

BOARD OF COUNTY COMMISSIONERS

AUGUST 1, 2023

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 Johnston. The following members were absent: None.

**The Meeting was called to order at 9:00 am**

The Invocation was given by **Chair Truex**, followed by the Pledge of Allegiance.

**Changes to the Agenda**

**Addition #1:** R-6, Appointment – Board of Zoning Appeals Approve the appointment of Andrew Filieo as the District 5 representative to the Board of Zoning Appeals. The term begins immediately and expires on November 24.

Requested by: Commission Office

**Addition #2:** R-7, West Charlotte Stormwater MSBU Rate Discussion and direction on West Charlotte Stormwater Municipal Service Benefit Unit (MSBU) rate.

Requested by: County Administration

**Change #1:** F-6, 23-631, Award, Purchase of One E-One Commercial Pumper (Public Safety)  
**Recommended Action:** Approve File #23-631, for the purchase of one 2024 E-One Commercial Pumper, from Hall-Mark RTC, Inc., of Ocala, Florida by piggybacking off the Florida Sheriff's Association Contract #FSA23-VEF 17.0, at the unit cost of \$516,355.38. **Budgeted Action:** No action needed. Budgeted in the Heavy Equipment Replacement plan approved in the FY23 budget process. Funding is supplied as a loan from **Capital Projects Fund to be repaid from** assessments in the **Barrier Island Fire Municipal Service Benefit Unit** ~~Fire/Rescue Municipal Service Benefit Unit.~~

Requested by: Budget & Admin Services

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

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Ken Doherty**

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

**MOTION CARRIED 5:0.**

**Florida Water Professionals Month**

Tom Hill and Jeremy Frost accepted the Proclamation.

**Patriot Day & National Day of Remembrance**

Proclamation will be mailed to Chief Jason Fair, Public Safety Director and Charlotte County Sheriff's Office (CCSO).

**Purple Heart Day**

Betty Brunton, Jack Brunton, Susan English, and Celia Zeis accepted the Proclamation.

**Employee Recognition**

Years of Service - July 2023

**5 Years:** Quinton Birge, Public Safety; Janet Oquendo, Community Development; Lenar Gabdrakhmanov, Public Safety; **20 Years:** John Studenwalt, Utilities.

Employee of the Month - June 2023

Jamie Morse, Utilities

Sandra Weaver, Business Services Supervisor highlighted Ms. Morse's' career, customer service skills, and presented Award.

**Award Presentations**

Commissioners' Award for Customer Service - Christopher Constance

Second Quarter Commissioners' Award Fiscal Year (FY) 2022-2023

Dustin Cuddy, Community Development

Matthew Leshinsky, Budget and Administrative Services

**Commissioner Constance** highlighted Mr. Cuddy and Mr. Leshinsky's lifesaving efforts, Board of County Commissioners (BOCC) Executive Assistant Lisa Eby, and presented Awards.

Check Presentation for the Veterans Memorial at the William R. Gaines Jr. Veterans Memorial Park

Commissioner Stephen R. Deutsch to accept donation from Bert's Black Widow Harley-Davidson; Gil Gibson, Chief Operations Officer (COO) and Peri Bluemer, Engagement & Marketing Officer.

**Commissioner Deutsch** highlighted United States Coast Guard, Bert's Black Widow Harley-Davidson, community partner, and Beirut bombing 40th Anniversary.

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

James Hemmingway spoke in favor of In-Kind Funding of the Veterans Day Parade.

Steve Cornwell spoke in favor of In-Kind Funding of the Veterans Day Parade.

Samuel Taylor spoke in favor of In-Kind Funding of the Veterans Day Parade.

Scott Whitehouse spoke in favor of South Gulf Cove Waterway Advisory Board – Appoint by Ballot.

Richard Russell spoke against Set a Public Hearing to Consider Abolishing the Suncoast Waterway Maintenance Unit Advisory Board.

John Ostinich spoke in favor of South Gulf Cove Waterway Advisory Board – Appoint by Ballot.

Douglas Tucker spoke against Board of Zoning Appeals – Appointment.

Bill Dryburgh spoke in favor of In-Kind Funding of the Veterans Day Parade.

**Chair Truex** commented on Set a Public Hearing to Consider Abolishing the Suncoast Waterway Maintenance Unit Advisory Board.

#### **COMMITTEE VACANCIES**

**The Environmentally Sensitive Lands Oversight Committee (ESLOC)** is searching for a citizen of Charlotte County, as a community representative. The community representative term is effectively immediately and expires December 31, 2023. Please contact [Morgan.Cook@charlottecountyfl.gov](mailto:Morgan.Cook@charlottecountyfl.gov) for an application.

**The Agriculture & Natural Resources Advisory Committee (ANRAC)** is looking for an individual that is a representative of an agriculturally related activity within Charlotte County. The term is to begin immediately and expire on December 31, 2024. This is to replace the term of Mitchell Aman. Please contact [Morgan.Cook@charlottecountyfl.gov](mailto:Morgan.Cook@charlottecountyfl.gov) for an application.

**The Barrier Island Fire Service MSBU Advisory Board** is seeking a volunteer to fill a vacant position with term ending October 31, 2024. Contact Todd Dunn at [Todd.Dunn@CharlotteCountyFL.gov](mailto:Todd.Dunn@CharlotteCountyFL.gov) for an application.

The **Affordable Housing Advisory Committee (AHAC)** is searching for one citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing. Please contact Morgan.Cook@charlottecountyfl.gov for more information.

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 positions with terms through October 31, 2024, and October 31, 2025.

- **Edgewater North Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.

- **Englewood East Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2024, and October 31, 2026.

- **Gardens of Gulf Cove Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2024, and October 31, 2025.

- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2026.

- **Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.

- **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.

- **Harbour Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.

- **Manchester Waterway Utility Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2024, and October 31, 2025.

- **Northwest Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2026.

- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.

