

BOARD COUNTY COMMISSIONERS

MAY 11, 2021

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

The following members were present: Chair Truex, Commissioner Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo. Also in attendance were: County Administrator Flores, County Attorney Knowlton, Minutes Clerk Smoleski, and Minutes Clerk Welsh. The following members were absent: None.

The Meeting was called to order at 9:00 am

The Invocation was given by Pastor Bill Frank, First Baptist Church of Punta Gorda, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: R-5 Approve Resolution repealing Resolution 2020-100 related to face coverings.

Requested by: County Attorney

Addition #2: R-6 Approve Resolution declaring this a Second Amendment Sanctuary County.

Requested by: County Commission

Change #1: UB-4 Updated type from Legislative to Quasi-Judicial.

Requested by: Community Development

Change #2: S-1 Added attachments, #4-8 – Creation of Suncoast Waterway MSBU Advisory Board Point Paper, Attachment A – Suncoast Waterway Petition and cover letter, Attachment B – Suncoast petition, Attachment C – Sig Ver Suncoast and Suncoast-WW-MSBU-Map.

Requested by: Public Works

Change #3: Proclamations Added attachment – Emergency Medicals Services Week.

Requested by: Administration

Deletion #1: R-3 Approve a Memorandum of Understanding between Charlotte County and Charlotte County Inline Hockey Association Incorporated regarding the funding and construction of improvements to the Multi-Sports Court at Tringali Park.

Requested by: Community Services

Deletion #2: S-2 Approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida; Amending Chapter 3-3.5 Impact Fees, of the Code of Laws and Ordinances of Charlotte County, Florida, Finalizing the Collection Rates; Providing for Severability; Providing for Incorporation of Exhibits; and Providing for an Effective Date. Applicant: Charlotte County Board of County Commissioners.

Requested by: Community Development

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

MOTION CARRIED 5:0.

Commissioner Constance inquired to Ordinance approving Z-21-58-12 for 2450 Luther Road amending Zoning Atlas from Residential Estate (RE-1) to Residential Multi-family (RMF-10).

County Administrator Flores responded to Ordinance approving Z-21-58-12 for 2450 Luther Road amending Zoning Atlas from Residential Estate (RE-1) to Residential Multi-family (RMF-10).

Proclamations - Commissioner Joseph Tiseo

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

MOTION CARRIED 5:0.

Emancipation Day Proclamation

Proclamation will be mailed to Elder Gadsden, St. Mary's Church.

Community Action Month

Paul Polk, Community Action Agency Advisory Board (CAAAB) Chair accepted the Proclamation.

National Public Works Week

John Elias, Public Works Director and staff accepted the Proclamation.

National Safe Boating Week

Tom Britton, Civil Air Patrol Squadron Commander accepted the Proclamation.

Trauma Awareness Month

Proclamation will be mailed to Lauren Ware.

Water Reuse Week

Craig Rudy, Utilities Director and Johnny Chamberlain, Utilities Superintendent accepted the Proclamation.

Water Safety Awareness Month

Proclamation will be mailed to Paul DeMello.

Emergency Medical Services Week

(Change #3) Added attachment – Emergency Medicals Services Week.

Public Safety staff accepted the Proclamation.

Employee Recognition

5 Years: Ian Bell, Community Development; Idali Caraballo, Budget & Administrative Services; Christle Foy, Public Works; Peter Lakoma, Community Development; Timothy Leake, Budget & Administrative Services; Paul Marcuzzo, Budget & Administrative Services; Michelle Oquendo, Community Development; Sharon Parlow, Utilities; Mary Shelley, Human Resources; Katelyn Warram Public Safety; **10 Years:** Richard Dalton, Jr., Community Development; Daniel Daumann, Community Services; Lee Folkers, Public Safety; Ryan Hay, Public Safety; Jeremiah Johnson, Public Safety; Douglas McGee, Public Works; Kyle Phillips, Public Safety; Matthew Roberg, Public Safety; Jacob Strefling, Public Safety; Jeremy Strefling, Public Safety; Nicholas Wadlinger, Public Safety; **15 Years:** Matthew Adamo, Public Safety; O'Neal Cunanan, Public Safety; Brett Ducharme, Public Safety; Antonio Freitas, Facilities; Sara Gudmundsen, Utilities; William Hurcomb, Public Works; William Smoak, Public Safety; Patricia Stefan, Budget & Administrative Services; **25 Years:** Keith Hoover, Facilities; **30 Years:** Jan Sanders, Jr., Public Safety

Award Presentations

Check Presentation for Veterans Memorial at the William R. Gaines Jr. Veterans Memorial Park
Commissioner Stephen R. Deutsch to accept donation from Waste Management: Stephanie Kissinger, Government Affairs Manager, Todd Peres, District Manager and Gary Herrey, Senior Route Manager, U.S. Army Veteran.

Stephanie Kissinger, Waste Management Government Affairs Manager presented **Commissioner Deutsch** with a check for Veterans Memorial at the William R. Gaines Jr. Veterans Memorial Park, spoke to William R. Gaines Jr., and William R. Gaines Jr. Veterans Memorial Park.

Chair Truex mentioned Waste Management dedication. **Commissioner Deutsch** remarked on memorials and Waste Management.

