

**PUNTA GORDA ISLES
CANAL ADVISORY COMMITTEE
MEETING
FEBRUARY 19, 2009**

MEMBERS PRESENT: Bill Dixon, Chairman
Nancy Dauster, David Gerdel, Gary Gunsher,
Spencer Hughes, Thomas McAlear, Michael Strunk

OTHERS PRESENT: Randy Brodersen, Canal Maintenance Supervisor
Dennis Murphy, Growth Management Director
Mark Gering, City Engineer
John Dauster, Allan Spenks

CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting - Monday, March 16, 2009 - 1:30 p.m.
- C. Election of Chairman & Vice Chairman
 - Recording Secretary Kelly opened the floor for nominations for Chairman.
 - Mr. Gerdel NOMINATED Mr. Dixon for Chairman.
 - As there were no other nominations, Mr. Dixon was appointed Chairman by acclamation.
 - Mr. Dixon then opened the floor for nominations for Vice Chairman.
 - Ms. Dauster NOMINATED Mr. McAlear for Vice Chairman.
 - As there were no other nominations, Mr. McAlear was appointed Vice Chairman by acclamation.

APPROVAL OF MINUTES

- A. Regular Meeting - November 17, 2008
 - Ms. Dauster MOVED, Mr. McAlear SECONDED approval of the November 17, 2008 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, announced 14 permits were issued in November 2008, 7 in December 2008 and 10 in January 2009.
- B. Sinkhole Repairs, Seawall Patching, Seawall Cap Repairs, Dock Dredging
 - Mr. Brodersen reported 54 and 95 sinkhole repairs were completed in December 2008 and January 2009, respectively. He stated City crews replaced a seawall cap at 1565 Albatross Drive and another on Bobolink Court in December 2008, adding crews were currently working on a seawall cap replacement on LaCosta Island Court.

- Ms. Dauster commented she did not recall seeing a breakdown of seawall cap replacement projects between City crews and an outside contractor in past agenda packets.
 - Mr. Brodersen responded he had directed his crews to prioritize seawall cap replacement locations to determine those that could be repaired and those which required replacement. He drew members' attention to the City Crew Seawall Cap Replacement list, as delineated in the agenda material, stating Locations 1, 2 and 4 were replacements while the remainder would be repairs. He mentioned six locations on the list had been repaired as of this date.
 - Ms. Dauster expressed approval on the Committee being provided with this information.
 - Mr. Brodersen noted he would provide members with updated lists at their next meeting. He then stated approximately 3,092 feet of seawall cap was slated to be replaced, reiterating he had prioritized all locations, 5 being the worst and 1 being the least damaged. He advised 12 locations ranked as needing immediate attention would be addressed initially, adding the remainder would be worked on as the budget allowed. He reported three dock dredging projects were complete in December 2008 and eleven in January 2009.
- C. Budget Utilization Report
- Mr. Brodersen announced he had provided both the December 1, 2008, and the January 1, 2009 Budget Utilization Reports (Reports) in the Committee's agenda material, providing a brief review of the former. He then reviewed the most current, January 2009 Report as follows: seawall cap replacement - 3,321 feet estimated, 218 feet completed in January 2009, 760 total feet as of January 2009, \$245,550 budgeted, \$16,116.74 expenses in January 2009, \$56,186.80 total expenses as of January 2009; seawall replacement - 186 feet completed in January 2009, 1,632 total feet as of January 2009, \$860,000 budgeted, \$51,381.36 expenses in January 2009, \$378,182.79 total expenses as of January 2009. He noted 2,000 feet had been estimated for seawall stabilization, adding \$190,000 had been budgeted for same; however, work had not yet commenced on this project. He stated an estimated 579 hours had been projected for inlet dredging at a budgeted cost of \$170,950, adding this project would be undertaken shortly. He explained he was working closely with the Department of Environmental Protection (DEP) with regard to dredging.
 - Mr. Dixon asked if Mr. Brodersen was aware when dredging in Ponce de Leon Inlet would start.

