

**JOINT MEETING**

**BOARD OF COUNTY COMMISSIONERS  
PUNTA GORDA COMMUNITY REDEVELOPMENT AGENCY  
CITY OF PUNTA GORDA COUNCIL**

**MARCH 2, 2007**

A meeting was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida. The following were present: Chairman Loftus, Commissioner Duffy, Commissioner Moore, Commissioner Cummings, Commissioner D'Aprile, CRA Member/Councilmember Friedman, CRA Member/Councilmember Smith-Mooney, CRA Member/Councilmember Albers, CRA Member/Councilmember Wallace, CRA Member Sturgis, and CRA Member Weikel. Also in attendance were County Attorney Knowlton, County Administrator Loucks, Deputy Clerk Manley, City Manager Kunik, City Attorney Levin, and City Clerk Foster. The following members were absent: CRA Member/Councilmember Goldberg. *The meeting was called to order at 9:00 AM, followed by the Pledge of Allegiance. (Commissioner Cummings arrived at 9:20 AM)*

**Convene as Board of County Commissioners and Punta Gorda Community Redevelopment Agency (CRA)**

**I. Event Center**

Mr. Loucks stated that the County Attorney and City Attorney have advised that Agenda Item IV - Impact Fee Assistance - Status, needs to be pulled because it appears the issues between the two agencies has been worked out. It is the consensus of the County Commissioners and City Councilmembers to pull Agenda Item IV.

Mr. Loucks gave a brief history of issues, events, concerns, and decisions that lead up to the current status of the Event Center.

Mr. Loucks stated there was a desire for flex-space within the building, and commented on funding.

Mr. Loucks explained why the County used a design-build type process.

Mr. Loucks said additional funds are being requested to provide some architectural enhancements to the facility to address concerns raised by the City and citizens in terms of the exterior appearance of the building. Mr. Loucks stated that presentations were made to the City CRA and briefings done with the County Commissioners, and advised that the design team is available if the same presentation is required at this time.

**Mayor Friedman** said there was no need for a second presentation, advised there had been a special CRA meeting held Tuesday evening, and summarized what he took away from the meeting as a consensus feeling.

**Mayor Friedman** advised that Punta Gorda should not be dealing directly with the County's contractor and should be put to an end today. **Mayor Friedman** indicated that the County Staff and County Commission are in the best position to deal with their own contractor, and it is counter-productive in the days ahead for the City to do a line-by-line detail also.

**Mayor Friedman** explained it would be prudent for the basic design and price to be agreed upon today and the City would no longer be involved with those details.

**Mayor Friedman** stated that at the last meeting there were some in favor of the enhanced design of approximately \$850,000; that the latest presentation talked in terms of \$1.2 - \$1.4 Million, as a best estimate, but that there is no way to know for certain until the detail design is done.

**Mayor Friedman** stated that the City would "donate" an additional \$1 million, in addition to the riverwalk money, and that the project, all future costs, and design issues, would be a matter between the County Commission, County staff, and the County's contractor.

**Mayor Friedman** reported on behalf of the Councilmembers that the City offers a flat fee, not payment for the changes, but a "donation" for the enhanced design, in addition to the 3/4 million dollars which the City previously allocated for the riverwalk; that if acceptable the only interplay with the City,

the Punta Gorda CRA, and the County would be in terms of knowing if the project is on schedule.

**Commissioner D'Aprile** objected to the terminology "donation", and indicated that the redesign was to make the Event Center compatible with what the City required.

**Commissioner D'Aprile** asked for staff to answer some of his questions concerning the additional costs; indicated he was initially against the Event Center being built in this location, but would make certain it is done correctly.

**Commissioner D'Aprile** inquired what the difference was in cost between the original concept of the building and what it is now with the decor change the City wanted. Andrew Baker, Charlotte County Facilities, indicated the best estimate at this point is between \$1.2 - \$1.4 million additional. **Commissioner D'Aprile** requested clarification that the City, or someone other, did not want to pay the interest.