- **Placida Area Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2026.

- **Rotonda Heights Street & Drainage Unit** is seeking two members to fill vacant unexpired positions with terms through October 31, 2024.
- **Rotonda Sands Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2025.
- **South Burnt Store Street & Drainage Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **South Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired position with a term through October 31, 2024.
- **Suncoast Waterway Unit** is seeking five members to fill vacant unexpired positions with terms through October 31, 2024, October 31, 2025, and October 31, 2026.

#### REPORTS RECEIVED AND FILED

##### Monthly Housing Division Report - June 2023

##### **Human Services**

June 2023 Housing Division Report.

##### Clerk of Court's County Quarterly Investment Report

#### CONSENT AGENDA

**Commissioner Constance** discussed Modification of Public Access Easement located at 5350 Sunseeker Way.

Assistant County Attorney Thomas David replied to connection and alignment.

**COMMISSIONER DOHERTY MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-7, F-8, AND H-1, 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:

June 27, 2023 BCC Regular Meeting  
July 6, 2023 BCC Pre-Agenda  
July 11, 2023 BCC Regular and Land Use Meeting  
July 17, 2023 BCC MSBU Public Hearing - Murdock  
July 18, 2023 BCC Workshop  
July 18, 2023 BCC Utilities Department Quarterly Update  
July 18, 2023 BCC MSBU Public Hearing - Tringali

**Budgeted Action:** No action needed.

Board of County Commissioners

**C. Commission Office**

1. Appointment - Environmentally Sensitive Lands Oversight Committee

**Recommended Action:** Approve the appointment of Rocco Pennella to the ESLOC as a representative of business and land development. The term begins immediately and expires on December 31, 2025.

**Budgeted Action:** No action needed.

2. Appointment - Construction Industry Licensing Board - General Contractor

**Recommended Action:** Approve the appointment of Charles Hackbarth to the Construction Industry Licensing Board representing the General Contractor category. Length of term is until August 1, 2027.

**Budgeted Action:** No action needed.

3. Reappointment - Construction Industry Licensing Board - Plumbing Category

**Recommended Action:** Approve the reappointment of Christopher Knight to the Construction Industry Licensing Board representing the licensed plumber category. The length of term is until June 23, 2027.

**Budgeted Action:** No action needed.

4. Reappointment - Barrier Islands Fire Service Unit Advisory Board

**Recommended Action:** Approve the reappointment of Wendy Dalzell to the Barrier Islands Fire Service Unit Advisory Board. This Appointment will be effective immediately and will expire on October 31, 2025.

**Budgeted Action:** No action needed.

5. Reappointment - Tourist Development Council

**Recommended Action:** Approve the reappointment of Robin L. Madden as a Tourism Accommodations Member, to the Tourist Development Council. Term is effective immediately and will expire on September 8, 2027.

**Budgeted Action:** No action needed.

6. Letter of Support, Charlotte County Canal Nutrient Research Proposal

**Recommended Action:** Approve letter of support for the University of Florida's proposal to the National Science Foundation for funding to research nutrient, salinity, and water flow dynamics in Charlotte County canals. Areas of focus in the research includes determining the current natural nitrogen removal capacity in canals and those portions of the canals where biological activity is highest, examining how storm surges and changes in salinity might affect those biological activities, and thus identify canal segments that would most benefit from enhanced management to reduce potential negative impacts to Charlotte Harbor and other receiving waters of these canals.

**Budgeted Action:** No action needed.

**D. County Administration**

**E. County Attorney**

**F. Budget and Administrative Services**

Fiscal Services

1. Criminal Justice Education Fiscal Year 2023

**Recommended Action:** Approve the transfer of \$22,000 to the Charlotte County Sheriff's Office for Criminal Justice Education.

**Budgeted Action:** No action needed. Budgeted in the Criminal Justice Education Fund. Budget as approved in the FY2023 budget process. Funding for the expenditure comes from Court Related Fines and Fees.

2. Drug Abuse Trust Fund FY23

**Recommended Action:** a) Approve Resolution designating Charlotte Behavioral Health Care as a recipient of the Charlotte County Drug Abuse Trust Fund Grant; and b) Approve the transfer of \$44,595 from the Drug Abuse trust Fund to Charlotte Behavioral Health Care; and c) Approve Resolution designating the Charlotte County Sheriff's Office as a recipient of the Charlotte County Drug Abuse Trust Fund Grant; and d) Approve the transfer of \$20,000 from the fund to the Sheriff on behalf of Drug Free Charlotte County.  
**RES 2023-133 / RES 2023-134**

**Budgeted Action:** No action needed. Budgeted in the Drug Abuse Trust Fund, as approved in the FY2023 budget process. Funding for this expenditure comes from the Drug Abuse Trust Fund. Per the section 938.23, Florida Statutes, revenue is collected from assessments that are imposed on persons found guilty of a misdemeanor in which the unlawful use of drugs or alcohol is involved, and the assessments may be allocated to local substance abuse programs.

### **Information Technology**

#### **Purchasing**

##### **3. 23-006, Approve Change Order 3, County Right of Way Landscape Maintenance – Mid County - Annual Contract (Public Works)**

**Recommended Action:** Recommend approval of Change Order #3 to Contract #23-006, County Right of Way Landscape Maintenance - Mid County - Annual Contract as awarded to Brightview Landscape Services Inc. of Port Charlotte, Florida in the amount of \$92,355.15.

**Budgeted Action:** No action needed. A 4th quarter Budget Adjustment will be brought to the Board for approval. Hurricane costs are being collected in the hurricane fund using general county revenues. As a Federal Highway Administration site, reimbursement is not anticipated.

