

BOARD OF COUNTY COMMISSIONERS

JUNE 14, 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 (departed at 11:00 am), Vice Chair 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 Pastor Bill Frank, First Baptist Church of Punta Gorda, followed by the Pledge of Allegiance.

Changes to the Agenda

Change #1: R-1 Added attachment – Updated Impact Fee presentation.

Requested by: County Administration

Change #2: UA-4 Added attachment – Staff Report & Exhibits – Updated.

Requested by: Community Development

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Bill Truex

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

MOTION CARRIED 5:0.

Amateur Radio Week

Douglas Young accepted the Proclamation.

Flag Day

Commissioner Deutsch accepted the Proclamation.

May Mann Jennings Day for the General Federation of Women's Clubs

Kathryn S. Gallagher, General Federation of Women's Clubs (GFWC) Rotonda West Woman's Club, Inc. President, President of Port Charlotte Woman's Club, and President of Punta Gorda Woman's Club accepted the Proclamation.

National Mosquito Control Awareness Week

John Elias, Public Works Director accepted the Proclamation.

Pastor Bob Carlson Day

Proclamation will be mailed to Pastor Bob Carlson.

World Doll Day

Dorothea Killian and Nancy Vanselow of the Peace River Doll Club accepted the Proclamation.

Employee Recognition

Years of Service

5 Years: Adam Barr, Public Works; Thomas David, County Attorney's Office; Denise Davidson, Public Works; Thomas Elson, Jr., Public Works; Gail Gursky, Community Development; Darryl Harmon, Facilities; Kristina Naddra, Public Works; Jonathan Rodriguez, Public Works; **10 Years:** Vangie DiPiazza, Community Development; Thomas Hill, Utilities; Richard Kolar, Budget & Administrative Services; Chris Newberry, Community Services; Amber Tarnecki, Utilities; **15 Years:** Brian Fraley, Public Safety; **20 Years:** Grant Pogan, Utilities.

Award Presentations

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

Commissioner Stephen R. Deutsch to accept donation from Key Agency, Inc.; Eric Fogo.

Eric Fogo, Key Agency, Inc. presented check, discussed give back, William R. Gaines Jr. Veterans Memorial Park, and community support.

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 Agriculture and Natural Resources Advisory Committee is searching for 2 volunteers to serve as representatives broadly representative of the interests of agricultural land ownership and use, agricultural commodity finance and production, agricultural processing, agricultural economics and marketing, agricultural engineering and water management, soils use and fertility, wildlife management, geology and mine engineering, and environmental conservation. The term begins immediately and expires on December 31, 2024. If you are interested, please contact Morgan.Cook@charlottecountyfl.gov.

The Beaches and Shores Advisory Committee is seeking a volunteer to fill the unexpired term of the District 1 Representative. The applicant must be a resident of Charlotte County and reside within the boundaries of District 1. The term will be effective immediately upon approval and expire on November 30, 2024. To obtain an application, send an email to Assistant@CharlotteCountyFL.gov. This position will remain open until filled.

The Parks and Recreation Advisory Committee is seeking a volunteer to fill the unexpired term of the District 1 Representative. The applicant must be a resident of Charlotte County and reside within the boundaries of District 1. The

term will be effective immediately upon approval and expire on November 30, 2024. To obtain an application, send an email to Assistant@CharlotteCountyFL.gov. This position will remain open until filled.

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, 2025.
- **Boca Grande Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2024.
- **Buena Vista Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2025.
- **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, 2025.
- **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2025.
- **Harbour Heights Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2023, and October 31, 2024.
- **Harbour Heights Waterway Unit** is seeking one member to a fill vacant unexpired term through October 31, 2023.
- **Mid-Charlotte Stormwater Unit** is seeking one member to fill a vacant unexpired term through October 31, 2024.
- **Placida Area Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2025.
- **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, 2025.
- **Rotonda Sands Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2025.
- **South Charlotte Stormwater Unit** is seeking one member to fill a vacant unexpired term through October 31, 2025.
- **South Gulf Cove Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2024.
- **Suncoast Waterway Unit** is seeking five members to fill vacant unexpired terms through October 31, 2023, October 31, 2024, and October 31, 2025.
- **West Charlotte Stormwater** is seeking one member to fill a vacant unexpired term through October 31, 2023.

REPORTS RECEIVED AND FILED

COVID-19 Response Update

Chair Truex mentioned death rate, cases, and vaccinations. Commissioner Constance noted COVID-19 Update, cases, increase, hospitalizations, death rate, vaccinations, and at home testing. Commissioner Tiseo spoke to at home testing, cases, and positivity rate.

