

BOARD OF COUNTY COMMISSIONERS

NOVEMBER 22, 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 (departed at 4:31 pm). 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.

Elect Chairman and Vice Chairman

County Attorney

The County Attorney is to conduct this portion of the meeting for the purpose of electing a Chairman and Vice Chairman of the Board of County Commissioners.

County Attorney Knowlton opened the floor for nominations.

COMMISSIONER DEUTSCH MOVED TO NOMINATE COMMISSIONER TRUEX AS CHAIRMAN AND COMMISSIONER CONSTANCE AS VICE-CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Changes to the Agenda

Addition #1: R-3, Approve Resolution to ratify and adopt regulations implementing Resolution 2022-142 related to the temporary suspension of a portion of Section 3-9-79.1(d), to allow for temporary occupancy of recreational vehicles and trailers in residential zoning districts.

Requested by: County Attorney

Addition #2: R-4, 2023 State Legislative Agenda. Discussion and approval of the updated 2023 State Legislative Agenda.

Requested by: Administration

Addition #3: R-5, 23-152, Award, Purchase of LifePak 15 Cardiac Monitor/Defibrillators Upgrades and Purchases (Public Safety) Approve the Sole Source File 23-152, LifePak 15 Cardiac Monitor/Defibrillators Upgrades and Purchases, and award to Stryker Medical of Chicago, Illinois, for the total cost of \$813,343.94.

Requested by: Budget and Administrative Services

Change #1: R-2, Added attachment – Peace River Manasota Regional Water Supply Authority Board agenda.

Requested by: Administration

Change #2: Report Received & Filed, Added attachment – COVID Report.

Requested by: Administration

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Christopher Constance

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

MOTION CARRIED 5:0.

Farm-City Week

Emeritus Community Commercial GRI Realtor Lindsay Harrington, Ron Hammel, and Brian Duffy accepted the Proclamation.

Rotonda West Association Day

Rotonda West Association President Andy Vanscyoc, Rotonda West Association Treasurer Sam Besase, Rotonda West Association Committee Member Lynn Smith, Rotonda West Association Community Outreach Member Nick Gizzi, and Rotonda West newsletter "West Ways" editor Nadine Clough accepted the Proclamation.

Small Business Saturday

Proclamation will be mailed to Pam Woo.

Jim Weisberg Day

Jim Weisberg accepted the Proclamation.

Employee Recognition

Award Presentations

CAPRA Reaccreditation

Community Services to present the County's Commission for Accreditation of Park and Recreation Agencies (CAPRA) Reaccreditation.

Tommy Scott, Community Services Director highlighted Commission for Accreditation of Park and Recreation Agencies (CAPRA) Reaccreditation and presented Award.

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.

MPO - Citizens' Advisory Committee (CAC) is seeking one South County Representative; one At-Large Representative; and two Mid-County Representatives. These individuals must be a resident of Charlotte County to serve on the CAC. The CAC reviews and makes recommendations on transportation plans and projects that the MPO Board will consider.

MPO - Bicycle/Pedestrian Advisory Committee (BPAC) is seeking one South County Representative; one West County Representatives (applicant must live West of the Myakka River); and two Mid-County Representatives. These individuals must be a resident of Charlotte County to serve on the BPAC. The BPAC reviews and makes recommendations on transportation plans and projects that the MPO Board will consider.

MPO - Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB) is seeking one volunteer representing the Economically Disadvantaged (rule: "A person who is recognized by the Florida Association for Community Action (President), representing the economically disadvantaged in the county."); and one "Disabled representative who is Disabled. The purpose of the LCB is to identify local service needs and to provide information, advice, and direction to the Community Transportation Coordination of service to be provided to the transportation disadvantaged.

The deadline for submitting an application is Friday, December 2, 2022. Please go online at www.ccmmpo.com or contact the MPO for an application. The MPO mailing address is Charlotte County-Punta Gorda MPO, P.O. Box 494469, Port Charlotte, FL 33949. Fax: 941-883-3534 Email: office@ccmpo.com. The MPO Board will elect the above positions at its Monday, December 15, 2022 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.

- **Boca Grande Street & Drainage Unit** is seeking four members to fill vacant unexpired positions with terms through October 31, 2024, and October 31, 2025.
- **Buena Vista Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **Edgewater North Waterway Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2025.
- **Englewood East Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2023.
- **Gulf Cove Street & Drainage Unit** is seeking two members to fill vacant unexpired position with a term through October 31, 2024 and October 31, 2025.
- **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **Harbour Heights Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2023, and October 31, 2025.
- **Harbour Heights Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **Manchester Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **Mid-Charlotte Stormwater Utility Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.

- **Pirate Harbor Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **Pirate Harbor Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2023.
- **Placida Area Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2025.
- **Rotonda Heights Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2024.
- **Rotonda Lakes Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **Rotonda Sands Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **South Burnt Store Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **South Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **Suncoast Waterway Unit** is seeking five members to fill vacant unexpired positions with terms through October 31, 2023, October 31, 2024, and October 31, 2025.
- **West Charlotte Stormwater** is seeking two members to fill vacant unexpired positions with terms through October 31, 2023, and October 31, 2025.

REPORTS RECEIVED AND FILED

* COVID-19 Response Update

(Change #2) Added attachment – COVID Report.

* Monthly Housing Division Report - October 2022

* Clerk of Court's County Quarterly Investment Report

* Clerk of Court's County Investment Report, Interest on Investments

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF J-1,
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:

October 25, 2022 BCC Regular and Land Use Meeting
November 3, 2022 BCC Pre-Agenda

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - Punta Gorda Community Redevelopment Agency

Recommended Action: Charlotte County Board of County Commissioners recommends the appointment of Christopher G. Constance to the Punta Gorda Community Redevelopment Agency (Agency). Commissioner Constance shall serve for William Dryburgh's unexpired term which begins upon the approval by the Agency and will expire on January 1, 2024.

Budgeted Action: No action needed.

2. Reappointment- Edgewater North Waterway Advisory Board

Recommended Action: Approve the reappointment of Michael Ploskina to the Edgewater North Waterway Advisory Board. This appointment will be effective immediately and will expire on October 31, 2025.

Budgeted Action: No action needed.

3. Reappointment- Placida Area Street & Drainage Advisory Board

Recommended Action: Approve the reappointment of Arthur Hanson, Jr. to the Placida Area Street & Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2025.

