

**PUNTA GORDA ISLES  
CANAL ADVISORY COMMITTEE  
MEETING  
MARCH 16, 2009**

**MEMBERS PRESENT:** Bill Dixon, Chairman  
Nancy Dauster, David Gerdel, Gary Gunsher,  
Thomas McAlear, Michael Strunk

**MEMBERS ABSENT:** Spencer Hughes

**OTHERS PRESENT:** Randy Brodersen, Canal Maintenance Supervisor  
Rick Keeney, Public Works Director  
Dennis Murphy, Growth Management Director  
Dennis Clark, Tom Carroll, Mary Fleenor, Alan Spens,  
Thomas Cavanaugh, John Dauster, Noel Hyde, John Beane

**CALL TO ORDER/ANNOUNCEMENTS**

- A. Roll Call
- B. Next Scheduled Meeting - Monday, April 20, 2009 - 1:30 p.m.

**APPROVAL OF MINUTES**

- A. Regular Meeting - February 19, 2009
  - Mr. Dixon pointed out a correction to page 5, at the request of Mr. Hughes, noting "parking facilities" should be "dockage."
  - Mr. Gerdel commented on a report which had been provided at the Committee's previous meeting, requesting same be titled in the future.
  - Ms. Dauster MOVED, Mr. McAlear SECONDED approval of the February 19, 2009 minutes as corrected. MOTION CARRIED UNANIMOUSLY.

**CANAL MAINTENANCE MONTHLY REPORTS**

- A. Permits Authorized by City Staff - Installation of Docks, Lifts, Outpilings, etc.
  - Mr. Randy Brodersen, Canal Maintenance Supervisor, reported 14 permits were issued in February 2009. He pointed out he had expanded the report to include more information; however, he asked members to let him know if they preferred the previous format.
- B. Sinkhole Repairs, Seawall Patching, Seawall Cap Repairs, Dock Dredging
  - Mr. Brodersen drew members' attention to reports on City "Repair Only" PGI Seawall Cap and City Crew Seawall Cap Replacement locations, both delineated in the agenda material, stating all sites on the former list were complete with the exception of two locations. He acknowledged sites were constantly being added to the list; however, repairs were being made in a timely manner. He reported four of the seven locations

listed on the latter report were complete with the exception of sod replacement. He explained sod had been difficult to obtain due to the recent freezes.

- Ms. Dauster noted one location was unable to be repaired as white PVC fence abutted the seawall cap, asking how staff intended to address same.
- Mr. Brodersen replied he had intended to seek the Committee's advice on this issue, stating construction of fences directly along the rear of seawall caps had been happening more and more frequently. He explained if Marine Contracting Group (MCG) was conducting a seawall or entire seawall cap replacement, removal and replacement of the fence would be included as a line item in their scope of work; however, such a situation presented a problem on sites where the repairs were done by City Crews, adding there were employee safety considerations as well. He commented a required two foot setback from the seawall cap would alleviate much of the problem.
- Mr. Dixon recalled one fence company had devised some type of swinging overhang.
- Mr. Brodersen responded overhangs were not permitted.
- Mr. Strunk clarified Mr. Brodersen was referring to fences which ran along the seawall between property lines.
- Discussion ensued with regard to possible solutions.
- Consensus of the Committee was homeowners would be financially responsible for removal/replacement of fences which obstructed crews from conducting seawall and/or seawall cap replacements.
- Mr. Brodersen then pointed out two other reports provided in the agenda packet which detailed ongoing work by MCG, noting 12 had been completed. He explained the highlighted lines depicted locations designated as high priority. He mentioned the #4 day marker board on Bass Inlet had been replaced.

#### C. Budget Utilization Report

- Mr. Brodersen drew members' attention to the Budget Utilization Report, as delineated in the agenda material, stating he had updated same so as to make the report more clear.
- Mr. Gerdel commented on the "Repair Only" report presented under Item B, requesting clarification of same.
- Mr. Brodersen explained "repair only" referred to relatively small patch jobs as opposed to a complete replacement, for example.
- Ms. Dauster commented favorably on the additional reports, especially with regard to prioritization of seawall cap replacements. She observed some jobs were "cancelled," requesting clarification of the reason behind same.

