

BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 08, 2020

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. Also in attendance were: County Administrator Flores, County Attorney Knowlton, and Minutes Clerk Light. The following members were absent: None.

The Meeting was called to order at 9:00 am

The Invocation was given by Reverend Dr. R. Brian Stolarczyk, Lutheran Church of the Cross, followed by the Pledge of Allegiance.

Changes to the Agenda

Change #1: I-1 Adopt Resolution and Approve Program Agreement authorizing ~~\$41,000~~ **\$35,000** Economic Development Incentive to attract Latitude Tournament Boats & Attitude Airboats, Inc. as inducement to bring new jobs and capital investment to Charlotte County for their new manufacturing facility.

In June 2011, the BCC approved the creation of a dedicated funding source for future Economic Incentives. As of September 1, 2020, the total available budget after reserves for the Business Recovery Grant Program is ~~\$1,597,325.00~~ **\$1,456,175.00** Financial Impact Summary Statement: Funding for this item is budgeted in the General Fund.

Added attachments – Revised Resolutions and Revised Program Agreement.

Requested by: Economic Development

Change #2: L-2 Added attachments – Fitz PGDC LURA, East Helen Avenue PGDC LURA, Showalter PGDC LURA, Punta Gorda Development Corporation Resolution.

Requested by: Human Services

Change #3: R-2 Added attachments – WCIND Agenda September 10, 2020.

Requested by: Community Services

Change #4: R-3 Added attachments – Community Organizations Active in Disaster (COAD) Update presentation.

Requested by: Human Services

Change #5: R-4 Added attachments – Draft 2021 State Legislative Agenda Items Budget Analysis presentation, Draft 2021 State Legislative Agenda Items, Draft 2021 Full State Legislative Agenda.

Moved Item from Consent Agenda to Regular Agenda.

Requested by: County Administration

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Joseph Tiseo

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

MOTION CARRIED 5:0.

AmeriCorps

Proclamation will be mailed to Earn to Learn FL.

Anniversary of the 19th Amendment

Proclamation will be mailed to GFWC Rotonda West Woman's Club.

Constitution Week

Proclamation will be mailed to Melissa Othon.

Falls Prevention Awareness Day

Proclamation will be mailed to Lauren Ware.

Employee Recognition

Award Presentations

Commissioners' Award for Customer Service - Commissioner Truex

Second Quarter Commissioners' Award FY 2019/2020

Stephanee Phillips - Budget & Administration

Commissioner Truex gave a brief overview of Ms. Phillips career, passion, and presented Award.

PUBLIC INPUT - AGENDA ITEMS ONLY

Kathy Burnam commented on Appoint by Ballot: Tourist Development Council.

Tim Ritchie discussed Bid 20-514, Water Quality Analysis Award.

Michael Zarzano mentioned COVID-19 Response Update and Bid 20-514, Water Quality Analysis Award.

Bill Dryburg noted Park Renaming - Katherine Ariens Dog Park (Edgewater Dog Park) and Park Renaming - John Hitzel Pavilion at Spring Lake Park.

COMMITTEE VACANCIES

Construction Industry Licensing Board is seeking one volunteer to serve as a Mechanical Contractor. Volunteer must be a licensed Mechanical/HVAC Contractor and a resident of Charlotte County. Meetings are held on the first Thursday of each month at 6 p.m. at 18500 Murdock Circle, Administration Center. The term will expire on June 26, 2022. To obtain an application, please call 941-743-1298 or email Diane.Whidden@CharlotteCountyFL.gov.

Affordable Housing Advisory Committee is searching for one citizen-at-large and one citizen to serve in any of the following capacities:

- Actively engaged in the residential home building industry
- Actively engaged in the banking or mortgage banking industry
- A representative of those areas of labor actively engaged in home building
- Actively engaged as an advocate for low-income persons
- Actively engaged as a for-profit provider of affordable housing
- Actively engaged as a not-for-profit provider of affordable housing
- Currently represents employers within the jurisdiction
- Currently represents essential services personnel, as defined in the local housing assistance plan.

For more information or inquiries, please call 941-205-2161 or email Colleen.Turner@CharlotteCountyFL.gov or Doreen.Stoquert@CharlotteCountyFL.gov.

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

- **Alligator Creek Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Boca Grande Street & Drainage Unit** is seeking three members to fill vacant unexpired terms through October 31, 2021 and October 31, 2023.
- **Buena Vista Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021 and October 31, 2023.
- **Burnt Store Village Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2022 and October 31, 2023.
- **Charlotte Ranchettes Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Deep Creek Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.

- **Don Pedro & Knight Islands Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Edgewater North Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Englewood East Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2022 and October 31, 2023.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Grove City 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 two members to fill vacant unexpired terms through October 31, 2022 and October 31, 2023.
- **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.
- **Manasota Key Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Manchester Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Mid-Charlotte Stormwater Unit** is seeking one member to fill a vacant unexpired term through 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 two members to fill vacant unexpired terms through October 31, 2022 and October 31, 2023.
- **Pirate Harbor Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Placida Area Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.

- **Rotonda Heights Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021 and October 31, 2023.
- **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 three members to fill vacant unexpired terms through October 31, 2021 and October 31, 2023.
- **Rotonda West Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **South Burnt Store Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **South Charlotte Stormwater Unit** is seeking five members to fill vacant unexpired terms through October 31, 2021, October 31, 2022, and October 31, 2023.

REPORTS RECEIVED AND FILED

Report Pursuant to Resolution No. 2012-001 Regarding Settlement of Claims Not Exceeding \$50,000.

Clerk of Court's County Investment Report

CONSENT AGENDA

Commissioner Constance spoke to Bid 20-486, Asphalt Repairs - Annual Contract. **Commissioner Tiseo** commented on Bid 20-486, Asphalt Repairs - Annual Contract.

County Administrator Flores discussed Bid 20-486, Asphalt Repairs - Annual Contract.

COMMISSIONER DOHERTY MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTIONS OF D-2, F-3, F-11, F-13, F-15, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

Clerk of the Circuit Court

A. Comptroller Division

1. Finance

Recommended Action: Approve the Clerk's Finance Memorandum.

Budgeted Action: No action needed.

B. Minutes Division

1. Minutes

Recommended Action: Approve the following Minutes:

July 14, 2020 BCC Regular & Land Use Meeting
July 21, 2020 BCC Board Workshop
July 22, 2020 BCC Tentative Budget Workshop
July 23, 2020 BCC Special Meeting
July 23, 2020 BCC Pre-Agenda
July 28, 2020 BCC Regular & Land Use Meeting
August 6, 2020 BCC Special Meeting & Executive Session
August 22, 2020 BCC Local Emergency Declaration Meeting

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - Harbour Heights Waterway MSBU Advisory Board

Recommended Action: Approve the appointment of Perrin Peterson to fill the unexpired term of Jeff Good as well as an additional new three-year term on the Harbour Heights Waterway MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2023.

Budgeted Action: No action needed.

2. Appointment- Gardens of Gulf Cove Street & Drainage MSBU Advisory Board

Recommended Action: Approve the appointment of Benjamin Sinclair to fill the vacant unexpired term on the Gardens of Gulf Cove Street & Drainage MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2022.

Budgeted Action: No action needed.

3. Appointments- South Charlotte Stormwater MSBU Advisory Board

Recommended Action: Approve the appointment of James Brown, Dr. Mary Ellen Kiss, Richard Mathis, Robert Mercier, and Jeffery Nilsson to the South Charlotte Stormwater MSBU Advisory Board. This is a newly created Advisory Board with five vacant positions. Term lengths will be drawn at the first regular Advisory Board meeting with two terms expiring on October 31, 2021, two terms expiring on October 31, 2022 and one term expiring on October 31, 2023. This appointment will be effective immediately.

