

BOARD OF COUNTY COMMISSIONERS

MARCH 12, 2024

A Regular 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 Welsh. The following members were absent: None.

The Meeting was called to order at 9:00 am

The Invocation was given by Pastor James Webb, Faith Life Church, followed by the Pledge of Allegiance.

Changes to the Agenda

Change #1: R-3, Added attachment – Revised Presentation.

Requested by: Human Services

Change #2: R-6, Added attachment – Revised Presentation.

Requested by: Human Services

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Christopher Constance

COMMISSIONER TISEO MOVED TO APPROVE THE PROCLAMATIONS, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Artist of the Month - Nancy Cunningham

Nancy Cunningham accepted the Proclamation.

Government Finance Professionals Week

Rick Arthur, Fiscal Services Manager accepted the Proclamation.

St. Vincent De Paul Day

Joe-Ann Pierre and Peter Catauro accepted the Proclamation.

Employee Recognition

Service Awards February 2024

5 Years: Harlan Ceaser, Community Services; **10 Years:** Agustin Mancía, Public Works; Ashley Ale, Utilities; Todd Sell, Public Works; **20 Years:** Conroy Williams, Utilities; Catherine Edwards, Community Services; **25 Years:** Mary Hill, Public Works; **30 Years:** Kenneth Coblentz, Public Safety; and Scott Humphreville, Public Safety.

Award Presentations

1. National Recreation & Park Association 30 Under 30 Professionals Award

The National Recreation & Park Association 30 Under 30 Professionals recognizes Social Media Manager Ashley Turner.

Brian Gleason, Communications Manager highlighted Ms. Turner's career, contributions, dedication, service, and presented Award.

Commissioner Tiseo commented on community involvement, transparency, and accountability.

2. Weather Radio Nation Ambassador Award

Charlotte County CERT to be presented Weather Radio Nation Ambassador Award. The Weather-Ready Nation Ambassador™ initiative is the National Oceanic and Atmospheric Administration's (NOAA) effort to formally recognize NOAA partners who are improving the nation's readiness, responsiveness, and overall resilience against extreme weather, water, and climate events.

Patrick Fuller, Emergency Management Director highlighted Charlotte County Florida Amateur Radio Emergency Services (CCFLARES)'s dedication, commitment, service, training, and presented Award.

3. USAF Thunderbirds & Florida International Airshow Lithograph

The USAF Thunderbirds and the Florida International AirShow to present a lithograph the Board of County Commissioners for their continuous support of the AirShow, aviation and our military.

Denise Dull, Florida International Air Show Executive Leadership Team President highlighted United States Air Force (USAF) Thunderbirds and Florida International AirShow Lithograph and presented Award.

4. Revealing Resilience - William R. Gaines Jr. Veterans Memorial Park

Presentation of gift for William R. Gaines Jr. Veterans Memorial Park.

Commissioner Deutsch highlighted Revealing Resilience – William R. Gaines Jr. Veterans Memorial Park.

PUBLIC INPUT - AGENDA ITEMS ONLY

Larry McGee discussed Cultural Center Update.

Joan Fischer commented on Cultural Center Update.

Donna Barrett mentioned Cultural Center Update.

COMMITTEE VACANCIES

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

- **Alligator Creek Waterway Unit** is seeking two members to fill positions with terms through October 31, 2025, and October 31, 2026.
- **Boca Grande Street & Drainage Unit** is seeking three members to fill positions with terms through October 31, 2024, October 31, 2025, and October 31, 2026.
- **Deep Creek Non-Urban Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2024.
- **Edgewater North Waterway Unit** is seeking one member to fill a position with a term through October 31, 2025.
- **Englewood East Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2024.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2024.
- **Grove City Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2024, and October 31, 2025.
- **Harbour Heights Street & Drainage Unit** is seeking three members to fill positions with terms through October 31, 2024, and October 31, 2026.
- **Manchester Waterway Utility Unit** is seeking one member to fill a position with a term through October 31, 2024.
- **Pirate Harbor Waterway Unit** is seeking one member to fill a position with a term through October 31, 2025.
- **Placida Area Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Rotonda Lakes Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Rotonda Sands Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025.

• **South Charlotte Stormwater Unit** is seeking two members to fill positions with terms ending October 31, 2024, and October 31, 2025.

MPO - Bicycle/Pedestrian Advisory Committee (BPAC) are seeking two South County Representatives. These individuals must be residents of Charlotte County to serve on the BPAC. The BPAC reviews and makes recommendations on transportation plans and projects that the MPO Board will consider.

MPO - Citizens' Advisory Committee (CAC) are seeking three Charlotte County residents to serve as 1) South County Representative (applicant must live in Charlotte County); and 2) West County Representatives (applicant must live West of the Myakka River); The CAC reviews and makes recommendations on transportation plans and projects that the MPO Board will consider.

Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB) is seeking one volunteer representing the "Disabled representative who is Disabled; and one experienced representative of the local private for-profit transportation industry. The purpose of the LCB is to identify local service needs and to provide information, advice, and direction to the Community Transportation Coordination of service to be provided to the transportation disadvantaged. The deadline for submitting an application is Thursday, March 14, 2024. Please go online at www.ccpgmpo.gov or contact the MPO for an application. The MPO mailing address is Charlotte County-Punta Gorda MPO, 18500 Murdock Circle, Port Charlotte, FL 33948. Fax: 941-883-3534 Email: office@ccpgmpo.gov. The MPO Board will elect the above positions at its Thursday, March 21, 2024 Meeting.

REPORTS RECEIVED AND FILED

1. FY 2022-2023 Community Redevelopment Agency Annual Reports

Economic Development

Charlotte Harbor Community Redevelopment Agency Annual Report
Murdock Village Community Redevelopment Agency Annual Report
Parkside Community Redevelopment Agency Annual Report

CONSENT AGENDA

Commissioner Doherty remarked on set a Public Hearing to Consider Approving an Ordinance to Prohibit No Thru Vehicles Over Six Wheels from Utilizing Westchester Boulevard from Loveland Boulevard East to Oakview Drive, and on Oakview Drive from Harborview Road North to Westchester Boulevard.

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-7 AND F-15, SECONDED BY COMMISSIONER DEUTSCH

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:

February 20, 2024 BCC Board Workshop
February 22, 2024 BCC Pre-Agenda
February 27, 2024 BCC Regular & Land Use Meeting

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

D. County Administration

E. County Attorney

F. Budget and Administrative Services

Fiscal Services

Information Technology

Purchasing

1. 24-097, Approve Ranking, Design - William R Gaines Jr Veterans Memorial Park and GC Herring Park (Facilities)

Recommended Action: Approve ranking of firms for Request for Proposals #24-097, Design - William R Gaines Jr Veterans Memorial Park and GC Herring Park: 1st Kimley-Horn and Associates, Inc. of Sarasota, Florida; 2nd DMK Associates, Inc. of Englewood, Florida; and 3rd The Weiler Engineering Corporation of Punta Gorda, 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 Capital Improvements Projects "GC Herring Park Phase 2" and "Wm. R. Gaines Jr. Veterans Memorial Park Ph 2" each approved in the FY24 budget process. Funding is supplied from the 2020 Sales Tax Extension.

2. 24-216, Award, Ackerman Vacuum Sewer Zones 1 and 2 - Plumbing Contract 4 (Utilities)

Recommended Action: Approve award of Request for Bid #24-216, Ackerman Vacuum Sewer Zones 1 and 2 - Plumbing Contract 4, to the lowest responsive, responsible, bidder, Rohaley and Sons Plumbing Contractors, Incorporated of Fort Myers, Florida in the amount of \$486,570.

Budgeted Action: No action needed. Budgeted in the "Ackerman Septic to Sewer and Water Expansion" project as part of the Charlotte Harbor Water Quality Initiative as adopted in the FY24 budget process. Funding will be supplied from the Ackerman MSBU Fund through Ackerman Sewer MSBU Assessments and Base Rates.

3. 24-228, Award, Construct Sidewalks on Fruitland Avenue and Avenue of the Americas (Public Works)

Recommended Action: Approve award of Request for Bid #24-228, Construct Sidewalks on Fruitland Avenue and Avenue of the Americas to Marquee Development, Inc. of Tampa, Florida for the total amount of \$1,768,166.93. This is for the construction of a new concrete sidewalk on Fruitland Avenue and Avenue of the Americas.

Budgeted Action: No action needed. Budgeted in Capital Improvements Project "Regional Bicycle-Pedestrian Trails & Sidewalks" approved in the FY24 budget process. Funding is supplied from the 2020 Sales Tax Extension.

4. 23-271, Approve Amendment 2, Construction Manager at Risk - Hurricane Ian Recovery - West County (Facilities)

Recommended Action: a) Approve Amendment #2 to Contract #23-271, Construction Manager at Risk - Hurricane Ian Recovery - West County with Jon F. Swift Construction for the Guaranteed Maximum Price (GMP) in the amount of \$2,034,533.52 for the restoration of various assets; 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 sharing/reimbursement from insurance.

5. 18-307, Amendment 1, Sidewalk Design - Dorchester Street (Public Works)

Recommended Action: a) Approve Amendment #1 to Contract 18-307, Sidewalk Design - Dorchester Street with Southwest Engineering and Design Inc. of Punta Gorda, Florida in the amount of \$25,620; and b) Authorize the Chairman to sign Amendment #1 to the Contract for the amended services.

Budgeted Action: No action needed. Budgeted in the Capital Improvements Project "Greater Port Charlotte Master Sidewalk Plan" as approved in the FY24 budget process. Funding is supplied from Greater Port Charlotte Street and Drainage MSBU assessments.

