

**ACTION AGENDA
BOARD OF COUNTY COMMISSIONERS**

**ROBERT L. ANDERSON ADMINISTRATION CENTER
4000 SOUTH TAMiami TRAIL
COUNTY COMMISSION CHAMBER
VENICE, FLORIDA**

9:00 a.m.

Nora Patterson, Chair, District 4
Shannon Staub, Vice Chair, District 3
Paul H. Mercier, District 1
Joseph A. Barbetta, District 2
Jon Thaxton, District 5

INVOCATION

PLEDGE OF ALLEGIANCE

Commissioner Barbetta

PRESENTATION OF PROCLAMATIONS:

Memorial Day in Sarasota County - May 28, 2007

NOTE: Unfinished items may be carried over to tomorrow's agenda.

CONSENT SECTION:

All matters listed under the Consent Section are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired by a Commissioner, the item(s) will be considered at the end of the Consent Section.

(9:08:07)

RATIFIED

1. ADMINISTRATION

To ratify the previously issued Proclamation for the Florida Shrine Association Convention Days - May 3 through May 5, 2007.

APPOINTED

2. COMMUNITY SERVICES

To appoint William Gibson to serve a three-year term on the Parks Advisory and Recreation Council (PARC), as the City of North Port Representative, effective through June 2010.

APPROVED/ADOPTED

3. COMMUNITY SERVICES

- A.** To approve a Contract, Amendment No. 1 to Contract No. 2006-032, with Fisher Auction Company, Inc., to increase the Real Estate Auction Services Total Marketing and Advertising Campaign Budget for additional expenses and cost, in the amount of \$6,998.00;
- B.** To adopt a Resolution, Budget Amendment No. B2007-050, amending the Fiscal Year (FY) 2007 Budget to appropriate the funding.

APPROVED**4. EMERGENCY SERVICES**

To approve a Contract, Amendment No. 1 to Contract Nos. 2006-225 and 2006-226, a Memorandum of Understanding with the Florida Department of Financial Services, Division of State Fire Marshal for the expenditure of Local Government Unit Funding for Florida Regional Hazardous/Weapons of Mass Destruction Teams from the 2005 Domestic Preparedness Grant State Homeland Security Grant Program, to extend the Grant period to December 31, 2007.

APPROVED**5. EMERGENCY SERVICES**

To approve a Contract, Amendment No. 1 to Contract No. 2006-223, with the Sarasota County Public Hospital Board for an annual increase for morgue services, in an amount not to exceed the Consumer Price Index.

APPROVED/ADOPTED**6. EMERGENCY SERVICES**

- A.** To approve a Contract, a Federally Funded Sub-Grant Agreement, with the Florida Department of Financial Services for Hazardous Materials/Weapons of Mass Destruction Operations, in the amount of \$38,412.00;
- B.** To adopt a Resolution, Budget Amendment No. B2007-051, amending the Fiscal Year (FY) 2007 Budget to appropriate the Grant funding.

APPROVED**7. ENVIRONMENTAL SERVICES**

To approve a Contract, Amendment No. 1 to Contract No. 2006-194, with Southwest Florida Water Management District (SWFWMD) to extend the Pollutant Loading Model Development, to extend the Project schedule to December 31, 2008.

APPROVED**8. ENVIRONMENTAL SERVICES**

To approve a Contract with the Florida Department of Environmental Protection (FDEP) to participate in a reimbursable Grant that includes funding of projects that evaluate and demonstrate Low Impact Design of Best Management Practices (BMP), stormwater nutrient loads associated with Subdivisions, water quality in impaired waters, and develop and implement Basin Management Action Plans.

APPROVED**9. ENVIRONMENTAL SERVICES**

To approve a Contract with Giffels-Webster Engineers, Inc., for the construction, engineering and inspection services related to the Phillippi Creek Septic System Replacement Program, Area K East and West, in the amount of \$1,475,000.00.

APPROVED**10. FINANCIAL PLANNING**

To approve a Contract, a Professional Services Contract, with First Southwest Company for financial advisory services, in the amount of \$30,000.00.

(9:09:58)

APPROVED**11. HEALTH AND HUMAN SERVICES**

To approve a Contract with Clarke Environmental Mosquito Management, Inc., for Aerial and Ground Insecticide Application Services, in an amount not to exceed \$700,000.00 in any one-year period, with a the total amount for the three-year term of the Contract, in an amount not to exceed \$2,100,000.00.

