

**PUNTA GORDA ISLES
CANAL ADVISORY COMMITTEE
MEETING
SEPTEMBER 21, 2020**

MEMBERS PRESENT: Fredric Cort, Chairman
Jake Dye, Fred Hannon, Robert Knabe,
Mark Kuharski, Colleen Wright

MEMBERS ABSENT: Paul Raffa

OTHERS PRESENT: Rick Keeney, Public Works Director
Kristin Simeone, Finance Director
Cathy Miller, Canal Maintenance Supervisor
Gary Disher, Mapping, Permitting and Compliance Manager
Bob Nikula, Public Works Project Manager
Jenna Phillips, David Hawk, Cole Concannon, Mike Parr,
Frank Aveni (virtually), Natalie Grubb (virtually),
Derek Isman (virtually), Peter Aratari, Patrice Petrik

CALL TO ORDER/ANNOUNCEMENTS

- Mr. Cort called the meeting to order at 1:30 p.m.
- A. Roll Call
- B. Next Scheduled Meeting
- 1. October 19, 2020

NOTE: Approval of Minutes was heard following Call to Order/Announcements.

CITIZEN COMMENTS ON AGENDA ITEMS ONLY

- Ms. Cathy Miller, Canal Maintenance Supervisor, read the following public comments into the record: Mr. Ronald Smith expressed safety concerns regarding CCSP-15-2020, requesting the lift not encroach on the permitted 45-degree angle; Mr. Charles Clow opined approval of CCSP-17-2020 would create navigational issues for surrounding property owners, requesting same be denied; Ms. Natalie Grubb requested CCSP-18-2020 be denied, listing concerns she had regarding same.

NOTE: Reports were heard following Citizen Comments on Agenda Items Only.

APPROVAL OF MINUTES

- A. August 17, 2020
- Mr. Dye MOVED, Mr. Knabe SECONDED approval of the August 17, 2020, minutes.
MOTION CARRIED UNANIMOUSLY.

NOTE: Citizen Comments on Agenda Items Only were heard following Approval of Minutes.

REPORTS

- A. Finance Reports - August 2020
 - Ms. Miller confirmed there were no questions regarding the August 2020 report from the agenda material.
- B. Budget Utilization Report - August 2020
 - Ms. Miller reported some mangrove trimming would commence at Surfbird Court; additionally, dredging was completed at Bass Inlet and Snook Inlet the previous week.
- C. Seawall Replacement Status Reports - August 2020
 - Ms. Miller announced all proposed projects were complete.
- D. Permits Authorized by the City - August 2020
 - Mr. Cort confirmed members had no questions regarding permits authorized in August 2020.
- E. PGI Capital Improvement Status - Update
 - Mr. Gary Disher, Mapping, Permitting and Compliance Manager, stated Taylor Engineering would present the draft for the Seawall Materials and Methods Feasibility Study (Feasibility Study) following this item. He then reported the Ponce de Leon Inlet Widening & Dredging/Spoil Site Channel Project (Inlet/Channel Project) was being reviewed by the City Attorney and was currently on hold, noting more information would be provided when available.
 - Mr. Cort inquired as to what was being reviewed.
 - Ms. Kristine Simeone, Finance Director, explained the City Attorney indicated the Inlet Project was not considered a maintenance project, explaining staff was researching justification of the Project as a maintenance program.

NOTE: Presentation of the Draft Seawall Materials & Methods Feasibility Study by Taylor Engineering was heard following Reports.

NOTE: The public hearing for CCSP-13-2020 was heard following Presentation of the Financial Proforma.

PUBLIC HEARINGS

- Deputy Clerk Welch swore in all participants.
- A. Special Permit CCSP-13-2020 - Petition for Special Permit under the provisions of Section 6-6(j) of the Punta Gorda Code to install a boat lift with three (3) boat lift pilings and a portion of a three (3) foot wide aluminum walkway outside the 45 degree angle, which is prohibited by Section 6-6(c)4, Punta Gorda Code, at Lot 15, Block 136, Section 12, aka 3800 Bermuda Court, Punta Gorda, Florida 33950.
Owner/Petitioner: Donald Harter
Charlotte County Parcel: 412223110001

