

Charlotte County

Commission Chambers, Room 119
18500 Murdock Circle
Port Charlotte, FL 33948
CharlotteCountyFL.gov



Regular and Land Use Meeting

Tuesday, March 23, 2021

9 a.m.

Board of County Commissioners

COUNTY COMMISSIONERS

Bill Truex, District 3, Chairman

Christopher Constance, District 2, Vice Chairman

Ken Doherty, District 1

Stephen R. Deutsch, District 4

Joseph Tiseo, District 5

COUNTY ADMINISTRATOR

Hector Flores

COUNTY ATTORNEY

Janette S. Knowlton

CLERK OF THE CIRCUIT COURT

Roger D. Eaton

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to David.Lyles@charlottecountyfl.gov.

Should any agency or person decide to appeal any decision made by the board with respect to any matter considered at such meeting, a record of the proceeding, and for such purpose, a verbatim record of the proceeding is required, which record includes the testimony and evidence upon which the appeal is to be based.

9:00 A.M.

Call to Order and Roll Call

Invocation

If you wish, please rise for the invocation

[Pastor Brian Hagerty](#)
[Cross Church](#)

Pledge of Allegiance

Changes to the Agenda

See separate sheet

Proclamations - Commissioner Christopher Constance

[Donate Life Month](#)
[Charlotte County Easter Event Day](#)
[National County Government Month](#)
[Water Conservation Month](#)

Employee Recognition

- * [Employee of the Year 2020](#)
Jammie Webb
Budget & Administrative Services
- * [Employee of Month - February](#)
Stefan Kalev
Community Development

Award Presentations

- * [Special Recognition Medal of Valor](#)

On the morning of February 4, 2020, Firemedic Edward Diaz was off duty when he came across a house on fire in Desoto County before the emergency responders arrived. Knowing seconds matter, Diaz broke into the front door, found an older woman inside, and guided her to safety outside the burning home.

* [Cigna Well-Being Award](#)

Cigna has selected Charlotte County Government - Wellness at Work as a recipient of the annual Cigna Well-Being Award for demonstrating a strong commitment to improving the health and well-being of its employees through a workplace wellness program.

* [Achievement of Excellence in Procurement Award](#)

Charlotte County has earned the 2020 Annual Achievement of Excellence in Procurement Award. The Achievement of Excellence in Procurement Award is designed to recognize organizational excellence in procurement. The criteria for this award is continuously evolving and is designed to measure state of the art in public procurement best practices.

Charlotte County Board of Commissioners is one of only 32 agencies in Florida and one of only 40 Counties in the United States and Canada to receive the award. Charlotte County Board of Commissioners Purchasing Division has received this award sixteen times.

* [2020 American League Champions Trophy](#)

Tampa Bay Rays to present the Board of County Commissioners the 2020 American League Champions trophy.

****Added, 3/18/2021****

PUBLIC INPUT - AGENDA ITEMS ONLY

Anyone wishing to address the Board during this portion of the meeting must fill out a card, state their name for the record, and state which agenda item(s) will be addressed. Remarks shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members.

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.

* [Charlotte Harbor Community Redevelopment Agency Advisory Committee](#)

Charlotte Harbor Community Redevelopment Agency Advisory Committee is seeking three volunteers, two business representatives and one resident. Members must be residents of Charlotte County. The resident representative must live within the CRA boundaries and business representatives must represent a business that is located within the CRA boundaries. Meeting are held quarterly in the Administration Center at 18500 Murdock Circle and are generally held on the first Monday at 10:30

a.m. To obtain an application call 941-743-1300 and select option 1 or email Lisa.Eby@CharlotteCountyFL.gov.

* [Agricultural & Natural Resources Advisory Committee](#)

Agricultural and Natural Resources Advisory Committee is searching for (2) two voluntary members who must be residents or owners of real property in Charlotte County and be composed of individuals broadly representative of the interests of agricultural land ownership and use, agricultural commodity finance and production, agricultural processing, agricultural economics and marketing, agricultural engineering and water management, soils use and fertility, wildlife management, geology and mine engineering, and environmental conservation. Both volunteers must be engaged in commodity production. The term is effective immediately upon approval and will expire December 31, 2024. If you are interested in an application and information, please contact Morgan.Cook@charlottecountyfl.gov.