6. 24-312, Piggyback, UKG Migration to Workforce Pro (Information Technology)

Recommended Action: Approve piggyback award of File# 24-312, UKG Migration to Workforce Pro, for a 12-month term, which includes a setup fee per the Omnia Partners Contract #18220, and award to UKG Kronos, LLC, of Lowell, Massachusetts for a total cost of \$396,116. **AGR 2024-030 / AGR 2024-031 / AGR 2024-032**

Budgeted Action: No action needed. Funding is shared between Ad Valorem and Fire Assessments.

7. 21-470, Approve Amendment 1, Construction Manager at Risk - Sheriff's Administration/Hardened 911 Facility (Facilities)

Recommended Action: a) Approve Amendment #1 to Contract #21-470, Construction Manager at Risk - Sheriff's Administration/Hardened 911 Facility with Wharton-Smith, Inc. of North Port, Florida for the Guaranteed Maximum Price (GMP) for the management/construction phase of the project in the amount of \$37,251,386; and b) Authorize the Chairman to sign Amendment #1; and c) Approve Resolution for budget adjustment BA24-089 in the amount of \$26,000,000, allocating to Capital Improvement Project "Sheriff Support Services (Admin HQ) & Hardened 911"; and d) Approve amending Capital Improvement Project "Sheriff Support Services (Admin HQ) & Hardened 911". **RES 2024-031**

Budgeted Action: Approve budget adjustment BA24-089 in the amount of \$26,000,000 amending the FY24 budget for capital improvement project ""Sheriff Support Services (Admin HQ) & Hardened 911" increasing from \$19,000,000 to \$45,000,000. Funding for the adjustment is supplied from the 2020 Sales Tax Extension.

Chair Truex noted Charlotte County Sheriff Bill Prummell, Florida Department of Transportation (FDOT) stations, space, intelligence, availability, increases, and cost. **Commissioner Tiseo** spoke to Guaranteed Maximum Price (GMP), Amendment, allowances, credit, contingencies, funding, cost, Sales Tax Project, schedules, budget, furniture, fixtures, and equipment (FF&E), construction, Charlotte County Sheriff Bill Prummell, needs, public safety, phased approach, and mobilization.

Travis Perdue, Facilities Construction and Maintenance Director responded to carryover allowances, GMP, authorization and approval process, cost, savings, FF&E, Capital Improvement Projects (CIP), procurement, and requirements.

COMMISSIONER TISEO MOVED TO APPROVE AMENDMENT #1 TO CONTRACT #21-470, CONSTRUCTION MANAGER AT RISK - SHERIFF'S ADMINISTRATION/HARDENED 911 FACILITY WITH WHARTON-SMITH, INC. OF NORTH PORT, FLORIDA FOR THE GUARANTEED MAXIMUM PRICE (GMP) FOR THE MANAGEMENT/CONSTRUCTION PHASE OF THE PROJECT IN THE AMOUNT OF \$37,251,386; AUTHORIZE THE CHAIRMAN TO SIGN AMENDMENT #1; APPROVE RESOLUTION 2024-031 FOR BUDGET ADJUSTMENT BA24-089 IN THE AMOUNT OF \$26,000,000, ALLOCATING TO CAPITAL IMPROVEMENT PROJECT "SHERIFF SUPPORT SERVICES (ADMIN HQ) & HARDENED 911"; AND APPROVE AMENDING CAPITAL IMPROVEMENT PROJECT "SHERIFF SUPPORT SERVICES (ADMIN HQ) & HARDENED 911", SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

8. 22-007, Approve Amendment 1, Construction Manager at Risk - Supervisor of Elections Warehouse (Facilities)

Recommended Action: a) Approve Amendment #1 to Contract #22-007, Construction Manager at Risk - Supervisor of Elections Warehouse with Wharton-Smith, Inc. of Punta Gorda, Florida for the Guaranteed Maximum Price (GMP) for the management/construction phase of the project in the amount of \$7,056,586; and b) Authorize the Chairman to sign Amendment #1; and c) Approve Resolution for budget adjustment BA24-106 in the amount of \$3,500,000, allocating to Capital Improvement Project "Supervisor of Elections Warehouse"; and d) Approve amending Capital Improvement Project "Supervisor of Elections Warehouse". **RES 2024-032**

Budgeted Action: Approve budget adjustment BA24-106 in the amount of \$3,500,000 amending the FY24 budget for capital improvement project "Supervisor of Elections Warehouse" increasing from \$4,700,000 to \$8,200,000. Funding for the adjustment is supplied from the 2020 Sales Tax Extension.

9. 24-326, Piggyback, LED Lighting Retrofit for Carmalita Park Softball (Community Services)

Recommended Action: Approve Piggyback of File #24-326, LED Lighting Retrofit for Carmalita Park Softball, per the Clay County Request for Proposal #18/19-2, which was awarded to Musco Sports Lighting LLC of Oskaloosa, Iowa, for a total cost of \$999,800.

