

BURNT STORE ISLES  
CANAL ADVISORY COMMITTEE  
MEETING  
SEPTEMBER 14, 2021

MEMBERS PRESENT: Rick Daugherty, Chairman  
Norman Ashworth, Sean Harrigan,  
Ian Milne, David Perkins

OTHERS PRESENT: Rick Keeney, Public Works Director  
Cathy Miller, Canal Maintenance Supervisor  
Gary Disher, Mapping, Permitting and Compliance Manager

CALL TO ORDER/ANNOUNCEMENTS

- Mr. Daugherty called the meeting to order at 1:30 p.m.
- A. Roll Call
- Pledge of Allegiance commenced following roll call.
- B. Next Scheduled Meeting
- 1. October 12, 2021

CITIZEN COMMENTS ON AGENDA ITEMS ONLY

- None.

APPROVAL OF MINUTES

- A. July 13, 2021
- Mr. Ashworth MOVED, Mr. Milne SECONDED approval of the July 13, 2021, minutes.  
MOTION CARRIED UNANIMOUSLY.

REPORTS

- A. Finance Reports – July and August 2021
- Ms. Cathy Miller, Canal Maintenance Supervisor, confirmed there were no questions regarding the July 2021 and August 2021 reports from the agenda material.
- B. Budget Utilization Report – July and August 2021
- Ms. Miller recalled a question at a previous meeting regarding amended scheduled work, explaining same accounted for funds transferred to cover unanticipated items such as seawall failures. She then stated the fiscal year (FY) 2021/2022 budget amount for seawall replacements was \$386,190 due to an increase in the contract, noting staff estimated an additional 250 linear feet (lf) for seawall replacements.
- Mr. Harrigan questioned the cost of seawall replacements per lf.
- Ms. Miller replied same had many cost variables and there had been an overall 4% increase for materials and labor, verifying contractors were required to submit supporting documentation for staff to review to account for costs. She then reviewed

the August 2021 and September 2021 reports, as delineated in the agenda material, noting the budget went slightly over and the seawall failure at Valletta Court brought the seawall replacement fund to \$287,000. She concluded funds from the inlet dredging account had been reallocated to fund the Mayor's Cut pilings.

C. Seawall Replacement Status Reports – July, August and September 2021

- Ms. Miller reported Valetta Court was added to the August 2021 report due to the seawall failure, noting construction on same had been completed as of this date. She then stated the seawall replacement schedule for FY 2021/2022 was included in the agenda material, adding same was subject to change.

D. Permits Authorized by City Staff – July and August 2021

- Ms. Miller requested members contact her with questions they might have regarding permits authorized as technical issues with printing the reports were still being addressed.

E. BSI Capital Improvement Status – July and August 2021

- Mr. Gary Disher, Mapping, Permitting and Compliance Manager, reported the permit from the Army Corps of Engineers (ACOE) had been received and the Burnt Store Isles (BSI) Inlet Widening project should move forward by FY 2021/2022; however, he expressed uncertainty as to when funding for the project would move forward.
- Ms. Miller indicated the funds needed for construction were allocated for FY 2021/2022, anticipating the request would be sent to the Procurement Division for advertisement by the middle of October 2021.

F. Master Permit Agreement Status Report July and August 2021

- Mr. Disher announced staff conducted a site visit with the consultants and the ACOE for the Master Permit Agreement, noting the ACOE had not yet submitted the Seawall/Rip-Rap permit to the National Marine Fisheries Service (NMFS). He stated the consultants were working on a list of new items needed from the ACOE prior to the ACOE submitting the permit to the NMFS for review, anticipating the process would take another year or so. He concluded the Department of Environmental Protection permit had been issued.

NEW BUSINESS

- No items.

UNFINISHED BUSINESS

- No items.

STAFF COMMENTS

A. Discussion of Perimeter Canal

- Mr. Disher provided a detailed history of ordinance amendments related to the Perimeter Canal, noting there was a change from a 7-foot waterward dock to a 10-foot waterward dock in 2004. He recalled Kimley-Horn and Associates, Inc. submitted a technical memorandum for a BSI Canal Dredging project in 2004 and the City Engineer issued a memorandum which recommended reducing the navigable channel from 50 feet to 40 feet in response to that study. He indicated the BSI Canal Advisory Committee had favorably discussed the recommendation which City Council adopted in October 2004. He then drew attention to an aerial view of the Perimeter Canal on the Geographic Information System (GIS) map, providing a detailed review of the data relating to previous and current mangrove limitations along with information such as the platted subdivision limits, riprap, structure offsets and dredge contours.
  - Mr. Daugherty suggested the Perimeter Canal GIS map be provided as appropriate when reviewing Canal Construction Special Permits.
  - Mr. Disher agreed; however, he pointed out the bathymetric data was from 2017 and maintenance had been performed since then.
  - Discussion ensued regarding navigation through the Perimeter Canal, with members verifying same had been maintained.
  - Ms. Miller then announced changes would be made to the mangrove trimming contract, which was due for renewal in September 2021, explaining the contractors would now have 60 days to complete mangrove trimming in the BSI Canal Maintenance Assessment District (CMAD) and Punta Gorda Isles CMAD, noting there would be a one-time inspection following the trimming.
  - Mr. Perkins inquired as to identifying the scope of work for the mangrove trimmers, noting comments were made that some locations were not trimmed.
  - Ms. Miller responded she was unable to inform mangrove trimmers of the work they needed to complete and relied on the contractors to make those decisions, pointing out the aerial views had shown the mangrove lines were being maintained. She indicated that identifying the scope of work would require an additional inspection as well as negotiations, explaining the current process was to complete the inspection after the trimming had occurred and prior to paying the invoice.
- B. 2021-2022 Seawall Replacement Advertising Work Program
- Ms. Miller announced the seawall replacement program had been posted on the City's website as well as in the City's Weekly Highlights report.

COMMITTEE/BOARD COMMENTS

- Mr. Perkins recalled a majority of special permits related to installation of elevator boat lifts in the Rim Canal, suggesting same not require a special permit as to avoid costs for the property owners who resided along the Rim Canal.
- Mr. Rick Keeney, Public Works Director, indicated approval of elevator boat lifts without criteria would not be ideal as some of the requests had elevator boat lifts with arms that extended further into the waterway, noting he was not objecting to the suggestion as long as the navigable waterway was maintained as required.
- Discussion ensued regarding considerations for allowing elevator boat lifts in the Rim Canal without the need for special permits.
- Ms. Miller pointed out special permits were only needed for boat lifts which extended beyond the boat limitation lines.
- Mr. Keeney indicated regulations were based on feedback from citizens and preceding members, opining it was important for members to review permits concerning dense areas as members could potentially revise the proposed construction and negotiate with the requestor. He stated members could consider revising the footage of the navigable channel and staff would work with members on same.
- Discussion continued regarding members' desire for buyers who purchase property along the Rim Canal to have access to the waterways without the need for special permit.
- Mr. Ashworth indicated special permits for elevator boat lifts were almost always approved, noting there should be a way to prevent homeowners from spending the funds for same.
- Mr. Daugherty concluded the discussion could be continued to the next meeting.

CITIZENS' COMMENTS

- None.

ADJOURNMENT

- Meeting Adjourned: 2:22 p.m.

---

Rick Daugherty, Chairman

---

Sara Welch, Recording Secretary