

**BOARD OF COUNTY COMMISSIONERS**

**APRIL 13, 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 (departed at 11:56 am), Vice Chair Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo. Also in attendance were: County Administrator Flores, County Attorney Knowlton, Minutes Clerk Smoleski, and Minutes Clerk Welsh. The following members were absent: None.

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

The Invocation was given by Pastor Bill Frank, First Baptist Church of Punta Gorda, followed by the Pledge of Allegiance.

**Changes to the Agenda**

**Change #1:** F-4 Consent Item F-4, moved to Regular Agenda, Item R-7: a) Approve ranking of firms for Request for Proposal #21-119, Distribution/Development of Real Property - Bachmann Tract: 1st Palladium Investment Company, LLC of Toms River, New Jersey; 2nd MacFarlane Grand Properties, Inc. of Fort Myers, Florida; and b) Approve start of negotiations. This is for a developer, end-user and/or interested party to submit a Proposal to develop a 31.86-acre site located at 21301 Hillsborough Boulevard, Port Charlotte, Florida.

Requested by: Administration

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

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Bill Truex**

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE PROCLAMATIONS, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

**Parliamentary Law Month**

Louis Rivera, Charlotte County Parliamentarian Vice President accepted the Proclamation.

**Sushila Cherian Day**

Sushila Cherian accepted the Proclamation.

## Employee Recognition

### Six Sigma Green Belt Project Recognition

Anthony Aguirre, Michael Burgess, Roger Davis, Elie Fischhof, Robin Hatchett, Jammie Webb, and Paul Marcuzzo.

Gordon Burger, Budget and Administrative Services Director highlighted Six Sigma Green Belt Project.

### Years of Service

**5 Years:** Michael Benjamin, Public Works; Bruce Brooks, Public Works; Karen Dorsett, Budget & Administrative Services; Stephen Ferracci, Community Development; James Hall, Public Works; Anthony Jones, Community Development; George Jurco, III, Public Works; David Lyles, Budget & Administrative Services; Joseph Weinmann, Public Works; Tito Yeguez, Human Services; Jacob Walker, Utilities; **10 Years:** David Coble, Public Works; **15 Years:** William DePremio, Jr., Utilities; **20 Years:** Andrew Mitchell, Public Safety; **25 Years:** Curtiss Owens, Public Safety.

### Award Presentations

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

Commissioner Stephen R. Deutsch to accept donation presented by President Brian Taylor from Vietnam Veterans of America, Gulf Coast Chapter #1037.

Commander Brian Taylor, Vietnam Veterans of America, Gulf Coast Chapter #1037 President presented check to **Commissioner Deutsch** for Veterans Memorial at the William R. Gaines Jr. Veterans Memorial Park.

#### **Commissioners' Award for Customer Service - Commissioner Doherty**

Second Quarter Commissioners' Award FY2020-21  
Ray Desjardins, Budget and Administrative Services

**Commissioner Doherty** highlighted Mr. Desjardins background, career, and presented Award.

Deputy County Administrator Emily Lewis remarked on Budget and Administrative Services and showed a COVID-19 Response Budget and Administrative Services video.

**Chair Truex** commented on video staff efforts. **Commissioner Constance** discussed Mr. Desjardins participation.

### **PUBLIC INPUT - AGENDA ITEMS ONLY**

Attorney Geri Waksler, McCrory Law Firm mentioned Ranking, Development/Distribution of Real Property, Bachmann Tract.

Michael Zarzano noted Extension 56 of Local State of Emergency - COVID-19 and 20-408, Approve Change Order 1, Insecticides and Herbicides - Supply and Deliver.

Cynthia Compton Zarzano spoke to Extension 56 of Local State of Emergency - COVID-19.

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

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

- **Boca Grande Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **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 fill a vacant unexpired term through October 31, 2022.
- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a 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 Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.

