



MINUTES

CHARLOTTE COUNTY MARINE ADVISORY COMMITTEE

Thursday, April 13, 2023

9:30 a.m.

Charlotte County Administration Center

18500 Murdock Circle Room B-106

Port Charlotte, FL 33948

1. Call to Order and Pledge of Allegiance
Chair Ireland called the meeting to order at 9:30 a.m.
2. Roll Call
Upon the roll being called it was determined a quorum was present.
3. Chairman's Comments
 - A. REMINDER TO ALL VISITORS ADDRESSING THE COMMITTEE: PLEASE SIGN IN. It is helpful when preparing the Minutes. A clipboard and a pen are provided on the podium for your convenience.
 - B. REMINDER TO ALL MEMBERS STATE THEIR NAME AND ORGANIZATION and TO USE THE MICROPHONE WHEN ADDRESSING THE COMMITTEE. It is helpful when preparing the Minutes
 - C. REMINDER TO ALL MEMBERS, STAFF AND VISITORS TO PLEASE SILENCE THEIR CELL PHONES.
4. Changes to the Agenda
None offered.
5. Citizen Comments on Agenda Items
None offered.
6. Regular Business
 - A. Approval of the Minutes of the Pre-Agenda Meeting from **March 2, 2023**.
Additions, Corrections or Deletions, none offered; Approved as submitted, by acclamation.
 - B. Approval of the Minutes of the Regular Meeting from **March 9, 2023**.
Additions, Corrections or Deletions, none offered; Approved as submitted, by acclamation.
 - C. Charlotte County Sheriff's Dept. and City of Punta Gorda Police Dept. – Marine update

Lieutenant Aaron Williams said we don't have a whole lot this month. We have been working on catching up on the loose ends and the vessels that slipped thru the cracks after the storm. There has been a lot of removal so now we are starting to find ones that were gone thru, and they were marked as assessed. But maybe they didn't carry through the process. Just so many for the documentation and we have to weed through. We have a couple that we have been working on that like, there is one in the third lake up in I believe the Manchester waterway. That has been brought to our attention, that came through so we're working on that. There is one at Lashley tied to the day docks, and that one has been chased from Captiva Pass all the way up to the day docks. That one started down Captiva; somebody stripped the numbers off it. Dragged it over to Pirate Harbor left it sit up at the entrance of Pirate Harbor. We were able to get a hold of them and then went to the day docks. Where somebody started to cut it up and realized that it's more of a project then wanted. That should be gone. There is another one up at Tom Adams, which is a new one. Sank right up against Tom Adams bridge and we served the owner of that, the derelict paperwork in Sarasota County Jail the other day so. Were slowly coming through we're at the point where we're able to catch the ones that fell through. We're able to start the new ones now and keep up on them in a timely manner. So, it's a positive outcome at this point for us. Our other things that have been going on, we've had our normal up take a little bit and some of the marine mammal calls that they've been dealing with in and assisting FWC biologists. We have few a few manatees that we've assisted that have died. Not a 100% sure on why they've died yet at this point, some of it is probably related to the red tide that was in. We haven't really seen any boat strikes yet at this point which is a good thing so far this year. Other than that, we just finished sending several members through our BOSAR class. Which is boater, operator, search, and rescue and deals with the search patterns that are standardized by the Coast Guard. That was as a result of the grant from the CIND specifically from the CIND for that, they posted I think three classes in this area. Which it really is a good thing to have and something that we need to keep up on. Because any of the search and rescue missions once the Coast Guard comes in those are the patterns they are giving up to use. Telling us which ones and starting points, so if we don't keep current on that you kinda get lost and aren't as affective. That is definitely a positive thing. That's all I have about for this month is there any questions?

Commissioner Deutsch were still gonna have a lot of those boats in the water by the time hurricane season starts, I think.

Lieutenant Aaron Williams yes.

City of Punta Gorda Police Department

Corporal Joe Trufan has retired.

Chair Ireland says we don't have a representative here from the Punta Gorda Police, anyway I understand our representative has left the outfit. So, they're looking for a, anyone of you want to step in and become a Punta Gorda Policeman you're welcome to. Anyway, we're missing a report from Punta Gorda. But I think beyond that we have slipped in a guest, a lawyer who has come to talk to us about a number of things, Ms. Knowlton and she needs to get about her business, so we're going to slip her in early too.

