

**PUNTA GORDA ISLES  
CANAL ADVISORY COMMITTEE  
MEETING  
APRIL 20, 2009**

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

**MEMBERS ABSENT:** Nancy Dauster

**OTHERS PRESENT:** Rick Keeney, Public Works Director  
Randy Brodersen, Canal Maintenance Supervisor  
Dennis Murphy, Growth Management Director  
Tracy Quintana, Public Works Administrative Assistant  
Mary Fleenor, Noel Hyde, Tom Carroll

**CALL TO ORDER/ANNOUNCEMENTS/PRESENTATIONS**

- A. Roll Call
- B. Next Scheduled Meeting - Monday, May 18, 2009 - 1:30 p.m.
- C. Canal Maintenance Presentation - Rick Keeney
  - Mr. Rick Keeney, Public Works Director, announced this PowerPoint presentation, as delineated in the agenda material, had been compiled some time ago but had been enhanced as time went on. He reviewed the community's history, ordinances, common causes of seawall failure, construction methods, specifications and funding. He reported Punta Gorda Isles (PGI) was comprised of approximately 50 miles of canals/100 miles of concrete seawall which had been constructed in the early 1960s and late 1970s. He mentioned Burnt Store Isles (BSI) was comprised of 7.5 miles of canals/15 miles of concrete seawall which were constructed in the late 1970s. He noted PGI and BSI were created by Ordinance #549-79 and #825-86, respectively. He reviewed criteria and limitations of construction within the waterways of PGI and BSI, displaying a schematic of a typical dock installation, followed by a description of the particulars relative to maintenance of seawalls and appurtenances.
  - Ms. Mary Fleenor noted Mr. Keeney referred to "berm" under the latter description, asking if same was on the landward or waterward side.
  - Mr. Keeney replied the landward side. He continued his presentation, noting the City's outside contractor, Marine Contracting Group (MCG), had been extremely helpful to homeowners over the years with regard to assistance with removal and replacement even when same was the property owner's responsibility. He displayed several photographs depicting various stages of seawall and/or seawall cap failures and

described the different causes of same. He reviewed slab joint separation which in turn caused sinkholes, reminding members to contact the Canal Maintenance Division whenever sinkholes were observed. He reviewed both past and current methods of seawall and seawall cap construction and placement, pointing out the epoxy coated rebar now being utilized. He displayed a photograph depicting a typical seawall with riprap supporting same.

- Mr. Gerdel commented he did not see filter cloth being utilized in sinkhole repairs.
- Mr. Keeney replied time did not permit same in all situations. He then reviewed construction costs for seawall stabilization, seawall cap replacement, seawall replacement (waterward and landward) and dockside dredging, followed by a general overview of compilation of the annual budget for the PGI Canal Maintenance Assessment District (District).
- Mr. Gerdel requested a hard copy of the presentation.
- Mr. Keeney agreed, stating he had made the same presentation to the PGI Civic Association.
- Mr. Gunsher commented on the example of a davit pushing a seawall out, questioning who was responsible for such a repair.
- Mr. Keeney replied the District would be responsible in that the davit was permitted although their use was discouraged and boat lifts were recommended.

#### **APPROVAL OF MINUTES**

##### A. Regular Meeting - March 23, 2009

- Mr. McAlear commented on the Committee's decision against becoming involved in the proposed Alligator Creek cut-through in that same was not within the District. He clarified he continued to feel this Committee should not sponsor the project but should remain involved.
- Mr. Dixon suggested a discussion of same be held under Members Comments.
- Mr. Strunk drew members' attention to page 9 of the minutes, stating he did not recall making the statement attributed to him.
- Recording Secretary Kelly suggested the Committee table this item to allow her to review the recording of the March 23, 2009 meeting.
- Mr. Strunk MOVED, Mr. McAlear SECONDED to table approval of the March 23, 2009 minutes. MOTION CARRIED UNANIMOUSLY.
- Mr. Gunsher noted Mr. Keeney had indicated dredging costs would be reduced, as delineated at the bottom of page 6 of the March 23, 2009 minutes, questioning the approximate number of equivalent man hours.
- Mr. Keeney replied dredging was contracted out at a \$295 hourly rate.