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

10. 24-284, Award, Piggyback, Purchase of Four (4) 2025 Freightliner Ambulances (Public Safety)

Recommended Action: a) Approve File #24-284, for the purchase of four (4) 2025 Freightliner M2 2-Door AEV Type I Ambulances including Stryker Power Pro XT cot, FLIR K2 camera and Activetek Induct Active Pure Technology, to ETR, LLC, of Altamonte Springs, Florida, to piggyback off the Florida Sheriff's Associations Contract #FSA23-VEF17.0, at the unit cost of \$468,464, for a combined total cost of \$1,873,856; and b) Authorize Property #34299 and #34559 to be sold at auction.

Budgeted Action: No action needed. Two of the ambulances are budgeted in the adopted Heavy Equipment Replacement plan and two ambulances were approved to be added to County Fleet in Capital Improvements Project "Additional and Miscellaneous Equipment FY24/FY25". Each plan was approved in the FY24 budget process with funding supplied from Capital Projects ad valorem.

11. 24-211, Approve Ranking, Design Chamberlain Boulevard Sidewalk Phase 1 (Public Works)

Recommended Action: a) Approve ranking of firms for Request for Proposal 24-211, Design Chamberlain Boulevard Sidewalk Phase 1: 1st Giffels-Webster Engineers, Inc. of Englewood, FL; 2nd Johnson Engineering, Inc. of Port Charlotte, FL; and 3rd Southwest Engineering and Design, Inc. of Punta Gorda, FL; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the Contract after completion of negotiations. This is for the Design of Chamberlain Boulevard Sidewalk - Phase 1.

Budgeted Action: No action needed. Budgeted in the Capital Improvements Project "Northwest Port Charlotte Sidewalks" as approved in the FY24 budget process. Funding is supplied from Northwest Port Charlotte Street and Drainage MSBU assessments.

12. 24-319, Award, Piggyback, Purchase of One E-One Aerial Platform Apparatus (Public Safety)

Recommended Action: a) Approve File #24-319, for the purchase of one (1) 2024 E-One Rear Mounted Aerial Platform Apparatus on a Cyclone II Chassis, from Hall-mark RTC, Inc., of Ocala, Florida; piggybacking off the Florida Sheriff's Association Contract #FSA23-VEF17.0, at the unit cost of \$1,784,872.10; and b) Authorize the trade in of one (1) 1995 Platform Apparatus (PN#28333) for a trade-in allowance of \$60,000.

Budgeted Action: No action needed. Budgeted in the Heavy Equipment Replacement plan approved in the FY24 budget process. Funding is supplied from assessments in the Fire/Rescue Municipal Service Benefit Unit.

13. 24-320, Award, Purchase of One (1) E-One Cyclone II Rescue Pumper (Public Safety)

Recommended Action: a) Approve File #24-320, for the purchase of one (1) 2024 E-One Cyclone II Level 2 Rescue Pumper, from Hall-Mark, RTC, Inc., of Ocala, Florida; piggybacking off the Florida Sheriff's Association Contract #FSA23-VEF17.0, at the unit cost of \$999,722.26; and b) Authorize the Trade-in of one (1) 2011 Ferrara Custom Pumper (PN#33315) for a trade-in allowance of \$20,000.

Budgeted Action: No action needed. Budgeted in the Heavy Equipment Replacement plan approved in the FY24 budget process, and later amended. Funding is supplied from assessments in the Fire/Rescue Municipal Service Benefit Unit.

14. Property Deletions for the Month of March, 2024 (Purchasing)

Recommended Action: Approve the deletion of additional property inventory items listed on the attached for the month of March 2024.

Budgeted Action: No action needed.

Real Estate Services

15. Release Certain Easements Declared in Official Records

Recommended Action: Approve Resolution releasing certain declared easements in Official Records Book 162 and Page 210 and authorize Real Estate Services to execute necessary documents. **RES 2024-033**

Budgeted Action: No action needed.

Chair Truex discussed roadways, access, and easements. **Commissioner Constance** commented on ownership, location, and purpose. **Commissioner Tiseo** mentioned vetting process, roadways, tax rolls, purpose, and easement vacation.

Stephen Kipa, Real Estate Services Manager replied to property ownership and sale, historic easement, and roadways.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2024-033 RELEASING CERTAIN DECLARED EASEMENTS IN OFFICIAL RECORDS BOOK 162 AND PAGE 210 AND AUTHORIZE REAL ESTATE SERVICES TO EXECUTE NECESSARY DOCUMENTS, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

16. Law Enforcement & Public Safety Facilities in Babcock Ranch

Recommended Action: Approve Resolution authorizing and directing the acquisition of property from Babcock Property Holdings, LLC located at 17755 or 17785 Curry Preserve Road, Punta Gorda, FL 33982 to be used for law enforcement and public safety facilities. **RES 2024-034**

Budgeted Action: No action needed. Budgeted in capital improvements project "Babcock Fire Station 9" and "Babcock Sheriff District 5 Headquarters" approved in the FY24 budget process, and later amended. Funding for "Babcock Fire Station 9" is supplied from Capital Projects Fund to be reimbursed from Fire Impact fees, if available, and funding for "Babcock Sheriff District 5 Headquarters" is supplied from the Sheriff Infrastructure Fund, ad valorem.

