

Charlotte County

Commission Chambers, Room 119
18500 Murdock Circle
Port Charlotte, FL 33948
CharlotteCountyFL.gov



Regular and Land Use Meeting

Tuesday, June 23, 2020
9 a.m.

Board of County Commissioners

COUNTY COMMISSIONERS

Bill Truex, District 3, Chairman
Christopher Constance, District 2, Vice Chairman
Ken Doherty, District 1
Stephen R. Deutsch, District 4
Joseph Tiseo, District 5

COUNTY ADMINISTRATOR

Hector Flores

COUNTY ATTORNEY

Janette S. Knowlton

CLERK OF THE CIRCUIT COURT

Roger D. Eaton

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to David.Lyles@charlottecountyfl.gov.

Should any agency or person decide to appeal any decision made by the board with respect to any matter considered at such meeting, a record of the proceeding, and for such purpose, a verbatim record of the proceeding is required, which record includes the testimony and evidence upon which the appeal is to be based.

9:00 A.M.

Call to Order and Roll Call

Invocation

If you wish, please rise for the invocation

Pledge of Allegiance

Changes to the Agenda

See separate sheet

Proclamations - Commissioner Christopher Constance

[Proclamations](#)

National Mosquito Control Week
Parks and Recreation Month

Employee Recognition

Award Presentations

CITIZEN INPUT - AGENDA ITEMS ONLY

Anyone wishing to address the Board during this portion of the meeting must fill out a card, state their name for the record, and state which agenda item(s) will be addressed. Remarks shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members.

COMMITTEE VACANCIES

* [MSBU-MSTU Advisory Board Vacancies](#)

The following **MSBU/TU Advisory Boards** are seeking volunteers who must be both a property owner within and reside within the Unit. Submit applications to Public Works Department, 7000 Florida Street, Punta Gorda, Florida 33950; call 941.575.3600 or e-mail MSBU-TU@CharlotteCountyFL.gov.

- **Boca Grande Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Buena Vista Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Harbour Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Harbour Heights Waterway Unit** is seeking three members to fill vacant unexpired terms through October 31, 2021, October 31, 2022 and October 31, 2023.
- **Northwest Port Charlotte Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2022 and October 31, 2023.
- **Northwest Port Charlotte Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2022, and October 31, 2023.
- **Pirate Harbor Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Rotonda Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Rotonda Lakes Street & Drainage Unit** is seeking five members to fill vacant unexpired terms through October 31, 2021, October 31, 2022, and October 31, 2023.
- **Rotonda Sands North Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **South Charlotte Stormwater Unit** is seeking five members to fill vacant unexpired terms through October 31, 2021, October 31, 2022, and October 31, 2023.
- **West Charlotte Stormwater Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.

REPORTS RECEIVED AND FILED

CONSENT AGENDA

Clerk of the Circuit Court

A. Comptroller Division

1. [Finance](#)

Recommended Action:

Approve the Clerk’s Finance Memorandum.

Budgeted Action:

No action needed.

B. Minutes Division

1. [Minutes](#)

Recommended Action:

Approve the following Minutes:

May 19, 2020 BCC Special Meeting

May 26, 2020 BCC Regular and Land Use Meeting

June 2, 2020 BCC Special Meeting

June 4, 2020 BCC Pre-Agenda

Budgeted Action:

No action needed.

Board of County Commissioners

C. Commission Office

[Appointment - Historical Advisory Committee](#)

Recommended Action:

Approve the appointment of Deborah R. Blair Koontz to the Historical Advisory Committee as a member-at-large. Term is effective immediately and will expire in September 2023.

Budgeted Action:

No action needed.

D. County Administration

E. County Attorney

1. [Settlement of Claim with Southwest Engineering & Design, Inc. \(SED\) Related to Edgewater Drive Phase II](#)

Recommended Action:

Approve settlement and authorize Chairman to execute the settlement agreement.

Budgeted Action:

No action needed.

2. [Extension 14 of Local State of Emergency - COVID-19](#)

Recommended Action:

Approve Resolution extending the Local State of Emergency related to the Novel Coronavirus Disease 2019 (COVID-19).

Budgeted Action:

No action needed.

F. Budget and Administrative Services

Fiscal Services

1. [Utilities Uncollectible Accounts through March 31, 2020 Write Off](#)

Recommended Action:

Approve the write off of accumulated Utilities uncollectible accounts through March 31, 2020.

Budgeted Action:

No action needed.

2. [Interlocal Agreement with City of Punta Gorda - 6 Cent Gas Tax](#)

Recommended Action:

Approve interlocal agreement with the City of Punta Gorda regarding the distribution of the six cents local capital gas tax proceeds.

