

**COUNTY-WIDE DREDGING  
AND WEST COUNTY PAVING WORKSHOP**

**BOARD OF COUNTY COMMISSIONERS**

**JULY 26, 2004**

A workshop of the Board of County Commissioners was held at the Murdock Administration Complex, Room 229, in Port Charlotte, Florida. The following members were present: Chairman Matthew D. DeBoer and Commissioners Thomas C. D'Aprile, Adam Cummings, and Mac V. Horton. Also in attendance were County Administrator Bruce D. Loucks, Deputy County Attorney Brendan Bradley, and Deputy Clerk Diane J. Nice. (**Commissioner Sara Devos and Chief Deputy Board Services Tommy Q. White were not present for the workshop.**) The meeting was called to order at **10:05 A.M.**

**Chairman DeBoer** requested clarification on this being a public or Board workshop. **Commissioner Cummings** reported the agenda on the internet indicates public workshop. **Chairman DeBoer** suggested sign in sheets be distributed for citizens input. Debra Smith, Management/Budget Analyst, distributed sign in sheets and proffered them to **Chairman DeBoer**.

Thomas O'Kane, Public Works Director, introduced the topics and requested Board direction regarding the two County-wide Dredging options.

**I. County-wide Dredging - Marty Simone and Dan Quick**

Marty Simone, Fiscal Manager, gave a slide presentation and summarized the objective is to create a funding stream to dredge all existing navigable canals and provide for long term maintenance to begin in FY 04/05 through a loan repayable by the Unit over five years; reported projects include Pirate Harbor which is underway, Alligator Creek on an annual basis, the Buena Vista/Grassy Point, South Gulf Cove, and Manchester Waterway dredges are complete, and final permitting is underway for Northwest Port Charlotte canals; stated the Proposed Five Year Dredging Plan calls for dredging Palm Shores and Harbor Heights areas in Year 1 at an estimated cost of \$2,543,304, Elkcam and Sunrise areas in Year 2 at an estimated cost of \$2,793,551, West

Spring Lake, Gottfried and Ainger Creeks, Oyster Creek and Lemon Bay areas in Year 3 at an estimated cost of \$2,600,628, Pellam, Como, and Flamingo areas in Year 4 at an estimated cost of \$1,560,893, and Capstan Cut, Alligator Creek Access, Hayward, and South Gulf Cove in Year 5 at an estimated cost of \$1,242,480; and explained Pirate Harbor and Lee Branch Creek are currently paying off loans for dredging at \$613 per year per ERU through FY 08/09 and \$225 per year per ERU through FY 07/08, respectively; these units will not pay into the County-wide program until the current assessments are finished. Mr. Simone outlined the Assessment Rate for Option #1 (Consolidated Approach):

- All non-agricultural properties not in the City of Punta Gorda would pay \$.10 per \$1,000 of valuation or \$12.50 for a \$150,000 house with a homestead exemption; and
- All navigable canal front properties not in the City of Punta Gorda would pay \$285 per ERU for the first two assessment years with an estimated drop to \$150 per ERU beginning with the third assessment year.

Mr. Simone explained all non-agricultural areas outside of the City of Punta Gorda are included in the MSTU portion of the unit and MSBU units of South Gulf Cove would pay \$50 per ERU, Lee Branch would begin paying in FY 07/08, Pirate Harbor would begin paying in FY 08/09, and other current units would receive a credit for any fund balance to be deducted from the first year payment; estimated credits for current units (under Options #1 and #2) at \$4.40 per ERU for Bunea Vista, \$166.82 per ERU for Gulf Cove, \$.12 per Front Foot for Harbor Heights, \$30.63 per ERU for Hayward, \$17.07 per ERU for Lee Branch, \$0.00 per ERU for Manchester since the funds would be used for the current lock, \$15.09 per ERU for South Gulf Cove, and the credit amount for Ackerman and Alligator Creek MSTUs would depend on final property valuations. Mr. Simone reported Option #2 (Phased Approach) is:

- The same as Option #1 except that existing waterway units would be included at \$200 per ERU for canal front properties for the first two assessment years (South Gulf Cove would remain

at \$50 per ERU) with an estimated drop to \$100 beginning in the third assessment year; and

- Canal front properties that are not in an existing unit would pay according to the estimated cost to dredge spread over five years.

