

BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 24, 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: Assistant County Attorney David (arrived at 1:53 pm), County Administrator Flores, County Attorney Knowlton (departed at 1:53 pm), 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 Pastor Daniel Dagan, Hope Apostolic Church, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: R-9, Health Department Contract. Approve and authorize the Chairman to execute the FY25 Charlotte County/State of Florida Department of Health contract for the operation of the Charlotte County Health Department.

Requested by: Budget & Admin Services

Addition #2: R-10, Declaration of Local State of Emergency. Discussion of Resolution Declaring Local State of Emergency Relating to Potential Tropical Cyclone Nine.

Requested by: Administration

Change #1: S-3, Added attachment – Letter of Agreement. Updated language: Conduct a Public Hearing to Consider a Hospital Assessment Resolution and Letter of Agreement. Pursuant to the Charlotte County Local Participation Fund Ordinance Number 2021-025, as adopted on July 13, 2021, conduct a public hearing to consider an Assessment Resolution setting the rate of collection pertaining to applicable hospital properties for a payment due upon receipt of invoice and authorize the Chairman to execute the Letter of Agreement.

Requested by: County Attorney

Change #2: R-3, Added attachment – Final Peace River Manasota Water Authority Agenda.

Requested by: County Attorney

Change #3: F-2, Added attachment – Low Income Pool Letter of Agreement.

Requested by: Budget & Admin Services

Change #4: UB-4, Added attachment – Final Ordinance. PD-23-00006. 33 Acres Old Landfill Road LLC Marked as “Deleted” previously attached Final Ordinance. PD-23-00006. 33 Acres Old Landfill Road LLC.

Requested by: County Attorney

Change #5: F-6, Added attachment – Resolution.

Requested by: Administration

Change #6: R-6, Added attachment – Performance Evaluation, County Administrator, Hector Flores.

Requested by: Administration

Change #7: R-7, Added attachment – Performance Evaluation, County Attorney, Janette Knowlton.

Requested by: County Attorney

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Bill Truex

Chair Truex discussed Junior Commission Program and participants.

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

MOTION CARRIED 5:0.

“Fit for Life” Senior Games Month

Mike Norton, Recreation Superintendent accepted the Proclamation.

Community Planning Month

Community Development Director Ben Bailey, Planning and Zoning Official Shaun Cullinan, Principal Planner Jie Shao, Senior Planner Elizabeth Nocheck, and Zoning Coordinator Maryann Franks accepted the Proclamation.

Florida Climate Week

Proclamation to be mailed to the VoLo Foundation.

Cybersecurity Awareness Month

Anthony Aquirre, Information Systems Security Manager accepted the Proclamation.

Florida Native Plant Month

Ava Lasseter, Mangrove Chapter of the Florida Native Plant Society Youth Coordinator accepted the Proclamation.

Employee Recognition

Years of Service August 2024

5 Years: Jody Mansell, Public Works; Azeudee Carr, Community Development; Leigha DeArk, Utilities; Richard Wharfield III, Public Safety; Spencer Pullen, Community Service; **10 Years:** June Vilecco, Budget & Administrative Services; Juan

Quinones, Utilities; **20 Years:** Julia Galofre, Community Development; Joseph Dimina Jr., Community Development; Beth Kovach, Public Works; and **25 Years:** Maryann Franks, Community Development.

Employee of the Month - August 2024

Claire Myers
Community Services

Tommy Scott, Community Development Director highlighted Ms. Myers' service, commitment, qualifications, achievements, and presented Award.

Award Presentations

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

Commissioner Stephen R. Deutsch to accept donation from Gray | Robinson; Derek Rooney.

Commissioner Deutsch mentioned William R. Gaines Jr. Veterans Memorial Park and accepted check from Attorney Derek Rooney, GrayRobinson Law Firm.

PUBLIC INPUT - AGENDA ITEMS ONLY

Jeff Lustig spoke in support of US Department of Agriculture Beach Predator Control Agreement Fiscal Year (FY) 2025, US Department of Agriculture Service Agreement for Feral Swine Removal FY 2025, US Department of Agriculture Iguana Removal Agreement FY 2025, and US Department of Agriculture Iguana Removal (Don Pedro Knight Island) FY 2025.

Dee Lynn Bennett commented on Director of Economic Development Employment Agreement.

Bob White, Charlotte County Chamber of Commerce Executive Director noted Director of Economic Development Employment Agreement.

Tim Ritchie spoke to Peace River Manasota Water Authority Third Amended Master Water Supply Contract.

Shawn Wilson, Blue Sky Communities spoke in support of Charlotte Housing Opportunities Made Easier (HOME) Award Recommendation – Blue Deep Creek.

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 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.

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

· **Alligator Creek Waterway Unit** is seeking two members to fill positions with terms through October 31, 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 one member to fill a position with a term through October 31, 2027.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking two members to fill 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, 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

Settlements Under \$50,000 Report

County Attorney

Report of settlements under \$50,000 pursuant to Resolution 2012-001.

Taken Out of Order

REGULAR AGENDA

R. Regular Agenda

(Addition #2) 10. Declaration of Local State of Emergency

County Administration

Discussion of Resolution Declaring Local State of Emergency Relating to Potential Tropical Cyclone Nine. **RES 2024-156**

Patrick Fuller, Emergency Management Director gave a brief overview of Potential Tropical Cyclone Nine, Situation Overview, Hurricane and Tropical Storm Watches, Storm Surge Watches, Potential Storm Surge Impacts, National Oceanic Atmospheric Administration (NOAA) Sea Level Rise at Five Feet, Wind Threat / Potential Impact, Earliest Reasonable Time of Arrival, Inland Flooding Impacts, Key Take-Aways, and Emergency Operations Center (EOC) Actions.

Chair Truex discussed storm size and local impacts. **Commissioner Constance** mentioned timing, winds, State of Florida Executive Order Number 24-208, fuel supplies, preparedness, community partners, storm surge, NOAA Sea Level Rise at Five Feet, Sunshine Law, communication, and County Administrator Flores. **Commissioner Deutsch** commented on preparedness, advisories, and tide levels.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2024-156 DECLARING A LOCAL STATE OF EMERGENCY RELATED TO POTENTIAL TROPICAL CYCLONE NINE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

(Addition #1) 9. Health Department Contract

Budget & Admin Services

Approve and authorize the Chairman to execute the FY25 Charlotte County/State of Florida Department of Health contract for the operation of the Charlotte County Health Department. **AGR 2024-179**

Joseph Pepe, Florida Department of Health (FDOH) Administrator gave a brief overview of Spending Plan - FY 2024-2025, Board of County Commissioners (BOCC) Expenditures: Fiscal Year End (FYE) 2023-2024, FY 2024-2025, Year to Year Revenue Per Source FY 2020-2021 to FY 2024-2025, Expenditure Distribution Per FY - FY 2020-2021 to FY 2024-2025, Revenue vs Expenditure by County Comparison, Total Full Time Equivalent (FTE) Comparison by County FY 2024-2025, noted healthcare partners, preparedness, rapid resource deployment, shelter operations, long term strategies, and return on investment (ROI).

Commissioner Constance spoke to Spending Plan - FY 2024-2025, revenue sources, County Health Department (CHD) - Charlotte Grants/Revenues/Funds, BOCC Expenditures - FY 2023-2024, Virginia B. Andes Volunteer Community and Mobile Medical Clinics, and Charlotte Behavioral Health. **Commissioner Doherty** discussed partnership.

Mark Boccacchio, FDOH Finance and Accounting Director responded to CHD - Charlotte Grants/Revenues/Funds and sources.

COMMISSIONER DOHERTY MOVED TO APPROVE AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE FISCAL YEAR 2025 CHARLOTTE COUNTY/STATE OF FLORIDA DEPARTMENT OF HEALTH CONTRACT AGREEMENT 2024-179 FOR THE OPERATION OF THE CHARLOTTE COUNTY HEALTH DEPARTMENT, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF F-9, SECONDED BY COMMISSIONER DOHERTY

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:

September 5, 2024 BCC Pre-Agenda
September 5, 2024 Public Hearing on Proposed County Budget FY 2024-2025

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment- Marine Advisory Committee

Recommended Action: Approve the appointment of Robert Eckert as the USCGA Flotilla 87 Englewood representative to the Marine Advisory Committee. Term is effective immediately and will expire on September 30, 2027.

