

BOARD OF COUNTY COMMISSIONERS

JULY 13, 2021

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 Truex (departed at 4:07 pm), Vice Chair Constance, Commissioner Deutsch (departed at 4:37 pm), 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 Pastor Huggins, New Testament Church of God, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: R-2, Update on the impacts of Tropical Storm Elsa.

Requested by: Commission Office

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Joseph Tiseo

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

MOTION CARRIED 5:0.

National Sarcoma Awareness Month

Dr. Ricardo Gonzalez, Moffitt Cancer Center Chief of Surgery and Sarcoma Department Chair accepted the Proclamation.

Employee Recognition

5 Years: Jason Desguin, Utilities; David Gammon, Economic Development; Jacob Gibbs, Utilities; Anthony Leggett, Facilities Construction & Maintenance; Johnathan Meyers, Budget & Administrative Services; **10 Years:** Timothy Lavalley, Utilities; Frank M. Paoiella, Public Safety; James Wood, Utilities; **15 Years:** Jamie Scudera, Community Services; **25 Years:** Gregory Schnitzel, Community Development; **30 Years:** Stephen Bozman, Utilities; Edwin Earnest, Jr., Utilities; Stephen Kipfinger, Utilities; Sue McKean, Utilities; Ann Payne, Utilities; Sheryl Thomas, Utilities.

Employee of the Month - March 2021

Bradley Geelen, Emergency Management

Ellen Pinder, Emergency Management Coordinator highlighted Mr. Geelen's career, dedication, and presented Award.

Award Presentations

Commissioners' Award for Customer Service - Commissioner Truex

Third Quarter Commissioners' Award FY2020-21
Janine Hewitt, Budget & Administrative Service

Chair Truex highlighted Ms. Hewitt's knowledge, dedication, and presented Award.

Check Presentation for the Veterans Memorial at the William R. Gaines Jr. Veterans Memorial Park

Commissioner Stephen R. Deutsch to accept donation from the Marine Corps League, Peter J. Shank Detachment 756; Frank R. Menard, Commandant, Frantz Brutus, Official Member & Volunteer Coordinator, Military Heritage Museum, and Tom Ferer, Associate Member.

Peter J. Shank, Detachment 756 commented on donation and presented **Commissioner Deutsch** with check.

Commissioner Deutsch spoke to Marine Corps birthday, Veterans Memorial at the William R. Gaines Jr. Veterans Memorial Park, and Marine Corps League.

PUBLIC INPUT - AGENDA ITEMS ONLY - None

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 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.

Agricultural and Natural Resources Advisory Committee is searching for one voluntary member who must be a resident or owner of real property in Charlotte County and broadly represents 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. This volunteer 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.

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, 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.
- **Manchester Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2024.
- **Northwest Port Charlotte Street & Drainage Unit** is seeking one member to fill a 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.

Barrier Island Fire Service Municipal Service Benefit Unit (MSBU) Advisory Board is seeking two members to fill two vacant unexpired terms through October 31, 2024. Applicants must be residents of Charlotte County and reside within the unit. Submit applications to Public Safety Department, 26571 Airport Road, Punta Gorda, Florida 33982; call 941-833-5610 or email Todd.Dunn@CharlotteCountyFL.gov.

Murdock Circle 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 4:00 p.m. To obtain an application call 941-743-1300 and select option 5 or email Morgan.Cook@CharlotteCountyFL.gov.

REPORTS RECEIVED AND FILED

CONSENT AGENDA

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

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:

- June 8, 2021 BCC Regular Meeting
- June 15, 2021 BCC Workshop
- June 15, 2021 Focus Area Workshop, Efficient & Effective Government
- June 17, 2021 BCC Pre-Agenda

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

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

Recommended Action: Approve the appointment of Billy Burk to fill the unexpired term of Jeffery Jacobson on the Don Pedro Knight Islands Street & Drainage Advisory Board. This appointment will be effective immediately, and will expire on October 31, 2024.

Budgeted Action: No action needed.

D. County Administration

E. County Attorney

F. Budget and Administrative Services

Fiscal Services

1. Northwest Port Charlotte Paving Project

Recommended Action: Request approval of a resolution authorizing the borrowing of up to \$4,600,000 for the Northwest Port Charlotte paving project. RES 2021-092

Budgeted Action: No action needed.

Information Technology

Purchasing

2. 21-475, Award Piggyback, Submersible Pumps (Utilities)

Recommended Action: Approve Piggyback purchase of File #21-475, Submersible Pumps for Utilities off of the Florida Sheriff's Association Contract #FSA20.EQU18.0 - Heavy Equipment, Item #272 as awarded to Xylem Dewatering Solutions, Inc. of Bridgeport, New Jersey in the total amount of \$260,047.

