

JOINT MEETING

**BOARD OF COUNTY COMMISSIONERS
PUNTA GORDA CITY COUNCIL**

MARCH 10, 2006

A joint meeting was held at the Murdock Administration Complex, Room 119, Port Charlotte, Florida. The following Board Members were present: Chairman Thomas G. Moore and Commissioners Adam Cummings, Matthew D. DeBoer and Sara J. Devos. The following were present: Mayor Stephen M. Fabian, Jr. and Dr. David Phelen, Thomas D. Poole and Vice-Mayor Larry Friedman. Also in attendance were City Manager Howard Kunik, City Attorney David M. Levin, City Clerk Sue Foster, County Administrator Bruce D. Loucks, County Attorney Janette S. Knowlton, Finance Director, Ann Navan, and Deputy Clerk Gail Manley. The meeting was called to order at **9:00 A.M. (Commissioner Thomas C. D'Aprile was not present for the meeting.)**, followed by the Pledge of Allegiance.

I. Review of Event Center Master Plan

Howard Kunik, City Manager, explained that the City of Punta Gorda Community Redevelopment Agency (CRA) made an offer for the exploration of a joint partnership with the County for a parking garage facility for the Event Center, which could also serve the downtown and adjacent developments, especially Marketplace and Harbor Inn. Mr. Kunik advised that at a meeting held a couple weeks ago with the Commission, the City again committed to \$750,000.00 to put toward the river walk component of the site; and the County is moving forward with an Interlocal Agreement so the Event Center site designer can design the river walk at the same time, because there is no need for two design firms. Mr. Kunik provided additional information about the number of parking spaces around the Event Center; stated there was concern about funding for the parking garage facility; the matter was brought back before the CRA on March 1, 2006, and the offer confirmed that the CRA would like to explore a joint partnership for a parking garage facility on the Event Center site, and that the source of funding would be the CRA funds. Mr. Kunik advised the downtown parking and circulation study is ongoing; there are

public meetings to be held in March and April 2006; and a final report is projected for June 2006. Laura Kleiss-Hoeft, Parks, Recreation and Cultural Resources Director, gave a visual presentation of the Event Center Master Site Plan, and advised the great lawn is a concept from the Team Punta Gorda Plan, there were deficiencies in the front of house and back of house in the old Auditorium, and that area has been increased, recommendation on the main floor is 37,000 sq ft., the site plan indicates approximately 285 parking spaces, and possibly 300 as the construction drawings proceed. Ms. Kleiss-Hoeft explained the waterfront has been maximized based upon a great deal of public input, and the ability to finalize and present the site plan was due to considerable effort by many to have the FEMA velocity zone moved on the site. Ms. Kleiss-Hoeft pointed out the river walk and great lawn can be combined, allowing for about 2 ½ acres for waterfront event use. Ms. Kleiss-Hoeft stated a presentation to the Board of County Commissioners is expected on March 14, 2006, with anticipation of input, moving forward with schematics and construction drawings, beginning process over the next year, and a goal to begin construction in the 2008 period. **Council Member Smith-Mooney** asked if the retention pond was relocated. Ms. Kleiss-Hoeft stated the retention was reduced significantly because under drains will be used, and some mitigation offsite is still being explored. **Mayor Fabian** requested clarification that construction would begin in 2008. Ms. Kleiss-Hoeft corrected her previous statement and indicated it is hoped construction documents and permitting would be done in 2006, under construction in 2007, and open in 2008. **Vice-Mayor Friedman** stated he did not hear a response, or discussion, relative to Mr. Kunik's offer from the City regarding an indoor parking garage by joint use agreement, or an alternative, and inquired what the County's position was. **Chairman Moore** advised he likes the idea because it brings a lot to Punta Gorda and the downtown needs; was concerned about the funding initially, but understands from conversations the funding can be handled. **Commissioner DeBoer** advised normally the Board and Council comment after Citizen Input. John Benande spoke on behalf of Team Punta Gorda and the Punta Gorda Chamber of Commerce, and advised the joint position of these organizations is that the new Event Center be built on the site of the former Auditorium in downtown Punta Gorda, the Event Center should be an important economic engine for the future of Punta Gorda and Charlotte County, design for the Event Center