**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, 2022. Meetings are held on the 1st Thursday of each month at 6 p.m. at 18500 Murdock Circle in the Murdock Administration Building. To obtain an application, please call 941-743-1298 or email Diane.Whidden@CharlotteCountyFL.gov

**Historical Advisory Committee** is searching for (5) five volunteers that must be permanent residents of Charlotte County that are interested in preserving the history of Charlotte County. The position calls for (4) four members to serve from different Charlotte County historical organizations. There is (1) one position open to an at-large member. The terms are (3) three years and will be staggered in order to be in compliance with Ord. No. 2004-045, Sec. 1-11-69. The HAC’s functions, powers and duties include: a) To evaluate and make recommendations about where historical markers should be established; b) To review development and construction projects of historical significance; c) To provide input on potential historic districts; d) To provide input on historical programs and outreach efforts; e) To make recommendations on establishing an archives/collection program; f) To raise funds to preserve historical structures and amenities; g) To provide recommendations to the board on issues relating to those duties specified above or other duties assigned by the board; h) To review and provide input on the capital improvement budget. For more information, please contact Morgan.Cook@charlottecountyfl.gov

#### REPORTS RECEIVED AND FILED

#### CONSENT AGENDA

Chair Truex mentioned BCC Schedule Change. Commissioner Constance inquired to BCC Schedule Change.

County Administrator Flores responded to BCC Schedule Change.

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

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:

March 9, 2021 BCC Regular Meeting  
March 16, 2021 BCC Workshop  
March 22, 2021 BCC Pre-Agenda  
March 23, 2021 BCC Regular & Land Use Meeting

**Budgeted Action:** No action needed.

Board of County Commissioners

**C. Commission Office**

1. Appointment- South Charlotte Stormwater MSBU Advisory Board

**Recommended Action:** Approve the appointment of David Kalin to fill the unexpired term of Bob Mercier on the South Charlotte Stormwater MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2021.

**Budgeted Action:** No action needed.

2. Appointment- Pirate Harbor Waterway MSBU Advisory Board

**Recommended Action:** Approve the appointment of Charles Falesch to fill the unexpired term of George Herl on the Pirate Harbor Waterway MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2021.

**Budgeted Action:** No action needed.

**D. County Administration**

1. BCC Schedule Change

**Recommended Action:** Approve rescheduling the Pre-Agenda Meeting set for June 3, 2021 to June 7, 2021 at 9:00 a.m., in Room B106 at 18500 Murdock Circle, Port Charlotte, Florida.

**Budgeted Action:** No action needed.

**E. County Attorney**

1. Extension 56 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 2021-042**

**Budgeted Action:** No action needed.

## F. Budget and Administrative Services

### Fiscal Services

#### 1. 2020 Sales Tax Extension CIP Projects and Budget Adjustment

**Recommended Action:** Set a public hearing for April 27, 2021 at 10:00 a.m., or soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to: a) Consider approval of Resolution and budget adjustment BA21-082 in the amount of \$14,748,750 for FY21, which is the first fiscal year of the 2020 Sales Tax collections; and b) Adopt the 2020 sales tax projects as part of the FY21 Capital Improvements Program.

**Budgeted Action:** No action needed.

#### 2. Out-of-Cycle Boater Improvement Funding Request

**Recommended Action:** a) Approve out-of-cycle funding application from the Boater Revolving Fund in the amount of \$25,000 to the William R. Gaines Jr., Veterans Memorial Fund, Inc. ("the Memorial Fund") to construct a kayak launch facility at the William R. Gaines Jr. Veterans Memorial Park; and b) Authorize Chairman to sign Boater Revolving Fund grant agreement s392126 in the amount of \$25,000 between Charlotte County and the Memorial Fund; and c) Authorize the County Administrator, or his designee, to sign grant-related documents associated with the project. **AGR 2021-020**

**Budgeted Action:** No action needed. This project will be paid for using Boater Revolving Fund - Local. There is no match required, but the Memorial Fund is collecting other donations to match this funding.

### Information Technology

#### Purchasing

#### 3. 21-226, Award, Junk Abatement - Annual Contract (Community Development)

**Recommended Action:** a) Approve award of Bid #21-226 Junk Abatement - Annual Contract, to the lowest responsive, responsible bidder, Wherry Truck Lines, Inc. of Fort Myers, Florida at the unit prices bid for the term from date of award through and including December 31, 2021; and b) Authorize the County Administrator, or his designee, to approve two (2) additional one-year terms at the same prices, terms and conditions, by mutual consent. This contract is for services of abatement by Magistrate Order of junklike conditions on various properties within Charlotte County.

