

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

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

OTHERS PRESENT: Randy Brodersen, Canal Maintenance Supervisor
Rick Keeney, Public Works Director
Teri Tubbs, Zoning Director
Jim Thomson, Kathy Kelle

CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting
- 1. Monday, December 20, 2010 - 1:30 p.m.

APPROVAL OF MINUTES

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

REPORTS

- A. Permits Authorized by City Staff for Installation of Docks, Lifts, Outpilings, etc.
- Mr. Randy Brodersen, Canal Maintenance Supervisor, reported 18 permits were issued in October 2010.
- Mr. Dixon commented activity was increasing.
- B. Budget Utilization Report
- C. Seawall and 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.
- Mr. Dixon requested clarification between the two reports, specifically with regard to seawall replacement, noting one section indicated 4,178 linear feet of estimated, scheduled work existed; however, the Seawall Statement of Work (SOW), Marine Contracting Group's (MCG's) report to the City, indicated a backlog of 7,688 linear feet. He asked if more than one year's backlog of identified seawalls had been identified.
- Mr. Brodersen replied affirmatively.

- Mr. Dixon recalled a backlog of approximately 5,000 feet existed in 2007, stating it appeared a larger backlog existed.
- Mr. Brodersen offered to elaborate under the Geographic Information System (GIS) discussion later in the meeting.
- Ms. Dauster expressed surprise seawall stabilization was 40% complete.
- Mr. Brodersen explained a large project on Colony Point Drive was being finished at this time, adding the rip-rap must be removed to allow for work on the seawall and then subsequently replaced. He clarified the City had not been billed for this work prior to the start of the new fiscal year on October 1, 2010.
- Ms. Dauster then mentioned she observed crews working on more than one project on a street, commenting favorably on same due to the cost savings.
- Mr. Dixon clarified all areas were rip-rapped which should be.
- Mr. Brodersen noted there may be a few small areas requiring rip-rap.
- Mr. McBride noted the Budget Utilization Report referred to "2009" in the bottom half, confirming same should be "2010." He recalled the preliminary budget presented in June or July 2010 indicated approximately \$1,483,000 for seawall replacement while the current report denoted \$1,554,024, asking if same included funds which had been reallocated and rolled over to the current year.
- Mr. Brodersen replied affirmatively, confirming that was also the case for seawall cap replacement.

NEW BUSINESS

- A. Water Quality Testing Presentation - Jim Thomson, Charlotte Harbor Environmental Center (CHEC)
- Mr. Keeney reminded members Mr. Al Cheatham, CHEC, had previously addressed the Committee on CHEC's water testing program, adding Mr. Jim Thomson had requested the opportunity to update the Committee.
 - Mr. Thomson announced CHEC began their testing program with the assistance of volunteers from Punta Gorda Isles (PGI) and Burnt Store Isles (BSI) to monitor water quality at six locations, four of which were in PGI. He spoke in favor of continuing the program, stating more volunteers were needed as some were seasonal residents. He explained the City used this water testing information to remain in compliance with the National Pollution Discharge Elimination System (NPDES). He mentioned all information was accessible to the public. He requested the Committee's support for the continuation of this program.
 - Ms. Dauster commented favorably on the program, noting she and her husband, Mr. John Dauster, volunteered on Tuesday mornings at sunrise. She advised samples were

not being picked up on a timely basis as had been the case when testing began, adding there did not seem to be adequate CHEC staff support.

- Mr. Thomson agreed more volunteers were necessary to fill in for CHEC staff as well. He mentioned the Charlotte Harbor National Estuary Program (CHNEP) was creating a water atlas, which was a user friendly database for water monitoring results.
- Ms. Kathy Kelle stated she had volunteered in a Department of Environmental Protection (DEP) Charlotte Harbor program, asking if there would be any benefit for CHEC to “piggy-back” with same. She further asked if there was a significant difference between the two programs.
- Mr. Thomson replied he hoped to fold the two programs in together.
- Mr. McAlear asked if results were available, i.e., had any trends been observed.
- Mr. Thomson replied the majority of canal locations were healthy with regard to dissolved oxygen (DO), adding salinity was high which indicated a positive influx of sea water.
- Mr. Thompson asked if any evidence of soil fertilization negatively impacting water quality had been observed.
- Mr. Thomson replied he had not yet reviewed that data, acknowledging nutrient run-off was a concern.
- Mr. Thompson asked if significant differences had been seen between Punta Gorda’s water and that of other areas in Charlotte County, particularly areas where septic systems were in place.
- Mr. Thomson replied he had not yet conducted that analysis; however, he opined such information would be available once the water atlas was created.
- Mr. McAlear asked if grass clippings had an effect on water quality.
- Mr. Thomson agreed that was a concern, stating same would fall under a study of nutrients’ effect on water quality. He stated if nutrient loads were reaching levels which affected total maximum daily loads for the basin area, some action would most likely have to be taken to curb same.
- Mr. Thomas requested a general update on CHEC, acknowledging he was a relatively new member of this Committee.
- Mr. Thomson stated CHEC was established in 1987 through the efforts of community leaders from Charlotte County, the City, the School Board and the Peace River Audubon Society. He explained their hope was for an educational environmental center. He advised funding was provided through grants, the City and Charlotte County, adding the School Board had a fourth-grade, educational program run by CHEC. He announced CHEC’s primary center was located on Burnt Store Road and was open

