

BOARD COUNTY COMMISSIONERS

MARCH 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, 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 9:00 am

The Invocation was given by Reverend Dr. R. Brian Stolarczyk, Lutheran Church of the Cross, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: R-3 Discussion and direction of future utility infrastructure needs on the Bachmann Tract.

Requested by: Commission Office

Change #1: I-1 Updated Title and wording – Set a ~~Charlotte Harbor~~ **Murdock Village** Community Redevelopment Agency Meeting on 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.

Requested by: Economic Development

Change #2: T-1 Added attachment – Updated Presentation.

Requested by: Public Works

Change #3: S-1 Added attachments – Updated Presentation and Updated, Engineering Design and Construction Standard.

Requested by: Public Works

Chair Truex commented on N-1 Earthmoving Fees. **Commissioner Constance** discussed N-1 Earthmoving Fees.

County Administrator Flores responded to N-1 Earthmoving Fees.

John Elias, Public Works Director interjected on N-1 Earthmoving Fees.

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA AND MOVING N-1 EARTHMOVING FEES TO MARCH 23, 2021 REGULAR AND LAND USE AGENDA, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Proclamations - Commissioner Ken Doherty

COMMISSIONER CONSTANCE MOVED TO APPROVE PROCLAMATIONS, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Government Finance Professionals Week

Rick Arthur, Fiscal Services Manager and Susan Gervais, Charlotte County Clerk of the Circuit Court and County Comptroller Finance Director accepted the Proclamation.

Vietnam Veterans Day 2021

Bill Akins and Hank Reposa accepted the Proclamation.

On behalf of the Charlotte County Vietnam Veterans **Commissioner Deutsch** presented a Prisoner of War/Missing in Action (POW/MIA) flag to **Chair Truex** to be flown at William R. Gaines Jr. Veterans Memorial Park.

Employee Recognition

5 Years: Kelly Danielson, Utilities; William Fleming, Public Works; Wyatt Hoffman, Budget & Administrative Services; Vincent Lockhart, Utilities; Heidi Maddox, Budget & Administrative Services; Richard Nelson, Utilities; Robert Weaver, Public Works; 15 Years: David Bennett, Budget & Administrative Services; Kimberly Campbell, Budget & Administrative Services; Lacey Solomon, Community Services; 20 Years: David Vance, Community Development; 25 Years: David Cain, Utilities.

Award Presentations

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

Commissioner Stephen R. Deutsch to accept donation from the Military Order of the Purple Heart.

Commander Jack Brunton, Charlotte County Military Order of the Purple Heart presented a check.

Commissioner Deutsch mentioned Military Order of the Purple Heart, recipients, and veterans.

PUBLIC INPUT - AGENDA ITEMS ONLY - None

COMMITTEE VACANCIES

The committee vacancy list below is for informational purposes only. It is not part of the County Commission agenda upon which action is to be taken, and therefore not a topic on which public input is allowed at the beginning of this meeting.

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 December 31, 2024. If you are interested in an application and information, please contact Morgan.Cook@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.
- **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.

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. Meetings 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.

REPORTS RECEIVED AND FILED

CONSENT AGENDA

Chair Truex noted 16-295, Amendment #7, Manasota Key Beach Renourishment 10 Year Management Plan and Stump Pass. **Commissioner Constance** spoke to 16-295, Amendment #7, Manasota Key Beach Renourishment 10 Year Management Plan and requested update.

County Administrator Flores responded to Manasota Key Beach Renourishment update.

COMMISSIONER DOHERTY MOVED TO APPROVE THE CONSENT AGENDA, 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:

February 9, 2021 BCC Regular Meeting
February 16, 2021 BCC Strategic Planning Workshop
February 16, 2021 BCC Utilities Quarterly Update
February 18, 2021 BCC Pre-Agenda

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment- Englewood East Non-Urban Street & Drainage MSBU Advisory Board

Recommended Action: Approve the appointment of Edward Zupal to fill the unexpired term of Cathie Skoog on the Englewood East Non-Urban Street and Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2021.

Budgeted Action: No action needed.

D. County Administration

E. County Attorney

1. Extension 51 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 2021-032

Budgeted Action: No action needed.

F. Budget and Administrative Services

Fiscal Services

Information Technology

Purchasing

1. 16-295, Amendment #7, Manasota Key Beach Renourishment 10 Year Management Plan (Public Works)

Recommended Action: a) Approve Amendment #7 to Contract #16-295 Manasota Key Beach Renourishment 10 Year Management Plan with Coastal Engineering Consultants, Inc. of Bonita Springs,

Florida for 2021 Annual Monitoring and Technical Support Services; and b) Authorize the Chairman to sign Amendment #7.