* [MSBU-MSTU Advisory Board Vacancies](#)

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

- **Boca Grande Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **Burnt Store Village Street & Drainage** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Harbour Heights Waterway** is seeking two members to fill vacant unexpired terms through October 31, 2021 and October 31, 2022.
- **Northwest Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Northwest Port Charlotte Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2022.
- **Pirate Harbor Waterway Unit** is seeking one member to fill vacant unexpired term one through October 31, 2021.
- **Rotonda Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.
- **Rotonda Lakes Street & Drainage Unit** is seeking five members to fill vacant unexpired terms through October 31, 2021, October 31, 2022, and October 31, 2023.
- **Rotonda Sands North Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021.
- **South Charlotte Stormwater Utility Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.

REPORTS RECEIVED AND FILED

CONSENT AGENDA

Clerk of the Circuit Court**A. Comptroller Division****1. [Finance](#)****Recommended Action:**

Approve the Clerk's Finance Memorandum.

Budgeted Action:

No action needed.

B. Minutes Division**1. [Minutes](#)****Recommended Action:**

Approve the following Minutes:

February 23, 2021 BCC Regular & Land Use

March 4, 2021 BCC Pre-Agenda

March 9, 2021 BCC Budget Process Update Workshop

Budgeted Action:

No action needed.

Board of County Commissioners**C. Commission Office****1. [Appointment to the Agricultural & Natural Resources Advisory Committee](#)****Recommended Action:**

Approve the new appointment Mitchell Aman as other/conservationist. This appointment is effective immediately and expires December 31, 2024.

Budgeted Action:

No action needed.

2. [Appointment to the Marine Advisory Committee](#)**Recommended Action:**

Approve the new appointment of David Vigne to the Marine Advisory Committee. The appointment is effective immediately and will expire on December 31, 2023.

Budgeted Action:

No action needed.

3. [Re-Appointments to the Agricultural and Natural Resources Advisory Committee](#)**Recommended Action:**

a) Approve the reappointment of Joel Beverly as a representative of Commodity Production in cattle. The term will be effective immediately and will expire on December 31, 2024; and

b) Approve the reappointment of David Kemeny as a representative of Commodity Production in citrus. The term will be effective immediately and will expire on December 31, 2024.

Budgeted Action:

No action needed.

D. County Administration

E. County Attorney

1. [Extension 53 of Local State of Emergency - COVID-19](#)

Recommended Action:

Approve Resolution extending the Local State of Emergency related to the Novel Coronavirus Disease 2019 (COVID-19).

Budgeted Action:

No action needed.

F. Budget and Administrative Services

Fiscal Services

Information Technology

Purchasing

1. [12-050, Amendment 9, Stump Pass 10-Year Management Plan \(Public Works\)](#)

Recommended Action:

a) Approve Amendment #9 to Contract #12-050 Stump Pass 10-Year Management Plan, with Coastal Engineering Consultants (CED) of Bonita Springs, Florida in the amount of \$382,914; and

b) Authorize the Chairman to sign the Amendment.

Budgeted Action:

No action needed. Budgeted in the approved FY21 CIP projects "Don Pedro Knight Palm Island Beach Renourishment" and "Stump Pass Dredging". Grant funding from Florida Department of Environmental Protection grants 20CH1 and 21CH1 will pay 35.65% of qualifying expenses, Federal Emergency Management Administration will fund 16.92% of qualifying Irma damages, and the local share of expenses is supplied by Stump Pass Beach Dredging MSTU, Don Pedro Knight Island Beach Renourishment MSBU, Tourist Development Council, Growth Increment Fund and Boater Improvement Fund-Local.

BACKGROUND (Why is this Action Necessary, and What Action will be accomplished)

2. [21-309, Award Piggyback, Purchase of Family Services Center Furniture \(Facilities\)](#)

Recommended Action:

Approve the "piggyback" purchase for File #21-309, Purchase of Family Services

Center Furniture, per State of Florida Contract #56120000-19-ACS, and award to Commercial Design Services, of Tampa, Florida, for the total cost of \$309,810.

