

BOARD OF COUNTY COMMISSIONERS

APRIL 26, 2022

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, Commissioner Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo. Also in attendance were: County Administrator Flores, County Attorney Knowlton, and Minutes Clerk Johnston. 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 22-112, Approve Change Order #1, Purchase of Two Freightliner Ambulances (Public Safety) Approve Change Order #1, for File #22-112, Purchase of Two Freightliner Ambulances, to ETR, LLC, of Sanford, Florida, in the amount of \$7,600, for a revised total cost of \$666,656. This change order is for the manufacturer surcharge on all chassis presently in production.

Requested by: Budget & Admin Services

Addition #2: R-5 22-415, Award Piggyback, Toro Groundsmaster Mowers (Community Services) a) Approve Piggyback of File #22-415, Toro Groundsmaster Mowers, to Westco Turf, Incorporated of Sarasota, Florida, per Sourcewell Contract, TORO 031121-TTC, for the total amount of \$326,006.93; and b) Authorize Asset #33739, #33546, #33745 and #35866 to be sold via auction.

Requested by: Budget & Admin Services

Addition #3: R-8 Set a Murdock Village Community Redevelopment Agency meeting on May 10, 2022 at 10:00 a.m., or as soon thereafter in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida.

Requested by: County Attorney

Cancelation: Cancel previously scheduled Murdock Village Community Redevelopment meeting set for 10:00 a.m., or soon thereafter, on April 26, 2022 in Room 119, 18500 Murdock Circle, Port Charlotte, Florida.

Change #1: F-1 Moved to Regular Agenda, Item R-6.

Requested by: County Commission

Change #2: F-5 Moved to Regular Agenda, Item R-7.

Requested by: County Commission

Change #3: R-1 Add attachment – BOCC In-Kind Guidelines.

Requested by: County Commission

Change #4: Reports Received & Filed Added attachment – Revised, COVID-19 Update.

Requested by: County Administration

Deletion #1: R-3 5th Amendment to Lost Lagoon Development's Agreement for Purchase and Sale and Amended and Restated Master Developer's Agreement.

Requested by: County Attorney

Deletion #2: UA-2 DRC-21-00189, Tuckers Pointe Phase 1 Barraco and Associates Inc. is requesting Final Detail Site Plan approval for Tuckers Pointe Phase 1. This project consists of 354 single family lots with associated infrastructure. This project site is 148.21± acres of a 507.08 ± acre parcel and is located at 28450 Tuckers Grade, Punta Gorda, Florida, in Section 35, Township 41, Range 23. Located in Commission District II.

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Joseph Tiseo

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

MOTION CARRIED 5:0.

Building Safety Month

Ben Bailey, Community Development Director accepted the Proclamation.

Drinking Water Week

Dave Watson, Interim Utilities Director and various Staff members accepted the Proclamation.

Hibiscus Day

Dianne Munson accepted the Proclamation.

National Physical Fitness & Sports Month

Mike Norton, Recreation Supervisor accepted the Proclamation.

National Therapy Animal Day

Claire Mumbrauer and Koda accepted the Proclamation.

Suncoast Remake Learning Days

Beth Duda accepted the Proclamation.

Water Safety Awareness Month

Paul DeMello accepted the Proclamation.

Water Safety Month

Marc Solomon, Recreation Superintendent accepted the Proclamation.

Employee Recognition

Employee of the Month - February 2022

Karen McNulty
Human Resources

Heather Bacus, Human Resources Director highlighted Ms. McNulty's helpfulness, knowledge, communication, professionalism, and presented Award.

Award Presentations

Commissioners' Award for Customer Service - Stephen R. Deutsch

Second Quarter Commissioners' Award FY2021-22.

Commissioner Deutsch highlighted Human Services Manager Jocene Henderson's service, education, 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 IAFF; Pat Rowan, Craig Soosh.

Commissioner Deutsch commented on fire fighters, first responders, Charlotte County Sheriff's Office (CCSO), safety, and accepted check for Veterans Memorial at the William R. Gaines Jr. Veterans Memorial Park.

International Association of Fire Fighters (IAFF) Representatives Pat Rowan and Craig Soosh presented check to **Commissioner Deutsch**.

Combat Wounded Veteran

Award George Downing, US Army Combat Wounded Veteran, Vietnam with the Combat Wounded Veteran Certificate of Recognition.

Commissioner Deutsch discussed Mr. Downing's service, Veterans, Purple Heart, and presented Certificate of Recognition.

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.

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.

- **Alligator Creek Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2024.
- **Boca Grande Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2024.
- **Buena Vista Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Don Pedro Knight Island Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2024.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Grove City Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Gulf Cove Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2022.
- **Harbour Heights Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2023, and October 31, 2024.
- **Mid-Charlotte Stormwater Unit** is seeking one member to fill a vacant unexpired term through October 31, 2024.
- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2024.
- **Pirate Harbor Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2024.

- **Pirate Harbor Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Placida Area Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Rotonda Heights Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2024.
- **Rotonda Lakes Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Rotonda Sands Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **South Charlotte Stormwater Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **South Gulf Cove Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2024.
- **South Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **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

COVID-19 Response Update

(Change #4) Added attachment – Revised, COVID-19 Update.

CONSENT AGENDA

COMMISSIONER DOHERTY MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF H-1 AND P-1, 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 5, 2022 BCC Emergency Meeting

April 7, 2022 BCC Pre-Agenda

April 12, 2022 BCC Regular Meeting

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - Marine Advisory Committee

Recommended Action: Approve the appointment of Charles Wolley to fill the unexpired term of Michael Savino on the Marine Advisory Committee. This appointment will be effective immediately and will expire December 31, 2023.

Budgeted Action: No action needed.

D. County Administration

1. Property Access Documents for Water Quality Monitoring

Recommended Action: a) Approve Resolution delegating authority to execute property access documents for water quality monitoring; and b) Authorize the County Administrator to sign the property access documents. **RES 2022-040**

Budgeted Action: No action needed.

2. BCC Schedule Change

Recommended Action: Approve the following change to the BCC Schedule: Cancel the Strategic Focus Update Workshop scheduled for May 17, 2022 at 2 p.m.

Budgeted Action: No action needed.

E. County Attorney

1. Supervisor of Elections Request Resolution Altering Election Precincts

Recommended Action: a) Approve Resolution Altering the Boundaries of Certain Election Precincts; and b) Authorize the Chairman to Execute the Resolution. **RES 2022-041**

Budgeted Action: No action needed.

F. Budget and Administrative Services

Fiscal Services

1. FY23 Boater Revolving Fund Grant Program

(Change #1) Moved to Regular Agenda, Item R-6.

Recommended Action: a) Approve County Resolution which funds the West Coast Inland Navigation District (WCIND) and Boater Improvement Fund (BIF) expenditures for fiscal year 2023 in the amount of \$1,016,688; and b) Authorize the County Administration to sign WCIND grant applications and agreements, subrecipient agreements, and other necessary grant documents associated with the FY23 BRF grant cycle.

