

BOARD OF COUNTY COMMISSIONERS

JUNE 25, 2019

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 (absent 1:00 pm to 1:03 pm), Commissioner Deutsch, Commissioner Tiseo, and Commissioner Truex. Also in attendance were: County Attorney Knowlton, Deputy County Administrator Flores, Internal Audit Director Revallo, 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 Reverend Dr. R. Brian Stolarczyk, Lutheran Church of the Cross, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: Committee Vacancies MPO - Bicycle / Pedestrian Advisory Committee (BPAC) is seeking two Charlotte County Residents to serve: 1) a West County Representative (applicant must live West of the Myakka River); and 2) a Bicycle Business Representative - must own a Bicycle Business in Charlotte County. The BPAC reviews and makes recommendations on transportation plans and project that the MPO Board will consider. The deadline for submitting an application is Monday, July 15, 2019. Please go online at www.ccmpo.com or contact the MPO for an application. The MPO mailing address is: Charlotte County - Punta Gorda MPO, 25550 Harbor View Road, Suite 4, Port Charlotte, FL 33980. Fax: 941-883-3534 Email: office@ccmpo.com. The MPO Board will elect the above positions at its Monday, July 29, 2019 Meeting. Requested by: MPO

Addition #2: R-3 Approve the "piggyback" purchase of File 19-488, North Charlotte Regional Park Furniture, per the State of Florida, Contract # 425-001-12-1, with Workscapes, Inc., located in Fort Myers, FL, for a total cost of \$181,961.62. Requested by: Purchasing (Facilities)

Addition #3: R-4 Approve the "piggyback" of File 19-494, Playground Equipment for North Charlotte Regional Park, with HGAC Buy, Contract #PR11-18, awarding to BCI Burke Company, LLC., of Fond Du Lac, Wisconsin, for a total cost of \$211,568.75. Requested by: Purchasing (Community Services)

Addition #4: R-5 Discussion and direction on submittal of water quality presentation to FAC (Florida Association of Counties). Requested by: Commission Office

Addition #5: R-6 Authorize the initiation of litigation to assert all necessary and appropriate legal action against Lovina Lehr and / or JDI Farms, Inc. to prevent Lovina Lehr and / or JDI Farms, Inc. from conducting excavation activities without a properly issued permit. Requested by: County Attorney

Change #1: C-2 Updated title and wording to include the word Regional.

Requested by: Commission Office

Change #2: L-2 Updated title - Temporary Assistance to Needy Families (TANF) Grant.

Requested by: Commission Office

Change #3: R-2 Added attachment - Revised Letter.

Requested by: Commission Office

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Joseph Tiseo

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

MOTION CARRIED 5:0.

National Mosquito Control Awareness Week

Beth Kovach and Rebecca Owers accepted the Proclamation.

Parks and Recreation Month

Mike Norton and Parks and Recreation employees accepted the Proclamation.

Employee Recognition

Employee of the Month - Nicholas Reed, Facilities - May 2019

Travis Mortimer, Assistant County Administrator highlighted Mr. Reed's projects, customer service, and read customer's comments.

Award Presentations - No Items

CITIZEN INPUT - AGENDA ITEMS ONLY

Suzanne Roberts spoke to Charlotte County Department of Health Administrator.

Alan Ribas spoke to Item 18-149, Firing Range Facility (Facilities).

Susan Hutt spoke to Ackerman Sewer MSBU Initial Assessment Resolution and Charlotte County Department of Health Administrator.

Barbara Jaklitsch spoke to Ackerman Sewer MSBU Initial Assessment Resolution.

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-U@CharlotteCountyFL.gov.

- **Boca Grande Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Don Pedro and Knight Islands 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, 2019.
- **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.
- **Harbour Heights 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, 2020.
- **Northwest Port Charlotte Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2019 and October 31, 2020.
- **Pirate Harbor Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Rotonda Sands North Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **West Charlotte Stormwater Utility Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.

