

**BOARD OF COUNTY COMMISSIONERS**

**SEPTEMBER 10, 2024**

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, Minutes Clerk Savino, 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 Reverend Dr. R. Brian Stolarczyk, Lutheran Church of the Cross, followed by the Pledge of Allegiance.

**Changes to the Agenda**

**Change #1:** F-2, Added attachment – Funding Agreement.

Requested by: Budget & Admin Services

**Change #2:** L-3, Added Attachment – Revised, SHIP FY22 Close-out AR.

Requested by: Human Services

**Change #3:** R-3, Added Attachment – Presentation.

Requested by: Community Development

**Deletion #1:** F-10, 24-028, Approve Change Order 6, Facilities Ground Maintenance - Annual Contract (Facilities) Recommended Action: Recommend approval of Change Order #6, to Contract 24-028, Facilities Ground Maintenance - Annual Contract as awarded to Walkers Service Incorporated of Punta Gorda, Florida at the unit price \$160 per cycle for the expanded area on the attached quote. This change order is to expand the Critical Care Turf, Schedule A, area being maintained at Public Works on Florida Street.

Requested by: Facilities Management

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

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Christopher Constance**

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

**MOTION CARRIED 5:0.**

**Artist of the Month - Nicole Sandling**

Nicole Sandling accepted the Proclamation.

**Attendance Awareness Month**

Suncoast Campaign for Grade-Level Reading Director Beth Duda, Charlotte County Public Schools Social Work and Mental Health Services Coordinator Susan Flores, and United Way of Charlotte County Executive Director Angie Matthiessen accepted the Proclamation.

**National Fall Prevention Awareness Day**

Proclamation to be mailed to Katie Larsen, Lee Health Government Relations Project Manager.

**Southwest Florida Crime Stoppers Month**

Southwest Florida Crime Stoppers Manager Trish Route and Crime Stoppers Board Member Ron Weiland accepted the Proclamation.

**Patriot Day & National Day of Remembrance**

Various Public Safety and Charlotte County Sheriff's Office (CCSO) staff accepted the Proclamation.

**Constitution Week 2024**

Proclamation to be mailed to Lory Weisensee.

**Mid-Autumn Festival at Babcock Ranch**

Proclamation to be mailed to Priya Ahluwalia.

**National Preparedness Month**

Proclamation to be mailed to Emergency Management Director Patrick Fuller.

**Employee Recognition**

Years of Service - July 2024

**5 Years:** Salvatore Crapanzano, Public Works; Thomas Falco, Facilities; **10 Years:** Francine Lisby, Budget & Administrative Services; **15 Years:** Thomas Jalette, Utilities; **25 Years:** James Wilcox, Public Safety; and Juancarlos Cadenas, Public Safety.

Employee of the Month - July 2024

Joseph Howard

## Community Services

Tommy Scott, Community Services Director highlighted Mr. Howard's career, qualifications, community impact, commitment, and presented the Award.

### **Award Presentations**

#### Commissioners' Award for Customer Service - Commissioner Tiseo

Second Quarter Commissioners' Award  
Ceres Austria  
County Attorney's Office

**Commissioner Tiseo** highlighted Ms. Austria's career, qualifications, community impact, and presented the Award.

#### NACo Digital Survey Award

NACo Digital Award Survey presented to Ben Bailey, Community Development Director and Kellie Stewart, Public Relations Manager by Commissioner Constance.

**Commissioner Constance** highlighted National Association of Counties (NACo) Digital Survey Award and presented the Award to Community Development Director Ben Bailey and Public Relations Manager Kellie Stewart.

**Chair Truex** mentioned Community Development Department and efficiency.

#### Wellness Awards

Stephane Phillips to present Cigna Well-Being Awards for demonstrating a strong commitment to improving health and well-being of its employees through a workplace wellness program:

Cigna Healthy Workforce Designation - Gold  
The Bell Seal for Workplace Mental Health - Platinum  
Healthiest Employer Central Florida - 10th place

Stephane Phillips, Wellness Coordinator highlighted Healthiest Employer Center Florida - 10th place, Cigna Healthy Workforce Designation - Gold, The Bell Seal for Workplace Mental Health - Platinum, and presented Awards to **Commissioner Constance**.

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

Sam Besase commented on 24-482 Supply Asphalt Concrete - Annual Contract Award and 24-476 Rotonda Bridge Rehabilitations #4 and #5 Award.

Dr. Mary Ellen Kiss remarked on Burnt Store Area Community Outreach - Consultant Scope of Services.

Lee Kudasoski discussed Burnt Store Area Community Outreach - Consultant Scope of Services.

## 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.

The **Historical Advisory Committee** is looking for three volunteers to fill two Member At Large positions and one Historical Organization position. Historical Organization must be within Charlotte County. Terms are effective immediately and will expire September 2027. Please contact [Claudia.Mayo@charlottecountyfl.gov](mailto:Claudia.Mayo@charlottecountyfl.gov) for an application.

The **Marine Advisory Committee** is looking for three volunteers to fill a Member At Large position, a Harbor Heights Yacht Club position and a USCGA Flotilla 87-Englewood position. Terms are effective immediately and will expire September 2027. Please contact [Claudia.Mayo@charlottecountyfl.gov](mailto:Claudia.Mayo@charlottecountyfl.gov) for an application.

**Barrier Island Fire Service Municipal Service Benefit Unit (MSBU) Advisory Board** is seeking a volunteer to fill a vacant position with term ending 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 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 two members to fill positions with terms through October 31, 2027.
- **Boca Grande Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026, and two members to fill positions with terms through October 31, 2027.
- **Buena Vista Waterway Unit** is seeking one person to fill a position with a term through October 31, 2027.
- **Burnt Store Village Street & Drainage Unit** is seeking one person to fill a position with a term through October 31, 2027.
- **Deep Creek Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Don Pedro Knight Islands Street & Drainage Unit** is seeking one person 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, and two members to fill positions with terms through October 31, 2027.
- **Englewood East Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking two members to fill positions with terms 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, and two members to fill positions with terms through October 31, 2027.
- **Grove City Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2025, and two members to fill positions with terms through October 31, 2027.
- **Gulf Cove Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2025, and two members to fill positions with terms through October 31, 2027.
- **Gulf Cove Waterway Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Harbour Heights Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **Harbour Heights Waterway Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Manasota Key Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Manchester Waterway Utility Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Mid-Charlotte Stormwater Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Northwest Port Charlotte Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2025, and two members to fill positions with terms through October 31, 2027.
- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a position with term through October 31, 2027.
- **Pirate Harbor Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Pirate Harbor Waterway Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Placida Area Street & Drainage Unit** is seeking one member to fill a position with term through October 31, 2027.
- **Rotonda Heights Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Rotonda Lakes Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **Rotonda Sands Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2025, and two members to fill positions with terms through October 31, 2027.
- **Rotonda West Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2027.

- **South Burnt Store Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2025 and two members to fill positions with terms through October 31, 2027.
- **South Charlotte Stormwater Unit** is seeking one member to fill a position with a term through October 31, 2027.
- **South Gulf Cove Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **South Gulf Cove Waterway Unit** is seeking one member to fill a position with a term through October 31, 2025, and two members to fill positions with terms through October 31, 2027.
- **Suncoast Waterway Unit** is seeking two members to fill positions with terms through October 31, 2027.
- **West Charlotte Stormwater** is seeking two members to fill positions with terms through 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, June 30, 2024.

#### CONSENT AGENDA

Commissioner Constance noted Appointment - Planning and Zoning Board.

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

MOTION CARRIED 5:0.

##### Clerk of the Circuit Court

###### A. Comptroller Division

###### 1. Finance

**Recommended Action:** Approve the Clerk's Finance Memorandum.

**Budgeted Action:** No action needed.

###### B. Minutes Division

###### 1. Minutes

**Recommended Action:** Approve the following Minutes:

July 09, 2024 BCC Regular and Land Use Meeting  
July 16, 2024 BCC Monthly Workshop  
July 16, 2024 Utilities Quarterly Update  
July 17, 2024 BCC Tentative Budget Presentation  
July 18, 2024 BCC Pre-Agenda  
July 23, 2024 Regular and Land Use  
August 19, 2024 BCC Budget Meeting

**Budgeted Action:** No action needed.

### **Board of County Commissioners**

#### **C. Commission Office**

##### **1. Appointment - Construction Industry Licensing Board**

**Recommended Action:** Approve the appointment of Jeffrey Lustig to the Construction Industry Licensing Board representing the consumer advocate category. Length of term is until July 26, 2026.

