



# City Council and Community Redevelopment Agency

## \*\*\* Amended Agenda \*\*\*

### CITY OF PUNTA GORDA, FLORIDA

326 West Marion Avenue, Punta Gorda, FL 33950

June 3, 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 A.M.    CALL TO ORDER  
                  INVOCATION  
                  PLEDGE OF ALLEGIANCE**

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#### **I.    PROCLAMATION/PRESENTATIONS**

- A.    Proclamations
- B.    Presentations
  - 1.    Introduction of Board / Committee Nominees

#### **II.   COMMUNITY REDEVELOPMENT AGENCY**

- A.    Roll Call
- B.    Approval of Minutes
  - 1.    Special Meeting of May 20, 2009

**APPROVED**

- C. CRA Project Status Report
- D. Herald Court Commercial & Parking Building - Determination of Official Name  
**HERALD COURT CENTRE**
- E. Statement of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A., for services rendered to the Community Redevelopment Agency by David M. Levin, Esq. through May 27, 2009  
**APPROVED**
- F. Commissioners' Comments
- G. Citizens' Comments

### **III-A. PUBLIC HEARINGS**

1. **CP-09-08** - 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 High Density Residential/County to Public/Semi Public/City on property known as 1100 and 1500 Carmalita St., as more particularly described on Exhibit "A" attached to this Ordinance; and property known as 1200 Cooper Street, and property known as 607, 611, 705, and 737 Carmalita St., and parcel property known as 600, 612, and 608 Allen St., as more particularly described on Exhibit "B" attached to this Ordinance; and property known as 1420, 1404, 1416 Henry St., and property known as 1450 Education Ave., as more particularly described on Exhibit "C" attached to this Ordinance, providing for conflict and severability; and providing an effective date. **Second Reading**  
**APPROVED**
2. **CP-01-09** – 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 Preservation/County to Preservation/City on property consisting of parcel nos. 412222400001, 412223300001, 412226200001, 412224353001, 41222342009 and 412225251001 as more particularly described in attached Exhibit "A"; and from Agriculture/County to Preservation/City on property consisting of parcel no. 412330100001 and 412330100002 more particularly described in attached Exhibit "B"; and from Resource Conservation/County to Preservation/City on property consisting of parcel no. 412330400001 as more particularly described in attached Exhibit "C"; and from Agriculture/County to Recreation-Public/City on property commonly known as 11081 Burnt Store Road more particularly described in attached Exhibit "D"; and from Preservation/County to Recreation-Public/City on property commonly known as 12301 and 12401 Burnt Store Road more particularly described in attached Exhibit "E", to the Ordinance providing for conflict and severability; and providing an effective date. **Second Reading**  
**APPROVED**
3. A Resolution of the City Council of the City of Punta Gorda, Florida approving a Substantial Amendment to the 2008 CDBG Annual Action Plan to apply for funding under the American Recovery and Reinvestment Act of 2009 and authorizing the City

Manager to sign all appropriate documents for submission to the U.S. Department of Housing and Urban Development (HUD) **APPROVED**

### **III-B. QUASI-JUDICIAL PUBLIC HEARINGS**

- 1. CCSP- 01-09** - Petition for Special Permit under the provisions of Section 6-6 (d) of the Punta Gorda Code of Ordinances to construct commercial docks in excess of eighty (80) feet in length and up to ten (10) feet in width to accommodate sixty two (62) slips, thirty three (33) boat lifts, 20' x 20' public fishing pier, and one (1) temporary slip for pump out station. The applicant seeks to enlarge the existing dock in order to accommodate the proposed commercial marina operations at 300 West Retta Esplanade, a/k/a Best Western Hotel, Punta Gorda, Florida. Owner/Petitioner: Punta Gorda Hotel LLC  
**CONTINUED TO 6/17/09**
- 2. SE-05-09** – A Special Exception request by Steve Cianflone, agent, per Section 26-16.8. of the City Code of Ordinances to allow artificial turf to be installed as permitted by Special Exception approval per City Code Section 26-12.3.(n) on private property addressed as 1401 Thrasher Drive and on the City right-of-way that directly abuts this private property, all of which is located in a General Single Family (GS) zoning district. Legal Description: Block 204, Lot 16, PGI Section 14 **Continued from May 20, 2009**  
**CONTINUED TO 6/17/09**

