

BOARD COUNTY COMMISSIONERS

MARCH 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 9:00 am

The Invocation was given by **Commissioner Constance**, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: Award Presentations, 2020 American League Champions Trophy.

Requested by: Community Services

Addition #2: R-10, 21-337, Award Piggyback, Countywide Security Migration (Facilities).

Requested by: Budget & Admin Services

Addition #3: R-11, Murdock Village Transfer Fee Covenant Correction.

Requested by: Economic Development

Addition #4: R-12, Eighth Amendment to Charlotte Sports Park Agreement.

Requested by: Community Services

Change #1: S-1, Added attachment – Updated Impact Fee Study Adoption presentation and Added attachment – Updated Impact Fee Analysis Memo.

Requested by: Community Development

Change #2: R-5, Added attachment – Final PRMRWSA Agenda.

Requested by: Utilities

Change #3: R-10, Added attachment – Resolution.

Requested by: Budget & Admin Services

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Christopher Constance

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

MOTION CARRIED 5:0.

Donate Life Month

Proclamation will be mailed to Erika Flores.

Charlotte County Easter Event Day

Harpy the Easter Bunny accepted the Proclamation.

National County Government Month

County Administrator Flores, Deputy County Administrator Emily Lewis, and Assistant County Administrator Claire Jubb accepted the Proclamation.

Water Conservation Month

Proclamation will be mailed to Dennis Ragosta, Southwest Florida Water Management District Government Affairs Manager.

Employee Recognition

Employee of the Year 2020

Jammie Webb
Budget & Administrative Services

Ray Desjardins, Information Technology (IT) Senior Division Manager highlighted Ms. Webb's career, education, and presented Award.

Employee of Month - February

Stefan Kalev
Community Development

Shaun Cullinan, Planning and Zoning Official highlighted Mr. Kalev's career, customer service, and presented Award.

Award Presentations

Special Recognition Medal of Valor

On the morning of February 4, 2020, Firemedic Edward Diaz was off duty when he came across a house on fire in Desoto County before the emergency responders arrived. Knowing seconds matter, Diaz broke into the front door, found an older woman inside, and guided her to safety outside the burning home.

Chief Jason Fair highlighted Mr. Diaz's heroic actions, presented Medal of Valor, and Award.

Cigna Well-Being Award

Cigna has selected Charlotte County Government - Wellness at Work as a recipient of the annual Cigna Well-Being Award for demonstrating a strong commitment to improving the health and well-being of its employees through a workplace wellness program.

Eleanor Chase, Cigna Regional Engagement Lead highlighted Cigna Well-Being Award.

Stephanee Phillips, Wellness Coordinator presented Award.

Achievement of Excellence in Procurement Award

Charlotte County has earned the 2020 Annual Achievement of Excellence in Procurement Award. The Achievement of Excellence in Procurement Award is designed to recognize organizational excellence in procurement. The criteria for this award is continuously evolving and is designed to measure state of the art in public procurement best practices.

Charlotte County Board of Commissioners is one of only 32 agencies in Florida and one of only 40 Counties in the United States and Canada to receive the award. Charlotte County Board of Commissioners Purchasing Division has received this award sixteen times.

Kim Corbett, Purchasing Senior Division Manager highlighted Achievement of Excellence in Procurement Award, acknowledged staff's hard work, dedication, and presented Award.

(Addition #1) 2020 American League Champions Trophy

Tampa Bay Rays to present the Board of County Commissioners the 2020 American League Champions Trophy.

Tommy Scott, Community Services Director introduced Dan Moeller, Tampa Bay Rays Director of Operations.

Mr. Moeller highlighted his career, recognized County staff, and presented Award.

PUBLIC INPUT - AGENDA ITEMS ONLY

Cy Schrage commented on Public Seating Agreement.

Jerry Presley, Creative Outdoor Vice President discussed Public Seating Agreement.

Tim Freeman mentioned Rotonda Meadows and Villas Street and Drainage MSBU - Discussion and Direction.

Patricia Aho noted 2021-2022 Charter Review Commission Members Selection.

Attorney Geri Waksler, McCrory Law Firm spoke to Interlocal Agreement with Desoto County - Kingsway Circle Roadway Improvement Study.

Tim Ritchie commented on Water Authority Agenda - March 31, 2021.

Michael Zarzano discussed Water Authority Agenda - March 31, 2021.

