharlotteCountyFL.gov.

Marine Advisory Committee is seeking one volunteer to serve as a Member-at-Large for a three year term. Must be a resident of Charlotte County with preference for those who are in one of the designated areas: fishing guide or tour boat operations, bait and tackle operators, commercial fishing industry, marina operations, personal watercraft or marine sales, as well as certified scuba diving profession. Term will expire December 31, 2021. To obtain an application, call 743-1309 or email Joann.Dillon@CharlotteCountyFL.gov.

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

REPORTS RECEIVED AND FILED – No Items.

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-1, F-4, AND L-2, SECONDED BY CHAIR DOHERTY

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 25, 2018 Regular and Land Use Meeting

September 25, 2018 Final Budget Hearing

October 4, 2018 Pre-Agenda

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - Pirate Harbor Waterway Advisory Board

RECOMMENDED ACTION: Approve the appointment of George Herl to the Pirate Harbor Waterway MSBU Advisory Board. This will be a three year term replacing Charles Gertner who has chosen not to seek reappointment. This appointment will be effective November 1, 2018 and will expire on October 31, 2021. BUDGETED ACTION: No action needed.

2. Appointment - Gardens of Gulf Cove Street & Drainage Advisory Board

RECOMMENDED ACTION: Approve the appointment of Raymond Forshee to fill the unexpired term of Lucille Breen as well as an additional new three year term on the Gardens of Gulf Cove Street & Drainage MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2021. BUDGETED ACTION: No action needed.

3. Appointment - Mid-Charlotte Stormwater Advisory Board

RECOMMENDED ACTION: Approve the appointment of Richard Kelley to the Mid-Charlotte Stormwater MSBU Advisory Board. This will be a three year term replacing George Kearns who has chosen not to seek reappointment. This appointment will be effective November 1, 2018 and will expire on October 31, 2018. BUDGETED ACTION: No action needed.

4. Appointment - South Gulf Cove Street & Drainage Advisory Board

RECOMMENDED ACTION: Approve the appointment of Vernon Mustoe to the South Gulf Cove Street & Drainage MSBU Advisory Board. This will be a three year term replacing Paul Sabin who has chosen not to seek reappointment. This appointment will be effective November 1, 2018 and will expire on October 31, 2021. BUDGETED ACTION: No action needed.

5. Appointment - Alligator Creek Waterway Advisory Board

RECOMMENDED ACTION: Approve the appointment of William "Bill" Page to the Alligator Creek Waterway MSBU Advisory Board. This will be a three year term replacing Ken Fahrback who has chosen not to seek reappointment. This appointment will be effective November 1, 2018 and will expire on October 31, 2021. BUDGETED ACTION: No action needed.

6. Re-Appointment - Manasota and Sandpiper Key Advisory Committee

RECOMMENDED ACTION: Approve the re-appointment of Joe Jenkins to the Manasota & Sandpiper Key Advisory committee, term ending Nov. 30, 2022. BUDGETED ACTION: No action needed.

7. Re-Appointment - Charlotte Ranchettes Street & Drainage Advisory Board

RECOMMENDED ACTION: Approve the re-appointment of Michael Szuba to the Charlotte Ranchettes Street & Drainage MSBU Advisory Board. This appointment will be effective November 1, 2018 and will expire on October 31, 2021. BUDGETED ACTION: No action needed.

8. Re-Appointment - Edgewater North Waterway Advisory Board

RECOMMENDED ACTION: Approve the re-appointment of Philip Graham to the Edgewater North Waterway MSBU Advisory Board. This appointment will be effective November 1, 2018 and will expire on October 31, 2021. BUDGETED ACTION: No action needed.

9. Re-Appointment - Historical Advisory Committee

RECOMMENDED ACTION: Approve the following re-appointments to the Historical Advisory Committee: Mr. Scot Shively, representing Bernice A. Russell CDC, Ms. Carol J. Leonard as member-at-large, and Ms. Pat Spence, representing the El Jobean Community League. Terms will expire on September 30, 2021. BUDGETED ACTION: No action needed.