(Addition #1) Committee Vacancies MPO - Bicycle/Pedestrian Advisory Committee (BPAC) is seeking two Charlotte County residents to serve: 1) a **West County Representative (applicant must live West of the Myakka River)**; and 2) a **Bicycle Business Representative – must own a Bicycle Business in Charlotte County**. The BPAC reviews and makes recommendations on transportation plans and projects that the MPO Board will consider. The deadline for submitting an application is Monday, July 15, 2019. Please go online at www.ccmpto.com or contact the MPO for an application. The MPO mailing address is: Charlotte County-Punta Gorda MPO, 25550 Harbor View Road, Suite 4, Port Charlotte, FL 33980. Fax: 941-883-3534

Email: office@ccmpo.com. The MPO Board will elect the above positions at its Monday, July 29, 2019 Meeting.

REPORTS RECEIVED AND FILED - No Items

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF C-2 AND F-7, SECONDED BY COMMISSIONER TRUEX

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:

May 21, 2019 BCC Workshop
May 28, 2019 BCC Regular and Land Use Meeting
June 4, 2019 BCC Focus Area Workshop
June 6, 2019 BCC Pre-Agenda

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - Don Pedro and Knight Islands Street & Drainage MSTU Advisory Board

RECOMMENDED ACTION: Approve the appointment of Scott Rockoff to fill the unexpired term of Ralph Artigliere on the Don Pedro and Knight Islands Street & Drainage MSTU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2021. BUDGETED ACTION:

2. Southwest Florida Planning Council Support Letters

(Change #1) Updated title and wording to include the word Regional

RECOMMENDED ACTION: Authorize the Chairman to sign the Southwest Florida Planning Council support letters. BUDGETED ACTION: No action needed.

Chair Doherty spoke to Southwest Florida Planning Council meetings, benefits, and duplication of efforts. **Commissioner Constance** commented on benefits, state preemptions, and duplication of efforts. **Commissioner Deutsch** questioned benefits. **Commissioner Tiseo** mentioned grant requests and benefits. **Commissioner Truex** discussed duplication of efforts, grant requests, and benefits.

COMMISSIONER TRUEX MOVED TO DEFER ACTION FOR TWO WEEKS, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

D. County Administration

Administration - No Items

Public Information Office - No Items

E. County Attorney - No Items

F. Budget and Administrative Services

Fiscal Services

1. FY20 and FY21 Not For Profit Applications

RECOMMENDED ACTION: 1) Approve the Not for Profit 2-year funding agreements for Arts & Humanities Council of Charlotte County, Inc. in the amount of \$25,000 per year; Charlotte Behavioral Health Care, Inc. in the amount of \$1,382,676 per year; Charlotte Harbor Environmental Center, Inc. in the amount of \$35,000 per year; and Military Heritage Museum, Inc. in the amount of \$15,000 per year; and 2) Authorize the Chairman to sign the funding agreements; and 3) Authorize the County Administrator to sign documents associated with the approved agreements. BUDGETED ACTION: No action needed. Budgeted in the General Fund to be approved in the FY20 and FY21 budget process. **AGR 2019-048 / AGR 2019-049 / AGR 2019-050 / AGR 2019-051**

Information Technology - No Items

Purchasing

2. 19-282, Change Order #1, Air Vacuum Equipment EL Jobean Sewer (Utilities)

RECOMMENDED ACTION: Approve Change Order #1 to Contract #19-282 Air Vacuum Equipment EL Jobean Sewer with Aqseptence Group Inc., of Rochester, Indiana in the amount of \$3,039 for a revised cost of \$329,961. BUDGETED ACTION: No action needed. Budgeted in CIP project "Charlotte Harbor Water Quality Initiative Phase II - El Jobean," as adopted in the FY19 budget process and subsequently amended. Funding for the expenditure comes from the BP Settlement Fund and Grants.

