

BOARD OF COUNTY COMMISSIONERS

JUNE 11, 2024

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: Vice Chair Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo. Also in attendance were: Assistant County Attorney David (arrived at 2:00 pm), County Administrator Flores, Deputy County Attorney Tetreault (departed at 2:00 pm), and Minutes Clerk Welsh. The following members were absent: Chair Truex.

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

Change #1: F-3, Added attachment – Resolution.

Requested by: Budget & Admin Services

Change #2: R-2, Added attachment – Revised Presentation & Revised Scenario 2.

Requested by: Budget & Admin Services

Change #3: R-1, Added attachment – Agenda.

Requested by: Community Services

Change #4: UB-2, Added attachment – Revised Presentation.

Requested by: Community Development

Change #5: UB-3, Added attachment – Revised Presentation.

Requested by: Community Development

COMMISSIONER DOHERTY MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

Proclamations - Commissioner Joseph Tiseo

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

MOTION CARRIED 4:0.

Amateur Radio Week

Charlotte Amateur Radio Society (CARS) President Douglas Young and Secretary Greg Dyer accepted the Proclamation.

Artist of the Month - Ruth Renshaw

Lisa Gallucci, Punta Gorda Visual Arts Center Executive Director accepted the Proclamation.

Flag Day

Commissioner Deutsch discussed Flag Day community event and accepted the Proclamation.

Employee Recognition

Years of Service - May 2024

5 Years: Sara Gaudet, Transit; Frank Hayes, Public Works; Cassandra Gant, Community Development; Frederick Meyers, Public Works; Ivan Cecilio, Public Works; Stephen Fone, Utilities; Thomas Alsup, Utilities; Johnathan Tichacek, Utilities; Kevin Trowbridge, Community Services; Lonnie Moore, Community Services; Martin Duncan, Utilities; Rebecca Milhoan, Human Resources; Scott Gordon, Budget & Administrative Services; **10 Years:** Katherine Meier, Community Services; Stephen Kipa, Real Estate Services; Dennis Kilyk, Public Works; Gary Davis, Public Works; Michael Clauser, Utilities; Michael Daumann, Community Services; Richard Osborn, Utilities; and Robert Levasseur, Facilities.

Award Presentations

PUBLIC INPUT - AGENDA ITEMS ONLY

Attorney Neal Sklar, Friedman Sklar commented on 24-202 Burnt Store Water Reclamation Facility Expansion Award.

Daniel James, Tully Construction Chief Financial Officer mentioned 24-202 Burnt Store Water Reclamation Facility Expansion Award.

John Fleming, Burnt Store Corridor Coalition Chairman spoke in support of Burnt Store Area Plan.

Steve Kohler, Thalle Construction President and Chief Operating Officer noted 24-202 Burnt Store Water Reclamation Facility Expansion Award.

Frank Vitalie spoke in support of Burnt Store Area Plan.

Dr. Mary Ellen Kiss spoke in support of Burnt Store Area Plan.

Merry Gwynn, Burnt Store Corridor Coalition Public Relations (PR) Coordinator spoke in support of Burnt Store Area Plan.

Craig Williams, Woodland Estates Home and Property Owner's Association President spoke to 24-202 Burnt Store Water Reclamation Facility Expansion Award and Burnt Store Area Plan.

David Rolando remarked on Utilities Rate Model Update.

Jack Vanderheyden spoke against Utilities Rate Model Update.

Richard Russell discussed 24-282 Utility Main Installation Projects Award and 24-202 Burnt Store Water Reclamation Facility Expansion Award.

Mandy Hine commented on Burnt Store Area Plan.

David Kesselring mentioned Utility Rate Model Update, set a Public Hearing – Rate Increase for Charlotte County Utilities, 24-202 Burnt Store Water Reclamation Facility Expansion Award, and Burnt Store Area Plan.

John Gruca noted Burnt Store Area Plan.

Sharon Pineo spoke to West Coast Inland Navigation District June 14, 2024 Agenda and Utilities Rate Model Update.

COMMITTEE VACANCIES

Construction Industry Licensing Board is seeking one 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 July 26, 2026. To obtain an application, please call 941-743-1298 or email Diane.Whidden@CharlotteCountyFL.gov.

Tourist Development Council is seeking one volunteer who is involved in the tourism industry (i.e.: restaurant, attraction, etc.) or represents tourism accommodations as an owner or operator of a motel, hotel, recreational vehicle park or other tourist accommodation located in the county and subject to tourist development tax. Volunteers shall be an elector of Charlotte County or reside in a county adjacent to Charlotte County and own a business within Charlotte County, have demonstrated an interest in tourist development and have paid the local business tax in Charlotte County. Length of term: four years. For an application, please contact Nina at 941-743-1300, press 2 or via email Janina.stamoulis@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.

- **Alligator Creek Waterway Unit** is seeking one member to fill a position with a term through October 31, 2025.
- **Boca Grande Street & Drainage Unit** is seeking three members to fill positions with terms through October 31, 2025, October 31, 2026, and October 31, 2027.
- **Don Pedro/Knight Island Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Edgewater North Waterway Unit** is seeking one member to fill a position with a term through October 31, 2025.

- **Englewood East Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Grove City Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025, and October 31, 2027.
- **Gulf Cove Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025, and October 31, 2027.
- **Harbour Heights Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Manchester Waterway Utility Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Placida Area Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Rotonda Heights Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Rotonda Sands Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025, and October 31, 2027.
- **South Charlotte Stormwater Unit** is seeking one member to fill a position with a term ending October 31, 2027.

REPORTS RECEIVED AND FILED

CONSENT AGENDA

Vice Chair Constance inquired on Set a Public Hearing - Condominiums and Cooperative Buildings Inspections.

Shaun Cullinan, Planning and Zoning Official responded to Set a Public Hearing - Condominiums and Cooperative Buildings Inspections and language.

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

MOTION CARRIED 4:0.

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:

May 21, 2024 BCC MSBU Workshop
May 21, 2024 BCC Board Workshop
May 21, 2024 BCC Strategic Focus Area Review Workshop
May 23, 2024 BCC Pre- Agenda

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - Alligator Creek Waterway Advisory Board

Recommended Action: Approve the appointment of Stephen Carey to fill the unexpired term of Bob Simmons on the Alligator Creek Waterway Advisory Board. This appointment will be effective immediately and will expire on October 31, 2025.

Budgeted Action: No action needed.

2. Appointment - South Charlotte Stormwater Advisory Board

Recommended Action: Approve the appointment of Robert Hancik to fill the unexpired term of Craig Williams as well as an additional new three-year term on the South Charlotte Stormwater Advisory Board. This appointment will be effective immediately and will expire on October 31, 2027.

Budgeted Action: No action needed.

D. County Administration

E. County Attorney

F. Budget and Administrative Services

Fiscal Services

1. Metropolitan Planning Organization Lease Agreement

Recommended Action: a) Approve Amended and Restated Lease Agreement between the Metropolitan Planning Organization (MPO) and Charlotte County; and b) Authorize the Chairman, or designee, to sign the Amended and Restated Lease Agreement. **AGR 2024-086**

Budgeted Action: No action needed.