should provide the principal gateway into the City, create a striking and inviting public face for the downtown, be an architecturally and functionally contributing structure to the rest of the downtown, designed in size to accommodate as many of the current and future uses identified by the design team as possible, with flexibility in mind for possible future expansion, an aesthetically pleasing parking structure obscured from public sight, and a great lawn on the Harbor side of the Center to support scheduled outdoor activities such as concerts or exhibits, which enhances public access to the Harbor. Mr. Benande indicated Team Punta Gorda and the Punta Gorda Chamber of Commerce request that the Charlotte County Commission and Punta Gorda City Council collaborate to complete this project in a timely manner, and insure the new Event Center would serve the public now and in the future. Glen Gould, President of the Punta Gorda Chamber of Commerce, advised the premise of process on this issue was based upon past use; that the Tourism Development Board and Economic Development Office should be involved in discussions on the Event Center because a facility is needed where special groups could meet effectively, perhaps decide this to be a good place to live, and an opportunity for business. Ray Rose, resident of Charlotte County and City of Punta Gorda, questioned the small number of parking spaces to be gained for the \$4.5 Million cost of a parking garage; suggested using the additional funds for an expanded facility that gives more functionality and longer life for the community; and requested the Commission and Council think in terms of a joint effort in achieving the goals of the community. Gary Cardella, Remax Harbor Realty, stated this is a great plan that takes advantage of the waterfront area; and it is important to build the Event Center to handle as many events as possible, for today and the future, cultural and corporate. Roger Crest, Team Punta Gorda, advised a project like this has a lot of impact on the County and the City; the concern of the County, City, and every aspect of the community is to be certain all information is gathered and make the best decisions possible, because it is something to be lived with for many years; the Event Center should be integrated into the community and be a benefit on all levels, and the design criteria considered when putting something with this much impact into an area that is downtown. Mr. Crest pointed out for the record that the version shown is not the version Team Punta Gorda suggested; that it has "a" lawn, but it is not the "great esplanade" that was in the Citizens Master

Plan 2005. Mr. Crest explained there should be equal creativity for funding what is right, as opposed to designing in a box; and expressed concern that he has not heard much discussion about other opportunities to bring in additional funding. Mr. Crest pointed out strategy adopted by Delray Beach is a good example of how a City and County can invest dollars into something that will bring economic benefits to the City and County. **Council Member Phelen** stated he was impressed with the design and encourages the construction of the parking garage, but requested clarification of the parking spaces to be gained with the parking garage. **Vice-Mayor Friedman** stated he also is concerned with the garage proposal insofar as the incremental gain in numbers of spots not being commensurate with the proposed cost, approximately 450 total spaces including the lower level versus 300 approximately without the garage, and incrementally go from zero cost to \$4.5 Million for a net gain of about 150 spaces. **Vice-Mayor Friedman** stated part of the Citizen Master Plan was to have some type of promenade that would cover ground level parking with additional grass, trees, and shrubbery for aesthetic appeal, and asked for the Commission's thoughts if the City were to contribute money toward the promenade (and understands from what he reads in the media \$1 Million or so could do that), and to commit that in close proximity, and as a function of the City's parking study which will be done in a couple months, put in an additional parking facility in close proximity to the Event Center. **Vice-Mayor Friedman** pointed out the City would spend no more, and possibly less, than \$4.5 Million, and the City and County would have a facility more aesthetically pleasing; it would take cognizance of a lot of input and discussion, and some of the concerns voiced by Team Punta Gorda, and would get the most for the dollar in terms of the City of Punta Gorda's contribution. **Council Member Smith-Mooney** requested clarification of promenade. **Vice-Mayor Friedman** explained it would be ground level parking, of approximately 300 spaces, but covered, per the Team Punta Gorda sketches. **Council Member Smith-Mooney** stated that to put a deck over the parking area, it would necessitate elevating the main floor of the building by an equal amount to be able to go from the main building out onto the plaza that is over the parking, and there is a wide-range of costs in doing that; she likes the idea, but questions the cost and is not certain if all aspects have been thought out; and inquired if any cost estimates were obtained. Ms. Kleiss-Hoeft advised based upon the type of construction

required, a 3-acre elevated area, landscape deck with parking underneath and under the building, would cost approximately \$5.9 Million; and would give about 250 cars under the deck, plus 75 cars under the building and 25 cars on the site. **Council Member Smith-Mooney** inquired on changes in the 3-acre element scenario. Ms. Kleiss-Hoeft stated the building and parking would be reversed from what was shown. **Commissioner Cummings** inquired how much of the \$5.9 Million cost is for placing the parking under the Event Center. Ms. Kleiss-Hoeft indicated she did not have that breakdown with her. **Commissioner Cummings** stated he understands having the Event Center elevated because of the esplanade would be preferable, but questions that it is required, and asked if stairs or ramp would create the same thing. Ms. Kleiss-Hoeft said yes; and indicated it would require meetings with the architects and engineers on the concerns of vertical accessibility issues, structural elevated floor requirements, building height restrictions and other issues insofar as elevating the building. **Commissioner Cummings** indicated the facility at the present time is sized for current needs, and he believes the overall square footage of the building should be increased to a size for future needs; breakout rooms within the main floor can be created with partitions that have fiber optic connection for computer hookups; and it is not necessary to provide for all parking on site. **Commissioner Cummings** stated if the contribution from the City is an extension of the CRA, it is not then a contribution from the City because the County is paying for it, and it should be recognized as such, but if the contribution is to come from existing CRA funding, that is a different matter. **Council Member Poole** stated the Event Center will be paid for by the citizens and should be for their benefit; the Event Center should be built based upon what can be afforded, that going into debt is not a viable solution; and that taxes are not to be invested, but are to pay for citizens' health, welfare and safety. **Council Member Poole** explained the City stepped forward to increase the parking because there is a deficit in the downtown area, and it would be to the advantage of the City and Event Center. **Council Member Poole** cautioned that downtown developers not be allowed to design their facilities with less than the required parking with expectations of using the Event Center parking; it is important to keep the goals in mind with the capabilities, and the City and County owe it to the citizens to be frugal, in addition to looking forward. **Mayor Fabian** requested