Budgeted Action: No action needed.

2. Appointment- Historical Advisory Committee

Recommended Action: Approve the appointment of Karen Hartman as a member at large representative to the Historical Advisory Committee. Term is effective immediately and will expire on September 30, 2027.

Budgeted Action: No action needed.

D. County Administration

E. County Attorney

1. Approval of Negotiated Settlement

Recommended Action: Approve the negotiated settlement with Jeffrey El-Khalidi for all his Workers Compensation claims as recommended by Risk Management and the County Attorney.

Budgeted Action: No action needed.

F. Budget and Administrative Services

Fiscal Services

1. FY25 Not for Profit Agreements

Recommended Action: a) Approve the Not-for-Profit funding agreements for Charlotte Harbor Environmental Center, Inc. in the amount of \$37,500; Military Heritage Museum, Inc. in the amount of \$22,500; United Way of Charlotte County in the amount of \$916,546; and b) Authorize the Chairman to sign the funding agreements; and c) Authorize the County Administrator to sign documents associated with the approved agreements. **AGR 2024-164 / AGR 2024-165 / AGR 2024-166**

Budgeted Action: No action needed. Budgeted in the General Fund - BCC Control - Aids to Private Orgs and Grants and Aid accounts to be approved in the FY2025 budget process.

2. FY25 Not for Profit Agreement

Recommended Action: a) Approve the Not-for-Profit funding agreement for Charlotte Behavioral Health Care, Inc. (CBHC) in the amount of \$1,948,361.00; and b) Approve the Low-Income Pool (LIP) Letter of Agreement; and c) Authorize the Chairman to sign the grant funding and LIP agreements; and d) Authorize the County Administrator to sign documents associated with the approved agreements. **AGR 2024-167 / AGR 2024-168**

Budgeted Action: No action needed. Budgeted in the General Fund - BCC Control - Aids to Private Orgs and Grants and Aid accounts to be approved in the FY2025 budget process.

Information Technology

Purchasing

3. 24-590, Award, Walking Floor Trailers (Public Works)

Recommended Action: a) Approve award of File #24-590, for the purchase of six (6) 2025 Mac Walking Floor Trailers - per the Florida Sheriff's Association Cooperative Purchasing Program Contract #FSA23-EQU21.0, and award to Nationwide Haul LLC, of Pompano Beach, Florida for a purchase price of \$690,426 for all units; and b) Approve Asset #32645, 32646, 32648, 32649, 32651 and 32652, to be sold via auction.

Budgeted Action: No action needed. Budgeted in the Solid Waste Heavy Equipment Replacement Plan as approved in the FY24 budget process. Funding is supplied from Solid Waste fees.

4. 24-547, Award, Purchase and Delivery of Sodium Hypochlorite Solution (Utilities)

Recommended Action: a) Approve award of Request for Bid #24-547, purchase and delivery of Sodium Hypochlorite Solution to Allied Universal Corporation, of Miami, Florida, at the price of \$1.67 per gallon, for the term of October 1, 2024, through and including, September 30, 2025; and b) Authorize County Administrator to approve one additional one-year term, at the same prices, terms and conditions, by mutual consent.

Budgeted Action: No action needed. Budgeted in the Utilities Operations and Maintenance Fund - Operations budget as approved in the FY2024 budget process. Funding for this expenditure comes from rate revenues.

5. 22-341, Approve Amendment 1, Design - Charlotte Harbor Community Redevelopment Agency Improvements

Recommended Action: Approve Amendment #1 to Contract #22-341, Design - Charlotte Harbor Community Redevelopment Agency Improvements, with Johnson Engineering, of Port Charlotte, Florida, for the total amount of \$106,000. This amendment is for improvements to Melbourne Street.

Budgeted Action: No action needed. Budgeted in the Capital Improvement Project "Charlotte Harbor CRA Melbourne Street MUP" as approved in the FY24 budget process. Funding is supplied from the Tax Increment Financing, ad valorem.

6. 24-527, Award, 2024 Road and Bridge Paving Program (Public Works)

Recommended Action: a) Approve award of Request for Bid #24-527, 2024 Road and Bridge Paving Program to the sole responsive, responsible bidder, Ajax Paving Industries of Florida, LLC of North Venice, Florida for a total amount of \$6,149,175. This is for resurfacing Charlotte County roadways; and b) Approve Resolution for budget adjustment BA25-

131 in the amount of \$2,586,525 increasing the Road and Bridge Capital Maintenance Paving Program and authorize change to the FY25 budget effective October 1, 2024. RES 2024-149

Budgeted Action: Approve budget adjustment BA25-131 in the amount of \$2,586,525 to amend the Road and Bridge Capital Maintenance Paving Program and authorize change to the FY25 budget effective October 1, 2024. Funding is provided by Capital Gas Tax in the Road Improvements Fund.

7. 24-522, Award, Right-of-Way Vegetation Removal/Control - Annual (Public Works)

Recommended Action: a) Approve award of Bid #24-522, Right-of-Way Vegetation Removal / Control to Treeline Forestry, LLC of Vero Beach, Florida at the unit prices bid with a term of contract from October 1, 2024 through and including September 30, 2025; and b) Authorize the County Administrator, or his designee, to approve the renewal options for up to two additional one-year terms, at the same prices, terms, and conditions, by mutual consent.

Budgeted Action: No action needed. Budgeted in Transportation Trust- Road & Bridge and various street and drainage MSBUs as proposed in the FY25 budget process. Funding is supplied from gas taxes for Road & Bridge and MSBU assessments for all MSBU areas.

8. 24-556, Award, Sand, Rock, and Rip Rap - Annual Contract (Public Works)

Recommended Action: a) Approve the split "per item" Award of Request for Bid #23-653, Sand, Rock, and Rip Rap - Annual Contract, to three firms: SiteOne Landscape Supply of Port Charlotte, Florida; Green Dream International LLC of Erie, Pennsylvania; and Grippo Pavement Maintenance Inc of Lehigh Acres, Florida, at unit prices attached, with the initial contract term of October 1, 2024 through and including September 30, 2025; and b) Authorize the County Administrator to approve renewal options for up to two additional one year terms at the same prices, terms and conditions, by mutual consent.

Budgeted Action: No action needed. Budgeted in the Transportation Fund-Public Works Maintenance and Operation budget as approved in the FY25 budget process. Funding for the expenditure comes from Gas Tax.

9. 24-521, Approve Ranking, Creative Services (Tourism)

Recommended Action: a) Approve the ranking of firms for Request for Proposal #24-521, Creative Services: 1st Aqua Marketing & Communications, Inc. of St. Petersburg, Florida; 2nd The Zimmerman Agency of Tallahassee, Florida; and 3rd Maris, West & Baker, LLC of Jackson, Mississippi; and b) Approve start of negotiations; and c) Authorize the Chairman to sign the Contract after completion of negotiations. This is for a marketing agency to provide creative services, advertising to support Tourism.

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 Fund.

Commissioner Constance questioned tabulation sheet and Total Possible Points.

Kim Corbett, Senior Purchasing Division Manager replied to Total Possible Points and scrivener's error.

COMMISSIONER CONSTANCE MOVED TO APPROVE THE RANKING OF FIRMS FOR REQUEST FOR PROPOSAL #24-521, CREATIVE SERVICES: 1ST AQUA MARKETING & COMMUNICATIONS, INC. OF ST. PETERSBURG, FLORIDA; 2ND THE ZIMMERMAN AGENCY OF TALLAHASSEE, FLORIDA; AND 3RD MARIS, WEST & BAKER, LLC OF JACKSON, MISSISSIPPI, STRIKING 500 FROM THE TAB SHEET UNDER THE 100, AND TOTAL POSSIBLE POINTS CHANGED TO 100; AND B) APPROVE START OF NEGOTIATIONS; AND C) AUTHORIZE THE CHAIRMAN TO SIGN THE CONTRACT AFTER COMPLETION OF

NEGOTIATIONS. THIS IS FOR A MARKETING AGENCY TO PROVIDE CREATIVE SERVICES, ADVERTISING TO SUPPORT TOURISM, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Real Estate Services

10. Voluntary Acquisition of Properties for Sandhill Boulevard Widening Project

Recommended Action: Approve Resolution authorizing the voluntary acquisition of real property or easement interest in real property that may be required for the future implementation of the Sandhill Boulevard widening project. **RES 2024-150**

Budgeted Action: No action needed. Budgeted in the Capital Improvement Project "Sandhill Blvd Widening - Kings Highway to Capricorn" as approved in the FY24 budget process. Funding is supplied from Road Impact Fees.