Information Technology

Purchasing

2. 23-294, Approve Amendment 4, 5 and 6, Hurricane Ian Recovery Assessments (Facilities)

Recommended Action: a) Approve Amendment #4, #5 and #6 to Contract #23-294, Hurricane Ian Recovery Assessments, with CSA Consulting Group LLC of Wayne, New Jersey, for a total amount of \$560,986 for all three amendments. These amendments are for temporary offices and utility connections for Public Works and Community Services; and assist with supplemental claims; and b) Authorize the Chairman to sign Amendment #4, #5 and #6 to Contract 23-294.

Budgeted Action: No action needed. A budget amendment will be brought to the Board for approval. Grant funding is anticipated for amendment # 4 and amendment #5 to be provided by the Federal Emergency Management Agency and the Florida Division of Emergency Management. There is a required County match of 5%. Funding for the required County match and amendment #6 comes from the Hurricane Fund- general fund revenues.

3. 24-282, Award, Utility Main Installation Projects (Utilities)

(Change #1) Added attachment –Resolution.

Recommended Action: a) Approve award of Request for Bid, File #24-282, Utility Main Installation Projects, to the lowest responsive, responsible Bidder, Accurate Drilling Systems Incorporated of Labelle, Florida at the total cost of \$6,070,299.90. This project is to complete the construction of a wastewater force main, reclaimed water main, and multiple potable water main installation projects at various locations; and b) Approve Resolution for budget adjustment BA24-119 in the amount of \$3,092,633 for Capital Improvement Project “Toledo Blade from Hillsborough to US 41”; and c) Approve amending Capital Improvement Project “Toledo Blade from Hillsborough to US 41”. **RES 2024-078**

Budgeted Action: Approve budget adjustment BA24-119 in the amount of \$3,092,633 adding additional funding to include mobilization and contingency for Capital Improvement Project “Toledo Blade from Hillsborough to US 41” increasing the budget from \$1,048,850 to \$4,141,483. Funding will come from Water Connection Fee fund reserves. Sufficient funding is available on the other associated Capital Improvement Projects “Wastewater Force Main Expansionary”, “Reclaimed Water Lines”, “Major Water Transmission Lines”, and the Capital Maintenance Plan as approved in the FY24 budget process. Funding is supplied from the Utility Water Connection Fee fund, Utility Wastewater Connection Fee Fund, and the Utility Renewal and Replacement Fund.

4. 24-378, Award, Oyster Creek, Alligator Creek, and Snapper Creek Hurricane Debris Removal (Public Works)

Recommended Action: Approve award of Request for Bid #24-378, Oyster Creek, Alligator Creek, and Snapper Creek Hurricane Debris Removal to Zulu Marine Services, Inc. of Savannah, Georgia for the total price of \$485,760. This is for the clearing of approximately 5.75 miles of creek; including the cleaning, removing, and disposal of all storm-related debris from the creek flow area.

Budgeted Action: No action needed. A fourth quarter budget adjustment will be brought to the Board for approval, if awarded. Work is anticipated to be 75% reimbursable from Natural Resources Conservation Service (NRCS) with a 25% County match provided from the hurricane fund.

5. Property Deletions for the Month of June, 2024 (Purchasing)

Recommended Action: Approve the deletion of additional property inventory items listed on the attached for the month of June 2024.

Budgeted Action: No action needed.

Real Estate Services

Risk Management

Transit

G. Community Development

1. Set a Public Hearing - Condominiums and Cooperative Buildings Inspections

Recommended Action: Set a public hearing for June 25, 2024, at 10 a.m. or soon thereafter, in Room 119, Commission Chambers located at 18500 Murdock Circle, Port Charlotte, Florida, 33948, to add Section 3-2-68 to Charlotte County Code for mandatory inspections of condominium and cooperative buildings as required by Florida Statutes 553.899.

Budgeted Action: No action needed.

H. Community Services

I. Economic Development

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

M. Public Safety

N. Public Works

1. Adopt New Capital Improvement Project "Mid County Transfer Roadway Reconfiguration"

Recommended Action: a) Approve Resolution for budget adjustment BA24-116 in the amount of \$103,000; and b) Approve adoption of a new Capital Improvement Project (CIP) "Mid County Transfer Roadway Reconfiguration".
RES 2024-079

Budgeted Action: Approve budget adjustment BA24-116 in the amount of \$103,000 creating a new Capital Improvement Project titled "Mid County Transfer Roadway Reconfiguration" in the FY24 Capital Improvement Program. Funding is provided from reserves in the Charlotte County Solid Waste Enterprise Fund.

O. Tourism Development

P. Utilities

Q. Other Agencies

1. US EPA Bipartisan Infrastructure Law Grant Assistance Agreement (02D42123-1) to Charlotte County-CHNEP

Recommended Action: a) Authorize the chairman to accept US EPA Bipartisan Infrastructure Law Grant Assistance Agreement (02D42123-1) to Charlotte County-CHNEP in the amount of \$909,800 on behalf of the Coastal & Heartland National Estuary Partnership (CHNEP); and b) Authorize the County Administrator, or designee, to sign any additional documents necessary to this grant. **A.GRT 2022-025**

Budgeted Action: No action needed. \$909,800 is budgeted in the CHNEP Fund 1026 for FY24. Grant funding for this expenditure comes from Environmental Protection Agency grant. There is no county match.

REGULAR AGENDA

R. Regular Agenda

Taken Out of Order

5. Burnt Store Area Plan

Community Development

Discussion and direction on the Burnt Store Area Plan.

Mr. Cullinan gave a brief overview of Public Private Partnership (PPP), Citizens' Concerns and Responses: Concern – Lack of outreach, Concern – Traffic, Area Plan References – Transportation Executive Summary, Concern – Impact on Wildlife, Concern – Environmental Impacts, Area Plan References – Environmental Executive Summary, Concern – Water Management Impacts, Area Plan References – Water Management Executive Summary, Concern – Non-residential development (commercial), Concern – Non-residential development (medical), Area Plan References – Infrastructure Executive Summary, Urban Service Area, Planned Developments (PDs) Within the Burnt Store Area Plan, Commercial Development Rights Within the Burnt Store Area Plan, Burnt Store Area Build Out, Proposed Flow way/Preservation, Firelight Project, Southern Portion of Burnt Store Area Plan, Existing wildlife crossing location, US 17 Flow ways and Greenways, Wildlife Crossing Signs, Population and Housing Projections, Commercial Projection Based on Metro Forecasting Models, Current Entitlements, Projects

underway, What Cannot be Changed, What Could be Addressed, Stakeholder Meeting: Stakeholder meeting, Format, Timing, Discussion: Timeframes, and Potential Cost.