3. 19-408, Award, Baseball Dugout Renovations - Harold Avenue Park (Community Services)

RECOMMENDED ACTION: a) Approve award of Bid #19-408, Baseball Dugout Renovations - Harold Avenue Park to the lowest responsive, responsible bidder, Compass Construction, Inc. of Cape Coral, Florida for a total project cost of \$245,609; and b) Approve budget adjustment BA19-032 in the amount of \$246,000, amending the adopted Community Services 2019 Capital Maintenance Plan. BUDGETED ACTION: Approve budget adjustment BA19-032 in the amount of \$246,000, amending the Community Services Capital Maintenance Plan. Funding is supplied from Capital Projects, ad valorem. **RES 2019-080**

4. 19-354, Award, South Gulf Cove Pathway Phase 3 and Intersection Improvements (Public Works)

RECOMMENDED ACTION: Approve award of Bid #19-354, South Gulf Cove Pathway Phase 3 and Intersection Improvements to the lowest responsive, responsible bidder C-Squared Certified General Contractor, Inc. of Sarasota, Florida for a total project amount of \$3,284,452.94. BUDGETED ACTION: No action needed. Phase 3 of the pathways is budgeted in South Gulf Cove S/D MSBU, as approved in the FY19 budget process and funding of \$3,198,266.27 is supplied from assessments in the South Gulf Cove S/D MSBU. The intersection improvement is budgeted in the Gasparilla Widening CIP, and \$86,186.67 is funded from Capital Gas Taxes.

5. 17-424, Change Order #3, Turf Maintenance - Various County Facilities - Annual Contract (Facilities)

RECOMMENDED ACTION: Approve Change Order #3 to Contract #17-424, Turf Maintenance - Various County Facilities - Annual Contract, as awarded to Brightview Landscape Services, Inc. of Port Charlotte, Florida for additional turf maintenance at three (3) locations within the County in the amount of \$33,810. BUDGETED ACTION: No action needed. Funding from the General Fund approved in the FY19 Budget Process.

6. 19-351, Award, Babcock Ranch Communications Tower Site (Public Safety)

RECOMMENDED ACTION: Approve award of Bid #19-351, Babcock Ranch Communications Tower Site, to Expert Construction Manager, Inc., of Brandon, Florida, at the project amount of \$574,000. BUDGETED ACTION: No action needed. Budgeted in CIP project, "Digital Radio System", as approved in the FY19 budget process. Funding is supplied from the 2014 Sales Tax Extension.

7. 18-149, Firing Range Facility (Facilities)

RECOMMENDED ACTION: a) Declare a contractor default and authorize termination of Contract #18-149, Firing Range Facility, with A2 Group, Inc. pursuant to the terms of the Contract and the provisions of Section 3.2 of Performance Bond No. 9269755, based on Contractor's failure to comply with material provisions of the Contract; and b) Authorize the initiation of a claim against the Performance Bond with Fidelity and Deposit Company of Maryland (the "Surety"); and c) Authorize the County Attorney or designee to execute all documents necessary to formalize the default, terminate the Contract and initiate the claim against the Surety. BUDGETED ACTION: No action needed.

Chair Doherty mentioned project information and moving forward. **Commissioner Constance** recommended moving forward. **Commissioner Deutsch** requested information clarification. **Commissioner Tiseo** spoke to project information and moving forward. **Commissioner Truex** commented on project information and moving forward.

COMMISSIONER CONSTANCE MOVED TO LIMIT DEBATE, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 4:1., COMMISSIONER DEUTSCH OPPOSED

COMMISSIONER DEUTSCH MOVED TO AMEND THE MOTION SO IT WOULD TAKE EFFECT IN TWO WEEKS AND TO SEE IF CAN WORK OUT

AMENDED MOTION FAILED FOR LACK OF SECOND

COMMISSIONER CONSTANCE MOVED TO CALL THE QUESTION

MOTION CARRIED 4:1., COMMISSIONER DEUTSCH OPPOSED

COMMISSIONER CONSTANCE MOVED TO APPROVE DECLARING A CONTRACTOR DEFAULT AND AUTHORIZE TERMINATION OF CONTRACT #18-149, FIRING RANGE FACILITY, WITH A2 GROUP, INC. PURSUANT TO THE TERMS OF THE CONTRACT AND THE PROVISIONS OF SECTION 3.2 OF PERFORMANCE BOND NO. 9269755, BASED ON CONTRACTOR'S FAILURE TO COMPLY WITH MATERIAL PROVISIONS OF THE CONTRACT; AND AUTHORIZE THE INITIATION OF A CLAIM AGAINST THE PERFORMANCE BOND WITH FIDELITY AND DEPOSIT COMPANY OF MARYLAND (THE "SURETY"); AND AUTHORIZE THE COUNTY ATTORNEY OR DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO FORMALIZE THE DEFAULT, TERMINATE THE CONTRACT AND INITIATE THE CLAIM AGAINST THE SURETY, SECONDED BY COMMISSIONER TRUOX