**Budgeted Action:** No action needed.

##### **2. Appointment - Englewood East Non-Urban Street & Drainage Advisory Board**

**Recommended Action:** Approve the appointment of Stephen Kalaf to fill the unexpired term of Katherine DeBoer as well as an additional new three-year term on the Englewood East Non-Urban Street & Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2027.

**Budgeted Action:** No action needed.

##### **3. Appointment - Planning and Zoning Board**

**Recommended Action:** Approve the appointment of Phillip R. Smallwood as District 2 representative to fill the unexpired term to the Planning and Zoning Board. Term is effective immediately and will expire November 30, 2026.

**Budgeted Action:** No action needed.

##### **4. Reappointment - Historical Advisory Committee**

**Recommended Action:** Approve the reappointment of Pat Spence to the Historical Advisory Committee as representative of the El Jobean Community League. Term is effective immediately and will expire September 2027.

**Budgeted Action:** No action needed.

#### **D. County Administration**

##### **1. Set a Murdock Village Community Redevelopment Agency Meeting on September 24, 2024**

**Recommended Action:** Set a Murdock Village Community Redevelopment Agency meeting on September 24, 2024, at 10:00 a.m., or as soon thereafter, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida.

**Budgeted Action:** No action needed.

## 2. Leadership Updates

**Recommended Action:** a) Approve the appointment of Mary Shelley as Human Resources Director, effective September 11, 2024; and b) Approve the appointment of Brian Gleason as Communications Director, effective September 11, 2024.

**Budgeted Action:** No action needed.

## **E. County Attorney**

### 1. Babcock Ranch Independent Special District (ISD) Non-Voting Liaison

**Recommended Action:** Approve the appointment of the County Administrator, or designee, to act as the non-voting liaison to the Babcock Ranch Independent Special District (ISD).

**Budgeted Action:** No action needed.

### 2. Amendment 1, Contract 2006000177 - Eminent Domain, Harborview Road Project

**Recommended Action:** a) Approve Amendment 1 to Contract No. 2006000177, with Adams and Reese LLP, for Special Counsel Services - Eminent Domain; and b) Authorize the Chairman to execute Amendment 1.

**Budgeted Action:** No action needed.

## **F. Budget and Administrative Services**

### Fiscal Services

#### 1. Set a Public Hearing to Adopt FY2025 Capital Improvement Program Schedule

**Recommended Action:** Set a public hearing on September 24, 2024, at 10 a.m., or soon thereafter as can be heard, to consider adopting an Ordinance updating and modifying the Capital Improvement Program (CIP) Schedule FY24/25 through FY29/30.

**Budgeted Action:** No action needed.

#### 2. Funding Agreement between Charlotte County Board of County Commissioners and Florida Rural Legal Services

**(Change #1)** Added attachment – Funding Agreement.

**Recommended Action:** Approve the Funding Agreement between Charlotte County Board of County Commissioners and Florida Rural Legal Services and authorize the Chair to execute same. **AGR 2024-156**



**Budgeted Action:** No action needed. Budgeted in the Legal Aid Fund Budget as approved in the FY2025 budget process. Funding for the expenditure comes from Legal Aid.

### Information Technology

#### Purchasing

#### 3. 24-362, Approve Ranking, Landfill Interior Roadway Design and Permit (Public Works)

**Recommended Action:** a) Approve the ranking of firms for Request for Proposal #24-362, Landfill Interior Roadway Design and Permit: 1st Johnson Engineering, Inc. of Port Charlotte, 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 Project "Landfill Scale House" approved in the FY24 budget process and amended via budget adjustment BA24-087 approved March 12, 2024. Funding is supplied from the Solid Waste Enterprise Fund, Landfill Fees.

#### 4. 22-298, Approve Amendment 1, Sidewalk and Decorative Lighting - North Beach Road (Public Works)

**Recommended Action:** a) Approve Amendment #1 to Contract 22-298, Sidewalk and Decorative Lighting - North Beach Road, with Johnson Engineering, Inc. of Port Charlotte, Florida for a Drainage Feasibility Study in the amount of \$68,300; and b) Authorize the Chairman to sign Amendment #1 to Contract #22-298; and c) Approve Resolution for Budget Adjustment BA25-126 in the amount of \$68,300 effective October 1, 2024; and d) Approve amending Capital Improvements Project "Manasota Key Community Plan" effective October 1, 2024. This Amendment is for a Drainage Feasibility Study to be added to this project. **RES 2024-138**

**Budgeted Action:** Approve Budget Adjustment BA25-126 in the amount of \$68,300 to amend the FY25 Capital Improvement Project "Manasota Key Community Plan" from \$7,387,917 to \$7,456,217. Funding is provided by Manasota Key Street and Drainage MSTU, ad valorem.

#### 5. 24-482, Award, Supply Asphalt Concrete-Annual Contract (Public Works)

**Recommended Action:** a) Approve award of Request for Bid #24-482, Supply Asphalt Concrete - Annual Contract to Ajax Paving Industries, LLC of North Venice, Florida at the unit prices submitted on the attached bid tabulation; and b) Authorize the County Administrator to approve renewal options up to two (2) additional one-year terms at the same prices, terms, and conditions, by mutual consent. The Contract period will be effective from October 1, 2024, through and including September 30, 2025.

**Budgeted Action:** No action needed. Materials are first placed into inventory and then charged out as used. The funding either comes from Gas Tax or MSBU/TU assessments.

#### 6. 24-483, Award, Fiberglass Interceptor Tanks - Annual Contract (Utilities)

**Recommended Action:** a) Approve award of Request for Bid #24-483, Fiberglass Interceptor Tanks - Annual Contract, to Alpha General Services, Inc., of Sebring, Florida, at the unit prices listed for the term of October 1, 2024, through and including, September 30, 2025, with option to renew for two additional one-year terms; and b) Authorize the County Administrator to approve annual renewals at the same prices, terms, and conditions. This is an annual contract for the Fiberglass Interceptor Tanks.

**Budgeted Action:** No action needed. Supplies stored in inventory and charged out as utilized. Funding for this expenditure comes from various Utility Funds as consumed.

7. 24-530, Piggyback, Lake Betty Phase 1 Park Renovation (Community Services)

**Recommended Action:** Approve Piggyback award of File #24-530, Lake Betty Phase 1 Renovation, for a total cost of \$513,763.48, which was awarded to Rep Services, Inc., of Longwood, Florida, by the School District of Manatee County Contract #21-0053-MR, Park and Playground Equipment-SDMC. This is for the purchase and installation of picnic shelters, playground equipment, ninja course and climbing features in Lake Betty Park.

**Budgeted Action:** No action needed. Budgeted in the Capital Improvement Project "Lake Betty Park" as approved in the FY24 budget process. Full contract costs are budgeted in the Capital Projects Fund with reimbursement up to \$200,000 provided by the State of Florida Department of Environmental Protection. Local cost share will be provided by Impact Fees and Capital Projects, ad valorem.

8. 24-533, Piggyback, Purchase of Volvo A25 Articulated Water Truck (Public Works)

**Recommended Action:** a) Approve award of Piggyback purchase File #24-533, Purchase of Volvo A25 Articulated Water Truck, per Florida Sheriff Association Contract #FSA23-EQU21.0, and award to Alta Equipment Company, LLC, of Tampa, Florida for the total purchase price of \$378,850; and b) Authorize the trade in for 2018 and 2019 Volvo L110H (County Asset #36287 and #36639 for trade in allowance of \$140,000).