clarification of the number of parking spaces, with, and without, the parking garage. Ms. Kleiss-Hoeft advised as construction is refined there could be 300 flat parking spaces without the parking garage, and with a two-level parking garage there could possibly be 400 parking spaces. **Mayor Fabian** stated the cost is considerable for only 100 additional parking spaces. **Council Member Smith-Mooney** expressed concern at the lack of enthusiasm, and the reserved, cautious comments toward the project; stated it is time to make a commitment to find the money and plan the facility for what is wanted and believed to be best for the County's future; and gave several suggestions for obtaining additional funds. **Council Member Phelen** stated the City Council has made an offer to the County in good faith, and suggested the discussion end, giving the Commission an opportunity to consider the offer, or determine an alternative approach to present to the City. **Commissioner Devos** stated she prefers the facility be based upon current and future needs, and is not certain the additional \$3 Million will take care of future needs; likes the idea of an esplanade, but will leave that up to the people who know what is feasible and needed structurally. **Commissioner Devos** advised she does not think paying for parking in a garage is extraordinary, and paying for parking is something that should be explored. **Commissioner Devos** indicated the entire County, not just the City of Punta Gorda, is short on meeting space, and the breakout rooms could be used for meetings; that the Event Center needs to be a multi-functional facility, and although she is not a fan of phasing projects, it may be the only way to move forward and be certain to have a facility that can be added to in the future, because nothing being considered today will meet the needs in ten years, and certainly not in 25 years. **Vice-Mayor Friedman** explained it is a long time away before deciding if the CRA will end, and it will be discussed in the future; that the funds spent over the 13-year remainder of the CRA lifespan will be spent on this project, or elsewhere; and there is no reason that any funds allocated have a payback life of more than the 13 years remaining. **Vice-Mayor Friedman** advised the City is willing to contribute, whether for an indoor garage or potentially some type of covered promenade with an alternate additional parking site, but the decision ultimately lies with the Commission. **Council Member Poole** indicated the rendering presented is a better solution than previously shown, mostly because the V-Zone was changed, advised he addressed a letter to Mr. Loucks for an

explanation as to how that was done, and would like a response to that letter; and he hopes to get the project done as quickly as possible. **Commissioner DeBoer** stated it would be nice to expand the Event Center to accommodate future uses ten years or greater into the future, but lack of space makes it difficult to do, and why there is such a struggle to fit the parking; and based upon the demographics and age characteristics of the people who use this facility, there are a lot of elderly citizens who need the parking to be closer. **Commissioner DeBoer** indicated he believes that along with the 300 parking spaces staff proposes right now, another 200-300 spaces offsite would still be needed, and possibly a segue into the parking garage. **Commissioner DeBoer** acknowledged that staff followed direction for a facility that was needed based upon the uses before the Auditorium was destroyed, plus uses that were being turned away, such as breakout rooms, did a study and modified due to financial restrictions, and what is proposed is possibly all that can be done. **Commissioner DeBoer** stated if a parking garage is to be put in parking fees should be charged because there is not only the debt service to be paid off, but there is continued operation, maintenance and re-capitalization of the depreciated value required, and the funding required for the future; the cost of the promenade and parking garage should be compared; and if the City or Team Punta Gorda can come up with a funding source to create the promenade proposal, then they should come up with different funding sources, which the County would partner in. **Commissioner DeBoer** advised this is a moment in time that will not occur again, and suggested additional time be taken to allow staff to do the appropriate studies to compare the promenade to the garage and determine if it can be funded. **Commissioner DeBoer** explained he does not believe the site is large enough to accommodate a larger facility; that his original comment did not mean that nothing should be built on the site, but in looking to build what is appropriate, perhaps other sites should be considered within the City, possibly into the future expansion of the City, or duplicate sites, and more than one facility. **Commissioner Cummings** said the parking issue with this facility can be dealt with later, but one thing that cannot be changed is the square footage of the floors; the question is whether to continue the layout of the site design and floor space currently proposed and the facility located in the center of the site, or increase the size of the facility based upon need now and for the life cycle of the building, which is the

