

MAY 23, 2019

A Pre-Agenda Meeting was held in preparation for the **May 28, 2019** Regular and Land Use Meeting at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

The following members were present: Chair Doherty, Commissioner Deutsch (via telephone conference), Commissioner Tiseo, and Commissioner Truex. Also in attendance were: County Administrator Sandrock, County Attorney Knowlton, Deputy County Administrator Flores, Minutes Clerk Light, and various County staff members. The following members were absent: Commissioner Constance.

**The Meeting was called to order at 1:30 pm**

There was Board discussion on the following items:

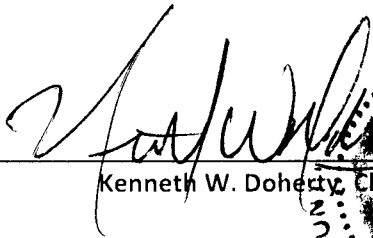
**County Attorney: E-1**

**Fiscal Services: F-1**

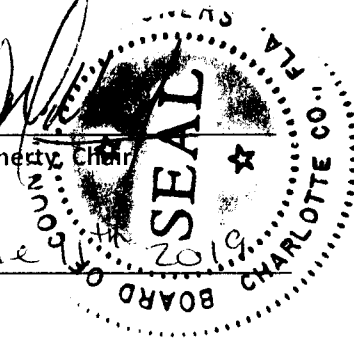
**Purchasing: F-5, F-6**

**10:00 A.M. Public Hearing: S-1**

**ADJOURNED: 1:40 pm**

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

DATE ADOPTED: June 11th 2019



ATTEST:

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

By: Michelle Berardino  
Deputy Clerk

# COUNTY OF CHARLOTTE

**Board of County Commissioners**  
18500 Murdock Circle  
Port Charlotte, FL 33948  
[www.CharlotteCountyFL.gov](http://www.CharlotteCountyFL.gov)

## County Commissioners

Ken Doherty, District 1, Chairman  
Bill Truex, District 3, Vice-Chairman  
Christopher Constance, District 2  
Stephen R. Deutsch, District 4  
Joseph Tiseo, District 5



## County Administrator

Raymond J. Sandrock

## County Attorney

Janette S. Knowlton

## Clerk of the Circuit Court

Roger D. Eaton

## Regular and Land Use Meeting

May 28, 2019 9:00 AM

18500 Murdock Circle, Commission Chambers, Room #119

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to [David.Lyles@charlottecountyfl.gov](mailto:David.Lyles@charlottecountyfl.gov).

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

**9:00 A.M.**

## Call to Order and Roll Call

**Invocation-** If you wish, please rise for the invocation

Reverend Doctor R. Brian Stolarczyk  
Lutheran Church of the Cross

## Pledge of Allegiance

**Changes to the Agenda:** See separate sheet.

## Proclamations - Commissioner Stephen R. Deutsch

[Code Enforcement Appreciation](#)  
[National Garden Week](#)  
[Summer Camp Month](#)

## Employee Recognition

[Employee of the Month](#)

Employee of the Month - April 2019  
Jill Boyd  
Community Services

## Award Presentations



## CITIZEN INPUT - AGENDA ITEMS ONLY

Anyone wishing to address the Board during this portion of the meeting must fill out a card, state their name for the record, and state which agenda item(s) will be addressed. Remarks shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.



## 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.
- **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.
- **Manasota Key Street & Drainage 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, 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.



## REPORTS RECEIVED AND FILED



### CONSENT AGENDA

#### 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 9, 2019 Pre-Agenda

May 14, 2019 Focus Area Workshop - Infrastructure

**BUDGETED ACTION:**

No action needed.

#### Board of County Commissioners

##### C. Commission Office

1. Appointment - Manasota Key Street & Drainage MSTU Advisory Board

**RECOMMENDED ACTION:**

Approve the appointment of Raymond Orozco to fill the unexpired term of B. J. Galberaith as well as an additional new three year term on the Manasota Key Street & Drainage MSTU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2022.