**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.

9. 24-418, Approve Change Order, Transit Buses (Transit)

**Recommended Action:** Approve Change Order #1 to reduce File 24-418, Transit Buses, in the amount of \$2,266 for a new total of \$460,326.96

**Budgeted Action:** No action needed. Budgeted in the Heavy Equipment Replacement plan approved in the FY24 budget process. Grant funding in the amount of \$460,327 and the required match in the amount of \$92,065 are included in the FY24 budget for Transit Fund 1088. Grant funding will be provided by Federal Transit Administration (FTA) Section 5339 grant. Matching funds in the amount of \$92,065 will be provided from Transportation Development Credits as a "soft match," which allows the federal share to be reimbursed up to 100% as authorized by Chapter 53 of the Title 49 U.S.C. and reimbursed from Federal Transportation Administration Grants with no match required.

~~(Deletion #1) 10. 24-028, Approve Change Order 6, Facilities Ground Maintenance - Annual Contract (Facilities)~~

~~**Recommended Action:** Recommend approval of Change Order #6, to Contract 24-028, Facilities Ground Maintenance - Annual Contract as awarded to Walkers Service Incorporated of Punta Gorda, Florida at the unit price \$160 per cycle for the expanded area on the attached quote. This change order is to expand the Critical Care Turf, Schedule A, area being maintained at Public Works on Florida Street.~~

~~**Budgeted Action:** No action needed. Services are provided and charged out to various sources. Funding for this expenditure comes from ad valorem and MSBU assessments.~~

11. 23-440, Amendment 3, Interactive Growth Model (Human Services)

**Recommended Action:** a) Approve Amendment #3 to Contract #23-440, Interactive Growth Model with Metro Forecasting Models, LLC of Bonita Springs, Florida in the amount of \$14,900; and b) Authorize the Chairman to sign Amendment #3 to the Contract for the amended services.

**Budgeted Action:** No action needed. Budget for this item comes from savings in other account lines in the Human Services General Fund as approved in the FY24 budget process.

12. 24-440, Approve Ranking, Golf Course Water Booster Station and Englewood Interconnect Station Upgrades (Utilities)

**Recommended Action:** a) Approve the sole proposer for Request for Proposal #24-440, Golf Course Water Booster Station and Englewood Interconnect Station Upgrades: 1st Kimley-Horn, of Sarasota, Florida; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations. This is the engineering technical services pertaining to evaluation and design of upgrades to the Golf Course Water Booster Station and Englewood Interconnect Station.

**Budgeted Action:** No action needed. Budgeted in Capital Improvements Project "Golf Course Booster Station Upgrades" as approved in the FY24 budget process. Funding will be supplied by the Utility Water Connection Fee Fund.

13. 24-458, Award, Architectural Retrofit Design for East Port Operations Building (Utilities)

**Recommended Action:** Approve award of Request for Letters of Interest File #24-458, Work Order #323 (Contract 15-421), Architectural Retrofit Design for East Port Operations Building with Alliance Design Group (ADG) of Fort Myers, Florida for the not-to-exceed amount of \$189,000.

**Budgeted Action:** No action needed. Budgeted in the CIP Project "East Port WRF Control Room Hardening" as approved in the FY24 Capital Improvement Program budget process. Funding is supplied from the Utility Wastewater Connection Fee Fund.

14. 24-448, Approve Ranking, Design - Old Landfill Road Safety Improvements (Public Works)

**Recommended Action:** a) Approve for Request for Proposal #24-448, Design - Old Landfill Road Safety Improvements: 1st Johnson Engineering, of Port Charlotte, Florida; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations. This is for the engineering services to design and permit safety improvements to Old Landfill Road.

**Budgeted Action:** No action needed. Budgeted in the CIP Project "Old Landfill Road Safety Improvements" as approved in the amended FY24 Capital Improvement Program budget process. Funding is supplied from the Utility Operations and Maintenance Fund.

15. 24-573, Award, Getac V110 Laptops with Docking Stations, Adapters, and Warranty for Public Safety Fire Department (Information Technology)

**Recommended Action:** Approve “Piggyback” award of File #24-573, Getac V110 Laptops with Docking Stations, Adapters and Warranty for Public Safety Fire Department, for a total cost of \$215,781.84, which was awarded to CDW-G, LLC, of Vernon Hills, Illinois, by the Sourcewell Contract #121923-CDW Technology Catalog.

**Budgeted Action:** No action needed. Funds are available in the IT Replacement Fund.

16. 24-471, Award, Aerial Adulticide Backup Services - Annual Contract (Public Works)

**Recommended Action:** a) Approve award of Request for Bid #24-471, Aerial Adulticide Backup Services - Annual Contract to Vector Disease Control International, LLC of Little Rock, Arkansas at the unit prices indicated on the bid tabulation; and b) Authorize the County Administrator to approve two additional one-year renewal options at the same prices, terms, and conditions, by mutual consent. Term of Contract will be from October 1, 2024 through and including September 30, 2025.

**Budgeted Action:** No action needed. Budgeted in the General Fund - Mosquito Control budget as approved in the FY2025 budget process. Funding for the expenditure comes from Ad Valorem.

17. 24-476, Award, Rotonda Bridge Rehabilitations #4 and #5 (Public Works)

**Recommended Action:** Approve award of Request for Bid #24-476, Rotonda Bridge Rehabilitations #4 and #5, to Thomas Marine Construction, Inc. of Fort Myers, Florida, for the total amount of \$1,800,213.45. This is for the services of a Contractor to complete six (6) bridge repairs.

**Budgeted Action:** No action needed. Budgeted in the Public Works MSBU/TU Bridges Capital Maintenance Plan as approved in the FY24 budget process. Funding is supplied from Rotonda West Street and Drainage MSBU assessments.

18. 24-481, Award, Quesada Avenue Sidewalk Construction (Public Works)

**Recommended Action:** Approve award of Request for Bid #24-481, Quesada Avenue Sidewalk Construction, to the lowest responsive, responsible Bidder, Andrew SiteWork LLC of Fort Myers, Florida, for a total cost of \$969,389.92.

**Budgeted Action:** No action needed. Budgeted in the Capital Improvement Project “Regional Bicycle-Pedestrian Trails & Sidewalks” as approved in the FY24 budget process. Funding is supplied by the 2020 Sales Tax Extension.

19. 05-193, Approve, Amendment 13, Engineering Services - Pirate Harbor Waterway (Public Works)

**Recommended Action:** a) Approve Amendment #13 to Contract #05-193, Engineering Services - Pirate Harbor Waterway, with Coastal Engineering Consultants, Inc., of Bonita Springs, Florida, for additional services with a change order to increase total by \$18,220; and b) Authorize the Chairman to sign Amendment #13.

**Budgeted Action:** No action needed. Budgeted in the Pirate Harbor Waterway MSBU as approved in the FY24 budget process. Funding is supplied from Pirate Harbor Waterway MSBU assessments.

20. 08-359, Approve Renewal, Insurance, Health, Dental, Short-Term and Long-Term, Disability, Life, Employee Assistance Program Self-Insured - Annual Contract (Risk Management)

**Recommended Action:** Approve the annual renewal of Contract #08-359, Self-Insured Health, Dental, Short-Term and Long-Term Disability, Life, Employee Assistance Program coverage at the same prices, terms, and conditions by mutual consent. Term of renewal is for the period October 1, 2024, through and including, September 30, 2025.

**Budgeted Action:** No action needed. Budgeted in the Risk Management Fund - Health Insurance Budget during the FY2025 budget approval process. Funding for this expenditure comes from Health Insurance premiums.

21. 16-322, Approve, Amendment 3, Self-Insured Vision Insurance (Risk Management)

**Recommended Action:** a) Approve Amendment #3, of Contract #16-322, Self-Insured Vision Insurance with EyeMed Vision Care LLC, of Mason, Ohio, to renew the annual contract from the term October 1, 2024, through and including September 30, 2025. This is for self-insured vision insurance services; and b) Authorize the Chairman, or his designee, to sign the Third Amendment to Fee for Service Agreement.

**Budgeted Action:** No action needed. Budgeted in the Risk Management Fund - Health Insurance Budget to be approved in the FY2025 budget process. Funding for this expenditure comes from Insurance premiums.