**Mayor Friedman** explained that the official position and consensus is that the entryway has no more bearing than any other features; that the City has a \$1.2 - 1.4 million range, with a 10% contingency built into that.

**Mayor Friedman** said the proposal as it exists today with the additional architectural designs, is approved by the City, and that a dollar amount needs to be agreed upon today.

**Commissioner D'Aprile** stated that the building belongs to the County, but the additions were requested by the City, and that a compromise for the cost needs to be found.

**Commissioner D'Aprile** inquired about the original entryway design cost. Mr. Baker stated that the value was not quantified in the estimate done last year, but that the additional cost of the current entryway rendering has a range of \$413,000 - \$475,000. **Commissioner D'Aprile** asked what the cost of the entryway for the original building was.

Rob Humpel of Matthews/Taylor explained that the \$413,000 - \$475,000 is the additional cost of the upgrades to the entryway. Mr. Humpel stated that the cost of the original entryway was not

quantified because there is no way to remove the original entryway, it must be replaced by something else.

**Commissioner D'Aprile** advised there must be a cost for the original entryway; that he is trying to determine what the legalities are, and what the City is responsible for because of its wants of this particular structure of the building in its design, and that was the dollar amount he was seeking.

Mr. Humpel explained that the County acceptable entryway was "X" dollars, and the new entryway is "X" dollars, plus \$400,000; that the base line is \$400,000 less the total cost of the upgrades of \$1.4 million; and if the entryway was removed and left it in its original state, there is right around \$1 million dollars of upgraded costs attributed to the exterior enhancements.

Mr. Loucks stated that the differential is \$413,000-\$475,000; that the entryway was not cost out itself; that there was a total cost of the entire building, and there is a differential of \$413,000-\$475,000 to get to the current design.

Mr. Loucks commented on the County building the Event Center the way the City wants, even if the cost is more than the City agreed to, and the differential coming from another source.

**Councilmember Smith-Mooney** stated she prefers to state that the City funds are given specifically for the improvements, and that the design quality not be nickel and dimed; that the City state the amount given would not exceed \$1.4 million, with the directive that the architect use all possible resources to contain the amount closer to the \$1 million; and that the City has the right to approve the final design additions, but not for the County to cut something back for lack of funds.

**Commissioner Cummings** agreed with **Councilmember Smith-Mooney**, and recalled that the City volunteered the property where the old museum was without asking for anything in return, and that if the value of that land is included, it would be close to covering the amenities.

**Mayor Friedman** clarified that the City is not compromising the design; that the City has collectively agreed on the current

design; that he is attempting to come up with a figure to preclude the City and County looking over each other's shoulders and having future discussions on cost, and that he would like to leave the meeting with a firm number.

**Councilmember Albers** agreed a fixed price needs to be determined today.

**Commissioner Moore** stated his understanding is that the City could live with \$1.4 million as a maximum, but that overruns are the County's responsibility, and based upon the artist rendition presented to the City. **Councilmember Smith-Mooney** stated she would not want it to come to the County not proceeding forward with the final design of the project because it cannot be done with \$1 million, and having to approach the City for additional money.

**Commissioner Duffy** recalled at the December joint meeting the dollar amount was \$1.2 million, agreed a decision should be made today, and suggested a figure of \$1.2 million.

**Commissioner D'Aprile** stated he would be comfortable with \$1.2 million.

**CRA MEMBER/COUNCILMEMBER SMITH-MOONEY MOVED TO APPROVE \$1.2 MILLION FUNDING FROM THE CITY OF PUNTA GORDA FOR THE EXTERIOR RENOVATIONS TO THE EVENT CENTER, SECONDED BY CRA MEMBER STURGIS.** Punta Gorda CRA member Frank Weikel suggested that the City and County urge Team Punta Gorda to become part of a private fund raising to offset the additional \$200,000.

