

**CITY OF PUNTA GORDA, FLORIDA
BURNT STORE ISLES CANAL ADVISORY COMMITTEE MEETING MINUTES
MARCH 8, 2022, 1:30 P.M.**

MEMBERS PRESENT: Daugherty, Chair
Harrigan, Milne, Perkins, Petroff

OTHERS PRESENT: Cathy Miller, Public Works Supervisor; Gary Disher, Mapping, Permitting and Compliance Manger; Bryan Clemons, Public Works Engineer; Sara Welch, Deputy City Clerk; Mike Parr

CALL TO ORDER

Mr. Daugherty called the meeting to order at 1:30 p.m., followed by the Pledge of Allegiance. He next welcomed Mr. Petroff as a new member to the Committee.

Recording Secretary Pues then opened the floor for nomination of Chair.

Mr. Harrigan **NOMINATED** Mr. Daugherty.

As there were no other nominations, Mr. Daugherty was appointed Chair by acclamation.

Recording Secretary Pues opened the floor for nomination of Vice Chair.

Mr. Daugherty **NOMINATED** Mr. Harrigan.

As there were no other nominations, Mr. Harrigan was appointed Vice Chair by acclamation.

Recording Secretary Pues then swore in all participants of the quasi-judicial public hearing.

PUBLIC COMMENTS

None.

1) APPROVAL OF MINUTES

1.a Approval of Minutes: Burnt Store Isles Canal Advisory Committee Meeting of January 11, 2022.

Exhibits:

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01-11-2022 Minutes

Mr. Harrigan **MOVED** approval of the January 11, 2022, minutes, **SECONDED** by Mr. Milne.

MOTION UNANIMOUSLY CARRIED.

2) REPORTS

2.a Finance Report January and February 2022

Exhibits:

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BSI YTD Revenue Report 2-3-2022

BSI YTD Expenditure Report 2-3-2022

BSI YTD Revenue Report 3-3-2022

BSI YTD Expenditure Report 3-3-2022

Ms. Cathy Miller, Canal Maintenance Supervisor, verified there were no questions regarding the finance reports.

2.b [Budget Utilization Report January and February 2022](#)

Exhibits:

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[BSI UTILIZATION FEB](#)

[BSI UTILIZATION MAR](#)

Ms. Miller confirmed there were no questions regarding the January 2022 and February 2022 reports.

2.c [Seawall Replacement Status Report January and February 2022](#)

Exhibits:

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[BSI SEAWALL STATUS FEB](#)

[BSI SEAWALL STATUS MAR](#)

Ms. Miller indicated a supply issue with sod caused the status of certain projects to remain under construction.

2.d [Permits Authorized by City Staff January and February 2022](#)

Exhibits:

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[BSI Canal Maintenance Report Jan 2022](#)

[BSI Canal Maintenance Report Feb 2022](#)

Ms. Miller announced 15 permits were authorized by staff in February 2022 and an additional 8 permits were authorized as of March 3, 2022.

2.e [Burnt Store Isles Capital Improvement Status Report January and February 2022](#)

Exhibits:

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[BSI Capital Improvement Status 202202](#)

[BSI Capital Improvement Status 202203](#)

Mr. Gary Disher, Mapping, Permitting and Compliance Manager, confirmed there were no questions regarding the Capital Improvement Status reports.

2.f [Master Permit Agreement Status Report January and February 2022](#)

Exhibits:

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[MasterPermitStatus202202](#)

[MasterPermitStatus202203](#)

Mr. Daugherty questioned if any significant changes occurred to the status of the Master Permit Agreement.

Mr. Disher responded the requests for additional information from the required agencies were still being addressed.

2.g [Burnt Store Isles 2021-2022 Seawall Assessment Analysis Summary.](#)

Exhibits:

[Cover Page](#)

[SA2021_22AnalysisSummaryBSI20220302CAC](#)

Ms. Miller announced staff adopted several recommendations following the presentation of the Seawall Materials and Methods Feasibility Study by Taylor Engineering, including the utilization of the American Society of Civil Engineers Waterfront Facilities Inspection and Assessment manual for inspecting and assessing seawalls, as well as some changes to the data collection software which enabled the information to be more objective. She stated the assessment performed this year found a significant amount of seawalls which had waterline cracking within the Burnt Store Isles (BSI) Canal Maintenance District and which were in serious condition, clarifying the damage was not recent but was found due to staff evaluating the seawalls differently. She recalled seawall assessments for BSI were now completed biannually, providing a detailed explanation of the current and previous rating methods for assessing seawalls, which included an overview of the seawall assessment district map.

Mr. Perkins expressed concern regarding the potential of future issues with waterfront properties due to the inability to remove mangroves.

Ms. Miller commented she could provide contact information for the Department of Environmental Protection Agency to address his concern. She then drew members' attention to the Seawall Assessment Action Needed report from Fiscal Year 2019/2020, providing a detailed summary of the process for rating seawalls based on the data collected.

Mr. Harrigan inquired whether the data could be used to communicate with the community on the need to reevaluate the process for replacing seawalls and seawall caps each year; additionally, he questioned whether the district map could be used to communicate that although a residents' seawall might be in fair condition, the neighboring property owners' might not be.