Budgeted Action: No action needed.

4. Reappointment- Gulf Cove Street & Drainage Advisory Board

Recommended Action: Approve the reappointment of Rebecca Wirth to the Gulf Cove Street & Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2025.

Budgeted Action: No action needed.

D. County Administration

E. County Attorney

1. Set a Public Hearing to Repeal Chapter 3-5, Article VI, Sections 3-5-151 through 3-5-172, Governing the Charlotte County Development Authority

Recommended Action: Set a public hearing for December 13, 2022 at 10:00 a.m., or as soon thereafter as may be heard in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider an Ordinance repealing Chapter 3-5, Article VI, Sections 3-5-151 through 3-5-172, governing the Charlotte County Development Authority.

Budgeted Action: No action needed

2. Joint Resolution with City of North Port in Support of the Florida Department of Transportation Constructing Interchanges on Interstate 75

Recommended Action: Approve Joint Resolution with City of North Port in support of the Florida Department of Transportation constructing interchanges in the vicinity of Interstate 75 at North Yorkshire Street and Interstate 75 at North Raintree Boulevard. **RES 2022-151**

Budgeted Action: No action needed.

F. Budget and Administrative Services

Fiscal Services

Information Technology

Purchasing

1. 23-068, Award, ARCGis Enterprise Agreement Renewal (Information Technology)

Recommended Action: Approve, File 23-068, ARCGis Enterprise Agreement Renewal, to ESRI, Inc., of Redlands, California, for a three (3) year period at a total overall cost of \$495,000.

Budgeted Action: No action needed. Funds are available in the General Fund IT Maintenance budget as adopted with the FY23 budget process.

2. 22-572, Award, Short and Long Service Water Connections - Annual Contract (Utilities)

Recommended Action: a) Approve award of Request for Bid #22-572, Short and Long Service Water Connections - Annual Contract to Englewood Underground, Inc. of Englewood, Florida at the unit prices indicated on the attached bid tabulation. The Contract period will be effective from the date of award through and including September 30, 2023; and b) Authorize the County Administrator to approve renewal options up to two (2) additional one-year terms at the same prices, terms and conditions, by mutual consent. This is an annual contract for short and long service water connections.

Budgeted Action: No action needed. Budgeted in the Utilities Operations and Maintenance Fund - Operations budget as approved in the FY23 budget process. Funding for this expenditure comes from rate revenues.

3. 22-586, Award, East Port Operations Building and Carousel Demolition (Utilities)

Recommended Action: Approve award of Request for Bid #22-586, East Port Operations and Carousel Demolition to the lowest responsive, responsible bidder, Poole and Kent Company of Florida of Port Charlotte, Florida for the total project amount of \$780,955. This is for the demolition and removal of the existing East Port Water Reclamation Facility Operations building and carousel.

Budgeted Action: No action needed. Budgeted in the Utility Capital Maintenance Plan, as approved in the FY22 and FY23 budget process. Funding comes from the Utility Renewal and Replacement Fund.

4. 22-602, Award, Engineering Technical Services for Grant and Loan Management Services (Utilities)

Recommended Action: Approve award with the top-ranked firm, Hazen and Sawyer, of Sarasota, Florida for Request for Letters of Interest # 21-056, Work Order #14, File #2022000602 Engineering Technical Services for Grant and Loan Management Services for a total not-to-exceed amount of \$195,000.

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 FY2023 budget process. Funding for this expenditure comes from rate revenues.

Real Estate Services

5. Resolution Authorizing Acquisitions of Property Interests up to \$25,000 for County Drainage or Utility Projects

Recommended Action: Approve Resolution authorizing acquisitions of property interests up to \$25,000 for County drainage or utility projects. **RES 2022-152**

Budgeted Action: No action needed.

Risk Management

Transit

G. Community Development

H. Community Services

1. DEO Grant - Beirut Memorial Tower Grant

Recommended Action: a) Approve grant agreement with the State of Florida Department of Economic Opportunity (FDEO) for construction of the Beirut Memorial Tower; and b) Approve budget resolution for adjustment BA23-170 in the amount of \$2,000,000; and c) Authorize the Chairman, or designee, to sign any grant-related documents. **AGR 2022-150 / RES 2022-153**

Budgeted Action: Approve budget adjustment BA23-170 in the amount of \$2,000,000, amending the FY23 budget for the Florida Department of Economic Opportunity grant to be passed through to the William R. Gaines Jr. Veterans Memorial Park Foundation. There is a \$580,000 match that will be paid by the William R. Gaines Jr. Veterans Memorial Park Foundation.

2. Support Letter of Department of Environmental Protection 8-Acre Addition to Don Pedro State Park

Recommended Action: Approve the Support Letter for the Acquisition of 8-acre addition to Don Pedro State Park.

Budgeted Action: No action needed. No financial impact.

I. Economic Development

1. Set a Meeting of the Charlotte Harbor Community Redevelopment Agency

Recommended Action: Set a meeting of the Charlotte Harbor Community Redevelopment Agency for December 13, 2022 at 10:00 a.m., or as soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida.

Budgeted Action: No action needed.

J. Facilities Construction and Maintenance

1. Lease Agreement - C.A.R.E. at Grace Street Annex

Recommended Action: a) Approve Lease Agreement between Charlotte County and the Center for Abuse and Rape Emergencies of Charlotte County, Inc. (C.A.R.E.); and b) Approve Resolution authorizing the County Administrator, or designee, to sign and execute amendments, extensions, terminations, and novation changes to the Lease Agreement. **AGR 2022-151/ RES 2022-154**

Budgeted Action: No action needed. Budgeted in the General Fund - Facilities budget as approved in the FY2023 budget process.

Commissioner Tiseo commented on Agreement and language.

Assistant County Attorney Pooja Patel responded to Agreement and language.

COMMISSIONER TISEO MOVED TO APPROVE LEASE AGREEMENT 2022-151 BETWEEN CHARLOTTE COUNTY AND THE CENTER FOR ABUSE AND RAPE EMERGENCIES OF CHARLOTTE COUNTY, INC. (C.A.R.E.); AND APPROVE RESOLUTION 2022-154 AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SIGN AND EXECUTE AMENDMENTS, EXTENSIONS, TERMINATIONS, AND NOVATION CHANGES TO THE LEASE AGREEMENT, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

K. Human Resources

L. Human Services

M. Public Safety

N. Public Works

1. Drainage Easement Agreement with Punta Gorda Acquisitions II, LLC

Recommended Action: Approve Drainage Easement Agreement with Punta Gorda Acquisitions II, LLC. **AGR 2022-152**

Budgeted Action: No action needed.