##### **4. 23-270, Approve Amendment 1, Construction Manager at Risk-Hurricane Ian Recovery South-County, Guaranteed Maximum Price (Facilities)**

**Recommended Action:** a) Approve Amendment #1 to Contract #23-270 Construction Manager at Risk - Hurricane Ian Recovery South County, with Florida Premier Contractors, LLC for the Guaranteed Maximum Price (GMP) in the amount of \$9,919,034 for repairs of various insured assets; and b) Authorize the Chairman to sign Amendment #1 to the Contract for the GMP for the repairs of the Construction Manager at Risk - Hurricane Ian Recovery South County.

**Budgeted Action:** No action needed. Hurricane costs are being collected in the Hurricane Fund. Funding is supplied from insurance reimbursement and County general reserves.

##### **5. 23-463, Approve Ranking, Design Gulf Cove Ground Water Storage Improvements (Utilities)**

**Recommended Action:** a) Approve the ranking of firms for Request for Proposal #23-463, Design Gulf Cove Ground Water Storage Improvements: 1st Kimley-Horn & Associates, Inc. of Sarasota, Florida; 2nd



Weston and Sampson Engineers, Inc. of Fort Myers, 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 CIP Project "Gillot Blvd. Water Main Upsizing" as approved in the FY23 Capital Improvement Program budget process. Funding is supplied from Utility Water Connection Fee Fund.

6. 23-631, Award, Purchase of One E-One Commercial Pumper (Public Safety)

**(Change #1)** 23-631, Award, Purchase of One E-One Commercial Pumper (Public Safety) **Recommended Action:** Approve File #23-631, for the purchase of one 2024 E-One Commercial Pumper, from Hall-Mark RTC, Inc., of Ocala, Florida by piggybacking off the Florida Sheriff's Association Contract #FSA23-VEF 17.0, at the unit cost of \$516,355.38. **Budgeted Action:** No action needed. Budgeted in the Heavy Equipment Replacement plan approved in the FY23 budget process. Funding is supplied as a loan from **Capital Projects Fund to be repaid from assessments in the Barrier Island Fire Municipal Service Benefit Unit Fire/Rescue Municipal Service Benefit Unit.**

**Recommended Action:** Approve File #23-631, for the purchase of one 2024 E-One Commercial Pumper, from Hall-Mark RTC, Inc., of Ocala, Florida by piggybacking off the Florida Sheriff's Association Contract #FSA23-VEF 17.0, at the unit cost of \$516,355.38.

**Budgeted Action:** No action needed. Budgeted in the Heavy Equipment Replacement plan approved in the FY23 budget process. Funding is supplied from assessments in the Fire/Rescue Municipal Service Benefit Unit.

7. 23-634, Award Piggyback, Phase 2 Family Services Center Office Furniture (Facilities)

**Recommended Action:** Approve Piggyback for File #23-634, Phase 2 Family Services Center Office Furniture off of the State of Florida Contract #56120000-19-ACS to Workscapes, Inc. of Fort Myers, Florida for a total cost of \$336,457.49.

**Budgeted Action:** No action needed. Budgeted in Capital Improvements Project "Family Services Center Phase 2" approved in the FY23 budget process. Funding is supplied from the 2020 Sales Tax Extension.

Commissioner Tiseo remarked on furniture.

**COMMISSIONER TISEO MOVED TO APPROVE PIGGYBACK FOR FILE #23-634, PHASE 2 FAMILY SERVICES CENTER OFFICE FURNITURE OFF OF THE STATE OF FLORIDA CONTRACT #56120000-19-ACS TO WORKSCAPES, INC. OF FORT MYERS, FLORIDA FOR A TOTAL COST OF \$336,457.49, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

8. 23-267, Amendment 2, Construction Manager at Risk - Charlotte Sports Park Hurricane Insured Asset Repairs (Facilities)

**Recommended Action:** a) Approve Amendment #2 to Contract #23-267, Construction Manager at Risk (CM@Risk) - Charlotte Sports Park Hurricane Insured Asset Repairs with Wharton Smith, Inc. for the Guaranteed Maximum Price (GMP) for Phase 2 in the amount of \$7,543,224; and b) Authorize the Chairman to sign Amendment #2.

**Budgeted Action:** No action needed. Hurricane costs are being collected in the Hurricane Fund. Funding is supplied from County general revenues, with anticipated cost reimbursement from insurance proceeds.

Chair Truex mentioned total amount. **Commissioner Constance** noted Charlotte Sports Park update, total amount, and Spring Training schedule. **Commissioner Tiseo** spoke to pavilion, phases, scope, and additional costs.

Travis Perdue, Facilities Construction and Maintenance Director responded to Charlotte Sports Park update, total amount, pavilion, and guaranteed maximum price (GMP).

**COMMISSIONER CONSTANCE MOVED TO APPROVE AMENDMENT #2 TO CONTRACT #23-267, CONSTRUCTION MANAGER AT RISK (CM@RISK) - CHARLOTTE SPORTS PARK HURRICANE INSURED ASSET REPAIRS WITH WHARTON SMITH, INC. FOR THE GUARANTEED MAXIMUM PRICE (GMP) FOR PHASE 2 IN THE AMOUNT OF \$7,543,224; AND AUTHORIZE THE CHAIRMAN TO SIGN AMENDMENT #2, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

9. 23-640, Award Piggyback, East Port Office Furniture for Modular Trailers (Facilities)

**Recommended Action:** Approve Piggyback for File #23-640, East Port Office Furniture for Modular Trailers off of the State of Florida Contract #5612000-19-ACS and award to Workscapes, Inc. of Fort Myers, Florida for a total cost of \$329,341.38.

**Budgeted Action:** No action needed. Hurricane costs are being collected in the Hurricane Fund. Funding is supplied from county general revenues, with anticipated cost sharing/reimbursement from insurance.

**Real Estate Services**

10. Englewood Area Fire Control District Interlocal Agreement

**Recommended Action:** Authorize the Chairman to execute the Interlocal Agreement between the Englewood Area Fire Control District ('DISTRICT') and Charlotte County ('COUNTY'). This agreement will allow the DISTRICT and the COUNTY to utilize shared space within Fire Station #14, located at 9495 Placida Road. **AGR 2023-136**

**Budgeted Action:** No action needed. Budgeted in the Fire Rescue Fund - Fire budget as approved in the FY2023 budget process. Funding for this revenue goes into the Fire Rescue MSBU.