Risk Management

Transit

G. Community Development

H. Community Services

1. Memorandum of Understanding (MOU) with the Daughters of the American Revolution

Recommended Action: a) Approve a MOU with the Daughters of the American Revolution to purchase and donate a Revolutionary War Patriots Memorial Marker at William R. Gaines Jr. Veterans Memorial Park; and b) Authorize the Chairman to sign the MOU. **AGR 2024-169**

Budgeted Action: No action needed.

2. US Department of Agriculture Beach Predator Control Agreement FY25

Recommended Action: a) Approve the Cooperative Service Agreement with United States Department of Agriculture (USDA) to reduce damage caused by nest predators for sea turtles and shorebirds starting October 1, 2024; and b) Authorize the Chairman to sign the Agreement. **AGR 2024-170**

Budgeted Action: No action needed. Budgeted in the General Fund - Parks Maintenance and Natural Resources budget as planned in the FY2025 budget process.

3. US Department of Agriculture Service Agreement for Feral Swine Removal FY25

Recommended Action: a) Approve the Cooperative Service Agreement with United States Department of Agriculture (USDA) for the control of feral swine on County conservation lands starting October 1, 2024; and b) Authorize the Chairman to sign the Agreement. **AGR 2024-171**

Budgeted Action: No action needed. Budgeted in the General Fund - Parks Maintenance and Natural Resources budget as planned in the FY2025 budget process.

4. US Department of Agriculture Iguana Removal Agreement FY25

Recommended Action: a) Approve the Cooperative Service Agreement with United States Department of Agriculture (USDA) for the control of iguanas on the Charlotte County's portion of Gasparilla Island starting October 1, 2024; and b) Authorize the Chairman to sign the Agreement. **AGR 2024-172**

Budgeted Action: No action needed. Budgeted in the Boca Grande Street and Drainage Unit as proposed in the FY2025 budget process, effective October 1, 2024. Funding is provided by Boca Grande Street and Drainage MSBU assessments.

5. US Department of Agriculture Iguana Removal (Don Pedro Knight Island) Agreement FY25

Recommended Action: a) Approve the Cooperative Service Agreement with United States Department of Agriculture (USDA) for the control of iguanas on Don Pedro Knight Island starting October 1, 2024; and b) Authorize the Chairman to sign the Agreement; and c) Approve Resolution for budget adjustment #BA25-128 in the amount of \$50,000, and authorize change to the FY2025 budget effective October 1, 2024. **AGR 2024-173 / RES 2024-151**

Budgeted Action: Approve budget adjustment #BA25-128 in the amount of \$50,000, to the Don Pedro Knight Island Street and Drainage MSTU budget, and authorize change to the FY2025 budget effective October 1, 2024. Funding will be provided using reserves within the Don Pedro Knight Island Street and Drainage Maintenance MSTU ad valorem.

I. Economic Development

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

1. State Housing Initiatives Partnership (SHIP) Loan for Goodwill Industries (GWI) - Harbor Place

Recommended Action: Authorize the State Housing Initiatives Partnership (SHIP) loan with Goodwill Industries (GWI).

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

2. State Housing Initiatives Partnership (SHIP) Loan for Blue Sky Communities, LLC - Blue Deep Creek

Recommended Action: Authorize the State Housing Initiatives Partnership (SHIP) loan with Blue Sky Communities, LLC.

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

M. Public Safety

1. Public Emergency Medical Transportation Program Letter of Agreement and Inter-Governmental Transfer Questionnaire

Recommended Action: a) Authorize participation in the Public Emergency Medical Transportation (PEMT) supplemental program for Medicaid managed care organizations (MCOs); and b) Authorize the Chairman to execute the Letter of Agreement (LOA) with the State of Florida Agency for Health Care Administration (AHCA) relating to intergovernmental transfer to the State. **AGR 2024-174 / A.AGR 2024-174**

Budgeted Action: No action needed. Budgeted in the General Fund - Emergency Medical Services budget to be approved during the FY2024 budget process. Funding for this expenditure comes from the General Fund.

N. Public Works

O. Tourism Development

P. Utilities

1. Authorize Execution of a Continuing Disclosure Certificate Form

Recommended Action: Approve Resolution authorizing execution of the Form of Continuing Disclosure Certificate for the upcoming Peace/River Water Supply Authority's 2024 Utility System Refunding Revenue Bonds. **AGR 2024-175 / RES 2024-152**

Budgeted Action: No action needed.

Q. Other Agencies

R. Regular Agenda (Continued)

1. Burnt Store Road East-West Connector Preferred Alternative

Public Works

a) Presentation; and b) Approve by motion the Burnt Store Road East-West connector preferred alternative.

Robert Fakhri, Transportation Engineer gave a brief overview of Study Limits, Purpose and Objectives: Two objectives, I. Traffic Modeling, Future Capacity Needs, II. Preliminary Engineering, Proposed Alternative Alignment, Proposed Roadway Typical Section, Environmental Assessment, Stormwater Assessment, Alternative #1 - Tuckers Grade Extension, Alternative #2 - Notre Dame Boulevard, Alternative #3 - Scham Road, Alternative #4 - Tribune Boulevard, Comparative Matrix, Public Information Meeting: Open House, Summary, and Preferred Alternative.

Chair Truex commented on Harborview Road, Edgewater Drive, funding, property acquisitions, Comparative Matrix, needs, Future Capacity Needs, and Alternative #1 - Tuckers Grade Extension. **Commissioner Constance** spoke to Proposed Roadway Typical Section, Future Capacity Needs, growth, cost, development rights, evacuation routes, Bermont Road, Comparative Matrix, property acquisitions, and Alternative #1 - Tuckers Grade Extension. **Commissioner Doherty** noted Future Capacity Needs, traffic counts, and service levels. **Commissioner Tiseo** discussed Future Capacity Needs, funding, Alternative #1 - Tuckers Grade Extension, and Veterans Boulevard.

John Elias, Public Works Director responded to Proposed roadway Typical Section, Transportation Plan, roadway expansion, costs, and Emergency Management.

Stephen Kipa, Real Estate Services Manager replied to Comparative Matrix, Alternative #1 - Tuckers Grade Extension, and property acquisitions.

COMMISSIONER TISEO MOVED TO APPROVE ALTERNATIVE #1 - TUCKERS GRADE EXTENSION AS THE BURNT STORE ROAD EAST-WEST CONNECTOR PREFERRED ALTERNATIVE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

2. Peace River Manasota Water Authority Third Amended Master Water Supply Contract

County Attorney

(Change #2) Added attachment – Final Peace River Manasota Water Authority Agenda.

a) Approve the Third Amended Peace River/Manasota Regional Water Supply Authority Master Water Supply Contract (“Contract”) between Charlotte County and Peace River/Manasota Regional Water Supply Authority, DeSoto County, Sarasota County, and City of North Port; and b) Authorize the Chairman to sign the Contract. **A.AGR 2005-048**

Assistant County Attorney Jean Stasio highlighted Peace River Manasota Water Authority Third Amended Master Water Supply Contract.

Commissioner Doherty mentioned Peace River Manasota Regional Water Supply Authority (PRMRWSA) August 7, 2024 Board of Directors Meeting and Budget Hearing and DeSoto payment.

