

**BOARD COUNTY COMMISSIONERS**

**FEBRUARY 9, 2021**

A Regular Meeting was held at the Murdock Administration Complex in Commission Chambers; Room 119, Port Charlotte, Florida.

The following members were present: Chair Truex (via teleconference), Vice Chair Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo. Also in attendance were: County Administrator Flores, County Attorney Knowlton, and Minutes Clerk Smoleski. The following members were absent: None.

**The Meeting was called to order at 9:00 am**

The Invocation was given by Pastor Jim Chandler, East Englewood Church of Christ, followed by the Pledge of Allegiance.

**Changes to the Agenda**

**Addition #1:** R-5 Discussion and direction relating to the Boards position on the following proposed legislation: a) SB 268 and HB 735 relating to pre-emption of Local Licensing and discussion; and b) HB 337 and SB 750 regarding Impact Fees.

Requested by: Commission Office

**Change #1:** R-3 Added attachments (4) – Presentation, Impact Fee Study – Broad Categories, Impact Fee Study – Detailed Categories, Comparison Spreadsheet.

Requested by: Community Development

**Change #2:** F-6 Added attachment – Transit Van Donation.

Requested by: Budget & Admin Services

**Vice Chair Constance** commented on Agenda line-up and discussion and direction on proposed State Legislation. **Chair Truex** remarked on discussion and direction on proposed State Legislation. **Commissioner Doherty** mentioned discussion and direction on proposed State Legislation. **Commissioner Tiseo** noted discussion and direction on proposed State Legislation.

**COMMISSIONER TISEO MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Stephen R. Deutsch**

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

**MOTION CARRIED 5:0.**

**Matt DeBoer Day**

Former Commissioner Steve Bostwick, Tara Prince, and Mary DeBoer accepted the Proclamation.

**Spring Training 2021**

Jill Boyd and Abbie Lawson accepted the Proclamation.

**VIP Love Notes and Roses Week**

Proclamation will be mailed to VIP America.

**St. Vincent De Paul Day**

Joe-Anne Pierre accepted the Proclamation.

**Bill Van Helden Day**

Chief Bill Van Helden accepted the Proclamation.

**Employee Recognition**

Years of Service

**5 Years:** Julie Goodwin, Public Safety; Justin Hessinger, Public Safety; Elizabeth Nelson, Utilities; Jonathon Otto, Public Safety; Charles Rambo, Utilities; Stephen Scimemi, II Public Safety; Sandra Weaver, Utilities; **10 Years:** Elizabeth Tracy, Administration; **15 Years:** William Barrero, Utilities; **20 Years:** Robert Lyle, Budget & Administrative Services; Thomas Macchia, Public Safety; Michael Sims, Public Works; Mark Ulchinsky, Public Works.

Public Safety Director Pinning Ceremony

Chief Jason Fair

Chief Van Helden highlighted Public Safety Director Pinning Ceremony.

**Vice Chair Constance** administered Oath of Office to Chief Jason Fair.

**Award Presentations**

Florida Section of American Water Works Association, 2020, Achievement of Outstanding Water Distribution Service Award

The Utilities Department has been recognized as an outstanding Water Distribution Systems among all Division VI utilities serving between 46,000 and 69,999 connections by the Florida Section of American Water Works Association (AWWA). The winner is selected for outstanding performance over the preceding year and includes performance standards such as water quality, record keeping, systems maintenance, professionalism, safety, emergency preparedness and cross connection control.

Craig Rudy, Utilities Director highlighted Florida Section of American Water Works Association, 2020, Achievement of Outstanding Water Distribution Service and presented Award.

#### PUBLIC INPUT - AGENDA ITEMS ONLY

Attorney Geri Waksler, McCrory Law Firm spoke to Bachmann Tract Request for Proposals (RFP).

Tim Ritchie commented on Sarasota Manatee Metropolitan Planning Organization (MPO) Presentation.

#### 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 Board of County Commissioners (BCC) is seeking applicants (15 members and 3 alternates) to serve on the **Charter Review Commission (CRC)**. The CRC reviews the charter and proposes any amendments for placement on the November 2022 general election ballot. Applicants must be registered Charlotte County voters and must have lived in the county for 6 months prior to the appointment and during the appointment. No member may be appointed who has served 3 full terms as a voting member. Applications/resumes should be sent to the County Attorney; Janette S. Knowlton and must be received by February 19, 2021. To obtain an application or for more information, please contact the County Attorney's office at 941-743-1330.

