

BOARD OF COUNTY COMMISSIONERS

MARCH 12, 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, Commissioner Deutsch, and Commissioner Tiseo. Also in attendance were: County Administrator Sandrock, County Attorney Knowlton, Finance Director Gervais, and Minutes Clerk Cash. The following members were absent: Commissioner Truex.

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

Change #1: R-1 Added attachment - Application, Toth
Requested by: Commission Office

Change #2: E-1 Moved to Regular Agenda - Item R-3, Added Part A - Presentation by Punta Gorda City Manager's Office and added attachment - Presentation
Requested by: County Attorney

Change #3: E-2 Moved to Regular Agenda - Item R-4
Requested by: County Attorney

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

MOTION CARRIED 4:0.

Proclamations - Commissioner Stephen R. Deutsch

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

MOTION CARRIED 4:0.

Artist of the Month - Judy Lee

Judy Lee accepted the Proclamation.

Florida Surveyors and Mappers Week

Steven Ford accepted the Proclamation.

Employee Recognition

5 Years: Agustin Mancia, Utilities; Ashley Yaccarino, Utilities; **15 Years:** Catherine Edwards, Community Services; Conroy Williams, Utilities; **20 Years:** Mary Hill, Public Works; David Milligan, Facilities; Martin Simone, Budget & Admin Services; **25 Years:** Thomas Bowman, Public Safety; Kenneth Coblentz, Public Safety; and Scott Humphreville, Public Safety.

Award Presentations

1. 2018 Water Distribution System Award

Plaque presentation to the Utilities Department from the Florida Section of American Water Works Association, 2018, Achievement of Outstanding Water Distribution Service Award.

Craig Rudy, Utilities Director introduced Richard Anderson, Florida Section of American Water Works Association (FSAWWA).

Mr. Anderson highlighted achievement categories, presented Award to Distribution Team, and gave accolades for winning the Regional Best Tasting Drinking Water Contest.

CITIZEN INPUT - AGENDA ITEMS ONLY

Joan Fischer opined North Charlotte Regional Park Budget Adjustment and State Appropriation Request.

Mike Ferrara summarized his Construction Industry Licensing Board Specialty Contractor application.

COMMITTEE VACANCIES

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

The following **MSBU/TU Advisory Boards** are seeking volunteers who must be both a property owner within and reside within the Unit. Submit applications to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail MSBU-TU@CharlotteCountyFL.gov.

- **Boca Grande Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2020.
- **Charlotte Ranchettes 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.
- **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 two members to fill vacant unexpired terms through October 31, 2019 and October 31, 2020.
- **Northwest Port Charlotte Waterway Unit** is seeking two 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, 2019.

REPORTS RECEIVED AND FILED - No Items

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF H-1 AND H-2, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:0.

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:

February 12, 2019 BCC Regular Meeting
February 12, 2019 BCC Budget Workshop
February 19, 2019 BCC Workshop
February 21, 2019 BCC Pre-Agenda

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - Charlotte Harbor Community Redevelopment Agency Advisory Committee

RECOMMENDED ACTION: Approve the appointment Edward C. Toth to serve as a member-at-large on the Charlotte Harbor Community Redevelopment Agency Advisory Committee. Term is effective immediately.
BUDGETED ACTION: No action needed.

D. County Administration

Administration - No Items

Public Information Office - No Items

E. County Attorney

1. Interlocal Agreement with Punta Gorda for Buckley's Pass MSBU Assessments

(Change #2) Moved to Regular Agenda - Item R-3, Added Part A - Presentation by Punta Gorda City Manager's Office and added attachment - Presentation

RECOMMENDED ACTION: Approve the Interlocal Agreement with the City of Punta Gorda for the Buckley's Pass dredge project. BUDGETED ACTION: No action at this time. A public hearing will be held on May 21, 2019 to establish an MSBU and rates for the MSBU to pay the County's share of the project costs. An MSBU budget will be adopted as part of the FY20 budget process. **AGR 2019-014**

