

BOARD OF COUNTY COMMISSIONERS

JULY 12, 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 Pastor Bill Frank, First Baptist Church of Punta Gorda, followed by the Pledge of Allegiance.

**Changes to the Agenda**

**Addition #1:** Employee Recognition Years of Service.

Requested by: Human Resources

**Change #1:** D-1 **Updated wording:** Approve Resolution and lease agreement with the City of Punta Gorda for staff of the Coastal and Heartland National Estuary Partnership (CHNEP) to occupy space at the county's Loveland campus.

Requested by: County Attorney

**Change #2:** Reports Received & Filed Added attachment – Revised COVID-19 Update Presentation

Requested by: County Administration

**Change #3:** D-1 Added attachment – Updated Resolution.

Requested by: County Attorney

**Deletion #1:** G-1 a) Ratify the authorization to apply for the Watershed Planning Initiative – Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) Grant with the Florida Division of Emergency Management (FDEM) in the amount of \$150,000. FDEM provides pass-through funding for FEMA approved and awarded project grants to eligible sub-applicants; and b) Approve Master Research Agreement between Florida Atlantic University and their staff and Charlotte County to perform the analyses necessary to develop the Watershed Master Plan; and c) Adopt Resolution authorizing County Administrator, or designee, to execute grant agreements, and other documents relating to this grant.

Requested by: County Attorney

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

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Joseph Tiseo**

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

**MOTION CARRIED 5:0.**

**Artist of the Month, July – Lance Henderson**

Lance Henderson accepted the Proclamation.

**Leroy Wilson Day**

Leroy Wilson accepted the Proclamation.

**Employee Recognition**

**(Addition #1) Years of Service**

**5 Years:** Antwan Allen, Community Services; Alexander Craig, Public Safety; Patrick Fuller, Public Safety; Ashley García, Public Safety; Georgy Garcia, Public Safety; Mark Hansen, Public Safety; Jessica Mroz, Public Safety; Jennifer Stock, Utilities; William Van Helden, Public Safety; Joshua Vazquez, Public Safety; **10 Years:** Scott Morris Public Safety; Judith Plante-Kibler Public Works; William Thornton Utilities; Robert Weaver Public Works; **15 Years:** Michael Brucci Public Safety; Richard Kuhar Public Safety; Andrew Miller Public Safety; James Ritch Public Safety; **20 Years:** Joanne Vernon, Public Works; **25 Years:** Patrick Ferriter, Public Works.

**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 Laishley Crab House; Kelley Evans Liscum.

**Chair Truex** interjected on contribution. **Commissioner Deutsch** introduced Kelley Evans Liscum, Smuggler's Enterprises Inc. Vice President, commented on Laishley Crab House, community support, charity contributions, William R. Gaines Jr., and accepted check.

**PUBLIC INPUT - AGENDA ITEMS ONLY**

Richard Russell spoke in favor of Revisions to Chapter 3-3.5 - Impact Fees.

Lynn Saboe spoke in favor of Revisions to Chapter 3-3.5 - Impact Fees.

Tim Ritchie discussed Lease Agreement with the City of Punta Gorda for the Coastal and Heartland National Estuary Partnership (CHNEP).

Isaac (Ike) Lichtenstein mentioned Appoint by Ballot- Don Pedro & Knights Island Street & Drainage Advisory Board.

#### 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 Construction Industry Licensing Board** is seeking a volunteer to represent the consumer advocate category. Volunteer must be a resident of Charlotte County for at least two years and have no financial interest, direct or indirect, in the building trades. Length of term is four years. To obtain an application, contact Diane Whidden at 941-743-1298 or Diane.Whidden@CharlotteCountyFL.gov.

**The Construction Industry Licensing Board** is seeking a volunteer to represent the general contractor category. Volunteer must be an active licensed general contractor and be a resident of Charlotte County for at least two years. Length of term is four years. To obtain an application, please contact Diane Whidden at 941-743-1298 or via email at Diane.Whidden@CharlotteCountyFL.gov.

**The Environmentally Sensitive Lands Oversight Committee** is searching for a citizen and resident of Charlotte County to replace and complete the term of Benton Hester as a community representative. The term begins immediately and will expire December 2023. Please contact Morgan.Cook@charlottecountyfl.gov for more information.