PUBLIC INPUT - AGENDA ITEMS ONLY

Jeff Anlauf commented on Marine Advisory Committee Fiscal Year (FY) 2022 Funding Recommendation.

Joyce Cream discussed Resolution Declaring Charlotte County a Constitutional County and Resolution Declaring Charlotte County a Second Amendment Sanctuary.

Cynthia Zarzano mentioned Resolution Declaring Charlotte County a Constitutional County and Resolution Declaring Charlotte County a Second Amendment Sanctuary.

Michael Zarzano, Charlotte County Congress noted Resolution Declaring Charlotte County a Second Amendment Sanctuary and Resolution Declaring Charlotte County a Constitutional County.

Debra Russell, Defend Florida Defend Charlotte spoke to Resolution Declaring Charlotte County a Second Amendment Sanctuary.

Bonnie Byrnes commented on Resolution Declaring Charlotte County a Constitutional County and Resolution Declaring Charlotte County a Second Amendment Sanctuary.

Tim Ritchie discussed Resolution Declaring Charlotte County a Second Amendment Sanctuary.

Richard Russell mentioned Resolution Declaring Charlotte County a Second Amendment Sanctuary and Resolution Declaring Charlotte County a Constitutional County.

Donald Mohlmaster noted Invocation, Pledge, Resolution Declaring Charlotte County a Constitutional County, and Resolution Declaring Charlotte County a Second Amendment Sanctuary.

Brenda Ruddock spoke to Resolution Declaring Charlotte County a Second Amendment Sanctuary.

COMMITTEE VACANCIES

The committee vacancy list below is for informational purposes only. It is not part of the County Commission agenda upon which action is to be taken, and therefore not a topic on which public input is allowed at the beginning of this meeting.

Charlotte Harbor Community Redevelopment Agency Advisory Committee is seeking three volunteers, two business representatives and one resident. Members must be residents of Charlotte County. The resident representative must live within the CRA boundaries and business representatives must represent a business that is located within the CRA boundaries. Meetings are held quarterly in the Administration Center at 18500 Murdock Circle and are generally held on the first Monday at 10:30 am. To obtain an application call 941-743-1300 and select option 1 or email Lisa.Eby@CharlotteCountyFL.gov.

The **Historical Advisory Committee** is searching for five volunteers that must be permanent residents of Charlotte County who are interested in preserving the history of Charlotte County. The position calls for

four members to serve from different Charlotte County historical organizations. There is one position open to an at-large member. The terms are three years and will be staggered in order to be in compliance with Ord. No. 2004-045, Sec. 1-11-69. The HAC's functions, powers and duties include: a) To evaluate and make recommendations about where historical markers should be established; b) To review development and construction projects of historical significance; c) To provide input on potential historic districts; d) To provide input on historical programs and outreach efforts; e) To make recommendations on establishing an archives/collection program; f) To raise funds to preserve historical structures and amenities; g) To provide recommendations to the board on issues relating to those duties specified above or other duties assigned by the board; h) To review and provide input on the capital improvement budget. For more information, please contact Morgan.Cook@charlottecountyfl.gov.

The **Marine Advisory Committee** is searching for one volunteer to serve as an at-large member to fill the unexpired term of Garland Wilson. The term begins immediately and will expire in December 2022. If you are interested or need more information, please contact Morgan.Cook@charlottecountyfl.gov.

Agricultural and Natural Resources Advisory Committee is searching for (2) two voluntary members who must be residents or owners of real property in Charlotte County and be composed of individuals broadly representative of the interests of agricultural land ownership and use, agricultural commodity finance and production, agricultural processing, agricultural economics and marketing, agricultural engineering and water management, soils use and fertility, wildlife management, geology and mine engineering, and environmental conservation. Both volunteers must be engaged in commodity production. The term is effective immediately upon approval and will expire December 31, 2024. If you are interested in an application and information, please contact Morgan.Cook@charlottecountyfl.gov.

The **Construction Industry Licensing Board** is seeking a volunteer to represent the consumer advocate category. Volunteer must be a resident of Charlotte County for at least two years and have no financial interest, direct or indirect, in the building trades. Length of term is until March 2022. Meetings are held on the 1st Thursday of each month at 6 p.m. at 18500 Murdock Circle in the Charlotte County Administration Center. To obtain an application, please call 941-743-1298 or email Diane.Whidden@CharlotteCountyFL.gov

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, Florida 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, 2021.

• **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.

• **Harbour Heights Waterway** is seeking two members to fill vacant unexpired terms through October 31, 2021 and October 31, 2022.

· Northwest Port Charlotte Street & Drainage Unit is seeking one member to a fill vacant unexpired term through October 31, 2022.

· Northwest Port Charlotte Waterway Unit is seeking one member to a fill vacant unexpired term through October 31, 2022.

· Rotonda Heights Street & Drainage Unit is seeking one member to fill a vacant unexpired term through October 31, 2021.

· Rotonda Lakes Street & Drainage Unit is seeking five members to fill vacant unexpired terms through October 31, 2021, October 31, 2022, and October 31, 2023.

· Rotonda Sands North Street & Drainage Unit is seeking one member to a fill vacant unexpired term through October 31, 2021.