seven days per week, adding CHEC also operated the Cedar Point Environmental Center (CPEC) across from Lemon Bay High School. He mentioned Mr. Cheatham retired in January 2010 after 23 years of service.

- Ms. Dauster MOVED, Mr. Thompson SECONDED to recommend the program be continued and revitalized and to continue to solicit volunteers.
 - Mr. Thomson stated he would continue to update the Committee, including a presentation of results.
 - Mr. McAlear encouraged Mr. Thomson to gear his presentation to what this Committee could do to help the program and how PGI's canals were affected.
 - Mr. Thompson then recalled the issue of lawn fertilizers' effect on water quality was raised several months earlier, asking if a study was ever conducted.
 - Mr. Brodersen replied former Assistant City Manager, Ms. Kathy Dailey, undertook that study in an effort to educate residents and encourage retailers to sell phosphate free fertilizers. He commented favorably on CHEC's program which included testing for total maximum daily load (TMDL) as same was one of the requirements of the NPDES permit, explaining TMDLs represented the load of pollutants able to be withstood by the water.
 - MOTION CARRIED UNANIMOUSLY.
- B. Methodology for Properties' Inclusion in Canal Maintenance Assessment District (CMAD) - Rick Keeney
- Mr. Keeney announced there were a few properties in PGI which were not part of the CMAD. He explained the owners/residents of such properties sometimes wished to join the CMAD voluntarily; however, there was currently no written procedure to do so. He cited past examples where such properties were required to bring their seawalls up to City standards, up to and including replacement if necessary. He stated he and Mr. Brodersen met with Finance Department staff in an effort to develop a written procedure or policy, concluding the Finance Department recommended a calculation be done of what such a property would have paid in annual assessment fees from the time the CMAD was established. He continued these funds could be used for situations such as a seawall cap replacement, for example. He concluded the City had recently been advised of one property whose owners wished to become a part of the CMAD.
 - Mr. Dixon asked if Mr. Keeney was referring to canal front as opposed to river front.
 - Mr. Keeney replied the above mentioned property faced Charlotte Harbor.
 - Mr. Dixon mentioned Clipper Cove Condominiums had not originally been part of the CMAD, adding an existing parcel in PGI owned by Mr. Robert "Bucky" McQueen had

never been part of the CMAD. He expressed concern with regard to allowing the inclusion of river front properties due to much more severe wear and tear.

- Mr. Thomas questioned the benefit of adding properties to the CMAD, pointing out there would be additional liability.
- Ms. Dauster responded one benefit was additional revenue from the annual assessment fee. She mentioned a number of properties in the old sailboat section of PGI faced Charlotte Harbor.
- Mr. McAlear asked if maintenance or replacement of seawall panels on river front properties was more costly.
- Mr. Keeney replied each location was different, acknowledging properties directly on Charlotte Harbor may require additional rip-rap. He explained staff was proposing to either require seawalls to be brought up to City standards or to pay the assessments which would have been paid from the time the CMAD was established, whichever was greater.
- Mr. Folchi clarified some property owners had opted against being a part of the CMAD at the time of development.
- Mr. McAlear commented seawalls facing Charlotte Harbor should be stronger than those which only fronted a canal.
- Mr. Keeney replied crews would take all such factors into consideration.
- Ms. Kelle stated she believed the seawalls along the river, including those at Champagne Estates (CE) where she resided, were deeper than those in the canals. She expressed uncertainty with regard to whether the CE Association ever opted against being a part of the CMAD other than at the time LaVista and Southwind Condominium Associations chose to become a part of same. She explained Southwind Condominiums were only required to install rip-rap, adding LaVista Condominiums were required to install a seawall cap and rip-rap. She mentioned CE was informed at that time a seawall cap and rip-rap would have been required. She commented on the statement regarding seawalls along the river having the potential for more damage, disagreeing with same in CE's location as it faced a cove and was thus somewhat protected. She opined the cost of paying the annual assessment dating back to establishment of the CMAD would be astronomical, reiterating both LaVista and Southwind Condominiums were only required to bring their seawalls up to City standards.
- Mr. Thomas questioned the linear footage of CE's seawalls.
- Ms. Kelle replied 250 feet.