**Tourist Development Council** is seeking one volunteer who is involved in the tourist industry (i.e., restaurant, attraction, etc.) and has demonstrated an interest in tourist development but who is not an owner/operator of a hotel/motel/RV park or other tourist accommodation. The volunteer shall either be an elector of Charlotte County or shall reside in a county adjacent to Charlotte County and own a business related to tourism in Charlotte County, have demonstrated an interest in tourist development within Charlotte County and have paid the business tax in Charlotte County. Volunteer will fill a four-year unexpired term which ends on December 12, 2025. To obtain an application, please contact Nina Stamoulis at 941-743-1300 or via email at Janina.Stamoulis@CharlotteCountyFL.gov.

**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 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 following **MSBU/TU Advisory Boards** are seeking volunteers who must be both a property owner within and reside within the Unit. Submit applications to Public Works Department, 7000 Florida Street, Punta Gorda, Florida 33950; call 941-575-3600 or e-mail MSBU-TU@CharlotteCountyFL.gov.

- **Boca Grande Street & Drainage Unit** is seeking 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.
- **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 one member to fill vacant unexpired terms through October 31, 2023.
- **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, 2025.
- **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 two members to fill vacant unexpired terms through October 31, 2023, and October 31, 2024.

#### REPORTS RECEIVED AND FILED

COVID-19 Response Update

(Change #2) Added attachment – Revised COVID-19 Update Presentation.

### CONSENT AGENDA

Chair Truex noted Proposed Charter Amendments Resolution and Final Report. Commissioner Constance spoke to Proposed Charter Amendments Resolution and Final Report. Commissioner Doherty commented on Proposed Charter Amendments Resolution and Final Report.

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF D-1 AND D-2, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0:**

#### Clerk of the Circuit Court

##### **A. Comptroller Division**

###### 1. Finance

**Recommended Action:** Approve the Clerk's Finance Memorandum.

**Budgeted Action:** No action needed.

##### **B. Minutes Division**

###### 1. Minutes

**Recommended Action:** Approve the following Minutes:

June 14, 2022 BCC Regular and Land Use  
June 21, 2022 BCC Workshop  
June 21, 2022 BCC Special Meeting and Executive Session  
June 23, 2022 BCC Pre-Agenda  
June 28, 2022 BCC Regular Meeting

**Budgeted Action:** No action needed.

#### Board of County Commissioners

##### **C. Commission Office**

###### 1. Appointment - South Gulf Cove Street & Drainage Advisory Board

**Recommended Action:** Approve the appointment of Paul Raymond to fill the unexpired term of Linda Harrison on the South Gulf Cove 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**

**1. Lease Agreement with the City of Punta Gorda for the Coastal and Heartland National Estuary Partnership**

**(Change #1) Updated wording:** Approve Resolution and lease agreement with the City of Punta Gorda for staff of the Coastal and Heartland National Estuary Partnership (CHNEP) to occupy space at the county's Loveland campus.

**(Change #3)** Added attachment – Updated Resolution.

**Recommended Action:** Approve lease agreement with the City of Punta Gorda for staff of the Coastal and Heartland National Estuary Partnership (CHNEP) to occupy space at the county's Loveland campus. **AGR 2022-076 / RES 2022-076**

**Budgeted Action:** No action needed.

Assistant County Administrator Claire Jubb highlighted Lease Agreement with the City of Punta Gorda for the CHNEP.

Chair Truex remarked on CHNEP, City of Punta Gorda, and remodel. **Commissioner Constance** discussed lease.

**COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2022-076 AND LEASE AGREEMENT 2022-076 WITH THE CITY OF PUNTA GORDA FOR STAFF OF THE COASTAL AND HEARTLAND NATIONAL ESTUARY PARTNERSHIP (CHNEP) TO OCCUPY SPACE AT THE COUNTY'S LOVELAND CAMPUS, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

**2. Utilities Director**

**Recommended Action:** Approve the appointment of Dave Watson as Utilities Director, effective July 13, 2022.

**Budgeted Action:** No action needed.

Chair Truex mentioned Utility Quarterly Update Meetings, Dave Watson, knowledge, and staff. **Commissioner Constance** noted Utility Quarterly Update Meetings, Mr. Watson, and staff. **Commissioner Tiseo** spoke to utilities, importance, Mr. Watson, Quarterly Utility Update Meetings, and transparency.

**COMMISSIONER TISEO MOVED TO APPROVE THE APPOINTMENT OF DAVE WATSON AS UTILITIES DIRECTOR, EFFECTIVE JULY 13, 2022, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

**E. County Attorney**

**1. Proposed Charter Amendments Resolution and Final Report**

**Recommended Action:** a) Approve Resolution ordering and providing for a referendum election on November 8, 2022 to determine whether the electors of the county approve any/all of the three proposed Charter amendments as recommended by the Charter Review Commission (CRC); and b) Accept the CRC Final Report. **RES 2022-077**

**Budgeted Action:** No action needed.

#### **F. Budget and Administrative Services**

##### 1. Federal Equitable Sharing Fund Request - FY22, 2nd Request

**Recommended Action:** a) Approve the transfer of \$128,500 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 BA22-160 in the amount of \$128,500. **RES 2022-078**

**Budgeted Action:** Approve Budget Adjustment BA22-160 in the amount of \$128,500 to the Law Enforcement Trust Fund Budget. Funding for this expenditure comes from Law Enforcement Trust Fund.

