SPECIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS

AND CHARLOTTE HARBOR COMMUNITY REDEVELOPMENT ADVISORY COMMITTEE

APRIL 10, 2008

A special meeting of the Board of County Commissioner was held at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida. The following members were present: Chairman D'Aprile, Commissioner Cummings, Commissioner Moore, Commissioner Loftus and Commissioner Duffy. Also in attendance were County Attorney Knowlton, Interim County Administrator Baltz, and Deputy Clerk Manley. The following members were absent: None. The meeting was called to order at ***10:30 AM****.*

Chairman D'Aprile *provided opening comments. The following Charlotte Harbor Community Redevelopment Advisory Committee (CRA) members introduced themselves: Attorney Michael Haymans, David Schmidt, James W. Herston, Grace Amodio and Evelyn Loeffler.*

I. Additions/Deletions to Agenda

None

II. Overview and Status of Existing CRA Projects-Debrah Forester

Debrah Forester, Redevelopment Manager, advised that attached to the agenda is a 2008 Work Plan for Charlotte Harbor; and gave a slide presentation of the status of projects.

Ms. Forester stated that the sign program was first undertaken; commented on Gateway Project Phase I; indicated that the landscaping is almost finished at the foot of the bridge; and that they are working on the welcome signs.

Ms. Forester explained that one of the new projects is to continue with Gateway II; and that the largest portion of funding for 2008 is hiring the engineer and starting the landscaping.

Ms. Forester advised that Florida Power and Light (FPL) is proposing a new transmission line; that it was anticipated within the next couple years, but determined it would probably not be needed until 2015; that $20,000 is available for a feasibility

study; that FPL advised this is not the proper time to do a feasibility analysis, and recommends postponing for a couple years; and advised that an update would be given on an annual basis.

Ms. Forester commented on the options and costs as contained in the packet material, including an underground transmission line from the east side to the west side of U.S. 41.

Commissioner Duffy *inquired if FPL was doing this why the County had to pay for it. Charlotte Miller, Regional Manager of FPL, explained that if FPL puts in an overhead line there is no cost to the County, but that because of the beautification project FPL was asked to quote on underground; explained the difference between transmission lines and distribution lines; and advised that transmission underground is very costly.*

Attorney Haymans explained that the proposed transmission line was inconsistent with the beautification and the CRA wanted to explore other options; that FPL addressed concerns of the CRA and advised that the CRA would have to put in some money to do it differently; that there was no way the CRA could spend millions of dollars for the alternatives and asked FPL to look at keeping it on one side with no additional cost to the CRA; commented on difficulties experienced; indicated that the CRA has requested that FPL continue looking at ways to meet FPL needs and keep it on one side; stated that the Board, Public Works and the CRA need to work at ways to accomplish this; and indicated that all lines would be above ground.

Ms. Miller advised that the time out is in favor of looking into alternative options; pointed out that the black lines reflected in the map is where transmission lines are; commented on multiple existing structures and why double transmission lines cannot be put on the same side; and advised that FPL is committed to work with the County and CRA.

Mr. Schmidt asked about a new substation; Ms. Miller advised there is a substation and explained how the lines operate.

Commissioner Cummings *inquired if the additional cost for underground represented 100% of the incremental cost, and if not, what the proportionate share was. Ms. Miller stated it would*

depend on what piece of the project is being looked at; advised that overhead is at no cost to the County; and indicated that FPL does not put underground transmission facilities in a County right-of-way.

Commissioner Cummings *inquired if the proposed costs being explored represented what would be needed from the County for its contribution and represent the full incremental cost going from overhead to underground or if there was a proportionate share between FPL and the County. Ms. Miller explained the cost that would be incurred by FPL would be subtracted and the County would pay the difference.* ***Commissioner Cummings*** *confirmed that the community would pay the full incremental cost of overhead versus underground. Ms. Miller replied affirmatively.*

Commissioner Cummings *inquired about reliability with underground. Ms. Miller said the reliability issue is always there; and pointed out that it takes longer to restore underground facilities, especially in the event of heavy rainfall and flooding.* ***Commissioner Cummings*** *asked if the line is less likely to be damaged if it is underground. Ms. Miller stated that it would depend upon the disaster; and indicated that reliability-wise it can take longer to restore underground than overhead facilities.*

Commissioner Cummings *advised he is more interested in knowing about reliability rather than the length of time to restore; and commented on possible incentives for FPL to help restore those. Ms. Miller advised FPL is governed by Statute; stated that FPL encourages underground; and indicated that there is currently not a program in place to assist except to reduce cost of what overhead would be.*

Attorney Haymans commented on easements and State right-of-way versus County right-of-way.