- Mr. Dixon clarified dredging costs were proposed to be \$70,000.
- Mr. Gunsher asked how staff arrived at that figure.
- Mr. Keeney explained dredging expenses would be reduced as dredging within the canals themselves had been accomplished the previous year, adding same was not an annual, reoccurring problem. He clarified dredging was usually only needed in the inlets.
- Mr. Gunsher expressed concern maintenance dredging may be needed to allow boaters to travel through the canals.
- Mr. Keeney responded the majority of canals were quite deep.
- Mr. Gunsher then requested clarification of the "communication services" line item.
- Mr. Keeney replied primarily telephones.

### **CANAL MAINTENANCE MONTHLY REPORTS**

- A. Permits Authorized by City Staff for Installation of Docks, Lifts, Outpilings, etc.
  - Mr. Randy Brodersen, Canal Maintenance Supervisor, reported 20 permits had been issued in March 2009.
- B. Budget Utilization Report
  - Mr. Brodersen displayed an overhead of the subject report, as delineated in the agenda material, offering to answer any questions regarding same.
  - Mr. McAlear commented on a high spot requiring dredging, asking if same fell under inlet dredging.
  - Mr. Brodersen replied affirmatively.
  - Mr. Dixon then drew members' attention to a list of PGI Maintenance Budget/Expenses to date, as delineated in the agenda material, stating members had requested this information at a previous meeting.
  - Mr. McAlear commented he believed the list provided a much clearer budgetary picture.
  - Mr. Gerdel requested Line Items 34-12 and 34-13 be broken out into outside contracting and in-house work.
  - Mr. Dixon responded very little seawall replacement was done in-house other than actual construction of the seawall panels, adding City crews also did very little seawall cap replacement as opposed to repair. He explained he was hesitant to create more clerical work for the Canal Maintenance Division.
  - Mr. Gerdel questioned the level of difficulty for staff to provide the requested information.

- Mr. Brodersen responded it could be done, albeit not easily or quickly. He pointed out expenses would tend not to be accurate but rather only estimates as figures were dependent upon timing of invoicing.
- Mr. Gerdel asked if the contractor was provided with an estimated statement of work when the original contract was awarded.
- Mr. Brodersen replied affirmatively, stating same was provided in a specific line item. He confirmed contract expenses would be readily available through the Budget Utilization Report.
- Mr. Dixon interjected the reporting of such expenses was dependent upon receipt of invoices as opposed to when the actual work was performed; thus, the figures would not be correct on a month to month basis.
- Mr. Brodersen concurred.
- Mr. McAlear opined the Committee should not micromanage staff.
- Mr. Gerdel explained he was simply seeking more detail on that specific line item, asserting \$860,000 represented approximately 40% of the entire budget.
- Mr. Brodersen responded that line item of \$860,000 was solely outside contractor work.
- Mr. Strunk then requested clarification of Line Item 49-08, tax collection commission.
- Mr. Dixon explained the City paid Charlotte County to issue their annual tax bills and collect the fees due as a result of same.
- Mr. Dennis Murphy, Growth Management Director, added creation of an assessment program by the City would be extremely labor intensive.
- Mr. Strunk pointed out year to date expenses for Line Item 49-08 were over budget by \$17,041, questioning the basis for same.
- Mr. Keeney replied he would check with Mr. David Drury, Finance Director, and report back to the Committee.

#### **OLD BUSINESS**

- Mr. Gerdel questioned the status of the dredging permit.
- Mr. Brodersen replied all permits were in place, adding MCG was scheduled to begin dredging by the end of the current week.