2. Buckley's Pass Initial Assessment Resolution

(Change #3) Moved to Regular Agenda - Item R-4

RECOMMENDED ACTION: Approve the Initial Assessment Resolution relating to creation of the Buckley's Pass MSBU. BUDGETED ACTION: No action needed. The MSBU budget will be developed as part of the FY20 budget adoption process. **RES 2019-033**

F. Budget and Administrative Services

Fiscal Services - No Items

Information Technology - No Items

Purchasing

1. 19-018, Charlotte Harbor Event Center Management Services (Community Services)

RECOMMENDED ACTION: a) Approve the sole submitting firm for Request for Proposal #19-018, Charlotte Harbor Event Center Management Services, with SMG of West Conshohocken, Pennsylvania; and b) Approve the start of negotiations; and c) Authorize the Chairman to sign the Contract after completion of negotiations. This is to provide management services for the Charlotte Harbor Event and Conference Center located in Punta Gorda, Florida. BUDGETED ACTION: No action needed. Funding from the Charlotte Harbor Event Center Fund will be approved in the FY20 Budget Process.

2. 19-227, Award, Contractor/Builder - Annual Contract (Facilities)

RECOMMENDED ACTION: a) Approve award of Bid #19-227, Contractor/Builder - Annual Contract, at the hourly rate bid to ERS Construction of Punta Gorda, Florida. Term of Contract is to be from date of award through and including December 31, 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. BUDGETED ACTION: No action needed. Funding from various funds approved in the FY19 budget process.

3. 19-034, Award Change Order #1, Control Structures and Bank Restoration (Public Works)

RECOMMENDED ACTION: Approve Change Order #1 for File #19-034, Control Structure and Bank Restoration, to V & H Construction, Inc. of Fort Myers, Florida, for the amount of \$102,847.50. BUDGETED ACTION: No action needed. Budgeted in CIP project "Water Control Structures Irma Damage Restoration" as adopted in the FY19 budget process. Expenses will be reimbursed at 75% using grant funds with 25% provided by the corresponding MSBU fund.

4. 19-142, Award, Myakka Booster Pump and EL Jobean Vacuum Station (Utilities)

RECOMMENDED ACTION: a) Approve award of Bid #19-142 Myakka Booster Pump and EL Jobean Vacuum Station, to the sole responsive, responsible bidder, Poole & Kent Company of Miami, Florida in the amount of \$2,881,200; and b) Approve Resolution and budget adjustment BA19-023, in the amount of \$1,007,822 increasing the FY19 adopted CIP projects "Charlotte Harbor Water Quality Initiative Phase II - El Jobean" and "Myakka Potable Water Booster Station" for construction, including contingency. BUDGETED ACTION: Approve Resolution and budget adjustment BA19-023, in the amount of \$1,007,822 increasing the FY19 adopted CIP projects "Charlotte Harbor Water Quality Initiative Phase II - El Jobean" and "Myakka Potable Water Booster Station" for construction, including contingency. The Myakka Booster Station received an SRF loan, which will be paid back by Water Connection Fees. The El Jobean Vacuum Station will be paid by the BP Settlement Fund and Grants. **RES 2019-034**

5. 19-282, Award, Air Vacuum Equipment EL Jobean Sewer (Utilities)

RECOMMENDED ACTION: Approve award of sole source File #19-282 Air Vacuum Equipment for EL Jobean Sewer to Aqseptence Group Inc., of Rochester, Indiana in the amount of \$326,922. BUDGETED ACTION: No action needed. Budgeted in CIP project "Charlotte Harbor Water Quality Initiative Ph II - El Jobean," adopted as part of the FY19 budget, and subsequently amended on March 12, 2019 with item F-3 Myakka Booster Pump and El Jobean Vacuum Station. Funding for this expenditure comes from the BP Settlement Fund and Grants.

6. 19-156, East Port Water Reclamation Facility Expansion (Utilities)

RECOMMENDED ACTION: a) Approve ranking of firms for Request for Proposal #19-156, East Port Water Reclamation Facility Expansion: 1st - Jones Edmunds; and 2nd Stantec Consulting Services, Inc.; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract upon completion of negotiations. This is for engineering, design, and construction administration for the expansion of the East Port Water Reclamation Facility. BUDGETED ACTION: No action needed. Budgeted in CIP project "East Port Water Reclamation Facility Expansion," approved by the Board on November 27, 2018. Funding for this expenditure will come from debt proceeds to be paid back by Utility rates.

