

BOARD COUNTY COMMISSIONERS

FEBRUARY 23, 2021

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

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

The Meeting was called to order at 8:30 am

The Invocation was given by Pastor Jim Stultz, Peace River Baptist Church, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: R-2 State Legislative Update.

Requested by: County Administration

Addition #2: R-3 Discussion, direction and participation in Legislative Delegation meeting.

Requested by: Commission Office

Change #1: F-6 Added attachment – Resolution.

Requested by: Public Works

Chair Truex commented on Presentations and Legislative Delegation Meeting. Commissioner Constance discussed Legislative Delegation Meeting, public comment, and Presentations.

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA AND MOVING R-3 LEGISLATIVE DELEGATION MEETING TO VERY BEGINNING OF MEETING, SECONDED BY COMMISSIONER DEUTSCH

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

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA, DO PRESENTATIONS, AND THEN MOVE IMMEDIATELY TO R-3 LEGISLATIVE DELEGATION MEETING, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Taken out of Order

Award Presentations

Presentation from FCCMA

Milestone Recognition for Council-Manager Community from Florida City and County Management Association (FCCMA).

Rob Duncan, Imagine That Managing Director highlighted Milestone Recognition for Council-Manager Community from FCCMA and presented Award.

Institute for County Government Best Practices Award

Award presented by Florida Association of Counties Executive Director, Ginger Deegal.

Melissa McKinley, Florida Association of Counties (FAC) President highlighted Institute for County Government Best Practices.

Ginger Deegal, FAC Executive Director highlighted Institute for County Government Best Practices and presented Award.

Public Input – Legislative Delegation Meeting - None

REGULAR AGENDA

R. Regular Agenda

(Addition #2) 3. Legislative Delegation Meeting

Commission Office

Discussion, direction and participation in Legislative Delegation meeting.

Chair Truex mentioned current bill, amendment, Charter Review Commission (CRC), modification, process, communication, term limits, transparency, and changes. **Commissioner Constance** noted proposed Legislation, candidate elections, elected officials, and Charter Review. **Commissioner Deutsch** spoke to input, communication, current bill, transparency, involvement, term limits, Charlotte County Airport Authority (CCAA), elected officials, and CRC. **Commissioner Doherty** commented on communication, changes, current bill, term limits, CRC, committees, Florida Revised 1968 Constitution Article 8, and residency requirement. **Commissioner Tiseo** discussed local bill, term limits, transparency, input, communication, legislation, and voting rights.

Cameron Pennant, Legislative Manager interjected on current bill.

County Attorney Knowlton remarked on residency requirement.

COMMISSIONER CONSTANCE MOVED TO OPPOSE CURRENT BILL AND IF MODIFICATION INCLUDES TERM LIMITS TO ALSO OPPOSE THAT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

PUBLIC INPUT - AGENDA ITEMS ONLY - None

Proclamations - Commissioner Joseph Tiseo

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

MOTION CARRIED 5:0.

Fit for Life Senior Games 2021

Jill Boyd accepted the Proclamation.

Flood Awareness Week

The Proclamation will be delivered to Evangelina DiPiazza.

Zonta Yellow Rose Day 2021

Proclamation will be mailed to David and Judi Wilson, Zonta Club Co-Presidents of Punta Gorda Port Charlotte.

Employee Recognition

Employee of the Month - January 2021

Jeffrey Proffitt
Public Works

John Elias, Public Works Director highlighted Mr. Proffitts career, dedication, leadership, and presented Award.

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.

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 10:30 am. To obtain an application call 941-743-1300 and select option 1 or email Lisa.Eby@CharlotteCountyFL.gov.

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. Two volunteers must be engaged in commodity production. The term is effective immediately upon approval and will expire on December 31, 2024. If you are interested in an application and information, please contact Morgan.Cook@charlottecountyfl.gov.

Construction Industry Licensing Board is seeking a volunteer to represent the “consumer advocate” category. Volunteer must be a resident of Charlotte County for at least two years and have no financial interest, direct or indirect, in the building trades. Length of term is until March 11, 2022. Meetings are held on the 1st Thursday of each month at 6 pm at 18500 Murdock Circle in the Murdock Administration Building. To obtain an application, please call 941-743-1298 or email Diane.Whidden@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.
- **Burnt Store Village Street & Drainage** 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 Charlotte Stormwater Utility Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.

REPORTS RECEIVED AND FILED

2019-2020 CRA Annual Reports

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF D-2, F-4, F-8, G-1, AND N-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:

January 26, 2021 BCC Regular & Land Use Meeting
February 4, 2021 BCC Pre-Agenda

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - South Gulf Cove Waterway MSBU Advisory Board

Recommended Action: Approve the appointment of Jenne Ginsberg to fill the unexpired term of Gerald Bassett on the South Gulf Cove Waterway MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2022.

Budgeted Action: No action needed.

2: Appointment - Construction Industry Licensing Board

Recommended Action: Approve the appointment of Kelly Baxter to the Construction Industry Licensing Board representing the "Consumer Advocate" category replacing Stephen Gardiner who is not eligible for reappointment. Length of term is until February 23, 2025.

Budgeted Action: No action needed.

3. Appointment - Buena Vista Waterway Advisory Board

Recommended Action: Approve the appointment of Edward Preston to fill the unexpired term of Eugene Extejt on the Buena Vista Waterway Advisory Board. This appointment will be effective immediately and will expire on October 31, 2021.

Budgeted Action: No action needed.

D. County Administration

1. Declination Letter to Gulf Consortium Regarding RESTORE Act State Expenditure Plan (SEP) Award

Recommended Action: Requesting Chairman to sign the declination of Award Letter to Gulf Consortium.