- Mr. Bob Nikula, Public Works Project Manager, displayed photographs of the subject property and proposed construction drawings from the agenda material, noting the request was to install an “alpha” style 4-piling boat lift with 3 of the pilings and a portion of a 3-foot aluminum walkway outside the permitted 45-degree angle. He stated the furthest piling extended 23 feet waterward from the seawall, explaining the orientation of the proposed lift would allow a “straight-in” approach from the center of the canal. He verified the subject property had 35 feet of seawall and a vessel could be moored 30 feet waterward from same, concluding staff recommended approval of the request.
- Mr. David Hawk stated the engineering drawing did not represent what existed, noting a new dock was installed to the left of the subject property and a new boat lift was being installed to the right. He then displayed a sketch of his dock, which was installed according to Punta Gorda Code, opining the proposal would extend far beyond the 45-degree angle in his direction. He commented there were alternatives other than what was being proposed, requesting this special permit be denied.
- Mr. Cole Concannon read a letter on behalf of Mr. David McHenry, 3806 Bermuda Court, which requested alternative solutions be explored and the special permit be denied. He then stated he was also opposed to the request.
- Mr. Mike Parr, applicant’s agent, stated the proposed design allowed the structure to remain within the permitted berthing lines, noting a vessel could legally be stored in the same location without a boat lift. He explained the proposed design also aligned with the flow of the canal, opining same would not present a problem as long as two vessels were not launching at the same time.
- Mr. Kuharski inquired as to the alternatives mentioned by the opposing neighbors.
- Mr. Concannon displayed photographs of his property compared to the subject property, then providing his opinion on alternatives for the applicant.
- Mr. Kuharski confirmed Mr. Concannon’s alternatives would not accommodate the boat desired by the applicant and dredging closer to the seawall would not be allowed.
- Discussion ensued regarding the details of the request as well as the issues which might arise with alternative solutions, with Mr. Parr indicating his proposed design allowed for safe navigation in the canal.
- Mr. Cort called three times for public comment.
- Mr. Knabe MOVED, Mr. Kuharski SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.

- Mr. Kuharski recommended revisions be made to the proposed design, opining opposition from two neighbors was significant.
- Mr. Kuharski MOVED, Ms. Wright to continue CCSP-13-2020 to the October 19, 2020, meeting. MOTION CARRIED UNANIMOUSLY.

NOTE: Mr. Kuharski left the meeting at 3:30 p.m.

NOTE: The public hearing for CCSP-17-2020 was heard following the public hearing for CCSP-13-2020.

NOTE: Mr. Dye stepped down from the dais at 4:00 p.m.

NOTE: The public hearing for CCSP-15-2020 was heard following the public hearing for CCSP-18-2020.

- B. Special Permit CCSP-15-2020 - Petition for Special Permit under the provisions of Section 6-6(j) of the Punta Gorda Code to install a second boat lift as prohibited by Section 6-6(c)3, Punta Gorda Code, at Lot 50, Block 13, Section 4, aka 53 Tropicana Drive, Punta Gorda, Florida 33950.

Owner/Petitioner: Martin Purselley

Charlotte County Parcel ID: 412211309007

- Mr. Nikula displayed photographs of the subject property and proposed construction drawings from the agenda material, providing a brief review of the request and concluding staff recommend approval of same.
- Ms. Patrice Petrik expressed opposition to the request on the basis the proposed structure would compromise ingress to and egress from her dock and would cause safety concerns.
- Ms. Miller read Mr. Ron Smith's letter expressing opposition to the request again.
- Mr. Dye disclosed he submitted a Form 8B and he would abstain from voting on this request. He then explained the proposed lift would swing out of the 45-degree angle, noting he would inform the applicant needed to store same above the dock when not in use. He stated the lift could only accommodate personal water craft, not larger vessels.
- Mr. Aratari noted this type of boat lift was expensive, opining property owners would not store them in a location that might cause damage to same.
- Ms. Petrik reiterated her concerns regarding safely docking her vessel if the request was approved.
- Mr. Cort called three times for public comment.
- Mr. Knabe MOVED, Mr. Hannon SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.

- Mr. Knabe MOVED, Mr. Hannon SECONDED to approve CCSP-15-2020. MOTION CARRIED UNANIMOUSLY.