CONSENT AGENDA

COMMISSIONER DEUTSCH MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-9, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO RECONSIDER THE CONSENT AGENDA FOR THE PURPOSE OF PULLING F-11, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

Clerk of the Circuit Court

A. Comptroller Division

1. Finance

Recommended Action: Approve the Clerk's Finance Memorandum.

Budgeted Action: No action needed.

B. Minutes Division

1. Minutes

Recommended Action: Approve the following Minutes:

May 17, 2022 BCC MSBU Workshop
May 19, 2022 Pre-Agenda
May 24, 2022 BCC Regular and Land Use

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - Agriculture and Natural Resources Advisory Committee

Recommended Action: Approve the appointment of Steve Smith to the Agriculture and Natural Resources Advisory Committee with an expertise in business. The term is effective immediately and expires on December 31, 2024.

Budgeted Action: No action needed.

2. Appointment - Environmentally Sensitive Lands Oversight Committee

Recommended Action: Approve the appointment of Jeffrey Anlauf to the Environmentally Sensitive Lands Oversight Committee (ESLOC) to replace the unexpired term of Alan Maki as a representative with environmental expertise. The term begins immediately and will expire on December 31, 2023.

Budgeted Action: No action needed.

3. Re-Appointment - Harbour Heights Street & Drainage Advisory Board

Recommended Action: Approve the re-appointment of Adam Riley to the Harbour Heights 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

1. Schedule Special Meeting and Set Executive Session re: Kiewit Infrastructure South Co. v. Mack Industries, Inc., d/b/a Mack Concrete Industries, Inc., et al

Recommended Action: Schedule a Special Meeting and Set an Executive Session for Tuesday, June 21, 2022 at 2:00 p.m., in the County Administration Conference Room, at 18500 Murdock Circle, Port Charlotte, Florida, to discuss settlement negotiations or strategy related to litigation expenditures in this civil action captioned Kiewit Infrastructure South Co. v. Mack Industries, Inc., d/b/a Mack Concrete Industries, Inc., et al.

Budgeted Action: No action needed.

2. Amend 1 FLGFC Interlocal Agreement

Recommended Action: Approve Resolution Authorizing First Amendment to Interlocal Agreement re: Florida Local Government Finance Commission. **RES 2022-060**

Budgeted Action: No action needed.

3. Resolution Approving a Joint Meeting with North Port City Council

Recommended Action: Approve Resolution authorizing a Joint Meeting with the North Port City Council at 2:00 p.m., on July 14, 2022, as required by Section 125.001, Florida Statutes. **RES 2022-061**

Budgeted Action: No action needed.

F. Budget and Administrative Services

Fiscal Services

Information Technology

Purchasing

1. 19-596, Approve Amendment 1, Animal Licensing Services (Animal Control)

Recommended Action: Approve Amendment #1 to sole source Agreement #19-596, Animal Licensing Services with PetData, Inc. of Dallas, Texas, extending/renewing the Agreement for an additional 36 months with a fee increase of 1.2%.
A.AGR 2019-093

Budgeted Action: No action needed. Budgeted in the General Fund - Animal Control budget as approved in the FY2022 budget process. Funding for this expenditure comes from animal licensing tag revenue.

2. 22-442, Award Piggyback, CAT 299D3 XE Skid Steer (Community Services)

Recommended Action: a) Approve Piggyback purchase of File #22-442, CAT 299D3 XE Skid Steer off of Florida Sheriff's Association Contract #FSA20-EQU18.0 - Heavy Equipment for the purchase of a CAT 299D3 XE Land Management Package (LM2) with HM416 Mulcher head, bucket and rake attachments as awarded to Kelly Tractor Company of Miami, Florida for a total cost of \$170,302; and b) Authorize Asset #35368 to be sold at Auction.

Budgeted Action: No action needed. Budgeted in the Community Services Heavy Equipment Replacement plan as approved in the FY22 budget process. Funding is supplied from Capital Projects, ad valorem.

3. 22-362, Award, Sale of County Owned Properties (Real Estate)

Recommended Action: Approve award of Request for Bids #22-362, Sale of County Owned Properties, to the highest bidder per parcel as identified on the attached tabulation - recommendation of award.

Budgeted Action: No action needed.

