

**BURNT STORE ISLES
CANAL ADVISORY COMMITTEE
MEETING
NOVEMBER 10, 2009**

MEMBERS PRESENT: Gary Brewster, Chairman
Joseph Gil, Frank Wiechec, Norman Ashworth

MEMBERS ABSENT: Leslie Totten

OTHERS PRESENT: Randy Brodersen, Canal Maintenance Supervisor
Rick Keeney, Public Works Director
Sergeant Joe King, Punta Gorda Police Department
Vice Mayor, Bill Albers, Bill Dixon Chairman PGICAC
John Wright, Chamber of Commerce

CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting – Tuesday, December 15, 2009 - 1:30 p.m.

APPROVAL OF MINUTES

- A. Regular Meeting – October 13, 2009
 - Mr. Ashworth noted he was not absent from the previous meeting.
 - Recording Secretary Turner advised that correction had been made prior to the minutes being distributed to the Board.
 - Mr. Wiechec MOVED, Mr. Gil SECONDED approval of the October 13, 2009 minutes as amended. 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 distributed updated printouts of the Budget Utilization Reports, pointing out since September 30th was the end of the fiscal year, the final numbers for October were not completed in time to be included in the agenda packet. He displayed the report, offering to answer questions. He then announced two permits had been issued in October 2009.
- B. Budget Utilization Report
 - Mr. Brodersen reported numerous cap repairs were being scheduled.

NEW BUSINESS

- A. Branding presentation – John Wright, Punta Gorda Chamber of Commerce
 - Mr. John Wright distributed copies of the proposed brand logo, as delineated in the agenda materials, explaining the Punta Gorda Chamber of Commerce (PGCC) had been given the task of developing a brand for the City; however, there was no funding

available for same. He stated a grass roots organization had developed the slogan “It’s happening on the Harbor”, noting same was currently being used by Team Punta Gorda (TPG), Fishermen’s Village (FV), Main Street Punta Gorda (MSPG) and the Downtown Merchant’s Association (DMA). He stated City Council had reacted positively and had requested he present the information to the City’s Boards to obtain their input, adding he hoped the City would eventually utilize the slogan. He announced the Punta Gorda Airport had indicated an interest in using the slogan, offering to answer questions. He explained Council had requested he present this information to the various City Boards to ascertain support for this activity, with a view to utilizing same on the City’s website, stationery, etc. He then concluded the City’s location and events were all related to the Harbor.

- Mr. Brewster questioned if the Brand was violating any trademarks or copy rights.
- Mr. Wright replied the PGCC owned the brand and the tagline, noting the brand was currently in the process of being trademarked. He stated guidelines for its use would be issued by the PGCC. He requested members advise their Councilmembers of their support.

B. Canal Markers – Sergeant Joe King

- Sergeant Joe King informed the Board of some of his various job duties, stating approximately 5 months ago he was approached by Mr. Bill Guenther of the Punta Gorda Isles Fishing Club regarding a possible marine neighborhood watch group. He stated in the last 5 months, with the help of Mr. Guenther, 40 members had been recruited, adding neighborhood watch marine group personnel were patrolling Punta Gorda Isles’ canal systems 15 to 20 nights per month. He suggested signage informing boaters of the marine neighborhood watch program at the entrances of all the City’s canal systems would be beneficial. He then questioned Mr. Rick Keeney as to whether the City owned the dock located at the Burnt Store Isles Boat Lock.
- Mr. Keeney replied affirmatively, noting same was located at the end of Candia. He then displayed an overhead, pointing out lot 21 and the properties on both sides of the Boat Lock were owned by the City.
- Sergeant King explained Burnt Store Isles (BSI) was not active in the marine watch group but were very active in the neighborhood watch group, opining BSI would likely join the marine watch group. He passed around pictures depicting suggested signs, requesting to work with staff to identify locations for two signs in the Burnt Store Isles Canal System. He concluded there were benefits to having a marine neighborhood watch program in Burnt Store Isles and signage for same.
- Mr. Gil questioned the legality of the signs and whether there would be an enforcement

issue.

- Mr. Keeney replied in the negative, noting the signs were informational only. He stated the City Attorney had confirmed same.
- Mr. Gil questioned whether signs needed to be posted on City property, asking if a private property owner could allow signage on their dock.
- Sergeant King replied Mr. Guenther had already made contact with several property owners in PGI that lived close to the canal entrances who were willing to have signage on their private docks. He added only 2 signs were needed in the BSI canal system.
- Consensus was to approve use of the signs.

CURRENT BUSINESS

A Fishing Distance from Boat Lock – Update

- Mr. Keeney drew the Board’s attention to the overhead of the Boat Lock properties displayed previously, stating staff could request the City Attorney prepare an ordinance to prohibit fishing only in the Burnt Store Isles Boat Lock area denoted as P-2. He added, although posting signs in the area or canal system was prohibited, it would be possible to paint a sign on the side of the Boat Lock wood or the fendering system. He explained the City Attorney found case law prohibiting posted signs but none regarding painting on a fendering system or boat lock structure. He stated signage was not required to defend a no fishing ordinance, adding any signage would be courtesy notification for the public.
- Mr. Brewster suggested moving forward with drafting a proposed ordinance for City Council’s approval.
- Consensus was to move forward with the proposed ordinance.

