



**City Council Agenda**  
**CITY OF PUNTA GORDA, FLORIDA**  
**326 West Marion Avenue, Punta Gorda, FL 33950**  
**October 15, 2008**

\*\*\*\*\*ANNOTATED AGENDA\*\*\*\*\*

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**CITY COUNCIL**

Larry Friedman, Mayor  
Harvey Goldberg, Vice-Mayor  
Marilyn P. Smith-Mooney, Councilmember  
William F. Albers, Councilmember  
Charles Wallace, Councilmember

**CITY OFFICIALS**

Howard Kunik, City Manager  
David Levin, City Attorney  
Sue Foster, City Clerk

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*NOTE: Anyone wishing to address the Council on any agenda item may do so at the appropriate time during the meeting. Those who choose to speak must state their name for the record. Each person will be allowed to speak once on each subject up to a maximum of three minutes.*

**9:00 AM      CALL TO ORDER**  
**INVOCATION**  
**PLEDGE OF ALLEGIANCE**

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**I.      PROCLAMATION/PRESENTATIONS**

**A.      Proclamations**

**PRESENTATION MADE TO  
COUNCILMEMBER SMITH-MOONEY**

**B.      Presentations**

**1.      Introduction of Board / Committee Nominees**

**II-A.   PUBLIC HEARINGS**

**1.      CP-06-08 - An Ordinance of the City of Punta Gorda, Florida, amending the City of Punta Gorda Comprehensive Plan Future Land Use Map changing the current designation from Low Density Residential/County (LDR/County) to Professional Office /City (PO/City) on property generally described as 24368 Airport Road as**

more particularly described on Exhibit “A” attached to the Ordinance providing for conflict and severability; and providing an effective date.

**FIRST READING**

**APPROVED AS AMENDED**

2. **ZA-04-08** - An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26 of the City Code of Ordinances known as the Land Development Regulations, Article 12, Landscaping Standards, Section 12.3., General Provisions, adding Subsection (n) Artificial Turf, providing criteria for Application Process; providing Minimum Criteria for Materials; providing for Maintenance Requirements; providing for Inspections; providing Replacement Criteria and Requirements; providing for Responsibility of Property Owner if damaged or removed due to work on abutting public properties; providing for conflict and severability and providing an effective date.

**FIRST READING**

**DENIED; STAFF TO  
REDRAFT AS SPECIAL  
EXCEPTION**

3. **ZA-07-08** – An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26 of the City Code of Ordinances known as “The Land Development Regulations”, Article 11, Sign Standards, Section 11.3. Permitted Signs, Subsection (m) Real Estate Signs, amending Paragraphs (2) and (3) adding provision for On-Premises Open House Signs; creating a new Paragraph (4) adding provision for Off-Premises Open House Signs on developed private property; providing for conflict and severability; and providing an effective date.

**FIRST READING**

**APPROVED AS AMENDED**

4. **ZA-08-08** – An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26 of the City Code of Ordinances known as “The Land Development Regulations”, Article 3, Regulating Districts, Section 3.13, SRO, Special Residential Overlay District, Subsection (s) Real Estate Signs, clarifying signs are for residential property; adding provision for a second real estate sign to be located waterside or golf course side; adding a provision for an On-Premises Open House Sign; adding a provision for Off-Premises Open House Signs on developed property; providing for conflict and severability; and providing an effective date.

**FIRST READING**

**APPROVED AS AMENDED**

5. **ZA-12-08** – An Ordinance of the City of Punta Gorda, Florida, amending Section 26-11.3.(k)(6) of the City Code of Ordinances requiring removal of political signs within five (5) days after an election, excepting those candidates who progress from the general election primary to the general election; adding a new Subsection 26-11.3(k)(7), of the City Code of Ordinances providing allowance for the erection of political signs relating to candidates and issues the day after the general election primary when there are more than forty-five (45) days between the general election primary and general election; providing for conflict and severability and providing an effective date.

**FIRST READING**

**APPROVED AS AMENDED**

**II-B. QUASI-JUDICIAL PUBLIC HEARINGS**

1. **CCSP-06-08** – Petition for Special Permit under the provisions of Section 6-6(j) of the Punta Gorda Code of Ordinances to install one four post boat lift at Lot 1, Block 12, Section 4, a/k/a 98 Sabal Drive, Punta Gorda, Florida 33950. Owner/Petitioner: William & Laura McDonnell

**APPROVED**

2. **SE-04-08** – A Special Exception request by Charlotte County Habitat for Humanity, as required per Section 26-3.9.(F)(5), Page 26-20, of the City Code of Ordinances to allow a new single family residence to be constructed at 318 E. Virginia Ave, in the City Center zoning district, per the provisions of Section 26-16.8., on Page 26-190.