22. 21-600, Renewal, Property and Casualty Insurance Coverage (Risk Management)

**Recommended Action:** Approve renewal of Contract #21-600, Property & Casualty Insurance Coverage with the Various Carriers specified on the attached evaluation in the amount of \$7,105,934, for the term of October 1, 2024, through and including September 30, 2025.

**Budgeted Action:** No action needed: Budgeted in the Risk Management Fund - Self Insurance Budget as a part of the FY25 budget process. Funding for this expenditure comes from Self Insurance premiums.

23. Property Deletions for the Month of September, 2024 (Purchasing)

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

**Budgeted Action:** No action needed.

Real Estate Services

Risk Management

Transit

**G. Community Development**

**H. Community Services**

**I. Economic Development**

1. Southwest Florida Workforce Innovation and Opportunity Act (WIOA) Local Workforce Plan

**Recommended Action:** a) Approve Resolution authorizing the Chairman to sign the acknowledgement on behalf of Charlotte County that the Consortium's members will operate in accordance with the Four-Year Local Plan of the Interlocal Agreement for the Southwest Florida Workforce Development Consortium; and b) Authorize the Chairman to sign the Resolution. **AGR 2024-157 / RES 2024-139**

**Budgeted Action:** No action needed

#### **J. Facilities Construction and Maintenance**

#### **K. Human Resources**

#### **L. Human Services**

##### 1. State Housing Initiatives Partnership (SHIP) FY20 and FY21 Close-out Annual Reports - Corrected

**Recommended Action:** a) Approve the corrected SHIP FY20 and FY21 Close-out Annual Reports of Expenditures and Encumbrance; and b) Authorize the Chairman to execute the Certification of the corrected Annual Reports. **AGR 2024-158 / AGR 2024-159**

**Budgeted Action:** No action needed.

##### 2. Family Services Center Lease - Charlotte County Public Schools

**Recommended Action:** a) Adopt Resolution authorizing a lease agreement with Charlotte County Public Schools (CCPS) for tenancy at the Family Services (FSC); and b) Authorize the Chairman to sign the Resolution. **AGR 2024-160 / RES 2024-140**

**Budgeted Action:** No action needed.

##### 3. State Housing Initiatives Partnership (SHIP) FY22 Close-out Annual Report

**(Change #2)** Added Attachment – Revised, SHIP FY22 Close-out AR.

**Recommended Action:** a) Approve the SHIP FY22 Close-out Annual Report of Expenditures and FY23 Encumbrance; and b) Authorize the Chairman to execute the Certification of the Annual Report. **AGR 2024-161**

**Budgeted Action:** No action needed.

#### **M. Public Safety**

#### **N. Public Works**

##### 1. Sanitation Franchise Consumer Price Index (CPI) Increase

**Recommended Action:** Approve Waste Management's sanitation rate increase of 3.34% to be effective October 1, 2024, in accordance with the Amended and Restated Franchise Agreement that went into effect on October 1, 2020.

**Budgeted Action:** No action needed.

2. Florida Department of Environmental Protection FY2025/2026 Local Government Funding Request Beach Projects Application for the Manasota Key Beach Restoration Project and Charlotte County Erosion Control Project

**Recommended Action:** a) Approval and authorization to apply for the Florida Department of Environmental Protection (FDEP)-FY2025/2026 Local Government Funding Request Grant; and b) Approve Resolution delegating authority to the County Administrator to approve the submittal of application, supporting documents, and other required documents. This action ratifies the Administrator's approval of the grant application executed on July 30, 2024. **GRT 2024-044 / RES 2024-141**

**Budgeted Action:** No action needed. A budget amendment will be brought to the Board for approval, if awarded.

3. Set a Public Hearing to Consider Approving an Ordinance to Prohibit No Thru Vehicles Over Six Wheels from Utilizing Loveland Boulevard from Westchester Boulevard to Old Landfill Road, and on Westchester Boulevard from Kings Highway to Loveland Boulevard

**Recommended Action:** Set a public hearing for September 24, 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 Loveland Boulevard from Westchester Boulevard to Old Landfill Road, and on Westchester Boulevard from Kings Highway to Loveland Boulevard.

**Budgeted Action:** No action needed.

4. Set a Public Hearing to Consider Approving a Speed Limit Ordinance Change on a Segment of Foresman Boulevard from David Boulevard to Jennings Boulevard

**Recommended Action:** Set a public hearing on September 24, 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 segment of Foresman Boulevard from 40 miles per hour to 30 miles per hour from David Boulevard to Jennings Boulevard.

**Budgeted Action:** No action needed.

**O. Tourism Development**

1. Sponsorship for 2024 Englewood Beach Waterfest

**Recommended Action:** a) Approve the Tourism Development Department sponsorship for Englewood Beach Waterfest 2024 in the amount of \$83,000; and b) Authorize the County Administrator, or designee, to sign the sponsorship letter. **AGR 2024-163**

**Budgeted Action:** No action needed. Budgeted in the Tourism Development Fund budget as proposed in the FY2025 budget process. Funding for the expenditure comes from Tourism Development Tax.

**P. Utilities**

1. Amendment 1, Florida Department of Environmental Protection Grant Agreement LPA0261

**Recommended Action:** a) Approve Amendment 1, Grant Agreement LPA0261 between Charlotte County and the State of Florida Department of Environmental Protection (FDEP) for the Utilities Septic to Sewer Project; and b) Approve Resolution authorizing County Administrator, or designee, to execute all future agreements/amendments and any related documents; and c) Authorize the Chairman, or designee, to sign the grant related documents. **A.GRT 2022-038 / RES 2024-142**

**Budgeted Action:** No action needed. Budgeted in the FY24 CIP project "Ackerman Septic to Sewer and Water Expansion". Allowable grant expenses will be reimbursed by the Florida Department of Environmental Protection Agency. There is no local match required.

#### **Q. Other Agencies**

##### 1. Property Appraiser Request to Extend 2024 Tax Roll

**Recommended Action:** Approve Tax Collector's request (on behalf of the Property Appraiser) to extend the 2024 Tax Roll to the Tax Collector before the Value Adjustment Board completes its final meetings.

**Budgeted Action:** No action needed.

### **REGULAR AGENDA**

#### **R. Regular Agenda**

##### 1. West Coast Inland Navigation District September 13, 2024 Final TRIM Meeting

###### **Budget & Admin Services**

Final TRIM hearing for West Coast Inland Navigation District September 13, 2024.

Jeff Devine, West Coast Inland Navigation District (WCIND) Assistant Director highlighted WCIND September 6, 2024 Board Meeting, September 6, 2024 First Truth in Millage (TRIM) Hearing, and September 13, 2024 Final TRIM Meeting.

**Commissioner Constance** spoke to derelict vessels, accessibility, mangroves, cost, Grant funding, Venice Jetty, challenges, temporary mitigation, Army Corps of Engineers, millage rates, Reserves, assessments, and economy.

##### 2. School Speed Zone Cameras

###### **County Administration**

Discussion and direction on school speed zone cameras.

Deputy County Administrator Emily Lewis gave a brief overview of Authorization, Requirements, System Requirements, Enforcement Times, \$100 civil penalty, Violations, and Next Steps.

**Chair Truex** mentioned Next Steps, data, validation process, equipment, process, bioclause, restrictions, Request for Quotes (RFQ), Enforcement Times, speed limits, \$100 civil penalty, driving behaviors, options, CCSO, and public safety. **Commissioner Constance** commented on Authorization, School Crossing Guard Program, costs, \$100 civil



penalty, funding, Next Steps, bid process, Request for Proposals (RFP), RFQ, Letters of Interest (LOI), qualifications, public safety, Florida Statutes, qualified systems, technology, Florida Association of Counties (FAC), CCSO, and responsibility. **Commissioner Deutsch** discussed benefits, public safety, selection process, CCSO, and data accessibility. **Commissioner Doherty** noted professional evaluation team, submissions, RFQ, RFP, proposal evaluations, process, and Enforcement Times. **Commissioner Tiseo** spoke to Enforcement Times, overreach, driving behaviors, crossing guards, neighboring counties, responsibility, budget adjustments, and CCSO.

### 3. Burnt Store Area Community Outreach - Consultant Scope of Services

#### **Community Development**

**(Change #3)** Added Attachment – Presentation.

Discussion and direction on the consultant’s scope of services for the Burnt Store area community outreach.

