

**BOARD OF COUNTY COMMISSIONERS**

**JULY 23, 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: Chair Truex, Commissioner Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo (departed at 4:05 pm). Also in attendance were: County Administrator Flores, County Attorney Knowlton, 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 Jim Chandler, Englewood Christian Church, followed by the Pledge of Allegiance.

**Changes to the Agenda**

**Addition #1:** R-5, BCC Meeting Schedule Change, Approve the following BCC Meeting Changes: a) Schedule a Budget Meeting on August 19, 2024 at 1:00 p.m. in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida; and b) Approve location change of the First Budget Public Hearing on September 5, 2024 and Final Budget Public Hearing on September 24, 2024 to Charlotte Harbor Event Center at 75 Taylor Street, Punta Gorda, Florida.

Requested by: County Administration

**Change #1:** R-1, Added attachment – WCIND Agenda, Revised.

Requested by: Community Services

**Change #2:** Proclamations, Added attachments – Coast Guard Birthday proclamation and Purple Heart Day proclamation.

Requested by: Commission Office

**Change #3:** UB-5 & UB 6, Added attachments – Applicant Presentation and Revised Conditions.

Requested by: Community Development

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

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Ken Doherty**

**(Change #2) Added attachments – Coast Guard Birthday proclamation and Purple Heart Day proclamation.**

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

**MOTION CARRIED 5.0.**

### **Hunger Action Month**

Maura Matzko, Harry Chapin Food Bank of Southwest Florida, Inc. Board Member accepted the Proclamation.

### **Florida Water Professionals Month**

Utilities Director Dave Watson and Superintendents Tom Hill and Jeremy Frost accepted the Proclamation.

### **Coast Guard Birthday**

Commissioner Deutsch accepted the Proclamation.

### **Purple Heart Day**

Tom Delaney and Dexter accepted the Proclamation and presented Commissioner Deutsch with a check for the William R. Gaines Jr. Veterans Memorial Park.

### **Employee Recognition**

#### **Award Presentations**

#### Distinguished Budget Presentation Award Program

GFOA (Government Finance Officers Association) established the Distinguished Budget Presentation Awards Program (Budget Awards Program) in 1984 to encourage and assist state and local governments to prepare budget documents of the very highest quality that reflect both the guidelines established by the National Advisory Council on State and Local Budgeting and the GFOA's best practices on budgeting and then to recognize individual governments that succeed in achieving that goal. Approximately 1,800 governments, including states, cities, counties, special districts, school districts, and more have been recognized for transparency in budgeting. To earn recognition, budget documents must meet program criteria and excel as a policy document, financial plan, operations guide, and communication tool. Charlotte County Fiscal Services has been honored with this prestigious award this year for their submission of the county's Fiscal Year 2024-2025 Budget Book. Charlotte county's Fiscal Year 2024-2025 Budget Book can be found on the county's transparency page.

County Administrator Flores highlighted Distinguished Budget Presentation Award Program and presented the Award to Fiscal Services Manager Rick Arthur and staff.

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

Jeff Lustig discussed Drug Abuse Trust Fund Fiscal Year (FY) 2024.

Kathy Burnam mentioned Appoint by Ballot – Tourist Development Council.

Richard Russell commented on Buena Vista Waterway Advisory Board Appointment, County Navigation Improvement Funds (CNIF) Sunrise Channel Dredge, 21-636 Termination of Contract, Design – Port Charlotte Beach Recreation Center, and Resolution of Necessity – Harbor View Road Widening Project.

Stephen Sousa remarked on Buena Vista Waterway Advisory Board Appointment.

### **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.

**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.

**Barrier Island Fire Service Municipal Service Benefit Unit (MSBU) Advisory Board** is seeking a volunteer to fill a vacant position with term ending on October 31, 2025. Applicants must be residents of Charlotte County and reside within the Unit. Submit applications to the Public Safety Department, 26571 Airport Road, Punta Gorda, Florida 33982; call 941-833-5610 or email Todd.Dunn@CharlotteCountyFL.gov.

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

- **Boca Grande Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2026 and October 31, 2027.
- **Buena Vista Waterway 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 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.
- **Manchester Waterway Utility Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Pirate Harbor 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 Gulf Cove Waterway Unit** is seeking one member to fill a position with a term through October 31, 2025.

**MPO - Bicycle/Pedestrian Advisory Committee (BPAC)** is seeking one South County Representative. This individual must be a resident of Charlotte County to serve on the BPAC. The BPAC reviews and makes recommendations on transportation plans and projects that the MPO Board will consider.

**MPO - Citizens' Advisory Committee (CAC)** is seeking one Charlotte County resident to serve as South County Representative (applicants must live in Charlotte County). The CAC reviews and makes recommendations on transportation plans and projects that the MPO Board will consider.

**Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB)** is seeking two volunteers: one experienced representative of the local private for-profit transportation industry and one citizens' advocate. The purpose of the LCB is to identify local service needs and to provide information, advice, and direction to the Community Transportation Coordination of service to be provided to the transportation disadvantaged. The deadline for submitting an application is Friday, October 5, 2024. Please go online at [www.ccpgmpo.gov](http://www.ccpgmpo.gov) or contact the MPO for an application. The MPO mailing address is Charlotte County-Punta Gorda MPO, 1050 Loveland Blvd. Box C, Port Charlotte, Florida 33980; email: [office@ccpgmpo.gov](mailto:office@ccpgmpo.gov). The MPO Board will elect the above positions at its Monday, October 21, 2024 meeting.

#### REPORTS RECEIVED AND FILED

##### Quarterly Housing Division Report - April, May, June 2024

##### Human Services

April, May and June 2024 Housing Division Report.

#### CONSENT AGENDA

COMMISSIONER DOHERTY MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF D-1 AND F-16, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

##### Clerk of the Circuit Court

##### A. Comptroller Division

##### 1. Finance

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

**Budgeted Action:** No action needed.

## 2. Commercial Paper Loan

**Recommended Action:** Approve Resolution authorizing a new Commercial paper Loan in the amount of \$7,403,000 for Lemon Bay MSBU paving and authorize the Chairman to execute any documents necessary to effectuate loan. RES 2024-105

**Budgeted Action:** No action needed.

## **B. Minutes Division**

### 1. Minutes

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

June 25, 2024 BCC Regular Meeting  
July 8, 2024 BCC Pre-Agenda

**Budgeted Action:** No action needed.

## Board of County Commissioners

### **C. Commission Office**

#### 1. Appointment - Buena Vista Waterway Advisory Board

**Recommended Action:** Approve the appointment of Stephen Sousa to fill the unexpired term of Steve Abella as well as an additional new three-year term on the Buena Vista 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. Deputy Sheriff Christopher Taylor Memorial Highway

**Recommended Action:** Approve Resolution supporting the designation of the portion of I-75 between U.S. 17/Duncan Road and Harbor View Road in Charlotte County as "Deputy Sheriff Christopher Taylor Memorial Highway" in accordance with Florida Statute 334.071(3). RES 2024-106

**Budgeted Action:** No action needed.

Charlotte County Sheriff's Office (CCSO) Captain John Heck highlighted Deputy Sheriff Christopher Taylor Memorial Highway.

Richard Taylor spoke to community, support, CCSO, and Deputy Sheriff Christopher Taylor Memorial Highway.

Chair Truex noted tragedy, Deputy Sheriff Christopher Taylor's service, sacrifice, and community support. Commissioner Constance discussed memorial, attendance, community support, and sacrifice. Commissioner Tiseo mentioned memorial, public servants, and Deputy Sheriff Christopher Taylor's service.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2024-106 APPROVING, FOR THE PURPOSES OF SECTION 334.071, FLORIDA STATUTES, THE HONORARY DESIGNATION OF A PORTION OF I-75 BETWEEN U.S. 17/DUNCAN ROAD AND HARBOR VIEW ROAD AS "DEPUTY SHERIFF CHRISTOPHER TAYLOR MEMORAL HIGHWAY"; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

**E. County Attorney**

1. Approval of Negotiated Settlement

**Recommended Action:** Approve the negotiated settlement with Jeremy Scott for all his Workers Compensation claims as recommended by Risk Management and the County Attorney.