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

- 1. Z-08-08** - An Ordinance of the City of Punta Gorda, Florida, rezoning property described on Exhibit "A", commonly known as 1100 and 1500 Carmalita St., from Residential Multi Family - 10 units per acre/County to Public/City; and rezoning property described on Exhibit "B", commonly known as 1200 Cooper Street, and 607, 611, 705, and 737 Carmalita St., and 600, 612, and 608 Allen St., from Residential Multi Family- 12 units per acre/County to Public/City; and rezoning property described on Exhibit "C", commonly know as 1420, 1404, 1416 Henry St., and 450 Education Ave. from Residential Multi Family-10 units per acre/County to Public/City; providing for conflict and severability; and providing an effective date.  
**Second Reading**  
**APPROVED**
- 2. Z-01-09** – An Ordinance of the City of Punta Gorda, Florida, rezoning property described on Exhibit "A", consisting of parcel nos. 41222400001, 412223300001, 412226200001, 412224353001, 41222342009 and 412225251001, from Environmentally Sensitive-1 unit per 10 acres/County to Environmental Preserve/City and rezoning property described on Exhibit "B", consisting of parcel no. 412330100001 and 412330100002 from Agriculture-1 unit per acre/County to Environmental Preserve/City and rezoning property described on Exhibit "C" consisting of parcel no. 412330400001 from Agriculture-1 unit per acre/County to Environmental Preserve/City; and rezoning property described on Exhibit "D", commonly known as 11081 Burnt Store Road from Agriculture-1 unit per acre/County to Environmental Preserve/City; and rezoning property described on Exhibit "E" commonly known as 12301 and 12401 Burnt Store

- Road from Agriculture-1 unit per acre/County to Environmental Preserve/City; providing for conflict and severability; and providing an effective date. **Second Reading**  
**APPROVED**
3. **Z-02-09** - An Ordinance of the City of Punta Gorda, Florida, rezoning property described on Exhibit “A”, commonly known as 24382 & 24384 Airport Road, from Agricultural Estates/County (AE/County) to Neighborhood Center/City (NC/City); providing for conflict and severability; and providing an effective date. **Second Reading**  
**APPROVED**
  4. **CP-02-09** – 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 24382 & 24384 Airport Road as more particularly described on Exhibit “A” attached to the Ordinance; providing for conflict and severability; and providing an effective date. **Second Reading**  
**APPROVED**
  5. **ZA-06-09** – 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 16, Application Review and Approval Requirements; amending Subsection 16.6., Application for Development Plan; amending Subsection (c), Urban Design Findings, adding (10) Street addressing and numbering requirements; amending Subsection (g) Fire and Police Department Findings, removing (3) Street addressing and numbering requirements and renumbering accordingly; providing for conflict and severability; and providing an effective date. **Second Reading**  
**APPROVED**
  6. **ZA-07-09** – An Ordinance of the City of Punta Gorda, Florida amending Chapter 9c of the City Code of Ordinances known as “Fire Prevention”, Section 9c-4. Responsibility; areas of enforcement; removing Subsection 9c-4(g) addressing responsibilities; providing for conflict and severability; and providing an effective date. **Second Reading**  
**APPROVED**
  7. **ZA-08-09** - 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, amending Subsection 11.2. Rules of Interpretation, adding Subsection (g) providing for permit requirements; amending Subsection 11.3.(c) Changeable Copy Signs; providing regulations for all types of changeable copy signs; providing requirement for continuous message; providing for automatic dimming; providing for frequency and method of message change permitted; providing for conflict and severability; and providing an effective date. **Second Reading**  
**APPROVED**
  8. **SV-02-09** - An Ordinance of the City Council of the City of Punta Gorda, Florida, naming the unnamed sixty-six foot (66’) wide right-of-way lying in Parcel “D”, Plat of Punta Gorda Harbor, as recorded in Plat Book 18, Pages 1a and 1b, of the Public Records

of Charlotte County, Florida, as Laishley Court; providing for severability; providing for conflict; and providing an effective date.

**Second Reading**  
**APPROVED**

9. **SV-03-09** - An Ordinance of the City Council of the City of Punta Gorda, Florida, naming the unnamed sixty-six foot (66') wide platted right-of-way lying between Taylor Street and U.S. Highway 41 Northbound in Block 5 of the Plat of Trabue, as recorded in Plat Book 1, Page 1, of the Public Records of Charlotte County, Florida, as West Retta Esplanade; providing for severability; providing for conflicts; and providing an effective date.