Budgeted Action:

No action needed.

Information Technology

Purchasing

3. [20-333 Award, Emergency Debris Removal \(Public Works\)](#)

Recommended Action:

a) Award the Request for Proposal #20-333, Emergency Debris Removal to the firms in descending order as follows: AshBritt, Inc. of Deerfield Beach, Florida; CrowderGulf Joint Venture, Inc. of Mobile, Alabama; DRC Emergency Services, LLC of Galveston, Texas; and TFR Enterprises, Inc. of Leander, Texas; to establish pre-qualified Contractors to assist Charlotte County in the management and removal of debris resulting from a catastrophic event or to assist the County with special needs and events for other than full-scale disasters; and

b) Authorize the Chairman to sign the contract(s); and

c) Authorize the County Administrator to approve renewal the option for one (1) 5-year term at the prices, terms and conditions, as stated in the RFP documents, by mutual consent, for emergency debris removal.

Budgeted Action:

No action needed. A budget amendment will be brought to the board for approval in the event of a storm. Funding for this expense will come from General Funds with anticipated reimbursement from Federal Emergency Management Agency and Florida Department of Emergency Management.

4. [20-412, Award, Dredging - Manchester Waterway \(Public Works\)](#)

Recommended Action:

Approve award of Request for Bids #20-412, Dredging - Manchester Waterway, to Marine Contracting Group, Inc. of Punta Gorda, Florida at a total cost of \$298,949.81. This is for the maintenance dredge of Manchester Waterway.

Budgeted Action:

No action needed. Budgeted in the CIP Project "Manchester Waterway Maintenance Dredging" as approved in the FY20 budget process. Funding is supplied from Manchester Waterway MSBU in the Public Work's Department budget.

5. [20-446, Award, Lake 1 Excavation \(Public Works\)](#)

Recommended Action:

Approve award of Request for Bids #20-446, Lake 1 Excavation, to TSI Disaster Recovery, LLC, of Melbourne, Florida at a total cost of \$203,458.50.

Budgeted Action:

No action needed. Budgeted in the CIP Project "Lake 1 Excavation for Three Lakes Project" as approved in the FY20 budget process. Funding is supplied from Mid-Charlotte Stormwater Utility District in the Public Work's budget.

6. [19-514, Change Order #1, Tringali Park Restroom Construction \(Facilities\)](#)**Recommended Action:**

Approve Change Order #1 to Contract 19-514, Tringali park restroom construction, with Liberty R&V Construction of Englewood, Florida in the amount of \$23,862.

Budgeted Action:

No action needed. Budgeted in the Community Services Capital Maintenance Plan as approved in the FY20 budget process, and later amended. Funding is supplied from Capital Projects ad valorem.

Real Estate Services**7. [Exchange Agreement \(Charlotte County - Charlotte County Habitat for Humanity, Inc.\) \(Utilities\)](#)****Recommended Action:**

Approve Resolution authorizing the Chairman to execute an Agreement for Exchange of Real Property between the County and Charlotte County Habitat for Humanity, Inc.

Budgeted Action:

No action needed.

Risk Management**Transit****G. Community Development****H. Community Services****I. Economic Development****J. Facilities Construction and Maintenance****K. Human Resources****L. Human Services****M. Public Safety**

1. [Public Emergency Medical Transportation Supplemental Managed Care Organization Program with Letters of Agreements](#)

Recommended Action:

Authorize the Chairman to execute the Letters of Agreement for each Managed Care Organization (MCO) 6 required for pass through payment.

Budgeted Action:

A budget adjustment to amend the General Fund - EMS FY2020 budget will be included in the 4th Quarter FY2020 amendments. Revenue and expense from this program will come from the General Fund.

N. Public Works

1. [Sunrise Channel Dredge - Out of Cycle Funding Request](#)

Recommended Action:

Approve Out-of-Cycle funding from the Boater Revolving Local Fund in the amount of \$45,000 for the emergency dredging of Sunrise Channel.

Budgeted Action:

No action needed. Expenditures will be paid for from the BRF Contractual Services account from savings within the BRF Other Current Charges and Obligations account. There is no match funding required.

O. Tourism Development

P. Utilities

Q. Other Agencies

REGULAR AGENDA

R. Regular Agenda

1. [COVID-19 Response Update](#)

County Administration

a) Update on Charlotte County's COVID-19 response; and

b) Discussion and direction on setting a COVID-19 Special Meeting, June 30, 2020 at 9 a.m. and July 7, 2020 at 9 a.m.