REPORTS RECEIVED AND FILED

2020 Utilities Department Annual Report

Clerk of Court's County Investment Report

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF C-5, F-2, F-5, F-8, AND F-10, SECONDED BY COMMISSIONER TISEO

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:

April 13, 2021 BCC Regular Meeting
April 20, 2021 BCC Focus Area Workshop Economic and Community Development
April 22, 2021 BCC Pre-Agenda

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment- Northwest Port Charlotte Waterway MSBU Advisory Board

Recommended Action: Approve the appointment of Gregg Smith to fill the unexpired term of Buford Lundy on the Northwest Port Charlotte Waterway MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2022.

Budgeted Action: No action needed.

2. Appointment- Rotonda Sands Street and Drainage MSBU Advisory Board

Recommended Action: Approve the appointment of Mark Barrett to fill the unexpired term of Michael Seelye on the Rotonda Sands Street and Drainage MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2022.

Budgeted Action: No action needed.

3. Appointment - Historical Advisory Committee

Recommended Action: Approve the appointment of Theresa Murtha to the Historical Advisory Committee as a representative of the Punta Gorda History Center. The term is effective immediately and expires September 30, 2023.

Budgeted Action: No action needed.

4. Appointment - Historical Advisory Committee

Recommended Action: Approve the appointment of Stephen F. Valdes to the Historical Advisory Committee as a representative of the Military Heritage Museum. The term is effective immediately and expires September 30, 2022.

Budgeted Action: No action needed.

5. Resolution Declaring Charlotte County a Constitutional County

Recommended Action: Approve Resolution declaring this a Constitutional County. RES 2021-059

Budgeted Action: No action needed.

Chair Truex commented on society, Emancipation Proclamation, government, Constitution, and additional Commissioner signatures. Commissioner Constance discussed government, founding fathers, Declaration of Independence, and Constitution. Commissioner Deutsch mentioned Constitution, Nation, flag, service, disrespect, and oath. Commissioner Doherty noted documents, community obligation, government, and additional Commissioner signatures. Commissioner Tiseo recited Resolution.

COMMISSIONER DEUTSCH MOVED TO APPROVE RESOLUTION 2021-059 DECLARING CHARLOTTE COUNTY A CONSTITUTIONAL COUNTY, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

D. County Administration

E. County Attorney

1. Extension 60 of Local State of Emergency - COVID-19

Recommended Action: Approve Resolution extending the Local State of Emergency related to the Novel Coronavirus Disease 2019 (COVID-19). RES 2021-053

Budgeted Action: No action needed.

F. Budget and Administrative Services

Fiscal Services

1. Roll Forward A-7-1 Commercial Paper

Recommended Action: Approve Resolution to roll forward the A-7-1 Commercial Paper for the balance remaining at 6/1/2021. RES 2021-054

Budgeted Action: No action needed. Future debt service payments will be included in annual MSBU budgets from assessments. Payments will be funded by the following MSBU assessments: Deep Creek Street and Drainage MSBU \$1,000,000; Peace River Shores Street and Drainage MSBU \$928,000; Punta Gorda Non-Urban Street and Drainage MSBU \$1,250,000; Rotonda Heights Street and Drainage MSBU \$680,000.

2. Marine Advisory Committee FY 2022 Funding Recommendation)

Recommended Action: a) Approve Resolution which funds the West Coast Inland Navigation District (WCIND) and Boater Improvement Fund (BIF) expenditures for fiscal year 2022 in the amount of \$1,168,226; and b) Authorize the County Administrator, or his designee, to sign all necessary WCIND grant documents and subrecipient agreements. RES 2021-055

Budgeted Action: No action needed. Funding will be budgeted in the Boater Revolving Fund in the FY2022 budget process. Matching funds are required at 50% for boater safety/education and boater recreation projects qualifying for WCIND funding and would be paid out of the Boater Revolving Fund - Local.

Chair Truex commented on funding and Englewood Beach Waterfest. Commissioner Constance discussed water testing, documentation, and budget. Commissioner Deutsch mentioned Marine Advisory Committee (MAC), funding request, concept, Municipal Service Benefit Unit (MSBU), methodology, and water testing. Commissioner Doherty noted Englewood Beach Waterfest. Commissioner Tiseo spoke to Englewood Beach Waterfest, Economic Recovery package language, and MAC budget.

County Administrator Flores interjected on budget, request, and funding source.

COMMISSIONER DEUTSCH MOVED TO APPROVE WATER TESTING AT \$9,460 AND THE FEASIBILITY STUDY AT \$23,681 WITH THE PROVISION THAT IF THERE IS ADDITIONAL MONEY COMING THAT STAFF CAN MAKE THE ADJUSTMENT DOWN, SECONDED BY COMMISSIONER CONSTANCE

COMMISSIONER DOHERTY MOVED TO AMEND THE MOTION TO INCLUDE ENGLEWOOD BEACH WATERFEST, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

Information Technology

Purchasing

3. 21-3888, Award Piggyback, Peterbilt Semi Tractor (Utilities)

Recommended Action: a) Approve Piggyback purchase of File #21-388, Peterbilt Semi Tractor off of Florida Sheriff's Association Contract #FSA20-VEH18.0 - Heavy Trucks for the purchase of a Peterbilt Semi Tractor with upgrade options as awarded to The Pete Store of Fort Lauderdale, Florida in the total amount of \$161,381; and b) Authorize Asset #34205 to be sold at Auction.