Budgeted Action: No action needed. Grant agreement was not executed and the award was not budgeted.

2. Approval of New Positions

Recommended Action: a) Approve creation of additional 23 full time positions which includes the conversion of 2 existing part time positions to full time; and b) Authorize addition of 10 vehicles to the County fleet.

Budgeted Action: No action needed. The budget for these positions comes from savings in various account lines in the FY21 adopted budget. A budget adjustment will be completed in the fourth quarter if needed and brought to the board for approval. Funding for this expenditure comes from ad valorem, building permits, and fire assessments.

Chair Truex mentioned supplies, billing, options, drones, training, modifications, outsourcing, and certification. Commissioner Constance noted requests, position funding, Public Safety, product, inventory, hospitals, reimbursement, billing, Earthmoving Code Compliance Officer, mines, policy, inspections, and drones. Commissioner Tiseo spoke to supplies, cost, tax payer dollars, billing, and reimbursement. Chief Jason Fair responded to hospitals, supplies, and billing rate.

Mr. Elias remarked on Inspector, Accela, inspections, right of way, reports, guidelines, budget, technology, regulations, and outsourcing.

COMMISSIONER CONSTANCE MOVED TO APPROVE CREATION OF ADDITIONAL TWENTY-THREE FULL TIME POSITIONS WHICH INCLUDES THE CONVERSION OF TWO EXISTING PART TIME POSITIONS TO FULL TIME; AND AUTHORIZE ADDITION OF TEN VEHICLES TO THE COUNTY FLEET, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

E. County Attorney

1. Extension 49 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 2021-024**

Budgeted Action: No action needed.

F. Budget and Administrative Services

Fiscal Services

1. 2011 Utility Revenue Bond Refinancing

Recommended Action: Approve the Authorizing Resolution and all related documents to effectuate the refinancing of the 2011 Utility Revenue Bond. **RES 2021-022**

Budgeted Action: No action needed. Revised debt service is within the budget.

Information Technology

Purchasing

2. 17-230, Amendment #1, Annual Financial Audit - Board of County Commissioners

Recommended Action: a) Approve Amendment #1 to Contract #17-230, Annual Financial Audit - Board of County Commissioners, with Cherry Bekaert, LLP, in the amount of \$12,600 annually; and b) Authorize Chairman to sign the Amendment.

Budgeted Action: No action needed. Budgeted in the General Fund - BCC Controlled budget as approved in FY2021 budget process.

3. 21-021, Approve Change Order #1, Facilities Grounds Maintenance - Annual Contract (Facilities)

Recommended Action: Approve Change Order #1 to Contract #21-021 Facilities Grounds Maintenance - Annual Contract as awarded to Brightview Landscape Services Inc. of Port Charlotte, Florida in the amount of \$51,000 for a revised annual total of \$1,010,380.

Budgeted Action: No action needed. Budgeted in the Public Safety Fund - Facilities budget as approved in the FY2021 budget process. Funding for this expenditure comes from ad valorem.

4. 19-406, Amendment 1, Construction Manager at Risk - Fire Stations 2 and 5 Guaranteed Maximum Price (Facilities)

Recommended Action: a) Approve Amendment #1 to Contract #19-406 Construction Manager at Risk – Fire Stations 2 and 5 with Wharton-Smith, Inc. for the Guaranteed Maximum Price (GMP) for the management/construction phase of the project in the amount of \$5,459,982 (Fire Station 2) and \$4,467,317 (Fire Station 5) and a revised total project amount of \$10,035,761; and b) Authorize the Chairman to sign Amendment #1 to the Contract for the GMP for the construction phase of the Fire Stations 2 and 5; and c) Approve Resolution for BA21-078 in the amount of \$225,000; and d) Approve amended Capital Improvements Projects for Fire Station

2 Replacement decreasing the total budget from \$6,500,000 to \$6,275,000 and for Fire Station 5 Replacement increasing the total budget from \$5,000,000 to \$5,225,000. **RES 2021-025**

Budgeted Action: Approve budget adjustment BA21-078 in the amount of \$225,000 amending the FY21 budget for Capital Improvements Project Fire Station 2 Replacement decreasing the total budget from \$6,500,000 to \$6,275,000 and for Station 5 Replacement increasing the total budget from \$5,000,000 to \$5,225,000. Funding for the amendment is supplied from the 2014 Sales Tax Extension. Other funding sources for these projects include Capital Projects Fund ad valorem and Fire Impact Fees.

Chair Truex commented on Fire Station 2 and additional bays. **Commissioner Constance** discussed Fire Station 2, Fire Station 5, replacement template, cost difference, prototype design, budget, and land.

Anthony Maddox, Facilities Construction and Maintenance Director replied to cost difference, prototype design, and code.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2021-025 APPROVING BUDGET ADJUSTMENTS AND AMENDMENTS TO THE FISCAL YEAR 2020-2021 CHARLOTTE COUNTY ADOPTED BUDGET, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

5. 21-187, Award, Loveland Boulevard Pathway (Public Works)

Recommended Action: Approve award of Bid #21-187, Loveland Boulevard Pathway to the lowest responsive, responsible bidder, V & H Construction Inc. of Fort Myers, Florida for a total project amount of \$559,883.63. This is for the construction of a multi-use pathway on Loveland Boulevard from Peachland Boulevard to Veterans Boulevard in Port Charlotte.

Budgeted Action: No action needed. Budgeted in CIP project "Multi-use Trails and on-Road Bicycle Lanes" approved in the FY21 budget process. Funding is supplied from the 2014 Sales Tax Extension.