**Motion Carried 6:0.**

**ABSENT: CRA Member/Councilmember Goldberg.**

**COMMISSIONER CUMMINGS MOVED TO APPROVE ACCEPTING \$1.2 MILLION FUNDING FROM THE CITY OF PUNTA GORDA FOR THE EXTERIOR RENOVATIONS TO THE EVENT CENTER, SECONDED BY COMMISSIONER D'APRILE.**

**Motion Carried 5:0.**

**Commissioner Moore** reported disclosure should be made that a motion is needed by the Commission for funding of \$2 million for County items within the building. Mr. Loucks explained that it

is a timing issue; that the \$2 million is for equipment cost and site work to meet FEMA requirements; and pointed out that the Commission could approve the funds now, or when the entire project is brought back for the Guaranteed Maximum Pricing (GMP.) **Chairman Loftus** indicated he would rather bring it up now.

**COMMISSIONER D'APRILE MOVED TO APPROVE \$2 MILLION FOR EQUIPMENT COST AND SITE WORK NECESSARY TO MEET FEMA REQUIREMENTS, SECONDED BY COMMISSIONER MOORE.**

**Commissioner Duffy** clarified the amount of funds. **Commissioner Cummings** indicated the motion was just modifying the budget line item, and inquired if it would affect negotiations when doing the GMP. Mr. Loucks stated it would not affect negotiations.

**Motion Carried 5:0.**

**Mayor Friedman** clarified that the agreement is that the City is giving the County \$1.2 million, and that the County is responsible for construction of the Event Center from this point on. **Chairman Loftus** stated construction of the Event Center would be expedited.

**Commissioner Duffy** reported that Team Punta Gorda had already expressed a willingness to do some private fund raising. There was no citizens input.

**ADJOURNED: 11:50 AM**

(CRA members Jane Sturgis and Frank Weikel were not present for the remainder of the meeting.)

[Adjourns Punta Gorda Community Redevelopment Agency and convenes as City of Punta Gorda](#)

[I. Property Tax Reform Recommendations to Tallahassee - collaborative effort between county & city to evaluate Governor's current proposal impacts and recommendations for alternative policy changes.](#)

City Manager Howard Kunik reported on projections of possible impacts from the City standpoint to two of the tax reform proposals, one proposal recommended by the Governor, and

one recommended by the House of Representatives, that paralleled the presentation material in the meeting packet; and indicated that the two proposals impact the City differently.

Mr. Kunik indicated that in scenario number 1 the City would begin next year's budget preparation with a reduction of about \$61,000 in property taxes, and that scenario number 2 brings in an additional \$2.1 million into the City. Mr. Kunik stated this is possible because the value of non-homestead properties in the City of Punta Gorda is higher than the value of homesteaded properties, and because the difference between the new millage rate that we would apply to non-homestead properties and the millage rate we have now, is not as great a differential as it is in other communities.

Mr. Kunik reported that assuming the State still distributes sales tax revenue in the same manner as it does now, proposal number 2 would bring in more money to the City than what happens now.

Mr. Kunik clarified that in scenario 2 the millage rate could be adjusted each year by the cost of inflation, and the millage rate could go up by the property population and inflation. Mr. Kunik pointed out that only the actual numbers has been shown and the debate as to what is and is not fair has not even begun. Mr. Kunik indicated that scenario 1 is a rather drastic scenario for putting a budget together when starting a property tax projection at \$61,000 less than you presently have, and that scenario 2, because of the situation in the City of Punta Gorda, would take in more. Mr. Kunik stated that the County would see different projections.

**Councilmember Wallace** stated it would be a big assumption that the State would continue distributing sales tax at the current rate. Mr. Kunik advised that in scenario 2, sales tax can go up and down based on economy, and agreed that the state may not continue distributing sales tax in the same manner as previously; and indicated that in proposal number 2 there is a lot of "iffyness" into it.

**Commissioner D'Aprile** inquired if projection was based upon sales tax revenue experienced in the past year plus two and

one half percent. Mr. Kunik explained that the projection was reduced based on today's trend.