Vice Chair Constance remarked on backup material, utility plan, estimates, indexing, Stakeholder Meeting: Stakeholder meeting, Format, Timing, Burnt Store Marina, Cape Coral, Lee County Board of County Commissioners, City of Punta Gorda, Charlotte County Stormwater Master Plan, Potential Cost, maps, Vincent Avenue, Florida Department of Transportation (FDOT) District Secretary LK Nandam, citizen input, technology, public hearings, attendance, and options. **Commissioner Deutsch** discussed citizen input, Burnt Store Road, septic to sewer conversion, future planning, costs, inflation, stakeholder meetings, utility rates, Burnt Store Corridor Coalition, cooperation, Metropolitan Planning Organization (MPO) and joint meetings, Lee County, River Road, Sarasota County, challenges, and transportation projects. **Commissioner Doherty** commented on Stakeholder Meeting, Format, Timing, Lee County Board of County Commissioners, joint meetings, MPO, Vincent Avenue, participants, challenges, transportation, and funding sources. **Commissioner Tiseo** mentioned concerns, Burnt Store Corridor Coalition, staff reports, PDs, Commercial Projection: Based on Metro Forecasting Models, Stakeholder Meeting: Stakeholder meeting, Format, Timing, technology, Lee County, City of Punta Gorda, Sunshine Law, transportation and hydrological studies, Cape Coral, Florida Association of Counties (FAC), citizen input, topics, options, preparation, and Public Safety.

County Administrator Flores replied to technology, Stakeholder Meeting, Format, Timing, participants, funding sources, community outreach, charrettes, citizen input, and One Charlotte One Water Summit.

D’Juan Harris, Charlotte County-Punta Gorda MPO Director noted May 20, 2024 MPO Board Meeting, Lee County MPO, coordination meeting, FDOT, Vincent Avenue, and Burnt Store Road.

1. West Coast Inland Navigation District June 14, 2024 Agenda

Community Services

(Change #3) Added attachment – Agenda.

Discussion and direction on the West Coast Inland Navigation District (WCIND) agenda for the upcoming meeting on June 14, 2024.

Tina Powell, Parks and Natural Resources Manager highlighted West Coast Inland Navigation District June 14, 2024 Agenda.

2. Utilities Rate Model Update

Utilities

(Change #2) Added attachment – Revised Presentation & Revised Scenario 2.

Raftelis (Murray Hamilton) will be presenting the Utilities Rate Model Update as well as any pertinent information regarding TAP fees and Miscellaneous fees.

Rick Arthur, Fiscal Services Manager highlighted Utilities Rate Model Update, introduced Murray Hamilton, Raftelis Vice President, responded to budget and bond market processes, Tier 1 Project Costs, repair and replacement (R&R) costs, proportionate share, East Port, Capital Needs Assessment (CNA), Capital Improvement

Projects (CIP), Capital Maintenance Projects (CMP), Projected Rate Adjustments (Scenario 2), risk mitigation, credit ratings, and options.

Mr. Hamilton gave a brief overview of Study Objectives / Tasks, Evolution of Charlotte County Utilities (CCU)'s Capital Plan, Evolution of CCU's Capital Plan (continued), Priority 1 Capital Improvements, Summary of Current Fees, Summary of Current Fees (continued), Summary of Proposed Fees, Why Capacity Fees Differ Amount Utilities, Comparison of Capacity Costs, Summary of Growth Assumptions, Borrowing Needs for Priority 1 Projects, Preliminary Financing Plan Under Proposed Connection Fees (Scenario 2), Principal Cost Drivers, Purchased Water Costs and System Expenses, CCU Debt Payments Under Proposed Rates, Financial Considerations, Projected Rate Adjustments (Scenario 2), Days of Cash on Hand, Chart Debt Service Coverage – Senior Lien (110%), Annual Surplus/(Deficiency), and CCU Modeled Revenues.

Vice Chair Constance spoke to Burnt Store Water Treatment Plant, current and future demands, potable and wastewater, existing and new customers, expansion, operations and maintenance (O&M), rate structure, consulting engineer, Summary of Current Fees (continued), Summary of Proposed Fees, accrued guaranteed revenue fee (AGRF), Summary of Growth Assumptions, CCU Debt Payments Under Proposed Rates, tax and rate payers, Municipal Service Benefit Unit (MSBU), assessments, disclaimer, capacity, transparency, Tier 1 Project Costs, prioritization, commitment, Reservoir 3, workshop, alternatives, scenarios, Florida Department of Environmental Protection (FDEP), and surrounding counties. **Commissioner Deutsch** noted workshop, legal challenges, permits, capacity, options, inflation, and Energy Policy. **Commissioner Doherty** remarked on capacity, Evolution of CCU's Capital plan (continued), Tier 1 Project Costs, budget process, septic to sewer conversion, July 16, 2024 Utilities Quarterly Update Meeting, affordability, cost, Construction Manager At Risk (CMAR) and design build projects, advanced wastewater treatment (AWT), inflation, rate increases, funding sources, CNA, Energy Policy, phased approach, challenges, contract modification, McKim & Creed, and East Port. **Commissioner Tiseo** discussed Peace River Manasota Regional Water Supply Authority (PRMRWSA), capacity, concurrency, permits, Burnt Store Corridor, affordability, sewer expansion program, wastewater reclamation facilities, Tier 1 Project Costs, cost estimates, East Port, budget adjustments, infrastructure projects, construction, inflation, insurance rates, timing, AWT, unfunded mandate, proportionate share, funding sources, rate payers, workshop, phased approach, letters of availability, disclaimer, reserves, developments, housing turnovers, and entitlements.

Dave Watson, Utilities Director replied to Burnt Store Water Treatment Plant, capacity, Water Master Plan, water sources, expansion, permits, Community Development, Utilities, concurrency and approval process, availability, FDEP, average, current connections, equations, reserves, and fees.

Mr. Cullinan responded to project process, CCU review, letter of availability, Burnt Store Road, development, and capacity.

Taken Out of Order

4. 24-202, Award, Burnt Store Water Reclamation Facility Expansion

Budget & Admin Services

a) Approve award of Request for Bid #24-202, Burnt Store Water Reclamation Facility Expansion, to Pool & Kent Company of Florida, of Port Charlotte, Florida, in the amount of \$178,922,100. This is for expansion of the Burnt Store Water Reclamation Facility; and b) Approve Resolution for budget adjustment BA24-121 in the amount of \$116,705,686 adding additional funding for construction and project costs in the Capital Improvement Project

"Burnt store WRF Expansion"; and c) Approve amendment to the Capital Improvement Project "Burnt Store WRF Expansion".

