

**CITY OF PUNTA GORDA, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, APRIL 15, 2020, 9:00 A.M.**

COUNCILMEMBERS PRESENT: Carey, Cummings, Matthews, Miller, Prafke

CITY EMPLOYEES PRESENT: Kristin Simeone, Finance; Rick Keeney, Public Works; Tom Jackson, Utilities; Phil Wickstrom, Human Resources; Joan LeBeau, Urban Design; Pamela Davis, Police; Ray Briggs, Fire; City Attorney Levin; City Manager Kunik; City Clerk Smith

Mayor Prafke called the meeting to order at 9:00 a.m.

Invocation was given by City Manager Kunik, followed by the Pledge of Allegiance.

City Manager Kunik read into the record citizen comments from Ms. Diane Porte regarding Buckley's Pass; Mses. C. J. Metcalfe, Faith Ferris and Mary Boeringer regarding speed limit signs in Burnt Store Isles; Messrs. Craig Ivey and James Round regarding parking regulations, including parking on the west side of Gill Street.

ORDINANCE/RESOLUTION

No Public Hearing Required

A Resolution of the City Council of the City of Punta Gorda, Florida, approving the Ground Lease between the City of Punta Gorda and Peace River Wildlife Center, Inc. for the Henry Street parcel; and providing an effective date.

City Attorney Levin read the resolution by title.

City Manager Kunik displayed an aerial view of the proposed Phase 1 development of the Peace River Wildlife Center (PRWC), noting the proposed lease included stipulations for timing of Phase 1 and Phase 2 of the property's development and for requiring parking improvements and a temporary restroom if the sales tax program were not approved.

Councilmember Matthews inquired as to the potential for remediation of any soil issues.

City Manager Kunik replied the Public Works Director, a longtime employee, was not aware of any such issues at that particular location.

Councilmember Matthews questioned if fill would be needed.

City Manager Kunik replied the PRWC would be responsible for their foundation; however, the City had much fill dirt from Buckley's pass that could be used.

Councilmember Carey confirmed the temporary restroom would comply with the Americans with Disabilities Act.

Mayor Prafke questioned the language in item 5 of page 1, noting there was concern regarding release of wildlife from the Henry Street location.

Ms. Callie Stahl, PRWC, explained animals would not be released from that location; the goal was to release animals where they were found or at an appropriate rural location. She stated she was agreeable to removing the word "release" from item 5, then confirming restrooms would be included in the new education center building.

Councilmember Matthews **MOVED** approval of the resolution with deletion of the word "release" from the lease, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

CONSENT AGENDA

Councilmember Matthews pulled Item C.1.

Councilmember Matthews **MOVED** approval of the remainder of the Consent Agenda, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Item C.1.: City Attorney Levin read the resolution by title.

Councilmember Matthews requested an explanation of the agreement.

City Manager Kunik stated in 2014, the City entered an agreement with Southwest Florida Land Developers which allowed the City to collect an administrative fee for purchasing Charlotte County impact fee credits owed to Southwest Land Developer at a discount. He stressed the City would not lose any monies.

A brief discussion ensued regarding the impact fee payment process and the terms of the agreement.

Councilmember Cummings **MOVED** approval of Item III.C.1., **SECONDED** by Councilmember Miller.

MOTION UNANIMOUSLY CARRIED.

- A. City Clerk's Department
 - 1. Approval of Minutes: Regular Meeting of April 1, 2020
- B. Legal Department
 - 1. Invoice of Allen, Norton & Blue, P.A. for legal services rendered through March 31, 2020.
- C. Finance Department
 - 1. A Resolution of the City Council of the City of Punta Gorda, Florida, approving a Development Agreement with Southwest Land Developers, Inc. for the optional purchase of transportation impact fee credits; ratifying preceding transactions; authorizing the Mayor to sign the Agreement; and providing an effective date.

D. Utilities Department

1. A Resolution of the City Council of the City of Punta Gorda, Florida, accepting a Bill of Sale, Release of Liens/Affidavit of No Liens from DR Horton, Inc. and Warranty from Mitchell & Stark Construction Corp. for water distribution and wastewater collection facilities located within Waterford Estates Phase 2C; providing for conflicts and severability; and providing an effective date.

BUDGET

Approval of Change Order #2 to Amendment #3 of the Master Agreement to Hans Wilson & Associates of Ft. Myers, FL, for additional construction observation services related to the Buckley's Pass project.

Ms. Anne Heinen, Procurement Manager, explained the change order would provide additional construction observation services related to rock excavation for Buckley's Pass, explaining unused funds allocated for rock excavation of the seawall could be applied to Change Order #2.

Councilmember Matthews **MOVED** approval of Change Order #2 to Amendment #3 of the Master Agreement to Hans Wilson & Associates as recommended by staff, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Award of Amendment #4 to Carollo Engineers, Inc., to prepare the Underground Injection Control (UIC) Closeout, Wellfield Management Plan, and Groundwater Flow Model.