- Mr. Brodersen those locations had originally been listed only as seawall cap replacements but were later moved to the seawall replacement list.
- Mr. McAlear suggested replacing “cancelled” with “transferred.”
- Ms. Dauster confirmed the sites not designated as a 5, high priority, fell somewhere between 1 and 4, asking if members could be provided with those designations as well.
- Mr. Brodersen explained MCG provided the report in color which allowed each category to be designated; however, the priorities were lost when copying the agenda packets.
- Ms. Dauster reiterated it would be helpful to also have the 1 through 4 priority designations.
- Mr. Gerdel questioned the generation of total dollars from the annual \$400 canal maintenance assessment fee, stating it seemed over \$2 million was generated but only \$1 million was budgeted.
- Mr. Brodersen explained the annual fee was used for much more than seawalls and seawall caps, including everything from personnel to channel markers, mangroves, electricity, water, uniforms, etc. He clarified seawalls and seawall caps represented only two line items out of thirty.
- Mr. Gerdel suggested the Committee be provided with an ongoing report of all line items.
- Mr. McAlear then stated he recently noticed one of the boards on the dock at Ponce de Leon Park was loose.
- Mr. Brodersen responded it had already been repaired.
- Mr. McAlear noted the #10 sign at the “S” curve stated “Slow Speed/Minimum Wake” but should be “Idle Speed,” requesting the sign be replaced as soon as possible. He mentioned the sign observed upon entering Ponce de Leon Inlet, past #8, stated “Idle Speed” but was facing the fishing dock; thus, incoming boaters were not able to view same.
- Mr. Brodersen confirmed he would make sure the sign was turned. He reported he continued to work with the Department of Environmental Protection (DEP) on dredging, adding he hoped to be able to proceed with maintenance dredging the following week.
- Mr. McAlear questioned the progress on the high spot in the Lucia Francesca canal.
- Mr. Brodersen replied no dredging had been done at that location; however, he had it listed to be done once the permit was in place.
- Mr. McAlear stated a few boaters had advised the high spot had disappeared, suggesting crews confirm location of the high spot before dredging.

## NEW BUSINESS

### A. Budget Preparation for Fiscal Year (FY) 2009/2010 Underway

- Mr. Rick Keeney, Public Works Director, announced the City Manager had issued a document of budget alternatives, as delineated in the agenda material, stating City Council would be discussing same at their March 18, 2009 meeting.
- Mr. Dixon confirmed members had read the budget document.
- Mr. Keeney noted he and Mr. Brodersen were asked to prepare the budget based on maintaining the \$400 annual assessment fee, adding seawall stabilization and dredging budgets were reduced as well as other various line items. He advised one position would be eliminated through attrition.
- Mr. Dixon asked when the Committee would be presented with the entire Canal Maintenance Division budget.
- Mr. Keeney replied he was unsure at this time but would advise the Committee as soon as possible.
- Mr. McAlear commented on two proposals by the City Manager, one to transfer \$60,800 of the \$76,000 in costs for the Marine Patrol Program to the two canal maintenance districts, PGI and Burnt Store Isles (BSI), in the amount of \$45,600 and \$15,200, respectively. He clarified City Council wished to maintain the current \$400 assessment fee, pointing out the existing inadequacy of same. He spoke in favor of recommending an increase in the annual fee in an effort to catch up with the amount of seawall work which must be done.
- Mr. Keeney reminded members the Committee could make that recommendation to City Council, adding the document before the Committee this date was simply a proposal based on the current economic climate.
- Discussion ensued with regard to the members' feelings toward the insufficiency of the current \$400 annual canal maintenance assessment fee and its inability to address the critical seawall and seawall cap work needed in PGI.
- Mr. Strunk pointed out the vast difference between an annual fee of a few hundred dollars and the tens of thousands of dollars necessary if a property owner was required to replace their own seawall.
- Mr. Dennis Clark expressed confusion in that the Committee was discussing a fee increase at the same time as a transfer to cover Marine Patrol costs.
- Mr. McAlear responded the Committee had not recommended the latter transfer and, in fact, was opposed to same.
- Mr. Tom Carroll stated the canal maintenance activity was actually a Municipal Service Benefit Unit (MSBU) for the canal walls, not for Marine Patrol. He pointed out

transferring costs from one department to another did not reduce overall costs. He urged members to thoroughly familiarize themselves with the entire budget as opposed to only seawalls and seawall caps.

