

**BOARD OF COUNTY COMMISSIONERS**

**MAY 14, 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, Minutes Clerk Jaynes, 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:** C-5, Item moved to Regular Agenda, R-2.

Requested by: Commission Office

**Change #2:** F-1, Added attachment – Updated Exhibit A.

Requested by: Budget & Administrative Services

**Deletion #1:** F-4, 19-139, Request for Letters of Interest, Change Order, Myakka River Park Master Site Plan (Community Services). Approve Change Order #3 to Request for Letters of Interest File 19-139, Myakka River Park Master Site Plan, for an additional \$20,5000, with a revised not-to-exceed amount of \$182,000.

Requested by: Budget & Administrative Services

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

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Ken Doherty**

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

**MOTION CARRIED 5:0.**

**Emergency Medical Services Week 50th Anniversary**

Chief Jason Fair, Public Safety Director and Public Safety staff accepted the Proclamation.

**National Foster Care Awareness Month**

Proclamation will be mailed to Karole Davis, 4Kids Southwest Florida Partner Engagement Officer.

**National Travel & Tourism Week**

Sean Doherty, Tourism Development Director and Tourism staff accepted the Proclamation.

**Summer Camp Month**

Jill Boyd, Recreation Superintendent and Leah Williams, Recreation Supervisor accepted the Proclamation.

**Family Abduction Awareness Day**

Proclamation to be mailed to Chris Felder, National Parents Organization.

**Asian American & Pacific Islander Heritage Month**

Proclamation will be mailed to the Filipino American Society.

**Memorial Day 2024**

Proclamation will be given to **Commissioner Deutsch**.

**Mental Health Awareness Week**

Proclamation will be mailed to Stephanie Philipps, Wellness Coordinator.

**National Police Week**

Proclamation will be mailed to Jennifer Wireman, Charlotte County Sheriffs Office Senior Executive Assistant.

**National Public Works Week**

Proclamation will be mailed to Jessica Reynolds, Public Works Senior Administrative Assistant.

**OCEAN'S Sunflower Senior Appreciation Day**

Proclamation will be mailed to Suzanne VanDrus, Our Charlotte Elder Affairs Network (OCEAN) Vice President.

**Employee Recognition**

Years of Service - April 2024

**5 Years:** Althea Connor, Human Services; Candice White, Budget & Administrative Services; Julio Campos, Budget & Administrative Services; Jocene Henderson, Human Services; **10 Years:** Pooja Patel, County Attorney; Thurman Owens, Jr., Utilities; Wendy Welsh, Community Development; Gary Davis, Public Works; Ellen Pinder, Emergency Management; **20 Years:** Dwayne Smith, Public Works; Gloyd Stadel, III, Public Safety; James Leitz, Public Safety; Joseph Bonner, Public Works; Thomas Peters, Public Works; **25 Years:** William MacDonald, Community Services; Felix Hernandez, Public Safety; and **35 Years:** John Elias, Public Works.

## Award Presentations

### International Economic Development Council Certified Economic Developer Designation

Amanda Benton has earned the designation of Certified Economic Developer (CEcD) from the International Economic Development Council (IEDC). The CEcD designation establishes an industry benchmark of excellence and signifies the world's most knowledgeable and dedicated individuals in the field of economic development. It sets the gold standard for professionals who are steadfastly committed to fostering innovation, attracting investment, and driving economic growth and prosperity within their communities and around the world.

Dave Gammon, Economic Development Director highlighted Ms. Benton's knowledge, qualifications, commitment, achievements, and presented Award.

### PUBLIC INPUT - AGENDA ITEMS ONLY

Jay Henderson, Englewood Beach Waterfest President remarked on Fiscal Year (FY) 2025 Boater Revolving Fund Grant Program.

Richard Whitman spoke in support of FY 2025 Boater Revolving Fund Grant Program.

Nancy Johnson, Team Punta Gorda commented on FY 2025 Boater Revolving Fund Grant Program.

Russ Tryder, Punta Gorda and Charlotte Harbor Boaters Alliance Co-President mentioned FY 2025 Boater Revolving Fund Grant Program.