NOTE: FY 2020/2021 Seawall Replacement Program was heard following CCSP-15-2020

NOTE: Mr. Dye returned to the dais at 4:22 p.m.

NOTE: The public hearing for CCSP-17-2020 was heard following the public hearing for CCSP-13-2020.

- C. Special Permit CCSP-17-2020 - Petition for Special Permit under the provisions of Section 6-6(j) of the Punta Gorda Code to install a boat lift with three (3) boat lift pilings and a portion of a two (2) foot wide aluminum walkway outside the 45 degree angle, which is prohibited by Section 6-6(c)4, Punta Gorda Code, at Lot 1, Block 200, Section 14, aka 3666 Whippoorwill Boulevard, Punta Gorda, Florida 33950.

Owner/Petitioner: Carl and Mary Ingargiola

Charlotte County Parcel ID: 412224210004

- Mr. Nikula displayed photographs of the subject property and proposed construction drawings from the agenda material, noting the request to install 3 boat lift pilings and a portion of a 2 foot wide aluminum walkway outside the 45 degree angle. He stated the furthest piling extended 24 feet waterward from the seawall, concluding the proposed design provided proper access for the vessel and staff recommend approval of the request.
- Mr. Mike Parr, applicant's agent, stated the design was similar to CCSP-13-2020, noting the proposed design was the best option for the subject property.
- Ms. Wright questioned if the applicant's vessel would sit on the lift as depicted in the engineer's drawing.
- Mr. Parr replied the vessel would back up a couple feet but not to the berthing line, clarifying the engineer's drawing was focused on the installation.
- Mr. Cort called three times for public comment.
- Mr. Dye MOVED, Mr. Knabe SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Mr. Hannon MOVED, Mr. Dye SECONDED to approve CCSP-17-2020.
- VOTING AYE: Cort, Dye, Hannon, Knabe.
- VOTING NAY: Wright.
- MOTION CARRIED.
- Ms. Wright opined the request extended too far beyond the permitted 45-degree angle and could cause safety issues.

NOTE: FY 2020/2021 Seawall Replacement Program was heard following the public hearing for CCSP-17-2020.

NOTE: The public hearing for CCSP-18-2020 was heard following the public hearing for CCSP-13-2020.

D. Special Permit CCSP-18-2020 - Petition for Special Permit under the provisions of Section 6-6(j) of the Punta Gorda Code to install a second boat lift as prohibited by Section 6-6(c)3, Punta Gorda Code, at Lot 31, Block 11, Section 4, aka 45 Ocean Drive, Punta Gorda, Florida 33950.

Owner/Petitioner: Shawn Carpenter

Charlotte County Parcel ID: 412211178010

- Mr. Nikula displayed photographs of the subject property and proposed construction drawings from the agenda material, providing a brief review of the request, which would accommodate a personal watercraft within the permitted 45-degree angle, and concluding staff recommended approval of same.
- Mr. Frank Aveni spoke in opposition to the request as same would impair their view of Charlotte Harbor (Harbor), expressing concern other properties would follow suit.
- Ms. Natalie Grubb asserted the property owners were aware of the requirements when purchasing the lot, speaking against CCSP-18-2020 and requesting same be denied.
- Mr. Derek Isman opined the petitioner did not meet the criteria for granting a special permit and the request created hardship for surrounding property owners; therefore, same should be denied.
- Mr. Peter Aratari, applicant's agent, stated the proposed boat lift would store a jet ski, noting same should not obstruct the view of the Harbor. He explained the boat lift would swing 180 degrees in each direction so as to allow the vessel to be stored on the dock when not in use. He then reviewed the drawings and the specifications of the lift, stating same could only accommodate a jet ski up to 10 feet long and 4 feet wide. He opined the structure would not obstruct anyone's view.
- Discussion ensued regarding the specifications of the proposed lift.
- Mr. Aveni and Ms. Grubbs reiterated their dissatisfaction with the request.
- Mr. Cort called three times for public comment.
- Mr. Dye MOVED, Mr. Knabe SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Mr. Dye opined surrounding views would not be impacted.
- Mr. Knabe acknowledged the neighboring property owner's concerns, noting the Committee was not responsible for ensuring views were not obstructed.