Budgeted Action: No action needed. Budgeted in the approved FY21 CIP project "Manasota Key Beach Nourishment". Grant funding comes from the Florida Department of Environmental Protection and will be reimbursed at 35.65% of eligible invoices with local share being supplied by the Manasota Key Beach Nourishment MSBU, Tourist Development, Boater Improvement Fund-local and the Growth Increment Fund. Sarasota County will reimburse Charlotte County for their portion of this change order.

2. Property Deletions for the Month of March, 2021 (Purchasing)

Recommended Action: Approve the deletion of additional property inventory items listed on the attachment for the month of March 2021.

Budgeted Action: No action needed.

Real Estate Services

Risk Management

Transit

G. Community Development

H. Community Services

1. William R Gaines Foundation Park ADA Kayak Launch

Recommended Action: Approve agreement between the Charlotte County and the William R. Gaines Jr. Veteran Memorial fund to accept the donation of an ADA kayak launch to be installed at the William R. Gaines Jr. Veterans Memorial Park. **AGR 2021-015**

Budgeted Action: No action needed. A budget adjustment will be brought forward for the County's commitment of design and permitting estimated at \$40,000, with funding supplied from the 2014 Sales Tax Extension. Community Services Parks Maintenance will fund maintenance of the kayak launch in perpetuity from General Fund ad valorem.

2. William R. Gaines Jr. First Responder Memorial

Recommended Action: Approve agreement between the Charlotte County and the William R. Gaines Jr. Veteran Memorial fund to accept the donation of a First Responder Memorial to be installed at the William R. Gaines Jr. Veterans Memorial Park. **AGR 2021-016**

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

3. William R. Gaines Jr. Veteran Memorial

Recommended Action: Approve agreement between the Charlotte County and the William R. Gaines Jr. Veteran Memorial fund to accept the donation of a Veteran Memorial to be installed at the William R. Gaines Jr. Veterans Memorial Park. **AGR 2021-017**

Budgeted Action:

No action needed. Budgeted in the General Fund - Parks Maintenance budget as approved in the FY2021 budget process. Funding for this expenditure comes from ad valorem.

I. Economic Development

1. Set a Murdock Village Community Redevelopment Agency Meeting on March 23, 2021.

(**Change #1**) Updated Title and wording – Set a ~~Charlotte Harbor~~ **Murdock Village** Community Redevelopment Agency Meeting on 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.

Recommended Action: Set a ~~Charlotte Harbor~~ **Murdock Village** Community Redevelopment Agency Meeting on 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.

Budgeted Action: No action needed.

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

M. Public Safety

N. Public Works

~~1. Earthmoving Fees~~

~~**Recommended Action:** a) Approve Resolution amending Earthmoving Fees; and b) Authorize the Chairman to sign Earthmoving Fees Resolution.~~

~~**Budgeted Action:** No action needed. No financial impact.~~

O. Tourism Development

P. Utilities

Q. Other Agencies

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 Emergency Operations Center (EOC), COVID-19 response, personal protection equipment (PPE), testing, vaccinations, Harold Avenue, Sunshine Baptist Church, Charlotte Harbor Event Center, Tringali Park, Centennial Park, Healthcare Heroes, eligibility, and registration system.

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

Chair Truex commented on vaccine age restrictions, homebound and vulnerable population, and firefighter's vaccination percentage. **Commissioner Constance** discussed data, process, vaccines, curve, antibody treatments, funding, First Responders, age restrictions, teachers, vulnerable and homebound population, Cultural Center, and heat maps. **Commissioner Deutsch** mentioned data, preparation, and vaccines. **Commissioner Doherty** remarked on nursing homes and assisted living facilities (ALF). **Commissioner Tiseo** noted Johnson and Johnson, vaccines, demand, and supply.

Taken Out Of Order

(Addition #1) 3. Bachmann Tract Utility Infrastructure Needs

Commission Office

Discussion and direction of future utility infrastructure needs on the Bachmann Tract.

Craig Rudy, Utilities Director highlighted Bachmann Tract Utility Infrastructure Needs.

Chair Truex spoke to Lot 874 and acres. **Commissioner Constance** commented on Request for Proposals (RFP), Florida Department of Transportation (FDOT), Raintree Boulevard interchange, utility needs, Water Authority, feasibility study, and Lot 874. **Commissioner Doherty** discussed needs, property, utility infrastructure, Harbor Boulevard, extension, Haverhill Waterway, reserved acres, RFP, right of way, School Board, Phase Two siting and feasibility analysis, hydraulic analysis and model, and City of North Port benefit distribution.

Mike Coates, Peace River Manasota Regional Water Supply Authority Deputy Director responded to North Port pipeline, pipe size and location, delivery needs, connections, design, and models.

2. State Legislative Update

County Administration

State Legislative Update.