#### **CURRENT BUSINESS**

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

- Mr. Dixon announced a joint meeting was scheduled for May 26, 2009, for this Committee, the BSI Canal Assessment Committee (CAC) and City Council, noting same fell after the Committee's regularly scheduled May 2009 meeting.

- Mr. Keeney mentioned the BSI CAC reached a consensus to possibly recommend a \$20 increase in their annual canal maintenance assessment fee. He advised staff continued to work on budget preparation, including footage and figures, confirming this was a top priority.
- Mr. Dixon asserted all of the above must be kept up to date on a monthly basis, adding members had a responsibility to remain informed.
- Mr. Keeney responded a contract with Charlotte County was in place to keep such information updated through their Geographical Information System (GIS) program.
- Mr. Dixon opined additional administrative support/funding would be required. He questioned the deadline for a recommendation from the Committee.
- Mr. Keeney replied Mr. Drury would confirm all important dates and tailor the timing of his formal presentation around same.
- Mr. Dixon stated members were provided with a table drafted from the 2008/2009 PGI Budget, labor having been prorated, as denoted within the agenda material, stating this provided an approximation of where budgeted labor would be applied. He clarified the figures within same were estimates of the following budget line items: labor, administrative charges, sinkhole maintenance, canal dredging, seawall stabilization, seawall cap repair/replacement, seawall replacement. He thanked Ms. Tracy Quintana, Public Works Department Administrative Assistant, for providing this information along with a pie chart denoting various budget percentages. He opined the Committee should be prepared to strongly recommend City Council allocate additional funds, through a \$100 increase in the annual assessment fee, for seawalls and seawall caps. He explained this increase would provide the District with an additional \$530,000. He confirmed staff continued to work on a ten year history of the District's budgets. He asked each member to be prepared to address City Council from different perspectives, requesting Mr. McAlear provide a short slide presentation of photographs of various seawalls and seawall caps.
- Mr. McAlear stated he did not wish anyone to perceive the Committee was casting aspersions on those working in the field as he believed crews worked diligently.
- Mr. Gerdel countered the issue was the condition of the District's seawalls.
- Mr. Dixon noted the Committee had recommended a \$40 increase the past two years but had been denied.
- Mr. Strunk stated he believed the issue of the eight year waiting period should be raised.
- Mr. Dixon confirmed Mr. Strunk would be prepared to address same with City Council.

- Mr. Hughes opined \$400 was completely inadequate, offering to provide City Council with a historical review of fees as compared to those of present day.
- Mr. Dixon recommended Mr. Hughes meet with staff on the above mentioned ten year history of the District's budgets.
- Mr. Gerdel asserted a backlog of essential maintenance should continually be addressed. He pointed out the District was composed of "X" number of feet of seawall cap and "Y" number of feet of seawall, adding enough statistics over 30 years should exist to be able to determine the estimated life of an average seawall. He clarified the latter must be able to be graphically presented to City Council.
- Mr. Dixon reiterated his desire for each member to express the Committee's recommendation in their own words as opposed to simply reporting a unanimous vote. He commented favorably on Mr. Gerdel's suggestion for a graphic presentation, suggesting he contact staff.
- Mr. Keeney responded the 2007 report of percentages was available, acknowledging current figures were higher. He confirmed staff was working under the eight year program at the direction of the Committee.
- Mr. Gerdel clarified that report would be available at their next meeting.
- Mr. Gunsher pointed out once those percentages were provided, the amount of funding required for all repairs would be known.
- Mr. Dixon countered a \$100 increase would essentially represent a "down payment" on what was actually required to complete 100% of all maintenance.
- Mr. Strunk reviewed a list of topics to be discussed at the joint meeting as follows: (1) eight year period; (2) total cost for replacement if borne entirely by the homeowner; (3) possible, projected costs of an insurance policy, if available, on a property owner's seawall; (4) decline in property values if seawalls began to collapse at a rate more rapid than could be repaired; (5) projected lives of seawalls and seawall caps; (6) current rate of failure as compared to 6 or 10 years earlier.
- Mr. Keeney reminded members of the impact of storm events on the canal system.
- Mr. Dixon asked for a volunteer to speak on the requirements of the Federal Emergency Management Agency (FEMA) in the event the community experienced a catastrophe. He noted there had not been a catastrophic event in PGI since roughly 2001. He contended residents must assume responsibility for their community's seawalls.
- Mr. Gunsher clarified FEMA's main requirement was a state of emergency must be declared by the State, County and local municipality.