D. County Administration

Administration

1. Appropriation of 2009 Sales Tax Monies

RECOMMENDED ACTION: a) Approve Resolution and budget adjustment BA19-001 in the amount of \$3,070,000 to provide an additional \$1,550,000 in funding to the William R. Gaines Jr. Veterans Memorial Park project, and \$1,520,000 in funding for sidewalk construction within the Sidewalks 2009 Sales Tax Project. BUDGETED ACTION: Approve budget adjustment BA19-001, in the amount of \$3,070,000 to increase funding in the William R. Gaines Jr. Veterans Memorial Park project (\$1,550,000), and the Sidewalks/2009 Sales Tax project (\$1,520,000). **RES 2018-150**

Public Information Office - No Items.

E. County Attorney

1. Red Tide Extension

RECOMMENDED ACTION: Approve Resolution extending the Red Tide State of Local Emergency. BUDGETED ACTION: No action needed. **RES 2018-151**

2. Set a Public Hearing for Resolution Electing to Use the Uniform Method of collecting Non-Ad Valorem Special Assessments

RECOMMENDED ACTION: Set a public hearing for December 11, 2018 at 10:00 a.m., or as soon thereafter in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider adoption of a Resolution electing to use the Uniform Method of Collecting Non-Ad Valorem Special Assessments. BUDGETED ACTION: No action needed.

3. Bryant, Miller & Olive Disclosure Counsel Conflict Waiver Heritage Lakes

RECOMMENDED ACTION: Authorize the County Attorney to execute the conflict waiver form so as to allow Bryant, Miller & Olive, the County's bond disclosure counsel, to bring a foreclosure action against various parcels in Heritage Lakes Community Development District for outstanding special assessments. BUDGETED ACTION: No action needed.

F. Budget and Administrative Services

Fiscal Services

1. Energy Loan

(Change #3) Updated wording in Background, In October 2013 the Board approved Resolution No. 2013-077 for various energy efficient capital improvements within the county to include interior, exterior and sports lighting and controls; HVAC systems and related equipment; water conservation; electric motors; building envelope/insulation upgrades; and pool geothermal and salt generation systems. The initial borrowing (A-6-1) was for \$3,700,000 ~~to be amortized over a period of 10 years with a balloon payment of \$2,720,000 in year 5~~ as a 5 year loan with an option to refinance the balloon payment of \$2,720,000 in the 5th year for an additional 5 year period.

RECOMMENDED ACTION: Approve Resolution 2018-135 authorizing the refinancing of an existing Commercial Paper Loan A-6-1 to Loan A-6 -2 in the amount of \$2,720,000 from the pooled commercial paper program of the Florida Local Government Finance Commission. BUDGETED ACTION: No budget impact. Loan will be repaid from the various departments that received capital improvements for energy efficiency. **RES 2018-135**

Commissioner Constance inquired about Siemens Industry, Inc.'s Executive Summary.

David Milligan, Facilities Construction and Maintenance Director explained Siemens Industry, Inc.'s Executive Summary.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2018-135 AUTHORIZING THE REFINANCING OF AN EXISTING COMMERCIAL PAPER LOAN A-6-1 TO LOAN A-6-2 IN THE AMOUNT OF \$2,720,000 FROM THE POOLED COMMERCIAL PAPER PROGRAM OF THE FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

2. Florida Department of Law Enforcement for the 2017 Edward Byrne Memorial Justice Assistance Grant (JAG)

RECOMMENDED ACTION: a) Approve grant application with Florida Department of Law Enforcement (FDLE) for the Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$70,322; and b) Authorize the Chair, or designee, to sign any grant related documents. BUDGETED ACTION: No action is needed. Funding for the grant will be budgeted in the Charlotte County Sheriff's Office and the Punta Gorda Police Department's Operating budgets. There is no County match required.

Information Technology - No Items.

Purchasing

3. 16-295, Amendment #3, Manasota Key Beach Renourishment 10 Year Management Plan (Public Works)

RECOMMENDED ACTION: a) Approve Amendment #3 to Contract #16-295 Manasota Key Beach Renourishment 10 Year Management Plan with Coastal Engineering Consultants, Inc. of Naples, Florida for additional services with a change order to increase contract total by \$72,090; and b) Authorize the Chairman to sign Amendment #3. BUDGETED ACTION: No action needed. Budgeted in CIP Project "North Manasota Key Beach Renourishment", as approved in the FY18 budget process. Funding is provided from BP Settlement funds to be reimbursed by Sarasota County.