Mr. Simone advised Estimated Costs for New Areas have been calculated per year for five years at \$1,329 per ERU for Palm Shores, \$389 per ERU for the Elkcam area, \$1,233 per ERU for the Sunrise area, \$299 per ERU for West Spring Lake, \$402 per ERU for Gottfried and Ainger Creeks, \$599 per ERU for Oyster Creek and Lemon Bay areas, \$200 per ERU for the Pellam and Como/Flamingo areas, \$2,118 per ERU for Capstan Cut, and \$200 per ERU for inside canals in the Hayward area. Mr. Simone provided the following recaps:

- Option #1 (Consolidated Approach)
  1. All non-agriculture properties outside of the City of Punta Gorda would pay \$.10 per \$1,000 of taxable value; and
  2. All navigable canal front, excluding South Gulf Cove (\$50), would pay \$285 per ERU for the first two years and \$150 per ERU thereafter.
- Option #2 (Phased Approach)
  1. All non-agricultural properties outside of the City of Punta Gorda would pay \$.10 per \$1,000 of taxable value; and
  2. All canal front properties that have been previously dredged, excluding South Gulf Cove (\$50), would pay \$200 per ERU for the first two years and \$100 per ERU thereafter; and
  3. All navigable canal front properties that have not been previously dredged would make payments over five years based on the estimated cost of dredging.

Mr. Simone enumerated the pros and cons for Options #1 and #2:

**Option #1 (Consolidated Approach)**

- Pros
  1. Standardizes the County-wide Dredging program faster than Option #2.
  2. Eliminates the need to separately track the costs of new dredge areas.

- Cons
  1. New dredge areas require more material to be removed than previously dredged areas.
- **Option #2 (Phased Approach)**
- Pros
  1. New dredge areas would pay according to the condition of their canals.
- Cons
  1. Costs per ERU in smaller units would be very high.
  2. Increased record keeping.
  3. Possible delays may occur because of trying to dredge areas individually.
  4. The number of MSBUs would be increased by 10.

Mr. Simone indicated staff recommends Option #1 and trying to secure Marine Advisory Committee (MAC) funds. **Commissioner Cummings** questioned the amount of revenues generated by .1 mill versus proposed assessments and the West Coast Inland Navigation District (WCIND) rate. Mrs. Navan stated .4 for the WCIND rate. Mr. Simone calculated, from the pro forma MSTU Financial Statement, approximate revenues of \$970,000 from MSTUs and \$3.4 million from MSBUs. **Commissioner Cummings** requested the amount of dredged fill materials would come from outfalls versus comes into the mouth of canals i.e. less than 10%. Mr. O'Kane advised no calculations have been made on siltation from outfalls and this is based on what is necessary to restore the existing channel and waterways. **Commissioner Horton** compared assessments payable under both Options and commented in support of Option #1 for a County-wide dredging maintenance program. **Commissioner Cummings** calculated the five-year plan costs range from \$1.2 million to \$2.8 million per year and revenues from MSBUs are estimated at \$3.4 million and \$.97 million from MSTUs per year. Mr. Simone explained these are only contract costs exclusive of in-house inspections and loan payback in order to start the program in FY 04/05, unless the Board would decide to delay the program for another year. **Commissioner Cummings** opined contract administration and loan payback should not double the cost. Mr. Simone reiterated the assessments are reduced with third year assessments and revenues would decrease to about \$2.5 million. **Commissioner Cummings** questioned if costs and revenues are proportionately the same or do MSBU costs go down and MSTU