**BUDGETED ACTION:**

No action needed.

2. Southwest Florida Planning Council Support Letters

**RECOMMENDED ACTION:**

Authorize the Chairman to sign the Southwest Florida Planning Council support letters.

**BUDGETED ACTION:**

No action needed.

##### D. County Administration

###### Administration

1. Cancelation of June 13, 2019 Focus Area Workshop

**RECOMMENDED ACTION:**

Approve the cancelation of the June 13, 2019 Focus Area Workshop.

**BUDGETED ACTION:**

No action needed.

**Public Information Office**

No Items.

**E. County Attorney**

1. Code Compliance Special Magistrate Gray Robinson, P.A.

**RECOMMENDED ACTION:**

Approve the contract between Charlotte County and Gray Robinson, P.A. to provide Code Enforcement Special Magistrate services at an hourly rate of \$160.

**BUDGETED ACTION:**

No action needed.

**F. Budget and Administrative Services**

**Fiscal Services**

1. Authorize Mailing Public Hearing Notices, Set Public Hearing for June 25, 2019 and Approve Proposed Increase for Charlotte County Fire Rescue Department

**RECOMMENDED ACTION:**

a) Approve and authorize the mailing of the required first-class notification of proposed Municipal Services Benefit Unit (MSBU) assessment rates for FY 19/20 for those units with a proposed rate increase above the previously established maximum or a change in purpose or properties assessed for the first time; and

b) Set a public hearing for June 25, 2019 at 10:00 a.m., or as soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider a resolution adopting the final assessment for first time assessed properties and an amended assessment roll in the Manasota Key Beach Renourishment Municipal Service Benefit Unit (MSBU) for FY19/20; and

c) Approve a proposed four percent (4%) across the board rate increase for Charlotte County Fire Rescue Department.

**BUDGETED ACTION:**

No action needed. Mailing costs are budgeted in the General Fund – BCC Control, and will be charged back to the appropriate MSBU.

**Information Technology**

No Items.

**Purchasing**

2. 19-270, Coral Creek Deck Repairs (Public Works)

**RECOMMENDED ACTION:**

Approve Award of Bid #19-270, Coral Creek Deck Repairs, to Matcon Construction Services, Inc. of Tampa, Florida in the amount of \$231,995.40. This is for a Contractor to

furnish all labor, equipment, facilities, supplies, materials, and transportation, to complete the Coral Creek Deck Repairs.

**BUDGETED ACTION:**

No action needed. Budgeted in the Bridge Capital Maintenance Plan, as approved in the FY19 budget process. Funding is supplied from Road & Bridge Infrastructure, maintenance gastaxes.

3. 19-366, Insecticides & Herbicides-Supply & Deliver (Public Works)

**RECOMMENDED ACTION:**

a) Approve multi-Award by line item of Bid #19-366, Insecticides & Herbicides - Supply and Deliver to the following vendors as indicated on the attached bid tabulation and recommendation sheet: Adapco, Inc. of Sanford, Florida; Clark Mosquito Control Products, Inc. of Kissimmee, Florida; Helena Chemical Co. of Immokalee, Florida; Nutrien Ag Solution, Inc. of Mulberry, Florida; and Siteone Landscape Supply of Port Charlotte, Florida, for the period of June 1, 2019 through and including May 31, 2020; and  
b) Authorize the County Administrator to approve renewal options for up to two (2) one-year terms, at the same prices, terms and conditions, by mutual consent. This is an annual contract to purchase insecticides and herbicides, to be utilized on an "as required" basis by Public Works-Mosquito and Aquatic Weed Control Division.

**BUDGETED ACTION:**

No action needed. Budgeted in the Public Works-Mosquito and Aquatic Weed Control Divisions FY2019 budget process.