4. 15-251, Amendment #4, Olean Boulevard Widening (Public Works-Engineering)

RECOMMENDED ACTION: a) Approve Amendment #4 to Contract 15-251 Olean Boulevard Widening with Florida Transportation Engineering, Inc. of Punta Gorda, Florida for a not to exceed amount of \$3,500 for cultural resource assessment survey; and b) Authorize the Chairman to sign Amendment #4 for the cultural resource assessment survey within the project area. BUDGETED ACTION: No action needed. Budgeted in CIP project "Olean Blvd Widening", as approved in the FY19 budget process.

Chair Doherty commented on cultural resource assessment survey. **Commissioner Constance** spoke to cultural resource assessment survey. **Commissioner Deutsch** discussed cultural resource assessment survey. **Commissioner Truex** mentioned cultural resource assessment survey.

COMMISSIONER TRUEX MOVED TO APPROVE AMENDMENT #4 TO CONTRACT 15-251 OLEAN BOULEVARD WIDENING WITH FLORIDA TRANSPORTATION ENGINEERING, INC. OF PUNTA GORDA, FLORIDA FOR A NOT TO EXCEED AMOUNT OF \$3,500 FOR CULTURAL RESOURCE ASSESSMENT SURVEY AND AUTHORIZE THE CHAIRMAN TO SIGN AMENDMENT #4 FOR THE CULTURAL RESOURCE ASSESSMENT SURVEY WITHIN THE PROJECT AREA, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

5. 18-518, Award, Sidewalk Construction - Oceanspray Boulevard (Public Works Engineering)

RECOMMENDED ACTION: Approve award File #18-518, Sidewalk Construction - Oceanspray Boulevard, to Pavement Maintenance LLC of Fort Myers, Florida for the total amount of \$515,051.25. BUDGETED ACTION: No action needed. Funding from Englewood East St/Dr MSBU approved in the CIP "Englewood East Sidewalks" in the FY19 Budget Process.

6. 18-530, Award, Live Oak Parks Restoration (Facilities)

RECOMMENDED ACTION: Approve award of Bid #18-530, Live Oak Parks Restoration, to V & H Construction, Inc. of Fort Myers, Florida for the total amount of \$729,338. This is for the restoration of parks located at Bayshore Live Oak Park, 23157 Bayshore Road, Port Charlotte, Florida 33980 and Live Oak Point Park, 5100 Tamiami Trail, Port Charlotte, Florida 33980. BUDGETED ACTION: No action needed. Budgeted in CIP projects "Bayshore Park" and "Live Oak Point Park" as adopted in the FY19 budget process. Funding for this expenditure comes from General Fund with FEMA and State reimbursements to pay back a portion of cost.

7. 18-499, Award, Ingram 24" Potable Water Transmission Main (Utilities)

RECOMMENDED ACTION: Approve award of Bid #18-499, Ingram 24" Potable Water Transmission Main, to the lowest, responsive, responsible bidder, E.T. Mackenzie, of Bradenton, Florida, for the total bid price

of \$3,651,089.40. BUDGETED ACTION: No action needed. Budgeted in CIP project "Ingram Potable Water Booster Station" as adopted in the FY19 budget process. This expenditure is SRF financed with Utility rates and connection fees as the sources of pay back.

8. 18-532, Dredging - Gulf Cove Waterways (Public Works Engineering)

RECOMMENDED ACTION: Approve award Bid #18-532 Dredging - Gulf Cove Waterways, to the lowest responsive, responsible bidder, Brance Diversified, Inc. of Jacksonville, Florida in the amount of \$542,708.83. BUDGETED ACTION: No action needed. Budgeted in the Gulf Cove Waterway MSBU, as approved in the FY19 budget process. Funding is supplied from assessments in the Gulf Cove Waterway MSBU.

9. 18-505, Award, Supply Asphalt Concrete - Annual Contract (Public Works)

RECOMMENDED ACTION: a) Approve award of Bid #18-505, Supply Asphalt Concrete - Annual Contract, to Ajax Paving Industries of Florida, LLC of North Venice, Florida, at the unit prices indicated on the attached bid tabulation; and b) Authorize the County Administrator to approve renewal option up to two (2) additional one- year terms at the same prices, terms and conditions, by mutual consent. The contract period will be effective from Date of Award through and including September 30, 2019. BUDGETED ACTION: No action needed. Funding from Transportation Trust approved in the FY19 Budget Process.