6. 21-137, Award, 2021 County Paving Program (Public Works)

(Change #1) Added attachment – Resolution.

Recommended Action: a) Approve award of Request for Bid #21-137, 2021 County Paving Program, to Preferred Materials, Inc., of Tampa, Florida, for the total amount of \$13,744,361.13. This is for the services of a Contractor to resurface Charlotte County roadways; and b) Approve Resolution for budget adjustment BA21-052 in the amount of \$56,623 for Manasota Key Street and Drainage Mtc MSTU (\$22,207) and Punta Gorda Non-Urban Street and Drainage MSBU (\$34,416) for paving services. **RES 2021-026**

Budgeted Action: Approve budget adjustment BA21-052 in the amount \$56,623 amending the FY21 Manasota Key Street and Drainage Maintenance MSTU and Punta Gorda Non-Urban Street and Drainage Maintenance MSBU. The Cochran/Quesada Avenue Lane expansion (\$46,880) is budgeted in Capital Improvements Project "Various Intersection Improvements". Funding is available in the Northwest Port Charlotte Street and Drainage Maintenance and Greater Port Charlotte Street and Drainage Maintenance MSBUs, as approved in the FY21 budget process. Funding is provided from the Road Improvements Fund using capital gas taxes, MSBU assessments and MSTU ad valorem taxes.

Real Estate Services

7. Lease of 10381 Tamiami Trail for Emergency Operations Center Storage (Facilities)

Recommended Action: a) Approve lease to be utilized by Emergency Operations Center (E.O.C.) for storage of supplies and equipment; and b) Approve budget adjustment #BA21-073 in the amount of \$110,968. **AGR 2021-009**

Budgeted Action: Approve budget adjustment #BA21-073 in the amount of \$110,968 to the General Fund, Facilities budget. Funding for this expenditure comes from ad valorem.

Risk Management

8. Agreement to Provide Broker Services

Recommended Action: Approve Agreement to provide broker services. **AGR 2021-010**

Budgeted Action: No action needed.

Chair Truex mentioned security notification. **Commissioner Constance** noted commission percent, compensation, standard broker fee, Exhibit B, security, and breach notification. **Commissioner Deutsch** spoke to premium and rates. **Commissioner Tiseo** commented on insurance, Agreement, commission, premiums, proposals, and state program.

Gordon Burger, Budget and Administrative Services Director interjected on Agent of Record Agreement, purchasing rules, compensation schedule, rates, self-insurance, comprehensive coverage, Florida Municipal Insurance Trust, and commissions.

COMMISSIONER CONSTANCE MOVED TO APPROVE AGREEMENT 2021-010 TO PROVIDE BROKER SERVICES WITH THE EDIT THAT IN 2.9 GEHRING GROUP SHALL REPORT TO CLIENT ANY SECURITY INCIDENT IMMEDIATELY OF WHEN IT BECOMES AWARE OF SUCH INCIDENT, AND FURNISH A FULL REPORT WITHIN TWENTY-FOUR HOURS WITH UPDATES AS APPROPRIATE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

Transit

9. FY21 Block Public Transportation Grant Agreement Resolution

Recommended Action: Approve Resolution authorizing the execution of the Block Public Transportation Grant Agreement (PTGA). **RES 2021-027**

Budgeted Action: No action needed.

G. Community Development

1. Set a Public Hearing to Consider Amendments to Chapter 3-3.5, Impact Fees, of the Code of Laws and Ordinances, Charlotte County

Recommended Action: Set a public hearing for March 23, 2021 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 amendments to Chapter 3-3.5, Impact Fees, of the Code of Laws and Ordinances of Charlotte County, Florida.

Budgeted Action: No action needed.

Chair Truex discussed national study, impact fees, effects, modifications, affordable and workforce housing, public hearing, and pricing. Commissioner Constance mentioned public hearing, date, notice, Special Meeting, and national report. Commissioner Deutsch noted public hearing, timeframe, construction industry, and cost. Commissioner Doherty spoke to public hearing, date, notification, and fee scenarios. Commissioner Tiseo commented on public hearing, date, notification, due diligence, and national report.

County Attorney Knowlton remarked on notification, deadline, and Special Meeting.

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGING THE PUBLIC HEARING DATE TO TUESDAY, MARCH 9, 2021, SECONDED BY COMMISSIONER TISEO

MOTION WITHDRAWN

COMMISSIONER CONSTANCE MOVED TO APPROVE SETTING A PUBLIC HEARING FOR MARCH 23, 2021 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 AMENDMENTS TO CHAPTER 3-3.5, IMPACT FEES, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

H. Community Services

I. Economic Development

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

1. Community Contribution Tax Credit Program - Resolution for Sponsorship of Peace River Community Housing Partners, Inc.

Recommended Action: a) Approve Resolution to sponsor Peace River Community Housing Partners, Inc. for the Community Contribution Tax Credit Program; and b) Authorize the Chairman to execute the Resolution; and c) Authorize the County Administrator, or his designee, to execute annual reapplications by Resolution. RES 2021-028

Budgeted Action: No action needed.

M. Public Safety

N. Public Works

1. Set a Public Hearing to Consider Approving Revisions to Right of Way Ordinance

Recommended Action: Set a public hearing for March 9, 2021 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 approving revisions to Right of Way Ordinance.

Budgeted Action: No action needed. No financial impact.

Chair Truex discussed read in and white paper. **Commissioner Constance** requested information. **Commissioner Doherty** mentioned Engineering Design and Construction Standards.

