

**ACTION AGENDA
BOARD OF COUNTY COMMISSIONERS**

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

NOTE:

This meeting may include items that were deferred from yesterday's Board of County Commissioners meeting.

DISCUSSION SECTION

NO ACTION TAKEN

1. PLANNING AND DEVELOPMENT SERVICES

Presentation of the Public Facilities Financing Advisory Board (PFFAB) Annual Report by PFFAB Chairman John Harshman.

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.

APPROVED

2. ENVIRONMENTAL SERVICES

Public hearing to consider the naming of an Environmentally Sensitive Land Protection Program (ESLPP) site located southeast of the intersection of Fruitville and Verna Roads known as the O'Neil parcel as the "Old Miakka Preserve" and a planned loop trail within the Old Miakka site as the "Tim Cash Trail."

ADOPTED, AS AMENDED

3. PLANNING AND DEVELOPMENT SERVICES

- A.** Public hearing to consider proposed Ordinance No. 2007-036, amending Ordinance No. 88-056, as amended and codified in Chapter 110, Article VIII of the County Code, relating to impact fees for Fire/Rescue Facilities;
- B.** (Not a public hearing.) Land Development Regulation Commission to find proposed Ordinance No. 2007-036 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to final adoption.)
- C.** Public hearing to consider proposed Ordinance No. 2007-037, amending Ordinance No. 2002-091, as amended and codified in Chapter 110, Article XII of the County Code, relating to impact fees for Emergency Medical Services (EMS) Impact Facilities;

- 3. PLANNING AND DEVELOPMENT SERVICES - Continued**
- D.** (Not a public hearing.) Land Development Regulation Commission to find proposed Ordinance No. 2007-037 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to final adoption.)
- E.** Public hearing to consider proposed Ordinance No. 2007-038, creating Chapter 70, Article IX of the County Code relating to impact fees for Law Enforcement;
- F.** (Not a public hearing.) Land Development Regulation Commission to find proposed Ordinance No. 2007-038 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to final adoption.)
- G.** Public hearing to consider proposed Ordinance No. 2007-039, creating Chapter 70, Article X of the County Code relating to impact fees for Justice Facilities;
- H.** (Not a public hearing.) Land Development Regulation Commission to find proposed Ordinance No. 2007-039 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to final adoption.)
- I.** Public hearing to consider proposed Ordinance No. 2007-040, creating Chapter 70, Article XI of the County Code relating to impact fees for General Government.
- J.** (Not a public hearing.) Land Development Regulation Commission to find proposed Ordinance No. 2007-040 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to final adoption.)

1:30 p.m.

REQUESTED A REPORT FROM THE COUNTY ADMINISTRATOR AND THE COUNTY ATTORNEY REGARDING CODE ENFORCEMENT VIOLATIONS BY MCLEOD LAND SERVICES.

- 4. OPEN TO THE PUBLIC** (Three-minute time limit per person/per meeting, up to 30 minutes. Unheard speakers continued to end of meeting.)

DISCUSSION SECTION - Continued

(1:50:55)

APPOINTED

- 5. HEALTH AND HUMAN SERVICES**
To consider the appointments to the Human Services Advisory Council (HSAC), as follows:
 - A.** To reappoint Lieutenant Tim Enos to serve a three-year term, as the Sheriff's Representative, effective through 2010;
 - B.** To reappoint Janice Mee to serve a three-year term, as the Sarasota County Openly Plans for Excellence (SCOPE) Representative, effective through March 2010;
 - C.** To reappoint Pete Strohmingner to serve a three-year term, as the Youth Representative, effective through March 2010;
 - D.** To appoint Sarah Junke to serve a three-year term, as the Local Grantor (South County) Representative, effective through 2010;
 - E.** To appoint Gabriel Bidot to serve a one-year term, as the Students Taking Active Roles in Government (STAR) Representative, effective through May 2008;
 - F.** To appoint two individuals to serve three-year terms, as the Citizen-At-Large Representatives, effective through March 2010;
 - G.** To appoint one individual to serve a three-year term, as the Consumer Client Advocate Representative, effective through 2010.

(1:55:03)

APPROVED**6. PLANNING AND DEVELOPMENT SERVICES**

- A. To consider authorizing the community building efforts in the Kensington Park, Overbrook Gardens, and the Fruitville 210 Communities;
- B. To consider the approval of the Grant Applications and related Neighborhood Grant Program Contracts, in the amount of \$74,154.28.00.

(2:20:12)

AUTHORIZED**7. PLANNING AND DEVELOPMENT SERVICES**

To consider authorization to proceed with the processing of proposed County-initiated Comprehensive Plan Amendments in Amendment Cycle 2008-01.

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.

ADOPTED**8. ENVIRONMENTAL SERVICES**

Deliberative Rate Session to consider the application for a limited proceeding adjustment of water service rates, fees, and charges filed by South Gate Utilities, Inc., as follows:

- A. To adopt the Hearing Examiner's Recommended Order establishing wastewater service rates and Allowance for Funds Prudently Invested (AFPI) wastewater service charges for South Gate Utilities, Inc., and incorporating the Stipulation Agreement;
- B. To adopt a Resolution authorizing the rates, fees, charges, and related procedures.