10. 18-540, Carmalita Park and South County Regional Park Amenities Construction (Facilities)

RECOMMENDED ACTION: Approve award of Bid #18-540 Carmalita Park and South County Regional Park Restroom Construction to the lowest responsive, responsible bidder, A2 Group, Inc. for the total project amount of \$998,962.71. This project is for the construction of new restroom facilities including pavilion, parking areas and ancillary work. BUDGETED ACTION: No action needed. Budgeted in CIP project "South County Regional Park", as approved in the FY19 budget process. Funding is supplied from Capital Projects, ad valorem.

11. 18-558, Award, Various Intersection Improvements - (Public Works)

(Change #1) Added attachment - Budget Resolution

RECOMMENDED ACTION: a) Approve award of Bid #18-558 Various Intersection Improvements to the lowest responsive, responsible, bidder Wright Construction Group, Inc., of Fort Myers, Florida in the amount of \$1,689,615.99, and b) Approve Budget Resolution and Budget Adjustment BA19-007, in the amount of \$474,097.00. BUDGETED ACTION: Approve budget adjustment BA19-007, in the amount of \$474,097 increasing CIP project "Loveland/Peachland Intersection" by \$232,215 for total construction including contingency of \$882,215; and increasing CIP project "Winchester Blvd" for signalization of Avenue of the Americas by \$241,882 for total construction including contingency of \$891,882. **RES 2018-176**

12. 19-012, Award, Diesel Fuel - Transport Delivery - Annual Contract (Budget and Administrative Services)

RECOMMENDED ACTION: Approve award of Bid #19-012, Diesel Fuel - Transport Delivery - Annual Contract, to the lowest responsive, responsible bidder, Petroleum Traders Corporation of Fort Wayne, Indiana at the unit prices bid with a contract term from November 1, 2018 through and including

September 30, 2019. BUDGETED ACTION: No action needed. Funding was approved during the FY2019 budget process.

13. 19-003, Award, Sod and Hydro Seeding - Annual (Public Works)

RECOMMENDED ACTION: a) Approve award of Bid #19-003, Sod and Hydro Seeding - Annual Contract to Maloney's Sod Inc. of Punta Gorda, Florida at the unit prices indicated on the bid form; and b) Authorize the County Administrator to approve the renewal option up to one (1) additional term, at the same prices, terms and conditions, by mutual consent. The Contract will be effective from Date of Award through and including September 30, 2019. BUDGETED ACTION: No action needed. Funding from the Transportation Trust approved in the FY19 Budget Process.

Real Estate Services

14. FPL Easement at Airport Road Annex CCSO Firing Range

RECOMMENDED ACTION: Approve Resolution authorizing the Chairman to execute a Non-Exclusive Utility Easement to Florida Power & Light (FPL) to provide electrical service to the new Airport Road Annex CCSO Firing Range. BUDGETED ACTION: No action needed. **RES 2018-152**

15. Lot Donation - VM Property Holdings LLC

RECOMMENDED ACTION: Accept the donation of the lot as described on the attached Exhibit "A" entitled Lot Donation to Charlotte County. BUDGETED ACTION: No action needed.

16. Resolutions of Necessity-Burnt Store Road Phase II

RECOMMENDED ACTION: Approve Resolutions of Necessity authorizing and directing the acquisition, by any legal means, of any real property or easement interests in any real property that may be required for the implementation of the Burnt Store Road Phase II Widening Project. BUDGETED ACTION: No action needed. Budgeted in CIP project "Burnt Store Road Phase 2 Widening," as approved in the FY19 budget process. **RES 2018-153 / RES 2018-154 / RES 2018-155 / RES 2018-156 / RES 2018-157 / RES 2018-158 / RES 2018-159 / RES 2018-160 / RES 2018-161 / RES 2018-162 / RES 2018-163 / RES 2018-164 / RES 2018-165 / RES 2018-166 / RES 2018-167 / RES 2018-168**

17. FPL Easement for Ann and Chuck Dever Regional Park

RECOMMENDED ACTION: Approve Resolution authorizing the Chairman to execute a Non-Exclusive Utility Easement to Florida Power & Light (FPL) to provide electrical service to the new Recreation Center at the Ann & Chuck Dever Regional Park in Englewood, Florida. BUDGETED ACTION: No action needed. Budgeted in CIP project "Ann and Chuck Dever Memorial Regional Park Recreation Center", as approved in the FY19 budget process. **RES 2018-169**

Risk Management - No Items.

Transit - No Items.

