



**City Council and Community
Redevelopment Agency Agenda
CITY OF PUNTA GORDA, FLORIDA
326 West Marion Avenue, Punta Gorda, FL 33950
June 2, 2010**

ANNOTATED AGENDA

CITY COUNCIL

Harvey Goldberg, Mayor
William F. Albers, Vice-Mayor
Don McCormick, Councilmember
Charles Wallace, Councilmember
Lawrence J. Friedman, Councilmember

CITY OFFICIALS

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

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**

I. PROCLAMATION/PRESENTATIONS

- A. Proclamations
 - 1. National Marina Day **PROCLAIMED**

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

II. COMMUNITY REDEVELOPMENT AGENCY

- A. Roll Call

- B. Approval of Minutes
 - 1. Regular Meeting of May 5, 2010 **APPROVED 7-0**

- C. Certificate of Appreciation Christel Schmidt **PRESENTED**

- D. CRA Project Status Report **MOTION TO REDUCE WIDTH OF W.
HARBORWALK FROM 30' TO 20'
APPROVED 7-0**

- E. Statement of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A., for services rendered to the Community Redevelopment Agency by David M. Levin, Esq. from April 29, 2010 through May 26, 2010
APPROVED 7-0
- F. Citizens Comments
- G. Commissioner Comments

III-A. PUBLIC HEARINGS

- 1. An Ordinance of the City of Punta Gorda amending and restating the City of Punta Gorda Police Officers' Retirement System, as adopted by Ordinance 1278-00, by restating the City of Punta Gorda Police Officers' Retirement System; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date

First Reading
APPROVED 5-0

III-B. QUASI-JUDICIAL PUBLIC HEARINGS

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

- 1. **ZA-02-10** – 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 Section 16.8. Application for Special Exception, by amending all references to the Department of Community Development to read Urban Design Division; amending Subsection 16.8(e)(5) relating to application requirements for special exception requests other than requests relating to home occupations; adding a new Subsection 16.8(e)(6) providing requirements for applications for special exception requests concerning home occupations and renumbering accordingly; amending Subsection 16.8(k) providing for special exception approval criteria for special exception requests other than requests relating to home occupations; adding a new Subsection 16.8(l) providing special exception approval criteria for home occupations and renumbering accordingly; providing for conflict and severability; and providing an effective date.

Second Reading
APPROVED AS AMENDED 5-0

- 2. **ZA-03-10** - An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26 City of Punta Gorda, Florida Code of Ordinances known as “The Land Development Regulations”, Article 3, Regulating Districts, amending Section 3.2, EP, Environmental Preserve District, Subsection 3.2(c), Uses Permitted With Conditions, and Subsection 3.2(f), Special Exceptions; amending Section 3.4 GS, General Single Family District, amending Subsection 3.4(a), Permitted Principal Uses and Structures, Subsection 3.4(b), Permitted Accessory Uses and Structures, Subsection 3.4(c), Uses Permitted with Conditions, and Subsection 3.4(f) Special Exceptions; amending Section 3.5. GM, General Multi-Family District, amending Subsection 3.5(a) Permitted Principal Uses and Structures, Subsection 3.5(b), Permitted Accessory Uses and Structures, Subsection 3.5(c), Uses Permitted with Conditions, and Sub-Subsection 3.5(f) Special Exceptions; amending Subsection 3.6 MH, Manufactured Home District, Subsection 3.6(e) Special Exceptions; amending Subsection 3.7 NR, Neighborhood Residential District, Subsection