- Mr. Keeney confirmed monthly reports were available on the entire budget; however, the Committee had specifically asked only for the reports currently being provided.
- Mr. McAlear opined the Committee should closely scrutinize the total budget. He acknowledged members should take a more active stance with City Council in representation of their membership on this Committee.
- Mr. Gerdel MOVED, Ms. Dauster SECONDED to request the Committee be provided with the entire Canal Maintenance Division budget, complete with line items. MOTION CARRIED UNANIMOUSLY.
- Ms. Mary Fleenor agreed this Committee was accountable to ensure the budget aligned with the responsibilities of the Canal Maintenance Division.
- Mr. Alan Spenks asserted more productivity must be derived from employees for what the City was expending.
- Mr. Gunsher stated he felt City Council must be informed of exactly how and for what an increase would be used.
- Mr. Gerdel recalled a newspaper article written by City Manager Howard Kunik which implied more than \$350,000 was being cut from the Canal Maintenance Division budget; however, he had not seen any mention of same in the document provided to the Committee, requesting an update on this cut.
- Mr. Keeney listed the following reduction proposals: seawall stabilization, \$51,000; dredging, \$70,000; mangrove trimming, \$2,000, communication services, \$1,300; water, electricity and equipment leasing, \$300 each; uniforms, \$500; truck repairs, \$3,000; landfill fees, \$1,000; materials & supplies, \$5,000; inlet dredging, \$70,000; elimination of one full time position through attrition; use of reserves.
- Mr. Gerdel asked if the canal maintenance assessment district's reserves were being used to balance other areas of the City's budget.
- Mr. Dixon replied they could not be used in that fashion. He then clarified seawall and seawall cap replacements were proposed to be held at current levels. He asserted the Committee must act prior to the March 18, 2009 City Council meeting.
- Mr. McAlear stated he felt the Committee needed more information before members would be able to specify exactly where and how an increased assessment fee would be utilized.
- Mr. Keeney responded Mr. Brodersen was working on providing specific information through a Geographical Information System (GIS) map.

- Mr. McAlear commented the Committee was working under a previously established eight year schedule; however, it appeared the schedule had begun to extend further out.
- Mr. Keeney explained the current year was funded slightly less than the previous year; however, maintaining the annual \$400 fee would keep the schedule at the same level.
- Mr. Thomas Cavanaugh confirmed the City's boat ramps were used free of charge, suggesting implementing fees would generate additional revenues.
- Mr. John Dauster commented on the upcoming City Council meeting, stating he felt the Committee should make a recommendation at this time.
- Mr. McAlear MOVED, Ms. Dauster SECONDED to notify City Council of the Committee's concerns with the proposed budgetary figures, to recommend no funds be taken out of the canal maintenance assessment district for the Marine Patrol Program, \$400 was inadequate to preserve PGI's canals and seawalls and to recommend increasing the annual fee of \$400 by at least 10% to continue with the existing 8 year projection of seawall maintenance and replacement.
- Mr. Noel Hyde requested clarification of the eight year program.
- Mr. Keeney explained a footage of seawalls requiring immediate attention had been established a few years earlier, adding the plan was to address same within eight years.
- Mr. Hyde clarified the eight year program did not speak to maintenance in any way. He opined a 10% increase was minimal.
- Mr. Keeney commented many people believed the Federal Emergency Management Agency (FEMA) would come through for the City in the event of a disaster.
- Mr. Strunk MOVED to AMEND the motion to strike and replace 10% with 25%, increasing the annual fee from \$400 to \$500.
- Ms. Dauster SECONDED the amendment.
- Mr. Dixon called for a vote on the amendment.
- MOTION CARRIED UNANIMOUSLY.
- Mr. Keeney clarified the Committee was recommending the increased revenues be used solely for seawall and seawall cap replacement and maintenance.
- Mr. Gerdel called the question.
- Mr. Dixon called for a vote on the amended motion.
- MOTION CARRIED UNANIMOUSLY.
- Mr. Murphy then commented on the GIS program, stating he had provided Charlotte County with a scope of work and would provide the remaining, required information this date.