4. 22-299, Award, Professional Land Surveying Services for Utility Projects (Utilities)

Recommended Action: Approve award of Request for Letters of Interest File #22-299 (Contract 15-421), Professional Land Surveying Services for Utility Projects, to WGI, Inc. of Fort Myers, Florida in the amount of \$183,362.50.

Budgeted Action: No action needed. Budget for this item comes from savings in various account lines budgeted in the Utilities Operations and Maintenance Fund - Engineering budget as approved in the FY2022 budget process. Funding for this expenditure comes from rate revenues.

5. 20-127, Approve Change Order 1, Tree Trimming and Removal - Annual Contract (Community Services)

Recommended Action: Approve Change Order #1 to Request for Bids #20-127, Tree Trimming and Removal - Annual Contract, with Affordable Palm Service, Inc. dba Arborx Tree Services of Sarasota, Florida to add a unit cost of \$5 for sterilization of saw blades for the remainder of the contract.

Budgeted Action: No action needed. Budgeted in the General Fund - Parks Maintenance and Natural Resources budget as approved in the FY2022 budget process. Funding for this expenditure comes from ad valorem

6. 21-082, Approve Assignment of Contract - Airvac Equipment, Ackerman Vacuum Sewer System (Utilities)

Recommended Action: Approve the Assignment of Contract for File #21-082, Ackerman Vacuum Sewer System - Airvac Equipment, from Aqseptence Group, Inc., to Airvac, Inc.

Budgeted Action: No action needed.

7. 22-336, Award, Engineering Technical Services for Lift Stations 323 and 813 (Utilities)

Recommended Action: Approve award for Request for Letters of Interest (RLI) File #22-336 (Contract 21-506), Engineering Technical Services for Lift Stations 323 and 813, to McKim & Creed of Clearwater, Florida for the total amount of \$199,725.

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.

8. 22-241, Approve Change Order 1, El Jobean Plumbing Contract - Phase 4 (Utilities)

Recommended Action: Approve Change Order #1 to Bid #22-241, El Jobean Plumbing Contract - Phase 4, in the amount of \$114,386.70 to Milorad Pudja Plumbing LLC, of Englewood, Florida. This project is to furnish and install all piping and appurtenances, abandon septic tanks and restore affected property to successfully connect approximately 95 properties in the El Jobean East Phase 4 area to the vacuum central sewer system.

Budgeted Action: No action needed. Budgeted in CIP project "El Jobean Septic to Sewer" as adopted in the FY22 budget process. Funding is supplied from BP Settlement funds and the El Jobean MSBU Assessments fund.

9. 22-391, Approve, Ranking, Construction Manager At Risk, Bayshore Park Stabilized Grass Parking (Facilities)

Recommended Action: a) Approve ranking of firm for Request for Proposal #22-391 Construction Manager At Risk, Bayshore Park Stabilized Grass Parking: 1st - Florida Premier Contractors, LLC; 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 Construction Manager (CM) at Risk services as part of a design and construction team, which includes various design and engineering consultants, stakeholders, and County staff at Bayshore Live Oak Park.

Budgeted Action: No action needed. Budgeted in the Capital Improvement Project "Charlotte Harbor CRA Parking Improvements and Pedestrian Walkway Connection" appropriated by budget adjustment BA22-138 approved March 22, 2022. Funding is provided by the Tax Increment Financing, Ad Valorem.

COMMISSIONER DOHERTY MOVED TO APPROVE RANKING OF FIRM FOR REQUEST FOR PROPOSAL #22-391 CONSTRUCTION MANAGER AT RISK, BAYSHORE PARK STABILIZED GRASS PARKING: 1ST - FLORIDA PREMIER CONTRACTORS, LLC; AND APPROVE START OF NEGOTIATIONS; AND AUTHORIZE THE CHAIRMAN TO SIGN THE CONTRACT AFTER COMPLETION OF NEGOTIATIONS. THIS IS FOR A QUALIFIED FIRM TO PROVIDE CONSTRUCTION MANAGER (CM) AT RISK SERVICES AS PART OF A DESIGN AND CONSTRUCTION TEAM, WHICH INCLUDES VARIOUS DESIGN AND ENGINEERING CONSULTANTS, STAKEHOLDERS, AND COUNTY STAFF AT BAYSHORE LIVE OAK PARK, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

10. Property Deletions for the Month of June, 2022 (Purchasing)

Recommended Action: Approve the deletion of additional property inventory items listed on the attached for the month of June 2022.

Budgeted Action: No action needed.