11. Modification of Public Access Easement located at 5350 Sunseeker Way

**Recommended Action:** Approve the Modification of Public Access Easement located at 5350 Sunseeker Way in Port Charlotte. **A.AGR 2019-002**

**Budgeted Action:** No action needed.

Risk Management

Transit

**G. Community Development**

**H. Community Services**

1. Englewood Chamber Art Sculpture

**Recommended Action:** Approve an agreement between Charlotte County and Englewood Florida Chamber of Commerce regarding the funding and construction of a new sculpture for Englewood Beach. **AGR 2023-137**

**Budgeted Action:** No action needed. The maintenance is budgeted in the General Fund – Parks Maintenance budget as approved in the FY2023 budget. Funding for this expenditure comes from ad valorem.

**Chair Truex** commented on materials, maintenance, cost, donations, and grants. **Commissioner Constance** discussed Agreement, design, location, maintenance, language, and cost. **Commissioner Deutsch** mentioned Agreement and liability. **Commissioner Tiseo** noted Agreement, maintenance, costs, materials, language, Tringali Hockey Rink, and termination clause.

Tommy Scott, Community Services Director remarked on Agreement, exhibits, rendering, liability, plaques, ownership, maintenance, costs, construction, and termination clause.

County Attorney Knowlton interjected on Agreement, maintenance, language, and edits.

Assistant County Attorney Glinda Pruitt replied to Agreement, termination clause, and construction component.

**COMMISSIONER CONSTANCE MOVED TO APPROVE AGREEMENT 2023-137 BETWEEN CHARLOTTE COUNTY AND ENGLEWOOD FLORIDA CHAMBER OF COMMERCE REGARDING THE FUNDING AND**

**CONSTRUCTION OF A NEW SCULPTURE FOR ENGLEWOOD BEACH, WITH EDITS TO LANGUAGE AS READ INTO THE RECORD, SECONDED BY COMMISSIONER DEUTSCH**

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

2. Facility Use Agreement for various County facilities

**Recommended Action:** Approve a Facility Use Agreement between Charlotte County and School Board of Charlotte County. **AGR 2023-138**

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

**I. Economic Development**

**J. Facilities Construction and Maintenance**

1. Charlotte County Tax Collector Infrastructure Upgrades

**Recommended Action:** Approve a Memorandum of Understanding between the Charlotte County Tax Collector and Charlotte County. **AGR 2023-139**

**Budgeted Action:** No action needed. Future cost to maintain the doors will be built into the facilities budget as part of the FY24 budget process.

**K. Human Resources**

**L. Human Services**

1. State Housing Initiatives Partnership (SHIP) Loan for the Verandas of Punta Gorda III

**Recommended Action:** Approve the SHIP loan with Punta Gorda Development Corporation for the Verandas of Punta Gorda III.

**Budgeted Action:** No action needed. A third quarter FY23 Budget Adjustment was submitted to realign budget and recognize additional revenue and expenditures.

2. 2023 Local Government Area of Opportunity (LGAO) Request for Applications (RFA)

**Recommended Action:** a) Approve the 2023 Local Government Area of Opportunity (LGAO) Request for Applications (RFA), as presented, for immediate release; and b) Waive the Affordable Housing Advisory Committee (AHAC) review and recommendation for local preference.

**Budgeted Action:** No action needed.

**M. Public Safety**

**N. Public Works**

1. Authorize Additional Equipment to Charlotte County Fleet

**Recommended Action:** a) Authorize the addition of one Transit Van equipped with close caption television equipment to the County Fleet; and b) Approve Resolution for budget adjustment BA23-047 in the amount of \$429,240; and c) Approve amending Capital Improvements Project “Additional Equipment and Replacement of Non-Rolling Stock FY22/FY23.” **RES 2023-135**

**Budgeted Action:** Approve budget adjustment BA23-047 in the amount of \$429,240 amending capital improvements project “Additional Equipment and Replacement of Non-Rolling Stock FY22/FY23” for the purchase of a CCTV van and three Trimble units. Funding is supplied from maintenance gas taxes.

2. Set a Public Hearing to Consider Abolishing the Suncoast Waterway Maintenance Unit Advisory Board

**Recommended Action:** Set a public hearing for September 12, 2023, at 10:00 a.m. or as soon thereafter as may be heard, to consider an ordinance to abolish the Suncoast Waterway Maintenance Unit Municipal Service Benefit Unit (MSBU) Advisory Board to take place in room 119, Commission Chambers located at 18500 Murdock Circle, Port Charlotte, Florida 33948.

**Budgeted Action:** No action needed.

3. Clarke Environmental Annual Letter for Contracted Aerial Mosquito Control Services

**Recommended Action:** a) Approve the annual letter to Clarke Environmental Mosquito Management (“Clarke Environmental”); and b) Authorize the Chairman to sign the annual letter. **AGR 2023-140**

**Budgeted Action:** No action needed.

**O. Tourism Development**

**P. Utilities**

1. Authorize Additional Equipment to County Fleet

**Recommended Action:** a) Authorize the addition of one standard electric multipurpose staff transportation apparatus and one horizontal directional drill machine to the County Fleet; and b) Approve Resolution for budget adjustment BA23-044 in the amount of \$217,000; and c) Approve amendment to Capital Improvements Project “Additional Equipment and Replacement of Non-Rolling Stock FY22/FY23.” **RES 2023-136**

**Budgeted Action:** Approve budget adjustment BA23-044 in the amount of \$217,000, amending capital improvements project “Additional Equipment and Replacement of Non-Rolling Stock FY22/FY23” for the purchase of a drill machine and multipurpose staff transportation apparatus. Funding is supplied from Utility Fees.