- Mr. Keeney agreed; however, there were other considerations such as specific cost thresholds and population, for example.
- Mr. Dixon mentioned Mr. Drury had information specific to FEMA's requirements.
- Mr. Gunsher agreed to be prepared to make a presentation on FEMA requirements.
- Mr. McAlear interjected the District should not count on FEMA but rather should be prepared to take care of itself.
- Mr. Murphy then commented on the above mentioned tax collection commission, explaining he had just learned the Finance Department budgeted 1% of the overall cost; however, he stated the Charlotte County Tax Collector would figure actual costs at the end of the year and issue a credit as same were consistently lower than 1%. He summarized the tax collection commission should actually be \$25,000 based on a \$2.5 Million budget.
- Mr. Gerdel clarified there would be a large credit against the current overage of \$17,041 toward the end of the current year.
- Mr. Noel Hyde commented seawalls went through various stages of deterioration before complete failure; however, seawalls caps did not typically experience catastrophic failures. He asked if there were any failed walls at this time, i.e., lying in the water.
- Mr. Keeney replied there were not.
- Mr. Hyde asked if any seawalls were currently beginning to fail.
- Mr. Keeney replied affirmatively.
- Mr. Hyde asked if the funding priority would be to repair/replace such seawalls before expending any funds on seawall caps.
- Mr. Keeney explained some seawalls could be saved solely through seawall cap replacement, adding locations were prioritized through the inspectors' judgment based on experience. He mentioned approximately three times as much was budgeted for seawall replacement as compared to seawall cap replacement.
- Mr. Dixon countered he believed it was actually slightly less than twice as much.
- Mr. Hyde observed the pie chart indicated 60% more was expended on seawall replacement than seawall cap replacement; however, the latter acted as a preventive way of saving the seawalls. He asked if the point where more was being expended on seawall caps than on seawalls could ever be reached.
- Mr. Keeney referred to the above mentioned table (pro rated labor), pointing out \$281,000 was budgeted for seawall cap repair/replacement while \$884,000 was budgeted for seawall replacement.

- Mr. McAlear commented on the Budget Utilization Report, stating he did not feel money was the issue as seawall caps were much less costly to replace than seawalls. He noted an estimated 3,321 linear feet of seawall cap replacement was proposed as compared to 2,866 linear feet of seawall; thus, more time was being put in to prevent seawalls from failing through seawall cap replacement.
- Mr. Dixon acknowledged there was a significant amount of failing seawalls, adding the District was not in a position to catch up on same.
- Mr. Hyde recalled past discussions of the build-up of hydrostatic pressure and the desire to release same through use of weep holes, asking if staff had determined whether weep holes were functioning as they had been designed.
- Mr. Keeney responded Mr. Richard Benson, former Canal Maintenance Supervisor, had been working on such a program, adding he would look into how same was progressing.
- Mr. Hyde opined weep hole function seemed to be a fairly inexpensive way to prevent seawall failure.
- Mr. McAlear interjected the majority of older walls did not have those weep holes.
- Mr. Hyde concluded the Committee would have a difficult time convincing City Council of the need for an increase in the assessment fee, particularly in light of current economic conditions. He stated he believed the majority of residents would have to be in favor of an increase if the Committee's recommendation had any chance of being adopted.
- Mr. Dixon responded he did not feel the Committee should circumvent City Council by going directly to the public.
- Mr. Tom Carroll complimented the Committee on their full engagement in this discussion; however, he expressed concern in that there had been little or no feedback on this issue over the past two years other than from Committee members. He maintained one of the Committee's charters was to act as an advocate for the District and to ensure citizens were aware of current conditions; thus, he did not believe it would be at all inappropriate to make a presentation on this subject at the Civic Association.
- Mr. McAlear mentioned he had been asked to write a series of articles for the Civic Association newsletter, the first being an introduction into the canal maintenance situation, including rules, regulations and funding, for example.
- Mr. Strunk asked if Mr. Carroll had voiced his concerns directly to City Council.
- Mr. Carroll replied affirmatively, specifically to each Councilmember and all advisory boards/committees.