Real Estate Services

11. Approve McCall Road Real Estate Resolution

Recommended Action: Approve Resolution authorizing: a) Direct Sale of a portion of property located at 1050 S. McCall Road, in accordance with the provisions of Florida Statute 125.35(2) to adjacent property owner, Bernard and Margaret Bruns; and b) Acquire Public Access Easement across a portion of property located at 1060 S. McCall Road; and c) Release Public Access Easement, recorded in Official Records Book 3527, Page 359, across a portion of property located at 1060 S. McCall Road. **RES 2022-062.**

Budgeted Action: No action needed.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2022-062 AUTHORIZING: DIRECT SALE OF A PORTION OF PROPERTY LOCATED AT 1050 S. MCCALL ROAD, IN ACCORDANCE WITH THE PROVISIONS OF FLORIDA STATUTE 125.35(2) TO ADJACENT PROPERTY OWNER, BERNARD AND MARGARET BRUNS; AND ACQUIRE PUBLIC ACCESS EASEMENT ACROSS A PORTION OF PROPERTY LOCATED AT 1060 S. MCCALL ROAD; AND RELEASE PUBLIC ACCESS EASEMENT, RECORDED IN OFFICIAL RECORDS BOOK 3527, PAGE 359, ACROSS A PORTION OF PROPERTY LOCATED AT 1060 S. MCCALL ROAD, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0., CHAIR TRUEX ABSTAINED (FORM 8B FILED)

Risk Management

Transit

G. Community Development

H. Community Services

1. Resolution Expanding the Boundaries and Permitted Services Within the Adopt-A-Park Program

Recommended Action: Approve an Amendment to Resolution 2009-077. **RES 2022-063**

Budgeted Action: No action needed. No financial impact.

2. Approve a New FY22 Capital Improvement Project titled "Placida Passive Park"

Recommended Action: a) Approve Resolution for budget adjustment BA22-140 in the amount of \$1,815,388; and b) Approve new Capital Improvements Project "Placida Passive Park." **RES 2022-064**

Budgeted Action: Approve budget adjustment BA22-140 in the amount of \$1,815,388 adding a new project titled "Placida Passive Park" to the adopted FY22 Capital Improvement Program. Funding supplied from the 2014 Sales Tax Extension includes the parcel acquisition of \$1,666,888, as well as start-up costs of \$148,500. The operating impact of this project includes a part time position, vehicle and operating costs estimated to total \$132,000 and will be included in the FY2024 budget process.

I. Economic Development

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

1. Low-Income Household Water Assistance Program (LIHWAP)

Recommended Action: a) Approve the modified Agreement between the Florida Department of Economic Opportunity (DEO) and Charlotte County to include the Low-Income Household Water Assistance Program (LIHWAP); and b) Authorize the Chairman to execute the modified Agreement; and c) Adopt the proposed Resolution to authorize the County Administrator, or his/her designee, to execute subsequent LIHWAP related documents; and d) Approve the Resolution authorizing budget adjustment BA22-153 in the amount of \$755,317 for the LIHWAP program. **A.GRT 2021-012 / RES 2022-065 / RES 2022-066**

Budgeted Action: Approve budget adjustment BA22-153 in the amount of \$755,317. Allowable grant expenses will be reimbursed by the DEO. There is no local match required.

M. Public Safety

1. Help End Pet-Overpopulation Spay and Neuter Program

Recommended Action: Authorize the Chairman to sign the Funding Agreement between the Animal Welfare League and Charlotte County. **AGR 2022-054**

Budgeted Action: No action needed. Budgeted in the General Fund - Animal Control Budget to be approved in the FY2023 budget process. Funding for this expenditure comes from the General Fund.

2. Civil Air Patrol Memorandum of Understanding

Recommended Action: Approve the memorandum of understanding (MOU) between Charlotte County and the Florida Wing of the Civil Air Patrol. **AGR 2022-055**

Budgeted Action: No action needed.

