

BOARD OF COUNTY COMMISSIONERS

MARCH 25, 2026

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

The following members were present: Chair Tiseo, Commissioner Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Truex. Also in attendance were: Clerk of the Circuit Court Roger D. Eaton (departed at 10:56 am), County Administrator Flores, County Attorney David, 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 Daniel Dagan, Hope Apostolic Church, followed by the Pledge of Allegiance.

**Changes to the Agenda**

**Addition #1:** S-4, Approve the Clerk's Finance Memorandum.

Requested by: Comptroller Division

**Change #1:** F-3, Added attachment, Budget Justification Memo.

Requested by: Facilities

**Change #2:** H-2, 3/20/2026 - Approve Budget Adjustment BA26-222 amending the FY26 budget for CIP project "Boating Improvements - Ainger Creek" to recognize grant funding in the amount of \$725,000. Grant funding will be provided by the Florida Fish and Wildlife Conservation Commission. The local cost share of \$250,000 will be provided by the Boater Improvement Fund (State). The remaining balance of the local cost share in the amount of **\$2.718M** will be provided from Capital Projects Fund, ad valorem. 3/23/2026 - Added attachment, Conceptual Plan.

Requested by: Community Services

**Change #3:** F-6, Added attachment – Revised 25-322 CR775 Oyster Creek Bridge Repair Agreement.

Requested by: Purchasing

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

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Stephen R. Deutsch**

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

**MOTION CARRIED 5:0.**

**National County Government Month**

Chair Tiseo, Clerk of the Circuit Court Roger D. Eaton, Commissioner Constance, Commissioner Deutsch, Commissioner Doherty, Commissioner Truex, County Administrator Flores, and County Attorney David accepted the Proclamation.

#### **National Donate Life Month**

Jack Moses, Life Link discussed organ donor registry and accepted the Proclamation.

#### **Charlotte County Defenders Law Enforcement Motorcycle Club**

Tom Clark, Charlotte County Defenders Law Enforcement Motorcycle Club (LEMC) Commander accepted the Proclamation.

#### **Volunteer Appreciation Month**

David Kapp, Community Services Coordinator accepted the Proclamation.

#### **Vietnam Veterans Day 2026**

Commissioner Deutsch mentioned Welcome Home Vietnam Veterans 2020 and accepted the Proclamation.

#### **Fair Housing Month**

Proclamation to be mailed to Rich Gromalski, Project Manager.

#### **St. Vincent de Paul Day**

Proclamation to be mailed to Peter Catauro, St. Vincent de Paul.

Chair Tiseo commented on Fair Housing Month and St. Vincent de Paul Day Proclamations. Commissioner Deutsch noted March 29, 2026 National Vietnam Veterans Day Memorial Service.

#### **Employee Recognition**

##### Employee of the Month - February 2026

Susan Dearing  
Community Services

Tommy Scott, Community Services Director highlighted Ms. Dearing's service, qualifications, dedication, initiative, Paddles for Purpose Pickleball Tournament Food Drive, community service, and presented Award.

#### **Award Presentations**

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

John Osanitch spoke to BCC Schedule Change.

### **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.

The Charlotte County-Punta Gorda Metropolitan Planning Organization (MPO) is accepting applications for the following volunteer positions:

**Citizens' Advisory Committee (CAC) - one South County Representative.** The CAC reviews and makes recommendations on transportation plans and projects for MPO Board consideration.

**Bicycle/Pedestrian Advisory Committee (BPAC) - one West County Representative (applicant must reside West of the Myakka River).** The BPAC reviews and makes recommendations on transportation plans and projects for MPO Board consideration.

**Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB)** is seeking one volunteer representing the **Economically Disadvantaged** (rule: "A person who is recognized by the Florida Association for Community Action (President), representing the economically disadvantaged in the county."); and one experienced representative of the local private for-profit transportation industry. The LCB identifies local service needs and to provide guidance to the Community Transportation Coordinator on services for the transportation disadvantaged.

**Application deadline:** Friday, March 20, 2026. Apply online at [www.ccpmpo.gov](http://www.ccpmpo.gov) or contact the MPO for an application. Address: Charlotte County-Punta Gorda MPO, 1050 Loveland Blvd. Box C, Port Charlotte, FL 33980; Email: [office@ccpmpo.gov](mailto:office@ccpmpo.gov). The MPO Board will elect members at its **Monday, March 30, 2026 Meeting**.

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](mailto:MSBU-TU@CharlotteCountyFL.gov).

- **Boca Grande Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026, and one member to fill a position with a term through October 31, 2028.
- **Cook & Brown Street Unit** is seeking one member to fill a position with a term through October 31, 2026, and two members to fill positions with terms through October 31, 2027 and two members to fill positions with terms through October 31, 2028.
- **Don Pedro Knight Island Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2028.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Harbour Heights Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2028.
- **Manasota Key Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2028.
- **Manchester Waterway Benefit Unit** is seeking one member to fill a position with a term through October 31, 2027, and one member to fill a position with a term through October 31, 2028.
- **Mid-Charlotte Stormwater Utility Unit** is seeking one member to fill a position with a term through October 31, 2028.
- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a position with a term through October 31, 2026.

- **Pirate Harbor Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2028.
- **Pirate Harbor Waterway Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Placida Area Street & Drainage Maintenance Unit** is seeking one member to fill a position with a term through October 31, 2028.
- **Rotonda Heights Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2028.
- **Rotonda Lakes Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2028.
- **Rotonda Sands Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2028.
- **South Charlotte Stormwater Utility Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Suncoast Waterway Maintenance Unit** is seeking one member to fill a position with a term through October 31, 2026, and one member to fill a position with a term through October 31, 2028.

**Barrier Island Fire Service Municipal Service Benefit Unit (MSBU) Advisory Board** is seeking a volunteer to fill a vacant position with term ending October 31, 2026. Applicants must be residents of Charlotte County and reside within the Unit. Submit applications to Public Safety Department, 26571 Airport Road, Punta Gorda, Florida 33982; call 941-833-5602 or email Dawn.Johnston@CharlotteCountyFL.gov.

The **Environmentally Sensitive Lands Oversight Committee** is searching for two Charlotte County citizens to volunteer as a representative with expertise in business, real estate or land development, and as a representative with environmental expertise. If interested, please contact Morgan.Cook@charlottecountyfl.gov.