Budgeted Action: No action needed.

D. County Administration

1. State Legislative Agenda

Recommended Action: Approve the 2021 State Legislative Agenda.

Budgeted Action: No action needed.

2. Contract with Charlotte County Airport Authority for Airport Rescue and Firefighter Services

Recommended Action: a) Approve revised contract with Charlotte County Airport Authority for Airport Rescue and Firefighter services; and b) Authorize the Chairman to execute agreement. **AGR 2020-049**

Budgeted Action: No action needed. Budgeted in the Fire Rescue Fund - Fire budget that will be approved in the FY2021 budget process.

Chair Truex discussed Charlotte County Airport Authority contract. **Commissioner Constance** mentioned Interlocal Agreement, money loss, services, and facility. **Commissioner Doherty** noted Interlocal Agreement. **Commissioner Tiseo** spoke to Interlocal Agreement, money recapture, and audit.

County Administrator Flores responded to money loss, clawback, Interlocal Agreement, and facility.

COMMISSIONER DOHERTY MOVED TO APPROVE REVISED CONTRACT WITH CHARLOTTE COUNTY AIRPORT AUTHORITY FOR AIRPORT RESCUE AND FIREFIGHTER SERVICES; AND AUTHORIZE THE CHAIRMAN TO EXECUTE INTERLOCAL AGREEMENT 2020-049, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

E. County Attorney

1. Extension 25 of State of Local Emergency - COVID-19

Recommended Action: Approve Resolution extending the State of Local Emergency related to the Novel Coronavirus Disease 2019 (COVID-19). **RES 2020-119**

Budgeted Action: No action needed.

F. Budget and Administrative Services

Fiscal Services

1. Health Department Fee Schedule

Recommended Action: Approve the Health Department Fee Schedule Resolution. **RES 2020-120**

Budgeted Action: No action needed. Budgeted in the Health Department Fund - Health Department budget as approved in the FY2020 budget process. Funding for the expenditure comes from Health Department ad valorem.

2. Set Public Hearing to Adopt 2021 Capital Improvement Program Schedule

Recommended Action: Set a public hearing for 10:00 a.m., September 22, 2020, or as soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider adopting an Ordinance updating and modifying the Capital Improvements Program (CIP) Schedule FY20/21 through FY25/26.

Budgeted Action: No action needed.

Information Technology

Purchasing

3. 20-450, Award, Public Works JB Yard Relocation (Facilities)

Recommended Action: Approve award of Request for Letters of Interest, File #20-450, Work Order #156 (Contract #15-421) Public Works JB Yard Relocation, to Hall Darling Design Studio, in the amount of \$199,950. This is for the design of Charlotte County's Public Works JB Yard.

Budgeted Action: No action needed. Budgeted in Capital Improvements Project "JB Maintenance Yard Relocation" approved via a budget adjustment on January 28, 2020. Funding is supplied from maintenance gas taxes in the Public Works Department budget.

Commissioner Constance commented on construction cost and JB Yard design.

Kim Corbett, Purchasing Senior Division Manager replied to JB Yard design and engineering fees.

Anthony Maddox, Facilities Construction and Maintenance Director interjected on construction cost.

COMMISSIONER CONSTANCE MOVED TO APPROVE AWARD OF REQUEST FOR LETTERS OF INTEREST, FILE #20-450, WORK ORDER #156 (CONTRACT #15-421) PUBLIC WORKS JB YARD RELOCATION, TO HALL DARLING DESIGN STUDIO, IN THE AMOUNT OF \$199,950. THIS IS FOR THE DESIGN OF CHARLOTTE COUNTY'S PUBLIC WORKS JB YARD, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

4. 20-530, Ranking, Construction Manager (CM) at Risk for Public Works Maintenance Yard (Facilities)

Recommended Action: a) Approve ranking of firms for Request for Proposal #20-530 Ranking-Construction Manager (CM) at Risk, Public Works Maintenance Yard: 1st - Wharton-Smith, 2nd - Ajax Building Co., and 3rd - Florida Premier Contractors, LLC; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations . This is for a qualified firm to provide professional Construction Manager (CM) at Risk services as part of a construction team, which includes various design and engineering consultants, and the County.

Budgeted Action: No action needed. Budgeted in Capital Improvements Project "JB Maintenance Yard Relocation," approved by budget adjustment January 28, 2020. A project cost increase was included in the FY21 budget process. Funding is supplied from maintenance gas taxes.

5. 20-486, Award, Asphalt Repairs - Annual Contract (Utilities)

Recommended Action: a) Approve award of Request for Bid #20-486, Asphalt Repairs - Annual Contract to Sunland Paving Inc. of Port Charlotte, Florida at the unit prices indicated on the bid form; and b) Authorize the County Administrator, or his designee, to approve the renewal options up to two (2) additional one-year terms, at the same prices, terms and conditions, by mutual consent. The contract period will be from October 1, 2020 through and including September 30, 2021. This is an annual contract for the services to repair and/or replace asphalt along selected roads and parking areas within Charlotte County.

Budgeted Action: No action needed. Budgeted in the Utility Operating Fund budget as approved in the FY2020 budget process. Funding for the expenditure comes from rate revenues.

6. 20-479, Approve Ranking, Supervisory Control and Data Acquisition Migration (Utilities)

Recommended Action: a) Approve Ranking for Request for Proposal 20-479, Supervisory Control and Data Acquisition Migration: 1st-McKim & Creed, Inc. of Clearwater, Florida; 2nd-Revere Control Systems, Inc. of Birmingham, Alabama; and 3rd- Cintron Consultant Services of Orlando, 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 Utilities Plant Supervisory Control and Data Acquisition (SCADA) System Upgrades project as approved in the FY20 budget process. Funding comes from the Utility Operations and Maintenance Fund.

7. 20-501, Award, Repair/Replace Concrete Flatwork - Annual (Public Works)

Recommended Action: a) Approve Contract #20-501, Repair/Replace Concrete Flatwork - Annual, with ERS Construction, of Punta Gorda, Florida, for the period of October 1, 2020, through and including September 30, 2021, per the attached unit pricing, with an option to renew for two additional one-year terms at the same prices, terms and conditions, upon mutual consent; and b) Authorize the County Administrator, or his designee, to approve renewal options for up to two additional one year terms, at the same prices, terms and conditions, by mutual consent.

Budgeted Action: No action needed. Budgeted in Transportation Trust and various MSBU/TU work programs in road and bridge materials.

8. 20-497, Award, Stormwater Collection System Rehabilitation (Public Works)

Recommended Action: a) Approve award of Bid #20-497, Stormwater Collection System Rehabilitation to the lowest responsive, responsible bidder, Hinterland Group Inc., of Riviera Beach, Florida at the unit prices submitted for a period of October 1, 2020 through and including September 30, 2021; and b) Authorize the County Administrator, or his designee, to approve renewal options for up to two (2) additional one (1) year periods at the same prices, terms and conditions, by mutual consent. The purpose of this bid is to secure the services of a professional, pipe lining Contractor for rehabilitation of existing stormwater sewer pipes, utilizing cured-in-place pipe lining in accordance with industry standards and Federal, State and Local rules, regulations and guidelines on an “as required basis.”

Budgeted Action: No action needed. Supplies will be stored in inventory and charged out to various MSBUs. Funding for this expenditure comes from various MSBUs assessments as consumed.

