

**PUNTA GORDA ISLES  
CANAL ADVISORY COMMITTEE  
MEETING  
SEPTEMBER 20, 2010**

**MEMBERS PRESENT:** Bill Dixon, Chairman  
Nancy Dauster, Thomas McAlear, David McBride,  
Charles Thomas, James Thompson

**MEMBERS ABSENT:** Bill Folchi

**OTHERS PRESENT:** Randy Brodersen, Canal Maintenance Supervisor  
Rick Keeney, Public Works Director  
Dennis Murphy, Growth Management Director

**CALL TO ORDER/ANNOUNCEMENTS**

- A. Roll Call
- B. Next Scheduled Meeting - Monday, October 18, 2010 - 1:30 p.m.

**APPROVAL OF MINUTES**

- A. Regular Meeting of August 16, 2010
  - Ms. Dauster noted a correction to page 4.
  - Ms. Dauster MOVED, Mr. McAlear SECONDED approval of the August 16, 2010 minutes as amended. MOTION CARRIED UNANIMOUSLY.

**REPORTS**

- A. Permits Authorized by City Staff for Installation of Docks, Lifts, Outpilings, etc.
  - Mr. Randy Brodersen, Canal Maintenance Supervisor, reported 15 permits were issued in August 2010.
- B. Budget Utilization Report
- C. Seawall & Seawall Cap Replacement Status Report
  - Mr. Brodersen drew members' attention to the subject reports, as delineated in the agenda material, offering to answer any questions regarding same.
  - Mr. Thompson recalled a budget item of \$450,000, asking if same was almost fully expended.
  - Mr. Brodersen replied that was very possible, particularly for seawalls, adding reserves had also been added to the seawall replacement account.
  - Mr. Thompson commented he had reviewed earlier Budget Utilization Reports, recalling funds had been re-appropriated; however, he opined same would have changed the budget in some way.
  - Mr. Brodersen confirmed funds had been re-appropriated, explaining the reports provided this date depicted activity only through August 31, 2010. He drew members'

attention to the Budget Utilization Report, pointing out the amended budget amount of \$1,558,197 for seawall replacement. He clarified the figure cited by Mr. Thompson was provided by Marine Contracting Group (MCG) for the Seawall Replacement Status Report. He agreed a figure of \$450,000 seemed low, stating he would address same with MCG.

- Ms. Dauster stated she had noticed many more seawall and seawall cap locations being added to the reports, asking if same was a result of waterward inspections.
- Mr. Brodersen replied affirmatively.
- Ms. Dauster asked where inspections were currently being conducted.
- Mr. Brodersen replied the area west of Bal Harbor Boulevard, south to Aqui Esta Drive, east to the outer perimeter canal and then north of Aqui Esta Drive, adding approximately ten miles remained east of Bal Harbor Boulevard. He continued inspections would then move to the south end, coming back through the perimeter canal, under the West Marion Avenue bridge and eventually into Sections 12 and 14. He reminded members inspections were scheduled to coincide with low tides.

#### **NEW BUSINESS**

##### A. Procedures for Continuing Public Hearings

- Mr. Dixon questioned the procedure for continuing legally advertised public hearings. He explained a neighbor of a special permit applicant had requested a continuance recently.
- Mr. Rick Keeney, Public Works Director, replied City Council made the ultimate decision regarding a continuance.
- Mr. Dixon asked if the Committee could continue a quasi-judicial hearing.
- Mr. Keeney replied the Committee could make that recommendation.
- Mr. Dixon then mentioned City Council voted unanimously to deny a recent special permit application.
- Mr. Thompson asked if CCSP-01-10 was tabled by City Council.
- Mr. Thomas replied it was denied. He commented on City Council's discussion of riparian rights, stating the City Attorney had advised there were no such rights on artificially created waterways. He pointed out the canals were owned by the City.

#### **UNFINISHED BUSINESS**

##### A. Condominium Assessment Methodology

- Mr. Thomas submitted into the record an aerial view of Banyan Point Condominiums (BPC) and a sheet of data relative to the make-up of same, stating the property consisted of 108 condominium units. He announced each unit owner, regardless of whether they owned a boat, was assessed annually in the amount of \$71.90, adding

some residents paid an additional \$170 annually for dock access, maintenance, etc. He mentioned the current assessment of \$71.90 was less than the previous year, at which time the assessment had been \$100. He continued the property had a total of 416,353 square feet of land divided among 4 parcels.

