

**MINUTES
BOARD OF COUNTY COMMISSIONERS**

**SARASOTA COUNTY ADMINISTRATION CENTER
1660 RINGLING BOULEVARD
COUNTY COMMISSION CHAMBER
SARASOTA, FLORIDA**

9:00 a.m.

David R. Mills, Chair, District 2
Nora Patterson, Vice Chair, District 4
Paul H. Mercier, District 1
Shannon Staub, District 3
Jon Thaxton, District 5

Also present were:

James Ley, County Administrator
Stephen DeMarsh, County Attorney
Latressa Preston, Deputy Clerk
Claudia Goodson, Deputy Clerk

1. ORDINANCES

- A.** Public hearing continued from June 21, 2006, to consider proposed Ordinance No. 2006-040, amending Zoning Ordinance No. 2003-052, as amended and codified as Appendix A to the County Code, to amend Section 6 relating to optional Mixed Use Development Standards and to add Article 12, Section 12.1.1., relating to optional Mixed Use Development Community Housing Standards. (Note: First public hearing was held on June 6, 2006);
- B.** (Not a public hearing.) Land Development Regulation Commission to find proposed Ordinance No. 2006-040 consistent with the Sarasota County Comprehensive Plan. (Must be done prior to final adoption of the Ordinance.)

Following comments by County Administrator James Ley, Planning and Development Services Planning Director Anne McClung, duly sworn, commented on Staff's request to continue the public hearing and noted additional time needed to complete studies of Mixed Use Development. Discussion ensued with County Administrator Ley, County Attorney Stephen DeMarsh, and Ms. McClung on the following topics/issues:

- date of continuance/scheduled workshop
- requirements to re-advertise/procedures/Planning Commission consideration/subtenant changes/time frame
- design based concept/suggestion for public meeting with the developers/neighborhoods
- compatibility/buffering on page A-3 of Staff's report.

Attorney William Merrill, duly sworn, commented on the proposed Ordinance.

Upon inquiry, County Attorney DeMarsh commented on the process/procedure regarding continuing and re-advertising a public hearing.

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Thaxton, carried without objection.

Following comments by County Administrator Ley, Commr. Thaxton moved to direct Staff to gather input from professionals who specialize in drafting form-based Mixed Use Development Codes. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

(9:19:05)

3. ORDINANCES

The Board considered a proposed Ordinance, a Charter Amendment, governing annexation impacts.

Following comments by Chair Mills, County Administrator James Ley summarized previous negotiation efforts with the Cities of Venice and North Port to establish a Joint Planning Agreement (JPA) to address growth management planning and reviewed the Board's options relative to annexation issues. County Attorney Stephen DeMarsh presented an overview of Staff's report on a proposed Ordinance providing for County pre-emption over conflicting municipal Future Land Use designations for lands lying outside the Urban Service Areas, discussed the legalities of the proposed language, and commented on previous Legislative efforts to limit the authority of Charter Counties.

Discussions were held with County Administrator Ley and County Attorney DeMarsh on the following topics/issues:

- impacts of relocating the Urban Service Area
- Municipality/County land use changes permissible without amending the County Charter
- pre-emption of municipal lands relative to the Comprehensive Plan Amendments
- Version 2 of the proposed Ordinance
- Memorandum No. 813, page 2, Section I, Legal Analysis, second paragraph, last two sentences/30-day appeal/term "have" versus "has"
- Version 3 of the proposed Ordinance/County land use precedence over City land use/delegation of powers through JPA/use of language in the Charter/clarity of intent
- comprehensive planning versus zoning/Future Land Use designation
- retroactive provisions/Memorandum No. 813, page 4, paragraph 3, relating to proposed Legislation
- dual referendum requirements/suggested language for ballot/risks
- misuse of "retroactive" term relative to annexation/Comprehensive Plan Amendments
- request for a report on defining the differences between Versions 1, 2, and 3, without objection.

The following individuals commented the proposed Ordinance:

North Port City Commissioner Fred E. Tower, III
City of Venice Mayor Fred Hammett

(9:59:12)

Following comments, Commr. Mercier moved to direct Staff to schedule a series of workshops throughout the County to discuss annexations relative to a referendum with each Municipality during the next nine months. The motion died for lack of a second.

(10:00:12)

Subsequent to comments, Commr. Thaxton moved to authorize advertisement of a public hearing to consider a proposed Ordinance, Charter Amendment Version 1, on September 14, 2006, at the Robert L. Anderson Administration Center at 2:00 p.m., or as soon thereafter as possible. The motion was seconded by Commr. Staub. Following comments, the motion carried by a 4-1 vote, with Commr. Mercier voting "No."

RECESS: 10:12 a.m. - 10:29 a.m.

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1660 RINGLING BOULEVARD
THINK TANK, THIRD FLOOR
SARASOTA, FLORIDA****2. BUDGETS**

Following comments by County Administrator James Ley on the proposed Financial Plan for Fiscal Year (FY) 2007, Financial Planning Fiscal Planning General Manager Jeffrey Seward and Chief Financial Planning Officer Gail Miller presented Staff's report on the proposed 0.4 millage property tax reduction, gave an overview of the gross versus net FY 2007 proposed Budget, and commented on Full Time Employee (FTE) per capita.