G. Community Development

1. Resolution Approving CSZ-18-03-01, Certification of Density Units by Like Home, LLC

RECOMMENDED ACTION: Adopt Resolution approving CSZ-18-03-01, the certification of one unit of density from property owned by Like Home, LLC. BUDGETED ACTION: No action needed. **RES 2018-170**

2. Resolution Approving TDU-18-03-02, Transfer of Density Units by Clint Baker

RECOMMENDED ACTION: Adopt Resolution approving TDU-18-03-02, the transfer of one unit of density to property located at 5168 Fleming Street, owned by Clint Baker. BUDGETED ACTION: No action needed. **RES 2018-171**

3. Resolutions Approving CSZ-18-08-05, Certification of Density Units by the Lemon Bay Conservancy and Authorizing Execution of Conservation Easement

RECOMMENDED ACTION: a) Adopt Resolution approving CSZ-18-08-05, the certification of 22 units of density from property owned by the Lemon Bay Conservancy; and b) Adopt Resolution approving and authorizing the Chairman to execute a Conservation Easement with Lemon Bay Conservancy. BUDGETED ACTION: No action needed. **RES 2018-172 / RES 2018-173**

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. Set a Charlotte Harbor Community Redevelopment Agency meeting on November 13, 2018

RECOMMENDED ACTION: Set a Charlotte Harbor Community Redevelopment Agency meeting on November 13, 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. Approve Budget Adjustment BA19-006 for the Emergency Home Energy Assistance for the Elderly Program (EHEAP)

RECOMMENDED ACTION: a) Approve budget adjustment BA19-006 in the amount of \$36,881 to provide funding for the Emergency Home Energy Assistance for the Elderly Program (EHEAP); and b) Authorize

change to the FY19 budget; and c) Approve Budget Resolution to the Special Grants Fund. BUDGETED ACTION: Approve budget adjustment #BA19-006 in the amount of \$36,881. There is no county match required. **RES 2018-174**

2. Punta Gorda Housing Authority Loan for Verandas Phase III

(Change #2) Added attachments, Agreement – Changes reflected in color and Agreement Revised - Signed

RECOMMENDED ACTION: a) Approve Agreement between the County and the Punta Gorda Housing Authority; and b) Authorize the Chair to execute the Florida Housing Finance Corporation Local Government Verification of Contribution - Loan Form confirming Charlotte County's commitment of \$425,625 toward the construction of Verandas III - a Punta Gorda Housing Authority 56 unit multi-family housing project in the City of Punta Gorda. BUDGETED ACTION: No action needed. Budgeted in the Local Housing Trust Fund. **AGR 2018-080**

Chair Doherty commented on legislative priority and 1% shift. **Commissioner Constance** spoke to 1% shift, bureaucracy process, and legislative priority. **Commissioner Deutsch** mentioned state and federal government approval, Davis-Bacon Act, project timeframe, bureaucracy process, 1% shift, and bid process. **Commissioner Tiseo** discussed procurement procedure policy, Master Development Agreement, bid process, bureaucracy process, and legislative priority. **Commissioner Truex** commented on bid process, Master Development Agreement, surrounding County projects, 1% shift, bureaucracy process, Davis-Bacon Act, and legislative priority.

County Attorney Knowlton spoke to the Master Development Agreement.

Brian Evjen, Norstar Development USA mentioned Master Development Agreement.

Kurtis Pentelecuc, Punta Gorda Housing Authority discussed procurement procedure policy, Master Development Agreement, and project timeframe.

COMMISSIONER TRUEX MOVED TO APPROVE AGREEMENT 2018-080 BETWEEN THE COUNTY AND THE PUNTA GORDA HOUSING AUTHORITY AND AUTHORIZE THE CHAIR TO EXECUTE THE FLORIDA HOUSING FINANCE CORPORATION LOCAL GOVERNMENT VERIFICATION OF CONTRIBUTION - LOAN FORM CONFIRMING CHARLOTTE COUNTY'S COMMITMENT OF \$425,625 TOWARD THE CONSTRUCTION OF VERANDAS III - A PUNTA GORDA HOUSING AUTHORITY 56 UNIT MULTI-FAMILY HOUSING PROJECT IN THE CITY OF PUNTA GORDA, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 3:2., COMMISSIONER CONSTANCE AND COMMISSIONER TISEO OPPOSED

