

**BOARD OF COUNTY COMMISSIONERS & PUNTA GORDA CITY COUNCIL - JOINT
MEETING**

JUNE 13, 2008

A joint meeting was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida. The following members were present: Chairman D'Aprile, Commissioner Moore, Commissioner Loftus, and Commissioner Duffy. Also in attendance were County Administrator Baltz, County Attorney Knowlton, Deputy Clerk Manley, Mayor Friedman, Vice Mayor Goldberg, Council Member Albers, Council Member Smith-Mooney, City Manager Kunik, and City Attorney Levin. The following members were absent: Commissioner Cummings. The meeting was called to order at 9:00 AM, followed by the Pledge of Allegiance.

I. Potential Free Parking at Event Center

City Council Member Goldberg requested clarification of County intentions regarding parking fees at the Event Center. David Milligan, Support Services Manager for Parks, Recreation, and Cultural Resources, provided an outline on the parking issue and advised they ended up with 249 spaces, which was balanced with building size, location, elevation, and future expansion for a parking garage. Mr. Milligan stated that the building capacity maxed out is about 2000-2500 persons; that an attendance average would be about 1,000 for most events; and using averages of two persons per car would equate to about a 500 car parking demand, subject to change for peak events.

Mr. Milligan advised that other parking venues are available in the City Center area, Courthouse, Laishley Park, Laishley Center, Post Office, and the future Herald Court Parking Garage, which could satisfy total demand, but would require some walking. Mr. Milligan explained that parking fees to offset operational costs were proposed in the Auditorium-Courthouse task force report done in 2005, discussed at the February 28, 2006 Commission meeting, and at a joint meeting of the City Council and Commission on March 10, 2006; and introduced Recreation Division Manager Joanne Larson to talk about the actual operational recommendations for parking fees.

Ms. Larson reported that the Event Center would be operated by Recreation Supervisor Jim Finch and Recreation staff; that the County needs to ensure the availability of parking spaces to customers at the Event Center seven days a week; that there would be multiple events going on at the same time day and night; and that parking would be at a premium. Ms. Larson advised that parking fees are part of a revenue package considered for the budget, which would assist in operational costs and help keep ad valorem costs down; that the parking fees would be \$.75 per hour or \$50 for an annual pass, plus tax; and that first-year parking figures are based on a conservative figure of \$45,000.

County Administrator Roger Baltz commented on areas where parking fees are charged by the County; advised that a projection of \$40,000-\$50,000 could be made available if parking fees are charged for events at the Event Center; and stated that it has been included for discussion in view of the budget issues we are trying to cope with. Mayor Friedman asked how the system would be managed. Ms. Larson advised the proposal is to have parking meters/kiosks similar to those at the beaches and boat ramps. Council Member Smith-Mooney clarified there would be a charge for utilizing the parking spaces even if nothing is going on at the Event Center. Mr. Baltz replied affirmatively; advised it is the same at all fee-based parking areas in the County; and stated the proposal is that there be a charge anytime someone parks in the parking lot.

Council Member Smith-Mooney recalled when the Auditorium was at the site and events were going on the contract included whoever was renting the facility to pay a parking charge as sponsor of the event; and opined if the parking cost is to passed on to attendees rather than the sponsor of the event it would be more feasible to sell tickets with parking or without parking and avoid installing meters/kiosks.

Mayor Friedman requested clarification on "meters". Mr. Baltz explained the system currently in place is a kiosk with a machine inside where money is inserted and a parking ticket is spit out, based on a \$.75 per hour rate, which can be placed on the automobile dashboard; that the alternative is to purchase an annual pass, which has adhesive backing to allow display on the

vehicle, and which would allow parking at any of the County facilities where parking fees are required, whether it be a boat ramp, Beach Complex, or Event Center.

