

**BURNT STORE ISLES  
CANAL ADVISORY COMMITTEE  
JANUARY 9, 2018**

**MEMBERS PRESENT:** Bill Hughes, Chairman  
John Forr, Sean Harrigan  
Mike McIntosh, Jack Pryor

**OTHERS PRESENT:** Cathy Miller, Canal Maintenance Supervisor  
Sharon Knippenberg, Controller  
Gary Disher, Public Works Analyst  
Bob Fritz

**CALL TO ORDER/ANNOUNCEMENTS**

- A. Roll Call
- B. Next Scheduled Meeting
  - 1. February 13, 2018

**CITIZEN COMMENTS ON AGENDA ITEMS ONLY**

- There were none.

**APPROVAL OF MINUTES**

- A. Meeting of December 12, 2017
  - Mr. Pryor MOVED, Mr. Harrigan SECONDED approval of the December 12, 2017 minutes. MOTION CARRIED UNANIMOUSLY.

**REPORTS**

- A. Patrol Update - December 2017
  - Mr. Hughes reviewed the December 2017 Marine Volunteers in Policing Report, as delineated in the agenda material, confirming there were no questions. He noted resources were concentrated in Punta Gorda Isles due to the area's greater rate of seawall failure.
- B. Finance Reports - December 2017
  - Ms. Cathy Miller, Canal Maintenance Supervisor, drew members' attention to the December 2017 financials, as delineated in the agenda material, offering to answer questions.
  - Mr. Hughes noted the "Special Assessments-Canal Assessments" line item indicated a budget of \$572,750 and year-to-date revenues of \$284,255, requesting clarification of same.
  - Ms. Sharon Knippenberg, Controller, explained the Charlotte County Tax Collector had re-billed residents due to an error. She noted most citizens appeared to have used a 30

day extension which was offered; thus, more revenue would be seen in the February 2018 report.

C. Budget Utilization Report - December 2017

- Ms. Miller drew members' attention to the Budget Utilization Report for December 2017, as delineated in the agenda material, stating all seawall cap replacement projects had been completed. She noted she was awaiting finalization of the requests for retainage.
- Mr. Hughes observed \$26,000 remained in mangrove trimming.
- Ms. Miller explained mangrove trimming was typically conducted in the summer months.
- Mr. McIntosh clarified trimming was performed once annually.

D. Seawall and Cap Replacement Status Reports - December 2017

- Ms. Miller stated the program was completed in December 2017.
- Mr. Hughes clarified all replacements were complete with the exception of Hurricane Irma related repairs. He commented he observed seawall panels at the large property on the corner of Mondovi Court and Monaco Drive facing U.S. 41.
- Ms. Miller responded those were privately owned seawalls.
- Mr. Pryor asked if reimbursement from the Federal Emergency Management Agency (FEMA) seemed likely.
- Ms. Knippenberg replied she saw no reason why FEMA would deny the City's application for reimbursement, acknowledging same was not confirmed. She noted the State had not yet clarified what would happen with their 12.5%.
- Mr. Forr asked if recently received bids were comparable to those seen historically.
- Ms. Knippenberg explained the bids were higher, speaking at length on the bidding process. She noted the City's current contractors might be eligible to bid for Burnt Store Isles (BSI) if they were no longer at bonding capacity, or new bidders might come forward as BSI had been split into smaller zones.
- Mr. Hughes stated he understood a contractor for BSI would be in place by the end of January 2018.
- Ms. Miller responded a contractor was unlikely to be confirmed until the end of February 2018.
- Mr. McIntosh inquired if the delay was likely to result in further seawall collapse.
- Ms. Miller denied same.
- Mr. McIntosh confirmed FEMA had finished their inspections in BSI, and repairs were contingent on the completion of bidding.

E. Permits Authorized by the City - December 2017

- Ms. Miller announced two permits were issued during the reporting period, noting the details of same were depicted in the agenda material. She then mentioned crews had repaired lights at the former boat lock area.

### **UNFINISHED BUSINESS**

#### **A. Hurricane IRMA Seawall Failure Updates**

- Mr. Gary Disher, Public Works Analyst, displayed a table depicting a division of the north and south zones of BSI, which he split in order to expedite the bidding process.
- Mr. Hughes questioned the original estimated footage.
- Mr. Disher replied same had been reduced as some reported sites were erroneous.
- Mr. McIntosh opined the reduction was marginal.
- Mr. Disher then displayed a map of seawall failure locations, stating BSI's failures were reduced from .59 to .41 miles, 1,106 feet in the northern zone and 1,034 feet in the southern zone.
- Mr. Hughes questioned when repairs would begin.
- Mr. Disher reviewed the bidding process at length, tentatively naming March or April 2018 at the earliest.
- Mr. Forr asked for clarification of homeowners' responsibilities with regard to repairs.
- Mr. Disher stated homeowners needed to pull back their electrical wiring, plumbing and any pavers or decor they wished to save to a distance of 12 feet from the seawall. He noted boats also needed to be moved, adding while the City would backfill sod, it was not responsible for any electrical hookups.
- Mr. Forr asked how residents were notified.
- Ms. Miller replied staff was working with contractors on notification procedures as work was proceeding exceedingly fast.
- Mr. Hughes posited homeowners needed to arrange for their water and electric to be reconnected.
- Ms. Miller responded seawall contractors were not licensed for such work, adding property owners were also responsible for boat lifts and docks.
- Discussion ensued with regard to seawall replacement methods and their effect on docks and boat lifts.
- Mr. McIntosh asked if any residents had attempted to hold the City liable for damage to their docks and/or boat lifts due to seawall failure.
- Ms. Miller replied affirmatively, asserting City Code emphatically made clear the City was not liable in such instances.

### **STAFF COMMENTS**

- Mr. McIntosh brought forward a complaint that a property's lights were blinding boaters at night.
- Ms. Miller stated same was an issue the Code Compliance Division could resolve with proper documentation.

### **COMMITTEE/BOARD COMMENTS**

- Mr. Hughes confirmed members could not create correspondence for the BSI Boat Club and Home Owners Association outside of a Committee meeting due to Sunshine Law restrictions.
- Mr. Forr suggested distributing the information from the City website.
- Discussion ensued with regard to the information on the City website.
- Mr. Hughes thanked Deputy City Clerk Mary Kelly for her service and welcomed Ms. Sara Welch, Recording Secretary.

### **CITIZENS' COMMENTS**

- Mr. Bob Fritz recalled City Attorney David Levin had previously advised legislation allowed hedging of mangroves, expressing surprise regarding same. He asked if Ms. Miller could investigate trimming mangroves to a greater degree.
- Ms. Miller replied affirmatively, adding the City's contractor was an expert in mangrove trimming. She expressed reluctance to remove the top of mangrove trees as same could kill the trees.
- Discussion ensued regarding mangrove trimming laws.
- Mr. Fritz then expressed frustration at the delay in seawall repairs in BSI.
- Mr. Hughes requested staff research mangrove trimming for discussion at the Committee's next meeting.

### **ADJOURNMENT**

- Meeting Adjourned: 2:05 p.m.

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Bill Hughes, Chairman

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Sara Welch, Recording Secretary