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. Meetings are held quarterly in the Administration Center at 18500 Murdock Circle and are generally held on the first Monday at 10:30 a.m. 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 (2) two 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. Both 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.

REPORTS RECEIVED AND FILED

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-1 AND F-3, 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:

February 23, 2021 BCC Regular & Land Use
March 4, 2021 BCC Pre-Agenda
March 9, 2021 BCC Budget Process Update Workshop

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment to the Agricultural & Natural Resources Advisory Committee

Recommended Action: Approve the new appointment Mitchell Aman as other/conservationist. This appointment is effective immediately and expires December 31, 2024.

Budgeted Action: No action needed.

2. Appointment to the Marine Advisory Committee

Recommended Action: Approve the new appointment of David Vigne to the Marine Advisory Committee. The appointment is effective immediately and will expire on December 31, 2023.

Budgeted Action: No action needed.

3. Re-Appointments to the Agricultural and Natural Resources Advisory Committee

Recommended Action: a) Approve the reappointment of Joel Beverly as a representative of Commodity Production in cattle. The term will be effective immediately and will expire on December 31, 2024; and b) Approve the reappointment of David Kemeny as a representative of Commodity Production in citrus. The term will be effective immediately and will expire on December 31, 2024.

Budgeted Action: No action needed.

D. County Administration

E. County Attorney

1. Extension 53 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 2021-035

Budgeted Action: No action needed.

F. Budget and Administrative Services

Fiscal Services

Information Technology

Purchasing

1. 12-050, Amendment 9, Stump Pass 10-Year Management Plan (Public Works)

Recommended Action: a) Approve Amendment #9 to Contract #12-050 Stump Pass 10-Year Management Plan, with Coastal Engineering Consultants (CED) of Bonita Springs, Florida in the amount of \$382,914; and b) Authorize the Chairman to sign the Amendment.

Budgeted Action: No action needed. Budgeted in the approved FY21 CIP projects "Don Pedro Knight Palm Island Beach Renourishment" and "Stump Pass Dredging". Grant funding from Florida Department of Environmental Protection grants 20CH1 and 21CH1 will pay 35.65% of qualifying expenses, Federal Emergency Management Administration will fund 16.92% of qualifying Irma damages, and the local share of expenses is supplied by Stump Pass Beach Dredging MSTU, Don Pedro Knight Island Beach Renourishment MSBU, Tourist Development Council, Growth Increment Fund and Boater Improvement Fund-Local.

Commissioner Constance mentioned groin, update, and options. **Commissioner Tiseo** noted groin, dredging frequency, impacts, and updates.

County Administrator Flores spoke to beach renourishment project update.

COMMISSIONER CONSTANCE MOVED TO APPROVE AMENDMENT #9 TO CONTRACT #12-050 STUMP PASS 10-YEAR MANAGEMENT PLAN, WITH COASTAL ENGINEERING CONSULTANTS (CED) OF BONITA SPRINGS, FLORIDA IN THE AMOUNT OF \$382,914, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

2. 21-309, Award Piggyback, Purchase of Family Services Center Furniture (Facilities)

Recommended Action: Approve the "piggyback" purchase for File #21-309, Purchase of Family Services Center Furniture, per State of Florida Contract #56120000-19-ACS, and award to Commercial Design Services, of Tampa, Florida, for the total cost of \$309,810.

Budgeted Action: No action needed. Budgeted in Capital Improvements Project "Family Services Center Complex" approved in the FY21 budget process. Funding is supplied from the 2014 Sales Tax Extension.

3. 19-311, Amendment 3, Construction Manager (CM) at Risk, ARFF Training Simulator Facility (Facilities)

Recommended Action: a) Approve Amendment #3 to Contract #19-311, Construction Manager (CM) at Risk, ARFF Training Simulator Facility with Wharton-Smith, Inc. to add additional Guaranteed Maximum Price in the amount of \$6,512,876; and b) Authorize the Chairman to sign Amendment #3 to the Contract for the Construction Manager (CM) at Risk, ARFF Training Simulator Facility; and c) Approve Resolution for BA21-080 in the amount of \$ 6,512,876; and d) Approve a new Capital Improvements Project titled "Airport Rescue & Fire Fighting Training Phase 2" in the amount of \$6,512,876. **RES 2021-039**

Budgeted Action: Approve budget adjustment BA21-080 in the amount of \$6,512,876 creating a new Capital Improvements Project titled "Airport Rescue & Fire Fighting Training Phase 2," a 2020 Sales Tax Extension Tier 1 project. The project is to be funded from an advance of 2014 Sales Tax Extension Funds, \$5,000,000 of which is to be repaid from future 2020 Sales Tax Extension collections.