Budgeted Action: No action needed. Funding will be budgeted in the Boater Revolving Fund in the FY2023 budget process. Funding for the grant projects comes from Property taxes collected by WCIND and from boat registration fees. Matching requirements for WCIND projects are provided using Boater Improvement Fund-Local, as identified in Exhibits A and B.

2. Federal Equitable Sharing Fund Request - FY22

Recommended Action: a) Approve the transfer of \$15,000 from the Federal Equitable Sharing Fund to the Sheriff in accordance with the attached request letter from Charlotte County Sheriff's Office (CCSO); and b) Approve Resolution for BA22-143 in the amount of \$15,000. **RES 2022-042**

Budgeted Action: Approve Budget Adjustment BA22-143 in the amount of \$15,000 to the Law Enforcement Trust Fund Budget. Funding for this expenditure comes from Law Enforcement Trust Fund.

Information Technology

Purchasing

3. 22-100, Approve Change Order, Bunker Gear and Accessories - Annual Contract (Public Safety)

Recommended Action: Request approval of Change Order for Group D - Boots, on Contract #22-100 Bunker Gear and Accessories - Annual Contract awarded to North America Fire Equipment Company Inc. of Decatur, Alabama increasing the unit price from \$298 to \$325.

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

4. 21-297, Approve Change Order, Quesada Force Main (Utilities)

Recommended Action: Approve Change Order #2 to Contract #21-197, Quesada Force Main as awarded to Stevens and Layton Inc. of Fort Myers, Florida in the amount of \$110,168.80. This project is for the completion of a force main replacement of a 12-inch and 20-inch force main along Quesada Avenue.

Budgeted Action: No action needed. Budgeted in the Utility Capital Maintenance Plan, as approved in the FY22 budget process. Funding comes from the Utility Renewal and Replacement Fund.

5. 22-301, Award, Sale of County Owned Building (Old Punta Gorda Library) (Real Estate)

(Change #2) Moved to Regular Agenda, Item R-7.

Recommended Action: Approve award of Request for Bids #22-301, Sale of County Owned Building (Old Punta Gorda Library), to the highest bidder, Suncoast Lands of Florida, Inc., for the amount bid of \$567,890.

Budgeted Action: No action needed.

6. 22-203, Award, South County Regional Park Improvements (Community Services)

Recommended Action: Approve award of Request for Bid #22-203 South County Regional Park Improvements to the lowest responsive, responsible bidder Stellar Development Inc. of Sarasota, Florida for the total project amount of \$553,418.51. This is for the construction of various park improvements including pickleball courts, tennis courts, drivers stand for the R/C car track, and installation of shade structures.

Budgeted Action: No action needed. Budgeted in Capital Improvements Project "South County Regional Park" approved in the FY22 budget process. Funding is supplied from Capital Projects Fund ad valorem.

7. 21-308, Approve Change Order, FY21 Road and Bridge Paving Program (Public Works)

Recommended Action: Approve Change Order #2 to Contract #21-308, FY21 Road and Bridge Paving Program as awarded to Ajax Paving Industries of Florida LLC of North Venice, Florida in the amount of \$794,795. This is for the addition of reclamation and paving of Harbor Boulevard from Olean Boulevard to Midway Boulevard.

Budgeted Action: No action needed. Budgeted in the Public Works Road & Bridge Paving Capital Maintenance Plan approved in the FY22 budget process and adjusted for carryover. Funding is supplied from maintenance gas tax in the Road & Bridge Infrastructure division of the Transportation Trust Fund.

8. 22-258, Approve Ranking, Water Quality Sampling and Analysis-Annual Contract (Administration)

Recommended Action: a) Approve Ranking of firms for Request for Proposal #22-258, Water Quality Sampling and Analysis-Annual Contract: 1st Environmental Science Associates of Sarasota, Florida; 2nd Advanced Environmental Laboratories, Inc. of Tampa, Florida; and 3rd Flatwoods Consulting Group of Tampa, Florida; and b) Approve start of negotiations with top ranked firm; and c) Authorize the Chairman to sign the contract after completion of negotiations; and d) Authorize the County Administrator to approval two annual one-year renewals. This is for sample collection and analytical services in support of Charlotte County's ambient water quality monitoring program.

Budgeted Action: No action needed. Funding for this expenditure comes from various funds including General Fund-BCC Control, Mid-Charlotte Stormwater MSBU Assessments, South-Charlotte Stormwater MSBU Assessments and West-Charlotte Stormwater Assessments.

9. 22-386, Sole Source Award, Accela Cloud Solution Services & Migration (Information Technology)

Recommended Action: a) Approve award of sole source purchase of File #22-386, Accela Cloud Solution Services & Migration, to Accela, Inc. of San Ramon, California, with a 6-year cost of \$3,057,319.81, and one-time migration fee of \$60,000, for a total cost of \$3,117,319.81, this will be paid in annual installments; and b) Authorize the Chairman to execute agreements.

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 and the General Fund - IT Maintenance budget as approved in the FY2022 budget process. Funding for the expenditure comes from permit fees (\$236,327) and ad valorem (\$236,327).

Real Estate Services

Risk Management

Transit

G. Community Development

H. Community Services

1. Approve New FY22 Capital Improvement Project titled "Riverside Boat Ramp Replacement"

Recommended Action: a) Approve Resolution for budget adjustment BA22-142 in the amount of \$80,000; and b) Approve new Capital Improvements Project "Riverside Boat Ramp Replacement" with a total project cost of \$2,080,000. **RES 2022-043**

Budgeted Action: Approve budget adjustment BA22-142 in the amount of \$80,000 adding a new project titled "Riverside Boat Ramp Replacement" to the adopted FY22 Capital Improvement Program. Funding is supplied from Capital Projects Ad Valorem. The \$2,000,000 construction costs will be included in the 2023 Budget.

Chair Truex mentioned boat ramp, public safety, parking, and cost. **Commissioner Constance** noted cost, Darst Park, parking, utility, boat ramp, utilization, tree canopy, and safety. **Commissioner Tiseo** spoke to structural assessment, end of life, upgrade, Americans with Disabilities Act (ADA), space, cost, safety, inflation, utilization, and cost benefit analysis.

Tommy Scott, Community Services Director responded to parking, ADA, service level, boat ramp, Darst Park, tree canopy, safety, cost, design, and utilization.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2022-043 FOR BUDGET ADJUSTMENT BA22-142 IN THE AMOUNT OF \$80,000; AND APPROVE NEW CAPITAL IMPROVEMENTS PROJECT

"RIVERSIDE BOAT RAMP REPLACEMENT" WITH A TOTAL PROJECT COST OF \$2,080,000, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

I. Economic Development

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

1. Land Use Restriction Agreement (LURA) for 2208 Castillo Avenue, Punta Gorda, Florida 33950

Recommended Action: Approve a Land Use Restriction Agreement (2022 LURA) for 2208 Castillo Avenue, Punta Gorda, Florida 33950 and to approve a resolution delegating authority to the County Administrator or his or her designee to execute the 2022 LURA upon conveyance of the property to non-profit Crossroads Hope Academy, Inc. **AGR 2022-035 / RES 2022-044**

Budgeted Action: No action needed.

