

**BUILDING BOARD  
MEETING  
JANUARY 26, 2010**

**MEMBERS PRESENT:** Larry Sandles, Acting Chairman  
John Burrage, Peter Coccaro, James Getz,  
James McClary, David Reeves

**MEMBERS ABSENT:** Thomas Cavanaugh, Mary Fleenor

**OTHERS PRESENT:** City Attorney David Levin  
Board Attorney Mark Martella  
Randy Cole, Building Official  
Suzy Russell, Permit Supervisor

**CALL TO ORDER/ANNOUNCEMENTS**

- A. Roll Call
- B. Introduction of James Getz, Alternate Board Member
  - Mr. Sandles welcomed Mr. Getz, noting he had recently been appointed by City Council as an alternate member of the Board.

**APPROVAL OF MINUTES**

- A. Meeting of December 22, 2009
  - Mr. Burrage MOVED, Mr. Coccaro SECONDED approval of the December 22, 2009 minutes. MOTION CARRIED UNANIMOUSLY.

**UNFINISHED BUSINESS**

- Recording Secretary Kelly swore in all participants.
- A. Robert Adamo (Ideal Homes) versus the City of Punta Gorda and the City of Punta Gorda Building Board, Circuit Court Case #07-1644CA
  - City Attorney David Levin stated the Board had heard much testimony regarding this case at their December 22, 2009 meeting, providing a detailed review of same. He confirmed members had been provided with copies of the proposed "Settlement Agreement and Mutual Release," as delineated in the agenda material, noting execution of same would provide for the City to dismiss their case against Mr. Adamo, who in turn would agree to dismiss the pending Court case. He noted each side would be responsible for their own fees and costs, adding Mr. Adamo would release and waive any claims he may have against the City. He recommended approval of the proposed settlement.
  - Board Attorney Mark Martella concurred with the City Attorney's advice, particularly in light of the passage of time.

- City Attorney Levin mentioned Mr. Adamo's attorney indicated the petitioner would most likely not be performing any jobs in the City.
- Mr. McClary recalled Mr. Adamo had relinquished his State license.
- City Attorney Levin agreed, stating he suspected Mr. Adamo could re-activate same if he so chose.
- Mr. Randy Cole, Building Official, interjected the City's main target had been Floridian Gulf Coast Homes, the developers who had assumed control of Ideal Homes. He explained the City's only option was to file against the qualifier.
- Mr. Burrage asked if the City would stop issuing permits to Mr. Adamo.
- Mr. Cole replied Mr. Adamo did not currently hold a Certificate of Competency (COC); however, his slate would be clean upon execution of this settlement.
- Mr. Coccaro observed there was no provision to stop Mr. Adamo from putting his license out for hire.
- City Attorney Levin responded Mr. Adamo could not sell his license.
- Mr. Reeves asked if Floridian Gulf Coast Homes was still in business in Punta Gorda.
- Mr. Cole replied they were not nor were they ever licensed in the City.
- Mr. Burrage asked how the Board could improve their performance in the future in similar situations.
- City Attorney Levin replied he and the former Board Attorney may have been somewhat less formal in the past than was warranted, noting this case very quickly jumped from the findings of fact stage to the penalty stage.
- Mr. McClary commented on the importance of having a Board Attorney in attendance, particularly with regard to potentially complicated cases such as this.
- Discussion ensued with regard to the roles of both the City Attorney and Board Attorney.
- Mr. Coccaro MOVED, Mr. Burrage SECONDED to recommend adoption of the proposed settlement agreement. MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS**

- A. Election of Chairman & Vice-Chairman
  - Mr. McClary MOVED, Mr. Getz SECONDED to continue the elections to the Board's next scheduled meeting. MOTION CARRIED UNANIMOUSLY.

**OTHER BUSINESS**

- A. Announcements from Randall Cole, Chief Building Official
  - Mr. Cole mentioned staff had seen a slight increase in permits.
  - Mr. Sandles commended the City for deferring the last increase in impact fees for an additional year.

ADJOURNMENT

- Meeting Adjourned: 9:24 a.m.

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Larry Sandles, Acting Chairman

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Mary Kelly, Recording Secretary