#### REPORTS RECEIVED AND FILED

#### CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-4, F-9, H-2, N-1, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

#### Clerk of the Circuit Court

#### A. Comptroller Division

#### B. Minutes Division

#### 1. Minutes

**Recommended Action:** Approve the following Minutes:

March 5, 2026 BCC Pre-Agenda  
March 10, 2026 BCC Regular Meeting  
March 17, 2026 BCC Board Workshop

**Budgeted Action:** No action needed.

**Board of County Commissioners**

**C. Commission Office**

**1. Appointment - Beaches and Shores Advisory Committee**

**Recommended Action:** Approve the appointment of Jay Lorange as the District IV representative to the Beaches and Shores Advisory Committee. Term is effective immediately and will expire December 2029.

**Budgeted Action:** No action needed.

**2. Appointment - Gardens of Gulf Cove Advisory Board**

**Recommended Action:** Approve the appointment of Joseph Bartolo to fill a vacant position on the Gardens of Gulf Cove Street & Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2028.

**Budgeted Action:** No action needed.

**3. Appointment - Manchester Waterway Advisory Board**

**Recommended Action:** Approve the appointment of Leo Beer to fill a vacant position on the Manchester Waterway Advisory Board. This appointment will be effective immediately and will expire on October 31, 2027.

**Budgeted Action:** No action needed.

**D. County Administration**

**1. BCC Schedule Change**

**Recommended Action:** a) Set a Public Workshop to be held on April 21, 2026, at 9 a.m. in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to discuss county owned parcels of land containing waterways; and b) Set the BCC Monthly Workshop for April 21, 2026, at 9 a.m. to begin immediately following the Public Workshop, or soon thereafter; and c) Set a Special Land Use Meeting to be held on April 21, 2026, at 1:30 p.m. in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida to consider DRC-25-200, West Port Village Final Detail Site Plan.

**Budgeted Action:** No action needed.

**2. Medical Examiner**

**Recommended Action:** Approve and authorize the Chairman to sign Reappointment Ballot Form to the Medical Examiners Commission for their recommendation to the Governor of reappointing Dr. Russell D. Vega, M.D. as District Medical Examiner in District 22, Charlotte County.

**Budgeted Action:** No action needed.

**3. Letter to Florida Department of Environmental Protection**

**Recommended Action:** Approve letter in support of Florida Department of Environmental Protection regulation enforcement of private landfill operations.

**Budgeted Action:** No action needed.

E. County Attorney

F. Budget and Administrative Services

Fiscal Services

Information Technology

Purchasing

1. 26-227, Award, Fabricated Road Signs - Annual Contract (Public Works)

**Recommended Action:** a) Approve award of Request for Bid #26-227 to the lowest responsive, responsible bidder, Osburn Associates, Inc. of Logan, Ohio at the unit prices listed on the bid tab for a contract period from date of approval through and including, December 31, 2026, with the option to renew for two (2) additional one-year terms, at the same prices, terms, and conditions, by mutual consent; and b) Authorize the County Administrator, or designee, to approve the renewal options for up to two (2) additional one-year terms, at the same prices, terms and conditions, by mutual consent.

**Budgeted Action:** No action needed. Budgeted in Public Works Engineering as approved in the FY26 budget process. Funding for this expenditure comes from Gas Tax.

2. 24-113, Assignment, Water Quality Analysis Utilities - Annual Contract (Utilities)

**Recommended Action:** Approve the Contract Assignment for Request for Bids #24-113, Water Quality Analysis Utilities - Annual Contract, as Sanders Laboratories, Inc. of Nokomis, Florida, has been acquired by Eurofins Drinking Water and Wastewater Southeast, LLC. AGR 2026-035

**Budgeted Action:** No action needed. Budgeted in the Utilities Operations and Maintenance Fund - Operations budget as approved in the FY2026 budget process. Funding for this expenditure comes from rate revenues.

3. 24-116, Approve Amendment 2 Fire Station 3, Construction Manager at Risk - Fire Stations 3, 6, and 17 (Facilities)

**(Change #1)** Added attachment, Budget Justification Memo.

**Recommended Action:** a) Approve Amendment 2 for Fire Station 3 to Contract #24-116, Construction Manager at Risk- Fire Stations 3, 6, and 17 with Wharton-Smith, Inc. of North Port, Florida for the Guaranteed Maximum Price (GMP) for the management/construction phase of Fire Station 3 in the amount of \$7,754,839; and b) Authorize the Chairman to Sign Amendment 2 for Fire Station 3; and c) Approve Resolution for budget adjustment BA26-232 in the amount of \$4,279,254; and d) Approve amendment to Capital Improvement Project "Fire Station 3 Replacement". RES 2026-070

**Budgeted Action:** Approve budget adjustment BA26-232 in the amount of \$4,279,254 amending the FY26 budget for Capital Improvement Project "Fire Station 3 Replacement" from \$6,054,070 to \$10,333,324. Funding is supplied from the 2020 Sales Tax Extension.

4. 25-587, Approve Contract, South County Annex Replacement Project (Facilities)

**Recommended Action:** a) Approve contract for Request for Proposal #25-587, South County Annex Replacement Project, to Fawley Bryant Architecture of Sarasota, FL for a lump sum fee of \$1,764,625; and b) Authorize the Chairman to sign.

**Budgeted Action:** No action needed. Budgeted in the Capital Improvement Project "South County Annex Replacement" as approved in the FY26 budget process. Funding is supplied from the 2020 Sales Tax Extension.

Chair Tiseo discussed Exhibit A, Phase 1 - Master Planning and Programming, transparency, contract deliverables and fee schedule, work scope, and requested additional services. Commissioner Constance spoke to preliminary replacement costs, site selection process and alternatives, contract not-to-exceed clause and negotiations, Professional Services Matrix, hourly rate schedule, Port Charlotte Beach Complex, and project updates. Commissioner Deutsch mentioned project consultant costs, site selection process, and phased approach. Commissioner Doherty commented on proposal details. Commissioner Truex noted project phase tasks and cost breakdown.

Travis Perdue, Facilities Management Director responded to contract services and amendment, budget parameters, work scope prioritization, phased approach, deliverables, site selection and design process, Charlotte County Tax Collector, and Programming and Master Planning phases.

Kim Corbett, Purchasing Senior Division Manager replied to contract pricing schedule and fee schedule.

County Attorney David interjected on additional requested contract services and costs.