**Charlotte Harbor Community Redevelopment Agency Advisory Committee** is seeking three volunteers, two business representatives and one resident. Members must be residents of Charlotte County. The resident representative must live within the CRA boundaries and business representatives must represent a business that is located within the CRA boundaries. Meeting are held quarterly in the Administration Center at 18500 Murdock Circle and are generally held on the first Monday at 10:30am. To obtain an application call 941-743-1300 and select option 1 or email Lisa.Eby@CharlotteCountyFL.gov.

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

- **Boca Grande Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.

- **Buena Vista Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.

- **Englewood East Non-Urban Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Harbour Heights Waterway** is seeking two members to fill vacant unexpired terms through October 31, 2021 and October 31, 2022.
- **Northwest Port Charlotte Street & Drainage Unit** is seeking one member to a fill vacant unexpired term through October 31, 2022.
- **Northwest Port Charlotte Waterway Unit** is seeking one member to a fill vacant unexpired term through October 31, 2022.
- **Pirate Harbor Waterway Unit** is seeking one member to fill vacant unexpired term one through October 31, 2021.
- **Rotonda Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Rotonda Lakes Street & Drainage Unit** is seeking five members to fill vacant unexpired terms through October 31, 2021, October 31, 2022, and October 31, 2023.
- **Rotonda Sands North Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **South Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.

**Agricultural and Natural Resources Advisory Committee** is searching for (3) three voluntary members who must be residents or owners of real property in Charlotte County and be composed of individuals broadly representative of the interests of agricultural land ownership and use, agricultural commodity finance and production, agricultural processing, agricultural economics and marketing, agricultural engineering and water management, soils use and fertility, wildlife management, geology and mine engineering, and environmental conservation. One volunteer must be engaged in commodity production. The term is effective immediately upon approval and will expire December 31, 2024. If you are interested in an application and information, please contact [Morgan.Cook@charlottecountyfl.gov](mailto:Morgan.Cook@charlottecountyfl.gov).

#### REPORTS RECEIVED AND FILED

Clerk of Court's County Investment Report

#### CONSENT AGENDA

**COMMISSIONER DOHERTY MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-5 AND L-1, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

**Clerk of the Circuit Court**

**A. Comptroller Division**

**1. Finance**

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

**Budgeted Action:** No action needed.

**B. Minutes Division**

**1. Minutes**

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

January 12, 2021 BCC Regular Meeting

January 19, 2021 BCC Board Workshop

January 21, 2021 BCC Pre-Agenda

**Budgeted Action:** No action needed.

**Board of County Commissioners**

**C. Commission Office**

**D. County Administration**

**E. County Attorney**

**1. Extension 47 of Local State of Emergency - COVID-19**

**Recommended Action:** Approve Resolution extending the Local State of Emergency related to the Novel Coronavirus Disease 2019 (COVID-19). **RES 2021-018**

**Budgeted Action:** No action needed.

**2. Engagement Letter Pennington P.A. - Richard D. Lake v. Charlotte County**

**Recommended Action:** Approve the Engagement Letter with the Pennington P.A. law firm to represent the County in the matter styled Richard D. Lake v. Charlotte County now pending in federal court. **AGR 2021-008**

**Budgeted Action:** No action needed.

**F. Budget and Administrative Services**

Fiscal Services

Information Technology

Purchasing

1. 21-229, Award, Vactor 2100i Sewer Cleaner (Public Works)

**Recommended Action:** a) Approve award of "piggyback" purchase, File #21-229, Vactor 2100i Sewer Cleaner, from Environmental Products Group of Apopka, Florida (Piggyback off the Sourcewell Contract, #122017-FSC (Sewer Vacuum, Hydro-Excavation and Street Sweeper Equipment with Related Accessories and Supplies) to purchase a Vactor 2100i Sewer Cleaner with additional options and a five (5) year service contract for Public Works - Maintenance & Operations for a total cost of \$484,710; and b) Approve disposal of asset #33489 which will be sold at auction; and c) Approve resolution for BA21-074 in the amount of \$484,710; and d) Approve amended Public Works Heavy Equipment Plan increasing the total budget from \$565,000 to \$1,049,710. **RES 2021-019**

**Budgeted Action:** Approve budget adjustment BA21-074 in the amount of \$484,710 amending the FY21 budget for the Public Works Heavy Equipment Plan from \$565,000 to \$1,049,710. Additional funding is needed for the accelerated equipment purchase due to high maintenance costs. Funding is supplied from Maintenance & Operations equipment account, using reserves transferred within the Transportation Trust Fund.