2. Monthly Housing Division Report - March 2022

Recommended Action: Accept the March 2022 Housing Division Report.

Budgeted Action: No action needed.

M. Public Safety

N. Public Works

O. Tourism Development

P. Utilities

1. 559 Tamiami Trail LLC Off-Site Utility Agreement

Recommended Action: Approve Off-Site Utility Agreement between the County and the Developer, 559 Tamiami Trail LLC. **AGR 2022-036**

Budgeted Action: No action needed. Budgeted in CIP project "Water Transmission & Wastewater Collection Reimbursement" as adopted in the FY22 budget process. Funding is supplied from Utility Sewer and Water Connection Fee Funds.

Chair Truex commented on cost and verification. **Commissioner Constance** discussed lines, size, cost, cap, and approval.

Mr. Watson replied to lines, size, extension, service, verification, and cost.

COMMISSIONER CONSTANCE MOVED TO APPROVE OFF-SITE UTILITY AGREEMENT 2022-036 BETWEEN THE COUNTY AND THE DEVELOPER, 559 TAMiami TRAIL LLC, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Q. Other Agencies

REGULAR AGENDA

R. Regular Agenda

1. Event Funding Application - 2022 Englewood Beach Waterfest

Tourism Development

(Change #3) Add attachment – BOCC In-Kind Guidelines.

a) Review and score Waterfest In-Kind Funding Event Application; and b) If an average score of 60 is reached, approve In-Kind Event Funding in the amount of \$50,000 for the 2022 Englewood Beach Waterfest; and c) Authorize the Chairman to sign the Event Funding Agreement. **AGR 2022-037**

Sean Doherty, Tourism Development Director highlighted Event Funding Application – 2022 Englewood Beach Waterfest.

Commissioner Constance mentioned scoring, room nights, economic impact, post event report, business and financial plan, organizational structure, self-support, and funding. **Commissioner Deutsch** noted tourism, population, Englewood, community, race, and event. **Commissioner Tiseo** spoke to financial data, scoring, funding, government and self-support, policy, boater participation, and races.

Steve Gardner, Englewood Beach Waterfest President responded to funding, expenses, inflation, investment return, self-support, COVID-19, boater participation, races, and space.

County Administrator Flores announced Englewood Beach Waterfest met minimum average score.

COMMISSIONER DOHERTY MOVED TO APPROVE IN-KIND EVENT FUNDING IN THE AMOUNT OF \$50,000 FOR THE 2022 ENGLEWOOD BEACH WATERFEST; AND AUTHORIZE THE CHAIRMAN TO SIGN THE EVENT FUNDING AGREEMENT 2022-037, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

2. 2022 Federal Legislative Agenda

County Administration

Discussion and approval of the 2022 Federal Legislative Agenda.

Cameron Pennant, Legislative Manager introduced Greg Burns, Thorn Run Partners, commented on Special Session, and property insurance.

Mr. Burns highlighted 2022 Federal Legislative Agenda.

Chair Truex discussed Waters of the United States (WOTUS), regulations, insurance, fraud, reroofing, and replacement. **Commissioner Constance** mentioned appropriations asks, septic to sewer program, Harborview Road, funding, needs, WOTUS, regulations, Lake Okeechobee, cost, reservoirs, Board letter, National Association of Counties (NACo), communication, United States Department of Housing and Urban Development (HUD), tax credits, Punta Gorda Housing Authority, roofing, insurance, and verification. **Commissioner Deutsch** noted COVID-19, impacts, work ethic, employee shortage, William R. Gaines Jr. Veterans Memorial Park, HUD, housing crisis, funding, real estate, market, population, and census. **Commissioner Doherty** spoke to WOTUS, Clean Water Act, Everglades Restoration, 16 County Coalition, Lake Okeechobee, storage, flows, aquifer storage and recovery (ASR) wells, treatment, standards, cost, real estate, South Florida Water Management District (SFWMD), regulations, navigable waters, and jurisdiction. **Commissioner Tiseo** commented on Harborview Road, Board letter, communication, Affordable Housing, Build Back Better Act, housing catastrophe, tax credits, lottery, Federal productivity, Affordable Housing Advisory Committee (AHAC), entitlement community, population, census, Punta Gorda Housing Authority, roofing, and solicitation.

COMMISSIONER DOHERTY MOVED TO APPROVE 2022 FEDERAL LEGISLATIVE AGENDA, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

~~(Deletion #1) 3. 5th Amendment to Lost Lagoon Development's Agreement for Purchase and Sale and Amended and Restated Master Developer's Agreement~~

~~County Administration~~

- ~~a) Approve 5th amendment to the agreement for purchase and sale with Lost Lagoon Development; and~~
- ~~b) Approve Amended and Restated Master Developer's Agreement for Lost Lagoon Development.~~

(Addition #1) 4. 22-112, Approve Change Order #1, Purchase of Two Freightliner Ambulances (Public Safety)

Budget & Admin Services

Approve Change Order #1, for File #22-112, Purchase of Two Freightliner Ambulances, to ETR, LLC, of Sanford, Florida, in the amount of \$7,600, for a revised total cost of \$666,656. This change order is for the manufacturer surcharge on all chassis presently in production.

Kim Corbett, Purchasing Senior Division Manager highlighted 22-112, Approve Change Order #1, Purchase of Two Freightliner Ambulances.

COMMISSIONER DOHERTY MOVED TO APPROVE CHANGE ORDER #1, FOR FILE #22-112, PURCHASE OF TWO FREIGHTLINER AMBULANCES, TO ETR, LLC, OF SANFORD, FLORIDA, IN THE AMOUNT OF \$7,600,

FOR A REVISED TOTAL COST OF \$666,656. THIS CHANGE ORDER IS FOR THE MANUFACTURER SURCHARGE ON ALL CHASSIS PRESENTLY IN PRODUCTION, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

(Addition #2) 5. 22-415, Award Piggyback, Toro Groundsmaster Mowers (Community Services)

Budget & Admin Services

- a) Approve Piggyback of File #22-415, Toro Groundsmaster Mowers, to Westco Turf, Incorporated of Sarasota, Florida, per Sourcewell Contract, TORO 031121-TTC, for the total amount of \$326,006.93; and
- b) Authorize Asset #33739, #33546, #33745 and #35866 to be sold via auction.

Ms. Corbett highlighted 22-415, Award Piggyback, Toro Groundsmaster Mowers.

Commissioner Constance inquired to cost and size.

Mr. Scott replied to specialty mower items, usage, size, cost, and life expectancy.