7. 19-177, Ranking-Construction Manager (CM) at Risk, William R. Gaines Jr. Veterans Memorial Park (Facilities)

RECOMMENDED ACTION: a) Approve ranking of firms for Request for Proposal #19-177 Construction Manager (CM) at Risk, William R. Gaines Jr. Veterans Memorial Park: 1st - Jon F. Swift, Inc., 2nd - P.J. Hayes, Inc. dba Tandem

Construction, and 3rd - Florida Premier Contractors, LLC.; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations. This is for a qualified firm to provide professional Construction Manager (CM) at Risk services as part of a construction team, which includes various design and engineering consultants, and the County. BUDGETED ACTION: No action needed. Budgeted in CIP project "William R. Gaines Jr. Veterans Memorial Park", as part of the FY19 budget process, and subsequently amended. Funding is supplied from the Capital Projects Fund Ad Valorem and the 2009 Sales Tax Extension Fund.

8. Property Deletions for the Month of February, 2019 (Purchasing)

RECOMMENDED ACTION: Approve the deletion of the property inventory items listed on the attached for the month of February, 2019. BUDGETED ACTION: No action needed.

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

1. North Charlotte Regional Park Budget Adjustment

RECOMMENDED ACTION: a) Approve budget adjustment BA19-022 in the amount of \$299,739 to fund additional operating expenses and staffing (4 Full time, 5 Part time, and 2 Seasonal) through the end of the fiscal year; and b) Approve the addition of 1 vehicle to Charlotte County Fleet. BUDGETED ACTION: Approve budget adjustment #BA19-022 in the amount of \$299,739.

Commissioner Constance commented on Community Services' Administration and funding.

County Administrator Sandrock referenced Sales Tax Project.

COMMISSIONER CONSTANCE MOVED TO APPROVE BUDGET ADJUSTMENT BA19-022 IN THE AMOUNT OF \$299,739 TO FUND ADDITIONAL OPERATING EXPENSES AND STAFFING (4 FULL TIME, 5 PART TIME, AND 2 SEASONAL) THROUGH THE END OF THE FISCAL YEAR AND THE ADDITION OF 1 VEHICLE TO CHARLOTTE COUNTY FLEET, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

Libraries and Historical - No Items

Community Services

2. Guidelines for Requesting In-Kind Services

RECOMMENDED ACTION: Approval of Second Amended Guidelines for Requesting In-Kind Services BUDGETED ACTION: No action needed.

Chair Doherty commented on funding amount, post-event financials, and annual cap. **Commissioner Constance** spoke to funding level, total allocations, event qualifications, and post-event financials. **Commissioner Deutsch** discussed policy criteria, start-up events, and post-event financials. **Commissioner Tiseo** mentioned policy concepts and post-event financials.

Deputy County Administrator Shoemaker noted application deadline and post-event financials.

County Attorney Knowlton referenced post-event reports.

COMMISSIONER CONSTANCE MOVED TO POSTPONE GUIDELINES FOR REQUESTING IN-KIND SERVICES UNTIL THE APRIL 9, 2019 MEETING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

I. Economic Development

1. Re-Appointments - Industrial Development Authority

RECOMMENDED ACTION: Approve the re-appointments of Cathy Sanders and Todd Rebol to the Charlotte County Industrial Development Authority. BUDGETED ACTION: No action needed.

J. Facilities Construction and Maintenance

1. Lease - Congressman Steube

RECOMMENDED ACTION: a) Approve District Office Lease and District Office Lease Attachment for Congressman Greg Steube; and b) Approve Resolution authorizing the Chairman to sign and execute the District Office Lease and District Office Lease Attachment. BUDGETED ACTION: No action needed. Funding from the General Fund approved in the FY19 budget process. **AGR 2019-015 / RES 2019-035**