Ms. Heinen explained the City awarded a Master Agreement to Carollo Engineers to provide engineering services for public water supply, noting staff had requested a proposal for professional services to assist the City with implementation of the Southwest Florida Water Management District accepted wellfield management plan, assessment of closeout requirements for the City's Florida Department of Environmental Protection underground injection control permit and development of a site-specific groundwater flow model for additional analysis and evaluation of future wellfield operation.

Councilmember Matthews **MOVED** approval of Award of Amendment #4 to Carollo Engineers as recommended by staff, **SECONDED** by Councilmember Miller.

MOTION UNANIMOUSLY CARRIED.

A Resolution of the City Council of the City of Punta Gorda, Florida (the "City"), approving the form and authorizing the execution and delivery of a Loan Agreement by and between the City and Regions Capital Advantage, Inc; subject to the parameters set forth in this Resolution, authorizing and approving the

issuance of a Note by the City in connection with said Loan Agreement relative to the re-financing of the City's Revenue Note, Series 2012 issued to re-finance various public works projects within the redevelopment area of the City in accordance with the 1990 Punta Gorda Downtown Redevelopment Plan; pledging designated revenues to repay the Note; covenanting to budget and appropriate from legally available non-ad valorem revenues of the City in the event designated revenues are insufficient to pay debt service on the Note; authorizing the proper officials of the City to do all other things deemed necessary or advisable in connection with the loan agreement, interlocal agreement and said revenue note; and providing for an effective date.

Ms. Kristin Simeone, Finance Director, explained staff was able to negotiate a loan agreement which would provide interest savings of 4.62% (\$565,000). She noted all terms of the loan remained unchanged, confirming there were no pre-payment penalties for the existing loan as of January 1, 2020.

Councilmember Matthews **MOVED** approval of the Resolution approving the form and authorizing the execution and delivery of the loan agreement, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Approval of the City's Comprehensive Annual Financial Report (CAFR) for the Fiscal Year (FY) Ended September 30, 2019

Ms. Simeone stated a clean opinion had been issued by the auditors, noting an overall increase to the City's net position.

Councilmember Carey **MOVED** approval of the CAFR for FY ended September 30, 2019, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

UNFINISHED BUSINESS

City Manager Recruitment Process and Timeline Update

Mr. Phil Wickstrom, Human Resources Manager, provided an update on the recruitment process, noting same was on schedule. He recommended moving scheduled events forward by one month, which would shorten the timeframe for a candidate to provide notice to their current employer. He stated a special meeting would be held on June 24, 2020, for Council's group candidate interviews, with Council conducting individual meetings with candidates the previous day. He stated on July 1, 2020, City Council could discuss and rank candidates as well as decide how many background checks to conduct, noting the background checks would take at least two weeks. He stated on July 20, 2020, the individual designated by Council would begin negotiating a contract

with the top candidate, with the contract being presented at the August 19, 2020, Council meeting. He briefly described the process, suggesting the community interview panel be broken into two groups of nine. He indicated it would be necessary to confirm panelists were still available.

Councilmember Cummings voiced approval of the changes, noting city managers needed to be focused on their own communities during the current pandemic situation. He opined it was desirable to wait so that candidates could focus on the interview process.

Mr. Wickstrom agreed to provide a sample score sheet for Council's use in evaluating candidates.

Discussion ensued regarding criteria to be considered.

Mayor Profke suggested the special meeting be held on June 25, 2020, so a determination could be made while interviews were fresh in their minds. She confirmed City Manager Kunik would be willing to stay on a few weeks if necessary.

A lengthy discussion ensued regarding the process of evaluating candidates and the timeline for interviews and decision-making, with City Attorney Levin suggesting the notice indicate the special meeting would occur for two consecutive days in case more than one day was needed.

Consensus was to accept the timeline presented, with the items listed under July 1, 2020, to be conducted on June 24, 2020.

Mr. Wickstrom concluded he would contact the candidates as well as the community interview panel, noting he would facilitate the panel interviews.

Placement of Speed Limit Signs in Burnt Store Isles

Police Chief Pamela Davis stated Police Department staff had met frequently with members of the Burnt Store Isles community, conducted enforcement in the area and observed speeds via radar, concluding staff was in favor of placing signage.

Mr. Norman Nahra, Captain, displayed an aerial view of existing speed limit signs throughout the City, noting Burnt Store Isles had very few signs. He outlined the areas in need of signs and proposed placement as follows locations: 555 and 606 Monaco Drive; north of Monaco Drive on Tripoli Boulevard; 406 and 591 Macedonia Drive; 437 and 508 Madrid Boulevard. He concluded these locations respected the views of the majority of concerned citizens but were also sufficient to provide needed education.

Mayor Profke confirmed signs could be installed on vacant lots wherever possible. She suggested placement of a sign near Cassandra Drive, noting signage might also be appropriate on San Massimo.