Mayor Friedman inquired how tickets purchased would be monitored and the projected cost of enforcement. **Commissioner D'Aprile** indicated he is opposed to this method, does not agree to charging everyone to park at the Event Center, and that only those buying a ticket should be charged; opined that the parking fee should be included with the user of the establishment; and advised he would not vote for parking meters at the complex.

Council Member Albers agreed with **Commissioner D'Aprile**; indicated there would soon be adequate parking surrounding the Event Center; and his preference is that parking be added to the rental fee. **Commissioner Loftus** stated he would prefer the parking fee be added to the cost of an event ticket rather than kiosks being installed; and requested staff comments on this issue. Parks, Recreation, and Cultural Resources Director Laura Kleiss-Hoeft advised this has not been done in past auditorium operations as was previously suggested and there is no methodology in place for that. Ms. Kleiss-Hoeft explained that staff is looking at keeping the 249 parking spaces open first and foremost for the Event Center; pointed out that the river walk is also a destination where people will come to fish and for events held in the park; that Parks, Recreation and Cultural Resources had to add to its Event Center operation and incur new staff for maintenance; and explained the event holder pays an event fee or rental fee to help cover direct costs such as HVAC and staffing, but there is no methodology by which to pass the fee on to the event holder.

Commissioner Loftus confirmed that staff's opinion is parking lot usage should be controlled in case of an event at the Event Center. Ms. Kleiss-Hoeft replied affirmatively. Council Member Smith-Mooney pointed out the City does not charge for downtown parking at all; expressed concern that citizens would be offended being expected to pay for parking while attending an event; and foresees a problem for Charlevoi Condominiums, the Hilton, and other nearby businesses trying to keep unauthorized persons from their parking areas.

Mayor Friedman agreed with **Commissioner D'Aprile**; indicated it would be difficult for older citizens to park farther away and walk to the Event Center; opined that most parking requirements for that lot would be generated by things going on at the Event Center; and is in favor of the fee structure for the Event Center comprehend the financial requirements associated with the capital investment recovery at the Event Center. **Commissioner Duffy** stated she is not in favor of charging a parking fee at the Event Center on a twenty-four hour basis, but that consideration could be given to a parking charge during events; opined there are not enough spaces and an alternative plan is needed; and advised she does not like the kiosks.

Commissioner D'Aprile stated his biggest contention at the first discussion of locating the Event Center in its present location was there would be insufficient parking; opined the parking fee could be added to the cost of a ticket for an event but he is not in favor of charging parking fees as proposed; and that he is not in favor of the kiosks.

Council Member Goldberg opined there would be adequate parking, stated there is a disconnect between the types of parking available, and indicated a plan should be developed to provide for costs that will be incurred.

Commissioner Moore stated the County found it is not feasible to build things that cost money to maintain because of the high cost of maintenance and hopes a solution will be developed in future meetings. Council Member Smith-Mooney opined the charge should be included in the facility charge; that the end result would be the same without offending citizens for being charged an individual parking fee. **Commissioner Moore** stated that someone must pay for the parking but he is willing to look at all alternatives.

Commissioner Loftus explained the County is looking at reducing the budget considerably and must look at how the facilities are maintained; and expressed concern on control and how monitoring can be done with multi-events.

Mayor Friedman stated the City has had a lot of experience with the facility when the Auditorium was on the site and that there

was plenty of parking at that time; opined that economically there are better ways to recapture the return on the investment and maintain the maintenance cost than by imposing the kiosk scheme and associated enforcement operation; and indicated the City would prefer it to remain compatible as free parking such as the City has done downtown. Council Member Albers commented on difficulties that could arise in instances such as when the Block Party is going on and another event is going on at the Event Center at the same time, and indicated it could be handled with signs that state "Event Parking Only" and have attendants at the entrance for enforcement by the parties showing them an event ticket.