COMMISSIONER DOHERTY MOVED TO APPROVE THE THIRD AMENDED PEACE RIVER/MANASOTA REGIONAL WATER SUPPLY AUTHORITY CONTRACT (“CONTRACT”) AGREEMENT 2005-048 BETWEEN CHARLOTTE COUNTY AND PEACE RIVER/MANASOTA REGIONAL WATER SUPPLY AUTHORITY, DESOTO COUNTY, SARASOTA COUNTY, AND CITY OF NORTH PORT; AND AUTHORIZE THE CHAIRMAN TO SIGN THE CONTRACT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

3. Water Authority Agenda - October 2, 2024

Utilities

Discussion and direction on the Peace River Manasota Regional Water Supply Authority Board agenda for the upcoming October 2, 2024 meeting.

Mike Coates, PRMRWSA Executive Director highlighted Water Authority Agenda - October 2, 2024.

Taken Out of Order

5. Charlotte HOME Award Recommendation - Blue Deep Creek

Human Services

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

Colleen Turner, Human Services Manager highlighted Charlotte HOME Award Recommendation - Blue Deep Creek.

Commissioner Doherty commented on Affordable Housing Advisory Committee (AHAC) and Award Recommendation.

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

MOTION CARRIED 5:0.

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

RECESS: 10:32 am - 10:35 am

4. West Port, Kolter Purchase from Murdock Village Community Redevelopment Agency

Commission Office

a) Approve Amended and Restated Master Developer's Agreement between Charlotte County and KL WP Village LLC; and b) Approve Agreement for Additional Consideration between Charlotte County and KL WP Village LLC; and c) Approve Resolution authorizing execution of closing documents; and d) Approve Resolution releasing certain subsurface rights to real property; and e) Authorize the Chairman to sign the Agreements and Resolutions. **AGR 2024-176 / AGR 2024-177 / RES 2024-153 / RES 2024-154**

Assistant County Attorney Thomas David highlighted West Port, Kolter Purchase from Murdock Village Community Redevelopment Agency (CRA), responded to buffer requirements, and Planned Development (PD) approval.

Chair Truex noted PD Process and restrictions. **Commissioner Constance** spoke to trees, language, Fifth Amendment, restrictions, buffer requirements, and PD process. **Commissioner Tiseo** remarked on landscaping, agreement terms, concept plan, zoning, conditions, and setbacks.

COMMISSIONER DOHERTY MOVED TO APPROVE AMENDED AND RESTATED MASTER DEVELOPER'S AGREEMENT 2024-176 BETWEEN CHARLOTTE COUNTY AND KL WP VILLAGE LLC; AND APPROVE AGREEMENT 2024-177 FOR ADDITIONAL CONSIDERATION BETWEEN CHARLOTTE COUNTY AND KL WP VILLAGE LLC; AND APPROVE RESOLUTION 2024-153 AUTHORIZING EXECUTION OF CLOSING DOCUMENTS; AND APPROVE RESOLUTION 2024-154 RELEASING CERTAIN SUBSURFACE RIGHTS TO REAL PROPERTY; AND AUTHORIZE THE CHAIRMAN TO SIGN THE AGREEMENTS AND RESOLUTIONS, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

Taken Out of Order

8. Employment Agreement - Director of Economic Development

County Attorney

a) Determine the starting salary for the Director of Economic Development; and b) Approve the Agreement between Charlotte County and Katherine A. Tracy Pfisterer; and c) Authorize the Chairman to execute the Agreement. **AGR 2024-178**

Deputy County Attorney David highlighted Employment Agreement - Director of Economic Development.

Chair Truex discussed Agreement modifications. **Commissioner Constance** mentioned current salary and benefits package value. **Commissioner Doherty** commented on qualifications, service, salaries, and experience.

County Administrator Flores replied to Communications Department and Director paygrade.

COMMISSIONER DOHERTY MOVED TO APPROVE THE STARTING SALARY FOR THE DIRECTOR OF THE ECONOMIC DEVELOPMENT AS \$116,000; APPROVE THE AGREEMENT 2024-178 BETWEEN CHARLOTTE COUNTY AND KATHERINE A.

TRACY PFISTERER; AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT, SECONDED BY COMMISSIONER
CONSTANCE

MOTION CARRIED 5:0.

Taken Out of Order

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

3. Conduct a Public Hearing to Consider a Hospital Assessment Resolution

Commission Office

(Change #1) Added attachment – Letter of Agreement. Updated language: Conduct a Public Hearing to Consider a Hospital Assessment Resolution and Letter of Agreement. Pursuant to the Charlotte County Local Participation Fund Ordinance Number 2021-025, as adopted on July 13, 2021, conduct a public hearing to consider an Assessment Resolution setting the rate of collection pertaining to applicable hospital properties for a payment due upon receipt of invoice and authorize the Chairman to execute the Letter of Agreement.

Pursuant to the Charlotte County Local Participation Fund Ordinance Number 2021-025, as adopted on July 13, 2021, conduct a public hearing to consider an Assessment Resolution setting the rate of collection pertaining to applicable hospital properties for a payment due upon receipt of invoice. **AGR 2024-180 / RES 2024-157**

Public Hearing

Andy Romine, ShorePoint Health Chief Executive Officer (CEO) spoke to Board support, benefits, and requested approval.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2024-157 AUTHORIZING AND ADOPTING A NON-AD VALOREM SPECIAL ASSESSMENT WITHIN THE COUNTY LIMITS FOR THE PURPOSE OF BENEFITING ASSESSED PROPERTIES THROUGH ENHANCED MEDICAID PAYMENTS FOR LOCAL SERVICES; FINDING AND DETERMINING THAT CERTAIN REAL PROPERTY IS SPECIALLY BENEFITED BY THE ASSESSMENT; COLLECTING THE ASSESSMENT AGAINST REAL PROPERTY; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED ASSESSMENT AND THE METHOD OF ITS COLLECTION; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICES IN CONNECTION THEREWITH; PROVIDING FOR CERTAIN OTHER AUTHORIZATIONS AND DELEGATIONS OF AUTHORITY AS NECESSARY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TISEO

COMMISSIONER CONSTANCE AMENDED THE MOTION TO APPROVE RESOLUTION 2024-157 AUTHORIZING AND ADOPTING A NON-AD VALOREM SPECIAL ASSESSMENT WITHIN THE COUNTY LIMITS FOR THE PURPOSE OF BENEFITING ASSESSED PROPERTIES THROUGH ENHANCED MEDICAID PAYMENTS FOR LOCAL SERVICES; FINDING AND DETERMINING THAT CERTAIN REAL PROPERTY IS SPECIALLY BENEFITED BY THE ASSESSMENT; COLLECTING THE ASSESSMENT AGAINST REAL PROPERTY; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED ASSESSMENT AND THE METHOD OF ITS COLLECTION; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICES IN CONNECTION THEREWITH; PROVIDING FOR CERTAIN OTHER AUTHORIZATIONS AND DELEGATIONS OF AUTHORITY AS NECESSARY; AND PROVIDING AN EFFECTIVE DATE; AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE LETTER OF AGREEMENT 2024-180, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

1. 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

Public Works

Conduct 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. **ORD 2024-029**

Mr. Elias gave a brief overview of No Vehicles Over Six Wheels Location Map: Loveland Boulevard (Blvd) from Westchester Blvd to Old Landfill Road (RD) and Westchester Blvd from Kings Highway (HWY) to Loveland Blvd.

Chair Truex noted Google Maps and Waze applications. **Commissioner Constance** discussed truck routes. **Commissioner Deutsch** commented on enforcement and Google Maps. **Commissioner Tiseo** mentioned truck route.

Public Hearing

David Pollard spoke in support of 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.

Dan Ulrich, Port Charlotte Moose Lodge Administrator spoke in support of 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.

Laura Pollard spoke in support of 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.

Gene Johanson spoke in support of 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.

Scott Scheerer spoke in support of 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.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2024-029 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING ARTICLE II, CHAPTER 2-4 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; AMENDING SECTION 2-4-24 TO PROVIDE FOR THE PROHIBITION OF VEHICLES OVER SIX WHEELS ON: LOVELAND BOULEVARD FROM WESTCHESTER BOULEVARD TO OLD LANDFILL ROAD; AND; WESTCHESTER BOULEVARD FROM KINGS HIGHWAY TO LOVELAND BOULEVARD, IN CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR PENALTIES FOR VIOLATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

2. 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

Public Works

Conduct a public hearing 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. **ORD 2024-030**

Mr. Elias gave a brief overview of Foresman Blvd From David Blvd to Jennings Blvd: Existing Speed Limit 40 Miles Per Hour (MPH) and Proposed Speed Limit 30 MPH.