COMMISSIONER DOHERTY MOVED TO REJECT BID 24-202 AWARD, BURNT STORE WATER RECLAMATION FACILITY EXPANSION, DIRECT ADMINISTRATION AND LEGAL TO LOOK AT PREPARING A RFP FOR A CONSTRUCTION MANAGER AT RISK THAT COULD EVENTUALLY BE BROUGHT UNDER CONTRACT, AND HAVE A CHANCE TO TALK ABOUT THAT RFP AT THE JULY 16, 2024 UTILITIES QUARTERLY UPDATE. THE CONSTRUCTION MANAGER AT RISK WOULD BE THEN GIVEN THE EXISTING DESIGN DOCUMENTS THAT MCKIM & CREED HAVE CREATED AND PERMITS, SIT DOWN WITH THEM, AS A TEAM, WITH CHARLOTTE COUNTY UTILITIES, BREAKING BURNT STORE WATER RECLAMATION FACILITY UP INTO PHASES, THE FIRST PHASE CONCENTRATING ON CAPACITY INCREASES AND THE SECOND PHASE CONCENTRATING ON ADVANCED WASTEWATER TREATMENT, AND COME BACK TO THE BOARD, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO NOT APPROVE THE RESOLUTION FOR BUDGET ADJUSTMENT BA24-121 AND THE AMENDMENT TO THE CAPITAL IMPROVEMENT PROJECT "BURNT STORE WRF EXPANSION", SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:0.

3. Set a Public Hearing - Rate Increase for Charlotte County Utilities

Budget & Admin Services

Set a public hearing on July 9th, 2024, at 10:00 a.m., or as soon thereafter as may be heard, to consider a rate increase for Charlotte County Utilities Rate payors, to take place in Room 119, Commission Chambers located at 18500 Murdock Circle, Port Charlotte, Florida 33948.

COMMISSIONER DOHERTY MOVED TO NOT SET A PUBLIC HEARING ON JULY 9, 2024, AT 10:00 A.M., SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

6. Firelight Residential Community Cost Share Project

Utilities

Discussion and direction regarding proposed allocation of funds to upsize Force Main and Water Main for the Firelight Residential Community Project.

Mr. Watson highlighted Firelight Residential Community Cost Share Project.

Vice Chair Constance commented on Option #3. Commissioner Tiseo mentioned Option #3.

COMMISSIONER DOHERTY MOVED TO APPROVE STAFF'S RECOMMENDATION FOR OPTION #2 AT A CCU COST OF \$795,360, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

RECESS: 12:44 pm – 1:00 pm

1 P.M. PUBLIC INPUT - ANY SUBJECT

David Rolando commented on tax and rate payers, wastewater treatment, capacity, future developments, connection fees, septic to sewer conversion, and property sales.

Richard Van Acker mentioned Fire/EMS, Equivalent Residential Unit (ERU), transportation, salaries, vehicles, assessments, MSBU, Charlotte County, employment, Public Works Director John Elias, policy, absences, and membership.

Dreama Doolittle spoke to Harborview Road, Benderson Development Company, concerns, environmental resources permit, wetlands, Peace River, United States Army Corps of Engineers, Environmental Protection Agency (EPA), Florida Fish and Wildlife Conservation Commission, responsibility, infrastructure, and traffic impacts.

Phil Palmer noted Harborview Road, development, threshold, affordable housing, proposal, contract, property sale, enforcement, regulations, trees, environmental impacts, wildlife, and Ordinances.

Jeff Lustig remarked on Family Services Center, services, Sarasota County, return on investment (ROI), police, evictions, disruptions, assistance, low speed vehicles, auto insurance rates, options, and transportation.

Michael Doolittle discussed traffic flow, Deep Creek Elementary School, Harborview Road, modifications, public safety, Rio de Janeiro Avenue, future development, Cape Coral, and water demands.

Henry Boschen commented on Benderson Development Company, residential unit, costs, mortgage, affordability, concerns, low income housing, requirements, vacancies, and property sales and acquisitions.

Patrick Bautz mentioned traffic flow, Charlotte County Sheriff's Office (CCSO), public safety, ambulances, Harbour Heights, Benderson Development Company, improvements, water capacity expansion, septic to sewer conversion, meeting schedule, and opportunities.

Phillip Smallwood spoke to water facilities, funding, inflation, septic to sewer conversion, inflow, Burnt Store Water Treatment Plant, expansion, Pirate Harbor, permits, development, connection fees, revenue, and water pollution.

Robert Peters noted Farabee Road, MSBU, geographic information system (GIS), property lines, jurisdiction, dump trucks, public safety, CCSO, enforcement, private road with public access right of way, responsibility, accountability, and liability.

Tim Ritchie, March Against Mosaic President and Founder remarked on BlackRock, corporate capture, grant funding, Team Punta Gorda, Marine Advisory Committee (MAC), phosphate mining, Water Quality Manager Brandon Moody, sediment and water testing, fire ban, Mosaic Fertilizer Green Bay Complex, and water capacity.

Attorney Derek Rooney, GrayRobinson discussed Burnt Store Corridor, Burnt Store Area Plan, commercial and residential parcels, future plans, and communication.

Joyce Pears commented on Deep Creek Elementary School, traffic issues, Benderson Development Company, permits, endangered species, permits, impacts, land clearing, trees, and Burnt Store Road.

AA. County Administrator Comments – None

BB. County Attorney Comments - None

CC. Economic Development Director Comments - None

DD. County Commissioner Comments

Vice Chair Constance mentioned fee framework, Manatee County, pricing, PRMRWSA Executive Director Mike Coates, retirement, Deep Creek Elementary School, parent pickup lines, stacking, Charlotte County School Board, property acquisition, public safety, options, Pirate Harbor, sewer connections and expansion, water quality, policy, septic permits, Florida Department of Health (FDOH), speed pads, property ownership, boat ramps, parks, Community Service, budget, and Harbour Heights. **Commissioner Deutsch** spoke to Port Charlotte Beach Complex, meeting publications and notifications, Oil Well Road, road maintenance, Flag Day, and community events. **Commissioner Doherty** noted 2 P.M. Land Use Public Hearing Agenda, Harborview Development of Regional Impact (DRI), Farabee Road, 16 County Coalition, South Florida Water Management District (SFWMD), Caloosahatchee River, Herbert Hoover Dike, Army Corps of Engineers, aquatic vegetation, natural treatments, Sarasota Bay Estuary Program Executive Director Dr. David Tomasko, Ph.D., Coastal and Heartland National Estuary Partnership (CHNEP) Executive Director Jennifer Hecker, Florida Scientist, red tide blooms, watershed nitrogen loads, water quality, June 5, 2024 PRMRWSA Meeting, July 16, 2024 Utilities Quarterly Update Meeting, framework, opportunities, PRMRWSA Executive Director Mike Coates, Master Water Supply Agreement, and surface expansion project. **Commissioner Tiseo** remarked on June 5, 2024 PRMRWSA Meeting, proposed framework, Manatee County Commissioner James Bearden, DeSoto County payment, July 16, 2024 Utilities Quarterly Update Meeting, agricultural property, water supply and sources, costs, PRMRWSA Executive Director Mike Coates, public safety, transportation user fee, property taxes, infrastructure, insurance deductibles, MSBU attendance and notification policies, Harborview Road, parent pickup lines, stacking, traffic planning, Charlotte County School Board, Harbour Heights, Charlotte Harbor Water Association (CHWA), meeting publications and notifications, sewer availability, septic to sewer conversion, private road with public access, maintenance responsibility, public easements, and property rights.

County Administrator Flores replied to Fire/EMS assessments, property taxes, General Fund, and transportation user fee.