County Attorney Janette Knowlton Thank you, I don't know the way you said that though. Lawyer, I am no lawyer, I am your county attorney.

Chair Ireland County I'm sorry, county attorney.

County Attorney Janette Knowlton I don't know that this really applies to this group, and I will tell you why. But the question was raised by one of the members so I thought I come and explain it to all of you, it may apply to some of your other boards. I know you all volunteer on many different things. The rule is everybody should be voting on every item that comes before you. Unless you have a conflict, if you have a conflict then you abstain from voting. Before I forget if you do have a conflict and you think you do, please call my office and we will walk you through and help you make that determination whether you really have to.

Commissioner Deutsch you may want to address it because some of the membership here is really unique because they are defined by specifically representing a group. And often that group does come before us but is that a special situation or not?

County Attorney Janette Knowlton that is what I am getting into what the rule is. That is why I don't think it applies to you all. So here is the rule, you have to abstain from an item that your gonna vote on unless if excuse me if, you have the potential to receive a special private gain or loss. That could be a private gain or loss to a relative or even to a principal by who you are retained. That means your being paid by some group that has the potential of receiving a benefit by your vote. I think all of you are associated for purposes of MAC with non-profit entities. I am assuming none of you gets paid for working for that non-profit entity. That's why I don't think this applies to you. However, it could I guess, or it could in another board that you maybe are associated with. So, it's a special private gain or loss to you a relative or I am going to say your employer.

Chair Ireland if for any reason you just want to abstain from voting for that particular issue it doesn't you can right?

County Attorney Janette Knowlton No, you cannot abstain from a vote because it's uncomfortable, you don't want to hurt anybody's feelings it's a political hot potato you should be voting that's why we're here. That's why you have been appointed to the board, so you should be voting on every item.

Mr. Killion just to clarify I am on the board for the Charlotte Harbor Youth Sailing, and we come before this board for a grant of materials. And through the past years I have abstained, and Roger Strube abstained for voting on grants to the youth sailing is that appropriate?

County Attorney Janette Knowlton it depends on for the youth sailing group that you're on the board. It's a non-profit correct, I am assuming you're not getting paid by that non-profit.

Mr. Killion not getting paid.

County Attorney Janette Knowlton then you can vote. It's only if you're the principal by whom you are retained, and I am assuming that is a paid position. So, I say your employer.

Commissioner Deutsch we've had a couple of commissioners abstain on some issues they really didn't have to. To be overly cautious it's rare, there is one or two that have abstained. I felt in almost every case they didn't have to because they were part of a larger population that wasn't getting a unique special benefit

out of it. The reason I raise the question is you know someone associate with you selling, the group doesn't get a benefit out of it for the kids and in the past some of having expand on them.

County Attorney Janette Knowlton but again it's a matter of profit, so there is not a special private gain to you. This form is pretty self-explanatory if you do abstain. It depends on whether you can be required to abstain from a vote, but you can still participate in discussion. Then if you choose whether to participate or not participate there is rules that apply. Basically, you have to announce, you have to tell the board that you're sitting and what your conflict is. Then you have to fill out this form and file it so if you have questions if you go down the path and you think you may have a conflict. Please call my office and we'll walk you through it.

Chair Ireland thank you very much. Does that clear it up for everybody that's here?

County Attorney Janette Knowlton has a discussion with some of the members regarding other matters.

Mr. Hickey speaks about the owner; the future owner of the marina happens to be the present owner of the restaurant I'll just say that. They have purchased another section of docks equal to the docks that they have put in already to go back around the parking lot. So, they are going to double the amount of docks. So, he must be pretty confident this is all gonna go through since he's already purchased the docks. It's such an attraction and his plans are as soon as they close on the property. They've doubled the size of the Tiki hut.

Chair Ireland says hey Kim, you can give Paul Bigness half of a credit for coming. Then he thanks Ms. Knowlton for coming.