MOTION CARRIED 4:1., COMMISSIONER DEUTSCH OPPOSED

Real Estate Services

8. Declare Real Properties as Surplus

RECOMMENDED ACTION: Approve Resolution that declares the real property listed on Exhibit "A" to be surplus to County needs and authorizes County staff to dispose of the real property in accordance with the provisions of Florida Statute 125. BUDGETED ACTION: No action needed. RES 2019-072

Risk Management - No Items

Transit - No Items

G. Community Development

1. Resolution Approving CSZ-19-01-01, Certification of Density Units by Blackridge Capital Investments LLC

RECOMMENDED ACTION: Adopt Resolution approving CSZ-19-01-01, the certification of 27 units of density from property owned by Blackridge Capital Investments LLC. BUDGETED ACTION: No action needed. RES 2019-073

H. Community Services

Parks and Natural Resources - No Items

Recreation - No Items

Libraries and Historical - No Items

Community Services - No Items

I. Economic Development - No Items

J. Facilities Construction and Maintenance - No Items

K. Human Resources - No Items

L. Human Services

1. Resolution Rescinding Resolution 2018-133 and Adding Additional Grant Programs

RECOMMENDED ACTION: Approve Resolution that rescinds Resolution 2018-133 and authorizes the County Administrator to execute grant applications for fourteen (14) grant programs. BUDGETED ACTION: No action needed. **RES 2019-074**

2. TANF Grant

(Change #2) Updated Title – Temporary Assistance to Needy Families (TANF) Grant

RECOMMENDED ACTION: a) Approve grant agreement between Gulf Coast Partnership and the Board of County Commissioners in the amount not to exceed \$45,878.54 for the Temporary Assistance for Needy Families Grant (TANF); and b) Approve budget adjustment #BA19-033 in the amount of \$45,878 to provide grant funding, and authorize change to the FY19 budget; and c) Authorize the County Administrator, or designee, to sign any grant related documents. BUDGETED ACTION: Approve Budget Adjustment BA19-033 in the amount of \$45,878. There is no required match as the grant is 100% funded. **RES 2019-075 / GRT 2019-010**

M. Public Safety - No Items

N. Public Works - No Items

O. Tourism Development - No Items

P. Utilities - No Items

Q. Other Agencies - No Items

REGULAR AGENDA

R. Regular Agenda

1. Ackerman Sewer MSBU Initial Assessment Resolution

Utilities

a) Presentation of Ackerman Septic to Sewer Conversion Project; and b) Approve Initial Assessment Resolution for the Ackerman Sewer MSBU; and c) Set a public hearing for November 12, 2019 at 5:01 p.m., in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida to consider adoption of the Final Assessment Resolution. **RES 2019-076**

Craig Rudy, Utilities Director gave a brief overview of Utilities Department Ackerman Septic to Sewer Conversion Project, Objectives, Ackerman Expansion Area Septic to Sewer Area M55, Ackerman Sewer MSBU Area, MSBU Methodology, Project Cost, Assessment Costs, Assessment Options, Status of Project, Next Steps, and responded to Board inquiries.

Gordon Burger, Budget and Administrative Services Director spoke to growth incremental funding.

Chair Doherty mentioned public hearing. **Commissioner Constance** spoke to public hearing, Ackerman Sewer MSBU Area, and Assessment Options. **Commissioner Deutsch** commented on Assessment Costs.

COMMISSIONER DEUTSCH MOVED TO APPROVE ACKERMAN SEWER EXPANSION PROJECT INITIAL ASSESSMENT RESOLUTION 2019-076 WITH THE AMENDMENT TO CHANGE THE PUBLIC HEARING DATE TO NOVEMBER 19, 2019 AT 5:01 PM AT THE CHARLOTTE HARBOR EVENT AND CONFERENCE CENTER, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

2. Charlotte County Department of Health Administrator

(Change #3) Added attachment – Revised Letter

Commission Office

Recommendation to the Florida Surgeon General for the appointment of the Charlotte County Department of Health Administrator.