Cameron Pennant, Legislative Manager highlighted American Rescue Plan, COVID-19 Relief Bill, 2021 Florida Legislative Session, State budget and infrastructure, Multi-use Corridors of Regional Economic Significance (M-CORES), potential infrastructure/transportation bill, septic to sewer conversion, public records exemptions, Charlotte County Centennial Resolution, West Coast Inland District (WCIND) Operations Center, sales and use tax bill, impact fees bill, pre-emption of local occupational licensing bill, and reclaimed water legislation.

Chair Truex mentioned testimony, Governors budget, and Florida Association of Counties (FAC) conference. **Commissioner Constance** noted COVID-19 Relief Bill, updates, testimony, budget, M-CORES, environmental impacts, SR 31, Joint Lee County Metropolitan Planning Organization (MPO) Meeting, and Amy Baker. **Commissioner Doherty** spoke to Task Force Meetings, need, existing facilities, improvements, funding, M-CORES, and FDOT.

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. Right of Way Ordinance and Resolution for Engineering Design and Construction Standards

Public Works

(Change #3) Added attachments – Updated Presentation and Updated, Engineering Design and Construction Standard.

a) Conduct a public hearing to consider approving the Right of Way Ordinance; and b) Approve Resolution adopting engineering design and construction standards. **ORD 2021-009 / RES 2021-033**

Joanne Vernon, County Engineer gave a brief overview of History, Charlotte County Right of Way (ROW) Ordinance Status, Charlotte County ROW Ordinance Changes, and Charlotte County Design Manual Changes.

Chair Truex commented on permits issued in error, inspection process, pipes, appeal process, insurance requirements, right of way, and driveway slopes. **Commissioner Constance** discussed permits issued in error, appeals, pipes, variance, and driveways. **Commissioner Deutsch** mentioned materials, appeal, permit issued in error, and Veterans driveway. **Commissioner Doherty** noted permits issued in error,

Certificate of Occupancy, pipes, FDOT, requirements, materials, standards, Ordinance, and drainage swales. **Commissioner Tiseo** spoke to appeals process and Veterans driveway.

County Attorney Knowlton responded to appeals, process, product, amendment, Veterans driveway, and permits issued in error.

Assistant County Attorney Pooja Patel interjected on administrative appeal process.

County Administrator Flores replied to appeals process.

Mr. Elias responded to appeals process and Veterans driveway.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2021-033 ADOPTING ENGINEERING DESIGN AND CONSTRUCTION STANDARDS WITHIN COUNTY RIGHTS-OF-WAY AND EASEMENTS; AND PROVIDING AN EFFECTIVE DATE AND ORDINANCE 2021-009 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING AND RESTATING CHAPTER 3-6, ARTICLE II, CONSTRUCTION; IMPROVEMENTS, DIVISION 1 GENERALLY; REPEALING ORDINANCE NUMBERS 85-43, ORDINANCE NUMBER 90-32, AND SECTION 3-6-21 THROUGH 3-6-25 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; CREATING A NEW ARTICLE II, DIVISION 1, SECTIONS 3-6-21(1) THROUGH 3-6-21(27) RELATING TO WORK WITHIN COUNTY RIGHTS OF WAY AND EASEMENTS; PROVIDING FOR PENALTIES FOR VIOLATION; PROVIDING FOR CONFLICTS AND CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

2. Abolishment- Charlotte Ranchettes Street & Drainage MSBU & Advisory Board

Public Works

Conduct a public hearing to consider the ordinance to abolish the Charlotte Ranchettes Street & Drainage MSBU & Advisory Board. **ORD 2021-010**

Mr. Elias highlighted Abolishment – Charlotte Ranchettes Street & Drainage MSBU & Advisory Board.

Chair Truex commented on private roads, communication, taxes, process, drainage, and right of way. **Commissioner Constance** discussed budget, leftover funds, Gewant Boulevard, Alfred Boulevard, right of

way, Gas Tax, public safety, drainage, Polk Drive, Maris Drive, interconnect, communication, and refund. **Commissioner Deutsch** mentioned abolishment and Municipal Service Benefit Unit (MSBU). **Commissioner Doherty** noted communication and refund. **Commissioner Tiseo** spoke to February 9, 2021 citizen input, Desoto County, charter, MSBU, ownership, funding, impacts, refunds, timeframe, and communication.

Mr. Arthur interjected on taxes, refund, and timeframe.

County Administrator Flores remarked on talking points.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2021-010 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, ABOLISHING THE CHARLOTTE RANCHETTES STREET AND DRAINAGE MUNICIPAL SERVICE BENEFIT UNIT AND ADVISORY BOARD; REPEALING ARTICLE XXXII. – CHARLOTTE RANCHETTES STREET AND DRAINAGE UNIT, SECTION 4-6-681 THROUGH 4-6-690, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

1. Cranberry Boulevard - Hillsborough Boulevard Intersection Analysis and Study

(Change #2) Added attachment – Updated Presentation.

