



# City Council Agenda

## CITY OF PUNTA GORDA, FLORIDA

326 West Marion Avenue, Punta Gorda, FL 33950

### January 21, 2009

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

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#### CITY COUNCIL

Larry Friedman, Mayor  
Harvey Goldberg, Vice-Mayor  
Don McCormick, 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.      PROCLAMATIONS/PRESENTATIONS**

A.      Proclamations

B.      Presentations

1.      Introduction of Board / Committee Nominees  
**PRESENTED**
2.      10 Year Service Award – Terry Little, Sanitation Division  
**CONTINUED**
3.      10 Year Service Award – Sharon Knippenberg, Finance Department  
**PRESENTED**
4.      Business Development Committee Projects – John Wright, Punta Gorda Chamber of Commerce  
**PRESENTED**

#### **II-A.   PUBLIC HEARINGS**

1.      **ZA-17-08** – 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 8, Standards of General Applicability; amending Subsection 8.13., Soil Conservation, providing for materials permitted in drainage areas, providing for limitations on inorganic mulch materials, and defining location of drainage areas; providing for conflict and severability; and providing an effective date.

**First Reading**

**APPROVED AS AMENDED**

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

1. **V-09-08** – Request to grant a variance to the Land Development Regulations per Section 26-16.10., Page 26-196, of the City Code to allow the maximum building height for the mixed used buildings which are located in the center of the proposed ‘Public Works Campus’ mixed use project to be no greater than 5 stories and 54 feet in height as measured from Base Flood Elevation (BFE) to the top of the roof structure, and to allow the office use buildings located along Maud Street to be no greater than 4 stories and 40 feet in height as measured from BFE to the top of the roof structure; and to allow the multi-family buildings which will face Shreve Street to have no more than 3 habitable floors and be no greater than 40 feet in height as measured from BFE to the top of the tie beam; instead of 2 stories and 35 feet in height as allowed in the Neighborhood Center (NC) zoning district, per City Code Section 26-3.8.(g)(11), Page 26-18, located on property commonly known as “The City of Punta Gorda Public Works Campus”.  
Legal: A portion of Trabue Subdivision, Blocks 51, 52, 53, 55, 56 & 78 as recorded in Plat Book 1, Page 1, Section 12, Township 41 south, Range 22 east, of the public records of Charlotte County, Florida. Long legal description available at the City of Punta Gorda, Urban Design Division, 126 Harvey Street, Punta Gorda, Florida

**Continued from December 17, 2008**

**Applicant Requests Continuance to March 18, 2009**

**CONTINUED TO 3/18/09**

2. **V-03-08** – Request by Punta Gorda Lodging, LLC, to reconsider and extend the time-line included as a condition on the variance approved for the Hilton Garden Inn to be located on the property known as the northeast corner of the City Marketplace Property generally addressed as 115 Tamiami Trail. Legal: A parcel of land lying in Trabue, (now known as the City of Punta Gorda), as recorded in Plat Book 1, Page 1, of the Public Records of Charlotte County, Florida, and lying in Section 6, Township 41 South, Range 23 East, Charlotte County, Florida. Containing 50,231 square feet (1.15 Acres ±). **APPROVED**

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

1. An Ordinance of the City of Punta Gorda, Florida, amending the City of Punta Gorda General Employees’ Retirement System, adopted pursuant to Ordinance 1286-00, as subsequently amended, is hereby further amended by amending Section 4, Finances and Fund Management; repealing all ordinances in conflict herewith and providing an effective date.

**Second Reading**

**APPROVED**

2. An Ordinance of the City of Punta Gorda, Florida, amending Chapter 17 “Public Utilities” of the City Code of Ordinances, Article III “Water Emergencies”, amending Sections 17-19, 17-22, 17-25, 17-26 to comply with the requirements of Southwest Florida Water Management Code Rule 40D-21; amending Section 17-23 by decreasing penalties for violations; providing for conflict and severability and providing an effective date

**Second Reading**  
**CONTINUED TO 2/18/09**

### **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**

1. Approval of Minutes:
  - a. Regular Meeting of January 7, 2009 **APPROVED**

#### **B. CITY ATTORNEY**

1. Request for assignment of Communications Site Lease Agreement (GROUND) from Nextel South Corp. to TowerCo Acquisition LLC  
**APPROVED**
2. A Resolution of the City of Punta Gorda, Florida, accepting easement from Harbor Walk Condominium Association, Inc.  
**APPROVED**
3. A Resolution of the City of Punta Gorda, Florida, accepting a drainage easement located on the Charlotte County Justice Center Tract as described in OR Book 1492, Page 1831, of the Public Records of Charlotte County, Florida from Charlotte County.  
**APPROVED**

### **REGULAR AGENDA**

#### **IV. UNFINISHED BUSINESS**

- A. Approval of Land Swap Agreements between the City and Southwest Land Developers regarding the Henry Street property and Airport Commerce Center property.

**Continued from December 17, 2008**  
**Continuance to March 18, 2009 requested**  
**CONTINUED TO 3/18/09**

- B. Utility Line Extension Interlocal Agreement with Charlotte County  
**APPROVAL TO RETAIN CURRENT POLICY  
AND TO ENTERTAIN SPECIFIC PROPOSALS  
FOR AIRPORT DEVELOPMENT**
- C. Presentation of the Evaluation and Selection Committee’s Short List of Offerors for design/engineering services for the Harborwalk.  
**COUNCIL TO HEAR PRESENTATIONS FROM  
THE TOP 3 RANKED FIRMS**

**V. NEW BUSINESS**

- A. Hendrickson Dam Spillway Replacement - Stanley Consultants  
**APPROVAL OF ALTERNATIVE #1**
- B. Discussion of current boat maintenance regulations for properties located in the Special Residential Overlay Districts.  
**DIRECTION PROVIDED TO STAFF TO ALLOW  
DRAFTING OF AN ORDINANCE**
- C. Downtown Property Tax Inequities - Paul LeFleur, Revitalization Committee

**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) **ANNOUNCED**
- B. Nominations
- C. Appointments
  - 1. Waterfront Development Advisory Committee  
**BILL HEMPEL APPOINTED**

**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.*

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