RECESS: 9:40 AM - 9:50 AM

II. Infrastructure Sales Surtax Public Information Campaign

Assistant County Administrator Kelly Shoemaker provided background information on the agenda item; commented on packet material furnished; and indicated the sales tax has been previously approved by the voters and is not a new tax, but an extension of an existing tax for quality of life projects. **Commissioner Moore** asked what the County roles were. Ms. Shoemaker advised letters have been mailed out, there have been presentations and more are scheduled, the County is working with the City and Chambers of Commerce to get information out on the packet material, information regarding the projects proposed by the sales tax extension is available on line, and that they are working on the educational campaign.

City Manager Howard Kunik said the City receives information from the County staff of where meetings would be held; commented on meetings he would attend; and indicated that appropriate staff from the City would be available at meetings when possible to add to the information campaign. Mayor Friedman said he had a conversation with Mr. Kunik about the desire to have Council Members present at the meetings when possible; and opined it is more appropriate that Commission Members attend also. **Commissioners Duffy and Loftus** and Council Member Goldberg indicated a willingness to attend. Mayor Friedman requested a consensus for the City Manager and County Administration to

work toward having a Council Member and a Commissioner available at each of the sessions. **Consensus was given.**

Commissioner Moore opined it is the obligation of the employees of the County to supply information but have a neutral stance; that Commissioners do not have to be neutral; that he is in favor of the sales tax extension and will speak up in support whenever possible; and does not believe it to be in conflict of a Commissioner's position. Mayor Friedman agreed.

III. Florida Gulf Coast University (FGCU) Satellite Center

Mr. Kunik explained that there has been discussion in previous joint meetings about the significance of getting higher education into the County, about FGCU, and about where a satellite center could be located. Mr. Kunik stated one of the City's strategic objectives is to continue pursuing higher institutions of learning and staff wants to be certain the County and City are on the same level regarding FGCU, especially when State Universities are having trouble getting funds to expand; and opined if we are to get FGCU in the County there must be a unified approach.

Commissioner Duffy acknowledged the County wants a four year university in Charlotte County and to be unified with the City, but neither have control of who has the perfect location. **Commissioner Duffy** said her understanding is nothing will happen immediately and that FGCU presence in the near future will be at the Edison Campus. **Commissioner Duffy** indicated the County has only Murdock Village to provide for acreage and opined it is the most neutral area; pointed out that the University of South Florida (USF) is considering putting in a facility at North Port; and indicated the County and City would continue the good relationship and help the university where possible, but that no special location is being proposed by her.

Mr. Kunik advised the Edison Campus and Impac University are underutilized for higher education; that infrastructure is in place and acreage available; that it is not certain if they would consider other types of higher education but Team Punta Gorda and the City are pursuing those avenues; and opined it is absolutely a must that the City and County be unified.

Commissioner Loftus agreed the university is needed here and that the City and County should be unified; believes strongly that facilities should be fully utilized; and if the Edison Campus can be more fully utilized it should be done. Commissioner D'Aprile pointed out it is not our choice, but that of FGCU; and indicated FGCU will temporarily use the Edison Campus but because no educational funds are available the university won't happen in the near future. Commissioner D'Aprile advised he inquired if a survey was done of how many would attend if the university was placed in Charlotte County; that he was told no but it is the intent of the university to do such a survey; and stated he would be interested in knowing the results. Commissioner D'Aprile agreed it is important that the City and County be realistic about where the college would go and be unified. Mayor Friedman acknowledged the consensus of the City and County is to continue an ongoing effort, keep each other apprised of what is going on, and work toward unity.

IV. Discussion of Annexation Plans

Growth Management Director Jeffrey Ruggieri explained that the City is actively annexing property and not including the adjacent right-of-way in the request; and thus far decisions of who is responsible for maintenance has been an informal decision between Public Works and the City. Mr. Ruggieri stated that Growth Management and Public Works request direction in pursuing a formal policy to address maintenance issues of right-of-way during the annexation process. Mayor Friedman advised he had not previously been aware there was such an issue. Mr. Ruggieri stated it had only come up within the last few weeks and pointed out that the annexation would be discussed later today on the agenda.