2. 17-172, Amendment #6, Justice Center Renovation/Remodeling, Construction Manager at Risk (Facilities)

**Recommended Action:** a) Approve Amendment #6, Contract 17-172, Justice Center Renovation / Remodeling, Construction Manager at Risk, with Ajax Building Company, LLC for a change in completion time; and b) Authorize the Chairman to sign the Amendment.

**Budgeted Action:** No action needed. Budgeted in Capital Improvements Project "Justice Center Renovations and Remodel" approved in the FY21 budget process. Funding is supplied from Capital Projects Fund and Growth Increment Fund ad valorem, Impact Fees, and 2014 Sales Tax Extension. There is no change in funding with this time extension.

3. 21-081, Award, Storm Debris Clearing-Water Flow Obstruction (Public Works)

**Recommended Action:** a) Approve award of Request for Bid #21-081, Storm Debris Clearing - Water Flow Obstruction, to Zulu Marine Services, Inc. of Savannah, Georgia for the term from date of award up to and including December 31, 2021 with option to renew for two additional one-year terms, by mutual agreement, at the same prices, terms, and conditions and; b) Authorize the County Administrator to approve the two additional renewals. This is for clearing, removal, and proper disposal of storm-related debris and vegetation.

**Budgeted Action:** No action needed. Budgeted in the Transportation Trust Fund - Public Works, Maintenance and Operation budget as approved in the FY2021 budget process. Funding for this expenditure comes from gas tax or if storm related, anticipated reimbursement from Federal Emergency Management Agency and Florida Department of Emergency Management.

4. 21-116, Approve Ranking, FY21 Regulatory Compliance Water and Wastewater (Utilities)

**Recommended Action:** a) Approve ranking of firms for Request for Proposal 21-116, FY21 Regulatory Compliance Water and Wastewater: 1st Kimley-Horn and Associates, Inc. of Sarasota, FL; and 2nd Stantec Consulting Services, Inc. of Sarasota, FL; and b) Approve start of Negotiations; and c) Authorize the Chairman of the Board to sign the Contract after completion of negotiations. This is for the services of an Engineer to perform various tasks regarding Regulatory Compliance pertaining to the Water System and Wastewater System including the reclaimed water system.

**Budgeted Action:** No action needed. Budgeted in the Utility Operating Fund budget as approved in the FY2021 budget process. Funding for the expenditure comes from rate revenues.

5. 17-206, Amendment 6 Construction Manager at Risk-Capital Maintenance Repair, Guaranteed Maximum Price Additions (Facilities)

**Recommended Action:** Approve Scrivener's error from the January 12, 2021, Board Meeting, Item F-6, correcting the amount of the Guaranteed Maximum Price: Original agenda item language is below showing the requested amendment adding the erroneously omitted amount (strikethrough/underline). Approve Amendment #6 to the Contract #17-206 Construction Manager at Risk - Capital Maintenance Repair-Annual with Florida Premier Contractors LLC (FPC) of Punta Gorda, Florida for additional items to the Guaranteed Maximum Price (GMP) in the amount of ~~\$286,378~~ \$326,604 for the Fiscal Year 21 projects list.

**Budgeted Action:** No action needed. Port Charlotte Beach Recreation Center Sanitary Repair and the Centennial Park Monument are budgeted in the Community Services Capital Maintenance Plan approved in the FY21 budget process and later amended. Public Safety Security renovations is budgeted in Capital Improvements Project "Public Safety Security Modifications" approved in the FY21 budget process. Funding comes from Capital Projects fund ad valorem.

**Vice Chair Constance** discussed Scrivener's Error, difference, monument sign, Guaranteed Maximum Price (GMP), bids, design, and specifications. **Commissioner Doherty** mentioned GMP and budget. **Commissioner Tiseo** noted bidding process, GMP, sign cost, and specifications.

Kim Corbett, Purchasing Senior Division Manager replied to Scrivener's Error, contingency profit, overhead, projects, difference, and GMP.

Anthony Maddox, Facilities Construction and Maintenance Director responded to GMP, specifications, and bids.