additional \$3 Million; the compromise is that the County find the \$3 Million to properly size the facility based upon need, and the City find the funding to do the esplanade. **Commissioner Cummings** stated the first priority is to have the facility properly sized because it cannot be changed later; the second decision is whether or not to move the facility to the back of the site where it is better integrated with the City, allowing for the potential of the esplanade, and to do that there must be a solid commitment for another funding source to fund the esplanade; and in order to make a better educated decision, staff will need to bring back the costs. **Commissioner Moore** expressed concern that the building be designed for not just current use, but for the future; stated he understands the site has a fixed amount of square footage that will restrict things preferred or perceived as needed, but would like to see the new building placed on the former Auditorium site. **Council Member Phelen** requested clarification that the County's position is that within the next month or two the County will re-evaluate the project and update the City Council. **Commissioner Devos** stated most important to her is how well the needs are met which can be done by spending another \$3 Million; that her understanding is the City will be responsible for paying for the promenade; and acknowledged the County will re-evaluate the project and get back with the City. **Commissioner DeBoer** advised he does not agree with **Commissioners Devos** and **Cummings**; the comment was made that the \$3 Million would add the space necessary for the life cycle of the building and he has not seen a study that showed the use expectancy in 30-50 years on this facility; and if that is what is planned, it is what he will ask staff to do, but he has not seen any projections for 30-50 years in the future. **Commissioner Moore** stated there would be further discussions in the future after staff re-evaluates. **Commissioner Cummings** indicated there appears to be a split on the sizing, and the only thing there was a majority agreement on was to bring it back again.

II. Funding of Aquí Esta Widening

Dan Quick, County Engineer, stated several weeks ago when Florida Department of Transportation (FDOT) reinstated \$6.2 Million that was originally earmarked for right-of-way purchase for the Aquí Esta widening project, there still remained a question as to how those funds could be utilized for the

project, and this morning FDOT advised that those funds could be utilized and allocated for projects that both the County and City would like to proceed with within the Aquí Esta corridor. Mr. Quick indicated that at the last meeting the Commission and City Council directed staffs to make a list of projects that could be performed within the Aquí Esta corridor; the projects submitted as part of the package are the Aquí Esta/Bal Harbor intersection improvements, Aquí Esta/US 41 intersection improvements, drainage improvements, sidewalk construction, and work on the bridge; and requested input and direction. Mr. Quick advised it would be necessary that the Metropolitan Planning Organization (MPO) Board be advised to revise the plan for Aquí Esta from a three-lane road-widening project to a two-lane roadway enhancement project. **Mayor Fabian** inquired what the planning stage level was at. Mr. Quick explained the 30% plans were submitted to FDOT and it has taken a while to get the comments back; and staffs have been working with FDOT regarding the funding issues. **Vice-Mayor Friedman** asked if today, or in the near future, the dollars associated with each of the priorities could be provided; that with the \$6.2 Million reinstated, and the matching fund portion the City and County allocated, there is about \$9 Million available, but without knowing the cost breakdown a decision cannot be made on the projects. Mr. Quick stated the staffs could meet again with the consultants and develop a cost estimate for each of the items listed. **Vice-Mayor Friedman** indicated if the cost of these five items is close to \$9 Million, the planning and scheduling for each of the five items could begin. **Council Member Poole** advised drainage improvements and the bridge are the most important items; he is in favor of a bridge replacement, as opposed to reinforcement; that these are public safety issues and necessary in order to open the road as soon as possible under storm conditions. Ed Zapke, President of the South Charlotte County Coalition, advised this is the third time the Aquí Esta project has been put off; the drainage and bridge are the first priorities; a two-lane road does not solve the traffic situation, and maybe consideration could be given in the design for some type of side-lane that school buses, mail trucks or service trucks could go into; and requested the City and Commission to move ahead with the project. Brian Duffey advised he lives on Aquí Esta; the project gets more expensive all the time and won't get cheaper; the bridge and flooding are severe problems, but sidewalks are needed badly; Aquí Estate is a