9. 05-193, Award Amendment #9, Engineering Services-Pirate Harbor Waterway, (Public Works)

Recommended Action: a) Approve award of Amendment #9, Engineering Services-Pirate Harbor Waterway, with Coastal Engineering Consultants, in the amount of \$13,720; and b) Authorize the Chairman to sign the Amendment. This is for implementation of the seagrass mitigation plan and completion of public interest requirements required by State and Federal Permits.

Budgeted Action: No action needed. Funding is available from Pirate Harbor Waterway MSBU project, "Maintenance Dredging" as approved in the FY20 budget process. Funding for this expenditure comes from Pirate Harbor Waterway MSBU assessments.

10. 20-507, Award, Manasota Key Roadway Lighting Maintenance - Annual (Public Works)

Recommended Action: a) Approve award of Request for Bid #20-507, Manasota Key Roadway Lighting Maintenance - Annual Contract to the lowest responsive, responsible bidder, Solo Electric Inc. of Port Charlotte, Florida at the unit price per hour indicated, for a period from October 1, 2020 through and including September 30, 2021 with the option to renew for two (2) additional one-year terms, at the same prices, terms and conditions; and b) Authorize the County Administrator, or his designee, to approve renewal options for up to two (2) one-year terms, at the same prices, terms and conditions, by mutual consent.

Budgeted Action: No action needed. Budgeted in Manasota Key Street and Drainage MSTU as approved in the FY20 budget process. Funding is supplied by Manasota Key Street and Drainage Maintenance MSTU Ad Valorem Revenue.

11. 20-514, Award, Water Quality Analysis (Public Works and Utilities)

Recommended Action: a) Approve multi-award of Bid #20-514, Water Quality Analysis as follows: TS-08 Municipal Solid Waste and TS-09 Stormwater Management to Benchmark EnviroAnalytical Services of Palmetto, Florida; and TS-10 Charlotte County Utilities to Sanders Laboratory, Inc. of Nokomis, Florida at the unit prices listed on the attached tabsheet for the term from October 1, 2020 up to and including September 30, 2021, with option to renew for two additional one-year terms; and b) Authorize the County Administrator, or his designee, to approve the additional renewals at the same prices, terms, and conditions, by mutual consent. This is for various water testing services for the Public Works and Utilities Departments.

Budgeted Action: No action needed. Budgeted in the Utility Operating Fund budget as approved in the FY2021 budget process. Funding for the expenditure comes from rate revenues.

Chair Truex discussed program, testing, and sampling. **Commissioner Constance** mentioned tabulation sheets, testing, sampling, GPS coordinates, Coastal and Heartland National Estuary Partnership (CHNEP), Peace River, Shell Creek, water quality, data, Workshop, Myakka River, Horse Creek, Water Authority, and water permit. **Commissioner Deutsch** noted study, canals, and Manchester Waterway. **Commissioner Doherty** spoke to Water Quality Manager and water permit. **Commissioner Tiseo** commented on Water Quality Director, testing, and process.

Joann Vernon, County Engineer responded to Cooperative Agreement, CHNEP, random samples, GPS coordinates, Southwest Florida Water Management District (SWFWMD), Florida Department of Aquatic Preserves (FDAP), Florida Fish and Wildlife Conservation Commission (FWC), Lemon Bay, Charlotte Harbor, Peace River, tabulation sheets, canals, study, and sediment removal program.

John Elias, Public Works Director interjected on water quality, programs, testing, and contract.

COMMISSIONER CONSTANCE MOVED TO APPROVE MULTI-AWARD OF BID #20-514, WATER QUALITY ANALYSIS AS FOLLOWS: TS-08 MUNICIPAL SOLID WASTE AND TS-09 STORMWATER MANAGEMENT TO BENCHMARK ENVIROANALYTICAL SERVICES OF PALMETTO, FLORIDA; AND TS-10 CHARLOTTE COUNTY UTILITIES TO SANDERS LABORATORY, INC. OF NOKOMIS, FLORIDA AT THE UNIT PRICES LISTED ON THE ATTACHED TABSHEET FOR THE TERM FROM OCTOBER 1, 2020 UP TO AND INCLUDING SEPTEMBER 30, 2021, WITH OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR TERMS; AND AUTHORIZE THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO APPROVE THE ADDITIONAL RENEWALS AT THE SAME PRICES, TERMS, AND CONDITIONS, BY MUTUAL CONSENT. THIS IS FOR VARIOUS WATER TESTING SERVICES FOR THE PUBLIC WORKS AND UTILITIES DEPARTMENTS, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

12. 20-615, Award Piggyback, Microsoft Enterprise Agreement (Information Technology)

Recommended Action: a) Approve “piggyback” award of File #20-615, Microsoft Enterprise Agreement, for an annual price of \$644,860.56 for a 3-year period, which this portion was awarded to CDW, LLC, of Vernon Hills, Illinois, by the Sourcewell Contract #081419-CDW, a 3-year Microsoft Enterprise Agreement #EA2020; and b) Authorize the Chairman to execute agreements.

Budgeted Action: No action needed. Funding from the General Fund - IT Maintenance Budget as approved in the FY2021 budget process.

13. 20-523, Ranking, Comprehensive Self-Insurance Program - Third Party Administration Services (Risk Management)

Recommended Action: Approve ranking of firms for Request for Proposal #20-523 Comprehensive Self-Insurance Program - Third Party Administration Services Annual: 1st - Preferred Government Claim Solutions (PGCS); 2nd - TriStar Risk Enterprise Management; and 3rd - PMA Management Corp.; and b) Authorize the Chairman to sign the contract; and c) Authorize the County Administrator, or his designee, to approve two additional one-year renewals at the same prices, terms, and conditions by mutual consent.

Budgeted Action: No action needed. Budgeted in the Health Insurance Trust Fund budget as approved in the FY20 budget process. Funding for the expenditure comes from insurance premium charges.

Commissioner Constance discussed tabulation sheet, bidders, and scoring.

Ms. Corbett replied to individual scores, tabulation sheet, and bidders.

COMMISSIONER CONSTANCE MOVED TO APPROVE RANKING OF FIRMS FOR REQUEST FOR PROPOSAL #20-523 COMPREHENSIVE SELF-INSURANCE PROGRAM - THIRD PARTY ADMINISTRATION SERVICES ANNUAL: 1ST - PREFERRED GOVERNMENT CLAIM SOLUTIONS (PGCS); 2ND - TRISTAR RISK ENTERPRISE MANAGEMENT; AND 3RD - PMA MANAGEMENT CORP.; AND AUTHORIZE THE CHAIRMAN TO SIGN THE CONTRACT; AND AUTHORIZE THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO APPROVE TWO ADDITIONAL ONE-YEAR RENEWALS AT THE SAME PRICES, TERMS, AND CONDITIONS BY MUTUAL CONSENT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

14. 20-506, Award, Ainger Creek Bridge Repairs (Public Works)

Recommended Action: Approve award of Request for Bids #20-506, Ainger Creek Bridge Repairs, to V & H Construction, Inc. of Fort Myers, Florida for a total project cost of \$361,856.46. This project consists of bridge repairs to the CR775 bridge over Ainger Creek (Bridge #010062).

Budgeted Action: No action needed. Budgeted in the Public Works Bridge Capital Maintenance Plan approved in the FY20 budget process. Funding is supplied from maintenance gas taxes.