Risk Management

Transit

G. Community Development

H. Community Services

1. Ainger Creek Boat Ramp Florida Boating Improvement Program Grant

Recommended Action: a) Approve grant application with the Florida Fish and Wildlife Commission in the amount of \$2,138,976 for renovation of the Ainger Creek Boat Ramp; and b) Approve Resolution authorizing application for the grant and designating the County Administrator, or his/her designee, to apply, execute, and administer the grant; and c) Authorize the Chairman to sign the Resolution. **GRT 2024-004 / RES 2024-035**

Budgeted Action: No action needed. A budget adjustment and Capital Improvement Program amendment will be brought to the Board for approval, if awarded. Adjustment will be to Capital Improvements Project "Boating Improvements-Ainger Creek" anticipated to be approved in the FY25 budget process. Grant funding of \$2,138,976 will come from the Florida Boater Improvement Program. There is no County match required.

I. Economic Development

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

1. State Housing Initiatives Partnership (SHIP) FY21 Close-out Annual Report

Recommended Action: a) Approve the SHIP FY21 Close-out Annual Report of Expenditures and FY22 Encumbrance; and b) Authorize the Chairman to execute the Certification of the Annual Report. **AGR 2024-033**

Budgeted Action: No action needed.

2. State Housing Initiatives Partnership (SHIP) Loan to Goodwill Industries - Williams Place

Recommended Action: Approve the SHIP loan to Goodwill Industries for the rehabilitation of Williams Place.

Budgeted Action: No action needed. Budgeted in the SHIP fund as approved in the FY24 budget process.

3. State Housing Initiatives Partnership (SHIP) Loan to Goodwill Industries - Harbor Place

Recommended Action: Approve the SHIP loan to Goodwill Industries for the rehabilitation of Harbor Place.

Budgeted Action: No action needed. Budgeted in the SHIP fund as approved in the FY24 budget process.

M. Public Safety

N. Public Works

1. Set a Public Hearing to Consider Approving an Ordinance to Prohibit No Thru Vehicles Over Six Wheels from Utilizing Westchester Boulevard from Loveland Boulevard East to Oakview Drive, and on Oakview Drive from Harborview Road North to Westchester Boulevard

Recommended Action: Set a public hearing for March 26, 2024, at 10:00 a.m., or soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida to consider approving an ordinance to prohibit no thru vehicles over six wheels from utilizing Westchester Boulevard from Loveland Boulevard East to Oakview Drive, and on Oakview Drive from Harborview Road North to Westchester Boulevard.

Budgeted Action: No action needed. No financial impact.

2. Set a Public Hearing to Consider Approving an Ordinance to Reduce the Speed Limit on a Portion of Carmalita Street from 45 Miles Per Hour to 35 Miles Per Hour from 650 Feet East of Education Avenue to Florida Street

Recommended Action: Set a public hearing for March 26, 2024, at 10:00 a.m., or soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida to consider approving an ordinance to reduce the speed limit on a portion of Carmalita Street from 45 miles per hour to 35 miles per hour from 650 feet East of Education Avenue to Florida Street.

Budgeted Action: No action needed No financial impact.

3. CIP Amendment for Landfill Scale House

Recommended Action: a) Approve Resolution for budget adjustment BA24-087 in the amount of \$3,362,000; and b) Approve amendment to Capital Improvement Project "Landfill Scale House" increasing total project by \$3,362,000. **RES 2024-036**

Budgeted Action: Approve budget adjustment BA24-087 in the amount of \$3,362,000, amending the FY24 budget for Capital Improvement Project "Landfill Scale House" from \$5,518,042 to \$8,880,042. Funding is supplied from fees in the Solid Waste Enterprise Fund.

O. Tourism Development

1. Certain Event Sponsorship Agreements Resolution

Recommended Action: Approve Resolution that allows the County Administrator or designee to execute certain Event Sponsorship Agreements. **RES 2024-037**

Budgeted Action: No action needed.

P. Utilities

1. Old Landfill Rd Outdoor Storage Off-Site Utility Agreement

Recommended Action: Approve Off-Site Utility Agreement between the County and the Developer, Charlotte County Boat and RV Storage, LLC. **AGR 2024-038**

Budgeted Action: No action needed.

Q. Other Agencies

REGULAR AGENDA

R. Regular Agenda

1. David Boulevard Apartments Cost Share Project

Utilities

Discussion and direction on proposed allocation of funds to upsize Lift Station for David Blvd Apartments Project.