K. Human Resources - No Items

L. Human Services - No Items

M. Public Safety

1. Charlotte County Fire and EMS Fees for Services

RECOMMENDED ACTION: Approve Resolution allowing the Fire Department to charge fees for services independent of running emergency calls. These fees will typically be for special events when fire or EMS services are needed to support that event. BUDGETED ACTION: No action needed. Revenue was budgeted in the Fire/EMS budget during the FY2019 budget process. **RES 2019-036**

N. Public Works - No Items

O. Tourism Development - No Items

P. Utilities

1. Off-Site Utility Agreement MRT Lawn Service

RECOMMENDED ACTION: Approve Off-Site Utility Agreement between the County and the Developer MRT Lawn Service, Inc. BUDGETED ACTION: No action needed. Budgeted in CIP project "Water Transmission & Wastewater Collection Reimbursement" as adopted in the FY19 budget process. Funding is supplied from Utility Water and Sewer Connection Fees. **AGR 2019-016**

Q. Other Agencies - No Items

REGULAR AGENDA

R. Regular Agenda

1. Appoint by Ballot - Construction Industry Licensing Board - Specialty Contractor

(Change #1) Added attachment - Application, Toth

Commission Office

Select by ballot, a volunteer, to serve on the Construction Industry Licensing Board representing the "Specialty Contractor" category. Term expiration is March 22, 2020, filling an unexpired term vacated by Mr. Carleton Strong, Sr. who resigned.

County Administrator Sandrock indicated a tied ballot vote.

COMMISSIONER DEUTSCH MOVED TO DEFER THE APPOINT BY BALLOT – CONSTRUCTION INDUSTRY LICENSING BOARD – SPECIALTY CONTRACTOR TO THE MARCH 26, 2019 MEETING, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 4:0.

2. State Appropriation Request

Commission Office

a) Discussion and direction on the state appropriation request for the Southwest Florida Regional Emergency Shelter; and b) Remove from 6.b. the wording "in partnership with Charlotte County" and remove from 15.a. "and has made this one of their top legislative priorities" on the attached Appropriations Project Request; and c) Funding level

Chair Doherty spoke to project concept, appropriation process, 2019 State Legislative Agenda, and regional partnerships. **Commissioner Constance** mentioned Regional Summit and appropriation process. **Commissioner**

Deutsch discussed general support policy, regional relationships, and funding. **Commissioner Tiseo** opined appropriation request, 2019 State Legislative Agenda, funding, and regional relationships.

County Administrator Sandrock conveyed project concept information.

(Consensus: No need to change wording on the Appropriation Project Request for the Southwest Florida Regional Emergency Shelter at this time.)

Taken Out Of Order

PUBLIC HEARING AGENDA

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

PRESENTATION AGENDA

T. 10:00 A.M.

1. State of the Airport

State of the Airport presented by James W. Parish, CEO of Punta Gorda Airport.

Mr. Parish gave a brief overview of State of the Airport, General Aviation, Aviation Leases, Annual Airport Operations, Non-Aviation Leases, Commercial Air Service Growth, Non-Aviation Revenues, Car Rental Concessions, Ground Transportation, Auto Parking, Airline-Related Revenue, Fiscal Year 2018 Allegiant Air Contributions, Fiscal Year 2019 Projected Funding, Fiscal Year 2018 Total Operating Gain, Employment Stats, Marketing & Communications, and Special Events.

Chair Doherty emphasized community resourcefulness. **Commissioner Constance** noted Commercial Air Service Growth and Economic Development Partnership. **Commissioner Deutsch** highlighted presentation.

2. Choices and Chances

"Choices and Chances," a CC-TV film exploring the challenges facing our youth, premieres March 30-31 at Regal Cinema Town Center 16, followed by community showings by various organization throughout the County and region. Ticket are available at Choices-and-Chances.eventbrite.com, watch the trailer at youtu.be/uODoiKBKWs.

Elizabeth Tracy, Television Production Manager described and showed a video of the "Choices and Chances" film.

Continue Regular Agenda

(Change #2) R-3 Interlocal Agreement with Punta Gorda for Buckley's Pass MSBU Assessments

a) Presentation by Punta Gorda City Manager's office; and b) Approve the Interlocal Agreement with the City of Punta Gorda for the Buckley's Pass dredge project. **AGR 2019-014**

Howard Kunik, Punta Gorda City Manager gave a brief overview of Buckley's Pass Additional Harbor Access, Project History, 2019 Timeline, and responded to Board inquiries.