**Commissioner Cummings** said that in most areas the taxable value of non-homesteaded property is worth more than homesteaded property, commented on his understanding of proposal 2; and indicated he believes the property value has been an accelerated increase, not a straight-line increase.

Mr. Kunik stated that there is no question that in the City there was a major increase in taxable assessed value this particular year, and pointed out that will not happen every year. **Commissioner Cummings** reported that in the long-term trend line and property valuation compared to the long-term trend line, even if both are straight-line increases, there will still be an ever-increasing gap year after year; and compared it to when the save our homes was first started, that it was essentially no difference at all because it started off at the current valuation, but each year that difference in revenue gets larger.

**Mayor Friedman** agreed with **Commissioner Cummings** that the City Manager is comparing the change versus the reality of this year, and coming up with the changes, not comparing the proposed change with next year or subsequent years, if there were to be no change.

**Mayor Friedman** indicated his analysis is based upon this year versus what the change would be next year, and extrapolated out over a ten-year period, it could go either way; that it could turn out this would stay the same in terms of the increase of \$2 million or so every year, or could go into the negative as a function of what the property values would have done if the existing scheme was maintained.

**Councilmember Wallace** indicated he does not see how anyone could support proposal number 2.

Ray Sandrock pointed out there are many variances on the table; that only two are being discussed; that it is hard to understand and break them down, and know how far back to look; and indicated that focus was given to a couple of the proposals to determine what the impact would be for the next taxing year.

Mr. Sandroock indicated that under the first proposal with the 3% cap to all property owners, including commercial, and doubling the homestead exemption, the County would operate next year \$3 million less than this year in the ad valorem areas.

Mr. Sandroock reviewed scenario #2, and indicated in looking at one year for next year, the County would lose about \$44 million of its \$117 million ad valorem base.

Mr. Kunik explained there is considerable difference between the City's millage rate of 2.1 going down to 1.4, versus the County's millage rate of 4.8 going down to 1.7.

**Commissioner Moore** requested clarification on proposal #2. Mr. Sandroock advised that the \$117 million he referenced represents 3 funds that are considered countywide, and that the \$156 million includes the Public Safety Fund, and every other ad valorem MSTU in the County.

**Councilmember Wallace** commented on the rollback rate. **Commissioner Duffy** asked how Mr. Sandroock arrived at the 1.7 figure. Mr. Sandroock explained that you go to a rollback rate, which equals the rate that would cause the same amount of revenue as the previous year; that the rate goes down, and you then add new construction, which is population, plus cost of living index. Mr. Sandroock stated that you work backward, then forward, and consider if the scenario had been in place for all those years, what would be today's rate, which would be 1.7.

**Commissioner Cummings** inquired if over the long term appreciation of real estate roughly matched the Consumer Price Index (CPI) from year to year. Mr. Sandroock said it would not be on the high end. **Commissioner Cummings** indicated the overall trend line doesn't match, and that the gap would get wider every year.

**Commissioner Cummings** indicated property taxes can be a problematic form of taxation; that sales tax is more regressive, and would drive someone out of their home quicker than real property tax; stated that the no one wants to talk about an income tax, but is the only one that won't tax someone out of their home; and opined that none of the proposals would produce an acceptable outcome.

**Commissioner Moore** stated real property taxes are no longer affordable for much of the population; commented on fairness and equality in taxation; and indicated he does not anticipate a meaningful plan being done by this fall.

Ms. Bosworth said the proposals are ever-changing, and no one knows where it will go.

Clark Wayne Pilikian thanked the City for offering the funds for the Event Center, and the Board of County Commissioners (Board) for cooperating with the City; indicated the Event Center is great for the area and no one should feel bad about spending money on the project because it helps bring money into the City. Mr. Pilikian indicated tax reforms are needed to remove destruction from the current system.

Grace Amodio explained that the School Tax is higher than the real property tax; that there are other items listed on the tax bill that would not be reduced; and indicated that citizens would be surprised to find what they will pay in the long-run.