O. Tourism Development

P. Utilities

1. FDOT Agreements for the Harbor View Road from I-75 to Melbourne Widening Project

Recommended Action: a) Approve Resolution entering into and approve the Utility Design by FDOT Consultant Agreement and Three-Party Escrow for the FDOT project to widen Harborview Road from Melbourne to I-75; and b) Approve execution of Utility Design by FDOT Consultant Agreement; and c) Approve execution of Three-Party Escrow Agreement; and d) Approve execution of Atkins Scope of Services. **AGR 2022-153/ AGR 2022-154 / AGR 2022-155 / RES 2022-155**

Budgeted Action: No action needed. Budgeted in Capital Improvements Project "Harbor View Road Widening - Utility Improvements" as approved in the FY23 budget process. Funding will be supplied by the Utility's Repair and Replacement, Wastewater Connection Fees, and Water Connection Fees funds.

Q. Other Agencies

1. Notice of Award, EPA Assistance Agreement, Grant # CE-02D41623-0, National Estuary Program

Recommended Action: a) Approve grant agreement between Environmental Protection Agency Grant #CE-02D41623-0 and Charlotte County in the amount of \$750,000 for the Coastal & Heartland National Estuary Program; and b) Approve Resolution authorizing budget adjustment BA23-172 in the amount of \$750,000; and c) Authorize the County Administrator, or designee, to sign any additional documents necessary to this grant. **RES 2022-156**

Budgeted Action: Approve budget adjustment BA23-172 in the amount of \$750,000 for grant funding and authorize change to the FY23 budget effective November 22, 2022. The required 100% match is being fully satisfied by the SFWMD's C-43 project.

REGULAR AGENDA

R. Regular Agenda

1. Hurricane Ian Update

County Administration

Update on Hurricane Ian.

Patrick Fuller, Emergency Management Director highlighted Federal Emergency Management Agency (FEMA), applications, extension, Disaster Survivor Assistance Teams, shelter, housing, rental stock, Blue Roof, Disaster Supplemental Nutrition Assistance Program (D-SNAP), Tringali Disaster Recovery Center, Cultural Center, Direct Housing Mission, Florida Department of Emergency Management (FDEM), non-profits, task forces, Thanksgiving meals, and unmet needs survey.

Karly Greene, Maintenance and Operations Supervisor highlighted traffic signals, Florida Department of Transportation (FDOT), roadway lighting repairs, school zone flashers, stop sign restoration, debris, citizen drop offs, removal, public outreach, leaner hanger trees, State efforts, private and commercial, Florida Department of

Environmental Protection (FDEP), Charlotte County School Board, waterways, dashboards, cost, FEMA, and extension.

Ben Bailey, Community Development Director highlighted storm related permits, inspections, contractors, roofing finals, inspectors, licensing, unlicensed activity, citations, Department of Business and Professional Regulation (DBPR), Worker's Compensation, Recreational Vehicle (RV) temporary housing, FEMA, mobile homes, restrictions, uninhabitable structures, damage assessments, and nailing affidavit.

Chair Truex discussed Samaritan's Purse, assistance, Sky Academy, Thanksgiving meal, recovery efforts, Hurricane Charley, Hurricane Ian, AshBritt, debris, removal, roofing permits, inspections, contractors, out of state roofing companies, price gauging, DBPR, and licensing. **Commissioner Constance** mentioned stop signs, street markers, AshBritt, RV, mobile homes, uninhabitable structures, and major damage. **Commissioner Deutsch** noted debris, removal, cost, FEMA, and extension. **Commissioner Doherty** spoke to Deep Creek, debris, and removal. **Commissioner Tiseo** commented on Building Services fund, reserves balance, permits, fees, nailing affidavit, licensing, responsibility, inspections, parks, recovery, debris, removal, pools, baseball fields, and public safety.

Monroe County Commissioner Holly Merrill Raschein remarked on County Staff, AshBritt, and long-term recovery.

Deputy County Administrator Emily Lewis responded to FEMA, debris, extension, and reimbursement.

2. Water Authority Agenda - December 7, 2022

Utilities

(Change #1) Added attachment – Peace River Manasota Regional Water Supply Authority Board agenda.

Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agenda for the upcoming December 7, 2022 meeting.

Dave Watson, Utilities Director highlighted Water Authority Agenda – December 7, 2022.

Chair Truex discussed Sarasota County, meeting, and dates. **Commissioner Constance** mentioned back up material, meeting, and date change. **Commissioner Tiseo** noted Agenda attachments.

(Addition #1) 3. Ratification and Adoption of Regulations Implementing Resolution 2022-142, Temporary Suspension of a Portion of Section 3-9-79.1(d) Related to the Temporary Use of Recreational Vehicles for Residential Purposes

County Attorney

Approve Resolution to ratify and adopt regulations implementing Resolution 2022-142 related to the temporary suspension of a portion of Section 3-9-79.1(d), to allow for temporary occupancy of recreational vehicles and trailers in residential zoning districts. **RES 2022-157**

County Attorney Knowlton highlighted Ratification and Adoption of Regulations Implementing Resolution 2022-142, Temporary Suspension of a Portion of Section 3-9-79.1(d) Related to the Temporary Use of Recreational Vehicles for Residential Purposes.

COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2022-157 TO RATIFY AND ADOPT REGULATIONS IMPLEMENTING RESOLUTION 2022-142 RELATED TO THE TEMPORARY SUSPENSION OF A PORTION OF SECTION 3-9-79.1(D), TO ALLOW FOR TEMPORARY OCCUPANCY OF RECREATIONAL VEHICLES AND TRAILERS IN RESIDENTIAL ZONING DISTRICTS, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

(Addition #2) 4. 2023 State Legislative Agenda

County Administration

Discussion and approval of the updated 2023 State Legislative Agenda.

Cameron Pennant, Legislative Manager highlighted 2022 elections, Charlotte Emergency Operations Center: Improvements, Charlotte County Intersection Hardening, Charlotte County Jail: Improvements, Nursing Home, Charlotte Behavioral Health Care: Central Receiving Facility, Veterans Boulevard (Blvd): Improvements, Flamingo Intersection: Improvements, Florida Association of Counties (FAC), Legislative Conference, Public Records, home address exemptions, and addition prosecutor's request.