15. 19-311, Amendment 2, Construction Manager (CM) at Risk, Airport Rescue and Fire Fighter (ARFF) Training Simulator Facility (Facilities)

Recommended Action: a) Approve Amendment #2 to Contract #19-311, Construction Manager (CM) at Risk, Airport Rescue and Fire Fighter (ARFF) Training Simulator Facility with Wharton-Smith, Inc. for additional material purchases in the amount of \$303,734; and b) Authorize the Chairman to sign Amendment #2 to the Contract for the Construction Manager (CM) at Risk, ARFF Training Simulator Facility.

Budgeted Action: No action needed. Budgeted in Capital Improvements Project "Public Safety Security Modifications" approved in the FY20 budget process. Funding is supplied from Capital Projects ad valorem.

Commissioner Constance mentioned Airport Rescue and Fire Fighter (ARFF) Training Simulator Facility funding, preparation, Punta Gorda Airport, and contract. **Commissioner Tiseo** noted economic impact and regional training facility.

Mr. Maddox responded to ARFF funding, construction, state requirements, simulator, utilities, and preparation.

COMMISSIONER CONSTANCE MOVED TO APPROVE AMENDMENT #2 TO CONTRACT #19-311, CONSTRUCTION MANAGER (CM) AT RISK, AIRPORT RESCUE AND FIRE FIGHTER (ARFF) TRAINING SIMULATOR FACILITY WITH WHARTON-SMITH, INC. FOR ADDITIONAL MATERIAL PURCHASES IN THE AMOUNT OF \$303,734; AND AUTHORIZE THE CHAIRMAN TO SIGN AMENDMENT #2 TO THE CONTRACT FOR THE CONSTRUCTION MANAGER (CM) AT RISK, ARFF TRAINING SIMULATOR FACILITY, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

16. Property Deletions for the Month of September, 2020 (Purchasing)

Recommended Action: Approve the deletion of additional property inventory items listed on the attached for the month of September 2020.

Budgeted Action: No action needed.

Real Estate Services

Risk Management

Transit

G. Community Development

H. Community Services

1. Resolution for Community Services Facility Use Agreement

Recommended Action: a) Resolution approving the form agreement between Charlotte County and Athletic Leagues and other community organizations for the use of County facilities; and b) Authorizing the County Administrator, or his designee, to execute the agreements on behalf of the County; and c) Authorizing the County Administrator, or his designee, to make minor formal, but not substantive, changes to agreements. **RES 2020-121**

Budgeted Action: No action needed. No financial impact.

2. Park Renaming - Katherine Ariens Dog Park (Edgewater Dog Park)

Recommended Action: Approve renaming Edgewater Dog Park to Katherine Ariens Dog Park. **RES 2020-122**

Budgeted Action: No action needed. No financial impact.

3. Park Renaming - John Hitzel Pavilion at Spring Lake Park

Recommended Action: Approve naming of the waterfront pavilion at Spring Lake Park the John Hitzel Pavilion. **RES 2020-123**

Budgeted Action: No action needed. No financial impact.

I. Economic Development

1. Project Mike

(Change #1) Adopt Resolution and Approve Program Agreement authorizing ~~\$41,000~~ **\$35,000** Economic Development Incentive to attract Latitude Tournament Boats & Attitude Airboats, Inc. as inducement to bring new jobs and capital investment to Charlotte County for their new manufacturing facility.

In June 2011, the BCC approved the creation of a dedicated funding source for future Economic Incentives. As of September 1, 2020, the total available budget after reserves for the Business Recovery Grant Program is ~~\$1,597,325.00~~ **\$1,456,175.00** Financial Impact Summary Statement: Funding for this item is budgeted in the General Fund.

Added attachments – Revised Resolutions and Revised Program Agreement.

Recommended Action: Adopt Resolution and Approve Program Agreement authorizing \$41,000 Economic Development Incentive to attract Latitude Tournament Boats & Attitude Airboats, Inc. as inducement to bring new jobs and capital investment to Charlotte County for their new manufacturing facility. **AGR 2020-050 / RES 2020-124**

Budgeted Action: In June 2011, the BCC approved the creation of a dedicated funding source for future Economic Incentives. As of 9/1/2020, the total available budget after reserves for the Business Recovery Grant Program is \$1,597,325.00. Financial Impact Summary Statement: Funding for this item is budgeted in the General Fund.

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

1. State Housing Initiatives Partnership (SHIP) Interim Annual Report

Recommended Action: a) Approve the State Housing Initiatives Partnership (SHIP) interim Annual Report; and b) Authorize the Chairman to sign the interim Annual Report Certification.

Budgeted Action: No action needed.

2. Disposition of County Surplus Properties to Nonprofit Organizations to Create and Maintain Affordable Housing

(Change #2) Added attachments – Fitz PGDC LURA, East Helen Avenue PGCD LURA, Showalter PGDC LURA, Punta Gorda Development Corporation Resolution.

Recommended Action: a) Approve Resolution to declare county owned real properties surplus under Florida Statutes Section and authorizing staff to dispose of the properties; and b) Approve Resolution to authorize Real Estate Services to convey surplus properties to Peace River Community Housing Partners (PORCH) and to execute related Land Use Restriction Agreements (LURA) for each parcel; and c) Approve Resolution to authorize Real Estate Services convey surplus properties to Punta Gorda Housing Authority and to execute related Land Use Restriction Agreements (LURA) for each parcel; and d) Approve Resolution to authorize Real Estate Services convey surplus properties to Community Assisted and Supported Living (CASL) and to execute related Land Use Restriction Agreements (LURA) for each parcel. **AGR 2020-051 – AGR 2020-061 / RES 2020-125 – RES 2020-128**

Budgeted Action: No action needed.

M. Public Safety

1. Tower Lease Agreement with Verizon Wireless

Recommended Action: Approve Tower Lease Agreement with Verizon Wireless.

Budgeted Action: No action needed. Budgeted in the Radio Communications Fund - Radio budget as approved in the FY2020 budget process. Funding for this revenue will go to the Radio Communications Fund. **AGR 2020-062**

2. Public Emergency Medical Transportation Managed Care Organization Program

Recommended Action: Approval to execute the letters of agreement for Managed Care Organizations Vivida Health and Molina which is required for receiving supplemental payment. **AGR 2020-063 / AGR 2020-064**

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.

3. General Infrastructure Program - Charlotte Behavioral Energy Resiliency Project Application

Recommended Action: Approval to apply for a pass-through grant to Charlotte Behavioral Health Care from the Department of Economic Opportunity in the amount of \$611,469.60.

Budgeted Action: No action needed. A budget amendment will be submitted in FY21 if the project is approved. There is no County match required.

N. Public Works

O. Tourism Development

P. Utilities

Q. Other Agencies

REGULAR AGENDA

R. Regular Agenda

1. Appoint by Ballot: Tourist Development Council

Commission Office

Choose by ballot a volunteer to serve on the Tourist Development Council representing the Tourism Accommodations Member category. The term is four years.

County Administrator Flores announced the ballot majority vote for Kathy Burnam.

COMMISSIONER CONSTANCE MOVED TO APPOINT BY BALLOT KATHY BURNAM TO THE TOURIST DEVELOPMENT COUNCIL, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

2. WCIND Agenda, September 10, 2020

Community Services

(Change #3) Added attachments – WCIND Agenda September 10, 2020.

Discussion and direction on the West Coast Inland Navigation District (WCIND) agenda for the upcoming meeting on September 10, 2020.

Justin McBride, West Coast Inland Navigation District (WCIND) Executive Director gave a brief overview of WCIND Agenda, September 10, 2020 and responded to Board inquiries.