Chair Doherty discussed Florida Surgeon General appointment process and Interim Charlotte County Department of Health Administrator. **Commissioner Constance** spoke to interviewing process. **Commissioner Deutsch** commented on interviewing process. **Commissioner Tiseo** mentioned Interim Charlotte County Department of Health Administrator. **Commissioner Truex** noted Interim Charlotte County Department of Health Administrator.

Deputy County Administrator Flores referenced Florida Surgeon General appointment process.

COMMISSIONER TRUEX MOVED TO APPROVE LETTER OF RECOMMENDATION TO THE FLORIDA SURGEON GENERAL IN SUPPORT OF APPOINTING DR. JOSEPH PEPE AS THE CHARLOTTE COUNTY DEPARTMENT OF HEALTH ADMINISTRATOR, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

Taken Out Of Order

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. Manasota Key Beach Renourishment MSBU First Time Assessed Properties

Budget and Administrative Services

Conduct a public hearing to consider a resolution adopting the final assessment for first time assessed properties and an amended assessment roll, to assess for the first time twenty-one (21) properties, with a total of 12.705 Points and 21 Rec Units, in the Manasota Key Beach Renourishment Municipal Service Benefit Unit (MSBU) for FY19/20. **RES 2019-077**

John Elias, Public Works Director gave a brief overview of adopting the final assessment for first time assessed properties and an amended assessment roll.

Public Hearing – None

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION 2019-077 ADOPTING THE FINAL ASSESSMENT FOR FIRST TIME ASSESSED PROPERTIES AND AN AMENDED ASSESSMENT ROLL FOR THE MANASOTA KEY BEACH RENOURISHMENT MUNICIPAL SERVICE BENEFIT UNIT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

PRESENTATION AGENDA

T. 10:00 A.M.

1. Department of Health Update

Joseph Pepe to present the Department of Health Update.

Joseph Pepe, Interim Charlotte County Department of Health Administrator gave a brief overview of Adverse Childhood Experiences and Their Impact Upon Health and Education, Florida Health Performs, 10 core Components of Public Health, Social Determinants of Health, Proportional Causes of Poor Health Outcomes, What goes into your Health, Economics of Public Health, Total Lifetime Costs of Child Maltreatment in 2010 Dollars, Health Factors and Outcomes, Factors: Adult Obesity, Factors: Violent Crimes, Factors: Children in Poverty, Health Disparities, CDC Strategic Plan, Early Stages of ACEs Research – Dr. Felitti, MD, CDC-Kaiser Study, The Truth About ACEs, 2008 Behavioral Risk Factor Surveillance Survey – ACEs, 2014 Behavioral Risk Factor Surveillance Survey – 2014 BRFSS ACE Follow-Up Results, Impact of ACEs on Mental Health, Health Risks, Social Function, Anxiety Performance Curve, Stressed Brains, consequences of Lifetime Exposure to Violence and Abuse, Education, America’s Promise Alliance and

Tufts University Study Methodology, Expectations Shift Behavior, The top reasons students drop out of high school, General Findings, 2018 Florida Youth Substance Abuse Survey, Applying the Public Health Model, Six Protective Factors, Health Equity, Local Programs/Efforts, Proactive Community Approaches, Emergency Support, Operational Efficiencies, Workforce Development, and responded to Board inquiries.

Commissioner Constance spoke to 2014 Behavior Risk Factor Surveillance Survey, primary care, Hepatitis cases, trust fund balance, funding, School Board obligations, Federally Qualified Health Centers (FQHC), indigent care, employees, and IV drug abusers. **Commissioner Tiseo** discussed 2014 Behavior Risk Factor Surveillance Survey. **Commissioner Truex** referenced FQHC.