COMMISSIONER DOHERTY MOVED TO APPROVE PIGGYBACK OF FILE #22-415, TORO GROUNDSMASTER MOWERS, TO WESTCO TURF, INCORPORATED OF SARASOTA, FLORIDA, PER SOURCEWELL CONTRACT, TORO 031121-TTC, FOR THE TOTAL AMOUNT OF \$326,006.93; AND AUTHORIZE ASSET #33739, #33546, #33745 AND #35866 TO BE SOLD VIA AUCTION, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

6. FY23 Boater Revolving Fund Grant Program

Budget & Admin Services

- a) Approve County Resolution which funds the West Coast Inland Navigation District (WCIND) and Boater Improvement Fund (BIF) expenditures for fiscal year 2023 in the amount of \$1,016,688; and b) Authorize the County Administration to sign WCIND grant applications and agreements, subrecipient agreements, and other necessary grant documents associated with the FY23 BRF grant cycle. **RES 2022-045**

Rick Arthur, Fiscal Services Manager highlighted Fiscal Year (FY) 2023 Boater Revolving Fund Grant Program.

COMMISSIONER DOHERTY MOVED TO APPROVE COUNTY RESOLUTION 2022-045 WHICH FUNDS THE WEST COAST INLAND NAVIGATION DISTRICT (WCIND) AND BOATER IMPROVEMENT FUND (BIF) EXPENDITURES FOR FISCAL YEAR 2023 IN THE AMOUNT OF \$1,016,688; AUTHORIZE THE COUNTY ADMINISTRATION TO SIGN WCIND GRANT APPLICATIONS AND AGREEMENTS, SUBRECIPIENT AGREEMENTS, AND OTHER NECESSARY GRANT DOCUMENTS ASSOCIATED WITH THE FISCAL YEAR 2023 BOATER REVOLVING FUND (BRF) GRANT CYCLE, AND WITH CHANGE TO FUNDING TO INCLUDE WATERFEST WITH A TOTAL OF \$1,060,688, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

7. 22-301, Award, Sale of County Owned Building (Old Punta Gorda Library) (Real Estate)

Budget & Admin Services

Approve award of Request for Bids #22-301, Sale of County Owned Building (Old Punta Gorda Library), to the highest bidder, Suncoast Lands of Florida, Inc., for the amount bid of \$567,890.

Ms. Corbett highlighted 22-301, Award, Sale of County Owned Building.

Chair Truex discussed process, bids, integrity, optics, and repair cost. **Commissioner Constance** mentioned bidders, Community Redevelopment Agency (CRA), uses, process, City of Punta Gorda, Tax Incremental Funding (TIF), price, and postponement. **Commissioner Deutsch** noted City of Punta Gorda, bids, facility, community service, uses, and bid language. **Commissioner Doherty** spoke to process, bidders, bids, language, rejection, uses, City of Punta Gorda, CRA, options, flexibility, and postponement. **Commissioner Tiseo** commented on process, integrity, bidders, price, rejection, uses, property zoning, Charlotte Players, and Land Use Restriction Agreements (LURA).

County Attorney Knowlton responded to property, surplus, bidders, process, uses, and bid language.

Stephen Kipa, Real Estate Services Manager replied to City of Punta Gorda, property zoning, and uses.

COMMISSIONER CONSTANCE MOVED TO DENY ALL BIDS, SECONDED BY COMMISSIONER DEUTSCH

MOTION WITHDRAWN

COMMISSIONER CONSTANCE MOVED TO POSTPONE FOR THIRTY DAYS TO RECEIVE MORE INFORMATION ABOUT OTHER OPPORTUNITIES TO GO FORWARD AND SEE IF IT SATISFIES THE BOARD, SECONDED BY COMMISSIONER DOHERTY

SECOND WITHDRAWN

COMMISSIONER TISEO MOVED TO APPROVE AWARD OF REQUEST FOR BIDS #22-301, SALE OF COUNTY OWNED BUILDING (OLD PUNTA GORDA LIBRARY), TO THE HIGHEST BIDDER, SUNCOAST LANDS OF FLORIDA, INC., FOR THE AMOUNT BID OF \$567,890, SECONDED BY COMMISSIONER DOHERTY

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

(Addition #3) 8. Set a Murdock Village Community Redevelopment Agency Meeting on May 10, 2022

County Attorney

Set a Murdock Village Community Redevelopment Agency meeting on May 10, 2022 at 10:00 a.m., or as soon thereafter in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida.

Commissioner Constance discussed meeting purpose, deadlines, performance, land, and money return.

County Attorney Knowlton remarked on meeting purpose.

COMMISSIONER DOHERTY MOVED TO SET A MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AGENCY MEETING ON MAY 10, 2022 AT 10:00 A.M., OR AS SOON THEREAFTER IN ROOM 119 AT 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA, SECONDED BY CHAIR TRUEX

MOTION CARRIED 4:1, COMMISSIONER CONSTANCE OPPOSED

~~COMMUNITY REDEVELOPMENT AGENCY MEETING~~

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

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. Second Quarter Budget Adjustments

Budget & Admin Services

Conduct a public hearing approving a Resolution to adopt budget adjustments that amend the FY21/22 budget. These adjustments which impact various funds are needed to align the FY21/22 budget with required changes and actual activity. RES 2022-046

Mr. Arthur highlighted Second Quarter Budget Adjustments.

Public Hearing

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2022-046 TO ADOPT BUDGET ADJUSTMENTS THAT AMEND THE FISCAL YEAR 2021/2022 BUDGET. THESE ADJUSTMENTS WHICH IMPACT VARIOUS FUNDS ARE NEEDED TO ALIGN THE FISCAL YEAR 2021/2022 BUDGET WITH REQUIRED CHANGES AND ACTUAL ACTIVITY, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

RECESS: 11:33 am – 1:00 pm

1 P.M. PUBLIC INPUT - ANY SUBJECT

Jill Luke, City of North Port Commissioner mentioned River Road, widening, Sarasota County Metropolitan Planning Organization (MPO) Executive Director Dave Hutchinson, I-75, interchanges, Joint Meeting, and affordable housing.

Jack Vanderheyden noted Agenda, tax payers, CCSO, sidewalk blocking, park and boat trailer parking, fines, Englewood Beach, Sales Tax, and County improvement.

Steve Lineberry, Charlotte Players spoke to Comedy for a Cause, Charlotte Players, Market Circle, location, Punta Gorda Library, bids, and motion reconsideration.

Debbie McDowell, City of North Port Commissioner commented on Bachmann Tract, impacts, I-75, interchanges, City of North Port, and Joint Meeting.

Tim Ritchie, March Against Mosaic President and Founder discussed Hardee County Commission Meeting, Mosaic, phosphate mining ban, DeSoto County, and chemical plant.

Deanna Sandei mentioned Snowbird Baseball Classic and Community Services ground crew.

Shawn Gilstad, Purple House Salon owner noted Imagination Library, Charlotte Players, Punta Gorda Library, motion reconsideration, community, impacts, and programs.

John Everson spoke to Florida Department of Transportation (FDOT), Melbourne Street, US 41, turn lane, impacts, Specialty Restaurants, zoning, Harborview area, access, and traffic.

Richard Russell, Buena Vista Neighborhood Watch Captain commented on Edgewater Drive, Sunrise Waterway, kids, disturbance, vandalism, CCSO, trespassing, harassment, Melbourne Street, US 41, crossover, traffic, signal, and speed limit.