COMMISSIONER DOHERTY MOVED TO APPROVE SETTING A PUBLIC HEARING FOR MARCH 9, 2021 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 APPROVING REVISIONS TO RIGHT OF WAY ORDINANCE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

O. Tourism Development

P. Utilities

Q. Other Agencies

REGULAR AGENDA

R. Regular Agenda (Continued)

1. COVID-19 Response Update

County Administration

Update on Charlotte County's COVID-19 response.

Patrick Fuller, Emergency Management Director highlighted vaccination initiatives, vaccines, underserved minority communities, faith-based groups; distribution, and allocations.

Joseph Pepe, Florida Department of Health (FDOH) Administrator highlighted COVID-19 Outlook.

Mr. Pennant highlighted COVID-19 Relief Bill.

Chair Truex mentioned COVID-19 direct relief, accountability, and transparency. **Commissioner Constance** noted Cultural Center, December numbers, vaccinations, immunity, antibodies mass testing, hospitals, messaging, contentions, and COVID-19 direct relief. **Commissioner Deutsch** spoke to antibodies, transmission, district

representation, COVID-19 relief, and funding. **Commissioner Tiseo** commented on Macedonia Church, underserved community, homeless shelter, natural immunity, COVID-19 direct relief, related expenses, audit trail, and funding.

(Addition #1) 2. State Legislative Update

County Administration

State Legislative Update.

Mr. Pennant highlighted House Bill (HB) 3593, Charlotte County Policy Items Requests, Charlotte County Support Items Requests, HB 3457, State Bill (SB) 50, SB 750, SB 268, Committee Substitute (CS) SB 64, CSSB 60, Multi-use Corridor of Regional Economic Significance (M-CORES), and revenue exemption.

Chair Truex discussed list, changes, cost of living, US debt, supply, demand, and dollar devaluation. **Commissioner Constance** mentioned US debt, inflation, Federal Reserve, private bankers, M-CORES, revenue exemption, and Harborview Road. **Commissioner Deutsch** noted changes. **Commissioner Tiseo** spoke to Federal Reserve and funding.

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

RECESS: 10:58 am – 1:00 pm

1 P.M. PUBLIC INPUT - ANY SUBJECT

Attorney Michael Haymans commented on P.F. Poinciana LLC, public hearing, Legislative, Quasi-Judicial, Harborview Road, widening, and road reservations.

Patricia Niles discussed Agenda, developers, Allegiant, Sunseekers, easements, gambling, and legality.

Michael Anthony Zarzano mentioned election, fraud, federal petition, evidence, and Absolute Proof video.

Cynthia Compton noted money and corporate America.

Tim Ritchie spoke to blue green algae, Clark Road, SR 70, Mosaic, Desoto County Beneficiation Plant, destroyed documents, permits, uranium, clay settling areas, election theft, and Coastal and Heartland National Estuary Partnership (CHNEP).

Darlene Smith commented on roosters, Tringali hockey rink, and pickleball.

AA. County Administrator Comments

Jared Bickham, Capital Projects Manager discussed Project Status website, updates, features, project management standardization, and Capital Projects.

Chair Truex discussed website, updates, and Utilities. **Commissioner Constance** inquired to projects email alert. **Commissioner Tiseo** mentioned website and features.

BB. County Attorney Comments – None

CC. Economic Development Director Comments – None

DD. County Commissioner Comments

Chair Truex noted Tringali hockey rink, cost, funding, phasing, Sales Tax, 15373 Alsask Circle Code Enforcement case, construction cost, and Impact Fee Study. **Commissioner Constance** spoke to roosters, Code Enforcement, Metropolitan Planning Organization (MPO) Joint Meeting, revenue, impact fees, Harborview Road, and Sunseeker. **Commissioner Deutsch** commented on Sound Off Newsletter, Purple Heart Highway, Veterans Bill, amendment, CCAA, communication, COVID-19 relief funding, Workshop, Tringali hockey rink, William R. Gaines Jr. Memorial Park, trails, exercise equipment, funding, Military Services Memorial, First Responder Memorial, Freedom 5k, handicap accessible kayak launch, Charlotte County Veterans Council, Welcome Home Vietnam Veterans, Memorial Day, Veterans Day Parade, and Flag Day and Fourth of July Programs. **Commissioner Doherty** discussed 16 Coalition of Counties Meeting, South Florida Water Management District (SFWMD), Water Quality Manager, CHNEP, 2021 Legislative Agenda priorities, FAC, Florida Department of Transportation (FDOT), funding, septic to sewer program, and Tringali hockey rink. **Commissioner Tiseo** mentioned Sunseeker, MPO Joint Meeting, budget shortfalls, joint work programs, Harborview Road, construction inflation, Purple Heart Highway Initiative, CCAA, legislation, transparency, accountability, Legislative Delegation Meeting, citizen input and engagement, Tringali hockey rink, public amenities, Snowbird Classic, economic impact, Workshop, phasing, and funding sources.

2 P.M. LAND USE AGENDA

Minutes Clerk Smoleski administered the oath for testimony.

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

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY

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

MOTION CARRIED 5:0.

Consent Agenda

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

MOTION CARRIED 5:0.