Ellie Brubaker advised that she attended the Insurance imposium at the Tentatorium that Representative Kreegel spoke at; opined that the citizens of Florida will be in trouble with what the Legislature passed for the re-insurance because Florida is in debt for \$24 billion, for which there is no money set aside; indicated that if Florida has a hurricane season like 2004 and 2005, the state sales tax may have to be raised to at least 10%, or a state income tax implemented to take care of the re-insurance; and urged avoiding the sales tax being in place of real property tax.

**RECESS: 10:30 AM - 10:40 AM**

**II. Budget Allocation Issues - Public notification prior to bidding**

Deena Bosworth advised that **Commissioner D'Aprile** requested a Resolution be brought before the Board that would exempt local governments from giving out bid estimates prior to the bidding process. Ms. Bosworth stated that the Board adopted a Resolution at the February 27, 2007 Board meeting that would request the

State Legislature to make changes in this law; and pointed out that currently the Florida Department of Transportation (FDOT) is exempt from giving this information out during its bidding process.

**Councilmember Albers** reported he requested that **Commissioner D'Aprile** put this on the joint agenda to determine if there was something the City could do in support with either an individual or joint Resolution. **Councilmember Smith-Mooney** agreed that a joint effort would be more effective.

**Commissioner Moore** confirmed that in order to accomplish what is wanted, the County must hope that its representatives can get it approved in Tallahassee. Ms. Bosworth pointed out that the deadline has passed for new bills to be drafted in order to be filed with the Florida Legislature this year, and she is not certain there can be legislation this year unless there is a vehicle bill that already amends that section of law that this can be added to.

**Councilmember Smith-Mooney** inquired if the County Resolution parallels what the FDOT has. Ms. Bosworth advised that the Resolution only addresses sub-section 1 under the language in the Board packet.

**Commissioner Cummings** pointed out that in addition to the County's delegation being aware of this in the event there is an opportunity to tag it onto another bill, it would be prudent for Charlotte County to take it to the Florida Association of Counties and the City of Punta Gorda take it to the League of Cities in an effort to have it adopted as part of their legislative agendas for next year.

**Mayor Friedman** asked that the County Administrator furnish a copy of the County Resolution to the City Manager, and that the City Council would do something similar. There was no citizen input.

### III. Herald Court Parking Garage Facility - Interface with Courthouse

Dennis Murphy presented an update on the Herald Court Parking Garage Facility.

**Mayor Friedman** indicated the City Council needs a consensus from the Board that there is no problem conveying the two County-owned lots so the City could expeditiously proceed with the parking garage.

**Commissioner Moore** agreed the parking garage would be more attractive. **Commissioner Cummings** thought it had previously been agreed on. There was consensus from the Board and City Council that there had been a previous agreement. Mr. Murphy commented on a timeframe. There was no citizens input.

**IV. Impact Fee Assistance - Status (Pulled from agenda)**

**V. Workforce/Affordable Housing Summit - collaborative effort between county, city, government agencies and private sector**

Mr. Kunik stated that part of the City's strategic plan includes a collaborative effort among various governmental agencies to hold a housing summit; that what is being requested here is for the Board to participate; and that the City would schedule a round table.

**Commissioner D'Aprile** commented on the availability of funds, and indicated that County staff would help familiarize on the funds that are available for low-interest loans.

**Councilmember Smith-Mooney** inquired if the County had a workshop on affordable housing impact fee waivers for public agencies such as the Punta Gorda Housing Authority. **Chairman Loftus** replied negatively. **Commissioner Cummings** stated there had been discussion in the past about having an affordable housing impact fee; that there was a shift in the way impact fees are done to a per-square-foot basis, which stemmed from the affordable housing impact fee discussion.