Shaun Cullinan, Planning and Zoning Official gave a brief overview of Background, Objective, Consultant Scope of Services: Task 1 - Project Team Meetings, Task 1 - Project Team Meetings - continues, Task 2 - Community Outreach Meeting Facilitation, Task 3 - Summary, and Anticipated Schedule.

**Chair Truex** remarked on Anticipated Schedule, process, funding sources, precedent, and attendance. **Commissioner Constance** mentioned Task 3 - Summary, Anticipated Schedule, coordination, cost, process, RFP, homeowner’s association (HOA), funding sources, and precedent. **Commissioner Deutsch** commented on Anticipated Schedule, maximum participation, Municipal Service Benefit Unit (MSBU), and funding contributions. **Commissioner Doherty** discussed proposals, restrictions, Anticipated Schedule, maximum participation, funding sources, precedent, June 11, 2024 Regular and Land Use Meeting, John Fleming, HOA contributions, and Manchester Waterway. **Commissioner Tiseo** noted process, Burnt Store Corridor Coalition, Task 3 - Summary, scheduling, maximum participation, Anticipated Schedule, and One Charlotte One Water Summit.

County Administrator Flores replied to June 11, 2024 Regular and Land Use Meeting, One Charlotte One Water Summit, Background, and funding sources.

County Attorney Knowlton interjected on funding sources, precedent, General Fund, and Community Outreach Meeting.

Assistant County Administrator Claire Jubb responded to Burnt Store Corridor Coalition and funding plan.

#### **PUBLIC HEARING AGENDA**

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

#### **PRESENTATION AGENDA**

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

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

Dr. Mary Ellen Kiss, Burnt Store Corridor Coalition Government Relations Liaison spoke to involvement, jurisdictions, HOA, property owners' associations (POA), Community Outreach Meeting, attendance, funding request, and data.

Dora Johnson remarked on Harborview Development of Regional Impact (DRI), rezoning request, community and environmental impacts, density, Master Development Plan, Resolution 2010-083, and Benderson Development Company.

Dorothy Rand mentioned Benderson Development Company, density, Ordinance 2010-071, Resolution 2010-083, Future Land Use (FLU), zoning, dwelling units, public safety, June 11, 2024 Regular and Land Use Meeting, storm surge, Coastal High Hazard Area (CHHA), Development Order (DO), classifications, and conceptual plan.

John Porter commented on density, dwelling units, development rights, public safety, Resolution 2010-083, Harborview DRI, existing conditions, DO, rezoning request, 1997-2010 Comprehensive Plan, Future Land Use Element (FLUE), Resolution 2006-093, and Harborview Road.

Michael Hart discussed Harborview DRI, 1997-2010 Comprehensive Plan, dwelling units, density, Ordinance 2010-071, Transfer of Density Units (TDU), rezoning request, DO, Deep Creek, infrastructure, environmental impacts, growth, and amendments.

Joyce Pears noted Harborview DO, amendments, Benderson Development Company, Florida Statute (F.S.) 352.363, expiration date, executive orders, emergency declaration, extensions, notification, conceptual planning, provisional terms, DRI, and revisions.

Chris Nultz spoke to Charlotte County Code Section 3-9-10.DE and F, public hearing notifications and signage, subject property, Deep Creek, Harbour Heights, May 13, 2024 and June 11, 2024 Public Hearings, DRI, safety, attendance, and May 28, 2024 Benderson Meeting signage.

Steven Hull remarked on 2050 Comprehensive Plan, Harborview DRI, Planning and Zoning Board, notification requirements, Capital Improvements Element (CIE), funding uses, standards, capacity, concurrency management, service levels, infrastructure, public services and facilities, DO, and F.S. 163.3180.

Patrick Hurd mentioned Burnt Store Village, HOA dues, precedent, and funding contributions.

Larry Rand commented on transportation facilities, bypass lanes, Deep Creek Elementary School, public safety, roadway improvements, concurrency, Florida Department of Transportation (FDOT), traffic signals, Impact Fees, cost, Harborview Road, capacity, 2023 Level of Service (LOS) data, CIE, 2010 Harborview DO, trip generation, and responsibility.

Jill Farnsworth discussed Deep Creek Elementary School, capacity, DO, Harborview Road, roadway conditions and improvements, public safety, property taxes, Impact Fees, costs, growth, concurrency, needs, Comprehensive Plan, Planning and Zoning Board, financial impacts, June 11, 2024 Regular and Land Use Meeting, and density units.

Rebecca Scholl noted F.S. 163.3187 and 163.3177, Coastal Management, natural disaster, financial assistance, roadway conditions and improvements, Comprehensive Plan, restrictions, impacts, hazard mitigation, CHHA, amendments, public safety, proposed development, regulatory agencies, and density.

Eileen Wegville spoke to CCSO, capacity deficiencies, Harbour Heights, proposed development, public safety, security, law enforcement, Deep Creek Elementary School, impacts, growth, and challenges.

Zackary Frond remarked on environmental and wildlife impacts, growth, development, Harbour Heights, estuary systems, DO, and Peace River.

Patricia Demase mentioned Deep Creek Elementary School, apartment complex, events, DO, Harborview DRI, impacts, infrastructure, and density reduction.

Patrick Bouts commented on Harborview DRI, public safety, Deep Creek Elementary School, infrastructure, roadway improvements, and traffic control.

Henry Boschen discussed development, mortgage and insurance, rates, property taxes, affordability, rental rights, Benderson Development Company, recession, and resources.

#### **Taken Out of Order**

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

County Administrator Flores noted drainage and mosquito control efforts and FAC dues.

John Elias, Public Works Director spoke to rain events, drainage systems, weather stations, tidal influences, service requests, Sarasota County mosquito-borne illness advisory, Florida Department of Health (FDOH), surveillance, and ground and aerial applications.

**Chair Truex** remarked on 1996 rain event.

#### **BB. County Attorney Comments**

County Attorney Knowlton mentioned Harborview DRI and withdrawn application.

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

**Chair Truex** commented on public hearing, process, Deep Creek Elementary School, traffic impacts, safety, and primary election. **Commissioner Constance** discussed public hearings, Comprehensive Plan, Florida Statutes, public input, Deep Creek Elementary School, traffic impacts and flow, safety, South County Regional Park, flagpole, Federal Emergency Management Agency (FEMA), cost, support letter, Representative Greg Steube, funding requests, Senators Marco Rubio and Rick Scott, Comedy for a Cause, and Burnt Store Corridor Coalition. **Commissioner Deutsch** noted American Legion Post 110, hurricane damages, insurance challenges, and 9/11 Memorial Celebration. **Commissioner Doherty** spoke to June 11, 2024 Regular and Land Use Meeting, financial participation, funding sources, 16 County Coalition, South Florida Water Management District (SFWMD), Lake Okeechobee, Army Corps of Engineers, and rivers. **Commissioner Tiseo** remarked on Agenda, withdrawn application, Benderson Development Company, FEMA, funding requests, Representative Greg Steube, Harborview Road, stacking, traffic hazards, public safety, and primary election.

**RECESS: 11:36 am - 2:00 pm**

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

Kay Tracy, Economic Development Interim Director mentioned staffing, hiring process, Business Recruitment Manager, retention and expansion, and recruitment efforts.

## 2 P.M. LAND USE AGENDA

### PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY - None

#### Consent Agenda

Mr. Cullinan commented on DRC-2200158, Resolution # 2023-182, Turnleaf Phase I, Planned Development (PD) modification, scrivener's error, and removal request.

