



# City Council Agenda

## CITY OF PUNTA GORDA, FLORIDA

326 West Marion Avenue, Punta Gorda, FL 33950

### January 20, 2010

\*\*\*ANNOTATED AGENDA\*\*\*

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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.      Charlotte Harbor Regatta Week**

**PROCLAIMED**

##### **B.      Presentations**

- 1.      Introduction of Board/Committee Nominees**

#### **II-A.   PUBLIC HEARINGS**

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

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

- 1.      An Emergency Ordinance of the City Council of the City of Punta Gorda, Florida amending the Punta Gorda City Code of Ordinances, Chapter 11 "Punta Gorda Development Impact Fees", Section 11-9, "Calculation of Impact Fee and Impact Fee Schedules", Subsection (d), by delaying the fee increase implementation date of February 1, 2010 to February 1, 2011; providing for conflict and severability; and providing an effective date.**

**APPROVED**

2. A Resolution of the City Council of the City of Punta Gorda, Florida, approving the Local Agency Program Supplemental Agreement and authorizing the City Manager to sign the Supplemental Agreement **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 January 6, 2010 **APPROVED**

#### **B. FINANCE DEPARTMENT**

1. Contract award to Ajax Paving Industries of Florida, LLC of Nokomis, FL for construction of Linear Park – Phase 1 **APPROVED**

#### **C. GROWTH MANAGEMENT DEPARTMENT**

1. Reduce the number of concession sites in Gilchrist Park from two to one. **APPROVED**

#### **D. LEGAL DEPARTMENT**

1. Statement of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for services rendered by David M. Levin, Esq., from December 11, 2009 to January 11, 2010 **APPROVED**

### **REGULAR AGENDA**

#### **IV. UNFINISHED BUSINESS**

- A. Lease and Management Agreement between the City of Punta Gorda and the Charlotte County YMCA **APPROVAL OF \$800/MO. RENT FOR 6 MONTH PERIOD**

#### **V. NEW BUSINESS**

- A. Adopt a Tree/Bench Program **APPROVAL TO PROCEED**
- B. Stipulation For Settlement between Access 4 All, Inc. and Douglas Wilder and the City of Punta Gorda **APPROVED**
- C. V-03-08 – Request by Punta Gorda Lodging, LLC to extend the time-line included as a condition on the variance approved for the Hilton Garden Inn to be located on the property known as the Northeast corner of the City Marketplace property generally addressed as 115 Tamiami Trail. **APPROVED**

- D. Authorize Staff to submit an appropriations request to Congressman Tom Rooney for FY 2011 **APPROVED**

- E. Foreclosure Registration Ordinance **DIRECTION PROVIDED TO STAFF**

**VI. RECOMMENDATIONS FROM CITY OFFICERS**

- A. City Manager
- B. City Attorney
- C. City Clerk
  - 1. Charter Review Committee **COUNCIL TO SEEK APPLICANTS**

**VII. BOARDS AND COMMITTEES**

- A. Announcement of Vacancies
  - 1. Building Board – Alternate **ANNOUNCED**
  - 2. Revitalization Committee (3) **DIRECTION TO DISBAND**
  - 3. Historic Preservation Advisory Board **ANNOUNCED**
  - 4. Board of Zoning Appeals **ANNOUNCED**
  - 5. Planning Commission – Alternate **ANNOUNCED**
  - 6. Police Officers' Pension Board **ANNOUNCED**
  - 7. Punta Gorda Isles Canal Advisory Committee **ANNOUNCED**
- B. Nominations
  - 1. Burnt Store Isles Canal Advisory Committee **MR. BREWSTER REAPPT.**
  - 2. General Employees' Pension Board **ALL PARTIES NOMINATED**
- C. Appointments
  - 1. Code Enforcement Board **MS. SEPANIK APPOINTED**

**VIII. POLICY AND LEGISLATION**

An Emergency Ordinance of the City of Punta Gorda, Florida, Amending Chapter 12 of the City Code of Ordinances, "Business Tax Act"; Amending Section 12-2 by modifying the definition for non-commercial soliciting; amending Section 12-19 prohibiting any commercial and non-commercial door-to-door selling, peddling, hawking, soliciting and canvassing within any residentially zoned district, with limited exceptions for canvassing for bona fide political or religious purposes; amending Section 12-19 prohibiting all commercial and non-commercial door-to-door selling, peddling, hawking, soliciting and canvassing within any residentially zoned district, where the owner or occupant of a private residence has placed a "No Soliciting" sign upon said residence; providing for conflict and severability; and providing an effective date.

**APPROVED**

- 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.*