#### Fiscal Services

##### Information Technology

##### Purchasing

##### 2. 08-359, Approve, Renewal, Insurance, Health, Dental, Short-Term and Long-Term Disability, Life, Employee Assistance Program Self-Insured - Annual Contract (Risk Management)

**Recommended Action:** Approve the annual renewal of Contract #08-359 Self-Insured Health, Dental, Short Term and Long-Term Disability, Life, Employee Assistance Program coverage at the same terms and conditions, by mutual consent. Term of renewal is for the period October 1, 2022 up to and including September 30, 2023.

**Budgeted Action:** No action needed. Budgeted in the Self Insurance Fund - Self Insurance budget as approved in the FY2022 budget process. Funding for this expenditure comes from the Self Insurance assessments.

##### 3. 16-322, Approve, Amendment 1, Self-Insured Vision Insurance (Risk Management)

**Recommended Action:** a) Approve Amendment 1 to Contract #16-322, Self-Insured Vision Insurance with EyeMed Vision Care LLC of Mason, OH at no additional cost to renew the annual contract from October 1, 2022 up to and through September 30, 2023 as mutually agreed upon; and b) Authorize the Chairman to sign the agreement. This is for a qualified firm to provide self-insured vision insurance services for the Board of County Commissioners, Clerk of Circuit Court, Property Appraiser, Tax Collector, Supervisor of Elections, Charlotte County Airport Authority, the Peace River Manasota Regional Water Supply Authority, Court Administration, Retirees and COBRA. The appointed Agent of Record for the County is the Gehring Group.

**Budgeted Action:** No action needed. Budgeted in the Health Insurance Fund - Risk Management Health budget as approved in the FY2022 budget process. Funding for this expenditure comes from Insurance premiums.

##### 4. 22-387, Award, Leachate Wastewater Treatment Plant Storage Tank Repairs (Utilities)

**Recommended Action:** Approve award of Request for Bid #22-387, Leachate Wastewater Treatment Plant Storage Tank Repairs, to Florida Aquastore & Utility Construction, Inc. of Boca Raton, Florida for the total project amount of \$240,145.50. This is for the services of a Contractor to repair two (2) Leachate Aquastore Storage Tanks, Model #6215 and Model #3119.

**Budgeted Action:** No action needed. Budget for this item comes from savings in various account lines budgeted in the Landfill Enterprise Fund - Sanitary Landfill budget as approved in the FY2022 budget process. Funding for the expenditure comes from tipping fees and assessments.

5. 22-424, Award, Walenda Storage Tank Exterior Recoating (Utilities)

**Recommended Action:** Approve award of Request for Bid #22-424, Walenda Storage Tank Exterior Recoating to Cypress Construction & Coating, Inc. of Lehigh Acres, Florida for the total price of \$203,778.75. This is for the surface preparation and exterior recoating of the Walenda Water Storage Tank.

**Budgeted Action:** No action needed. Budgeted in the Utilities Operations and Maintenance Fund - Utilities budget as approved in the FY2022 budget process. Funding for the expenditure comes from Utility rates.

6. Property Deletions for the Month of July, 2022 (Purchasing)

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

**Budgeted Action:** No action needed.

Real Estate Services

Risk Management

Transit

**G. Community Development**

~~(Deletion #1) 1. Watershed Planning Initiative — Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) Grant~~

~~**Recommended Action:** a) Ratify the authorization to apply for the Watershed Planning Initiative — Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) Grant with the Florida Division of Emergency Management (FDEM) in the amount of \$150,000. FDEM provides pass-through funding for FEMA approved and awarded project grants to eligible sub-applicants; and b) Approve Master Research Agreement between Florida Atlantic University and their staff and Charlotte County to perform the analyses necessary to develop the Watershed Master Plan; and c) Adopt Resolution authorizing County Administrator, or designee, to execute grant agreements, and other documents relating to this grant.~~

~~**Budgeted Action:** No action needed. A budget amendment will be brought to the Board for approval, if awarded. There is a required County match of 25% in the amount of \$50,000. Grant funding will be provided by Florida Division of Emergency Management. Matching funds in the amount of \$50,000 will be provided from Building & Construction Services operating budget.~~