- Mr. Brodersen replied immediately upon DEP's approval, confirming he had daily contact with same.
- Mr. Strunk questioned the amount of time needed to replace a seawall cap on a standard 80 foot lot.
- Mr. Brodersen replied approximately one week.
- Ms. Dauster commented it was a pleasure to see the four commendation letters included in the agenda material with regard to the performance of Canal Maintenance Division staff.
- Mr. Brodersen then stated current requests for seawall cap repairs totaled over 5,200 feet.
- Mr. McAlear clarified staff was provided a specific amount of funds enabling them to complete a specific amount of work, adding staff was monitored on their progress; however, he questioned the amount of work which was actually necessary. He stated he felt the Committee and City Council should be made aware of the actual footage which needed to be repaired or replaced, particularly during budget preparations.
- Mr. Brodersen responded he would research and provide the requested information.
- Mr. Gerdel asserted the Committee had requested this information numerous times in the past but had been advised the City did not have the staff qualified to provide same but rather was contracting with Charlotte County for that type of service.
- Mr. Dennis Murphy, Growth Management Director, clarified the funds budgeted for those services were paid out of the Growth Management Department, not the Public Works Department.
- Mr. McAlear reiterated City Council must be kept apprised of this issue. He acknowledged staff was up to date on the work which could be accomplished with available funding; however, one major storm event would be catastrophic. He recalled the Committee had recommended a \$40 increase in the annual canal maintenance assessment fee the previous year to enable at least some of the backlog to be addressed; however, City Council had not approved same.
- Mr. Dixon noted the Committee made the same recommendation two years earlier as well.
- Mr. McAlear opined the Committee must be better prepared with specific, documented information when making such recommendations to City Council.
- Mr. Brodersen mentioned the seawall cap repair list was lengthened as a number of locations were taken off of the Marine Contracting Group's (MCG's) list and transferred to a list of sites which could be repaired by City crews.
- Mr. Dixon applauded Mr. Brodersen's efforts.

- Mr. McAlear requested Mr. Brodersen make time to travel through the community by boat to more thoroughly identify locations needing repair.
- Mr. Brodersen replied he would make himself available.

OLD BUSINESS

- Mr. Murphy announced the Waterfront Development Advisory Committee (WDAC) had asked staff to investigate the possibility of a pump-out facility at Ponce de Leon Park, stating Mr. David Hilston, Urban Design Manager, was working on a grant application to install same. He mentioned application would also be made to the Federal government under the Clean Water Act.
- Mr. Dixon recalled a fee could not be charged for any pump-out facility constructed with grant funds.
- Mr. Murphy agreed that was the intent, specifically the facility would not be manned but rather “self serve.” He mentioned the Utilities Department had advised sufficient capacity existed, adding the exact location must be worked out to allow proper permitting in light of the close proximity of mangroves in the area.
- Mr. John Dauster, WDAC Chairman, commented a number of people had expressed concern with the potential for a bottleneck in Ponce de Leon Inlet in the event a pump-out facility was constructed. He mentioned an alternative location was suggested where Albatross Drive and Bal Harbor Boulevard met, acknowledging same was perhaps not as convenient as Ponce de Leon Park.
- Mr. Gerdel pointed out pump-out facilities were also available at Fishermen’s Village.
- Mr. Strunk expressed concern with regard to navigational safety at the Ponce de Leon Park location, especially in windy weather.
- Mr. Murphy responded alternate sites were being investigated, stating Ponce de Leon Park was simply the first site discussed as the required utilities were available which would reduce associated expenses.
- Mr. Hughes asked staff to ensure parking facilities were provided for boaters which came only to pump out.
- Mr. McAlear pointed out boats did not require pump-outs every time they were used. He then asked if any dredging would be required.
- Mr. Murphy replied some improvements would most likely be required, stating he envisioned an engineering firm would be retained to design the facility. He reiterated application would be made for a fairly substantial grant to complete the project properly.
- Mr. Gerdel then stated he had requested a month’s lead time on budget information; however, he had seen comments in the newspaper on a significant budget shortfall,

including the Canal Maintenance Division. He reiterated his request for budget information well ahead of time.

- Mr. Murphy confirmed he would pass on the request to Mr. Rick Keeney, Public Works Director. He noted the information in the newspaper was focused primarily on the General Fund.
- Mr. McAlear countered the information he read was derived from the City Manager's Weekly Highlights Report.
- Mr. Murphy responded he was sure Mr. Keeney would thoroughly review the budget with the Committee.
- Mr. McAlear asked if the City could utilize additional volunteers.
- Mr. Murphy replied affirmatively.
- Mr. McAlear confirmed many residents would be interested in serving.
- Mr. Murphy responded he would relay that information at the next Department Director staff meeting.