****Change, Added attachment - Presentation, DOH, 6/22/2020****

****Change, Added attachment - Presentation, HS, 6/23/2020****

2. [Appoint by Ballot: Health Planning Council of SWFL](#)
Commission Office
Vote by ballot to fill the unexpired term of Dan Topp to the Health Planning Council of SWFL as per F.S. 408.003. The appointment is effective immediately and will expire December 31, 2021.
3. [Melbourne Street Parcel](#)
Facilities
Discussion and direction relating to park options for the Melbourne Street parcel.
4. [Authorize Implementation of Payment Plan](#)
Utilities
Approve Resolution to authorize the development and implementation of payment plans for Charlotte County Utilities customers that are delinquent in paying water and/or wastewater bills during a declared state of emergency.
5. [19-446 Amendment #1, Strategic Plan for Punta Gorda/Englewood Beach Visitor and Convention Bureau \(Tourism\)](#)
Tourism Development
 - a) Approve Amendment #1 to Contract #19-446, Strategic Plan for Punta Gorda/Englewood Beach Visitor and Convention Bureaus with Streetsense Consulting of Bethesda, Maryland, for additional services in the amount of \$45,000; and
 - b) Authorize the Chairman to sign Amendment #1 for services addressing the County's strategic plan and tourism after the Coronavirus (COVID-19).****Added, 6/18/2020****

PUBLIC HEARING AGENDA

- S. **10:00 A.M. Public Hearing**
 1. [Consider an Ordinance Amending Chapter 3-8, "Waters and Sewers," Article VIII" on-site sewage treatment and disposal systems", Sections 3-8-250 through 3-8-256.](#)
County Attorney
Conduct a public hearing to consider an Ordinance Amending Chapter 3-8, "Waters and Sewers," Article VIII" on-site sewage treatment and disposal systems", Sections 3-8-250 through 3-8-256.
 2. [Charlotte County Sanitation MSBU First Time Assessed Properties](#)
Budget & Admin Services
Conduct a public hearing to consider Resolution adopting the final assessment for first time assessed properties and an amended assessment roll, to assess for the first time thirteen (13) properties, with a total of 13 ERUs, in the Charlotte County Sanitation Municipal Service Benefit Unit (MSBU) for FY20/21.

3. [Ambitrans Medical Transport Certificate of Public Convenience and Necessity](#)

Public Safety

Conduct a public hearing to consider renewing the Certificate of Public Convenience and Necessity (COPCN).

PRESENTATION AGENDA

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

1 P.M. CITIZEN INPUT - ANY SUBJECT

Anyone wishing to address the Board during this portion of the meeting must state their name for the record. Remarks on any County related subject, shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.

2 P.M. LAND USE AGENDA

CITIZEN INPUT - LAND USE CONSENT AGENDA ITEMS ONLY

Anyone wishing to address the Board during this portion of the meeting must fill out a card, state their name for the record, and state which agenda item(s) will be addressed. Remarks shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members.

Consent Agenda

UA1. [FP-20-01-07, Babcock Ranch Community Phase 2C, Babcock Property Holdings, LLC and Resolution Authorizing Golf Carts on Certain Public Roads](#)

Community Development

Babcock Property Holdings, LLC has requested Final Plat approval for a subdivision to be named, Babcock Ranch Community Phase 2C, consisting of two tracts and 195 single-family lots. They also request approval of a Resolution permitting the use of golf carts on all the roads in the subdivisions of Babcock Ranch Community Phase 2C, Babcock Ranch Community Greenway Boulevard, Babcock Ranch Community Cypress Lodge, Babcock Ranch Community Bluebird Trail, and Babcock Ranch Community Cypress Parkway. The site is 59.38 acres, more or less, and is located south of Bermont Road, north of the border with Lee County, east of Babcock Ranch Road, and west of the border with Glades County, in Section 32, Township 42S, Range 26E, in Commission District I.

Quasi-Judicial

UA2. [DRC-20-00033 Port Charlotte Storage](#)**Community Development**

AM Engineering is requesting Final Detail Site Plan approval for Port Charlotte Storage. The proposed development includes construction of a self-storage building. This project site is 5.14 +/- acres, Tract D of the JC Center and is located at 23950 Veterans Blvd., Port Charlotte, FL., in Section 06, Township 40, Range 23E. This is in the Sandhill DRI.

Quasi-Judicial**UA3. [DRC-20-00019 West Port Pods B & H](#)****Community Development**

Morris Engineering is requesting Final Detail Site Plan approval for Pod B (The Isles) & Pod H (The Hammocks). This project consists of 429 residential units with associated infrastructure. This site is 116.92 +/- acres and is part of a 434.68 +/- acre site and generally located at 1190 Centennial Boulevard in Port Charlotte, FL in Section 11, Township 40, Range 21.