Taken Out Of Order

R. Regular Agenda (Continued)

(Addition #2) R-3 Approve the "piggyback" of File 19-488, North Charlotte Regional Park Furniture, per the State of Florida, Contract #425-001-12-1, with Workscapes, Inc., located in Fort Myers, FL, for a total cost of \$181,961.62. Fire station #10 – Approve Resolution of Necessity authorizing and directing the acquisition, by any legal means, of the real property located at 61 Gasparilla Way, Placida, Florida

Kim Corbett, Purchasing Senior Division Manager gave a brief overview of the "piggyback" of File 19-488, North Charlotte Regional Park Furniture, per the State of Florida, Contract #425-001-12-1, with Workscapes, Inc.

COMMISSIONER TRUEX MOVED TO APPROVE THE "PIGGYBACK" OF FILE 19-488, NORTH CHARLOTTE REGIONAL PARK FURNITURE, PER THE STATE OF FLORIDA, CONTRACT #425-001-12-1, WITH WORKSCAPES, INC., LOCATED IN FORT MYERS, FL, FOR A TOTAL COST OF \$181,961.62, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

(Addition #3) R-4 Approve the "piggyback" of File 19-494, Playground Equipment for North Charlotte Regional Park, with HGAC Buy, Contract #PR11-18, awarding to BCI Burke Company, LLC., of Fond Du Lac, Wisconsin, for a total cost of \$211,568.75

Ms. Corbett gave a brief overview of the "piggyback" of File 19-494, Playground Equipment for North Charlotte Regional Park, with HGAC Buy, Contract #PR11-18, awarding to BCI Burke Company, LLC.

COMMISSIONER DEUTSCH MOVED TO APPROVE THE "PIGGYBACK" OF FILE 19-494, PLAYGROUND EQUIPMENT FOR NORTH CHARLOTTE REGIONAL PARK, WITH HGAC BUY, CONTRACT #PR11-18, AWARDING TO BCI BURKE COMPANY, LLC., OF FOND DU LAC, WISCONSIN, FOR A TOTAL COST OF \$211,568.75, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

(Addition #4) R-5 Discussion and direction on submittal of water quality presentation to FAC (Florida Association of Counties)

Chair Doherty reviewed water quality package submittal to FAC. **Commissioner Constance** suggested water quality package submittal to FAC. **Commissioner Deutsch** agreed with water quality package submittal to FAC. **Commissioner Tiseo** discussed water quality package submittal to FAC. **Commissioner Truex** indicated water quality package submittal to FAC.

(Consensus: To submit this package with the edits described to FAC.)

(Addition #5) R-6 Authorize the Initiation of litigation to assert all necessary and appropriate legal action against Lovina Lehr and/or JDI Farms, Inc. to prevent Lovina Lehr and/or JDI Farms, Inc. from conducting excavation activities without a properly issued permit.

COMMISSIONER TRUEX MOVED TO APPROVE AUTHORIZING THE INITIATION OF LITIGATION TO ASSERT ALL NECESSARY AND APPROPRIATE LEGAL ACTION AGAINST LOVINA LEHR AND/OR JDI FARMS, INC. TO PREVENT LOVINA LEHR AND/OR JDI FARMS, INC. FROM CONDUCTING EXCAVATION ACTIVITIES WITHOUT A PROPERLY ISSUED PERMIT, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

1 P.M. CITIZEN INPUT - ANY SUBJECT

Susan Hutt spoke to sewer and septic systems.

AA. County Administrator: None

BB. County Attorney: None

CC. Commissioner Comments:

Chair Doherty noted Justice Center fence design. **Commissioner Constance** opined Justice Center fence design and October Workshop.

Deputy County Administrator Flores referenced Justice Center fence design and October Workshop.

LAND USE PUBLIC HEARING AGENDA

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

Minutes Clerk Cash administered oath for testimony.

1. DRC-18-00059

Community Development

Morris Engineering is requesting Final Detail Site Plan approval for 114 modular home site including a swimming pool and associated infrastructure. The project site is 31.28+/- acres and the project area to be developed is 13.30 +/-, located at 24750, 24770 & 24790 Sandhill Blvd., Port Charlotte, Florida in Section 06, Township 40, Range 23. **RES 2019-078**

Quasi-Judicial

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

Shaun Cullinan, Zoning Official asked to be accepted as a planning expert, gave a brief overview of DRC-18-00059, 2017 Aerial Image, Zoning Designations, FLUM Designations, Master Site Plan, Landscape Plan, Master Utility Plan, and responded to Board inquiries.