N. Public Works

1. Amend FY22 Capital Improvements Project "Kings Highway-I75 to DeSoto County Widening" and associated utility project "Kings Highway-I75 to DeSoto County Line Utility Improvements"

Recommended Action: a) Approve amended Capital Improvement Project "Kings Highway-I75 to DeSoto County Widening" accelerating the project to begin in FY22; and b) Approve amended Capital Improvement Project "Kings Highway-I75 to DeSoto County Line Utility Improvements" accelerating the project to begin in FY22; and c) Approve Resolution for budget adjustment BA22-149 in the amount of \$935,000. **RES 2022-067**

Budgeted Action: Approve budget adjustment BA22-149 in the amount of \$935,000 amending the FY22 budget for CIP project "Kings Highway-I75 to DeSoto County Widening" in the amount of \$825,000 from FY27 to FY22 and CIP project "Kings Highway-I75 to DeSoto County Line Utility Improvements" in the amount of \$110,000 from FY26 to FY22. Advanced funding is needed for planning and design costs and is provided by capital gas tax reimbursed from impact fees, the utility renewal and replacement fund, as well as utility wastewater connection fees. The \$9,233,000 of combined roadway and utility construction costs will be included in the FY23 budget.

2. U.S. Bicycle Route 15

Recommended Action: Approve Resolution supporting the expansion of U.S. Bicycle Route 15 through Charlotte County. **RES 2022-068**

Budgeted Action: No action needed.

3. Set a Public Hearing to Consider a Speed Limit Ordinance Change on a Segment of Foresman Boulevard and Holton Terrace from David Boulevard to Gillot Boulevard

Recommended Action: Set a public hearing for June 28, 2022 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 Foresman Boulevard and Holton Terrace from David Boulevard to Gillot Boulevard.

Budgeted Action: No action needed.

4. Set a Public Hearing to Consider a No Through Trucks Over 6 Wheels Ordinance on a Segment of Foresman Boulevard and Holton Terrace from David Boulevard to Gillot Boulevard

Recommended Action: Set a public hearing for June 28, 2022 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 for adding a "No Through Trucks Over 6 Wheels" on a segment of Foresman Boulevard and Holton Terrace from David Boulevard to Gillot Boulevard.

Budgeted Action: No action needed.

5. Set a Public Hearing to Prohibit Parking on U.S. 41 Access Road from Chamberlain Boulevard to the Bayshore Waterway, Chamberlain Boulevard from U.S. 41 Access Road to Bamboo Drive, and Indian Trail Drive from Taylor Road to Springwater Boulevard

Recommended Action: Set a public hearing for June 28, 2022 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 to prohibit parking on U.S. 41 Access Road from Chamberlain Boulevard to the Bayshore Waterway, Chamberlain Boulevard from U.S. 41 Access Road to Bamboo Drive, and Indian Trail Drive from Taylor Road to Springwater Boulevard.

Budgeted Action: No action needed.

O. Tourism Development

P. Utilities

Q. Other Agencies

REGULAR AGENDA

R. Regular Agenda

1. Impact Fees

County Administration

(Change #1) Added attachment – Updated Impact Fee presentation.

a) Discussion and Direction on Impact Fees; and b) Set a Public Hearing for June 28, 2022 at 10 a.m. or as soon thereafter as may be heard, to take place in Room 119, Commission Chambers located at 18500 Murdock Circle, Port Charlotte, Florida, 33948 on June 28, 2022, to hear changes to the Impact Fee Ordinance.

Assistant County Administrator Claire Jubb gave a brief overview of Action Items, Items from last discussion, Definition of Infrastructure, Impact Fee Credits, Summary of annual credit, Example: Transportation Debt Credits, Transportation Funding Credits, Summary - Transportation Credits, Current Fee Schedule, 100% Fee Schedule, Comparison of Impact Fees, and Comparable Fees.

Gordon Burger, Budget and Administrative Services Director gave a brief overview of Funding Shortfall/Surplus, Transportation Projects, Sheriffs Projects, Public Safety Projects, Parks & Recreation Projects, Library Projects, Government Building Projects, and Summary (Without Sales Tax Projects).

Chair Truex discussed project numbers, Transportation Projects, Public Safety Projects, building replacements, Library Projects, Bureau of Economic and Business Research (BEER), Duncan Study, accuracy, population, inflation numbers, and data. **Commissioner Constance** mentioned Definition of Infrastructure, Summary of annual credit, Example: Transportation Debt Credits, Government Building Projects, Public Safety Projects, report, study, data, surrounding principalities, Sales Tax projects, functional population, census, and defensibility. **Commissioner Deutsch** noted Definition of Infrastructure, Public Safety Projects, Accelerated Population Explosion (APE), community quality, Punta Gorda, traffic, Duncan Study, data, economy, and flexibility. **Commissioner Doherty** spoke to Summary (Without Sales Tax Projects), 100% Fee Schedule, Duncan Study, Appendix A, 2010 and 2020 Census, data, growth, and extraordinary circumstances. **Commissioner Tiseo** commented on reports, data, surrounding counties, inflation, citizens, and impact fees.

