

**PUNTA GORDA ISLES
CANAL ADVISORY COMMITTEE
MEETING
MARCH 15, 2010**

MEMBERS PRESENT: Bill Dixon, Chairman
Nancy Dauster, Bill Folchi, Spencer Hughes,
Richard Kresge, Thomas McAlear, David McBride

OTHERS PRESENT: Randy Brodersen, Canal Maintenance Supervisor
Rick Keeney, Public Works Director
Dennis Murphy, Growth Management Director
John Dauster, Bill Schindler

CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting - Monday, April 19, 2010 - 1:30 p.m.
- Mr. Dixon welcomed Mr. McBride to the Committee.

APPROVAL OF MINUTES

- A. Regular Meeting - February 18, 2010
- Ms. Dauster MOVED, Mr. McAlear SECONDED approval of the February 18, 2010 minutes. MOTION CARRIED UNANIMOUSLY.

CANAL MAINTENANCE MONTHLY REPORTS

- A. Permits Authorized by City Staff for Installation of Docks, Lifts, Outpilings, etc.
 - Mr. Randy Brodersen, Canal Maintenance Supervisor, reported 12 permits were issued in February 2010.
- B. Budget Utilization Report
 - Mr. Brodersen displayed an overhead of the Budget Utilization Report, as delineated in the agenda material, offering to answer any questions regarding same.
 - Ms. Dauster noted the only item on which more was spent than work was performed percentage-wise was seawall cap replacement. She opined same was most likely due to crews constructing seawall caps.
 - Mr. Brodersen agreed that was the case.
- C. Seawall & Seawall Cap Replacement Status Report
 - Mr. Brodersen displayed overheads of Seawall and Seawall Cap Statements of Work (SOWs), as delineated in the agenda material, stating locations were assigned a status of In Process (IP), Complete (C) or High Priority (HP).
 - Ms. Dauster commented she did not see any locations rated HP.

- Mr. Brodersen agreed there were none, advising those seawalls which failed on December 5, 2010, as discussed at previous meetings, were complete.
- Ms. Dauster noted only one seawall failed during the heavy rain experienced on March 12, 2010.
- Mr. Dixon congratulated staff on the downtown drainage project, stating he felt same had proven extremely helpful.

NEW BUSINESS

A. Budget

- Mr. Rick Keeney, Public Works Director, announced staff had begun working on their departmental budgets and were providing information to the Finance Department. He advised Finance Department staff would review the budget with the Committee at their April or May 2010 meeting. He welcomed members to meet with him regarding any questions they may have on a particular line item, for example. He asked the Committee to advise him of any special projects they wished to have considered for the following year's budget.
- Mr. Folchi commented staff may have some ideas relative to the Geographic Information System (GIS) which could impact the budget, specifically for support of the inventory system on which Mr. Brodersen had been working.

OLD BUSINESS

A. GIS Update

- Mr. Brodersen announced he met recently with Mr. Folchi, Mr. Mitchell Austin, Urban Design Manager, and Mr. Gary Disher, Project Manager, to discuss changing what had been a complaint driven GIS program into more of an inventory program. He explained this would allow assessment of existing conditions of the seawalls.
- Mr. Dixon asked if the Committee should submit a budget request relative to GIS in order to keep the system active.
- Mr. Folchi replied binoculars were available to connect to a laptop computer which in turn provided exact location information, calculations to the target area, etc. He asked staff if any other capital equipment would be needed to support a GIS survey.
- Mr. Brodersen replied it was difficult to know at this point.
- Mr. Dennis Murphy, Growth Management Director, stated the Growth Management Department had been supporting the cost associated with PGI's GIS work; however, their budget was being squeezed extremely hard. He clarified he did not believe their budget would be able to financially support PGI's GIS work after 2011; thus, he urged the Committee to begin thinking about budgeting time out of the Canal Maintenance Assessment District's (CMAD's) budget to continue GIS support.

- Mr. Dixon clarified Mr. Murphy was referring to the upcoming budget cycle.
 - Mr. McAlear asked if the information provided through use of the above mentioned binoculars identified sections of seawall by a Global Positioning System (GPS) coordinate.
 - Mr. Brodersen replied he believed so.
- B. Research/Fact Finding - Committee Update
- Mr. Dixon reminded members he had been tasked with drafting a letter outlining the Committee's recommendation regarding the annual canal maintenance assessment fee methodology. He displayed a draft letter, as delineated in the agenda material, reading same into the record. He concluded it appeared future failures would follow some sort of normal curve, adding with nearly 80% of seawalls still standing after 50 years, an apocalyptic failure was not anticipated absent a catastrophic weather event.
 - Mr. McAlear commented the latter statement seemed to dismiss the problem, stating he was unsure whether that accurately represented existing conditions. He opined older seawalls would begin to fail.
 - Mr. Dixon displayed two bell curves, as depicted in the Committee's February 2010 agenda material, opining the rate of seawall failures would not be severe.
 - Mr. McAlear clarified he was not suggesting there would be rapid failures but rather continued failures, adding he was unsure the City was keeping up with same.
 - Mr. Dixon stated he did not believe City Council would agree to another increase in the annual fee. He explained this was the reason he had been pushing for implementation of GIS.
 - Discussion ensued with regard to the extent of seawall failures and the ability to track same with GIS.
 - Mr. McAlear stated he would like to physically survey PGI's seawall system using volunteers, Code Compliance Officers and the Police Department. He suggested there may be instruments available to better determine seawall strength.
 - Mr. Brodersen replied he was unfamiliar with any such instruments.
 - Mr. Kresge noted there were systems which could "read" concrete, acknowledging he was unaware of their cost.
 - Mr. McBride asked if a root cause was determined for each seawall which failed.
 - Mr. Brodersen replied affirmatively.
 - Mr. Dixon summarized it appeared there was not unanimous agreement with regard to his opinion on apocalyptic failures; however, he stressed the importance of issuing a letter to City Council as the Committee had been tasked. He stated he would add

appropriate verbiage to that section in order to address Mr. McAlear's concerns with regard to giving City Council a false sense of security.