Budgeted Action: No action needed. Budgeted in the Utility Capital Maintenance Plan, as approved in the FY21 budget process. Funding comes from the Utility Renewal and Replacement Fund.

3. 21-425, Award, Sand, Rock and Rip Rap - Annual (Public Works)

Recommended Action: a) Approve the split "per item" Award of Bid #21-425, Sand, Rock, and Rip Rap -Annual, to two firms: Nickale Corporation of Naples, Florida and Sitework Supplier, Inc. of North Port, Florida, at the unit prices attached, with the initial contract term of October 1, 2021, through and including September 30, 2022; and b) Authorize the County Administrator to approve 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. Budgeted in Road Maintenance infrastructure and various MSBU/TU work programs in the FY22 budget process. Items to be placed in inventory and charged out to the appropriate assessments or gas tax.

4. 21-394 Ranking, Construction Manager (CM) at Risk, Multiple Small Projects – Annual (Facilities)

Recommended Action: a) Approve ranking of firms for Request for Proposal #21-394 Ranking, Construction Manager (CM) at Risk, Multiple Small Projects - Annual: 1st - Florida Premier Contractors LLC (FPC); 2nd - Wharton-Smith Inc.; and 3rd - GATES Construction; 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 at Risk services as part of a construction team, to manage multiple small projects concurrently at various locations.

Budgeted Action: No action needed. Budgeted in the county-wide Facilities Capital Maintenance Plan as included in the FY22 budget process. Funding is supplied from Capital Projects ad valorem.

5. 21-339, Award, Engineering Technical Services for Rotonda Water Reclamation Facility Headworks (Utilities)

Recommended Action: Approve award of Request for Letters of Interest, File #21-339, Work Order #1 (Contract #21-056), Engineering Technical Services for Rotonda WRF Headworks, to Ardurra Group, Inc. of Sarasota, Florida in the amount of \$195,580. This is for various engineering technical services pertaining to the rehabilitation/replacement of the Rotonda Water Reclamation Facility (WRF) Headworks structure, piping, and equipment.

Budgeted Action: No action needed. Budgeted in the Utility Capital Maintenance Plan, as approved in the FY21 budget process. Funding comes from the Utility Renewal and Replacement Fund.

6. 21-509, Piggyback, William Gaines Playground Purchase (Community Services)

Recommended Action: Approve Piggyback of File 21-509, William Gaines Playground Purchase, per Volusia County School District, Contract MTS-906BC, and request award as follows: a) Advanced Recreational Concepts, LLC, of Melbourne, FL for a cost \$105,639.92, and b) Play Space Services Inc, of Melbourne, FL for a cost of \$41,853.

Budgeted Action: No action needed. Budgeted in Community Services Capital Maintenance plan approved in the FY21 budget process. Funding is provided from Capital Projects Fund ad valorem.

7. Property Deletions for the Month of July, 2021 (Purchasing)

Recommended Action: Approve the deletion of additional property inventory items listed on the attachment for the month of July 2021.

Budgeted Action: No action needed.

Real Estate Services

Risk Management

Transit

G. Community Development

1. Set a Public Hearing for Establishment of Tuckers Pointe CDD

Recommended Action: Set a public hearing for July 27, 2021 at 2:00 p.m., or as soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider the adoption of an Ordinance to establish the Tuckers Pointe Community Development District (CDD) pursuant to Chapter 190, Florida Statutes.

Budgeted Action: No action needed.

H. Community Services

1. Community Services Fee Schedule

Recommended Action: Approve amending the Community Services Fee Schedule RES 2021-093

Budgeted Action: No action needed. Budgeted in the General Fund.

2. Special Use Authorization for Ann & Chuck Dever Regional Park

Recommended Action: Approve a Special Use Authorization to allow the installation of a driveway and utilities pursuant to an existing non-exclusive perpetual easement for ingress and egress and utility access granted by the County through Ann & Chuck Dever Regional Park AGR 2021-038

Budgeted Action: No action needed. No financial impact.

I. Economic Development

1. Set a meeting of the Charlotte Harbor Community Redevelopment Agency for July 27, 2021.

Recommended Action: Set a meeting of the Charlotte Harbor Community Redevelopment Agency for July 27, 2021 at 10:00 a.m., or as soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida.

Budgeted Action: No action needed.

J. Facilities Construction and Maintenance

K. Human Resources

1. IUPAT Re-opener

Recommended Action: Approve a re-opener with the Affiliate Local 2301, District Council 78, of the International Union of Painters and Allied Trades (IUPAT), AFL-CIO for the purpose of wages. The tentative agreement grants an increase of 4% budgeted for implementation of pay-for-performance to commence with the first full pay period in the month of October, FY2021-2022. The County will have met their obligation to bargain the contractual re-opener under Article 29 - Pay and Article 28.5 - Health Care Benefits (for which there were no changes to Article 28.5).

