

**BOARD OF COUNTY COMMISSIONERS**

**JUNE 8, 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, and Minutes Clerk Smoleski. The following members were absent: None.

**The Meeting was called to order at 9:00 am**

The Invocation was given by Reverend Dr. R. Brian Stolarczyk, Lutheran Church of the Cross, followed by the Pledge of Allegiance.

**Changes to the Agenda**

**Addition #1:** R-4, Impact Fees.

Requested by: Administration

**Change #1:** T-2, Babcock Update, Added attachment – Updated presentation; added footer to all sides, updated aerials on slides 1, 9, 14, added space on slide 2, added slide 22.

Requested by: Community Development

**Change #2:** R-4, Added attachment – Added attachment – Tindale-Duncan Comparison.

Requested by: Administration

**Deletion #1:** R-3, Burn Ban Resolution.

Requested by: Public Safety

**COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Christopher Constance**

**COMMISSIONER DOHERTY MOVED TO APPROVE THE PROCLAMATION, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

**Flag Day**

**Commissioner Deutsch** accepted the Proclamation.

**Employee Recognition**

**Years of Service**

**5 Years:** Richard Arthur, Budget & Administrative Services; Diane Bello, Utilities; Jamie Boies, Public Works; Gary Burdahl, Facilities Construction & Maintenance; Yoseli Delgado, Utilities; Dale Fulk, Utilities; Leonard Mancini, Utilities; Travis Odum, Utilities; James Smith, Utilities; Dave Watson, Utilities; **15 Years:** Ronald Cook, Utilities; Jeffery Jozefiak, Public Safety; Gregory Macomber, Public Works; Fabian Rojas, Budget & Administrative Services; **20 Years:** Simon Cannizzaro, Public Safety; Lorenzo Daetz, Public Works; Christopher Mott, Public Safety; **25 Years:** Todd Mead, 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 Ajax Paving Industries, LLC.

Mike Horan, AJAX Paving Industries, LLC Chief Executive Officer (CEO) presented check to **Commissioner Deutsch** for Veterans Memorial at the William R. Gaines Jr. Veterans Memorial Park.

**PUBLIC INPUT - AGENDA ITEMS ONLY**

George Stern commented on Property Deletions for the Months of June, 2021.

**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.

**Agricultural and Natural Resources Advisory Committee** is searching for two voluntary members who must be residents or owners of real property in Charlotte County and broadly represent 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 on December 31, 2024. If you are interested in an application and information, please contact [Morgan.Cook@charlottecountyfl.gov](mailto:Morgan.Cook@charlottecountyfl.gov).

**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](mailto:Lisa.Eby@CharlotteCountyFL.gov).

**The Historical Advisory Committee** is searching for two volunteers that must be permanent residents of Charlotte County who are interested in preserving the history of Charlotte County. The position calls for these members to serve from different Charlotte County historical organizations. 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](mailto: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](mailto:Morgan.Cook@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](mailto:MSBU-TU@CharlotteCountyFL.gov).

- **Boca Grande Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2024.

- **Burnt Store Village Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2024.

- **Don Pedro Knight Islands Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2024.

- **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, 2022 and October 31, 2024.

- **Manasota Key Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Northwest Port Charlotte Street & Drainage 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, 2024.
- **Rotonda Lakes Street & Drainage Unit** is seeking five members to fill vacant unexpired terms through October 31, 2022, October 31, 2023, and October 31, 2024.
- **Suncoast Waterway Unit** is seeking five members to fill vacant unexpired terms through October 31, 2022, October 31, 2023, and October 31, 2024.

**REPORTS RECEIVED AND FILED**

**CONSENT AGENDA**

**COMMISSIONER DOHERTY MOVED TO APPROVE THE CONSENT AGENDA, 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:

- May 11, 2021 BCC Regular and Land Use Meeting
- May 13, 2021 BCC Focus Area Workshop - Public Services
- May 18, 2021 Focus Area Workshop Infrastructure
- May 18, 2021 BCC Utilities Quarterly Update

May 20, 2021 BCC Pre-Agenda  
May 20, 2021 BCC Workshop - MSBU Rates

**Budgeted Action:** No action needed.

**Board of County Commissioners**

**C. Commission Office**

**1. Re-Appointment- Affordable Housing Advisory Committee**

**Recommended Action:** Approve the re-appointment of Lynne Fitzpatrick to the Affordable Housing Advisory Committee as a real estate professional. The appointment begins immediately and expires December 31, 2024.