**H. Community Services**

**I. Economic Development**

**J. Facilities Construction and Maintenance**

**K. Human Resources**

**L. Human Services**

**M. Public Safety**

**N. Public Works**

**O. Tourism Development**

**P. Utilities**

**1. Utility Service Agreement with John Bloodsworth**

**Recommended Action:** Approve and execute Utility Service Agreement between Charlotte County Utilities (CCU) and John Bloodsworth. **AGR 2022-077**

**Budgeted Action:** No action needed. Budget for this item comes from various account lines budgeted in the Utilities Operations and Maintenance Fund, costs will be offset by connection fee receipts. Funding for this expenditure comes from rate revenues.

**2. Utility Service Agreement with Aleksander & Nina Belyshev**

**Recommended Action:** Approve Utility Service Agreement between Charlotte County Utilities (CCU) and Aleksander & Nina Belyshev. **AGR 2022-078**

**Budgeted Action:** No action needed. Budget for this item comes from various account lines budgeted in the Utilities Operations and Maintenance Fund, the costs will be offset by connection fee receipts. Funding for this expenditure comes from rate revenues.

**3. Amend FY22 CIP Adding Fleet Equipment**

**Recommended Action:** a) Approve acquisition of an excavator and expansion of the County Fleet within Utilities Operations; and b) Approve Resolution for budget adjustment BA22-157 in the amount of \$312,215; and c) Approve amended Capital Improvements Project "Additional Equipment and Replacement of Non-Rolling Stock (FY22/FY23)" increasing Utilities Operations and Maintenance total budget from \$573,105 to \$885,320. **RES 2022-079**

**Budgeted Action:** Approve budget adjustment BA22-157 in the amount of \$312,215 amending the FY22 budget for Capital Improvements Project "Additional Equipment and Replacement of Non-Rolling Stock (FY22/FY23)" from \$573,105 to \$885,320. Funding is supplied from Utilities Operations equipment account, using reserves transferred within the Utilities Enterprise Fund.

4. Amend FY22 Potable Water Storage Tank - South County Capital Improvement Project

**Recommended Action:** a) Approve amended Capital Improvement Project "Potable Water Storage Tank - South County" accelerating the project to begin in FY22; and b) Approve Resolution for budget adjustment BA22-146, in the amount of \$225,000. **RES 2022-080**

**Budgeted Action:** Approve budget adjustment BA22-146 in the amount of \$225,000, amending the FY22 budget for CIP project "Potable Water Storage Tank - South County" and advancing the project from FY24 to FY22 for future award of engineering contracts. Funding will be supplied from the Water Connection Fee fund. The full \$4,225,000 of accelerated South County Infrastructure costs will be included in the FY23 budget.

5. Amend FY22 Burnt Store Tucker's Pointe Utility Infrastructure Capital Improvement Project

**Recommended Action:** a) Approve amended Capital Improvement Project "Burnt Store Tucker's Pointe Utility Infrastructure" increasing the scope to include a new master lift station for wastewater service and accelerate South County Infrastructure construction from FY25 into FY23; and b) Approve Resolution for budget adjustment BA22-145 in the amount of \$416,000. **RES 2022-081**

**Budgeted Action:** Approve budget adjustment BA22-145 in the amount of \$416,000, amending the FY22 budget for CIP project "Burnt Store Tucker's Pointe Utility Infrastructure" from \$2,000,000 to \$2,416,000, providing funding for future award of engineering contracts. Funding will be supplied from the Wastewater Connection Fee fund and Water Connection Fee fund. The full \$6,216,000 of accelerated South County Infrastructure costs will be included in the FY23 budget.

**Q. Other Agencies**

**REGULAR AGENDA**

**R. Regular Agenda**

1. Appoint by Ballot- Don Pedro & Knights Island Street & Drainage Advisory Board

**Commission Office**

Choose by ballot to fill the unexpired term of Billy Burk on the Don Pedro and Knights Island Street and Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2024.

County Administrator Flores announced ballot majority vote for David Cohen.

**Chair Truex** commented on Mr. Lichtenstein application, engagement, and resumes. **Commissioner Constance** discussed committee vacancies. **Commissioner Tiseo** mentioned applicants, resumes, and vacancies.

**COMMISSIONER CONSTANCE MOVED TO APPOINT BY BALLOT DAVID COHEN TO THE DON PEDRO AND KNIGHTS ISLAND STREET AND DRAINAGE ADVISORY BOARD, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

2. National Association of Counties (NACo) Elections

**Commission Office**

Discussion and direction on voting delegate at the National Association of Counties (NACo) Annual meeting.