Mayor Friedman opined this is a fair request and inquired if Mr. Kunik was aware of any concerns the City would have. Mr. Kunik explained that the City has been concentrating on land and not on including the public rights-of-way; agreed that it is a reasonable request; opined staffs from Growth Management and Transportation need to get together right away; and indicated that direction is needed from the City and County for staff to prepare a plan for submission. Council Member Smith-Mooney requested clarification that this addresses interior roads that

are surrounded by City lands and not boundary roads where the City maintains one half and the County maintains the other; and commented on her concerns of when improvements are needed on these type roads but funds are not available by either the City or County at the same time.

Mr. Kunik said there is work to be done; that if the City is to take over some of the County public rights-of-way and infrastructure as annexation is done there would be fiscal impacts; and that needs to be incorporated when doing an analysis. Mayor Friedman agreed the County should not have maintenance responsibility unless they have a vested interest; and opined that the respective staff are able to handle that situation as well as find an equitable solution for the concerns discussed by Council Member Smith-Mooney.

Charlotte County Public Works Director Dan Quick advised that Charlotte County Public Works is ready and willing to work with City Public Works toward an equitable accommodation to the roadway maintenance for the new proposed annexations, go back and review current conditions, and work through that as well. Mr. Kunik explained that the priorities actively being pursued by the City are The Loop and Wal Mart, the corridor at I-75 along Jones Loop, the commercial enclaves along US 41 to Burnt Store Meadows that are not in the City, and US 17 commercial corridor from Emerald Point west into the City.

Commissioner Moore opined there is a need to educate those who are unfamiliar with annexation and commented on the County's future water plans and the need for conversation between the City and County so they don't trip over each other.

Council Member Smith-Mooney advised that at this point the City is working on the philosophy of annexations when it is voluntary and indicated that the City tries to address enclaves where possible. Council Member Albers pointed out the City is only looking at areas that are currently within their utility districts and being serviced by the City.

Mayor Friedman agreed with Council Member Albers that the current plans involve geography that is within the City utility service area and that the City would not go outside that area without

involvement by the County; indicated that some areas such as Charlotte Park are not financially feasible to be done at this time; but that they don't want to leave high cost areas for the County to deal with.

Council Member Goldberg explained that in addition to the target areas being included in the utility and water service district they are included in a natural outgrowth of the City's emergency service areas as well. **Commissioner Duffy** inquired if annexation of The Loop would be during construction or after. Mr. Kunik advised the City is presently awaiting a voluntary annexation agreement. Mayor Friedman pointed out that conversations with representatives of The Loop indicate annexation would be prior to beginning construction; that nothing has been forthcoming, but his understanding is the City would take over the permitting process, etc. **Commissioner Duffy** inquired if the City would be in favor of the arrangement the County and The Loop representatives have agreed to regarding roads. Mr. Kunik advised it would have to be evaluated at that time. **Commissioner Duffy** asked if the impact fees would be paid to the City. Mayor Friedman opined some would go to the City and some to the County. Council Member Goldberg pointed out that infrastructure requirements would remain the same. Mayor Friedman stated that City and County interests are common and payments would be much the same.

Commissioner Loftus stated he would like to see a map and works of proposed annexation properties and to discuss with County Administration concerns on annexations and The Loop. Mayor Friedman asked Mr. Kunik to furnish a copy of the proposed annexation map to the County Commissioners. Council Member Smith - Mooney commented on what has been done thus far on The Loop and inquired if both Comprehensive Plans have to apply for an amendment.

Mr. Ruggieri explained The Loop was sent to the Department of Community Affairs (DCA) for an Objections, Recommendations and Comments (ORC) report; that the Board adopted the amendment with some conditions that specifically dealt with concurrency issues and how to fund the improvements to US 41; and we are 4-6 months away from finalizing that agreement before formerly sending it to DCA for approval. Mr. Ruggieri advised that typically the land

use would be changed over to the City's future land use and zoning. Mr. Kunik agreed that upon receipt by the City of a voluntary annexation agreement to move forward a large scale land use amendment accompanying the zoning would be required, but because of the DRI issue there would not be a two times per year restriction.