Harry Lorick, LA Consulting discussed database, process, Request for Proposals (RFP), program, improvement, focus, technology, and contract.

Taken Out Of Order

AA. County Administrator Comments

County Administrator Flores mentioned Snowbird Baseball Classic representative and Groundskeeper mowers.

BB. County Attorney Comments

County Attorney Knowlton noted Murdock Village transfer fee, CRA, covenant, and sunset.

Commissioner Constance spoke to Murdock Village CRA and LA Consulting. **Commissioner Tiseo** commented on CRA sunset and requirements.

County Administrator Flores responded to LA Consulting and contract.

CC. Economic Development Director Comments - None

DD. County Commissioner Comments

Chair Truex discussed Joint Meeting, topics, flood insurance rating, discount, and Southwest Florida Regional Planning Council (SWFRPC) email. **Commissioner Constance** mentioned City of North Port, Joint Meeting, interchanges, MPO, jurisdiction, River Road, ground breaking, widening, Sarasota County Vice Chair Rob Cutsinger comments, affordable workforce housing, benefits, model, Punta Gorda Library, and motion reconsideration. **Commissioner Deutsch** noted Bachmann Tract, I-75, interchange, Joint Meeting, MPO, River Road, widening, Sarasota County, City of North Port, housing, model, and methodology. **Commissioner Doherty** spoke to Snowbird Baseball Classic, NACo newsletter, County Road (CR) 74, funding, FDOT, programs, City of North Port, Agenda, Joint Meeting, City of Punta Gorda, I-75, interchange, Bachmann Tract, and MPO. **Commissioner Tiseo** commented on Bachmann Tract, MPO, Joint Meeting, Sarasota County, City of North Port, I-75, interchange, water quality, CocoPlum Waterway, affordable workforce housing, employment verification, crisis, Snowbird Baseball Classic, field conditions, Room 119 remodeling, flood insurance rating, and discount.

D’Juan Harris, Charlotte County/Punta Gorda MPO Director interjected on Joint Meeting, City of North Port, FDOT, I-75, and interchange.

County Administrator Flores replied to Room 119 remodeling, chairs, budget, and colors.

Deputy County Administrator Emily Lewis responded to Room 119 remodeling, American Rescue Plan (ARP) funding, budget, technology, and chairs.

RECESS: 1:51 pm – 2:00 pm

2 P.M. LAND USE AGENDA

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY - None

Consent Agenda

Commissioner Tiseo remarked on impact fees.

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

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

UA 1. CSZ-22-01, The Cove of Rotonda Golf Center, LLC

Community Development

Approve Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of a Sending Zone, located at 12455 S. Access Road, in the Port Charlotte area, within the West County Area; containing 88.11± acres; for calculation and severance of 106 density units, pursuant to Resolution Number 2020-038, and 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-22-01; Applicant: The Cove of Rotonda Golf Center, LLC; providing an effective date. Located in Commission District IV. This is a consolidated Resolution with Petition No. TDU-22-01, to provide for the immediate transfer and placement of the severed density units on property located at 6105 Winchester Boulevard and 6120 Ivory Bill Drive, in the Englewood area. **RES 2022-047**

Quasi-Judicial

(Deletion #2) UA 2. DRC 21-00189, Tuckers Pointe Phase 1

Community Development

~~Barraco and Associates Inc. is requesting Final Detail Site Plan approval for Tuckers Pointe Phase 1. This project consists of 354 single family lots with associated infrastructure. This project site is 148.21± acres of a 507.08 ± acre parcel and is located at 28450 Tuckers Grade, Punta Gorda, Florida, in Section 35, Township 41, Range 23. Located in Commission District II.~~

~~**Quasi-Judicial**~~

UA 3. DRC-22-00017, Palms at West Port MM

Community Development

Morris Engineering is requesting a Major Modification to Final Detail Site Plan (DRC-21-00072) approval for The Palms at West Port. The project consists of adding an additional 10 lots for a total of 272 single family lots with associated infrastructure. The project site is 65.6 ± acres and is located at 16255 Coconut Palm Drive, Port Charlotte, Florida, in Section 11, Township 40, Range 21. Located in Commission District IV. **RES 2022-048**

Quasi-Judicial

UA 4. FP-21-04-11, Heritage Landing Phase II-B

Community Development

Lennar Homes, LLC has requested final plat approval for a subdivision to be named, Heritage Landing Phase II-B consisting of 174 single-family residential lots and 1 multi-family tract. This final plat is a proposed re-plat of a portion of Phase II-A and is named Heritage Landing Phase II-B. They also seek approval of a Development Agreement and surety to cover the construction of the plat infrastructure. The site is 196.11± acres, and is located east of the Peace River, north and west of Burnt Store Road, and south of the City of Punta Gorda, in the South County area. Located in Commission District II. **AGR 2022-038**

Quasi-Judicial

UA 5. FP-21-07-14, Babcock Ranch Community-Preserve

Community Development

D.R. Horton, Inc. is requesting Final Plat approval for a two-family attached residential tract within the Babcock Ranch Community Development of Regional Impact (DRI) for a subdivision to be named Babcock

Ranch Community-Preserve. The project will consist of 154 two-family units and a small amenity area. They also seek approval of a Development Agreement and surety to cover the construction of the plat infrastructure. The site is 39.07± acres and is located south and east of Bluebird Trail, north of Cypress Parkway, west of the border with Glades County, in the East County area. Located in Commission District I. **AGR 2022-039**

Quasi-Judicial

UA 6. FP-21-07-15, Landings at West Port Phase 2

Community Development

James Harvey, KL JAK WP, LLC has requested Final Plat approval for a subdivision to be named, Landings at West Port Phase 2, consisting of 90 lots. The site is 4.81± acres. The subject property previously received plat approval at the BCC meeting held March 24, 2020 under the WEST PORT plat (FP-18-04-04). Since then, Landings Phase 1 has received Preliminary Plat approval under petition (PP-21-01-01) on April 27, 2021. This is a replat of Tract C of the Landings Phase 1 Plat. It is located North of El Jobean Road, South and East of Centennial Blvd, and West of the Flamingo Waterway. Located in Commission District IV.

Quasi-Judicial

UA 7. TDU-22-01, Pastore Doyle Developers LLC

Community Development

Approve Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 106 density units to a Receiving Zone located at 6105 Winchester Boulevard and 6120 Ivory Bill Drive, in the Englewood Area; containing 24.67± acres, 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; Petition No. TDU-22-01; Applicant: Pastore Doyle Developers LLC; providing an effective date. Located in Commission District III. This is a consolidated Resolution with Petition No. CSZ-22-01, which provides for the certification and severance of the 106 density units being transferred to the subject property. **RES 2022-047**

Quasi-Judicial

UA 8. TDU-22-02, Taylor Morrison of Florida, Inc.