Macalle Finkle, Executive Assistant to City Manager gave a brief overview of Project Location, Project Description, Area of Benefit, Project Cost Projection, Special Assessment, Financing & Payment Options, and Charlotte County.

Chair Doherty inquired about area of benefit. **Commissioner Constance** asked about assessment, public input, and maintenance.

COMMISSIONER DEUTSCH MOVED TO APPROVE INTERLOCAL AGREEMENT 2019-014 BETWEEN THE CITY OF PUNTA GORDA AND CHARLOTTE COUNTY BUCKLEY'S PASS HARBOR ACCESS PROJECT, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 4:0.

(Change #3) R-4 Buckley's Pass Initial Assessment Resolution

Approve the Initial Assessment Resolution relating to creation of the Buckley's Pass MSBU. **RES 2019-033**

Chair Doherty noted the MSBU public hearing. **Commissioner Constance** inquired about MSBU public hearing.

Marilyn Miller, Assistant County Attorney advised of MSBU public hearing process.

COMMISSIONER DEUTSCH MOVED TO APPROVE INITIAL ASSESSMENT RESOLUTION 2019-033 RELATING TO THE BUCKLEY'S PASS DREDGING PROJECT, SECONDED BY CHAIR DOHERTY

MOTION CARRIED 4:0.

RECESS: 11:07am - 1:00 pm

1 P.M. CITIZEN INPUT- ANY SUBJECT

Joan Fischer spoke to local libraries donating books to airport travelers.

Marty Mielke, Florida Chief Financial Officer's (CFO) Office of External Affairs Southwest Regional Manager introduced herself.

AA. County Administrator:

County Administrator Sandrock mentioned the Regional Summit.

BB. County Attorney: None

CC. Commissioner Comments:

Chair Doherty discussed derelict boats, tree ordinance, Taylor Road improvement, and Guidelines for Requesting In-Kind Services. **Commissioner Constance** commented on Flybrary Book Exchange, CFO's Southwest Regional Manager, derelict boats, tree ordinance, Taylor Road improvement, and Guidelines for Requesting In-Kind Services. **Commissioner Deutsch** mentioned derelict boats and Septic Inspection Program. **Commissioner Tiseo** spoke to affordable housing and The Veranda project.

County Attorney Knowlton referenced derelict boats and Guidelines for Requesting In-Kind Services.

County Administrator Sandrock mentioned Friends of the Punta Gorda Library and Guidelines for Requesting In-Kind Services.

Deputy County Administrator Shoemaker noted Book Birdhouses.

(Consensus: To add a BCC Workshop on April 2, 2019 to discuss Guidelines for Requesting In-Kind Services.)

RECESS: 1:26 pm - 2:00 pm

LAND USE PUBLIC HEARING AGENDA

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

Minutes Clerk Cash administered oath for testimony.

1. Ordinance for PA-18-12-44; Helphenstine

Community Development

Approve an Ordinance adopting PA-18-12-44 amending the Charlotte County Future Lane Use Map from Low Density Residential (LDR) to Commercial (COM) for a 2.6-acre property located at 1321 Duncan Road, in Commission District I; applicants Robert and Sharon Helphenstine; and providing an effective date. **ORD 2019-004**

Legislative

Chair Doherty conveyed that Petitions PA-18-12-44 and Z-18-12-45 will be heard together.

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.

Ken Quillen, Senior Planner requested to be accepted as a planning expert and gave a brief overview of PA-18-12-44 & Z-18-12-45, Proposed Changes, Location Map, 500-Foot Buffer, Area Image, Site Image, Framework, FLUM Designations, Zoning Designations, Site Image, and responded to Board inquiries.

Attorney Michael Haymans, Applicant Representative accepted Mr. Quillen as a planning expert and mentioned existing commercial lot, stormwater, neighbors input, Florida Department of Transportation (FDOT) property, project intent, and Pine Villa Circle.

Commissioner Constance asked about existing commercial lot, stormwater, and Pine Villa Circle.