APPROVED**12. HEALTH AND HUMAN SERVICES**

To approve a Contract, a Cooperative Funding Agreement, with the Florida Healthy Kids Corporation for the State Fiscal Year (FY) 2006-2007 for Healthy Kids Cash Match, in an amount not to exceed \$100,425.44.

DEFERRED**13. HEALTH AND HUMAN SERVICES**

- A. To approve a Contract, Amendment No. 1 to Contract No. 2007-033, with First Step of Sarasota, Inc., for the enhancement of services to the VIP-ER (Voluntary Interim Placement-Enhanced Recovery) Program, in the amount of \$241,556.00 for a total amount of \$1,918,427.00;
- B. To approve a Contract with Transitional Resources, Inc., for six units of sober housing for Fiscal Year (FY) 2007, in the amount of \$16,500.00.

(4:11:57)

WAIVED/APPROVED**14. PLANNING AND DEVELOPMENT SERVICES**

- A. To waive the Statutory prohibition against an advisory board member selling realty to the political subdivision which the member serves;
- B. To approve a Contract, a Purchase and Sales Agreement, with John Davison for the acquisition of the eastern half-acre of land located at 55 Cedar Street, Englewood, for the purposes of community redevelopment and a stormwater project, in the amount of 96,000.00; and to authorize Staff to complete all necessary due diligence as a condition precedent to closing.

(9:13:49)

ADOPTED**15. PUBLIC WORKS**

To adopt a Resolution for the acquisition of a Permanent Utility Easement Interest to reduce the pollution in Phillippi Creek contributed by septic systems and small package wastewater treatment plants in the Phillippi Creek Watershed.

(9:18:43)

APPROVED**16. PUBLIC WORKS**

To approve a Contract, Supplemental Agreement No. 4 to Contract No. 2002-234, with Boyle Engineering Corporation for additional work during the construction phase of the Bahia Vista Roadway Improvement Project, in the amount of \$130,000.00.

DELETED

17. PUBLIC WORKS

To delete the Porter Road Realignment Project from the Traffic Circulation Capital Improvement Program (CIP).

(9:21:42)

APPROVED/ADOPTED

18. PUBLIC WORKS

- A.** To approve a Contract, a Local Agency Program (LAP) Agreement, with the Florida Department of Transportation (FDOT) for the Alligator Creek Trail Phase I Project for the design and construction of 1.2 miles \pm of a 12-foot wide paved multi-purpose, non-motorized trail located along the south side of Alligator Creek between Jacaranda Boulevard and U.S. 41 South, in the amount of \$300,000.00;
- B.** To adopt a Resolution authorizing the execution of the LAP Agreement;
- C.** To adopt a Resolution, Budget Amendment No. B2007-029, amending the Fiscal Year (FY) 2007 Budget to appropriate the funding.

(9:23:34)

APPROVED

19. PUBLIC WORKS

To approve a Contract, Supplemental Agreement No. 1 to Contract No. 2006-071, with the Florida Department of Transportation (FDOT) to delete the reference to State Road (S.R.) 780 (Fruitville Road from Honore Avenue west to McIntosh Road) for street tree landscaping in medians and sides of roadways in various locations.

RATIFIED/APPROVED

20. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

To ratify and approve the warrants dated April 30, 2007, through May 11, 2007, in the amount of \$28,294,889.45, as detailed in the voucher packages filed in the Finance Department.

APPROVED

21. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

- A.** To approve the Minutes of the meetings dated April 30, May 1, May 7, May 8, and May 9, 2007;
- B.** To approve the revision to Item 6.A. of the April 25, 2007, Minutes (Book 75, Page 173).

**SARASOTA COUNTY TRANSPORTATION AUTHORITY
CONSENT SECTION**

The Board of County Commissioners will convene as the Sarasota County Transportation Authority (SCTA) to consider the following item. All matters listed under the SCTA Consent Section are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired by a Commissioner, the item will be considered at the end of the Consent Section.

(9:24:24)

ADOPTED

22. PUBLIC WORKS

To adopt a Resolution authorizing the execution and submission of the 2007/2008 Transportation Disadvantaged Trust Fund Grant Application.

DISCUSSION SECTION:

(9:26:21)

ADOPTED

23. TALENT AND PERFORMANCE MANAGEMENT

To consider a proposed Resolution, approving the Sarasota County Affirmative Action and Workforce Diversity Plan for Fiscal Year (FY) 2007 through 2010.