costs go up. Mr. Simone explained the MSTU portion would remain the same and the MSBU portion would go down. **Commissioner Cummings** concluded revenues in the third year would go from \$4.4 million to \$2.5 million of which the MSTU is remain at about \$1 million i.e. the MSTU portion for the first three years would be about 22% and 40% thereafter and opined 40% is high for value judgment in a County-wide program versus the navigational benefit and 22% is generous. Mr. Simone has the discretion to change it. **Commissioner D'Aprile** requested an explanation of what would occur after completion of the five-year program. Mr. O'Kane indicated after year 5, all of the waterways should be in the same condition and operating at the same level of service and from year 6 on, maintenance would be required to maintain the status quo. **Commissioner D'Aprile** pointed out costs would go down and suggested development of an in-house maintenance program commencing for year 6. Mr. O'Kane agreed staff might perform an evaluation on the feasibility of developing an in-house versus contract maintenance program after year 5 when all the waterways are at the same level of service. **Chairman DeBoer** announced citizen input procedures. John Drennan requested the amount he would have to pay based on the \$.12 per front foot, recalled at a meeting discussion indicated the fee would be \$40 to \$75 per year, pointed out taxes are always increasing i.e. School Board taxes are going up by 2.2 mills, retirees cannot afford all of the tax increases, opined property owners should be charged when dredging is performed based upon actual costs after 51% of property owners support such a project, his canal does not need dredging, he does not want to pay to have someone else's canal dredged every year, and advised dirt has been dumped at the Harborview when Deep Creek Elementary School was constructed and it has not been cleaned up. Joseph Karow, a West Tarpon Boulevard resident, stated the canals are not bad but the accessibility at Port Charlotte Beach is horrible, he had to sell his big boat because he could not get out, questioned who will pay for that part, pointed out a high tide and north wind prevents boaters from getting under the East Spring Lake canal bridge on Edgewater Drive, and stated sea walls will be adversely impacted if canals are dredged too deep. Cliff Mann, a Van Nuys Circle resident, reported website information is incorrect because the dredging is not complete and parts of the canal are worst than prior to dredging, questioned if this dredging will be completed prior to starting more, suggested a

logical and more economically feasible solution would be for the County to purchase dredge equipment and hire crews to perform in house dredges and maintenance work, his primary complaint is he has lived here for two years and cannot sail his boat because of the lock, and questioned if the \$170,000 is going to be put back for resolving the lock situation. Patrick Randall, a Manchester Waterway resident, questioned if options other than those proposed by staff are possible. **Chairman DeBoer** expressed the assumption that other options are possible. Mr. Randall commented in support of a County-wide dredging program, stated his primary concern is, once all work has been completed on the Manchester Waterway, will it be maintained during the five-year program, suggested a third option based on community-by-community dredges, and accepted the increase from \$25 to \$100 or \$200 per ERU per year assessment but he is reluctant to fund a lot of dredging in areas where no dredging has been done. Albert Augustine stated no comments since his questions have already been asked. Robert Friedmann, Manchester Waterway Civic Association Secretary and an original of the MSBU Advisory Board, stated the Manchester Waterway has not been completed i.e. there are still shoals, the Manchester Waterway connects to the Ackerman Waterway that goes out to Charlotte Harbor, the Ackerman Waterway has shoals even at the mouth to the Harbor, suggested combining the Manchester and Ackerman Waterways for dredging and maintenance, recalled when he left the Advisory Board approximately \$400,000 remained in the MSBU treasury of which \$170,000 has been spent leaving a balance of \$230,000, the presentation this morning does not agree with the website i.e. the website indicates \$65 for each ERU and the presentation indicates \$0 available per ERU, and recalled the \$230,000 was withheld because the Advisory Board agreed with Commissioners to spend about \$175,000 for the lock removal provided the enabling ordinance was changed from dredging and sign marking to allow this expenditure. David Phelen, Alligator Creek Advisory Committee Chairman, commented on the possibility of consolidating the waterway dredging projects to some extent, advised Burnt Store Isles residents pay approximately 90% of all funding for Alligator Creek, expressed understanding that the remaining funds would be retained for special projects within the MSBU, nature decides the need for dredging not a calendar, local observation and control should be utilized to monitor and determine the need for dredging, expressed the

