

**CITY OF PUNTA GORDA, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
WEDNESDAY, APRIL 7, 2021, 9:00 A.M.**

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

**CITY EMPLOYEES PRESENT:** Kristin Simeone, Finance; Rick Keeney, Public Works; Charles Pavlos, Utilities; Jeff Payne, Human Resources; Joan LeBeau, Urban Design; Pamela Davis, Police; Ray Briggs, Fire; City Attorney Levin; City Manager Murray; City Clerk Smith

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

Invocation was given by Mr. Carlo Gargiulo, followed by the Pledge of Allegiance.

Ms. Kenna George spoke regarding COVID vaccinations.

Mr. Larry Larson voiced concern regarding traffic noise from Burnt Store Road. He submitted into the record a letter signed by 500 residents from Parkhill, River Haven, Eagle Point and Gulfview.

City Manager Murray read an email from Mr. Tom Cavanaugh who voiced concern regarding Senate Bill 284 and House Bill 55 related to restricting the City's ability to regulate building design.

**Mayor Matthews** announced the City had not sent a letter to the legislature regarding short term vacation rentals as the House bill was currently stalled in a subcommittee; however, letters had been sent opposing the bills related to proposed restrictions on building design standards and home based businesses.

**PROCLAMATIONS**

**Mayor Matthews** confirmed members were amenable to reading into the record the proclamations on the Consent Agenda.

Discussion ensued with consensus that future proclamations which were not able to be accepted in person should also be included on the regular agenda and be read aloud.

**Parliamentary Law Month**

**Mayor Matthews** presented the proclamation which was accepted by Mr. Luis Rivera, President, Charlotte County Parliamentarian Unit.

**National Telecommunications Week**

**Councilmember Prafke** presented the proclamation, which was accepted by Police Chief Pam Davis.

**Introduction of Board/Committee Member Nominees**

Mr. Ian Milne introduced himself as a nominee for the Burnt Store Isles Canal Advisory Committee.

Ms. Lucille Ponte introduced herself as a nominee for the Historic Preservation Advisory Board (alternate seat).

**NOTE: City Council recessed and reconvened as the Community Redevelopment Agency (CRA) (see corresponding minutes).**

**PUBLIC HEARING AGENDA**

**Quasi- Judicial Public Hearings**

No items.

**Ordinance/Resolution (No Public Hearing Required)**

No items.

**CONSENT AGENDA**

**Mayor Matthews** pulled Items A1, A2 and A3.

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

**MOTION UNANIMOUSLY CARRIED.**

**ITEMS #A1, A2 and A3:** **Mayor Matthews** read the proclamations into the record.

- A. City Clerk's Department
  - 1. Approval of Minutes: Regular Meeting of March 17, 2021
  - 2. Water Conservation Month
  - 3. Donate Life Month
  - 4. Military Heritage Museum Volunteer Appreciation Day
- B. Legal Department
  - 1. Invoice of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for legal services rendered through March 17, 2021
- C. Finance Department
  - 1. Amendment #6 to the Master Agreement for engineering services for Wastewater Treatment Works Improvement.
- D. Police Department
  - 1. Grant Adjustment 2020 Coronavirus Emergency Supplemental Funding Program

**BUDGET**

**Award of Agreement to Allen Norton & Blue of Tampa, FL for At Will Labor Attorney Services**

Ms. Anne Heinen, Procurement Manager, reported the existing agreement with Allen Norton & Blue expired on March 14, 2021, noting the proposed five-year agreement was based on hourly rates and included an optional renewal period. She stated the current estimated annual expense for the contract was \$19,951, concluding staff recommended approval of the agreement.

**Councilmember Carey** confirmed the date lapse was not due to dissatisfaction with the service being provided.

Councilmember Prafke **MOVED** approval of award of the Agreement to Allen North & Blue of Tampa, Florida, **SECONDED** by Councilmember Cummings.

**MOTION UNANIMOUSLY CARRIED.**

**Award of Amendment #5 to provide Engineering Services for the Wastewater Treatment Plant Improvements to CDM Smith of Fort Myers, FL**

Ms. Heinen recalled City Council previously awarded a Master Agreement for providing engineering services for the Wastewater Treatment Plant (WWTP) improvement and services to CDM Smith. She explained staff requested a proposal, based on the negotiated hourly rates in the Master Agreement, for engineering services to provide design construction plans, CMAR (Construction Manager at Risk) coordination, permitting, bidding assistance and grant assistance for the WWTP Improvements Project. She stated the total cost for Specific Authorization #6, Amendment #5, was \$2,959,034 which was inclusive of a lump sum cost of \$2,944,344 and a not-to-exceed cost of \$14,700 for Task 12, CMAR negotiations, which would be utilized at the City's discretion. She noted after the design phase was complete, a separate authorization would be negotiated with the Consultant for construction observation services and loan grant compliance and reporting assistance during construction, concluding staff recommended approval of the award. She concluded this was a budgeted project.