**Second Reading**  
**APPROVED**

10. An Ordinance of the City Council of the City of Punta Gorda, Florida, approving an amendment to Charlotte County's South Bridge Waterway Municipal Service Benefit Unit to provide for the inclusion of certain property located within the City of Punta Gorda, Florida, within the Unit; providing for conflict and severability; and providing an effective date.

**Second Reading**  
**APPROVED**

11. An Ordinance of the City of Punta Gorda, Florida, amending Chapter 7 "Building Regulations", Article III "Building Codes and Regulations", Section 7-35 "Building Numbering", of the City Code of Ordinances; amending Subsections (c) and (e) to transfer building numbering responsibility to the Urban Design Division; providing for conflict and severability; and providing an effective date.

**Second Reading**  
**APPROVED**

12. An Ordinance of the City of Punta Gorda, Florida, amending Chapter 7 "Building Regulations", Article II "Building Contractors" of the City Code of Ordinances; amending Section 7-18(a)(3) "Certificate of Competency Requirements"; amending Section 7-20, Subsections (b)(1) and (2) by increasing the minimum insurance coverage required; providing for conflict and severability; and providing an effective date.

**Second Reading**  
**APPROVED**

#### **IV. 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 May 20, 2009

**APPROVED**

##### **B. LEGAL DEPARTMENT**

1. Monthly Litigation Report

2. Statements of the Farr Law Firm for services rendered in April 2009

**APPROVED**

**C. GROWTH MANAGEMENT**

1. A Resolution of the City Council of the City of Punta Gorda, Florida, approving the Amended Park Easement Agreement between the City of Punta Gorda and Carma (Colorado), Inc.; and authorizing the Mayor to execute the agreement on behalf of the City

**APPROVED AS AMENDED**

2. A request by the Bernice A. Russell Community Development Corporation to enter into the Economic Development Installment Payment plan for the Fair Share Impact fees due to facilitate opening of a new business in the Bernice A. Russell building.

**APPROVED**

3. A request by Main Street Punta Gorda to waive park rental fees for the annual July 4, 2009 celebration event.

**APPROVED**

**D. POLICE DEPARTMENT**

1. Police Equipment Program/Taser Implementation

**APPROVED**

**E. FINANCE DEPARTMENT**

1. Award of Amendment #2- Specific Authorization #PLSA35 – Linear Park Phase III – Design, Permitting and Construction Administration Services, in accordance with Agreement #U06120 Public Works Engineering Library, to CPH Engineers.

**APPROVED**

**F. UTILITIES DEPARTMENT**

1. A Resolution of the City Council of the City of Punta Gorda, Florida, accepting Bill of Sale, Release of Liens/Affidavit of No Liens from developer Leonel Maresma, and Warranty from George Davis, D.M. Construction for the force main constructed to serve the Harbor Inn Resort and Yacht Club located at 33 Tamiami Trail.

**APPROVED**

**REGULAR AGENDA**

**V. UNFINISHED BUSINESS**

- A. **SE-09-09** – A request by the Punta Gorda Historical Society to waive the fee for the Special Exception application required to open a business within the History Park.

**Continued from May 20, 2009**

**CONTINUED TO 6/17/09**

- B. Parks and Recreation Master Plan Update

**VI. NEW BUSINESS**

- A. Request by the Punta Gorda Housing Authority to staff a full-time police officer for the Gulf Breeze Apartments and area streets between Gulf Breeze and Oak Tree Village.  
**APPROVED**

- \*\*\* B. Presentation of Proposed Punta Gorda Watersports Activity Center

**VII. RECOMMENDATIONS FROM CITY OFFICERS**

- A. City Manager  
1. Discussion of agenda items for June 12, 2009 joint meeting with Charlotte County Board of County Commissioners **MEETING CANCELLED**
- B. City Attorney
- C. City Clerk

**VIII. BOARDS AND COMMITTEES**

- A. Announcement of Vacancies  
1. Historic Preservation Advisory Board  
2. Revitalization Committee  
3. Building Board (2)  
4. Punta Gorda Isles Canal Advisory Committee  
**ALL VACANCIES ANNOUNCED**
- B. Nominations  
1. Punta Gorda Health Facilities Authority **V. SERING NOM., APPT**  
2. Burnt Store Isles Canal Advisory Committee **F. WEICHEC NOM., APPT**
- C. Appointments

**IX. POLICY AND LEGISLATION**

- A. Mayor
- B. Councilmember Comments

**X. 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.*

**XI. 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.*