**COMMISSIONER CONSTANCE MOVED TO APPROVE CHAIR TRUEX AS REPRESENTATIVE FOR CHARLOTTE COUNTY AT THE NATIONAL ASSOCIATION OF COUNTIES ANNUAL MEETING, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**Taken Out of Order**

**PUBLIC INPUT - ANY SUBJECT**

Hank Killian noted Rotonda West Municipal Service Benefit Unit (MSBU) meeting and recommendation, parking, restrictions, traffic and bike lanes, public safety, sign pollution, and Charlotte County Sheriff's Office (CCSO).

Tim Ritchie spoke to 2022 Flamingo Award, Mosaic, phosphate mining, destruction, DeSoto Beneficiation Plant, 2023 Master Plan, Horse Creek, Manatee County, Bartow South Gyp Stack, CHNEP, discharge, and Peace River.

Lynn Saboe commented on Mosaic, phosphate mining, crabbing, Peace River, degradation, Port Charlotte Beach Complex, and pool renovation.

John Everson discussed Melbourne Street, Restaurant Specialties, property sale closing, zoning request, traffic, flow, and Metropolitan Planning Organization (MPO) Meeting.

Richard Russell mentioned impact fees, increase, infrastructure, fiduciary, Construction Industry Licensing Board (CILB), and agencies.

David Kalin remarked on Bermont Road, truck traffic, accidents, no passing zone, and speed limit change.

**RECESS: 9:52 am – 10:00 am**

**PUBLIC HEARING AGENDA**

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

**1. Revisions to Chapter 3-3.5 - Impact Fees**

**Community Development**

Approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida; Amending Chapter 3-3.5 Impact Fees of the Code of Laws and Ordinances of Charlotte County, Florida; Providing for Severability; Providing for Incorporation of Exhibits; and Providing for an Effective Date. Applicant: Charlotte County Board of County Commissioners. **ORD 2022-032**

County Administrator Jubb gave a brief overview of Recent Board Action, Direction from last meeting, Current Status of Impact Fees, Transportation Projects, Parks & Recreation Projects, Library Projects, Public Safety

Projects, Sheriff Projects, Government Building Projects, Summary (Without Sales Tax Projects), Summary, Capital Improvements Projects (CIP), Current Fee Schedule, 100% Fee Schedule, Comparison of Impact Fees (Unincorporated Charlotte County), Comparable fees, and New Study.

**Chair Truex** noted proportionate share, Public Safety Projects, Library Projects, Parks & Recreation Projects, Punta Gorda Library, cost, Placida Park, infrastructure definition, Impact Fee Act, changes, Growth Increment Fund, growth, construction moratorium, 2017/2018 through 2020/2021 permits, data, regional and community parks, special circumstances, Government Building Projects, Cultural Center, index, and read into the record Statute 163.31801. **Commissioner Constance** spoke to Parks & Recreation Projects, Library Projects, Punta Gorda Library, facility outfitting, cost, budget, Placida Park, Babcock Ranch, Government Building Projects, Cultural Center, Human Services Loveland Boulevard Building renovation, Tourism and Economic Development Center, and Tourist Development Tax (TDT) funds. **Commissioner Deutsch** commented on impact fees, Public Safety, needs, builders, new home buyers, representation, increase, defensibility, Government Building Projects, and Cultural Center. **Commissioner Doherty** discussed Summary (Without Sales Tax Projects), 2020 Sales Tax Projects, Duncan and Associates report, Parks & Recreation Projects, Placida Park, classification, Growth Increment Fund, Capital Projects Fund, Library Projects, Babcock Ranch, Government Building Projects, remote working, space needs, and index. **Commissioner Tiseo** mentioned Parks & Recreation Projects, technical report, Duncan and Associates, Placida Park, renovation, cost, Summary (Without Sales Tax Projects), Statute 163.31801, Impact Fee Act, changes, Capital Projects fund, regional parks, Library Projects, Babcock Ranch, Government Building Projects, Tourism and Economic Development Center, lease, Human Services Loveland Boulevard Building renovation, CHNEP, clinic expansion, and index.

**Tommy Scott**, Community Services Director responded to Babcock Ranch Library, cost, collection, facility outfitting, Punta Gorda and Port Charlotte Libraries, budget, CIP, Capital Needs Assessment (CNA), Placida Park, classification, and acquisition.

Assistant County Attorney Stacy Bjordahl interjected on impact fees, statutes, infrastructure definition, Duncan and Associates, and defensibility.