#### Q. Other Agencies

### REGULAR AGENDA

#### R. Regular Agenda

##### 1. West Coast Inland Navigation District August 11, 2023 Agenda

###### Community Services

Discussion and direction on the West Coast Inland Navigation District (WCIND) agenda for the upcoming meeting on August 11, 2023.

Justin McBride, West Coast Inland Navigation District (WCIND) Executive Director highlighted WCIND August 11, 2023 Agenda.

**Chair Truex** spoke to easements, beach renourishment projects, and New Headquarters Timeline. **Commissioner Constance** commented on Kelly Fernandez, US Army Corps of Engineers, easements, beach renourishment projects, impacts, New Headquarters Timeline, and derelict vessels.

##### 2. Water Authority Agenda - August 2, 2023

###### Utilities

Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agenda for the upcoming August 2, 2023 Meeting.

Ken Stecher, Utilities Operations Manager highlighted Water Authority Agenda – August 2, 2023.

**Chair Truex** discussed Work Order with Johnson Engineering for Final Design and Permitting on the Peace River Facility Perimeter Security and Traffic Circulation Improvements Project, and Per-and Polyfluoroalkyl Substances (PFAS) Legal Services. **Commissioner Constance** mentioned Water Treatment Plant Operators (WTPO) Magazine, Work Order with Johnson Engineering for Final Design and Permitting on the Peace River Facility Perimeter Security and Traffic Circulation Improvements Project, Update on Hurricane Ian Repairs, Costs and Cost Recovery Efforts, Legislative Priorities for Fiscal Year (FY) 2024, and PFAS Legal Services.

##### 3. Appoint by Ballot- South Gulf Cove Waterway Advisory Board

**Commission Office**

Choose by ballot to fill the unexpired term of Thomas Merek on the South Gulf Cove Waterway Advisory Board. This appointment will be effective immediately and will expire on October 31, 2024.

County Administrator Flores announced ballot majority for John Osanitsch

**COMMISSIONER DOHERTY MOVED TO APPOINT BY BALLOT JOHN OSANITSCH TO THE SOUTH GULF COVE WATERWAY ADVISORY BOARD, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

4. Starling Phase 1 Cost Share Project

**Utilities**

Provide direction to Charlotte County Utilities regarding proposed allocation of funds to upsize Force Main, Potable Water Mains, and Lift Station infrastructure for Starling Phase 1 (file #22-1023).

Mr. Stecher highlighted Starling Phase 1 Cost Share Project.

**Commissioner Tiseo** noted cost share, pipe expansion, maintenance, and Agreement.

**COMMISSIONER TISEO MOVED TO APPROVE PROPOSED ALLOCATION OF FUNDS TO UPSIZE FORCE MAIN, POTABLE WATER MAINS, AND LIFT STATION INFRASTRUCTURE FOR STARLING PHASE 1 (FILE #22-1023), SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

5. In-Kind Funding of the Veterans Day Parade

**Commission Office**

Discussion and direction for in-kind funding of the Veterans Day Parade.

**Chair Truex** spoke to policy, parking, costs, and fundraising. **Commissioner Constance** commented on Veterans, policy, jeopardy, non-profits, funding, postponement, fundraising, and annual cap. **Commissioner Deutsch** discussed funding, fees, parades, tourism, Veterans, parking, parks, CCSO, cost, impacts, Agreement, variable message board (VMB), staffing, postponement, liability, fundraising, and policy. **Commissioner Doherty** mentioned Veterans, events, facilities, requests, guidelines, funding, in-kind services, value, policy, non-profits, staffing, postponement, and annual cap. **Commissioner Tiseo** noted support, William R. Gaines Jr. Veterans Memorial Park, funding, Veterans, Agreement, policy, language, non-profits, tax payer dollars, parades, fundraising, and sponsorships.

County Attorney Knowlton responded to policy, funding agreement, jeopardy, language, non-profits, and annual cap.

County Administrator Flores remarked on in-kind services, value, costs, staffing, and VMB.

**COMMISSIONER DEUTSCH MOVED TO APPROVE IN-KIND FUNDING OF THE VETERANS DAY PARADE, SECONDED BY COMMISSIONER DOHERTY**

**COMMISSIONER CONSTANCE MOVED TO POSTPONE IN-KIND FUNDING OF THE VETERANS DAY PARADE TO SEPTEMBER 12, 2023 REGULAR AND LAND USE MEETING, DEVELOP A POLICY, AND BRING BACK, SECONDED BY COMMISSIONER TISEO**

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

**(Addition #1) 6. Appointment – Board of Zoning Appeals**

**Commission Office**

Approve the appointment of Andrew Filieo as the District 5 representative to the Board of Zoning Appeals. The term begins immediately and expires November 2024.

**Chair Truex** spoke to appointments. **Commissioner Constance** commented on appointments. **Commissioner Tiseo** discussed advertisement, applications, appointments, and Board of Zoning Appeals (BZA).

County Attorney Knowlton replied to BZA appointments.

**COMMISSIONER TISEO MOVED TO APPROVE THE APPOINTMENT OF ANDREW FILIEO AS THE DISTRICT 5 REPRESENTATIVE TO THE BOARD OF ZONING APPEALS, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**(Addition #2) 7. West Charlotte Stormwater MSBU Rate**

**County Administration**

Discussion and direction on West Charlotte Stormwater Municipal Service Benefit Unit (MSBU) rate.

John Elias, Public Works Director gave a brief overview of West Charlotte Stormwater Where Does Your Municipal Service Benefit Unit (MSBU) Dollar Go.

**Chair Truex** mentioned rate and sediment removal. **Commissioner Constance** noted sediment and water quality aspect. **Commissioner Tiseo** spoke to canal and water quality monitoring, rate, funding, budget, needs, Advisory Board, and structure.