Commissioner Loftus *reported that the State advised it would not widen up to the bridge. Tom O'Kane, Public Works Director, agreed that the 6-lane widening is the limit at the present time; that it is not a statute; that it is policy, but a long-standing policy; and that it does not preclude left/right turn lanes. Ms. Miller said she would take this information back to the transmission folks and see if that makes a difference.*

Chairman D'Aprile *inquired if the State offers any grants because this is a beautification program. Ms. Forester opined that the landscaping grant we have is specific to buying vegetation and landscaping.* ***Chairman D'Aprile*** *requested that staff research further. Mr. O'Kane opined there are some limited enhancement grants.*

Mr. Herston reported that Palm Beach County is bearing its entire system and hiring its own contractor and suggested ***Commissioner Cummings*** *and Ms. Miller inquire further. Ms. Miller agreed that Palm Beach is bearing its distribution system and advised she would check further to determine what else is included.*

Commissioner Loftus *commented on another distribution line project in Sarasota County in the Siesta Key area. Ms. Miller stated that is not a geographic area she covers and is not familiar with the project; commented on a program for distribution lines when certain criteria is met; and instances when FPL contributes.*

Ms. Forester commented on the Water Shed Management Plan Project; indicated she anticipates a review at the next CRA meeting; and stated that funds for grants would be limited.

Ms. Forester reviewed the Anticipated Final Expenditures of the Community Development Block Grant (CDBG) program; pointed out that the Façade Grant is for assistance for hookups; and commented on the slide of a new Low Pressure Sewer Expansion Project that would begin in the next few days.

Ms. Forester provided a slide of the improvements at Chester Roberts Park, which is located off Melbourne Street just past The Preserve; and reported that the dedication would be within the next 30-60 days. ***Commissioner Loftus*** *commented on the property and how it was acquired and dedicated as mini parks.*

III. US 41 Mega Sidewalk Project-Debrah Forester

Ms. Forester reported that the County has a master mega sidewalk plan and that there is a Florida Department of Transportation (FDOT) update. Mr. O'Kane advised that Kelly Slaughter has been the lead on this program; commented on the Local Agency Program

(LAP) of several years ago where the State granted money to localities and the localities handled the projects; that a couple years ago the State and Feds had conflicts; that there were changes to the LAP; that it became too expensive; that the money was turned back to FDOT for them to manage; and commented on how the project became the Mega Sidewalk Plan; that the State went forward with a design; that it was not adequate to Public Works; that negotiations have gone on for some time; and that it appears a solution has been arranged.

Kelly Slaughter advised that Public Works was not happy with 5' sidewalk; that 8' sidewalks are needed; and explained what can be done with FDOT money, what already exists, and what else is required.

Mr. O'Kane explained that staff needs approval from the CRA and the Board of County Commissioners to go in the direction proposed; that he would then notify FDOT; and that he would continue working on grants for additional sidewalk to Murdock Circle and up to S.R. 776.

Commissioner Loftus *inquired if the CRA had made a recommendation. Mr. Herston replied no. Mr. O'Kane advised they just found about it. Attorney Haymans opined that the CRA would be in support of retaining the sidewalk at 8'.* ***Commissioner Loftus*** *explained that we cannot vote on it but could give direction.*

Chairman D'Aprile *reported on concerns from citizens regarding costs involved. Mr. O'Kane explained that this is not County money; that it is State money that was turned back; and that we have use of it for this project.* ***Chairman D'Aprile*** *indicated consensus was given by the Board of County Commissioners and the CRA to proceed with the 8' sidewalk as proposed by staff.*

IV. Programming Options-James Herston

Mr. Herston stated that the items listed a-e keep coming up for decisions.

a. Community Policing

Attorney Haymans advised that the CRA has $81,000 to apply to certain programs; that there is a loitering problem and a major concern for safety; and that the Sheriff's Office (SO) recommends lighting of piers and other areas where loitering occurs. Attorney Haymans stated that the CRA is interested in lighting the piers and other areas and having more officers visibly present on the ground, possibly on bicycles; and stated that the CRA may have some funds to help supplement this. Attorney Haymans advised that the SO's constraint is that bicycle officers must be certified; that presently there are only two officers holding certification; and indicated that the CRA is exploring how it can help get officers certified for this purpose and costs involved.