Chair Truex spoke to Nursing Homes, Assisted Living Facilities (ALF), evacuation plan, and additional prosecutor's request. **Commissioner Constance** commented on appropriation asks, transportation infrastructure projects, FDOT, FAC, Legislative Conference, other attending Commissioners, and Public Records. **Commissioner Doherty** discussed Charlotte Emergency Operations Center: Improvements, Charlotte County Intersection Hardening, Charlotte County Jail: Improvements, language, State Revolving Fund (SRF), and DEP. **Commissioner Tiseo** mentioned additional prosecutor's request, SRF, cap, impacts, interest rates, methodology, and infrastructure projects.

Deputy County Administrator Lewis responded to SRF, cap, plant expansion project, funding, and work plans.

COMMISSIONER CONSTANCE MOVED TO APPROVE UPDATED 2023 STATE LEGISLATIVE AGENDA WITH EDITS AND COMMENTS, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

(Addition #3) 5. 23-152, Award, Purchase of LifePak 15 Cardiac Monitor/Defibrillators Upgrades and Purchases (Public Safety)

Budget and Administrative Services

Approve the Sole Source File 23-152, LifePak 15 Cardiac Monitor/Defibrillators Upgrades and Purchases, and award to Stryker Medical of Chicago, Illinois, for the total cost of \$813,343.94.

Deputy Chief Michael Davis highlighted 23-152, Award, Purchase of LifePak 15 Cardiac Monitor/Defibrillators Upgrades and Purchases.

Commissioner Deutsch inquired to plans for discarded units.

COMMISSIONER CONSTANCE MOVED TO APPROVE THE SOLE SOURCE FILE 23-152, LIFEPAK 15 CARDIAC MONITOR/DEFIBRILLATORS UPGRADES AND PURCHASES, AND AWARD TO STRYKER MEDICAL OF CHICAGO, ILLINOIS, FOR THE TOTAL COST OF \$813,343.94, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. Fourth Quarter Budget Adjustments

Budget & Admin Services

Conduct a public hearing approving the 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 2022-158**

Rick Arthur, Fiscal Services Manager highlighted Fourth Quarter Budget Adjustments.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2022-158 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 DOHERTY

MOTION CARRIED 5:0.

2. Tampa General Hospital, Aeromed Request to Renew its Certificate of Public Convenience and Necessity (COPCN)

Public Safety

Conduct a public hearing to consider approval of the Certificate of Public Convenience and Necessity (COPCN) renewal application for Tampa General Hospital, Aeromed to provide air medical transport (rotor wing) of critical care, interfacility and pre-hospital scene advanced life support.

Deputy Chief Davis highlighted Tampa General Hospital, Aeromed Request to Renew its Certificate of Public Convenience and Necessity (COPCN).

John Visokay, Tampa General Aeromedical Director noted aeromedical services, not for profit, billing, transportation, patient transfers, requested COPCN continuance, and introduced Jimmy Holt, Tampa General Chief Flight Nurse.

Commissioner Constance inquired to rates.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (COPCN) RENEWAL APPLICATION FOR TAMPA GENERAL HOSPITAL, AEROMED TO PROVIDE AIR MEDICAL TRANSPORT (ROTOR WING) OF CRITICAL CARE, INTERFACILITY AND PRE-HOSPITAL SCENE ADVANCED LIFE SUPPORT, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

RECESS: 10:28 am – 1:00 pm

1 P.M. PUBLIC INPUT - ANY SUBJECT

Jack Vander Heyden spoke to parking, fees, debris, removal, waterways, Port Charlotte Beach Complex, boat house, CharCo Cares, and dogs on beach.

Tim Ritchie commented on DeSoto County, sediment and water testing, City of Punta Gorda, October 31, 2022 news article, City of North Port Commissioner Jill Luke, Workshop, Mosaic, sinkhole, National Pollutant Discharge Elimination System (NPDES), outfalls, and beneficiation plant.

Anthony Pandolfo discussed Conreid Drive, seawalls, erosion, surrounding houses, washout, blockage, canal, safety, impacts, and Hurricane Ian.

Karen Verber mentioned Hurricane Ian, Conreid Drive, seawalls, erosion, risks, cost, safety, property taxes, permits, repairs, funding, Representative Grant, and FDEM.

Richard Russell noted Port Charlotte Beach Complex, traffic, Harbor Boulevard, parking, County Code, access, William R. Gaines Jr. Veterans Memorial Park, public safety, and water testing.

Scott Kregness spoke to Port Charlotte Beach Complex, use, increase, traffic, speeding, parking, animals, safety, after hours use, homeless camping, restrooms, lighting, staff, screening, and impacts.

Les Henry commented on Port Charlotte Beach Complex, landscape, current and future facility, parking, lighting, and view.

Robert Norton discussed Port Charlotte Beach Complex, parking, future facility, Charlotte Harbor, and view.

Mark Pelersi mentioned Port Charlotte Beach Complex, Siesta Key, Crescent Beach facility, traffic, William R. Gaines Jr. Veterans Memorial Park, 2021 Building permits, new building and construction, budget, and tax bill.

Doug Carnegie noted Port Charlotte Beach Complex and view.

AA. County Administrator Comments

County Administrator Flores spoke to SRF, cap, Finance Committee, and Utility Quarterly Update Meetings

BB. County Attorney Comments

County Attorney Knowlton commented on Legislative Agenda, request, surrounding counties, prosecutorial staff, Florida Association of Counties (FAC), and funding.