**COMMISSIONER DOHERTY MOVED TO APPROVE SCRIVENER'S ERROR FROM THE JANUARY 12, 2021, BOARD MEETING, ITEM F-6, CORRECTING THE AMOUNT OF THE GUARANTEED MAXIMUM PRICE: ORIGINAL AGENDA ITEM LANGUAGE IS BELOW SHOWING THE REQUESTED AMENDMENT ADDING THE ERRONEOUSLY OMITTED AMOUNT (STRIKETHROUGH/UNDERLINE) AND AMENDMENT #6 TO THE CONTRACT #17-206 CONSTRUCTION MANAGER AT RISK - CAPITAL MAINTENANCE REPAIR-ANNUAL WITH FLORIDA PREMIER CONTRACTORS LLC (FPC) OF PUNTA GORDA, FLORIDA FOR ADDITIONAL ITEMS TO THE GUARANTEED MAXIMUM PRICE (GMP) IN THE AMOUNT OF ~~\$286,378~~ \$326,604 FOR THE FISCAL YEAR 2021 PROJECTS LIST, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED**

6. Property Deletions for the Month of February, 2021 (Purchasing)

**(Change #2)** Added attachment – Transit Van Donation.

**Recommended Action:** Approve the deletion of additional property inventory items listed on the attached for the month of February 2021.

**Budgeted Action:** No action needed.

**Real Estate Services**

7. 21-148, Award, Sale of County Owned Properties (Real Estate Services)

**Recommended Action:** Approve award of Request for Bids #21-148, Sale of County Owned Properties, to the highest bidder per parcel as identified on the attached tabulation - recommendation of award.

**Budgeted Action:** No action needed.

**Risk Management**

**Transit**

**G. Community Development**

**H. Community Services**

**I. Economic Development**

**J. Facilities Construction and Maintenance**

**K. Human Resources**

**L. Human Services**

1. Housing and Financial Stability Program

**Recommended Action:** a) Approve the merger of the Emergency Assistance (EA) and Family Housing Assistance (FHA) funds and program policies and approval of the proposed Housing and Financial Stability Program (HFSP); and b) Approve setting the annually recurring budget for HFSP at \$80,000. **RES 2021-020**

**Budgeted Action:** Approve Resolution for budget adjustment BA21-076 in the amount of \$20,000 to increase the Human Services Family Housing Assistance Program and authorize change to the FY21 budget.

**Vice Chair Constance** spoke to Human Services Department Standard Policy and requirements. **Commissioner Tiseo** commented on enrollment period.



Carrie Walsh, Human Services Director responded to Housing and Financial Stability Program and requirements.

Colleen Turner, Human Services Manager remarked on Family Self-Sufficiency Program.

**COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2021-020 APPROVING BUDGET ADJUSTMENTS AND AMENDMENTS TO THE FISCAL YEAR 2020-2021 CHARLOTTE COUNTY ADOPTED BUDGET, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

2. Crisis Center of Tampa Bay, Inc. and Charlotte County Board of County Commissioners 211 Call Center Operations Agreement

**Recommended Action:** a) Consider approval of the proposed Agreement between Crisis Center of Tampa Bay, Inc. and Charlotte County Board of County Commissioners regarding 211 Call Center Operations; and if approved b) Authorize the Chairman to execute the Agreement. **AGR 2021-007**

**Budgeted Action:** No action needed.

**M. Public Safety**

**N. Public Works**

1. Amendment 2, Interlocal Agreement between Sarasota County and Charlotte County for Construction of Manasota Key Beach Restoration Project

**Recommended Action:** a) Approve Amendment 2 to the Interlocal Agreement between Sarasota County and Charlotte County for Construction of Manasota Key Beach Restoration Project to Address Post-Construction Activities/Services; and b) Authorize the chairman to sign Amendment 2. **A.AGR 2019-067**

**Budgeted Action:** No action needed. Funding from the N Manasota Key Beach Renourishment fund approved in the CIP "Manasota Key Beach Renourishment" in the FY21 budget process. To be repaid by Sarasota County.