**Budgeted Action:** No action needed.

#### ~~4. 21-119, Ranking, Development/Distribution of Real Property, Bachmann Tract (Administration)~~

~~**Recommended Action:** a) Approve ranking of firms for Request for Proposal #21-119, Distribution/Development of Real Property - Bachmann Tract: 1st Palladium Investment Company, LLC of Toms River, New Jersey; 2nd MacFarlane Grand Properties, Inc. of Fort Myers, Florida; and b) Approve start of negotiations. This is for a developer, end user and/or interested party to submit a Proposal to develop a 31.86-acre site located at 21301 Hillsborough Boulevard, Port Charlotte, Florida.~~

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

5. 21-318, Award Piggyback, Englewood Beach Playground Replacement (Community Services)

**Recommended Action:** Approve the "piggyback" purchase for File #21-318, Englewood Beach Playground Replacement, per Omnia Partners Contract #2017001135, and award to Kompan, Inc., of Austin, Texas, for the total cost of \$186,639.05.

**Budgeted Action:** No action needed. Budgeted in the Community Services Capital Maintenance Plan approved in the FY21 budget process, and later amended. Funding is supplied from Capital Projects Fund ad valorem.

6. 21-244, Award, Port Charlotte Boulevard Multi-Use Pathway (Public Works)

**Recommended Action:** Approve award of Request for Bid #21-244, Port Charlotte Boulevard Multi Use Pathway, to the lowest responsive, responsible, bidder, Marquee Development, of Tampa, Florida in the amount of \$915,195.75 to construct an 8-foot concrete pathway on Port Charlotte Boulevard.

**Budgeted Action:** No action needed. Budgeted in Capital Improvements Project "Multi-Use Trails and On-Road Bicycle Lanes" approved in the FY21 budget process. Funding is supplied from the 2014 Sales Tax Extension.

7. 21-261, Award, Walking Floor Trailers (Public Works)

**Recommended Action:** a) Approve award of Bid #21-261, Walking Floor Trailers - Solid Waste from Travis Body & Trailer, Inc. of Houston, Texas the lowest, responsive, responsible bidder at the unit price of \$82,847.00 each, for a total cost of \$331,388., to purchase four (4) 45 foot Wave Walking Floor Trailers Model Year 2021 with delivery time of 160 days from notice of award for (Public Works Solid Waste Division), and b) Approve disposal of Asset # 32644, 32647, 32650, 32653, which will be sold at Auction.

**Budgeted Action:** No action needed. Budgeted in the Heavy Equipment Plan approved in the FY21 budget process. Funding is supplied from the Solid Waste Enterprise fund.

8. 21-251, Award, Short Service Water Connections - Annual (Utilities)

**Recommended Action:** a) Approve award of Bid #21-251, Short Service Water Connections - Annual to the lowest responsive, responsible bidder, Thompkins Contracting Inc., of Lehigh Acres Florida at the unit price (\$1,219.24/connection) submitted for a period of date of award through and including September 30, 2022; and b) Authorize County Administrator, or his designee, to approve renewal options for up to two (2) additional one (1) year periods at the same prices, terms and conditions, by mutual consent. The purpose of this bid is to secure the services of a Contractor to provide all labor, materials, apparatus, and all appurtenant work in connection with the installation of short service water connections on an "as required basis. RES 2021-043

**Budgeted Action:** Approve Resolution and budget adjustment BA21-83 in the amount of \$365,772 to the Utility Operating Fund budget. Funding for this expenditure comes from rate revenues.

9. 21-271, Award, Lift Station Trailer Mounted Standby Generators (Utilities)

**Recommended Action:** Approve award of Bid #21-271, Lift Station Trailer Mounted Standby Generators, to the lowest responsive, responsible bidder, TAW Power Systems, Inc of Riverside, Florida in the amount of \$430,353. The purpose of this bid is to secure a firm price for the purchase and delivery of 10 Lift Station Trailer Mounted Standby Generators.

**Budgeted Action:** No action needed. Budgeted in the approved FY21 CIP project Lift Station Generators Mitigation Grant. Grant funding from the Florida Department of Emergency Management will pay 75% of qualifying expenses. There is a local cost share of 25% and is funded using Utility System-CCU Operating funds.

10. 16-008, Amendment 1, Design-Charlotte Harbor Water Quality Initiative - Phase 2 (Utilities)

**Recommended Action:** a) Approve Amendment #1 to Contract #16-008 Design-Charlotte Harbor Water Quality Initiative - Phase 2 with Giffels-Webster Engineers, Inc. for the amended scope of services in the amount of \$565,659.62; and b) Authorize the Chairman to sign Amendment #1 to the Contract for the amended scope of services.