Mr. Disher responded Taylor Engineering recommended an increase to the rate of seawalls replaced to prevent them from reaching end of life.

Mr. Daugherty recalled he was opposed to seawalls being replaced based on the expected lifespan, opining the actual data would provide justification for replacing the seawalls based on failure rates rather than its age.

Ms. Miller commented the purpose of the discussion was to provide members with the current status of the seawalls to assist members with discussion of budget goals at the April 2022 meeting.

Mr. Daugherty indicated members desired to communicate the information to the community to prepare them for the future.

3) [QUASI-JUDICIAL PUBLIC HEARINGS](#)

3.a [Special Permit CCSP-27-2021](#)

Exhibits:

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[CCSP_27-2021_Staff_Recomendation_20220303](#)

Mr. Bryan Clemons, Public Works Engineer, displayed photographs of the subject property and proposed construction drawings from the agenda material, briefly reviewing the request. He stated the property had 40 linear feet (lf) of

seawall and the canal was approximately 243 lf wide, noting staff recommended approval of the request as per Chapter 6, Section 2-1(e)(4), Punta Gorda Code. He pointed out the vessel limitation line should extend 35 lf outward, concluding the vessel should not extend that far even when stored on the boat lift.

Mr. Mike Parr, applicant's agent, provided an explanation for the proposed configuration of the boat lift, including the ability for the vessel to approach the boat lift straight in, concluding the attempt was to align everything within the end of canal location.

Mr. Daugherty opined the proposed construction would not impede navigation to the adjacent property owners' boat lifts.

Discussion ensued regarding the rationale for the proposed construction design as well as the issues which occurred at end of canal locations, with members confirming there were no comments received from adjacent property owners relating to this request.

Mr. Daugherty called three times for public comment.

Mr. Harrigan **MOVED** to close the public hearing, **SECONDED** by Mr. Milne.

MOTION UNANIMOUSLY CARRIED.

Mr. Harrigan **MOVED** approval of CCSP-27-2021, **SECONDED** by Mr. Milne.

MOTION UNANIMOUSLY CARRIED.

4) GENERAL BUSINESS

4.a [Burnt Store Isles Canal Advisory Committee Bylaws](#)

Exhibits:

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[Bylaws Presentation](#)

[Burnt Store Isles Canal Advisory Committee Bylaws - Proposed](#)

[Burnt Store Isles Canal Advisory Committee Bylaws - Change Tracking](#)

[Burnt Store Isles Canal Advisory Committee - Existing](#)

Ms. Sara Welch, Deputy City Clerk, announced the City Clerk's Office was in the process of reviewing the Committee's bylaws, providing a detailed overview of the proposed changes, which included reorganization of language contained in same as well as improved language relating to members' terms.

Mr. Daugherty inquired whether there were any significant changes.

Ms. Welch replied in the negative, noting members were already fulfilling the duties that were added to the bylaws. She indicated the next step was for members to provide a recommendation to City Council to accept the proposed amendments, concluding a resolution would be drafted to adopt same following approval.

Messrs. Milne and Harrigan spoke in favor of the proposed changes.

Mr. Perkins pointed out the language did not require applicants to be a legal voting resident, opining members had responsibilities which made it necessary for same.

A brief discussion ensued relating to the rationale for requiring or not requiring members to be legal voting residents, with Mr. Perkins suggesting the City Attorney evaluate whether same would be necessary.

Mr. Daugherty suggested continuing the discussion so that members could address questions or concerns prior to the next meeting.

Ms. Welch indicated City Council could be made aware of Mr. Perkin's inquiry and the City Attorney could address same at that time.

Mr. Milne **MOVED** to approve the revisions to the Committee's bylaws contingent on the City Attorney agreeing with the language contained in the first paragraph of same, **SECONDED** by Mr. Perkins.
MOTION UNANIMOUSLY CARRIED.

STAFF COMMENTS

[Burnt Store Isles Lock Widening Solicitation Bid.](#)

Exhibits:

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[F2021106T](#)

Ms. Miller drew members' attention to the two bids received for the BSI Lock Widening project denoted in the agenda material, noting \$500,000 was budgeted for the project causing both bids to be rejected due to the lack of funds to support same. She indicated the project would be rebid once more clarifications were made on the scope of the project, concluding she could not discuss further details regarding the project as same was going out to bid.

Mr. Harrigan opined the direction should be considered on how to allocate the funds budgeted for the project, particularly how the project could be funded or whether replacement of seawalls should be pursued.

Ms. Miller indicated alternative budgeting options would be presented at the April 12, 2022, meeting, requesting Mr. Daugherty announce same in his newsletter. She stated the goal following the discussion in April was to present the budget at the Committee's May 2022 meeting and then present same to City Council in June 2022. She then verified mangrove trimming would commence at the end of April 2022, confirming the overall operating budget was currently \$1.5 million per year.

MEMBER COMMENTS

None.

ADJOURNMENT

The meeting was adjourned at 2:35 p.m.

Chair

Recording Secretary