D. FY23/24 MAC Fiscal Reports/Grants – Mark Snow

Mr. Snow said just to give an update the board approved it as recommended to them. So, what does that mean, it means that the three items they we did not recommend. The Fire Department boat, the waterfest and the water testing for Manchester Waterway were not funding out of the BOCA fund. Both Waterfest and the Water testing are going to be reviewed at other boards for there is benefit to the county and to those citizens. There looking at those two entities in a different funding stream. As far as the other item for that was not recommended was the vehicle for Flotilla 98 that one there is more discussion being done. Commissioner Deutsch brought that up and has requested through Admin to look at the different avenue for that. Bottom line is everything that we recommended to the board was approved. I will be sending those out to those entities that have agreements that need to be signed I will get with those representatives to sign the agreements so we can do the next step in the process to move forward and for FY24. I have received the quarterly reports for most everybody I am missing a couple; I will reach out to those folks to get those done. If your organization is expecting reimbursement for your expenses through the grant. Please get those requests in, there are a few that we have not received anything from for a while or at all. I need those and I will be reaching out to those as well to do that. That is the update from the board.

Chair Ireland speaks to Commissioner Deutsch and has a discussion on the vehicle that was requested. We are able in our transportation department to give vehicles to non-profits. Other members join in on the discussion.

E. MSBU Update – Zach Patchell/Matt Logan

Zach Patchell went over his report.

Ackerman Waterway: No active project at this time. Refer to Manchester Waterway.

Alligator Creek: CEC started design phase receiving initiation docs from county. CEC has drafted and submitted permit application to State and Federal agencies. FDEP responded with a request for information to which CEC submitted the info. Still awaiting permits.

Buena Vista Area Waterways:

- FDEP and ACOE permits have been received
- Design deliverables have been received
- The MSBU Advisory Board and county staff is now waiting on the post-storm bathymetric survey results to dial in the exact limits of the upcoming dredge event. The Sunrise Channel is at the top of the list for dredging needs and will be included in this event.

Edgewater North: No active project at this time.

Gulf Cove Waterways:

- The county has submitted a purchase request to hire a firm to perform a post- storm bathymetric survey. Project design will be adjusted as need be based off that survey. Application for FEMA funding will be made for any storm impacts to waterways.

Harbour Heights:

- No active project at this time.

Hayward Canals:

- Sea and Shoreline had dredged close to half the project before hurricane Ian. The project has been on hold since. The county had to initiate the emergency debris removal contract and clear the waterway before the project could resume.
- Post-dredge bathymetric survey results were just received, and the county and contractor are working out details on resuming the project after a long delay due to hurricane Ian.

Manchester Waterway:

- Recently Atkins had a survey crew out to survey and collect data for the Manchester at Indianapolis WW, as part of the requested addition. There was no material above the target depth found within those limits
- Atkins submitted 90% deliverables to county staff, those documents were reviewed and sent back with comments.
- We just received a before dredge bathymetric survey to update quantities ahead of the dredge bid process.

- Atkins will now begin to finalize construction plans and bid specs ahead of the bid process.

Northwest Port Charlotte:

- County Staff and Arbor Tree & Land have agreed to yet another change order of time to move the project start date out to 12-4-23. This is due to Hurricane Ian delays and the need of canal debris removal.

Peace River Shores: No active projects at this time.

Pirate Harbor:

- Coastal Engineering has started the design phase of this project, submitting permit application to FDEP and USACE
- We recently received a permit from FDEP and still await USACE.
- A post-storm survey will be performed, and project data updated. FEMA aid may be applied for.

Southbridge Waterway: No active projects at this time.

South Gulf Cove: No active project at this time.

South Gulf Cove Parallel Lock:

- The design project is at 60 percent design and the Tender House design change order was just approved on the Sep. 13th
- The Tender House Design and Parallel Lock design components will be advanced together.
- DMK just submitted to the county the siting report for proposed Tender house and a new environmental report. Those reports will be submitted to permit agencies for review.
- 30 percent Tender House plans were just received and are currently under review.

Suncoast Waterway: No active projects at this time.