Chair Truex noted growth and development. **Commissioner Constance** spoke to similarly rated streets and speed limits.

Public Hearing

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-030 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PURSUANT TO SECTION 2-4-41, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; AMENDING THE SPEED LIMIT ON CERTAIN PORTIONS OF FORESMAN BOULEVARD IN CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR PENALTIES FOR VIOLATION; PROVIDING THAT THE SPEED LIMIT IS NOT AFFECTED BY NAME OR ROAD DESIGNATION CHANGE; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR INCORPORATION OF EXHIBITS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

4. Conduct Public Hearing to Adopt FY2025 Capital Improvement Program Schedule

Budget & Admin Services

Conduct a public hearing to consider adopting an Ordinance updating and modifying the Capital Improvement Program Schedule FY24/25 through FY29/30. **ORD 2024-031**

Pamela Kirchner, Financial Manager highlighted Conduct Public Hearing to Adopt FY 2025 Capital Improvement Program Schedule.

Public Hearing

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

MOTION CARRIED 5:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2024-031 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AUTHORIZING AND APPROVING MODIFICATIONS TO THE CAPITAL IMPROVEMENT SCHEDULE OF THE CHARLOTTE COUNTY COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3177(3)(b), FLORIDA

STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

R. Regular Agenda (Continued)

6. Performance Evaluation - County Administrator, Hector Flores

County Administration

(Change #6) Added attachment – Performance Evaluation, County Administrator, Hector Flores.

Discussion of County Administrator, Hector Flores' annual performance evaluation.

Chair Truex discussed 2024 Charlotte County Administrator Evaluation. **Commissioner Doherty** mentioned 2024 Charlotte County Administrator Evaluation.

COMMISSIONER DOHERTY MOVED TO APPROVE COUNTY ADMINISTRATOR HECTOR FLORES' ANNUAL PERFORMANCE EVALUATION OF 36.79 AS AN AVERAGE, RECOMMEND SALARY BE ADJUSTED TO BE CONSISTENT WITH OTHER STAFF MEMBERS, AND RECEIVE IT AT THE SAME TIME THAT HAS BEEN DONE IN THE PAST, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

7. Performance Evaluation - County Attorney, Janette Knowlton

County Attorney

(Change #7) Added attachment – Performance Evaluation, County Attorney, Janette Knowlton.

Discussion of County Attorney, Janette Knowlton's annual performance evaluation.

Chair Truex commented on 2024 Charlotte County Attorney Evaluation.

COMMISSIONER DOHERTY MOVED TO APPROVE COUNTY ATTORNEY JANETTE KNOWLTON'S ANNUAL PERFORMANCE EVALUATION OF 36.92 AS AN AVERAGE, RECOMMEND SALARY BE ADJUSTED TO BE CONSISTENT WITH OTHER STAFF MEMBERS, AND RECEIVE IT AT THE SAME TIME THAT HAS BEEN DONE IN THE PAST, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

1. Parking in Rights-Of-Way on Manasota Key

Presentation regarding parking on Manasota Key provided by the Public Works department.

Joanne Vernon, County Engineer gave a brief overview of Parking on Manasota Key: Parking along roadways, 3-9-89 Visibility at road intersections, Section 3-9-89, and Options.

Chair Truex noted 3-9-89 Visibility at road intersections, Charlotte County Sheriff's Office (CCSO), enforcement, and landscaping. **Commissioner Constance** spoke to Harbor Walk, maintenance, and sight triangles. **Commissioner Doherty** discussed cost and maintenance. **Commissioner Tiseo** mentioned landscaping, beach access, sight triangles, enforcement, CCSO, xeriscaping, and maintenance.

RECESS: 11:19 am - 1:00 pm

1 P.M. PUBLIC INPUT - ANY SUBJECT

John Fleming commented on Burnt Store Area Plan, funding sources, surrounding jurisdictions, Burnt Store Road, and roadway improvements.

Tony Levenson noted septic systems, permit cost, inspections, service contract, inflation, Gillot Blvd, and roadway conditions and improvements.

Kelly Reeves spoke to Amendment 4, viability, healthcare provider, and language.

Debbie Healy discussed Amendment 4, language, Heartbeat Protection Act, viability, healthcare provider, and parental notification.

Julie McDonald mentioned Amendment 4, safety, mental health and community impacts, and parental consent.

Jeff Lustig commented on constitutional rights, Gilchrist Park, tolerance, and freedom of speech.

Bob Reynolds noted Amendment 4, Planned Parenthood, healthcare providers, funding, Michigan Proposition 3, viability, and requirements.

Yvonne Isecke spoke to Amendment 4, language, parental notification, and mental health impacts.

Amy Maxon remarked on Amendment 4, safety, health, and tax payer dollars.

AA. County Administrator Comments

County Attorney Flores discussed County Administrator Performance Evaluation, Burnt Store Corridor Coalition, partnership, cost, funding mechanism and sources, Home Owners Association (HOA), and John Fleming.

Chair Truex mentioned septic systems, permit and contractor fees, water proximity, Municipal Service Taxing Unit (MSTU), funding sources, board appointed process, representation, cost, and corridor study. **Commissioner Constance** commented on meeting attendance, Vincent Avenue, road acceptance, funding sources, Lee County, traffic flow, Burnt Store Road, roadway expansion, options, and Bermont Road. **Commissioner Doherty** noted Burnt Store Corridor Coalition, budget, cost, funding sources, budget process, HOA, Property Owners Associations (POA), Agreement, Municipal Service Benefit Unit (MSBU), MSTU, timing, options, corridor study, and June 11, 2024 Regular and Land Use Meeting. **Commissioner Tiseo** spoke to funding sources, POA, HOA, budget cycles, FDOH, septic systems, permit and contractor fees, process, MSBU, MSTU, assessments, corridor study, and cost.

John Fleming responded to HOA, funding, budget process, Burnt Store Lakes POA, Burnt Store Corridor Coalition, precedent, Burnt Store Road, and jurisdictions.

BB. County Attorney Comments

County Attorney Knowlton discussed County Attorney Performance Evaluation, feedback, Amendment 4, Public Input, public funds prohibition, ballot initiative, Florida Statute 215.055, Florida Association of County Attorneys (FACA), and Volusia, Pasco and Pinellas County Attorneys.

CC. Economic Development Director Comments

Kay Tracy Pfisterer, Economic Development Director mentioned Employment Agreement, Economic Development Department, staffing, positions, strategic plans, training, and key performance indicators.

Commissioner Constance spoke to Employment Agreement.

DD. County Commissioner Comments

Chair Truex commented on State of Florida Executive Order Number 24-209, Amendment 4, abortion, viability, parental notifications, language, Florida Constitution, amendments, and ballot initiatives. **Commissioner Constance** noted Amendment 4, restrictions, State of Florida Executive Order Number 24-209, roadway improvements, One Charlotte One Water, and charettes. **Commissioner Deutsch** discussed Burnt Store Road, challenges, public input, process, community needs, Gilchrist Park, United States and Florida Constitutions, Amendment 4, and ballot initiatives. **Commissioner Doherty** mentioned Amendment 4, ballot initiatives, FACA, funding mechanisms, MSBU, MSTU, process, commitment, Burnt Store Corridor Coalition, corridor and traffic studies, cost, and data. **Commissioner Tiseo** spoke to funding sources, Burnt Store Corridor Coalition, corridor study, Johnson Engineering, precedent, September 10, 2024 Regular and Land Use Meeting, rezoning request, data, benefits, cost, charettes, taxing districts, comprehensive outreach, and value.

County Administrator Flores replied to proposal, timelines, funding, Johnson Engineering, and corridor study.

2 P.M. LAND USE AGENDA

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY - None

Consent Agenda

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

MOTION CARRIED 5:0.

