



City Council Agenda

CITY OF PUNTA GORDA, FLORIDA

326 West Marion Avenue, Punta Gorda, FL 33950

November 18, 2009

ANNOTATED AGENDA

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

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**

I. PROCLAMATIONS/PRESENTATIONS

A. Proclamations

- | | | |
|-----------|---|-------------------|
| 1. | Shop Charlotte Month | PROCLAIMED |
| 2. | Christmas Parade Day | PROCLAIMED |
| 3. | National GIS Day | PROCLAIMED |
| 4. | Salvation Army Rings the Bell for Charity | PROCLAIMED |

B. Presentations

- | | | |
|-----------|--|------------------|
| 1. | Introduction of Board / Committee Nominees | |
| 2. | H1N1 "Swine Flu" Update - Steven Mitnick, Charlotte County Health Department Administrator | PRESENTED |
| 3. | Burnt Store Corridor Widening Project Update – Brian Barnes, P.E. Charlotte County Project Engineer/Capital Roads Improvements Manager | PRESENTED |

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

APPROVED

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

APPROVED

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

APPROVED

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

APPROVED

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 **APPROVED**

2. Council appointment to various boards and committees

APPROVED

B. LEGAL DEPARTMENT

1. Monthly Litigation Report

APPROVED

2. Statement from Martella Law Firm, P.L. for services rendered to the Code Enforcement Board in October 2009

APPROVED

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

APPROVED

C. FINANCE DEPARTMENT

1. Contract award to Johnson Engineering, Inc. – Design and Engineering Services for Multi-Use recreational Trail (MURT) – Phase 2

APPROVED

2. Contract award to Johnson Engineering, Inc. – Design and Engineering Services for Multi-Use Recreational Trail (MURT) – Phase 3

APPROVED

3. Award of Disaster Recovery Agreement to Multiple Contractors

APPROVED

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

APPROVED

REGULAR AGENDA

IV. UNFINISHED BUSINESS

V. NEW BUSINESS

- A. Climate Adaptation Plan Presentation

PRESENTED & ACCEPTED

- B. Discussion regarding utilization of public property for a Community Garden

**DIRECTION TO PROCEED WITH
SITE SELECTION & BUSINESS PLAN**

- C. Discussion regarding signage in the Marina Park zoning district

DIRECTION PROVIDED TO STAFF

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)

ALL VACANCIES ANNOUNCED

B. Nominations

1. Board of Zoning Appeals Alternate **ALL PARTIES NOMINATED**
2. Historic Preservation Advisory Board

**MR. CHALIFOUX, MS. BETTMANN
NOMINATED & REAPPOINTED**

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.