Commissioner Constance spoke to Budget Discussion and Millage Rate Options, Derelict/Abandoned Vessels – Update/Information Only, and Board letter.

RECESS: 9:58 am – 11:17 am

3. COVID19 Response Update

County Administration

(Change #4) Added attachments – Community Organizations Active in Disaster (COAD) Update presentation.

a) Update on Charlotte County’s COVID-19 response; and b) CARES Act funding update.

Patrick Fuller, Emergency Management Director gave a brief overview of Department of Health and Human Services (HHS), masks, Florida Department of Emergency Management (FDEM), schools, personal protection equipment (PPE), long term care facilities, visitation, vaccine distribution, points of dispensing plan, and tropics forecast.

Joseph Pepe, Florida Department of Health (FDOH) Administrator gave a brief overview of Florida COVID-19 Data and Surveillance Dashboard, serology testing, antibodies, death calculations, outbreak positivity, long term care facilities, hospital system, hospitalizations, budget, intensive care unit (ICU) utilization, and adjacent counties.

Carrie Walsh, Human Services Director gave a brief overview of Food Task Force Update, Youth and Education Task Force, COAD Financial Applications, COAD Financial Assistance by Program, Weekly Government Funds Tracker, Client Headcount and Funding by Zip Code, Charlotte CARES Partners, Funding, CARES Act Request for Proposals (RFP) for Nonprofits, Organization Name / Requested, Timeline and Overview, 2020 Charlotte County Unemployment vs FL, and Eviction and Foreclosure Moratorium extended by Governor DeSantis through September 30, 2020.

Dave Gammon, Economic Development Director gave a brief overview of CARES for Business Recovery Grant Program, funds issued, and Payroll Protection Program (PPP) funds.

Craig Rudy, Utilities Director gave a brief overview of Delinquent Accounts, Connections per Zip Code, Delinquent Accounts vs Total Owed, Delinquent Accounts vs Average Amount Owed, and Delinquent Accounts.

Sean Doherty, Tourism Development Interim Director gave a brief overview of Tourist Development Tax (TDT) collection and visitation numbers, Aqua Marketing and Communications, Inc., Tourism Marketing Recovery Plan, Outsiders Welcome Back, Smith Travel Research (STR) report, occupancy, BMX Regional Event, and Sugar Bert Boxing.

Gordon Burger, Budget and Administrative Services Director gave a brief overview of Charlotte County Coronavirus Aid, Relief, and Economic Security Act (CARES Act).

Cameron Pennant, Legislative Manager gave a brief overview of eviction moratorium, Revenue Estimating Conference, revenue exemption, CARES Act, Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act, Health, Economic Assistance, Liability Protection and Schools (HEALS) Act, stock market, and economy.

Chair Truex commented on utility non-payments, businesses, requirements, funds, landlord utility responsibility, taxes, and utilities grant. **Commissioner Constance** discussed death rate, hospital availability, staffing, medications, PPE, Youth and Education Task Force, funding, timing, unemployment, Business Recovery Grant Program, funds accountability, PPP, requirements, tourism, Sugar Bert Boxing, spacing, Aqua Marketing and Communications, Inc., Tourist Development Council (TDC), and tentative budget. **Commissioner Deutsch** mentioned business location, utilities grant, non-residential delinquent accounts, and Economic Development. **Commissioner Doherty** noted audit, taxpayer dollars, allocation, deadline, eviction and foreclosure moratorium, landlords, utilities cost, taxes, grant, funds, penalties, and Treasury Department. **Commissioner Tiseo** spoke to Governor DeSantis, process implementation, Youth and Education Task Force, funding, reserves, CARES Act, budget, PPP, audits, requirements, vacation rentals, impacts, tourism, Business Recovery Grant Program, utility operation impacts, rate increases, Capital Improvement Projects (CIP), numbers, COVID-19, utility grant, unemployment, traffic, staffing, Treasury Department, Emergency Management Department, guidance, and consistency.

County Attorney Knowlton interjected on CARES Act, revenue replacement, grants, and Treasury Department.

COMMISSIONER DEUTSCH MOVED TO APPROVE OPENING UP THE BUSINESS RECOVERY GRANT PROGRAM TO BUSINESSES BEING LOCATED IN CHARLOTTE COUNTY WITH BUSINESS OWNER LIVING OUTSIDE OF CHARLOTTE COUNTY AND PEOPLE WHO HAVE HAD PAYROLL PROTECTION PROGRAM (PPP), ECONOMIC INJURY DISASTER LOANS (EIDL), BRIDGE LOANS, AND ANY OTHER LOCAL, STATE, OR FEDERAL ASSISTANCE, NOT INCLUDING OURS, OR INSURANCE PROCEEDS ARE ELIGIBLE TO APPLY

MOTION FAILED DUE TO LACK OF SECOND

4. State Legislative Agenda

County Administration

(Change #5) Added attachments – Draft 2021 State Legislative Agenda Items Budget Analysis presentation, Draft 2021 State Legislative Agenda Items, Draft 2021 Full State Legislative Agenda.

Moved Item from Consent Agenda to Regular Agenda.

Approve the 2021 State Legislative Agenda.

Mr. Pennant gave a brief overview of Appropriation Items: Justice Center Improvements / Fire Station #2 Replacement, Hurricane Loss Mitigation Program (HLMP) and Hurricane Shelter Retrofit program, and Policy Issues.

Chair Truex commented on Workshop, process, and COVID-19. **Commissioner Constance** discussed appropriation requests, WCIND, Treasury Department, State, non-profits, and time extension. **Commissioner Doherty** mentioned session, priorities, and appropriations.

COMMISSIONER TISEO MOVED TO APPROVE THE 2021 STATE LEGISLATIVE AGENDA, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

PUBLIC INPUT - ANY SUBJECT

Tim Ritchie noted Bartow gypstack system, Desoto County, Mosaic, gallons per day discharged, Florida Department of Environmental Protection (FDEP), Attorney Jeff Brown, expiration fracking, Everglades, Administrative Hearing, and Desoto Beneficiation Plan.

Robert Craft spoke to termination, Fit for Duty exam, Americans with Disability Act (ADA) accommodations, predetermination hearing notification, Tony Pribble, trespassing, Sunshine Law, psychologist letters, Charlotte County Employee Assistance Program (EAP), accommodation worksheet, Constitution, and facts.

RECESS: 1:00 pm – 2:00 pm

2 P.M. LAND USE AGENDA

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY

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

MOTION CARRIED 5:0.

Consent Agenda

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

MOTION CARRIED 5:0.

UA1. CSZ-20-04 Boca Grande Ventures, LLC

Community Development

A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of a Sending Zone, located at 1951 Wisconsin Avenue, in the Grove City area; containing 1.603± acres; for calculation and severance of five density units and the retention of three density units, in accordance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-20-04; Applicant: Boca Grande Ventures, LLC; providing an effective date. **RES 2020-129**

Quasi-Judicial

UA2. DRC-20-00056 Heritage Landing Ph. II A

Community Development

Adopt a Resolution to approve a Final Detail Site Plan for Heritage Landing Phase II A, a residential development. The proposed development consists of 164 single family and 92 multi-family units with associated infrastructure. This project site is 386.35 acres on an 890.74 +/- acre development and is located at 14040 Heritage Landing Boulevard, Punta Gorda, FL. The applicant is Banks Engineering. **RES 2020-130**

Quasi-Judicial

Public Hearing

Minutes Clerk Light administered oath for testimony.