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE LAND USE CONSENT AGENDA WITH THE EXCEPTION OF UA-4, WHICH HAS BEEN REMOVED, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

#### UA1. DRC-24-030, Firelight East

##### Community Development

Banks Engineering is requesting PD Final Detail Site Plan approval for Firelight East. The first phase of this development consists of 344 single-family units. This project site is 338.02± acres and is located at 27001 Zemel Road, Punta Gorda, Florida within the boundary of the Burnt Store Area Plan. Located in Commission District II. **RES 2024-143**

**Quasi-Judicial**

#### UA2. DRC-24-050, My Place Hotel

##### Community Development

Legacy Design Group is requesting PD Final Detail Site Plan approval for My Place Hotel. The project consists of a 63-room hotel. This project site is 1.28± acres and is located at 24490 Sandhill Boulevard, Punta Gorda, Florida within the boundary of the Sandhill Development of Regional Impact (DRI). Located in Commission District I. **RES 2024-144**

**Quasi-Judicial**

#### UA3. DRC-24-074, Firelight North

##### Community Development

Banks Engineering is requesting PD Final Detail Site Plan approval for Firelight North, formerly Eagle Creek (DRC-21-00109). The project consists of Phase I of a residential development with 220 units. This project site is 123.42± acres of a 314.19± acre parcel boundary and is located at 26000 Zemel Road, Punta Gorda, Florida within the boundary of the Burnt Store Area Plan. Located in Commission District II. **RES 2024-145**

**Quasi-Judicial**

#### ~~UA4. DRC 2200158, Resolution # 2023-182, Turnleaf Phase I~~

**Community Development**

~~Approve Resolution to correct Resolution Number 2023-182 (DRC-22-00158) for an error in the number of units. The recorded resolution was recorded for 483 units instead of 438 units. Barraco Engineering is requesting PD Final Detail Site Plan approval for Turnleaf Phase I. The project consists of single family detached, single family attached, and multi family with a total of 438 units and associated infrastructure. This project site is 295.1± acre site and is located at 13250 and 13280 Burnt Store Road, Punta Gorda, Florida in Section 09, Township 42, Range 23. Located in Commission District II.~~

~~Quasi-Judicial~~

UA5. FP-22-05-16, Babcock Ranch Community Verde

**Community Development**

Approve a Bond Reduction request and First Amendment to Developer's Agreement to reduce the amount of the approved surety provided under Letter of Credit No. LICX1975235 in the amount of \$10,150,883.93 to \$3,956,690.15 for the completion of the remaining infrastructure for Babcock Ranch Community Verde. The site contains 109.23± 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 Cypress Parkway, 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. **A.AGR 2023-125**

Quasi-Judicial

UA6. FP-19-06-08, Biscayne Landing North

**Community Development**

Approve a Bond Reduction request and First Amendment to Developer's Agreement to reduce the amount of the approved surety provided under Letter of Credit No. FGAC-22413 in the amount of \$1,725,648.47 to \$128,936.50 for the completion of the remaining infrastructure for Biscayne Landing North. The site contains 70.91± acres and is generally located east of Biscayne Drive, north of El Jobean Road, west of the Flamingo Waterway, and south of Crofton Springs Way. Located in Commission District IV. **A.AGR 2022-105**

Quasi-Judicial

**Public Hearing**

Minutes Clerk Welsh administered oath for testimony.

UB1. PAS-23-00004, Jaxon Fischer LLC Small Scale Plan Amendment to Commercial

**Community Development**

An application to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Burnt Store Limited Development (BSLD) to Commercial (COM) for property located at 17150 Burnt Store Road, in the Punta Gorda area and within the boundary of the Burnt Store Area Plan area, containing 41.31± acres; Petition No. PAS-23-00004; Applicant: Jaxon Fischer LLC. Located in Commission District II. **ORD 2024-028**

Legislative

Jie Shao, Principal Planner provided qualifications, gave a brief overview Proposed Changes, PAS-23-00004 and Z-23-35-17: Location Map, 1,000' Mailed Notice Map, Area Image, Framework, Existing (FLUM) Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, Urban Service Area Boundary Prior to the Plan and After the Plan Adoption, Urban Service Area, Traffic Concurrency Concerns, Issue of the Submitted Traffic Impact Analysis (TIA) Report, Locations For Approved Traffic Signal Agreements, Planned Developments (PDs) Within the Burnt Store Area Plan, Maximum Development Rights, Permitted Uses under Commercial General (CG) zoning, Conditional Uses under CG zoning, Special Exception Uses under CG zoning, Commercial Development Rights Within the Burnt Store Area Plan, Potential Lands for Additional Commercial Uses, and Metro Forecasting Projection for Neighborhood Shopping Center.

Attorney Amy Thibaut, Applicant Representative gave a brief overview of Project Team, Request Overview, Land Use Regulation Framework, Intent and Purpose of The Act – Section 163.3161 Florida Statutes, replied to Comprehensive Plan, Land Development Code, traffic concurrency, uses, DO, trip generation, Traffic Impact Statement (TIS), F.S. 163.3180, provisions, and Developer's Agreement.

Jason Green, Axis Infrastructure Planning Lead gave a brief overview of Requirements of the Act: F.S. 163.3177(5)(a) and (b), F.S. 163.3177 (6)(a) and (6)(a)4, Requirements of Charlotte 2050 Comprehensive Plan, Criteria for Approval, 2050 Comprehensive Plan Consistency, Burnt Store Area Plan, Burnt Store Area Plan - Metro Forecasting, Burnt Store Area Plan - Staff Report, Economic Impact of FLUM Amendment, STI: Market Outlook Report (2023), Metro Forecasting Report, Viability of Existing Commercial Parcels Along the Corridor, Commercial Development Rights Within the Burnt Store Area Plan, Commercial Areas East of Tern Bay, Commercial Areas North of Zemel, Commercial Areas Burnt Store & Zemel, Developed Commercial Areas, Other Commercial Parcels, Justification of New Commercial Area, Justification of New Commercial Area - Continued, Land Use and Transportation are Intertwined, responded to traffic study and impacts, committed and planned improvements, CIP, concurrency, proportionate share, commercial zoning, FLU, Enterprise Charlotte Airport Park (ECAP), need, Lee County, timing, Staff Report, signalization, and development site plan process.

Jason Utley, Planning Analytics LLC Project Manager gave a brief overview of Transportation Considerations – Key Points, Concurrency / Vesting of Trips, Utilities, replied to Capital Improvements Program (CIP), elevation, uses, FLU, rezoning request, PD, commercial need, Burnt Store Corridor Coalition, and Issue of the Submitted TIA Report.

**Chair Truex** commented on traffic impacts, uses, formula, and zoning changes. **Commissioner Constance** discussed FLUM, PD rezoning request, traffic study, uninterrupted traffic flow, precedent, timing, FAR annotation, signalization, timing, escrow funding, Comprehensive Plan, retention ponds, commercial properties, and property rights. **Commissioner Deutsch** noted traffic flow and impacts. **Commissioner Doherty** spoke to benefit, amendment, joint application process, conceptual site plan, impacts, PD, Floor Area Ratio (FAR), CG zoning and uses, Comprehensive Plan, process, TIS, TIA, restriction, standards, methodology, and approval. **Commissioner Tiseo** remarked on TIS, transportation concurrency, uninterrupted flow, calculations, traffic signals, CIP, Comprehensive Plan, F.S. 163.3180, vested trips, requirements, standards, Staff Report, rezoning request, permitted uses, elevation, PD, Burnt Store Corridor Coalition, survey, approval process, condition, and FAR.

Mr. Cullinan responded to CIP, traffic signals, plan amendment, FLUE, requirement, concurrency, Land Use Guide Appendix 1, service levels, Comprehensive Plan, FAR annotation, CG zoning, PD Condition,

Robert Fakhri, Transportation Engineer replied to traffic signals, uninterrupted flow, conditions, limited access, Issue of the Submitted TIA Report, vested rights, Municode, methodology, concurrency, TIS, CIP, and intersection improvements.

Assistant County Attorney Thomas David interjected on staff, Comprehensive Plan, amendment, Ordinance, restrictions, annotation, FAR limitations, process, traffic report, uninterrupted traffic flow, Florida Statute, requirements, compliance, site plan approval, and traffic study.

**Public Input for PAS-23-00004, Jaxon Fischer LLC Small Scale Plan Amendment to Commercial and Petition Z-23-35-17, Jaxon Fischer LLC CG Rezoning**

Laura Rouse spoke against PAS-23-00004, Jaxon Fischer LLC Small Scale Plan Amendment to Commercial and Petition Z-23-35-17, Jaxon Fischer LLC CG Rezoning, mentioned Burnt Store Lakes POA, travel time, uses, impacts, safety, improvements, light and noise pollution, and 2050 Comprehensive Plan.

