

**Duck Key Subdivision Meeting
March 16, 2022, at 10:00 a.m.
Department of Public Works
Administration Conference Room**

Attendees

Chuck Speake, Interim Director, Department of Public Works
Juliana B. Bellia, Assistant City Manager
Frances M. Nuñez Lugo, Infrastructure and Facilities Manager
Anthony Payne, Section Administrator, Department of Public Works
George Warren, Duck Key Home Owners Association
M. Cuffage, Duck Key Home Owners Association
Paul Allison, Duck Key Home Owners Association
Philip Caroleo, Duck Key Home Owners Association

Summary

The following issues were discussed:

➤ **Condition Assessment of Stormwater Drainage Pipes**

The Duck Key Home Owners Association (HOA) representatives said that they tried to hire a contractor to assess the condition five (5) stormwater pipes. However, the City blocked them and would not let them perform their services.

Anthony Payne explained that he did not block the contractor. Mr. Payne recommended to the contractor that they de-water the areas prior to performing condition assessments of the stormwater pipes. The Department of Utilities staff utilized an underwater pipe inspection camera to perform condition assessments of five (5) stormwater pipes within the Duck Key Subdivision. The inspection revealed that there were issues with each of the stormwater pipes such root infiltration, deterioration, etc.

Mr. Speake clarified that the Duck Key HOA would be required to have condition assessments performed on the total, forty (40) stormwater pipes located within the Duck Key Subdivision. Mr. Speake stated that he only had condition assessments of the five (5) stormwater pipes with an underwater pipe inspection camera to get a sampling of the condition of the stormwater pipes.

The Duck Key HOA representatives said they were of the understanding from City staff that condition assessments were only required on five (5) stormwater pipes. It would cost \$60,000 to have condition assessments performed on forty (40) stormwater pipes which is very costly.

➤ **Road and Drainage District Non-Ad Valorem Stormwater Drainage Assessment**

The Duck Key HOA representatives provided copies of the Road and Drainage District Governing Body Minutes of the Regular Meeting of January 13, 2003. (*See attached*). They referenced the following:

“C. Consideration of Dedication of Land by Duck Key Owner’s Association, Inc. for general public use for streets and sidewalks, and public and private utilities. Administrative Services Coordinator Julie Bellia explained the dedication of property would be for general use in perpetuity for streets and sidewalks, and would allow the Road and Drainage District to assume maintenance of the infrastructure.”

The Duck Key HOA representatives said the word infrastructure infers drainage. They are of the opinion that in 2003, the City of North Port accepted maintenance of the stormwater drainage. In addition, in 2005 there was a change in drainage assessments from the City that would support this. They also asked if staff had obtained a legal opinion from the City Attorney’s Office on this issue?

Mrs. Bellia clarified that the word infrastructure refers to streets and sidewalks and not stormwater drainage. She also stated that staff has not yet requested a legal opinion from the City Attorney’s Office on this issue. Mrs. Bellia said that the Dedication Instrument will include verbiage specifying the types of infrastructure, stormwater systems and utilities that was petitioned by the Duck Key HOA for acceptance for maintenance responsibility by the City.

Mr. Speake said that he would be submitting a Request for Legal Opinion to the City Attorney’s Office today regarding whether or not the City had accepted maintenance responsibility of the stormwater drainage in the Duck Key Subdivision in 2003. In addition, Mr. Speake advised that he will be researching the City’s Road and Drainage District methodology studies from various consultants to regarding the drainage assessment of the Road and Drainage District Non-Ad Valorem Assessment.

➤ **Action Items**

- ✓ The Duck Key HOA shall have condition assessments performed on the total forty (40) stormwater pipes located within the Duck Key Subdivision.
- ✓ Mr. Speake shall submit a Request for Legal Opinion to the City Attorney’s Office regarding whether or not the City had accepted maintenance responsibility of the stormwater drainage in the Duck Key Subdivision in 2003.
- ✓ Mr. Speake shall research the City’s Road and Drainage District methodology studies from various consultants to regarding the drainage assessment of the Road and Drainage District Non-Ad Valorem Assessment to determine if there was a change made to the drainage assessment in 2005.

- ✓ Public Works staff shall inspect and make determination if the streets in the Duck Key Subdivision needs to be repaved. This is in response to the Duck Key HOA representatives concerns that the pavement on the streets in the Duck Key Subdivision are in poor condition and need to be repaved.
- ✓ The City's Solid Waste Division will pick up and dispose of an old copy machine at the Coast Guard Auxiliary facility on Chancellor Boulevard.
- ✓ In response to the Duck Key HOA representatives, Public Works staff will research if the Duck Key HOA can lease a portion of the Coast Guard Auxiliary facility on Chancellor Boulevard.
- ✓ In response to the Duck Key HOA representatives, Public Works staff will research if the Duck Key HOA can buy or lease the property adjacent to the bridge accessing Duck Key. *Note: Should this occur, Public Works staff will need to be provided access to the outfall pipe in this area to perform maintenance on the outfall pipe.*