V. Discussion of Multi-Use Asphalt Bike Path/Trail - US 41 to Babcock-Webb Wildlife Management Area

Director of Growth Management for the City of Punta Gorda Dennis Murphy commented on rule changes by FDOT for applications for surface enhancements funds; indicated that the City and County have worked well together, but they have had very small projects; that the number one (1) project on the agenda for the Metropolitan Planning Organization (MPO) was for surface enhancement along US 41 between Monaco and Aqui Esta/Cooper Street; that it is at 100% plans and construction is expected to start sometime later this year or early next year; that the continuation of the overall plan is a much larger project and the MPO has requested that the City work with the County on the overall completion; and that there is a segment which would go from Airport Road to Aqui Esta, flip over from Monaco south past Jones Loop to Tuckers Grade, and tie into the bike path at Tuckers Grade that goes out to The Webb. Mr. Murphy explained that it is important for the City and County to work together as a group because of the new requirements by FDOT and in order to satisfy the overall plan and long range goal.

VI. County Plans for East County Water Expansion

Mayor Friedman commented on a consultant report the Council received a copy of and discussions by the Board of County Commissioners of Reverse Osmosis (RO) plants around City boundaries wherein there was no mention of City involvement; opined that cost-wise it could be more feasible with City involvement; and suggested the two utility staffs get together to explore all benefits.

Mr. Baltz said water and water resource development issues are rich subjects with a lot of complications and pieces to the puzzle; pointed out that the County works with Mr. Kunik on these

issues; explained that the reason there was not much about the City utility service area in the RO feasibility study for West County is because it included a fatal flaw analysis with criteria for properties that the County was looking at; and commented on that criteria.

Mr. Baltz explained that the Peace River Water Authority (Water Authority) is the County's primary water provider; that arrangements and agreements are in place with the Water Authority that when the new reservoir is built it would produce allocation to Charlotte County of about 16.1 million gallons per day (mgd) of water, which is projected to meet the County's water needs through the year 2014. Mr. Baltz reported that a parcel of property along Copley was identified in the RO study and set aside as a possible future water source; and there is a three-party agreement between the City, County and Water Authority to build a pipeline across the Peace River, which is still in the design stage.

Mr. Baltz advised that the County Commissioners elected for the County to take over Public Service Commission (PSC) oversight functions for utilities in Charlotte County, which is the process that utilities must go through in order to establish a service area or expand an existing service area in the County.

Mr. Baltz stated that the Water Authority identified the Long Island Marsh area as one of three potential areas for future water, which could have dramatic impacts to the City's Shell Creek facility. Mr. Baltz indicated that in the world of water resource management we get involved in the issues of regulatory oversight and permitting requirements; indicated that the County pays attention to the City's expansion plans; but pointed out that sometimes strategies that make the most sense for the City's system may not make the most sense for the County system, and where talking with one another becomes important.

Mr. Baltz advised that the County has applied for a water use permit for water on Babcock Ranch; indicated that the application is a very time-consuming, detailed process, and is many years away with a lot of permitting activity yet to occur; commented on difficulties of obtaining such a permit through the State; and

showed a slide depicting the proximity of the City's current facility to the Babcock Ranch area.

Commissioner Duffy inquired if it is surface water or ground water on Babcock Ranch. Charlotte County Utility Director Jeff Pearson advised it would be brackish ground water that would need to be treated through reverse osmosis treatment process. Mr. Baltz agreed it makes good sense for the City and County to work together with expansion plans and whatever strategies are available and stated the County would definitely do that with Mr. Kunik and City staff.

Commissioner Loftus stated he believes strongly in regionalism; that water has no political boundaries; and that we need to look at all sources and work together.