**Councilmember Smith-Mooney** advised that the Punta Gorda Housing Authority is exempt from impact fees by the City because it is a governmental agency providing affordable housing; and that discussion at the last City Council meeting was if the County would provide that same exemption from impact fees for another governmental agency that is providing affordable housing, but not for all other non-profits. **Commissioner Cummings** pointed

out the County charges itself an impact fee to keep bookkeeping straight; doesn't say it cannot be done, but indicated it is not consistent with what the County has done.

**Councilmember Smith-Mooney** stated there is no rationale that affordable housing would have less of an impact, and that the only purpose of doing it, from the City's position, is that the cost of housing is astronomical, and impact fees push it over the edge.

**Commissioner Moore** indicated he would bring it up at the next meeting. **Commissioner Duffy** clarified that the City wants the County to join in an affordable housing summit; that there needs to be identification of the groups involved; and what the objectives are.

**COMMISSIONER MOORE MOVED TO APPROVE THAT THE CITY MANAGER AND COUNTY ADMINISTRATOR WORK OUT THE MECHANICS OF THE AFFORDABLE HOUSING SUMMIT AND WHO SHOULD ATTEND, AND THAT SUGGESTIONS FROM THE COUNCILMEMBERS AND BOARD OF COUNTY COMMISSIONERS BE FILTERED THROUGH THE CITY MANAGER AND COUNTY ADMINISTRATOR, SECONDED BY COMMISSIONER CUMMINGS.**

**Motion Carried 9:0.**

**ABSENT: CRA Member/Councilmember Goldberg.**

Attorney David Levin inquired as a private attorney about the Board granting an exception with regards to workforce housing within the Enterprise Commerce Airport Park. **Commissioner Cummings** stated he believes the overlay prohibits residential, but indicated he would look into it further.

## **VI. FARMS Program**

James W. Dossett, Community Development, indicated this item is the result of interest in the County's excavation ordinance, the process in permitting excavation pits, and its impacts on the State's Facilitating Agricultural Resource Management Systems (FARMS) program; and pointed out that the State has three programs related to cost sharing, water quality, wells, and irrigation systems. Mr. Dossett presented an overview of the excavation ordinance and the process.

Eric DeHaven of the Southwest Florida Water Management District (SWFWMD) gave a verbal presentation and overview of the FARMS program; commented on the mineralization of area surface waters as a result of agricultural activities, which is the issue at hand that gets to the point of mining reservoirs; and advised that the Shell and Prairie Creek Watershed Management Plan, a Reasonable Assurance Documentation, details 9 management actions for improvement of water quality conditions the stake holder group would like to do, and which is the basis for the FARMS program. Mr. DeHaven said FARMS seeks to cooperatively work with area agriculturalists to put in projects that eliminate the source of the ground water that is mineralized to improve the water resource conditions within Shell and Prairie Creeks. Mr. DeHaven reported on the various types of projects that FARMS works with the agricultural property owners, including when there is no existing pond on site and there is a necessity of going through the regulatory processes for permits, which includes the County process to look at mining issues. Mr. DeHaven said the FARMS project gets held up working out mining issues with County concerns, and indicated that there is a need to work toward a mining ordinance that allows the management actions to go forward.

**Commissioner Cummings** advised that FARMS is a good program that the County wants to support, but expressed concern that some do not use the program to promote agriculture, but instead excavate 50% of the property.

**Commissioner Cummings** questioned the depth of a pond being an obstacle. Mr. DeHaven responded.

**Commissioner Cummings** stated that if excavation is being done for the value of the commodity, it is a Class III excavation, and pointed out that it must be looked at carefully to be certain it is a legitimate agricultural use.

**Commissioner Duffy** reported that she likes the FARMS project; indicated that participants of the FARMS project undergo great restrictions by SWFWMD and Charlotte County, and that part of the job for the County and SWFWMD is to monitor the excavation; suggested that the mining permit application specify that it is a FARMS project participant, or introduce a category IV specifically for FARMS projects that increases the depth from

12' to 20', allows the acreage from 5 acres to 50 acres, as SWFWMD recommends, and does not require all materials to stay on site.