**Budgeted Action:** No action needed.

**D. County Administration**

**E. County Attorney**

**1. Extension 64 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 2021-072**

**Budgeted Action:** No action needed.

**F. Budget and Administrative Services**

**Fiscal Services**

**1. American Rescue Plan Act Grant**

**Recommended Action:** a) Ratify the authorization of the County's funding agreement with the U.S. Department of the Treasury in the amount of \$36,693,553; and b) Approve the Resolution authorizing budget adjustment (BA21-88) in the amount of \$36,693,553; and c) Adopt Resolution authorizing County Administrator, or designee, to execute grant agreements, and other documents relating to disasters. **RES 2021-073 / RES 2021-074**

**Budgeted Action:** Approve Budget Adjustment BA21-88 in the amount of \$36,693,553. No local match is required. Funding for this expenditure comes from the Disaster Fund to be reimbursed at 100% by the U.S. Department of the Treasury, American Rescue Plan funding.

**Information Technology**

**Purchasing**

**2. 21-325, Award, El Jobean East Plumbing Contract - Phase 2 (Utilities)**

**Recommended Action:** Approve award of Request for Bid #21-325, El Jobean East Plumbing Contract - Phase 2, to the lowest responsive, responsible, bidder, Rohaley and Sons Plumbing Contractors Inc., of Fort Myers, Florida, at the unit price of \$3,190 for property connections, to connect approximately 76 properties to the vacuum central sewer system in East Englewood, for a total cost of \$242,440.

**Budgeted Action:** No action needed. Budgeted in the "El Jobean Septic to Sewer" CIP project as part of the Charlotte Harbor Water Quality Initiative as adopted in the FY21 budget process. Funding will be supplied from the El Jobean MSBU Fund through a Federal Grant distributed by the Florida Department of Environmental Protection, as well as matching funds provided from the BP Settlement Fund.

**3. 21-401, Award Piggyback, EMS Supplies and Inventory Management System (Public Safety)**

**Recommended Action:** a) Approve Piggyback File #21-401, EMS Supplies and Inventory Management System, piggyback of the Okaloosa County Contract #C21-3072-PS, with Boundtree Medical, LLC, of Dublin, Ohio at the unit prices bid; and b) Authorize the County Administrator to approve up to two (2) optional 1-year renewals. The initial term of this contract will be from date of approval through and including 04/30/2024

**Budgeted Action:** No action needed. Budget for this item comes from savings in various account lines budgeted in the General Fund - Emergency Medical Services budget as approved in the FY2021 budget process. Funding for this expenditure comes from the General Fund.

**4. 21-352, Award, Cleaning and COVID-19 Disinfecting Public Shelters - Annual (Public Safety)**

**Recommended Action:** a) Approve award of Request for Bid #21-352 Cleaning and COVID-19 Disinfecting Public Shelters - Annual to the lowest responsive, responsible bidder: Godfrey Environmental Contract, of Chipley, Florida for the term from date of award through and including December 31, 2021; and b) Authorize County Administrator to approve two additional one-year renewals at the same prices, terms, and conditions by mutual consent.

**Budgeted Action:** No action needed. Budget for this item comes from savings in various account lines budgeted in the General Fund - Emergency Management budget as approved in the FY2021 budget process. Funding for this expenditure comes from the General Fund.

**5. 21-343, Ranking, Family Services Center Design Phase 2 (Facilities)**

**Recommended Action:** a) Approve ranking of firms for Request for Proposal # 21-343 Family Services Center Design Phase 2: 1st - Fawley Bryant, 2nd - Parker, Mudgett, Smith, and 3rd -- BSSW Architects; and b) Authorize the Chairman to sign the contracts. This is for Phase 2 of the Family Services Center Design.