Budgeted Action:

No action needed. Budgeted in Capital Improvements Project "Family Services Center Complex" approved in the FY21 budget process. Funding is supplied from the 2014 Sales Tax Extension.

3. [19-311, Amendment 3, Construction Manager \(CM\) at Risk, ARFF Training Simulator Facility \(Facilities\)](#)

Recommended Action:

- a) Approve Amendment #3 to Contract #19-311, Construction Manager (CM) at Risk, ARFF Training Simulator Facility with Wharton-Smith, Inc. to add additional Guaranteed Maximum Price in the amount of \$6,512,876; and
- b) Authorize the Chairman to sign Amendment #3 to the Contract for the Construction Manager (CM) at Risk, ARFF Training Simulator Facility; and
- c) Approve Resolution for BA21-080 in the amount of \$ 6,512,876; and
- d) Approve a new Capital Improvements Project titled "Airport Rescue & Fire Fighting Training Phase 2" in the amount of \$6,512,876.

Budgeted Action:

Approve budget adjustment BA21-080 in the amount of \$6,512,876 creating a new Capital Improvements Project titled "Airport Rescue & Fire Fighting Training Phase 2," a 2020 Sales Tax Extension Tier 1 project. The project is to be funded from an advance of 2014 Sales Tax Extension Funds, \$5,000,000 of which is to be repaid from future 2020 Sales Tax Extension collections.

Real Estate Services

Risk Management

Transit

- G. Community Development
- H. Community Services
- I. Economic Development
- J. Facilities Construction and Maintenance
- K. Human Resources
- L. Human Services
- M. Public Safety
- N. Public Works

1. [Earthmoving Fees](#)**Recommended Action:**

- a) Approve Resolution amending Earthmoving Fees; and
- b) Authorize the Chairman to sign Earthmoving Fees Resolution.

Budgeted Action:

No action needed. No financial impact.

O. **Tourism Development**P. **Utilities**1. [Reclaimed Water Expansion Phase 3 - Second Amendment Agreement](#)**Recommended Action:**

Approve Second Amendment agreement between the Southwest Florida Water Management District (SWFWMD) and Charlotte County for Reclaimed Water Expansion Phase 3 Project.

Budgeted Action:

No action needed. Previously budgeted in the CIP project "Reclaimed Water Expansion - Phase 3." The Second Amendment is a timeline extension only and has no increased budgetary impacts. Funding for the project was supplied from a SWFWMD Grant, a Department of Environmental Protection State Revolving Fund Loan, the Utility System Wastewater Connection Fee Fund and the Utility Repair and Replacement Fund.

Q. **Other Agencies**

REGULAR AGENDA

R. **Regular Agenda**1. [COVID-19 Response Update](#)**County Administration**

Update on Charlotte County's COVID-19 response.

2. [WCIND Agenda, April 8, 2021](#)**Community Services**

Discussion and direction on the West Coast Inland Navigation District (WCIND) agenda for the upcoming meeting on April 8, 2021.

3. [State Legislative Update](#)**County Administration**

State Legislative Update.

4. [2021 Federal Legislative Agenda](#)**County Administration**

Discussion and approval of the 2021 Federal Legislative Agenda.

5. [Water Authority Agenda - March 31, 2021](#)

Utilities

Discussion and direction on the Peace River Manasota Regional Water Supply Authority (Authority) Board agenda for the upcoming March 31, 2021 Meeting.
****Change. Added attachment - Final PRMRWSA Agenda. 3/19/21****

6. [2021-22 Charter Review Commission Members Selection](#)

County Attorney

Select/appoint 15 voting members and 3 alternate non-voting members to the Charter Review Commission.

7. [Interlocal Agreement with DeSoto County - Kingsway Circle Roadway Improvement Study](#)

County Attorney

To approve Interlocal Agreement with DeSoto County to fund Kingsway Circle Roadway Improvement Study

8. [Rotonda Meadows and Villas Street and Drainage MSBU - Discussion and Direction](#)

Public Works

Discussion and direction regarding keeping the Rotonda Meadows and Villas Street and Drainage MSBU one unit.