Budgeted Action: No action needed. Any costs associated with implementation will be budgeted within respective departments' operating budgets.

L. Human Services

M. Public Safety

1. Interlocal Agreement between Charlotte County Public Safety Department and the Charlotte County Sheriff's Office

Recommended Action: a) Approve Interlocal Agreement between Charlotte County Public Safety Department and the Charlotte County Sheriff's Office to outline the partnership, purchase and use of the Mobile Command unit; and b) Authorize the Chair, or designee to sign the agreement. AGR 2021-039

Budgeted Action: No action needed. Budgeted in the Fire Rescue Fund - Fire budget to be approved during the FY2022 budget process. Funding for this expenditure comes from Fire Rescue MSBU assessments.

N. Public Works

1. Set a Public Hearing to Consider a Speed Limit Ordinance Change on a Segment of Burnt Store Road from South of the Jones Loop Road Intersection to the Southern Limit of Eagle Point Mobile Home Park

Recommended Action: Set a Public Hearing for July 27, 2021 at 10:00 a.m., or soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider approving an ordinance modifying the existing speed limit on a segment of Burnt Store Road from South of the Jones Loop Road Intersection to the Southern Limit of Eagle Point Mobile Home Park.

Budgeted Action: No action needed. No financial impact.

O. Tourism Development

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 gave a brief overview of Timeline, Activities, Logistics, Mass Care, Joint Information Center, and Countywide Effort.

Joseph Pepe, Florida Department of Health (FDOH) Administrator highlighted COVID-19, testing, hospitalizations, deaths, activity volumes, investigations, Health Department calls, vaccination rates, pediatric cases, variant, and staff efforts.

Chair Truex discussed staff efforts, team work, communication, and presented Awards to Mr. Pepe and Emergency Management team. **Commissioner Constance** mentioned Emergency Management, Health Department, staff efforts, rates, vaccines, preparation, vaccination completion, children's dosages, study, and pediatrician communication. **Commissioner Deutsch** noted Emergency Management, Health Department, staff efforts, and community cooperation. **Commissioner Doherty** spoke to staff efforts, leadership, and participation. **Commissioner Tiseo** commented on staff efforts, State of Emergency, letter, Mr. Pepe's efforts and responsibilities, vaccine sites, community cooperation, Human Services, Emergency Management, vulnerable citizens, and resources.

(Addition #1) 2. Tropical Storm Elsa Update

Commission Office

Update on the impacts of Tropical Storm Elsa.

Mr. Fuller gave a brief overview of Elsa Characteristics, Forecasted Impacts, Observed Impacts, Wind, and Water.

Chair Truex discussed beach erosion update. **Commissioner Tiseo** inquired to beach erosion update.

John Elias, Public Works Director remarked on beach erosion update and post storm survey.

RECESS: 9:57 am - 10:02 am

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. Authorizing the Creation of the Charlotte County Local Provider Participation Fund

Commission Office

Conduct a public hearing to consider an ordinance amending Chapter 2-3 of the code of laws and ordinances of Charlotte County, authorizing the creation of the Charlotte County Local Provider Participation Fund under the authority of Article VII, Section 1(G) of the constitution of the State of Florida and the Charlotte County Home Rule Charter and specifying the method of setting and computing annual non-ad valorem special assessments to be deposited into the fund and specifying authorized uses for the fund proceeds. **ORD 2021-025**

Commissioner Constance highlighted Authorizing the Creation of the Charlotte County Local Provider Participation Fund. **Commissioner Deutsch** mentioned fund processing and disbursements. **Commissioner Doherty** noted annual Non-Ad Valorem Special Assessment and rate. **Commissioner Tiseo** spoke to surrounding counties participation, Lee County, Sarasota County, Texas program, and reimbursement.

County Attorney Knowlton replied to annual Non-Ad Valorem Special Assessment.

County Administrator Flores responded to rate and Resolution.

Tara McCoy, Bayfront Hospital Chief Executive Officer (CEO) highlighted Medicaid, federal matching dollars, Medicaid Reimbursement Gap, need, unemployment rate, Affordable Care Act (ACA), Governor's Office support, assessment, Directed Payment Program, and surrounding counties.

Colleen Ernst, Technical Expert remarked on disbursements, Resolution, rate, and fund collection.