County Attorney Knowlton replied to Tourism and Economic Development Center, TDT funds, bed tax, study, and need.

County Administrator Flores responded to clinic expansion.

#### **Public Input**

Tim Ritchie spoke in favor of Revisions of Chapter 3-3.5 – Impact Fees, noted impact fees, increase, traffic, development, and impacts.

Richard Russell spoke in favor of Revisions of Chapter 3-3.5 – Impact Fees, remarked on William R. Gaines Jr. Memorial Park, impact fees, park classification, City of North Port, benefits, development, and permit moratorium.

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE TRANSPORTATION PROJECTS GOING TO 100%, SECONDED BY COMMISSIONER DEUTSCH**

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE PARKS AND RECREATION PROJECTS COMMUNITY PARKS GOING TO 100% AND REGIONAL PARKS TO 0%, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE LIBRARY PROJECTS STAYING AT 0%, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 4:1., COMMISSIONER TISEO OPPOSED

COMMISSIONER DOHERTY MOVED TO APPROVE PUBLIC SAFETY PROJECTS GOING TO 100%, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE SHERIFF PROJECTS GOING TO 100%, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE GOVERNMENT BUILDING PROJECTS GOING TO 0%, SECONDED BY CHAIR TRUEX

COMMISSIONER TISEO MOVED TO AMEND MOTION TO 50%, SECONDED BY COMMISSIONER DEUTSCH

MOTION FAILED 2:3., CHAIR TRUEX, COMMISSIONER CONSTANCE, AND COMMISSIONER DOHERTY OPPOSED

COMMISSIONER DEUTSCH MOVED TO AMEND AMENDMENT TO 35%

MOTION FAILED DUE TO LACK OF SECOND

COMMISSIONER CONSTANCE MOVED TO AMEND MOTION TO 25%, SECONDED BY CHAIR TRUEX

MOTION FAILED 3:2., COMMISSIONER DOHERTY AND COMMISSIONER TISEO OPPOSED

COMMISSIONER DEUTSCH MOVED TO AMEND THE MOTION TO 20%

MOTION FAILED DUE TO LACK OF SECOND

COMMISSIONER DOHERTY MOVED TO MODIFY ORIGINAL MOTION FROM 0% TO 10%, SECONDED BY COMMISSIONER DEUTSCH

COMMISSIONER DOHERTY MOVED TO AMEND AMENDMENT TO 25%, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-032 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING CHAPTER 3-3.5 IMPACT FEES OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION OF EXHIBITS; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

#### PRESENTATION AGENDA

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

##### Taken Out of Order

##### AA. County Administrator Comments

County Administrator Flores commented on Utilities Director appointment and staff.

##### BB. County Attorney Comments

County Attorney Knowlton discussed impact fees, Florida Association of County Attorneys (FACA), extraordinary needs study, and Whiskey Joe's closing.

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

##### DD. County Commissioner Comments

**Chair Truex** mentioned Property Assessed Clean Energy (PACE) program, commercial, terms, building renovation, loan, code, Helper Act, time sensitivity, US Coast Guard Auxiliary Flotilla 98, space needs, land request, fire station, Port Charlotte Beach Complex, Integrated Response for Intervention and Support (IRIS) Program, Palm Island Ferry, contract, cost, Placida Boat Ramp, parking, millage reduction, budget, needs, reserves, Englewood Fire District, grant funding, Grove City Fire Station replacement, and support letter. **Commissioner Constance** noted tourism numbers, TDT, IRIS Program, PACE Program, Mr. Lane letter, commercial, Palm Island Ferry, Licensing Agreement, rights, renewal, Grove City Fire Station replacement, support letter, and time sensitivity. **Commissioner Deutsch** spoke to US Coast Guard Auxiliary Flotilla 98, facility, land availability, fire station, Port Charlotte Beach Complex, PACE Program, commercial, and Florida Association of Counties (FAC). **Commissioner Doherty** commented on impact fees, PACE Program, commercial, Palm Island Ferry, contract, Placida Boat Ramp, parking, millage reduction, needs, and reserves. **Commissioner Tiseo** discussed Greg Burns, Helper Act, home loan program, Charlotte County Sheriff Bill Prummell, workforce housing, time sensitivity, US Coast Guard Auxiliary Flotilla 98, grant, land request, mission, options, Port Charlotte Beach Complex, museum, PACE program, commercial, Mr. Lane letter, loan, code, building renovation, impact fees, Palm Island Ferry, contract, process, rights, cost, millage adjustment, needs, Capital Projects fund, Grove City Fire Station replacement, and support letter.