M. Public Safety

1. 2018/2019 EMS County Grant

RECOMMENDED ACTION: a) Approve and authorize the Chairman to sign an application and release of funds for an Emergency Medical Services County Grant from the Florida Department of Health for EMS training and equipment in the amount of \$18,415; and b) Approve Resolution certifying that the EMS County Grant funds received shall be used to improve and expand the County's pre-hospital EMS system and will not be used to supplant existing County EMS budget allocations. BUDGETED ACTION: A budget

amendment will be returned to the Board once the letter of award is received. The grant is 100% funded and there is no local match required by the County. **RES 2018-175**

N. Public Works

1. Amended and Restated Interlocal Agreement With Sarasota County for Beach Restoration Project

RECOMMENDED ACTION: Approve and authorize the Chair to sign the attached Amended and Restated Interlocal Agreement between Sarasota County and Charlotte County for Beach Restoration Project.
BUDGETED ACTION: No action needed. Funding is from BP funds approved in CIP "North Manasota Key Beach Nourishment" in the FY19 budget process. To be repaid by Sarasota County. **A.AGR 2018-003**

O. Tourism Development - No Items.

P. Utilities - No Items.

Q. Other Agencies - No Items.

REGULAR AGENDA

R. Regular Agenda

1. Appoint by Ballot - Charlotte Harbor Community Redevelopment Agency Advisory Committee

Commission Office

Appoint by ballot one volunteer to serve as a member-at-large on the Charlotte Harbor Community Redevelopment Agency Advisory Committee. Term is effective immediately. The two candidates applying for this position are Ms. Shaune G. Freeland and Mr. Clay W. Rebol.

COMMISSIONER CONSTANCE MOVED TO APPROVE SHAUNE G. FREELAND TO SERVE AS A MEMBER-AT-LARGE ON THE CHARLOTTE HARBOR COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

PUBLIC HEARING AGENDA

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

Commissioner Deutsch mentioned William R. Gaines Jr. Veterans Memorial Park.

PRESENTATION AGENDA

T. 10:00 A.M.

1. Bob Pryor Update/Transition to My Health Onsite

Bob Pryor Employee Health Center Update.

Gordon Burger, Budget and Administrative Services Director introduced John Watson, Crowne Consulting Group, Inc., and commented on Health Center Utilization.

Mr. Watson gave a brief overview of Agenda, Health Center Utilization, Corporate Overview, Technology Platform, Secured Integrated Tracking, Telemedicine, Prescription, Other Topics, and responded to Board inquiries.

Commissioner Constance asked about Health Center Utilization, Electronic Health Record (EHR), Secured Integrated Tracking, Technology Platform, expanded formulary, medical staff, prescriptions, and pharmacy. **Commissioner Deutsch** inquired about timeline and cost savings. **Commissioner Truex** questioned prescriptions.

RECESS 10:29 am – 1:00 pm

1 P.M. CITIZEN INPUT - ANY SUBJECT - None

AA. County Administrator: None

BB. County Attorney: None

CC. Commissioner Comments:

County Administrator Sandrock spoke to Charlotte Ranchettes' roads, Health Department interviews, and tree topping and lollipoping citation process.

County Attorney Knowlton commented on tree topping and lollipoping citation process.

Chair Doherty discussed floor contractor license, Charlotte Ranchettes' roads, Water Quality Summit, and Peace River Manasota Regional Water Supply Authority. **Commissioner Constance** mentioned Harbor Boulevard, Charlotte Ranchettes' roads, Health Department interviews, tree topping and lollipoping citation process, Florida Association of Counties (FAC) legislative meeting, Metropolitan Planning Organization (MPO) meeting, FAC Second Vice-President, Florida Department of Transportation (FDOT) utility relocation procedure, and Water Quality Summit. **Commissioner Deutsch** spoke to William R. Gaines Jr. Veterans Memorial Park and Harbor Boulevard. **Commissioner Tiseo** commented on floor contractor license, tree topping and lollipoping citation process, and Water Quality Summit. **Commissioner Truex** discussed floor contractor license, Water Quality Summit, and Hurricane Michael community relief efforts.

RECESS: 1:35 pm - 2:00 pm

LAND USE PUBLIC HEARING AGENDA

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

1. PP-18-07-06, Babcock 1A Replat

Community Development

Approve Preliminary Plat for Banroc Corporation, for Babcock Ranch Community Phase 1A Townhomes, under Petition #PP-18-07-06.