Budgeted Action: No action needed. Budgeted in the Utility Heavy Equipment plan budgeted in the FY21 budget process. Funding is supplied from Utility operations.

4. 21-369, Approve, Public Safety P25 Radio System Maintenance (Public Safety)

Recommended Action: Approve Agreement, File #21-369, Public Safety P25 Radio System Maintenance, between Charlotte County and Communications International aka CI, of Vero Beach, FL, for an annual cost of \$212,510. The term of this contract ends on September 30, 2035. AGR 2021-027

Budgeted Action: No action needed. Budgeted in the Radio Communications Fund - Radio budget as approved in the FY2021 budget process. Funding for this expenditure comes from radio user fees.

5. 21-302, Approve Ranking, Engineering Services - South Gulf Cove Bridge Repairs (Public Works)

Recommended Action: a) Approve for ranking the sole proposer of Request for Proposal #21-302, Engineering Services - South Gulf Cove Bridge Repairs; Bridging Solutions, Inc. of Naples, FL; and b) Approve the start of negotiations; and c) Authorize the Chairman to sign the Contract after completion of negotiations. This is for Engineering Services necessary for South Gulf Cove Bridge Repairs.

Budgeted Action: No action needed. Budgeted in the MSBU Bridge Capital Maintenance Plan approved in the FY21 budget process. The planned budget may need to be increased subsequent to negotiations; if required, this will be brought forward in a Quarterly budget adjustment. Funding is supplied from assessments in the South Gulf Cove Street & Drainage Unit MSBU.

Commissioner Constance inquired to firms.

Kim Corbett, Purchasing Senior Division Manager responded to bridge work and proposals.

COMMISSIONER CONSTANCE MOVED TO APPROVE FOR RANKING THE SOLE PROPOSER OF REQUEST FOR PROPOSAL #21-302, ENGINEERING SERVICES - SOUTH GULF COVE BRIDGE REPAIRS; BRIDGING SOLUTIONS, INC. OF NAPLES, FL; AND APPROVE THE START OF NEGOTIATIONS; AND AUTHORIZE THE CHAIRMAN TO SIGN THE CONTRACT AFTER COMPLETION OF NEGOTIATIONS, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

6. 20-047, Approve Change Order 9, County Right of Way Landscape Maintenance - Annual Contract (Public Works)

Recommended Action: Approve Change Order #9 to Contract #20-047 County Right of Way Landscape Maintenance - Annual Contract for the Mid County group as awarded to Walkers Service Inc. of Punta Gorda, Florida in the amount of \$141,015.

Budgeted Action: No action needed. Budgeted in Transportation Trust - Road and Bridge as approved in the FY21 budget process. Funding for this expenditure comes from gas tax.

7. 21-379, Award Piggyback, Document and Media Scanning Services - Annual Contract (Community Development)

Recommended Action: a) Approve award of Piggyback #21-379 Document and Media Scanning Services - Annual Contract, to Advanced Data Solutions, Inc. of Fort Lauderdale, Florida at the unit prices per the Broward County Contract # GEN2122526Q1 from Date of award through and including March 30, 2024; and b) Authorize County Administrator to approve two (2) additional one-year terms at the same prices, terms and conditions, by mutual consent. This service is for Document Scanning of Paperwork. To prepare for the implementation of electronic document review.

Budgeted Action: No action needed. Budget for this item comes from savings in various account lines budgeted in the Building Construction Services Fund - Building Construction Services budget as approved in the FY21 budget process. Funding for the expenditure comes from permit fees.

8. 21-165, Award, Architectural Design of Structure Landfill Scale House (Facilities)

Recommended Action: Approve award of Request for Letters of Interest, File # 21-165, Work Order #180 (Contract #15-421) Architectural Design of Structure, to C. Alan Anderson Architect, PA of Sarasota, Florida in the amount of \$163,626. This is for the design of the Charlotte County's Landfill Scale House.

Budgeted Action: No action needed. Budgeted in Capital Improvement Project "Landfill Scale House" approved in the FY21 budget process. Funding is supplied from the Solid Waste Enterprise fund.

Commissioner Constance mentioned current improvements, location, entrance, efficiency, and stacking.

Roger Warner, Facilities Manager replied to location, entry point, and design.

COMMISSIONER CONSTANCE MOVED TO APPROVE AWARD OF REQUEST FOR LETTERS OF INTEREST, FILE # 21-165, WORK ORDER #180 (CONTRACT #15-421) ARCHITECTURAL DESIGN OF STRUCTURE, TO C. ALAN ANDERSON ARCHITECT, PA OF SARASOTA, FLORIDA IN THE AMOUNT OF \$163,626. THIS IS FOR THE DESIGN OF THE CHARLOTTE COUNTY'S LANDFILL SCALE HOUSE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

9. Property Deletions for the Months of April and May, 2021 (Purchasing)

Recommended Action: Approve the deletion of additional property inventory items listed on the attachment for the months of April and May 2021.

Budgeted Action: No action needed.

Real Estate Services

10. Declare Parcels 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 Chapter 125, Florida Statutes. RES 2021-056

Budgeted Action: No action needed.