UA 1. DRC-20-00132, Starbucks

Community Development

Kimley-Horn and Associates, Inc. is requesting Final Detail Site Plan approval for a Starbucks restaurant. This project consists of a 2,500 sq. ft. building with a drive thru and associated infrastructure. This project site is 0.964 ± acres and is located at 2931 S. McCall Rd., Englewood, Florida. **RES 2021-030**

Quasi-Judicial

UA 2. FP-20-03-10, Heritage Landing Phase II

Community Development

Lennar Homes, LLC has requested Final Plat approval for a subdivision to be named, Heritage Landing Phase II, consisting of 164 residential lots and Tract MF consisting of 92 residential multi-family units. The Preliminary Plat was approved for 256 units by the Charlotte County Board of County Commissioners at their meeting held June 23, 2020. They also seek approval of a Development Agreement and surety to cover the construction of the plat infrastructure. The site is 386.35 ± acres, and is located east of the Peace River, north and west of Burnt Store Road, and south of the City of Punta Gorda. **AGR 2021-012**

Quasi-Judicial

Public Hearing

UB 1. PA-19-08-17, P.F. Poinciana LLC

Community Development

Approve an Ordinance, pursuant to Section 163.3184(3), Florida Statutes, adopting a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to High Density Residential (HDR), increasing density from 37 units to 112 units; for property located at 24258 Harborview Road and 4088 Oakview Drive, in the Port Charlotte area, containing 7.48± acres; Commission District I; Petition No. PA-19-08-17; Applicant: P. F. Poinciana LLC; providing an effective date.

Legislative

Shaun Cullinan, Planning and Zoning Official highlighted September 8, 2020 Regular and Land Use Meeting details pertaining to PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, public comment, testimony, gave a brief overview of Proposed Changes, 1000' Buffer Map, Location Map, Area Image, Framework, Future Land Use Map (FLUM) Designations, Proposed FLUM Designations, Zoning Designations, Proposed Zoning Designations, Planned Development (PD) Concept Plan, Architectural Site Plan, Proposed Exterior Elevation Building 'A', Proposed Exterior Elevation Building 'B', and Proposed Exterior Elevation Building 'C'.

Assistant County Attorney Thomas David highlighted September 8, 2020 Regular and Land Use Meeting combined public hearings pertaining to PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, noted conditions, covenant, public comment, property taking, value, land use designation, density, site plan, and Comprehensive Plan.

Chair Truex spoke to Legislative, Quasi-Judicial, rental rates, demand, housing, public testimony, public input, compatibility, right of way, property value, protection, zoning, rights, units, and property taking. **Commissioner**

Constance commented on Legislative, Quasi-Judicial, public input, public testimony, January 28, 2021 Memorandum, and Medium Density Residential (MDR). **Commissioner Deutsch** discussed PD Concept Plan, building height, unit types, rental rates, square footage, construction cost, housing demand, subsidies, public input, and land acquisition. **Commissioner Doherty** mentioned building heights, unit types, apartments, public input, FLUM Designations, property taking, Harborview Road, MDR, and site plan. **Commissioner Tiseo** noted PD Concept Plan, public input, Staff Report, surrounding high density projects, walkable, livable, FLU Planning Principles, population center, density, rights, base density calculations, zoning, Springs Apartments, matrix, and PD process.

Attorney Geri Waksler, Applicant Representative spoke to condition, timeline, covenant, square footage, market rates, affordable housing, density, Tala Lakes, Eagle Lakes Estates, elevation, Harborview Road, Rolls Landing, Charleston Cay, site plan, widening, easement, apartments, rights, zoning, land use, height, units, transportation study, community meeting, requested approval, and withdrew Petition PD-20-00002, P.F. Poinciana LLC.

Attorney Michael Haymans commented on public input.

County Attorney Knowlton interjected on public input.

Public Input for Petition Number PA-19-08-17, P.F. Poinciana LLC

Minutes Clerk Smoleski administered the oath for testimony.

Seventy-one citizens spoke against PA-19-08-17, P.F. Poinciana LLC and Petition Number PD-20-00002, P.F. Poinciana LLC.

Minutes Clerk Smoleski administered the oath for testimony.

Phil Huddleston spoke against PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, discussed meeting, conceptual drawing, apartments, condominiums, Dundee Road, zoning, and Vision 2050 Master Plan.

John Iannelli spoke against PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, and mentioned units.

Alan Barnhart spoke against PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, noted density, zoning, plan, and housing.

Patricia Matthews spoke against PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, remarked on Comprehensive Plan, high density residential (HDR), Low Density Residential (LDR), development rights transfer, and transportation impact.

Rita Mueller spoke against PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, commented on Master Plan, Comprehensive Plan, units, square footage, and LDR.

Nancy Plymale spoke against PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, discussed Vision 2050 Master Plan, density, meeting, elevations, and site plan.

Jack Cooley spoke against PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, mentioned Comprehensive Plan, September 8, 2020 public hearing, rezoning, density, and property value.

Michael Coffey spoke against PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, noted zoning change, density, epidemic, and road rage.

William Staley, Tala Lakes Condo Association President spoke against PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, remarked on building sizes, Bachmann Tract, Harborview Road, widening, units, easement, Performance Bond, property value, Comprehensive Plan, and density.

Lydia Rist spoke against PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, and commented on public hearing sign.

Gary Swallow spoke against PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, discussed zoning change, and density.

Minutes Clerk Smoleski administered the oath for testimony.

Thomas Workman spoke against PA-19-08-17, P.F. Poinciana LLC, Petition Number PD-20-00002, P.F. Poinciana LLC, mentioned property overlay, Tala Lakes, proposed property, and structures.

Attorney Michael Haymans noted Comprehensive Plan, density, walkability, goods, services, Peace River, climate change, building heights and widths, storms, housing, units, PD, conditions, zoning, hurricane evacuation route, MPO, Harborview Road, property value, road reservations, and capital improvements requirements.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO DENY PA-19-08-17, P.F. POINCIANA LLC, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

UB 2. PD-20-00002, P.F. Poinciana LLC

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family 5 (RMF-5) to Planned Development (PD), increasing density from 37 units to 112 units, for property located at 24258 Harborview Road and 4088 Oakview Drive, in the Port Charlotte area, containing 7.48± acres; Commission District I; Petition No. PD-20-00002; applicant: P.F. Poinciana LLC; providing an effective date.; Applicant: P.F. Poinciana, LLC; providing an effective date.

