

**JOINT MEETING
BOARD OF COUNTY COMMISSIONERS
CITY OF NORTH PORT COUNCIL**

MAY 13, 2005

A joint meeting of the Board of County Commissioners was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida. The following Board Members were present: Chairman Sara J. Devos and Commissioners Thomas G. Moore, Adam Cummings, and Matthew D. DeBoer. The following Council Members were present: Chairman Richard A. Lockhart and Commissioners Rue S. Berryman, Vanessa Carusone, Barbara L. Gross, and Fred E. Tower, III. Also in attendance were Assistant County Administrators Kelly Shoemaker and Roger Baltz, County Attorney Janette S. Knowlton, and Supervisor of Minutes Diane J. Nice and Interim City Manager Henry L. Jenkins, Assistant City Attorney Chris Forrest, City Police Captain Frank Conroy, and City Clerk Helen M. Raimbeau. The meeting was called to order at **10:10 A.M.**

Chairman Devos called the meeting to order and acknowledged all Board Members are present except **Commissioner D'Aprile**. **Chairman Lockhart** introduced Council Members and staff. **Chairman Devos** opined the meeting will be productive and each Board Member and the County Attorney introduced themselves. **Chairman Devos** opened the floor for public input.

Shaneen Wahl, on behalf of the Northwest Port Charlotte Community League, commented on **Agenda Item I. Dumping Trash** by estimating 75% of the dumping in her area comes from North Port as evidenced by addresses on trash; there has been contractor dumping in the middle of streets and on street sides about twice a week since the hurricanes; and requested a cooperative effort between the County and City to clean up the community.

Chairman Lockhart suggested at least one North Port Commissioner respond. **Chairman Devos** suggested waiting for presentation and discussion on the agenda item.

I. Dumping Trash

Thomas O'Kane, Public Works Director, introduced James A. Thomson. **Commissioner Berryman** advised Ms. Wahl called him

regarding the dumping caused by North Port residents as evidenced by photographs and addresses on trash, he spoke with the City Manager who set up a meeting between Solid Waste Department staff and Ms. Wahl, he is amazed that 75% of the dumping is still being done by North Port residents, and suggested establishing a committee to resolve dumping issues. **Commissioner Carusone** questioned why North Port residents are not being charged with illegal dumping. **Chairman Lockhart** explained they must be observed, usually by the Police Department, in order to prosecute in court. James A. Thomson, Environmental and Extension Services Director, reported the Board has authorized the hiring of a Sheriff's Deputy and a Code Compliance Officer to work as a team to enforce illegal dumping in Charlotte County; the program should commence in June 2005; off-duty deputies in Northwest Port Charlotte are trying to capture people for illegal dumping but have been unsuccessful; and invited City of North Port representatives to participate in the County's Illegal Dumping Task Force. **Commissioner Carusone** requested the assistance needed from the City to resolve this issue. Mr. Thomson suggested City staff from the Police, Code Compliance, and Solid Waste Departments attend a meeting of the County's Illegal Dumping Task Force to identify joint efforts and offered to provide information relating to Task Force meetings. **Commissioner Gross** suggested the City expand on the efforts of Charlotte County and initiate strict enforcement within City limits in addition to assisting the County in illegal dumping violations in Northwest Port Charlotte. **Commissioner Berryman** commented on the dump location previously established in the area of Cornelius and Chancellor Boulevards that has since been cleaned up and suggested establishing another area for dumping trash. Ms. Wahl raised her hand to speak again. **Chairman Devos** suggested she speak with Mr. Thomson and/or participate on the Task Force. **Commissioner Cummings** commented in support of coordinating Task Force efforts in the City and County and suggested using video cameras as is done in arson situations. Mr. Thomson explained the Illegal Dumping Officers will be utilizing a surveillance camera and the Code Compliance Office has methods to investigate and enforce illegal dumping violations.