UB1. TCP-20-01, Future Land Use (FLU) Appendix VI: Developments of Regional Impact

Community Development

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large-scale Plan Amendment; 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. **ORD 2020-032**

Legislative

Jie Shao, Principal Planner gave a brief overview of Proposed Changes, Developments of Regional Impacts (DRI's), Increment IV of the Murdock Center DRI Area Image, Proposed Detail Changes, Land Use / Development Right, and Murdock Center Land Use Increment IV Equivalency Matrix.

Attorney Rob Berntsson, Applicant Representative commented on application, amendment, and requested approval.

Commissioner Deutsch commented on parcel. **Commissioner Doherty** discussed Land Use / Development Right.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE TCP-20-01, FUTURE LAND USE (FLU) APPENDIX VI: DEVELOPMENTS OF REGIONAL IMPACT ITEM UB1, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2020-032 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN AMENDMENT TO CHARLOTTE COUNTY'S COMPREHENSIVE PLAN, 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. TCP-20-01; APPLICANT: CENTENNIAL BANK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB2. Ordinance Adopting PA-19-08-17, P. F. Poinciana LLC

Community Development

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to High Density Residential (HDR), increasing density from 37 units to 112 units; for property located at 24258 Harborview Road and 4088 Oakview Drive, in the Port Charlotte area, containing 7.48± acres; Commission District I; Petition No. PA-19-08-17; applicant: P. F. Poinciana LLC; providing an effective date.

Legislative

Matt Trepal, Principal Planner requested to be accepted as an expert, gave a brief overview of Proposed Changes, Location Map, 1000' Buffer Map, Area Image, Site Image, 2019 Google Earth Image, Framework, FLUM Designations, Zoning Designations, PD Concept Plan, Proposed Future Land Use Map (FLUM) Designations, and Proposed Zoning Designations.

Attorney Geri Waksler, Applicant Representative gave a brief overview of elevations, architectural designs, Tala Lake Condominium plat, Comprehensive Plan, FLU Policy 1.2.4, FLU Policy 1.1.3, Housing Policy 1.1.3, FLU Policy 4.1.7, Together Charlotte 2020 Housing Report, uses, Harborview Road, Charlotte County Property Appraiser - Real Property Record Card, utilities, traffic analysis and signal, Site Plan, landscape buffers, setbacks, impacts, Letter to the Editor, accommodations, rezoning's, Joint Ventures, LLC v. DOT, density, units, traffic, PD, building height, River Club, services, housing, The Springs, rezoning, traffic study, land use plan, requested approval, and accepted Mr. Trepal and Mr. Cullinan as experts.

Minutes Clerk Light administered oath for testimony.

Chair Truex noted meetings, testimony, developer, affordable housing, nearby development, and requirements. **Commissioner Constance** spoke to density, zoning, Planned Development (PD), Planning and Zoning (P & Z), property cost, development rights, and details. **Commissioner Deutsch** commented on Peachland Boulevard parcel, Tala Lakes, acres, units, parcel size, spot zoning, floodplain, evacuation routes, housing, property owner rights, and details. **Commissioner Doherty** discussed Comprehensive Plan, amendment, Conceptual PD, final detail site plan approval, process, details, Eagle Lakes, master stormwater plan, drainage, density, units, parcel geometry, land use, height restrictions, housing, codes, multi-family need, and waterfront line. **Commissioner Tiseo** mentioned staff report, PD Concept Plan, site plan, buffers,

development standards, general range and sub-neighborhood uses, community meetings, FLU Policy 1.1.1: Planning Principles, stakeholder collaboration, FLU Policy Objective 1.4: Protection of Private Property Rights, FLU 4.1.6: Neighborhood Compatibility, Planning and Zoning Meeting minutes, evidence, standards, development rights, density, project transparency, Board Rule 1.12(e), county code, zoning, impacts, The Springs, alternatives, process, and land use regulations.

Shaun Cullinan, Planning and Zoning Official replied to Comprehensive Plan, FLU Policy 1.1.1: Planning Principles, stakeholder and community meetings, public hearings, rezoning's, outreach, buffering, PD changes, density, zoning, units, multi-family structures, Future Land Use Map (FLUM), stormwater, road widening and connections, parcel, waterfront line, flood zones, Tala Lakes community, floodplain, land uses, and P & Z.

Todd Rebol, Banks Engineering remarked on stormwater, Water Management District permit, and Concept Plan.

Michael Haymans interjected on Future Land Use Plan, requirements, development, smart growth, goods and services, vehicle counts, Peace River, Water Overlay District, building height and length, road expansion, zoning, code provisions, housing, conditions, PD, and density.

Assistant County Attorney Thomas David replied to land use designation and units per acres.

Public Input for Petition Number Ordinance Adopting PA-19-08-17, P. F. Poinciana LLC and PD-20-00002, P. F. Poinciana LLC

Hermann Pfisterer spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, noted life quality, density, and Comprehensive Plan.

Valsa Manacheril commented on FLU Policy language.

Nancy Plymale spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, discussed neighborhood, Eagle Lake, parcel, Comprehensive Plan, changes, density, services, Harborview Road, Peachland Boulevard parcel, building permit, and PD site plan.

Rita Mueller spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, mentioned Comprehensive Plan, zoning, density, neighborhood, 2050 Master Plan, Harborview Road, and traffic.

Lydia Rist spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, noted traffic, public safety, zoning, FLUM, and density.

Thomas Workman spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, commented on building height, living square footage, and Tala Lakes buildings.

Jack Cooley spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, discussed density, 2050 Master Plan, River Club, zoning, units, Harborview Road, Loveland Court Yards, Park Place Estates, and services.

Phil Huddleston spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, mentioned Comprehensive Plan.

Gail Athinakis spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, noted zoning changes, Harborview Road, density, evacuation route, and flood zone.

Ann Margaret Podalsky spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, commented on density, plan, developments, Harborview Road widening, evacuation path, traffic, public safety, lake, landscape, stormwater drainage, U.S. 41 and Interstate 75 access, and amenities.

Michael Haymans spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, discussed Future Land Use Plan, Comprehensive Plan, Land Development Regulation (LDR), Peace River, roadway construction, condemnation, density, PD, details, private rights, and service level.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO DENY PA-19-08-17, SECONDED BY COMMISSIONER TISEO

MOTION FAILED 2:3., CHAIR TRUEX, COMMISSIONER DEUTSCH, AND COMMISSIONER DOHERTY OPPOSED

COMMISSIONER DEUTSCH MOVED TO CONTINUE THIS ITEM, NOT TIME CERTAIN, APPLICANT WILL COME BACK WHEN READY, MEET WITH STAFF, AND HAVE APPROPRIATE MEETINGS WITH THE COMMUNITY, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB3. PD-20-00002, P. F. Poinciana LLC

Community Development

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multifamily 5 (RMF-5) to Planned Development (PD), increasing density from 37 units to 112 units, for property located at 24258 Harborview Road and 4088 Oakview Drive, in the Port Charlotte area, containing 7.48± acres; Commission District I; Petition No. PD-20-00002; applicant: P. F. Poinciana LLC; providing an effective date.

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.

Matt Trepal, Principal Planner requested to be accepted as an expert, gave a brief overview of Proposed Changes, Location Map, 1000' Buffer Map, Area Image, Site Image, 2019 Google Earth Image, Framework, FLUM Designations, Zoning Designations, PD Concept Plan, Proposed FLUM Designations, and Proposed Zoning Designations.