Quasi-Judicial

Attorney Geri Waksler, Applicant Representative withdrew Petition PD-20-00002, P.F. Poinciana LLC.

UB 3. FP-20-10-14, Veterans Corner, Casto Port Charlotte Cochran, LLC

Community Development

Casto Port Charlotte Cochran, LLC has requested Preliminary & Final Plat approval for a two-lot commercial subdivision to be named Veterans Corner. The site is 1.32 ± acres and located south of Kenilworth Boulevard, north of Veterans Boulevard, east of the Pellam Waterway, and west of Cochran Boulevard, in Section 08, Township 40, Range 22 in Commission District V.

Quasi-Judicial

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

Mr. Cullinan gave a brief overview of FP-20-10-14, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, Zoning Designations, FLUM Designations, 1000' Buffer Map, and Proposed Changes.

Chair Truex discussed access. **Commissioner Constance** mentioned Proposed Changes, 2020 Aerial Location Map, access, improvements, transportation impact fees, and traffic. **Commissioner Deutsch** noted intersection, traffic, surrounding businesses, flow, and deceleration lanes. **Commissioner Tiseo** spoke to Cochran light, traffic, intersection, access, development, engineering, Greenbook standards, zoning, and parcel business.

Dan Moyer, Applicant Representative replied to access, parcel business, shared access Agreement, and Master Traffic Study.

Robert Fakhri, Transportation Engineer interjected on study, traffic, access, and level of service.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE PRELIMINARY AND FINAL PLAT APPROVAL FOR A TWO-LOT COMMERCIAL SUBDIVISION TO BE NAMED VETERANS CORNER. THE SITE IS 1.32 ± ACRES AND LOCATED SOUTH OF KENILWORTH BOULEVARD, NORTH OF VETERANS BOULEVARD, EAST OF THE PELLAM WATERWAY, AND WEST OF COCHRAN BOULEVARD, IN SECTION 08, TOWNSHIP 40, RANGE 22 IN COMMISSION DISTRICT V, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB 4. FP-20-11-17, Jacaranda, Blue Broadway Land, LLC

Community Development

Blue Broadway Land, LLC. has requested Preliminary and Final Plat approval for a two-lot subdivision to be named, Jacaranda. The site is 15.48 ± acres and located .67 of a mile west of I-75, North of Rampart Boulevard., South of Sandhill Boulevard., and West of Kings Highway within the Sandhill DRI.

Quasi-Judicial

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

Mr. Cullinan gave a brief overview of FP-20-11-17, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, Zoning Designations, FLUM Designations, 1000' Buffer Map, and Proposed Changes.

Todd Rebol, Applicant Representative commented on subdivision regulations and Southwest Florida Water Management District (SWFWMD) permit.

Commissioner Doherty discussed Sandhill Development of Regional Impact (DRI), Rampart drainage basin, stormwater, and facility.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE PRELIMINARY AND FINAL PLAT APPROVAL FOR A TWO-LOT SUBDIVISION TO BE NAMED, JACARANDA. THE SITE IS 15.48 ± ACRES AND LOCATED .67 OF A MILE WEST OF I-75, NORTH OF RAMPART BOULEVARD., SOUTH OF SANDHILL BOULEVARD., AND WEST OF KINGS HIGHWAY WITHIN THE SANDHILL DRI, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

UB 5. SV-20-10-05, Pelican Road Street Vacation, Michael & Lynda Lee

Community Development

Approve Resolution granting a Street Vacation for Michael & Lynda Lee, under Petition #SV-20-10-05 to vacate an undeveloped portion of Pelican Road, within Pine Lake Subdivision, a total of 0.18 ± acres as recorded in Plat Book 3, Page 37B, of the Public Records of Charlotte County, Florida, and located south of Cypress Road, north and east of Placida Road, and west of Everington Road. **RES 2021-029**

Legislative

Mr. Cullinan gave a brief overview of SV-20-10-05, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, Zoning Designations, FLUM Designations, 1000' Buffer Map, and Proposed Changes.

Commissioner Constance mentioned Proposed Changes.

Public Input

Attorney Rob Berntsson, Big W Law Firm noted Englewood Water District, easement, Resolution, and previous vacation.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2021-029 TO VACATE AN UNDEVELOPED PORTION OF PELICAN ROAD, WITHIN PINE LAKE SUBDIVISION, A TOTAL OF 0.18 ACRES, MORE OR LESS, AS RECORDED IN PLAT BOOK 3, PAGE 37B, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, AND LOCATED SOUTH OF CYPRESS ROAD, NORTH AND EAST OF PLACIDA ROAD, AND WEST OF EVERINGTON ROAD, IN SECTION 21, TOWNSHIP 41, RANGE 20, IN COMMISSION DISTRICT III, CHARLOTTE COUNTY, FLORIDA; PETITION SV-20-10-05, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

UB 6. TLDR-20-05, Revisions to Article XXIII: Earthmoving

Community Development

Approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-5, Planning and Development, Article XXIII: Earthmoving by renaming Section 3-5-477 from "Operation standards" to "Operation standards; Public Nuisance; Enforcement and Remedies", and Section 3-5-489 from "Earthmoving permit modifications" to "Modifications to approved permits"; deleting Section 3-5-483: Roadway service life reduction fee (RSLR) in their entirety; and revising Section 3-5-473: Application requirement, Section 3-5-474: Staff review and action, Section 3-5-475: Nonconformities, Section 3-5-476: Exempt earthmoving operations, Section 3-5-477: Operation standards; Public Nuisance; Enforcement and Remedies, Section 3-5-478: Standard earthmoving and construction permits, Section 3-5-479: Specific earthmoving permits, Section 3-5-481: Specific earthmoving permit application requirements, Section 3-5-482: Performance assurance for land reclamation (PALR), Section 3-5-484: Specific earthmoving permit process and procedures, Section 3-5-489: Modifications to approved permits, Section 3-5-490: Earthmoving permit inspections, and Section 3-5-493: Earthmoving permit violations; providing for inclusion in the Charlotte County Code; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners. **ORD 2021-004**