(9:31:43)

**REQUESTED E-MAIL NOTIFICATION OF THE POLICY COMMITTEE MEETINGS FOR THE COUNTY DETENTION FACILITY, INCLUDING COPIES OF THE AUDIO RECORDINGS, AND AN E-MAIL REPORT EVERY THREE AND SIX MONTHS
REQUESTED TO DISCUSS REASSIGNMENT TO THE CRIMINAL JUSTICE COMMISSION AT A LATER DATE
APPROVED THE CONTRACT IN THE AMOUNT OF \$209,100.00 WITH THE CONDITION THAT REPORTS BE BROUGHT BACK FOLLOWING COMPLETION OF TASKS 2, 5, AND 6 FOR BOARD DISCUSSION AND DECISION ON CONTINUATION OF THE CONTRACT**

24. PUBLIC WORKS

To approve a Contract, a Professional Services Agreement, with Liebert and Associates for planning and design consulting services for the new County Detention Facility, in the amount of \$209,100.00.

PUBLIC HEARINGS:

THE SARASOTA COUNTY CHARTER REQUIRES THAT EVIDENCE AND TESTIMONY PRESENTED DURING PUBLIC HEARINGS SHALL BE UNDER OATH. PERSONS PRESENTING EVIDENCE AND/OR TESTIMONY ARE REQUIRED TO COMPLETE AND SIGN THE REQUEST TO SPEAK CARD.

(11:50:48/2:09:51)

CONTINUED TO SEPTEMBER 11, 2007

25. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider a proposed Resolution to provide for the Planning and Development Services Fee Schedule for costs associated with Staff development and permitting activities.

(10:16:38)

CONTINUED TO JUNE 26, 2007

26. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider a proposed Resolution, Special Exception Petition No. 1649, a petition by Lauralee Westine, Agent, to allow a 190 foot ± alternative tower structure on property located north of Laurel Road between U.S. 41 and Interstate 75 (I-75), in the OUE-1 (Open Use, Estate, 1 unit/5acres) zone district. (Planning Commission recommended approval.)

REPORTS SECTION:

(6:55:15)

DEFERRED TO MAY 23, 2007

27. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER'S REPORT

- A. Filed for Record List.

(6:54:09)

CONFIRMED

28. COUNTY ADMINISTRATOR'S REPORT

A. FINANCIAL PLANNING

To confirm Jeff Seward as the Chief Financial Planning Officer.

(6:55:15)

DEFERRED TO MAY 23, 2007

29. COUNTY ATTORNEY'S REPORT

(6:55:15)

DEFERRED TO MAY 23, 2007

30. COMMISSION AND COMMITTEE REPORTS

(6:55:15)

DEFERRED TO MAY 23, 2007

31. ADMINISTRATION

Outstanding Board Assignments.

(6:55:15)

DEFERRED TO MAY 23, 2007

32. ADMINISTRATION

Review of Board Meeting Schedule.

1:30 p.m.

(1:33:42)

DIRECTED THE COUNTY ADMINISTRATOR TO REVIEW THE CIRCUMSTANCES, DEFINE THE SCOPE, AND ADVISE OF ALTERNATIVES/REMEDIES FOR BOARD CONSIDERATION REGARDING SHORT TERM RENTALS IN THE WARM MINERAL SPRINGS DUPLEX/MULTI-FAMILY VICINITY

33. OPEN TO THE PUBLIC (Three-minute time limit per person/per meeting, up to 30 minutes.)

DISCUSSION SECTION: (Continued)

(2:17:44)

**REQUESTED THAT THE COUNTY ADMINISTRATOR PROVIDE, BY E-MAIL, A "TO DO LIST" REGARDING THE TIME FRAME TO RESTORE HABITAT AREAS
REQUESTED THAT THE COUNTY ADMINISTRATOR INFORM THE AREA MUNICIPALITIES OF THE SCIENTIFIC SCRUB-JAY DATA AND CONVEY THE NEED FOR A COUNTY-WIDE HABITAT CONSERVATION PLAN (HCP)
REQUESTED THAT THE COUNTY ADMINISTRATOR DRAFT CORRESPONDENCE, SIGNED BY CHAIR, AND TO PROVIDE A DVD COPY OF THE FLORIDA SCRUB-JAY HCP MODELING REPORT/PRESENTATION FOR SUBMITTAL TO THE AREA MUNICIPALITY COMMISSIONERS/CITY MANAGERS WITH SPECIFIC INFORMATION CONVEYED TO THE CITY OF VENICE MAYOR RELATIVE TO THE PROPOSED DEVELOPMENT OF THE VENICE AIRPORT AREA**

34. ENVIRONMENTAL SERVICES

Presentation on the Habitat Conservation Plan (HCP) Modeling Report for the Florida Scrub-Jay by Dr. John Fitzpatrick of Cornell University's Laboratory of Ornithology.