assumption that mangrove trimming and maintenance are a part of this program, there are very complex issues and local monitoring and control are a necessary part of the program. Joe Fleming, Harbour Heights Waterway Maintenance Association President, requested an explanation of a legal ERU because of the difference in the size of building lots and the definitions of a MSBU, MSTU, and navigable canals; reported the siltation caused by outfall in the San Marino canal is approximately 70%; pointed out street and drainage work impact waterways; dredging benefits all; and both options will cost less than the current method. Mr. Simone explained under Option #1 for any canal the assessment would be \$297.50 per ERU and the assessment under Option #2 is dependant upon the location. **Chairman DeBoer** recalled a citizen raised the question of continued maintenance of canals as part of the program. Dan Quick, Stormwater Manager, explained under this program maintenance assessments would start with year 6 and staff will be developing a monitoring and survey program to check the status of waterways. Mr. Quick explained staff is currently working with WCIND on the shoaling between West and East Spring Lake and the possibility of restoring an accessible channel; staff has made extensive field investigations and based upon evaluations it has been determined that all waterways in the program could be accessible either from the water or land for the dredging work; the County is cognizant of liability in relation to dredging and a 10' to 15' offset will be adhered to prevent damage to docks and seawalls; staff has evaluated costs of contract versus in-house and the costs are about the same but the difference is the timing i.e. three or four contractors might be hired to perform dredging work in several areas in a timely manner; the recommendation is to have the dredging work performed on a contract basis during the first five years; recalled the work performed on the Manchester Waterway was approved by the Manchester Waterway Committee and the work performed was based on available funding; staff is aware of the shoaling around the lock and the view is that the shoaling should be removed as part of the lock removal project and widening of the waterway at that site; and advised this program was developed to maintain waterways currently platted and under the jurisdiction of the Board or waterways with easements to the County or State. Mr. Quick continued to answer questions by stating that public input is always welcomed at any time and staff is ready and willing to meet with

residents to meet their needs and concerns; there have been discussions regarding Alligator Creek special initiatives and staff is willing to move forward with them outside of the County-wide dredging maintenance program. Mr. Simone advised a separate fund can be established to track special project balances, explained revisions were made to the original presentation noting the \$65 to \$0 per ERU available for Manchester Waterway lock removal. Mr. O'Kane suggested Geographic Information System staff provide the explanation of an ERU. Brendan Bradley, Deputy County Attorney, advised the ERU methodology might be established for any new assessment, equalization would be necessary for lot sizes i.e. 40' versus 80', and the methodology can change from one assessment to another. Mr. O'Kane stated that can be worked out for the FY 06 budget. Attorney Bradley pointed out that some street and drainage unit assessments are based on front footage and average lot width. **Commissioner Cummings** suggested the same principle be utilized for waterway assessments as used for street and drainage work on front footage. Attorney Bradley stated during his tenure, it seems the methodology is changing to provide for more equalized MSBU rates. **Commissioner Cummings** requested an explanation of the reduction of rates in the third year. Mr. Simone stated the first five years will bring waterways up to standard and larger amounts of materials will be utilized in the first two years. **Commissioner Cummings** recalled the primary reasons for implementing a County-wide program are to perform spot dredging in a timely and economic manner and to reduce mobilization costs, commented in support of the most cost effective method of performing the County-wide program i.e. contract versus in-house, indicated Option #2 is more equitable but he would be concerned delays might hold up the whole County-wide program, noted Mr. Fleming stated both options are better than the current method, expressed an inclination to support Option #1 since it is more practicable but he is concerned with MSTUs paying in 22% for the costs in years 1 and 2 and increasing to 40% in year 3 since everyone should share in the savings the same. **Chairman DeBoer** agreed with **Commissioner Cummings** on the equity issue under Option #1 but he is concerned with the Board deciding to move forward utilizing the loan process because taxes will be increased without notification to the public via a public hearing and opposed utilizing internal and external debt to move forward with the program. **Commissioner Cummings** stated that is a legitimate point.

**Commissioner Horton** concurred and agreed with the need to comply with notification and public hearing requirements. **Commissioner D'Aprile** raised the problem on prices increasing and questioned if contractors may be held at a specified commitment for a year to go through the public hearing process. **Chairman DeBoer** pointed out a lot of times people make their concerns known upon receipt of tax notices no matter how many public hearings are held and this is an important part of the process.

**RECESS: 11:07 A.M. - 11:13 P.M.**

**II. West County Paving District - Thomas O'Kane, Public Works Director**

While Mr. Simone distributed the Charlotte County Dredging Status map, **Chairman DeBoer** stated a response has been received from Senator Carlson on the State shifting billions of dollars in Department of Juvenile Justice costs to counties and offered to provide copies of the response. **Commissioner Cummings** expressed an interest in learning Budget's reaction. **Chairman DeBoer** opined the Tallahassee propaganda machine that usually works on partisan issues has been working counties over and advised no mention is made of G. Pierce Wood funding.