Brandon Moody, Water Quality Manager remarked on budget, One Charlotte One Water Monitoring, Advisory Board, funding, August 23, 2023 Stormwater MSBU meeting, and programs.

Gordon Burger, Budget and Administrative Services Director interjected on timing, options, and assessments.

**COMMISSIONER DOHERTY MOVED TO SET THE MAX RATE AT \$125 PER ACRE, NO ASSESSMENT FOR CANAL SEDIMENT REMOVAL, AND REDUCE THE BUDGET FROM \$125,000 TO \$97,108, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

## **PUBLIC HEARING AGENDA**

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

#### 1. Amend Historical Advisory Committee Meeting Quorum and Attendance Provisions

##### **County Attorney**

Conduct a public hearing to consider an ordinance governing the Historical Advisory Committee amending the definition of quorum and amending the provision related to failure to attend meeting. **ORD 2023-035**

County Attorney Knowlton highlighted Amend Historical Advisory Committee Meeting Quorum and Attendance Provisions.

##### **Public Input**

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

**MOTION CARRIED 5:0.**

**Commissioner Constance** commented on quorum.

**COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2023-035 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 1-11, ARTICLE V OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, GOVERNING THE HISTORICAL ADVISORY COMMITTEE; PROVIDING FOR A CHANGE IN THE QUORUM DEFINITION AND AMENDING THE PROVISION RELATED TO FAILURE TO ATTEND MEETING; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

#### 2. Third Quarter Budget Adjustments

**Budget & Admin Services**

Conduct a public hearing approving the Resolution to adopt budget adjustments that amend the FY22/23 budget. These adjustments which impact various funds are needed to align the FY22/23 budget with required changes and actual activity. **RES 2023-137**

Francine Lisby, Financial Manager highlighted Third Quarter Budget Adjustments.

**Public Input**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2023-137 TO ADOPT BUDGET ADJUSTMENTS THAT AMEND THE FISCAL YEAR 2022/2023 BUDGET, SECONDED BY COMMISSIONER DOHERTY**

**MOTION CARRIED 5:0.**

**PRESENTATION AGENDA**

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

**1. Sales Tax Update**

Update on Sales Tax projects.

Assistant County Administrator Claire Jubb gave a brief overview of 2014 Sales Tax: Completed, Active Projects, 2020 Sales Tax Projects: Tier 1, Tier 2, and Floor Plan Option A & B.

Mr. Perdue gave a brief overview of Placida Boat Ramp Expansion (2014), Sheriff's Administration Center/911 (2020), Supervisor of Elections (2014), Family Services Center: Phase II (2020), Sheriff's District 4 and Training, Fire Stations 3,6, and 17 (2020), GC Herring Park (2020), William R. Gaines Jr. Veterans Memorial Park Phase II (2020), Port Charlotte Beach Complex (2020), Option A & Option B, Quarter Turn – Option A & B, Gulf Side – Option A & B, Floor Plat Option A & B, Event Space View - Option A & B, Lobby View - Option A & B, Port Charlotte Beach Recreational Center, and Site Design Evolution.

Mr. Elias gave a brief overview of Edgewater Expansion Design, Phase 3 Midway to Collingswood, Phase 4 & 5 – Collingswood to 776, Roadway Name, Sales Tax (2014), Sidewalks and Trails Sales Tax (2020), Marathon Boulevard Pathway, Sunset Boulevard, Fruitland Boulevard/Avenue of the Americas Sidewalk, Quesada Boulevard Sidewalk, Rampart Boulevard Sidewalk, and Caring Way and Brinson Sidewalk.

Mr. Stecher gave a brief overview of Water Quality Infrastructure Sales Tax (2020) Budget \$7,000,000, Sales Tax (2020): Ackerman Septic to Sewer Project, Lake View/Midway Septic to Sewer Project, Cape Haze Septic to Sewer Project, Water Quality – Vacuum Station – Tier 2 (2020) Budget \$3,000,000, and Midway North Septic to Sewer Project.

**Chair Truex** discussed budgets, Sheriff's Administration Center/911 (2020), Floor Plan Option A & B, and Roadway Name. **Commissioner Constance** mentioned Sheriff's Administration Center/911 (2020), Supervisor of Elections (2014), resiliency, Emergency Operations Center (EOC), Lobby View - Option A & B, Gulf Side - Option A & B, Port Charlotte Beach Recreational Center, option A, Floor Plan Option A & B, and Roadway Name. **Commissioner Deutsch** noted parking, Port Charlotte Beach Recreational Center, accessibility, pool, and construction phasing. **Commissioner Doherty** spoke to Port Charlotte Beach Recreational Center, option A, and Site Design Evolution. **Commissioner Tiseo** commented on Sheriff's District 4 and Training (2020), Sheriff's Administration Center/911 (2020), budgets, cost increases, bids, Request for Proposal (RFP) process, design, elements, Fire Stations 3,6, and 17 (2020), Port Charlotte Beach Recreational Center, Option A, Floor Plan Option A & B, Phases 4 & 5 - Collingswood to 776, Roadway Name, and Lake View/Midway Septic to Sewer Project.

Captain Andres Rodriguez, CCSO Professional Standards and Training interjected on Sheriff's District 4 and Training (2020), services, and savings.

**RECESS: 12:04 pm – 1:00 pm**

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

Heather Radle discussed Tropical Gulf Acres (TGA), Code Enforcement, camp sites and fires, trash, raw sewage, rodents, and safety.

Peri Bluemer mentioned Veterans, Bert's Black Widow Harley-Davidson, Bert's Salute to America Foundation, donation, active military, and William R. Gaines Jr. Veterans Memorial Park.

Tim Ritchie noted Veterans, first responders, water quality, budget, surrounding counties, Mosaic, extension, pollution, Peace River, and mercury.

Phillip Smallwood spoke to Jean La Fitte Boulevard, erosion, culverts, Burnt Store Road, Zemel Road, water run-off, MSBU, assessment, Pirate Harbor, and Public Works.