Presentation by Robert Fakhri, P.E.

Robert Fakhri, Transportation Engineer highlighted Cranberry Boulevard - Hillsborough Boulevard Intersection Analysis and Study.

Bill Adams, American Consulting Professionals gave a brief overview of Outline, Project Location, Study Scope, Project Status, Improvement Alternatives, Alternative One, Alternative Two, Alternative Three, Traffic Analysis, Alternative One Refinements, Alternative Two Refinements, Alternative Three Refinements, Comparison of Alternatives, Recommendations, and City of North Port 2/23/2021 Meeting Results.

Linda Hess, American Consulting Professionals gave a brief overview of Traffic Engineering Terminology, Existing Conditions: Existing Year (2020) Design Hour Volumes, Level of Service, 95th Percentile Queue Length, Crash Analysis, Crash Diagrams (2015-2019), Future Projections, Design Year (2045) Design Hour Volumes, and No Build (2045) Level of Service.

Chair Truex commented on roundabout, Alternative Two Refinements, and cost share. **Commissioner Constance** discussed Alternative Two Refinements, roundabouts, and cost share. **Commissioner Deutsch** mentioned red right turn and Alternative Two Refinements. **Commissioner Doherty** noted Alternative Two Refinements. **Commissioner Tiseo** spoke to Alternative One, Alternative Two, and Alternative Two Refinements.

County Attorney Knowlton interjected on direction and motion.

COMMISSIONER TISEO MOVED TO APPROVE MOVING CRANBERRY BOULEVARD - HILLSBOROUGH BOULEVARD INTERSECTION ANALYSIS AND STUDY TO MARCH 23, 2021 CONSENT AGENDA, SECONDED BY COMMISSIONER DEUTSCH

MOTION WITHDRAWN

PUBLIC INPUT - ANY SUBJECT

Attorney Derek Rooney commented on Enterprise Charlotte Airport Park (ECAP), Ordinance, Piper Road facility, County Code, and truck stops.

AA. County Administrator Comments

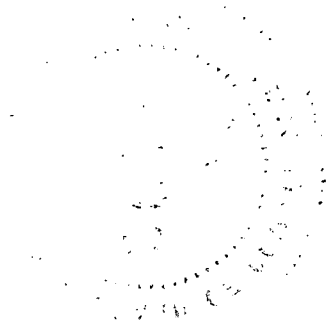
County Administrator Flores discussed Public Works.

BB. County Attorney Comments - None

CC. Economic Development Director Comments - None

DD. County Commissioner Comments

Chair Truex discussed ECAP, Placida, causeway, parcel, Blue Trails, access, property value, facility, options, boat ramp, P-21-1, P-21, P-4-4, Gasparilla Island Conservancy, advertising bench contract, non-profit, and payment. **Commissioner Constance** mentioned Public Works, Justice Center, cost, project execution, infrastructure, growth flex space, 16 County Coalition letter, funding, Boca Grande Causeway, parcels, investment, Charter Review Commission (CRC) commitment, advertising benches, contract, charity, extension, breaches, documentation, performance proof, and non-profit. **Commissioner Deutsch** noted Senior Games, access, Placida, advertising benches contract, cancellation, revisions, and transferrable. **Commissioner Doherty** spoke to Public Works, ROW Ordinance, 16 County Coalition letter, Everglades restoration efforts, and funding. **Commissioner Tiseo** commented on truck stops, ECAP Zone,

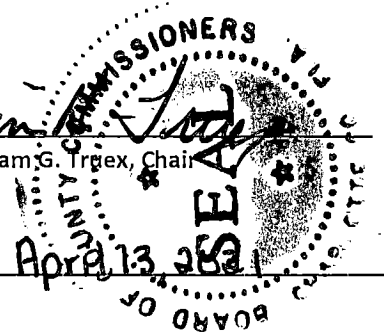


infrastructure, trail system, numbers, boat ramp, access, advertising bench contract, and non-performance.

Tommy Scott, Community Services Director remarked on numbers.

County Attorney Knowlton responded to CRC applicants, commitment, advertising benches contract, non-profit, updates, litigation, performance, Certificate of Insurance, payment, and Local Education Foundation.

ADJOURNED: 12:17 pm

The seal of the Board of County Commissioners is circular with a dotted border. The text "BOARD OF COUNTY COMMISSIONERS" is written around the perimeter. In the center, there is a large letter "E" and a star. The seal is partially obscured by a signature and a date stamp.
William G. Trex
William G. Trex, Chair
DATE ADOPTED: April 13, 2021

ATTEST:

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

By: 
Deputy Clerk