CC. Economic Development Director Comments - None

DD. County Commissioner Comments

Chair Truex discussed 2021 and 2022 single-family building permits, National Association of Counties (NACo), Housing Task Force, and housing issues. **Commissioner Constance** mentioned Conreid Drive, City of Punta Gorda, seawall, ownership, funding, storm event, repairs, charges, property damage, erosion, Municipal Service Benefit Unit (MSBU) set up, sinkhole, and right of way. **Commissioner Deutsch** noted debris, removal, AshBritt, canals, environmental impacts, public safety, Conreid Drive, seawall, options, Port Charlotte Beach Complex, facility end of life, maintenance cost, drop off area, meetings, process, design, parking, pool, William R. Gaines Jr. Veterans Memorial Park, kayak launch, tax roll, millage rate, reduction, Canvassing Board, voting, and Pastor Bill Frank Invocation. **Commissioner Doherty** spoke to Conreid Drive, canals, waterways, seawalls, ownership, grants, funding, Geographic Information System (GIS), plats, dedications, Port Charlotte Beach Complex, history, and

facility end of life. **Commissioner Tiseo** commented on Canvassing Board, audit certification, voter engagement, results, Conreid Drive, seawall, debris, canal, erosion, ownership, taxpayer dollars, MSBU set up, funding, Representative Grant, FEMA, Port Charlotte Beach Complex, Sales Tax Project, approval, site plan, population and tax growth, parking, requirements, view, facility end of life, tax bill, assessments, SRF, and utility needs.

County Attorney Knowlton responded to public funds, private property, seawalls, ownership, and insurance.

County Administrator Flores replied to sinkholes, SRF, utility needs, project costs, cap, and funding options.

RECESS: 1:59 pm – 2:03 pm

2 P.M. LAND USE AGENDA

Minutes Clerk Johnston administered the oath for testimony.

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY

Tim Ritchie discussed DRC-22-00180, Home 2 Suites.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT – LAND USE CONSENT AGENDA ITEMS, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Consent Agenda

Commissioner Constance mentioned DRC-22-00180, Home 2 Suites, platted lots, property rights, and taxes. **Commissioner Deutsch** noted DRC-22-00180, Home 2 Suites and Charlotte County non-buildable lots.

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

MOTION CARRIED 5:0.

UA 1. DRC-22-00008, Southwest Waste Transfer Station

Community Development

Southwest Engineering is requesting approval for a Final Detail Site Plan for Southwest Waste Transfer Station. This project consists of a 49,500 sq. ft building, scale house, truck scales, and storage area. This project site is 15.96± acres within a 69.80± acre site, and is located at 25505 Old Landfill Road, Punta Gorda, Florida, in Section 19, Township 40, Range 23. Located in Commission District I. **RES 2022-159**

Quasi-Judicial

UA 2. DRC-22-00180, Home 2 Suites

Community Development

Banks Engineering is requesting a Minor Modification to this existing approved development plan (DRC-19-00072) for Home 2 Suites by Hilton. Based on the development plan this request is to extend the buildout date for Home 2 Suites by Hilton, an 83-room hotel. This project consists of 2.10± acres and is located at 24481 Sandhill Boulevard, in Section 06, Township 40 Range 23, Port Charlotte, Florida. Located in Commission District I. **RES 2022-160**

Quasi-Judicial

UA 3. FP-22-01-02, Babcock Ranch Community Spine Road DD15-17

Community Development

Approve a Final Plat for a subdivision to be named, Babcock Ranch Community Spine Road DD15-17. The subdivision is to consist of seven tracts for roadway, utility and drainage. The site contains 29.72± acres, and is generally located southeast of Cypress Parkway, north of Saw Palmetto Parkway, and west of the County line with Glades County, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, within the East County area. Located in Commission District I.

Quasi-Judicial

Public Hearing

UB 1. PP-22-06-02, Regency at Babcock Ranch

Community Development

Approve a Preliminary Plat for a subdivision to be named, Regency at Babcock Ranch, consisting of 493 single-family residential lots and 32 tracts with associated infrastructure. This site contains 150.96± acres and is generally located south of Bermont Road, north of the County line with Lee County, west of the County line with Glades County and east of Bluebird Trail, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, within the East County area. Located in Commission District I.

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, gave a brief overview of PP-22-06-02, Location Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, 2021 Google Earth Image, Future Land Use Map (FLUM) Designations, Zoning Designations, 1000' Buffer Map, Proposed Changes, and Proposed Changes (Aerial).

Public Input

Tim Ritchie spoke against PP-22-06-02, Regency at Babcock Ranch, commented on traffic, impacts, zoning, development, supply and demand, property taxes, quality of life, and Florida growth.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE A PRELIMINARY PLAT FOR A SUBDIVISION TO BE NAMED, REGENCY AT BABCOCK RANCH, CONSISTING OF 493 SINGLE-FAMILY RESIDENTIAL LOTS AND 32 TRACTS WITH ASSOCIATED INFRASTRUCTURE. THIS SITE CONTAINS 150.96± ACRES AND IS GENERALLY LOCATED SOUTH OF BERMONT ROAD, NORTH OF THE COUNTY LINE WITH LEE COUNTY, WEST OF THE COUNTY LINE WITH GLADES COUNTY AND EAST OF BLUEBIRD TRAIL, IN THE BOUNDARY OF THE BABCOCK RANCH COMMUNITY DEVELOPMENT OF REGIONAL IMPACT (DRI) INCREMENT 2, WITHIN THE EAST COUNTY AREA. LOCATED IN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB 2. PP-22-07-01, The Cove at Rotonda

Community Development

Approve a Preliminary Plat for a subdivision to be named, The Cove at Rotonda, consisting of 296 single-family lots and 18 tracts for lakes, roadways, open space, and other infrastructure. This site contains 88.08± acres and is located at 12455 S Access Road, in the Port Charlotte area, within the West County area. Located in Commission District IV.

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.

Mr. Cullinan gave a brief overview of PP-22-07-01, Location Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, 2021 Google Earth Image, FLUM Designations, Zoning Designations, 1000' Buffer Map, Proposed Changes, and Proposed Changes (Aerial).

Attorney Geri Waksler, Applicant Representative accepted Mr. Cullinan as an expert, discussed redevelopment, zoning, proposed plat, joined in Staff Report, and requested approval.

Public Input

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

MOTION CARRIED 5:0.

Chair Truex mentioned density.