Michael Riley commented on Placida Island Conservancy, Inc., old Fire Station 10, surplus property sale, petition, donations, Comprehensive Plan, Parks and Recreation Master Plan, tourism, and wildlife.

**Taken Out of Order**

**AA. County Administrator Comments - None**

**BB. County Attorney Comments**

County Attorney Knowlton discussed Florida Association of County Attorneys (FACA) Conference, law schools, and recruitment.

**CC. Economic Development Director Comments**

**DD. County Commissioner Comments**

**Chair Truex** mentioned Snowbird Baseball Classic, charges, transition period, community impact, Backpack for the Brave, National Association of Counties (NACo) Green Light Program, Veterans, Legislative State Agenda, Sadowski Trust Fund, construction and demolition (C&D) debris facility, traffic problems, Don Pedro Knight Island, old Fire Station 10, timeline, and extension. **Commissioner Constance** noted NACo Conference, Healthcare Steering Committee, Information Technology (IT), Geographic Information System (GIS), Chief Information Officer (CIO), forums, Drone Deploy, Eagle View, robotics, autonomous lawn mowers, Federal Communications Commission (FCC), broadband map, Broadband Equity Access and Deployment (BEAD) Program, Federal Government, funding, Snowbird Baseball Classic, transition period, Pirate Harbor, assessment, Jean La Fitte Boulevard, and County responsibility. **Commissioner Doherty** spoke to NACo Conference, Transportation Steering Committee, Rural Action Caucus, truck weight limits, bridges, Eagle View, Property Appraisers Office (PAO), and City Works. **Commissioner Tiseo** commented on Geri Powers, name change fee, staff meeting, fire rate study, Workshop, methodology, House Bill (HB) 7063, Snowbird Baseball Classic, charges, Economic Impact Statement, policy, transition period, batting cages, shade structures, Code Enforcement, TGA, resources, due process, Pirate Harbor, citizen, assessment, Don Pedro Knight Island, old Fire Station 10, property value, bid process, density, timeline, and Sadowski Trust Fund.

County Administrator Flores responded to name change fee, fire rate study, methodology, Pirate Harbor, and assessment.

County Attorney Knowlton replied fire rate study, methodology, Don Pedro Knight Island, old Fire Station 10, bid process, density, non-profits, and timeline.

Ben Bailey, Community Development Director interjected on Code Enforcement, TGA, policy, paperwork, abatements, CCSO, and resources.

**RECESS: 1:44 pm – 2:00 pm**

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

Minutes Clerk Johnston administered oath for testimony.

**PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY**

Tim Ritchie spoke against FP-22-05-11, Park Villas IV Neighborhood at Heritage Lake Park.

**Consent Agenda**

**Chair Truex** discussed FP-22-05-11, Park Villas IV Neighborhood at Heritage Lake Park. **Commissioner Constance** mentioned FP-22-05-11, Park Villas IV Neighborhood at Heritage Lake Park. **Commissioner Tiseo** noted FP-22-05-11, Park Villas IV Neighborhood at Heritage Lake Park.

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

**MOTION CARRIED 5:0.**

UA1. FP-19-02-01, Babcock National

**Community Development**

Approve a Bond Reduction request and First Amendment to Development Agreement to reduce the surety amount provided by Irrevocable Standby Letter of Credit No. FGAC-19580 from \$9,681,291.15 to \$626,146.40 for the completion of the remaining infrastructure for Babcock National. The site is 459.79± acres and generally located south of Bermont Road, north of Cypress Parkway, east of SR 31, and west of the Babcock Trail, within the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 1, the East County area. Located in Commission District I. **A.AGR 2020-004**

**Quasi-Judicial**

UA2. FP-22-05-11, Park Villas IV Neighborhood at Heritage Lake Park

**Community Development**

Approve a Final Plat for a subdivision to be named, Park Villas IV Neighborhood at Heritage Lake Park. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The proposed subdivision is a residential development to consist of 40 single-family attached lots. The site contains 5.57± acres is generally located south of Rampart Boulevard, north of Harborview Road, east of Nuremberg Boulevard, west of Luther Road, in the Port Charlotte area. Located in Commission District I. **AGR 2023-141**

**Quasi-Judicial**

UA3. FP-22-05-13, Babcock Ranch Community Palmetto Landing

**Community Development**

Approve a Final Plat for a subdivision to be named, Babcock Ranch Community Palmetto Landing. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The proposed subdivision is a residential development consisting of 499 lots including 259 single-family lots and 240 townhome villas, six lake tracts, one right-of-way tract, nine landscape tracts, and a future amenity center tract. The site contains 128.78± acres and is generally located south of Bermont Road, north of the County line with Lee County, west of the County line with Glades County and

east of Bluebird Trail, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, within the East County area. Located in Commission District I. **AGR 2023-142**  
**Quasi-Judicial**

UA4. TDU-23-05, JBCC Cranberry & 41, LLC

#### **Community Development**

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 340 density units to a Receiving Zone located at 100 Tamiami Trail, in the Port Charlotte area, and in Commission District IV, containing 29.76± acres; in compliance 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. TDU-23-05; Applicant: JBCC Cranberry & 41, LLC; providing an effective date. Located in Commission District IV. **RES 2023-138**

**Quasi-Judicial**

UA5. TDU-23-06, Zemel Land Partners LLC

#### **Community Development**

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition to transfer 187 density units to a Receiving Zone located at 26000 Zemel Road, in the Burnt Store Area Plan area and in the Punta Gorda area, and within Commission District II, containing 315± acres; in compliance 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. TDU-23-06; Applicant: Zemel Land Partners LLC; providing an effective date. Located in Commission District II. **RES 2023-139**

**Quasi-Judicial**

#### **Public Hearing**

UB1. CPE-23-02, PD Concept Plan (adopted via Ordinance Number 2016-038) Extension