heavily traveled road and sidewalks should also be included in the top priorities; and the project should be done now. **Commissioner Devos** advised the Commission and Council are equally as frustrated as the citizens, but the delays are not the fault of the Commission or Council. **Mayor Fabian** explained that when the MPO approved its five-year transportation improvement plan last April there was \$25 Million in that plan for the Aqui Esta project; that about a year prior to that time FDOT advised if the City and County entered into an Interlocal Agreement to finance the project up front, the money would be there, and instead of a final date of 2012, the project could move up to 2009. **Mayor Fabian** stated this past fall, without advising the County or City, FDOT eliminated the \$25 Million and gave it to someone else; a great deal of pressure was put on FDOT, and FDOT reinstated \$6.2 Million to buy the right-of-way. **Mayor Fabian** stated he believes the \$6.2 Million should be used to move forward with the purchase of the right-of-way, continue with the initial widening and upgrade of Aqui Esta, keep the design, and continue pressing FDOT for the project funds; that if the \$6.2 Million is accepted and used for the other upgrades and the rest disregarded, FDOT will say we accepted it, they no longer have the \$25 Million, and FDOT will not pursue it further. **Commissioner DeBoer** stated that at one of his trips to Tallahassee he went into the Senate Sub-Committee on Transportation Hearings and heard Secretary Stutler testify that within FDOT's cuts there were absolutely no ongoing projects that were affected. **Commissioner DeBoer** said he would be in favor of gathering all the information pertaining to the Aqui Esta project and presenting it to the Secretary in front of the Senate Sub-Committee on Transportation to show what has been done; that he believes they would be embarrassed enough to restore the funding, and he would like to give it a try. **Commissioner DeBoer** said he does not see how a decision to go ahead can be given with only about 28% of the funding; and is not sure at this point that staff should continue the plans until funding is secured. **Commissioner DeBoer** stated he would also like to have the individual costs of the five projects because there is not enough information to base prioritization on. **Chairman Moore** inquired if the Commission would like for **Commissioner DeBoer** to present the matter before the Senate Sub-Committee on Transportation in Tallahassee. (Board Consensus). **Commissioner Cummings** expressed concern that over \$500,000 in design was expended for the approved cross-section; he is not

optimistic the expenditures will be reimbursed; and stated the projects discussed can probably be done with Federal funds, but most likely will have stringent Federal rules and procedures associated with expenditures, and the \$6.2 Million may not be given for use on a different project. **Commissioner Cummings** advised having \$6.2 Million for the five-year CIP and Revenue Capital Improvements for the next five years out of FDOT is intolerable, and there is a need to get the long-term funding back on the table; there is a strong case in getting this program back on track; and he does not recommend making any huge expenditures in design over the next month or two until the local legislative delegation is in Tallahassee. **Commissioner Devos** pointed out this needs to be added to the legislative package. **Council Member Poole** indicated some money is available, and it is critical to get Aqui Esta open because of a safety issue; the three-lane bridge that will be required in the future can be built (replaced, not reinforced), the right-of-way could be acquired so drainage on the right-of-way is ready and open, and the remainder done as funds are available; that there are positive steps that can be taken to get Aqui Esta open in bad weather without having to wait several years to do it. **Mayor Fabian** reported he is in favor of **Commissioner DeBoer** taking the issue to Tallahassee and the use of legislators as lobbyists, and indicated he does not believe Representative Grant is aware of how critical the issue is. **Council Member Phelen** agreed, and inquired when Mr. Quick would have the data available. Mr. Quick advised the cost estimates for the five items on today's agenda could be available in a month, or by the next joint meeting, and a report in chronological order listing the FDOT funding, an indication of why that funding is important, and the process by which FDOT took the funds away, could be done within the next couple of weeks or sooner. **Council Member Phelen** inquired of the timetable that **Commissioner DeBoer** would go to Tallahassee. **Commissioner DeBoer** reported he would go as soon as the information is available. **Council Member Phelen** pointed out it would be difficult to go further until the overall situation is known. **Commissioner Cummings** explained the City and County allocated \$1.8 Million, about \$500,000 was spent, and there are no assurances FDOT will pay that back; and that of the \$8 Million or \$9 Million, there is only \$1.3 Million that can be counted on if the other projects are to be done. **Commissioner Cummings** pointed out the Federal process to be followed in order to get the funding, even the \$6.2 Million, is so inflexible that

if there is a variance or modification from the pre-arranged process laid out in the agreement in order to do the other priorities first, there is a good chance FDOT will not repay the expenditures or give any of the other funding, recommended staying within the format of the agreement, and proceed to have the funding restored. **Chairman Moore** stated this is a frustrating topic but there are plans being worked on to discuss it with the proper authorities.

RECESS 10:42 A.M. - 10:52 A.M.

(Ann Navan, Finance Director, did not attend this portion of the meeting.) **Chairman Moore** announced the meeting will close at 12:00 Noon, even if topics remain.

III. Status of potential water interconnects

Howard Kunik, City Manager, reported that some time ago the Punta Gorda City Council approved moving forward with the exploration of interconnects with both the Peace River/Manasota Regional Water Supply Authority (Water Authority) and Charlotte County; the City of Punta Gorda engaged the services of the firm Burton and Associates to do a fiscal impact study of both interconnects; and a preliminary report is due in April. Mr. Kunik stated Charlotte County, the City of Punta Gorda, and the Water Authority received a draft Interlocal Agreement regarding potential water interconnects among all three entities, with some comments provided by the City of Punta Gorda. Mr. Kunik advised the City of Punta Gorda has discussed being a regional partner, and interconnects could solve that and help the City, Water Authority and Charlotte County in terms of emergencies by having a redundant water supply. Mr. Kunik explained the City of Punta Gorda applied to SWFWMD for grant funds to help fund its expansion program, and the financial benefits of an interconnect could be significant if it convinces SWFWMD that an interconnect is of regional importance. Mr. Kunik indicated the City is exploring both a reservoir and reverse osmosis-type treatment, and from a financial and redundancy prospective, the interconnects are very critical to the City expansion program. Mr. Kunik advised the City has not changed its position in exploring both interconnects, and would like to move forward, because the grant funding is before SWFWMD and if SWFWMD does not agree that an interconnect is of regional significance, the