- Mr. Dennis Murphy, Growth Management Director, interjected the annual canal maintenance assessment fee was calculated by measuring the linear footage of seawall from one end of the property to the other and then multiplying same by a depth of 120 feet.
- Mr. Thomas clarified same equated to a standard depth lot. He continued his report, stating BPC's total assessment paid annually was \$7,765.20. He reported 1,200 feet of seawall frontage, adding same equaled \$6.47 per linear foot. He noted a standard, 80'x120' single-family lot measured 9,600 square feet; thus, he determined 15 standard units could be located on BPC, adding a charge of \$500 per unit would equal \$7,500, which was less than their current total assessment. He clarified it appeared BPC was paying their fair share if not slightly more. He announced he then considered the possibility of finger dock construction, acknowledging neither finger docks nor boat lifts were currently allowed by the BPC Association. He cited two finger dock examples, 25 foot and 30 foot widths, stating same would allow for 48 or 40 finger docks, respectively. He advised an assessment of \$500 per finger dock would generate \$24,000 or \$20,000, respectively.
- Mr. Thompson asked if BPC units which did not face the water were also assessed.
- Mr. Thomas replied affirmatively.
- Mr. Murphy clarified many condominium complexes did not.
- Mr. Thomas offered to conduct the same calculations on another condominium complex such as Tarpon Cove.
- Mr. Murphy interjected Tarpon Cove was not part of the Canal Maintenance Assessment District (CMAD).
- Ms. Dauster disagreed, confirming Tarpon Cove did fall within the CMAD.
- Mr. Thomas clarified the Finance Department determined the amount of assessment and notified the Charlotte County Tax Collector's Office of same for inclusion on tax bills. He asked which entity tracked the method of assessment utilized by condominium associations.
- Mr. Murphy replied none, explaining each association or property owner was responsible for determining same. He noted some bills were issued directly to the associations.

- Mr. Dixon countered Mr. Dave Drury, Finance Director, had advised State Statute prohibited same.
  - Mr. McBride suggested perhaps a questionnaire could be issued by the City to all condominium associations, explaining same would provide the desired data.
  - Mr. Dixon responded he felt same should be done through recommendation to City Council. He noted such a questionnaire would be voluntary. He stated the information which the Committee was seeking was available in some format through Charlotte County.
  - Ms. Dauster asked if BPC owners were required to purchase their docks.
  - Mr. Thomas replied he believed so.
  - Ms. Dauster commented she understood the condominiums on Lewis Circle included a unit which was nowhere near the water but had been billed the annual assessment for a number of years, acknowledging this had been corrected.
  - Mr. Dixon noted the association's entire bill would not have changed as a result of same but rather only the amount paid by each unit owner.
  - Mr. McBride recalled Ms. Sharon Knippenberg, Controller, advised condominium developers determined the method of assessment upon construction through their deeds.
  - Mr. Thomas reiterated he would contact Charlotte County in an attempt to access their database.
  - Mr. Murphy recommended Mr. Thomas contact Ms. Dina Southwell, Charlotte County staff member.
  - Mr. Dixon thanked Mr. Thomas for his efforts.
- B. Update on Seawall Geographic Information System (GIS) & County GIS Programs
- Mr. Brodersen reported approximately one quarter of the entire Punta Gorda Isles (PGI) canal system had been surveyed, adding all of Burnt Store Isles had been completed. He stated Charlotte County had been provided with information from the City to download into their system, acknowledging progress was slow due to County staffing shortages. He concluded he hoped to have a report to display at the Committee's next meeting.
  - Mr. Dixon stated he looked forward to same.

**MEMBER COMMENTS**

- Mr. Dixon commented favorably on the new Neighborhood Watch signs, stating they were extremely visible. He reported volunteers logged 92.5 hours on the water, adding one volunteer put in 19 hours in administration.
- Mr. McAlear explained administration included boat maintenance.

- Mr. Dixon questioned the effectiveness of the No Anchoring signs, as discussed at the Committee's previous meeting.
- Ms. Dauster replied the signs had not yet been installed.
- Mr. Keeney stated he would follow up on same.

**ADJOURNMENT**

- Meeting Adjourned: 2:24 p.m.

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Bill Dixon, Chairman

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Mary Kelly, Recording Secretary