Chair Truex noted map. Commissioner Constance spoke to location photographs and map.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2021-056 DECLARING CERTAIN REAL PROPERTY OWNED BY CHARLOTTE COUNTY TO BE SURPLUS TO COUNTY NEEDS AND AUTHORIZING COUNTY STAFF TO DISPOSE OF SAID PROPERTY IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 125, FLORIDA STATUTES, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Risk Management

Transit

G. Community Development

1. Set a Public Hearing to Amend 3-2-Building and Building Regulations

Recommended Action: Set a public hearing for May 25, 2021 at 10:00 a.m., or as soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to amend Charlotte County Code of Ordinances, Chapter 3-2: Buildings and Building Regulations.

Budgeted Action: No action needed.

H. Community Services

I. Economic Development

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

1. State Housing Initiatives Partnership (SHIP) Annual Report

Recommended Action: a) Approve the State Housing Initiatives Partnership (SHIP) Annual Report; and b) Authorize the Chairman to sign the Annual Report Certification. GRT 2021-017

Budgeted Action: No action needed.

M. Public Safety

1. State Homeland Security Grant Program

Recommended Action: a) Approve grant contract between the Florida Division of Emergency Management and Charlotte County in the amount of \$22,500 for training consistent with Homeland Security State Strategy guidelines; and b) Approve budget adjustment #BA21-063 in the amount of \$22,500 to provide for grant funding; and c) Authorize the Chair, or designee, to sign any grant related documents. GRT 2021-018 / RES 2021-057

Budgeted Action: Approve budget adjustment #BA21-063 in the amount of \$22,500 for training. The grant is 100% funded and there is no local match required by the County. Funding for this expenditure is provided within Emergency Management Division, in the professional services account.

N. Public Works

O. Tourism Development

P. Utilities

1. Fiscal Sustainability Plan Resolution for East Port Water Reclamation Facility Stage 5 Improvements Project

Recommended Action: Approve Resolution adopting the East Port (WRF) Stage 5 Improvements Capital Project Fiscal Sustainability Plan (FSP) for inclusion into the County's Capital Maintenance Program. RES 2021-058

Budgeted Action: No action needed. The FSP is a documentary obligation of the East Port WRF Stage 5 Improvements FDEP Loan Agreement and currently has no funding requirements. Any future funding requirements will be incorporated into the County's Capital Maintenance Program.

Q. Other Agencies

REGULAR AGENDA

R. Regular Agenda

1. COVID-19 Response Update

County Administration

Update on Charlotte County's COVID-19 response.

Patrick Fuller, Emergency Management Director highlighted vaccinations, demand, Cultural Center, scheduling, and second dose Pfizer clinic.

Joseph Pepe, Florida Department of Health (FDOH) Administrator highlighted COVID-19 Outlook.

2. State Legislative Update

County Administration

State Legislative Update.

Cameron Pennant, Legislative Manager highlighted 2021 Legislative Session, budget, Opportunities for Utilities and Rental Assistance (OUR) Florida Program, Seminole Gaming Compact, 2022/2023 Legislative Session, US Treasury guidance, and infrastructure bill.

Chair Truex remarked on unemployment. Commissioner Deutsch commented on taxpayer dollars, work ethic, and debt. Commissioner Tiseo discussed unemployment, businesses, CAAAB, Career Source, package benefits, stimulus check, Human Services program, economy, taxpayer dollars, and audit trail.

(Deletion #1) ~~3. Tringali Park Improvements~~

~~Community Services~~

~~Approve a Memorandum of Understanding between Charlotte County and Charlotte County Inline Hockey Association Incorporated regarding the funding and construction of improvements to the Multi-Sports Court at Tringali Park.~~

4. Appointment - Historical Advisory Committee

Commission Office

Submit a vote by the Board of County Commissioners to choose between Clarice Riggs and Vincent T. Ehmann, Jr. to fill an at-large position for the Historical Advisory Committee.

County Administrator Flores announced ballot majority vote for Clarice Riggs.

COMMISSIONER DOHERTY MOVED TO APPOINT BY BALLOT CLARICE RIGGS TO THE HISTORICAL ADVISORY COMMITTEE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

(Addition #1) 5. Rescind Face Coverings Resolution

County Attorney

Approve Resolution repealing Resolution 2020-100 related to face coverings. RES 2021-052

County Attorney Knowlton highlighted Resolution repealing Resolution 2020-100 related to face coverings.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2021-052 RESCINDING RESOLUTION 2020-100 RELATING TO PUBLIC HEALTH AND WEARING OF FACIAL COVERINGS, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

(Addition #2) 6. Resolution Declaring Charlotte County a Second Amendment Sanctuary

Commission Office

Approve Resolution declaring this a Second Amendment Sanctuary County. RES 2021-060

Chair Truex mentioned gun permit, Constitution, support, free speech, amendments, Resolutions, and additional Commissioner signatures. Commissioner Constance noted Resolution, self-defense, gun control, founding fathers, history, and Constitution. Commissioner Deutsch interjected on gun permit. Commissioner Doherty remarked on firearms.

(Consensus: To add other four Commissioner signatures to Resolution.)