2 P.M. LAND USE AGENDA

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY - None

Consent Agenda

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

MOTION CARRIED 4:0.

UA1. FP-22-06-01, Creekside Run

Community Development

a) Approve a Bond Reduction request and First Amendment to Developer's Agreement to reduce the amount of the approved surety provided under Bond No. 7901079768 in the amount of \$11,139,224.88 to \$1,065,812.00 for the completion of the remaining infrastructure for Creekside Run. The site contains 101.89± acres and is generally located south of Bermont Road, north of the County line with Lee County, west of the County line with Glades County, and east of Bluebird Trail, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, within the East County area. Located in Commission District I; and b) Authorize the Chairman to sign the First Amendment to Developer's Agreement. **A.AGR 2023-042**

Quasi-Judicial

Public Hearing

Minutes Clerk Welsh administered oath for testimony.

UB1. PFP-24-01, Campbell's Subdivision

Community Development

Approve a Preliminary and Final Plat for a subdivision to be named Campbell's Subdivision. The proposed plat is for a commercial subdivision containing two lots. The site contains 8.03± acres and is located at 2757, 2851, and 2741 Taylor Road, and is within the Punta Gorda area. There is no bond or development agreement associated with this plat as no infrastructure is being proposed. Located in Commission District II.

Quasi-Judicial

Vice Chair Constance 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.

Jenny Shao, Zoning Coordinator gave a brief overview of PFP-24-01: Location Map, 2023 Aerial Location Map (Full Range), 2023 Aerial Location Map (Mid-Range), Aerial Location Map, 2023 Google Earth Images, Future Land Use Map (FLUM) Designations, Zoning Designations, 1,000' Mailed Notice Area Map, Proposed Changes, and Proposed Changes (Aerial).

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, discussed challenges, and permit.

Vice Chair Constance commented on FLUM Designations and Zoning Designations. **Commissioner Tiseo** mentioned Staff Report.

Mr. Cullinan responded to Zoning Designations, FLUM Designations, allowances, and vested rights.

Public Input

Jeff Lustig spoke to funding mechanism, infrastructure, benefits, and home owners.

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

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE A PRELIMINARY AND FINAL PLAT FOR A SUBDIVISION TO BE NAMED CAMPBELL'S SUBDIVISION. THE PROPOSED PLAT IS FOR A COMMERCIAL SUBDIVISION CONTAINING TWO LOTS. THE SITE CONTAINS 8.03± ACRES AND IS LOCATED AT 2757, 2851, AND 2741 TAYLOR ROAD, AND IS WITHIN THE PUNTA GORDA AREA. THERE IS NO BOND OR DEVELOPMENT AGREEMENT ASSOCIATED WITH THIS PLAT AS NO INFRASTRUCTURE IS BEING PROPOSED. LOCATED IN COMMISSION DISTRICT II, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

UB2. 22LAD-00000-00007, Revisions to the Harborview DRI DO

Community Development

(Change #4) Added attachment – Revised Presentation.

a) Approve a Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and County Code Section 3-9-10.1, amending the Harborview DRI Development Order, Resolution Number 2010-083, to 1) revise for internal and statutory consistency to reflect updates to Florida Statutes, as applicable; 2) amend "Specific Conditions": "Vegetation and Wildlife"; "Wetlands"; "Water Supply"; "Stormwater Management/Water Quality"; "Transportation"; "Housing"; "Police and Fire Protection"; "Education", "Dock Facilities" (existing "Marina and Dock Facilities"); "Energy"; "Flood Plain/Hurricane Preparedness"; "Recreation and Open Space"; and "General Provisions"; 3) update the "Land Use" condition to delete marina uses; 4) revise Map H (Exhibit "A") to be consistent with the proposed development rights; 5) revise the buildout date; 6) revise Exhibit "B" to include a "Residential Land Use Equivalency Matrix"; 7) amend Exhibit "D": "Harborview DRI Land Management Plan, a Manual of Best Management Practices for Preservation Prepared by Water Resource Associates, March 2024"; 8) amend Exhibit "E": Wetland Impact/Preservation and Wildlife Areas/Green Zone Map (Map F-1) to insert a new Map F-1: Wetland Impact & Wildlife Utilization Map; 9) delete Exhibit "F": Marina Environmental Measures and Best Management Practices, Clean Marina Plan - Harborview Marina; 10) delete Exhibit "H" - Proposed Dredging; and 11) amend Exhibit "I": Bicycle and Pedestrian System Map; for property general located north of the Peace River, south of Madras Court and Mauritania Road, east of Danforth Drive, and west of Discovery Drive; in the Port Charlotte area; containing 653± acres; Petition No. 22LAD-00000-00007; Applicant/Developer: Benderson Development Company, LLC; providing an effective date. Located in Commission District I; and b) Authorize the Chairman to sign the Resolution.

Quasi-Judicial

Vice Chair Constance 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.

Jie Shao, Principal Planner gave a brief overview of Proposed Amendments, 22LAD-00000-00007 and PD-22-00015: 1,000' Mailed Notice Map, Location Map, Area Image, Framework, FLUM Designations, Zoning

Designations, History, History - Continued, Current Entitlements, Coastal High Hazard Area, Area Image - North, East, and West Village, Area Image - North and East Village, Area Image – East and West Village, Proposed Major Change, Proposed Major Changes, Exhibit A, Updated Master Development Plan, Exhibit B, Exhibit I, Proposed Major Changes - Continues, Vegetation and Wildlife, Wetlands, Exhibit E, Wetlands - Continued, Stormwater Management/Water Quality, Transportation, Transportation - Continued: To update the options listed in the binding commitment by, For the Proportionate Share Payments, To remove the requirement of relocation of Discovery Drive, Police and Fire Protection & Education, Dock Facilities, Flood Plain/Hurricane Preparedness, Recreation and Open Space, Exhibit D Harborview DRI Land Management Plan, General Housekeeping, Harborview Rezone Site Plan, replied to Staff Report, maximum density, units, Comprehensive Plan, regulations, and affordable housing.

Vice Chair Constance noted History – Continued, extension, Current Entitlements, development phases, timeline, Coastal High Hazard Area, vested rights, safety, final detail site plan, DRI, PD, Luther Road, Updated Master Development Plan, Deep Creek Elementary School, stacking options, Comprehensive Plan, language, affordable housing, stormwater modeling, water quantity, Harborview DRI Map H, scrub jays, gopher tortoises, Environmental Resource Program (ERP) permits, FDEP, hotels, and elevation. **Commissioner Deutsch** remarked on Recreation and Open Space, proposal, timeline, costs, Scheduled Improvements, Project Improvements, and FDOT. **Commissioner Doherty** discussed Transportation, final detail site plan, affordable housing, Comprehensive Plan, Hurricane Ian, Coastal High Hazard Area, National Hurricane Center, National Oceanic and Atmospheric Administration (NOAA), Florida Building Code, regulatory process, projected storm surge map, East Village, phases, transmittal period, and options. **Commissioner Tiseo** commented on Proposed Major Change, affordable housing, Proposed Major Changes, vested rights, Staff Report, area median income (AMI), Police and Fire Protection & Education, stacking, density, Recreation and Open Space, language, marina, Scheduled Improvements, timelines, developers and proportionate share agreements, Project Development and Environment (PD&E), funding sources, costs, Staff Report Discussion, unit requirements, Comprehensive Plan, consistency, process, land preservation, Current Entitlements, and Bert J. Harris, Jr., Private Property Rights Protection Act.