Public Input

Cynthia Compton commented on assistance, taxpayer dollars, Veterans, hospital ratings, funding, taxes, and assessment.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2021-025 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 2-3 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, AUTHORIZING CREATION OF CHARLOTTE COUNTY LOCAL PROVIDER PARTICIPATION FUND UNDER THE AUTHORITY OF ARTICLE VIII, SECTION 1(G) OF THE CONSTITUTION OF THE STATE OF FLORIDA AND THE CHARLOTTE COUNTY HOME RULE CHARTER AND SPECIFYING THE METHOD OF SETTING AND COMPUTING ANNUAL NON-AD VALOREM SPECIAL ASSESSMENTS TO BE DEPOSITED INTO THE FUND AND SPECIFYING AUTHORIZED USES FOR THE FUND PROCEEDS, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

RECESS: 10:15 am - 12:57 pm

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 INPUT - ANY SUBJECT

Michael Zarzano discussed Mosaic, Workshop, Charlotte County Congress, DeSoto County Commissioners, Charlotte Harbor, seagrass, manatees, Peace River, wastewater, Florida environment, Communist Chinese Party (CCP), and phosphate mining.

Cynthia Compton mentioned water, letters, Mosaic, Workshop, Lake Okeechobee, waterways, water flow, sugar fields, fertilizer, lake levy, DeSoto County, Commissioners, and mining.

Dave Kalin noted Charlotte Ranchettes Municipal Service Benefit Unit (MSBU) disbandment, school bus stops, Bermont Road, apron paving, children safety, Ordinance, county worker job description, and information.

RECESS: 1:09 pm – 2:00 pm

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 TISEO

MOTION CARRIED 4:0. (COMMISSIONER DEUTSCH ABSENT DURING VOTE)

CONSENT AGENDA

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

MOTION CARRIED 5:0.

1. FP-19-11-16, Hammocks at West Port Phase II, KL West Port, LLC.

Community Development

KL West Port, LLC is requesting Final Plat approval for a subdivision to be named, Hammocks at West Port Phase II. This proposed Final Plat includes 106 lots, a right-of-way tract (R), and Tracts A & B which are Drainage Areas. This request consists of the proposed lot development situated within Pod H (The Hammocks) within the West Port project. This property received Preliminary Plat approval under petition #: PP-19-11-16 on February 25, 2020 from the Board of County Commissioners. The approved Preliminary Plat included the entirety of Pods B & H within West Port (a.k.a. The Isles and The Hammocks). This Final Plat application includes only Phase II of The Hammocks at West Port. The Hammocks at West Port Phase II is a residential subdivision which is phase 2 of Tract B of Hammocks at West Port Phase I (Plat Book 24, Pages 8A through 8J). The site is 23.26 ± acres and is located south of U.S. Highway 41, north of El Jobean Road, east of the Crestwood Waterway, and west of the Flamingo Waterway

Quasi-Judicial

2. DRC-21-00055 Heritage Landing Pod G

Community Development

Banks Engineering is requesting Final Detail Site Plan approval for Heritage Landing Pod G. The project consists of five 30 unit, 4-story multi-family buildings, with associated infrastructure. This project site is 9.09 ± acres and is located at 14121 Heritage Landing Boulevard, Punta Gorda, FL., in Section 17 Township 42, Range 23. **RES 2021-095**

Quasi-Judicial

Public Hearing

Minutes Clerk Smoleski administered oath for testimony.

1. Ordinance approving PAS-21-00002 2500 & 2520 Luther Rd Small-scale Plan Amendment

Community Development

Adopt an Ordinance approving PAS-21-00002, a Small-scale Plan Amendment to the Charlotte County Future Land Use Map Series Map #1: 2030 Future Land Use, for property located at 2500 & 2520 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 24 units on the subject property. **ORD 2021-026**

Legislative

Laura Tefft, Senior Planner requested to be accepted as an expert, provided credentials, gave a brief overview of Proposed Change, 1000' Buffer Map, Location Map, Area Image, Site Image, Framework, Future Land Use Map (FLUM) Designations, Proposed 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, joined in Staff Report, highlighted zoning, Comprehensive Plan, development, and requested approval.

Chair Truex remarked on Board rules. Commissioner Constance spoke to zoning, public storage building, client lot ownership, plans, property acreage, density, Montpelier Road, access, Luther Road, paper street, potential dwellings, traffic, capacity, affordability, precedence, Staff Report, and address error. Commissioner Deutsch commented on housing. Commissioner Doherty discussed plats, dedications, Tract A, Property Owners Association (POA) Section 23, private property, access, Luther Road, traffic, and capacity. Commissioner Tiseo mentioned Board Rule 1.12, approval, testimony, questions, zoning, precedence, Staff Report, and address error.

Shaun Cullinan, Planning and Zoning Official responded to easements, green belt, access, potential dwellings, zoning, affordable housing, precedence, special exceptions, and FLUM.