Community Development

Approve Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 384 density units to a Receiving Zone. The Receiving Zone contains a parcel (150.48± acres) located at 14100 Burnt Store Road and two parcels (146.68 acres) located south of Notre Dame Boulevard, east of Burnt Store Road and west of Green Gulf Boulevard, in the Burnt Store Area Plan area and in the Punta Gorda area; containing 297.16± acres, 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; Petition No. TDU-22-02; Applicant: Taylor Morrison of Florida, Inc.; providing an effective date. Located in Commission District II. **RES 2022-049**

Quasi-Judicial

Public Hearing

Minutes Clerk Johnston administered oath for testimony.

UB 1. PFP-21-12-08, A Re-plat of the Westerly 200 feet of Lot 12 Chadwick Beach Subdivision

Community Development

Walton Manakey, LLC is requesting a Preliminary & Final Plat approval for a residential 2- lot Minor Subdivision to be named, A Re-plat of the Westerly 200 feet of Lot 12 Chadwick Beach Subdivision. The subject property is 0.459± acres and located south of Whitcomb Street, east of Gulf Blvd., north of Wilhelm Drive and west of Lemon Bay in the Englewood area. Located in Commission District III.

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.

Shaun Cullinan, Planning and Zoning Official requested to be accepted as an expert, provided credentials, gave a brief overview of PFP-21-12-08, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, Location Map, Zoning Designations, Future Land Use Map (FLUM) Designations, 1000' Buffer Map, Proposed Changes, and Proposed Changes (Aerial).

Commissioner Constance inquired to total area and density.

Attorney Rob Berntsson, Applicant Representative accepted Mr. Cullinan as an expert, discussed lot split, and landscape strips.

Public Hearing

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE PRELIMINARY & FINAL PLAT APPROVAL FOR A RESIDENTIAL 2- LOT MINOR SUBDIVISION TO BE NAMED, A RE-PLAT OF THE WESTERLY 200 FEET OF LOT 12 CHADWICK BEACH SUBDIVISION. THE SUBJECT PROPERTY IS 0.459± ACRES AND LOCATED SOUTH OF WHITCOMB STREET, EAST OF GULF BOULEVARD, NORTH OF WILHELM DRIVE AND WEST OF LEMON BAY IN THE ENGLEWOOD AREA. LOCATED IN COMMISSION DISTRICT III, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB 2. PAS-21-00014, 130 Yorkshire Street

Community Development

Adopt an Ordinance approving PAS-21-00014, a Small-scale Plan Amendment to the Charlotte County Future Land Use Map Series Map #1: 2030 Future Land Use, from Medium Density Residential (MDR) to Commercial (COM) for a 1.23± acre portion of the total 1.95± acre parcel. Located in Commission District V. **ORD 2022-018**

Legislative

Laura Tefft, Senior Planner provided credentials, requested to be accepted as an expert, gave a brief overview of Proposed Changes, 1000' Buffer Map, Location Map, Area Image, Site Image, Framework, FLUM Designations, Proposed FLUM Designations, Zoning Designations, Proposed Zoning Designations, and Planned Development (PD) Concept Plan.

Attorney Geri Waksler, Applicant Representative accepted Ms. Tefft as an expert, mentioned zoning, land use, usage, density, landscape buffer, heights, stormwater, Veterans Boulevard, commercial access, FDOT, transportation study, trips, traffic, service level, and requested approval.

Laura Rossi, Protean Design Group, Inc. Project Manager provided credentials, noted traffic impact and transportation studies, service level, growth rate, Veterans Boulevard, and trips.

Commissioner Constance spoke to zoning and trips. **Commissioner Tiseo** commented on commercial, acreage, PD, uses, Veterans Boulevard, corridor study, approvals, zoning, accidents, by-right, traffic, and growth.

Public Input for Petition Number PAS-21-00014, 130 Yorkshire Street and Petition Number PD-21-00020, 130 Yorkshire Street

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-018 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 MEDIUM DENSITY RESIDENTIAL (MDR) TO COMMERCIAL (COM); FOR PROPERTY LOCATED AT 130 YORKSHIRE STREET (A PORTION OF THIS PROPERTY), IN THE PORT CHARLOTTE AREA; CONTAINING 1.23 ACRES MORE OR LESS OF THE TOTAL 1.95 ACRES MORE OR LESS, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT V; PETITION PAS-21-00014; APPLICANTS, THOMAS C. D'APRILE AND DELORES A. D'APRILE AS CO-TRUSTEES OF THE THOMAS C. D'APRILE REVOCABLE TRUST DATED JUNE 7, 2012, AND DELORES A. D'APRILE REVOCABLE TRUST DATED JUNE 7, 2012; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

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

UB 3. PD-21-00020, 130 Yorkshire Street

Community Development

Adopt an Ordinance approving PD-21-00020 amending the Charlotte County Zoning Atlas from Residential Single-family 3.5 (RSF 3.5) to Planned Development (PD) for the entire 1.95± acre parcel located at 130 Yorkshire St. Located in Commission District V. **ORD 2022-019**

Quasi-Judicial

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

Ms. Tefft provided credentials, requested to be accepted as an expert, gave a brief overview of Proposed Changes, 1000' Buffer Map, Location Map, Area Image, Site Image, Framework, FLUM Designations, Proposed FLUM Designations, Zoning Designations, Proposed Zoning Designations, and PD Concept Plan.

Attorney Geri Waksler, Applicant Representative accepted Ms. Tefft as an expert, mentioned zoning, land use, usage, density, landscape buffer, heights, stormwater, Veterans Boulevard, commercial access, FDOT, transportation study, trips, traffic, service level, and requested approval.

Ms. Rossi provided credentials, noted traffic impact study, service level, transportation study, growth rate, Veterans Boulevard, and trips.

Commissioner Constance spoke to zoning and trips. **Commissioner Tiseo** commented on commercial, acreage, PD, uses, Veterans Boulevard, corridor study, approvals, zoning, accidents, by-right, traffic, and growth.

Public Input for Petition Number PAS-21-00014, 130 Yorkshire Street and Petition Number PD-21-00020, 130 Yorkshire Street

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-019 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL SINGLE-FAMILY 3.5 (RSF-3.5) TO PLANNED DEVELOPMENT (PD), AND ALSO ADOPTING ITS ASSOCIATED GENERAL PD CONCEPT PLAN; FOR PROPERTY LOCATED AT 130 YORKSHIRE STREET, IN THE PORT CHARLOTTE AREA; CONTAINING 1.95 ACRES MORE OR LESS; COMMISSION DISTRICT V, CHARLOTTE COUNTY, FLORIDA; PETITION PD-21-00020; APPLICANTS: THOMAS C. D'APRILE AND DELORES A. D'APRILE AS CO-TRUSTEES OF THE THOMAS C. D'APRILE REVOCABLE TRUST DATED JUNE 7, 2012 AND DELORES A. D'APRILE REVOCABLE TRUST DATED JUNE 7, 2012; PROVIDING AN EFFECTIVE DATE, SECONDED BY CHAIR TRUEX

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

UB 4. CPE-22-01, Concept Plan Extension of the Oak Haven PD Concept Plan

Community Development

Approve an Ordinance, pursuant to Section 3-9-45, Planned Development, under Chapter 3-9, Zoning, of the County's Land Development Regulations, for a request to extend the time limitation of the PD Concept Plan approved via Ordinance Number 2007-033, for property located south of N. Jones Loop Road, northeast of Interstate 75, and north of S. Jones Loop Road, in the Punta Gorda area; containing 135.14± acres; Petition No. CPE-22-01; Applicants: McNew Property Holdings 3, LLC, Harper Property Holdings 3, LLC, Harper McNew Development Inc., and Beverly H. McNew Trustee; providing for an effective date. Located in Commission District II. **ORD 2022-020**

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.