**Budgeted Action:** No action needed. Budgeted in CIP project "Ackerman Septic to Sewer and Water Expansion" as adopted in the FY21 budget process. Funding is supplied from Ackerman MSBU Assessments, the Utility System Water Connection Fee Fund and the Utility Repair and Replacement Fund.

11. 20-408, Approve Change Order 1, Insecticides and Herbicides - Supply and Deliver (Public Works)

**Recommended Action:** Approve Change Order #1 to Contract #20-408, Insecticides and Herbicides -- Supply and Deliver as awarded to Adapco, LLC of Sanford, Florida to reflect the manufacturer price increase for Dibrom Concentrate from \$6,939.90 to \$7,287 per 30-gallon drum.

**Budgeted Action:** No action needed. Funding from the General Fund - Mosquito Control Budget approved in the FY21 budget process.

Real Estate Services

12. Set a Public Hearing to Consider Reserving Certain County-owned Real Property for Affordable Housing

**Recommended Action:** Set a public hearing for April 27, 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 adopting Resolution to declare certain county-owned real property surplus to County needs and reserved for affordable housing.

**Budgeted Action:** No action needed.

Risk Management

Transit

G. Community Development

H. Community Services



**I. Economic Development**

1. Set a Meeting of the Murdock Village Community Redevelopment Agency on April 27, 2021

**Recommended Action:** Set a Murdock Village Community Redevelopment Agency Meeting on April 27, 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. Cranberry Boulevard Hillsborough Boulevard Intersection Analysis

**Recommended Action:** Approve the study preferred alternative, a single circulating lane roundabout as was presented in "Alternative two Refined" on March 9, 2021 with design considerations for two circulating lanes roundabout."

**Budgeted Action:** No action needed. Budgeted in Capital Improvements Project "Hillsborough Blvd/Cranberry Blvd Intersection Improvements" approved in the FY21 budget process. Funding is supplied from capital gas taxes in the Road Improvements fund.

2. Biscayne Landing Developer Agreement

**Recommended Action:** Authorize the Chairman to sign a Developer's Agreement for the Biscayne Landing Subdivision. **AGR 2021-021**

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

3. Set a Public Hearing to Consider a Speed Limit Ordinance Change on Gasparilla Road from Anglers Way to North of Clubhouse Drive

**Recommended Action:** Set a public hearing for April 27, 2021 at 10:00 a.m., or soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider approving an ordinance modifying the existing speed limit on a segment of Gasparilla Road from Anglers Way to North of Clubhouse Drive.

**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 vaccines, appointments, and sites.

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

**Chair Truex** commented on vitamins, COVID-19, and vaccination. **Commissioner Constance** discussed vaccines, community sources, hospital population, reinfection, and risk factors. **Commissioner Deutsch** mentioned vaccine, tracking, and distribution.

2. Event Funding Application - 2021 Florida International Airshow

**Tourism Development**

a) Review and approve In-Kind Event Funding in the amount of \$50,000 for the Florida International Airshow; and b) Authorize the Chairman to sign the Event Funding Agreement. **AGR 2021-022**

Sean Doherty, Tourism Director introduced Dana Carr, Florida International Airshow Chairman.

Mr. Carr highlighted community involvement, 2021 Airshow, acts, and presented Thunderbird lithograph.

**Commissioner Deutsch** noted Airshow. **Commissioner Doherty** spoke to scoring sheet.

County Administrator Flores replied to scoring sheet and announced score as passing.

**COMMISSIONER DOHERTY MOVED TO APPROVE IN-KIND EVENT FUNDING AGREEMENT 2021-022 IN THE AMOUNT OF \$50,000 FOR THE FLORIDA INTERNATIONAL AIRSHOW, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

3. Event Funding Application - 2021 Englewood Beach Waterfest

**Tourism Development**

a) Review and approve In-Kind Event Funding in the amount of \$50,000 for the 2021 Englewood Beach Waterfest; and b) Authorize the Chairman to sign the Event Funding Agreement. **AGR 2021-023**

Mr. Doherty gave a brief overview of 2021 Englewood Beach Waterfest.

**Chair Truex** commented on economic impact. **Commissioner Deutsch** discussed economic impact. **Commissioner Doherty** mentioned scoring, Post Event Report, and economic impact. **Commissioner Tiseo** noted Post Even Report and Economic Impact.

Steve Gardner, Waterfest President responded to financial results, net loss, county services, economic impact, prior management, and non-profit.

County Administrator Flores announced score as passing.