II. Toledo Blade Boulevard

Mr. O'Kane expressed appreciation to Dixie County Public Works for providing a water buffalo and for all of the assistance from the City of North Port after Charley. Mr. O'Kane stated this item was placed on the agenda as a follow up on the joint temporary traffic signal at Hillsborough and Toledo Blade Boulevards and requested the status of the prioritization of widening Toledo Blade to U.S. 41. **Commissioner Tower** stated he and City Engineer Pat Collins met yesterday with the Manatee, Sarasota Metropolitan Planning Organization (MPO); the City of North Port is working to position the widening on the priority list but a financial feasibility study must be performed and it will probably be January 2006; a meeting was held with the Secretary of Transportation to secure funding for Toledo Blade as a highway of regional impact; reported a developer of land adjacent to Toledo Blade has offered to pay impact fees up front for proposed housing instead of waiting on Certificate of Occupancy trigger mechanisms; pointed out the County has eliminated Toledo Blade from Hillsborough to U.S. 41 from the priority list; suggested coordinated efforts be expended regarding mobilization of equipment for the North Port segment of Toledo Blade; pointed out the Level of Service (LOS) C- at the intersection of Price and Toledo Blade is deteriorating rapidly and will be at issue with concurrency standards; and it makes sense for the City and County to coordinate efforts on the one to one and one-half mile widening to achieve cost savings. Mr. O'Kane confirmed the widening of the County portion of Toledo Blade is not on the priority list for funding through the County MPO because of the condition regarding the developer in North Port to make the connection and suggested coordinating efforts with the City based on the change in circumstances. **Commissioner Carusone** requested an explanation on the existence of the condition of the Panacea Development of Regional Impact (DRI). **Chairman Lockhart** stated Centex Homes, the developer in the Panacea area, submitted a proposal including widening of Toledo Blade from two to four lanes within two to three years and introduced City Engineer Pat Collins. Mr. Collins explained the original Panacea DRI Development Order allowed a front-end agreement to provide impact fees for the entire development towards the Toledo Blade improvement; there is no trigger mechanism in the Development Order for the roadway improvement to alleviate having to go through the concurrency level failure

and proportionate share route; there has been discussions in North Port about slowing growth; Centex Homes has indicated a willingness to enter into an agreement with the City to front-end funds to expand Toledo Blade from I-75 to Hillsborough and the Toledo Blade intersection; he spoke with Capital Road Projects Manager Brian Barnes yesterday about this matter; and expressed a desire to work with County staff on the transition of Toledo Blade into Charlotte County in order to complete the segment all the way to U.S. 41. Mr. Collins summarized the time line starting with development of the design concept and cost estimates during the next six months, construction during the next year, and completion of the roadway in March 2008. **Commissioner Cummings** requested verification that the developer has offered to expedite the project and the condition of the DRI requires the roadway improvement all the way down. Mr. Collins stated the proposal is to go to Hillsborough Boulevard that is further than the original plans. **Commissioner Cummings** concluded neither the original agreement nor the extension go all the way to U.S. 41. Mr. Collins agreed; reiterated the Development Order lacks a trigger mechanism for the road improvement; if the LOS falls below a Level C, proportionate funding would be available; and explained the original Development Order provides for a concentration of proportionate shares for the intersections into one project. **Commissioner Gross** suggested staff work cooperatively with City and County MPOs to get the Toledo Blade Boulevard widening project on priority lists to secure future State funding and if studies have been performed justifying the signal light at the Hillsborough and Toledo Blade Boulevards intersection, City and County staff work together and make budget presentations. **Commissioner Carusone** recalled the City and County have agreed regarding the signal and it is a matter of staffs working cooperatively; expressed understanding that the DRI went all the way to U.S. 41; suggested extending the widening all the way to S.R. 776 as part of an evacuation route from Englewood; and requested verification that the mechanism for the Toledo Blade improvement would be failure below the LOS C. Mr. Collins agreed and advised only some turning movements at intersections are below a LOS C and an improvement of the intersection would have to be done and a proportionate share of the intersection costs paid. **Commissioner Carusone** questioned if the developer who is willing to upfront the impact fees is the same entity responsible within the DRI. Mr. Collins responded affirmatively

i.e. Centex Homes, Benderson Development, and Pat Neil Industries unless Benderson and Pat Neil sold out to other developers who would then become responsible for impact fees. Mr. Collins read from the agreement from the State: "Toledo Blade as a four-lane road between I-75 and the North Port City Limits" which is down to Hillsborough Boulevard. Mr. Collins stated he and Mr. O'Kane would work on the transitioning.

III. Raintree Interchange at I-75

Mr. O'Kane stated the Florida Department of Transportation (FDOT) has embarked on a PD&E study on the I-75 corridor through Manatee, Sarasota, Charlotte, and Lee Counties and North Port; there have been discussions regarding an additional interchange at Raintree and it is time to make it clear to the State that an analysis should be done for an interchange in the North Port area close to Charlotte County line to benefit both jurisdictions; explained the map handout showing Raintree as a link between the City, Veterans Boulevard, and as a segment of a future evacuation route; and suggested a joint proposal be submitted to FDOT. **Chairman Lockhart** reported Brian Tuttle of TLH Boss Corporation and another developer have expressed interest in developing land north of I-75 via an interchange at Yorkshire and Raintree and requested contacts made to Commissioners on the proposal. Mr. O'Kane indicated a staff person, who resides in North Port, mentioned a newspaper article. **Chairman Devos** stated her knowledge is based on the newspaper article and she is interested because the developer would pay the costs of creating the interchange. **Commissioner Berryman** stated the interchange would open the entire area north of I-75 and be beneficial to the City and County, recalled Raintree or Yorkshire was in the original plan for I-75, and advised no proposals have been submitted to the City. **Commissioner Tower** reported he and Mr. Collins attended an MPO meeting yesterday, stated Mr. Tuttle has approached the Manatee Sarasota MPO on the preliminary interchange. **Chairman Devos** questioned the impact of the interchange on North Port's growth management. **Chairman Lockhart** stated zoning changes would be necessary to provide commercial adjacent to the interchange and up scaled residential further north and the developers gave him the impression they support balanced growth. **Commissioner Gross** stated Mr. Tuttle showed her a general plan of the proposed development; indicated Mr. Tuttle may have applied for a DRI