CURRENT BUSINESS

- A. Response to Army Corps of Engineers (ACE) Request for Comments (information only - no action necessary)
- Mr. Dixon drew members' attention to the City Attorney's December 9, 2008, correspondence, as delineated in the agenda material, in which City Attorney David Levin expressed City Council's strong opposition to Permit Application #SAJ-2005-9104 (IP-hwb), specifically with regard to a proposed residential development adjacent to PGI by the Aqui Esta Development Company, LLC.
 - Ms. Dauster asked why the Committee had not been presented with the subject project in that it appeared same had gone before the City Council already.
 - Mr. Brodersen expressed uncertainty regarding same, stating he would research the issue and report back to the Committee.
 - Mr. Murphy interjected a request was submitted to develop a piece of property as residential multi-family but was rejected, adding a subsequent development request was submitted to develop the site as residential single family, which was allowed by right; however, the developer also requested approval of an increased amount of non-seawalled, boat-slipped areas, essentially a raised walkway/platform system parallel with Aqui Esta Drive, approximately 1,500 feet south of same. He clarified the subject area was a very narrow cross section at the southern portion which could raise serious safety issues. He noted the developer also wished to construct a boat ramp as part of their mitigation for damaging area mangroves. He explained the City's concern was relative to the close proximity to the City's canal system, acknowledging the little use a

boat ramp at this location would incur due to the more desirably located boat ramp at Ponce de Leon Park.

MEMBER COMMENTS

- Ms. Dauster commented on the increased boat traffic and speed of late, stating she had attempted to record a few registration numbers; however, some of the boats were not marked at all.
- Mr. McAlear announced Volunteers in Policing (VIPs) were now working weekends primarily from 12:00 p.m. to 4:00 p.m. or 5:00 p.m., stating efforts were always being made to place more VIPs out on the water.
- Mr. Strunk requested Marine Officer John Kennedy or a VIP set up in the water near his home on March 7, 2009, from 4:00 p.m. to 6:00 p.m.

CITIZEN COMMENTS

- Mr. Dauster asked if the VIPs set up routine patrol checkpoints at the City's boat ramps for inspections, particularly to ensure proper registration.
- Mr. McAlear replied Officer Kennedy did so on a regular basis, stating only law enforcement could cite violators for improper or no registration. He explained VIPs were designated as Code Compliance Officers and could only enforce 15 marine oriented City Codes, none of which dealt with registration of boats. He mentioned there had been some discussion of authorizing VIPs to conduct boat inspections; however, this was not part of the City Code and would thus have to be authorized by the Police Chief.
- Mr. Dauster then questioned the percentage of seawalls, when replaced, which then affected the dock and required same to be replaced.
- Mr. Brodersen expressed uncertainty in that older docks were attached to seawalls and would definitely require replacement.
- Mr. Dauster explained certain parties had discussed the possibility of purchasing insurance to cover dock replacement, acknowledging the City was financially responsible for any costs associated with the seawall.
- Mr. Dixon mentioned all of the docks along the seawalls behind his street required replacement when the seawalls failed as they were constructed together.
- Mr. Brodersen then announced members would soon be hearing about the small toothed saw fish, stating their habitat was red mangroves in water depths of three feet or less. He explained regulations regarding same were anticipated to be put into effect as soon as September 2009.
- Mr. Allan Spinks stated he currently resided in the 5700 block of Almar Drive with the rear of his home facing the perimeter canal within which he witnessed a great deal of

speeding. He opined there were many interpretations of “minimum wake,” asking the Committee to perhaps consider changing the terminology to “no wake.”

- Mr. McAlear responded “minimum wake” was defined as settled in the water, not plowing, as opposed to “no wake,” which was defined as only enough power to steer the vessel. He agreed there were many interpretations, stating a wake which was damaging a boat or seawall was excessive according to the Marine Officer and VIPs. He noted wake gauges had been placed at various locations to assist in identifying excessive wakes. He acknowledged wake measurement was extremely subjective in that boats moving through the water were simply going to create a wake. He noted all speed wake limits in PGI were controlled by City Code, which were based on the 1995 Manatee Plan. He confirmed efforts to place marine officers in Mr. Spenks’ area; however, it was difficult to cover all areas at the right times. He urged residents to inform the Police Department of potential infractions, providing Mr. Spenks with the proper contact information.
- Mr. Dixon noted the Boaters Alliance also disseminated a laminated card with numerous contacts applicable to this subject.
- Ms. Dauster then reminded members of the Charlotte Harbor Environmental Center’s (CHEC’s) volunteer water testing program as presented at the Committee’s previous meeting, stating she and Mr. Gunsher had volunteered to participate in same.

ADJOURNMENT

- Meeting Adjourned: 2:38 p.m.

Bill Dixon, Chairman

Mary Kelly, Recording Secretary