**COMMISSIONER CONSTANCE MOVED TO APPROVE CONTRACT FOR REQUEST FOR PROPOSAL #25-587, SOUTH COUNTY ANNEX REPLACEMENT PROJECT, TO FAWLEY BRYANT ARCHITECTURE OF SARASOTA, FL FOR A LUMP SUM FEE OF \$1,764,625; AUTHORIZE THE CHAIRMAN TO SIGN, AND DIRECTING STAFF TO BRING BACK TO THE BOARD PROJECT UPDATE PRESENTATIONS AT VARIOUS POINTS THROUGHOUT THE PROCESS, SECONDED BY CHAIR TISEO**

**MOTION CARRIED 5:0.**

5. 26-330, Piggyback, UKG Workforce Management Pro Renewal (Information Technology)

**Recommended Action:** Approve Piggyback award of File #26-330, UKG Workforce Management Pro Renewal, for a 12-month term (March 18, 2026, through March 17, 2027), per the Omnia Partners Contract #24-6833, awarded to UKG Kronos Systems, LLC of Atlanta, Georgia for a total cost of \$238,680. This is for Kronos, the automated and integrated hosted timekeeping system utilized by various departments throughout the County.

**Budgeted Action:** No action needed. Funds are available in the General Fund IT Maintenance budget as adopted with the FY26 budget process. Funding for this expenditure comes from ad valorem.

6. 25-322 Award, CR775 Bridge Over Oyster Creek Bridge Repairs (010063) - (Public Works)

**(Change #3)** Added attachment – Revised 25-322 CR775 Oyster Creek Bridge Repair Agreement.

**Recommended Action:** a) Approve award of Request for Bid #25-322, CR775 Bridge Over Oyster Creek Bridge (010063) to the lowest responsive, responsible bidder, Thomas Marine Construction of Fort Myers, Florida, for a total amount of \$755,761.13. This is for repairs to restore CR775 Bridge over Oyster Creek to pre-hurricane Ian conditions; and b) Authorize Chairman to sign the Contract.

**Budgeted Action:** No action needed. A 2nd quarter budget adjustment will be brought to the Board for approval. Allowable grant expenses will be reimbursed by the Florida Department of Transportation. Funding for the expenditures will initially come from the Hurricane Fund. There is no local match required. Expenses that exceed the grant award will be covered by the County's general revenues.

7. 25-684, Approve, Change Order, Emergency Rental of Generators - County Jail (Facilities)

**Recommended Action:** Request Change Order to approve extension of Request for Bid # 25-684, Emergency Rental of Generators - County Jail, awarded to 360 Energy Solutions, LLC, located in Miami, Florida, at the unit prices bid, extending the rental period through the completion of the repair of the current permanent generator.

**Budgeted Action:** No action needed. Budgeted in the Public Safety Fund - Facilities Management budget as approved in the FY26 budget process. Funding for this item comes from ad valorem.

8. 25-493 Approve Change Order #2 to Cleaning Services for Charlotte County Facilities - Annual Contract (Facilities)

**Recommended Action:** Approve Change Order #2 to the Request for Bid #25-493 Cleaning Services for Charlotte County, to add the Charlotte County Sheriff Office (CCSO) Administration Headquarters to the cleaning contract at the unit price of \$4,500 per month and the Supervisor of Elections (SOE) Warehouse at the unit price of \$350 per month.

**Budgeted Action:** No action needed. Services provided and charged out to various departments as services are utilized. Funding for this expenditure comes from various revenue sources.

9. 26-356, Piggyback, GPS Tracking Devices (Fleet Management)

**Recommended Action:** a) Approve award of "Piggyback" purchase, File #26-356 GPS Tracking Devices, per Sourcewell Contract 102924-GPI, which was awarded to GPS Insight of Scottsdale, Arizona, at the unit prices submitted. The initial term of Contract is from March 27, 2026, through and including March 26, 2029; with option to extend for an additional three (3), one-year terms at the same prices, terms, and conditions of Sourcewell's Contract 102924-GPI, and b) Authorize County Administrator, or his designee, to approve renewal options at the same prices, terms, and conditions of Sourcewell's Contract 102924-GPI.

**Budgeted Action:** No action needed. Expenses will be funded by the Fleet Management Fund, and then will be charged back to the department as budgeted in the FY2026 budget process.

Chair Tiseo discussed existing contract extension, bid proposal process, unit replacement and installation costs, and technology. Commissioner Constance spoke to Global Positioning System (GPS) monthly service and previous unit costs, contract details, asset management, and replacement process.

Ms. Corbett responded to monthly service rate, GPS unit and replacement costs, procurement and installation process, data gathering, piggyback contract, and Fleet Management.

**COMMISSIONER CONSTANCE MOVED TO APPROVE AWARD OF "PIGGYBACK" PURCHASE, FILE #26-356 GPS TRACKING DEVICES, PER SOURCEWELL CONTRACT 102924-GPI, WHICH WAS AWARDED TO GPS INSIGHT OF SCOTTSDALE, ARIZONA, AT THE UNIT PRICES SUBMITTED. THE INITIAL TERM OF CONTRACT IS FROM MARCH 27, 2026, THROUGH AND INCLUDING MARCH 26, 2029; WITH OPTION TO EXTEND FOR AN ADDITIONAL THREE (3), ONE-YEAR TERMS AT THE SAME PRICES, TERMS, AND CONDITIONS OF SOURCEWELL'S CONTRACT 102924-GPI, AND AUTHORIZE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO APPROVE RENEWAL OPTIONS AT THE SAME PRICES, TERMS, AND CONDITIONS OF SOURCEWELL'S CONTRACT 102924-GPI, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

Real Estate Services

Risk Management

**G. Community Development**

**H. Community Services**

1. West Coast Inland Navigation District (WCIND) April 3, 2026, Agenda

## Community Services

Discussion and direction of the West Coast Inland Navigation District (WCIND) agenda for the upcoming meeting on April 3, 2026.

### 2. Florida Boating Improvement Program Grant Agreement for Ainger Creek Boat Ramp

**(Change #2)** 3/20/2026 - Approve Budget Adjustment BA26-222 amending the FY26 budget for CIP project "Boating Improvements - Ainger Creek" to recognize grant funding in the amount of \$725,000. Grant funding will be provided by the Florida Fish and Wildlife Conservation Commission. The local cost share of \$250,000 will be provided by the Boater Improvement Fund (State). The remaining balance of the local cost share in the amount of \$2.718M will be provided from Capital Projects Fund, ad valorem. 3/23/2026 - Added attachment, Conceptual Plan.

**Recommended Action:** a) Approve Grant Agreement between the Florida Fish and Wildlife Conservation Commission and Charlotte County in the amount of \$725,000 for the Florida Boater Improvement Fund for Ainger Creek Boat Ramp Improvements; and b) Approve Resolution for budget adjustment BA26-222 in the amount of \$725,000; and c) Approve Amendment to Capital Improvement Project "Boating Improvements - Ainger Creek" to recognize grant funding. **AGR 2026-036 / RES 2026-071**

**Budgeted Action:** Approve Budget Adjustment BA26-222 amending the FY26 budget for CIP project "Boating Improvements - Ainger Creek" to recognize grant funding in the amount of \$725,000. Grant funding will be provided by the Florida Fish and Wildlife Conservation Commission. The local cost share of \$250,000 will be provided by the Boater Improvement Fund (State). The remaining balance of the local cost share will be provided from Capital Projects Fund, ad valorem.