Public Hearing for Petitions PA-18-12-44 and Z-18-12-45

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

MOTION CARRIED 4:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2019-004 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 1321 DUNCAN ROAD, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT I, CONTAINING 2.6 ACRES MORE OR LESS; PETITION PA-18-12-44; APPLICANTS, ROBERT AND SHARON HELPHENSTINE; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

2. Ordinance for Z-18-12-45

Community Development

Approve an Ordinance adopting Z-18-12-45 amending the Charlotte County Zoning Atlas from Manufactured Home Conventional (MHC) to Commercial General (CG) for a 2.6-acre parcel located at 1321 Duncan Road, in Commission District I; applicant Robert and Sharon Helphenstine; and providing an effective date. **ORD 2019-005 Quasi-Judicial**

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2019-005 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 1321 DUNCAN ROAD, IN THE PUNTA GORDA AREA, CONTAINING 2.6 ACRES MORE OR LESS, COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-18-12-45; APPLICANTS, ROBERT AND SHARON HELPHENSTINE; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

3. Neslund Rural Community Mixed Use, Petition Number PA-18-02-05-LS

Community Development Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State agencies for review and comment; this request is to amend 1) Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Agriculture (AG) to Rural Community Mixed Use (RCMU), increasing density from 120 units to 1,384 units, and 2) FLU Appendix VIII: Rural Community Mixed Use Master Plans by adding Neslund Rural Community Mixed Use Master Development Plan; for property located north of the Lee County Line, south of Zemel Road, east of Tamiami Trail (US 41) and west of I-75, in the South County area, containing 1,203.84± acres; Petition No. PA-18-02-05-LS; Applicant: Richard Neslund, Neslund Family Ltd. Partnership II; providing an effective date.

Legislative

Jie Shao, Principal Planner gave a brief overview of PA-18-02-05-LS, Proposed Changes, Location Map, Site Image, Buffer Map, Framework, FLUM Designations, Zoning Designations, Proposed FLUM Designations, Conceptual Development Plan, Constraints and Opportunities Map, Transportation Network Plan, Eight Requirements, Seven Special Provisions, and responded to Board inquiries.

Chair Doherty commented on the conservation land and project process. **Commissioner Constance** asked about the conservation land and project.

County Attorney Knowlton affirmed motion.

Attorney Robert Berntsson, Applicant Representative discussed property use, conservation land, Orange Blossom Drive, and uniqueness.

Daniel DeLisi, DeLisi, Inc. Land Use Planner gave a brief overview of Property Location, Future Land Use Map, Charlotte 2050 Comprehensive Plan, Constraints & Opportunities, Former Mines - Residential Opportunity, Former Mines – Unique Living, Concept Plan, Circulation Map, and Opportunity for Passive Trails.

Ian Vincent, Ian Vincent & Associates Environmental Consulting Services spoke to conservation land.

Public Hearing

Carl Bolling adjoining property owner opined conservation land, Orange Blossom Drive, and project.


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

MOTION CARRIED 4:0.

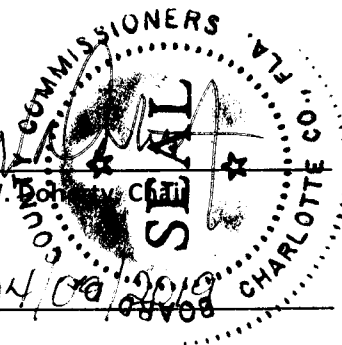
COMMISSIONER TISEO MOVED TO APPROVE TRANSMITTAL OF PETITION NUMBER PA-18-02-05-LS, A LARGE SCALE PLAN AMENDMENT, TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) AND OTHER STATE AGENCIES FOR REVIEW AND COMMENT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 3:1., COMMISSIONER CONSTANCE OPPOSED

ADJOURNED: 2:52 pm



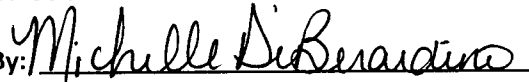
Kenneth W. Doherty, Chair



DATE ADOPTED: 04/09/2019

ATTEST:

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

By: 

Deputy Clerk