### COMMITTEE VACANCIES

The committee vacancy list below is for informational purposes only. It is not part of the County Commission agenda upon which action is to be taken, and therefore not a topic on which public input is allowed at the beginning of this meeting.

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

**The Historical Advisory Committee** is looking for volunteers to fill one Member At Large position and one organization based position. Organization must be within Charlotte County and organization must submit a letter of recommendation for the applicant. Terms are effective immediately and will expire in May 2027. Please contact [Claudia.Mayo@charlottecountyfl.gov](mailto:Claudia.Mayo@charlottecountyfl.gov) for an application.

**The Marine Advisory Committee** is seeking two volunteers to fill two unexpired positions. A Member at Large position effective immediately and expires on December 12, 2025, and a Harbor Heights Yacht Club position effective immediately and expires in December 2026. Please contact [Claudia.Mayo@charlottecountyfl.gov](mailto:Claudia.Mayo@charlottecountyfl.gov) for an application.

**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 a South County Representative (applicants must live in Charlotte County). The CAC reviews and makes recommendations on transportation plans and projects that the MPO Board will consider.

**Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB)** is seeking one volunteer representing the 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 Friday, July 5 2024. Please go online at [www.ccpmpo.gov](http://www.ccpmpo.gov) or contact the MPO for an application. The MPO mailing address is Charlotte County-Punta Gorda MPO, 1050 Loveland Blvd., Port Charlotte, FL 33980; Email: [office@ccpmpo.gov](mailto:office@ccpmpo.gov). The MPO Board will elect the above positions at its Monday, July 15, 2024 meeting.

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](mailto:MSBU-TU@CharlotteCountyFL.gov).

- **Alligator Creek Waterway Unit** is seeking one member to fill a position with a term through October 31, 2025.
- **Boca Grande Street & Drainage Unit** is seeking three members to fill positions with terms through October 31, 2025, October 31, 2026, and October 31, 2027.
- **Burnt Store Village Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Edgewater North Waterway Unit** is seeking one member to fill a position with a term through October 31, 2025.
- **Englewood East Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.
- **Grove City Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025, and October 31, 2027.
- **Gulf Cove Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025, and October 31, 2027.

- Harbour Heights Street & Drainage Unit is seeking two members to fill positions with terms through October 31, 2027.
- Manchester Waterway Utility Unit is seeking one member to fill a position with a term through October 31, 2027.
- Northwest Port Charlotte Waterway Unit is seeking one member to fill a position with a term through October 31, 2027.
- Placida Area Street & Drainage Unit is seeking one member to fill a position with a term through October 31, 2027.
- Rotonda Heights Street & Drainage Unit is seeking one member to fill a position with a term through October 31, 2027.
- Rotonda 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 one member to fill a position with a term ending October 31, 2027.

#### REPORTS RECEIVED AND FILED

Clerk of Court's County Quarterly Investment Report

Comptroller Division

Clerk of Court's County Quarterly Investment Report, March 31, 2024.

#### CONSENT AGENDA

COMMISSIONER DOHERTY MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-1, Q-1, Q-2, AND Q-3, 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:

April 9, 2024 BCC Regular Meeting  
April 16, 2024 BCC Monthly Workshop  
April 16, 2024 BCC Utilities Quarterly Update  
April 18, 2024 BCC Pre-Agenda  
April 23, 2024 BCC Regular and Land Use Meeting

**Budgeted Action:** No action needed.

Board of County Commissioners

**C. Commission Office**

1. Appointment- Historical Advisory Committee

**Recommended Action:** Approve the appointment of Deborah Fitch to the Historical Advisory Committee as a Member-at-Large representative. Term is effective immediately and will expire in May 2027.

**Budgeted Action:** No action needed.

2. Appointment- Rotonda Sands Street & Drainage Advisory Board

**Recommended Action:** Approve the appointment of Karen Hartman to fill the unexpired term of Kevin Cote on the Rotonda Sands Street & Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2025.

