

**BURNT STORE ISLES  
CANAL ADVISORY COMMITTEE  
MEETING  
APRIL 14, 2009**

**MEMBERS PRESENT:** Gary Brewster, Chairman  
Joseph Gil, Leslie Totten,  
Frank Wiechec, Charles Zajicek

**OTHERS PRESENT:** Randy Brodersen, Canal Maintenance Supervisor  
Rick Keeney, Public Works Director

**CALL TO ORDER/ANNOUNCEMENTS**

- A. Roll Call
- B. Next Scheduled Meeting - Tuesday, May 12, 2009 - 1:30 p.m.

**APPROVAL OF MINUTES**

- A. Regular Meeting - February 10, 2009
  - Mr. Gil MOVED, Mr. Zajicek SECONDED approval of the February 10, 2009 minutes.  
MOTION CARRIED UNANIMOUSLY.

**CANAL MAINTENANCE MONTHLY REPORTS**

- A. Permits Authorized by City Staff - Installation of Docks, Lifts, Outpilings, etc.
  - Mr. Randy Brodersen, Canal Maintenance Supervisor, reported four permits were issued in February 2009, and three permits were issued in March 2009.
- B. Seawall Cap Replacement Schedule
  - Mr. Brodersen drew members' attention to the BSI Schedule, as delineated in the agenda material, noting there were seven or eight remaining projects totaling approximately five hundred twenty feet.
- C. Budget Utilization Report
  - Mr. Brodersen confirmed members had received the February and March 2009 Reports, as delineated in the agenda material, stating mangrove trimming would commence in the near future as usual.
  - Mr. Brewster commented it appeared seawall cap replacements for the current fiscal year would be completed by the end of the current month.
  - Mr. Brodersen disagreed, stating a recent review of the 2007 Geographical Information System (GIS) report depicted a number of locations needing attention remained. He displayed a list of 31 locations slated for repairs by City crews, stating 7 had been completed thus far. He clarified some of the sites were from the above mentioned 2007 GIS report, noting staff would be able to make repairs to some of the smaller sections this year rather than full replacements.

- Mr. Gil requested clarification of “repairs.”
- Mr. Broderson provided an example of a cap where only a small section had fallen out of the bottom of same, stating a strong cement bond could be made.
- Mr. Zajicek asked if a full replacement would be required if the rebar was totally rusted out.
- Mr. Broderson replied the cap would be thoroughly examined and replaced if necessary.
- Mr. Gil pointed out the property next to his home was on the displayed list, noting there were very long cracks in the wall.
- Mr. Brodersen responded the severity of the cracks must first be determined before a decision was made as to whether the cap could be repaired or if it should be replaced.
- Mr. Gil advised the property he was referring to was 3616 Cassandra Drive.
- Mr. Zajicek questioned whether the repair list could be included in the Committee’s agenda packets.
- Mr. Brodersen replied affirmatively.
- Mr. Gil opined the above referenced seawall cap did not need to be replaced.
- Mr. Brewster asked if headway was being made on the subject locations.
- Mr. Brodersen replied affirmatively, adding there were only five seawall caps to be replaced which totaled three hundred fifty feet.
- Mr. Zajicek questioned the difference between the list provided in the agenda material and that displayed by Mr. Brodersen.
- Mr. Brodersen replied the displayed list represented in-house repairs while the other showed locations to be repaired by Marine Contracting Group (MCG).
- Mr. Totten asked how a listed property could be located.
- Mr. Brodersen replied through Charlotte County’s GIS system.

**NEW BUSINESS**

- A. Discussion of Fiscal Year (FY) 2009/2010 Budget
- Mr. Rick Keeney, Public Works Director, reminded members budget preparation was ongoing at this time; however, he did not yet have specific dates when the budget would be reviewed. He stated by maintaining the \$400 annual canal maintenance assessment fee and through utilization of reserves, the seawall account would not be affected; however, there would be reductions to other line items. He clarified specific line item adjustments would be discussed at a later date.
  - Mr. Brewster asked if there would be line item reductions.
  - Mr. Keeney replied affirmatively, reiterating reserves would also be utilized; however, staff hoped to maintain seawall and seawall cap line items at current levels.