Quasi-Judicial

Public Hearing

UB1. [Ordinance Approving TCP-20-03, FY 2020 CIP Updates](#)**Community Development**

Adopt Ordinance approving TCP-20-03, the adoption of the fiscal year 2020 County Capital Improvements Plan Updates, including annual updates of the County Capital Improvements Plan, the Charlotte County School District 5-Year Work Program, and the Charlotte County-Punta Gorda MPO Transportation Improvement Program into the Capital Improvements Element.

****Change, Added attachments, 6/19/2020****

Legislative**UB2. [PP-20-03-10, Heritage Landing Phase II, Lennar Homes, LLC](#)****Community Development**

Lennar Homes, LLC has requested Preliminary Plat approval for a subdivision to be named, Heritage Landing Phase II, consisting of 256 residential lots. The site is 386.35 acres, more or less, and is located east of the Peace River, north and west of Burnt Store Road, and south of the City of Punta Gorda, in Sections 17, 19 and 20, Township 42, Range 23, in Commission District II.

Quasi-Judicial

UB3. [NOPC-20-49-18, Revisions to DO for Increment IV of the Murdock Center DRI](#)**Community Development**

Adopt a Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulation, amending Development Order, Resolution Number 2009-167, for Increment IV of the Murdock Center Development of Regional Impact (DRI) to revise Exhibit C: Murdock Center Increment IV Land Uses Table 10-1A-1 Project Description by adding an Land Use Equivalency Matrix; to use the proposed Land Use Equivalency Matrix 1) to exchange 9,581 square feet of approved retail uses for 50 hotel rooms; 2) to exchange 10,237 square feet of approved retail uses for 150 dwelling units of senior adult housing; and 3) to exchange 9,515 square feet of approved retail uses for 125 beds of assisted living, on Parcel 2 within Increment IV of the Murdock Center DRI; to amend Land Uses Table 10-1A-1 Project Description to reflect changes of development rights; and to reflect the extension of the buildout date and expiration date of this Development Order per Governor's Executive Orders; for property generally northeast of Tamiami Trail (U.S.41), southeast of Veterans Boulevard, and west of Cochran Boulevard, containing 98.36± acres, in the Port Charlotte area; Commission District IV, Petition No. NOPC-20-49-18; applicant: Centennial Bank.

Quasi-Judicial**UB4. [TCP-20-01, Future Land Use \(FLU\) Appendix VI: Developments of Regional Impact](#)****Community Development**

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State agencies for review and comment; this request is to revise Future Land Use (FLU) Appendix VI: Developments of Regional Impact by adding a Land Use Equivalency Matrix to Increment IV of the Murdock Center Development of Regional Impact (DRI) which will allow the conversion of approved commercial square footage to other uses within the DRI; and by amending the Murdock Center DRI development rights to 1) reduce the range of square footage for Retail/office from 2,714,000 - 2,729,924 square feet to 2,669,667 - 2,685,591 square feet; 2) increase the hotel rooms from 100 to 150 within Increment IV; 3) add 150 units of Senior Adult Housing within Increment IV; and 4) add 125 beds of Assisted Living within Increment IV; Petition No. TC-20-01; applicant: Centennial Bank.

Legislative

UB5. [PAL-20-00003, San Casa](#)**Community Development**

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State agencies for review and comment; the amendment request is to add an annotation to Charlotte County FLUM Series Map #1: 2030 Future Land Use to limit the overall density of the subject property to five units; for property located at 6530, 6600, 6640, and 6650 San Casa Drive, in the Englewood area; containing 19.9± acres; Commission District III; Petition No. PAL-20-00003; Applicants: Casa Sand, LLC, Lake Hurst Holdings, LLC, and San Casa Investments, LLC.

Legislative**UB6. [TLDR-20-01, Keeping of Chickens](#)****Community Development**

Consider the revisions to the Land Development Regulations referencing Accessory Chicken Keeping as a Special Exception use, based on the findings and analysis in the Planning Division staff report dated May 26, 2020, and the evidence presented at the public hearing, and request the Board to set the second public hearing on July 14, 2020 at 2:00PM or as soon thereafter as may be heard, in accordance with Section 125.66, Florida Statutes.

Legislative**AA. County Administrator Comments****BB. County Attorney Comments****CC. Economic Development Director Comments****DD. County Commissioner Comments****County Commissioners**

Bill Truex, District 3, Chairman

Christopher Constance, District 2, Vice Chairman

Ken Doherty, District 1

Stephen R. Deutsch, District 4

Joseph Tiseo, District 5

Board of County Commissioners**Schedule of Future Closures/Hearings/Workshops****1. [Schedule](#)**