**Commissioner Moore** indicated it may need its own classification; would yield to advise of those with more expertise on the the 12' - 20' depth review; and does not want the ordinance abused. **Commissioner Moore** stated he has no problem in the excavated product being sold if the owner cannot use it, but that it should be a controlled amount.

**Commissioner Cummings** clarified that he has no problem with a portion of the product being sold; but that he does have a problem when an applicant comes in with supposedly an irrigation reservoir and it is actually a Class III excavation. **Commissioners Moore** and **D'Aprile** agreed. **Commissioner D'Aprile** commented on density where excavation has been done on the property, and expressed concern of traffic roads and safety of the people who surround it. **Chairman Loftus** agreed.

**Councilmember Wallace** advised he is just learning about the program, but supports it as well; inquired if it could be done on a percentage factor, such as 5%, rather than an acreage amount. Mr. DeHaven indicated it is something that can be reviewed; and stated that it is a three-dimensional problem, and several factors must be looked at.

Mr. DeHaven indicated the FARMS program doesn't want to fund something that results in a land use change; that production in agriculture has been somewhat stymied by the water quality; and because of this issue and the level the water quality issue has gotten to, things like water use permits at the SWFWMD will be conditioned much more to address the water quality problem.

Kendall Hicks, District Conservationist with the U.S. Department of Agriculture and Natural Resources Conservation Service; indicated that agency is a partner/player with the farm staff, working on several of the projects; and addressed the issue of longevity on some of the practice codes.

**Commissioner D'Aprile** clarified that there is a restriction that applicant not use a particular pit for a reservoir for a certain period of time, otherwise they are penalized. Mr. Hicks stated

there is a requirement that applicant refund all cost share that has been provided, plus a liquidated damage penalty. **Commissioner D'Aprile** indicated if the City needs reservoirs it should be done.

Barbara Carlton, representing Peace River Valley Citrus Growers Association, indicated she shares the traffic concerns on S.R. 31; supports the farmers who will be farmers; indicated that SWFWMD is tough with the farmers; and requested that the City of Punta Gorda and the Board keep this in prospective.

VII. City/County Request to FDOT to Lower Speed Limit on US 41 in Seminole Lakes, Burnt Store Meadows, and Burnt Store Isles areas.

**Councilmember Albers** stated that with City Council support he requested this item be put on the agenda; addressed the concerns of residents and business owners along U.S. 41 in the area as noted on the agenda; indicated FDOT has been requested to make a speed limit change several times without success; and that FDOT met with representatives and agreed to do a new traffic study. **Councilmember Albers** advised that a County staff member indicated a joint Resolution from the City and County would be helpful, which he confirmed with FDOT.

Wes Millard advised that Public Works has been attempting to have FDOT reduce the speed limit to at least 55 mph from Burnt Store Road to Tropical Gulf Acres for several years. Mr. Millard stated a traffic signal is being installed at Tuckers Grade; that the speed limit that presently exists is not conducive to the signal that is going in; and that Public Works supports the efforts to lower the speed limit.

**Commissioner Cummings** commented on the current and proposed speed limits. Mr. Millard said there is no objection to 55, but that 65 mph is too fast.

**Councilmember Smith-Mooney** recalled most speed limits at the communities are 55 mph. **Councilmember Albers** indicated most citizens would be happy with 55 mph. **Commissioner D'Aprile** acknowledged his support.

**Mayor Friedman** inquired if the Resolution should be amended to 45 and 55 and passed at the respective meetings. **Councilmember Albers** pointed out the traffic study would take place in two weeks, and that it would be beneficial to approve something today so that the appropriate mailings could be done to the FDOT representatives within the next couple of days. **Mayor Friedman** requested advice from legal. County Attorney Knowlton stated it would be quicker and more efficient to do separate Resolutions and take them to each Board separately. **Chairman Loftus** indicated it could be done by the Board by March 13, 2007.