Discussions were held with County Administrator Ley, Mr. Seward, Ms. Miller, Financial Planning Fiscal Budget Management Analyst Elizabeth Damschroder on the following topics/issues:

- page 2 of the FY 2007 Proposed Budget, key operational issues/facilities initiatives
- TRIM (Truth In Millage) notices/increase in revenue/ad valorem taxes
- request for an e-mail regarding public responses, without objection
- clarification of Trans Ad Valorem (transportation ad valorem) taxes
- page 3 of the FY 2007 Proposed Budget, EMS (Emergency Management Services) taxes not incorporated in the tax bill Countywide
- pages 5 and 6 of the FY 2007 Proposed Budget, Operating Budget versus Capital Improvement Budget/"double counts"/gross versus net budgets/ amount of double count/actual gross Budget including capital/debt net
- maintaining high level of service/dollars per capita
- request for a compatibility report from other Counties, without objection
- Parks and Recreation personnel related maintenance/increase in Staff and Budget.

(10:53:17)

Following comments by County Administrator Ley on key operational issues and their impacts to the FY 2007 Proposed Budget, Sheriff William Balkwill reviewed the Sheriff's FY 2007 Proposed Budget and the additional funding request for the opening of the Jail's sixth floor. Discussions were held with County Administrator Ley and Sheriff Balkwill on the following topics/issues:

- status of improvements to the Jail/ICE (Immigrations and Customs Enforcement) inmates/Jail count
- increase in arrests in South County/request for a report on arrests originating in South County, without objection
- decrease in amount requested in previous Budget workshop
- discussions with the City of North Port and City of Venice regarding criminal justice impact fees.

(11:01:34)

Following comments by Mr. Seward and County Administrator Ley on Sarasota County Area Transit (SCAT) Planning for FY 2007, Public Works Mobility Transit General Manager Anthony Beckford and Public Works Executive Director Jim Harriott gave an overview of Staff's report and recommendations relative to transit enhancements and options for Sundays and extended hours for transit services.

2. BUDGETS - Continued

Discussions were held with County Administrator Ley, Mr. Harriott, Mr. Beckford, and Ms. Miller on the following topics/issues:

- Route 17 extension/Sunday exception/hours of operation
- high projection of service/contact with major employers regarding availability/needs of employees
- Option B of Staff's report/Longboat Key/Manatee County agreement
- Option C of Staff's report/high "ridership" throughout University Parkway/Fruitville Road/Clark Road/end times/traffic/employers' needs
- \$1,500,000.00 million versus \$1,800,000.00 million/ad valorem dollars/reserves/special revenue funds
- page 13, of FY 2007 Proposed Financial Plan, "add-on" dollars/one time occurrence/protection of Community Reinvestment Fund
- infrastructure surtax/transfer of Community Reinvestment Funds to the General Fund
- 3.9 millage committed to specific fund/.4 millage reduction/income/additional revenue.

Following comments, Commr. Patterson moved to direct Staff to select Options A, B, and C for a total \$1,800,000.00 for SCAT. The motion was seconded by Commr. Staub. Following discussion, the motion carried by a 5-0 vote.

(11:40:20)

Subsequent to comments, Mr. Seward and County Administrator Ley gave an overview of the Facilities Rehabilitation and the Facilities Initiatives Reserves Plan.

(11:43:34)

Following comments, Mr. Harriott submitted a copy of Staff's PowerPoint presentation, gave an overview of Staff's report on the funding history of the Rails to Trails Project, reviewed the design-build options relative to the Trail's completion, advised of the U.S. Coast Guard's notification to require the County to remove or modify the Dona Bay trestle, and commented on the Project's priorities/goals.

Discussions were held with County Administrator Ley, Mr. Harriott, Mr. Seward, and Public Works Mobility Road Program Design Project Manager Mary Ellen Maurer on the following topics/issues:

- responsibility of removal/modification of Dona and Roberts Bay Bridges/time frame/deadline
- replacement versus repair
- length of span
- funding application process/permitting
- trestles as a historic landmark/funding/surtax allocation
- prehistoric water flow/education point/Oscar Scherer State Park as a guideline
- small trestles/permitting challenges/numbers/time frame/asphalt pavement of the trail/phasing.

Following comments, Commr. Staub moved to direct Staff to transfer \$5,000,000.00 from the Rails to Trails Reserve Fund to the Rails to Trails Capital Improvement Project, repair six small trestles, asphalt/pave 10.6 miles of the Trail, proceed with the design of Dona and Roberts Bay Bridges trestles, and commit an intent to fund the remainder of the cost for FY 2008. The motion was seconded by Commr. Patterson. Following discussion, the motion carried by a 5-0 vote.

(12:18:04)

2. BUDGETS - Continued

Commr. Staub distributed copies of the Bicycle and Pedestrian Program Bridge Manual. Upon inquiry, Mr. Harriott commented on investigating the funding to build inexpensive bridges.

County Administrator Ley gave an overview of the continuity of community building, the Capital Improvement Plan (CIP), and the FY 2007 CIP proposed Projects. Discussion ensued with County Administrator Ley and Mr. Harriott on the Waterfront Acquisition Reserve Fund, accumulated versus "zeroed out" accounts, the amount of funding, the creation of a special revenue fund, and the allocation/rollover of funds.

Following comments, Commr. Staub moved to direct Staff to transfer \$1,800,000.00 from the Fruitville Corridor Reserve to SCAT. The motion was seconded by Commr. Patterson. Following comments, the motion carried by a 4-1 vote, with Commr. Mercier voting "No."

(12:30:26)

Commr. Patterson moved that the \$2,000,000.00 in the Waterfront Acquisition Reserve Fund remain in its active reserve account if it is not used by the end of the year. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

(12:32:35)

4. OPEN TO THE PUBLIC - No one appeared at this time.

MEETING ADJOURNED: 12:33 p.m.