City of Punta Gorda will not receive grant funding for its expansion project. **Commissioner Cummings** advised the issue of regionalism affects grant funding for the interconnects, but is not required in order to get grant funding for a plant expansion; that the grant funding for a plant expansion hinges upon it being an alternative source, i.e., not ground water, and Shell Creek clearly meets that requirement, but it is not required to be a regional plant in order to receive a 50-50 match on grant funding. **Commissioner Cummings** stated the County offered that full cost of the interconnects would be paid for by the County, with no cost to the City; and were the County to purchase water from the City, the County would agree to pay the going rate that the Water Authority would pay; there would be no economic difference between the Water Authority or the County purchasing water from the City, and which is why the County has interest in having the right of first refusal. **Commissioner Cummings** explained having both interconnects provides greater redundancy, an interconnect plant to plant, a system to system interconnect, and gives the City the option of which one; the City may choose not to sell water, or may sell it at the going rate to either customer; the interconnects allow Charlotte County the ability to tie in with the City system and the South County system, and gets the County a step closer to tying in with Cape Coral, which would allow better interconnect ability and redundancy, and reduce the carrying capacity costs. **Commissioner Cummings** expressed concern with the City having an economic feasibility study to determine whether the City can choose to sell to the Water Authority or to the County, because selling to either is the same economic difference, both make it regionally significant, and the regional significance is not required for the City plant expansion. **Commissioner Cummings** stated the proposal is a good compromise, the result of a lot of work, and something that will be good for Punta Gorda, Charlotte County, and the region. **Vice-Mayor Friedman** advised the economic feasibility study is not to determine if the City should sell water to the County or to the Water Authority, it is to look to the future and determine the prudence of selling to anyone, the timeframe, and costs; and in his opinion preference would be given to sell water to the County before selling to the Water Authority. **Commissioner Cummings** stated he has no objections as long as the contract language states that. **Council Member Phelen** agreed with **Vice-Mayor Friedman**, and stated the City has said in previous meetings it looks for a proper and current

relationship, first with the County, and then to fit in with the regional system; the City has been involved for less time than the County, and is still catching up with data and the position it needs to take on behalf of the community; and his personal view is there should be no apprehensions of the process on the City side. **Council Member Poole** pointed out the criteria must be emergency plant-to-plant, and everything else is relatively irrelevant. **Commissioner Devos** stated her comments at the last Commission meeting have been re-thought; she believes the agreement presented today is in the best interest of the City and the County; and supports the agreement for both interconnects at the same time. **Council Member Phelen** stated it appears Punta Gorda is a very significant potential supplier, whether emergency or otherwise, but does not see that the City has had representation in the regional water conversations. **Commissioner Cummings** advised the present process is that the Water Authority has four County members, and he is the City representative; that at the broader stakeholder meeting a Water Alliance was created and **Council Member Smith-Mooney** represented the City; and the Water Authority is in the process of looking at its structure for a possible change in method. **(Additional discussion ensued as to how representation was handled in the past, and ideas being considered for the future.)** **Commissioner DeBoer** advised he was not provided a copy of the agreement; that Charlotte County would like the first right of refusal on a take or pay agreement to purchase excess water the City would produce; and explained reasons for the City to sell water to the County versus the Water Authority. **Commissioner DeBoer** stated Charlotte County wants equal treatment under the Water Authority, and does not believe it has been received; and believes the Water Authority should meet its obligation to provide the water demands of its members as stated in its enacting legislation. **Commissioner DeBoer** expressed concerns with areas of operation within the Water Authority and SWFWMD, and stated that one of his personal goals in holding up the interconnect with the Water Authority is that he believes there are things to be accomplished, and sometimes it is necessary to seize the moment when leverage is available in order for that to occur. **Council Member Phelen** said the current language of the proposed agreement suggests that the rate be at the same rate as the City, and that the City's current rate has a premium for that sold outside the City limits; inquired what the intended interpretation of the language was; and indicated there should