9. [Public Seating Agreement](#)

County Attorney

- a) Approve a Public Seating Agreement with Creative Outdoor Advertising of America, Inc.; and
- b) Authorize the Chairman to execute the Public Seating Agreement.

10. [21-337, Award Piggyback, Countywide Security Migration \(Facilities\)](#)

Budget & Admin Services

- a) Approve the "piggyback" purchase for File #21-337, Countywide Security Migration, per Osceola County Contract # RFP-16-4469-TP, and award to Miller Electric Company, of Jacksonville, Florida, for a total cost of \$1,249,416.50; and
- b) Approve Resolution for BA21-079 in the amount of \$ \$1,399,917; and
- c) Approve a new Capital Improvements Project titled "Facilities Infrastructure Upgrades" in the amount of \$1,399,917.

****Added, 3/19/2021****

11. [Murdock Village Transfer Fee Covenant Correction](#)

Economic Development

- a) Approve the proposed revisions to the Murdock Village Transfer Fee Covenant; and
- b) Authorize the Chairman to sign the Corrected Amended Covenant.

****Added, 3/19/2021****

COMMUNITY REDEVELOPMENT AGENCY MEETING

At 10 a.m., or soon thereafter the Board will recess for the Murdock Village Community

Redevelopment meeting. The Regular Meeting will reconvene upon the conclusion of the Murdock Village Community Redevelopment meeting.

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. [Revisions to Chapter 3-3.5 - Impact Fees](#)

Community Development

Approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida; Amending Chapter 3-3.5 Impact Fees, of the Code of Laws and Ordinances of Charlotte County, Florida; Providing for Severability; Providing for Incorporation of Exhibits; and Providing for an Effective Date. Applicant: Charlotte County Board of County Commissioners.

****Change, Added attachment - Impact Fee Study Adoption presentation - Updated, 3/17/2021****

****Change, Added attachment - Impact Fee Analysis Memo - Updated, 3/18/2021****

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

1. [Centennial Update](#)

Centennial update presentation.

1 P.M. PUBLIC INPUT - ANY SUBJECT

Anyone wishing to address the Board during this portion of the meeting must state their name for the record. Remarks on any County related subject, shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.

2 P.M. LAND USE AGENDA

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY

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Consent Agenda

UA 1. [TDU-20-07, Lennar Homes, LLC](#)

Community Development

A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 60 density units to a Receiving Zone located within

the Heritage Landing Development of Regional Impact (DRI), which is generally located northwest of Burnt Store Road, in portions of Sections 17, 18, 19, and 20, Township 42 South, Range 23 East, containing 913.97± acres, in the Burnt Store area; Commission District II; Petition No. TDU-20-07; Applicant: Lennar Homes, LLC; providing an effective date.

Quasi-Judicial

Public Hearing

UB 1. [PP-20-12-18, Biscayne Landing II, Lennar Homes, LLC](#)

Community Development

Lennar Homes, LLC., is requesting approval of a preliminary plat, being a replat of previously approved Biscayne Landing, to be named Biscayne Landing II, consisting of 217 lots. The site is 125.93 ± and is located east of Biscayne Drive, north of El Jobean Road, west of the Flamingo Waterway, and south of Franklin Avenue, in Sections 10,11,14 and 15 Township 40S, Range 21E, in Commission District IV.

Quasi-Judicial

UB 2. [PAL-20-00004, Save It All Self Storage](#)

Community Development

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State agencies for review and comment; the amendment request is to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Parks & Recreation (PKR) and Public Lands & Facilities (PL) to Commercial (COM); for property located 2025 Tamiami Trail, in the Port Charlotte area, containing 11.94± acres; Commission District V; Petition No. PAL-20-00004; applicant: Save It All Self Storage, LLC.

Legislative

AA. County Administrator Comments

BB. County Attorney Comments

CC. Economic Development Director Comments

DD. County Commissioner Comments

County Commissioners

Bill Truex, District 3, Chairman

Christopher Constance, District 2, Vice Chairman

Ken Doherty, District 1

Stephen R. Deutsch, District 4

Joseph Tiseo, District 5

Board of County Commissioners

Schedule of Future Closures/Hearings/Workshops

[Schedule](#)