County Attorney Knowlton interjected on Board rules and public input.

Ravi Kamarajugadda, Projects Manager replied to Luther Road, traffic, trip threshold, and level of service.

Public Input for Petition Number PAS-21-00002 2500 & 2520 Luther Rd Small-scale Plan Amendment and Petition Number Z-21-30-13 for 2520 Luther Rd amending Zoning Atlas from Residential Estate (RE-1) to Residential Multi-family (RMF-10)

Tom Andreasen noted apartment access, easement, housing type, troubles, and property value.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2021-026 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 24 UNITS ON THE SUBJECT PROPERTY, INCREASING DENSITY FROM 13 UNITS TO 24 UNITS; FOR PROPERTY LOCATED AT 2500 AND 2520 LUTHER ROAD, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT I; CONSISTING OF 2.577 ACRES MORE OR LESS; PETITION PAS-21-00002; APPLICANT, RON GUSTAVESON; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

2. Ordinance approving Z-21-30-13 for 2520 Luther Rd amending Zoning Atlas from Residential Estate (RE-1) to Residential Multi-family (RMF-10)

Community Development

Adopt an Ordinance approving Z-21-30-13, amending Zoning Atlas from Residential Estate (RE-1) to Residential Multi-family (RMF-10) for property located at 2520 Luther Rd., Punta Gorda, containing 1.289 + acres concurrent with PAS-21-00002. **ORD 2021-027**

Quasi-Judicial

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

Ms. Tefft requested to be accepted as an expert, provided credentials, gave a brief overview of Proposed Change, 1000' Buffer Map, Location Map, Area Image, Site Image, Framework, FLUM Designations, Proposed 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, joined in Staff Report, highlighted zoning, Comprehensive Plan, development, and requested approval.

Chair Truex remarked on Board rules. **Commissioner Constance** spoke to zoning, public storage building, client lot ownership, plans, property acreage, density, Montpelier Road, access, Luther Road, paper street, potential dwellings, traffic, capacity, affordability, precedence, Staff Report, and address error. **Commissioner Deutsch** commented on housing. **Commissioner Doherty** discussed plats, dedications, Tract A, POA Section 23, private property, access, Luther Road, traffic, and capacity. **Commissioner Tiseo** mentioned Board Rule 1.12, approval, testimony, questions, zoning, precedence, Staff Report, and address error.

Mr. Cullinan responded to easements, green belt, access, potential dwellings, zoning, affordable housing, precedence, special exceptions, and FLUM.

County Attorney Knowlton interjected on Board rules and public input.

Mr. Kamarajugadda replied to Luther Road, traffic, trip threshold, and level of service.

Public Input for Petition Number PAS-21-00002 2500 & 2520 Luther Rd Small-scale Plan Amendment and Petition Number Z-21-30-13 for 2520 Luther Rd amending Zoning Atlas from Residential Estate (RE-1) to Residential Multi-family (RMF-10)

Tom Andreasen noted apartment access, easement, housing type, troubles, and property value.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2021-027 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 2520 LUTHER ROAD, IN THE PUNTA GORDA AREA, CONTAINING 1.289 ACRES MORE OR LESS, COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-21-30-13; APPLICANT, RON GUSTAVESON; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

3. 21LAD-00000-00001, Amendment to the Sandhill DRI DO

Community Development

Approve a Resolution pursuant to Section J(1)(k) of the Sandhill Development of Regional (DRI) Development Order, Resolution Number 2019-167, Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulation, an amendment to the Sandhill DRI Development Order (DO) by 1) using the approved equivalency matrix to exchange 40 single-family residential units for 63 multi-family residential units on Parcel C-19B and R-2 of Tract 4 of the Sandhill DRI, 2) revising Exhibit B, Map H Notes #1 and Map H, Exhibit #2 Notes; and 3) revising the build out date to reflect the extension of the buildout date of this DO per Governor's Executive Orders; for 31.28± acres of the property located at 24750 Sandhill Boulevard, in the Port Charlotte area; Commission District I; Petition No. 21LAD-00000-00001; Applicant: NGI Acquisitions, LLC; providing for an effective date. The Sandhill DRI is located south of the DeSoto County Line, north of Rampart Boulevard, east of Loveland Boulevard and west of the Deep Creek area; Section 7, Township 40 South, and Range 23 East, in the Port Charlotte area, currently containing a total of 713.12± acres. RES 2021-096

Quasi-Judicial

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

Jie Shao, Principal Planner provided credentials, gave a brief overview of Proposed Changes, 1000' Buffer (Parcels C-19B and R-2 of Tract 4) Map, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, Proposed Detailed Changes, and Concept Plan.