- Ms. Dauster MOVED, Mr. Kresge SECONDED to recommend the City not concern itself with the method condominium associations used to charge their owners the canal assessment levied on the association. MOTION CARRIED UNANIMOUSLY.
- Ms. Dauster then provided Mr. McBride with background information on this topic as he had only recently been appointed to the Committee.
- Mr. McBride clarified City Council would be made aware a great deal of work remained to be done if the CMAD wished to keep up with seawall maintenance.
- Mr. Dixon confirmed the Committee was in favor of recommending City Council hold the annual assessment at the present level of \$500, concluding he would send the letter to City Council with copies to Mr. Keeney and City Manager Howard Kunik. He thanked everyone for their hard work leading up to this point.

CURRENT BUSINESS

A. Continued Discussion of Canal Maintenance Fee Methodology

- Discussed earlier.

B. Seawall Study Update

- Mr. Keeney announced staff had received a draft report on the seawall study at the end of the previous week, stating he hoped to provide the report to members electronically before the Committee's next meeting. He then commented on the issue of speeding in the canal system, as discussed at the previous meeting, reminding members a 1988 ordinance addressed "idle speed" zones; however, a 1996 ordinance superseded same. He stated he had asked the City Attorney to clarify the verbiage and to ensure all proper wording was in place to comply with the Manatee Protection Act. He asked if the Committee wished to have the City Attorney research the possibility of establishing idle speed zones, noting he would not do so unless directed otherwise.
- Mr. John Dauster requested clarification of the ordinance amendment process.
- Ms. Dauster read Sections 6-4(c) and 6-25 of the City Code into the record, noting same outlined the differences in speed zones as Mr. Keeney had mentioned above.
- Mr. Dauster clarified City ordinances applied only to the City itself and were not provided to the State, the Coast Guard or any other entity. He expressed agreement with clarifying the language in the City Code; however, he felt the Committee should make a recommendation to City Council on idle speed in certain locations, asking why the City Attorney would be involved at all.

- Mr. Keeney explained the canals were waters of the State and did not belong to the City of Punta Gorda, stating Federal regulations must be researched to determine the legality of implementing idle speed.
- Mr. Dauster countered he had researched coastal regulations extensively and saw nothing indicating the Coast Guard's presence in the PGI canal system. He suggested perhaps the Fish & Wildlife Commission (FWC) may be the entity to involve in this issue.
- Mr. Keeney reiterated ordinances could not simply be adopted without taking into account State and Federal regulations.
- Consensus of the Committee was to take no action at this time in anticipation of the ordinance to be proposed by the City Attorney.
- Mr. Dixon commented Mr. McAlear's photographs were crucial when the Committee was seeking City Council approval for an increase in the annual assessment fee, suggesting he provide photographs depicting the number of speeders in the canal system.

MEMBER COMMENTS

- Mr. Brodersen confirmed Volunteers in Policing (VIP) Officers had observed a number of cracked seawalls, asking Mr. McAlear to provide him with a list of those locations.
- Mr. McAlear offered to have staff accompany VIP Officers on their patrols, contingent upon authorization by Police Chief Butch Arenal.
- Ms. Dauster mentioned Chief Arenal attended a recent PGI Civic Association Board Meeting, stating she raised the issue of major interference with navigation, which she had observed was constant of late. She opined City Code Section 6-22, Interference with Navigation Prohibited, must be acted upon, reading a portion of same into the record as follows: "Anchoring under or mooring to bridges or in or adjacent to heavily traveled channels shall constitute interference." She reported two boaters were anchored in the "S" curve the previous day as well as in another location in Ponce de Leon Inlet where navigation was made extremely difficult if not impossible. She advised she had personally witnessed two accidents, strongly recommending the City place signs where boaters should not anchor.
- Mr. Dixon urged Ms. Dauster to document such incidents with photographs, reiterating pictures were much more effective than words.
- Mr. McAlear confirmed the Committee could make a recommendation to City Council to post "no anchoring" signs as suggested by Ms. Dauster; however, research regarding the legality of same would need to be done.

- Mr. Dauster pointed out City Code already included language which defined what constituted interference as read by Ms. Dauster above, stating there seemed to be an unwillingness or inability to enforce same.
- Mr. Keeney stated he would ask the City's Paralegal to determine if the language in Section 6-22 matched State regulations.
- Mr. Dixon suggested the Committee consider signage as their next project.
- Mr. Folchi asked Mr. Brodersen if he had made a presentation to the Committee on the inventory project.
- Mr. Brodersen replied he had not but planned to do so.
- Mr. Dixon commented the Manatee Protection Plan was a powerful tool for the City, cautioning against pushing to change same in light of the number of projects currently before the State for approval.
- Mr. Dauster countered he did not believe speeds in the canals or signs had anything to do with the Manatee Protection Plan, which he understood covered an area which ended at entrances into the PGI canal system.

CITIZEN COMMENTS

- Mr. Bill Schindler stated there was no mathematical way to project the life of seawalls; however, future cost curves could be projected through available historical data.

ADJOURNMENT

- Meeting Adjourned: 2:55 p.m.

Bill Dixon, Chairman

Mary Kelly, Recording Secretary