**Budgeted Action:** No action needed.

**F. Budget and Administrative Services**

Fiscal Services

1. Drug Abuse Trust Fund FY24

**Recommended Action:** a) Approve Resolution designating Charlotte Behavioral Health Care as a recipient of the Charlotte County Drug Abuse Trust Fund Grant; and b) Approve the transfer of \$44,595 from the Drug Abuse Trust Fund to Charlotte Behavioral Health Care; and c) Approve Resolution designating the Charlotte County Sheriff's Office as a recipient of the Charlotte County Drug Abuse Trust Fund Grant; and d) Approve the transfer of \$20,000 from the fund to the Sheriff on behalf of Drug Free Charlotte County. RES 2024-107 / RES 2024-108

**Budgeted Action:** No action needed. Budgeted in the Drug Abuse Trust Fund, as approved in the FY2024 budget process. Funding for this expenditure comes from the Drug Abuse Trust Fund. Per the section 938.23, Florida Statutes, revenue is collected from the assessments that are imposed on persons found guilty of a misdemeanor in which the unlawful use of drugs or alcohol is involved, and the assessments may be allocated to local substance abuse programs.

2. Federal Equitable Sharing Fund Request - FY24 - 2nd DRAW

**Recommended Action:** a) Approve the transfer of \$191,550 from the Federal Equitable Sharing Fund to the Sheriff in accordance with the attached request letter from Charlotte County Sheriff's Office (CCSO); and b) Approve Resolution for BA24-123 in the amount of \$191,550. RES 2024-109

**Budgeted Action:** Approve Budget Adjustment BA24-123 in the amount of \$191,550 to the Law Enforcement Trust Fund Budget. Funding for this expenditure comes from Law Enforcement Trust Fund.

3. Adoption of New Rate Charlotte County Utilities (CCU)

**Recommended Action:** Approve Utility Rate Resolution to adopt new water, sewer, and reclaim rates as increased by the FPSC index for 2024. RES 2024-110

**Budgeted Action:** No action needed. Increase in revenue will be reflected in the FY25 Budget.

4. County Navigation Improvement Funds (CNIF) Sunrise Channel Dredge

**Recommended Action:** a) Authorize Chairman to sign Resolution to direct the use of West Coast Inland Navigation District County Navigation Improvement Funds (CNIF) in the amount of \$125,000 for the Sunrise Channel Dredge Project; and b) Authorize County Administrator to sign the application and agreement between the West Coast Inland Navigation District and Charlotte County, and any other grant related documents. RES 2024-111

**Budgeted Action:** No action needed. A budget amendment will be brought to the Board for approval, if awarded. Grant funding in the amount of \$125,000 will be provided by West Coast Inland Navigation District County Navigation Improvement Fund. Additional funding is provided in the FY24 Public Works MSBU/TU Dredging Capital Maintenance Plan for dredging services and provided by Buena Vista Waterway Maintenance MSBU, Edgewater North Waterway MSBU assessments, and the Hurricane Fund with an anticipated reimbursement from FEMA (Federal Emergency Management Agency). There is a 5% local match requirement for the FEMA portion of expenses.

5. Extend Refund Date for Library Impact Fees

**Recommended Action:** Approve Resolution extending the refund date for Library Impact Fees expiring September 30, 2024 and September 30, 2025, each by three years. RES 2024-112

**Budgeted Action:** No action needed. Library impact fees are budgeted in the Impact Fee Fund.

Information Technology

Purchasing

6. 24-470, Award, Solodev Five-Year Renewal (Information Technology)

**Recommended Action:** a) Approve Sole Source award of File #24-470, Solodev Five-Year Renewal, for a total cost of \$556,740.82, to Solodev Spacemade, LLC of Orlando, Florida; and b) Authorize the Chairman to execute agreement. AGR 2024-110

**Budgeted Action:** No action needed.

7. 16-295, Approve, Amendment 12, Manasota Key Beach Renourishment 10 Year Management Plan (Public Works)

**Recommended Action:** a) Approve Amendment #12 to Contract No. 16-295, Manasota Key Beach Renourishment 10 Year Management Plan with Coastal Engineering Consultants, Inc. of Bonita Springs, Florida for additional services with a change order to increase contract total by \$552,866; and b) Authorize the Chairman to sign Amendment #12.

**Budgeted Action:** No action needed. Budgeted in the Public Works MSBU/TU Dredging CMP as approved in the FY24 budget process. Grant funding comes from the Florida Department of Environmental Protection 22CH1 and 23CH1, Federal Emergency Management Agency, and the Florida Division of Emergency Management. The local share in the amount of \$59,251.24 will be supplied by the Manasota Key Beach Nourishment MSBU, Tourist Development, Boater Improvement Fund-local and the Growth Increment Fund. Sarasota County will reimburse Charlotte County for their portion of the services.

8. 24-495, Award, South County Regional Park Shelter Improvements (Community Services)

**Recommended Action:** Approve award of Piggyback purchase off the Manatee County School District Contract #21-0053-MR, to Rep Services Inc. of Longwood, Florida for the total amount of \$359,681.61. This is for the purchase and installation of batting cage covers and shelter for the South County Regional Park.

**Budgeted Action:** No action needed. Budgeted in Capital Improvements Project "South County Regional Park" approved in the FY24 budget process. Funding is supplied from Capital Projects Fund ad valorem.

9. 23-294, Approve Amendment 7, Hurricane Ian Recovery Assessments (Facilities)

**Recommended Action:** a) Approve Amendment #7 to Contract #23-294, Hurricane Ian Recovery Assessments, with CSA Consulting Group LLC of Wayne, New Jersey in the amount of \$3,553,513.95. This amendment is for evaluation and assessment of current conditions at site(s) released by the County to the Consultant; and b) Authorize the Chairman to sign Amendment #7 to Contract 23-294.

**Budgeted Action:** No action needed. Budget amendment will be brought to the Board for approval if awarded. Grant funding will be provided by Federal Emergency Management Agency and the Florida Division of Emergency Management. There is a required match of 5%. Matching funds will be provided by the Hurricane Fund.

10. 24-444, Award, Desoto Ditch Bank Hurricane Repairs and Re-stabilization (Public Works)

**Recommended Action:** Approve award of Request for Bid #24-444, Desoto Ditch Bank Hurricane Repairs and Re-stabilization to Sully's LLC of Venice, Florida for the total amount of \$665,156.35. This project is for the repairs and re-stabilization of the DeSoto ditch bank, which was damaged during Hurricane Ian.

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

11. 24-327, Approve Ranking, Library Master Plan (Community Services)

**Recommended Action:** a) Approve ranking of firms for Request for Proposal #24-327, Library Master Plan: 1st Engberg Anderson, Inc. of Milwaukee, Wisconsin; HBM Architects, LLC of Cleveland, Ohio; and Williamson Design Associates of Clearwater, Florida; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the Contract after completion of negotiations.

**Budgeted Action:** No action needed. Budgeted in the Community Services Capital Maintenance Plan approved in the FY24 budget process. Funding is supplied from Capital Projects ad valorem.

12. 21-636, Termination of Contract, Design - Port Charlotte Beach Recreation Center (Facilities)

**Recommended Action:** Approve the Termination of Contract #21-636, Design - Port Charlotte Beach Recreation Center with Sweet Sparkman Architecture & Interiors of Sarasota, Florida.

**Budgeted Action:** No action needed. Budgeted in Capital Improvements Project "Port Charlotte Beach Recreation Center." Funding is supplied from the 2014 Sales Tax Extension.