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2021-060 DECLARING CHARLOTTE COUNTY A SECOND AMENDMENT SANCTUARY, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

RECESS: 10:39 am - 11:22 am

COMMUNITY REDEVELOPMENT AGENCY MEETING

At 10 a.m., or soon thereafter the Board will recess for the Murdock Village Community Redevelopment meeting. The Regular Meeting will reconvene upon the conclusion of the Murdock Village Community Redevelopment meeting.

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. Consider Approving an Ordinance to Create the Suncoast Waterway MSBU Advisory Board of Suncoast Waterway MSBU Advisory Board

Public Works

(Change #2) Added attachments, #4-8 – Creation of Suncoast Waterway MSBU Advisory Board Point Paper, Attachment A – Suncoast Waterway Petition and cover letter, Attachment B – Suncoast petition, Attachment C – Sig Ver Suncoast and Suncoast-WW-MSBU-Map.

Conduct a public hearing to consider approving an Ordinance to create the Suncoast Waterway MSBU Advisory Board on May 11, 2021 at 10 a.m., or as soon thereafter as may be heard, in Room 119, Commission Chambers located at 18500 Murdock Circle, Port Charlotte, FL. 33948. ORD 2021-016

Karly Greene, Maintenance and Operations Supervisor highlighted Consider Approving an Ordinance to Create the Suncoast Waterway MSBU Advisory Board.

Chair Truex spoke to petition signatures. Commissioner Constance commented on petition. Commissioner Doherty discussed charter, Charter Review Commission (CRC), process, Advisory Board, petition, and resident commitment.

County Attorney Knowlton interjected on charter analysis.

Public Input

Greg Taylor spoke in favor of Ordinance to Create the Suncoast Waterway MSBU Advisory Board, mentioned Advisory Board, signatures, seasonal residents, multiple parcels, taxation, waterway concerns, overgrowth, and silting.

Michael Zarzano noted water, Charlotte Harbor, canals, red tide, Peace River, Advisory Board, water monitoring, and phosphate mining.

Tim Ritchie spoke in favor of Ordinance to Create the Suncoast Waterway MSBU Advisory Board, remarked on Suncoast Waterway, overgrowth, chemicals, April 27, 2021 Commissioner Comments, water testing, funding request, dead fish, ecological changes, and Mosaic discharge.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2021-016 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING CHAPTER 4-7, ARTICLE VII, SUNCOAST WATERWAY MAINTENANCE UNIT, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY CREATING A NEW SECTION 4-7-156 THAT ESTABLISHES AN ADVISORY BOARD FOR THE SUNCOAST WATERWAY MAINTENANCE UNIT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

(Deletion #2) ~~2. Revisions to Chapter 3-3.5 - Impact Fees~~

~~Community Development~~

~~Approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida; Amending Chapter 3-3.5 Impact Fees, of the Code of Laws and Ordinances of Charlotte County, Florida, Finalizing the Collection Rates; Providing for Severability; Providing for Incorporation of Exhibits; and Providing for an Effective Date. Applicant: Charlotte County Board of County Commissioners.~~

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

1. 2021 Hurricane Season Presentation

Presentation by Patrick Fuller, Emergency Management Director.

Mr. Fuller gave a brief overview of 2020 Review, Early Prediction, Pre-Season Activities, Shelters, Resources, Outreach Message, and Vulnerable Populations.

Chair Truex commented on facility preparation. Commissioner Constance discussed Early Prediction, preparation, and off-season crisis. Commissioner Deutsch mentioned preparation, COVID-19, and forecasting. Commissioner Doherty noted Early Prediction.

PUBLIC INPUT - ANY SUBJECT

Robert Kruzel spoke to Tringali hockey rink, funds, approval, requests, quotes, Penny Tax, structure, and fees.

Leonard Guckenheimer commented on Inline Hockey Association and Tringali Hockey rink.

Patricia Niles discussed Allegiant Travel, 2021 First Quarter Earnings call, analysts, Sunseekers, private partnerships, community protection, walkway, gambling, and homeless.

Tim Ritchie mentioned May 26, 2021 Florida Water Quality Crisis Summit, Mosaic Bartow Chemical National Pollutant Discharge Elimination System (NPDES) permit petition, blue green algae, Piney Point, and Peace River.

RECESS: 12:06pm - 2:00pm

2 P.M. LAND USE AGENDA

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY – None

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT – LAND USE CONSENT AGENDA ITEMS ONLY, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Consent Agenda

COMMISSIONER DOHERTY MOVED TO APPROVE THE LAND USE CONSENT AGENDA, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UA1. CSZ-21-01, Phoenix Harbor Cove Inc.

Community Development

A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of a Sending Zone (SZ), located at 3340, 3360, and 3380 Loveland Boulevard, in the Port Charlotte area; containing 19.90± acres; for calculation and severance of 133 density units, in accordance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-21-01; Applicant: Phoenix Harbor Cove, Inc.; providing an effective date. RES 2021-061

Quasi-Judicial

UA2. DRC-21-00022 Jacaranda Place

Community Development

Banks Engineering is requesting Final Detail Site Plan approval for Jacaranda Place. This project consists of 88 multi-family units with associated infrastructure. This project site is 7.67 ± acres and is located at 1200 Loveland Blvd., Punta Gorda, FL., in Section 07, Township 40, Range 23 and is located within the Sandhill DRI. RES 2021-062

Quasi-Judicial

Public Hearing

Minutes Clerk Smoleski administered oath for testimony.