Mayor Friedman said he just wants to be certain everyone concurs a logical way to proceed when the time comes is to consider potential involvement of the Punta Gorda plant in terms of cost and evolution of plant expansions; opined it is more economical for the County to start around the Punta Gorda plant; and wants to be sure the County and City work together for everyone's best interest.

Mr. Baltz stated it is crucial to know what everyone has to say about the situation as we move forward; that there are many options and cost would be of primary concern; that we want to help each other find ways to bring projects in with the least amount of cost; that we must look at planning horizons several years into the future; and that partnerships make good sense.

Commissioner Duffy explained the reason the County is looking at Babcock Ranch is because there is a lot of water there. Mayor Friedman stated he understands but wants to certain the County does not overlook it makes sense to involve the Punta Gorda facilities.

VII. Joint Resolution Supporting a Control Tower at Charlotte County Airport

Don Lee from the Airport Authority thanked the City Council and Commissioners for considering this joint resolution and commented on the importance to the City, County and the Airport Authority.

Council Member Smith Mooney asked if a vote was needed; Mayor Friedman opined the proposal is for the City and County to put together a support of resolution and have it approved at their respective meetings; Mr. Baltz requested clarification from Attorney Knowlton; and asked Mr. Lee if commitment for funding was required at this time. Mr. Lee advised that the Airport Authority was only requesting support of the tower and that they would look at other sources and group support to go to the various facets and ask for government funds that are allocated and available.

Commissioner Duffy recalled previous discussions wherein the Commission agreed to support the Airport Authority in this issue. **Commissioner Loftus** agreed that the Commission was in support of the control tower. **Commissioner Moore** stated he has received emails stating that the airport does not need a tower and indicated he requires more information in order to make that determination.

Council Member Goldberg advised that the Airport Authority has been very active in identifying why there is a need for the tower; agreed the tower is justifiable and needed if a commercial airline is brought to the area; and commented on agencies that control funding for the towers.

Commissioner Duffy stated there are smaller airports than this one who have gotten a control tower and commented on the amount of air traffic. Mr. Lee provided air traffic figures and indicated that the air control tower is a safety issue. **Commissioner Duffy** inquired if most of the money would come from the FFA. Mr. Lee replied affirmatively; stated that the Airport Authority is asking only for support from the City and County; and indicated that they have had success finding their own funding. Council Member Albers indicated that the tower would enhance the airport's ability to attract and retain commercial airlines; that there are no local taxpayer funds being requested; and acknowledged his support.

Council Member Smith - Mooney agreed the tower would be a safety enhancement and acknowledged support. **Commissioner Loftus** requested that Attorney Knowlton advise if the Council and Commission could move forward with this today.

Attorney Knowlton advised this can be done today and requested clarification if there is a matching grant component. Mr. Lee said this is merely asking for support. Council Member Smith - Mooney suggested the Airport Authority draft a form Resolution and submit it to the City and County to address and approve. **Consensus given.**

VIII. Updates:

Charlotte Harbor Events and Conference Center to include docking opportunities

Facilities, Construction and Maintenance Director Andrew Baker gave a video update of the Event Center.

Council Member Smith - Mooney thanked the County for allowing the City to be involved in the Event Center. Council Member Goldberg praised the looks of the Event Center.

Ms. Kleiss - Hoeft commented on a request by the Punta Gorda Historic Mural Society (PGHMS) and Team Punta Gorda for approval from the Board of County Commissioners and City Council Members to place a mural that was destroyed by hurricane Charley, *Movie Memories*, on a secondary wall at the Event Center. **Commissioner Loftus** expressed support. Council Member Smith-Mooney stated it is a natural fit. **Consensus was given** to proceed.

Council Member Smith - Mooney opined if it is necessary for this to come before the Council for approval it could be done at this time. PGHMS President Bob Armstrong explained that this was one of the ten murals destroyed by hurricane Charley and that since the City Council approved it when it was originally painted in 2000 it is not necessary to come back before the Council for replacement.