Chair Truex commented on construction cost. **Commissioner Constance** discussed budget, construction cost, market, training locations, and funding. **Commissioner Deutsch** mentioned training and inflation. **Commissioner Tiseo** noted Financial Impact Statement, potential revenues, economic impact, operations, and training.

Roger Warner, Facilities Manager responded to cost increase and steel.

Deputy County Administrator Lewis interjected on business plan, model, revenue, Tampa and Jacksonville facilities, Allegiant, Tourist Development Tax (TDT), cost, and budget.

COMMISSIONER CONSTANCE MOVED TO APPROVE AMENDMENT #3 TO CONTRACT #19-311, CONSTRUCTION MANAGER (CM) AT RISK, ARFF TRAINING SIMULATOR FACILITY WITH WHARTON-SMITH, INC. TO ADD ADDITIONAL GUARANTEED MAXIMUM PRICE IN THE AMOUNT OF \$6,512,876; AND AUTHORIZE THE CHAIRMAN TO SIGN AMENDMENT #3 TO THE CONTRACT FOR THE CONSTRUCTION MANAGER (CM) AT RISK, ARFF TRAINING SIMULATOR FACILITY; AND APPROVE RESOLUTION 2021-039 FOR BA21-080 IN THE AMOUNT OF \$ 6,512,876; AND APPROVE A NEW CAPITAL IMPROVEMENTS PROJECT TITLED "AIRPORT RESCUE & FIRE FIGHTING TRAINING PHASE 2" IN THE AMOUNT OF \$6,512,876, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Real Estate Services

Risk Management

Transit

G. Community Development

H. Community Services

I. Economic Development

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. **RES 2021-036**

Budgeted Action: No action needed. No financial impact.

O. Tourism Development

P. Utilities

1. Reclaimed Water Expansion Phase 3 - Second Amendment Agreement

Recommended Action: Approve Second Amendment agreement between the Southwest Florida Water Management District (SWFWMD) and Charlotte County for Reclaimed Water Expansion Phase 3 Project. **A.AGR 2015-027**

Budgeted Action: No action needed. Previously budgeted in the CIP project "Reclaimed Water Expansion - Phase 3." The Second Amendment is a timeline extension only and has no increased budgetary impacts. Funding for the project was supplied from a SWFWMD Grant, a Department of Environmental Protection State Revolving Fund Loan, the Utility System Wastewater Connection Fee Fund and the Utility Repair and Replacement Fund.

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 Executive Order 21-67, age eligibility, vaccinated percentage, Tringali Recreation Center, Sonshine Baptist, Cultural Center, Health Heroes, Charlotte Harbor Event Center, minority mission, Hurricane season, and preparations.

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

Commissioner Constance spoke to 2021 Hurricane season predictions, preparations, vaccinations, long term care facilities, Regeneron, pharmacies, and capacity. **Commissioner Deutsch** commented on vaccines, reactions, documentation, data, and distribution coordination. **Commissioner Tiseo** discussed call center, vaccinations, que, and first responders.

2. WCIND Agenda, April 8, 2021

Community Services

Discussion and direction on the West Coast Inland Navigation District (WCIND) agenda for the upcoming meeting on April 8, 2021.

Justin McBride, WCIND Executive Director highlighted WCIND Agenda, April 8, 2021.

Chair Truex mentioned overgrown vegetation. **Commissioner Constance** noted derelict vessels, 66A-2, Charlotte Park, and overgrown vegetation. **Commissioner Doherty** spoke to building, funding, derelict vessels, and Hurricane Irma.

RECESS: 10:27 am – 10:31 am

Taken Out Of Order

COMMUNITY REDEVELOPMENT AGENCY MEETING

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. Revisions to Chapter 3-3.5 - Impact Fees

Community Development

(Change #1) Added attachment – Updated Impact Fee Study Adoption presentation and Added attachment – Updated Impact Fee Analysis Memo.

Approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida; Amending Chapter 3-3.5 Impact Fees, of the Code of Laws and Ordinances of Charlotte County, Florida; Providing for Severability; Providing for Incorporation of Exhibits; and Providing for an Effective Date. Applicant: Charlotte County Board of County Commissioners. **ORD 2021-011**

Mr. Cullinan gave a brief overview of Prior Discussions, Changes to the Ordinance, Updated Fees: Part 1, Part 2, Detailed Categories, Current Impact Fees, Selected Uses, Single-Family Fee Comparison, Retail Fee Comparison, and Implementation.

Chair Truex commented on bill, Charlotte County zones, impact fees, tax, high turnover restaurant, medical office, general office space, high quality restaurant, daycare, workforce housing, increase impacts, trust funds, Home Rule, and Wakulla County. **Commissioner Constance** discussed March 2021 Kimberly-Horn Analysis, public comment, impact fees, Sales Tax, increases, indexing, impacts, demand, County performance, Murdock Village, debt, Lee County, phase in, bill, legislature, flexibility, distribution, transportation, rates, Home Rule, and exemption. **Commissioner Deutsch** mentioned impact fees, development, increase, services, phase in, surrounding counties, and categories. **Commissioner Doherty** noted categories, fees, options, increase, distribution, transportation, legislature, cap, service level, assessment, adjustment, capital improvements, affordability analysis, impacts, Capital Improvements Program (CIP), and material costs. **Commissioner Tiseo** spoke to North Port fees, increases, transportation, legislation, exemption, Technical Report, phase in, public comments, General Fund, roads,

new construction, budget, process, Capital Needs Assessment (CNA), Comprehensive Annual Financial Report (CAFR), Charlotte County credit rating, equal protection, assessments, taxes, Kimberly-Horn Analysis, growth, impact fees, services, infrastructure, economic impact, Piper Road, pandemic, rates, Home Rule, Wakulla County, and alternatives.

Public Input

Caryn Huff, Charlotte Desoto Building Industry Association (CDBIA) President spoke against Revisions to Chapter 3-3.5 - Impact Fees, commented on cost escalations, material shortages, COVID-19, Florida growth, workforce, and impacts.

David Smith spoke against Revisions to Chapter 3-3.5 - Impact Fees, discussed impact fees, impacts, building cost, and Sales Tax.

Brian Brunderman spoke against Revisions to Chapter 3-3.5 - Impact Fees, mentioned building cost, impact fees, increase, Murdock Village, Emergency Operations Center, Justice Center, efficiency, audit trails, taxes, and revenues.

Suzanne Graham, CDBIA Governmental Affairs spoke against Revisions to Chapter 3-3.5 - Impact Fees, noted National Association of Home Builders (NAHB) Impact Fee Study, impacts, increase, pandemic, community, Lee County, North Port, construction cost, categories, benefits, and Sales Tax.

Bill Dryburgh spoke against Revisions to Chapter 3-3.5 - Impact Fees, remarked on impact fees and increase.

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

MOTION CARRIED 5:0.

Assistant County Administrator Jubb responded to bill, language, glide path, phasing, Technical Study, increase, transportation, other fees, legislation, and advertisement.

County Attorney Knowlton replied to exemption, Technical Report, phase in, glide path, public hearing, 90-day notice, and fees.

County Administrator Flores interjected on 2021 Federal Legislative Agenda.

COMMISSIONER CONSTANCE MOVED TO APPROVE ALL IMPACT FEES TO ONE HUNDRED PERCENT OF THE NEW STUDY, RETURN MAY 11, 2021 REGULAR AND LAND USE MEETING TO LOWER IMPACT FEES, SECONDED BY COMMISSIONER TISEO

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

RECESS: 12:05 pm – 1:00 pm

1 P.M. PUBLIC INPUT - ANY SUBJECT

Tim Ritchie commented on Mosaic, Wingate Creek, discharge, Horse Creek, Myakka River, Mosaic Desoto 2023 Beneficiation Mineral Extraction Chemical Plant, pollution, Mosaic Bartow South gypstack system, and Coastal and Heartland National Estuary Partnership (CHNEP).

Pat Niles discussed process, community development, website, Residential Multi-Family 5 (RMF-5), planned development (PD), and building height.

R. Regular Agenda (Continued)

4. 2021 Federal Legislative Agenda

County Administration

Discussion and approval of the 2021 Federal Legislative Agenda.

Cameron Pennant, Legislative Manger introduced Greg Burns, Thorn Run Partners.