COMMISSIONER DOHERTY MOVED TO APPROVE A PRELIMINARY PLAT FOR A SUBDIVISION TO BE NAMED, THE COVE AT ROTONDA, CONSISTING OF 296 SINGLE-FAMILY LOTS AND 18 TRACTS FOR LAKES, ROADWAYS, OPEN SPACE, AND OTHER INFRASTRUCTURE. THIS SITE CONTAINS 88.08± ACRES AND IS LOCATED AT 12455 S ACCESS ROAD, IN THE PORT CHARLOTTE AREA, WITHIN THE WEST COUNTY AREA. LOCATED IN COMMISSION DISTRICT IV, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB 3. PV-22-07-01, Clay's Subdivision of Section 8 and Section 5, Township 41 South, Range 23 East

Community Development

Approve a Resolution of Plat Vacation to vacate three parcels and two unnamed 30' wide streets, in order to create a unified development tract containing 55.17± acres, which are generally located north of Carmalita Street, east of Harding Street, south of Dundee Road, and west of Florida Street, in the Punta Gorda area. Located in Commission District II. **RES 2022-161**

Legislative

Mr. Cullinan gave a brief overview of PV-22-01-01, Location Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, 2021 Google Earth Image, FLUM Designations, Zoning Designations, 1000' Buffer Map, Proposed Changes, Proposed Changes (Aerial), Request, Area Image, Framework, Coastal High Hazard Area, and Flood Zones.

Attorney Geri Waksler, Applicant Representative accepted Mr. Cullinan as an expert, mentioned plat vacation, access, Transfer of Density Units (TDU) Ordinance, density, burrow pits, joined in Staff Report, and requested approval.

Commissioner Constance noted burrow pits, acreage, Area Image, and density. **Commissioner Tiseo** remarked on parcels, zoning, paper roads, code, rights, density, and Babcock Ranch.

Public Input for Petition PV-22-07-01, Clay's Subdivision of Section 8 and Section 5, Township 41 South, Range 23 East and Petition TDU-22-06, P.F. Holdings Inc.

Tim Ritchie spoke against Petition PV-22-07-01, Clay's Subdivision of Section 8 and Section 5, Township 41 South, Range 23 East, Petition TDU-22-06, P.F. Holdings Inc., commented on ponds, drainage, Florida Water Quality Crisis, 2018 red tide, Beta-N-methylamino-L-alanine (BMAA), and conservation.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2022-161 OF PLAT VACATION TO VACATE THREE PARCELS AND TWO UNNAMED 30' WIDE STREETS, IN ORDER TO CREATE A UNIFIED DEVELOPMENT TRACT CONTAINING 55.17± ACRES, WHICH ARE GENERALLY LOCATED NORTH OF CARMALITA STREET, EAST OF

**HARDING STREET, SOUTH OF DUNDEE ROAD, AND WEST OF FLORIDA STREET, IN THE PUNTA GORDA AREA.
LOCATED IN COMMISSION DISTRICT II, SECONDED BY COMMISSIONER DEUTSCH**

MOTION CARRIED 5:0.

UB 4. TDU-22-06, P.F. Holdings Inc.

Community Development

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of nine density units onto a Receiving Zone located at 2200 and 2176 Carmalita Street, and 25385 Dundee Road, in the Punta Gorda area and Commission District II; this application is being submitted as part of a Plat Vacation Application, PV-22-07-01, which is to vacate three parcels (54.27± acres) and two unnamed 30' wide streets (0.9± acres), in compliance 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-22-06; Applicant: P.F. Holdings, Inc. Located in Commission District II. **RES 2022-162**

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.

Mr. Cullinan gave a brief overview of PV-22-01-01, Location Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, 2021 Google Earth Image, FLUM Designations, Zoning Designations, 1000' Buffer Map, Proposed Changes, Proposed Changes (Aerial), Request, Area Image, Framework, Coastal High Hazard Area, and Flood Zones.

Attorney Geri Waksler, Applicant Representative accepted Mr. Cullinan as an expert, mentioned plat vacation, access, TDU Ordinance, density, burrow pits, joined in Staff Report, and requested approval.

Commissioner Constance noted burrow pits, acreage, Area Image, and density. **Commissioner Tiseo** remarked on parcels, zoning, paper roads, code, rights, density, and Babcock Ranch.

Public Input for Petition PV-22-07-01, Clay's Subdivision of Section 8 and Section 5, Township 41 South, Range 23 East and Petition TDU-22-06, P.F. Holdings Inc.

Tim Ritchie spoke against Petition PV-22-07-01, Clay's Subdivision of Section 8 and Section 5, Township 41 South, Range 23 East, Petition TDU-22-06, P.F. Holdings Inc., commented on ponds, drainage, Florida Water Quality Crisis, 2018 red tide, BMAA, and conservation.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2022-162 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, APPROVING A PETITION FOR A TRANSFER OF NINE DENSITY UNITS ONTO A RECEIVING ZONE LOCATED AT 2200 AND 2176 CARMALITA STREET, AND 25385 DUNDEE ROAD, IN THE PUNTA GORDA AREA AND COMMISSION DISTRICT II; THIS APPLICATION IS BEING SUBMITTED AS PART OF A PLAT VACATION APPLICATION, PV-22-07-01, WHICH IS TO VACATE THREE PARCELS (54.27± ACRES) AND TWO UNNAMED 30' WIDE STREETS (0.9± ACRES), IN COMPLIANCE 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-22-06; APPLICANT: P.F. HOLDINGS, INC. LOCATED IN COMMISSION DISTRICT II, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB 5. PD-22-00002, Commercial Development at Gulfstream Boulevard & SR776

Community Development

Approve an Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Office, Medical, and Institutional (OMI) to Planned Development (PD), and adopting its associated General PD Concept Plan, in order to develop a mini-warehouse facility and future outparcel development; for the subject property located at 12905 and 12929 Gulfstream Boulevard, in the Port Charlotte area and within the West County area, containing 3.47± acres; Commission District IV; Application No. PD-22-00002; Applicant: Land America, LLC; providing an effective date. Located Commission District IV. **ORD 2022-056**

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 Proposed Changes, Location Map, 1000' Buffer Map, Area Image, Framework, FLUM Designations, Zoning Designations, Existing Zoning Designations, Proposed Zoning Designations, and Planned Development (PD) Concept Plan.

Chair Truex discussed outdoor storage, site plan, parking, access, setback, FDOT, retention pond, and uses. **Commissioner Constance** mentioned uses, access, acreage, PD, Google map view, Home Depot, building height, rights, outparcel, development, Future Land Use (FLU), noise, traffic, zoning, design standards, and lighting. **Commissioner Deutsch** noted location. **Commissioner Doherty** spoke to final detail site plan, aesthetics, PD, condition, building height, traffic, and outparcel. **Commissioner Tiseo** commented on applicant request, setback, reduction, opaque wall, landscaping, uses, PD, by-right, zoning, outparcel, development, conditions, storage, building height, aesthetics, and design standards.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, discussed access, concept plan, FDOT, ingress, egress, parcels, zoning, setback, stormwater pond, canal, landscape, buffer, uses, traffic, impacts, building height, out parcel, development, PD, acreage, rights, FLU, Comprehensive Plan, site plan, commercial design standards, aesthetics, joined in Staff Report, and requested approval.