13. 23-440, Amendment 2, Interactive Growth Model (Community Services)

**Recommended Action:** a) Approve Amendment #2 to Contract #23-440, Interactive Growth Model with Metro Forecasting Models, LLC of Bonita Springs, Florida in the amount of \$5,000; and b) Authorize the Chairman to sign Amendment #2 to the Contract for the amended services.

**Budgeted Action:** No action needed. Budgeted in the Community Services Capital Maintenance Plan approved in the FY24 budget process. Funding is supplied from Capital Projects ad valorem.



14. 24-363, Approve Ranking, Administration of Housing and Urban Development Entitlement Grants (Human Services)

**Recommended Action:** a) Approve the sole proposer for Request for Proposal #24-363, Administration of Housing of Urban Development Entitlement Grants: 1st Civitas, LLC of Mount Pleasant, South Carolina; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations. This is for the consulting, planning, and preparation services associated with preparing all required US Department of Housing and Urban Development products.

**Budgeted Action:** No action needed. Budget for this item comes from savings in account lines budgeted in the Human Services Fund budget as approved in the FY24 budget process. Funding for the expenditure comes from the General Fund.

Real Estate Services

15. Resolution of Necessity - Harbor View Road Widening Project

**Recommended Action:** Approve Resolution authorizing the acquisition of real property or easement interests in real property by any legal means that may be required for the construction of roadway and/or roadway improvements in connection to the Harbor View Road Widening Project. **RES 2024-113**

**Budgeted Action:** No action needed. Budgeted in Capital Improvements Project "Harborview Road Widening - Melbourne to I75" approved in the FY24 budget process. Funding is supplied from the 2020 Sales Tax Extension.

16. Resolution to Acquire Property in Northwest Port Charlotte on Behalf of Community Services

**Recommended Action:** Approve Resolution authorizing the acquisition any real property or real property interests located in Northwest Port Charlotte on behalf of Community Services for future department needs. **RES 2024-114**

**Budgeted Action:** No action needed. If the bid is successful a new capital improvement project and budget adjustment will be brought to the Board for approval. Funding will be supplied from Capital Projects ad valorem.

**Chair Truex** commented on development costs, appraised value, and bidding process. **Commissioner Constance** spoke to needs, strategy, greenspace initiative, conservation, affordable housing, and bidding process. **Commissioner Doherty** noted August 19, 2024 BCC Budget Workshop, needs, opportunity, affordable housing, property acquisition, and appraised value. **Commissioner Tiseo** remarked on funding source, purpose, Capital Projects, ad valorem, reprioritization, cost, location, property appraisal, affordable housing, opportunities, water and sewer connections, and bidding process.

Gordon Burger, Budget and Administrative Services Director responded to funding source and August 19, 2024 BCC Budget Workshop.

Tommy Scott, Community Services Director replied to 2017 Parks and Recreation Master Plan, needs, regional and community parks, property acquisition, Capital Needs Assessment (CNA), challenges, and affordable housing.

Greg Mosher, Real Estate Services Coordinator responded to bidding process and appraised value.

Deputy County Administrator Emily Lewis replied to vetting process and property appraisal.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2024-114 AUTHORIZING THE ACQUISITION ANY REAL PROPERTY OR REAL PROPERTY INTERESTS LOCATED IN NORTHWEST PORT CHARLOTTE ON BEHALF OF COMMUNITY SERVICES FOR FUTURE DEPARTMENT NEEDS, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Risk Management

Transit

G. Community Development

H. Community Services

1. Florida Department of Transportation (FDOT) Non-Motorized Traffic Monitoring Program Agreement

**Recommended Action:** a) Approve an agreement with FDOT for implementation of a Non-Motorized Traffic Monitoring Program at Cape Haze Pioneer Trail; and b) Approve Resolution authorizing the County Administrator, or his designee, to execute any related amendments, terminations, and novation changes to the Agreement as needed. **AGR 2024-111 / RES 2024-115**

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

I. Economic Development

J. Facilities Construction and Maintenance

1. Lease Agreement - C.A.R.E. WCA 2024

**Recommended Action:** a) Approve Lease Agreement between Charlotte County and Center for Abuse and Rape Emergencies, Inc. (C.A.R.E.) at Mac V. Horton West County Annex; and b) Approve Resolution authorizing the County Administrator, or his designee, to execute amendments, extensions, terminations, assignments, subleases, and novation changes to the Lease Agreement; and c) Authorize the Chairman to sign the Lease Agreement and Resolution. **AGR 2024-112 / RES 2024-116**

**Budgeted Action:** No action needed. Budgeted in the General Fund.

K. Human Resources

L. Human Services

1. Housing and Financial Stability Program (HFSP) Budget Adjustment

**Recommended Action:** Approve the proposed budget adjustment for the Housing and Financial Stability Program (HFSP).

**Budgeted Action:** No action needed. Budget for this item comes from savings in other account lines in the Human Services General Fund as approved in the FY24 budget process.

M. Public Safety

## N. Public Works

### 1. Clarke Environmental Annual Letter for Contracted Aerial Mosquito Control Services

**Recommended Action:** (a) Approve the annual letter to Clarke Environmental Mosquito Management (“Clarke Environmental”); and (b) Authorize the Chairman to sign the annual letter.

**Budgeted Action:** No action needed. Budgeted in the General Fund - Public Works Mosquito Control budget as approved in the FY2024 budget process. Funding for the expenditure comes from Ad Valorem.

### 2. Traffic Improvements Agreement between Charlotte County and Taylor Morrison of Florida, Inc.

**Recommended Action:** a) Approve the Traffic Improvements Agreement between Taylor Morrison of Florida, Inc., and Charlotte County, for the design and construction of a traffic signal at the intersection of Burnt Store Road and the main entrance of the Starling Development; and b) Authorize the Chairman to sign the Traffic Improvements Agreement. **AGR 2024-113**

**Budgeted Action:** No action needed. Developer to install the improvement. Maintenance is budgeted in the Lighting Fund - Lighting District budget as planned in the FY2025 budget process. Funding for this expenditure comes from ad valorem.

### 3. Traffic Improvements Agreement between Charlotte County and CC Burnt Store, LLC

**Recommended Action:** a) Approve the Traffic Improvements Agreement between Charlotte County and CC Burnt Store, LLC, for the design and construction of a traffic signal at the intersection of Burnt Store Road and the main entrance of the Coral Lakes Development; and b) Authorize the Chairman to sign the Traffic Improvements Agreement. **AGR 2024-114**

**Budgeted Action:** No action needed. Developer to install the improvement. Maintenance is budgeted in the Lighting Fund - Lighting District budget as planned in the FY2025 budget process. Funding for this expenditure comes from ad valorem.

### 4. Traffic Improvements Agreement between Charlotte County and Burnt Store Developers, LLC

**Recommended Action:** a) Approve the Traffic Improvements Agreement between Charlotte County and Burnt Store Developers, LLC (BSD) for the design and construction of a traffic signal at the intersection of Burnt Store Road and the main entrance of the Turnleaf Development; and b) Authorize the Chairman to sign the Traffic Improvements Agreement. **AGR 2024-115**

**Budgeted Action:** No action needed. Developer to install the improvement. Maintenance is budgeted in the Lighting Fund - Lighting District budget as planned in the FY2025 budget process. Funding for this expenditure comes from ad valorem.

## O. Tourism Development

### 1. Florida Sports Foundation Grant for US Sports Congress

**Recommended Action:** Approve grant application for the Florida Sports Foundation Grant for US Sports Congress Conference in the amount of \$15,000.00. **GRT 2024-037**

**Budgeted Action:** No action needed. Budgeted in the Tourism Promo General account during FY 2024 budget process. Grant funding in the amount of \$15,000.00 will be provided by the Florida Sports Foundation. Matching funding in the amount of \$15,000.00 will be paid from the Tourist Development Tax Fund.