F. Derelict Vessel Report – Roger DeBruler

Roger DeBruler it's not going to take me that long because half of it has already been done by our CCSO report. Again, officers are finding more boats, some of them are new, some of them are the ones that have fallen through the cracks like the officer said. But were still moving forward with removing DEM Department of Emergency Management is still removing boats. Contractor is still out there working and at this point they don't see an end to it so. I am hearing through the grape vine though there might be a money issue coming down the pipeline soon. They maybe getting to the end of their funding. I don't know if FEMA put a cap on it. But that's what I am hearing.

Commissioner Deutsch the Governor put money specifically into that too.

Mr. DeBruler I don't know I am hearing.

Chair Ireland which means it actually could stop.

Mr. DeBruler it could, but at this point in time the contractor is still removing boats, he's still working and he's contacting the county on a regular basis requesting access to pull out points that he can use to get those boats out. They're utilizing Punta Gorda marina lifting boats out of the water quite heavily. They have taken quite a few boats down to St. James City that have removed them out down there. Because they have bigger facilities and bigger lifts and that kind of stuff. It's all moving forward, and I am trying to keep up with it and as you can see, we've gotten more boats out of the water.

Chair Ireland well thank you very much Roger, your work is not done or not get done tomorrow.

Commissioner Deutsch he is set until he retires.

G. Community Services Update – Tina Powell

Tina Powell went over her monthly report.

- **Ainger Creek Park:**
 - Park Redevelopment project is managed by Facilities Construction & Maintenance; project information can be found on the County's Project Status Updates webpage. Facilities provided the following: Data collection is complete and the design team is now preparing the preliminary design based on the approved master plan.
- **Allapatachee Park:**
 - The erosion assessment project has been completed. Community Services is reviewing the repair options.
- **Anger Fishing Pier:**
 - Community Services is managing repairs to the sidewalk undermining and rock revetment; the project is in permitting with the regulatory agencies.
- **Bayshore Live Oak Park:**
 - Fishing Pier replacement is being managed by Community Services; additional project information can be found on the County's Project Status Updates webpage. The project is under review by the regulatory agencies; pier is currently closed due to unsafe conditions.
 - Grass Parking project is managed by Facilities Construction & Maintenance; Facilities provided the following: Construction is underway.
- **Boca Grande Fishing Pier:** No projects at this time.
- **Butterford Waterway Park:** No projects at this time.
- **Cedar Point Environmental Park:**
 - Pier replacement is being managed by Community Services; minor repairs were completed in July. The design team is in the data collection phase and

waiting for seagrass growing season to do surveys.

- **Centennial Fishing Pier:** No projects at this time.
- **Darst Park:**
 - Community Services is managing the boarding pier replacement and seawall replacement along with ramp scour protection; the design is at 30%.
 - HURRICANE DAMAGE may affect the status of this project moving forward.
- **El Jobean Boat Ramp:**
 - Community Services is managing a ramp scour protection project; the design is at 30%.
- **El Jobean Fishing Pier:** No projects at this time.
- **Englewood Beach at Chadwick Park Fishing Pier:**
 - Community Services is managing a repair project that includes repairs to the fishing pier at Chadwick, as well as to the boardwalk pavilions on the Englewood Beach portion of the park; the project started the week of April 3rd.
- **Harbour Heights Park:**
 - Community Services is managing the seawall replacement project; permitting package has been submitted to the regulatory agencies.
- **Hathaway Park:** No projects at this time.
- **Lemon Bay Sunrise Rotary Park:** No projects at this time.
- **Live Oak Point:**
 - The erosion assessment project has been completed. Community Services is reviewing the repair options.
- **Placida Fishing Pier:** No projects at this time.
- **Placida Park:**
 - 2014 Sales Tax project for the boat ramp expansion is being managed by Facilities Construction & Maintenance; project information can be found on the County's Project Status Updates webpage. Facilities provided the following: FDEP requested a reevaluation of mangrove impacts, and the design team is currently evaluating design options to minimize environmental impacts with limited project adjustments.
- **Port Charlotte Beach Park:**
 - 2020 Sales Tax project for the Recreation Center is managed by Facilities Construction & Maintenance; project information can be found on the

County's Project Status Updates webpage. Facilities provided the following:
Sweet Sparkman is working on revising the PCB plans.