Chairman D'Aprile *asked what certification is required. Attorney Haymans advised he does not have an answer as to what training is required; that it is about a 3-day course; and opined it would include risk management. Ms. Loeffler suggested possibly having an officer with a dog instead. Attorney Haymans stated it is not just Bayshore Road that is having a problem; that there is difficulty on Melbourne Street and the other surrounding residential streets; opined that having officers on the ground would make for better policing; and indicated that if the CRA helps with certification it could possibly provide more manpower.*

Commissioner Duffy *advised that the Sheriff takes this matter very seriously; that it is a big problem and she has heard from many; opined that part of the problem is the County's to address; and that the Sheriff's Office is willing to help but needs the right tools.*

Chairman D'Aprile *commented on rights that even vagrants have. Attorney Haymans explained that the CRA as a body does not want more restrictive ordinances but to use the ordinances that are in place; agreed that all citizens have the right to use the park and the CRA doesn't want something taken to the extreme or have so many tools in the hands of the officers to take away rights; and indicated that they want to give the presence of lights and officers more regularly at foot level a chance first.*

Commissioner Loftus *agreed that certification is a liability issue; advised that fishermen have objected to lighting of the*

piers for years; but opined that lights on both piers are needed. Ms. Amodio advised that the CRA has requested that Ms. Forester obtain costs for the lights.

b. Bayshore Live Oak Park Programming

Mr. Herston advised there has been discussion of maintenance on the park. Ms. Forester indicated that perhaps less damage would happen to the park with the presence of a part-time staff person to maintain the park.

David Milligan indicated options for lighting the piers has been investigated and gave a review of a good lighting system found; indicated that it is not a real bright environment; lights every 100 feet proposed; and the cost would be approximately $25,000 - $30,000 for both piers.

Commissioner Duffy *asked why not a bright environment. Mr. Milligan indicated that from a design perspective a bright light is not preferred; and stated that a more passive setting is wanted in the parks.*

Commissioner Loftus *opined the lights need to be vandal proof.* ***Commissioner Duffy*** *commented on thick panels FPL puts around street lights. Ms. Amodio indicated the pole must be high enough to avoid people climbing them. Mr. Milligan stated that the higher the poles, the more susceptible they are to high winds; that they are considering 8’ poles; but that they are considering all factors.*

Attorney Haymans opined that the light should be pointed downward to avoid washing away the sky. Ms. Loeffler pointed out that the program at the pool complex has been successful. Mr. Milligan explained that the beach complex lights are high lights, low intensity.

Mr. Herston inquired if the aesthetics can be kept. Mr. Milligan stated that would be more difficult; that he is open for suggestions to keep with the period that is being created; but opined they would not be too different.

Commissioner Duffy *indicated that while it is more in style to have low lights she has concern for safety, and doesn’t think*

there is anything wrong with brighter lights. Laura Kleiss-Hoeft explained that the fishing community does not want any lights at all.

Ms. Kleiss-Hoeft commented on Parks and Recreation Department programming wherein facilities are rented for family reunions and weddings; that there are small fees, which are set by the Board of County Commissioners; that there is not staff in the recreation division to coordinate events at this location; and indicated that the cost of an entry level Event Coordinator on a part time basis of 20 hours at this park is $25,654. ***Commissioner Duffy*** *inquired if this could be handled by our staff. Ms. Kleiss-Hoeft explained that due to cutbacks it could not; and commented on the use of TIF funds for this position.*

Interim County Administrator Roger Baltz advised that this is the beginning of many conversations due to budget cutbacks and hiring freeze; and indicated it would be a good conversation to have. ***Commissioner Moore*** *cautioned opening some facilities and not others.*

c. Code Enforcement/lot maintenance

Ms. Forester commented on lot maintenance and the difference between areas where people can hide and those where wildlife would be; and possibly allowing the Sheriff's Department through Code Enforcement to enter those areas to remove persons who should not be there.

d. Façade Improvements – residential and commercial

Ms. Forester indicated a resident provided a letter asking that façade improvements be expanded into residential and expanded for commercial; commented on possible opportunities under the work plan to set aside certain funds to help residential and commercial sides to improve their facilities; and requested consensus from the Board to pursue looking into options.