County Attorney Knowlton interjected on Duncan Study, data, 2020 Census, statutes, and defensibility.

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

PUBLIC INPUT - ANY SUBJECT

Patricia Harris discussed Ackerman sewers, Health Department, Aerobic Treatment Units (ATU), permit, fee, and US Army 240th Anniversary.

Robert Elie, Elie Electric Services LLC mentioned Longshoreman's Insurance, navigable waterways, Building Department, proof, Army Corps of Engineering, permits, Florida Department of Environmental Protection (FDEP), Florida Statute 440.092, Workers Compensation, Home Rule Charter, and community protection.

Richard Russell noted inflation, impact fees, builders, Mosaic, May 31, 2022 DeSoto Workshop, William R. Gaines Jr. Veterans Memorial Park, Port Charlotte Beach Complex, funding, neighborhood impacts, and Mark Matthews.

Taken Out of Order

AA. County Administrator Comments

County Administrator Flores spoke to National Mosquito Control Awareness Week Proclamation, Cultural Center, Charlotte Community Foundation, Gap Analysis Study, code revisions, parcel development, tree language, and Ordinance.

Scott Schermerhorn, Mosquito and Aquatic Weed Control Manager commented on National Mosquito Control Awareness Week Proclamation, salt marshes, mosquitos, outbreak, applications, weather, complaints, cycle, products, effectiveness,

data, cost, full moon, tides, truck and aerial missions, traps, resources, FDEP, Florida Department of Agriculture and Consumer Services (FDACS), surrounding counties, standing water, breeding, and budgets.

Vice Chair Constance discussed mosquito control, budgets, surrounding counties, funding, application, standing water, natural flow, Cultural Center, and Geographic Information System (GIS). **Commissioner Deutsch** mentioned salt marsh, mosquitos, complaints, application, code revision, parcels, and sampling size. **Commissioner Doherty** noted code revision, parcel size, sample area, threshold, and tree removal permit. **Commissioner Tiseo** spoke to tree counts, parcels, sampling size, GIS, and methodology.

Shaun Cullinan, Planning and Zoning Official interjected on code revisions, standards, sampling size, specialist, input, and tree canopy.

BB. County Attorney Comments - None

CC. Economic Development Director Comments - None

DD. County Commissioner Comments

Vice Chair Constance commented on Barrier Islands, action, Mr. Jack Boyer attorney, Public Service Commission (PSC), gap analysis, letter, septic systems, leakage, rental increases, landlords, best practices, public comment, ATU, Longshoreman's Insurance, Tourism meeting, revenue, Tourist Development Tax (TDT), lease, Workshop, and budget. **Commissioner Deutsch** discussed Harbor Boulevard, sidewalk, usage, blockage, permit, Code Enforcement, shed, livability, utilities, waste, Health Department, accessory dwellings, Workshop, Flag Day program, American Legion Post 110, Barrier Islands, Blue Water Policy, and September 27, 2021 support letter. **Commissioner Doherty** mentioned Mr. Jack Boyer, letter, Barrier Islands, rental increases, notice, June 1, 2022 Water Authority Meeting, 20-year water supply projections, million gallons per day (MGD) increase, plant expansion, South Florida Water Management District (SFWMD), C43 Caloosahatchee Reservoir facility, storage, and discharge. **Commissioner Tiseo** noted accessory dwelling units, Workshop, sheds, safety issues, environmental utilities, Mr. Jack Boyer, PSC, Barrier Island sewers, Comprehensive Plan, rural designation, code, September 27, 2021 support letter, septic systems and permits, Blue Water Policy, treatment, Bulk Sewer Treatment Agreement, health concerns, rental increases, example ordinance, notice, leases, tenants, assistance programs, homelessness, Tourism, and revenue.

Mr. Cullinan responded to Barrier Island sewers, Comprehensive Plan, utility services, rural designation, and drain fields.

County Attorney Knowlton spoke to PSC, Comprehensive Plan, demonstrated need, health concerns, and Master Sewer Plan.

County Administrator Flores replied to Tourism, Workshop, and funding.

RECESS: 11:31 am - 2:00 pm

2 P.M. LAND USE AGENDA

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY - None

Consent Agenda

Mr. Cullinan interjected that Item UB-3 CSZ-22-02, The Cove of Rotonda Golf Center, LLC has been withdrawn.

Vice Chair Constance remarked on DRC-21-00206, North Port FS ER.