although she has not seen anything specific; Mr. Tuttle indicated they would be paying for the entire interchange but now the newspaper article indicated they would be willing to pay part of the costs; the primary concern is platted lots where there is not a developer to put in infrastructure; recalled problems with the development by KEB when they went bankrupt; and stated North Port is willing to deal with growth management problems. **Commissioner Carusone** recalled she spoke with a developer several months ago and suggested the developer approach Charlotte County and its MPO and requested clarification on the status of the proposed development. Sam Jones, City Planning Director, stated the project commenced going through the DRI process about a month ago. **Commissioner Carusone** wondered about moving forward with the interchange or waiting until the DRI is brought before the Council. **Commissioner Gross** commented in support of coordinating efforts with Charlotte County on the interchange. Mr. O'Kane reiterated the State has started the corridor study and the City and County should move forward with a joint effort regarding a new I-75 interchange. **Commissioner DeBoer** suggested including Desoto County. Mr. O'Kane offered to contact Desoto County staff. **Commissioner Cummings** disagreed with FDOT's spacing of interchanges; stated an interchange is also needed at the Airport; the Raintree interchange would be beneficial to North Port and Charlotte and Desoto Counties; suggested establishing a commercial node at the interchange to reduce trip generation for the entire area and reduce the impacts of growth; a consolidation of the Raintree interchange and the extension of the Toledo Blade widening projects would provide better connectivity; and opined developers should pay for as much as possible. **Chairman Lockhart** stated American Investment representatives approached him about the interchange at Yorkshire. Mr. O'Kane stated he has not heard from them and commented on the FDOT spacing requirements for rural interchanges.

IV. Hillsborough Boulevard

Mr. O'Kane reported the contractor finished the last of the punch list items the beginning of this month relating to the improvements and the bill will be sent this month to the City for payment of one-half of the costs.

V. Shared Roadways

Mr. O'Kane expressed understanding that the City placed this item on the agenda. **Chairman Lockhart** commented on the signage on Chancellor, on the Charlotte County side, designating the upcoming stop prior to the Chancellor and Biscayne intersection and suggested City and County staff work together on installing similar signage or runkle strips on the three other directions approaching that intersection to eliminate future fatalities. **Commissioner Carusone** agreed both staffs should look at options regarding the intersection even though most of the work needs to be done in North Port and pointed out the recent fatality was a result of drinking and driving. Mr. O'Kane advised almost 50,000 signs were damaged or lost as a result of the hurricanes, approximately 8,000 signs still need to be erected, and he would work with North Port staff on this issue.

VI. Water Supply

Mr. O'Kane advised Utilities staff is present from both jurisdictions. Cindi Mick, North Port Utilities Director, stated she, Charlotte County Utilities Director, and staff are continuing to work closely on numerous issues; she recently attended a Board of Charlotte County Commissioners meeting during which Mr. Schlobohm make a presentation on alternative water supplies including Babcock Ranch and Interconnects with the Cities of Punta Gorda and Cape Coral and Lee County; commented on the importance of developing regional and local water resources; the City of North Port is increasing the Consumptive Use Permit to take more water from the Myakkahatchee Creek to increase the sustainability and reliability of the current facility; staff has been working with Southwest Florida Water Management District (SWFWMD) on a plan to utilize surface waters within the City that will benefit the City and Charlotte County; exploration is being done to determine the viability of a ground water source on 100 acres in the Panacea region; staff is working with developers of Thomas Ranch on construction of a water treatment facility to utilize ground water with turn over to the City in 2010 or 2012; work is continuing on a aquifer storage and recovery well; stated the City is willing to partner with the County on any exploration of future water sources; and reported the City has submitted a funding request to the Manatee Basin Board. David G. Schlobohm, Charlotte County Utilities