**Budgeted Action:** No action needed.

3. Appointment- Beaches & Shores Advisory Committee

**Recommended Action:** Approve the appointment of Ralph Lombardo to the Beaches & Shores Advisory Committee representing Commission District #3. The term expires on November 30, 2024.

**Budgeted Action:** No action needed.

4. NACo Board of Directors Position - FAC Representative

**Recommended Action:** Approve a letter of recommendation for Commissioner Christopher G. Constance to seek the Florida Association of Counties (FAC) representative seat on the Board of Directors for the National Association of Counties (NACo).

**Budgeted Action:** No action needed.

5. Charlotte Harbor Water Association - Letter of Support

**(Change #1)** Item moved to Regular Agenda, R-2.

**Recommended Action:** Approve a letter of support for the Charlotte Harbor Water Association for federal funding of Harborview Road project.

**Budgeted Action:** No action needed.

6. FGCU Water Center Proposal - Letter of Support

**Recommended Action:** Approve letter to the Florida Council of 100, supporting Florida Gulf Coast University's proposal to host a state Center for Integrative Water Resource Management.

**Budgeted Action:** No action needed.

**D. County Administration**

1. BCC Schedule Change

**Recommended Action:** Approve the following BCC Meeting schedule changes: a) Schedule a Monthly BCC Workshop on May 21, 2024, at 10:00 a.m. in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida; and b) Reschedule the May 21, 2024, 2:00 p.m. Strategic Focus Area Workshop to May 21, 2024, at 3:00 p.m.

**Budgeted Action:** No action needed.

**E. County Attorney**

**F. Budget and Administrative Services**

Fiscal Services

1. FY25 Boater Revolving Fund Grant Program

**(Change #2)** Added attachment – Updated Exhibit A.

**Recommended Action:** a) Approve Resolution which funds the West Coast Inland Navigation District (WCIND) and Boater Improvement Fund (BIF) expenditures for Fiscal Year 2025 in the amount of \$1,332,624; and b) Authorize the County Administrator, or designee, to sign WCIND grant applications and agreements, sub-recipient agreements, and other necessary grant documents associated with the FY25 BRF grant cycle. RES 2024-059

**Budgeted Action:** No action needed. Funding is budgeted in the 1054 Boater Revolving Fund for FY2025. Funding for the grant projects comes from Property taxes collected by WCIND and from boat registration fees. Matching requirements for WCIND projects are provided using Boater Improvement Fund- Local, or In-Kind Volunteer Hours, as identified in Exhibits A and B.

**Chair Truex** discussed Myakka River, Sarasota County, water impairment sources, City of Punta Gorda, engagement, funding sources and requests, Marine Advisory Committee (MAC), budget, policy, and Tourism. **Commissioner Constance** spoke to Agenda item, Boater Improvement Fund (BIF) Local and State Funding, MAC, recommendations, Englewood Beach Waterfest, funding requests, Fiscal Services, County Navigational

Improvement Fund (CNIF), titling, Tourism, In-Kind Event Funding, Florida International Air Show, revenue, budget, process, language, grants, purpose, policy, and sponsorships. **Commissioner Deutsch** noted Team Punta Gorda, Englewood Beach Waterfest, funding requests and sources, Florida International Air Show, MAC, recommendations, Tourism, In-Kind Event Funding, costs, support, community impact, methodology, postponement, and application. **Commissioner Doherty** commented on recommendations, MAC, WCIND, CNIF, BIF Local and State Funding, Englewood Beach Waterfest, Team Punta Gorda, City of Punta Gorda, contributions, Tourism, In-Kind Event Funding, funding requests and sources, and postponement. **Commissioner Tiseo** remarked on Team Punta Gorda, water testing, City of Punta Gorda, funding requests and sources, One Charlotte One Water, Water Quality Manager Brandon Moody, value, CNIF, purpose, Tourism, MAC, policy, Englewood Beach Waterfest, recommendations, self-sustaining program, In-Kind Event Funding, BIF, economic impact, language, clarification, Florida International Air Show, WCIND, and events.

County Administrator Flores responded to City of Punta Gorda, Team Punta Gorda, funding contributions and sources, WCIND, CNIF, process, Englewood Beach Waterfest, Fiscal Services, MAC, budget preparation, motions, In-Kind Event Funding, and recommendation.