Attorney Geri Waksler, Applicant Representative gave a brief overview of elevations, architectural designs, Tala Lake Condominium plat, Comprehensive Plan, FLU Policy 1.2.4, FLU Policy 1.1.3, Housing Policy 1.1.3, FLU Policy 4.1.7, Together Charlotte 2020 Housing Report, uses, Harborview Road, Charlotte County Property Appraiser - Real Property Record Card, utilities, traffic analysis and signal, Site Plan, landscape buffers, setbacks, impacts, Letter to the Editor, accommodations,

rezoning's, Joint Ventures, LLC v. DOT, density, units, traffic, PD, building height, River Club, services, housing, The Springs, rezoning, traffic study, land use plan, requested approval, and accepted Mr. Trepal and Mr. Cullinan as experts.

Minutes Clerk Light administered oath for testimony.

Chair Truex noted meetings, testimony, developer, affordable housing, nearby development, and requirements. **Commissioner Constance** spoke to density, zoning, Planned Development (PD), Planning and Zoning (P & Z), property cost, development rights, and details. **Commissioner Deutsch** commented on Peachland Boulevard parcel, Tala Lakes, acres, units, parcel size, spot zoning, floodplain, evacuation routes, housing, property owner rights, and details. **Commissioner Doherty** discussed Comprehensive Plan, amendment, Conceptual PD, final detail site plan approval, process, details, Eagle Lakes, master stormwater plan, drainage, density, units, parcel geometry, land use, height restrictions, housing, codes, multi-family need, and waterfront line. **Commissioner Tiseo** mentioned staff report, PD Concept Plan, site plan, buffers, development standards, general range and sub-neighborhood uses, community meetings, FLU Policy 1.1.1: Planning Principles, stakeholder collaboration, FLU Policy Objective 1.4: Protection of Private Property Rights, FLU 4.1.6: Neighborhood Compatibility, Planning and Zoning Meeting minutes, evidence, standards, development rights, density, project transparency, Board Rule 1.12(e), county code, zoning, impacts, The Springs, alternatives, process, and land use regulations.

Shaun Cullinan, Planning and Zoning Official replied to Comprehensive Plan, FLU Policy 1.1.1: Planning Principles, stakeholder and community meetings, public hearings, rezoning's, outreach, buffering, PD changes, density, zoning, units, multi-family structures, FLUM, stormwater, road widening and connections, parcel, waterfront line, flood zones, Tala Lakes community, floodplain, land uses, and P & Z.

Todd Rebol, Bank Engineering remarked on stormwater, Water Management District permit, and Concept Plan.

Michael Haymans interjected on Future Land Use Plan, requirements, development, smart growth, goods and services, vehicle counts, Peace River, Water Overlay District, building height and length, road expansion, zoning, code provisions, housing, conditions, PD, and density.

Assistant County Attorney Thomas David replied to land use designation and units per acres.

Public Input for Petition Number Ordinance Adopting PA-19-08-17, P. F. Poinciana LLC and PD-20-00002, P. F. Poinciana LLC

Hermann Pfisterer spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, noted life quality, density, and Comprehensive Plan.

Valsa Manacheril commented on FLU Policy language.

Nancy Plymale spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, discussed neighborhood, Eagle Lake, parcel, Comprehensive Plan, changes, density, services, Harborview Road, Peachland Boulevard parcel, building permit, and PD site plan.

Rita Mueller spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, mentioned Comprehensive Plan, zoning, density, neighborhood, 2050 Master Plan, Harborview Road, and traffic.

Lydia Rist spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, noted traffic, public safety, zoning, FLUM, and density.

Thomas Workman spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, commented on building height, living square footage, and Tala Lakes buildings.

Jack Cooley spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, discussed density, 2050 Master Plan, River Club, zoning, units, Harborview Road, Loveland Court Yards, Park Place Estates, and services.

Phil Huddleston spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, mentioned Comprehensive Plan.

Gail Athinakis spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, noted zoning changes, Harborview Road, density, evacuation route, and flood zone.

Ann Margaret Podalsky spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, commented on density, plan, developments, Harborview Road widening, evacuation path, traffic, public safety, lake, landscape, stormwater drainage, U.S. 41 and Interstate 75 access, and amenities.

Michael Haymans spoke against PA-19-08-17 and PD-20-00002, P. F. Poinciana LLC, discussed Future Land Use Plan, Comprehensive Plan, Land Development Regulation (LDR), Peace River, roadway construction, condemnation, density, PD, details, private rights, and service level.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO DENY PA-19-08-17, SECONDED BY COMMISSIONER TISEO

MOTION FAILED 2:3., CHAIR TRUEX, COMMISSIONER DEUTSCH, AND COMMISSIONER DOHERTY OPPOSED

COMMISSIONER DEUTSCH MOVED TO CONTINUE THIS ITEM, NOT TIME CERTAIN, APPLICANT WILL COME BACK WHEN READY, MEET WITH STAFF, AND HAVE APPROPRIATE MEETINGS WITH THE COMMUNITY, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB4. PAL-20-00003, San Casa

Community Development

Adopt an Ordinance pursuant to Section 163.3184(3), Florida Statutes, a Large-scale Plan Amendment 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. **ORD 2020-033**

Legislative

Ms. Shao gave a brief overview of Proposed Change, 1000' Buffer Map, Location Map, Area Image, Framework, FLUM Designations, Existing Zoning Designations, and Proposed Zoning Designations.

Chair Truex mentioned application, units, and density. **Commissioner Constance** noted June 23, 2020 meeting, minutes, public input, plat, lot six, and density. **Commissioner Deutsch** spoke to units. **Commissioner Tiseo** commented on application, development standards, staff report, zoning, density, building height, lot coverage, commercial, units, public hearing, and Board of Zoning Appeals (BZA).

County Attorney Knowlton responded to minutes.

Attorney Rob Berntsson, Applicant Representative discussed PD, contracts, lots four and five, rezoning, Comprehensive Plan Amendment, transfer of density units (TDU's), plat, lot six, and easement.

Mr. Cullinan interjected on urban service area, zoning, Comprehensive Plan, by-rights, special exception, public hearings, and opportunity zone.

Public Input for Petition Number PAL-20-00003, San Casa and Z-20-46-17, San Casa

Gary Jones spoke against PAL-20-00003, Z-20-46-17, San Casa, mentioned notification, mailing buffer, June 23, 2020 meeting, zoning, estate homes, and scrub jays.

Donna Ping Waldren spoke against PAL-20-00003, Z-20-46-17, San Casa, noted Florida State Planning and Zoning Department, property, rezoning, special exemptions, opportunity zone, contingent sale, June 23, 2020 meeting, Comprehensive Plan, and federal funding projects.

Robert Waldren spoke against PAL-20-00003, Z-20-46-17, San Casa, commented on listed properties, closing date, (RE1), PD41, and property value.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2020-033 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, AMENDING THE COUNTY'S COMPREHENSIVE PLAN BY ADDING 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, MORE OR LESS; CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT III; PETITION PAL-20-00003; APPLICANTS, CASA SAND, LLC, LAKE HURST HOLDINGS, LLC, AND SAN CASA INVESTMENTS, LLC; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB5. Z-20-46-17, San Casa

Community Development

Adopt an Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to Residential Estate 1 (RE-1), increasing density from one unit to five units (the existing PD allows for up to 41 single-family homes); 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. Z-20-46-17; Applicants: Casa Sand, LLC, Lake Hurst Holdings, LLC, and San Casa Investments, LLC; providing an effective date. **ORD 2020-034**

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 gave a brief overview of Proposed Change, 1000' Buffer Map, Location Map, Area Image, Framework, FLUM Designations, Existing Zoning Designations, and Proposed Zoning Designations.