**COMMISSIONER DOHERTY MOVED TO APPROVE IN-KIND EVENT FUNDING AGREEMENT 2021-023 IN THE AMOUNT OF \$50,000 FOR THE 2021 ENGLEWOOD BEACH WATERFEST, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

#### 4. State Legislative Update

##### **County Administration**

State Legislative Update.

Cameron Pennant, Legislative Manager highlighted budget, Affordable Housing, Sea Level Rise, wastewater grants, Septic to Sewer Program, Beach Renourishment Program, public records exemption, Charlotte County Centennial Resolution, sales and use tax, impact fees, and pre-emption local occupational licensing.

**Commissioner Constance** spoke to impact fees, current legislation, funding, wastewater infrastructure, Resources and Ecosystems Sustainability, Tourist, Opportunities, and Revived Economies of the Gulf Coast States (RESTORE) dollars, Florida Department of Transportation (FDOT), beach renourishment, Englewood Beach, and maintenance. **Commissioner Doherty** commented on wastewater expansion program, request, funding, Department of Environmental protection (DEP) wastewater grant program, total maximum daily load (TMDL), and Basin Management Action Plans (BMAP). **Commissioner Tiseo** discussed impact fees, language, technical report, Sadowski Trust Fund, funding, wastewater, and Coronavirus Aid, Relief, and Economic Security (CARES) Act.

Deputy County Administrator Lewis remarked on Countryman/Ackerman request, DEP, wastewater grant fund, work program, FDOT, beach renourishment update, maintenance cycle, funding, Stump Pass, and Manasota Key.

#### 5. Bus Bench Contract

##### **Commission Office**

Discussion and direction on the Bus Bench Contract.

**Chair Truex** mentioned proposal, contract, end of life, concerns, bond, locations, benches, remedies, litigation, permit, bench maximum, and Board approval. **Commissioner Constance** noted contract, declaratory judgement, outside opinions, violations, concrete pads, locations, public safety, and bench maximum. **Commissioner Deutsch** spoke to contract, public safety, limits, bond, litigative process, proposal, and bench maximum. **Commissioner Doherty** commented on proposal, bond, bench inventory, public safety, contract, repairs, requirements, work scope, and Americans with Disabilities Act (ADA). **Commissioner Tiseo** discussed contract, public safety, notifications, language, FDOT, right of ways, Statute, bonding, proposal, permitting, insurance certificate, work scope, and bench maximum.

County Attorney Knowlton replied to proposal, bench repairs, bond, Statute 337.408, permitting, and insurance certificate.

John Elias, Public Works Director responded to right of way, FDOT, requirements, bench location inventory, ADA, and work scope.

Jerry Presley, Creative Outdoor Vice President interjected on FDOT, permitting, Statute 337.408, Home Rule, and insurance.

Assistant County Attorney Stacey Bjordahl remarked on proposed Agreement exhibit, bench maximum, and Board approval.

**COMMISSIONER CONSTANCE MOVED TO SEEK DECLARATORY JUDGEMENT WITH THE COURTS TO END CONTRACT**

**MOTION FAILED DUE TO LACK OF SECOND**

**COMMISSIONER DEUTSCH MOVED COUNTY ATTORNEY MEETING WITH JERRY PRESLEY TO WORK OUT AN ACCEPTABLE AND FAIR AGREEMENT, SECONDED BY COMMISSIONER TISEO**

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

## 6. Signs and Billboards

### **Commission Office**

Discussion and direction on signs and billboards.

**Chair Truex** mentioned advertising, business relation, animation, trailers, and Workshop. **Commissioner Constance** noted signs, billboards, advertising, Workshop, animation, community appearance, Ordinance, trailers, and technology. **Commissioner Deutsch** spoke to Workshop and signs. **Commissioner Doherty** commented on code 1.1.5, signs, animation, advertising, and Workshop. **Commissioner Tiseo** discussed flutter flags, windows, development, compliance, permitting, advertising, code, signs, and trailers.

County Attorney Knowlton responded to advertising.

Shaun Cullinan, Planning and Zoning Official interjected on sign, prohibitions, advertising, business relation, code, billboards, trailers, and regulations.