**O. Tourism Development**

**P. Utilities**

**Q. Other Agencies**

**Taken Out of Order**

**PUBLIC HEARING AGENDA**

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

1. Charlotte Ranchettes Street and Drainage MSBU, Discontinued Maintenance

## Public Works

a) Conduct a public hearing to consider a resolution to discontinue maintenance of the roads within the Charlotte Ranchettes Street and Drainage Municipal Services Benefit Unit (MSBU); and b) Set a public hearing for March 9, 2021 at 10:00 a.m., or as soon thereafter as may be heard, to consider an Ordinance abolishing the Charlotte Ranchettes MSBU and Advisory Board to take place in Room 119, Commission Chambers located at 18500 Murdock Circle, Port Charlotte, FL. 33948. **RES 2021-021**

John Elias, Public Works Director highlighted Charlotte Ranchettes Street and Drainage Municipal Services Benefit Unit (MSBU), Discounted Maintenance.

## Public Input

Tracy Frank spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, discussed liability, insurance, MSBU abolishment, and hardships.

Bill Ferris spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, mentioned five-year plan, drainage, Public Works, east west ditches, Statute 298.26, engineering report, Section 56, Section 57, road maintenance, Florida Department of Transportation (FDOT) Greenbook, grading, and budget.

Mike Robshaw spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, noted MSBU, dissolution, lenders, maintenance, assessments, funding, and drainage.

Cheryl Wood spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, remarked on school buses, and children safety.

Dave Kalin spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, commented on insurance, mortgage loans, drainage district, Public Works, communication, five-year plan, east west ditches, and MSBU rates.

Mark Dehaven spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, discussed Desoto County, tax, roads, and eminent domain.

Marlon Runkle spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, mentioned roads, phases, maintenance, berms, taxes, Section 24, and traffic.

Rita Chambers spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, noted five-year plan, insurance, public safety, property loss, rate increase, and dissolution.

Shaneen Wahl spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU and remarked on liability insurance.

Kay Chan spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, commented on loans, insurance, taxes, five-year plan, and increase.

Robin Dehaven spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, discussed garbage trucks, Southwest Florida Water Management District (SWFWMD), road, grading, public safety, cost, rate increase, bus stop, and public safety.

Harold Wilkie spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU and mentioned plan.

Rocco Vacanti spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, noted MSBU, cost, and public safety.

Jeannie Pastilli spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, remarked on maintenance, taxes, and public safety.

Terry Myers spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, commented on dissolution, county asset, agriculture, municipal proximity, drainage, MSBU, and taxes.

David Kalin spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, discussed documentation, liability, contracts, maintenance, communication, drainage, responsibility, roads, easements, county limitations, insurance, public services, and tree removal.

Howard Gipson spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, mentioned roads, equipment, grading, paving, drainage, rate increase, rainy season, flooding, and maintenance.

Jessica Bell spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, noted school buses, dump trucks, road maintenance, children, and public safety.

Sherry Smith spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, remarked on trust, dissolution, MSBU, and drainage.

Mike Balog spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, commented on plan, MSBU meeting, and tree removal.

Arlene Krasny spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, discussed MSBU, ditches, permit funds, impact fees, taxes, and General Fund.

Lee Starcher spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, mentioned funding, Edgewater Drive, taxes, water, and drainage.

Tony Smith spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, noted roads, infrastructure, maintenance, and safety.

Tim Ritchie spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, remarked on public safety, funding, development growth, water, and drainage.

Robert Amick spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, commented on Public Safety access, drainage, issues, property lines, and land values.

Mark Swaryn spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, discussed MSBU Advisory Board, broken levy, Public Works, five-year plan, dissolution, drainage, issues, and provided credentials.

Theresa Jakeman spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, mentioned community, and dissolution.

Dena Hall spoke against Consider Whether to Discontinue Maintenance within the Charlotte Ranchettes Street and Drainage MSBU, noted growth, drainage ditches, and dissolution.

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

**MOTION CARRIED 5:0.**

Mr. Elias remarked on gopher tortoises, east west ditches, easements, roads, drainage, Suzan Drive, right of way, cost, impact fees, MSBU Advisory Board Meeting, mowing, tree removal, budget, standards, plans, funding, and rights.