County Attorney Knowlton replied to PACE program, Mr. Lane, contract, commercial, Palm Island Ferry, License Agreement, process, barge landing zone, West Coast Inland Navigation District (WCIND) property, rights, cost, and renewal.

COMMISSIONER TISEO MOVED TO ADD LETTER OF SUPPORT TO THE AGENDA, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE LETTER OF SUPPORT, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

RECESS: 12:15 pm – 2:00 pm

## 2 P.M. LAND USE AGENDA

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY - None

### Consent Agenda

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

MOTION CARRIED 5:0.

#### UA 1. FP-10-02-01, Tuscany Isles-Bond Release

##### Community Development

KB Home Fort Myers, LLC, has requested Bond Release for the Tuscany Isles Subdivision, consisting of 104 residential lots. The site, consisting of 50.0± acres, is located east of Taylor Road, north of Scenic View Drive, west of I-75, and south of Airport Road, in Section 16, Township 41 South, Range 23 East. Located in Commission District II.

##### Quasi-Judicial

#### UA 2. FP-19-11-16, The Hammocks at West Port Phase 1-Bond Release

##### Community Development

KL West Port, LLC has requested a bond release for the subdivision named, The Hammocks at West Port Phase 1, consisting of 110 residential lots. The Bond is # LICX1197536 in the amount of \$2,672,664.39. The site is 118.34± acres and is located south of U.S. Highway 41, north of El Jobean Road, east of the Crestwood Waterway, and west of the Flamingo Waterway, in Sections 11 and 14, Township 40S, Range 21E. Located in Commission District IV.

##### Quasi-Judicial

#### UA 3. FP-19-11-16, The Isles at West Port Phase 1 -Bond Release

##### Community Development

KL West Port, LLC has requested a bond release for the subdivision named, The Isles at West Port Phase 1, consisting of 60 residential lots. The Bond # is LICX1197537 in the amount of \$1,132,147.63. The site is 37.13± and is located south of U.S. Highway 41, north of El Jobean Road, east of the Crestwood Waterway, and west of the Flamingo Waterway, in Sections 11 and 14, Township 40S, Range 21E. Located in Commission District IV.

**Quasi-Judicial**

UA 4. TDU-22-03, Jones Loop Road LLC

**Community Development**

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 87 density units to a Receiving Zone located at 9298 Mac Ever Street, in the Punta Gorda area, containing 87.1± 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, Florida; Petition No. TDU-22-03; Applicant: Jones Loop Road LLC; providing an effective date. The subject property is located in Commission District II. **RES 2022-082**

**Quasi-Judicial**

**Public Hearing**

UB 1. TCP-22-03, FY 2021-22 CIP Update

**Community Development**

Adopt an Ordinance approving TCP-22-03, the adoption of the fiscal year 2022 County Capital Improvements Plan Updates, including annual updates of the County Capital Improvements Plan, the Charlotte County School District 5-Year Work Program, and the Charlotte County-Punta Gorda MPO Transportation Improvement Program into the Capital Improvements Element. **ORD 2022-033**

**Legislative**

Shaun Cullinan, Planning and Zoning Official gave a brief overview of Request and Annual CIP Updates.

**Public Hearing**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2022-033 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3177(3)(B), FLORIDA STATUTES, AMENDING THE CAPITAL IMPROVEMENTS ELEMENT (CIE) OF THE COUNTY'S COMPREHENSIVE PLAN BY UPDATING: (1) THE CAPITAL IMPROVEMENTS PLAN (CIP), SET FORTH IN CIE APPENDIX II: CONCURRENCY RELATED CAPITAL IMPROVEMENTS SCHEDULE; (2) THE CHARLOTTE COUNTY SCHOOL DISTRICT 5-YEAR WORK PROGRAM, SET FORTH IN CIE APPENDIX III: CHARLOTTE COUNTY SCHOOL DISTRICT FACILITIES WORK PROGRAM; AND (3) THE CHARLOTTE COUNTY-PUNTA GORDA MPO TRANSPORTATION IMPROVEMENT PLAN, SET FORTH IN CIE APPENDIX IV: CHARLOTTE COUNTY-PUNTA GORDA MPO TRANSPORTATION IMPROVEMENT**



PROGRAM; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB 2. 22LAD-00000-00001, Amendment to the Sandhill DRI Development Order (DO)