Mr. Burns highlighted 2021 Federal Legislative Agenda.

Commissioner Constance noted earmarks, COVID-19 revenues, Harborview Road, funding, parameters, and gun control. **Commissioner Doherty** spoke to Florida Association of Counties (FAC), electric vehicle conversion, transportation revenue stream, and Gas Tax. **Commissioner Tiseo** commented on infrastructure, requirements, direct funding, methodology, affordable housing, programs, Credit Improvement Act, tax credits, and language.

COMMISSIONER DOHERTY MOVED TO APPROVE 2021 FEDERAL LEGISLATIVE AGENDA, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

3. State Legislative Update

County Administration

State Legislative Update.

Mr. Pennant highlighted State Legislative session, budget, Multi-use Corridors of Regional Economic Significance (M-CORES), septic to sewer, WCIND Operations Center, County Attorney bill, Sales and Use Tax Bill, Impact Fees Bill, Occupational License Bill, and FAC.

Commissioner Constance discussed Senate Bill (SB) 100 and M-CORES.

9. Public Seating Agreement

County Attorney

a) Approve a Public Seating Agreement with Creative Outdoor Advertising of America, Inc.; and b) Authorize the Chairman to execute the Public Seating Agreement.

Assistant County Attorney Stacy Bjordahl highlighted Public Seating Agreement.

Chair Truex mentioned contract. **Commissioner Constance** noted terms, extension, language, benches, concrete pads, land rights, Americans with Disabilities Act (ADA), contract, locations, financial records, and non-profits. **Commissioner Deutsch** spoke to benches, contract, revenue, limits, ADA, concrete pad, terms, and charity. **Commissioner Doherty** commented on deviations, contract, data, code compliance, timeframe, and financials. **Commissioner Tiseo** discussed benches, ADA, hazards, public safety, contract, language, remedy, and location.

Mr. Presley mentioned right of way, concrete pad, infrastructure, standards, ADA, Florida Department of Transportation (FDOT), regulations, contract, benches, revenues, non-profits, hazard, public safety, and financial records.

County Attorney Knowlton responded to current contract, upgrades, and terms.

COMMISSIONER DOHERTY MOVED TO POSTPONE INDEFINITELY, HAVE ADMINISTRATION AND LEGAL GET SOME ANSWERS, AND COME BACK WITH AVAILABLE FINANCIAL STATEMENTS, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

2 P.M. LAND USE AGENDA

Minutes Clerk Smoleski administered oath for testimony

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

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY – None

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

MOTION CARRIED 5:0.

Consent Agenda

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

MOTION CARRIED 5:0.

UA 1. TDU-20-07, Lennar Homes, LLC

Community Development

A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 60 density units to a Receiving Zone located within the Heritage Landing Development of

Regional Impact (DRI), which is generally located northwest of Burnt Store Road, in portions of Sections 17, 18, 19, and 20, Township 42 South, Range 23 East, containing 913.97± acres, in the Burnt Store area; Commission District II; Petition No. TDU-20-07; Applicant: Lennar Homes, LLC; providing an effective date.

RES 2021-038

Quasi-Judicial

Public Hearing

UB 1. PP-20-12-18, Biscayne Landing II, Lennar Homes, LLC

Community Development

Lennar Homes, LLC., is requesting approval of a preliminary plat, being a replat of previously approved Biscayne Landing, to be named Biscayne Landing II, consisting of 217 lots. The site is 125.93 ± and is located east of Biscayne Drive, north of El Jobean Road, west of the Flamingo Waterway, and south of Franklin Avenue, in Sections 10,11,14 and 15 Township 40S, Range 21E, in Commission District IV.

Quasi-Judicial

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

Mr. Cullinan provided credentials, gave a brief overview of Proposed Changes, 1000' Buffer Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map, Zoning Designations, FLUM Designations, and Proposed Changes (Aerial).

Attorney Rob Berntsson, Applicant Representative noted plat, access, units, and transfer density units (TDU).

Chair Truex spoke to TDU, SR 776 Corridor Study, traffic signals, Biscayne Drive, Centennial Boulevard, Gulfstream Boulevard, Developer's Agreement, and South Gulf Cove development. **Commissioner Constance** commented on Proposed Changes (Aerial), density, units, traffic, access, PD, Centennial Boulevard, traffic signal, and Developers Agreement. **Commissioner Deutsch** discussed traffic signals, FDOT, and SR 776 Corridor Study. **Commissioner Tiseo** mentioned Proposed Changes (Aerial), undeveloped property, traffic, Biscayne Drive, stacking, Flamingo Boulevard, Centennial Boulevard, development rights, and access points.