County Attorney Knowlton interjected on Team Punta Gorda, funding request, MAC, and motions.

Mr. Moody replied to impairment designation, November 21, 2023 Joint Meeting with City of Punta Gorda, Alligator Creek Basin, Punta Gorda Isles (PGI), water sampling and sources, data, volunteer monitoring program, savings, costs, One Charlotte One Water, communication, community outreach, and education.

Rick Arthur, Fiscal Services Manager remarked on Fiscal Services, Agenda item, Englewood Beach Waterfest, CNIF, WCIND, purpose, and funding requests and sources.

Mark Snow, Senior Financial Analyst responded to MAC, Englewood Beach Waterfest, funding requests, and recommendations.

Jay Henderson, Englewood Beach Waterfest President replied to funding requests, Hurricane Ian, general admission, fee waiver, volunteer organization, costs, attendance, community impact, In-Kind Event Funding, Tourism, expenses, Florida Sports Foundation (FSF), MAC, grants, conservation, Family Conservation Center, and sponsorship.

Mr. Doherty remarked on In-Kind Event Funding, funding requests, April 23, 2024 Regular and Land Use Meeting, return on investment (ROI), media exposure, FSF, attendance, value, benefit, Sunseeker, revenue, and sponsorships.

**COMMISSIONER DEUTSCH MOVED TO APPROVE TEAM PUNTA GORDA WATER QUALITY ASSESSMENT PROGRAM FUNDING REQUEST FOR TWENTY-SIX THOUSAND DOLLARS, SECONDED BY COMMISSION DOHERTY**

**MOTION CARRIED 5:0.**

**COMMISSIONER CONSTANCE MOVED TO APPROVE ENGLEWOOD BEACH WATERFEST EVENT SUPPORT FUNDING REQUEST OF FORTY-FOUR THOUSAND DOLLARS WITH THE PROVISIO THAT AFTER DISCUSSION IT IS DETERMINED WHAT THE FUNDING SOURCE WILL BE, SECONDED BY CHAIR TRUEX**

**MOTION WITHDRAWN**



COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2024-029 WHICH FUNDS THE WEST COAST INLAND NAVIGATION DISTRICT (WCIND) AND BOATER IMPROVEMENT FUND (BIF) EXPENDITURES FOR FISCAL YEAR 2025 IN THE AMOUNT OF \$1,332,624; AND AUTHORIZE THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SIGN WCIND GRANT APPLICATIONS AND AGREEMENTS, SUB-RECIPIENT AGREEMENTS, AND OTHER NECESSARY GRANT DOCUMENTS ASSOCIATED WITH THE FISCAL YEAR 2025 BOATER REVOLVING FUND (BRF) GRANT CYCLE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

2. Law Enforcement Trust Fund Fiscal Year 2024

**Recommended Action:** Approve the transfer of \$28,500 from the County Law Enforcement Trust Fund to the Sheriff's Law Enforcement Trust Fund Checking Account.

**Budgeted Action:** No action needed. Budgeted in the Law Enforcement Fund budget as approved in the FY2024 budget process. Funding for the expenditure comes from the Law Enforcement Trust Fund.

Information Technology

Purchasing

3. 24-372, Award, Purchase CAT® 299D3 XE Compact Track Loader (Public Works)

**Recommended Action:** a) Approve award of File #24-372 for the purchase of one (1) CAT® 299D3 XE Compact Track Loader, per the Florida Sheriff's Association Cooperative Purchasing Program Contract #FSA23-EQU21.0, and award to Kelly Tractor Company of Miami, Florida for a purchase price of \$174,550; and b) Approve Asset #26000 to be sold via auction.

**Budgeted Action:** No action needed. Budgeted in the Heavy Equipment Replacement plan approved in the FY24 budget process. Funding is supplied from Solid Waste Fees.

