

**CITY OF PUNTA GORDA, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, JULY 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.

Mayor Matthews confirmed there were no citizen comments.

PROCLAMATION/PRESENTATIONS

10 Year Service Award - Lieutenant Stephen Richardson, Fire Department

Tabled to the next meeting due to Tropical Storm Elsa.

10 Year Service Award - Firefighter/EMT Danny Felico, Fire Department

Tabled to the next meeting due to Tropical Storm Elsa.

Fire Chief Briggs reported damage from the storm was minimal.

Introduction of Board/Committee Member Nominees

None.

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

QUASI- JUDICIAL PUBLIC HEARINGS

PD- 02- 2021 An Ordinance of the City of Punta Gorda, Florida, amending the conceptual site plan previously adopted with Ordinance No. 1907- 18, adding an amended site specific plan for the Westerly ½ of Lot 15, 4.52 +/- acres, generally described as 24420 Airport Road, Punta Gorda, Florida, and more particularly described in Exhibit “A” attached hereto; amending the previously limited total density; providing for certain modifications to the regulations applicable to the development; providing for conflict and severability; and providing an effective date.

FIRST READING

City Attorney Levin swore in the participants and read the ordinance by title.

Ms. Lisa Hannon, Zoning Official, entered the staff report, as delineated in the agenda material, into the record by reference. She reviewed the history of the Verandas property as well as the applicant’s request, noting same would amend the site-specific plan for ½ of lot 15 and would permit the total density to be calculated based on the overall property. She stated the request was consistent with the Comprehensive Plan

2040 (Plan), summarizing some of the objectives and policies which aligned with the Future Land Use and Housing Elements within the Plan. She indicated the request fulfilled the need for affordable housing, explaining Planned Development Neighborhood Districts were intended to encourage a mixture of housing types and price ranges as well as to promote the organization of residential development into efficient neighborhoods with appropriate supportive community facilities and services. She concluded the Development Review Committee, the Planning Commission and staff recommended approval of the request, including the deviations from the Land Development Regulations referenced in the staff report.

Ms. Geri Waksler, applicant's agent, explained the request would increase the number of units allowed from 56 to not more than 80, noting modifications to the site plan would increase the two eastern-most buildings adjacent to the existing senior apartment community from a 16-unit and 18-unit building to 2 24-unit buildings, with the playground relocated slightly to the north to accommodate those changes. She reviewed the required findings, which were included in the application and staff report, requesting the application be made part of the record.

Mayor Matthews spoke positively of the request's ability to address the need for affordable housing in the community. She then called three times for public comment. Councilmember Cummings **MOVED** to close the public hearing, **SECONDED** by Councilmember Prafke.

MOTION UNANIMOUSLY CARRIED.

Councilmembers Prafke, Cummings and Miller and Mayor Matthews disclosed they had met with the developer.

Councilmember Carey disclosed she was the City's liaison to the Punta Gorda Housing Authority and had also met with the developer.

Councilmember Cummings **MOVED** approval of PD-02-2021, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

ORDINANCE/RESOLUTION

(No Public Hearing Required)

PD- 01- 2021 An Ordinance of the City of Punta Gorda, Florida, amending Ordinance No. 1409- 05, as amended by Ordinance No. 1457- 06, relating to the rezoning of the properties at 33 and 55 Tamiami Trail and being further bounded and described in Exhibit "A" attached hereto, from City Center District (CCD) to Planned Unit Development/City Center (PUD/CC); to establish the interim uses of a bar, restaurant, event venue, parking, and temporary storage use on the

undeveloped portions of the property with conditions, until the construction of the proposed multi-family residential building; providing for conflict and severability; and providing an effective date. **SECOND READING**

City Attorney Levin read the ordinance by title, noting this was a second reading.

Councilmember Prafke **MOVED** approval of PD-01-2021, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

CONSENT AGENDA

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

MOTION UNANIMOUSLY CARRIED.

- A. City Clerk's Department
 - 1. Approval of Minutes: Regular Meeting of June 16, 2021
- B. Legal Department
 - 1. Renewal of City Attorney Agreement

BUDGET

Award of Term Agreement to Big League Builders, Inc. for Citywide Swale Regrading Services

Ms. Kristin Simeone, Finance Director, explained it was necessary to send out an Invitation to Bid since the City's current contractor for swale regrading services chose not to continue their contract. She stated the total annual cost for services was \$272,895, concluding staff recommended award of the agreement to Big League Builders, Inc. of Fort Myers.

Mayor Matthews confirmed the previous contractor had not finished the entire swale regrading program for this calendar year.

Ms. Julie Rogan-Sutter, Senior Purchasing Agent, noted any work done under the existing contract was guaranteed for 30 days.