Mr. Cullinan replied to zoning, Home Depot, building height, and commercial design standards.

Public Input

Larry Matthews, Gulf Cove Point resident spoke against PD-22-00002, Commercial Development at Gulfstream Boulevard & State Road (SR) 776, mentioned quality of life, traffic, impacts, accidents, mini-warehouse units, building height, fence, vegetation, access, noise, lighting, Home Depot, aesthetics, and sidewalk.

Cathy Carroll, Gulf Cove Point resident spoke against PD-22-00002, Commercial Development at Gulfstream Boulevard & SR776, noted impacts, property value, access, building height, traffic, McCall Road, sidewalk, ingress, egress, April 2022 Traffic Impact Statement, trips, commercial development, storage facility, buffer, code, PD process, and aesthetics.

Lisa Vale, Gulf Cove Point resident spoke against PD-22-00002, Commercial Development at Gulfstream Boulevard & SR776, remarked on building height, traffic, access, noise, buffer, retention pond, and outdoor storage.

Ricky, Gulf Cove Point resident spoke against PD-22-00002, Commercial Development at Gulfstream Boulevard & SR776, commented on progress, building height, ecosystem, impacts, traffic, water run-off, outparcel development, Hurricane Ian, Homeowners Association (HOA), debris clean-up, and buffer.

Will, Gulf Cove Point resident spoke against PD-22-00002, Commercial Development at Gulfstream Boulevard & SR776, discussed Gulf Cove Point, building height, and vegetation.

Tim Ritchie spoke against PD-22-00002, Commercial Development at Gulfstream Boulevard & SR776, mentioned community, changes, canals, code, building height, process, and rights.

Ruth Batts, Gulf Cove Point resident noted school bus stop, egress, and children safety.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-056 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM OFFICE, MEDICAL, AND INSTITUTIONAL (OMI) TO PLANNED DEVELOPMENT (PD), AND ADOPTING ITS ASSOCIATED GENERAL PD CONCEPT PLAN IN ORDER TO DEVELOP A MINI-WAREHOUSE FACILITY AND FUTURE OUTPARCEL DEVELOPMENT, FOR THE SUBJECT PROPERTY LOCATED AT 12905 AND 12929 GULFSTREAM BOULEVARD, IN THE PORT CHARLOTTE AREA AND WITHIN THE WEST COUNTY AREA, CONTAINING 3.47 ACRES MORE OR LESS; COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION PD-22-00002; APPLICANT, LAND AMERICA, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY CHAIR TRUEX

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

UB 6. PD-22-00011, Palm Breeze RV Resort

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 of the existing PD, Ordinance Number 2021-003, to modify the approved PD Concept Plan and PD conditions in order to allow for development of a recreational vehicle and manufactured home community with up to 439 Recreational Vehicles, or up to 205 recreational vehicles and 234 single-family homes or manufactured homes, requiring no transferring of density units; also adopt a General PD Concept Plan; for property generally located southeast of Riverside Drive and northwest of Duncan Road (U.S. 17), in the Punta Gorda area, containing 90.82± acres; Commission District I; Petition No. PD-22-00011; Applicant: LD Promotions LLC d/b/a Sunlight Resorts; providing an effective date. Located Commission District I. **ORD 2022-057**

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, Location Map, 1000' Buffer Map, Area Image, Framework, FLUM Designations, Zoning Designations, and PD Concept Plan.

Chair Truex remarked on access point, Riverside Drive, impact, and zone. **Commissioner Constance** spoke to driveway strip and PD. **Commissioner Deutsch** commented on driveway strip, ownership, and deed. **Commissioner Tiseo** discussed RV, manufactured homes, units, January 26, 2021 Board approval, zoning, hurricanes, mobile home parks, damage, mitigation, and code.

Attorney Geri Waksler, Applicant Representative mentioned zoning, modification, RV/manufactured home, ownership, conditions, non-contiguous driveway strip, concept plan, survey, legal description, title policy, City of Punta Gorda, Agreement, water/sewer installation, Coastal High Hazard Area (CHHA), density, traffic, 2021 approval, protected species survey, wetlands, impacts, landscape buffer, setback, stormwater, ponds, water runoff, force main, joined in Staff Report, and requested approval.

Assistant County Attorney Thomas David interjected on driveway strip, ownership, and notice.

Mr. Bailey responded to mobile homes, United States Department of Housing and Urban Development (HUD), standards, hurricane level, modular homes, Florida Building Code, and zones.

Public Input

Tim Ritchie spoke against PD-22-00011, Palm Breeze RV Resort, noted acres, wetlands, Peace River, traffic, environmental footprint, Hurricane Ian, debris, and development.

Robert Brownson spoke against PD-22-00011, Palm Breeze RV Resort, remarked on agriculture, wetlands, culvert, water, flow, notifications, water/sewer, septic, units, fence, buffer, noise, and lighting.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-057 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 THE EXISTING PD, ORDINANCE NUMBER 2021-003, TO MODIFY THE APPROVED PD CONCEPT PLAN AND PD CONDITIONS IN ORDER TO ALLOW FOR DEVELOPMENT OF A RECREATIONAL VEHICLE AND MANUFACTURED HOME COMMUNITY WITH UP TO 439 RECREATIONAL VEHICLES, OR UP TO 205 RECREATIONAL VEHICLES AND 234 SINGLE-FAMILY HOMES OR MANUFACTURED HOMES, REQUIRING NO TRANSFERRING OF DENSITY UNITS; ALSO ADOPTING A GENERAL PD CONCEPT PLAN; FOR PROPERTY GENERALLY LOCATED SOUTHEAST OF RIVERSIDE DRIVE AND NORTHWEST OF DUNCAN ROAD (U.S. 17), IN THE PUNTA GORDA AREA, CONTAINING 90.82 ACRES MORE OR LESS, COMMISSION DISTRICT L, CHARLOTTE COUNTY, FLORIDA; PETITION PD-22-00011; APPLICANT, LD PROMOTIONS LLC D/B/A SUNLIGHT RESORTS; PROVIDING AN EFFECTIVE DATE, SECONDED BY CHAIR TRUEX

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

UB 7. PAS-22-00006, Tuckers Point

Community Development

Approve an Ordinance, pursuant to Section 163.3187, Florida Statutes, adopting a Small-Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Commercial (COM) to Low Density Residential (LDR) for 20± acres; for a portion of the property located at 28450 Truckers Grade, in the Punta Gorda area; Commission District II; Petition No. PAS-22-00006; Applicant: Tuckers Point I Limited Partnership; providing an effective date. Located in Commission District II. **ORD 2022-058**

Legislative

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

Attorney Geri Waksler, Applicant Representative accepted Ms. Shao as an expert, commented on zoning, change request, uses, wetlands, units, PD, density, Land Use Restriction Agreement (LURA), transportation impacts, and joined in Staff Report.