Quasi-Judicial

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

Stephen Ellis, Planner II requested to be accepted as an expert planner, gave a brief overview of PP-18-07-06 – 2017 Aerial Location Map, Future Land Use Designations, Zoning Designations, and Proposed Changes.

Mr. Cullinan spoke to plat, setbacks, and offsite improvements.

County Attorney Knowlton referenced Staff expert planner request.

Chair Doherty noted there was no objection to Mr. Ellis' request to be accepted as an expert planner due to the Applicant not being present. **Commissioner Constance** inquired about plat and setbacks. **Commissioner Tiseo** questioned offsite improvements.

Public Hearing – None

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE PRELIMINARY PLAT FOR BANROC CORPORATION, FOR BABCOCK RANCH COMMUNITY PHASE 1A TOWNHOMES, UNDER PETITION #PP-18-07-06, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

2. PP-09-02-02, Punta Gorda Crossing

Community Development

Approve a two-year extension of Preliminary Plat approval for Punta Gorda Acquisition II, LLC, for Punta Gorda Crossing, under Petition#PP-09-02-02.

Quasi-Judicial

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

Mr. Ellis requested to be accepted as an expert planner, gave a brief overview of PP-09-02-02-2018 – Aerial Map, FLUM Designations, Zoning Designations, Proposed Changes, and responded to Board inquiries.

Mr. Cullinan discussed extensions and Proposed Changes.

Chair Doherty noted there was no objection to Mr. Ellis' request to be accepted as an expert planner due to the Applicant not being present. **Commissioner Constance** asked about extensions, plat, and Proposed Changes. **Commissioner Tiseo** asked about extensions and impacts.

Public Hearing – None

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

MOTION CARRIED 5:0.

COMMISSIONER TISEO MOVED TO APPROVE A TWO-YEAR EXTENSION OF PRELIMINARY PLAT APPROVAL FOR PUNTA GORDA ACQUISITION II, LLC, FOR PUNTA GORDA CROSSING, UNDER PETITION #PP-09-02-02, SECONDED BY COMMISSIONER TRUJEX

MOTION CARRIED 5:0.

3. Ordinance for PA-18-07-33, Help-N-Store

Community Development

Approve an Ordinance adopting PA-18-07-33, a small scale plan amendment to change the FLUM Series Map #1: 2030 Future Land Use from Low Density Residential (LDR) to Commercial (COM) for property located at 1351 Duncan Road, Punta Gorda; consisting of 6.84- acres in Commission District I; applicant: Help-N-Store All Storage; and providing for an effective date. **ORD 2018-044**

Legislative

Chair Doherty noted combining discussions and public hearings for Petition No. PA-18-07-33 Help-N-Store and Z-18-07-34 Help-N-Store.

Ken Quillen, Planner III requested to be accepted as an expert Planner, gave a brief overview PA-18-07-33 and PA-18-07-34 – Area Image, Framework, FLUM Designations, Zoning Designations, and Site Image.

Commissioner Constance asked about access points. **Commissioner Tiseo** commented on access points and property use intention.

Attorney Michael Haymans, representing the Applicant, accepted Mr. Quillen as an expert planner, spoke to property location, surrounding neighbors, access points, drainage, property size, property use intention, and buffering requirements.

Public Hearings for Petition No. PA-18-07-33 Help-N-Store and Z-18-07-34 Help-N-Store

Allan Baruch, neighboring property owner mentioned buffering and drainage.

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2018-044 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 PROPERTY LOCATED AT 1351 DUNCAN ROAD, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT 1, CONTAINING 6.84 ACRES MORE OR LESS; PETITION PA-18-07-33; APPLICANT, HELP-N-STORE ALL STORAGE; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

4. Ordinance for Z-18-07-34; Help-N-Store

Community Development

Approve an Ordinance adopting Z-18-07-34 amending the Charlotte County Zoning Atlas from Manufactured Home Conventional (MHC) to Commercial General (CG) for a 6.84-acre property located at 1351 Duncan Road, near Punta Gorda in Commission District I; applicant Help-N- Store All Storage; and providing an effective date. **ORD 2018-045**

Quasi-Judicial

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

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2018-045 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM MANUFACTURED HOME CONVENTIONAL (MHC) TO COMMERCIAL GENERAL (CG), FOR PROPERTY LOCATED AT 1351 DUNCAN ROAD, IN THE PUNTA GORDA AREA, CONTAINING 6.84 ACRES MORE OR LESS, COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-18-07-34; APPLICANT, HELP-N-STORE ALL STORAGE; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