John Elias, Public Works Director responded to Centennial Boulevard, traffic signals, developers, roads, and traffic.

Todd Rebol, Banks Engineering noted West Port, Developers Agreement, FDOT permit, traffic signals, Centennial Boulevard, and master plan communities.

Public Input - None

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE PP-20-12-18, BISCAYNE LANDING II, LENNAR HOMES, LLC, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB 2. PAL-20-00004, Save It All Self Storage

Community Development

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State agencies for review and comment; the amendment request is to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Parks & Recreation (PKR) and Public Lands & Facilities (PL) to Commercial (COM); for property located 2025 Tamiami Trail, in the Port Charlotte area, containing 11.94± acres; Commission District V; Petition No. PAL-20-00004; applicant: Save It All Self Storage, LLC.

Legislative

Laura Tefft, Senior Planner gave a brief overview of Proposed Change, 1000' Buffer Map, Location Map, Area Image, Site Image, Framework, FLUM Designations, Zoning Designations, and Proposed FLUM Designations.

James W. Herston, Applicant provided credentials, spoke to amendment, Florida Power and Light (FPL), substation, agreement, tower, contract, building height, ingress, egress, design guidelines, renderings, zoning, vegetation, buffer, setbacks, Ordinance 2014-078, FPL Environmental Sustainability, and property sale.

Chair Truex commented on taxes, zoning, acreage, buffer, surplus property, rights, greenspace, and access. **Commissioner Constance** discussed zoning, Future Land Use Map (FLUM), taxes, substation, parking lot, citizen testimony, FPL Environmental Sustainability, preservation, West Port, vegetation, buffer, and tax rolls. **Commissioner Deutsch** mentioned ingress, egress, building height, renderings, and screening. **Commissioner Tiseo** noted tower, zoning, FPL, FLUM, rights, codes, park, environment, reports, buffer, conditions, Staff report, setback, wall, facilities, West Port, greenspace, tax base, and improvements.

Mr. Cullinan interjected on codes, maps, FLUM, zoning, FPL, tower, amendments, buffer, by-right use, conditions, non-conforming clause, and setback.

Public Input

Thomas Mueller spoke against PAL-20-00004, Save It All Self Storage, remarked on zoning, vegetation, FPL, property sale, commercial, park, and Boy Scouts.

Gerald Burris spoke against PAL-20-00004, Save It All Self Storage, commented on plans, vegetation, and wall.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO DENY PAL-20-00004, SAVE IT ALL SELF STORAGE

MOTION FAILED DUE TO LACK OF SECOND

COMMISSIONER DOHERTY MOVED TO APPROVE TRANSMITTAL OF A LARGE SCALE PLAN AMENDMENT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) AND OTHER STATE AGENCIES FOR REVIEW AND COMMENT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

R. Regular Agenda (Continued)

5. Water Authority Agenda - March 31, 2021

Utilities

(Change #2) Added attachment – Final PRMRWSA Agenda

Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agenda for the upcoming March 31, 2021 Meeting.

Craig Rudy, Utilities Director gave a brief overview of Water Authority Agenda – March 31, 2021.

Chair Truex discussed Property Insurance Renewal for Authority Facilities, Aquifer Storage and Recovery (ASR) Monitor Wells Sampling and Purge Water Modifications Project, Water Supply Security - Staff Presentation, and Master Water Supply Contract Update. **Commissioner Constance** mentioned trains, Property Insurance Renewal for Authority Facilities, ASR Monitor Wells Sampling and Purge Water Modifications Project, Water Supply Security - Staff Presentation, 5-Year Capital Improvements Plan & 20-Year Capital Needs Assessment, and Master Water Supply Contract Update. **Commissioner Tiseo** noted Property Insurance Renewal for Authority Facilities.

6. 2021-22 Charter Review Commission Members Selection

County Attorney

Select/appoint 15 voting members and 3 alternate non-voting members to the Charter Review Commission.

County Administrator Flores announced ballot selection of the following fifteen (15) people: William Abbatematteo, Patricia Aho, William Akins, Jeffrey Anlauf, Donna Barrett, Joyce Cream, William Dryburgh, Donald McCormick, Theresa Murtha, Donna Peterman, Richard Pitz, Adam Riley, William Schafer, Cyril Schrage, and Stephen Vieira.