4. 19-425, Award, Purchase of Boom Mower (Public Works)

**RECOMMENDED ACTION:**

Approve Award of #19-425, Boom Mower, as "Piggyback" purchase off of the Florida Sheriff Association Contract #FSA 18VEH 16.0 Specification #27, and award to Dobbs Equipment, LLC of Fort Myers, Florida for the total cost of \$215,593.40.

**BUDGETED ACTION:**

No action needed. Budgeted in the Heavy Equipment Replacement Plan, as approved in the FY19 budget process. Funding is supplied from maintenance gas taxes.

5. 16-295, Amendment #4, Manasota Key Beach Renourishment 10 Year Management Plan (Public Works)

**RECOMMENDED ACTION:**

a) Approve Amendment #4 to Contract #16-295 Manasota Key Beach Renourishment 10 Year Management Plan with Coastal Engineering Consultants, Inc. of Naples, Florida for assistance to administer the construction of the initial restoration of the Manasota Key Beach Fill (MKBF) for an amount of \$885,828; and  
b) Authorize the Chairman to sign Amendment #4.

**BUDGETED ACTION:**

No action needed. Funded in approved CIP project C during the FY19 budget process. Funding is supplied from the Manasota Key Beach Nourishment MSBU.

6. 12-050, Stump Pass 10-Year Mgmt Plan, Amendment #7 (Public Works)

**RECOMMENDED ACTION:**

a) Approve Amendment #7 to Contract #12-050 Stump Pass Ten-Year Management Plan with Coastal Engineering Consultants, Inc. (CEC) of Naples, Florida in the amount of \$382,626; and  
b) Authorize the Chairman to sign the Amendment.  
This is for monitoring services for the 2019-2020 South Beach Fill (SBF) Re-nourishment.

**BUDGETED ACTION:**

No action needed. Budgeted in the Don Pedro/Knight/Palm Island MSBU CIP "Beach Fill Renourishment" (\$293,529) as approved in the FY19 budget process and Stump Pass

MSBU CIP "Annual Monitoring" (\$89,099) as approved in the FY19 budget process. Funding will come from Don Pedro/Knight/Palm Island Beach and Stump Pass Beach Renourishment MSBU's assessments.

**Real Estate Services**

No Items.

**Risk Management**

No Items.

**Transit**

No Items.

**G. Community Development**

No Items.

**H. Community Services**

**Parks and Natural Resources**

1. Coastal Partnership Initiative Grant Agreement

**RECOMMENDED ACTION:**

- 1) Approve Agreement with the University of Florida to develop a cohesive educational display at Cedar Point Environmental Center to improve and enhance the educational opportunities offered by Charlotte County and the Charlotte Harbor Environmental Center; and
- 2) Authorize the Chairman to sign the agreement; and
- 3) Approve Resolution authorizing budget adjustment (BA19-030) in the amount of \$15,000.

**BUDGETED ACTION:**

Approve budget adjustment BA19-030 in the amount of \$15,000. County match of \$40,000 will be paid from Community Services Land Management Operating Fund.

**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

No Items.

## M. Public Safety

No Items.

## N. Public Works

1. Interlocal Agreement with the Punta Gorda to Add Additional City Properties to the Alligator Creek Waterway MSBU

**RECOMMENDED ACTION:**

Approve Interlocal Agreement with the City of Punta Gorda to add the city's parcels within the Buckley's Pass MSBU to the county's Alligator Creek Waterway MSBU.

**BUDGETED ACTION:**

No action needed. Budget will be approved through the regular budget process.

2. Alligator Creek Waterway Initial Assessment Resolution & Set a Public Hearing for July 23, 2019 for the Final Assessment Resolution

**RECOMMENDED ACTION:**

- a) Approve the Initial Assessment Resolution for the Alligator Creek Waterway Assessment MSBU; and
- b) Set a public hearing for July 23, 2019, at 10:00 a.m., or as soon thereafter as may be heard, in Room 119 at 18500 Murdock circle, Port Charlotte, Florida, to consider adoption of Final Assessment Resolution for the Alligator Creek Waterway MSBU.