Councilmember Prafke **MOVED** approval of award of the Agreement to CDM Smith of Fort Myers, Florida, **SECONDED** by Councilmember Cummings.

**MOTION UNANIMOUSLY CARRIED.**

**UNFINISHED BUSINESS**

No items.

**NEW BUSINESS**

No items.

**RECOMMENDATION FROM CITY OFFICERS**

**CITY MANAGER**

**Legal Assistant**

City Manager Murray explained the current administrative support position being vacated in the City Manager's Office would be separated into two separate positions, including an Executive Assistant and Legal Administrative Assistant to better serve the needs of the Office, noting the cost for the current budget year would be approximately \$30,000.

**Councilmember Prafke** voiced appreciation for the superior level of work provided by Ms. Macalle Finkle, Executive Assistant and Paralegal, acknowledging the volume of work was increasing.

**Mayor Matthews** concurred, noting same would prevent legal expenses from increasing.

Discussion ensued with consensus of members to approve the requested positions.

City Manager Murray noted the Emergency Ordinance related to mandatory mask wearing would expire on April 30, 2021, unless City Council desired to put same on a future agenda. He clarified City facilities would retain the requirement for mask wearing.

#### CITY ATTORNEY

City Attorney Levin reported a quarterly report would be available at the next meeting.

#### BOARDS AND COMMITTEES

##### **Announcement of Vacancies**

Board of Zoning Appeals Alternate (2)

Donation Review Committee

Utility Advisory Board (2)

Building Board

Punta Gorda Housing Authority

City Clerk Smith announced the vacancies.

##### **Nominations**

Burnt Store Isles Canal Advisory Committee

City Clerk Smith explained two individuals had been nominated for a seat on the Burnt Store Isles Canal Advisory Committee (BSI CAC), noting the same two individuals were being nominated for a second vacancy. She suggested City Council could make a motion to appoint both individuals to fill the two vacant positions at this time.

Councilmember Prafke **MOVED** to appoint Mr. Ian Milne and Mr. David Perkins to the BSI CAC, **SECONDED** by Councilmember Cummings.

##### **MOTION UNANIMOUSLY CARRIED.**

Firefighters' Pension Board

Councilmember Prafke **NOMINATED** all interested parties.

General Employees' Pension Board

Councilmember Prafke **NOMINATED** all interested parties.

Historic Preservation Advisory Board - 2 Alternates

Councilmember Prafke **NOMINATED** all interested parties.

Utility Advisory Board

Councilmember Prafke **NOMINATED** all interested parties.

### **Appointments**

Burnt Store Isles Canal Advisory Committee

See Nominations.

Historic Preservation Advisory Board

Voting forms were distributed.

City Clerk Smith announced Ms. Beth Magnin had received the most votes and was thus appointed to the Board.

### **POLICY AND LEGISLATION**

**MATTHEWS:** Reported COVID vaccines were available at the Charlotte County Event & Conference Center for anyone over the age of 18 without an appointment.

- Stated according to the City's lobbyist it was a difficult year for legislative appropriations projects; however, \$500,000 was included in the House Bill for the Boca Grande Drainage Project.

**CUMMINGS:** Announced he had been appointed to the Florida Freight Advisory Committee and would be promoting the area as a multimodal and intermodal area for the Florida Department of Transportation.

**PRAFKE:** No comment.

**CAREY:** No comment.

**MILLER:** Stated a resident had written regarding the speed of boat traffic in the canals, adding he had suggested a maximum speed limit of 5 miles per hour. He opined it made sense, requesting the item be included on a future agenda.

**Councilmember Prafke** opined a specific number was not appropriate as different vessels in various conditions might require a variation in speed.

**Councilmember Carey** pointed out this topic had been discussed at length when the ordinance was considered, adding the Police Chief had indicated a speed limit was not enforceable due to the lack of a marine unit.

**Mayor Matthews** stated Florida Fish and Wildlife controlled speed limits in the canals, opining miles per hour was not used as a gauge on waterways.

Discussion ensued with consensus the topic could be included on a future agenda.

### **CITIZENS COMMENTS**

No further comments.

The meeting was adjourned at 10:19 a.m.

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Mayor

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City Clerk