Chair Tiseo mentioned project language and funding detail and parking revenue streams. Commissioner Constance commented on maximum parking revenue totals.

Mr. Scott replied to Capital Projects Fund and parking revenue and General Fund revenue streams.

Deputy County Administrator Emily Lewis responded to Capital Improvements Projects (CIP) sheet, parking fee suspension, and Capital Projects Ad Valorem.

**COMMISSIONER DOHERTY MOVED TO APPROVE GRANT AGREEMENT 2026-036 BETWEEN THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION AND CHARLOTTE COUNTY IN THE AMOUNT OF \$725,000 FOR THE FLORIDA BOATER IMPROVEMENT FUND FOR AINGER CREEK BOAT RAMP IMPROVEMENTS; AND APPROVE RESOLUTION 2026-071 FOR BUDGET ADJUSTMENT BA26-222 IN THE AMOUNT OF \$725,000; AND APPROVE AMENDMENT TO CAPITAL IMPROVEMENT PROJECT "BOATING IMPROVEMENTS - AINGER CREEK" TO RECOGNIZE GRANT FUNDING, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

I. Economic Development

J. Emergency Management

K. Facilities Management

L. Human Services

Transit

**M. People Operations**

**N. Public Safety**

1. Approve Resolution Lifting the Burn Ban

**Public Safety**

Approve Resolution to lift the burn ban and rescind Resolution 2025-397. **RES 2026-072**

**Commissioner Constance** spoke to rain events and totals, burn environment and ban extension, and Peace River Manasota Regional Water Supply Authority (PRMRWSA) water withdrawal. **Commissioner Deutsch** noted burn ban extension impacts and burn operations regulations and permits.

Chief Matthew McElroy, Public Safety Director remarked on Keetch-Byram Drought Index (KBDI) decreased values, drought conditions, safety matrix and factors, Florida Forest Service, precipitation forecast and totals, rescind ban delay impacts, allowed burning operations, Florida Fire Service, and burn permits and operations regulations.

**COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2026-072 TO LIFT THE BURN BAN AND RESCIND RESOLUTION 2025-397, SECONDED BY COMMISSIONER DOHERTY**

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

**O. Public Works**

1. Florida Department of Agriculture and Consumer Services Mosquito Control Memorandum of Understanding

**Recommended Action:** a) Approve the Florida Department of Agriculture and Consumer Services Mosquito Control Memorandum of Understanding; and b) Authorize the Chairman to sign the Mosquito Control Memorandum of Understanding. **AGR 2026-037**

**Budgeted Action:** No action needed.

**P. Tourism Development**

**Q. Utilities**

1. Water Authority Agenda April 1, 2026

**Recommended Action:** Approve the agenda for the Peace River Manasota Regional Water Supply Authority Board Meeting scheduled for April 1, 2026.

**Budgeted Action:** No action needed.

**R. Other Agencies**

1. School Board Referendum November 2026 Ballot

**Recommended Action:** a) Approve Resolution directing the Supervisor of Elections to place the School Board Referendum on the November 2026 ballot; and b) Authorize the Chairman to sign the Resolution. **RES 2026-073**

**Budgeted Action:** No action needed.

## REGULAR AGENDA

### S. Regular Agenda

#### 1. Proposed replacement of existing 12-inch potable water main

##### Utilities

Discussion and direction on Utilities Project No. 23-0019 (Adopted CIP C332401), Segment 3, requesting the replacement of the existing 12-inch asbestos-cement (AC) potable water main south of the Myakka River with a new 16-inch PVC water main to be constructed concurrently with the Peace River Manasota Regional Water Supply Authority (PRMRWSA) Phase 2B 42-inch transmission main project. If approved, Peace River Manasota Regional Water Supply Authority (PRMRWSA) will bring forward an amendment to the Water Supply Contract at a future Board meeting to facilitate project funding and implementation.

Assistant County Administrator Claire Jubb gave a brief overview of About, Installation map, and Cost.

**Commissioner Constance** discussed About, alternatives, booster station, and asbestos-cement (AC) watermain replacement. **Commissioner Deutsch** mentioned water pressure and volume improvements. **Commissioner Doherty** commented on Installation Map and booster station connections. **Commissioner Truex** noted watermain replacement size.

Kenneth Stecher, Utilities Operations Manager replied to existing and new watermains, water pressure impacts, and booster station connections.

**COMMISSIONER TRUEX MOVED TO APPROVE THE REPLACEMENT OF THE EXISTING 12-INCH ASBESTOS-CEMENT (AC) POTABLE WATER MAIN SOUTH OF THE MYAKKA RIVER WITH A NEW 16-INCH PVC WATER MAIN TO BE CONSTRUCTED CONCURRENTLY WITH THE PEACE RIVER MANASOTA REGIONAL WATER SUPPLY AUTHORITY (PRMRWSA) PHASE 2B 42-INCH TRANSMISSION MAIN PROJECT. PEACE RIVER MANASOTA REGIONAL WATER SUPPLY AUTHORITY (PRMRWSA) WILL BRING FORWARD AN AMENDMENT TO THE WATER SUPPLY CONTRACT AT A FUTURE BOARD MEETING TO FACILITATE PROJECT FUNDING AND IMPLEMENTATION, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

#### 2. Fishing Pier discussion and direction

##### Community Services

a) Discussion and direction on the El Jobean Fishing Pier design options; and b) Discussion and direction on the Bayshore West Fishing Pier options.

Mr. Scott gave a brief overview of El Jobean Fishing Pier: The Board of County Commissioners (BCC) approved a contract with Giffels-Webster (GWE), History of the fishing pier, GWE evaluated the structures to provide alternative 4 options, Evaluation took into account, Alternative A - repair/replacement, Alternative B - replace at same elevation, Alternative C - replace at higher elevation, Alternative D - replace at higher elevation/shorter pier, Comparison, Recommendation - consultant, Recommendation - staff, Bayshore West Fishing Pier, Permitting Timeline, Bayshore West Fishing Pier – Option #1 and Option #2, responded to pier access points and material age, maintenance costs, fire and surge event life cycle impacts, Federal Emergency Management Agency (FEMA) reimbursement process and regulation compliance, cost savings and increases, Capital Projects Fund, Coastal Engineering Consultants President Michael Poff, fishing piers and seawalls

lifespans report, storm recovery process, impact fee categories, future discussion points, project delay cost impacts, Army Corps of Engineers permit shelf life, and Placida Fishing Pier.

