



City Council Agenda

CITY OF PUNTA GORDA, FLORIDA

326 West Marion Avenue, Punta Gorda, FL 33950

April 15, 2009

ANNOTATED AGENDA

CITY COUNCIL

Larry Friedman, Mayor
Harvey Goldberg, Vice-Mayor
Don McCormick, Councilmember
William F. Albers, Councilmember
Charles Wallace, Councilmember

CITY OFFICIALS

Howard Kunik, City Manager
David Levin, City Attorney
Sue Foster, City Clerk

NOTE: Anyone wishing to address the Council on any agenda item may do so at the appropriate time during the meeting. Those who choose to speak must state their name for the record. Each person will be allowed to speak once on each subject up to a maximum of three minutes.

9:00 AM CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE

I. PROCLAMATIONS/PRESENTATIONS

A. Proclamations

- | | | |
|----|----------------------------------|-------------------|
| 1. | National Telecommunications Week | PROCLAIMED |
| 2. | Parliamentary Law Month | PROCLAIMED |
| 3. | Water Conservation Month | PROCLAIMED |
| 4. | Autism Awareness Month | PROCLAIMED |
| 5. | Arbor Day | PROCLAIMED |

B. Presentations

- | | | |
|----|---|--|
| 1. | Introduction of Board / Committee Nominees | |
| 2. | 25 Year Service Award – Pat Francis, Police Department | PRESENTED |
| 3. | National Institute of Governmental Purchasing Accreditation Achievement Award | Outstanding Agency
PRESENTED |

II-A. PUBLIC HEARINGS

1. **ZA-03-09** – An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26 of the City Code of Ordinances known as “The Land Development Regulations”, Article 3, Regulating Districts, amending Subsection 3.13., SRO, Special Residential Overlay District, amending Subsection 3.13.(L) Storage of Vehicles; providing for allowance for watercraft to be temporarily parked in residential driveways or public right-of-way; providing for temporary parking permits; providing for conflict and severability; and providing an effective date.

First Reading
APPROVED AS AMENDED

2. **ZA-04-09** – An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26 of the City Code of Ordinances known as “The Land Development Regulations”, Article 3, Regulating Districts, amending Subsection 3.13 Special residential Overlay District, Subsection (o), Water Wells, providing for permitting requirements for wells installed for irrigation purposes; providing for buffering requirements; providing for conflict and severability; and providing an effective date.

First Reading
DENIED

3. **ZA-05-09** – An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26 of the City Code of Ordinances known as “The Land Development Regulations”, Article 10, Parking and Loading, amending Subsection 10.3.(f) and (h), Parking Specifications; providing for parking space standards; providing for maximum driveway widths; providing for required driveway materials; providing for minimum distance from intersecting right-of-way lines; providing for maximum number of ingress and egress points per property; providing for conflict and severability; and providing an effective date.

First Reading
APPROVED

4. An Ordinance of the City of Punta Gorda, Florida amending Ordinance 1496-07, for property commonly know as 24500 Airport Road, more particularly described in Exhibit “A”, amending the affordable housing restriction contained in said Ordinance to allow a senior affordable housing rental neighborhood of no less than 120 units and no more than 176 units to provide public housing and tax credit housing for seniors and related amenities; providing for conflict and severability; and providing an effective date.

First Reading
APPROVED

II-B. QUASI-JUDICIAL PUBLIC HEARINGS

1. **PD-01-09** - An Ordinance of the City of Punta Gorda, Florida amending Ordinance 1498-07, rezoning property commonly known as 24500 Airport Road, more particularly described on Exhibit “A”, from Neighborhood Center (NC) to

Planned Development Neighborhood/Neighborhood Center (PDN/NC) for the development of a senior affordable housing rental neighborhood to provide no less than 120 units and no more than 176 units of public housing and tax credit housing for seniors and related amenities, and for commercial/office mixed use development; providing for conflict and severability; and providing an effective date.

First Reading
APPROVED

2. **SE-04-09** – A Special Exception request by Klint and Rachael Keesling, per Section 26-16.8., of the City Code of Ordinances to allow artificial turf to be installed on private property, as permitted by Special Exception approval per City Code Section 26-12.3.(n), at 850 Bimini Lane, in a General Single Family (GS) zoning district. Legal Description: Block 98, Lot 34, Punta Gorda Isles, Section 11 Replat
**APPROVED WITH 50%
FEE REDUCTION**

II-C. ORDINANCE/RESOLUTION (No Public Hearing Required)

1. An Ordinance of the City Council of the City of Punta Gorda, Florida establishing a new Chapter 11B of the Code of Punta Gorda, Florida, titled the Punta Gorda Economic Development Incentives; establishing an impact fee and connection fee installment payment program for qualifying development that furthers the City’s economic development goals; providing a sort title; providing findings; providing authority; providing definitions; providing for applicability; establishing economic development installment payment program criteria, requirements and owner obligations; providing for collection of impact fees and connection fees in the event of default; providing for reporting on and suspension of economic development impact fee and connection fee incentives; providing for severability; providing for conflicts; and providing for an effective date. **Second Reading**
APPROVED
2. A Resolution of the City of Punta Gorda, Florida identifying qualified economic development for participation in the City of Punta Gorda Economic Development Incentives Program as authorized pursuant to Chapter 11B of the City Code, providing for conflicts, and providing an effective date.
APPROVED
3. **SV-01-09** - A Resolution of the City Council of the City of Punta Gorda, Florida, declaring its intent to consider changing the name of that portion of the street known as West Retta Esplanade lying between Taylor Street and U.S.41 Northbound in the City of Punta Gorda, to Harborside Avenue in the City of Punta Gorda; fixing a public hearing thereon; requesting a recommendation from the Planning Commission; and providing an effective date. **APPROVED**
4. **SV-02-09** - A Resolution of the City Council of the City of Punta Gorda, Florida, declaring its intent to name the unnamed sixty six foot (66’) wide right-of-way lying in Parcel “D”, Plat of Punta Gorda Harbor, as recorded in Plat Book 18,