**Budgeted Action:** No action needed. Budgeted in Capital Improvements Project "Family Services Center Phase 2" adopted by budget adjustment January 26, 2021. Funding of the design task for this 2020 Sales Tax Extension Tier 1 project was provided by an advance from 2014 Sales Extension reserves.

6. Property Deletions for the Months of June, 2021 (Purchasing)

**Recommended Action:** Approve the deletion of additional property inventory items listed on the attachment for the months of June 2021.

**Budgeted Action:** No action needed.

Real Estate Services

Risk Management

Transit

**G. Community Development**

1. Set a Public Hearing to Consider Amending Section, 1-1-15, Code Enforcement - Regarding Penalties

**Recommended Action:** Set a public hearing on June 22, 2021 at 10:00 a.m., or as soon thereafter as may be heard, in Room 119, at 18500 Murdock Circle, Port Charlotte, FL, to consider an ordinance amending Charlotte County Code of Ordinances Chapter 1-1-1, Section 1-1-15; providing for increased fines for code violations in accordance with section 162.09(d), Florida Statutes; providing for inclusion in the Charlotte County Code; providing for severability and providing for an effective date.

**Budgeted Action:** No action needed.

**H. Community Services**

**I. Economic Development**

**J. Facilities Construction and Maintenance**

**K. Human Resources**

**L. Human Services**

**M. Public Safety**

**N. Public Works**

**O. Tourism Development**

**1. Event Development Program Revision**

**Recommended Action:** Approve suggested change of the application review date for the Event Development Program guidelines.

**Budgeted Action:** No action needed.

**P. Utilities**

**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 State Emergency Operations Center (EOC), Health Department, vaccines, Port Charlotte Middle School clinic, State mobile van, and hurricane season.

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

**Commissioner Constance** discussed vaccine, infertility, sterility, data, and Centers for Disease Control and Prevention (CDC) guidance. **Commissioner Deutsch** mentioned COVID-19 numbers, vaccine, and vaccinated population. **Commissioner Tiseo** noted COVID-19 numbers, data, CDC guidance, vaccinations, and antibodies.

**2. West Coast Inland Navigation District (WCIND) Agenda, June 10, 2021**

**Community Services**

Discussion and direction on the WCIND agenda for the upcoming meeting on June 10, 2021.

Justin McBride, West Coast Inland Navigation District (WCIND) Executive Director highlighted WCIND Agenda, June 10, 2021.



Chair Truex spoke to derelict vessels. Commissioner Deutsch commented on Mr. McBride's years of service and derelict vessels.

(Deletion #1) ~~3. Burn Ban Resolution~~

~~Public Safety~~

~~Approve Resolution Declaring Drought Emergency and Imposing Burn Ban.~~

(Addition #1) 4. Impact Fees

Community Development

(Change #2) Added attachment – Added attachment – Tindale-Duncan Comparison.

Discussion and direction on impact fees.

Shaun Cullinan, Planning and Zoning Official gave a brief overview of What has Transpired, Ramifications, Why the "Glide Path" does not work, and Suggested path forward.

Chair Truex discussed Tindale - Duncan comparison, Workshop, new study, data, fee schedule, staff recommendations, action, categories, calculations, hybrid approach, and compliancy. Commissioner Constance mentioned studies, fee schedule, categories, data, Tindale - Duncan comparison, hybrid approach, increase, action, legislature, constraints, Duncan contract, Florida Association of Counties (FAC), and index. Commissioner Deutsch noted legislature, Duncan Study, data, recommendations, increase, fee schedule, and Suggested path forward. Commissioner Doherty spoke to Suggested path forward, legislation, Tindale - Duncan comparison, studies, hybrid approach, calculations, categories, fee schedule, Capital Improvements Projects (CIP), Workshop, Florida Association of Attorneys (FACA), FAC, June 22, 2021 Public Hearing, and Ordinance. Commissioner Tiseo commented on Suggested path forward, extraordinary circumstances, localized data, Impact Fee Act, legislation, Why the "Glide Path" does not work, legislation, pre-emption, charter, voting, extraordinary circumstances, Workshop, action, impacts, FACA, challenges, Accelerated Population Explosion (APE), growth, data, Impact Fee Statute and Act, and Sales Tax.