**P. Utilities**

**Q. Other Agencies**

**REGULAR AGENDA**

**R. Regular Agenda**

1. West Coast Inland Navigation District August 9, 2024 Agenda, September 6, 2024 Agenda and September 6, 2024 First TRIM Hearing

**Community Services**

(Change #1) Added attachment – WCIND Agenda, Revised.

a) Discussion and direction on the West Coast Inland Navigation District (WCIND) agenda for the upcoming meeting on August 9, 2024; and b) Discussion and direction on the West Coast Inland Navigation District (WCIND) agenda for the upcoming meeting on September 6, 2024; and c) Discussion and direction on the upcoming first TRIM Hearing on September 6, 2024.

**COMMISSIONER CONSTANCE MOVED TO TABLE THE ITEM UNTIL STAFF FROM WEST COAST INLAND NAVIGATION DISTRICT IS PRESENT IN THE CHAMBERS FOR PRESENTATION OF ITEM**

Justin McBride, West Coast Inland Navigation District (WCIND) Executive Director highlighted West Coast Inland Navigation District August 9, 2024 Agenda, September 6, 2024 Agenda and September 6, 2024 Truth in Millage (TRIM) Hearing.

Chair Truex discussed WCIND August 9, 2024 Meeting and September 13, 2024 Final TRIM Hearing attendance. Commissioner Constance mentioned WCIND August 9, 2024 Meeting and September 13, 2024 Final TRIM Hearing attendance. Commission Doherty commented on Federal Emergency Management Agency (FEMA) and Hurricane Response Marine Debris Removal Fund.

2. Water Authority Agenda - August 7, 2024

**Utilities**

Discussion and direction on the Peace River Manasota Regional Water Supply Authority Board agenda for the upcoming August 7, 2024 meeting.

Mr. Watson highlighted Water Authority Agenda - August 7, 2024.

Commissioner Constance spoke to Master Water Supply Contract Revisions, Board direction, proportionate share, language, June 14, 2024 WCIND Meeting, and water capacity. Commissioner Tiseo noted Board direction, 3 million gallons per day (MGD), DeSoto payment, Manatee County, framework, and timeline.

County Attorney Knowlton interjected on Master Water Supply Contract Revisions and DeSoto payment.

County Administrator Flores responded to DeSoto payment and Master Water Supply Contract Revisions.

3. Appoint by Ballot- Tourist Development Council

**Commission Office**

Select by ballot a volunteer to serve on the Tourist Development Council representing the Tourism Accommodations Member category. The term starts immediately and expires on August 28, 2028.

County Administrator Flores announced ballot majority for Kathy Burnam.

**COMMISSIONER DOHERTY MOVE TO APPOINT BY BALLOT KATHY BURNAM TO THE TOURIST DEVELOPMENT COUNCIL, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

**Taken Out of Order**

**(Addition #1) 5. BCC Meeting Schedule Change**

**County Administration**

Approve the following BCC Meeting changes: a) Schedule a Budget Meeting on August 19, 2024 at 1:00 p.m. in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida; and b) Approve location change of the First Budget Public Hearing on September 5, 2024 and Final Budget Public Hearing on September 24, 2024 to Charlotte Harbor Event Center at 75 Taylor Street, Punta Gorda, Florida.

**COMMISSIONER DOHERTY MOVED TO APPROVE THE FOLLOWING BCC MEETING CHANGES: A) SCHEDULE A BUDGET MEETING ON AUGUST 19, 2024 AT 1:00 P.M. IN ROOM 119 AT 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA; AND B) APPROVE LOCATION CHANGE OF THE FIRST BUDGET PUBLIC HEARING ON SEPTEMBER 5, 2024 AND FINAL BUDGET PUBLIC HEARING ON SEPTEMBER 24, 2024 TO CHARLOTTE HARBOR EVENT CENTER AT 75 TAYLOR STREET, PUNTA GORDA, FLORIDA, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

4. 2025-2034 Transit Development Plan

**Budget & Admin Services**

a) Presentation on the 2025-2034 Transit Development Plan (TDP); and b) Approval and adoption of the 2025-2034 Transit Development Plan.

Shirley Ciampi, Mobility Manager highlighted 2025-2034 Transit Development Plan and introduced Asela Silva, Benesch Senior Project Manager.

Mr. Silva gave a brief overview of Presentation Overview, What Is/Is Not a Transit Development Plan, What is a Transit Development Plan (TDP), Public Outreach – Public Involvement Techniques, Public Outreach – More than 1,500 engaged, General Public Survey, Public Workshops, 10-Year Transit Needs Development, 10-Year Needs Plan (2025-2034), 10-Year Needs Plan – Capital, Evaluation of Transit Needs, 10-Year Needs Evaluation – Rankings, Recommended Transit Plan, Implementation Plan & Timeline, Operating & Capital Costs, Costs & Revenues, and What’s Next.

Chair Truex discussed Recommended Transit Plan, parking options, liability, private sector, fixed route, public safety, population centers, and needs. Commissioner Constance mentioned cost, fixed route, technology, data, value, funding, Recommended Transit Plan, parking options, public and private sectors, redevelopment areas, needs, City of Punta Gorda, Tourism, process, and July 29, 2024 Metropolitan Planning Organization (MPO) meeting. Commissioner Deutsch commented on microtransit, response times, Charlotte County Transit, 10-Year Needs Plan – Capital, General Public Survey, funding, challenges, and Recommended Transit Plan. Commissioner Doherty noted Recommended Transit Plan, fixed route, Implementation Plan & Timeline, options, planning document, and Florida Department of Transportation (FDOT).

**COMMISSIONER DOHERTY MOVED APPROVAL AND ADOPTION OF THE 2025-2034 TRANSIT DEVELOPMENT PLAN, SECONDED BY COMMISSIONER CONSTANCE**

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

#### **PUBLIC HEARING AGENDA**

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

##### **1. Amend the Territory of the Peace River Shores Street & Drainage MSBU**

###### **Public Works**

Conduct a public hearing to consider an ordinance to amend the territory of the Peace River Shores Street & Drainage Municipal Service Benefit Unit (MSBU). **ORD 2024-024**

Karly Greene, Maintenance and Operations Manager highlighted Amend the Territory of the Peace River Shores Street & Drainage Municipal Service Benefit Unit (MSBU).

###### **Public Input**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-024 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING SECTION 4-6-292 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; AMENDING THE TERRITORY OF THE PEACE RIVER SHORES STREET AND DRAINAGE UNIT BY ADDING CERTAIN PROPERTIES TO THE MUNICIPAL SERVICE BENEFIT UNIT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

##### **2. MSBU First Time Assessed Public Hearing**

###### **Budget & Admin Services**

Conduct a public hearing to consider a Resolution to adopt final assessment for first time assessed property and amended assessment roll for: One property with a total of one unit in Peace River Shores Street and Drainage Unit Municipal Service Benefit Unit (MSBU) for FY24/25. **RES 2024-117**

Mr. Arthur highlighted MSBU First Time Assessed Public Hearing.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2024-117 ADOPTING THE FINAL MAINTENANCE ASSESSMENT FOR FIRST TIME ASSESSED PROPERTIES AND AN ASSESSMENT ROLL FOR THE PEACE RIVER SHORES STREET AND DRAINAGE UNIT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

### 3. Third Quarter Budget Adjustments

#### Budget & Admin Services

Conduct a public hearing approving the Resolution to adopt budget adjustments that amend the FY23/24 budget. These adjustments which impact various funds are needed to align the FY23/24 budget with required changes and actual activity. RES 2024-118

Mr. Arthur highlighted Third Quarter Budget Adjustments.

Public Hearing

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2024-118 APPROVING BUDGET ADJUSTMENTS AND AMENDMENTS TO THE FISCAL YEAR 2023-2024 CHARLOTTE COUNTY ADOPTED BUDGET, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

### PRESENTATION AGENDA

T. 10:00 A.M. Presentations

#### PUBLIC INPUT - ANY SUBJECT

Robert Eli spoke to Code Enforcement, Accela Citizen Access, Building Department, electrical permits and contractors, Department of Business & Professional Regulation (DBPR), Florida Statutes, violations, inspections, and dereliction of duty.