Pages 1A and 1B, of the Public Records of Charlotte County, Florida, as Laishley Court; fixing a public hearing thereon; requesting a recommendation from the Planning Commission; and providing an effective date. **APPROVED**

5. **SV-03-09** - A Resolution of the City Council of the City of Punta Gorda, Florida, declaring its intent to consider naming the unnamed sixty-six foot (66') wide platted right-of-way lying between Taylor Street and U.S. Highway 41 northbound in Block 5 of the Plat of Trabue, as recorded in Plat Book 1, Page 1, of the Public Records of Charlotte County, Florida, as West Retta Esplanade; fixing a public hearing thereon; requesting a recommendation from the Planning Commission; and providing an effective date. **APPROVED**

III. CONSENT AGENDA

All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If a member of the Council desires discussion, that item(s) will be removed from the Consent Agenda and considered separately.

A. CITY CLERK

1. Approval of Minutes:
 - a. Regular Meeting of April 1, 2009 **APPROVED**
2. A Resolution of the City Council of the City of Punta Gorda, Florida, approving amended bylaws governing the function and procedures of the Utility Advisory Board. **APPROVED**

B. FINANCE DEPARTMENT

1. Award of Amendment #12 – Specific Authorization #19 – Wastewater Treatment Plant Permit Renewal, and Operation and Maintenance Manual in accordance with Agreement #U06094/Water and Wastewater Master Planning with Carollo Engineers, P.C. **APPROVED**
2. Award of Agreement for Lot Mowing Services for Program and Non-Program (Exempt) Lots to Gulf Trail Corporation of North Port, FL. **WITHDRAWN**
3. Local Consideration Program for subjective solicitations; which include Request for Proposals, Request for Qualifications and Invitations to Negotiate. **APPROVED**

C. PUBLIC WORKS DEPARTMENT

1. A Resolution of the City of Punta Gorda, Florida, approving the Amended Interlocal Agreement between Charlotte County and the City of Punta

Gorda for the Aqui Esta Drive Widening Project; authorizing Mayor to execute the agreement; and providing an effective date.

APPROVED

D. LEGAL DEPARTMENT

1. Statement of Allen, Norton & Blue, P.A. for services rendered through February 28, 2009 **APPROVED**

E. CITY MANAGER

1. Letter of Support for the widening of U.S. Highway 17 **APPROVED**

F. UTILITIES DEPARTMENT

1. A Resolution of the City Council of the City of Punta Gorda, Florida, approving the Developer's Agreement between the City of Punta Gorda and 17-75, LLC; approving termination of Developer's Agreement between the City of Punta Gorda and Palmetto Plantation, LLC; authorizing the Mayor to execute the agreements; and providing an effective date **APPROVED**
2. A Resolution of the City Council of the City of Punta Gorda, Florida, approving the Developer's Agreement between the City of Punta Gorda and Punta Gorda of Charlotte County, LLC; authorizing the Mayor to execute the agreement; and providing an effective date **APPROVED**

REGULAR AGENDA

IV. UNFINISHED BUSINESS

- A. Approval of a Letter of Support for Marina at Best Western **APPROVED**
- B. Fiscal Year 2010 Water and Sewer Rates **APPROVAL OF 3% INCREASE FOR 2010 & 2011**

V. NEW BUSINESS

VI. RECOMMENDATIONS FROM CITY OFFICERS

- A. City Manager
- B. City Attorney

C. City Clerk

VII. BOARDS AND COMMITTEES

A. Announcement of Vacancies

1. Historic Preservation Advisory Board (2)
2. Waterfront Development Advisory Committee (4)

ALL VACANCIES ANNOUNCED

B. Nominations

C. Appointments

1. Utility Advisory Board (2)

**J. DAUSTER, J. SABATINO
REAPPOINTED**

VIII. POLICY AND LEGISLATION

A. Mayor

B. Councilmember Comments

1. International Business Opportunities Program

**APPROVAL OF UP
TO \$1,000**

IX. CITIZENS' COMMENTS

NOTE: Anyone wishing to address the Council may do so at this time. Those who choose to speak must state their name for the record. Citizens will be allowed no more than three (3) minutes to express their opinion.

X. ADJOURNMENT

At public hearings, any member of the audience who wishes to speak will be recognized and heard.

If a person decides to appeal any decision made by the City Council, such person will need a record of proceedings, and for such purpose the person may need to ensure that a verbatim record of proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Florida Statute 286.26, special accommodations may be made by contacting the Office of the City Clerk at (941) 575-3369.

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