County Administrator Flores announced tie ballot for first alternate between Cherie Burnette and Colleen Palinski-Ferrara.

County Administrator Flores announced ballot selection of first alternate Colleen Palinski-Ferrara, second alternate Cherie Burnette, and third alternate Steve Drake.

Chair Truex spoke to Organizational Meeting. **Commissioner Constance** commented on Sunshine Law and alternates. **Commissioner Deutsch** discussed Organizational Meeting and alternates.

County Attorney Knowlton interjected on alternates, Organizational Meeting, budget, office space, Secretary position, Attorney selection, separation, proposed revision, and Sunshine Law.

COMMISSIONER DOHERTY MOVED TO APPROVE FIFTEEN VOTING MEMBERS AND THREE ALTERNATE NON-VOTING MEMBERS TO THE CHARTER REVIEW COMMISSION, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

7. Interlocal Agreement with Desoto County - Kingsway Circle Roadway Improvement Study

County Attorney

To approve Interlocal Agreement with DeSoto County to fund Kingsway Circle Roadway Improvement Study. **AGR 2021-018**

County Attorney Knowlton highlighted Interlocal Agreement with Desoto County - Kingsway Circle Roadway Improvement Study.

Chair Truex mentioned water supply issue. **Commissioner Constance** noted DeSoto County decision. **Commissioner Doherty** spoke to property history, road dedication, and bond.

COMMISSIONER DEUTSCH MOVED TO APPROVE INTERLOCAL AGREEMENT 2021-018 WITH DESOTO COUNTY TO FUND KINGSWAY CIRCLE ROADWAY IMPROVEMENT STUDY, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

8. Rotonda Meadows and Villas Street and Drainage MSBU - Discussion and Direction

Public Works

Discussion and direction regarding keeping the Rotonda Meadows and Villas Street and Drainage MSBU one unit.

Mr. Elias highlighted Rotonda Meadows and Villas Street and Drainage Municipal Service Benefit Unit (MSBU).

Chair Truex commented on Staff impacts, cost, sewers, and transmission line. **Commissioner Constance** discussed transportation, infrastructure, power, water, sewer, and spine roads. **Commissioner Doherty**

mentioned work program, collection system, FPL, and Florida Department of Environmental Protection (FDEP).

County Attorney Knowlton noted sewers.

COMMISSIONER DOHERTY MOVED TO APPROVE DIRECTION TO STAFF TO MOVE AHEAD WITH THE SINGLE MSBU ROTONDA MEADOWS AND VILLAS, AND PROCEED AHEAD WITH THE APPROPRIATE BUDGET PREPARATION FOR FISCAL YEAR 2021-2022, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

(Addition #2) 10. 21-337, Award Piggyback, Countywide Security Migration (Facilities)

Budget & Admin Services

(Change #3) Added attachment – Resolution.

a) Approve the “piggyback” purchase for File #21-337, Countywide Security Migration, per Osceola County Contract # RFP-16-4469-TP, and award to Miller Electric Company, of Jacksonville, Florida, for a total cost of \$1,249,416.50; and b) Approve Resolution for BA21-079 in the amount of \$1,399,917; and c) approve a new Capital Improvements Project titled “Facilities Infrastructure Upgrades” in the amount of \$1,399,917. **RES 2021-037**

Ms. Corbett highlighted 21-337, Award Piggyback, Countywide Security Migration.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2021-037 APPROVING BUDGET ADJUSTMENTS AND AMENDMENTS TO THE FISCAL YEAR 2020-2021 CHARLOTTE COUNTY ADOPTED BUDGET, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

(Addition #3) 11. Murdock Village Transfer Fee Covenant Correction

Economic Development

a) Approve the proposed revisions to the Murdock Village Transfer Fee Covenant; and b) Authorize the Chairman to sign the Corrected Amended Covenant. **A.AGR 2017-073**

COMMISSIONER CONSTANCE MOVED TO APPROVE THE PROPOSED REVISIONS TO THE MURDOCK VILLAGE TRANSFER FEE COVENANT; AND AUTHORIZE THE CHAIRMAN TO SIGN THE CORRECTED AMENDED COVENANT AGREEMENT 2017-073, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

(Addition #4) 12. Eighth Amendment to Charlotte Sports Park Agreement

Community Services

Request for approval of the eighth amendment to the Charlotte Sports Park Agreement between Charlotte County and Tampa Bay Rays Baseball, LTD ("Rays") to extend their use of the Charlotte Sports Park from the operation of an "alternative training site." **A.AGR 2006-053**

Mr. Scott highlighted Eighth Amendment to Charlotte Sports Park Agreement.