Richard Russell remarked on inflation, Impact Fees, Burnt Store Road, development, Lee County, costs, 21-636 Termination of Contract, Design - Port Charlotte Beach Recreation Center, hurricane shelters, and land acquisition.

RECESS: 10:52 am – 1:00 pm

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

Robert Eli discussed investigations, Accela Citizen Access, accountability, Building Department, Code Enforcement Case COD-23-00335, documentation, site visits, waterway projects, contractors, illegal contracting, and permits.

Dave Kesselring mentioned 21-636 Termination of Contract, Design - Port Charlotte Beach Recreation Center, savings, and entertainment venues

**AA. County Administrator Comments - None**

**BB. County Attorney Comments**

County Attorney Knowlton mentioned Master Water Supply Contract Revisions, Peace River Manasota Regional Water Supply Authority (PRMRWSA) Legal Counsel Doug Manson, DeSoto payment, and draft Agreement.

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

**DD. County Commissioner Comments**

Chair Truex commented on federal debt, 21-636 Termination of Contract, Design - Port Charlotte Beach Recreation Center, work product, title block removal, payment, pre-construction work, tax payers, cost, and design documents. **Commissioner Constance** spoke to federal debt, revenue, 21-636 Termination of Contract, Design - Port Charlotte Beach Recreation Center, Sweet Sparkman Architecture & Interiors of Sarasota, Florida, responsibility, Change Order, work product, negotiations, tax payers, and firm selection process. **Commissioner Deutsch** noted 21-636 Termination of Contract, Design - Port Charlotte Beach Recreation Center, community park, and bid process. **Commissioner Doherty** remarked on September 18-20, 2024 Florida Association of Counties (FAC) Innovation and Policy Conference, September 20, 2024 Coastal and Heartland National Estuary Partnership (CHNEP) Policy Committee Meeting, alternate, 21-636 Termination of Contract, Design - Port Charlotte Beach Recreation Center, ownership, work product, cost, and design documents. **Commissioner Tiseo** discussed September 20, 2024 CHNEP Policy Committee Meeting, 21-636 Termination of Contract, Design - Port Charlotte Beach Recreation Center, Sales Tax project, life quality, tax payers, parks, and MPO Board of Governors Meeting.

**RECESS: 1:14 pm – 2:00 pm**

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

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

Minutes Clerk Welsh administered oath for testimony.

**Consent Agenda**

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

**MOTION CARRIED 5:0.**

UA1. FP-22-05-17, Turnleaf Phase 1

**Community Development**



Approve a Final Plat for a subdivision to be named, Turnleaf Phase 1. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The proposed subdivision is a residential development to consist of 389 residential lots and 31 tracts to include 420 dwelling units, with supporting utility, roadway and stormwater infrastructure, and for future development. The site contains 295.13± acres and is located at 13280 and 13350 Burnt Store Road. The properties are within the boundary of the Burnt Store Area Plan area, the Coral Creek Community Development District, and the Punta Gorda area. Located in Commission District II. **AGR 2024-116**

**Quasi-Judicial**

UA2. FP-23-01-01, Coral Lakes - Phase IA

**Community Development**

Approve a Final Plat for a subdivision to be named, Coral Lakes - Phase IA. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The proposed subdivision is a residential development to consist of 228 single-family lots and 33 tracts. This site contains 306.51± acres and consists of three parcels. Of which two parcels are located at 12300 and 13000 Burnt Store Road (Rd), and one parcel is located between these two parcels. The site is generally located north of Zemel Rd, south of Scham Rd, east of Burnt Store Rd, and west of Green Gulf Boulevard. The properties are in the Punta Gorda area, the Coral Lakes Community Development District, and within the boundary of the Burnt Store Area Plan area. Located in Commission District II. **AGR 2024-117**

**Quasi-Judicial**

UA3. TDU-24-01, Placida Point, LLC

**Community Development**

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of three density units to a Receiving Zone located at 13000, 13110, 13120, and 13140 Fishery Road, in the Placida Revitalizing Neighborhood containing 14.82± acres; 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 Commission, District III; Petition No. TDU-24-01; Applicant: Placida Point, LLC; providing an effective date. Located in Commission District III. **RES 2024-119**

**Quasi-Judicial**

UA4. FP-22-03-09, Starling - Phase 1

**Community Development**

Approve a Final Plat for a subdivision to be named, Starling - Phase 1. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The proposed subdivision is a residential development to consist of 388 single-family lots and 47 tracts. This site contains 296.63± acres and is generally located south of Notre Dame Boulevard, north of Zemel Road, east of Burnt Store Road, and west of Green Gulf Boulevard. The property is in the Punta Gorda area, within the boundary of the Burnt Store Area Plan area. Located in Commission District II. **AGR 2024-118**

**Quasi-Judicial**

**Public Hearing**

UB1. PFP-24-02, Midtown at Babcock Ranch

## Community Development

Approve a request from Babcock Property Holdings, L.L.C. for a Preliminary and Final Plat for a subdivision to be named, Midtown at Babcock Ranch. The proposed plat is for a subdivision containing 36 tracts for roadway, drainage, irrigation, open space, conservation, and future development. The site contains 809.75± 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 Babcock Trail. The site is within the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, the East County area. There is no bond or Development Agreement associated with this plat. Located in Commission District I.

### Quasi-Judicial

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

Jenny Shao, Planner provided credentials, gave a brief overview of PFP-24-02: Location Map, 2023 Aerial Location Map (Full Range), 2023 Aerial Location Map (Mid-Range), Aerial Location Map, 2024 Google Earth Image, 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, replied to 2024 Google Earth Image, and requested approval.

Commissioner Constance mentioned 2024 Google Earth Image.

### Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE A REQUEST FROM BABCOCK PROPERTY HOLDINGS, L.L.C. FOR A PRELIMINARY AND FINAL PLAT FOR A SUBDIVISION TO BE NAMED, MIDTOWN AT BABCOCK RANCH. THE PROPOSED PLAT IS FOR A SUBDIVISION CONTAINING 36 TRACTS FOR ROADWAY, DRAINAGE, IRRIGATION, OPEN SPACE, CONSERVATION, AND FUTURE DEVELOPMENT. THE SITE CONTAINS 809.75± 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 BABCOCK TRAIL. THE SITE IS WITHIN THE BOUNDARY OF THE BABCOCK RANCH COMMUNITY DEVELOPMENT OF REGIONAL IMPACT (DRI) INCREMENT 2, THE EAST COUNTY AREA. THERE IS NO BOND OR DEVELOPMENT AGREEMENT ASSOCIATED WITH THIS PLAT. LOCATED IN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

### UB2. SV-24-01, Portion of Haverhill Waterway Canal Vacation

## Community Development

Approve a Resolution of Street Vacation to vacate a portion of the Haverhill Waterway Right-of-Way behind the applicant's property located at 21271 Cottonwood Avenue (Ave), consisting of 2,823± square feet, to bring an existing shed into compliance with the required setbacks of the zoning district. The area to be vacated is generally located

south of Cottonwood Ave, west of Dewitt Street, north of Haverhill Waterway, east of Morningstar Waterway, within the Port Charlotte area. Located in Commission District V. RES 2024-120  
**Legislative**

Ms. Shao gave a brief overview of SV-24-01: Location Map, 2023 Aerial Location Map (Full Range), 2023 Aerial Location Map (Mid-Range), Aerial Location Map, 2023 Google Earth Image, FLUM Designations, Zoning Designations, 1,000' Mailed Notice Area Map, Proposed Changes, Proposed Easements, and Proposed Changes (Aerial).