Patrick Hurd commented on Burnt Store Corridor Coalition, survey, zoning, needs, traffic, and growth.

John Fleming, Burnt Store Corridor Coalition Chairman discussed rezoning request, 2022 US Census, process, demographics, residents, evacuation, and July 8, 2024 Charlotte County Planning and Zoning Board Regular Meeting.

Craig Williams spoke in support of PAS-23-00004, Jaxon Fischer LLC Small Scale Plan Amendment to Commercial and Petition Z-23-35-17, Jaxon Fischer LLC CG Rezoning, noted traffic impacts, benefits, community support, needs, public safety, medical emergencies, and residents.

Mary Ellen Kiss, Burnt Store Corridor Coalition Government Relations Liaison spoke to Burnt Store Lakes, commercial zoning, allowable uses, CG, PD, and commitment.

Jerry Newmin, Burnt Store Marina Section 22 Board of Directors Vice President remarked on residents, commercial properties, traffic flow, services, and Lee County PDs.

Mary Ann Gerek spoke in support of PAS-23-00004, Jaxon Fischer LLC Small Scale Plan Amendment to Commercial and Petition Z-23-35-17, Jaxon Fischer LLC CG Rezoning, mentioned Burnt Store Lakes, growth, residents, traffic, and tax dollars.

Frances Currier commented on development, traffic impacts, safety, services, and benefits.

Jeanette Shuler discussed development, commercial uses, and Burnt Store Corridor.

Mary Feurer noted Burnt Store Lakes, development, growth, services, traffic impacts, demographics, and community needs.

Phil Colletti spoke to noise, Heritage Landing, development, Burnt Store Road, needs, services, and benefits.

Philip Smallwood remarked on property acquisitions, commercial property, retention ponds, and Burnt Store Road.

Roberta Colletti mentioned traffic impacts, commercial properties, uses, community benefits, need, and development.

Sally Walsh commented on Burnt Store Village, commitment, Burnt Store Coalition, community benefit, traffic impacts, roadway improvements, and development.

Todd Bird discussed traffic impacts and development.

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

**MOTION CARRIED 5:0.**

**COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-028 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, ADOPTING A SMALL SCALE PLAN AMENDMENT TO CHANGE CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE , FROM BURNT STORE LIMITED DEVELOPMENT (BSLD) TO COMMERCIAL (COM); FOR PROPERTY LOCATED AT 17150 BURNT STORE ROAD, IN THE PUNTA GORDA AREA AND WITHIN THE BOUNDARY OF THE BURNT STORE AREA PLAN AREA, CONTAINING 41.31± ACRES; COMMISSION DISTRICT II; PETITION NO. PAS-23-00004; APPLICANT: JAXON FISCHER LLC; PROVIDING AN EFFECTIVE DATE, WITH THE UNDERSTANDING THAT AN ANNOTATION WILL BE PLACED ON THE MAP RESTRICTING THE FAR TO 0.35, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

UB2. Z-23-35-17, Jaxon Fischer LLC CG Rezoning

### **Community Development**

An application to amend the Charlotte County Zoning Atlas from Residential Estate 1 (RE-1) to Commercial General (CG) for property located at 17150 Burnt Store Road, in the Burnt Store Area Plan area and in the Punta Gorda area, containing 41.31± acres; Commission District II; Petition No. Z-23-35-17; Applicant: Jaxon Fischer, LLC. Located in Commission District II.

### **Quasi-Judicial**

**Chair Truex** polled the Board for Ex Parte Disclosures. **Commissioner Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo** advised they submitted the required forms to the Clerk's Office.

Ms. Shao provided qualifications, gave a brief overview Proposed Changes, PAS-23-00004 and Z-23-35-17: Location Map, 1,000' Mailed Notice Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, Urban Service Area Boundary Prior to the Plan and After the Plan Adoption, Urban Service Area, Traffic Concurrency Concerns, Issue of the Submitted TIA Report, Locations For Approved Traffic Signal Agreements, Planned Developments (PDs) Within the Burnt Store Area Plan, Maximum Development Rights, Permitted Uses under CG zoning, Conditional Uses under CG zoning, Special Exception Uses under CG zoning, Commercial Development Rights Within the Burnt Store Area Plan, Potential Lands for Additional Commercial Uses, and Metro Forecasting Projection for Neighborhood Shopping Center.

Attorney Amy Thibaut, Applicant Representative gave a brief overview of Project Team, Request Overview, Land Use Regulation Framework, Intent and Purpose of The Act – Section 163.3161 Florida Statutes, responded to Comprehensive Plan, Land Development Code, traffic concurrency, uses, DO, trip generation, TIS, F.S. 163.3180, provisions, and Developer's Agreement.

Jason Green, Axis Infrastructure Planning Lead gave a brief overview of Requirements of the Act: F.S. 163.3177(5)(a) and (b), F.S. 163.3177 (6)(a) and (6)(a)4, Requirements of Charlotte 2050 Comprehensive Plan,



Criteria for Approval, 2050 Comprehensive Plan Consistency, Burnt Store Area Plan, Burnt Store Area Plan - Metro Forecasting, Burnt Store Area Plan - Staff Report, Economic Impact of FLUM Amendment, STI: Market Outlook Report (2023), Metro Forecasting Report, Viability of Existing Commercial Parcels Along the Corridor, Commercial Development Rights Within the Burnt Store Area Plan, Commercial Areas East of Tern Bay, Commercial Areas North of Zemel, Commercial Areas Burnt Store & Zemel, Developed Commercial Areas, Other Commercial Parcels, Justification of New Commercial Area, Justification of New Commercial Area - Continued, Land Use and Transportation are Intertwined, replied to traffic study and impacts, committed and planned improvements, CIP, concurrency, proportionate share, commercial zoning, FLU, Enterprise Charlotte Airport Park (ECAP), need, Lee County, timing, Staff Report, signalization, and development site plan process.

Jason Utley, Planning Analytics LLC Project Manager gave a brief overview of Transportation Considerations – Key Points, Concurrency / Vesting of Trips, Utilities, responded to CIP, elevation, uses, FLU, rezoning request, PD, commercial need, Burnt Store Corridor Coalition, and Issue of the Submitted TIA Report.

**Chair Truex** noted traffic impacts, uses, formula, and zoning changes. **Commissioner Constance** spoke to FLUM, PD rezoning request, traffic study, uninterrupted traffic flow, precedent, timing, FAR annotation, signalization, timing, escrow funding, Comprehensive Plan, retention ponds, commercial properties, and property rights. **Commissioner Deutsch** remarked on traffic flow and impacts. **Commissioner Doherty** mentioned benefit, amendment, joint application process, conceptual site plan, impacts, PD, FAR, CG zoning and uses, Comprehensive Plan, process, TIS, TIA, restriction, standards, methodology, and approval. **Commissioner Tiseo** commented on TIS, transportation concurrency, uninterrupted flow, calculations, traffic signals, CIP, Comprehensive Plan, F.S. 163.3180, vested trips, requirements, standards, Staff Report, rezoning request, permitted uses, elevation, PD, Burnt Store Corridor Coalition, survey, approval process, condition, and FAR.

Mr. Cullinan replied to CIP, traffic signals, plan amendment, FLUE, requirement, concurrency, Land Use Guide Appendix 1, service levels, Comprehensive Plan, FAR annotation, CG zoning, PD Condition,

Mr. Fakhri responded to traffic signals, uninterrupted flow, conditions, limited access, Issue of the Submitted TIA Report, vested rights, Municode, methodology, concurrency, TIS, CIP, and intersection improvements.

Assistant County Attorney David interjected on staff, Comprehensive Plan, amendment, Ordinance, restrictions, annotation, FAR limitations, process, traffic report, uninterrupted traffic flow, Florida Statute, requirements, compliance, site plan approval, and traffic study.