~~(Deletion #1) 4. 19-139, Request for Letters of Interest, Change Order, Myakka River Park Master Site Plan (Community Services)~~

~~**Recommended Action:** Approve Change Order #3 to Request for Letters of Interest File 19-139, Myakka River Park Master Site Plan, for an additional \$20,500, with a revised not to exceed amount of \$182,000.~~

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

5. 24-397, Piggyback, Radio Replacements (Public Safety)

**Recommended Action:** a) Approve award of Piggyback File #24-397, Radio Replacements, to Motorola Solutions of Cape Coral, Florida, per NASPO Contract 00318, Public Safety Communications, Products, Services, and Solutions, for the total amount of \$1,274,380.78. This is for the replacement of radios for Public Safety; and b) Approve Budget Adjustment BA24-115 in the amount of \$824,381 to the Radio Communications Fund. RES 2024-060

**Budgeted Action:** Approve Budget Adjustment BA24-115 in the amount of \$824,381 to the Radio Communications Fund - Radio budget. Funding for this expenditure comes from radio user fees.

6. 24-399, Piggyback, Document and Media Scanning Services - Annual Contract (Community Development)

**Recommended Action:** a) Approve award of Piggyback #24-399 Document and Media Scanning Services - Annual Contract, to Advanced Data Solutions, Inc. of Oldsmar, Florida at the unit prices per the City of Tamarac Request for Proposal Contract #23-38R from date of award through and including December 12, 2026; and b) Authorize County Administrator to approve two (2) additional one-year terms at the same prices, terms and conditions, by mutual consent. This service is for document scanning of paperwork to prepare for the implementation of electronic document review.

**Budgeted Action:** No action needed. Budgeted in the Building Construction Services Fund - Building Construction Services budget as approved in the FY2024 budget process. Funding for the expenditure comes from permit revenue.

7. 24-408, Piggyback, Fire/EMS Uniforms and Uniforms Accessories (Public Safety)

**Recommended Action:** Approve award of Piggyback File #24-408, Fire/EMS Uniforms and Uniforms Accessories, per Hillsborough County Contract #ITB-24-24620, Fire Rescue Uniforms and Uniform Accessories, which was awarded to DesignLab Incorporated, of Greenville, South Carolina, at the unit prices submitted.

**Budgeted Action:** No action needed. 75% budgeted in the Fire Rescue Fund - Fire budget and 25% budgeted in General Fund - EMS budget as approved in the FY2024 budget process. Funding for this expenditure comes from Fire Rescue MSBU assessments and ad valorem.

8. 23-272, Approve Amendment 2, Construction Manager at Risk - Hurricane Ian Recovery - Mid County (Facilities)

**Recommended Action:** a) Approve Amendment #2 to Contract No. 2023000272, Construction Manager at Risk - Hurricane Ian Recovery - Mid County, with Wharton-Smith, Inc. for the GMP for Priority Insured Asset Repairs in the amount of \$3,834,268; and b) Authorize the Chairman to sign the Amendment #2 to Contract No. 2023000272.

**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.

9. Property Deletions for the Month of May, 2024 (Purchasing)

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

**Budgeted Action:** No action needed.

Real Estate Services

Risk Management

Transit

**G. Community Development**

**H. Community Services**

**I. Economic Development**

**J. Facilities Construction and Maintenance**

**K. Human Resources**

**L. Human Services**

**M. Public Safety**

**N. Public Works**

1. Ownership Transfer of Gottfried Creek Navigational Aids to Charlotte County

**Recommended Action:** Approval to apply for and complete the process to transfer ownership of Gottfried Creek's navigational aids from the West Coast Inland Navigation District (WCIND) to the Charlotte County Board of County Commissioners (BOCC).

**Budgeted Action:** No action required. The total cost for this project is \$41,800. Funding was provided to Public Works in the FY24 Boater Revolving Fund (1054) for New Marine Markers (s392407) in the amount of \$150,000. Public Works will use this grant to replace 19 navigational aids in Gottfried Creek.

2. Deep Creek Drainage - Memorandum of Understanding

**Recommended Action:** Approve the Deep Creek Memorandum of Understanding. **AGR 2024-076**

**Budgeted Action:** No action needed. The work performed as outlined in the Memorandum of Understanding (MOU) will be funded by the Mid-Charlotte Stormwater and Deep Creek Street and Drainage MSBU assessments.