UB1. PP-21-01-03, Cove at West Port Phase 1B, Forestar (USA) Real Estate Group Inc.

Community Development

Forestar (USA) Real Estate Group Inc. has requested preliminary plat approval for a subdivision to be named, Cove at West Port Phase 1B, consisting of 129 Single family lots. The total site is 115.34± acres

and this Phase consists of approximately 90 acres, located north of El Jobean Road, south of Tamiami Trail, east of the Crestwood Waterway and west of the Flamingo Waterway.

Quasi-Judicial

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

Maryann Franks, Zoning Coordinator provided credentials, gave a brief overview of 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, Zoning Designations, Future Land Use Map (FLUM) Designations, 1000' Buffer Map, Proposed Changes, and Proposed Changes (Aerial).

Jacquelyn Larocque, Applicant Representative accepted Ms. Franks, joined in Staff report, and noted phases.

Public Input

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Commissioner Tiseo inquired to US 41 connection.

COMMISSIONER DOHERTY MOVED TO APPROVE PRELIMINARY PLAT APPROVAL FOR A SUBDIVISION TO BE NAMED, COVE AT WEST PORT PHASE 1B, CONSISTING OF 129 SINGLE FAMILY LOTS. THE TOTAL SITE IS 115.34± ACRES AND THIS PHASE CONSISTS OF APPROXIMATELY 90 ACRES, LOCATED NORTH OF EL JOBEAN ROAD, SOUTH OF TAMIAMI TRAIL, EAST OF THE CRESTWOOD WATERWAY AND WEST OF THE FLAMINGO WATERWAY, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB2. PP-21-01-04, Cove at West Port Phase 2 and 3, Forestar (USA) Real Estate Group Inc.

Community Development

Forestar (USA) Real Estate Group Inc. has requested Preliminary Plat approval for a subdivision to be named, Cove at West Port Phase 2 and 3, consisting of 180 residential lots which will include a mix of single family attached and detached. This site is 17.00± acres of a 115.11 ± acre site which will be platted and constructed in three phases and is located North of El Jobean Road, South of Tamiami Trail, East of Cornelius Boulevard and West of Toledo Blade Boulevard.

Quasi-Judicial

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

Ms. Franks provided credentials, gave a brief overview of Proposed Changes, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, Zoning Designations, FLUM Designations, 1000' Buffer Map, and Proposed Changes (Aerial).

Ms. Larocque accepted Ms. Franks, joined in Staff report, and commented on plat and pods.

Commissioner Constance discussed phases.

Public Input

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE PRELIMINARY PLAT APPROVAL FOR A SUBDIVISION TO BE NAMED, COVE AT WEST PORT PHASE 2 AND 3, CONSISTING OF 180 RESIDENTIAL LOTS WHICH WILL INCLUDE A MIX OF SINGLE FAMILY ATTACHED AND DETACHED. THIS SITE IS 17.00± ACRES OF A 115.11 ± ACRE SITE WHICH WILL BE PLATTED AND CONSTRUCTED IN THREE PHASES AND IS LOCATED NORTH OF EL JOBEAN ROAD, SOUTH OF TAMIAMI TRAIL, EAST OF CORNELIUS BOULEVARD AND WEST OF TOLEDO BLADE BOULEVARD, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB3. Ordinance approving PAS-21-00001 Luther Rd Small-scale Plan Amendment.

Community Development

Adopt an Ordinance approving PAS-21-00001, a Small-scale Plan Amendment to the Charlotte County Future Land Use Map Series Map #1: 2030 Future Land Use, for property located at 2440 and 2450 Luther Road from Low Density Residential (LDR) and Medium Density Residential (MDR) to Medium Density Residential (MDR) with an annotation limiting the maximum density up to 14 units on the subject property. ORD 2021-017

Legislative

Laura Tefft, Senior Planner provided credentials, gave a brief overview of Proposed Change, 1000' Buffer Map, Location Map, Area Image, Site Image, Framework, FLUM Designations, Proposed and FLUM Designations, Zoning Designations, and Proposed Zoning Designations.

Jason Green, Applicant Representative accepted Ms. Tefft as an expert, requested to be accepted as an expert, mentioned zoning, FLUM, Comprehensive Plan, code, density, and requested approval.

Public Input for Petition Number PAS-21-00001 Luther Road Small-scale Plan Amendment and Petition Number Z-21-58-12 for 2450 Luther Road amending Zoning Atlas from Residential Estate (RE-1) to Residential Multi-family (RMF-10)

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2021-017 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 FUTURE LAND USE MAP SERIES MAP #1: 2030 FUTURE LAND USE, FROM LOW DENSITY RESIDENTIAL (LDR) AND MEDIUM DENSITY RESIDENTIAL (MDR) TO MEDIUM DENSITY RESIDENTIAL (MDR) WITH AN ANNOTATION TO THE FUTURE LAND USE MAP LIMITING THE MAXIMUM DENSITY UP TO 14 UNITS ON THE SUBJECT PROPERTY, INCREASING DENSITY FROM 13 UNITS TO 14 UNITS; FOR PROPERTY LOCATED AT 2440 AND 2450 LUTHER ROAD, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT I; CONSISTING OF 2.57 ACRES MORE OR LESS; PETITION PAS-21-00001; APPLICANT, RON GUSTAVESON; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB4. Ordinance approving Z-21-58-12 for 2450 Luther Rd amending Zoning Atlas from Residential Estate (RE-1) to Residential Multi-family (RMF-10).