Attorney Geri Waksler, Applicant Representative accepted Ms. Shao as an expert, highlighted Sandhill Development of Regional Impact (DRI) Amendment, Concept Plan, entitlements, equivalency matrix, zoning, uses, density, transportation impacts, conditions, development standards, joined in staff report, and requested approval.

Chair Truex spoke to Staff Report, survey, transition, impact, corner cut, road widening, right of way, Governor's Executive Order, permits, and Sandhill DRI. Commissioner Constance commented on corner cut, right of way, Sandhill Boulevard, road design and grade, traffic, PM Peak (PMP), Public Works, property access, multi-family units, trip generations, funds, bi-annual monitoring report, Sandhill DRI schedule, Murdock Center DRI, and water features. Commissioner Deutsch discussed FPL, growth, road system, traffic, property rights, eminent domain, public safety, zoning, count, funds, and study. Commissioner Doherty mentioned corner, conceptual site plan, right of way, boundary survey, curve, commercial, Sandhill Boulevard, work scope, improvements, Capricorn Boulevard, traffic model, growth, signalization, zoning, Capital Needs Assessment (CNA), Sandhill Municipal Service Taxing Unit (MSTU), Capital Improvements Projects (CIP), funding, report requirement, permit, approvals, and road widening. Commissioner Tiseo noted equivalency matrix, road system, traffic, Sandhill DRI, uses, housing, impact fees, improvements, commercial, tax rolls, job creation, Staff Report, bi-annual monitoring report, permits, requirements, Governor's Executive Order, evidence, build-out date, Amendment, and compliancy.

Joanne Vernon, County Engineer responded to road widening, CNA, Capricorn Boulevard, signalization, level of service, right of way, maintenance, and analysis.

Robert Fakhri, Transportation Engineer replied to signalization study, Deep Creek Boulevard, Capricorn Boulevard, Rio de Janeiro Avenue, and road widening.

Mr. Kamarajugadda remarked on level of service, road grade, PMP, Florida Department of Transportation (FDOT) standard table, speed limit, traffic, multi-family, trip generations, analysis, Sandhill DRI, deadline, improvements, developments, and Sandhill Boulevard.

Mr. Elias interjected on criteria.

Mr. Cullinan spoke to permits, entitlements, traffic, analysis, bi-annual monitoring report, Development Order, Murdock Center DRI, credits, improvements, impacts, and right of way.

County Attorney Knowlton commented on historical interpretation and condition.

County Administrator Flores discussed history, funding, and bi-annual monitoring reports.

Assistant County Attorney Thomas David interjected on condition.

Public Input for Petition Number 21LAD-00000-00001, Amendment to the Sandhill DRI DO and Petition Number PD-21-00004, Major Modification to the Sandhill DRI PD

Leonard Guckenheimer mentioned traffic, issues, plat, zoning, uses, rules, and public information system.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2021-096 AMENDING THE SANDHILL DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER (RESOLUTION 2019-167) AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 3:2., COMMISSIONER CONSTANCE AND COMMISSIONER TISEO OPPOSED

4. PD-21-00004, Major Modification to the Sandhill DRI PD

Community Development

Approve an Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification to an existing PD for the Sandhill Development of Regional Impact (DRI) to revise PD conditions established in Ordinance Number 2018-011 for 74 single-family dwelling units, multi-family development up to 270 dwelling units and its associated accessory uses to be consistent with development rights set forth in Petition 21LAD-00000-00001 on Parcels C-19B and R-2 of Tract 4 of the Sandhill DRI; for 31.28± acres of the property located at 24750 Sandhill Boulevard, in the Port Charlotte area; Petition No. PD-21-00004; Applicant: NGI Acquisitions, LLC; providing an effective date. The Sandhill DRI is located south of the DeSoto County Line, north of Rampart Boulevard, east of Loveland Boulevard and west of the Deep Creek area; Section 7, Township 40 South, and Range 23 East, in the Port Charlotte area. **ORD 2021-028**

Quasi-Judicial

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

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, 1000' Buffer (Parcels C-19B and R-2 of Tract 4) Map, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, Proposed Detailed Changes, and Concept Plan.

Attorney Geri Waksler, Applicant Representative accepted Ms. Shao as an expert, highlighted Sandhill DRI Amendment, Concept Plan, entitlements, equivalency matrix, zoning, uses, density, transportation impacts, conditions, development standards, joined in staff report, and requested approval.