Chair Truex spoke to termination date. **Commissioner Constance** commented on language, edit, notice, term extension, stadium, availability, facilities, and fields. **Commissioner Deutsch** discussed Stone Crabs, amendments, and extension request. **Commissioner Doherty** mentioned field five. **Commissioner Tiseo** noted Agreement, amendment, fields, Stone Crabs, fee schedule, tournaments, income, net loss, termination date, hold over provision, and notice.

Assistant County Attorney Thomas David remarked on termination date, cost, amendments, provisions, notice, and process.

COMMISSIONER DEUTSCH MOVED TO APPROVE EIGHTH AMENDMENT TO CHARLOTTE SPORTS PARK AGREEMENT 2006-053, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

1. Centennial Update

Centennial update presentation.

Brian Gleason, Communications Manager gave a brief overview of Background, Centennial Events: Centennial Banner Reveal, Centennial Fishing Derby, Student Art Contest, Painting the Night Away, Local Art Show, Centennial Gala, Centennial Mosaic, Veteran Cruise & Car Show, Centennial Signs: Post-toppers, Admin banner & column wraps, Appliques, Centennial Outreach: Libraries and History Services, and Website and Social Media.

Commissioner Constance inquired to banner replacements.

AA. County Administrator Comments

County Administrator Flores spoke to April 13, 2021 Regular and Land Use Meeting changing to Regular Meeting.

BB. County Attorney Comments - None

CC. Economic Development Director Comments - None

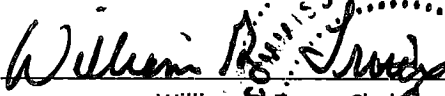
DD. County Commissioner Comments

Chair Truex commented on Commission Agenda changes, FAC Legislative Day, SB 1924, insurance and contractor fraud, Florida Department of Business and Professional Regulation (DBPR), regulations, Circuit 20 Contract Fraud Task Force, roofing contract, Direction of Benefits, violations, Emancipation Day, Resolution, National Immigration Reform briefing, system, and US border. Commissioner Constance discussed Metropolitan Planning Organization (MPO) Meeting, FDOT report, work program changes, Harborview Road, Punta Gorda Tamiami Trail project, lane repurposing, bike traffic, M-CORES, interchange, US 41 and Carmalita Street, roundabout, SR 776 Corridor Study, Stadium turn lanes, Charlotte County Airport Authority update, Mosaic, Environmental Protection Agency (EPA), Commission Agenda changes, additions, and Charter Review Commission (CRC). Commissioner Deutsch mentioned MPO Meeting, SR 776 Corridor Study, and Commission Agenda changes. Commissioner Doherty noted MPO Meeting, FAC Legislative Day, EPA, applications, Local Government Advisory Board, Commission Agenda changes, additions, 2010 Charter, public review, and Pre-Agendas. Commissioner Tiseo spoke to Tim Ritchie comments, internal Water Task Force, CHNEP, Mosaic, Brandon Moody, funding, water quality, Commission Agenda changes, additions, Emancipation Day Resolution, Assignment and Direction of Benefits, contract, and disclaimer statutes.

County Administrator Flores replied to internal Water Task Force and Kingsway Interlocal Agreement.

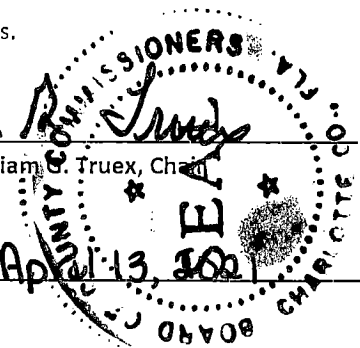
County Attorney Knowlton interjected on Board Rules and additions.

ADJOURNED: 5:03 pm



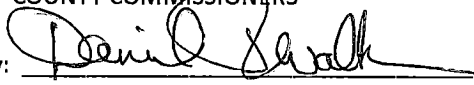
William G. Truex, Chair

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