**Public Input for PAS-23-00004, Jaxon Fischer LLC Small Scale Plan Amendment to Commercial and Petition Z-23-35-17, Jaxon Fischer LLC CG Rezoning**

Laura Rouse spoke against PAS-23-00004, Jaxon Fischer LLC Small Scale Plan Amendment to Commercial and Petition Z-23-35-17, Jaxon Fischer LLC CG Rezoning, discussed Burnt Store Lakes POA, travel time, uses, impacts, safety, improvements, 2050 Comprehensive Plan, light and noise pollution, and 2050 Comprehensive Plan.

Patrick Hurd spoke to Burnt Store Corridor Coalition, zoning, survey, needs, traffic, and growth.

John Fleming, Burnt Store Corridor Coalition Chairman noted rezoning request, 2022 US Census, process, demographics, residents, evacuation, and July 8, 2024 Charlotte County Planning and Zoning Board Regular Meeting.

Craig Williams spoke in support of PAS-23-00004, Jaxon Fischer LLC Small Scale Plan Amendment to Commercial and Petition Z-23-35-17, Jaxon Fischer LLC CG Rezoning, remarked on traffic impacts, benefits, community support, needs, public safety, medical emergencies, and residents.

Mary Ellen Kiss, Burnt Store Corridor Coalition Government Relations Liaison mentioned Burnt Store Lakes, commercial zoning, allowable uses, CG, PD, and commitment.

Jerry Newmin, Burnt Store Marina Section 22 Board of Directors Vice President commented on residents, commercial properties, traffic flow, services, and Lee County PDs.

Mary Ann Gerek spoke in support of PAS-23-00004, Jaxon Fischer LLC Small Scale Plan Amendment to Commercial and Petition Z-23-35-17, Jaxon Fischer LLC CG Rezoning, discussed Burnt Store Lakes, growth, residents, traffic, and tax dollars.

Frances Currier noted development, traffic impacts, safety, services, and benefits.

Jeanette Shuler spoke to development, commercial uses, and Burnt Store Corridor.

Mary Feurer remarked on Burnt Store Lakes, development, growth, services, traffic impacts, demographics, and community needs.

Phil Colletti mentioned noise, Heritage Landing, development, Burnt Store Road, needs, services, and benefits.

Philip Smallwood commented on property acquisitions, commercial property, retention ponds, and Burnt Store Road.

Roberta Colletti discussed traffic impacts, commercial properties, uses, community benefits, need, and development.

Sally Walsh noted Burnt Store Village, commitment, Burnt Store Coalition, community benefit, traffic impacts, roadway improvements, and development.

Todd Bird spoke to traffic impacts and development.

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

**MOTION CARRIED 5:0.**

**COMMISSIONER CONSTANCE MOVED TO REQUEST A CONTINUANCE OF THE CG REZONING PETITION TO A DATE NOT CERTAIN, SECONDED BY COMMISSIONER TISEO**

**MOTION CARRIED 5:0.**

UB3. PAL-24-02, TAG Lakeside Large Scale Plan Amendment to Medium Density Residential

**Community Development**

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large-scale Plan Amendment to the Florida Department of Commerce and other State agencies for review and comment; the request is to amend Charlotte County FLUM Series Map #1: 2030 Future Land Use from Low Density Residential (LDR) (138.32± acres) and Commercial (COM) (1.56± acres) to Medium Density Residential (MDR) with an annotation to the 2030 Future Land Use Map limiting the overall maximum density up to 1,188 units; increasing density from 135 units to 1,188 units; for property located north of Turbak Drive, south of Peace River Shores Boulevard, east of Cobalt Boulevard, and west of Duncan Road (US 17), in the Punta Gorda area, containing 139.88± acres; Commission District I; Petition No. PAL-24-02; Applicant: TAG Lakeside, LLC; providing an effective date. Located in Commission District I.

#### **Legislative**

Ms. Shao gave a brief overview of Proposed Changes, PAL-24-02 and PD-24-02: 1,000 Mailed Notice Map, Framework, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, Coastal High Hazard Area & Proposed General PD Concept Plan, and Lakeside Village PD Concept Plan.

**Chair Truex** mentioned Habitat Conservation Plan, scrub jay preservation, and gopher tortoise relocation. **Commissioner Constance** commented on CHHA and elevation. **Commissioner Doherty** discussed water supply, wastewater, modification, PD, November 26, 2024 Regular and Land use Meeting, Charlotte County Utilities (CCU), Peace River Manasota Regional Water Supply Authority (PRMRWSA), CHHA, and storm surge. **Commissioner Tiseo** noted scrub jay preservation, acres, water and sewer concurrency, CCU, service areas, Staff Report, requirement, funding, and service providers.

Tina Powell, Parks and Natural Resources Manager replied to conservation easement, gopher tortoises, density, permitting, survey, preservation, and occupancy determination.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, joined in Staff Report, spoke to preservation areas, conservation efforts, process, service providers, PD Condition, gopher tortoise burrows, PD, density, scrub jays, and requested transmittal.

Assistant County Attorney David interjected on rezoning request.

#### **Public Input**

Courtney Mason spoke against, PAL-24-02, TAG Lakeside Large Scale Plan Amendment to Medium Density Residential, remarked on Peace River Shores, gopher tortoises, scrub jays, preservation, conservation efforts, habitats, development, density, Florida Fish and Wildlife Conservation Commission (FWC), relocation permits, and U.S. Fish and Wildlife Service (FWS).

Christopher Zealot mentioned natural preservation, protected species, light pollution, density, and development.

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

**MOTION CARRIED 5:0.**

Paul Bane, Ian Vincent and Associates responded to gopher tortoise survey, FWC, accepted practices, and excavation.

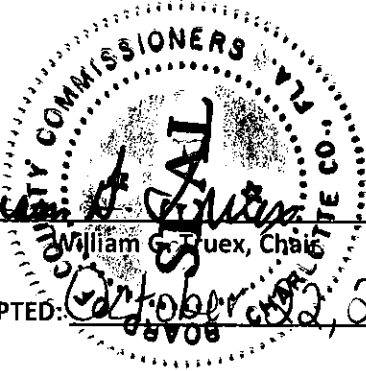
Mr. Cullinan responded to existing current site elevation.

Todd Rebol, Banks Engineering replied to topographical survey, elevation, PD, geographic information system (GIS) mapping, Light Detection and Ranging (LIDAR), and Southwest Florida Water Management District (SWFWMD).

COMMISSIONER DOHERTY MOVE TO APPROVE TRANSMITTAL OF A LARGE-SCALE PLAN AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMERCE AND OTHER STATE AGENCIES FOR REVIEW AND COMMENT; THE REQUEST IS TO AMEND CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE FROM LOW DENSITY RESIDENTIAL (LDR) (138.32± ACRES) AND COMMERCIAL (COM) (1.56± ACRES) TO MEDIUM DENSITY RESIDENTIAL (MDR) WITH AN ANNOTATION TO THE 2030 FUTURE LAND USE MAP LIMITING THE OVERALL MAXIMUM DENSITY UP TO 1,188 UNITS; INCREASING DENSITY FROM 135 UNITS TO 1,188 UNITS; FOR PROPERTY LOCATED NORTH OF TURBAK DRIVE, SOUTH OF PEACE RIVER SHORES BOULEVARD, EAST OF COBALT BOULEVARD, AND WEST OF DUNCAN ROAD (US 17), IN THE PUNTA GORDA AREA, CONTAINING 139.88± ACRES; COMMISSION DISTRICT I; PETITION NO. PAL-24-02; APPLICANT: TAG LAKESIDE, LLC; PROVIDING AN EFFECTIVE DATE. LOCATED IN COMMISSION DISTRICT I, SECONDED BY CHAIR TRUEX

MOTION CARRIED 5:0.

ADJOURNED: 5:03 pm

The seal is circular with the text "BOARD OF COUNTY COMMISSIONERS" around the top and "CHARLOTTE COUNTY FLORIDA" around the bottom. In the center, there is a smaller seal with a palm tree and the number "17".  
*William G. Truex*  
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William G. Truex, Chair  
DATE ADOPTED: *October 22, 2024*

ATTEST:

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

By: *Kimberly Walsh*  
\_\_\_\_\_  
Deputy Clerk