



# City Council Agenda

## CITY OF PUNTA GORDA, FLORIDA

326 West Marion Avenue, Punta Gorda, FL 33950

### November 18, 2009

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#### CITY COUNCIL

Harvey Goldberg, Mayor  
William F. Albers, Vice-Mayor  
Don McCormick, Councilmember  
Charles Wallace, Councilmember  
Lawrence J. Friedman, 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
- 1.** Shop Charlotte Month
  - 2.** Christmas Parade Day
  - 3.** National GIS Day
  - 4.** Salvation Army Rings the Bell for Charity
- B.** Presentations
- 1.** Introduction of Board / Committee Nominees
  - 2.** H1N1 “Swine Flu” Update - Steven Mitnick, Charlotte County Health Department Administrator
  - 3.** Burnt Store Corridor Widening Project Update – Brian Barnes, P.E. Charlotte County Project Engineer/Capital Roads Improvements Manager

## **II-A. PUBLIC HEARINGS**

-  1. **ZA-15-09** – An Ordinance of the City of Punta Gorda, Florida amending Chapter 10, “Solid Waste, Yard Waste, Public Nuisances”, Article I, Subsection 10-2. and Subsection 10-2.1., reducing the amount of time provided for correcting a violation of this section; amending Subsection 10-2.2. Chronic Negligence, Penalty, adding a new Subsection 10.2.5 providing for appeals; and amending Section 10-2.4, “City’s Mandatory Lot Mowing Program”; amending Sub-subsection 10-2.4.(k), providing a provision to allow the City Manager the discretion to deny a request for exemption from the City’s Mandatory Lot Mowing Program to any person who has previously had said exemption revoked for failure to routinely mow and maintain their property; providing for severability; and providing an effective date.


**First Reading**

-  2. **ZA-16-09** – 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 17, Non-conformities, amending Subsection 17.5., Signs, removing Sub-subsection (d), Multi-use Complex Signs and renumbering subsequent sub-subsections accordingly; providing for conflict and severability; and providing an effective date.


**First Reading**

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

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

-  1. An Ordinance of the City of Punta Gorda, Florida, repealing Ordinance 543-79 and abolishing the City of Punta Gorda, Florida Health Facilities Authority; providing for conflict and severability; and providing an effective date



**Second Reading**

-  2. A Resolution of the City Council of the City of Punta Gorda, Florida approving a Modification of Lease to the Lease Agreement between the City of Punta Gorda and Old Punta Gorda, Inc. d/b/a Punta Gorda Historical Society and authorizing the Mayor to execute the Modification of Lease on behalf of the City




## **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 November 4, 2009
-  2. Council appointment to various boards and committees

**B. LEGAL DEPARTMENT**

-  1. Monthly Litigation Report
-  2. Statement from Martella Law Firm, P.L. for services rendered to the Code Enforcement Board in October 2009
-  3. Statement of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for services rendered by David M. Levin, Esq., from October 1, 2009 through November 10, 2009




**C. FINANCE DEPARTMENT**

-  1. Contract award to Johnson Engineering, Inc. – Design and Engineering Services for Multi-Use recreational Trail (MURT) – Phase 2
-  2. Contract award to Johnson Engineering, Inc. – Design and Engineering Services for Multi-Use Recreational Trail (MURT) – Phase 3
-  3. Award of Disaster Recovery Agreement to Multiple Contractors
-  4. City Council authorization for the Director of Finance to amend departmental budgets to reflect Fiscal Year 2009 budgeted funds and grant applications to be carried over to Fiscal Year 2010

**REGULAR AGENDA**

**IV. UNFINISHED BUSINESS**







**V. NEW BUSINESS**

-  A. Climate Adaptation Plan Presentation
-  B. Discussion regarding utilization of public property for a Community Garden
-  C. Discussion regarding signage in the Marina Park zoning district

**VI. RECOMMENDATIONS FROM CITY OFFICERS**

- A. City Manager
- B. City Attorney
- D. City Clerk

**VII. BOARDS AND COMMITTEES**

- A. Announcement of Vacancies
  -  1. Building Board Alternate (2)
  -  2. Revitalization Committee
  -  3. Code Enforcement Board Alternate
  -  4. Planning Commission (2)
- B. Nominations
  -  1. Board of Zoning Appeals Alternate
  -  2. Historic Preservation Advisory Board
- C. Appointments

**VIII. POLICY AND LEGISLATION**

- A. Mayor
- 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.*