Dave Watson, Utilities Director highlighted David Boulevard Apartments Cost Share Project.

Commissioner Tiseo remarked on opportunities and projects.

COMMISSIONER TISEO MOVED TO APPROVE PROPOSED ALLOCATION OF FUNDS TO UPSIZE LIFT STATION FOR DAVID BLVD APARTMENTS PROJECT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

2. Kolter Group Acquisitions, LLC Fourth Amendment to Agreement for Sale and Purchase

County Administration

Authorize the Chairman to sign the Fourth Amendment to the Agreement extending the date of the Development Approval Period by 60 days until April 23, 2024, to allow enough time for the final development approvals to be heard by the Board of County Commissioners. The closing will be on or before May 31, 2024. The County Administrator and County Attorney may extend the closing by 10 additional days if necessary. To secure the extension, Kolter will pay an additional \$60,000 directly to the County within three days of the execution of the amendment. This payment is not an additional deposit and shall not result in an adjustment to the purchase price.

A.AGR 2021-142

Assistant County Administrator Claire Jubb highlighted Kolter Group Acquisitions, LLC Fourth Amendment to Agreement for Sale and Purchase.

Chair Truex noted extension. **Commissioner Constance** spoke to extension, payment, time differential, property value, and purchase price. **Commissioner Deutsch** discussed extension, Murdock Village, and partnership. **Commissioner Tiseo** commented on extension, payment, inducement, and requirement.

COMMISSIONER DOHERTY MOVED TO APPROVE THE FOURTH AMENDMENT TO AGREEMENT 2021-142 EXTENDING THE DATE OF THE DEVELOPMENT APPROVAL PERIOD BY SIXTY DAYS UNTIL APRIL 23, 2024, TO ALLOW ENOUGH TIME FOR THE FINAL DEVELOPMENT APPROVALS TO BE HEARD BY THE BOARD OF COUNTY COMMISSIONERS. THE CLOSING WILL BE ON OR BEFORE MAY 31, 2024. THE COUNTY ADMINISTRATOR AND COUNTY ATTORNEY MAY EXTEND THE CLOSING BY TEN ADDITIONAL DAYS IF NECESSARY. TO SECURE THE EXTENSION, KOLTER WILL PAY AN ADDITIONAL \$60,000 DIRECTLY TO THE COUNTY WITHIN THREE DAYS OF THE EXECUTION OF THE AMENDMENT. THIS PAYMENT IS NOT AN ADDITIONAL DEPOSIT AND SHALL NOT RESULT IN AN ADJUSTMENT TO THE PURCHASE PRICE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

6. Charlotte HOME Award Recommendation - Stillwater House

Human Services

(Change #2) Added attachment – Revised Presentation.

a) Approve the application and award incentives and fee subsidies as recommended; or b) Approve the application and award incentives and fee subsidies with modifications to the recommendation; or c) Deny the application; and d) If approved, authorize the County Administrator or his/her designee to approve and execute a Land Use Restriction Agreement (LURA) outlining the terms of affordability and compliance.

Colleen Turner, Human Services Manager gave a brief overview of Affordable Housing Trust Fund (AHTF), Stillwater House, and Board Action.

Chair Truex mentioned extension. **Commissioner Constance** remarked on Affordable Housing Trust Fund (AHTF), Bachman Tract, timeframe, extension, and property ownership. **Commissioner Doherty** noted Affordable Housing Trust Fund (AHTF). **Commissioner Tiseo** spoke to encumbrance, Housing Opportunities Made Easier (HOME) application process, and maximum award.

Assistant County Administrator Jubb responded to Palladium Contract and extension.

COMMISSIONER DOHERTY MOVED TO APPROVE THE APPLICATION AND AWARD INCENTIVES AND FEE SUBSIDIES AS RECOMMENDED, AND IF APPROVED, AUTHORIZE THE COUNTY ADMINISTRATOR OR HIS/HER DESIGNEE TO APPROVE AND EXECUTE A LAND USE RESTRICTION AGREEMENT (LURA) OUTLINING THE TERMS OF AFFORDABILITY AND COMPLIANCE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

5. Charlotte HOME Award Recommendation - Sovereign at Parkside East (SAPE)

Human Services

a) Approve the application and award incentives and fee subsidies as recommended; or b) Approve the application and award incentives and fee subsidies with modifications to the recommendation; or c) Deny the application; and d) If approved, authorize the County Administrator or his/her designee to approve and execute a Land Use Restriction Agreement (LURA) outlining the terms of affordability and compliance.

Ms. Turner gave a brief overview of Sovereign at Parkside East (SAPE).

Chair Truex discussed fees, Affordable Housing Advisory Committee (AHAC), and recommendations. **Commissioner Constance** mentioned guidelines, projects, funding, fees, AHAC, and meeting agendas. **Commissioner Doherty** commented on AHAC and recommendations. **Commissioner Tiseo** remarked on fees, funding, AHAC Meetings, HOME, Florida Housing Coalition, statutory requirements, and meeting agendas.