County Attorney Knowlton referenced Staff analysis memorandum wording.

Matthew Morris, Morris Engineering and Consulting, LLC, Applicant Representative accepted Mr. Cullinan as a planning expert, spoke to home renderings, project intent, subdivision requirements, and street curves.

John Swen, JBCC Development, LLC, Applicant Representative indicated project intent.

Chair Doherty asked about project intent, subdivision regulations, utilities, unit designs, and street curves. **Commissioner Constance** mentioned Staff analysis memorandum wording, lake, and street curves. **Commissioner Deutsch** inquired about unit designs, waste removal, Staff analysis memorandum wording, and project intent. **Commissioner Tiseo** commented on Staff analysis memorandum wording and project intent. **Commissioner Truex** discussed project intent.

Public Hearing – None

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

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION 2019-078 GRANTING MORRIS ENGINEERING FINAL DETAIL SITE PLAN APPROVAL FOR DRC-18-00059 FOR 114 UNIT MODULAR HOME SITES INCLUDING A SWIMMING POOL AND ASSOCIATED INFRASTRUCTURE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

2. Local Amendment to the Sandhill DRI DO, Petition Number LADO-19-03-03

Community Development

Approve a Resolution pursuant to Section J(1)(k) of the Sandhill Development of Regional Impact (DRI) Development Order (DO), Resolution Number 2019-031, and Section 380.06(7) (a). F.S., amending the Sandhill DRI DO by 1) using the approved equivalency matrix to exchange 24,382 square feet of approved commercial development on Parcels C-21 and C-25 of Tract 1 of the Sandhill DRI for 146 multi-family residential units, which property contains a total of 51.07± acres and is bounded on the north and east by Veterans Boulevard, on the south by Peachland Boulevard, on the west by Loveland Boulevard, in the Port Charlotte area; 2) revising Exhibit B, Map H Note #1 and Map H, Exhibit #2 Notes; and 3) Amending the DO to reflect the new buildout date; Commission District I; Petition No. LADO- 19-03-03; Applicant: Charlotte Commons Venture, LLC; providing for an effective date. The Sandhill DRI is located south of the

DeSoto County Line, north of Rampart Boulevard, east of Loveland Boulevard and west of the Deep Creek area; Section 7, Township 40 South, and Range 23 East, in the Port Charlotte area, currently containing a total of 713.12± acres. **RES 2019-079**

Quasi-Judicial

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

Jie Shao, Principal Planner asked to be accepted as a planning expert, gave a brief overview of LADO-19-03-03, Proposed Changes, 500ft Buffer Map, 2017 Aerial Image, Framework, FLUM Designations, Zoning Designations, and responded to Board inquiries.

Attorney Geri Waksler, Applicant Representative accepted Ms. Shao as a planning expert, spoke to change request, zoning, exchange matrix, and project intent.

Commissioner Constance inquired about the map.

Public Hearing – None

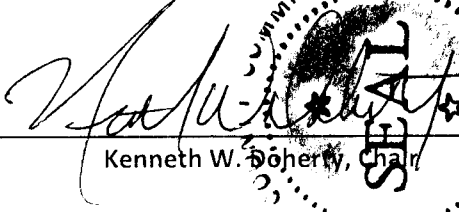
COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER TRUOX

MOTION CARRIED 5:0.

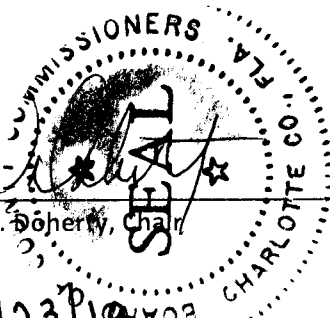
COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2019-079 AMENDING THE SANDHILL DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER (RESOLUTION 2019-031), PETITION NUMBER LADO-19-03-03, SECONDED BY COMMISSIONER TRUOX

MOTION CARRIED 5:0.

ADJOURNED: 2:35 pm



Kenneth W. Doherty, Chair



DATE ADOPTED: 7/23/19

ATTEST:

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

By: Michelle DiBerardino
Deputy Clerk