**Chair Tiseo** discussed FEMA guidelines and Category G reimbursements, order of magnitude and final construction costs, technical report, funding sources, impact fee categories and funding eligibility, facility expansion, Charlotte Harbor Bridge Walk, waterfront life quality, pier limitations, existing project budgets, cost increases and savings, Bayshore West Fishing Pier - Option #1 and Option #2, and Placida Fishing Pier status. **Commissioner Constance** spoke to park reconstruction, facility usage and resiliency improvements, demolition costs, El Jobean Fishing Pier, bridge structures and expansions, alternative fishing locations, Charlotte Harbor Event Center parking garage, Bayshore Live Oak Park parking limitations, and Charlotte Harbor Bridge Walk. **Commissioner Deutsch** mentioned pier length, elevation benefits, and access points, Comparison, fire repairs, safety concerns, FEMA reimbursement eligibility, Alternative C - replace at higher elevation, fishing locations, storm events, life quality, project delay impacts, and Venice fishing pier. **Commissioner Doherty** commented on FEMA reimbursements and recovery project, CIP, Capital Needs Assessment (CNA), project funding source and design, Ainger Creek Boat Ramp, Parks and Recreation Advisory Board Meetings, Bayshore West Fishing Pier - Option #1 and Option #2, permit shelf life and delay, and El Jobean and Bayshore West Fishing Pier project design timeframes. **Commissioner Truex** noted Recommendation - staff, Alternative D - replace at higher elevation/shorter pier, pier length and resiliency improvements, Alternative C - replace at higher elevation, facility reconstruction, life quality impacts, process timeline, Charlotte Harbor Bridge Walk, water proximity and elevation, Myakka River, and Placida Fishing Pier status.

Assistant County Administrator Jubb replied to, Impact Fee Study and funding utilization, special purpose park, and facility expansion-related funding limitations and design.

**COMMISSIONER TRUEX MOVED TO APPROVE MOVING FORWARD WITH ALTERNATIVE C, REPLACE AT HIGHER ELEVATION, FOR THE EL JOBEAN FISHING PIER, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

**COMMISSIONER TRUEX MOVED TO APPROVE MOVING FORWARD WITH OPTION #1 FOR THE BAYSHORE WEST FISHING PIER**

**MOTION FAILED DUE TO LACK OF SECOND**

**COMMISSIONER DEUTSCH MOVED TO APPROVE MOVING FORWARD WITH OPTION #1 FOR THE BAYSHORE WEST FISHING PIER, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

3. Amendment to the Peace River/Manasota Regional Water Supply Authority, Water Demand Projections Submittal

**Utilities**

Discussion and direction on potential revisions to the Peace River/Manasota Regional Water Supply Authority Water Demand Projections Submittal.

Assistant County Administrator Jubb gave a brief overview of Background, City Request, Proposed allocation to the pool, Timing, Next Steps and responded to Agreement provision.

**Chair Tiseo** spoke to City of Punta Gorda excess water redistribution, PRMRWSA agreement, and facility expansion. **Commissioner Constance** discussed City of Punta Gorda partnership, City Request, base rate reduction, distribution designation, Master Water Supply Agreement, replacement quota, and PRMRWSA. **Commissioner Deutsch** mentioned

cost increase complaints and impacts and City of Punta Gorda partnership. **Commissioner Doherty** commented on PRMRWSA General Counsel Douglas Manson and February 4, 2026 Board of Directors Meeting, City of Punta Gorda, water distribution and redistribution process, and existing agreement. **Commissioner Truex** noted Agreement provision and distribution increase request.

**(Addition #1) 4. Finance**

**Recommended Action:** Approve the Clerk's Finance Memorandum.

**Budgeted Action:** No action needed.

Stacy Wear, Charlotte County Clerk of the Circuit Court and County Comptroller Assistant Finance Director highlighted Clerk's Finance Memorandum.

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE CLERK'S FINANCE MEMORANDUM, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

**PUBLIC HEARING AGENDA**

**T. 10:00 A.M. Public Hearing or soon thereafter, as the agenda allows.**

**PRESENTATION AGENDA**

**U. 10:00 A.M. Presentation or soon thereafter, as the agenda allows.**

**Recess: 10:56 am - 1:00 pm**

**1 P.M. PUBLIC INPUT - ANY SUBJECT**

Anne McFayden spoke to Petition TCP-24-04 Revisions to Rural Settlement Area Overlay District (RSAOD), I-75 traffic and interchanges impacts, ecotourism, and Pulte Group.

Charles Brown discussed Pulte Group, overdevelopment, building moratorium, property rights, multi-family homes, and rural areas.

Tiffany Jones mentioned critical freshwater shortage factors, underground aquifers, stricter regulations, salt water intrusion, increased costs, and infrastructure improvements.

**Taken Out of Order**

**AA. County Administrator Comments**

County Administrator Flores commented on property tax reform, public education, and April 29, 2026 Charlotte County Government Academy.

**BB. County Attorney Comments - None**

**CC. Economic Development Director Comments**

Kay Tracy, Economic Development Director noted March 27, 2026 14th Annual Reverse Trade Show.

**DD. County Commissioner Comments**

**Chair Tiseo** discussed April 27, 2026 Joint Meeting with Lee County, shuttle service, Boca Grande parking analysis and citation fees, noise decibel threshold, enforcement, and meters, Metropolitan Planning Organization (MPO), Ordinance 2026-005, and Land Use Agenda public input opportunities. **Commissioner Constance** spoke to Boca Grande parking challenges, shuttle service option, Americans with Disabilities Act (ADA), Florida Fish & Wildlife Conservation Commission (FWC) Florida Boating Improvement Program participation, noise disturbance classification criteria and enforcement, decibel thresholds and meters, Charlotte County Sheriff's Office (CCSO), Oyster Creek Bridge lights replacement responsibility, Florida Department of Transportation (FDOT), Community Services update, Burnt Store Road deceleration and acceleration lanes, traffic events, and safety improvements. **Commissioner Deutsch** mentioned Charlotte County Fairgrounds and CCSO Firing Range noise complaints, vegetation, Ordinance, decibel limitations, enforcement challenges, Friends of South Gulf Cove (FoSGC) April 21, 2026 Board Workshop reschedule request, public safety concerns, motorized scooter and bicycle regulations, March 25, 2026 Venice Police Department E-Bike Safety Class, and March 29, 2026 National Vietnam Veterans Day Memorial Service. **Commissioner Doherty** commented on April 27, 2026 Joint Meeting with Lee County and parking citation fees. **Commissioner Truex** noted noise regulations, Ordinance, and decibel meters.