- Community Services is managing the T-dock replacement project; project is in purchasing to bid out the construction.

- **Riverside Park:**
 - Ramp has been closed due to safety issues for motorized vessels due to safety issues cannot be address via repairs. The project is being managed by Facilities Construction & Maintenance; project information can be found on the County's Project Status Updates webpage. Facilities provided the following: Currently FWC and FDEP are reviewing plans for permit approval.

- **South Gulf Cove Park:** No projects at this time.

- **Spring Lake Park:**
 - Community Services is managing the project that includes minor repairs to the boardwalk and boarding pier; this work has been completed.
 - HURRICANE DAMAGE may affect the status of the c/k launch boarding pier project.
 - Community Services is also managing a ramp scour protection project the design is at 30%.

- **William R. Gaines Jr. Veterans Memorial Park:**
 - The trails, boardwalk, fitness equipment and signage project is being managed by Community Services; additional project information can be found on the County's Project Status Updates webpage. The project is approved by SWFWMD and under review by ACOE as well as the County DRC process.
 - Community Services is also managing a repair project for the fishing pier; this work has been completed.
 - The ADA canoe/kayak launch project is managed by Facilities Construction & Maintenance Department and have the following: a new Project Manager from ACOE was recently assigned and we will continue to request regular status updates.

Chair Ireland thank you very much, seems like everybody has plenty on their plate. We had under new business we had listed Attorney Janette Knowlton, but she has already talked with us. You guys have any question or interest about that.

7. New Business -

County Attorney Janette Knowlton had spoke at the beginning of the meeting.

Mr. Hickey I got another new business. It's a combined City of Punta Gorda council and county commissioner meeting that was a few weeks ago. One of the projects that was brought up and being backed by the boater's alliance, is day docks behind the event center and it seemed like there was something that is agreeable to the county and the city.

Chair Ireland for fixed or floating?

Mr. Hickey well I would believe they would be floating but I don't know. No design has happened this is a concept. Talks about day docks, not dingy docks, not for overnight parking of dinghies for the derelict boats or future derelict boats. Day docks to be used so people could take a boat from say their house and come to downtown Punta Gorda go to the restaurants go to the shops. There is a shortage of day docks in Charlotte County in the harbor.

Discussion takes place on this with permitting, dredging, expensive and time.

Ms. Powell I know one of the issues that was briefly brought up at the BCC meeting that has been pushed down to my group. Is the status of the event center seawall, the repairs that are needed to that are fairly extensive. So, we are going out for bid for design for the seawall repairs, we can't do anything until the seawall is repaired. So that direction came down to us, so we are working on getting with our purchasing department to get a design team on board for the seawall replacement. That is the first step that's all we've been directed to do at this point, but we are working on that phase of the project.

Commissioner Deutsch if the city would come in and take care of the seawall it would still take a long time.

Mr. Hickey talks about the time and has a discussion with the members.

Chair Ireland asks if there is anything else that they would like to bring up under new business they would like to bring up? Hearing none continue.

None

8. Old Business –
None

9. Other Business –
None

10. Citizen Comments –
None

11. Good of the Order –
None

12. Next Meetings

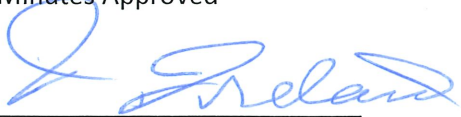
- The next **Pre-Agenda Meeting** will be held **Thursday, May 4, 2023**, at 9:30 a.m. in the **E. Jay Carlson Large Conference Room. (f/k/a Building Construction Services)**
- The next **Regular Meeting** will be held **Thursday, May 11, 2023**, at 9:30 a.m. at 18500 Murdock Circle, 2 Story Building - Room B-106, Port Charlotte.

13. Adjournment

Mr. Welsh made a motion to adjourn, second by **Mr. Kumm**, the motion passed unanimously.

The meeting was adjourned at 10:10 a.m.

Minutes Approved

A handwritten signature in blue ink, appearing to read "Tom Ireland", is written over a horizontal line.

Tom Ireland, Chair