Chair Truex mentioned application, units, and density. **Commissioner Constance** noted June 23, 2020 meeting, minutes, public input, plat, lot six, and density. **Commissioner Deutsch** spoke to units. **Commissioner Tiseo** commented on application, development standards, staff report, zoning, density, building height, lot coverage, commercial, units, public hearing, and BZA.

County Attorney Knowlton responded to minutes.

Attorney Rob Berntsson, Applicant Representative discussed PD, contracts, lots four and five, rezoning, Comprehensive Plan Amendment, transfer of density units (TDUs), plat, lot six, and easement.

Mr. Cullinan interjected on urban service area, zoning, Comprehensive Plan, by-rights, special exception, public hearings, and opportunity zone.

Public Input for Petition Number PAL-20-00003, San Casa and Z-20-46-17, San Casa

Gary Jones spoke against PAL-20-00003, Z-20-46-17, San Casa, mentioned notification, mailing buffer, June 23, 2020 meeting, zoning, estate homes, and scrub jays.

Donna Ping Waldren spoke against PAL-20-00003, Z-20-46-17, San Casa, noted Florida State Planning and Zoning Department, property, rezoning, special exemptions, opportunity zone, contingent sale, June 23, 2020 meeting, Comprehensive Plan, and federal funding projects.

Robert Waldren spoke against PAL-20-00003, Z-20-46-17, San Casa, commented on listed properties, closing date, (RE1), PD41, and property value.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2020-034 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO RESIDENTIAL ESTATE 1 (RE-1), INCREASING DENSITY TO FIVE UNITS, FOR PROPERTY LOCATED AT 6530, 6600, 6640, AND 6650 SAN CASA DRIVE, IN THE ENGLEWOOD AREA, CONTAINING 19.9 ACRES MORE OR LESS, COMMISSION

DISTRICT III, CHARLOTTE COUNTY, FLORIDA; PETITION Z-20-46-17; APPLICANTS, CASA SAND, LLC, LAKE HURST HOLDINGS, LLC, AND SAN CASA INVESTMENTS, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB6. PD-20-00003, Neslund Family Ltd. Partnership II

Community Development

Adopt an Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Planned Development (PD) for completion of the existing mine and adding a reservoir use in the existing lake area; for property located north of the Lee County Line, south of Zemel Road, east of Tamiami Trail (US 41) and west of I-75, in the South County area, containing 1,203.84± acres; Commission District II; Petition No. PD-20-00003; Applicant: Richard Neslund, Neslund Family Ltd. Partnership II.

Quasi-Judicial

Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo submitted the required Ex Parte Disclosure forms to the Clerk's Office.

Ms. Shao gave a brief overview of Proposed Change, 1000' Buffer Map, Location Map, Area Image, Framework, FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, and Neslund Rural Community Mixed Use (RCMU) Phase I Concept Plan.

Attorney Rob Berntsson, Applicant Representative discussed excavation permits, mining, project development, zoning, uses, reservoir, City of Cape Coral, surrounding area wells, water pumping and flow, agreement, piping system, Comprehensive Plan Amendment, PD, restoration plan, and requested approval.

Chair Truex discussed water table, lake and water levels, excavation pit depth, monitoring wells, community point person, and advertisement. **Commissioner Constance** noted commercial mining, PD, reservoir, water pumping, SWFWMD, criteria, drainage, gallons sent, water level, ground elevation, improvements, metering, monitoring wells, and map. **Commissioner Deutsch** spoke to City of Cape Coral, water, environmental impact study, aquifer, Mosaic, septic systems, impacts, reservoir, resident protection, and testing. **Commissioner Doherty** mentioned monitoring wells, frequency, Florida Department of Transportation (FDOT), South Florida Water Management District (SFWMD), data, resident impacts, and SWFWMD. **Commissioner Tiseo** commented on water pumping, regulatory agencies, permits, mining, restoration plan, redevelopment, PD, reservoir, City of Cape Coral, zoning, staff recommendations, impacts, monitoring wells, location, right of way, samples, data, and existing guidelines.

Dan DeLisi, Applicant Land Use Manager discussed consumptive use permitting, SFWMD, Broward County C51 Reservoir, City of Cape Coral, emergency water supply, watering restrictions, aquifer levels, monitoring wells, and SWFWMD.

Minutes Clerk Light administered oath for testimony.

County Attorney Knowlton interjected on rebuttal and new monitoring well funding.

Gary Bayne, Southwest Engineering mentioned permitting process, environmental impacts, Emergency State Order, monitoring and resident wells, mine, depth, water and ground elevation, reservoir, water transfer, hydraulic barrier, resident protection, piping, data, Water Management District, FDOT, FDEP, ditch plugs, water flow, City of Cape Coral, pumping criteria, gallons sent, surplus water, stormwater, bond, rainfall, canals, Charlotte Flatwoods initiative, and metering.

Mr. Cullinan noted zoning, code, RCMU, reservoir, FLUM, PD, Comprehensive Plan, advertisement, roads, and right of way.

Assistant County Attorney Thomas David spoke to monitoring wells, locations, timeframe, and funding.

Public Input

Ruth Keiling spoke against PD-20-00003, Neslund Family Ltd. Partnership II, commented on zoning change, density, development, water, Lee County, proposal, permits, mining, City of Cape Coral, public hearings, SFWMD, SWFWMD, acquired lands, reservoir, dry seasons, water table, complaint contact person, contingency actions, unreasonable use law, property value, and FDOT.

Kim Hite spoke against PD-20-00003, Neslund Family Ltd. Partnership II, discussed petition site, Planning and Zoning Board meeting, Cecil Webb, City of Cape Coral, infrastructure, FWC, Water Management Information System Permit 20808.000, aquifer, reservoir, wells, reference point, and protection contingency.

Kenneth McInnis spoke against PD-20-00003, Neslund Family Ltd. Partnership II, mentioned wells, ground water, reverse osmosis, suction, recharge time, and geographic information system (GIS).

Randy Keiling spoke against PD-20-00003, Neslund Family Ltd. Partnership II, noted reservoirs, burrow pit, permits, City of Cape Coral, notices, PD, BZA approval, special exception, and water flow.

Jim Dorsey spoke against PD-20-00003, Neslund Family Ltd. Partnership II, commented on wells, Southwest Florida Aggregate, City of Cape Coral, gallons shipped, fire hydrants, Cecil Webb, water flow, permits, Executive Order, Attorney Rob Berntsson, notification, aquifer, and FWC.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO POSTPONE THIS ITEM UNTIL OCTOBER 27, 2020 REGULAR AND LAND USE MEETING, BRING BACK MAP WITH CURRENT AND SIX ADDITIONAL MONITORING WELLS LOCATIONS, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

AA. County Administrator Comments - None

BB. County Attorney Comments - None

CC. Economic Development Director Comments - None

DD. County Commissioner Comments

Chair Truex discussed Water and Sustainability Meeting and advertising benches. **Commissioner Constance** mentioned Water and Sustainability Meeting, website issues, quick links, transparency, advertising benches, and flutter flags. **Commissioner Doherty** noted Water Authority, permit, Florida Association of Counties (FAC), and Water and Sustainability Meeting.

County Attorney Knowlton responded to advertising benches, contract, and terms.

ADJOURNED: 6:50 pm

William G. Truex, Chair

DATE ADOPTED: _____

ATTEST:

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

By: _____
Deputy Clerk