Assistant County Administrator Claire Jubb remarked on legislation, extraordinary circumstances, studies, Sales Tax, Impact Fee Ordinance, fee schedule, categories, Tindale - Duncan comparison, trip generations, Institute of Transportation Engineers (ITE) Manual, increase, glide path, June 22, 2021 Public Hearing, action, Workshops, Request for Proposals (RFP), Duncan contract, and Request for Qualifications (RFQ).

Assistant County Attorney Stacey Bjordahl interjected on legislation, increase, phase in, Duncan Study, fee schedule, extraordinary circumstances, action, rate schedule, and hybrid approach.

County Attorney Knowlton responded to extraordinary circumstances, Suggested path forward, Ordinance, FAC, and Workshop.

## PUBLIC HEARING AGENDA

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

#### PRESENTATION AGENDA

### T. 10:00 A.M. Presentations

#### 1. Seagrass Trends in Charlotte Harbor- Current Findings and Ongoing Efforts

Presentation by Betty Staugler, NOAA HAB Liaison, Florida Sea Grant and Nicole Iadevaia, Research and Outreach Manager, Coastal and Heartland National Estuary Partnership.

Brandon Moody, Water Quality Manager highlighted Seagrass Trends in Charlotte Harbor - Current Findings and Ongoing Efforts, introduced Nicole Iadevaia, Coastal and Heartland National Estuary Partnership (CHNEP) Research and Outreach Manager, and Betty Staugler, Florida Sea Grant National Oceanic and Atmospheric Administration (NOAA) Harmful Algal Bloom (HAB) Liaison.

Ms. Iadevaia gave a brief overview of Value of Seagrass, Economic Value of Natural Resources in Charlotte County, Seagrass & Water Quality, Nutrient Pollution in Our Area, Seagrass Monitoring to Track Water Quality and Estuary Health, Water Management District Seagrass Mapping Program, Examples: Continuous Seagrass, Patchy Seagrass, Attached Algae, 2018 Lemon Bay, 2020 Lemon Bay, Lemon Bay 2018-2020 Mapped Loss, 2016-2018 and 2018-2020 Mapped Loss, 2018 Charlotte Harbor, 2020 Charlotte Harbor, Charlotte Harbor 2018-2020 Mapped Loss, Lemon Bay/Charlotte Harbor Seagrass Summary, Working to Improve Seagrass, The Power of Partnership, Reducing Nutrient Pollution/Restoring Hydrological Flow/Restoring Aquatic Habitat/Outreach and Public Engagement, and Thank you.

Ms. Staugler gave a brief overview of Annual Monitoring, Charlotte Harbor, Effects of Increasing Nutrients on Seagrasses and Other Plants, Florida Fish and Wildlife Conservation Commission (FWC) – Fisheries-Independent Monitoring (FIM) Survey Data, Macroalgae/Seagrass Abundance, January 2020 & 2021, Upper Charlotte Harbor - Just south of Alligator Creek, How are nutrients cycling, Lemon Bay/Syringidium/Length of Seagrass Bed - ICW01/Seagrass Mean Total Abundance for ICW01, Lemon Bay, Lemon Bay Macroalgae/Seagrass Abundance - Epibiont Density - Site 508/Macroalgae % Coverage, and Moving Forward.

**Chair Truex** discussed 2016-2018 and 2018-2020 Mapped Loss, information, cost, funding options, treatment systems, and West Port. **Commissioner Constance** mentioned point sources, nitrogen, phosphorous, analysis, in flow, 2016-2018 and 2018-2020 Mapped Loss, derelict boats, data, flushing, impacts, and epiphytes. **Commissioner Deutsch** noted Stump Pass, groin system, flushing, Lemon Bay, nutrients, seagrass, subsurface waters, Charlotte Harbor, study, underground aquifer, water flow, and data. **Commissioner Doherty** spoke to CHNEP Policy Meeting, effluent, reuse, discharge, plant expansions, East Port, Burnt Store, facility treatment methods, nitrogen loading, cost, and site planning. **Commissioner Tiseo** commented on Working to Improve Seagrass, data, Lemon Bay, seagrass, Charlotte Harbor, nutrient loading, and impacts.