- 3.7.(b), Permitted Accessory Uses and Structures, Subsection 3.7(c), Uses Permitted With Conditions, and Subsection 3.7(f) Special Exceptions; amending Article 4, Section 4.5 to require a Local Business Tax Receipt be obtained to operate any group home facility and amending Subsection 4.16 Day Care Centers including provisions for adult day care centers; amending Article 19, Section 19.3 Definitions; providing for conflict and severability; and providing an effective date. **Second Reading**
APPROVED 5-0
3. **ZA-05-10** - An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26, City of Punta Gorda, Florida Code of Ordinances, known as “The Land Development Regulations”, Article 3, Regulating Districts, Section 3.13 Special Residential Overlay District, Subsection 3.13(l)(5), Storage of Vehicles and Watercraft; providing for conflict and severability; and providing an effective date. **Second Reading**
APPROVED 5-0
4. **ZA-06-10** - An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26, City of Punta Gorda, Florida Code of Ordinances, known as “The Land Development Regulations”, Article 8, Standards of General Applicability, Section 8.21. Yard Sales, Sub-Subsection 8.21(c) correcting a citation therein; amending Article 11, Sign Standards, amending Section 11.3 Permitted Signs, deleting Sub-subsection 11.3(l), Public Event Banners; deleting Subsection 11.3(p), Temporary Promotional Signs; and renumbering accordingly; amending Section 11.6. Prohibited Signs and Devices, Subsections 11.6(g), 11.6(i), and 11.6(j); amending Subsection 11.8, Signs in Rights-of-way, Subsection 11.8(c) Special Event Signs; amending Article 13, Subsection 13.1 Purpose, adding regulations for temporary signs; amending Subsections 13.2, 13.3, 13.5 and 13.6; amending Article 19, Definitions, Section 19.3(85) Events; providing for conflict and severability; and providing an effective date. **Second Reading**
APPROVED 5-0
5. **ZA-07-10** - 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, Subsection 3.9, CC, City Center District, by exempting the Trabue Woods Historic Overlay District from the separation requirements for restaurants and Neighborhood Residential (NR) district boundaries; providing for conflict and severability; and providing an effective date. **Second Reading**
APPROVED 5-0
6. **ZA-08-10** – An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26 City of Punta Gorda, Florida Code of Ordinances, known as “The Land Development Regulations”, Article 11, Sign Standards, amending Section 11.3, Permitted Signs; amending Subsection 11.3(o) Temporary Pre-Development Signs, clarifying requirements prior to requesting a temporary pre-development sign; adding a provision for removal of temporary pre-development signs; repealing Ordinance 1563-08; providing for conflict and severability; and providing an effective date. **Second Reading**
APPROVED 5-0

7. An Ordinance of the City of Punta Gorda, Florida, amending Chapter 23, Code of Ordinances, City of Punta Gorda, Florida, "Traffic", Article II. "Parking Areas", Section 23-18, "Parking Spaces Provided for Certain Disabled Persons", by amending Subsections 23-18(a), (b), and (c) to be consistent with the requirements of state law; providing for conflict and severability; and providing an effective date.

Second Reading
APPROVED 5-0

8. A Resolution of the City Council of the City of Punta Gorda, Florida, establishing the amount of the lot mowing user fee to be charged to owners of all properties included in the Mandatory Lot Mowing Program for Fiscal Year 2010/2011

APPROVED 5-0

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 19, 2010 **APPROVED 5-0**

B. LEGAL DEPARTMENT

1. Monthly Litigation Report
2. Statements of Martella Law Firm, P.L. for services rendered in April 2010
APPROVED 5-0
3. Statement of Allen, Norton & Blue, P.A. for services rendered in April 2010
APPROVED 5-0
4. Statement of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for services rendered by David M. Levin, Esq., from April 28, 2010 through May 26, 2010
APPROVED 5-0

C. FINANCE DEPARTMENT

1. Contract award to ACS Firehouse Software of Dallas, Texas for Fire Management Software, Five-Year Maintenance Agreement and Data Migration
APPROVED 5-0

D. UTILITIES DEPARTMENT

1. A Resolution of the City Council of the City of Punta Gorda, Florida, accepting Bill of Sale and Release of Liens/Affidavit of No Liens from Racetrac Petroleum, Inc. and Warranty from Nationmark Inc., for water and wastewater facilities and a lift station constructed at 6077 Duncan Road **APPROVED 5-0**

REGULAR AGENDA

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Discussion regarding the provisions of Chapter 14, Noises
DIRECTION PROVIDED TO STAFF
- B. Discussion - Parking of Tandem Axle Travel Trailers and Watercraft Trailers on
Residentially Zoned Property Located Outside of the Special Residential Overlay District
DIRECTION PROVIDED TO STAFF
- C. Discussion regarding TIGER II Grant Application **DIRECTION PROVIDED TO STAFF**

VII. RECOMMENDATIONS FROM CITY OFFICERS

- A. City Manager
- B. City Attorney
- C. City Clerk
 - 1. Charter Review Committee Report

VIII. BOARDS AND COMMITTEES

- A. Announcement of Vacancies
 - 1. Building Board Alternate
 - 2. Board of Zoning Appeals
 - 3. Historic Preservation Advisory Board **ALL VACANCIES ANNOUNCED**
- B. Nominations
 - 1. Planning Commission (2) **ALL PARTIES NOMINATED**
 - 2. Utility Advisory Board (2) **STEVE FABIAN, TERRY MILLER NOMINATED & APPOINTED**
- 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.