COMMISSIONER DOHERTY MOVED TO APPROVE LAND USE CONSENT AGENDA WITH THE EXCEPTION OF UA-4,
SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

UA 1. FP-21-07-16, Palms at West Port 1A

Community Development

KL West Port LLC is requesting Final Plat approval to Replat a subdivision to be named, Palms at West Port 1A. The Palms at West Port 1A is a residential subdivision being a replat of Tract C and portions of Tracts D and E from the original plat. This proposed replat includes 125 lots, four right-of-way tracts (R-2, R-3, R-4, & R-5), and Tracts E, G, & H. Tracts G and H are Drainage/Open Space/Access Areas. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The site is 31.74± acres, and is located north of El Jobean Road, south of Tamiami Trail, east of the Crestview Waterway, and west of Centennial Blvd. Located in Commission District IV. **AGR 2022-056**
Quasi-Judicial

UA 2. FP-21-09-17, Hammocks at West Port III & IV

Community Development

KL West Port LLC is requesting a Final Plat to be named Hammocks at West Port Phases III and IV to revise The Hammocks at West Port and The Isles at West Port preliminary plats. This proposed revision includes modification to the southern portion of Hammocks Phase III and a new expansion referred to as Hammocks Phase IV. The total number of lots associated with this revision is 113 and includes a Public CDD Right-of-Way Tract R and Tracts A, B, & C. Tracts A & B are Drainage/Open Space/Access Areas and Tract C is a Drainage/Open Space Area. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The total site is 32.061 ± acres. The property is located north of El Jobean Road, west of Flamingo Waterway, east and south of Centennial Blvd. Located in Commission District IV. **AGR 2022-057**
Quasi-Judicial

UA 3. DRC-21-00206, North Port FS ER

Community Development

Catalyst Design Group Inc. is requesting Final Detail Site Plan approval for North Port Freestanding Emergency Room. This project consists of an 11,000 sq. ft. free-standing emergency room with associated infrastructure. This project site is 3.0± acres and is located at 150 Tamiami Trail, Port Charlotte, Florida, in Section 03, Township 40, Range 21. Located in Commission District IV. **RES 2022-069**
Quasi-Judicial

UA 4. DRC-21-00189, Tucker's Pointe Phase 1

Community Development

(Change #2) Added attachment – Staff Report & Exhibits – Updated.

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. **RES 2022-070**

Quasi-Judicial

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

Minutes Clerk Johnston administered the oath for testimony.

Mr. Cullinan requested to be accepted as an expert, gave a brief overview of DRC-21-00189, Location Map, Area Image, Zoning Designations, Future Land Use Map (FLUM) Designations, Master Site and Phasing Plan, Master Drainage Plan, Master Utility Plan, and Landscape Calculations.

Vice Chair Constance commented on water usage, ponds, fertilization, construction, cost, roadways, residential, commercial, traffic, signal, and Planned Development (PD). **Commissioner Doherty** discussed Burnt Store plant expansion, reuse, and availability. **Commissioner Tiseo** mentioned updated Staff Report, Developers Agreement, impact fees, proportionate share, reuse, capacity, main, extension, landscaping, irrigation, Southwest Florida Water Management District (SWFWMD), utilities, Burnt Store, and growth.

Carl Barraco, Jr., Applicant Representative joined in Staff Report, noted reuse, main, construction, consumptive water use permit, SWFWMD, irrigation, utilities, and accepted Mr. Cullinan as an expert.

Public Input

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

MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2022-070 GRANTING BARRACO AND ASSOCIATES INC. FINAL DETAIL SITE PLAN APPROVAL FOR DRC-21-00189, TITLED TUCKERS POINTE PHASE 1, CONSISTING OF 354 SINGLE FAMILY LOTS WITH ASSOCIATED INFRASTRUCTURE, LOCATED ON 148.21 ACRES MORE OR LESS OF A 507.08 ACRE MORE OR LESS PARCEL, AND LOCATED AT 28450 TUCKERS GRADE, PUNTA GORDA, FLORIDA, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

Public Hearing

UB 1. PP-22-02-04, Babcock National Phase 6

Community Development

Lennar Homes, LLC. is requesting Preliminary Plat approval for a subdivision to be named, Babcock National Phase 6. The proposed subdivision is a residential development consisting of 54 single-family lots on 18.51± acres. The subject property is located south of Bermont Road, north of Greenway Boulevard, west of Crane Marsh Court and east of Greenway Boulevard, in the East County area and within the Babcock Ranch Community DRI. Located in Commission District I.