**Legal Description:** Parcel ID# 412306412008, A/K/A 318 E. Virginia Ave., Punta Gorda, FL. (Legal description available at the Urban Design Division by calling (941) 575-3372, or City Hall Annex, 126 Harvey Street, 3rd Floor, Punta Gorda, FL 33950.

**APPROVED**

3. **Z-05-08** - An Ordinance of the City of Punta Gorda, Florida, rezoning property described on Exhibit "A", commonly know as 24368 Airport Road, from Agricultural Estates/County (AE/County) to Planned Employment Center/Neighborhood Center/City (PEC/NC/City); providing for conflict and severability; and providing an effective date.

**FIRST READING**

**APPROVED**

**II-C. ORDINANCE/RESOLUTION (No Public Hearing Required)**

**III. CONSENT AGENDA**

*All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If a member of the Council desires discussion, that item(s) will be removed from the Consent Agenda and considered separately.*

**A. CITY CLERK'S OFFICE**

1. Approval of Minutes:
  - a. Regular Meeting of October 1, 2008

**APPROVED**

**B. LEGAL DEPARTMENT**

1. A Resolution of the City Council of the City of Punta Gorda, approving the Maintenance Memorandum of Agreement and authorizing the Mayor of the City of Punta Gorda to sign the Agreement

**APPROVED**

2. Statements of the Farr Law Firm for services rendered through September 30, 2008.

**APPROVED**

3. Statement of Allen, Norton & Blue, P.A. for services rendered through September 30, 2008.

**APPROVED**

**C. GROWTH MANAGEMENT**

1. Agreement between the City of Punta Gorda and Bove Company regarding special events held on private property of the Vivante Clubhouse, 92 Vivante Blvd.

**PULLED FOR FURTHER  
REVIEW BY STAFF**

**REGULAR AGENDA**

**IV. UNFINISHED BUSINESS**

- A. Road Sign Reduction Plan Revisions

**DIRECTION PROVIDED TO  
STAFF**

**V. NEW BUSINESS**

- A. "Think Thursday" Initiative

**DIRECTION TO STAFF RE:  
DINING ORDINANCE;  
CONSENSUS NOT TO ALLOW  
DOGS IN GILCHRIST PARK**

- B. Infrastructure Sales Surtax (ISS) Implementation Plan

**STAFF TO REFINE COST  
ESTIMATE & ISSUE RFP FOR  
HARBORWALK DESIGN**

- C. FY 2009 Police Fleet Purchases and Canine Proposal

**APPROVAL OF  
MOTORCYCLES, SEDANS  
AND CANINE PROGRAM**

- D. Discussion of City Council's annual evaluation of City Manager's performance

**ONE TIME BONUS OF \$4000  
TO BE DEPOSITED INTO  
DEFERRED COMPENSATION  
ACCOUNT**

- E. Discussion of City Council's annual evaluation of City Clerk's performance

**SALARY INCREASE TO  
\$80,000**

**VI. RECOMMENDATIONS FROM CITY OFFICERS**

- A. City Manager
- B. City Attorney
- C. City Clerk

**VII. BOARDS AND COMMITTEES**

- A. Announcement of Vacancies
  1. Board of Zoning Appeals – Alternate
  2. Revitalization Committee

**ANNOUNCED  
ANNOUNCED**

- B. Nominations
  - 1. Police Officers' Pension Board **MR. FORD APPOINTED**
  - 2. Historic Preservation Advisory Board **MS. MACGIBBON & MS. SCHMIDT APPOINTED**
  - 3. Punta Gorda Housing Authority **NOMINATIONS MADE**
  - 4. Punta Gorda Isles Canal Advisory Committee **NOMINATIONS MADE**

C. Appointments

**VIII. POLICY AND LEGISLATION**

A. Mayor

B. Councilmember Comments

**IX. CITIZENS' COMMENTS**

*NOTE: Anyone wishing to address the Council may do so at this time. Those who choose to speak must state their name for the record. Citizens will be allowed no more than three (3) minutes to express their opinion.*

**X. ADJOURNMENT**

*At public hearings, any member of the audience who wishes to speak will be recognized and heard.*

*If a person decides to appeal any decision made by the City Council, such person will need a record of proceedings, and for such purpose the person may need to ensure that a verbatim record of proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.*

*In accordance with the Americans with Disabilities Act and Florida Statute 286.26, special accommodations may be made by contacting the Office of the City Clerk at (941) 575-3369.*