Director, expressed appreciation for the City's efforts following Charley; stated it would benefit the City and the County to enhance the interconnect for future sharing of water; outlined the presentation made to Charlotte County Commissioners in January 2005 on alternative sources of water in addition to the Peace River; as a result of Board direction last November, he has talked with or met with representatives from the Cities of Sebring, North Port, Punta Gorda, and Cape Coral and Counties of Highlands, Glades, Hendry, Lee and the Peace River Manasota Water Authority Members; staff has decided to move forward on several short-term options simultaneously on potential interconnects with the Cities of Punta Gorda and Cape Coral, Lee County, and possibly obtaining 2 mgd back in January 2006 from Sarasota County as ways to address water shortfalls projected for 2008; staff is working under the assumption that the next Peace River expansion will not be done when this water is needed but any excess will be available to North Port; mid-term alternatives include the Peace River expansion, staff is negotiating with the consultant to move forward with the project to install test wells in several parts of the County to determine water quality and quantity for future conversion to a permanent water supply well; ground water and reverse osmosis treatment may bring in 5 mgd to 10 mgd or more; the Burnt Store facility will be expanded from the current 1 mgd to 3 mgd or 4 mgd; there are surface water source options for Shell Creek with and without the City of Punta Gorda; the City of Punta Gorda is looking at significantly increasing their facilities; 15 mgd to 30 mgd may safely be taken from Babcock Ranch although there are questions about water quality; it would be beneficial to tie Babcock Ranch in with interconnects with Lee County and the City of Punta Gorda; the County is supportive of a regional interconnect with conditions; staff is pursuing desalinization for future use; and joint efforts are continuing with the City of North Port. **Chairman Devos** expressed appreciation for the excellent presentations.

VII. Public Transportation

Commissioner Carusone stated she was not aware until recently, as a result of discussions with the Community Help Action Team, that Dail-A-Ride travels in the City of North Port; noted North Port residents travel to and from Charlotte County; discussions are on going to determine ways to offer public transportation

within Sarasota and Charlotte County; and expressed appreciation for assistance rendered by Charlotte County staff who have attended Team sessions. **Chairman Lockhart** commented on a review of the Lee County public transportation system; stated coordinated efforts of Manatee, Sarasota, Charlotte and Lee Counties could establish a future public transportation system to service Palmetto to Ft. Myers along U.S. 41; issues concerning ownership of the buses and costs would need to be worked out; the West Coast of Florida is growing, North Port has 50,000 empty house lots owned by individuals, and the City may slow growth through developers but not individuals; and the average age of North Port residents is now 37 years. **Chairman Devos** stated General Development Corporation left Charlotte County with a legacy of 150,000 to 180,000 platted lots, the Board is trying to reduce development with Murdock Village, and pointed out a lot of changes have occurred in the City and County during her residency. **Commissioner Cummings** stated a build out scenario for the County done in 1997, based on single family homes, reflected infrastructure would cost \$14 billion; transportation costs could be reduced by more than half to \$6 billion by acquiring three specific environmental land projects, developing mass transportation, and creating commercial nodes and sidewalks; land use decisions made now will impact the future of Charlotte County; the model is being updated and as part of the Transportation Area Zones (TAZs) trip generation from North Port should be included; Murdock Village is the first step in fixing the Comprehensive Plan and commercial nodes need to be created; pointed out a commercial node at Raintree would reduce trip generation for homes in the City and County; and suggested the City utilize the model in an effort to provide across the boundaries facilities as well as annexations. **Chairman Lockhart** stated the boundary lines are invisible lines and Council Members are open to suggestions and interlocal agreements.

VIII. Commissioner Comments

Commissioner Tower expressed appreciation for the opportunity to meet with County Commissioners for the first time and stated joint meetings are beneficial to the City and County. **Commissioner Gross** recalled the cooperative efforts regarding the Hillsborough agreement that has worked out well. **Commissioner Berryman** thanked the Board for the opportunity to

meet jointly again and mentioned he is looking forward to future meetings. **Commissioner DeBoer** opined the relationship between the City and County is excellent; thanked the City for assistance regarding the sexually oriented business; pointed out commonalities between the City and County are far greater than adversities and the opportunities for joint cooperation including Desoto County on a regional basis are enormous especially on the Raintree exit; advised Toledo Blade through Murdock Village is to be four-laned as a link to the U.S. 41 bypass via Edgewater, Flamingo, and S.R. 776 to Charlotte Harbor; and this was a great meeting. **Commissioner Moore** stated comments on growth issues were beneficial and he is looking forward to future meetings.

Chairman Lockhart reported the City Clerk needs consensus on a matter. Helen M. Raimbeau, City Clerk, stated **Commissioner Berryman** is currently the City's representative to the Sarasota County Tourism and Economic Development Board and requested consensus to reappoint him and appoint an alternate. **Chairman Lockhart** volunteered to serve as alternate. **There was consensus of City Commissioners on the reappointment.**

MEETING ADJOURNED: 11:45 A.M.

Signature on file in Commission Minutes

Sara J. Devos
Chairman

ATTEST:

**BARBARA T. SCOTT, CLERK
OF THE CIRCUIT COURT AND
EX-OFFICIO TO THE BOARD
OF COUNTY COMMISSIONERS**

**By: Signature on file in Commission Minutes
Deputy Clerk**

djn