(Deletion #1) ~~5. San Casa Rezoning, Z-18-07-32~~

~~Community Development~~

~~Approve an Ordinance adopting Petition Z-18-07-32, amending the Charlotte County Zoning Atlas from Planned Development (PD) to Residential Estate 5 (RE-5) (18.96± acres) and Residential Estate 1 (RE-1) (1± acres); for property located at 6530, 6600, 6640, and 6650 San Casa Drive, in the Englewood area; containing 19.96± acres; Commission District III; Applicants: Lake Hurst Holdings, LLC, San Casa Investments, LLC and Casa Sand, LLC. Quasi-Judicial~~

6. Revisions to Chapter 3-9, Zoning, Z-18-07-38A

Community Development

Approve an Ordinance adopting Petition #Z-18-07-38A, revising the Table of Contents of the County's Land Development Regulations by amending Chapter 3-9, Zoning, Article I, In General, to add new Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure, new Section 3-9-10.2, Development of Regional Impact (DRI) Development Order (DO) Monitoring Report, and new Section 3-9-10.3, Development of Regional Impact (DRI) Residential Development Rights Assignment; providing for conflict with other ordinances; providing for severability; and providing for an effective date.

Legislative

Chair Doherty noted combining discussions and public hearings for Revisions to Chapter 3-9, Zoning, Z-18-07-38A and Revisions to Chapter 3-9, Zoning, Z-18-07-38B.

Jie Shao, Principal Planner gave a brief overview of Z-18-07-38A & Z-18-07-38B, Purpose, What is Accomplished, New Section 3-9-10.1 DRI DO Amendment Process and Procedure, New Section 3-9-10.2 DRI DO Monitoring Report, New Section 3-9-10.3 DRI Residential Development Rights Assignment, and responded to Board inquiries.

Mr. Cullinan spoke to DRI residential development rights and Transfer of Density Units (TDU) Program.

Claire Jubb, Community Development Director opined TDU Program, DRI residential development rights, and Florida Statute (F.S.) Section 380.06.

County Attorney Knowlton referenced TDU Program.

Stacy Bjordahl, Assistant County Attorney advised regarding the public hearings.

Chair Doherty commented on TDU Program and F.S. Section 380.06. **Commissioner Constance** discussed DRI residential development rights and TDU Program. **Commissioner Deutsch** mentioned TDU Program. **Commissioner Tiseo** spoke to DRI residential development rights, TDU Program, Impact Fees, and F.S. Section 380.06. **Commissioner Truex** commented on DRI residential development rights and TDU Program.

COMMISSIONER CONSTANCE MOVED TO POSTPONE REVISIONS TO CHAPTER 3-9, ZONING, Z-18-07-38A AND REVISIONS TO CHAPTER 3-9, ZONING, Z-18-07-38B INDEFINITELY UNTIL STAFF IS READY TO BRING ITEMS BACK, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0


7. Revisions to Chapter 3-9, Zoning, Z-18-07-38B

Community Development

Approve an Ordinance adopting Petition # Z-18-07-38B, a text amendment to Chapter 3-9, Zoning, by creating a new Section 3-9-10.1, Development of Regional Impact (DRI) Amendment Process and Procedure; providing for Intent, a new Section 3-9-10.2, Development of Regional Impact (DRI) Development Order (DO) Monitoring Report, and a new Section 3-9-10.3, Development of Regional Impact (DRI) Residential Development Rights. Applicant: Charlotte County Board of County Commissioners.

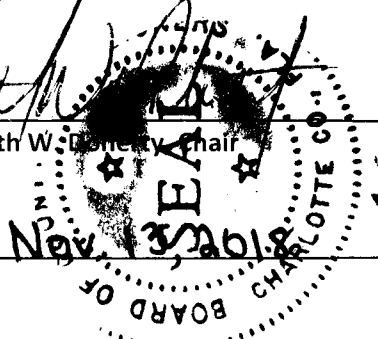
Legislative

ADJ: _____



 Kenneth W. Donnelly, Chair

DATE ADOPTED: Nov 13, 2018



ATTEST:

REC'D _____
 OF _____
 EX- _____
 OF COUNTY COMMISSIONERS

By: Michelle Bradner