be additional discussion to clarify the interpretation. **Commissioner Cummings** said he supports the 2 MGD expansion, but has reservations about going from over 10 MGD to 20 MGD; that close attention should be paid to what the environmental impacts to Charlotte Harbor are from doubling the capacity, even though SWFWMD says the Peace River is capable of supplying in excess of 74 million gallons per day; and suggested a local analysis be done of what the consequences are of doubling the withdrawal from Shell Creek. **Council Member Poole** pointed out the Utility Department has done some studies, taking into consideration the installation of minimal flow requirements, and has data and statistics to determine what can be done in the future. **Vice-Mayor Friedman** opined that if the County gets the optimum agreement with the Water Authority where it has the right of first refusal for any water the City would have, in view of the costliness of the interconnect between the north and south County facilities, when done, there is an interconnect with Punta Gorda, a good contract with the Water Authority and the City, and it results in no additional source of water supply; a great deal of money would have been spent, there is the ability to ship water back and forth, but no more in that pipe; and for that kind of expenditure would it not be worth basically giving the County almost a redundant supply on the south side with a brand new facility for the same kind of dollars, because you would have had the protection of having the Punta Gorda water as a result of the contract; and if an additional interconnect is needed, consider an interconnect only between the south County facility and the point in Punta Gorda, because the vast preponderance of expenditures would come from the Punta Gorda interconnect point and the north County facility; if the County gets the agreement being discussed and has this ironclad protection, it might optimize the millions of dollars by doing something which would increase the total water on the south side, and if a redundancy interconnect is still wanted, do so between Punta Gorda and the south side, saving enough millions between Punta Gorda and the north County facility to pay for replicating what is already down south. **Commissioner Cummings** stated he does not disagree; but Punta Gorda is not the only water source being considered; and a countywide water supply plan is being prepared by looking at other sources around south and east counties. **Commissioner DeBoer** advised he has always been in favor of just one utility south of the Peace River, and asked **Chairman Moore** if he would care to invite the City Council

to the March meeting that has been scheduled with the Department of Environmental Protection (DEP) and SWFWMD. **Chairman Moore** advised on Thursday, March 23, 2006, at 2:00 P.M. there is a water meeting dealing with deliberations, defining and redefining terminology, in order to understand if the County can access water in Babcock Ranch and what the hurdles are. **Chairman Moore** opined it is important to work together with SWFWMD and not become isolated because the Water Authority line coming in is needed as well; he would like an agreement whereby the Water Authority can run a line, at their expense, to Shell Creek and to the City plant, and the County run a line to the City plant; and believes peace with SWFWMD would be kept by both being accomplished. **Chairman Moore** advised the lines would be emergency lines, but also much more; and that the matter is time-sensitive in that the County has 60 days, until April 13th or so, to respond to the Water Authority formal inquiry if they can bring a line down to Shell Creek. **Chairman Moore** stated the Water Authority is a great water plant, but not a regional authority; and it appears that has been recognized and an effort being made to correct it. **Council Member Phelen** requested clarification that as the issue stands, the City and County desire to have a working relationship as discussed, continue the interactions necessary to accomplish that relationship, and proceed unraveling the details into something both sides find agreeable. **Chairman Moore** said he believes that is correct, but County Legal needs to move forward crafting the agreement in a manner acceptable to the City, and cautioned on timeliness. **Council Member Phelen** said he senses the Council is in agreement, with only the details to be worked out, and he looks forward to the interchanges necessary to accomplish that.

IV. Courthouse

Andrew Baker, Charlotte County Facilities Director, advised the County hired Rowe Architects of Tampa, Florida to do architectural engineering services on the Courthouse, and work began on the project 2/1/06. Mr. Baker reported the intent is to renovate the interior to contain the State and Appellate Courts, and County office space; the goal is to keep as many historical elements as possible with no exterior additions, and restore the exterior to the 1928 condition. Mr. Baker explained entrances will be added at the south and east façade similar to the north entrance; the main entrance portico will be rebuilt to match the

original design; all windows will be replaced to meet the current code; the front façade would be restored to the 1928 specifications and the building sprinkled; and the character-defining interior spaces, public corridors and the courtroom will be restored. Mr. Baker stated two lots located behind the Courthouse are owned by the City and needed for surface parking; and advised bidders for construction would be required to have historic preservation qualifications. **Council Member Smith-Mooney** requested clarification that the phase of work beginning in December is only exterior restoration. Mr. Baker said it is for the entire building. **Council Member Smith-Mooney** stated she is puzzled how the project got sidetracked from originally doing the exterior to now doing exterior and interior at the same time; and expressed concern and frustration at the delays. Mr. Baker said once it was determined to do the entire building, it made sense from an architectural and construction point for exterior and interior to be done at the same time. **Chairman Moore** stated he understands the reasons, and agrees with both being done at the same time. **Mayor Fabian** advised he is also frustrated at the delays, and expressed concern that many projects are being discussed, but nothing accomplished. **Commissioner DeBoer** pointed out the Commission shares the frustration, but would not now want to hear this project will be expedited because it would then be on the same track as *Aqui Esta*. **Commissioner Devos** agreed with **Commissioner DeBoer**. **Council Member Poole** explained a petition for referendum was undertaken for the City not to contribute any money to the project; there have been inquiries from City and County residents on petitions to prevent further expenditures on the old Courthouse building, and the City hopes to have a countywide petition to stop this effort. **Chairman Moore** said he is sorry **Council Member Poole** does not like the Courthouse, but it is a democracy. Oscar Dohr stated he is also frustrated that the Courthouse restoration has taken so long, and it needs to be accomplished without further delay. John Benande said the old Courthouse building in its present condition is a blight in the downtown; there are people on both sides of the issue for refurbishing or tearing down; the County has made a decision to refurbish the building, so the County needs to get on with it; and while it may be a problem architecturally and design-wise to split the refurbishing into two phases, he believes it is in the well-being of downtown Punta Gorda to have the external work done quickly and not postpone it for another year. **Commissioner**