Chair Truex spoke to Staff Report, survey, transition, impact, corner cut, road widening, right of way, Governor's Executive Order, permits, and Sandhill DRI. **Commissioner Constance** commented on corner cut, right of way, Sandhill Boulevard, road design and grade, traffic, PMP, Public Works, property access, multi-family units, trip generations, funds, bi-annual monitoring report, Sandhill DRI schedule, Murdock Center DRI, and water features. **Commissioner Deutsch** discussed FPL, growth, road system, traffic, property rights, eminent domain, public safety, zoning, count, funds, and study. **Commissioner Doherty** mentioned corner, conceptual site plan, right of way, boundary survey, curve, commercial, Sandhill Boulevard, work scope, improvements, Capricorn Boulevard, traffic model, growth, signalization, zoning, CNA, Sandhill MSTU, CIP, funding, report requirement, permit, approvals, and road widening. **Commissioner Tiseo** noted equivalency matrix, road system, traffic, Sandhill DRI, uses, housing, impact fees, improvements, commercial, tax rolls, job creation, Staff Report, bi-annual monitoring report, permits, requirements, Governor's Executive Order, evidence, build-out date, Amendment, and compliancy.

Ms. Vernon responded to road widening, CNA, Capricorn Boulevard, signalization, level of service, right of way, maintenance, and analysis.

Mr. Fakhri replied to signalization study, Deep Creek Boulevard, Capricorn Boulevard, Rio de Janeiro Avenue, and road widening.

Mr. Kamarajugadda remarked on level of service, road grade, PMP, FDOT standard table, speed limit, traffic, multi-family, trip generations, analysis, Sandhill DRI, deadline, improvements, developments, and Sandhill Boulevard.

Mr. Elias interjected on criteria.

Mr. Cullinan spoke to permits, entitlements, traffic, analysis, bi-annual monitoring report, Development Order, Murdock Center DRI, credits, improvements, impacts, and right of way.

County Attorney Knowlton commented on historical interpretation and condition.

County Administrator Flores discussed history, funding, and bi-annual monitoring reports.

Assistant County Attorney David interjected on condition.

Public Input for Petition Number 21LAD-00000-00001, Amendment to the Sandhill DRI DO and Petition Number PD-21-00004, Major Modification to the Sandhill DRI PD

Leonard Guckenheimer mentioned traffic, issues, plat, zoning, uses, rules, and public information system.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2021-028 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD); A MAJOR MODIFICATION TO AN EXISTING PLANNED DEVELOPMENT (PD) FOR THE SANDHILL DEVELOPMENT OF REGIONAL IMPACT (DRI) TO REVISE PD CONDITIONS ESTABLISHED IN ORDINANCE NUMBER 2018-011 FOR 74 SINGLE-FAMILY DWELLING UNITS, MULTI-FAMILY DEVELOPMENT UP TO 270 DWELLING UNITS AND ITS ASSOCIATED ACCESSORY USES TO BE CONSISTENT WITH DEVELOPMENT RIGHTS SET FORTH IN PETITION 21LAD-00000-00001 ON PARCELS C-19B AND R-2 TRACT 4 OF THE SANDHILL DRI; FOR 31.28 ACRES OF THE PROPERTY LOCATED AT 24750 SANDHILL BOULEVARD, IN THE SANDHILL DRI, WHICH IS LOCATED SOUTH OF THE DESOTO COUNTY LINE, NORTH OF RAMPART BOULEVARD, EAST OF LOVELAND BOULEVARD AND WEST OF THE DEEP CREEK AREA; SECTION 7, TOWNSHIP 40 SOUTH, AND RANGE 23 EAST; IN THE PORT CHARLOTTE AREA; COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION PD-21-00004; APPLICANT, NGI ACQUISITIONS, LLC; PROVIDING AN EFFECTIVE DATE, WITH AN ADDITIONAL CONDITION THAT THE APPLICANT AGREES TO WORK WITH PUBLIC WORKS ON THE FUTURE FOUR LANING OF SANDHILL BOULEVARD TO MAKE SURE WHEN THE SUBMITTAL FOR FINAL DETAIL SITE PLAN APPROVAL THEY WILL NOT HAVE ANY STRUCTURES, BUILDINGS OR PARKING LOTS, WITHIN THE AREA THAT MAY BE ACQUIRED, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 3:2., COMMISSIONER CONSTANCE AND COMMISSIONER TISEO OPPOSED

5. Murdock Village CRA Community Redevelopment Plan, Fourth Amendment

Community Development

Conduct a public hearing to approve a resolution adopting the fourth amendment to the Murdock Village Redevelopment Agency's Community Redevelopment Plan amending section 5.05 of the plan relating to the number of dwelling units, vested rights, and concurrency. The plan relates to properties located south of US 41 (Tamiami Trail), north of SR 776 (El Jobean Road), west of the Auburn Waterway, and east of the Crestwood Waterway, containing 1,197.8± acres; providing for findings; providing an effective date. RES 2021-097