- Mr. Dixon requested as many members and citizens as possible plan on attending the March 18, 2009 Council meeting.
- B. Alligator Creek Cut-through
  - Mr. Dixon stated he was also a member of the Waterfront Development Advisory Committee (WDAC). He explained WDAC's meeting of February 11, 2009, was held at the Laishley Park Marina Community Room in a roundtable setting with Team Punta Gorda (TPG), the Boaters Alliance and the Revitalization Committee, adding the purpose of same was to coordinate efforts on a number of waterfront related projects, one of which was the potential for an Alligator Creek cut-through. He continued groups were designated to assume responsibility for a myriad of such projects, stating a request had been made for this Committee to take the lead on the cut-through. He questioned members' feelings or comments on this request, concluding he would report back to WDAC on this Committee's decision.
  - Mr. Gerdel spoke in opposition to the request.
  - Mr. Strunk commented he had originally been opposed to the cut-through, stating the proposal had been for all PGI residents to assume the cost of same; however, the property values of only those homes closest to the cut-through would increase by \$300,000 to \$400,000, adding he did not envision their taxes increasing accordingly.
  - Mr. Dixon interjected the only issue before members this date was to determine if the mechanism for the groups studying this issue to eventually approach the City should be this Committee. He recalled the City Manager and City Attorney had directed the originators of this idea to obtain some type of positive indication from DEP and the Army Corps of Engineers (ACOE) before proceeding any further.
  - Mr. Dauster, WDAC Chairman, stated WDAC's members felt this project would be a good fit for this Committee as Alligator Creek was a contiguous area between the PGI canal system and Alligator Creek itself.
  - Mr. Buckley commented the group currently handling the proposal was being shuffled from one organization to another, asserting there was a great deal of misinformation being disseminated. He reported all steps which had been requested of the group had been taken; however, they must have a consensus from some other organization with regard to whether or not the project was feasible. He opined the cut-through should fall under this Committee's authority as it would become part of the canal system. He expressed his hope of a commitment of \$25 per PGI property owner/lot, of which there were 5,365, which would finance the cost of a feasibility study.
  - Mr. Dixon asked if DEP and/or ACOE had given any indication their response might be favorable. He further asked if the City had been provided with those responses.

- Mr. Buckley replied affirmatively, reiterating they had done everything of which they were asked; however, he strongly disagreed the cost should be shared only by those properties nearest to the cut-through location. He pointed out the dredging of Ponce de Leon Inlet had been shared by the entire PGI community.
- Mr. Dixon asked why the group studying this issue had not reported back to Council with the responses from DEP and ACOE.
- Mr. Buckley responded they first needed a consensus from someone. He stated City Council had been asked what percentage of a positive response from the PGI community would be required for their support of this project, estimating 50% to 60% would be necessary. He acknowledged one Councilmember was completely against the idea. He requested advice on how to petition PGI residents/property owners.
- Mr. McAlear replied this did not fall under the Committee's authority.
- Mr. Carroll opined Mr. Buckley would not obtain a resolution to this issue from any entity other than City Council. He pointed out City Council provided direction to the Alligator Creek group; however, he expressed uncertainty with regard to whether or not they reported back to Council.
- Mr. Strunk stated he it was reasonable for this group to question this Committee's feelings as to whether or not the project was worth pursuing.
- Mr. Dixon countered they had already done so approximately one year earlier. He reiterated they also approached City Council and received clear direction, adding many felt the group's next step should be to report back to Council with answers to their questions. He clarified the Committee was not being asked this date to debate the "rightness or wrongness" of the cut-through.
- Ms. Fleenor commented it seemed TPG was seeking sponsorship from this Committee, stating she did not feel same was within this group's purview.
- Mr. Gunsher asked if the subject location was within the canal maintenance assessment district.
- Mr. Keeney replied it was not.
- Ms. Dauster read the Committee's duties into the record as delineated in their bylaws, stating the cut-through did not fit under any of those guidelines.
- Mr. Gunsher MOVED, Mr. McAlear SECONDED against becoming involved in this project as the proposed cut-through location was not within the PGI canal maintenance assessment district.
- VOTING AYE: Dauster, Gerdel, Gunsher, McAlear, Dixon.
- VOTING NAY: Strunk.
- MOTION CARRIED.

- In response to Mr. Gerdel's earlier statement with regard to a budget related article written by the City Manager, Mr. Keeney announced staff had located same. He read the following into the record for clarification: "The fiscal forecast projects budgetary gaps are \$325,000 and \$50,000, respectively, in the PGI and BSI canal maintenance districts. Projected revenues are based on no increases in assessments, currently set at \$400 for each single family lot, while expenditures are based on the same level of service provided."