County Attorney Knowlton interjected on AHAC Special Meeting, statutory requirements, and recommendations.

COMMISSIONER TISEO MOVED TO POSTPONE ITEMS R-4 AND R-5 INDEFINITELY, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

4. Charlotte HOME Award Recommendation - Sovereign at Harbor West (SAHW)

Human Services

a) Approve the application and award incentives and fee subsidies as recommended; or b) Approve the application and award incentives and fee subsidies with modifications to the recommendation; or c) Deny the application; and d) If approved, authorize the County Administrator or his/her designee to approve and execute a Land Use Restriction Agreement (LURA) outlining the terms of affordability and compliance.

COMMISSIONER TISEO MOVED TO POSTPONE ITEMS R-4 AND R-5 INDEFINITELY, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

3. Charlotte HOME (Housing Opportunities Made Easier) Funding Recommendation - St. Vincent DePaul CARES' Vincentian Villas

Human Services

(Change #1) Added attachment – Revised Presentation.

a) Approve the application and award incentives and fee subsidies as recommended; or b) Approve the application and award incentives and fee subsidies with modifications to the recommendation; or c) Deny the application; and d) If approved, authorize the County Administrator or his/her designee to approve and execute a Land Use Restriction Agreement (LURA) outlining the terms of affordability and compliance.

Ms. Turner gave a brief overview of Vincentian Villas.

Chair Truex noted cost, funding, phased approach, West Port, infrastructure, water main extension, timeframe, State Housing Initiatives Partnership (SHIP), investment, needs, and Developer's Agreement. Commissioner Doherty spoke to Vincentian Villas, fees, Developer's Agreement, components, needs, timeframe, and clawback provision. Commissioner Tiseo discussed Vincentian Villas, phased approach, funding, mission, AHAC, pro rata share, special needs, and extensions.

Ann Vickstrom, St. Vincent DePaul CARES responded to fees, phases, properties, timeline, and programs.

Assistant County Attorney Glinda Pruitt replied to clawback provision, Developer's Agreement, land use restrictive agreement (LURA), updates, encumbrance, accountability, extensions, and draft.

COMMISSIONER DOHERTY MOVED TO APPROVE THE APPLICATION AND AWARD INCENTIVES AND FEE SUBSIDIES AS RECOMMENDED, WITH THE UNDERSTANDING THAT THERE WILL BE A SUBSEQUENT DEVELOPERS AGREEMENT, THE APPROVAL BEING CONTINGENT ON THE RFA AWARD, AND IF APPROVED, AUTHORIZE THE COUNTY ADMINISTRATOR OR HIS/HER DESIGNEE TO APPROVE AND EXECUTE A LAND USE RESTRICTION

AGREEMENT (LURA) OUTLINING THE TERMS OF AFFORDABILITY AND COMPLIANCE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

RECESS: 10:30 am – 10:33 am

COMMUNITY REDEVELOPMENT AGENCY MEETING

At 10 a.m., or soon thereafter the Board will recess for the Murdock Village Community Redevelopment meeting. The Regular Meeting will reconvene upon the conclusion of the Murdock Village Community Redevelopment meeting.

R. Regular Agenda (Continued)

7. Cultural Center Update

Facilities

Discussion and direction on the Cultural Center update.

Mr. Perdue gave a brief overview of Objectives, Historical Data, Pre-Hurricane Building Condition, Post-Hurricane Building Condition, Theater & Learning Center, Port Charlotte Library, Conference Center, Consultant Recommendation, Facilities Recommendation, Next Steps, Next Steps Discussion, remarked on language, and Stormwater Requirements.

Ray Carter, Risk Manager gave a brief overview of Insurance Payments Cultural Center.

Todd Sweet, Sweet Sparkman gave a brief overview of Purpose, Charlotte County Boundary, Mission of the Cultural Center, Background, What is a cultural center, Community Meetings, Online Survey: Proposed Activities Responses, Responses by Percentage, Survey Feedback, Online Survey Responses, Survey Demographics, Household Information, Social Needs, Affordable Housing, Visual and Performing Arts, Proposed Activities, Cultural Center, Outdoor Spaces, and Response.

Tim Roane, RWA Engineering gave a brief overview of Site Location & Data, Future Land Use, Zoning, Permitted Uses Sec.3-9-39(b), Conditional Uses Sec. 3-9-39(d), Special Exception Sec. 3-9-39(f), Office, Medical, Institutional (OMI) Development Standards Sec. 3-9-39(g), Stormwater Requirements, Stormwater Design Examples, Existing Site Access, Off-Street Parking, Americans with Disabilities Act (ADA) Accessible Parking, Existing Utilities Charlotte County Utilities (CCU): Water, Wastewater, Existing Utilities: Florida Power and Light (FPL) Electrical/Communications, and Development Approval Process.