**Vice Chair Constance** commented on easements, drainage, roads, cost, new construction, transportation impact fees, MSBU, acceptance, standards, rights, benefits, access, and public safety. **Chair Truex** discussed access rights, maintenance, right of way, easements, assessment, roads, cooperation, Property Owners Association (POA), overlay, and drainage. **Commissioner Deutsch** mentioned standards, citizen input, funding, MSBU, easements, five-year plan, grading, timeline, and cooperation. **Commissioner Doherty** noted Resolution, public dollars, right of ways, easements, ownership, roads, access rights, maintenance, deferred action, inventory, east west ditches, and MSBU. **Commissioner Tiseo** spoke to notices, ownership, easement, right of way, access, roads, ditches, maintenance, plan, work program, master drainage plan design, acceptance, cost, drainage, grading, Gas Tax, standards, requirements, rate increase, and MSBU.

County Attorney Knowlton replied to public dollars, Chapter 298.26, Annual Reports, public hearings, Resolution, maintenance, and easements.

Robert Smith, Real Estate Services Manager interjected on easements.

**COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2021-021 APPROVING DISCONTINUANCE OF MAINTENANCE OF THE ROADS WITHIN THE CHARLOTTE RANCHETTES STREET AND DRAINAGE MUNICIPAL SERVICE BENEFIT UNIT DESCRIBED HEREIN, SET A PUBLIC HEARING FOR MARCH 23, 2021 AT 10:00 A.M., OR AS SOON THEREAFTER AS MAY BE HEARD, TO CONSIDER AN ORDINANCE ABOLISHING THE CHARLOTTE RANCHETTES MSBU AND ADVISORY BOARD TO TAKE PLACE IN ROOM 119, COMMISSION CHAMBERS LOCATED AT 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FL. 33948,**

**AND STAFF TO MOVE FORWARD WITH SCHEDULED GOPHER TORTOISE RELOCATION, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 4:1., COMMISSIONER DEUTSCH OPPOSED**

**PRESENTATION AGENDA**

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

1. Sarasota Manatee MPO Presentation

Presentation by Leigh Holt from Sarasota Manatee MPO.

Leigh Holt, Sarasota Manatee MPO Strategic Planning Manager gave a brief overview of 2045 Long Range Transportation Plans, 2045 Long Range Transportation Plan (LRTP) Goal, Enhance Travel and Tourism, Improve National Freight Network, Enable Competitiveness, Rural Access, Support Economic Vitality, and St. John's Heritage Parkway.

**Vice Chair Constance** commented on study, alignment, configuration, Bachmann Tract, and RFP. **Chair Truex** discussed connections, affordable housing, and interchange. **Commissioner Deutsch** mentioned affordable/workforce housing, RFP, acreage, and Bachmann Tract. **Commissioner Doherty** noted LRTP, extension, Bachmann Tract, Veterans Boulevard connection, right of way, Orlando Boulevard, and interchange. **Commissioner Tiseo** spoke to interchange, needs, congestion, road alignment, Bachmann Tract, public private partnership, State Legislative Agenda, traffic, available property, and RFP.

Gary Harrell, Charlotte County-Punta Gorda MPO Executive Director remarked on development, LRTP, interchange, Kings Highway, relief, Harbor Boulevard improvements, project priorities, feasibility study, conceptual design, and Veterans Boulevard.

**REGULAR AGENDA**

**R. Regular Agenda**

1. COVID-19 Response Update

**County Administration**

Update on Charlotte County's COVID-19 response.

Patrick Fuller, Emergency Management Director highlighted vaccine allocation, Federal Pharmacy Program, locations, Sharecare registration system, waitlist, appointments, and staffing.

Joseph Pepe, Florida Department of Health (FDOH) Administrator highlighted vaccine allocation, hospitals, dashboard, vaccination system, antibodies, staff, fatigue management, and COVID-19 Outlook.

Cameron Pennant, Legislative Manager highlighted committee assignments, COVID-19 Relief Bill, and unemployment benefits.

**Vice Chair Constance** commented on allocation, vaccinations, infrastructure, data, and doses. **Commissioner Deutsch** discussed vaccinations, waitlist, and antibodies. **Commissioner Tiseo** mentioned vaccination site, allocation, staffing, distribution, infrastructure, registration, Johnson and Johnson, funding, and resources.

**RECESS: 1:10 pm - 2:00 pm**

## 2. FPL Residential Street Light Conversion Agreement

### **Public Works**

a) Discussion and direction on moving forward with Florida Power & Light proposed LED light fixture upgrades; and b) Authorize the Chairman to sign the agreements.

Jason Ouimet, Public Works Maintenance and Operations Manager introduced Eric Cullinan, Florida Power and Light (FPL) and noted pilot program, light-emitting diode (LED), high pressure sodium (HPS), return rate, lighting fixtures, and warranty.