#### **Community Development**

Approve an Ordinance, pursuant to Section 3-9-45, Planned Development, under Chapter 3-9, Zoning, of the County's Land Development Regulations, a request to extend the time limitation of the PD Concept Plan approved via Ordinance Number 2016-038, for property at 12421 Burnt Store Road, in the Punta Gorda area and within the boundary of the Burnt Store Area Plan area, containing 80.48± acres; Commission District II; Petition No. CPE-23-02; Applicant: JPC Burnt Store Preserve LLC, c/o Tim Crowley; providing for an effective date. Located in Commission District II. **ORD 2023-036**

**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.

Jie Shao, Principal Planner provided credentials, gave a brief overview of Request, Location Map, Area Image, Framework, Future Land Use Map (FLUM) Designations, Zoning Designations, Planned Developments (PDs) Within The Burnt Store Area Plan, and PD Concept Plan – The Burnt Store Preserve.

Attorney Rob Berntsson, Applicant Representative spoke to PD termination, emergency declarations, and reinstatement.

#### **Public Input**

Tim Ritchie commented on building permit moratorium, development, rights, concerns, rivers, watersheds, reverse osmosis, and sediment testing.

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

**MOTION CARRIED 5:0.**

**Commissioner Constance** discussed PD, extension, expiration, developments, Concept Plan – The Burnt Store Preserve, and deceleration lane. **Commissioner Tiseo** mentioned approvals, Staff Report, Comprehensive Plan, concurrency, undeveloped lots, process, permits, disclosures, growth, rezones, and property rights.

Shaun Cullinan, Planning and Zoning Official remarked on PD, extensions, provisions, evidence, concept plan, entitlements, traffic study, and rezones.

**COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2023-036 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 3-9-45, PLANNED DEVELOPMENT, UNDER CHAPTER 3-9, ZONING, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, APPROVING THE REQUEST TO EXTEND THE TIME LIMITATION OF THE PLANNED DEVELOPMENT (PD) CONCEPT PLAN APPROVED VIA ORDINANCE NUMBER 2016-038, FOR PROPERTY LOCATED AT 12421 BURNT STORE ROAD, IN THE PUNTA GORDA AREA AND WITHIN THE BOUNDARY OF THE BURNT STORE AREA PLAN AREA; CONTAINING 80.48± ACRES; COMMISSION DISTRICT II; PETITION CPE-23-02; APPLICANT: JPC BURNT STORE PRESERVE LLC, C/O TIM CROWLEY; PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

UB2. PAL-23-00001, Carmalita Park

#### **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 change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Public Land & Facilities (PLF) (55.157± acres) to Parks and Recreation (PKR) ; Commission District II; Petition No. PAL-23-00001; Applicant: Charlotte County Board of County Commissioners; providing an effective date. Located in Commission District II.

**Legislative**

Mr. Cullinan gave a brief overview of Proposed Changes, Location Map, 1000' Notification Area Map, Area Image, Framework Designations, FLUM Designations, Proposed FLUM Designations, Zoning Designations, and Proposed Zoning Designations.

**Commissioner Constance** noted Staff Report.

County Attorney Knowlton replied to public hearing date and notice.

**Public Input for Petition Number PAL-23-00001, Carmalita Park and Petition Number Z-23-41-12, Carmalita Park**

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE TRANSMITTAL OF 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 CHANGE CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM PUBLIC LAND & FACILITIES (PLF) (55.157± ACRES) TO PARKS AND RECREATION (PKR); COMMISSION DISTRICT II; PETITION NO. PAL-23-00001; APPLICANT: CHARLOTTE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

UB3. Z-23-41-12, Carmalita Park

**Community Development**

Hold the first of two public hearings to discuss a Rezoning application; and request the Board to set the second public hearing for October 24, 2022, at 2:00 p.m., in accordance with Section 125.66, Florida Statutes. Pursuant to Section 125.66, Florida Statutes, this is a rezoning to amend the Charlotte County Zoning Atlas from Residential Estate (RE1) (55.157± acres) to Parks and Recreation (PKR), for property generally located in Carmalita Park area and within the East County area, containing 55.157± acres;



Commission District II; Petition No. Z-23-41-12; Applicant: Charlotte County Board of County Commissioners; providing an effective date. Located in Commission District II.

**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.

Mr. Cullinan gave a brief overview of Proposed Changes, Location Map, 1000' Notification Area Map, Area Image, Framework Designations, FLUM Designations, Proposed FLUM Designations, Zoning Designations, and Proposed Zoning Designations.

**Commissioner Constance** noted Staff Report.

County Attorney Knowlton replied to public hearing date and notice.

**Public Input for Petition Number PAL-23-00001, Carmalita Park and Petition Number Z-23-41-12, Carmalita Park**

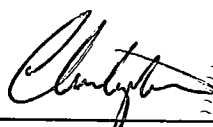
**COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

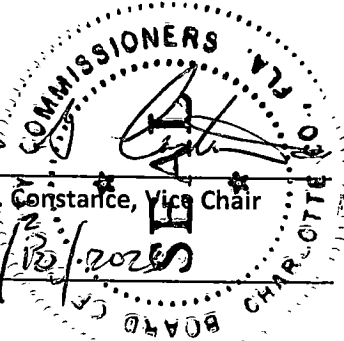
**COMMISSIONER DOHERTY MOVED TO SET THE SECOND PUBLIC HEARING FOR OCTOBER 24, 2023, AT 2:00 P.M., SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**ADJOURNED: 2:32 pm**

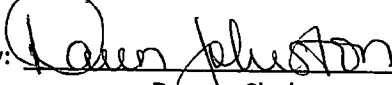
  
\_\_\_\_\_  
Christopher G. Constance, Vice Chair

**DATE ADOPTED:** 9/12/2023



**ATTEST:**

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

By:   
\_\_\_\_\_  
Deputy Clerk