#### **MEMBER COMMENTS**

- Ms. Dauster commented on the ongoing issue of boaters speeding in front of her home near Ponce de Leon Inlet, stating many times she was unable to make a full report to Marine Patrol if a vessel lacked a Florida registration number; however, she reported she was able to identify a boat owner through the boat's name via the directory provided to PGI Civic Association members, adding she then filed a complaint on the City's web site and was able to include the boater's name and address. She commended the Marine Patrol for their quick response.
- Mr. Dixon asserted the public was not being made aware of all of the various information sources available to boaters and residents.
- Mr. Gunsher asked if the Alligator Creek cut-through would have seawalls.
- Mr. Buckley replied it would not.

#### **CITIZEN COMMENTS**

- Mr. John Beane stated he would like to build a structure over his boat for protection; however, he understood same was prohibited in PGI by City ordinance, questioning the basis for same.
- Mr. Keeney replied he understood aesthetics and line of sight from neighboring properties was the basis for this prohibition. He confirmed any ordinance change affecting the PGI district would first be reviewed by this Committee, which would then make a recommendation to City Council.
- Ms. Dauster asked what ordinance prohibited this type of structure.
- Mr. Keeney replied he would research same.
- Mr. Beane clarified he did not wish to construct a boat house with walls but rather something to extend over the top of his boat to protect it from sun damage and with a roof line constructed of material matching the roof of his home.
- Mr. Keeney then announced the type of shelter referred to by Mr. Beane was not able to be permitted; thus, it was prohibited.
- Mr. Strunk MOVED to recommend City Council create an ordinance allowing boat shelters or boat houses in PGI.

- MOTION DIED FOR LACK OF A SECOND.
- Ms. Dauster suggested Mr. Beane gather as much documentation as possible before making a proposal to City Council.
- Mr. Strunk spoke in favor of allowing canvas tops over frameworks over boats.
- Mr. McAlear commented many shelters/covers appeared shabby after a period of time, stating he would be opposed to anything which would detract from the community's appearance.
- Mr. Gerdel commented he felt this was a zoning issue for the Urban Design Division.
- Mr. Keeney replied he intended to investigate that possibility. He further suggested Mr. Beane contact Mr. Murphy.
- Mr. Strunk MOVED, Mr. Gunsher SECONDED to recommend City Council look favorably upon an ordinance permitting boat shelters.
- Ms. Dauster commented she could not vote in favor of the motion at this time as she did not have sufficient information available.
- Mr. McAlear stated he also could not vote favorably as he had personally viewed the negative side of boat shelters.
- Mr. Gerdel disclosed he was a personal friend of Mr. Beane's, stating he would not be voting in favor of the motion at this time for reasons similar to those just expressed. He opined the issue belonged with the Urban Design Division.
- Mr. Carroll commented he believed Mr. Beane should find a community which allowed boat covers, stating he could then provide photographs of same.
- VOTING AYE: Strunk, Gunsher.
- VOTING NAY: Dauster, Gerdel, McAlear, Dixon.
- MOTION FAILED.
- Mr. Carroll commented favorably on this meeting, complimenting members for taking on tough issues. He then suggested the City create individual web pages for all of their advisory boards/committees and allow members of same to input information.
- Mr. Dixon expressed approval of what he perceived as a new "openness" on the part of the City; however, many residents did not have internet or electronic mail access.
- Ms. Fleenor agreed with Mr. Carroll's recommendation regarding web pages for advisory boards. She then asked if the last sign upon entering Ponce de Leon Inlet required idle speed "throughout" the canal or only at that location.
- Mr. McAlear replied the idle speed requirement carried through from the entry into the canal system at the Ponce de Leon fishing dock all the way to the beginning of the rim canal.

- Ms. Fleenor asserted the majority of boaters did not adhere to that requirement. She then questioned the rules related to dockside dredging from mean low water.
- Mr. Broderson offered to contact Ms. Fleenor regarding same.
- Ms. Fleenor requested an update on the use of wake gauges as discussed at previous Committee meetings.
- Mr. McAlear replied gauges were in place throughout the canal system and were being used by Marine Patrol.

**ADJOURNMENT**

- Meeting Adjourned: 3:44 p.m.

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Bill Dixon, Chairman

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Mary Kelly, Recording Secretary