Chairman D'Aprile *asked how many have taken advantage of the façade grant program. Alvin Knowles with Meridian Group reported that the commercial rehab was split between Punta Gorda and CRA; that three businesses finished their façade; and that three more*

bids were in his briefcase, making a total of six. Ms. Forester advised no residential was set aside to date.

e. Artist Studio/Arts District Designation

Mr. Herston explained that at the last meeting CRA members were approached by staff of the possibility of an Artist/Antique-type district, which would require a special exception.

Attorney Haymans stated that the CRA was brought the project of possibly changing a specific portion of the Charlotte Harbor area to allow a home with an artist studio and courtyard; that the CRA supported that with suggestions, which brought about the broader discussion that it may be appropriate to review the definition of coastal residential and with appropriate safeguards might support some residential art studios, more of a village activity with a certain type small business activities that might be appropriate in the area; and for the CRA to explore with staff definitions to encourage that kind of mixed residential and artist community theme in certain parts of the Charlotte Harbor area.

Commissioner Moore *inquired if that was being done in other areas of the County. Jeffrey Ruggieri, Growth Management Director, stated that we are trying to incorporate some low intensive in the community; that the issue here is that the code is very clear that you cannot conduct a business in the coastal area of the CRA; that many safeguards could be done; and that if the Board is in favor Sean Smith is the dedicated person to work with the CRA on doing that.*

Commissioner Loftus *provided a background of how the CRA arrived at this point and commented on areas that citizens had preferred to remain residential.*

Commissioner Moore *opined it was a worthwhile conversation to have because some of the people who formerly were opposed to this may have changed their mind. Attorney Haymans agreed it is appropriate to explore the option.*

Ms. Loeffler commented on some research she has done on the Charlotte Harbor area regarding renters versus full time residents; indicated that many of the small homes are being rented to undesirable people, such as drug dealers; and that

perhaps it is time to get a new poll on what the opinions are of the residential area owners.

Commissioner Cummings *cautioned that if we choose to explore this and have some like commercial operations that we be certain we are able to regulate what artistic products are sold.*

Ms. Amodio said there is a category now of neighborhood business area but so many things can go into it; that we must look over that list and have a separate category for this area; and indicated the existing category is too broad. ***Chairman D'Aprile*** *pointed out that Mr. Ruggieri clarified earlier that adjustments would have to be made.*

V. Joint City of Punta Gorda and Charlotte Harbor CRA Event- Attorney Michael Haymans

Attorney Haymans advised that the Punta Gorda and Charlotte Harbor CRA's meet periodically; that the banners across the bridge and interconnecting of the sidewalks is a good starting point; and indicated that the CRA's are exploring putting a group together to begin planning some type of joint event, perhaps a Labor Day weekend target, using the harbor as a theme. Attorney Haymans indicated that the CRA's would like this to be an annual event, start small the first few years, a one-day event, with kayaking activity and a walk/run across the bridge; and that there would be set ups at Bayshore Park and Gilchrist Park at the same time with trolley and water interconnecting the two CRA's. ***Chairman D'Aprile*** *stated he hopes this works well for both CRA's in utilizing both parks.*

VI. Charlotte Harbor CRAC Membership Review – Derek Rooney

Attorney Rooney commented on possibly renaming the advisory committee and CRA; that over time there has been a problem getting a member from Planning and Zoning (P & Z) to sit on both boards; and that they are looking for guidance if there is a defacto vacancy would we want an at large member or resident member; and indicated that this would have to be done by Resolution by the Board of County Commissioners. Attorney Haymans explained that there are two vacancies. ***Commissioner Loftus*** *stated that previously someone thought it was important to have someone from P & Z, but that is no longer the case.*

Commissioner Duffy *confirmed that Attorney Rooney is asking that the Board lift the requirement that the other member be from P & Z and indicated her approval. Mr. Herston recommended that if the local planning person is lifted that the replacement be a business representative.* ***Commissioner Loftus*** *and* ***Chairman D'Aprile*** *agreed with Mr. Herston; and suggested Attorney Rooney proceed.*

VI. Commissioner Comments

Commissioners Duffy *and* ***Loftus*** *and* ***Chairman D'Aprile*** *thanked everyone for their efforts and indicated they appreciate the working relationship between the groups.*

VI. CRA Member Comments

Ms. Amodio stated that when the CRA first began it had no money and did a lot without it; that now that the CRA has TIF funds it will be doing nicer things because money works better than nothing; and that the CRA hopes to keep the Board of County Commissioners proud.

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
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