Mayor Friedman asked if anything had transpired about potential docking facilities off the Harbor Walk at the Event Center. David

Milligan, Support Services Manager, indicated at a previous joint meeting there was discussion about day-docking at the Event Center; that there are other efforts going on in the City; and that staff has not received direction or funding to proceed with any docking at this time. Council Member Smith - Mooney inquired who was responsible for applying for a submerged land lease for docking facilities. Attorney Knowlton advised she did not have an immediate answer. Council Smith - Mooney requested that someone find out who must apply. Mayor Friedman asked that the City staff review this issue for future discussion.

Aqui Esta Road Improvements

Mr. Friedman expressed concern that Aqui Esta construction was not proceeding as scheduled. Interim Public Works Director Dan Quick explained there were concerns by the Army Corps of Engineers (Army Corps) with manatees swimming into the culvert pipes that come out of the retention ponds at Venice canal; that plans were revised and approved by the Army Corps; that Army Corps advised U.S. Fish and Wildlife (Fish and Wildlife) that they do not believe there is a problem; that we are still awaiting confirmation from Fish and Wildlife they concur there will be no problem, at which time the Army Corps will issue their permit; and upon receipt of the permit it will go out for bid. Mayor Friedman asked about going out for bid while that is still pending. Mr. Quick stated he hesitates to do that and commented on past difficulties experienced. Mayor Friedman inquired if we could bid the project and make it clear within the bid package of a possible change on this miniscule area.

Council Member Albers questioned going out for bid, which takes six to eight weeks, and handle the matter as a change order. Mr. Baltz explained that the Commission has been very clear not to have change orders unless absolutely necessary and indicated he agrees with Mr. Quick's explanations. Mayor Friedman expressed concern with not adhering to promises. **Commissioner Moore** asked if Mayor Friedman had any influence to expediting the matter.

Council Member Goldberg asked if someone was trying to shepherd this through with Fish and Wildlife. Mr. Quick replied affirmatively. Mayor Friedman asked about a timeline. Mr. Quick advised a letter was written by Army Corp and that all the Fish

and Wildlife has to do is agree and the Army Corps will issue the permit but when that will be issued is an unknown. Mr. Quick explained that a problem in bidding out with an unknown is the contractor hires subs and all this must come together with true timetables and what contractors and subs are presently doing; and opined timeframes cannot be unknown in order to get accurate bids.

Mayor Friedman asked if he was correct in assuming the potential conflict does not come close to one percent (1%) of the overall job. Mr. Quick stated he does not know. Mayor Friedman opined it would not be that significant a portion of the job and sees no problem proceeding with the bid and point out in the bid the potential change.

Commissioner D'Aprile stated he understands the frustrations; that there are procedures that must be followed; that because of difficulties experienced in the past he believes the issue must be addressed in due course without creating difficulties with Army Corps; and opined we must go with staff recommendations. **Commissioner D'Aprile** agreed that the project has gone on far longer than needed, but he does not want a change order on this project. **Commissioner Loftus** stated he is also frustrated but agreed with Mr. Quick that procedures need to be followed because he also does not want change orders.

Commissioner Duffy suggested possibly putting out to bid but not granting approval for ninety (90) days. Mr. Baltz questioned the ramifications and indicated that staff would look into doing that and report back to the Board. **Commissioner Moore** opined a contractor would have to factor a lot in trying to do this. Mayor Friedman asked if we had to get approval. Mr. Quick stated that Florida Department of Transportation (FDOT) does not bid a project until all permits are in hand, but he can come back with a report. **Commissioner D'Aprile** opined we cannot break procedures; and that we should listen to staff recommendations to wait and not create difficulties.

Council Member Goldberg asked what assistance, and from whom, could we solicit. Mr. Quick stated he would provide names for Army Corps and Fish and Wildlife. Mr. Kunik indicated that the City Attorney could possibly assist or we could request

Congressman Foley to get involved. Mayor Friedman asked that Mr. Levin and Mr. Kunik get the appropriate names from Mr. Quick and proceed with an effort to speed this matter up.