#### **Community Development**

Approve a Resolution pursuant to Section i. Condition 12. (e)(3). of the Sandhill Development of Regional Impact (DRI) Development Order, Resolution Number 2021-096, Section 380.06(7), Florida Statutes (F.S.), and Section 3-9-10.1, Development of Regional Impact Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, Code of Laws and Ordinances, Charlotte County, Florida, amending the Sandhill DRI DO by 1) revising the buildout date to reflect the extension of the buildout date of this DO per the Governor's Executive Orders, and 2) incorporating the terms of a Local Government Development Agreement containing commitments from NGI Acquisitions, LLC, as the owner of Parcels C-19B and R-2, Tract 4 of the Sandhill DRI to provide a proportionate share payment to ensure transportation concurrency on Sandhill Boulevard from Kings Highway to Deep Creek Boulevard for development of 31.28± acres located at 24750 Sandhill Boulevard, in the Port Charlotte area; Commission District I; Petition No. 22LAD-00000-00001; Applicant: Port Charlotte Apartment Residences, LLC; providing for an effective date. The Sandhill DRI is located south of the DeSoto County Line, north of Rampart Boulevard, east of Loveland Boulevard and west of the Deep Creek area; Section 7, Township 40 South, and Range 23 East, in the Port Charlotte area, currently containing a total of 713.12± acres. Located in Commission District I.

**RES 2022-083.**

#### **Quasi-Judicial**

Minutes Clerk Johnston administered the oath for testimony.

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

Mr. Cullinan gave a brief overview of Proposed Amendments, Area Image, Framework, Future Land Use Map (FLUM) Designations, and Zoning Designations.

**Chair Truex** inquired to extension date.

Attorney Geri Waksler, Applicant Representative mentioned Transportation Agreement, Development Order, and terms.

#### **Public Hearing**

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

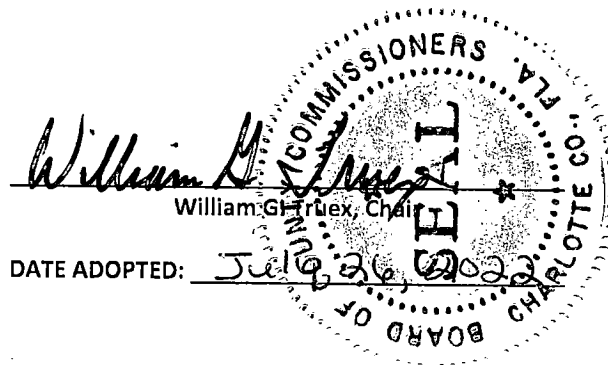
MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2022-083 PURSUANT TO SECTION I. CONDITION 12. (E)(3). OF THE SANDHILL DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER, RESOLUTION NUMBER 2021-096, SECTION 380.06(7), FLORIDA STATUTES (F.S.), AND SECTION 3-9-10.1, DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER (DO) AMENDMENT PROCESS AND PROCEDURE UNDER CHAPTER 3-

9, ZONING, CODE OF LAWS AND ORDINANCES, CHARLOTTE COUNTY, FLORIDA, AMENDING THE SANDHILL DRI DO BY 1) REVISING THE BUILDOUT DATE TO REFLECT THE EXTENSION OF THE BUILDOUT DATE OF THIS DO PER THE GOVERNOR'S EXECUTIVE ORDERS, AND 2) INCORPORATING THE TERMS OF A LOCAL GOVERNMENT DEVELOPMENT AGREEMENT CONTAINING COMMITMENTS FROM NGI ACQUISITIONS, LLC, AS THE OWNER OF PARCELS C-19B AND R-2, TRACT 4 OF THE SANDHILL DRI TO PROVIDE A PROPORTIONATE SHARE PAYMENT TO ENSURE TRANSPORTATION CONCURRENCY ON SANDHILL BOULEVARD FROM KINGS HIGHWAY TO DEEP CREEK BOULEVARD FOR DEVELOPMENT OF 31.28± ACRES LOCATED AT 24750 SANDHILL BOULEVARD, IN THE PORT CHARLOTTE AREA; COMMISSION DISTRICT I; PETITION NO. 22LAD-00000-00001; APPLICANT: PORT CHARLOTTE APARTMENT RESIDENCES, LLC; PROVIDING FOR AN EFFECTIVE DATE. THE SANDHILL DRI IS LOCATED SOUTH OF THE DESOTO COUNTY LINE, NORTH OF RAMPART BOULEVARD, EAST OF LOVELAND BOULEVARD AND WEST OF THE DEEP CREEK AREA; SECTION 7, TOWNSHIP 40 SOUTH, AND RANGE 23 EAST, IN THE PORT CHARLOTTE AREA, CURRENTLY CONTAINING A TOTAL OF 713.12± ACRES. LOCATED IN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

ADJOURNED: 2:09 pm



ATTEST:

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

By: *Roger D. Eaton*

Deputy Clerk