**Commissioner Constance** commented on survey expiration. **Commissioner Tiseo** noted surveyor, fee waiver, and challenges.

Bruce Shafer, Applicant spoke to deadline, challenges, easements, and Planning and Zoning Board.

**Public Input**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2024-120 OF STREET VACATION TO VACATE A PORTION OF THE HAVERHILL WATERWAY RIGHT-OF-WAY BEHIND THE APPLICANT'S PROPERTY LOCATED AT 21271 COTTONWOOD AVENUE (AVE), CONSISTING OF 2,823± SQUARE FEET, TO BRING AN EXISTING SHED INTO COMPLIANCE WITH THE REQUIRED SETBACKS OF THE ZONING DISTRICT. THE AREA TO BE VACATED IS GENERALLY LOCATED SOUTH OF COTTONWOOD AVE, WEST OF DEWITT STREET, NORTH OF HAVERHILL WATERWAY, EAST OF MORNINGSTAR WATERWAY, WITHIN THE PORT CHARLOTTE AREA. LOCATED IN COMMISSION DISTRICT V, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

UB3. STN-24-01, Street Name Change, Samana Cay Loop

**Community Development**

a) Approve a Resolution for an application by Charlotte County Community Development Department, on behalf of Lennar Homes LLC, to change the street name for a portion of Samana Cay Loop to Seasalt Loop; and b) Authorize the Chairman to sign the Resolution. RES 2024-122

**Legislative**

Shaun Cullinan, Planning and Zoning Official gave a brief overview of STN-24-01: Area Image, Location Map, FLUM Designations, Zoning Designations, and Proposed Changes.

**Public Input**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2024-122 TO RENAME A PORTION OF SAMANA CAY LOOP TO SEASALT LOOP, MORE PARTICULARLY DESCRIBED AS: THE PORTION OF THE STREET NAMED SAMANA CAY LOOP COMMENCING AT SAINT KITTS CIRCLE AND RUNNING NORTH TO SEASALT LOOP; LOCATED NORTH OF**

PLACIDA ROAD, EAST OF TENTH STREET, SOUTH OF SAN CASA DRIVE AND WEST OF COCO BAY BOULEVARD, AS RECORDED IN THE PLAT OF "COCO BAY," PLAT BOOK 22, PAGES 14A THROUGH 14V OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, IN SECTION 16, TOWNSHIP 41 SOUTH, RANGE 20 EAST; IN COMMISSION DISTRICT III, CHARLOTTE COUNTY, FLORIDA, PETITION STN-24-01; APPLICANT: CHARLOTTE COUNTY, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB4. PV-23-12-09, Portion of Golf Club Estates

#### Community Development

Approve a Resolution of Plat Vacation to vacate a portion of Golf Club Estates consisting of lot 1-A, and lots 1 through 14, and lot 16 and lot 17, Block A, as recorded in Plat Book 1, Page 43, of the Public Records of Charlotte County, Florida, consisting of 2.821± acres, with a portion of Rosemary Drive, containing 0.455± acres. The total area to be vacated is 3.276± acres and is generally located north of Duncan Road (Rd), south of Riverside Drive (Dr), east of I-75, and west of Regent Rd, within the Punta Gorda area. Located in Commission District II. RES 2024-121

#### Legislative

Ms. Shao gave a brief overview of PV-23-12-09: Location Map, 2023 Aerial Location Map (Full Range), 2023 Aerial Location Map (Mid-Range), Aerial Location Map, 2023 Google Earth Image, FLUM Designations, Zoning Designations, 1,000' Mailed Notice Area Map, Proposed Changes, Property Ownership, and Proposed Changes (Aerial).

Chair Truex noted restricted covenant, PAS-23-00005 and PD-23-00008, and Property Ownership. Commissioner Constance spoke to restrictive covenant, discontinuous parcels, planned development (PD), policy, density, language, and consistency. Commissioner Tiseo discussed Aerial Location Map, PD, improvements, impacts, and approval.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, remarked on purpose, parcels, noncontiguous PD, restrictive covenant, roadway, conditions, density, and requested approval.

Mr. Cullinan responded to plan amendment, rezoning, density and acreage requirements, plat vacation, Zoning Designations, intent, PD, Transfer of Density Units (TDU) process, Property Ownership, and property access.

Assistant County Attorney Thomas David interjected on plan amendment, impacts, and plat vacation.

#### Public Input

Monica Richardson mentioned housing type.

Michael Griffin commented on traffic signals and impacts, Westwood Waterway and Shores, developments, sewer connections, elevation, and crime rate.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2024-121 OF PLAT VACATION TO VACATE A PORTION OF GOLF CLUB ESTATES CONSISTING OF LOT 1-A, AND LOTS 1 THROUGH 14, AND LOT 16 AND LOT 17, BLOCK A, AS RECORDED IN PLAT BOOK 1, PAGE 43, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, CONSISTING OF 2.821± ACRES, WITH A PORTION OF ROSEMARY DRIVE, CONTAINING 0.455± ACRES. THE TOTAL AREA TO BE

VACATED IS 3.276± ACRES AND IS GENERALLY LOCATED NORTH OF DUNCAN ROAD (RD), SOUTH OF RIVERSIDE DRIVE (DR), EAST OF I-75, AND WEST OF REGENT RD, WITHIN THE PUNTA GORDA AREA. LOCATED IN COMMISSION DISTRICT II, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB5. PAS-23-00005, 17-75 Residential Development

### Community Development

**(Change #3)** Added attachments – Applicant Presentation and Revised Conditions.

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 Commercial (COM) (19.99± acres) and Low Density Residential (LDR) (2.13± acres), and High Density Residential (HDR) (0.91± acres) to HDR with an annotation to the 2030 Future Land Use Map limiting the overall maximum density up to 338 units; increasing density from 18 units to 338 units; for property located at 6201 Duncan Road, 3300 and 3406 Rosemary Drive, in the Punta Gorda area, containing 23.03± acres; Commission District II; Petition No. PAS-23-00005; Applicant: Mivo Development Group; providing an effective date. Located in Commission District II. **ORD 2024-025**

### Legislative

Jie Shao, Principal Planner provided credentials, gave a brief overview of Proposed Changes, PAS-23-00005 and PD-23-00008: 1,000' Mailed Notice Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, Conceptual Site Plan, replied to PD Concept Plan, final detail site plan, and options.

Chair Truex noted Proposed Changes, Florida Building Code, FEMA, and requirements. **Commissioner Constance** spoke to FLUM, Existing Zoning Designations, greenspace, recreational and commercial uses, PD Concept Plan, access points, property size and rights, units per acre, market rate housing, income level, noise buffers, density, Coastal High Hazard Area, and traffic study. **Commissioner Deutsch** remarked on traffic impacts, community concerns, and improvements. **Commissioner Doherty** discussed Florida Building Code and FEMA requirements, Hurricane Ian, National Hurricane Center, and storm surge projections. **Commissioner Tiseo** mentioned Punta Gorda Utilities, maximum elevation, noise pollution, property history, application and PD process, Springs at Port Charlotte, traffic impacts and studies, crime rate, units, benefits, public servants, market rate and affordable housing, preservation, commercial and residential zoning, off-site improvements, Springs of Gulf Coast, concurrency, and capacity.

Attorney Rob Berntsson, Applicant Representative accepted Jie Shao as an expert, commented on property uses and location, access points, traffic impacts, plat vacation, minimum requirements, FEMA, Enterprise Charlotte Airport Park (ECAP), Coastal High Hazard Area, density, evacuation times, preservation, amenities, roadway improvements, affordable housing, needs, FDOT, concept and detailed site plan review, noise buffers, PD expiration, zoning, Southwest Florida Water Management District (SWFWMD) permitting, language, minimum finished floor, and requested approval.