7. 21-119, Ranking, Development/Distribution of Real Property, Bachmann Tract (Administration)

**County Administration**

**(Change #1)** Consent Item F-4, moved to Regular Agenda, Item R-7: a) Approve ranking of firms for Request for Proposal #21-119, Distribution/Development of Real Property - Bachmann Tract: 1st Palladium Investment Company, LLC of Toms River, New Jersey; 2nd MacFarlane Grand Properties, Inc. of Fort Myers, Florida; and b) Approve start of negotiations. This is for a developer, end-user and/or interested party to submit a Proposal to develop a 31.86-acre site located at 21301 Hillsborough Boulevard, Port Charlotte. Florida.

**Recommended Action:** a) Approve ranking of firms for Request for Proposal #21-119, Distribution/Development of Real Property - Bachmann Tract: 1st Palladium Investment Company, LLC of Toms River, New Jersey; 2nd MacFarlane Grand Properties, Inc. of Fort Myers, Florida; and b) Approve start of negotiations. This is for a developer, end-user and/or interested party to submit a Proposal to develop a 31.86-acre site located at 21301 Hillsborough Boulevard, Port Charlotte. Florida.

**Budgeted Action:** No action needed.

Assistant County Administrator Claire Jubb highlighted 21-119, Ranking, Development/Distribution of Real Property, Bachmann Tract.

**Chair Truex** mentioned process, negotiations, affordable housing, land donation, Palladium Investment Company, LLC, greenspace preservations, and pocket parks. **Commissioner Constance** noted rate payers, affordable housing, and lease requirements. **Commissioner Deutsch** spoke to process, affordable housing, time sequence, and benchmarks. **Commissioner Doherty** commented on trees, process, and agreement. **Commissioner Tiseo** discussed ranking, scoring, negotiations, proposals, Palladium Investment Company, LLC, affordability restrictions, Charlotte Home application, proforma, utilities fees, land value, density units, tax freeze, Charlotte County Utilities (CCU), expenses, debt service, greenspace preservation, park, trees, proposed site plan, MacFarland Grand Properties, Inc., land donation, and development timing.

**COMMISSIONER DOHERTY MOVED TO APPROVE 21-119, RANKING, DEVELOPMENT/DISTRIBUTION OF REAL PROPERTY, BACHMANN TRACT, SECONDED BY COMMISSIONER TISEO**

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

**PUBLIC HEARING AGENDA**

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

**PRESENTATION AGENDA**

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

1. Innovative Water Projects

Ernie Cox to present Innovative Water Projects.

Ernie Cox, Family Lands Remembered, LLC gave a brief overview of 4G Wetland Beneficial Reuse Program, 4G Ranch Project: Location Map, Project Background Feasibility Study 2010, Project Background Project Site, 4G Ranch Project Feasibility Study Wetland Delineation: Recent Aerial Photography, Wetland Delineation 1970s Historical Map, 4G Ranch Cell 8 Design, Cell 8 Location, Cell 8 Aerial During Construction, 4G Ranch Cell 8 After Construction, 4G Ranch Cell 8 Recent Photo, 4G Ranch Cell 7 Location, 4G Ranch Cell 7 During Construction, 4G Ranch Cell 7 After Construction, 4G Ranch Cell 7 Recent Photo, 4G Ranch After Construction, 4G Ranch Recent Photo, 4G Ranch Key Project Components, C-51 Reservoir Project, SFWMD L-8 Reservoir (now Flow Equalization Basin), C-51 Reservoir Objectives and Benefits, C-51 Reservoir Basins and Canals, C-51 Reservoir – Regional System, C-51 Reservoir – Alternative Delivery Structure, Phosphorus Elimination System (PES): Fleming Island Overview, Technology, and Performance.

**Chair Truex** mentioned stormwater projects, alternative methods, Babcock Ranch, future developments, and wetlands implementation. **Commissioner Constance** noted phosphorous mitigation, greening, effects, citrus, and water quality. **Commissioner Deutsch** spoke to algae, aquifer tracking, climate change, and project impacts. **Commissioner Doherty** commented on wetlands, vegetation, storage, and drainage systems. **Commissioner Tiseo** discussed water farming.

## 2. Sales Tax Update

Update on Sales Tax.

Jared Bickham, Capital Projects Manager gave a brief overview of Objectives, 2014 Program Cash Flow, Completed Date, Sailing Center at Port Charlotte Beach, Active Projects, Multi-use Trails and Bike Lanes, Olean Boulevard (Blvd), Completed Date, Upcoming Work, Family Services Center, Project Photos, Tier 2 projects, Placida Boat Ramp, Design Process, 2020 Sales Tax Tier 1, 2020 Sales Tax Tier 2, Active Projects, School Security, Port Charlotte Beach Complex Design, Family Services Center – Phase II Design, Edgewater Expansion Design, ARFF Phase II, William R. Gaines Jr Veterans Memorial Park, and Sheriff's Administration Center/911.