Councilmember Prafke **MOVED** approval of award of the agreement to Big League Builders, Inc., **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

A Resolution adopting a tentative levy of annual special assessment for the City of Punta Gorda Lot Mowing Assessment District for Fiscal Year 2021- 2022; setting a date, time and place of public hearing to consider final adoption of the assessment; and providing effective date.

City Attorney Levin read the resolution by title.

Ms. Simeone announced the proposed resolution set the tentative levy of annual assessment at \$195, which was an increase from the current rate of \$175, and allowed the Charlotte County Property Appraiser to include the tentative levy on the Truth-In-Millage notice and set the public hearing date of September 8, 2021, at 5:01 p.m. She concluded staff recommended adoption of the resolution.

Councilmember Carey inquired if the rate would increase as the number of lots in the program went down.

Ms. Simeone replied affirmatively, noting same would be necessary if contractors were seeking a certain level of profit. She pointed out certain costs were fixed regardless of the number of lots in the program.

Councilmember Prafke **MOVED** approval of the resolution adopting a tentative levy and setting September 8, 2021, at 5:01 p.m. as the date and time for the public hearing in City Council Chambers, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

BSI Seawall Emergency Repair

Ms. Simeone reported the Burnt Store Isles Canal Maintenance Assessment District required emergency replacement of 90 linear feet of seawall due to cracking. She requested an appropriation of \$27,000 for the repair.

Councilmember Carey questioned if a contingency fund could be established for emergency seawall repairs.

Discussion ensued regarding same, with Mayor Matthews confirming consensus was to continue the discussion during consideration of the resolutions for the Canal Maintenance Assessment Districts.

Councilmember Prafke **MOVED** approval of appropriation of funds for the repair, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

A Resolution adopting a tentative levy of annual special assessment for the City of Punta Gorda's Buckley's Pass Dredging Assessment Area for Fiscal Year 2021-2022; setting a date, time and place of public hearing to consider final adoption of the assessment; and providing an effective date.

City Attorney Levin read the resolution by title.

Ms. Simeone stated the proposed resolution set the tentative levy for the final year of the Buckley's Pass Dredging Assessment at \$285.08 per water access unit, which reflected a decrease of \$114.87 from the previous year. She announced the resolution allowed the Charlotte County Property Appraiser to include the tentative levy on the

Truth-In-Millage notice and set the public hearing date of September 8, 2021, at 5:01 p.m. She concluded staff recommended adoption of the resolution.

Councilmember Prafke **MOVED** approval of the resolution adopting a tentative levy and setting September 8, 2021, at 5:01 p.m. as the date and time for the public hearing in City Council Chambers, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

FY 2022- 2026 Utilities Capital Improvements Program and FY 2022 Utilities Operations Budget Status Update

Ms. Simeone displayed the Utilities Construction Fund Proforma for Fiscal Year (FY) 2022 through 2026, noting the fund was in balance with revenues equal to expenditures. She reviewed Recurring \$1.12 million Renewal and Replacement Projects, noting funds were taken from the Water Main Renewal and Replacement Projects and the Water Main Valve Projects were added. She next reviewed Wastewater Projects, noting funds for Septic-to-Sewer Areas 1 and 2 were being moved out one year. She then drew members' attention to Water Projects, noting construction for the Solana Water Main Replacement Upgrade Project was being moved to FY 2024 due to the need to prioritize other projects such as evaluation and rehabilitation of the Water Treatment Plant's filters, solid contact units (SCU) and alum tanks, with the project's estimated cost increased to \$23 million as the consultant discovered additional work was required on the infrastructure surrounding the filters. She noted the project might change dependent on the rules established for Minimum Flows and Levels (MFLs).

Councilmember Miller noted the project's price had increased significantly, opining the infrastructure's condition should have been monitored over the years.

A lengthy discussion ensued regarding the evolution of the Evaluation/Rehabilitation (Filters, SCU, & Alum Tank) Project and the potential to instead invest in expanding use of the new Water Treatment Plant.

Councilmember Prafke inquired if residents could band together in order to connect to the force main in the Solana Water Main Replacement Upgrade Project.

Mr. Chuck Pavlos, Utilities Director, replied same would be a septic-to-sewer project, explaining residences would not typically connect to a force main.

Councilmember Prafke inquired if there would be force main capacity.

Mr. Pavlos replied it might not be necessary to utilize the force main dependent on the project's design.

Councilmember Cummings spoke in favor of a septic-to-sewer project in the area due to its potential impact and ability to make the City's utility more cash positive.

Ms. Simeone continued the presentation, displaying the Utilities Operations Fund Proforma for FY 2022 through FY 2026. She explained a 2% increase was proposed for FY 2022 and FY 2023 based on the current 5-year Capital Improvement Program (CIP), noting staff would prefer to include a 2% increase for all 5 years.

Mayor Matthews spoke in favor of including a 2% increase each year to better accommodate special projects, confirming consensus of members was to do so.

