



# City Council Agenda

## CITY OF PUNTA GORDA, FLORIDA

326 West Marion Avenue, Punta Gorda, FL 33950

### October 21, 2009

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#### CITY COUNCIL

Lawrence J. 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

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*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**

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#### **I.      PROCLAMATIONS/PRESENTATIONS**

A.      Proclamations

B.      Presentations

1.      Introduction of Board / Committee Nominees
2.      Be Counted in 2010 –Angelia Filer, Partnership Specialist U.S. Census Bureau
3.      Punta Gorda Chamber of Commerce Business Development Accomplishments in 2009 and Plans/Programs for 2010

#### **II-A.   PUBLIC HEARINGS**

1.      **SRC-01-09** – A request by Richard Cavalieri, as agent for Punta Gorda Housing Authority, for approval of the final plat for Gulf Breeze Apartments. Short Legal: 06 41 23 P-1 – That part of the SE ¼ of the SE ¼ lying south of ACL RR right-of-way west of Cooper Street less four 1 acre tracts fronting on Rail Road on Cooper Street Side, containing 12.13 acres, more or less.

**Continued from October 7, 2009**

2. **ZA-12-09** 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 13, Events; amending Subsections 13.1, 13.2, 13.3, and 13.5 regarding the regulation and permitting of business, grand opening, and temporary promotional events in all commercial zoning districts; providing for conflict and severability; and providing an effective date.

**First Reading**

## **II-B. QUASI-JUDICIAL PUBLIC HEARINGS**

1. **V-03-09** – Request for a variance to the Land Development Regulations per Section 26-16.10. of the City Code of Ordinances to allow an existing swimming pool to have an existing rear yard setback of 9 feet to the property line at the closest point instead of 20 feet as required by City Code Section 26-3.13.(d); and to allow the existing swimming pool to have an existing side yard setback of 6.4 feet at the closest point, instead of 7.5 feet as required by City Code Section 26-3.4.(g)(3); and a variance to allow an existing 7.4 foot side yard setback on the east front corner of the existing single family residence instead of 7.5 feet as required by City Code Section 26-3.4.(g)(3). LEGAL: Block 12, Lot 18, Punta Gorda Isles Section 4 of the Public Records of Charlotte County, Florida. A/K/A 32 Sabal Drive, Punta Gorda Florida

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

1. An Ordinance of the City of Punta Gorda, Florida, amending Chapter 9A of the City Code of Ordinances, Article IV, “Nuisances Specified”, Section 12, “Generally”, by amending Subsections (l) and (m) to correct references to the City Code; providing for conflict and severability; and providing an effective date.
2. An Ordinance of the City of Punta Gorda, Florida, amending the City Code of Ordinances, Chapter 23, “Traffic”, Article II, “Parking Areas”, amending Section 23-17, by adding Subsection (g), limiting on-street vehicle parking on the south side of East Virginia Avenue between Wood Street and Martin Luther King Boulevard; providing for posting of signs advising of parking time limits; providing means for the enforcement of the parking time limit; providing for conflicts and severability; and providing an effective date.

**Second Reading**

**Second Reading**



## **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 October 7, 2009



**B. LEGAL DEPARTMENT**

-  1. Statement of Allen, Norton & Blue, P.A. for services rendered in September 2009
-  2. Statements of the Farr Law Firm for services rendered in September 2009

**C. FINANCE DEPARTMENT**

-  1. Contract award to DeAngelis Diamond Construction of Port Charlotte, FL for Build-Out of the Public Works / Utilities Campus
-  2. Contract award to Wright Construction Group, Inc. of Punta Gorda, FL for US41/Pompano/Shreve Geometric Improvement






**D. UTILITIES DEPARTMENT**

-  1. A Resolution of the City Council of the City of Punta Gorda, Florida, accepting Utility Easement given by Dynamo, LLC, Bill of Sale, Release of Liens/Affidavit of No Liens from Developer Brian Allardt, and Warranty from Honc Industries, Inc., for water and wastewater facilities constructed at Tuffy Auto Center located at 2500 Tamiami Trail
-  2. A Resolution of the City of Punta Gorda, Florida, approving a Right-of-way Consent Agreement and Memorandum of Right-of-way Consent Agreement with Florida Power & Light; authorizing the Mayor to sign the documents on behalf of the City


**REGULAR AGENDA**

**IV. UNFINISHED BUSINESS**









**V. NEW BUSINESS**

-  A. Process to Determine Future Use of Bayfront Center
-  B. Urban Parks Rental Policy adding the Top Parking Deck of Herald Court Centre to available spaces to rent for small events
-  C. Economic Development Incentive using Water/Sewer Funds
-  D. Discuss possible submission of County Incentive Grant Program Priority Projects for FY 2010-2012 for the City
-  E. City Clerk and City Manager Annual Performance Evaluations

**VI. RECOMMENDATIONS FROM CITY OFFICERS**

- A. City Manager
- B. City Attorney
-  C. City Clerk
  - 1. Community Redevelopment Agency Appointment

**VII. BOARDS AND COMMITTEES**

- A. Announcement of Vacancies
  -  1. Building Board – Alternate (2)
  -  2. Revitalization Committee
- B.  Nominations
  -  1. Code Enforcement Board
  -  2. Punta Gorda Isles Canal Advisory Committee
- C.  Appointments
  -  1. Board of Zoning Appeals
  -  2. Code Enforcement Board - Alternate

**VIII. POLICY AND LEGISLATION**

- A. Mayor
  - 1. Clarification of Water Sports Activity Center
- B. Councilmember Comments

**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.*