Assistant County Administrator Jubb replied to decibel threshold, County Code, enforceability, CCSO, Code Enforcement violation process, and decibel meters.

County Attorney David interjected on Code 2-5-131 through 2-5-136, decibel measurement process, enforcement challenges.

**Recess: 1:25 pm – 2:00 pm**

**2 P.M. LAND USE AGENDA**

Minutes Clerk Welsh administered oath for testimony.

**PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY - None**

**Consent Agenda**

**COMMISSIONER DOHERTY MOVED TO APPROVE THE LAND USE CONSENT AGENDA WITH THE EXCEPTION OF VA-7, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

VA1. BRR-26-02, Babcock National-Phase 1

**Community Development**

Approve a Bond Release of the surety provided under Letter of Credit No. FGAC-19580 in the amount of \$626,146.40 for the completion of the remaining infrastructure for Babcock National. The site is 459.79± acres and generally located south of Bermont Road, north of Cypress Parkway, east of SR 31, and west of the Babcock Trail, within the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 1, the East County area. Located in Commission District I.

**Quasi-Judicial**

VA2. BRR-26-01, Babcock National-Phase 2

**Community Development**

Approve a Bond Release of the surety provided under Letter of Credit No. FGAC-20456 in the amount of \$213,979.70 for the completion of the remaining infrastructure for Babcock National - Phase 2. The site is 42.81± acres and generally located south of Bermont Road, north of Greenway Boulevard, east of Leaning Pine Lane, and west of the Babcock Trail, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 1. Located in Commission District I.

**Quasi-Judicial**

VA3. BRR-26-03, Babcock National-Phase 3

**Community Development**

Approve a Bond Release of the surety provided under Letter of Credit No. FGAC-21489 in the amount of \$53,526.00 for the completion of the remaining infrastructure for Babcock National - Phase 3. The site is 12.39± acres and generally located south of Bermont Road, north of Greenway Boulevard, east of Sugar Hill Drive, and west of the Babcock Trail, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 1. Located in Commission District I.

**Quasi-Judicial**

VA4. BRR-26-05, Babcock National-Phase 6

**Community Development**

Approve a Bond Release of the surety provided under Letter of Credit No. FGAC-22559 in the amount of \$62,405.20 for the completion of the remaining infrastructure for Babcock National - Phase 6. The site is 18.51± acres and generally located south of Bermont Road, north of Greenway Boulevard, east of Greenway Boulevard, and west of the Crane Marsh Court, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 1. Located in Commission District I.

**Quasi-Judicial**

VA5. DRC-25-137, 33 Acre Old Landfill Road Open Storage

**Community Development**

Southwest Engineering & Design is requesting PD Final Detail Site Plan approval for 33 Acre Old Landfill Road Open Storage. The proposed project consists of an open vehicle storage yard with associated stormwater management system. The site is divided into three separate storage yards each with its own stormwater management system. This project site is 33.74± acres and is located at 25495 Old Landfill Road, Port Charlotte, FL. Located in Commission District I. **RES 2026-074**

**Quasi-Judicial**

VA6. DRC-25-142-Crosswinds (formerly known as Simple Life)

**Community Development**

Barraco & Associates, Inc. is requesting PD Final Detail Site Plan approval for Crosswinds (formerly known as Simple Life). The proposed project consists of 122 single-family units, a private amenity center, and supporting infrastructure. This project site is 68.43± acres and is located at 12150 Burnt Store Road, Punta Gorda, FL. Located in Commission District II.

**RES 2026-075**

**Quasi-Judicial**

VA7. DRC-25-217, Truex Expansion Lot

**Community Development**

Atwell, LLC., is requesting PD Final Detail Site Plan approval for Truex Lot Expansion. The proposed project consists of a 4,786 sq. ft. warehouse building, parking, one new access point off Burlington Ave., and associated infrastructure. This project site is 0.46± acres and is located at 3797 S. Access Road, Englewood, FL. Located in Commission District III. **RES 2026-076**

**Quasi-Judicial**

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

Shaun Cullinan, Planning and Zoning Official gave a brief overview of DRC-25-217: Location Map, 2024 Eagle View Image, Aerial Location Map, Zoning Designations, Future Land Use Map (FLUM) Designations, Flood Zones (Subject Property - X Zone), Site Development Plan, Paving, Grading and Drainage Plan, Best Management Practices Plan, and Landscape Plan.

Todd Rebol, Applicant Representative joined in Staff Report.

**Public Input**

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

**MOTION CARRIED 4:0., COMMISSIONER TRUEX ABSTAINED (FORM 8B FILED)**

**COMMISSIONER DOHERTY MOVED TO APPROVE PD FINAL DETAIL SITE PLAN FOR TRUEX LOT EXPANSION. THE PROPOSED PROJECT CONSISTS OF A 4,786 SQ. FT. WAREHOUSE BUILDING, PARKING, ONE NEW ACCESS POINT OFF BURLINGTON AVE., AND ASSOCIATED INFRASTRUCTURE. THIS PROJECT SITE IS 0.46± ACRES AND IS LOCATED AT 3797 S. ACCESS ROAD, ENGLEWOOD, FL. LOCATED IN COMMISSION DISTRICT III, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 4:0., COMMISSIONER TRUEX ABSTAINED (FORM 8B FILED)**

**Public Hearing**

VB1. PAS-25-03, Blue Luther, LLC Small Scale Plan Amendment

**Community Development**

Pursuant to Section 163.3187, Florida Statutes, adopt a Small Scale Plan Amendment amending Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Medium Density Residential (MDR) to High Density Residential (HDR); for property located at 2352 and 2452 Luther Road, in the Port Charlotte area, containing 10.30± acres; Commission District I; Petition No. PAS-25-03; Applicant: Blue Luther, LLC; providing an effective date. Located in Commission District I. **ORD 2026-011**

**Legislative**

Jie Shao, Principal Planner provided credentials, gave a brief overview of Proposed Changes, PAS-25-03 and PD-25-16: 1,000' Mailed Notice Map, Location Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, Coastal High Hazard Area, Flood Zones (Subject Property - X Flood Zone), Luther Road, and Site Plan.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, joined in Staff Report, remarked on increased density request, affordable housing project, impacted wetlands, bald eagle mitigation process, building height allowance, and Proposed Changes.