UA1. FP-23-03-05, Cali Cove

Community Development

Approve a Final Plat for a subdivision to be named Cali Cove (f/k/a The Bend at Alligator Creek). Applicant, JDG Cali Cove, LLC, also seeks approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The proposed subdivision is a residential development to consist of 89 lots and 8 tracts. This site contains 26.22± acres and is located at 5301 Taylor Road, Punta Gorda, Florida. The site is generally located north of Acline Road, southwest of Taylor Road, and west of Indian Springs Cemetery Road, within the Punta Gorda area. Located in Commission District II. **AGR 2024-181**

Quasi-Judicial

UA2. CSZ-24-02, Alligator Farms, LLC within Rotonda Springs Subdivision (Section A)

Community Development

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of Sending Zones, including 12 platted lots in the Rotonda Springs subdivision, generally located northeast of Rotonda Trace and south of Robin Road, in the West County area, containing 3.29± acres; for calculation and severance of 12 density units in accordance with Section 3-9-150(d)(1)(b) (Transfer of Density Units) of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-24-02; Applicant: Alligator Farms, LLC, Michael S. Jones, Manager; providing an effective date. Located in Commission District III. **RES 2024-158**

Quasi-Judicial

UA3. CSZ-24-03, Alligator Farms, LLC within Rotonda Springs Subdivision (Section B)

Community Development

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of Sending Zones, including 10 platted lots in the Rotonda Springs subdivision, generally located northeast of Rotonda Trace and south of Robin Road, in the West County area, containing 3.29± acres; for calculation and severance of 10 density units in accordance with Section 3-9-150(d)(1)(b) (Transfer of Density Units) of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-24-03; Applicant: Alligator Farms, LLC, Michael S. Jones, Manager; providing an effective date. Located in Commission District III. **RES 2024-159**

Quasi-Judicial

UA4. CSZ-24-04, Alligator Farms, LLC within Rotonda Springs Subdivision (Section C)

Community Development

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of Sending Zones, including 8 platted lots in the Rotonda Springs subdivision, generally located northeast of Rotonda Trace and south of Robin Road, in the West County area, containing 2.3± acres; for calculation and severance of 8 density units in accordance with Section 3-9-150(d)(1)(b) (Transfer of Density Units) of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-24-04; Applicant: Alligator Farms, LLC, Michael S. Jones, Manager; providing an effective date. Located in Commission District III. **RES 2024-160**

Quasi-Judicial

Public Hearing

Minutes Clerk Welsh administered oath for testimony.

UB1. PP-24-01, Tuckers Cove - Phase 2

Community Development

Approve a Preliminary Plat for a subdivision to be named Tuckers Cove - Phase 2, consisting of 505 residential lots and 7 tracts. This site contains 116.15± acres and is generally located south of Bermont Road, north of Babcock Trail, west of the County line with Glades County, and east of SR 31, 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.

Quasi-Judicial

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

Jenny Shao, Planner provided qualifications, gave a brief overview of PP-24-01: Location Map, 2023 Aerial Location Map (Full Range), 2023 Aerial Location Map (Mid-Range), Aerial Location Map, 2022 Google Earth Image, Future Land Use Map (FLUM) Designations, Zoning Designations, 1,000' Mailed Notice Area Map, Proposed Changes, and Proposed Changes (Aerial).

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert and requested approval.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE A PRELIMINARY PLAT FOR A SUBDIVISION TO BE NAMED TUCKERS COVE - PHASE 2, CONSISTING OF 505 RESIDENTIAL LOTS AND 7 TRACTS. THIS SITE CONTAINS 116.15± ACRES AND IS GENERALLY LOCATED SOUTH OF BERMONT ROAD, NORTH OF BABCOCK TRAIL, WEST OF THE COUNTY LINE WITH GLADES COUNTY, AND EAST OF SR 31, 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, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB2. PP-24-02, Webbs Reserve - Phase 2

Community Development

Approve a Preliminary Plat for a subdivision to be named Webbs Reserve - Phase 2, consisting of 142 residential lots and 10 tracts. This site contains 58.85± acres and is generally located south of Bermont Road, north of Babcock Trail, west of the County line with Glades County, and east of SR 31, 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.

Quasi-Judicial

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

Ms. Shao provided qualifications, gave a brief overview of PP-24-02: Location Map, 2023 Aerial Location Map (Full Range), 2023 Aerial Location Map (Mid-Range), Aerial Location Map, 2022 Google Earth Image, FLUM Designations, Zoning Designations, 1,000' Mailed Notice Area Map, Proposed Changes, and Proposed Changes (Aerial).

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert and requested approval.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE A PRELIMINARY PLAT FOR A SUBDIVISION TO BE NAMED WEBBS RESERVE - PHASE 2, CONSISTING OF 142 RESIDENTIAL LOTS AND 10 TRACTS. THIS SITE CONTAINS 58.85± ACRES AND IS GENERALLY LOCATED SOUTH OF BERMONT ROAD, NORTH OF BABCOCK TRAIL, WEST OF THE COUNTY LINE WITH GLADES COUNTY, AND EAST OF SR 31, 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, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB3. PV-24-01, Portion of Rotonda Heights

Community Development

Approve a Resolution of Plat Vacation to vacate a portion of Rotonda Heights consisting of lots 1944 through 1952, lots 1955 through 1959, and lots 1973 through 1981, as recorded in Plat Book 8, Pages 26A through 26Z, of the Public Records of Charlotte County, Florida. The total area to be vacated is 9.307± acres and is generally located north and west of Rotonda Boulevard West, south of Flower Road, east of Placida Road, in the Rotonda West and West County area. Located in Commission District III. **RES 2024-161**

Legislative

Ms. Shao gave a brief overview of PV-24-01: Location Map, 2023 Aerial Location Map (Full Range) 2023 Aerial Location Map (Mid-Range), Aerial Location Map, 2023 Google Earth Image, FLUM Designations, Zoning Designations, 1,000' Mailed Notice Area Map, Proposed Changes, Property Ownership, and Proposed Changes (Aerial).

Chair Truex commented on density and zoning designation. Commissioner Constance noted density, intent, water access, and mangroves.

Mr. Cullinan responded to density and zoning designations.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, replied to density, intent, and requested approval.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2024-161 OF PLAT VACATION TO VACATE A PORTION OF ROTONDA HEIGHTS CONSISTING OF LOTS 1944 THROUGH 1952, LOTS 1955 THROUGH 1959, AND LOTS 1973 THROUGH 1981, AS RECORDED IN PLAT BOOK 8, PAGES 26A THROUGH 26Z, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA. THE TOTAL AREA TO BE VACATED IS 9.307± ACRES AND IS GENERALLY LOCATED NORTH AND WEST OF ROTONDA BOULEVARD WEST, SOUTH OF FLOWER ROAD, EAST OF PLACIDA ROAD, IN THE ROTONDA WEST AND WEST COUNTY AREA. LOCATED IN COMMISSION DISTRICT III, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB4. PD-23-00006, 33 Acres Old Landfill Road LLC

Community Development

(Change #4) Added attachment – Final Ordinance. PD-23-00006. 33 Acres Old Landfill Road LLC. Marked as “Deleted” previously attached Final Ordinance. PD-23-00006. 33 Acres Old Landfill Road LLC.

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Estate 1 (RE-1) to Planned Development (PD), and adopting its associated General PD Concept Plan, in order to have a storage yard for Phase I and building trades contractor's yards in Phase II, for property located at 25495 Old Landfill Road, in the Port Charlotte area, containing 33.74± acres; Commission District I; Petition No. PD-23-00006; Applicant: 33 Acres Old Landfill Road LLC; providing an effective date. Located in Commission District I. **ORD 2024-032**
Quasi-Judicial

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

Jie Shao, Principal Planner provided credentials, gave a brief overview of Proposed Changes, PD-23-00006: 1,000' Mailed Notice Map, Location Map, Area Image, Southwest Waste System LLC – Location Map, Southwest Waste System LLC – 1972/1974 Location Map, Framework, FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, PD Concept (Phase I), PD Concept (Phase II), and Site Cross Sections.