B. Discussion on canal maintenance assessment fee Methodology – Mr. Brewster

- Mr. Brewster displayed several documents and maps, as delineated in the agenda material, explaining the pros and cons of canal assessment fees based on length of seawall as opposed to same fee per lot assessments. He stated as the seawalls aged and started to fail more regularly, it would become a much larger problem, adding in his opinion, one of the main arguments for changing the methodology to charging per linear foot was that it would be more equitable when they began the process of replacing the seawalls. He noted there was 95,115 linear feet of seawall, adding the breakdown of cap and seawall replacement cost \$120 per lot plus \$3.15 per foot of seawall. He then expressed one of the major drawbacks to the linear footage methodology, based on a study done by former Mayor Stephen Fabian for the Punta Gorda Isles Canal Advisory Committee, was that using the measurements from the

Charlotte County Geographical Information System (GIS) was prohibited by Charlotte County for legal reasons; therefore, determining exact footage per property might require surveying many individual lots, which could become very costly.

- Mr. Gil remarked that in many cases only the damaged portion of a seawall would be replaced as opposed to the entire seawall, adding he did not understand the relationship between the canal system's needs and the length of someone's seawall.
- Mr. Brewster reiterated the argument for changing the methodology was the fact that in the next given number of years, all the seawalls would need to be replaced, stating the seawalls had a finite life, whatever that might be, and would eventually all fall down.
- Mr. Wiechec opined every seawall enhanced everyone's property within the development no matter the length adding same made Punta Gorda a desirable place to live in.
- Mr. Ashworth opined the changes in most cases would be minuscule, adding it would take 10 years to make up those costs based upon the fluctuations being so minimal.
- Mr. Gil agreed, questioning who would fund same.
- Mr. Brewster replied the City would have to; however, they would likely pass the cost on to the residents.
- Mr. Gil responded if that was the case, they should treat it as a special assessment and let the community vote on it.
- Mr. Brewster stated his intent was to provide estimates representing one view without knowing the outcome, adding the question that needed to be addressed was if the effort would be worth the expense.
- Mr. Gil pointed out this was predicated on the assumption this was equitable, stating he did not think it was.
- Mr. Wiechec stated he did not think a formula was needed, opining what was in place now was working fine for 90% of the homeowners in BSI. He advised and although he wanted to protect the minority rights, the minority should not dictate spending an exorbitant amount to prove it was working.
- Mr. Brewster stressed the use of the word equitable was related to the fact that as seawall replacement accelerated, the person with the 40 foot lot was going to be asking why he should be paying the same amount to get his \$12,000 seawall replaced as the person getting a \$66,000 seawall replacement.
- Mr. Ashworth questioned why 97% of the property owners should incur the additional expense of determining the method in order to benefit the very small percent of small lot owners.

- Mr. Brewster explained the Mondovi Bay condominium was assessed differently, noting those families paid \$400 per year; therefore, the methodology was working in that case.
- Mr. Gil stated tax records were public record and could be viewed on line, stressing Mondovi Bay was an exception in their community.
- Mr. Wiechec asked at what point a recommendation for City Council was necessary.
- Mr. Brewster replied early next year, adding the budget process would start in the second fiscal quarter.
- Mr. Bill Albers, City Councilmember, agreed residents understood what costs they would face when they purchased their property, opining most people were accepting of the situation. He stated the condominium assessments were an issue in Punta Gorda Isles, assuring the Board the condominium assessments would be reevaluated as a result of this discussion.
- Mr. Gil suggested as Punta Gorda Isles had the predominant number of condominiums, whatever was decided relative to Punta Gorda Isles should be applied to Burnt Store Isles.
- Mr. Albers agreed, adding it was necessary for the canal Boards to agree on one methodology. He suggested more awareness and public attendance at the meetings would be beneficial in determining the recommendation for City Council, noting he included the meetings in his weekly report. He stated if the Board was going to make any negative recommendations, they should list the reasons and costs regarding same.
- Mr. Wiechec offered the alternative would be to put the maintenance responsibilities back on the homeowners.
- Mr. Brewster asked Mr. Bill Dixon, PGI CAC Chairman, whether the Board made any determination as to what their approach was going to be, particularly relative to condominiums.
- Mr. Dixon replied in the negative, adding members had agreed they did not want to get involved with condominium policy. He stated he thought the County had changed their GIS policy since they had furnished Mr. Dennis Murphy, Director of Growth Management, with an excel spread sheet along with the authority to change the document, adding the problem was the 600 or 700 man hours it would take to decide what to put in that spread sheet.
- Mr. Albers replied as to the question of who would fund the man hours, it would clearly be the canal districts.

- Mr. Brewster requested the Board further research this issue to include attending the PGI CAC meeting, in hopes of having a recommendation by the end of January 2010 at the latest.

MEMBER COMMENTS

- Mr. Brewster recalled Burnt Store Isles minimum wake signs had been painted by volunteers on the seawalls with materials furnished by the City, asking if that was still the case.
- Mr. Keeney replied affirmatively, adding some of the new seawalls had signage casted in the panels but not all.
- Mr. Gil questioned the status of the water quality testing program.
- Mr. Keeney replied the testing was on going.

ADJOURNMENT

- Meeting Adjourned: 2:38

Gary Brewster, Chairman

Perri Turner, Recording Secretary