Legislative

Mr. Cullinan requested that testimony from previous Murdock Village CRA be incorporated into the record.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2021-097 AMENDING THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT PLAN, FOR THOSE PROPERTIES LOCATED SOUTH OF US-41 (TAMIAMI TRAIL), NORTH OF STATE ROAD 776 (EL JOBEAN ROAD), WEST OF THE AUBURN WATERWAY, AND EAST OF THE CRESTWOOD WATERWAY, IN COMMISSION DISTRICT IV, CONTAINING 1,197.8± ACRES; PROVIDING FOR FINDINGS; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

AA. County Administrator Comments

County Administrator Flores noted capital funding policies, surrounding counties survey, results, and PicklePlex.

Chair Truex spoke to concerns and benefits. **Commissioner Constance** commented on Tourist Development Tax (TDT) numbers, surrounding counties policies, PicklePlex, courts, funding, City of Punta Gorda, tournaments, public benefits, taxes, tourism, constraints, and Tourist Development Council (TDC). **Commissioner Doherty** discussed PicklePlex, requirements, proposal, Workshop, ownership, bed tax, event funding, public access, and partnership. **Commissioner Tiseo** mentioned capital improvements policy, non-profits, PicklePlex, October 6, 2017 Memorandum, TDT proceeds, funding, public entity, maintenance, ownership, Charlotte Ranchettes, tax payers, Tourism policy, matrix, and Workshop.

County Attorney Knowlton interjected on Board and PicklePlex written opinions, funding, requirements, findings, proposal, bed tax, TDT, TDC, and public ownership and access.

BB. County Attorney Comments

County Attorney Knowlton noted local State of Emergency and Advisory Board attendance requirements.

CC. Economic Development Director Comments – None

DD. County Commissioner Comments

Vice Chair Constance spoke to Board rules, public input, questions, Rule 1.05, time extension, Rule 1.12, interpretation, occupational license law, permit, Florida Association of County Managers, County Administrator Flores, Charlotte Ranchettes, apron paving, school year, school buses, manatees, seagrass, environmental issues, City of North Port, City of Punta Gorda, meeting, Agenda, US 41, bridges, FDOT, water quality security, City Marketplace, density, price point, Event Center, parking garage, Metropolitan Planning Organization (MPO) Director, candidates, monitoring report, National Association of Counties (NACo) Meeting, Waymo, Sandhill Boulevard, pipeline, development, and taxes. **Commissioner Deutsch** commented on Board rules and public input. **Commissioner Doherty** discussed Board rules, public input, process, testimony, Florida Association of Counties (FAC) Conference, Florida Association of Attorneys (FACA), County Attorney Knowlton, Charlotte Harbor Community Redevelopment Advisory (CHCRA) Board Meeting, quorum, vacancies, Workshop, Agenda, and City of Punta Gorda. **Commissioner Tiseo** mentioned Board rules, public input, questions, Section D and E, due diligence, DeSoto County, time extension, occupational license law, standards, consumer protections, interior remodels, permits, licenses, PicklePlex, City Marketplace, City of Punta Gorda, purchase, Agenda items, MPO, Director, candidates, monitoring report, and Waymo.

County Attorney Knowlton remarked on Board rules, Rule 1.05, Rule 1.12, public input, Board interpretation, public hearing, citizen input, time extensions, MPO Meeting, Agenda, and next steps.

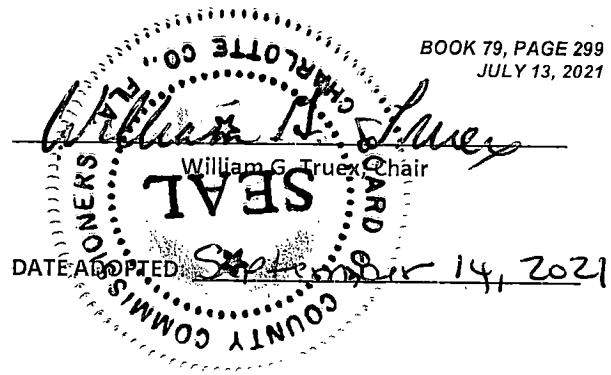
Deputy County Administrator Emily Lewis responded to occupational license law, phase out, traffic planning, and September Workshop.

Assistant County Administrator Claire Jubb interjected on occupational license law, interior remodeling, permit, licenses, contractors, phased approach, public education program, and September Water Quality Workshop.

Mr. Elias replied to Charlotte Ranchettes, apron paving, and school buses.

ADJOURNED: 4:51 pm

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JULY 13, 2021



ATTEST:

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

By: Susan Yervais
Deputy Clerk