Patrick Glynn, Kimley-Horn Civil Analyst provided credentials, gave a brief overview of PD Concept Plan, Coastal High Hazard Areas and Evacuation Routes, Coastal High Hazard Areas and Evacuation Routes (Zoom in), Charlotte Storm Surge Zones, FEMA Flood Zone Map (Effective 12/15/22), Sea, Lake and Overland Surges from Hurricanes (SLOSH) Data (National Oceanic and Atmospheric Administration (NOAA)): Category 1, Category 2, Categories 3, 4 and 5, and Site Elevations Summary.

Robert Fakhri, Transportation Engineer responded to property access, traffic study, final detail site plan, FDOT, roadway design, and improvements.

**Public Input for Petition PAS-23-00005, 17-75 Residential Development and Petition PD-23-00008, 17-75 Residential Development**

Monica Richardson noted rental properties, low-income housing, traffic impacts, roadway improvements, and crime rate.

Michael Griffin spoke to Emerald Pointe, Seminole Lakes, elevation, and flood zone.

Rafael Aznielles remarked on concerns, impacts, density, development, units, and elevation.

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-025 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 COMMERCIAL (COM) (19.99± ACRES) AND LOW DENSITY RESIDENTIAL (LDR) (2.13± ACRES), AND HIGH DENSITY RESIDENTIAL (HDR) (0.91± ACRES) TO HDR WITH AN ANNOTATION TO THE 2030 FUTURE LAND USE MAP LIMITING THE OVERALL MAXIMUM DENSITY UP TO 338 UNITS; INCREASING DENSITY FROM 18 UNITS TO 338 UNITS; FOR PROPERTY LOCATED AT 6201 DUNCAN ROAD, 3300 AND 3406 ROSEMARY DRIVE, IN THE PUNTA GORDA AREA, CONTAINING 23.03± ACRES; COMMISSION DISTRICT II; PETITION NO. PAS-23-00005; APPLICANT: MIVO DEVELOPMENT GROUP; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

UB6. PD-23-00008, 17-75 Residential Development

**Community Development**

**(Change #3) Added attachments – Applicant Presentation and Revised Conditions.**

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) (19.99 acres), Residential Multi-family-5 (RMF-5) (2.13± acres), and Residential Multi-family 10 (RMF-10) (0.91± acres) to PD, in order to have a residential development up to 338 units; requiring a transfer of 320 density units to reach the maximum of 338 units; and adopting a “General PD Concept Plan” for this proposed development; for property located at 6201 Duncan Road, 3300 and 3406 Rosemary Drive, in the Punta Gorda area, containing 23.03± acres; Commission District II; Petition No. PD-23-0008; Applicant: Mivo Development Group; providing an effective date. Located in Commission District II. **ORD 2024-026**

**Quasi-Judicial**

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

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, PAS-23-00005 and PD-23-00008: 1,000’ Mailed Notice Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing

Zoning Designations, Proposed Zoning Designations, Conceptual Site Plan, replied to PD Concept Plan, final detail site plan, and options.

Chair Truex discussed Proposed Changes, Florida Building Code, FEMA, and requirements. Commissioner Constance mentioned FLUM, Existing Zoning Designations, greenspace, recreational and commercial uses, development, PD Concept Plan, access points, property size and rights, units per acre, market rate housing, income level, noise buffers, density, Coastal High Hazard Area, and traffic study. Commissioner Deutsch remarked on traffic impacts, community concerns, and improvements. Commissioner Doherty discussed Florida Building Code and FEMA requirements, Hurricane Ian, National Hurricane Center, and storm surge projections. Commissioner Tiseo commented on Punta Gorda Utilities, maximum elevation, noise pollution, property history, application and PD process, Springs at Port Charlotte, traffic impacts and studies, crime rate, units, benefits, public servants, market rate and affordable housing, preservation, commercial and residential zoning, off-site improvements, Springs of Gulf Coast, concurrency, and capacity.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, spoke to property uses and location, access points, traffic impacts, plat vacation, minimum requirements, FEMA, ECAP, Coastal High Hazard Area, density, evacuation times, preservation, amenities, roadway improvements, affordable housing, needs, FDOT, concept and detailed site plan review, noise buffers, PD expiration, zoning, SWFWMD permitting, language, minimum finished floor, and requested approval.

Patrick Glynn, Kimley-Horn Civil Analyst provided credentials, gave a brief overview of PD Concept Plan, Coastal High Hazard Areas and Evacuation Routes, Coastal High Hazard Areas and Evacuation Routes (Zoom in), Charlotte Storm Surge Zones, FEMA Flood Zone Map (Effective 12/15/22), SLOSH Data (NOAA): Category 1, Category 2, Categories 3, 4 and 5, and Site Elevations Summary.

Mr. Fakhri responded to property access, traffic study, final detail site plan, FDOT, roadway design, and improvements.

**Public Input for Petition PAS-23-00005, 17-75 Residential Development and Petition PD-23-00008, 17-75 Residential Development**

Monica Richardson noted rental properties, low-income housing, traffic impacts, roadway improvements, and crime rate.

Michael Griffin remarked on Emerald Pointe, Seminole Lakes, elevation, and flood zone.

Rafael Aznielles discussed concerns, impacts, density, development, units, and elevation.

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

**MOTION CARRIED 5:0.**

Assistant County Attorney David read into record the amendments to language for PD Conditions G and K.

**COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-026 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) (19.99± ACRES), RESIDENTIAL MULTI-FAMILY 5 (RMF-5) (2.13± ACRES), AND RESIDENTIAL MULTI-FAMILY 10 (RMF-10) (0.91± ACRES) TO PD, IN ORDER TO HAVE A RESIDENTIAL DEVELOPMENT UP TO 338 UNITS; REQUIRING A TRANSFER OF 320 DENSITY UNITS TO REACH THE MAXIMUM OF 338 UNITS, AND ADOPTING A "GENERAL PD CONCEPT PLAN" FOR THIS PROPOSED DEVELOPMENT; FOR PROPERTY LOCATED AT 6201 DUNCAN ROAD, 3300 AND 3406 ROSEMARY DRIVE, IN THE PUNTA GORDA AREA, CONTAINING 23.03 ACRES MORE**

OR LESS; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT II; PETITION PD-23-00008; APPLICANT, MIVO DEVELOPMENT GROUP; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB7. TLDR-24-01, Revisions to Subdivision Regulations Phase 1

**Community Development**

Approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter (Ch) 3-5: Planning and Development, by 1) revising Article II: General Control of Development, Division 1: Generally, Section (Sec.) 3-5-24: Survey; plats, and 2) repealing Article III: Plats, which was adopted in 1986. In addition to amending Ch 3-7: Subdivision Regulations, by 3) revising Article I: In General, Sec. 3-7-1: Purpose; Sec. 3-7-5: Definitions; and Article II: Procedure for Plat Approval, by revising Sec. 3-7-21: Steps to record final plat, now referred to as Application Process, Sec. 3-7-22: General requirements; Sec. 3-7-23: Basic application process, now referred to as Procedure, generally; Sec. 3-7-26: Preliminary plat procedure; Sec. 3-7-27: Agency review, now referred to as Preliminary Plat Review; Sec. 3-7-31: Construction plans procedure; Sec. 3-7-32: Authority granted by approval, now referred to as Authority granted by preliminary plat approval; Sec. 3-7-33: Limit of approval, Sec. 3-7-34: Amendments and changes, now referred to as Effective date; Sec. 3-7-35: Final plat procedure generally; Sec. 3-7-36: Review, now referred to as Final Plat Review; Sec. 3-7-37: Approval by the board of county commissioners, now referred to as Approval of the Final Plat; Sec. 3-7-38: Recording of the final plat; 4) creating new Sec. 3-7-26: Determination; 5) renumbering various sections; and 6) repealing Sec. 3-7-24: Zoning; Sec. 3-7-28: Planning director; Sec. 3-7-29: Planning and zoning board; and Sec. 3-7-30: Approval by the board of county commissioners to remove the requirements of public hearings. Additionally, 7) revising Article III: Standard Requirements for Subdivision Applications, Sec. 3-7-65: Certification of improvements or performance guarantee; Sec. 3-7-66: Maintenance, materials, and workmanship warranty bond after construction is complete; and Article V: Design Standards, Sec. 3-7-106: Suitability of land; and Article VI: Acceptance of Public Roads for Maintenance, Sec. 3-7-121: For infrastructure to be constructed prior to final plat; Sec. 3-7-122: For infrastructure to be bonded instead of built; and Article VIII: Enforcement, Sec. 3-7-141: Building permits, now referred to as Building and other permits; 8) repealing Sec. 3-7-142: Other permits; 9) repealing Article VII: Procedure for Minor Subdivisions, and providing for conflict with other ordinances; providing for severability; and providing for an effective date. This is the first phase of proposed changes to the County Code to streamline the platting process and align the regulations with Florida State Statutes. Application number: TLDR-24-01; Applicant: Charlotte County Board of County Commissioners. This applies countywide. **ORD 2024-027**