**O. Tourism Development**

1. Florida Sports Foundation Snowbird Baseball Grant Agreement

**Recommended Action:** a) Approve the acceptance of the Florida Sports Foundation Grant Agreement in the amount of \$20,000; and b) Authorize the Chairman to sign the Florida Sports Foundation Grant Agreement. **GRT 2024-014**

**Budgeted Action:** No action needed. Budgeted in the Tourism Promo General account during the FY2024 budget process. Grant funding in the amount of \$20,000 will be paid by the Florida Sports Foundation. Matching funding in the amount of \$20,000 will be paid by the Tourism Development Tax Fund.

**P. Utilities**

**Q. Other Agencies**

1. Amended and Restated Memorandum of Understanding for Administrative Services Between Charlotte County and the Coastal & Heartland National Estuary Partnership

**Recommended Action:** a) Approve the Amended and Restated Memorandum of Understanding for Administrative Services between Charlotte County and the Coastal & Heartland National Estuary Partnership; and b) Authorize the Chairman to sign the Amended and Restated MOU. **A.AGR 2022-093**

**Budgeted Action:** No action needed.

Chair Truex mentioned Coastal and Heartland National Estuary Partnership (CHNEP), Master Agreement, and funds. Commissioner Constance spoke to CHNEP, language, Agreements, fiscal liability, Memorandum of Understanding (MOU), purpose, responsibility, Interlocal Agreements (ILA), protection, policy, and contracts. Commissioner Tiseo discussed CHNEP, financial statements, quarterly review, language, amendment, MOU, termination clause, default, and term duration.

Assistant County Administrator Claire Jubb responded to language.

Deputy County Attorney Lori Tetreault interjected on Agreements, amendments, language, ILA, interpretation, CHNEP, funding sources, purpose, intent, contracts, and termination clause.

Jennifer Hecker, CHNEP Executive Director replied to ILA, process, costs, funding, work plan and budget amendments, quarterly meetings, budget monitoring and review, and coordination.

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING AGREEMENT 2022-093 FOR ADMINISTRATIVE SERVICES BETWEEN CHARLOTTE COUNTY AND THE COASTAL & HEARTLAND NATIONAL ESTUARY PARTNERSHIP; AND AUTHORIZE THE CHAIRMAN TO SIGN THE AMENDED AND RESTATED MOU, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

2. Interlocal Agreement Between Charlotte County on Behalf of CHNEP and the City of Punta Gorda

**Recommended Action:** a) Authorize the Chairman to sign Interlocal Agreement on behalf of the Coastal and Heartland National Estuary Partnership and City of Punta Gorda for services supporting CHNEP's Comprehensive Conservation and Management Plan; and b) Authorize the County Administrator to execute related Work Assignments. **AGR 2024-077**

**Budgeted Action:** No action needed.

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE CHAIRMAN TO SIGN INTERLOCAL AGREEMENT 2024-077 ON BEHALF OF THE COASTAL AND HEARTLAND NATIONAL ESTUARY PARTNERSHIP (CHNEP) AND CITY OF PUNTA GORDA FOR SERVICES SUPPORTING CHNEP'S COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN, WITH THE ADDED LANGUAGE UNDER III, SECTION C, UNDER NO CIRCUMSTANCES WILL CHARLOTTE COUNTY FUNDS BE USED TO PAY ANY OF THE CHNEP INVOICES; AND AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE RELATED WORK ASSIGNMENTS, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

3. Interlocal Agreement Between Charlotte County on Behalf of CHNEP and the Lehigh Acres Municipal Services Improvement District (LAMSID) for Services Supporting CHNEP's Comprehensive Conservation and Management Plan

**Recommended Action:** a) Authorize the Chairman to sign Interlocal Agreement on behalf of the Coastal and Heartland National Estuary Partnership and Lehigh Acres Municipal Services Improvement District (LAMSID) for services supporting CHNEP's Comprehensive Conservation and Management Plan; and b) Authorize the County Administrator to execute related Work Assignments. **AGR 2024-078**