### **MEMBER COMMENTS**

- Mr. McAlear reiterated his comments made earlier in the meeting with regard to the Committee's decision against becoming involved in the proposed Alligator Creek cut-through in that same was not located within the District. He clarified he continued to feel this Committee should not sponsor the project but should certainly remain involved.
- Mr. Dixon confirmed Mr. McAlear was offering to monitor this project.
- Mr. Strunk interjected he had voted against the motion.
- Mr. Gerdel clarified the Committee had not been against the project but rather had been opposed to spearheading same.
- Mr. Gunsher asked if owners of homes built along the cut-through area would be assessed the annual fee.
- Mr. Keeney replied they would not as the land was not within the City limits of Punta Gorda.
- Mr. McAlear pointed out the area was primarily swamp.
- Mr. Keeney clarified Team Punta Gorda (TPG) approached City Council and was provided with clear direction on how to proceed on this project, specifically to feel out the Department of Environmental Protection (DEP) and the Army Corps of Engineers (ACOE). He noted City staff had attended meetings between TPG, DEP and ACOE in order to stay abreast of this project.
- Mr. Hughes mentioned a number of PGI residents had stated they had not contributed to the cost of Ponce de Leon Inlet; however, he personally recalled the opposite was true. He pointed out the positive impact to surrounding property values.
- Mr. Strunk recalled an assessment several years earlier relative to the Ponce de Leon Inlet "S" curve, asking if same had been community wide.
- Mr. Keeney replied affirmatively, stating all property owners were assessed \$14 to finance the costs of dredging and mitigation.
- Mr. Strunk concluded a precedent had been set to assess all PGI property owners.

### **CITIZEN COMMENTS**

- Ms. Fleenor asked if the May 26, 2009 joint meeting was open to the public.
- Mr. Dixon replied affirmatively.
- Ms. Fleenor then mentioned she had observed a pontoon boat speeding through the canal near her home, stating she had reported same to the boat's charter company, Holiday Boat Rental. She commended Holiday for their prompt action, asserting there had been no further incidents involving their boats. She stated she also observed

a boat with a large tuna tower speeding through her canal, which potentially put two divers working across the canal in danger.

- Mr. McAlear interjected the speed limit in that location was Slow Speed/Minimum Wake as opposed to Idle Speed/No Wake.
- Ms. Fleenor confirmed the boat had exceeded even the former.
- Mr. McAlear urged Ms. Fleenor to report such incidents to the Police Department immediately.
- Mr. Carroll urged members and citizens to tie their comments into the City's Mission Statement, explaining he believed same would allow various perspectives to be viewed differently.
- Mr. Keeney drew members' attention to several letters of commendation, as denoted within the agenda material, from PGI residents regarding Canal Maintenance Division and Marine Contracting Group (MCG) personnel. He expressed his personal appreciation for a job well done by both City and MCG staff.
- Ms. Quintana reminded members the joint meeting was scheduled for 2:00 p.m. on May 26, 2009, in the Laishley Park Community Room.

**ADJOURNMENT**

- Meeting Adjourned: 3:18 p.m.

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Bill Dixon, Chairman

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Mary Kelly, Recording Secretary