- Mr. Thomas pointed out multiplying 250 linear feet by 80 would provide the square footage, and multiplying that by \$.05 per foot would equal the approximate assessment fee to date. He continued that figure would then be multiplied by the number of years since the CMAD was established.
- Mr. Dixon interjected the annual assessment fee had been much less in years past.
- Mr. Keeney clarified staff would present exact figures if this was a formal request from CE. He stated he had no idea why CE or any similar properties were not included in the CMAD in the 1970. He acknowledged some properties had been allowed into the CMAD after bringing their seawalls up to City standards; however, he pointed out seawalls were much older. He confirmed any formal requests would be presented to the Committee and include any and all available information.
- Mr. Dixon asked Ms. Kelle how she had determined CE's seawalls were stronger and installed deeper.
- Ms. Kelle replied an analysis was done by a contractor, adding another contractor working on a nearby property had advised her of same.
- Mr. McAlear opined requiring property owners to pay the assessments dating back to establishment of the CMAD as opposed to having to pay to replace their seawalls, for example, represented a fair and more favorable option for the property owner.
- Ms. Kelle countered a precedent had been set as she had described above with regard to LaVista and Southwind Condominiums. She reiterated neither property was required to pay anything in retroactive assessments.
- Mr. McAlear agreed in that both properties ensured their seawalls up to City standards.
- Mr. Folchi opined applicants must ensure the condition of such seawalls.
- Mr. Dixon added the cost of any testing of seawalls would be at the applicant's expense.
- Mr. Thomas calculated seawall replacement costs at Champagne Estates to be roughly \$40,000.
- Mr. Dixon reminded members staff had asked for a recommendation for methodology only.
- Mr. McBride noted he would need to see a written policy before making a recommendation.
- Mr. Keeney responded he would provide a written policy for the Committee's consideration.
- Consensus was to require applicants to pay retroactive assessments dating back to establishment of the CMAD or be required to raise their existing seawalls to City standards, whichever cost was greater.

- Mr. Folchi clarified the cost of the seawall evaluation would fall to the property owner.
- Mr. McBride requested a list of properties which were not part of the CMAD.
- Mr. Dixon then announced the City's Zoning Official wished to address the Committee.
- Ms. Teri Tubbs, Zoning Official, announced some older homes had an elevert pad or davit which were no longer being used and may have fallen into disrepair. She explained such properties were typically outfitted with a standard boat dock and lift at some point; however, the eleverts or davits remained in place, asking if members felt the City should require removal of same when construction of the new boat dock/lift would prohibit use of the old equipment.
- Consensus of the Committee was to recommend no change to City Code at this time.
- Mr. Keeney noted davits and/or eleverts were currently allowed, adding the Committee would be asked to review same at their next meeting.

UNFINISHED BUSINESS

A. Condominium Assessment Methodology

- Mr. Dixon provided a detailed review of the Committee's discussions held over the past several months.
- Mr. Thomas mentioned he had reviewed detailed information provided by Mr. Steve Fabian relative to annual assessments for condominiums, reporting the following costs per unit: average, \$109.20; minimum, \$20; maximum, \$384. He questioned how such amounts could be standardized.
- Mr. Dixon reminded members the issue of changing the assessment methodology for condominiums had been discussed every few years for quite some time; however, no change had ever been recommended.
- Mr. McAlear clarified the Committee had expressed the desire for assessments to be more equitable.
- Mr. Thompson pointed out Colony Point Condominiums had more seawall per person than any other complex.
- Mr. Thomas added they also had some beachfront. He asserted changing the methodology to one based on linear foot would be the most equitable.
- Mr. Dixon asked Mr. Thomas to research assessment of other condominiums as he had done for the past two Committee meetings, confirming he would present same at their next meeting.

B. Update on Seawall GIS & County GIS

- Mr. Brodersen announced he was still awaiting a response from Charlotte County. At Ms. Dauster's request, he then provided a detailed review of the GIS program,

particularly with regard to how same would benefit the PGI canal system. He expressed hope GIS information would be available in the very near future.

COMMITTEE/BOARD COMMENTS

- Ms. Dauster advised staff of an area in Ponce de Leon Inlet before Marker 7 where shoaling had been observed. She then commented favorably on the effectiveness of the recently installed “No Anchoring” signs.
- Mr. Folchi announced City Council would review V-06-10 on November 17, 2010, reminding members they had reviewed same at their previous meeting.

ADJOURNMENT

- Meeting Adjourned: 3:00 p.m.

Bill Dixon, Chairman

Mary Kelly, Recording Secretary