Cummings advised he is not happy with the looks of the Courthouse either; recalled how the project proceeded to its present state; and suggested sticking to the present plan to avoid further delay. **Council Member Smith-Mooney** explained the physical appearance of the old Courthouse makes it extremely difficult to attract downtown redevelopment because the developers are waiting to see what will be done with the Auditorium and Courthouse before developing their property; and it is important to find a way to do something with the exterior of the building before next December because the delay would have a devastating blow on the downtown economy. **Commissioner Cummings** said he shares **Council Member Smith-Mooney's** sympathy and motivation, but they have different ideas of the best way to proceed.

V. Regional Library

Laura Kleiss-Hoeft, Parks, Recreation and Cultural Resources Director, advised the Board of County Commissioners, with public input, made the decision to maintain the Punta Gorda Community Library in its present location; and at direction of the Board, and moving forward with the Comprehensive Plan and Library Master Plan, staff combined the goals of a potentially 40,000 sq ft building for the Regional Library and an archive center. Ms. Kleiss-Hoeft indicated staff is currently working on formalizing a partnership with Edison Community College in an effort to locate a site at Edison to design and build a Regional Library/Historical Archive Center to bring to the Board for further discussion and consideration. **Council Member Phelen** discouraged looking further at the Edison College location because he does not think it is compatible with the demographics of the area and moves away from the population centers; and suggested the South County Wal Mart site be considered as a library, South County Cultural Center, and for additional storage and office space; and stated that the site is immediately available and would serve the demographics better. **Council Member Smith-Mooney** asked what the regional building budget was. Ms. Kleiss-Hoeft stated at this point in the budget staff is looking at land acquisition only, and moving forward on design; and that the true funding source has not yet been identified in the budget for construction and inside materials. **Council Member Smith-Mooney** requested clarification that the Punta Gorda library would remain at its current location. Ms.

Kleiss-Hoeft stated that was correct. **Vice-Mayor Friedman** agreed with **Council Member Phelen** that the Edison site is quite far removed from the population hub, and when looking at today's demographics and those projected for the future, believes a facility further to the west and south makes more sense, and he prefers a more central location. **Chairman Moore** said he is not certain where he is on the issue, but that the City's input is important and appreciated. **Mayor Fabian** agreed the Edison site is not a favorable location. **Council Member Poole** stated at one time there was discussion of moving the Punta Gorda library to a location at South Park where it would be closer to the school and the students and inquired what the status of that was. Ms. Kleiss-Hoeft advised the build-out is done in South Park and would not allow space for infrastructure or parking. Ed Zapke, South Charlotte County Coalition, expressed concern that the Edison College site had been considered; explained it was anticipated, based upon prior meetings, that information regarding future construction of the library would be passed along to the residents of the South County region prior to any decision being made; a library that services the community and the members of the area south of the river is needed; and suggested that a site further south in the Jones Loop area be considered because that is where the center of the population will be in the next ten to fifteen years. **Commissioner DeBoer** pointed out staff is only researching different opportunities and options right now, but finds it interesting to hear comments that the future population base is down through Burnt Store. Jim Thomson, Environmental-Extension Services Director, stated there is a concept plan; only one of the facilities in the concept plan is in the Capital Improvement Budget; but two of the facilities would be within seven to eight miles of the City. **Commissioner Cummings** suggested it is time to do some sort of site analysis; there is some merit to the Wal Mart location; and stated the population shift over the next 5 to 10 years will be more toward the south, but over the 30-40 year life cycle of the library building structure there would be strong expansion up US 17, not just down the US corridor; that there are a lot of indicators showing there will be a corridor going up US 17; and that over the 30-40 year period there will be an initial shift to the south, then growth up the Peace River. **Chairman Moore stated it was 12:00 and the meeting was adjourned.** **Council Member Poole** asked for a moment to comment on the meetings he and **Chairman Devos** had at the Bread of Life Mission. **Chairman**

Moore stated that was an important topic, but not on the agenda, and comments could not be allowed.

- VI. Recycling Center
- VII. Shreve/Pompano Streets
- VIII. /Commissioner Comments

There was no discussion on these items.

MEETING ADJOURNED: 12:02 P.M.

Signature on file in Commission Minutes
Thomas G. Moore
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