Jie Shao, Principal Planner provided credentials, gave a brief overview of Request, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, and Oak Haven PD.

Attorney Geri Waksler, Applicant Representative accepted Ms. Shao as an expert, discussed extension, rezoning, density, joined in Staff Report, and requested approval.

Public Hearing

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

MOTION CARRIED 5:0.

Chair Truex mentioned extension. **Commissioner Constance** noted document date, extension, code, timeframe, substantial, density, and modifications. **Commissioner Tiseo** spoke to density, units, extension, rights, and uses.

Mr. Cullinan interjected on density, extension, restrictions, code, timeframe, substantial, conditions, and modifications.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-020 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 3-9-45, PLANNED DEVELOPMENT, UNDER CHAPTER 3-9, ZONING, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, APPROVING THE REQUEST TO EXTEND THE TIME LIMITATION OF THE PLANNED DEVELOPMENT (PD) CONCEPT PLAN APPROVED VIA ORDINANCE NUMBER 2007-033, FOR PROPERTY GENERALLY LOCATED SOUTH OF NORTH JONES LOOP ROAD, NORTHEAST OF INTERSTATE 75, AND NORTH OF SOUTH JONES LOOP ROAD, IN THE PUNTA GORDA AREA; CONTAINING 135.14± ACRES; COMMISSION DISTRICT II; PETITION CPE-22-01; APPLICANTS: MCNEW PROPERTY HOLDINGS 3, LLC, HARPER PROPERTY HOLDINGS 3, LLC, HARPER MCNEW DEVELOPMENT INC., AND BEVERLY H. MCNEW TRUSTEE; PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB 5. CPE-22-02, Concept Plan Extension of the McNew Ranch PD Concept Plan

Community Development

Approve an Ordinance, pursuant to Section 3-9-45, Planned Development, under Chapter 3-9, Zoning, of the County's Land Development Regulations, for a request to extend the time limitation of the PD Concept Plan approved via Ordinance Number 2018-008, for property located north of the Lee County Line, south of Zemel Road, east of Tamiami Trail (US 41) and west of I-75, in the South County area; containing 1554.51± acres; Petition No. CPE-22-02; Applicants: Harper Property Holdings, LLC and McNew Property Holding, LLC; providing for an effective date. Located in Commission District II. **ORD 2022-021**

Quasi-Judicial

Ms. Shao provided credentials, gave a brief overview of Request, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, and McNew Ranch PD.

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.

Attorney Geri Waksler, Applicant Representative accepted Ms. Shao as an expert, commented on extension, zoning, flow leakage, PD, joined in Staff Report, and requested approval.

Public Hearing

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

MOTION CARRIED 5:0.

Commissioner Constance discussed location map and Pirate Harbor.

Mr. Cullinan responded to subject property location, map, and Pirate Harbor.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-021, PURSUANT TO SECTION 3-9-45, PLANNED DEVELOPMENT, UNDER CHAPTER 3-9, ZONING, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, APPROVING THE REQUEST TO EXTEND THE TIME LIMITATION OF THE PD CONCEPT PLAN APPROVED VIA ORDINANCE NUMBER 2018-008, FOR PROPERTY GENERALLY LOCATED NORTH OF THE LEE COUNTY LINE, SOUTH OF ZEMEL ROAD, EAST OF TAMIAMI TRAIL (US 41) AND WEST OF I-75 IN THE SOUTH COUNTY AREA; CONTAINING 1,554.51± ACRES; COMMISSION DISTRICT II; PETITION NUMBER CPE-22-02; APPLICANTS: HARPER PROPERTY HOLDINGS, LLC AND MCNEW PROPERTY HOLDINGS, LLC; PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB 6. Development Agreement Between NGI Acquisitions, LLC and Charlotte County

Community Development

Approve the proposed development agreement between NGI Acquisitions, LLC and Charlotte County Board of County Commissioners (Board), pursuant to Florida Local Government Development Act (Section 163.3220, Florida Statutes). Located in Commission District I. **AGR 2022-040**

Legislative

Mr. Cullinan gave a brief overview of Development Agreement, NGI Acquisitions Development Agreement, Area Image, Framework, FLUM Designations, Zoning Designations, Purpose, Why a Development Agreement, Proportionate Share, Correlation to Impact Fees, and Impact Fees – Transportation Only.

Chair Truex mentioned statute and impact fees. **Commissioner Constance** noted Proportionate Share.

Attorney Geri Waksler, Applicant Representative responded to Agreement, language, and proportionate share.

Assistant County Attorney Stacy Bjordahl interjected on Agreement, language, and proportionate share.

Public Hearing

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE PROPOSED DEVELOPMENT AGREEMENT 2022-040 BETWEEN NGI ACQUISITIONS, LLC AND CHARLOTTE COUNTY BOARD OF COUNTY COMMISSIONERS (BOARD), PURSUANT TO FLORIDA LOCAL GOVERNMENT DEVELOPMENT ACT (SECTION 163.3220, FLORIDA STATUTES). LOCATED IN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB 7. PD-21-00019, Simple Life Residential Development (MM to Existing 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 amend the PD conditions and its associated PD Concept Plan established in Ordinance Number 2022-007, and adopt the General PD Concept Plan, in order to allow for additional an 48 site-built homes, a residential development up to 278 units, and requiring a transfer of 48 density units; for property located at 12150 Burnt Store Road, in the Burnt Store Area Plan area and in the Punta Gorda area, containing 68.43± acres; Petition No. PD-21-00019; Applicant: Simple Life Ventures, LLC; providing an effective date. Located in Commission District II. **ORD 2022-022**

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. Shao provided credentials, gave a brief overview of Proposed Changes, 1000' Buffer Map, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, Master Concept Plan, Typical Lot Details & Road Cross Sections, Coastal High Hazard Area (CHHA), and Flood Zones.

Attorney Geri Waksler, Applicant Representative accepted Ms. Shao as an expert, spoke to modification, units, approved and proposed concept plan, CHHA, PD, Comprehensive Plan, lake and recreation area, buffers, development standards, transfer of density units (TDU), impacts, evacuation and traffic study, conditions, wetlands, joined in Staff Report, and requested approval.

Commissioner Constance commented on traffic. **Commissioner Deutsch** commented on revised plan, wetlands, and impacts. **Commissioner Tiseo** discussed units, traffic, future concurrency capacity, conditions, and impact fees.