**Vice Chair Constance** mentioned Edgewater Expansion Design, funding, design, FDOT, Port Charlotte Beach Complex Design, and Sheriff's Administration Center/911. **Commissioner Deutsch** noted Edgewater Expansion Design, SR 776, Toledo Blade Boulevard, deceleration lanes, Flamingo Boulevard, and FDOT. **Commissioner Tiseo** spoke to Edgewater Expansion Design, Flamingo Boulevard intersection, design, and Sheriff's Administration Center/911.

County Administrator Flores remarked on FDOT, Flamingo Boulevard intersection, lease length minimization, and space needs.

Joanne Vernon, County Engineer responded to Christopher Waterway, bridge, design, curve, Flamingo Boulevard intersection, turn lanes, funding, and FDOT.

## PUBLIC INPUT - ANY SUBJECT

Leonard Guckenheimer commented on Tringali Hockey Rink, surface deterioration, 2020 Sales Tax, Tringali Sports League, and Robert Kruzel letter.

Robert Craft discussed Unfair Labor Practice, Department of Labor (DOL) Summary, Discrimination Charges, Public Employee's Right to a Pre-Termination Hearing Under the Due Process Clause, Indiana Law Journal, and Due Process Clause.

Tim Ritchie mentioned phosphate, Piney Point, Florida Water Quality Crisis Summit 2021, Mosaic Fertilizer, LLC, Peace River, operating permit, lawsuit, Polk County, Hardee County, Manatee County, and water testing.

Cynthia Compton Zarzano noted Florida and Federal Constitutions and vaccines.

Michael Zarzano spoke to toxic phosphate, mining waste water, Peace River, Florida Constitution, Florida Water Quality Crisis Summit 2021, lawsuit, referendum, and Mosaic.

#### **AA. County Administrator Comments**

County Administrator Flores commented on Piney Point and Water Authority.

Brandon Moody, Water Quality Manager discussed Piney Point, discharge, Port Manatee, monitoring, impacts, nutrients, data, affluent samples, biological activities, Coastal and Heartland National Estuary Partnership (CHNEP), Charlotte Harbor Aquatic Preserves, University of South Florida predictive model, University of Florida Engineering Center for Coastal Solutions proposal, Charlotte Harbor pilot program, hazard forecast, and water quality.

**Vice Chair Constance** mentioned Piney Point, effluent, biomass, algae, red tide, University of South Florida predictive model, methodology, tracers, West Coast Inland Navigation District (WCIND) meeting, injection well, Mosaic, mining, effects, Southwest Florida Water Management District (SWFWMD), and data. **Commissioner Doherty** noted Environmental Protection Agency (EPA), FDEP, Water Management Districts, National Pollutant Discharge Elimination System (NPDES) permit challenge, and data. **Commissioner Tiseo** spoke to discharges, tributary impacts, Mosaic, Mulberry, CF Industries, agency involvement, funding, Desoto County, Workshops, letter, rezoning, process, and data.

#### **BB. County Attorney Comments - None**

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



#### **DD. County Commissioner Comments**

**Vice Chair Constance** commented on Charlotte Harbor Community Redevelopment Agency (CRA), sunset, Advisory Committee, WCIND Meeting, Manatee County, San Remo markers, Tourist Development Council Meeting, summer advertising, markets, technology, tracking, Allegiant, and CARES Act funding. **Commissioner Doherty** discussed Peachland Boulevard, Loveland Boulevard, right of way, trees, Florida Power and Light (FPL), and Charlotte Harbor CRA Advisory Committee. **Commissioner Tiseo** mentioned mining, codes, Loveland Boulevard, sidewalks, right of way, trees, work scope, landscape and lighting components, power poles, FPL, North Port, septic to sewer, funding, cost, Charlotte Harbor CRA, Parkside CRA, vaccines, mandates, and information tracking.

County Administrator Flores responded to Loveland Boulevard.


Mr. Doherty interjected on advertising payback, marketing, and expenditures.

ADJOURNED: 1:11 pm

  
\_\_\_\_\_  
William G. Truex, Clerk  
DATE ADOPTED: May 19, 2020  


ATTEST:

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

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