Legislative

Mr. Cullinan gave a brief overview of Proposed Changes, Proposed Detail Changes: Application Requirements, Small Farms Excavation, Agriculture (Ag) Excavation, Earthmoving permit inspections, Nuisance Violation, Performance Assurance for Land Reclamation (PALR), and clean-up of permit language.

Chair Truex spoke to compliance, traffic, and geographic information system (GIS) map. **Commissioner Constance** commented on mines spreadsheet and fees. **Commissioner Deutsch** discussed traffic.

Joanne Vernon, County Engineer responded to mines spreadsheet, map, Accela, and fees.

Assistant County Attorney David interjected on Resolution.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2021-004 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-5, ARTICLE XXIII, SECTIONS 3-5-473, 3-5-474, 3-5-475, 3-5-476, 3-5-477, 3-5-478, 3-5-479, 3-5-481, 3-5-482, 3-5-483, 3-5-484, 3-5-489, 3-5-490 AND 3-5-493 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, ENTITLED EARTHMOVING; AMENDING APPLICATION REQUIREMENT; AMENDING STAFF REVIEW AND ACTION; AMENDING NONCONFORMITIES; AMENDING EXEMPT EARTHMOVING OPERATIONS; AMENDING OPERATION STANDARDS; PROVIDING FOR PUBLIC NUISANCES, ENFORCEMENT AND REMEDIES; AMENDING STANDARD EARTHMOVING AND CONSTRUCTION PERMITS; AMENDING SPECIFIC EARTHMOVING PERMITS; AMENDING SPECIFIC EARTHMOVING PERMIT APPLICATION REQUIREMENTS; AMENDING PERFORMANCE ASSURANCE FOR LAND RECLAMATION; DELETING ROADWAY SERVICE LIFE REDUCTION FEE; AMENDING SPECIFIC EARTHMOVING PERMIT PROCESS AND PROCEDURES; AMENDING MODIFICATIONS TO APPROVED PERMITS; AMENDING EARTHMOVING PERMIT INSPECTIONS; AMENDING EARTHMOVING PERMIT VIOLATIONS; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB 7. TCP-20-05, Revisions to FLU Appendix VII: Compact Growth Mixed Use Master Development Plan by revising Section 1: West County Town Center

Community Development

Approve an Ordinance, pursuant to Section 163.3184(3), Florida Statutes, to adopt a Large-scale Plan Amendment; the request is to amend Future Land Use (FLU) Appendix VII: Compact Growth Mixed Use Master Development Plan by revising Section 1: West County Town Center, 1.C: Maximum Floor Area Ratio (FAR) to correct a scrivener error of FAR which should be 0.0292; 1.D: Perpetual Conservation Easement to clarify the requirement of Perpetual Conservation Easement, and 1.E: Master Development Plan to correct date which should be July 11, 2008; Commission District IV; Petition No. TCP-20-05; Applicant: Charlotte County Board of County Commissioners. **ORD 2021-005**

Legislative

Jie Shao, Principal Planner gave a brief overview of Proposed Changes, 1000' Buffer Map, Location Map, Area Image, FLUM Designations, Detailed Changes: Amending 1.C, Amending 1.D, and Amending 1.E.

Public Input

Attorney Rob Berntsson, Big W Law Firm expressed support for TCP-20-05, Revisions to FLU Appendix VII: Compact Growth Mixed Use Master Development Plan by revising Section 1: West County Town Center.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2021-005 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING THE FUTURE LAND USE (FLU) APPENDIX VII: COMPACT GROWTH MIXED USE MASTER DEVELOPMENT PLAN BY REVISING SECTION 1: WEST COUNTY TOWN CENTER, 1.C: MAXIMUM FLOOR AREA RATION (FAR) TO CORRECT A SCRIVENER'S ERROR OF FAR WHICH SHOULD BE 0.0292; 1.D: PERPETUAL

CONSERVATION EASEMENT TO CLARIFY THE REQUIREMENT OF PERPETUAL CONSERVATION EASEMENT; AND 1.E: MASTER DEVELOPMENT PLAN TO CORRECT THE DATE WHICH SHOULD BE JULY 11, 2008; COMMISSION DISTRICT IV; PETITION TCP-20-05; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB 8. PD-20-00008, Simple Life Ventures, LLC

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD to allow for development of a manufactured home community, increasing density from six units to 230 units, for property located at 12150 Burnt Store Road, in the Burnt Store Area Plan area and in the Punta Gorda area, containing 68.43± acres; the subject property is part of the property for a PD rezoning, Ordinance Number 2007-059, which contains 78.56± acres; Commission District II; Petition No. PD-20-00008; Applicant: Simple Life Ventures, LLC; providing an effective date. **ORD 2021-006**

Quasi-Judicial

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

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

Attorney Geri Waksler, Applicant Representative mentioned access, rezoning, cottages, sizes, open space, amenities, Comprehensive Plan, density, impacts, conditions, sights, sounds, buffers, requirements, standards, and design.