Chair Truex commented on process, facilities, integration, functionality, building condition, Port Charlotte Library, Capital Needs Assessment (CNA) project, options, Next Steps Discussion, Historical Center, programming, components, community engagement, Family Services Center, and efforts. **Commissioner Constance** mentioned building standards, Insurance Payments Cultural Center, Family Services Center, options, Port Charlotte Library, Stormwater Requirements, footprint, restrictions, watershed, savings, concept, Mid-County Regional Library, Next Steps Discussion, Historical Center, Florida Southwestern State College, process, and Charlotte Community Foundation Director Shelley Strickland. **Commissioner Deutsch** remarked on building condition, transparency,

funding, community wants and needs, operations, Murdock Village, accountability, reporting, public input, Federal Emergency Management Agency (FEMA), reimbursements, Stormwater Requirements, footprint, and limitations. **Commissioner Doherty** noted Next Steps Discussion, Stormwater Requirements, exemptions, self-certification, components, water quality, programming, building requirements, CNA, funding, flexibility, administrative code, Florida Department of Environmental Protection (FDEP), Water Management District, and subsurface options. **Commissioner Tiseo** spoke to Family Services Center, programming, process, Insurance Payments Cultural Center, cost, calculations, funding, premiums, CNA project, savings, Stormwater Requirements, standards, Proposed Activities, flex and allocated spaces, components, concept plan, facility maintenance and operations, Next Steps Discussion, museum, Sales Tax Project, language, and exemptions

Assistant County Administrator Jubb interjected on insurance, workshop, Port Charlotte Library, and CNA project.

COMMISSIONER TISEO MOVED TO APPROVE THE CONSULTANT AND FACILITIES RECOMMENDATIONS THAT THE ENTIRE STRUCTURE BE DEMOLISHED, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE GOING FORWARD WITH DESIGNING THE CONCEPT, NOT ALTERING ANY OF THE WATERSHEDS ON THE PROPERTY, NOT CHANGING ANY OF THE FOOTPRINTS, NOT CHANGING ANY OF THE INGRESS AND EGRESS, TO BE ABLE TO APPLY FOR THE EXEMPTION, SECONDED BY COMMISSIONER DEUTSCH

MOTION WITHDRAWN

COMMISSIONER CONSTANCE MOVED TO POSTPONE ITEM FOR TWO WEEKS TO COME BACK WITH A FUNDING OPTION, SECONDED BY COMMISSIONER TISEO

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 - None

AA. County Administrator Comments

County Administrator Flores discussed Port Charlotte Beach Complex, Cultural Center, community impact, Tampa Bay Rays, staff efforts, Charlotte County Sports Park, Snowbird Classic, and Tourism.

Commissioner Constance commented on Community Services Director Tommy Scott, Punta Gorda Little League, staff efforts, and Snowbird Classic.

BB. County Attorney Comments

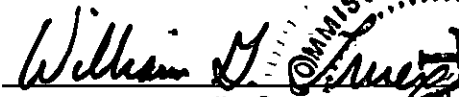
County Attorney Knowlton mentioned Florida Fish and Wildlife Services (FWS) March 27, 2024 Public Hearing on Fred C. Babcock-Cecil M. Webb Wildlife Management Area Management Plan.

CC. Economic Development Director Comments - None

DD. County Commissioner Comments

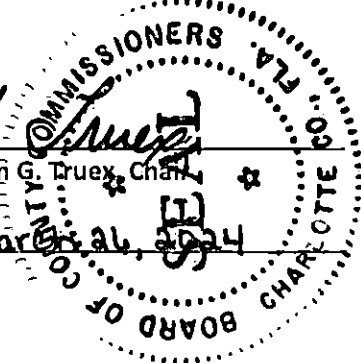
Chair Truex noted River Road and developer participation. Commissioner Constance spoke to Larry Taylor Kiwanis Park, playground facilities, public safety, FEMA, timelines, Westchester Boulevard, Beacon Drive, Beaver Lane, Peace River School, traffic, data, accidents, and options. Commissioner Deutsch discussed Cultural Center, River Road, Metropolitan Planning Organization (MPO), support letter, and Sarasota County. Commissioner Doherty commented on Westchester Boulevard, General Development, platting, National Association of Counties (NACo) Transportation Committee, Manual on Uniform Traffic Control Devices (MUTCD), speed limit determination, criteria, Carmalita Street, Federal Highway Administration (FHWA), and heavier trucks legislation. Commissioner Tiseo mentioned Affordable Housing Credit Improvement Act, support letter, animal crossing, signage, Burnt Store Corridor Coalition, Charlotte Harbor Environmental Center (CHEC), Lee County, geographic information system (GIS) overlay maps, process, data, Westchester Boulevard, and Beacon Drive.

ADJOURNED: 12:20 pm



William G. Truex, Chair

DATE ADOPTED: March 12, 2024



ATTEST:

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

By: 

Deputy Clerk