**Chair Tiseo** discussed Staff Report, impacted wetlands, Affordable Housing Advisory Committee (AHAC), and affordable housing incentive density. **Commissioner Constance** spoke to bald eagle mitigation process and feeding locations, density increase request and utilization, building height, Hampton Point Apartments zoning, Area Image, Proposed Changes, Existing Zoning Designations, and greenspace reduction impacts. **Commissioner Truex** mentioned bald eagle monitoring process and feeding locations, construction activity guidelines, behavioral observations, and adaptive management.

Mr. Cullinan responded to Area Image, Hampton Point Apartments property size, boundaries, and approved final site plan.

**Public Input for Petition PAS-25-03, Blue Luther, LLC Small Scale Plan Amendment and Petition PD-25-16, Blue Luther, LLC PD Rezoning**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2026-011 OF THE BOARD OF COUNTY COMMISSIONER OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, ADOPTING A SMALL SCALE PLAN AMENDMENT TO AMEND CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO HIGH DENSITY RESIDENTIAL (HDR); FOR PROPERTY LOCATED AT 2352 AND 2452 LUTHER ROAD, IN THE PORT CHARLOTTE AREA, CONTAINING 10.30± ACRES; COMMISSION DISTRICT I; PETITION NO. PAS-25-03; APPLICANT: BLUE LUTHER, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

VB2. PD-25-16, Blue Luther, LLC PD Rezoning

### **Community Development**

Adopt an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family 10 (RMF-10) to Planned Development (PD) in order to allow for a residential development up to 154 residential dwelling units; the base density for the subject property is 103 dwelling units; requesting 51 units of Incentive Density for the proposed affordable housing; also requesting to adopt the General PD Concept Plan; for property located at 2352 and 2452 Luther Road, in the Port Charlotte area, 10.30± acres; Commission District I; Petition No. PD-25-16; Applicant: Blue Luther, LLC; providing an effective date. Located in Commission District I. **ORD 2026-012**

### **Quasi-Judicial**

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

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, PAS-25-03 and PD-25-16: 1,000' Mailed Notice Map, Location Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, Coastal High Hazard Area, Flood Zones (Subject Property - X Flood Zone), Luther Road, and Site Plan.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, joined in Staff Report, commented on increased density request, affordable housing project, impacted wetlands, bald eagle mitigation process, building height allowance, and Proposed Changes.

Chair Tiseo noted Staff Report, impacted wetlands, AHAC, and affordable housing incentive density. Commissioner Constance spoke to bald eagle mitigation process and feeding locations, density increase request and utilization, building height, Hampton Point Apartments zoning, Area Image, Proposed Changes, Existing Zoning Designations, and greenspace reduction impacts. Commissioner Truex discussed bald eagle monitoring process and feeding locations, construction activity guidelines, behavioral observations, and adaptive management.

Mr. Cullinan responded to Area Image, Hampton Point Apartments property size, boundaries, and approved final site plan.

**Public Input for Petition PAS-25-03, Blue Luther, LLC Small Scale Plan Amendment and Petition PD-25-16, Blue Luther, LLC PD Rezoning**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2026-012 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL MULTI-FAMILY 10 (RMF-10) TO PLANNED DEVELOPMENT (PD) IN ORDER TO ALLOW FOR A RESIDENTIAL DEVELOPMENT UP TO 154 RESIDENTIAL DWELLING UNITS; THE BASE DENSITY FOR THE SUBJECT PROPERTY IS 103 DWELLING UNITS; REQUESTING 51 UNITS OF INCENTIVE DENSITY FOR THE PROPOSED AFFORDABLE HOUSING; ALSO REQUESTING TO ADOPT THE GENERAL PD CONCEPT PLAN; FOR PROPERTY LOCATED AT 2352 AND 2452 LUTHER ROAD, IN THE PORT CHARLOTTE AREA; CONTAINING 10.30± ACRES; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT I; PETITION PD-25-16; APPLICANT: BLUE LUTHER, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

VB3. PD-25-12, Hutton MF Cape Haze, LLC PD Rezoning

### **Community Development**

Adopt an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family 12 (RMF-12) to Planned Development (PD) in order to have a residential development up to 135 residential units; requiring transfer of density units for residential development above the base density of 108 units; and adopting a General PD Concept Plan, for property generally located northeast of Placida Road and southwest of Cape Haze Drive, in the Placida area and within the West County area, containing 9± acres; Commission District III; Petition No. PD-25-12; Applicant: Hutton MF Cape Haze, LLC; providing an effective date. Located in Commission District III.

### **Quasi-Judicial**

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

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, PD-25-12: 1,000' Mailed Notice Map, Location Map, Area Image (Mid-Range), Area Image, Framework, FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, Coastal High Hazard Area, Flood Zones (Subject Property - 8AE & 9AE Flood Zones), Area Image, and Site Map.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, remarked on high density residential zoning, unit increase request, development rights, opposition concerns, public record email communication requests, storm surge finished floor elevation report, presentation submittal, Agenda changes, traffic analysis and impacts, previous site plan approval, Transfer of Density Units (TDU) purchase location, apartment complexes, DRC-22-00040, DRC-22-00109, DRC-25-185, workforce housing challenges, Cape Haze Resort Comprehensive Plan compliance and high-density

residential designation, parking requirements, zoning designation, Storm Surge Analysis and minimum floor elevation updates, previous application, and requested approval.

Shailah Steck, Bowman Consulting Environmental Scientist and Civil Engineer gave a brief overview of National Hydrograph Dataset (NHD), Preliminary Wetland boundary overlay with Contours, Soil Survey & Site Plan, and replied to tidal mangrove area and influence.

Bill Barboro, Bowman Consulting gave a brief overview of Storm Surge Analysis, Table 1: FEMA Annual Chance Return Period Storm ("Year Storm"), Flooding Conditions Compared to Building Code Standards, responded to Florida Building Code elevation, National Pollutant Discharge Elimination System (NPDES) permit, and nutrient analysis requirements, onsite water storage, International Building Code American Society of Civil Engineers (ASCE) 24-05 Flood Resistant Design and Construction, stormwater design regulations and treatment, permitting process, and best management practices (BMPs).