**Commissioner Moore** indicated he supports the concept, is not comfortable passing this today, but is certain it could be passed on March 13, 2007.

**Mayor Friedman** asked Mr. Kunik if the Resolution could be modified and put onto the City agenda as an add-on. Mr. Kunik replied affirmatively.

Ed Zapke, President of the South Charlotte County Coalition, thanked the City Council and Board of County Commissioners for addressing the speed issue.

#### VIII. **Aqui Esta**

Dan Quick, Charlotte County Public Works, provided an update that paralleled the agenda packet material; indicated funding should be available in October, 2007, and the project ready to begin when the funding is in place. Mr. Quick advised that all of the area in the narrative would be designed, but that construction would include everything except that which requires right-of-way or easements. Mr. Quick stated that the U.S. 41 intersection, and sidewalks from U.S. 41 to Magdalena would not be included in the construction at this time, and indicated that those items could be done by the City and County later as local projects.

Ed Zapke inquired if there was a place for the public to review a design, and expressed concern that no sidewalks would be constructed from U.S. 41 to Magdalena at this time.

Mr. Quick explained that all of the improvements would be designed, including the sidewalks from U.S. 41 to Magdalena; and that the recommendation is not to include those two elements of improvement under this funding agreement because right-of-way and easements are needed which must meet Federal criteria, and the process would take at least a year. **Chairman Loftus** clarified that the design is in place and can be seen at the Public Works office.

**Commissioner Cummings** inquired if the bridge would be a local project. Mr. Quick stated the bridge would be included in the initial project, and would be wide enough to add the sidewalk as a local project; that the intersection improvement at U.S. 41 and sidewalk would continue to be actively pursued, but it cannot be done now because it would create severe delays.

**Commissioner Cummings** commented on the timeframe between the work and funding.

Mr. Quick commented on financing and explained reasons for delays.

Ellie Brubaker expressed concern that the curve would not be straightened; indicated the property is for sale; and inquired if it would be prudent to purchase the property before someone buys it and puts a commercial building on it. **Councilmember Smith-Mooney** recalled a variance agreement on the property to allow for straightening the curve. **Mayor Friedman** commented on the variance agreement.

**Chairman Loftus** explained that straightening the curve is included in the design, but would not be constructed at this time.

Dan Quick indicated that in order to take the curve out and do the U.S. 41 intersection, there are right-of-way and easement issues, which would require involvement with the Federal process, and a time element.

#### IX. FGCU

Mr. Kunik indicated that Charlotte County and FGCU have had discussions on various sites; and advised that the City Council

has stated that kind of pursuit for Charlotte County and the City is one of its objectives for 2007.

**Councilmember Wallace** reported that the university is not actively seeking proposals, but would be willing to accept proposals; opined that a university would be a great economic engine; and would like to get a consensus to go forward with some type of proposal.

**Commissioner Cummings** stated that the County has previously stated it would look at sites that are within the urban service area; and indicated he would support the Ansin site or Murdock Village.

**Councilmember Wallace** indicated that a general consensus of support for either the Ansin site or Murdock Village would be a positive step; and expressed concern of losing the university to another area. **Chairman Loftus** indicated there was consensus from the City Council and Board to support either the Ansin site or Murdock Village. There was no citizens input.

**X. Councilmember/Commissioner Comments**

**Commissioner Cummings** opined that the proposal of grant funds for the City of Punta Gorda is being jeopardized by conflicting interests; and reported on concerns expressed by Sarasota County of building a pipeline from the Peace River Plant to the Shell Creek Plant unless there is a guarantee of water coming through the pipeline, and reservations by the City of Punta Gorda on giving a guarantee for that pipeline.

**Commissioner Moore** stated he would disagree with the pipeline matter later because he believes it can still be run directly to Punta Gorda. **Mayor Friedman** thanked the Commission for hosting the session and for its continued cooperation and assistance. **Chairman Loftus** agreed with **Mayor Friedman**.

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March 2, 2007

ADJOURNED: 12:10 PM

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