Overlay District

No discussion

IX. Consideration of Options for Payment of Impact Fees

Mr. Kunik explained that the city adopted the portable housing impact fee deferral program and commented on a recent mixed use project for a very small business preparing to get a Certificate of Occupancy (CO); indicated that in order to receive a CO payment of both City and County impact fees are due; and pointed out that the affordable housing impact fee deferrable program did not apply. Mr. Kunik stated that discussion at City Council regarding small businesses was that it would take two (2) to five (5) years until their rent proceeds come in for them to be able to pay the impact fees, or they must get a loan, because they don't have the cash to pay the impact fees up front. Mr. Kunik advised that the City solicited the help of he attorney who helped put together the impact fee deferral program to research if an installment plan could be put in place for both housing and small commercial establishments; and stated the request here is if the County could legally pursue this, or would consider doing so.

Council Member Smith-Mooney clarified this was for affordable housing. Mr. Kunik said yes. Council Member Goldberg pointed out this was part of the revitalization plan for the Trabue Wood neighborhood. Mayor Friedman stated the issue is to address if the County would allow payment over time or deferral of impact fees for these affordable-type projects such as the City is contemplating; and pointed out that to do one without the other helps but does not solve the problem for some of the affordable units. **Commissioner Loftus** advised he would like additional information before consideration by the Board of County Commissioners. Council Member Smith-Mooney indicated this was being discussed for affordable housing and small business projects as well.

Commissioner D'Aprile said he has no problem looking into it as long as there is a reasonable pay back period. Mayor Friedman explained the intent was to broach the subject but not for the Board to make a decision at this meeting; and opined that staffs could put something together for review. *Commissioner Moore* commented on \$20 M that the County would be entitled to because of impact fee roll backs for buildings; advised that the money is for affordable housing; and that he does not know what it would do for businesses. *Commissioner D'Aprile* advised paperwork is still in the making; indicated that it is only to be used for County affordable housing programs; and opined the City is part of the County and he believes the \$20 M could be shared by the City in some manner.

Consensus was given to explore options. Council Member Smith-Mooney opined it would be advantageous to find one common methodology and suggested the outside consultant that drafted the other impact fee ordinance share proposed language with the County. Mr. Kunik agreed.

Council Member Goldberg advised that feedback from potential small business owners is that in today's financial market they are not able to get financing that includes impact fees. Council Member Smith-Money indicated that because of tight City and County budgets there are not many opportunities for incentives for business but if some costs that a new business incurs are delayed that is a benefit.

Council Member Goldberg reported that the City did not roll back impact fees but when the new impact fees were implemented the City staggered the impact fees over a period of years so there was a gradual increase. Mayor Friedman stated that the issue would be left up to the County Administrator, City Manager, and their staffs to pursue and follow up at a future joint meeting. Mayor Friedman advised there would be a ceremony at 4:00 PM today at the Gulf Breeze Apartments in Punta Gorda, a Punta Gorda Housing replacement facility that was destroyed by hurricane Charley.

X. Councilmember/Commissioner Comments

Council Member Goldberg and Commissioner Loftus indicated it was a productive meeting. Commissioner Moore requested clarification of the City's plan to change its Community Redevelopment Agency (CRA) sunset date from 2010 to 2019. Mr. Kunik explained the City is amending its Comprehensive Plan and CRA Projects Plan to coincide with the 30-years; that the City is not changing the sunset date; and that it would remain 2019. Council Member Smith-Mooney advised this is an oversight correction.

ADJOURNED: 11:55 AM

**Signature on file in Commission Minutes
Chairman**

ATTEST:

**BARBARA T. SCOTT, CLERK
OF THE CIRCUIT COURT AND
EX-OFFICIO TO THE BOARD
OF COUNTY COMMISSIONERS**

**By: Signature on file in Commission Minutes
Deputy Clerk**

gm