Chair Truex noted property value. **Commissioner Constance** spoke to leases, ownership, rentals, Home Owners Association (HOA), Land Owners Association (LOA), and entrance. **Commissioner Deutsch** mentioned Master Concept Plan, ingress, egress, purchase price, monthly fees, mortgages, leased land, and Sales Tax. **Commissioner Tiseo** noted ownership, chattel, title, taxes, and concepts.

Mike Buchan, Simple Life Ventures, LLC Chief Executive Officer (CEO) responded to purchase price, chattel, monthly fees, financing, taxes, affordability, school impacts, leases, resales, rentals, rules, envoys, and Advisory Board.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2021-006 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS

FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD) TO ALLOW FOR DEVELOPMENT OF A MANUFACTURED HOME COMMUNITY, INCREASING DENSITY FROM SIX UNITS TO 230 UNITS, FOR PROPERTY LOCATED AT 12150 BURNT STORE ROAD, IN THE BURNT STORE AREA PLAN AREA AND IN THE PUNTA GORDA AREA, CONTAINING 68.43 ACRES MORE OR LESS; THE SUBJECT PROPERTY IS PART OF THE PROPERTY FOR A PD REZONING, ORDINANCE NUMBER 2007-059, WHICH CONTAINS 78.56 ACRES MORE OR LESS; COMMISSION DISTRICT II, CHARLOTTE COUNTY, FLORIDA; PETITION PD-20-00008; APPLICANT, SIMPLE LIFE VENTURES, LLC; PROVIDING AN EFFECTIVE DATE, WITH EDIT TO SECTION J TO ADD V. LANDSCAPING AND BUFFERS SHALL BE FURTHER IN COMPLIANCE WITH EXHIBIT-1 AND EXHIBIT-2, PREPARED BY BARRACO AND ASSOCIATES, INC., DATED FEBRUARY 10, 2021 AND ADDED ATTACHMENT, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

UB 9. Z-20-32-22, CCBCC Burnt Store Road

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to Residential Estate 1 (RE-1), for property located at 12100 Burnt Store Road, in the Burnt Store Area Plan area and in the Punta Gorda area, containing 10.04± acres; Commission District II; Petition No. Z-20-32-22; Applicant: Charlotte County Board of County Commissioners; providing an effective date.

ORD 2021-007

Quasi-Judicial

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

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

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2021-007 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO RESIDENTIAL ESTATE 1 (RE-1), FOR PROPERTY LOCATED AT 12100 BURNT STORE ROAD, IN THE BURNT STORE AREA PLAN AREA AND IN THE PUNTA GORDA AREA, CONTAINING 10.04 ACRES MORE OR LESS, COMMISSION DISTRICT II, CHARLOTTE COUNTY, FLORIDA; PETITION Z-20-32-22; APPLICANT, BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

UB 10. PD-20-00007, Major Modification to Z-16-10-07, Lux Biscayne Landing

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD; this is a major modification to an approved PD Concept Plan and its associated PD conditions via Ordinance Number 2017-004; for property located northeast of Biscayne Drive, southeast of the Crestwood Waterway, east of Tulip Street, northwest of El Jobean Road (SR 776), south and southwest of Murdock Village, and northwest of Charlotte County Fairgrounds, in the Port Charlotte area, containing 125.40± acres; Commission District IV; Petition No. PD-20-00007 Applicant: Lennar Homes, LLC; providing an effective date. **ORD 2021-008**

Quasi-Judicial

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

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

Attorney Rob Berntsson, Applicant Representative spoke to conditions, original plan, access, gates, final plat, Developers Agreement, transportation study, impact fees, credits, traffic, and requested approval.

Commissioner Constance commented on Proposed Detail Changes, condition, access, transportation study, impact credits, and intersection. **Commissioner Deutsch** discussed entrance distance. **Commissioner Tiseo** inquired to emergency exits.

Mr. Cullinan responded to transportation study, intersection, Developers Agreement, right turn lane, impact fees, credits, and permitting.

Mr. Fakhri interjected on traffic, turn lane, proportionate share, Biscayne Road, access, impact fees, SR 776 study, FDOT State funding, and signal.

Public Input

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

MOTION CARRIED 5:0.

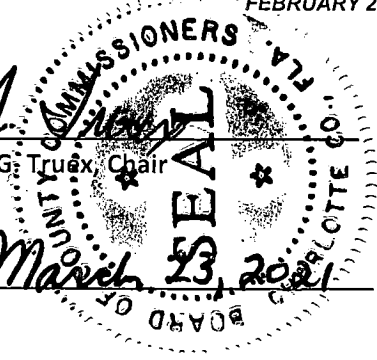
COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2021-008 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD); A MAJOR MODIFICATION TO THE APPROVED PLANNED DEVELOPMENT (PD) CONCEPT PLAN AND ITS ASSOCIATED PLANNED DEVELOPMENT (PD) CONDITIONS PURSUANT TO ORDINANCE NUMBER 2017-004; FOR PROPERTY LOCATED NORTHEAST OF BISCAYNE DRIVE, SOUTHEAST OF THE CRESTWOOD WATERWAY, EAST OF TULIP STREET, AND NORTHWEST OF EL JOBEAN ROAD (SR 776), SOUTH AND SOUTHWEST OF MURDOCK VILLAGE, AND NORTHWEST OF CHARLOTTE COUNTY FAIRGROUNDS, IN THE PORT CHARLOTTE AREA, CONTAINING 125.40 ACRES MORE OR LESS; COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION PD-20-00007; APPLICANT, LENNAR HOMES, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

ADJOURNED: 5:57 pm

William G. Truax
William G. Truax, Chair

DATE ADOPTED: March 23, 2021



ATTEST:

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

By: David D. Swalk
Deputy Clerk