Eric Cullinan gave a brief presentation of Tariff Overview, Agenda, Proliferation of LED, Demand is High for LED Street Lights under LT-1: More than 100 cities have already signed up to do citywide conversions, Sample of Completed West Coast LT-1 LED Conversions, LED Advantages: Benefits of LED, Why Choose LED Over HPS, Benefits of Higher Color Rendering Index (CRI), HPS Compared to LED, Object Detection Distance Example, and storm recovery fees.

**Vice Chair Constance** spoke to conversion, cost, Agreement, HPS, LED, replacement, rate, rental, increase, fixtures, value, and storm recovery. **Commissioner Deutsch** commented on cost difference, LED fixture life span, return on investment (ROI), rate, savings, and timeline. **Commissioner Doherty** discussed increase. **Commissioner Tiseo** mentioned conversion recovery fee, increase, cost, Agreement, termination, warranty, maintenance, depreciation, and fixtures.

Mr. Elias interjected on storm recovery.

**COMMISSIONER DOHERTY MOVED TO DENY MOVING FORWARD WITH FLORIDA POWER & LIGHT (FPL) PROPOSED LED LIGHT FIXTURE UPGRADES, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

## (Addition #1) 5. Discussion and Direction on Proposed State Legislation

### **Commission Office**

a) SB 268 and HB 735 relating to pre-emption of Local Licensing and discussion; and b) HB 337 and SB 750 regarding Impact Fees.

Mr. Pennant gave a brief overview of Proposed State Legislation.

**Vice Chair Constance** noted pre-emptions, impact fees, committee assignments, Senator Gruters, letter, recipients, and weekly Tallahassee updates. **Chair Truex** spoke to legislative priorities, letter, local

occupational licensing, requirements, consumer protection, Home Rule, Florida Association of Counties (FAC), and phone calls. **Commissioner Deutsch** commented on Home Rule, impact fees, FAC, and phone calls. **Commissioner Tiseo** discussed impact fees, pre-emption, letter, local occupational license, construction consumer fraud and protection, bills, and Senator Gruters.

**COMMISSIONER DOHERTY MOVED TO APPROVE CRAFTING LETTERS ON BOTH ISSUES, GET THEM READY, AND MAKE PHONE CALLS TO BILL SPONSORS, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

### 3. Impact Fee Study

#### **Community Development**

**(Change #1)** Added attachments (4) – Presentation, Impact Fee Study – Broad Categories, Impact Fee Study – Detailed Categories, Comparison Spreadsheet.

a) Discussion and possible direction regarding the Duncan Associates Impact Fee Study; and b) Set a public hearing for March 9, 2021 at 10:00 a.m., or as soon thereafter as may be heard, in Room 119, Commission Chambers located at 18500 Murdock Circle, Port Charlotte, FL. 33948, to increase the percentage of collection of the current Impact Fee Study as commissioned by Tindale-Oliver.

Shaun Cullinan, Planning and Zoning Official gave a brief overview of Discussion at January 19, 2021 BCC Workshop, Show All Fee Calculations, Role of Planned Projects, State/Federal Roadways, Industrial Trip Rate Differences, Land Use Categories, Updated Fees: Broad Categories, Detailed Categories, Implementation, Impact Fee Collections, Study Related Discussion Points, Ordinance Related Discussion Points, Interim Discussion, and Proposed Next Steps.

**Vice Chair Constance** mentioned Updated Fees, studies, impact fees, House Bill (HB) 337, increase, deficit, Sales Tax, and data. **Chair Truex** noted Lee County, impact fees, and studies. **Commissioner Deutsch** spoke to impact fees, data, and studies. **Commissioner Doherty** commented on impact fees, deadline, HB 337, Charter Counties, studies, Detailed Categories, trip generation rates, methodology, and public hearing. **Commissioner Tiseo** discussed Proposed Next Steps, timing, studies, increase, impact fee schedule timeframe, Sales Tax, discounts, surrounding counties, and legislation.

County Attorney Knowlton responded to impact fees, schedule timeframe, changes, and public hearing.

**COMMISSIONER TISEO MOVED TO APPROVE DUNCAN AND ASSOCIATES DETAILED CATEGORY IMPACT FEE TECHNICAL REPORT AND SET A PUBLIC HEARING ON TUESDAY, MARCH 23, 2021 AT 10:00 AM OR SOON THEREAFTER TO CONSIDER THE ORDINANCE TO ADJUST IMPACT FEES, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

### 4. Bachmann Tract RFP

#### **County Administration**

Discussion and direction relating to the RFP for the Bachmann Tract.