Ms. Simeone continued the presentation with a review of revenue and expense assumptions. She announced an additional Automated Meter Infrastructure Technician was requested, noting funds were available to start the position immediately if Council was amenable.

City Manager Murray noted the Utility Advisory Board (UAB) recommended approval.

Consensus was to approve the position to begin immediately.

Ms. Simeone then reviewed the beginning and ending operating and capital reserves.

Councilmember Prafke inquired as to whether the 10% increase for Workers Compensation insurance could be reduced.

Ms. Simeone replied attempts were made to do so, including measures such as safety training courses. She concluded with a brief review of the Utilities Fund Considerations, noting the UAB concurred with staff's recommended 2% rate increase.

FY 2022 Budget Status Update for Gas Tax Funds

Ms. Simeone displayed the Additional Five Cent Gas Tax Fund Proforma for FY 2022 through FY 2026, noting gas tax funds were estimated at \$270,300 for FY 2022. She then reviewed the Six Cent Gas Tax Fund Proforma, noting the fund was balanced with use of reserves through FY 2026.

Councilmember Prafke **MOVED** approval of the FY 2022 through FY 2026 Utilities CIP and FY 2022 Operation Budget Status, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke **MOVED** approval of the budget for the Gas Tax Fund, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

NOTE: A short break was called at 10:30.

Fiscal Year 2022 General Fund Budget Update

Ms. Simeone presented the FY 2022 Budget Status Report and Alternatives, noting the Charlotte County Property Appraiser provided the July 1, 2021, taxable value estimate (\$3,665,247), which represented a 5.2% increase from the previous year. She explained the proposed millage rate of 3.9500 led to an increase in revenue of approximately \$1.8 million and an additional \$149,115 transferred to the Community Redevelopment

Agency's (CRA) Tax Increment Financing (TIF), for a net effect on reserves of \$1.7 million. She reviewed the General Fund Summary and Approved Changes. She then displayed FY 2022 Considerations – Recommended Planning which included the addition of 7.5 positions.

Councilmember Prafke inquired why 17 new positions were scheduled in FY 2023.

City Manager Murray responded 7 firefighter positions were scheduled for FY 2023 to take advantage of the SAFER Grant which would fund 75% of the cost in the first 2 years and 35% in the third year.

Ms. Simeone next reviewed the proforma based on a millage rate increase of 0.5163 and addition of 7.5 positions mid-year FY 2022. She noted this proposed millage rate would likely allow the CRA loan to be repaid in FY 2025, which would allow funds denoted for transfer to the CRA for TIF to be moved to the General Fund in FY 2026.

City Manager Murray spoke on the programmed use of reserves and the 5-year plan as a means to address the City's needs. He then provided a history of the City's employee-to-population ratio, concluding the proposed additional positions would improve the City's level of service.

Councilmember Prafke inquired as to phasing in the millage rate increase of 0.5163.

City Manager Murray replied doing so would require increased use of reserves and changed the proforma. He noted while the millage rate increase could be phased in, doing so presented a risk in the case that a portion of the phased increase would not be approved in a future year; thereby invalidating the plan which was predicated on knowing what was needed at a minimum to make it work.

Councilmember Carey stressed it was necessary to proceed with the increased millage rate in order to fund the budget and make it workable and sustainable, adding she had received no objections to the proposed increase.

Councilmember Miller pointed out the millage rate would need to be increased more in out years if it was not increased this year.

Discussion ensued regarding the millage rate, staffing levels and the City Manager's approach to the budget.

Ms. Simeone continued the presentation with a review of operating reserves. She then reported the Charlotte Harbor Environmental Center (CHEC) had requested the City increase its donation from \$8,500 to \$15,000 per year.

Mr. Michael Bednar, CHEC, Chief Executive Officer, explained the need for additional funding from all of CHEC's partners. He outlines the services provided by CHEC and the partnerships which supported the organization.

A brief discussion ensued regarding CHEC.

Ms. Simeone noted the City was a founding partner, noting the donation had been part of the City's budget for 27 years. She pointed out there had been no increase in 25 years.

Councilmember Cummings **MOVED** approval to support CHEC's request to increase the City's support from \$8,500 to \$15,000, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

Discussion regarding the millage rate concluded with a brief overview of taxable values and proforma options.

Councilmember Carey **MOVED** approval of General Fund Update and proposed millage rate of 3.9500 with an adjustment to increase the donation to CHEC and the addition of 7.5 employee positions, **SECONDED** by Councilmember Prafke.

MOTION UNANIMOUSLY CARRIED.

City Council adjourned and reconvened as the Burnt Store Isles Canal Maintenance Assessment District at 11:25 a.m.