Assistant County Attorney Thomas David interjected on Proposed Amendments, Resolution 2010-083, extension, statutory process, Comprehensive Plan, language, Florida Statutes, affordable housing goals, Staff Report, development condition, enforcement, requirements, options, transmittal, process, procedure, Current Entitlements, and Condition D.

Mr. Cullinan replied to vested rights, Coastal High Hazard Area, marina, challenges, DRI, PD, entitlements, restrictions, final detail site plan, Luther Road, Rio de Janeiro Avenue, Updated Master Development Plan, school safety requirements, and access.

Attorney Derek Rooney, Applicant Representative accepted Ms. Shao as an expert, agreed with Staff Report, mentioned Coastal High Hazard Area, environmentally sensitive lands, Staff Report Discussion, restrictions, inclusionary program, AMI, language, compensation, Recreation and Open Space, Transportation, final detail site plan, Resolution 2010-083, units, legal framework, Live Local Act, inclusionary housing, Comprehensive Plan, future revisions, amendments, planned development phases, process, stormwater modeling, impacts, Charlotte Harbor Water Association, Harborview DRI Map H, habitat conservation plan mitigation, requirements, ERP permits, indigo snakes, infrastructure, wastewater capacity, marina, age-restricted development, master planning, and preservation areas.

Jem Frantz, RVI Planning Project Director gave a brief overview of Project Team, Benderson Development, Request Benefits, Proposed Map H Benefits, PD Concept Plan Benefits, Compatibility – East Village, Civil Engineering, Conclusion, and requested approval.

Matthew Miller, WRA Engineering Environmental Services Director gave a brief overview of Environmental Benefits.

Becca Bond, Kimley-Horn Transportation Engineer gave a brief overview of Approved Traffic Study, Scheduled Improvements, Traffic Monitoring Report, Project Improvements, Staff Report Discussion, responded to Current Entitlements.

Todd Mathes, Benderson Development, LLC Development Director replied to application, development phases, framework, Environmental Benefits, age-restricted development, land boundaries, Staff Report Discussion, entitlements, timeline, Project Improvements, affordable housing, and PD.

Public Input for 22LAD-00000-00007, Revisions to the Harborview DRI DO and PD-22-00015, Major Modification to Harborview DRI PD

Dreama Doolittle spoke to requirements, FDEP, environmental resource permits, Army Corps of Engineers, EPA, roadway improvements, wetlands, and Deep Creek Elementary School.

Jeff Lustig noted affordable housing, requirements, development, safety, preservation, and Harborview Road.

Phillip Palmer remarked on marina, benefits, amendments, development, regulations, enforcement, protected species habitats, traffic studies, and Deep Creek.

Patrick Bautz discussed Harbour Heights Water Association, water capacity, lift stations, raw sewage, and infrastructure.

Margie Blackwell commented on process, marina, smalltooth sawfish, Balboa Canal, federal agencies, preservation, protected species, trees, requirements, enforcement, and affordable housing provisions.

Henry Boschen spoke against 22LAD-00000-00007, Revisions to the Harborview DRI DO and PD-22-00015, Major Modification to Harborview DRI PD, mentioned density, marina, age-restricted development, and rental protection law.

Laura Johnson spoke to traffic conditions and improvements, Charlotte County Utilities, sewer system, lift stations, sewage, Harbour Heights Water Association, water capacity, Floridan aquifer system, sinkholes, Harborview Road, and protected species.

Joyce Pears noted protected species habitats, development, zoning and land use changes, and challenges.

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

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO TABLE 22LAD-00000-00007, REVISIONS TO THE HARBORVIEW DRI DO, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO CONTINUE 22LAD-00000-00007, REVISIONS TO THE HARBORVIEW DRI DO UNTIL THE ADOPTION HEARING ON SEPTEMBER 10, 2024, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:0.

UB3. PD-22-00015, Major Modification to Harborview DRI PD

Community Development

(Change #5) Added attachment – Revised Presentation.

a) Approve an Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD; this is a major modification to the existing Harborview Development of Regional Impact (DRI) PD, Ordinance Number 2010-071, by revising the development rights, removing the public marina, updating development standards, and adopting a General PD Concept Plan; for property generally located north of the Peace River, south of Madras Court and Mauritania Road, east of Danforth Drive, and west of Discovery Drive; in the Port Charlotte area; containing 653± acres; Petition No. PD-22-00015; Applicant: Benderson Development Company, LLC; providing an effective date. Located in Commission District I; and b) Authorize the Chairman to sign the Ordinance.

Quasi-Judicial

Vice Chair Constance 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.

Ms. Shao gave a brief overview of Proposed Amendments, 22LAD-00000-00007 and PD-22-00015: 1,000' Mailed Notice Map, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, History, History - Continued, Current Entitlements, Coastal High Hazard Area, Area Image - North, East, and West Village, Area Image - North and East Village, Area Image – East and West Village, Proposed Major Change, Proposed Major Changes, Exhibit A, Updated Master Development Plan, Exhibit B, Exhibit I, Proposed Major Changes - Continues, Vegetation and Wildlife, Wetlands, Exhibit E, Wetlands - Continued, Stormwater Management/Water Quality, Transportation, Transportation - Continued: To update the options listed in the binding commitment by, For the Proportionate Share Payments, To remove the requirement of relocation of Discovery Drive, Police and Fire Protection & Education, Dock Facilities, Flood Plain/Hurricane Preparedness, Recreation and Open Space, Exhibit D Harborview DRI Land Management Plan, General Housekeeping, Harborview Rezone Site Plan, responded to Staff Report, maximum density, units, Comprehensive Plan, regulations, and affordable housing.

Vice Chair Constance remarked on History – Continued, extension, Current Entitlements, development phases, timeline, Coastal High Hazard Area, vested rights, safety, final detail site plan, DRI, PD, Luther Road, Updated Master Development Plan, Deep Creek Elementary School, stacking options, Comprehensive Plan, language, affordable housing, stormwater modeling, water quantity, Harborview DRI Map H, scrub jays, gopher tortoises, ERP permits, FDEP, hotels, and elevation. Commissioner Deutsch discussed Recreation and Open Space, proposal, timeline, costs, Scheduled Improvements, Project Improvements, and FDOT. Commissioner Doherty commented on Transportation, final detail site plan, affordable housing, Comprehensive Plan, Hurricane Ian, Coastal High Hazard Area, National Hurricane Center, NOAA, Florida Building Code, requirements, regulatory process, projected storm surge map, East Village, phases, transmittal period, and options. Commissioner Tiseo mentioned Proposed Major Change, affordable housing, Proposed Major Changes, vested rights, Staff Report, AMI, Police

and Fire Protection & Education, stacking, density, Recreation and Open Space, language, marina, Scheduled Improvements, timelines, developers and proportionate share agreements, PD&E, funding sources, costs, Staff Report Discussion, unit requirements, Comprehensive Plan, consistency, process, land preservation, Current Entitlements, and Bert J. Harris, Jr., Private Property Rights Protection Act.