- Mr. Dye stated pollution of views within the canals was a valid concern, reiterating this lift would not contribute to same.
- Mr. Dye MOVED, Mr. Hannon SECONDED to approve CCSP-18-2020. MOTION CARRIED UNANIMOUSLY.

NOTE: The public hearing for CCSP-15-2020 heard following the public hearing for CCSP-18-2020.

NEW BUSINESS

- A. FY 2020/2021 Seawall Replacement Work Program.
 - Ms. Miller drew attention to the Seawall Replacement Work Program proposed for Fiscal Year (FY) 2020/2021, confirming same was available on the City's website and was advertised in the Weekly Highlights. She stated the property owners which had been notified were beginning to prepare their properties, concluding the project schedules should be included in the October 19, 2020, meeting agenda.

NOTE: GA-08-2020 An Ordinance of the City of Punta Gorda, Florida, amending Chapter 6 heard following FY 2020/2021 Seawall Replacement Work Program.

UNFINISHED BUSINESS

- A. Presentation of the DRAFT Seawall Materials & Methods Feasibility Study by Taylor Engineering.
 - Ms. Jenna Phillips, Taylor Engineering, provided a detailed review of the Feasibility Study, as delineated in the agenda material, noting same examined the City's current canal maintenance program which addressed 109 miles of seawall. She briefly reviewed the history and current state of the seawalls as well as the difference between design life, which was the estimate produced by the design engineer based on various assumptions, and service life, which was the amount of time the structure was in service. She next reviewed projected seawall replacement per year through 2085. She explained and compared costs for the three primary alternative construction methodologies recommended for consideration as follows: Alternative One, which was a modified concrete panel design using upsized Martensitic Microcomposite Formable Steel (MMFX) rebar and high strength 5,500 pounds per square inch (PSI) concrete (\$358.67 per linear foot; 65 year service life; \$496.62 per linear foot over 90 years); Alternative Two, which was a modified concrete panel design using stainless steel reinforcement and standard 4,000 PSI concrete (\$428.03 per linear foot; 90 year service life; \$428.03 per linear foot over 90 years); Alternative Three, which was vinyl panels using MMFX tie-rods and tie-back modifications (\$365.83 per linear foot; 40 year service life; \$823.12 per linear foot over 90 years). She presented two approaches for seawall production and replacement rates, explaining the first was a linear

approach, which required replacement of 17,500 feet per year over the next 20 years, and the second was a stepped approach, which would require 12,500 feet per year for the first decade of the program and then 22,500 feet per year over the second decade of the program. She then acknowledged the depletion of vacant lots for staging areas was a growing concern, recommending the Colony Point site be considered for same. She concluded the final recommendation from the Feasibility Study was to reduce the seawall inspection rate from annual inspections and to consider implementing an inspection method such as that outlined in the American Society of Civil Engineer's Waterfront Facilities Inspection Manual to reduce the subjectivity of inspections.

- Mr. Dye stated he saw a reference to periodically removing marine growth from the seawalls, questioning what impact marine growth had on the life of the seawall.
 - Ms. Phillips responded the impact was minimal, explaining the clearing process was to inspect the seawall underneath the growth.
 - Mr. Cort summarized the Committee needed to provide recommendations on the construction method for seawall panels, the replacement rate for the seawall maintenance program going forward, any changes to inspections and how to address staging and barge access. He questioned whether the Inlet/Spoil Site Channel Project already proposed were sufficient to address staging and barge access.
 - Mr. Disher indicated the Spoil Site Channel Project's final design was not complete; however, the project would assist with loading and unloading barges.
 - A brief discussion ensued regarding the alignment of the Inlet/Spoil Site Channel Project with the needs identified in the Feasibility Study as well as the use of drones for inspections and the details of the seawall materials and installation methods, with Ms. Phillips clarifying Taylor Engineering was not contracted to perform a design analysis for the alternatives.
- B. Presentation of the financial proforma as it relates to the DRAFT Seawall Materials & Methods Feasibility Study by Taylor Engineering and selection of a Study recommendation.
- Ms. Simeone drew attention to the financial proforma, as delineated in the agenda material, noting same differed slightly from what was previously presented and was tailored specifically for the Punta Gorda Isles' (PGI) Canal Maintenance Assessment District. She provided a brief overview of the current replacement program and the history of PGI's canal system, noting approximately 271,000 linear feet of the original seawalls remained. She explained the options presented included costs based on replacing the remainder of the PGI canal system over a 20-year timeframe as well as costs based on the estimated life of the construction material. She then reviewed the