Commissioner Constance discussed incentive density, criteria, and rental rate.

Public Input for Petition Number PAS-22-00006, Tuckers Point and Petition Number PD-22-00008, Tuckers Point

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

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-058 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 FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM COMMERCIAL (COM) TO LOW DENSITY RESIDENTIAL (LDR) FOR 20 ACRES MORE OR LESS; FOR A PORTION OF THE PROPERTY LOCATED AT 28450 TUCKERS GRADE, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT II; PETITION PAS-22-00006; APPLICANT, TUCKERS POINT I LIMITED PARTNERSHIP; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 4:0.

UB 8. PD-22-00008, Tuckers Point

Community Development

a) Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD, this is a major modification to an existing PD, Ordinance Number 2021-042, to revise the PD Concept Plan and its associated PD conditions in order to 1) allow for development of a multi-family apartment community on a portion of the property, consisting of 20± acres and currently designated for commercial development; and 2) have a mixture of residential and commercial development for the entire property, containing up to 1,689 residential dwelling units (no change) and 380,000 square feet of commercial uses (no change) and 200 hotel rooms (a reduction of 200 hotel rooms); the base density for the subject property is 1,389 dwelling units, requesting 300 units of Incentive Density for the proposed apartments; also requesting to adopt the General PD Concept Plan; for property generally located at the northwest portion of the interchange of I-75 and Tuckers Grade, in the Punta Gorda area; containing 565.74± acres; Commission District II; Petition No. PD-22-00008; Tuckers Point I Limited Partnership; providing an effective date. Located Commission District II; and b) Approve a Resolution to reserve 300 Incentive Density units for a portion of property located at 28450 Tuckers Grade, containing 20 acres more or less, in the Punta Gorda area, located in Commission District II.
ORD 2022-059 / RES 2022-163

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, Location Map, 1000' Buffer Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Zoning Designations, and PD Concept Plan.

Attorney Geri Waksler, Applicant Representative accepted Ms. Shao as an expert, commented on zoning, change request, uses, wetlands, units, PD, density, LURA, transportation impacts, and joined in Staff Report.

Commissioner Constance discussed incentive density, criteria, and rental rate.

Public Input for Petition Number PAS-22-00006, Tuckers Point and Petition Number PD-22-00008, Tuckers Point

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

MOTION CARRIED 4:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2022-059 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 THE EXISTING PD, ORDINANCE NUMBER 2021-042, TO REVISE THE PD CONCEPT PLAN AND ITS ASSOCIATED PD CONDITIONS IN ORDER TO: (1) ALLOW FOR DEVELOPMENT OF A MULTI-FAMILY APARTMENT COMMUNITY ON A PORTION OF THE PROPERTY, CONSISTING OF 20 ACRES MORE OR LESS AND CURRENTLY DESIGNATED FOR COMMERCIAL DEVELOPMENT; AND (2) HAVE A MIXTURE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT FOR THE ENTIRE PROPERTY, CONTAINING UP TO 1,689 RESIDENTIAL DWELLING UNITS (NO CHANGE) AND 380,000 SQUARE FEET OF COMMERCIAL USES (NO CHANGE) AND 200 HOTEL ROOMS (A REDUCTION OF 200 HOTEL ROOMS); THE BASE DENSITY FOR THE SUBJECT PROPERTY IS 1,389 DWELLING UNITS; REQUESTING 300 UNITS OF INCENTIVE DENSITY FOR THE PROPOSED APARTMENTS; ALSO REQUESTING TO ADOPT THE GENERAL PD CONCEPT PLAN; FOR PROPERTY LOCATED AT THE NORTHWEST PORTION OF THE INTERCHANGE OF I-75 AND TUCKERS GRADE, IN THE PUNTA GORDA AREA; CONTAINING 565.74 ACRES MORE OR LESS; COMMISSION DISTRICT II, CHARLOTTE COUNTY, FLORIDA; PETITION PD-22-00008; APPLICANT, TUCKERS POINT I LIMITED PARTNERSHIP; PROVIDING AN EFFECTIVE DATE, AND RESOLUTION 2022-163, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

UB 9. TLDR-22-01, Revisions to Section 3-9-100.3. Tree Requirements

Community Development

Approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9: Zoning, Article IV: Site Design Standards and Requirements, by revising Section 3-9-100.3. Tree Requirements (d) Tree Removal to add new item (6) Tree Sampling; providing for the property size requirement for a tree sampling, providing for requirements for and component of a sampling survey and report; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners. This petition is County-wide. **ORD 2022-060**
Legislative

Mr. Cullinan gave a brief overview of Purpose, Proposed Changes, Major Detailed Changes, and Procedure.

Chair Truex mentioned modification, Google Earth, and GIS. Commissioner Constance noted drones, views, and surrounding counties. Commissioner Doherty spoke to photochromatic process.

Public Input

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

MOTION CARRIED 4:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2022-060 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9, ZONING, ARTICLE IV, SITE DESIGN STANDARDS AND REQUIREMENTS, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY REVISING SECTION 3-9-100.3. TREE REQUIREMENTS (D) TREE REMOVAL TO ADD A NEW ITEM (6) TREE SAMPLING; PROVIDING FOR THE PROPERTY SIZE REQUIREMENT FOR A TREE SAMPLING; PROVIDING FOR REQUIREMENTS FOR AND COMPONENT OF A SAMPLING SURVEY AND REPORT; PETITION TLDR-22-01; APPLICANT, BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

ADJOURNED: 4:49 pm



ATTEST:

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

By: Michelle S. Bernardino
Deputy Clerk