Assistant County Attorney David interjected on Proposed Amendments, Resolution 2010-083, extension, statutory process, Comprehensive Plan, language, Florida Statutes, affordable housing goals, Staff Report, development condition, enforcement, requirements, options, transmittal, process, procedure, Current Entitlements, and Condition D.

Mr. Cullinan replied to vested rights, Coastal High Hazard Area, marina, challenges, DRI, PD, entitlements, restrictions, final detail site plan, Luther Road, Rio de Janeiro Avenue, Updated Master Development Plan, school safety requirements, and access.

Attorney Derek Rooney, Applicant Representative accepted Ms. Shao as an expert, agreed with Staff Report, noted Coastal High Hazard Area, environmentally sensitive lands, Staff Report Discussion, restrictions, inclusionary program, AMI, language, compensation, Recreation and Open Space, Transportation, final detail site plan, Resolution 2010-083, units, legal framework, Live Local Act, inclusionary housing, Comprehensive Plan, future revisions, amendments, planned development phases, process, stormwater modeling, impacts, Charlotte Harbor Water Association, Harborview DRI Map H, habitat conservation plan mitigation, requirements, ERP permits, indigo snakes, infrastructure, wastewater capacity, marina, age-restricted development, master planning, and preservation areas.

Jem Frantz, RVI Planning Project Director gave a brief overview of Project Team, Benderson Development, Request Benefits, Proposed Map H Benefits, PD Concept Plan Benefits, Compatibility – East Village, Civil Engineering, Conclusion, and requested approval.

Matthew Miller, WRA Engineering Environmental Services Director gave a brief overview of Environmental Benefits.

Becca Bond, Kimley-Horn Transportation Engineer gave a brief overview of Approved Traffic Study, Scheduled Improvements, Traffic Monitoring Report, Project Improvements, Staff Report Discussion, responded to Current Entitlements.

Todd Mathes, Benderson Development, LLC Development Director replied to application, development phases, framework, Environmental Benefits, age-restricted development, land boundaries, Staff Report Discussion, entitlements, timeline, Project Improvements, affordable housing, and PD.

Public Input for 22LAD-00000-00007, Revisions to the Harborview DRI DO and PD-22-00015, Major Modification to Harborview DRI PD

Dreama Doolittle spoke to requirements, FDEP, environmental resource permits, Army Corps of Engineers, EPA, roadway improvements, wetlands, and Deep Creek Elementary School.

Jeff Lustig remarked on affordable housing, requirements, development, safety, preservation, and Harborview Road.

Phillip Palmer discussed marina, benefits, amendments, development, regulations, enforcement, protected species habitats, traffic studies, and Deep Creek.

Patrick Bautz commented on Harbour Heights Water Association, water capacity, lift stations, raw sewage, and infrastructure.

Margie Blackwell mentioned process, marina, smalltooth sawfish, Balboa Canal, federal agencies, preservation, protected species, trees, requirements, enforcement, and affordable housing provisions.

Henry Boschen spoke against 22LAD-00000-00007, Revisions to the Harborview DRI DO and PD-22-00015, Major Modification to Harborview DRI PD, spoke to density, marina, age-restricted development, and rental protection law.

Laura Johnson noted traffic conditions and improvements, Charlotte County Utilities, sewer system, lift stations, sewage, Harbour Heights Water Association, water capacity, Floridan aquifer system, sinkholes, Harborview Road, and protected species.

Joyce Pears remarked on protected species habitats, development, zoning and land use changes, and challenges.

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

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO TABLE PD-22-00015, MAJOR MODIFICATION TO HARBORVIEW DRI PD, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO CONTINUE PD-22-00015, MAJOR MODIFICATION TO HARBORVIEW DRI PD UNTIL THE ADOPTION HEARING ON SEPTEMBER 10, 2024, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:0.

UB4. TCP-22-04, Revisions to the Harborview DRI DO

Community Development

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Florida Department of Commerce and other State agencies for review and comment; this request is to revise Future Land Use (FLU) Appendix VI: Developments of Regional Impact by 1) removing the permitted "Public Marina" land use/development right from the Harborview Development of Regional Impact (DRI), 2) increasing the total minimum acreage of "Open Space, Preservation and Recreational Uses" to 226.55 acres for this DRI, and 3) updating "Notes" to reflect the County Code Section 3-9-150: Transfer of Density Units and the residential and non-residential Land Use Equivalency Matrixes; Petition No. TCP-22-04; Applicants: RDL Associates, LLC; Peace River Associates, LLC, Peace River East II, LLC, and Post Falls Management Associates, LLC; and providing an effective date. The Harborview DRI is located within Commission District I.

Legislative

Ms. Shao gave a brief overview of Proposed Changes, TCP-22-04 Area Image, and Detailed Changes.

Vice Chair Constance discussed Proposed Changes and Detailed Changes.

Public Hearing

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

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE TRANSMITTING A LARGE SCALE PLAN AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMERCE AND OTHER STATE AGENCIES FOR REVIEW AND COMMENT; THIS REQUEST IS TO REVISE FUTURE LAND USE (FLU) APPENDIX VI: DEVELOPMENTS OF REGIONAL IMPACT BY 1) REMOVING THE PERMITTED "PUBLIC MARINA" LAND USE/DEVELOPMENT RIGHT FROM THE HARBORVIEW DEVELOPMENT OF REGIONAL IMPACT (DRI), 2) INCREASING THE TOTAL MINIMUM ACREAGE OF "OPEN SPACE, PRESERVATION AND RECREATIONAL USES" TO 226.55 ACRES FOR THIS DRI, AND 3) UPDATING "NOTES" TO REFLECT THE COUNTY CODE SECTION 3-9-150: TRANSFER OF DENSITY UNITS AND THE RESIDENTIAL AND NON-RESIDENTIAL LAND USE EQUIVALENCY MATRIXES; PETITION NO. TCP-22-04; APPLICANTS: RDL ASSOCIATES, LLC; PEACE RIVER ASSOCIATES, LLC, PEACE RIVER EAST II, LLC, AND POST FALLS MANAGEMENT ASSOCIATES, LLC; AND PROVIDING AN EFFECTIVE DATE. THE HARBORVIEW DRI IS LOCATED WITHIN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:0.