Public Hearing

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-022 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 AMEND THE PD CONDITIONS AND ITS ASSOCIATED PD CONCEPT PLAN ESTABLISHED IN ORDINANCE NUMBER 2022-007, IN ORDER TO ALLOW FOR AN ADDITIONAL 48 SITE-BUILT HOMES, A RESIDENTIAL DEVELOPMENT UP TO 278 UNITS; AND REQUIRING A TRANSFER OF 48 DENSITY UNITS; FOR PROPERTY LOCATED AT 12150 BURNT STORE ROAD, IN THE BURNT STORE AREA PLAN AREA AND IN THE PUNTA GORDA AREA; CONTAINING 68.43 ACRES MORE OR LESS; COMMISSION DISTRICT II, CHARLOTTE COUNTY, FLORIDA; PETITION PD-21-00019; APPLICANT, SIMPLE LIFE VENTURES, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

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

UB 8. PAS-21-00012, Farlows Parking Lot

Community Development

Approve an Ordinance, pursuant to Section 163.3187, Florida Statutes, to adopt a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use from Low Density Residential (LDR) to Commercial (COM); for property located at 1370 River Lane, in the Englewood area, containing 0.384± acres; Petition No. PAS-21-00012; Applicant: KF&LF Properties LTD CO; providing an effective date. Located in Commission District III. **ORD 2022-023**

Legislative

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, 1000' Buffer Map, Location Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, and PD Concept Plan.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, mentioned parking, employee housing, retention, and fence.

Commissioner Constance noted employee housing, pad extension, parking, retention, and fence. Commissioner Tiseo spoke to fence and retention.

Public Input for Petition Number PAS-21-00012, Farlows Parking Lot and Petition Number PD-21-00017, Farlows Parking Lot

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2022-023 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) TO COMMERCIAL (COM), FOR THE SUBJECT PROPERTY LOCATED AT 1370 RIVER LANE, IN THE ENGLEWOOD AREA, CONTAINING 0.384 ACRES MORE OR LESS, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT III; PETITION PAS-21-00012; APPLICANT, KF&LF PROPERTIES LTD CO; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB 9. PD-21-00017, Farlows Parking Lot

Community Development

Approve an Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single-family 3.5 (RSF-3.5) to Planned Development (PD) in order to allow for expansion of the existing Farlow's restaurant parking lot and using the existing single-family home as an accessory structure for employee use only, and also adopting its associated General PD Concept Plan, for property located at 1370 River Lane, in the Englewood area, containing 0.384± acres; Petition No. PD-21-000017; Applicant: KF&LF Properties LTD CO; providing an effective date. Located in Commission District III. **ORD 2022-024**

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. Shao provided credentials, gave a brief overview of Proposed Changes, 1000' Buffer Map, Location Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, and PD Concept Plan.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, mentioned parking, employee housing, retention, and fence.

Commissioner Constance noted employee housing, pad extension, parking, retention, and fence. Commissioner Tiseo spoke to fence and retention.

Public Input for Petition Number PAS-21-00012, Farlows Parking Lot and Petition Number PD-21-00017, Farlows Parking Lot

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2022-024 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL SINGLE-FAMILY 3.5 (RSF-3.5) TO PLANNED DEVELOPMENT (PD), AND ALSO ADOPTING ITS ASSOCIATED GENERAL PD CONCEPT PLAN, IN ORDER TO ALLOW FOR EXPANSION OF THE EXISTING FARLOW'S RESTAURANT PARKING LOT AND USING THE EXISTING SINGLE-FAMILY HOME AS AN ACCESSORY STRUCTURE BY THE OWNER OR EMPLOYEES; FOR PROPERTY LOCATED AT 1370 RIVER LANE, IN THE ENGLEWOOD AREA; CONTAINING 0.384 ACRES MORE OR LESS; COMMISSION DISTRICT III, CHARLOTTE COUNTY, FLORIDA; PETITION PD-21-00017; APPLICANT, KF&LF PROPERTIES LTD CO; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB 10, PD-21-00018, Mini-storage on US 41

Community Development

Approve an Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Commercial General (CG) to Planned Development (PD), and adopting its associated Detail PD Concept Plan, in order to develop a mini-warehouse for the subject property located at 3491 Tamiami Trail, in the Port Charlotte area, containing 1.9± acres; Application No. PD-21-00018; Applicant: Adams Property Group; providing an effective date. Located in Commission District V. **ORD 2022-025**
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. Shao provided credentials, gave a brief overview of Proposed Changes, 1000' Buffer Map, Location Map, Area Image, Framework, Overlay District, FLUM Designations, Zoning Designations, PD Concept Plan, Monster Self Storage, and Landscape Plan.

Attorney Rob Berntsson, Applicant Representative commented on PD, Ordinance, US 41 Overlay District, zoning, uses, fence, canal maintenance easement, buffer, boat slips, and accepted Ms. Shao as an expert.

Public Hearing

Steve Brown discussed privacy fence, walk through traffic, seawall, and property line.

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

MOTION CARRIED 5:0.

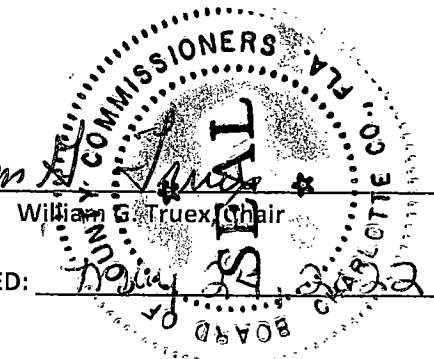
Chair Truex mentioned landscape and site plans, easement, buffer, walk through traffic, fence, and security. Commissioner Constance noted security cameras, walk through traffic, fence, buffer, right of way (ROW), and sight line. Commissioner Deutsch spoke to fence. Commissioner Tiseo commented on Mr. Brown concerns, fence, Area Image, and walk through traffic.

Mr. Cullinan replied to landscape buffer, walk through traffic, and fence.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-025 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM COMMERCIAL GENERAL (CG) TO PLANNED DEVELOPMENT (PD), AND ALSO ADOPTING ITS ASSOCIATED DETAIL PD CONCEPT PLAN, IN ORDER TO DEVELOP A MINI-WAREHOUSE, FOR PROPERTY LOCATED AT 3491 TAMIAMI TRAIL, IN THE PORT CHARLOTTE AREA; CONTAINING 1.9 ACRES MORE OR LESS; COMMISSION DISTRICT V, CHARLOTTE COUNTY, FLORIDA; PETITION PD-21-00018; APPLICANT, ADAMS PROPERTY GROUP; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

ADJOURNED: 3:51 pm

The seal is circular with a dotted border. Inside the border, the words "BOARD OF COUNTY COMMISSIONERS" are written in a circle around the top, and "CHARLOTTE COUNTY, FLORIDA" is written around the bottom. In the center of the seal is a large, stylized letter "F".

William G. Truex, Chair
DATE ADOPTED: April 24, 2022

ATTEST:

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

By: _____

Deputy Clerk