- Mr. Gil inquired whether “per foot” costs had increased.
- Mr. Keeney replied they had actually decreased slightly, noting the Procurement Division had renegotiated MCG’s contract and obtained more favorable rates.
- Mr. Wiechec questioned the basis for maintaining the \$400 annual assessment fee, expressing concern with regard to future impacts.
- Mr. Keeney replied the City was attempting to keep taxpayers’ costs down in light of current economic conditions.
- Mr. Wiechec voiced concern a drastic increase would prove necessary in the future as a result.
- At Mr. Brewster’s request, Mr. Keeney displayed Exhibit 1, as delineated in the agenda material, depicting a financial pro-forma reflecting no rate increases. He pointed out line items such as mangrove trimming and dredging were adjusted downward by roughly a few thousand dollars.
- Mr. Gil reminded staff of the possibility of budget impacts due to Charlotte County GIS costs as well as from the inlet dredging problem at the south end of the perimeter canal.
- Mr. Keeney agreed both must be given serious consideration.
- Mr. Totten commented on the Budget Utilization Report, stating the former showed \$402,378 budgeted and \$323,500 encumbered. He asked how to bridge same to the 2009 budget. He further questioned whether any reserves would be available at the end of the year.
- Mr. Keeney responded the remaining balance of \$78,878 was meant to be expended; however, staff was careful not to encumber the total amount to one specific line item.
- Mr. Totten clarified encumbered funds were not yet spent and could in fact be unencumbered.
- Mr. Zajicek asked why such funds were committed in the first place.
- Mr. Keeney replied staff planned to use those funds to make the referenced repairs, noting same was recommended by the Committee; however, it was desirable to hold back some funds for emergencies.
- Mr. Totten asked if staff felt the progress being made was reasonable when compared to the original budgeted schedule.
- Mr. Keeney replied affirmatively.
- Mr. Zajicek questioned the minimum reserve required.
- Mr. Keeney there was no required minimum.
- Mr. Brewster then displayed Exhibit 2, BSI Pro Forma Schedule of Revenues and Expenditures for FY 2007 through 2013, as delineated in the agenda material, stating

same was based on planning for the 2009 budget cycle. He explained in 2007 the plan had been to increase the annual fee slightly over the following few years, finish the current year with a fairly healthy surplus but continue to spend some reserves into the following year and finish with roughly a 10% surplus. He noted a decision must be made to either stay with that plan or spend more of the surplus over the short term because of current economic conditions.

- Mr. Keeney added the City Manager's proposal was to utilize the reserves in order to maintain the \$400 annual fee for the next 2 years.
- Mr. Zajicek questioned what the ending balance in 2010 would be if the annual fee remained at \$400.
- Mr. Brewster replied approximately \$33,581.
- Mr. Zajicek asked if that figure incorporated the above mentioned line items.
- Mr. Keeney replied affirmatively; however, he reiterated staff would provide specific budget information in the future.
- Mr. Totten commented the budget would be adequate provided there were no large seawall failures.
- Mr. Keeney acknowledged one large seawall failure would utilize all those funds.
- Mr. Totten inquired if the rate could be increased at a later date if necessary.
- Mr. Keeney responded affirmatively.
- Mr. Brewster inquired if approval could be obtained from City Council to expend the surplus money if necessary due to unforeseen circumstances.
- Mr. Keeney replied affirmatively.
- Mr. Zajicek asked if the unencumbered balance of approximately \$78,000 listed on the Budget Utilization Report was part of the reserves.
- Mr. Keeney replied it was not.
- Mr. Zajicek confirmed if an emergency occurred, the maintenance schedule could be revised to allow utilization of those funds.
- Mr. Keeney then stated the City Manager had discussed with City Council the possibility of the Punta Gorda Isles (PGI) and BSI Districts funding the Marine Patrol Officer, adding City Council had turned that option down. He announced PGI would hold a workshop with City Council to discuss raising their rates from \$400 to \$500. He questioned whether members were in favor of keeping their rate at \$400 or recommending an increase to same.
- Mr. Gil asked if the Committee had to make a two year commitment.
- Mr. Keeney replied they did not, stating the Committee was asked to review the budget annually.

- Mr. Wiechec opined rates should be increased, pointing out the BSI canals were getting older, and a sufficient reserve was very valuable.
- Mr. Totten stated he would not want to cut back on maintenance, pointing out seawall cap maintenance extended the life of the seawalls themselves.
- Mr. Wiechec pointed out much mangrove trimming had been completed to cut it back to the berm, adding he would not want to see this fall behind.
- Mr. Zajicek envisioned an increase to \$420, which was not significant.
- Mr. Totten stated he was not opposed to remaining at \$400 provided maintenance would not be cut.
- Mr. Wiechec inquired if Mr. Totten was in favor of using up the reserves.
- Mr. Totten replied in the negative, opining the 2009 year end balance for reserves would still be at least \$83,000.
- Mr. Keeney noted same was dependent upon any storm related emergencies.
- Mr. Wiechec asked why PGI was recommending an increase to \$500.
- Mr. Brewster replied their seawalls were older, adding they were experiencing failures at a faster rate.
- Mr. Gil inquired how soon members would learn whether PGI's recommendation for an increase would be approved by City Council.
- Mr. Keeney replied after their workshop with City Council the following month. He advised this Committee was invited to participate in the workshop.
- Mr. Gil clarified the Committee did not need to make a firm decision this date.
- Mr. Brewster then displayed Exhibit 3, as delineated in the agenda material, reminding members the plan had been to slightly accelerate the annual fee to \$420 and \$450 in order to maintain an approximate 10% carryover. He agreed it would not be wise to tamper with the maintenance related line items; thus, he believed the Committee should adhere to that plan. He opined if the surplus was expended and slight adjustments were made, rates would need to be raised by 19% in 2010 and 2011 just to balance the budget. He agreed it was better to have smaller increases spread over a few years rather than waiting and experiencing a large increase in order to balance the budget.
- Mr. Wiechec concurred.
- Mr. Zajicek opined it may be necessary to cut back on seawall cap replacements in the future dependent upon their condition.
- Mr. Gil voiced concern same would result in more seawall losses.
- Mr. Zajicek asked how many seawall caps required replacement at this time.