(3:37:43)

ADOPTED/APPROVED

35. PUBLIC WORKS

To consider the following Items:

- A. A proposed Resolution authorizing the execution of the Transportation Regional Incentive Program Agreement (TRIP) with the Florida Department of Transportation (FDOT);
- B. A proposed Contract with FDOT for the implementation of the Advance Traffic Management System (ATMS) on regional roads in the County, in the amount of \$7,500,000.00;
- C. A proposed Resolution, Budget Amendment No. B2007-053, amending the Fiscal Year (FY) 2007 Budget to appropriate the funding.

(3:46:16)

APPROVED

36. ENVIRONMENTAL SERVICES

To consider a Contract with E.T. MacKenzie of Florida, Inc., for the construction of the Phillippi Creek Septic System Replacement Program, Area K East and the Webber Street Phase II Sidewalk Improvement Projects, in the amount of \$12,015,127.01.

(3:47:49)

ADOPTED

DIRECTED THE COUNTY ADMINISTRATOR TO REVIEW AND BRING BACK A REPORT TO THE BOARD REGARDING THE FINANCES OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA) RELATIVE TO LOAN REPAYMENT CAPABILITIES, FUND BALANCES, AND A REPAYMENT PROGRAM

37. PLANNING AND DEVELOPMENT SERVICES

To consider a proposed Resolution, amending Resolution No. 2005-270, authorizing the borrowing of an amount not to exceed \$9,528,000.00 from the Pooled Commercial Paper Loan Program of the Florida Local Government Finance Commission Tax-Exempt Commercial Paper Loan Program, Draw A-51 to add the acquisition of 800 West Perry Street, Englewood, Community Redevelopment Agency (CRA) Project, in the amount of \$2,295,000.00.

PUBLIC HEARINGS:

THE SARASOTA COUNTY CHARTER REQUIRES THAT EVIDENCE AND TESTIMONY PRESENTED DURING PUBLIC HEARINGS SHALL BE UNDER OATH. PERSONS PRESENTING EVIDENCE AND/OR TESTIMONY ARE REQUIRED TO COMPLETE AND SIGN THE REQUEST TO SPEAK CARD.

(4:17:52)

ADOPTED

38. ENVIRONMENTAL SERVICES

Public hearing to consider a proposed Resolution ratifying water, wastewater, and reuse rates, fees, and charges for the County Utilities System, including the former Beekman Place Utility Corporation service area.

(4:23:52)

ADOPTED, AS AMENDED, REZONING THE SUBJECT PARCEL TO THE OPI (OFFICE, PROFESSIONAL, AND INSTITUTIONAL) ZONE DISTRICT

39. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider proposed Ordinance No. 2007-019, Rezone Petition No. 06-30, a petition by Brian Lichterman, Agent, to rezone 1.01 acres ± located at the southeast corner of Manasota Beach Road and State Road 776, from OUE-2 (Open Use, Estate, 1 unit/2 acres) to CN (Commercial Neighborhood) zone district. (Planning Commission recommended approval.)

(5:43:06)

ADOPTED, AS AMENDED, REZONING THE SUBJECT PARCEL TO RMF-1 (RESIDENTIAL, MULTI-FAMILY, 6 UNITS/ACRE)

40. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider proposed Ordinance No. 2007-005, Rezone Petition No. 06-29, a petition by Alan Garrett, Agent, to rezone 4.66 acres ± located west of State Road (S.R.) 776 (Englewood Road) and south of Shane Road, from OUE-2 (Open Use, Estate, 1 unit/2 acres) to RMF-3/PUD (Residential, Multi-family, 13 units/1 acre, with a Planned Unit Development) zone district. (Planning Commission recommended approval.)

(6:55:15)

NO ACTION TAKEN

41. OTHER BUSINESS

(6:53:54)

NO ACTION TAKEN

42. OPEN TO THE PUBLIC (Three-minute time limit per person/per meeting, up to 30 minutes.)