**BUDGETED ACTION:**

No action needed. Budget will be approved through the regular budget process.

3. Landscape Installation and Maintenance Agreement with Sunseeker Florida, Inc.

**RECOMMENDED ACTION:**

Approve Landscape Installation and Maintenance Agreement with Sunseeker Florida, Inc. which will allow Sunseeker to make certain improvements to property abutting US 41, and is intended to beautify the area.

**BUDGETED ACTION:**

No action needed.

## O. Tourism Development

No Items.

## P. Utilities

1. East Port Reclaimed Pond Aeration System

**RECOMMENDED ACTION:**

Approve Resolution and budget adjustment BA #19-028 in the amount of \$275,000 to add CIP project "East Port Water Reclamation Facility Reclaimed Pond Aeration System" to the FY19 Capital Improvement Program.

**BUDGETED ACTION:**

Approve Resolution and budget adjustment BA #19-028 in the amount of \$275,000 to add CIP project "East Port Water Reclamation Facility Reclaimed Pond Aeration System" to the FY19 Capital Improvement Program. Funding is supplied from the Utility Operations & Maintenance Fund.



**Q. Other Agencies**

No Items.



**REGULAR AGENDA**

**R. Regular Agenda**

1. Water Authority Agenda - May 29, 2019

**Utilities**

Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agenda for the upcoming May 29, 2019 Meeting.



**PUBLIC HEARING AGENDA**

**S. 10:00 A.M. Public Hearing**

1. Buckley's Pass Final Assessment Hearing

**County Attorney**

Conduct a Public Hearing to consider creation of the Buckley's Pass Dredging Municipal Service Benefit Unit (MSBU) and approve the adoption of the final assessment resolution.



**PRESENTATION AGENDA**

**T. 10:00 A.M.**

1. 2019 Atlantic Hurricane Season

Emergency Management briefing on the upcoming 2019 Atlantic Hurricane Season and review of preparedness activities.



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

Anyone wishing to address the Board during this portion of the meeting must state their name for the record. Remarks, on any County related subject, shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.



**LAND USE PUBLIC HEARING AGENDA**

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

1. FP-18-07-06, Babcock 1A replat  
**Community Development**  
Approve Final Plat and Developer's Agreement for Banroc Corporation, for Babcock Ranch Community Phase 1A Townhomes Subdivision, under Petition #FP-18-07-06.  
**Quasi-Judicial**
  
- r. PP-19-02-01, Babcock National  
**Community Development**  
Approve Preliminary Plat for Lennar Homes, LLC, for Babcock National Subdivision, under Petition #PP-19-02-01.  
**Quasi-Judicial**
  
3. PP-07-02-04, Burnt Store 80 Acres  
**Community Development**  
Approve a three-year extension of the Preliminary Plat approval for PG Holdings, LLC, for Burnt Store 80 Acres Subdivision, under Petition #PP-07-02-04.  
**Quasi-Judicial**
  
4. DRC-19-00016, Firestone  
**Community Development**  
Sloan Engineering Group is requesting Final Detail Site Plan approval for a 6,600-sq. ft. auto parts store. The project site is 1.88+/- acres and is located at 24020 Beatrix Blvd., Punta Gorda, Florida in Section 06, Township 40, Range 23.  
**Quasi-Judicial**
  
5. Ordinance for Z-19-02-02, Kuykendall  
**Community Development**  
Approve an Ordinance adopting Z-19-02-02 amending the Charlotte County Zoning Atlas from Commercial Tourist (CT) to Commercial General (CG) for a 33,895 square foot property located at 3000 Acline Road, Punta Gorda, in Commission District II; applicant is Kuykendall Roofing; and providing an effective date.  
**Quasi-Judicial**
  
6. Neslund Rural Community Mixed Use, Petition Number PA-18-02-05-LS  
**Community Development**  
Approve an ordinance adopting a large-scale plan amendment. 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.  
**Legislative**

**AA. County Administrator**

**BB. County Attorney**

**CC. Commissioner Comments**