**Chair Tiseo** mentioned Applicant presentation, public input handouts, tidal mangrove area, onsite water discharge concerns, Coastal Planning Element Goals 3 and 3.2, Coastal High Hazard Area (CHHA), density and intensity limitations, property rights and entitlements, and mitigation. **Commissioner Constance** commented on public hearing, Applicant presentation, National Hydrography Dataset (NHD), Changes to the Agenda, water retention feature, construction runoff treatment, Bowman Consulting Andrew Raichle and Storm Surge Analysis, Rob Robbins handout, competent evidence, Hurricane Ian, CHHA increased density, and Existing Zoning Designations. **Commissioner Deutsch** noted emailed communications, traffic impacts, development timeline and rights, wetlands, public attendance and decorum, increased density concerns, weather events, and previous application. **Commissioner Doherty** spoke to Storm Surge Analysis, CHHA, surge capability, Florida Building Code finished floor elevation requirement, maximum building heights, site plan, flood panels, Planned Development (PD) Condition F modification, Comprehensive Plan compliance and wetland definition responsibility, conceptual PD approval, permitting, previous application administrative denial, and Southwest Florida Water Management District (SWFWMD). **Commissioner Truex** discussed Agenda changes, water filtration requirements, SWFWMD regulations, FLUM Designation, site location, Comprehensive Plan and Florida Building Code compliance, Cape Haze Resort, Cape Haze Plaza, CHHA mitigation, finished floor elevation, Sea Lake and Overland Surges from Hurricanes (SLOSH) maps, resiliency, traffic impact statement, school concurrency availability determination letter, PD conditions, height limitations, wildlife and wetland protections, Staff Report, and density transfer.

Mr. Cullinan replied to Applicant presentation request, public input handouts, Land Use Agenda attachment changes, Comprehensive Plan Staff and SWFWMD environmental resource permit stage review, TDU utilization, certification letter, Existing Zoning Designations, and FLUM Designations.

County Attorney David interjected on Ex Parte communications, public concerns, and due process rights.

Minutes Clerk Welsh administered oath for testimony.

#### **Public Input**

The following citizens spoke against Petition PD-25-12, Hutton MF Cape Haze, LLC PD Rezoning: Max Forgey, Donna Eisenburg, Jay Eisenburg, James Burnett, Bob Couch, Margaret Burnett, Johnny Howell, Lynn Gurang-Hunt, Al Woody, Don Penrod, Sue Reiter, Colonel Mary Ann Tipton, Susan Butler, Percy Angelo, Church Roberts, Debra Crawford, Mary Ann Walczak, and Rob Robbins.

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

**MOTION CARRIED 5:0.**

COMMISSIONER DEUTSCH MOVED TO DENY ADOPTING AN ORDINANCE, PURSUANT TO SECTION 125.66, FLORIDA STATUTES, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL MULTI-FAMILY 12 (RMF-12) TO PLANNED DEVELOPMENT (PD) IN ORDER TO HAVE A RESIDENTIAL DEVELOPMENT UP TO 135 RESIDENTIAL UNITS; REQUIRING TRANSFER OF DENSITY UNITS FOR RESIDENTIAL DEVELOPMENT ABOVE THE BASE DENSITY OF 108 UNITS; AND ADOPTING A GENERAL PD CONCEPT PLAN, FOR PROPERTY GENERALLY LOCATED NORTHEAST OF PLACIDA ROAD AND SOUTHWEST OF CAPE HAZE DRIVE, IN THE PLACIDA AREA AND WITHIN THE WEST COUNTY AREA, CONTAINING 9± ACRES; COMMISSION DISTRICT III; PETITION NO. PD-25-12; APPLICANT: HUTTON MF CAPE HAZE, LLC; PROVIDING AN EFFECTIVE DATE. LOCATED IN COMMISSION DISTRICT III

**MOTION FAILS DUE TO LACK OF SECOND**

COMMISSIONER CONSTANCE MOVED TO DENY ADOPTING AN ORDINANCE, PURSUANT TO SECTION 125.66, FLORIDA STATUTES, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL MULTI-FAMILY 12 (RMF-12) TO PLANNED DEVELOPMENT (PD) IN ORDER TO HAVE A RESIDENTIAL DEVELOPMENT UP TO 135 RESIDENTIAL UNITS; REQUIRING TRANSFER OF DENSITY UNITS FOR RESIDENTIAL DEVELOPMENT ABOVE THE BASE DENSITY OF 108 UNITS; AND ADOPTING A GENERAL PD CONCEPT PLAN, FOR PROPERTY GENERALLY LOCATED NORTHEAST OF PLACIDA ROAD AND SOUTHWEST OF CAPE HAZE DRIVE, IN THE PLACIDA AREA AND WITHIN THE WEST COUNTY AREA, CONTAINING 9± ACRES; COMMISSION DISTRICT III; PETITION NO. PD-25-12; APPLICANT: HUTTON MF CAPE HAZE, LLC; PROVIDING AN EFFECTIVE DATE. LOCATED IN COMMISSION DISTRICT III, SECONDED BY COMMISSIONER DEUTSCH

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

VB4. TLDR-25-06, Revisions to Section 3-9-52: Bridgeless Barrier Island (BBI)

#### **Community Development**

Approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9: Zoning, Article II. District Regulations, by revising Section 3-9-52: Bridgeless Barrier Island (BBI) to allow noncommercial boat docks as permitted principal uses and structures; providing for conflict with other Ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners. Located in Commission District III. **ORD 2026-013**

#### **Legislative**

Mr. Cullinan gave a brief overview of Purpose, Z-13-03-06: 2011 Aerial View, Zoning Designations, and Area.

#### **Public Hearing**

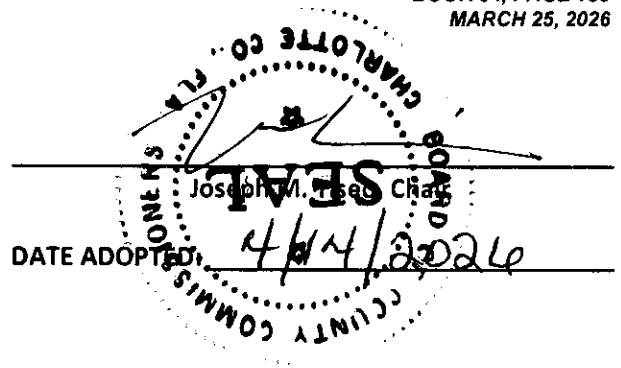
**COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2026-013 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9: ZONING, ARTICLE II. DISTRICT REGULATIONS, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY REVISING SECTION 3-9-52: BRIDGELESS BARRIER ISLAND (BBI) TO ALLOW NONCOMMERCIAL BOAT DOCKS AS PERMITTED PRINCIPAL USES AND STRUCTURES; PETITION TLDR-25-06; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

**MOTION CARRIED 5:0.**

ADJOURNED: 4:56 pm



ATTEST:

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

By: Kimberly Walsh  
Deputy Clerk