Community Development

(Change #1) Updated type from Legislative to Quasi-Judicial.

Adopt an Ordinance approving Z-21-58-12, amending Zoning Atlas from Residential Estate (RE-1) to Residential Multi-family (RMF-10) for property located at 2450 Luther Rd., Punta Gorda, containing 1.286 + acres concurrent with PAS-21-00001. ORD 2021-018

Quasi-Judicial

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

Ms. Tefft provided credentials, gave a brief overview of Proposed Change, 1000' Buffer Map, Location Map, Area Image, Site Image, Framework, FLUM Designations, Proposed and FLUM Designations, Zoning Designations, and Proposed Zoning Designations.

Mr. Green accepted Ms. Tefft as an expert, requested to be accepted as an expert, mentioned zoning, FLUM, Comprehensive Plan, code, density, and requested approval.

Public Input for Petition Number PAS-21-00001 Luther Road Small-scale Plan Amendment and Petition Number Z-21-58-12 for 2450 Luther Road amending Zoning Atlas from Residential Estate (RE-1) to Residential Multi-family (RMF-10)

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2021-018 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 125.66, FLORIDA STATUTES, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL ESTATE 1 (RE-1) TO RESIDENTIAL MULTI-FAMILY 10 (RMF-10) FOR PROPERTY LOCATED AT 2450 LUTHER ROAD, IN THE PUNTA GORDA AREA, CONTAINING 1.286 ACRES MORE OR LESS, COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-21-58-12; APPLICANT, RON GUSTAVESON; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

AA. County Administrator Comments - None

BB. County Attorney Comments - None

CC. Economic Development Director Comments - None

DD. County Commissioner Comments

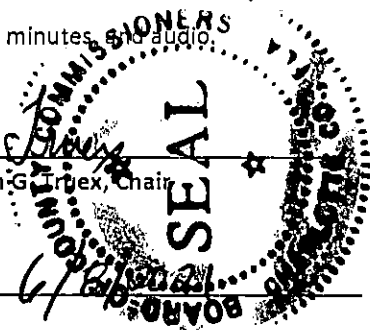
Chair Truex noted Home Rule, impact fee letter, Sunseeker, tax certificate sale, pool hours of operation, PicklePlex, courts, public use, land ownership, concerns, benefits, Tourist Development Tax (TDT) revenues, pool lanes, dividers, sod, 16 County Coalition Meeting, federal infrastructure, process, sustainability, June 15, 2021 Workshop, Delegation Regional Meeting, Florida Association of Counties (FAC) letter, Senate Bill 896 veto, renewable energy, tournament expansion slides, and pickleball. Commissioner Constance spoke to Tringali hockey rink, survey, PicklePlex, read letter into record from PicklePlex Board, remarked on Capital Improvements Policy, tournaments, funding, Tourism Infrastructure Policy, public use, City of Punta Gorda, operations, maintenance, TDT revenues, traffic, Ms. Fox phone call, Parks and Recreation Meeting, Centennial Pool, lanes, lengths, dividers, citizen letter, 3401 Eureka Street, sod issue, Learning Central Manager for Orange County Library System letter, Rights Service website, May 13, 2021 Focus Area Workshop – Public Services, and tournament expansion slides. Commissioner Deutsch commented on Charlotte County citizens, staff, Parks and Recreation, pools, and need. Commissioner Doherty discussed policies, non-profits, investment dollars, public ownership, funding, Centennial pool, hours of operation, utilization spreadsheet, lane lengths, Parks and Recreation Advisory Committee, data, public availability, staffing adjustments, 3401 Eureka Street, sod, Sandhill Boulevard, 16 County Coalition Meeting, septic to sewer, C43 Reservoir, Caloosahatchee Estuary,

stormwater storage, treatment facilities, and Delegation Regional Meeting. Commissioner Tiseo mentioned Tringali hockey rink, information, report, moisture problem, structural integrity, Impact Fees, Home Rule, letter, Sunseeker, pandemic, boardwalk, public access, rights, taxes, PicklePlex, courts, Tourist Development Council (TDC), Capital Improvements, funding, responsibility, operations, maintenance, tax dollars, liability, event funding, City of Punta Gorda, land lease, Parks and Recreation Meeting, minutes, utilization spreadsheet, Centennial Pool, lane lengths, and dividers.

County Administrator Flores responded to pool schedule, needs, programming adjustment, utilization spreadsheet, June Workshop, 3401 Eureka Street, sod, Tampa Bay Rays Agreement amendment, and facility utilization.

County Attorney Knowlton replied to Parks and Recreation Meeting, minutes and audio.

ADJOURNED: 3:05 pm

The seal of the Board of County Commissioners is circular with a dotted border. The words "BOARD OF COUNTY COMMISSIONERS" are written around the perimeter. In the center, the word "SEAL" is written vertically. A star is positioned to the right of the word "SEAL".
William G. Trujex
William G. Trujex, Chair
DATE ADOPTED: 6/8/2021

ATTEST:

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

By: Michelle DiBerardino
Deputy Clerk