Chair Truex discussed on Staff Report, Exhibit A: PD Conditions, Exhibit B, existing structures, documentation, Manasota Key, storage, operating hours, insurance policies, monitoring process, data, distribution, vibration travel distance, and communication. **Commissioner Constance** spoke to Staff Report, PD Conditions, FLUM Designations, Existing Zoning Designations, Area Image, operating hours, insurance limits, bonding, structural damage, reimbursement, transparency, data, accessibility, weekly status report, and communication. **Commissioner Deutsch** mentioned community outreach, timeframe, insurance bonding and policies, structural damage, reimbursements, and preconstruction surveys. **Commissioner Doherty** commented on Staff Report, Exhibit A: PD Conditions, process, Proposed Dynamic Compaction Limits, system calibration, structural damage, estimates, insurance, Phases I and II, completion date, operating hours, Existing Zoning Designations, monitoring condition and detail plan, preconstruction inventory, and scrivener's error. **Commissioner Tiseo** noted dynamic compaction, structural elements, alternatives, landfill, Florida Department of Environmental Protection (FDEP), zoning designation, water discharges, permitting process, Southwest Florida Water Management District (SWFWMD), preconstruction surveys, loss runs, and insurance claims.

Assistant County Attorney David interjected on Ordinance, exhibits, Staff Report, Composite Hearing Exhibit 1, dynamic compaction, operating hours, provision, PD condition amendments, and scrivener's error.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, joined in Staff Report, spoke to zoning, low-intensity industrial property, site design, buffers, requirements, dynamic compaction, Phase II, completion date, outdoor storage facility, contractor yards, rezoning conditions, contractor and property insurance policies, and detailed monitoring plan.

Gary Bayne, Southwest Engineering and Design Senior Project Engineer gave a brief overview of Southwest Waste System LLC: 1972//1974 Location Map, Proposed Dynamic Compaction Limits, Proposed Monitoring Well Location, and responded to Class 1 Landfill.

Minutes Clerk Welsh administered oath for testimony.

Chris Woods, Densification Inc. Vice President provided credentials, replied to Proposed Dynamic Compaction Limits, vibration monitoring, transfer station, preconstruction surveys, data, dynamic compaction, barriers, ground improvement, documentation, conditions, insurance policies, industry standards, weekly status report, and structural damages.

Mr. Cullinan responded to Area Image, PD conditions, zoning designations, FLUM, and amendment process.

Public Input

Barbara Ziegler, Lakes Edge Condo Association Board Member discussed structural damage, monitoring, notifications, density, and impacts.

Randy Thibaut spoke in support of PD-23-00006, 33 Acres Old Landfill Road LLC.

Tim Verwiebe spoke in support of PD-23-00006, 33 Acres Old Landfill Road LLC.

Ronald Ward mentioned dynamic compaction, vibrations, structural damage, reimbursement process, insurance policy, elevation, water intrusion, Laurel Meadows, and storm surge.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-032 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL ESTATE 1 (RE-1) TO PLANNED DEVELOPMENT (PD) IN ORDER TO HAVE A STORAGE YARD FOR PHASE I IN ORDER TO ONLY STORE BOATS, RECREATIONAL VEHICLES, TRAILERS, AND OTHER NON-COMMERCIAL VEHICLES, AND BUILDING TRADES CONTRACTOR'S YARDS IN PHASE II, FOR PROPERTY GENERALLY LOCATED SOUTH OF OLD LANDFILL ROAD, EAST OF LOVELAND BOULEVARD AND WILLET DRIVE, AND SOUTHWEST OF THE COUNTY OWNED EAST PORT WATER PLANT, IN THE PORT CHARLOTTE AREA, CONTAINING 33.74 ACRES MORE OR LESS; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT I; PETITION NO. PD-23-00006; APPLICANT: 33 ACRES OLD LANDFILL ROAD LLC; PROVIDING AN EFFECTIVE DATE, WITH THE UNDERSTANDING THAT EAST PORT WATER PLANT WILL BE CHANGED TO EAST PORT WATER RECLAMATION FACILITY IN THE TITLE OF THE ORDINANCE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB5. PD-24-04, Firelight North PD Rezoning

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Estate 1 (RE-1) (34.1± acres) and Planned Development (PD) (315± acres) to Planned Development (PD) in order to have a residential development up to 1,000 residential units (no change); adding a Land Use Equivalency Matrix for a mixture of residential and commercial development, whereby the maximum development rights would be 1,000 residential units with no commercial square footage, or a maximum of 100,000 square feet of commercial uses with 466 residential units; requiring transfer of density of units for residential development above the base density of 222 units; adopting a General PD Concept Plan for the property, including four parcels; three parcels located at 15162 and 15170 Burnt Store Road and 26000 Zemel Road, and one parcel located north of Zemel Road, south of Shotgun Road, and east of Burnt Store Road; in the boundary of the Burnt Store Area Plan area and in the Punta Gorda area, containing 349.1± acres; Commission District II; Petition No. PD-24-04; Applicant: Zemel Land Partners LLC; providing an effective date. Located in Commission District II. **ORD 2024-033**

Quasi-Judicial

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

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, PD-24-04: 1,000' Mailed Notice Map, Location Map, PD-24-04 and PD-24-05 Area Image, Area Image, Framework, FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, PD-24-04 and PD-24-05 Zoning Designations, Area Image and Nature Resource

Connections, Planned Developments (PDs) Within the Burnt Store Area Plan, Post Florida Land Use and Cover Classification System (FLUCCS) Habitat Map, Firelight North Aerial, and Firelight North PD Concept Plan.

Commissioner Constance spoke to capacity, language, wetlands mitigation, September 10, 2024 Regular and Land Use Meeting, and commercial entitlements. **Commissioner Tiseo** commented on Staff Report, concurrency, sewer and water capacity, and language.

Assistant County Attorney David interjected on Staff Report, sewer and water capacity, facility access, language,

Mr. Cullinan replied to mitigation credits, final site plan review, FLUM Designations, equivalency matrix, Staff Reports, traffic impacts, hydrology study, property access, and evaluation process.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, joined in Staff Report, noted capacity, PD process, property access and use, density, zoning, and requested approval.

Public Input

John Fleming discussed September 10, 2024 Regular and Land Use Meeting, rezoning, metro forecast modeling, commercial properties, transparency, Staff Reports, evacuation routes, challenges, Fire Station 5, and traffic study.

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-033 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL ESTATE 1 (RE-1) (34.1± ACRES) AND PLANNED DEVELOPMENT (PD) (315± ACRES) TO PLANNED DEVELOPMENT (PD) IN ORDER TO HAVE A RESIDENTIAL DEVELOPMENT UP TO 1,000 RESIDENTIAL UNITS (NO CHANGE); ADDING A LAND USE EQUIVALENCY MATRIX FOR A MIXTURE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT, AND THE MAXIMUM DEVELOPMENT RIGHTS WOULD BE 1,000 RESIDENTIAL UNITS WITH NO COMMERCIAL SQUARE FOOTAGE, OR A MAXIMUM OF 100,000 SQUARE FEET OF COMMERCIAL USES WITH 466 RESIDENTIAL UNITS; REQUIRING TRANSFERRING DENSITY OF 779 UNITS FOR RESIDENTIAL DEVELOPMENT ABOVE THE BASE DENSITY OF 221 UNITS; ADOPTING A GENERAL PD CONCEPT PLAN, FOR PROPERTY, INCLUDING FOUR PARCELS, THREE PARCELS LOCATED AT 15162, 15170 BURNT STORE ROAD AND 26000 ZEMEL ROAD, AND ONE PARCEL GENERALLY LOCATED NORTH OF ZEMEL ROAD, SOUTH OF SHOTGUN ROAD, AND EAST OF BURNT STORE ROAD, IN THE BOUNDARY OF THE BURNT STORE AREA PLAN AREA IN THE PUNTA GORDA AREA, CONTAINING 349.1± ACRES; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT II; PETITION PD-24-04; APPLICANT: ZEMEL LAND PARTNERS LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

UB6. PD-24-05, Firelight South PD Rezoning

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Estate 1 (RE-1) (47.85± acres) and Planned Development (PD) (96.99± acres) to PD to allow for a residential development up to 273 residential units (a reduction of 86 residential units); requiring transfer of density of units for residential development above the base density of 14 units; adopting a General PD Concept Plan for the property, which is comprised of multiple parcels, generally located north and east of Prada Drive, south of Zemel Road, east of Burnt Store Road, and west of Charlotte County Landfill and Weigh Station, in the boundary of the Burnt Store Area Plan area and in

the Punta Gorda area, containing 144.84± acres; Commission District II; Petition No. PD-24-05; Applicant: Zemel Land Partners LLC; providing an effective date. Located in Commission District II. **ORD 2024-034**
Quasi-Judicial

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

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, PD-24-05: 1,000' Mailed Notice Map, Location Map, PD-24-04 and PD-24-05 Area Image, PD-24-05: Area Image, Framework, FLUM Designations, PD-24-04 and PD-24-05 Zoning Designations, Planned Developments (PDs) Within the Burnt Store Area Plan, Post FLUCCS Map, Firelight South Aerial, and Firelight South PD Concept Plan.