- Mr. Brewster replied an extensive 2007 survey identified and categorized all seawall caps needing replacement, adding staff had advised headway was being made.
- Mr. Zajicek asked if more seawall cap failures were occurring than in the past.
- Mr. Keeney replied staff continued to work on all of these figures and hoped to present same in time for the Committee's budget meeting. He pointed out seawalls were aging and more failures were expected. He reported none of the seawalls which had been replaced had failed.
- Mr. Gil commented maintenance of targeted reserves at 10% made a good argument for a modest rate increase.
- Mr. Keeney explained staff wished to provide the Committee with two budget scenarios, the first maintaining the current \$400 fee and another with an increased fee.
- Mr. Gil stated it seemed the modest cuts mentioned earlier amounted to approximately \$10,000.
- Mr. Keeney countered the cuts would total approximately \$36,000. He stated staff was trying to be creative in order to maintain service levels with a reduced budget, adding he believed same could be accomplished. He noted the seawall maintenance account had been slightly increased to avoid falling behind on repairs, providing a brief review of other line items.
- Mr. Wiechec commented more and more people in the south end were purchasing larger boats and thus recognized the need for additional dredging of the perimeter canal.
- Mr. Gil asserted the only limitation on boat size in BSI was the width of the lock.
- Mr. Keeney reminded members Alligator Creek could only be dredged to five feet.
- Mr. Gil opined that did not stop people from buying larger boats, even if they could not maneuver down Alligator Creek except during the highest tides.
- Discussion ensued with regard to dredging issues relative to the BSI canal system.
- Mr. Wiechec then suggested increasing the annual assessment fee by \$35.
- Mr. Totten responded many people were concerned about any increases at all in light of current economic times.
- Mr. Gil reiterated if the rate remained at \$400 and reserves were reduced to cover the offset, the end result would be a 10% carryover.
- Mr. Zajicek countered a 5% or \$20 increase was not significant.
- Mr. Brewster summarized a 5% increase was reasonable provided it did not result in an increase to the reserves. He asked staff to provide various scenarios for multiple years out to approximately 2012 while maintaining 10% in reserves.

- Mr. Totten requested information relative to the last rate increase and the figures associated with same.
- Mr. Keeney asked if members wished to maintain the current annual fee of \$400 for the upcoming year with a possible increase the following year.
- Mr. Brewster requested a multi-year analysis using both the current rate and an increased rate of \$420. He clarified the concern was more for future years rather than only the upcoming year. He asked if budget data would be available in May 2009.
- Mr. Keeney replied he hoped same would be available from the Finance Department by that time. He then announced the City had purchased property at the south end of Cooper Street, adding the Public Works and Utilities Departments would be relocating to same in approximately eight months.

#### **MEMBER COMMENTS**

- Mr. Zajicek announced he would not be available for the June 2009 meeting.
- Mr. Wiechec stated he would also be out of town during the same month.
- Mr. Gil reported he received a complaint regarding a large boat at a dock on an undeveloped lot, adding he had learned same had been parked there in order to remove the engine and fuel tank due to a serious leak. He voiced concern regarding the possibility of the canal being polluted as a result of such major repairs being performed in the canal system. He then stated at an unauthorized entrance to the canal system, 20 foot power boats were chopping their way through the mangroves, and pieces of mangrove were floating in the canals. He clarified these boaters were not BSI residents, adding they were not amenable to heeding advice to use the boat lock entrance.
- Mr. Zajicek inquired if major boat repair was allowed in the canals at a property owner's dock.
- Mr. Keeney replied he was unsure, stating he would research same with Mr. Dennis Murphy, Growth Management Director.
- Mr. Zajicek recalled at the last Committee meeting, a member had questioned City Code requirements regarding docks with a great deal of debris, stating his review of the Code did not show any such restriction.
- Mr. Keeney responded he would raise that issue with Mr. Murphy as well.
- Mr. Gil then suggested perhaps a sign could be placed at the above mentioned unauthorized entrance into the canal system.
- Mr. Keeney explained same would be at the discretion of the Department of Environmental Protection (DEP) and the Fish & Wildlife Commission (FWC).

- Mr. Brodersen then stated MCG had asked whether there was a vacant lot on the north and south sides of the community where their barge could be staged. He explained MCG received numerous complaints from residents regarding the barge being present for long periods of time.
- Mr. Gil suggested the large bay near Monaco Drive.

**ADJOURNMENT**

- Meeting Adjourned: 3:12 p.m.

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Gary Brewster, Chairman

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Mary Kelly, Recording Secretary