UB5. CSZ-24-01, Tringali Recreation Center/Park CSZ

Community Development

a) Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of a Sending Zone located at 3450 N. Access Road in the West County area containing 2.162± acres; for calculation and severance of 21 density units in accordance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU) of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-24-01; Applicant: Charlotte County Board of County Commissioners; and providing an effective date. Located in Commission District III; and b) Authorize the Chairman to sign the Resolution. **RES 2024-082**

Quasi-Judicial

Vice Chair Constance 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 gave a brief overview of Proposed Changes, CSZ-24-01, PAS-24-01, and Z-24-12: 1000' Mailed Notice Map, Location Map, Area Image, Framework, Coastal High Hazard Areas (CHHA), Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, and Proposed Zoning Designations.

Public Input for CSZ-24-01, Tringali Recreation Center/Park CSZ, PAS-24-01, Tringali Recreation Center/Park Small Scale Plan Amendment, Z-24-12, Tringali Recreation Center/Park Rezoning

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

MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2024-082 APPROVING A PETITION FOR CERTIFICATION OF A SENDING ZONE, LOCATED AT 3450 N. ACCESS ROAD, IN THE WEST COUNTY AREA, COMMISSION DISTRICT III, CONTAINING 2.162± ACRES; FOR CALCULATION AND SEVERANCE OF 21 DENSITY UNITS, IN ACCORDANCE WITH PART III LAND DEVELOPMENT AND GROWTH MANAGEMENT, CHAPTER 3-9 ZONING, ARTICLE V ENVIRONMENTAL REQUIREMENTS AND OTHER REQUIREMENTS, SECTION 3-9-150 TRANSFER OF DENSITY UNITS (TDU), OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; PETITION NO. CSZ-24-01; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

UB6. PAS-24-01, Tringali Recreation Center/Park Small Scale Plan Amendment

Community Development

a) Approve an Ordinance, pursuant to Section 163.3187, Florida Statutes, adopting a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Medium Density Residential (MDR) to Parks and Recreation (PKR); for property located at 3450 or 3460 N. Access Road, in the West County area, containing 2.162± acres; Petition No. PAS-24-01; Applicant: Tina Powell, Charlotte County Parks & Natural Resources Divisions Manager; and providing an effective date. Located in Commission District III; b) Authorize the Chairman to sign the Ordinance. **ORD 2024-020**

Legislative

Mr. Cullinan gave a brief overview of Proposed Changes, CSZ-24-01, PAS-24-01, and Z-24-12: 1000' Mailed Notice Map, Location Map, Area Image, Framework, Coastal High Hazard Areas (CHHA), Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, and Proposed Zoning Designations.

Public Input for CSZ-24-01, Tringali Recreation Center/Park CSZ, PAS-24-01, Tringali Recreation Center/Park Small Scale Plan Amendment, Z-24-12, Tringali Recreation Center/Park Rezoning

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

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-020 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, ADOPTING A SMALL SCALE PLAN AMENDMENT TO CHANGE CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO PARKS AND RECREATION (PKR); FOR PROPERTY LOCATED AT 3450 OR 3460 N. ACCESS ROAD, IN THE WEST COUNTY AREA, CONTAINING 2.162± ACRES; COMMISSION DISTRICT III; PETITION NO. PAS-24-01; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:0.

UB7. Z-24-12, Tringali Recreation Center/Park Rezoning

Community Development

a) Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family 10 (RMF-10) to Parks and Recreation (PKR), for property located at 3450 or 3460 N. Access Road, in the West County area, containing 2.162± acres; Petition No. Z-24-12; Applicant: Tina Powell, Charlotte County Parks & Natural Resources Divisions Manager; and providing an effective date. Located in Commission District III; and b) Authorize the Chairman to sign the Ordinance. **ORD 2024-021**

Quasi-Judicial

Vice Chair Constance 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 gave a brief overview of Proposed Changes, CSZ-24-01, PAS-24-01, and Z-24-12: 1000' Mailed Notice Map, Location Map, Area Image, Framework, Coastal High Hazard Areas (CHHA), Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, and Proposed Zoning Designations.

Public Input for CSZ-24-01, Tringali Recreation Center/Park CSZ, PAS-24-01, Tringali Recreation Center/Park Small Scale Plan Amendment, Z-24-12, Tringali Recreation Center/Park Rezoning

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

MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2024-021 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 125.66, FLORIDA STATUTES, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL MULTI-FAMILY 10 (RMF-10) TO PARKS AND RECREATION (PKR), FOR PROPERTY LOCATED AT 3450 OR 3460 N. ACCESS ROAD, IN THE WEST COUNTY AREA, CONTAINING 2.162± ACRES; COMMISSION DISTRICT III; PETITION NO. Z-24-12; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

UB8. TCP-24-01, Revisions to Potable Water and Sanitary Sewer sub element under the Infrastructure Element

Community Development

a) Approve an Ordinance pursuant to Section 163.3184(3), Florida Statutes, to adopt a Large Scale Plan Amendment (Text Amendment); this request is to amend the Potable Water and Sanitary Sewer sub element under the Infrastructure Element by revising WSW Policy 3.3.3: Community Utility System Reporting, and creating a new WSW Policy 3.3.4: Feasibility of Providing Sanitary Sewer Services; Petition No. TCP-24-01; Applicant: Dave Watson, Utilities Director, Charlotte County Utilities; providing an effective date. County-wide; and b) Authorize the Chairman to sign the Ordinance. **ORD 2024-022**

Legislative

Mr. Cullinan gave a brief overview of Proposed Changes and Detailed Changes.

Public Input

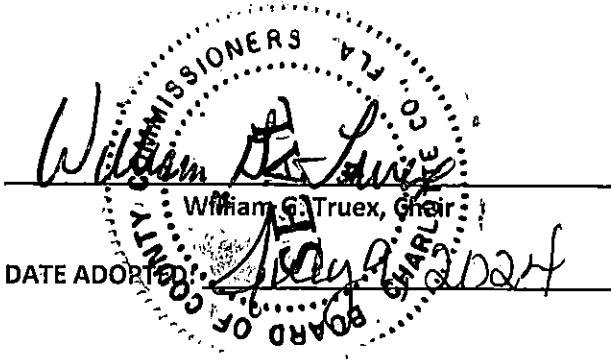
COMMISSIONER DOHERTY MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-022 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING THE COUNTY'S COMPREHENSIVE PLAN'S POTABLE WATER AND SANITARY SEWER SUB ELEMENT UNDER THE INFRASTRUCTURE ELEMENT BY REVISION WSW POLICY 3.3.3: "COMMUNITY UTILITY SYSTEM REPORTING"; CREATING A NEW WSW POLICY 3.3.4: "FEASIBILITY OF PROVIDING SANITARY SEWER SERVICES"; PETITION TCP-24-01; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

ADJOURNED: 4:55 pm



Seal of the Board of County Commissioners of Charlotte County, Florida. The seal is circular with the text "BOARD OF COUNTY COMMISSIONERS" and "CHARLOTTE COUNTY, FLORIDA" around the perimeter. In the center, it says "William G. Truex, Chair". A signature, "William G. Truex", is written across the seal. Below the seal, the text "DATE ADOPTED:" is followed by a signature and the date "May 9, 2024".

ATTEST:

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

By: Kimberly DeSh
Deputy Clerk