options and their 20-year replacement programs costs as follows: Current construction method, 50-year lifespan with an estimated assessment rate increase of \$471; Alternative 1 (Martensitic Microcomposite Formable Steel [MMFX]), 65-year lifespan with an estimated assessment rate increase of \$581; Alternative 2 (Stainless Steel), 90-year lifespan with an estimated assessment rate increase of \$761; Alternative 3 (Vinyl), 40-year lifespan with an estimated assessment rate increase of \$600. She suggested members consider a phased approach, concluding determinations would be based on what members were comfortable with moving forward.

- Discussion ensued regarding the timeframe for replacement of the PGI canal system's remaining original seawalls as well as the timeframe and costs for the replacement program after the entire system was replaced, with Mr. Disher confirming staff's opinion was all options presented were viable.
- Mr. Hannon recommended using the proper rebar and appropriate concrete in combination with rip-rap placed in front of the seawall, adding the best tie-backs available should be used.
- Mr. Kuharski opined none of the options were acceptable and City Council should make the decisions, expressing hesitance to provide a recommendation.
- Mr. Disher questioned whether members desired to postpone making recommendations to the next meeting to allow time to consider all options.
- Ms. Wright suggested further financial modeling be done. She indicated residents should be provided an explanation regarding management of the canal replacement program to date and why a significant amount of seawalls still required replacement.
- Ms. Simeone explained the district had not established a large reserve for replacement of seawalls in the future, noting members could decide how to approach budgeting for replacements moving forward. She advised current reserves could be used; however, some funds should remain for emergencies.
- Mr. Disher commented this discussion was to bring awareness to the community on the current state of the seawalls and to be proactive in addressing same.
- Mr. Dye stated he was not comfortable with making technical recommendations, opining City Council would prefer staff's recommendations.
- Mr. Rick Keeney, Public Works Director, advised staff's recommendations based on the Feasibility Study were as follows: (1) staff was satisfied with the current design of the seawall panels; (2) move forward with the recommendation to use Colony Point as a staging site; (3) refrain from doubling the program in one year and increase rates gradually, with proposed rate increases included in next year's budget process; (4) inspections of seawalls be completed every two years, with improvements to be made

to inspection forms. He then commented Councilmembers and Committee members changed over time, noting staff did the best they could based on the recommendations given to them.

- Mr. Kuharski spoke in favor of staff's recommendations, commenting positively on the City and staff.
- Mr. Cort inquired whether a financial proforma based on the recommendations could be included at next month's meeting for consideration.
- Mr. Keeney responded staff could work with the Finance Department to evaluate increasing assessment rates gradually.
- Ms. Simeone noted another proforma was not necessarily needed at this time, explaining this financial proforma was to provide members with an idea of the impact of decisions they might make.
- Mr. Knabe verified the proforma did not include costs for rip-rap, suggesting same be added.
- Mr. Cort confirmed members could support staff's recommendations once revised financial projections were reviewed.
- Mr. Keeney stated staff also agreed the curing process for seawall panels needed adjustment, particularly the top panels, noting staff would implement changes to that process. He then explained rip-rap was not currently included in the report as staff was working on permitting for same.

NOTE: The public hearing for CCSP-13-2020 was heard following Presentation of the Financial Proforma.

- C. GA-08-2020 an Ordinance of the City of Punta Gorda, Florida, amending Chapter 6 of the Punta Gorda Code, relating to the use of waterways, operation of vessels, construction within waterways, seawalls and canal maintenance; rewriting and reorganizing substantial portions thereof; providing for conflict and severability; and providing an effective date.
- Mr. Disher announced the rewrite of Chapter 6, Punta Gorda Code, was complete and the first reading was scheduled to be heard at the September 23, 2020, City Council meeting and, if approved, the second reading was scheduled for the October 7, 2020, meeting.

STAFF COMMENTS

- None.

COMMITTEE/BOARD COMMENTS

- None.

CITIZENS' COMMENTS

- None.

ADJOURNMENT

- Meeting Adjourned: 4:23 p.m.

Fredric Cort, Chairman

Leah Pues, Recording Secretary