Craig Rudy, Utilities Director replied to East Port preliminary engineering plans, water discharge, Department of Environmental Protection (DEP), permits, advanced treatment, plant designs, wastewater treatment, Burnt Store, expansions, and West Port.

## 2. Babcock Update

**(Change #1)** Added attachment, Updated presentation; added footer to all slides, updated aerials on slides 1, 9, 14, added space on slide 2, added slide 22.

Babcock update presented by Erica Woods of Kitson & Partners.

Mr. Cullinan introduced Erica Woods, Kitson and Partners Legal Services Senior Vice President.

Ms. Woods gave a brief overview of Agenda, Overview, History, Total Entitlements, Babcock Neighborhood School, Babcock Ranch Community Independent Special District, Babcock Ranch Waste Services, Babcock Ranch Water Utilities, Utility Site, Regionally Significant Environmental Mitigation, Lee County, Master Development of Regional Impact (DRI) Development Order (MDO), Master DRI Development Order, Master Development Order, Increment 1 (IDO-1), SR 31 Widening, MDO Amendment, Increment 2 AIDA, and Timeline.

John Broderick, Kitson and Partners Land Development Senior Vice President gave a brief overview of Current Status of Development, Founder's Square, and Crescent B Commons.

**Chair Truex** discussed updates and commercial activity. **Commissioner Constance** mentioned Master DRI Development Order. **Commissioner Deutsch** noted construction activity. **Commissioner Doherty** spoke to SR 31 Widening.

## PUBLIC INPUT - ANY SUBJECT

Tim Ritchie read Cayman Mosely Mosaic Summit speech into the record, commented on Mosaic 2023 chemical plant, CHNEP, discharge, fertilizers, pesticides, impacts, FDEP, water quality, phosphate mining, and City of North Port.

**AA. County Administrator Comments - None**

**BB. County Attorney Comments - None**

**CC. Economic Development Director Comments - None**

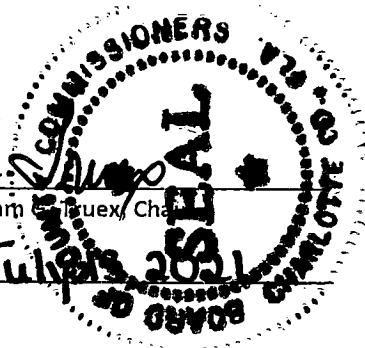
**DD. County Commissioner Comments**

**Chair Truex** discussed Workshop, Southwest Florida Water Management District (SWFWMD), DEP, Mosaic, letter, approach, Desoto County, Lee County, seagrass, Placida Road, Gasparilla Road, parking, and Ordinance. **Commissioner Constance** mentioned DEP, letter, Mosaic, Board presentation, regulatory

agencies, letter, SWFWMD, Mulberry gypstack, design standards, Workshop, mining, Peace River Water Authority, Desoto County, Placida Boat Ramp, and parking. **Commissioner Deutsch** noted Mosaic and Board presentation. **Commissioner Doherty** spoke to rezoning, Desoto County, permits, DEP, United States Environmental Protection Agency (EPA), thresholds, impacts, failures, standards, phosphate mining, agencies, and letter. **Commissioner Tiseo** commented on Infrastructure bill, Harborview Road, Mosaic, City of North Port, Desoto County, mining operation, Board presentation, Workshops, sinkholes, gypstacks, impacts, discharge, letter, lawsuit, rezoning, county code, regulatory agencies, permits, Florida Land Development Resolution Act (FLUDRA), Placida Boat Ramp, and parking.

County Attorney Knowlton interjected on Administrative Hearings and parking Ordinance.

ADJOURNED: 12:36 pm

  
William H. Deutsch  
William H. Deutsch, Chair  
DATE ADOPTED: July 13, 2021

ATTEST:

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

By: Susan Yeroas  
Deputy Clerk