(3:27:26)

ADOPTED**9. COMMUNITY SERVICES**

- A. Public hearing to consider the historic designation of the South Gate Community House, pursuant to Article IV, Chapter 66 of the County Code;
- B. (Not a public hearing.) To consider a proposed Resolution historically designating the South Gate Community House, located at 3145 South Gate Circle, Sarasota.

(3:33:16)

ADOPTED, AS AMENDED**10. PLANNING AND DEVELOPMENT SERVICES**

- A. Public hearing to consider proposed Ordinance No. 2007-049, Comprehensive Plan Amendment No. RU-135, a County-initiated petition to amend the Capital Improvements Element (CIE), revising Table 10-3: Five-Year Schedule of Capital Improvement Components of the Comprehensive Plan, to be consistent with the Fiscal Year (FY) 07-FY 11 Capital Improvements Program (CIP) and to defer transmittal to the Florida Department of Community Affairs (FDCA) for their review and comment until action has been taken on all amendments in Comprehensive Plan Amendment Cycle 2007-01;

10. PLANNING AND DEVELOPMENT SERVICES - Continued

- B.** Public hearing to consider proposed Ordinance No. 2007-050, Comprehensive Plan Amendment No. RU-136, a County-initiated petition to amend the Future Land Use (FLU) Chapter policies to provide clarity regarding development rights of Residential Multi-Family (RMF) zoned parcels and to defer transmittal to the FDCA for their review and comment until action has been taken on all amendments in Comprehensive Plan Amendment Cycle 2007-01;
- C.** Public hearing to consider proposed Ordinance No. 2007-051, Comprehensive Plan Amendment No. RU-138, a County-initiated petition to amend Chapter 7, Housing, of the Comprehensive Plan to provide a definition of Affordable Housing and to defer transmittal to the FDCA for their review and comment until action has been taken on all amendments in Comprehensive Plan Amendment Cycle 2007-01.

(4:46:24)

AMENDED CONTINUED TO MAY 7, 2007, AT 9:00 A.M.

11. PLANNING AND DEVELOPMENT SERVICES

- A.** Second public hearing to consider proposed Ordinance No. 2006-050, Zoning Ordinance Amendment No. 6, a County-initiated petition to clarify Section 6.6.1. of the County Zoning Regulations regarding density as it applies to duplex development on non-conforming Residential, Multi-Family (RMF) lots of record. Applicable RMF-zoned non-conforming lots of record are proposed to be exempt from the maximum gross densities of the zoning district and to clarify the development and redevelopment standards for duplex structures on non-conforming RMF zoned parcels on the Barrier Islands and the Mainland areas. Proposed changes include the creation of Section 8.4.5., Requirements for Non-conforming Lots on Barrier Islands, which addresses the development and redevelopment standards along with other revisions to provide appropriate cross-referencing to the new section. (First public hearing was held on April 10, 2007.)
- B.** (Not a public hearing.) Land Development Regulation Commission to find proposed Ordinance No. 2006-050 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to final adoption.)

(9:03:44)

APPROVED CORRESPONDENCE TO LEGISLATIVE DELEGATION REPRESENTATIVE MICHAEL J. GRANT OPPOSING HOUSE BILL 45 AND SENATE BILL 746 RELATING TO WORKERS' COMPENSATION FOR FIRST RESPONDERS

(11:24:01)

AUTHORIZED THE COUNTY ADMINISTRATOR AND THE OFFICE OF THE COUNTY ATTORNEY TO PREPARE AN EMERGENCY ORDINANCE RELATING TO THE USE OF FERTILIZER

(11:48:11)

APPROVED THE SETTLEMENT IN THE WORKERS' COMPENSATION CLAIM OF RONALD BURKHART V. SARASOTA COUNTY

AUTHORIZED THE COUNTY ATTORNEY TO APPEAL THE CIRCUIT COURT DECISION IN THE CASE OF BOW POINT ON THE GULF CONDOMINIUM DEVELOPERS, LLC V. SARASOTA COUNTY

(12:03:12)

DIRECTED THE COUNTY ADMINISTRATOR TO REVIEW THE PROPOSAL/COMPETITIVE BID FOR UTILIZATION OF LANDFILL MATERIALS/LAND FOR POTENTIAL FUEL

(12:12:59)

REQUESTED TO INVITE THE SHERIFF'S OFFICE REPRESENTATIVE TO ATTEND THE FUTURE BOARD DISCUSSION REGARDING THE TRAFFIC STUDY COMPLETED ON RIVER ROAD

(12:25:49)

REQUESTED A REVIEW/REPORT ON THE COUNTY'S PARTICIPATION IN THE FLORIDA DEPARTMENT OF TRANSPORTATION'S WILDFLOWER SEEDING PROGRAM

(12:32:15)

APPROVED TRAVEL EXPENSES TO ATTEND THE MEDICAID REFORM CONFERENCE ON MAY 10, 2007, AND DIRECTED THE COUNTY ADMINISTRATOR TO CONTACT DOCTOR'S HOSPITAL REGARDING THE CONCURRENCY ISSUE

12. OTHER BUSINESS

NO ACTION TAKEN

13. OPEN TO THE PUBLIC (Three-minute time limit per person/per meeting, up to 30 minutes. Unheard speakers continued to end of meeting.)