Chief Davis pointed out there had been no reports concerning San Massimo; however, it could be added at a later date if necessary.

Councilmember Carey inquired as to the costs for the signs.

Chief Davis replied signs would cost \$100 each, opining a sufficient number of signs might be available in storage.

Councilmember Matthews **MOVED** approval of placement of speed limit signs in Burnt Store Isles as discussed this date, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

NEW BUSINESS

Discussion regarding parking on Gill St. between W. Olympia Avenue and W. Marion Avenue.

Mr. Justin Davoult, Police Lieutenant, noted the City's current ordinance did not include Gill Street in limitations for on-street parking, briefly reviewing information related to the dimensions of and safety issues arising from parking on both sides of Gill Street. He noted there were other streets in the City where parking was limited to one side, proposing parking be limited to one side of Gill Street between West Olympia Avenue and West Marion Avenue on Saturdays and Sundays from 7 a.m. to 5 p.m.

Police Chief Davis explained Reverend Loomis requested parking be permitted on the west side so that parishioners could park next to the church, noting same would still allow residents to use their driveways more easily.

Councilmember Matthews recommended the limitation be in place throughout the week, opining all streets in the downtown should be evaluated for parking issues.

Discussion ensued with Councilmembers commenting favorably on restricting parking in the subject area.

Councilmember Cummings **MOVED** approval to limit parking to the west side of Gill Street throughout the week, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

RECOMMENDATION FROM CITY OFFICERS

CITY MANAGER

City Manager Kunik briefly reviewed items for the May 6, 2020, agenda.

Chief Ray Briggs provided an update on COVID-19, noting Florida had 21,600 confirmed cases and 571 deaths. He stated there were 123 confirmed cases and 5 deaths in Charlotte County. He stated staff participated in numerous conference calls with government and health organizations, noting there were Intensive Care Unit beds and ventilators available in the area. He stated 46 employees were working from home. He stated most people in the City were acting appropriately, which was

reflected in the data. He noted the Fire Department's call volume was lower than this time last year; however, the severity of the calls was more urgent. He stated the Department of Health had been helpful in providing certain personal protective equipment, adding staff had been proactive in obtaining supplies.

Councilmember Matthews inquired as to cases within City limits.

Chief Briggs replied with an explanation of the process for notification of cases, adding addresses with positive results were flagged for approximately two weeks. He stated people from out of State via the Punta Gorda Airport were screened and flagged as well, indicating there were approximately 10 cases within City limits. He noted there was a large cluster in several assisted living facilities outside of the City, adding the Department of Health reviewed those facilities to ensure they were using best practices and tested all residents to obtain an accurate count. He concluded there had been much coordination and cooperation among the various groups.

Discussion ensued regarding the City's response to the pandemic.

City Manager Kunik reported staff informed event organizers for two late-May events they needed to find alternative ways to hold their events regardless of whether an emergency order was in place, noting the timeframe for the City's emergency order was in line with the Governor's order. He then announced the farmers market would begin offering a drive-through service for produce this Saturday, noting staff offered the same opportunity to the History Park market.

CITY ATTORNEY

No comments.

BOARDS AND COMMITTEES

Nominations

Punta Gorda Housing Authority (2)

Councilmember Cummings **MOVED** to nominate and reappoint Mr. Harry Agabedis and Ms. Della Booth, **SECONDED** by Councilmember Miller.

MOTION UNANIMOUSLY CARRIED.

POLICY AND LEGISLATION

PRAFKE: Thanked members of the community who were observing social distancing guidelines, acknowledging the difficult situation. She stated she looked forward to reopening the City and returning to normalcy, cautioning against acting hastily.

- Commented income-restricted residents were more susceptible during a disaster, noting assistance was available through Community Organizations Active in a Disaster (COAD) (coadfl.org) and the Charlotte Community Foundation. She stated the Punta

Gorda-Englewood Beach Visitors Bureau (bestsideyourside.com) had shirts available to raise funds for COAD.

CAREY: Thanked COAD for their efforts, noting donations were being accepted directly by the Charlotte Community Foundation.

- Voiced concern regarding her discussion with Dover, Kohl & Partners (DKP) regarding the top priorities, opining DKP had not listened to the community's comments.

MATTHEWS: Concurred with Councilmember Carey's comments, adding DKP continued to ask the same questions repeatedly, which was a waste of valuable time and money.

- Expressed concern regarding election materials being left on doorsteps and driveways, requesting the Weekly Highlights Report address same.

Mayor Prafke stated this issue would be discussed at the May 20, 2020, meeting. She then inquired whether a meeting with DKP was needed.

A lengthy discussion ensued with several members expressing dissatisfaction with the status of the project and consensus to request DKP produce a summary of their understanding of the responses from one-on-one meetings with Council and a separate summary from staff.

CUMMINGS: Commented favorably on efforts being made by various organizations to assist the community.

CITIZENS COMMENTS

The meeting was adjourned at 11:26 a.m.

Mayor

City Clerk