Mr. O'Kane advise prior discussions have been held on creating a West County Paving District, excluding the barrier islands; there are almost 70,000 units in West County and work is being done to bring roads up to standard; Rotonda Committees have indicated a desire to consolidate units as paving is completed; requested direction on creating the District in readiness of consolidating the units into one District. **Commissioner Horton** stated Manasota Key, Don Pedro Island, and Boca Grande have not been included and requested the process should Manasota Key residents wish to have their roads paved and included in the District. Mr. O'Kane stated Manasota Key is an MSTU and it would be possible to include it as well as the north end of Gasparilla Island. **Commissioner Horton** requested the road paving cycle. Mr. O'Kane stated maintenance should be performed every 7 to 10 years to preserve the surface, pointed out many roads in the County exceed the 25 to 40 year time frame and a lot of reconstruction is necessary, and resurfacing on a 20-year cycle. **Commissioner Horton** questioned if this will provide

staff the ability to develop a 10-year maintenance and resurfacing program that will address swales and drainage issues on a District-wide basis. Mr. O'Kane stated yes in conjunction with the West County Stormwater Unit. **Commissioner Horton** commented on the extensive paving work being done in West County and establishing the District is a good idea. **Chairman DeBoer** opened public input. Tom Moore stated he does not oppose to the proposal but he is concern about what it really means, West County people are paying now for paving work and this proposal may create distrust because of the changes being implemented and lack of understanding. **Chairman DeBoer** expressed concern with combining areas and creating inequities between areas with accelerated programs and areas with little or no road programs and stated roads are being paved that have lasted 20 to 35 years and staff is proposing a 20-year paving cycle with an interim surface treatment. Mr. O'Kane stated at least one resurface treatment. **Chairman DeBoer** requested the savings. Mr. O'Kane explained the need for repaving might be more than 20 years depending upon the surface treatment. **Chairman DeBoer** stated that one system will not fit all. Mr. O'Kane indicated that would almost be impossible since there is about \$16 million in paving work and a more reasonable long-term plan can be developed with a predictable revenue stream and agreed about the equity issues i.e. Rotonda versus Gulf Cove for this program. **Chairman DeBoer** stated he has no problem with combining all of the Rotonda units and it will be difficult to combine other units because of the timelines, manpower, and computer power that would be necessary and it defeat the purpose of consolidating the MSBUs. **Commissioner Cummings** pointed out there can be wide differences between what people at a given meeting want and community goals; it's a good idea to consolidate MSBUs and maintain a County-wide baseline level of service; but allowances must be made for services beyond the baseline i.e. develop and implement a community plan; suggested establishing one MSBU for drainage, paving, and basic services and another funding mechanism for community plans, neighborhood parks, and special projects; and commented on the importance of building community awareness and consensus. Mr. O'Kane questioned if staff should bring the program as part of next year's budget. **Chairman DeBoer** concurred and expressed uncertainty of the expansion into the numerous communities. Mr. O'Kane suggested starting with the Rotonda units. **Commissioner D'Aprile** questioned if the

program is acceptable to all West County residents. Mr. O'Kane explained the proposal has not be proffered to any unit in West County, recalled last year that Rotonda Committee members requested consolidation after paving completion, and three of the sections are funding in FY 05. **Commissioner Horton** requested when the paving will be completed. Mr. O'Kane stated FY 07. **Commissioner Horton** commented in support of one MSBU for basic services including roads and drainage and then property owners would be assessed for anything above the basic level of service. **Commissioner D'Aprile** commented on the possibility of eliminating MSBUs with general taxation. Mr. O'Kane pointed out Gulf Cove wants an MSBU established for implementation of a community plan. **Commissioner Cummings** stated as long as all of the roads have been done within the 20-year life cycle that would avoid the problem of having to do them all up front and spread out over work load. **Chairman DeBoer** pointed out paving entire areas reduce mobilization costs. **Commissioner Cummings** agreed and stated it would not be necessary to have all roads paved within five years as long as they were done within the life cycle. **Chairman DeBoer** suggested entire areas be paved in five-year segments of the 20-year cycle i.e. first, second, third, or fourth five-year period.

**MEETING ADJOURNED: 11:40 A.M.**

Signature on file in Commission Minutes

Matthew D. DeBoer

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**

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