Chair Truex mentioned wetland impacts. **Commissioner Tiseo** commented on sewer and water capacity, Staff Report, availability request form, prepayment, Charlotte County Utilities (CCU), consistency, and language.

Assistant County Attorney David interjected on language and sewer and water capacity.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, joined in Staff Report, noted CCU availability letter, capacity reservation, density units, allowed uses, elevation, wetland impacts, Framework, and requested approval.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-034 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL ESTATE 1 (RE-1) (47.85± ACRES) AND PLANNED DEVELOPMENT (PD) (96.99± ACRES) TO PD IN ORDER TO HAVE A RESIDENTIAL DEVELOPMENT UP TO 273 RESIDENTIAL UNITS (A REDUCTION OF 86 RESIDENTIAL UNITS); REQUIRING A TRANSFER OF DENSITY UNITS FOR RESIDENTIAL DEVELOPMENT ABOVE THE BASE DENSITY OF 14 UNITS; ADOPTING A GENERAL PD CONCEPT PLAN FOR THE PROPERTY, INCLUDING MULTIPLE PARCELS, GENERALLY LOCATED NORTH AND EAST OF PRADA DRIVE, SOUTH OF ZEMEL ROAD, EAST OF BURNT STORE ROAD, AND WEST OF CHARLOTTE COUNTY LANDFILL AND WEIGH STATION, IN THE BOUNDARY OF THE BURNT STORE AREA PLAN AREA AND IN THE PUNTA GORDA AREA, CONTAINING 144.84± ACRES; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT II; PETITION NO. PD-24-05; APPLICANT: ZEMEL LAND PARTNERS LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB7. PD-24-07, CC Burnt Store LLC, Major Modification to Existing PD

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification of the existing PD (Ordinance Numbers 2021-031 and 2007-037), amending the adopted PD Concept Plan and its associated PD conditions to: 1) allow residential and commercial development containing up to 999 dwelling units (no change) and 200,000 square feet of commercial uses (no change); 2) allow a transfer of 268 density units for a maximum of 999 dwelling units; 3) memorialize the prior phase and other minor modifications; and 4) adopt the General PD Concept Plan for a property comprised of three parcels: two parcels located at 12300 and 13000 Burnt Store Road and one unaddressed parcel located between these two parcels, in the

Punta Gorda area and within the boundary of the Burnt Store Area Plan; containing 306.51± acres; Commission District II; Petition No. PD-24-07; Applicant: CC Burnt Store LLC; providing an effective date. Located in Commission District II. **ORD 2024-035**

Quasi-Judicial

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

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, PD-24-07: 1,000' Mailed Notice Map, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, Area Image and Natural Resource Connections, Planned Developments (PDs) Within the Burnt Store Area Plan, Coral Lakes Aerial, and Coral Lakes PD Concept Plan.

Attorney Derek Rooney, Applicant Representative accepted Ms. Shao as an expert, joined in Staff Report, spoke to concurrency, language, water and sewer capacity, and secondary access point.

Commissioner Tiseo discussed language, water and sewer capacity, CCU, and reservation.

Mr. Cullinan replied to language and CCU.

Public Input

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

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-035 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PD, A MAJOR MODIFICATION OF THE EXISTING PD, ORDINANCE NUMBERS 2021-031 AND 2007-037, BY AMENDING THE ADOPTED PD CONCEPT PLAN AND ITS ASSOCIATED PD CONDITIONS TO: (1) ALLOW RESIDENTIAL AND COMMERCIAL DEVELOPMENT CONTAINING UP TO 999 DWELLING UNITS (NO CHANGE) AND 200,000 SQUARE FEET OF COMMERCIAL USES (NO CHANGES); (2) ALLOW A TRANSFER OF 268 DENSITY UNITS FOR A MAXIMUM OF 999 DWELLING UNITS; (3) MEMORIALIZE THE PRIOR PHASE AND OTHER MINOR MODIFICATIONS, AND (4) ADOPT THE GENERAL PD CONCEPT PLAN; FOR PROPERTY, INCLUDING THREE PARCELS, TWO PARCELS LOCATED AT 12300 AND 13000 BURNT STORE ROAD AND ONE UNADDRESSED PARCEL LOCATED BETWEEN THESE TWO PARCELS, IN THE PUNTA GORDA AREA AND WITHIN THE BOUNDARY OF THE BURNT STORE AREA PLAN; CONTAINING 306.51± ACRES; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT II; PETITION NO. PD-24-07; APPLICANT: CC BURNT STORE LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

UB8. PD-24-06, Palm Breeze of Punta Gorda LLC

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification of the existing PD (Ordinance Number 2022-057), amending the adopted PD condition "v" and the adopted General PD Concept Plan to remove internal sidewalks along all internal roadways except for the main corridor as depicted in the revised General PD Concept Plan and adopting the revised General PD Concept Plan for property, which includes four parcels: three parcels located at 379 Horizon Road, 1 Horizon Road, and 102 Sydney Street, and one parcel generally located southeast of Riverside Drive and northwest of Duncan Road

(U.S. 17), in the Punta Gorda area, containing 90.82± acres; Commission District I; Petition No. PD-24-06; Applicant: Palm Breeze of Punta Gorda LLC; providing an effective date. Located in Commission District I. **ORD 2024-036**
Quasi-Judicial

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

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, PD-24-06: 1,000' Mailed Notice Map, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, and Palm Breeze RV Resort PD Concept Plan.

Attorney Derek Rooney, Applicant Representative accepted Ms. Shao as an expert, joined in Staff Report, and mentioned Proposed Changes.

Public Input

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

MOTION CARRIED 5:0.

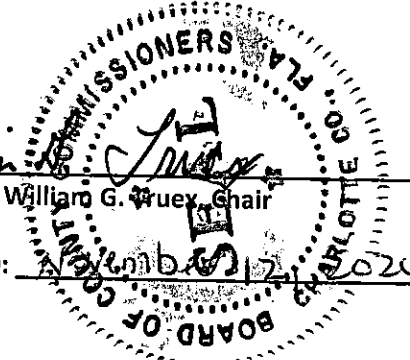
COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2024-036 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PD; A MAJOR MODIFICATION OF THE EXISTING PD (ORDINANCE NUMBER 2022-057) BY AMENDING THE ADOPTED PD CONDITION "V" AND THE ADOPTED PD GENERAL PD CONCEPT PLAN IN ORDER TO REMOVE INTERNAL SIDEWALKS ALONG ALL INTERNAL ROADWAYS EXCEPT FOR THE MAIN CORRIDOR AS DEPICTED IN THE REVISED GENERAL PD CONCEPT PLAN; ADOPTING THE REVISED GENERAL PD CONCEPT PLAN; FOR PROPERTY WHICH INCLUDES FOUR PARCELS, THREE PARCELS LOCATED AT 279 HORIZON ROAD, 1 HORIZON ROAD, AND 102 SYDNEY STREET, AND ONE PARCEL GENERALLY LOCATED SOUTHEAST OF RIVERSIDE, E DRIVE AND NORTHWEST OF DUNCAN ROAD (U.S. 17), IN THE PUNTA GORDA AREA; CONTAINING 90.82± ACRES; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT I; PETITION NO. PD-24-06; APPLICANT: PALM BREEZE OF PUNTA GORDA LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

ADJOURNED: 4:37 pm

William G. Truex

William G. Truex, Chair
DATE ADOPTED: *September 24, 2024*



ATTEST:

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

By: *Kimberly Eaton*

Deputy Clerk