BURNT STORE ISLES CANAL MAINTENANCE ASSESSMENT DISTRICT

A Resolution adopting a tentative levy of annual special assessment for the Burnt Store Isles Canal Maintenance Assessment District for Fiscal Year 2021- 2022; setting a date, time and place of public hearing to consider final adoption of the assessment; and providing an effective date.

City Attorney Levin read the resolution by title.

Ms. Simeone stated the resolution set the tentative assessment at \$560 per single family residence, which represented a \$100 increase from the previous year, noting the assessment was \$0.059 per square foot of land lying less than 120 lineal feet from the seawall for all other properties. She stated the public hearing to consider the final adoption would be held on September 8, 2021, at 5:01 p.m. in Council Chambers.

Councilmember Prafke **MOVED** approval of the resolution adopting a tentative levy and setting September 8, 2021, at 5:01 p.m. as the date and time for the public hearing in City Council Chambers, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Burnt Store Isles Canal Maintenance Assessment District adjourned and reconvened as the Punta Gorda Isles Canal Maintenance Assessment District at 11:27 a.m.

PUNTA GORDA ISLES CANAL MAINTENANCE ASSESSMENT DISTRICT

A Resolution adopting a tentative levy of annual special assessment for the Punta Gorda Isles Canal Maintenance Assessment District for Fiscal Year 2021- 2022;

setting a date, time and place of public hearing to consider final adoption of the assessment; and providing an effective date.

City Attorney Levin read the resolution by title.

Ms. Simeone stated the resolution set the tentative assessment at \$650 per single family residence, which represented a \$100 increase from the previous year, noting the assessment was \$0.068 per square foot of land lying less than 120 lineal feet from the seawall for all other properties. She stated the public hearing to consider the final adoption would be held on September 8, 2021, at 5:01 p.m. in Council Chambers.

Councilmember Cummings **MOVED** approval of the resolution adopting a tentative levy and setting September 8, 2021, at 5:01 p.m. as the date and time for the public hearing in City Council Chambers, **SECONDED** by Councilmember Prafke.

MOTION UNANIMOUSLY CARRIED.

Punta Gorda Isles Canal Maintenance Assessment District adjourned and reconvened as the City Council at 11:30 a.m.

RECOMMENDATION FROM CITY OFFICERS

CITY MANAGER

City Manager Murray announced paperwork was being completed for distribution of the State's allocation of \$1 million for the Boca Grande Drainage Project. He reported one half of the \$2.4 million in American Rescue Plan Act funding was being distributed to the City, noting options for use of the funds would be presented to Council. He stated staff was also pursuing additional federal funds. He commended the Building Division for their efforts on improving the City's Insurance Services Office rating.

CITY ATTORNEY

City Attorney Levin reported he would again be attending the annual Florida Municipal Attorneys Association conference at no cost to the City.

CITY CLERK

General Employee's Pension Board - 5th Member

City Clerk Smith announced the General Employees' Pension Board had reappointed Mr. Bradley Teets, requesting Council confirm the appointment.

Councilmember Prafke, **MOVED** confirmation of the appointment, **SECONDED** by Councilmember Cummings.

MOTION CARRIED UNANIMOUSLY.

BOARDS AND COMMITTEES

Announcement of Vacancies

Board of Zoning Appeals Alternate (2)

Code Enforcement Board - Alternate (2)

City Clerk Smith announced the vacancies.

Nominations

Code Enforcement Board - Regular (3)

Councilmember Prafke **MOVED** to nominate and appoint Messrs. Joseph Comeaux and Henry Bauman and Ms. Nora Giardina, **SECONDED** by Councilmember Miller.

MOTION CARRIED UNANIMOUSLY.

Planning Commission

Councilmember Prafke **NOMINATED** all interested parties.

Appointments

Building Board (1 contractor seat)

City Clerk Smith announced Mr. Perry Hoff had received the most votes and was thus appointed to the Board.

POLICY AND LEGISLATION

MATTHEWS: Confirmed Councilmembers Cummings and Prafke planned to attend the Florida League of Cities conference in Orlando and would attend the Southwest Florida League of Cities breakfast.

- Announced the next City Council meeting was scheduled for July 14, 2021, after which Council would be on vacation until August 25, 2021.
- Reported she toured the area with Florida Department of Transportation (FDOT) staff, noting the Acline Road intersection would remain open and the median modified. She stated FDOT would research using the Diplomat Parkway solution at Madrid Boulevard as well as closure of the opening in the median at Rio Villa Drive and US 41.
- Requested the County Administrator be contacted regarding the condition of Baynard Drive.

MILLER: Thanked staff for their hard work.

CAREY: Expressed sympathy for those affected by the collapsed condominium in the Town of Surfside.

CUMMINGS: None.

PRAFKE: Thanked staff for their service during the Fourth of July weekend.

CITIZENS COMMENTS

No additional comments.

The meeting was adjourned at 11:43 a.m.

Mayor

City Clerk