**Legislative**

Mr. Cullinan highlighted TLDR-24-01, Revisions to Subdivision Regulations Phase 1, replied to Transparency and Informing the Public, proposed options, Comprehensive Plan, Florida Statutes, subdivision, definition, restrictions, land division, regulations, exemption, lot line adjustments, cutoff date, unrecorded plats, and platting process.

Jenny Shao, Planner gave a brief overview of Purpose, Senate Bill 812, Preparation and Outreach, Current Process - Proposed Process, Proposed Changes, Proposed Changes - Developer's Agreement now Construction and Maintenance Agreement (C&M), Time Frames for Platting, Time Frames for Plating Comparison - Preliminary Plat, Major Detailed Changes, Basic application process, Preliminary Plat Procedure, Preliminary Plat Review, Determination, Authority Granted by Preliminary Plat Approval, Limit of Approval, Effective Date, Application Process, Certification of Improvements or Performance Guarantee, and Transparency and Informing the Public.

Chair Truex commented on platting process, land division, staff efforts, subdivision, Legislative Agenda, restrictions, property rights and sale, easements, language, requirements, and staff efforts. Commissioner Constance mentioned land division, subdivision, property sales, process, disclosures, timing, and responsibility. Commissioner Deutsch



noted Consent Agenda items, Proposed Changes - Developer's Agreement now Construction and Maintenance Agreement (C&M), and process. **Commissioner Doherty** spoke to land division, parcels, ownership changes, platting process, and subdivision.

#### **Public Input**

Attorney Derek Rooney, GrayRobinson spoke to staff efforts, platting process, transparency, and presentation.

Todd Rebol, Banks Engineering Vice President discussed staff efforts, platting process, City of Punta Gorda, Senate Bill 812, platting process, transparency, zoning, low density residential (LDR), time savings, and surrounding counties.

Attorney Rob Berntsson, The Big W Law Firm mentioned staff efforts, subdivision regulations, exemptions, easements, agricultural lands, definition, and language.

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

**MOTION CARRIED 5:0.**

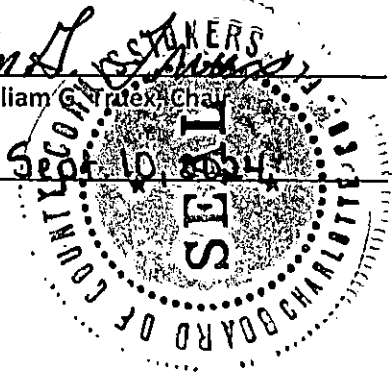
**COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2024-027 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-5, PLANNING AND DEVELOPMENT, ARTICLE II: GENERAL CONTROL OF DEVELOPMENT, DIVISION 1: GENERALLY, SECTION 3-5-24: SURVEY; PLATS, CHAPTER 3-7: SUBDIVISION REGULATIONS, ARTICLE I: IN GENERAL, SECTION 3-7-1: PURPOSE; SECTION 3-7-5: DEFINITIONS; AND ARTICLE II: PROCEDURE FOR PLAT APPROVAL, BY REVISING SECTION 3-7-21: STEPS TO RECORD FINAL PLAT, NOW REFERRED TO AS APPLICATION PROCESS, SECTION 3-7-22: GENERAL REQUIREMENTS; SECTION 3-7-23: BASIC APPLICATION PROCESS, NOW REFERRED TO AS PROCEDURE, GENERALLY; SECTION 3-7-26: PRELIMINARY PLAT PROCEDURE; SECTION 3-7-27: AGENCY REVIEW, NOW REFERRED TO AS PRELIMINARY PLAT REVIEW; SECTION 3-7-31: CONSTRUCTION PLANS PROCEDURE; SECTION 3-7-32: AUTHORITY GRANTED BY APPROVAL, NOW REFERRED TO AS AUTHORITY GRANTED BY PRELIMINARY PLAT APPROVAL; SECTION 3-7-33: LIMIT OF APPROVAL, SECTION 3-7-34: AMENDMENTS AND CHANGES, NOW REFERRED TO AS EFFECTIVE DATE; SECTION 3-7-35: FINAL PLAT PROCEDURE GENERALLY; SECTION 3-7-36: REVIEW, NOW REFERRED TO AS FINAL PLAT REVIEW; SECTION 3-7-37: APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS, NOW REFERRED TO AS APPROVAL OF THE FINAL PLAT; SECTION 3-7-38: RECORDING OF THE FINAL PLAT AND ARTICLE III: STANDARD REQUIREMENTS FOR SUBDIVISION APPLICATIONS, SECTION 3-7-65: CERTIFICATION OF IMPROVEMENTS OR PERFORMANCE GUARANTEE; SECTION 3-7-66: MAINTENANCE, MATERIALS, AND WORKMANSHIP WARRANTY BOND AFTER CONSTRUCTION IS COMPLETE; AND ARTICLE V: DESIGN STANDARDS, SECTION 3-7-106: SUITABILITY OF LAND; AND ARTICLE VI: ACCEPTANCE OF PUBLIC ROADS FOR MAINTENANCE, SECTION 3-7-121: FOR INFRASTRUCTURE TO BE CONSTRUCTED PRIOR TO FINAL PLAT; SECTION 3-7-122: FOR INFRASTRUCTURE TO BE BONDED INSTEAD OF BUILT; AND ARTICLE VIII: ENFORCEMENT, SECTION 3-7-141: BUILDING PERMITS, NOW REFERRED TO AS BUILDING AND OTHER PERMITS. REPEALING CH. 3-5: PLANNING AND DEVELOPMENT, ARTICLE III: PLATS, ADOPTED IN 1986. IN ADDITION TO CH. 3-7: SUBDIVISION REGULATIONS, ARTICLE II: PROCEDURE FOR PLAT APPROVAL, SECTION 3-7-24: ZONING; SECTION 3-7-28: PLANNING DIRECTOR; SECTION 3-7-29: PLANNING AND ZONING BOARD, AND SECTION 3-7-30: APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS TO REMOVE THE REQUIREMENTS OF PUBLIC HEARINGS, AND ARTICLE VII: PROCEDURE FOR MINOR SUBDIVISIONS, AND ARTICLE VIII: ENFORCEMENT, SECTION 3-7-142: OTHER PERMITS; CREATING A NEW SECTION 3-7-26: DETERMINATION WITHIN CHAPTER 3-7: SUBDIVISION REGULATIONS, ARTICLE II: PROCEDURE FOR PLAT APPROVAL; AND RENUMBERING AND REORGANIZING VARIOUS SECTIONS. PETITION TLDR-24-01: 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 4:0. (Commissioner Tiseo Absent)**

ADJOURNED: 4:15 pm

William D. Stowers  
William D. Stowers, Chair

DATE ADOPTED: SEP 10, 2024



ATTEST:

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

By: Kimberly Walsh  
Deputy Clerk