**Budgeted Action:** No action needed.

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CHAIRMAN TO SIGN INTERLOCAL AGREEMENT 2024-078 ON BEHALF OF THE COASTAL AND HEARTLAND NATIONAL ESTUARY PARTNERSHIP (CHNEP) AND LEHIGH ACRES MUNICIPAL SERVICES IMPROVEMENT DISTRICT (LAMSID) FOR SERVICES SUPPORTING CHNEP'S COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN, WITH THE ADDED LANGUAGE UNDER III, SECTION C, UNDER NO CIRCUMSTANCES WILL CHARLOTTE COUNTY FUNDS BE USED TO PAY ANY OF THE CHNEP INVOICES; AND AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE RELATED WORK ASSIGNMENTS, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

4. US Environmental Protection Agency Assistance (EPA) Amendment Novated FY24 Grant Award to CHNEP-Charlotte County

**Recommended Action:** Approve the acceptance of the US EPA 320 Novated FY24 Grant Award on behalf of Coastal & Heartland National Estuary Partnership (CHNEP). **A.GRT 2023-094**

**Budgeted Action:** No action needed. Grant funding in the amount of \$333,876 is included in the FY24 budget for 1026, CHNEP Fund. Grant funding will be provided by United States Environmental Protection Agency. There is no local match required.

**Taken Out of Order**

**PUBLIC HEARING AGENDA**

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

1. Second Quarter Budget Adjustments

**Budget & Admin Services**

Conduct a public hearing approving the Resolution to adopt budget adjustments that amend the FY23/24 budget. These adjustments which impact various funds are needed to align the FY23/24 budget with required changes and actual activity. **RES 2024-061**

Mr. Arthur highlighted Second Quarter Budget Adjustments.

**Public Input**

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2024-061 APPROVING BUDGET ADJUSTMENTS AND AMENDMENTS TO THE FISCAL YEAR 2023-2024 CHARLOTTE COUNTY ADOPTED BUDGET, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

## REGULAR AGENDA

### R. Regular Agenda

#### 1. West Port East Development Agreement for Kolter Purchase from MVCRA

##### County Administration

Approve the Development Agreement between Kolter Group Acquisitions, LLC's assignee, KL Westport Expansion LLC, and the County. The Development Agreement is required by the purchase and sale agreement and must be fully executed at the closing no later than May 31, 2024. The agreement relates to the project's Public Infrastructure Improvements, Stormwater Ponds, and other aspects governing development of the property. The property is located adjacent to the current West Port community on land lying south of US 41, west of Toledo Blade Blvd. and north of SR 776 (El Jobean Road). **AGR 2024-079**

Assistant County Administrator Jubb highlighted West Port East Development Agreement for Kolter Purchase from Murdock Village Community Redevelopment Agency (MVCRA).

**COMMISSIONER DEUTSCH MOVED TO APPROVE THE DEVELOPMENT AGREEMENT 2024-079 BETWEEN KOLTER GROUP ACQUISITIONS, LLC'S ASSIGNEE, KL WESTPORT EXPANSION LLC, AND THE COUNTY. THE DEVELOPMENT AGREEMENT IS REQUIRED BY THE PURCHASE AND SALE AGREEMENT AND MUST BE FULLY EXECUTED AT THE CLOSING NO LATER THAN MAY 31, 2024. THE AGREEMENT RELATES TO THE PROJECT'S PUBLIC INFRASTRUCTURE IMPROVEMENTS, STORMWATER PONDS, AND OTHER ASPECTS GOVERNING DEVELOPMENT OF THE PROPERTY. THE PROPERTY IS LOCATED ADJACENT TO THE CURRENT WEST PORT COMMUNITY ON LAND LYING SOUTH OF US 41, WEST OF TOLEDO BLADE BLVD. AND NORTH OF SR 776 (EL JOBEAN ROAD), SECONDED BY COMMISSIONER TISEO**

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

#### 2. Charlotte Harbor Water Association - Letter of Support

(Change #1) Item moved to Regular Agenda, R-2.