Quasi-Judicial

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

Mr. Cullinan gave a brief overview of PP-22-02-04, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, Location Map, Zoning Designations, FLUM Designations, 1000' Buffer Map, Proposed Changes, and Proposed Changes (Aerial).

Todd Rebol, Applicant Representative accepted Mr. Cullinan as an expert and joined in Staff Report.

Public Input

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

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE PRELIMINARY PLAT APPROVAL FOR A SUBDIVISION TO BE NAMED, BABCOCK NATIONAL PHASE 6. THE PROPOSED SUBDIVISION IS A RESIDENTIAL DEVELOPMENT CONSISTING OF 54 SINGLE-FAMILY LOTS ON 18.51± ACRES. THE SUBJECT PROPERTY IS LOCATED SOUTH OF BERMONT ROAD, NORTH OF GREENWAY BOULEVARD, WEST OF CRANE MARSH COURT AND EAST OF GREENWAY BOULEVARD, IN THE EAST COUNTY AREA AND WITHIN THE BABCOCK RANCH COMMUNITY DEVELOPMENT OF REGIONAL IMPACT (DRI). LOCATED IN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

UB 2. STN-22-00001, Street Name Change, West Port Drive

Community Development

Charlotte County Community Development, on behalf of KL West Port LLC, requests to change the street name of West Port Drive to West Palms Drive, more particularly described as: The portion of the street named West Port Drive commencing at the junction of South Port Harbor Boulevard and West Palms Drive, running south, to the end of the road. It is located west of West Isles Road, north of El Jobean Road, east of Lady Palms Drive and south of South Port Harbor Boulevard. Located in Commission District IV. RES 2022-071

Legislative

Mr. Cullinan gave a brief overview of STN-22-00001, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, FLUM Designations, Zoning Designations, and Proposed Changes.

Commissioner Tiseo inquired to Scriveners Error and mislabel.

Public Input

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

MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2022-071 TO RENAME A PORTION OF WEST PORT DRIVE TO WEST PALMS DRIVE, MORE PARTICULARLY DESCRIBED AS: THE PORTION OF THE STREET NAMED WEST PORT DRIVE COMMENCING AT THE JUNCTION OF SOUTH PORT HARBOR BOULEVARD AND WEST PALMS DRIVE, RUNNING SOUTH, TO THE END OF THE ROAD; LOCATED WEST OF WEST ISLES ROAD, NORTH OF EL JOBEAN ROAD, EAST OF LADY PALMS DRIVE AND SOUTH OF SOUTH PORT HARBOR BOULEVARD, IN THE PORT CHARLOTTE AREA, AS RECORDED IN THE PLAT OF "PALMS AT WEST PORT," PLAT BOOK 25, PAGES 6A THROUGH 6G OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY,

FLORIDA, IN SECTIONS 11 AND 14, TOWNSHIP 20 SOUTH, RANGE 21 EAST; IN COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA, PETITION STN-22-00001, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

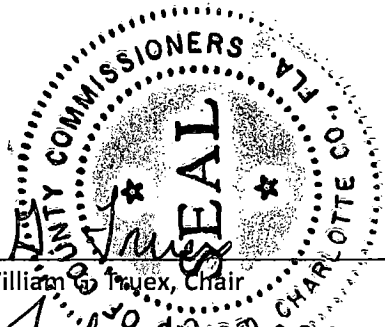
UB 3. CSZ-22-02, The Cove of Rotonda Golf Center, LLC

Community Development

a) Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, waiving the condition for concurrent identification of a Receiving Zone as set forth in Resolution 2020-038 and approving a petition for certification of a Sending Zone, located at 12455 S. Access Road, in the Port Charlotte area and within the West County Area; containing 88.11± acres; for calculation and severance of 375 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-22-02; Applicant: The Cove of Rotonda Golf Center, LLC; providing an effective date. Located in Commission District IV; and b) Authorize the Chairman to execute an amendment to the Restrictive Covenant relating to this action.

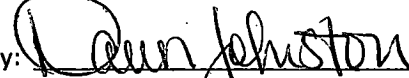
Quasi-Judicial

ADJOURNED: 2:24 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" around the bottom. In the center, there is a five-pointed star. Overlaid on the seal is a signature that appears to be "William G. Mayes". Below the signature, the text "William G. Mayes, Chair" is printed.
DATE ADOPTED: July 12, 2022

ATTEST:

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

By: 
Deputy Clerk