**Vice Chair Constance** mentioned MPO Presentation, letter, notice, RFP, Addenda, property value, and access. **Chair Truex** noted process, bid responders, access, affordable housing, and proposals. **Commissioner Deutsch** spoke to proposals, Sarasota Manatee MPO, addendum, process, and RFP. **Commissioner Doherty** commented on submission date, requirements, Addendum, and Sarasota Manatee MPO. **Commissioner Tiseo** discussed property value, interchange, growth, and Addendum.

Ms. Corbett remarked on notice, Addenda, cone of silence, and RFP.

**COMMISSIONER DOHERTY MOVED TO APPROVE ISSUING AN ADDENDUM TO BACHMANN TRACT REQUEST FOR PROPOSALS TO INCLUDE THE SARASOTA MANATEE METROPOLITAN PLANNING ORGANIZATION PRESENTATION THAT WAS HEARD TODAY FOR INFORMATION PURPOSES ONLY, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

#### **PUBLIC INPUT - ANY SUBJECT**

Tim Ritchie mentioned Mulberry 2016 sinkhole, Mosaic Bartow gypstack, Sarasota County, Manatee County, Mosaic, 2023 Desoto County Beneficiation Plan, road, Horse Creek, pollution, water, and President Biden.

Mark Swaryn noted Charlotte Ranchettes, gopher tortoise removal, public safety issues, tree removal, South Charlotte Stormwater MSBU, and easements.

Cynthia Compton spoke to Desoto County School Board Superintendent Bennett, Mosaic 2023 Desoto mining, and referendum.

Michael Zarzano commented on Public Input Any Subject, election theft, due process, Mosaic, and referendum.

**AA. County Administrator Comments - None**

**BB. County Attorney Comments - None**

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

**DD. County Commissioner Comments**

**Vice Chair Constance** discussed Citizen Input Any Subject, Mosaic Settlement Agreement, record retention, Rick Arthur, Gulf Consortium Audit and Risk Committee, and Water Quality Manager. **Chair Truex** mentioned Aaron Stitt letter, Gulf Consortium Subrecipient Agreement letter, and Charlotte Ranchettes statute. **Commissioner Deutsch** noted Tampa Bay Buccaneers and Tampa Bay Rays. **Commissioner Doherty** spoke to Coastal Heartland Natural Estuary Partnership (CHNEP) Meeting, data, and Water Quality Manager. **Commissioner Tiseo** commented on Charlotte Ranchettes, gopher tortoises, line of sight, budget, Citizen Input Any Subject, Mosaic, impacts, lawsuit cost, Sarasota County, Settlement Agreement, position, and Water Quality Manager.




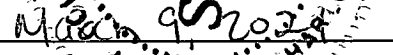
Mr. Elias responded to Charlotte Ranchettes, gopher tortoises, MSBU, line of sight, and funding.

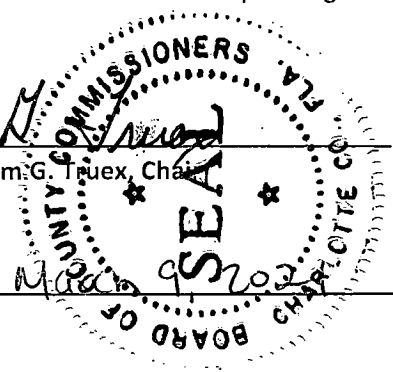
County Attorney Knowlton replied to Resolution, Mosaic, lawsuit cost, Sarasota County, Settlement Agreement, concessions, reports, record retention, Water Authority Board Meetings, and updates.

County Administrator Flores remarked on Aaron Stitt letter and Gulf Consortium Subrecipient Agreement letter.

ADJOURNED: 4:31 pm

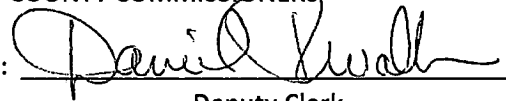
  
\_\_\_\_\_  
William G. Truex, Chair

DATE ADOPTED:  \_\_\_\_\_



ATTEST:

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

By:   
\_\_\_\_\_  
Deputy Clerk