Approve a letter of support for the Charlotte Harbor Water Association for federal funding of Harborview Road project.

Commissioner Constance noted conflict, process, data, and Congressman Greg Steube. Commissioner Deutsch commented on funding request and support. Commissioner Doherty mentioned Charlotte Harbor Water

Association (CHWA), conflict, Congressman Greg Steube, contacts, appropriation requests, recommendations, support letter, and Congressional Appropriations Committee. Commissioner Tiseo discussed conflict, road construction, Harborview Road, funding requests, and support.

Eve Sweeting, Legislative Manager remarked on CHWA, funding request, Transportation, Housing and Urban Development, and Related Agencies Fiscal Year 2024 Appropriations Bill, and Highway Infrastructure Programs.

Deputy County Administrator Emily Lewis replied to CHWA, contacts, appropriation requests, and notification.

Steve Viera, CHWA President responded to communication, Congressman Greg Steube, competition, appropriation request, Harborview Road, application, and letters of endorsement.

**COMMISSIONER CONSTANCE MOVED TO POSTPONE CHARLOTTE HARBOR WATER ASSOCIATION – LETTER OF SUPPORT TO ALLOW TIME TO RECEIVE ADDITIONAL INFORMATION AND DISCOVER IF THIS WOULD BE COMPETING WITH CHARLOTTE COUNTY’S FUNDING REQUEST FOR CONSTRUCTION ON HARBORVIEW ROAD VERSUS A PARALLEL ITEM THAT COULD BE FUNDED SEPARATELY, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

#### **PRESENTATION AGENDA**

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

#### **PUBLIC INPUT - ANY SUBJECT**

David Pollard noted Westchester Boulevard, trucks, Ordinance 2024-006, Loveland Boulevard, Waste Management, Olean Boulevard, Harborview Boulevard, landfill, funding, and public safety.

Jeff Lustig spoke to Sunseeker, employment, United Way, Sarasota County, United Way 211 of Sarasota, education system and opportunities, Florida SouthWestern State College (FSW), Charlotte Technical College, social services, and benefits.

Tom Smith remarked on Loveland Boulevard, rental homes, sidewalks, public safety, traffic, and trucks.

##### **AA. County Administrator Comments**

County Administrator Flores commented on National Association of Counties (NACo) Action Alert, Congressional Review Act, interim final rule, State and Local Fiscal Recovery Funds, American Rescue Plan Act (ARPA), and support letter.

##### **BB. County Attorney Comments - None**


##### **CC. Economic Development Director Comments**

Mr. Gammon mentioned Florida Gulf Coast University President Aysegul Timur, Ph.D., June 5, 2024 Welcome Reception and Town Hall, and June 21, 2024 Promenades Mall Demolition Party,

##### **DD. County Commissioner Comments**

Chair Truex discussed of Western Interstate Region Conference, NACo, Family Services Center, community impact, United Way of Charlotte County, Charlotte 2-1-1, Mental Health Awareness Month, Sunseeker, Aircraft Rescue Fire Fighting (ARFF) Conference, Leadership Florida, attendance, feedback, community value, training facilities, partnerships, communications, and improvements. Commissioner Constance spoke to NACo, Information Technology (IT) Standing Committee Meeting, vendor agreements, services, platform accessibility, impairments, language, Department of Justice (DOJ), software and program testing, ARFF, value, and training facility. Commissioner Deutsch noted Memorial Day, events, Charlotte County Veterans Council, Congressman Greg Steube, and attendance. Commissioner Doherty remarked on Agreement 2024-076, Deep Creek Section 23, East Port Water Reclamation Facility (WRF), property management, communication, Charlotte County Utilities (CCU), and timeframe. Commissioner Tiseo commented on Junior Commission Program, graduation, Human Services, services, community impact, Family Services Center, United Way of Charlotte County, Sarasota County, Sunseeker, feedback, attendance, and Coca-Cola Retreat.

ADJOURNED: 11:05 am

  
\_\_\_\_\_  
William G. Truex, Chair  
DATE ADOPTED: May 28, 2024

ATTEST:

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

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